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They have gone further than that. They have dropped widows from the pension roll who were pensioned under the former practice of the office, where $250 was a bar, and they are tightening around the granting of widows' pensions stringent regulations.

On the other hand, if a widow is left with a house or real estate of any value which she does not rent or receive an income from, that is held to be no bar to the pension. So, if one widow is owning a house worth $5,000 from which she receives no income, that widow worth $5,000 in money gets a pension, while another widow who has no house and is obliged to rent one, and has only $2,000 at 5 per cent interest, gets no pension. The thing is all wrong, and when this question comes before the Committee on Pensions, as I assume it will, I ask that they shall look into the whole matter.

Mr. SULLIVAN. I move to recommit the bill with the amendment to the Committee on Pensions.

Mr. HAWLEY. It has not come from the Committee on Pensions. It comes from the Committee on Appropriations. It is not usual, I take it, to desert the Committee on Appropriations.

Mr. PERKINS. Mr. President——

Mr. COCKRELL. Will the Senator from California yield to me a moment?

Mr. PERKINS. Certainly.

Mr. COCKRELL. In my judgment, and it is sustained by what the Senator from New Hampshire says, this bill would largely increase the number of widows who would be entitled to a pension under the law of June 27, 1890. This provision, allowing an income of $750, would do so beyond any question. But I apprehend that the main part of the objection of the Senator from Mississippi is met in the following language in his amendment:

Provided further, That any person applying for payment of any sum of money as a dependent pensioner after the passage of this act, whether on the pension rolls now or to be placed thereon hereafter, shall be required to affirmatively establish that such person is not in the possession, enjoyment, or receipt of an income of $750 per annum.

I apprehend that that is the main object, and the Senator from Mississippi was not aiming to increase the pensions of widows, but to decrease the pensions of those who, while they have physical disabilities, yet are wealthy, have large incomes, or receive large salaries, etc. I presume that was the class of persons he aimed to strike at.

That is a subject which, as a matter of course, has been discussed and under consideration. All our pension legislation, so far as I now recall, from the foundation of the Government was based upon physical disability for the performance of manual labor. I do not now remember whether, when the pensions were granted by the court under the first pension laws for the Revolutionary war service, financial dependence was required or not, but I know the laws for many years back have not taken into account the financial condition of a soldier who was disabled for the performance of manual labor, and it is a very serious question as to whether it ought not to be taken into the account.

Mr. SULLIVAN. That this may be made clear, and that there may be no doubt about the intention and purpose of the amendment, I shall ask to modify it further. On page 1, line 3, after the words "any person," insert the words "not the widow of a deceased soldier;" so that it will read this way:

Provided, That no pension shall be paid, out of the moneys herein appropriated or to be hereafter appropriated to pay any pension, to any person not the widow of a deceased soldier, as a dependent pensioner under the act of June 27, 1890, who has an income from any property or office or otherwise amounting to $750 per year outside of the pension.

Now, that clearly and distinctly shows that the class of people who have a competency are not to be embraced, and it does not leave the widow to receive more than she would otherwise receive, which meets the point criticised by the Senator from Missouri.

Mr. GALLINGER. Mr. President, a single observation before this matter is disposed of.

In the first place, I want to state with some degree of emphasis that this amendment is proposed to affect only pensions granted under the act of June 27, 1890. I have been annoyed somewhat during the past year because of the fact that every time I make a suggestion in the Senate regarding a pension bill in the line of the curtailment of appropriations, the press immediately announces that I am for tearing up the laws relating to pensions and depriving soldiers and the widows of soldiers of their proper rights under the law. I undertook to get a bill through denying pensions to these new-made widows, and did get it through the Senate. It met its coup de grace at the hands of the House committee. It was a bill denying pensions to the young women who are marrying the old soldiers, and who will be drawing pensions in 1980 if they are as fortunate as the widows of the Revolutionary soldiers, some of whom are now on the rolls. Immediately it was heralded to the country that I was trying to deprive all the widows of soldiers of the country of a pension, and so, in self-protection, I want to emphasize the fact that this proposed amendment relates only to the law of June 27, 1890, known as the dependent-pension act.

Now, Mr. President, I want to make an appeal to my friend from Mississippi. This matter has been before the Committee on Pensions. It is subject to a point of order, which, I understand, is to be made. The matter has been discussed, and there seems to be a feeling that the Senator's proposed amendment, after it has been duly considered and sifted, and perhaps modified somewhat, may be a proper amendment to our pension laws. It occurs to me that the matter had better go over to be considered on the next pension appropriation bill rather than to have an attempt made to put it upon this bill, an attempt which I apprehend would fail if it should be persisted in.

Mr. SULLIVAN. I introduced in the House last spring a similar bill. It was with the very greatest difficulty that I could get it out of the pigeonhole in the committee room. Finally I got a report, a favorable one, from the House Committee on Pensions. If it is right and if it is proper to eliminate this class of people from the pension roll, we can not begin the good work any too soon. If that class of people do not need this assistance, they ought to be cut out, and now is a very good time to begin. It may be true that the point of order may be made and the amendment may be rejected, but if we wish to do that which it appears to me to be the proper thing it occurs to me that this is the right time to do it. For that reason I shall insist upon the amendment.

Mr. PERKINS. Mr. President, your committee considering the appropriation bill for invalid and other pensions had only before them the general laws relating to the payment of pensions. Several propositions were presented to your committee proposing new legislation. They unanimously held that the general appropriation bill was not the place for new legislation, no matter how meritorious it might be. Therefore, they instructed me that if any amendment was proposed changing the existing pension laws, I should make the point of order that it was new legislation and therefore would not be in order upon this bill. In compliance with those instructions, I make that point of order.

Mr. SEWELL. Mr. President, I think the Senator in charge of the bill is perfectly right in raising a point of order upon the amendment. If such amendments were admissible I should like to see the amendment placed upon the bill which passed the Senate once and was rejected by the House. It was offered on the appropriation bill a short time ago and was adopted by the subcommittee, but it was relegated to the rear by the whole committee. That amendment prohibited the issuing of a pension to a woman married after the passage of this bill. I think it is one of the crying evils of the pension law at the present time that young women 20 or 25 years of age gather around Soldiers' Homes, and taking men in the last stages of life, marry them for the sake of perpetuating the pension. They have no inherent right to such a pension.

The original widow may properly draw a pension. I do not like to see that right curtailed by law. It is a right which was acquired for her by the services of her husband. But the young woman who to-day marries a man with the idea of having a pension all her life should not receive it, in my opinion. I would like to offer that amendment if the Senator from New Hampshire [Mr. GALLINGER] will let me have it. I offer it as an amendment to this bill.

Mr. ALLISON. What has become of the amendment of the Senator from Mississippi?

The VICE-PRESIDENT. The Chair understands that the amendment pending is the one offered by the Senator from Mississippi.

Mr. PERKINS. Let the ruling of the Chair be had on that amendment.

The VICE-PRESIDENT. The Chair is constrained to sustain the point of order made by the Senator from California. The amendment is obnoxious to the rule.

Mr. SEWELL. Now, Mr. President, I offer the amendment which I send to the desk.

The VICE-PRESIDENT. The amendment will be stated.

The SECRETARY. After the word "separately," in line 6, insert the following:

Provided further, That no part of this appropriation shall be used for payment of pensions granted, allowed, or paid, under any law of the United States granting pensions, to the widow or minor child of any officer, soldier, sailor, or marine who has served, is now serving, or shall hereafter serve in the Army or Navy of the United States, or in any State militia organization called into the service of the United States, unless it shall be proved and established that the marriage of such widow to the person upon whose service and death the claim is based occurred prior to the passage of this act, or shall hereafter occur prior to or during the military or naval service of such person: *Provided, however*, That this provision shall not apply to the widows or minor children of soldiers and sailors who served in the recent war with Spain.

Mr. GALLINGER. Mr. President, that amendment is substantially in its terms the same as the bill that passed the Senate at the last session and went to the House, but did not receive the approval of the Committee on Invalid Pensions of the House. I submitted it to the Committee on Appropriations and supposed it was going in the bill, but in their wisdom they did not insert it.

The Senator from Colorado [Mr. TELLER] is strongly opposed to this amendment, and he inquired of me this afternoon as to whether I was going to offer it, saying that he should make a point of order against it. I said to the Senator that if he was to make a point of order against the amendment I would not offer it; and the Senator has left the Senate Chamber with the understanding that it was not to be offered by me. In justice to that Senator I make this statement. Of course, any other Senator can offer the amendment if he chooses, but I want the conversation I had with the Senator from Colorado distinctly understood.

Now, Mr. President, the evil against which this proposed amendment is aimed is found in the report of the Commissioner of Pensions. By the way, I will state that the Commissioner of Pensions has very strongly recommended this legislation. It appears that there are on the rolls now 5 widows of Revolutionary soldiers; there are 3 survivors of the war of 1812 and 2,407 widows of soldiers of the war of 1812. There are 3 soldiers and 2,407 widows of the war of 1812 surviving, while there are 5 widows of the Revolutionary war.

In making a report upon the bill I called attention to the fact that if we went on as we have been doing in reference to pensioning widows, we would be pensioning the widows of the late civil war in the year 1980, almost one hundred years from the present time. I am strongly in favor of the legislation. I shall be constrained to vote for this amendment, if it does not go out on a point of order and if it is submitted to the Senate. Yet I regret exceedingly that I inadvertently misled the Senator from Colorado into the idea that the amendment would not be offered.

Mr. HAWLEY. Mr. President, the Senator from New Hampshire can very easily bring in an independent bill to cover this and the other amendment, if he chooses. I should think very likely they both might pass. Certainly that would be a fair way of considering them.

Mr. GALLINGER. If the Senator will permit me, I will state that at the last session of the present Congress the Senate did pass this identical bill, but I am not at liberty, of course, to say more than I have said. It has not received favorable consideration elsewhere. I have some question in my own mind whether a point of order will technically lie against this amendment. It provides a method of administering the appropriations made under the bill. But possibly I am wrong.

Mr. TELLER. I desire to make a point of order on the amendment. Certainly it is legislation; and it is legislation, I think, of a very bad character.

The VICE-PRESIDENT. The Chair will sustain the point of order, for the same reason that the former point was sustained. The bill is before the Senate as in Committee of the Whole, and open to amendment.

Mr. BUTLER. Mr. President, recently I gave notice that I would offer an amendment to the pension appropriation bill providing that in the future the Government shall make no discrimination in the matter of pensions between the citizens of the different States. I ask that the amendment be read as a part of my remarks at this point.

The SECRETARY. It is proposed to insert, after the enacting clause of the bill, the following:

That from and after the passage of this act every pension law now on the statute books shall apply to every invalid soldier, widow, minor children, dependent relative, the army nurses, and all other pensioners who may be able to prove their claim under the present pension laws, without regard to whether said soldier was enlisted in the Federal or Confederate service of the late civil war of 1861 to 1865: *Provided*, That those enlisted in the Confederate service shall not draw any back pensions prior to the passage of this act, but their claim under existing laws shall begin and become operative with the passage of this act.

Mr. BUTLER. Mr. President, I should be glad to see a provision like that adopted, coupled with the amendment proposed by the Senator from Mississippi [Mr. SULLIVAN]. It is noticeable that the proposed amendment has met with very little opposition from the North. I have received many letters from Northern soldiers strongly favoring the proposition, and, indeed, I am constrained to believe that if it were submitted to the Grand Army of the Republic it would be indorsed by an overwhelming majority vote.

But the proposition has met with an unexpected divided sentiment in the South. Some Confederate veteran camps have passed resolutions opposing the proposition, which they have had presented to the Senate. Now, I have the greatest respect and deference for the opinions and sentiments of those Confederate veterans who belong to the camps which have expressed opposition to the proposed amendment, but I submit that only a small per cent of the Confederate soldiers are members of camps and that only a small number of camps have expressed opposition. Therefore it would be unwarranted to conclude that the resolutions sent in represent the general sentiments of the Confederate veterans. Indeed, I know from the large number of letters I have received that they do not represent the sentiment of a great many. But since there is such a division of sentiment, I will ask the indulgence of the Senate to state my views and reasons for favoring the amendment.

My father was a Confederate soldier, and if I had been old enough I should have been in the Confederate army by his side; but I have never considered myself a traitor nor the son of a traitor. My father did not rebel against nor take up arms against the Federal Government of the States. He was a citizen of a sovereign State which in 1861 saw fit, or rather, I should say, was forced, to exercise its constitutional right to withdraw from the compact of 1787.

North Carolina acceded to the compact of 1787, and she did it as an independent and sovereign State. In her sovereign capacity she ceded to the Federal Government created under the compact called the Constitution certain powers to be exercised by the Federal Government of all the States in consideration of certain advantages to be gained by being a party to the compact and a member of the federation of States; but she reserved all of the powers not expressly ceded, and all of the powers thus expressly reserved she continued to exercise and had a right to continue to exercise in her sovereign capacity. One of the many powers expressly reserved, because it was not ceded, was the right and power to withdraw from the compact whenever it was no longer advantageous or desirable to remain in it.

Let no one misunderstand me. I am not contending that the States still have that reserved right. We are now living under a new compact—the Appomattox compact of 1865, which denies that right. I am discussing the right of each State under the compact of 1787, and under which our Government was conducted until 1861.

Now, let us go back a moment to the original compact, known as the Confederation, for it throws much light upon the nature of the compact of 1787.

In that compact, which formed the first Federal Government, and which lasted for six years, it was expressly stipulated that the compact should be perpetual. North Carolina and all the thirteen original States had acceded to that compact, but North Carolina and other States withdrew or seceded from it when it was not advantageous or desirable to longer remain in it. The States that seceded or withdrew from the Confederation found themselves so embarrassed in withdrawing from a compact which had expressly declared that the compact should be perpetual that in forming the new compact, known now as the Constitution of the United States, they took care not to declare that it should be perpetual.

Nothing is clearer than that the convention of 1787, which drew up the new compact, purposely left out the declaration and agreement that the new compact should be perpetual, and did so because the parties to the compact did not desire to make such an agreement. A proposition was made in that convention to try to make the compact binding on all the States when two-thirds or even a majority had acceded to it. But this proposition was considered monstrous, or, I might say, it was not considered seriously at all. Each State in its sovereign capacity acted for itself and by itself, and the compact was to be binding only on the States that acceded to it, and then only to the extent that the powers expressly ceded were to be exercised by the Government to be formed under the compact.

It was some time before the State of Rhode Island acceded to the compact and acted as one of the Federation of States. There was no right nor power in the opinion of the framers of the compact to force Rhode Island to accede to the compact or to be in any way controlled or governed by the Government of the Federation of States, unless Rhode Island should of her own free will and accord so elect. Rhode Island did stand out as a separate, independent, and sovereign State for some time, and she could have so stood out with a separate government of her own, as independent and sovereign as any country or government in the world, to this day if she had so desired. No one will deny this.

Then how could Rhode Island lose her sovereign rights and powers to withdraw from the compact and resume all of her independent, sovereign functions and powers when she had never ceded these rights and powers upon acceding to the compact? If Rhode Island had continued to refuse to accede to the compact of 1787, and several other States had taken the same position that Rhode Island did, then these States could have entered into a compact of their own and formed another federal government to which they would have ceded certain of their sovereign powers for their mutual advantage, under whatever terms and conditions the several States might have agreed upon. Who will deny this? Thus we see that each State had a right to accede to the compact or stay out and exercise independently all of her sovereign functions, or, staying out of the compact of 1787, had the sovereign power to enter into any other compact with any other State.

We see also by the compact of 1787 that when any State did accede to the compact it did so by ceding only certain powers to the Federal Government of the States, and that all powers not so ceded were reserved to be exercised by the State in her sovereign capacity. We also see that no State entering into

the compact of 1787 ever ceded to the Government of the States its sovereign right to withdraw from the compact; and further, that the compact itself expressly left out any declaration that it was to be perpetual, as the former compact contained.

So when South Carolina withdrew from the compact in 1861 she simply exercised a sovereign right and power which she had reserved, and which Rhode Island and every other State reserved when it entered into the compact and ceded certain powers to the Federal Government of the States. Everybody admits that the first Federal Government formed, known as the Confederation, was a compact between the States, and that every State had the reserved right under that compact to withdraw, even though the compact was declared to be perpetual. Then how much truer it must have been under the present compact, which was not to be perpetual.

No one ever denied that the States had reserved, among their other reserved sovereign rights, the right and power to withdraw from the compact when it was no longer desirable or advantageous to remain in it, until Mr. Webster brought forth the new doctrine and set up the claim in his famous debate in this body with Calhoun in 1833. Only three years before Webster did not take such a position in his speech on the Foote resolutions. He admitted then that the Constitution was a compact. Massachusetts and all New England expressed this view in 1815 and came near acting on it. The South acted on it in 1861.

Therefore when the Southern States withdrew from the compact, they did not rebel against the other States or against the Government set up under the compact. They simply withdrew from the compact peaceably and in the exercise of their reserved constitutional powers. In doing this they were not disloyal to the other States or to the government of the States, but they were loyal to truth and justice and to the compact of 1787. If other States, which had before recognized this right of each State, had not desired at that time to deny this right and had not decided to do so by force, there would have been no conflict of arms.

North Carolina did not desire to withdraw from the compact or Union, and would not have done so if South Carolina had not been forcibly denied her right to withdraw in peace. After South Carolina had seceded, the people of my State by popular vote and by an overwhelming majority decided not to withdraw from the Union. We recognized the constitutional right of South Carolina or any other State to withdraw, but we took the position that our State had no just cause to withdraw and that it was desirable to remain in the Union.

Mr. GEAR. May I ask the Senator a question?

Mr. BUTLER. Certainly.

Mr. GEAR. Did not a large number of people in North Carolina shoulder arms to destroy the Union?

Mr. BUTLER. Not a single man.

Mr. GEAR. Not a single man who was in the rebel army?

Mr. BUTLER. There was no rebel army. Not a single man or State took up arms against the Federal Government.

Mr. GEAR. What did they take up arms for?

Mr. BUTLER. They did not take up arms till they were forced to do it. They took up arms in self-defense. All that South Carolina did, and all that any other Southern State did, was to ask to withdraw from the Union in peace, as each State had a constitutional right to do when it was no longer desirable or profitable to remain in the federation under the compact.

Mr. GEAR. It is true they asked that.

Mr. BUTLER. That was the position of the South, and it was not until that right was denied by force——

Mr. GEAR. Did not 2,000,000 men in arms in the North deny that right and assert the right of the Union? If that is not so, then I am mistaken in the history of the country.

Mr. BUTLER. That is true, but might does not make right. There was a radical difference between the States as to the nature of the compact—as to what powers were ceded to the Federal Government and what powers each State reserved to itself upon entering the compact. North Carolina and the other Southern States contended that they had reserved certain sovereign rights, which contention had been generally conceded and never denied by anyone, as far as I know, before 1833. It is true that a majority of the States denied this right in 1861, and that at their call 2,000,000 men took up arms.

Mr. GEAR. I wish to ask the Senator is it not a fact that the 2,000,000 men in the North took up arms to dispute the claim of North Carolina?

Mr. BUTLER. Yes; of course, they took up arms to deny that right, and did it by force. That settled the right of each State in the future, but it did not settle or blot out the fact that each State had that constitutional right before 1865. That is the fact I intend to establish and to prove, if the Senator will give me his attention——

Mr. GEAR. Yes.

Mr. BUTLER. That not a single Southern soldier was a traitor or a rebel against this Government and that not a single one took up arms to destroy it.

Mr. GEAR. Then were the large number of people who disagreed with them in the North traitors?

Mr. BUTLER. No; I do not charge that. But we think that the Northern States were wrong in denying us the constitutional right to withdraw. We accord the North the sincerity of conviction which we claim for ourselves. We disagreed with you in your constitutional construction, and you exercised force to make us agree to your constitutional construction, while we desired to exercise our constitutional construction by withdrawing in peace. The compact was amended in 1865 by force, and we recognize now that it was amended.

Mr. GALLINGER. I do not want to disturb the Senator, but this is interesting to me. The Senator contends that North Carolina had a right to withdraw from the Union?

Mr. BUTLER. I most certainly do.

Mr. GALLINGER. And set up a government for herself?

Mr. BUTLER. I do. She had the same right not to have gone into the compact—to have stayed out forever, as Rhode Island did for some time.

Mr. GALLINGER. If each State in the Union had that right, we might have had forty-three or forty-four separate governments here instead of the one we now have. Is it the Senator's argument that constitutionally we could have had a number of governments?

Mr. BUTLER. Under the compact of 1787 that is exactly what could have happened. But the Senator is evading the question of each State's constitutional right and is discussing expediency. I will come to that later in my argument; but I will say now, since the Senator has asked me the question, that I am not standing here to defend the wisdom of that provision of the compact of 1787. That is not the question. In fact, I believe it was a mistake that the compact of 1787 was of such a nature that it left this reserved right to each State.

Mr. GALLINGER. Now, if the Senator will permit me, he is wrong in saying that I have evaded anything purposely, because I have had no such thought in my mind at all, and I propose to listen very attentively to the Senator's argument. It is a novel argument to me, certainly.

Mr. SPOONER. No, it is not.

Mr. GALLINGER. I simply want to ask the Senator a plain question, whether if South Carolina had a right to secede and form a government, and North Carolina had that right, we might have had constitutionally, according to the Senator's argument, forty-two or forty-three governments here in place of the one we now have?

Mr. BUTLER. Just exactly as we had thirteen sovereign governments before we went into the compact and ceded certain powers to it, to be exercised by all of them.

Mr. GALLINGER. That is what I wanted to know.

Mr. GEAR. I do not want to interrupt the Senator in his remarks, but I want to make the point of order on the amendment he offers that it is new legislation.

Mr. GALLINGER. That can not be done in the midst of the Senator's speech.

Mr. BUTLER. Mr. President, the point of order certainly can not be made against my speech.

Mr. GEAR. I say I do not want to disturb the Senator's remarks, but I shall make the point of order after he concludes.

Mr. BUTLER. I stated that North Carolina recognized the constitutional right of South Carolina to withdraw, but North Carolina, by an overwhelming majority, voted that she would not withdraw, because she did not believe that it was wise for her to do so. She did not think she had sufficient provocation.

This view was ably and successfully maintained by the late Senator Vance, who was known as a Union man, and who was one of the most loved and honored men my State has ever produced. But when we were called upon to take up arms and make war upon South Carolina for exercising her constitutional rights, then North Carolina, by an almost unanimous vote, decided to withdraw also. She was forced to take that course in self-defense and in defense of her own rights, and to keep from being a party to violating the compact of 1787 with shot and shell.

Mr. President, we did not take up arms against the Government, as I said, but the majority of the States denying this right took up arms and invaded the South by force to amend the compact, or rather to force the South to agree to the recently formed views of the North as to the nature of the compact. The North did not hold this view before 1833, and nobody held it before that time, so far as I have been able to find. Even Gouverneur Morris, who went into the Constitutional Convention and fought for a strong government and wanted to make a compact between the people and not between the States, admitted that they did not succeed, and that it was simply a compact between the States.

Therefore every gun fired by every Southern soldier was fired

in self-defense—in defense of the sovereign and constitutional rights of his State and in defense of his home and fireside.

It was a most unnecessary and unjustifiable war. It was as unjustifiable and indefensible as it would have been for the other States to have taken up arms in 1787 to force Rhode Island to accede to the compact. The Southern States did not desire war; they wished no quarrel with other States that did not agree with them as to their constitutional right; they simply wanted to exercise their constitutional right which they understood they reserved when they entered the compact, and to go their way in peace and to leave every other State in peace.

But let us draw a curtain over the fratricidal conflict with its horrible loss of life and property and now look only at the result. At Appomattox, in 1865, the much-disputed constitutional question which had been so ably argued by Calhoun and Webster in this body in 1833 and many times thereafter, was settled forever according to the Northern view by force of arms. Thus the compact of 1787 was amended, or, according to the Northern view, finally construed, whichever you please, so as to read "that each State entering into this compact surrenders forever its sovereignty to the Federal Government of the States and expressly surrenders any and all rights to ever withdraw from the compact for any cause whatever."

How unfortunate that this was not written in the face of the compact of 1787, and if it was implied, how unfortunate Massachusetts and New England could not have seen it in 1815 and the South could not have seen it in 1861. But let that be as it may. The result of the war was simply to determine from now on and forever the nature of the compact, to make it perpetual. It was a contest over a constitutional construction such as are constantly being judicially determined by the courts and one loyally acceded to, recognized, and lived up to by all parties concerned. Thus we see that the late war was different from any other war ever waged and there can never be another one like it. Therefore, the participants in it should occupy different relations to each other than those between victor and vanquished or even those usually occupied between combatants.

Mr. President, when the direful constitutional conflict ended at Appomattox the Southern States accepted the construction of the Constitution made by force of arms to the effect that the compact was perpetual. The South accepted this verdict in good faith and has been as loyal every hour to the compact according to this new construction, and always will be, as they were before loyal to the other construction. According to the Northern view the Southern States were never out of the compact, but the difference in construction was fought out in the Union, every Southern soldier and every citizen of every Southern State in the meantime remaining citizens of the United States.

Now, Mr. President, when this conflict between citizens of the United States, representing equal States, as to the nature of the compact between the States was settled at Appomattox, and the Southern States accepted the perpetual-compact construction and gave allegiance and loyalty to that doctrine, then there should never have been a suggestion of a discrimination against the South or her soldiers on that account any more than there should have been against Calhoun for his speech in 1833.

If the Confederate soldier of 1861 was a traitor, equally was Calhoun a traitor in 1833, and equally was Massachusetts a treasonable State in 1815. I believe that the life and services of Calhoun are as proud a heritage of this Federal Government of the States as the life and services of Webster. I believe that the grave of every Southern soldier, made in defense of the constitutional rights of his State as he understood them, is as great a tribute to American valor as the grave of every Northern soldier made in defense of the constitutional rights of his State as he understood them.

Just so, I believe that every empty sleeve, every crutch, and every battle-scarred face of every Southern soldier is as great a tribute to American valor as every crutch and empty sleeve and scarred veteran of the Grand Army of the Republic. The Union is now perpetual and has been since Lee and Grant faced each other at Appomattox. The flag of every State will hereafter float with the flag of all the States forever, in prosperity or adversity, in peace or in war, always united for the common good and against any and all foreign foes. Then why should there longer be permitted to remain or to exist the least discrimination between citizens of this great Republic of united and indissoluble States?

Mr. President, these are the views that my father taught me when I was a boy, and my investigation and study have confirmed them. Holding these views, it seemed to me that after thirty-four years the time was opportune, just upon the close of a successful war against a foreign foe in which the ex-Confederate veteran and the Northern soldier stood side by side under a common flag, fighting for a common country, to completely wipe out every vestige of past differences by removing every vestige of sectional discrimination. If the time has not come to do this, pray when will it come?

Mr. President, I believe that the Confederate soldiers hold to the same view with reference to their action and the action of their States in the late war. Therefore it is to be regretted that some of the resolutions sent here by certain Confederate veteran camps have been worded in a way to admit of a different construction. Some of them have seemed to apologize for their action and the action of their States and to admit by indirection that they took up arms against the Federal Government to destroy it. Surely no Southern soldier can consider himself a traitor, and surely there is no cause why any Southern soldier should apologize in any way for his action or the action of his State in 1861.

The fact is, Mr. President, and history will so record it, the South was constitutionally right. The South knows she was standing on her constitutional rights. The world knows it, and history will so record it, and it is the duty of every Southern citizen, as well as every Southern soldier, to do all he can to see it so recorded in history as it should be recorded, and not allow a prejudiced historian to brand his father or his grandfather as a traitor or a man who deserves to be treated as a rebel in any sense.

We are now living under a new compact, and nobody is more loyal to this new compact than the ex-Confederate soldier. It may be a better compact than the one of 1787, and I believe it is, but whether the compact of 1787 was wise or best has nothing to do with the question which determines the status of the Confederate soldier. The compact of 1787 existed and every State had rights under it, and the South simply exercised those rights. Whether wisely or not is another question.

I do not want, Mr. President, to be understood as criticising any of the resolutions. I simply call attention to the fact that they were drawn inadvertently in that respect, but it is nevertheless to be regretted. A leading Southern paper, the Charleston News and Courier, in a leading article on January 12, 1899, editorially laments the wording of the resolutions to which I have referred. In fact, the editorial is so appropriate to the question before the Senate that I ask the Secretary to read it.

The PRESIDENT pro tempore. The Secretary will read as requested.

The Secretary read as follows:

On his recent visit to Charleston Senator HOAR told us that we could now speak frankly and fully on all public questions, and there is no harm, of course, in talking and writing about BUTLER and his bill. In our opinion the Southern newspapers and the Confederate camps and organizations have said altogether too much in deprecation of the movement for Confederate pensions.

A great deal that has been said, as the records will show, has been said by way of apology and in a spirit of subserviency. We have not asked for pensions, and there is no reason why we should refuse what has not been offered. All that we have said in a boastful way about our ability to take care of our own veterans has not been warranted by anything that we have done during thirty years of neglect. The old soldiers of Lancaster County are probably nearer the truth than the army of protestants who have been passing resolutions and "eating dirt" since BUTLER introduced his bill:

"While they would never ask the United States Government for pensions, these veterans would cheerfully accept the same if granted them by Congress."

And if Congress shall "grant them," our word for it, the Abou ben Adhems, who have been crying out most lustily against BUTLER and his bill will lead all the rest. We do not ask for and do not expect pensions, but Congress ought to be very careful not to make any offers on this line if it does not wish a prompt and cheerful acceptance.

Mr. BUTLER. While that utterance comes from the Charleston News and Courier, another South Carolina paper takes a different view, which misrepresents the true position of its State and the whole South. The Spartanburg Herald uses this language in opposing the proposition:

The ex-Confederates have nothing to ask of the Government that they fought four years to destroy.

The editor proceeds in the same editorial to say we are amply able to take care of all of our disabled soldiers without asking anybody's help or leave. I do not know who the editor is, but he certainly speaks without a knowledge of the facts. Each Southern State has done, no doubt, all it could, but no State has been able to do for the Confederate soldier what he deserves.

Mr. President, I have here a letter from the widow of a Confederate soldier, inclosing a clipping from the Lancaster (S. C.) Review, which, no doubt, comes nearer representing the sentiments of the Confederate soldiers of South Carolina and the other Southern States. The letter is as follows:

LANCASTER, S. C., *January 13, 1899.*

DEAR SIR: I inclose you a clipping from the Lancaster Review in reference to pensioning the Confederates. There may be a few objections, but on the whole I think you would find it acceptable. The few who survive surely need such aid, and the South is too poor to help them.

Respectfully,

Mrs. L. B. FOSTER, *Lancaster, S. C.*

Hon. BUTLER, *Washington, D. C.*

The clipping is as follows:

The papers generally are discussing the proposition to pension the old Confederate soldiers by the National Government. Some of them are taking it for granted that the veterans would reject such aid with scorn and indignation. We have talked with a number of old soldiers upon the subject, and the consensus of opinion, as learned by us, is that while they would never ask the United States Government for pensions the veterans would cheerfully accept the same if granted them by Congress.

The resolutions recently adopted by a Kentucky camp express exactly the sentiment of those with whom we have conversed. The Kentucky veterans say that "while we are in no sense applicants for pensions," yet "if the people of the North should become magnanimous enough to put our poor soldiers upon the pension pay roll, we see no reason why we should not accept."—*Lancaster Review.*

Here is another from an Arkansas paper:

Congress should enact a law pensioning all ex-Confederate veterans of 60 years of age and upward. It is true they have not asked for such a law, but this is no reason why it should not be passed, leaving it optional with each one to decide for himself whether he will accept the same or not. Of course the Grand Army of the Republic and the Confederate Veterans have a right to "resolve," but they do not represent all the ex soldiers that were in the civil war. In fact, we think there has always been too much partisan politics in these organizations.

The "Revolutionary descendant" racket is now being worked up into a kind of aristocracy clan, and fifty years from now the civil war societies will take the same chute. It makes no difference what a man's great granddaddy was, but it is quite another thing to really know what the living man is today. Eighty-one old ex-Confederate veterans at the "Home" near this city have published a card in the Little Rock Gazette expressing a willingness to receive a pension from the National Government. The past is dead in fact, and it should likewise be in spirit. All over this country the children of ex-Federal and ex-Confederate soldiers have intermarried. A new race has grown up, and this great Government should not be forced into a false position by "societies" who persist in living in the spirit of the dead past.—*North Little Rock (Ark.) Times.*

Mr. President, I have made a few selections from a large number of letters which I have received. I think they fairly represent in sentiment all the letters that have come to me, and as far as my observation goes in my own section, they represent the sentiment of a large majority of Confederate veterans. Here is a letter from a man who was an officer in the Confederate army from Virginia. I ask that his letter be read. It is sometimes well to hear from the people.

The PRESIDENT pro tempore. The Secretary will read as requested.

The Secretary read as follows:

RICEVILLE, VA., *December 26, 1898.*

DEAR SIR: I am glad to see that you have offered the only sensible solution of all the sectional questions that have grown out of the war. The proposition of the President at Macon to assist by Government aid the preservation of Confederate graves is a very worthy sentiment, but it would help no one. We may assist by your bill the living and help distribute money and build up waste places and relieve the necessities of old, worn-out heroes. The President's plan would only preserve the graves, with some exceptions, of those who died in prison and hospitals, over half of whom never fired a shot.

Men who were killed in battle were either thrown in pits or not buried at all, and it would at this day be utterly impossible to find and mark the graves of the most heroic dead. The true generals of the Confederate army were the private soldiers, and the South won her glory by the exalted and heroic courage of her humble children, and not by the tactics of her generals; and it is a great mistake to give the generals all the glory. But I did not start out to discuss these merits, but simply to say yours is the only sensible solution of the whole question and the only one that will give relief to anybody.

In your bill you say to the North, the South for over thirty years has been paying punitive taxation to pension your citizens. She has grown poorer as she was compelled to do by distributing throughout the North an amount equal to the wealth of Virginia or North Carolina. Every year such a course must make the South poorer and the North richer. You claim that sectional lines have been abolished. Now, there are but few maimed, wounded, and disabled Confederates living. These men have not only offered their services, but they have sent their children to fight for the nation in the present war. If you mean what you say, show your generosity, your magnanimity, by voting for my bill.

I feel that I had a right to write this letter to you, as I commanded a regiment in the Confederate army and had three sons (all I have) in the United States service in this war against Spain. One of my sons, Addison Witcher, belonged to Company F, Ninth United States Infantry. After gallantly leading the charge and storming San Juan on the 1st of July, he gave his valuable and heroic life to the Government on the 18th day of October from sickness and fever contracted in the service. Of the other two, after serving in the Third Virginia and being honorably discharged, one of them reenlisted in the Fourth Virginia Regiment and is now in Cuba, and I myself tendered my services to the Government, and there are thousands of men in the Army who are the children of the men who followed Lee and Johnston.

* * * * * * *

Yours, truly,

V. A. WITCHER.

Senator MARION BUTLER,
Washington, D. C.

Mr. BUTLER. Here is one from Tennessee which fairly represents the sentiment of a great many other letters from Tennessee.

The Secretary read as follows:

CHATTANOOGA, TENN., *December 30, 1898.*

DEAR SIR: Your bill to pension needy ex-Confederate soldiers is right. It should have been introduced twenty years ago. Our civil war was a family fight which had to be. My oldest brother, William A. Beasley, was captain of a company from Cincinnati on the Union side, while I was on the Confederate side from Memphis in the One hundred and fifty-fourth Tennessee Regiment. Only five of my company are living, and only two of them are needy, one of whom is crippled.

Yours, truly, JOHN R. BEASLEY.

Mr. BUTLER. Here are a number of other letters from different States, which are only a part of those that I have received, but I will detain the Senate to read but a few.

I wish to call special attention to the fact which struck me in reading these letters, that many of these Confederate soldiers now have sons who volunteered for the late war against Spain and who were in Cuba or the Philippines fighting for their country.

Here is a letter which I ask to be read, although it is a page long, because I know the man who wrote it. He has written an intelligent letter. He is a representative man, and I believe he represents fairly the sentiments of the Confederate veterans of his section. He is now a member of the State legislature from the county of Sampson.

The PRESIDENT pro tempore. The Secretary will read as requested.

The Secretary read as follows:

STATE OF NORTH CAROLINA HOUSE OF REPRESENTATIVES,
Raleigh, N. C., January 25, 1899.

DEAR SENATOR: I have been thinking for some time of writing you a few lines to let you know how I stand on the position you have taken to pension the Confederate soldier. You are right, and I am with you from first to last. If Congress will pass your amendment it will be only an act of justice which has already been too long delayed. In the first place the South is not financially able to take care of her wounded and dependent Confederate soldiers as their merits and necessities deserve and require.

We lost our most valuable property as a result of the war and are not able to pay sufficient taxes to run the Federal Government and pay pensions to Northern soldiers too, and, in addition, pay a direct State tax sufficient to properly pension the Confederate soldier. In the second place, the Confederate soldier was not a rebel or a traitor, so there is no reason why he should apologize for the course he took or should now refuse to accept a pension from his own Government, which he is paying taxes to support and fighting to defend, and, at the same time, there is no shadow of reason why the Government should longer discriminate against him. The courage, valor, and heroism displayed by Southern soldiers in fighting for what they believed to be right was certainly equal to that ever displayed by any soldier in the world's history, and that is now the common heritage of a common country, equal with the valor and heroism displayed by the Northern soldiers.

I am surprised at some of the resolutions that have been passed by certain Confederate Veteran camps opposing your proposition. I am surprised at the reasons they gave. If these men do not want to accept a pension, let them speak for themselves when the pension is offered by refusing to accept it. The number who have taken part in passing these resolutions are very few, and they should not try to speak for the great mass of Confederate soldiers. I tell you these resolutions do not represent the sentiment of the mass of Confederate soldiers, who are with you and in favor of your proposition. I know whereof I speak. May God bless you in your effort.

Yours, truly,

R. M. CRUMPLER.

Hon. MARION BUTLER,
Washington, D. C.

Mr. BUTLER. In connection with this letter, I wish to call attention to the last report of the Commissioner of Internal Revenue, which shows that North Carolina pays internal-revenue taxes alone of $3,250,213.06, whilst she gets back in pensions only $561,292.50. The State of Iowa draws $5,549,978 in pensions and pays in internal-revenue taxes the small sum of $479,366.88.

This report shows—I merely use those two States—that more money is paid back to the North in pensions than the sum total of all the internal-revenue taxes paid. Not only does the North get back in pensions every dollar that it pays in internal revenue, but a large part of that which is paid in the South is taken and transferred to the North. The South has never objected to the pensioning of the soldiers of the North. Southern men have sat here Congress after Congress and voted cheerfully for pensions, often passing a pension bill carrying $150,000,000 in ten minutes.

But that does not remove the fact that each year money is being transplanted from one section to the other, and that one great section that came out of the war poor, with its property destroyed, its fields laid waste—a people going home to try to build up from nothing, not only with their most valuable property but with their means for creating wealth gone—has had each year a drain of taxation upon it that has made that disproportion greater. That should not be so. I do not place the justness for pensions for Southern soldiers on that ground, but I call attention to it as a matter of taxation which deserves the attention of this body.

Not only in that respect but under other schemes of taxation which we enact here a large draft is being constantly made upon the South, and when the money is expended, the majority of it, and a larger proportion than is paid by the North, is spent outside of the South. The effect is to bring about what we have in the South, a condition of hard times that is greater than should exist there and greater than exists probably in any other section of this country, considering our natural resources and the industry of our people and the amount of produce that we create.

Mr. President, here are some other letters from Confederate veterans, which are only a few of the many I have received, but which fairly represent the general sentiments expressed, which I ask to go into the RECORD.

The PRESIDENT pro tempore. Is there objection? The Chair hears none.

The letters referred to are as follows:

ROANOKE, VA., *January 20, 1899.*

DEAR SIR: I wish to speak a word to you in regard to the bill you are pressing to pension Confederate soldiers. I am a one-armed Confederate soldier and would be glad if the bill is passed, and I believe I speak the true sentiments of nine-tenths of the Confederate soldiers. You will do us a great favor by doing all you can to get the bill passed.

Yours, respectfully,

M. H. HAYMAKER.

Senator BUTLER, *Washington.*

UNION CHURCH, *January 17, 1899.*

DEAR SIR: I notice your amendment to pension Confederate soldiers. There are but few of the old Confederate soldiers but what would gladly take a pension. Those that say they do not want it may not need it. * * * We went through the war and suffered, returning home with nothing. I have not heard any speak of it but think they should be pensioned. * * *

Why care so much for the dead that are scattered all over the country and do nothing for those that are alive? Many of the Confederate soldiers were buried at home. Are their graves going to be cared for, or are the towns the only ones to be noticed? I hope you will keep the fight up. I am sure our President would favor us with a pension.

Yours, with respect,

JOSEPH RIEBER.

Senator BUTLER, of North Carolina.

BROWNS SUMMIT, N. C., *January 23, 1899.*

DEAR SIR: I have noticed that some Confederate organizations have condemned your pension bill. Those organizations are not authorized to speak for the great body of ex-Confederates who move in the more humble walks of life. Comparatively few ex-Confederates who served in the ranks ever attend the meetings of those organizations, not having the means to do so, and have nothing to do with expressing the sentiments of those organizations. I have not heard a single ex-Confederate soldier speak of your bill who did not approve of it and commend you for introducing it. I do not believe that there is one ex Confederate soldier in North Carolina in five hundred that does not approve of your bill.

I served under Lee and Jackson.

Truly, yours,

F. G. CLICUTT.

Hon. MARION BUTLER, *Senator.*

WALTER, N. C., *January 20, 1899.*

DEAR SIR: I have seen in some of the papers that certain Confederate veterans were opposed to any aid from the General Government whatever. Now, the thought passed quickly through my mind that any and all such stuff was unauthorized by any considerable number of Confederate soldiers. The very great majority of the old soldiers had not heard of the amendment at the time these superfluous articles were published, and I would say that I have not conversed with a dozen of them yet that has heard tell of your proposed amendment.

I do not think I would put it wrong if I were to say one to ten that knows that such an amendment has been offered. The great majority of the little papers barely mentioned that such an amendment has been offered. Like everything new or that is much needed, these little papers are afraid to comment on such matters until they are worn threadbare by common conversation.

You know what class and what part of such class has tried to smother the amendment by such stuff as the Atlanta Constitution and other papers have printed. It is composed of men who never heard a gun fired to kill. * * * During the last twelve or fifteen years I have heard the pension matter discussed by old Confederate soldiers, and I have no recollection of ever having heard one of these soldiers say that he would oppose such generosity by the Federal Government.

The great majority of the old gray soldiers are in actual need of assistance and would hail the day when such could be their lot and part to be included among the lucky ones to be remembered by their country and Government.

In looking back a few years you can call to memory the Blair bill on the education of poor children of the South. The men that refused to let the little children of the South have an education by accepting it at the hands of the General Government will oppose anything that will relieve the old soldier of his suffering. This class of men will oppose anything that they can not handle to their own individual interest. * * *

Yours, truly,

J. H. CALDWELL.

Hon. MARION BUTLER,
United States Senator, Washington, D. C.

RALEIGH, N. C., *January 20, 1899.*

DEAR SIR: Through the newspapers I see that you have proposed an amendment to the pension bill to grant to Confederate soldiers a pension, which amendment we Tar Heels, or a large majority of us, do most heartily commend. We hope and trust in the Almighty God that you will be successful. It is nothing more than just, as we are all in the Union. I also see that some protests have been sent up against it. These protests were not sent up by the old battle-scarred and wounded men. It was done by those who are in bomb-proof positions; but there is not one of them but would be willing to receive it himself. * * * These are the sentiments of all that I have conversed with. I think it is the majority sentiment of other Southern States. If necessary to have a petition, I can get up one signed by five hundred with very little effort.

Yours, very truly,

JOHN R. HANCOCK.

Hon. MARION BUTLER.

MILLDALE, ALA., *January 18, 1899.*

DEAR SIR: As an old Confederate soldier I wish to thank you personally for your efforts to have the benefits of the United States pension laws extended to surviving Confederate soldiers. However much certain Confederate camps may pass resolutions against your proposition, the melancholy fact remains that there are quite a number of old rebs still on the tapis to whom such an allowance on the part of Congress would be not only a very gracious act, but it would also make a very acceptable addition to their daily "hog and hominy." The principle of the thing is not objectionable on any reasonable ground, unless Congress should discriminate against us by offering us a less pittance than Northern soldiers receive.

Yours, truly,

ROBERT S. OWEN,
Ex-First Sergeant, Company G, Fifty-first Alabama Regiment, Wheeler's Confederate Cavalry.

Hon. MARION BUTLER.

CAMP MCKENZIE, AUGUSTA, GA., *January 19, 1899.*

DEAR FRIEND: As such I will call you, though an entire stranger. The bold stand you have taken in defense of the ex-Confederate soldier commends you to the heart of every true Southern soldier who served and offered up his life for what he thought was right and his duty to his country and his home. It is now thirty-three years since he laid down his arms and returned to his home, to find nothing but want and poverty staring him in the face.

Since that time the majority of them have made but a scant living for themselves and families. When war was declared against Spain, the ex-Confederate soldiers and their sons were among the first to offer their services and rally around the flag and to offer their lives in defense of American honor and the banner of American freedom. I have talked with a great many old ex-Confederate soldiers since I have been here, and they all condemn those so-called meetings held by a few ex-Confederates and the resolutions they passed in regard to pensioning the needy Confederate soldiers, of which you know there are many.

Now, if these wealthy and independent ex-Confederates don't need any assistance from the United States Government, your bill will not force them to accept it. You are well aware that there are thousands of them needy, and would gladly accept any aid your bill would secure for them, let it be ever so small. Those men who are calling meetings and filing objections to pensioning old and broken-down Confederate soldiers have never had real want staring them in the face, but have held some lucrative office, either State or Federal, ever since the war closed. The Government can not deny, but must acknowledge, that the South to-day are just as loyal to the Union as the North, East, or West, and just as ready to lay down their lives as they were one hundred years ago in defense of what they accomplished.

I am an ex-Confederate soldier from Montgomery County, Md.; served in Col. E. V. White's cavalry during the war. I belonged to Company D, Capt. James Anderson, from Rockville, Md. I offered my services last June to Gen. Fitzhugh Lee. He could not accept me as an enlisted man, as I had passed the age limit. I went to Camp Alger and secured a place at headquarters train under Gen. M. C. Butler. * * * We ex-Confederates are all citizens of the United States. Though we served on the other side, we were not rebels, but true patriots; and we hope you will press your bill, and that Congress will show to the world that we are a united people.

Your friend,

N. F. HARRISS.

Hon. MARION BUTLER.

DEAR SIR: I see in the press that you have decided not to introduce your amendment to pension law on account of Confederate Veteran associations condemning the move you made. Now, I do not believe that there is any Confederate soldier, who has no political prejudice, who will condemn the movement. * * * I hope you will reconsider and at least get the opinion of Southern soldiers. I am satisfied that a large majority will favor the amendment. Some might say we have a soldiers' home. So we have. But will you require an old soldier to separate from his wife to get cared for at the home? Surely not. I know one personally who will suffer death before he will go to the soldiers' home and leave his wife. He could not afford to be less true to her than to his country.

I believe the Northern people will gladly agree, inasmuch as the South answered so promptly to the call in the Cuban war.

Yours, fraternally,

JNO. H. MOOSE.

Hon. MARION BUTLER, *Washington, D. C.*

RICHMOND, VA., *January 16, 1899.*

DEAR SIR: Will you please send me a copy of the bill offered by you to pension Confederate soldiers? If your bill includes only those Confederates who were disabled by wounds I do not see what the Confederate camps have to do with it. I see from the papers that a few of these camps have protested against it. Some weeks since Corporal Tanner had a card in the Post of Washington in which he declared that every surviving Union soldier who had been shot down and had received one or more disabling wounds in battle would willingly have pensioned their brothers of the South who were afflicted the same way, for they realized how heavily handicapped those men are in the struggle for existence.

Yours, truly,

W. M. TALIFERRO.

Senator BUTLER.

SHELBY, TENN., *January 4, 1899.*

DEAR SENATOR: Since the statement was made through the press of your proposal to introduce an amendment to the pension bill for pensioning ex-Confederate soldiers, we have seen that some of the organizations of Confederates in the cities have opposed the proposition. As an ex-Confederate, and one who lost two brothers (myself disabled for life), I claim to be as true to the South as anyone. But I tell you that all of the one-legged, one-armed, and disabled soldiers are with you and bid you go ahead; and if you are successful or not, they will honor you for trying to help them in their old age.

Most of the soldiers belonging to the organizations I speak of are men well to do. They do not consider the condition of a large number of poor disabled Southern soldiers, living miserable lives in poorhouses or dependent on charity. Some of them get a small pittance from the States. Every ex-Federal soldier in this part of the country favors the pensioning of the Southern soldier. Gen. A. J. Vaughn, one of the most gallant soldiers, says the passing of the bill will be a blessing to the poor Confederates and the families dependent upon them.

So, in conclusion, will say I have a son in the Fourth Tennessee, now in Cuba, and so have other ex-Confederates, and we are a united people, and the poor, maimed, and crippled Confederate is one of us, and should receive kind treatment, as many are now too old to work. Any Senator or Congressman that can help you will see the day that he will be proud to know that he did something for the poor men who in their old age are now out upon the cold charity of this world.

Hoping I am not trespassing too much upon your time by this letter, I am, an ex-Confederate,

A. M. APPLEWHITE.

Orderly Sergeant, Company F, Eighteenth Mississippi Cavalry.

Hon. MARION BUTLER,
Washington, D. C.

RALEIGH, N. C., *January 18, 1899.*

DEAR SIR: I write you to correct some false impressions that are being made as to the attitude of Confederate soldiers in regard to the pension amendment offered by you. Now, the camps that have disapproved of it are of the cities and are dominated by politicians, but the privates are almost a unit for the amendment, which is an act of justice which I believe the soldiers of the North would accord by a large majority if they could vote on it now. The most of us are old and poor and needy. I hope you will stick to your amendment. I have consulted many old comrades around here and they are all for it. Not half of the members of the L. O. B. Branch were at the meeting that disapproved of it. God bless you and prosper you is the prayer of thousands of old soldiers.

Yours, truly,

C. MCG. DUNN.

Hon. MARION BUTLER,
Raleigh, N. C.

LAMISON, ALA., *January 12, 1899.*

DEAR SIR: I saw some time ago that you had introduced a bill in Congress to pension Confederate soldiers. I have also seen several protests from different States. I do not know whether any of the protestants were ever in the war or not. I expect they all have some Government position is why they all seem so independent. I was in the Confederate service and was wounded several times, and served my country the best I knew how. I had no hand in bringing on the war, which was the case with the majority of the soldiers. I am not a beggar, but would appreciate any help that I could get, and I feel satisfied it is the case with the majority of the private soldiers.

Some people try to be very independent, especially when circumstances have placed them in some public position where they draw a lucrative salary. I can see nothing wrong in any Confederate soldier accepting a pension from the Government that we owe allegiance to, that we are loyal to, that we pay taxes to support, and that we stand ready to defend with our lives, as we did in the late war with Spain. Surely it is a matter of simple justice for Congress to pass your amendment. The most of the Confederate soldiers are poor men, and a pension would help them very much. Let me congratulate you on your effort to help the poor Confederate soldiers.

Yours, with kindest regards,

G. W. DUNN.

Hon. MARION BUTLER, *Washington, D. C.*

The following letter inclosed clippings from the Atlanta Constitution opposing the amendment:

DALTON, GA., *January 19, 1899.*

DEAR SIR: I call your attention to the within clippings from the Atlanta Constitution and ask you to not abandon your bill. The vast majority of Confederate States veterans feel as you do about it.

Give my compliments to Senator BATE and ask his cooperation in the name of one of his escorts in the civil war.

JOHN H. HILL.

Senator BUTLER.

STATE OF ARKANSAS, *January 22, 1899.*

DEAR SIR: Every old soldier who has lost a leg or an arm, and who is hobbling around upon a peg leg or crutches (as they are too poor to buy an artificial limb), are anxious for you to do all you can for them, and the majority of the Confederates will ever hold your name in grateful remembrance as the man that is now trying to help as brave lot of men as the sun ever shone upon. Some are living in poorhouses, others by charity.

These camps are composed of a lot of ex-Confederates that are able to take care of themselves. They are not of the poor, maimed class. They can talk about what they do not want, but if these same men were crippled and had to meet the hardships that these old, crippled, gray-headed soldiers are having in this cold world they would act differently. The needy Confederates are anxious for you to push your bill and hope for it to pass. They are now advanced in years, and every year they are becoming less able to support themselves, and it seems hard that while the Government is spending money to help the poor of other lands the poor ex-Confederate is left to work with one leg or one arm or starve. This is written at the request of over 50 old Confederates.

Respectfully, yours,

A. T. JONES,
Second Arkansas Confederate Regiment.

Hon. MARION BUTLER, *Washington, D. C.*

CASCADE, N. C., *January 21, 1899.*

MY DEAR SIR: I am glad to see that you have not abandoned your bill to pension the Confederate soldier. I know several here in Guilford County that are to-day in needy circumstances. These men actually need help. They are getting old; can't do much. So go on with your good work. The fighting old soldiers are with you to my own knowledge.

Yours, etc.,

O. C. WHEELER.

Hon. MARION BUTLER,
Washington, D. C.

The following letter inclosed a press clipping containing resolutions passed by a camp in Pulaski, Va., opposing the amendment:

PULASKI, VA., *January 23, 1899.*

DEAR SIR: Inclosed I hand you clipping from Pulaski News-Review. I do not think this represents the true sentiments of a large majority of the Confederate soldiers in this section. I think a large majority of the Confederate soldiers of this section would be glad to have pensions.

Yours, truly,

G. A. CALFEE,
An ex-Confederate.

Hon. MARION BUTLER,
United States Senate.

BERKLEY, VA., ——, —.

DEAR SIR: I see you propose a bill to pension the old Confederate soldier Well, there will have to be something done, and that soon. If you can not get us a pension, try to get a bill through to have all that are not able to work shot. There are two classes of old Confederate soldier in the South. The richer class try to run everything their own way, and in this way the old soldier that did the fighting stays at home while the Johnnie Reb that was in the bomb proof during the war runs the camps and passes resolutions to suit themselves and makes it appear that the old soldier is independent. You will find Lee's old veterans here in the poorhouse; men that charged the heights of Gettysburg. The old soldier is no longer a tool, and the sooner he dies the better it will be for the tinplate politician. He is only a thing of the past. * * * If you like, I will send you a list of veterans that are in favor of your bill.

Yours, truly,

B. F. GOSNEY.

The following is an extract from a letter to Hon. J. E. FOWLER, dated Clinton, N. C., January 23:

DEAR SIR: * * * It may be that some of the Confederate camps, chiefly composed of old Confederate officers, doctors, and other bomb-proof positions, are opposing the bill * * * but outside of those few, nine-tenths of the old soldiers would be heartily glad to accept any help the Congress could do to help them. * * * From conversation with many of them I know that they take no stock in the petitions of the camps, and that these do not represent them.

My own case is as follows: Wounded first at Antietam, wounded in the head, still troubling me; next wounded at Gettysburg in the left arm, bone shattered and still disabling me from manual labor; next, leg shot off at the Wilderness, and two more slight wounds, not important enough to specify.

Hoping that the bill can get through, notwithstanding the howl of the camps, I remain,

Yours, respectfully,

J. T. GREGORY.

RALEIGH, N. C., ——, —.

DEAR SIR: I see in some of the papers that you have introduced a bill in Congress to pension the Confederate soldiers. I also see that there have been some resolutions passed condemning your course in Congress for so doing. I have talked with some of the old soldiers about it and they think it would be nothing but right for the United States to pension Confederate soldiers, for the Southern States are not able to give them much. The men that have condemned your course are generally well-to-do, and do not need any pension to enable them to live, as they have a living anyhow. You go ahead and try to get your bill passed, and there will be thousands of old gray-haired veterans that will bless you.

J. R. MEDLIN,
Son of a Confederate Soldier.

Hon. MARION BUTLER, *Washington, D. C.*

COLUMBUS, GA., *January 11, 1899.*

DEAR SIR: We notice in to-day's Atlanta Constitution, page 3, the announcement: "BUTLER will abandon his bill and will yield to the wishes of the Confederate veterans."

May we, the undersigned Confederate veterans, hereby specially request you not to abandon your bill for the United States to pension the Confederate veterans. Because we are citizens of this great Government, were born in one of the States composing said Government, were born under the Stars and Stripes, and by the blessings of a kind Providence we are living under said flag, and are now and have heretofore done our duty to our State and the Government under said flag, and yield to no one a greater love for that flag and this Government that ourselves.

It is true that when our State conceived that we were deprived of our rights under its Constitution and as proposed to be administered in 1861, by solemn convention our State passed the ordinance of secession, and the Northern States endeavored to coerce us to remain in the Union in which our constitutional rights had been violated; our State and other States endeavored to form another Confederacy in which we might be all on an equality; then an appeal to arms was the result, and we, as in duty bound, enlisted under the new Confederacy and fought for what we conceived to be constitutional freedom and the "inviolable" State rights. It was a war between the States and not a rebellion, and as an evidence of that fact not a Confederate soldier nor leader could be convicted of treason, and the Union was restored by restoring the States to their places, on equal footing, back into the Union. Our Government, thus reunited after a war between the States, presented to the world a reunited Government with the Union as "inviolable," and the perpetuity of State rights and constitutions also as "inviolable."

Wherefore, when President McKinley, in the hour of his welcome to our hearts and homes, in beholding our loyalty to that Government he so ably represents as "Our President," as well as the President of the other sections of this Government, announced the hope "that the time has arrived for the United States Government to do justice to the dead heroes and the living veterans of the several States who fought for what they conceived to be their constitutional rights under the secession ordinances of their several States," our hearts respond in unity to his sentiments and one that proclaimed him a "true patriot;" and in our innermost souls there went up a rejoicing that at last God had raised up a man who is not afraid to speak the "truth," and one who did not fear to speak his convictions.

Wherefore we hope you will press your bill and hope Congress will pass the same, and by so doing show to the world that we are a reunited people. We desire this, not as "mendicants for pensions," but in response to the grand and patriotic sentiments of our President, and as voicing the sentiments of every true patriot who loves his whole country and respects the valor of the dead Confederate soldiers as a brother of a united country.

So we ask you to press your bill to a successful issue, and may the God of peace bless you and our whole country.

Respectfully, your fellow-citizens,

MARTIN VAN BUREN COOK,
GRIGSBY E. THOMAS,
And fifty-three others.

Hon. MARION BUTLER,
United States Senate, Washington, D. C.

Mr. BUTLER. Mr. President, if the States which believed and contended that they had a constitutional right to withdraw from the Union are to be taxed to pension the soldiers of those States which believed that we had no such constitutional right, then surely those States should not object, and I do not believe they would object if their sentiment were tested, to being taxed to help us pension our Confederate soldiers. The South has been pensioning them, Mr. President, and taxing its citizens in nearly every Southern State up to the constitutional limit to do it.

But still the Confederate soldier, I am sorry to say, is too poorly provided for. It touches the heart of every Northern soldier when he goes South and meets a one-armed Confederate soldier and sees the struggle that he is making to make a living and pay his burden of taxes, and the result is that everyone expresses himself as wishing that his Government could pay to him—the Confederate soldier—the same pension it pays to the Northern soldier. Every Northern soldier admires the courage, bravery, and heroism displayed by the Confederate soldier. He is now proud to fight by his side, and I know he does not want any discrimination made between them.

Mr. CHANDLER. Will the Senator allow me a word?

Mr. BUTLER. Certainly.

Mr. CHANDLER. I have no doubt that the Union soldiers of the North have the most kindly sentiments toward their late brethren in arms. The war has been over for about the third of a century, and the Union soldiers would undoubtedly be willing to have any reasonable testimonial of regard set on foot in recognition of the bravery of the Confederate soldiers in that great historic conflict.

The difficulty with me, Mr. President, is to discover a theory, a justifiable theory, in the face of the country and in the face of the world, upon which the United States Government could give pensions from the public Treasury, money raised by taxation from the people, to Confederate soldiers who had been in arms for the destruction of the Government which has given the pension.

Mr. BUTLER. I protest against the Senator's language. If he had been here and had heard me, I think he would not have used it.

Mr. CHANDLER. I do not insist upon the expression. I do not know what language the Senator objects to, but I withdraw it, whatever it is. I only——

Mr. BUTLER. That the Southern soldiers took up arms to

destroy the Government. I have tried to show by facts and argument that that was not the case. I have devoted half of my speech to it.

Mr. CHANDLER. I do labor under the disadvantage of not having heard the theory upon which the Senator would do this thing. I should like to have him, if it is not disagreeable to him, restate the theory upon which a Senator can vote to pension a Confederate soldier.

Several SENATORS. No, no.

Mr. CHANDLER. I am in entire sympathy, if the Senator will allow me, with the sentiment which led the President of the United States to say that the nation might assume the care of the Confederate cemeteries, because that is a mere testimonial to the bravery of those men and their courage, however wrong they may have been in the cause for which they fought. It is a testimonial to that bravery which is the common heritage of the whole American people. But how can we pay them pensions when a pension is a reward for military service performed for the country? In spite of the suggestions which appear to come to me to the contrary, I do ask the Senator to restate the theory upon which he thinks I could give a vote to pension Confederate soldiers.

Mr. BUTLER. The Senator has himself, unwittingly, probably, stated the case and the reason as strong as I can do it, when he states that the courage and bravery and heroism displayed on every battlefield by the Southern soldiers is to-day a part of the common heritage of this country; that it stands to-day for its common defense against every foreign foe, equal with that of the Northern soldier.

Mr. CHANDLER. But let me ask the Senator right there, if we should actually pay pensions to Confederate soldiers, would it not tend to encourage another rebellion at some time?

Mr. BUTLER. The Senator surely is jesting. There is not a man, North or South, who expects another such war ever to happen or who believes it can happen. I took some pains to show, in the early part of my remarks, that the other one could not have happened if we had been living under a perpetual compact.

Mr. CHANDLER. And does the Senator say it is impossible that there shall ever be another civil war of this kind?

The PRESIDENT pro tempore. The Senator from New Hampshire should address the Chair and obtain leave through the Chair to interrupt the Senator from North Carolina.

Mr. CHANDLER. With great respect to the Chair, I made an important omission. Now, I should like the Senator from North Carolina to yield, if the Chair will secure me permission.

The PRESIDENT pro tempore. Does the Senator from North Carolina yield to the Senator from New Hampshire?

Mr. BUTLER. I yielded to the Senator for a question. Now I will answer it, if he is ready.

Mr. CHANDLER. Is it in order for the Senator to answer it, as I had asked it before obtaining the permission of the Chair? If it is, I should like him to do so.

Mr. BUTLER. I understand the Senator's question to be whether I think there can ever be another civil war between the States. I answer, No; there will never be another conflict between sovereign States fighting over their constitutional reserved rights. No one can have any doubt on that point.

Mr. CHANDLER. Mr. President——

Mr. BUTLER. There is no cause why any member of this body should have ever made the suggestion; but since the Senator has asked the question, that is my answer to it.

The PRESIDENT pro tempore. Does the Senator from North Carolina yield to the Senator from New Hampshire?

Mr. BUTLER. Certainly.

Mr. CHANDLER. The only other idea I wish to present to the Senator, with all respect, is this: Shall we not be more likely, if there is danger of civil war in this country, to have that war break out if it is understood that pensions will be given, after the war is over, to both sides? [Laughter.]

Mr. BUTLER. Mr. President, the class of citizens that could be moved by motives so low as those that seem to haunt the Senator are happily so few and insignificant in number, even if they exist at all, that neither they nor the question call for consideration. The Senator should not jest about so serious a matter.

Mr. CHANDLER. Mr. President——

The PRESIDENT pro tempore. Does the Senator from North Carolina yield?

Mr. CHANDLER. I beg pardon for having been so unfortunate as to irritate the Senator. I only wanted to illuminate his argument by certain logical suggestions.

Mr. BUTLER. Mr. President, it is a suggestion that ought to irritate an American citizen. It is a justifiable cause of irritation, and loudly every American citizen will resent the suggestion.

Now, Mr. President, as to the theory, the Senator wants to find in the Constitution some clause written in plain language to show how the Government can pay a pension as a tribute to heroism and bravery and courage exhibited by the Southern soldier such as was never surpassed in the history of the world. Go and look in the Constitution and show me some clause for denying them their constitutional rights and I will show you the clause that will justify you in pensioning them.

Mr. President, at Appomattox, when we amended the Constitution and started out under a new compact, there was and is ample provision in it for pensioning the Confederate soldiers. Has any Southern soldier ever been tried for treason? Who has ever dared to try one for treason? He could not have been convicted in any court in this land. There is not a part of the North, or a corner of it, so prejudiced against the South that you could have found a court in which you could have convicted a single Southern soldier. Under the circumstances there can be no constitutional objection.

Mr. President, shall the South be longer treated in the least respect as conquered territory from which taxes are to be collected, which, unfortunately, since there is discrimination in their distribution, appear too much as punitive taxation? Should the Government treat its own citizens less justly than it treats a vanquished foreign foe? Have we forced even Spain to pay a war indemnity and left her soldiers and sailors to tramp home? On the other hand, we pay her $20,000,000 as a bounty with which she can pension her soldiers and sailors for many years.

If the Senator from New Hampshire has such conscientious scruples about how to pay pensions to Confederate soldiers, then let the North pay the South for its property that was taken from it by the war, and distribute the money to the States, and each State then will be amply able with the funds to take care of its Confederate soldiers until the last one is dead.

Mr. CHANDLER. Mr. President——

Mr. BUTLER. We never have taken territory or property from any foreign country without paying for it, even when we have gone to war with such provocation as there was in the sinking of the *Maine* in Havana Harbor.

The PRESIDENT pro tempore. Does the Senator from North Carolina yield to the Senator from New Hampshire?

Mr. BUTLER. Certainly.

Mr. CHANDLER. I should like to have the Senator state upon what principle this nation could pay the South for the property which was destroyed by the Union armies in the course of the rebellion, which is his present suggestion?

Mr. BUTLER. Whenever the Senator explains on what theory we are to pay Spain $20,000,000 for keeping her from getting whipped by the Filipinos, I will answer his question.

Mr. CHANDLER. I leave that to the Senators from Massachusetts. [Laughter.]

Mr. BUTLER. This Government has very properly, and the North indorsed it, very much to its credit, agreed to a proposition to pay back to the South the direct land taxes. It was a just measure. It did not humiliate the South to receive it. It was not unconstitutional to do it.

Mr. CHANDLER. That whole tax was paid back. It was not only remitted to the Southern States, but it was paid back to the Northern States. That is no principle to justify a victorious nation in paying for the property destroyed by its armies in suppressing the rebellion.

Mr. BUTLER. Then the point I made was that we recognized the principle that there should be no discrimination between the North and the South on account of the war. We recognized that principle when we returned those taxes. My whole position today is based on exactly that contention.

Mr. President, happily, sectional prejudice is passing away, and if any traces of it continue to exist it is no doubt due to this continued discrimination more than to any other cause. Therefore, to wipe out the last shadow or excuse for sectional prejudice, and to cement together more thoroughly every section of this country into one harmonious and united people, I proposed this amendment.

I believed it was right then and I believe it is right now; but since there has appeared a division of sentiment, and not desiring to do anything to cause in the least any sectional discussion, and not wishing in the least to be a party to proposing or insisting upon a vote on a measure which would embarrass any considerable number of people from my own section—in view of these considerations, strongly as I believe in the justice of the measure, I will not press it at this time.

The bill was reported to the Senate without amendment, ordered to a third reading, and read the third time.

The PRESIDENT pro tempore. The question is, Shall the bill pass?

Mr. PERKINS. I am informed by the senior Senator from Maryland [Mr. GORMAN], by the Senator from Missouri [Mr. COCKRELL], and others, that they desire to speak upon the pending bill, and, therefore, I will ask that it go over until the morning hour to-morrow.

Mr. COCKRELL. The bill has not been yet passed, has it?

The PRESIDENT pro tempore. The bill has been read a third time, and the question is on its passage.

Mr. COCKRELL. I move to reconsider the vote by which it was ordered to a third reading.

The PRESIDENT pro tempore. The final question will be on the passage of the bill.

Mr. LODGE. The bill has not been passed.

Mr. BERRY. The bill is still open to debate.

Mr. PERKINS. I understand the bill is still open for discussion?

The PRESIDENT pro tempore. It is.

Mr. PERKINS. I will therefore ask unanimous consent that the bill go over and be taken up immediately after the routine morning business to-morrow.

Mr. HOAR. Mr. President, I rise to a parliamentary inquiry. What is the precise parliamentary condition of the bill?

The PRESIDENT pro tempore. The bill has been read a third time, and the question is on its passage.

Mr. HOAR. The bill is then in the Senate, and the question I wish to ask is whether it is open to amendment?

The PRESIDENT pro tempore. It is not.

Mr. HOAR. That is what I supposed.

Mr. BATE. Mr. President, I was not aware, because of the confusion in the Chamber, that the amendment proposed by the Senator from North Carolina [Mr. BUTLER] to the bill had been withdrawn immediately on his finishing his speech. I am very glad now to learn that it is withdrawn, but I do not know that I ought to let it pass, after the very elaborate speech of the Senator from North Carolina, without a brief statement. I have no criticism to make upon that part of his speech or anything connected with it in relation to the rights of the States to secede and their course thereafter. There were many things said by him that are historic truths and can not be too often said.

But, Mr. President, I have been in the receipt of letters, telegrams, and resolutions adopted by ex-Confederate soldiers in their camps and bivouacs that give a different version touching this resolution than that put upon it in the speech of the Senator from North Carolina. He would have you believe they approved of his resolution and were knocking at the door of Congress asking for pensions. I wish in a few words to put them in their true light, for they are a brave, noble, patriotic, self-sacrificing set of men. They are not alms-begging nor pension-seeking men. They are proud, poor, and patriotic, and ask no pensions of the Government. Neither have they any apology to make. They are proud of their history, and we—for I am one of them—intend to preserve our history intact. I have never apologized, and never expect to, for my course as a Confederate soldier. I believed I was right, and I believe it now.

Indeed, Mr. President, I am glad to know that many of those who fought us bravest and hardest are among our best friends and greatest admirers. They have risen above prejudice and calmly look at the truth of history. The Confederate history is exceptional and unique. It is a distinctive feature, and we shall not mar, but preserve it as it has been made. We ask no pensions of the Government that by superior numbers and resources exhausted us and then overcame us.

I think there is no considerable number of ex-Confederate soldiers anywhere in our Southland who have either sought or will seek pensions of the Government. It is true I can not speak for all, but I am constantly brought in contact with a great many of them, especially in Tennessee, who, in part, I have the honor to speak for in this Chamber, and I feel assured they do not favor the resolution of the Senator. In evidence of this I beg to read one of the resolutions which have come to my colleague and myself from our State as a specimen of how our Confederate bivouacs and camps feel touching this matter of pensions by the United States Government to ex-Confederate soldiers. It is a specimen of others sent us, and being short and directly to the point made in this resolution, and relates to the resolution itself, besides putting the Confederate soldier right on the record, I read it. The resolution came addressed to me, and it is as follows:

CLARKSVILLE, TENN., *January 18, 1899.*

At the last meeting of Forbes Bivouac the following resolution was passed unanimously, with the request that our Senators read the same to the Senate:

"*Resolved*, That Forbes Bivouac condemns in most unmeasured terms the resolution offered by Senator BUTLER, of North Carolina, seeking to pension the ex-Confederate soldiers; and

"*Resolved further*, That we do not recognize in him one who has any right to voice the sentiment of a Confederate soldier."

CLAY STACKER,
Secretary Forbes Bivouac.

I have no criticism to make upon the motive that actuated the Senator in offering the resolution, nor on what he said as to the constitutional rights of the States. I think the Confederate soldier feels that he has had to pay a great deal, and a great deal too much, for Federal pensions. He does not approve of it. But this question of claiming pension from the Federal Government comes home to him and he does not want "dirty dollars," after making the history he has and fighting the battles he has, to come to him from the enemy whom he fought. No, no, Mr. President; that is a mistake. It is unlike the patriotic, brave, self-sacrificing soldier who fought under our Confederate flag. For those I have the honor to speak for, I discard the idea, I spurn the proposition; I have neither seen nor heard of one who approves of it. They have struggled through the war without money; they have overcome their misfortunes, and will not now go back on the cause for which they fought; they hold it too sacred for barter.

But, Mr. President, you have no more loyal men in council or under the flag of our country than those who were Confederates. Very late and recent events have satisfied all of that. I do not, however, wish to make any speech on this. The Confederate soldier needs no laudation at my hands, and I do not propose to give it; but I want to see that he is set right, that he is not put in the false attitude of knuckling and kneeling before the country, and asking here for pensions for having done his duty to his State and the constitution of his country while a Confederate soldier. The ex-Confederate soldier of to-day is no suppliant, but an open, manly challenger of justice and the truth of history.

We have taken care of our Confederate dead. We did that by our own contributions. The noble women of our country raised most of the money in their own sweet way, and we have, through these charitable channels, buried them in cemeteries and cared for them by our own people. We have raised monuments to them all over our Southland, and I hope that such monuments will multiply and may become higher and higher, and that there may be more and more of them erected every year. But, sir, while we have done this, we respect ourselves, and I say we do not propose to come and ask this Government to give us pensions now. And be assured we will be as loyal to it as those who receive pensions for fighting on the Federal side of our great interstate war. Our brave old Confederate soldiers ask no pensions of the Federal Government.

You will remember, Mr. President, that our States have taken this matter in hand. My State gives $60,000 or $80,000 a year, and other States are doing the same thing. They have picked out the old, lame, and maimed Confederate soldiers, those who are suffering from the most severe disabilities and those who most need aid, and we have taken care of them.

I appreciate the sentiment of the Senator from North Carolina and do not wish in the slightest to criticise his motives, which are undoubtedly the best; but I think his amendment is unfortunate. I think he has taken the right course in withdrawing it, and I am glad that he has done so.

The PRESIDENT pro tempore. The Senator from California [Mr. PERKINS] asks unanimous consent that the pending bill may be considered immediately after the conclusion of the morning business to-morrow. Is there objection. The Chair hears none, and that order will be made.

Mr. PETTUS. Mr. President, it was my purpose to say a few words about this debate which has arisen here on an amendment to the pending pension appropriation bill.

I hope that no Senator on this floor will attempt to renew the war, which closed at Appomatox, as the Confederate soldiers generally believe; and that is a belief on which they have ever since acted loyally to this Government.

Mr. President, the war was settled then. All of us agreed that it was settled. I had myself some little knowledge of that war; and we all agreed that it was settled and ended. For the Lord's sake, Senators, let us have it ended, and not renewed here on this floor. It is to the benefit of no State, no county, no individual in this Union; it is to the prejudice of every one of us to have that war again renewed; and I hope it never will be done.

Mr. GALLINGER. I move that the Senate adjourn.

The motion was agreed to; and (at 6 o'clock and 21 minutes p. m.) the Senate adjourned until to-morrow, Friday, January 27, 1899, at 12 o'clock meridian.

NOMINATIONS.

Executive nominations received by the Senate January 26, 1899.

COLLECTORS OF CUSTOMS.

Walter Fifield, of New Jersey, to be collector of customs for the district of Great Egg Harbor, in the State of New Jersey, to succeed Enoch A. Higbee, resigned.

Nelson E. Nelson, of North Dakota, to be collector of customs for the district of North and South Dakota, in the States of North Dakota and South Dakota, to succeed Archie M. O'Connor, whose term of office has expired by limitation.

CONFIRMATIONS.

Executive nominations confirmed by the Senate January 26, 1899.

APPOINTMENTS IN THE VOLUNTEER ARMY.

To be inspector-general with the rank of major.

Capt. Cunliffe H. Murray, Fourth United States Cavalry.

Tenth Regiment Volunteer Infantry.

David B. Jeffers, commissary-sergeant, United States Army, retired, to be second lieutenant.

Ninth Regiment Volunteer Infantry.

William H. Coston, of Ohio, to be chaplain.

To be signal officer with the rank of captain.

First Lieut. Alvar G. Thompson, United States Volunteer Signal Corps.

To be signal officers with the rank of first lieutenant.

Second Lieut. Charles H. Gordon, United States Volunteer Signal Corps.
Second Lieut. Alson J. Rudd, United States Volunteer Signal Corps.
Second Lieut. William Mitchell, United States Volunteer Signal Corps.

To be signal officers with the rank of second lieutenant.

First-Class Sergt. Charles C. Shew, United States Volunteer Signal Corps.
First-Class Sergt. Robert B. Montgomery, United States Volunteer Signal Corps.
First-Class Sergt. James P. Anderson, United States Volunteer Signal Corps.
First-Class Sergt. Edward E. Kelley, United States Volunteer Signal Corps.

To be brigade surgeon with the rank of major.

Orlando Ducker, of Kentucky.

Third Regiment Volunteer Engineers.

First Lieut. James D. Fountleroy, to be captain.
Second Lieut. St. Charles B. Gwynn, to be first lieutenant.
Sergt. Lee Shaffer, Company G, to be second lieutenant.

Second Regiment Volunteer Infantry.

Sergt. Christopher Lanahan, Second United States Volunteer Infantry, to be second lieutenant.

Seventh Regiment Volunteer Infantry.

Second Lieut. Jesse C. Duke, to be first lieutenant.
Second Lieut. Beverly Perea, to be first lieutenant.
Owen T. Kenan, of Georgia, late major, First Georgia Volunteers, to be captain.
Sergt. Daniel T. Brantley, Company D, Seventh United States Volunteer Infantry, to be second lieutenant.

APPOINTMENTS IN THE ARMY.

To be professor of mathematics in the Military Academy.

Associate Prof. Wright P. Edgerton, October 7, 1898.

To be associate professor of mathematics in the Military Academy.

First Lieut. Charles P. Echols, Corps of Engineers, October 7, 1898.

PROMOTIONS IN THE ARMY.

CAVALRY ARM.

To be captain.

First Lieut. John M. Stotsenburg, Sixth Cavalry, December 14, 1898.

To be first lieutenants.

Second Lieut. Frank A. Barton, Tenth Cavalry, October 16, 1898.
Second Lieut. Robert Sewell, Seventh Cavalry, October 24, 1898.
Second Lieut. George C. Barnhardt, Sixth Cavalry, November 7, 1898.
Second Lieut. James H. Reeves, Sixth Cavalry, November 10, 1898.
Second Lieut. Kirby Walker, Third Cavalry, December 14, 1898.
Second Lieut. Claude B. Sweezey, Eighth Cavalry, December 14, 1898.
Second Lieut. Sterling P. Adams, First Cavalry, December 14, 1898.

REJECTION.

Executive nomination rejected by the Senate January 26, 1899.

APPOINTMENT IN THE VOLUNTEER ARMY.

TENTH REGIMENT VOLUNTEER INFANTRY.

To be first lieutenant.

James A. Roston, of District of Columbia, to fill an original vacancy, July 5, 1898.

HOUSE OF REPRESENTATIVES.

THURSDAY, *January 26, 1899.*

The House met at 12 o'clock m. Prayer by the Chaplain, Rev. HENRY N. COUDEN.

The Journal of the proceedings of yesterday was read and approved.

RECORDS OF THE UNION AND CONFEDERATE ARMIES.

Mr. RICHARDSON. Mr. Speaker, I desire to present a conference report, and I ask that House concurrent resolution No. 36 with Senate amendment be read, and then I will say a word.

The resolution was read, as follows:

Concurrent resolution.

Resolved by the House of Representatives (the Senate concurring), That the Secretary of War is hereby authorized and directed to furnish one complete set of the Official Records of the Union and Confederate Armies to each Senator, Representative, and Delegate of the Fifty-fifth Congress not already entitled by law to receive the same; and he is further authorized to use for this purpose such incomplete sets as remain unsold or uncalled for by the beneficiaries designated to receive them under the authority contained in the several acts of Congress providing for the distribution and sale of this publication: *Provided*, That the Secretary of War may call upon the Public Printer to print and bind such parts of said work as will enable him to complete the sets herein provided for.

The amendment of the Senate is as follows:

The provision in the "Act making appropriations for the sundry civil expenses of the Government," approved August 5, 1892, providing for the printing and binding of 500 copies of the Official Records of the War of the Rebellion for the use of Senators, Members, and Delegates of the Fifty-second Congress, shall not be construed to prevent the binding of any public document which would otherwise be provided for by the "Act providing for the public printing and binding and the distribution of public documents," approved January 12, 1895, which provides "that each Senator and Representative shall be entitled to the binding in half morocco, or material no more expensive, of but one copy of each public document to which he may be entitled."

The conference report is as follows:

The committee of conference on the disagreeing votes of the two Houses on the amendment of the Senate to the House concurrent resolution No. 36, in regard to printing and binding of the Official Records of the Union and Confederate Armies, having met, after full and free conference have agreed to recommend and do recommend to their respective Houses as follows:

That the House recede from its disagreement to the amendment of the Senate, and agree to the same.

GEO. D. PERKINS,
JAMES D. RICHARDSON,
Managers on the part of the House.
H. C. LODGE,
A. P. GORMAN,
Managers on the part of the Senate.

The statement is as follows:

The resolution as it passed the House provided for the supplying of members of the Fifty-fifth Congress who were not already entitled by law to receive the same a complete set of the Official Records of the Union and Confederate Armies.

The Senate amended the resolution by providing that the resolution should not interfere with the privilege or right of members to have binding done at the Government Printing Office under existing law. The House disagreed to this Senate amendment, and the conference committee was appointed. As the resolution did not, in the opinion of the House conferees, interfere with this privilege and was not intended to have any such effect, the House conferees have agreed to recommend that the House recede from its disagreement to the Senate amendment and to recommend that said amendment be agreed to.

Mr. RICHARDSON. Mr. Speaker, one word by way of explanation. The statement explains fully the condition and situation, but it is a fact that the original resolution and the amendment of the Senate were lost, and these papers simply supply the lost papers; and I ask unanimous consent that they may be accepted as originals. They have been carefully gone over and they are identical with the original resolutions. I hope they will be substituted for the originals and that the conference report be agreed to.

The SPEAKER. The gentleman from Tennessee asks unanimous consent, the original papers having been lost, that the copies sent to the Clerk's desk may be substituted in all respects for them. Is there objection? [After a pause.] The Chair hears none. The question is on agreeing to the conference report.

The conference report was agreed to.

On motion of Mr. RICHARDSON, a motion to reconsider the vote whereby the conference report was agreed to was laid on the table.

REORGANIZATION OF THE ARMY.

Mr. HULL. Mr. Speaker, I move that the House resolve itself into Committee of the Whole House on the state of the Union for the further consideration of the bill (H. R. 11022) for the reorganization of the Army, and for other purposes.

The motion was agreed to.

Accordingly the House resolved itself into Committee of the Whole House on the state of the Union, with Mr. PAYNE in the chair, for the further consideration of the bill (H. R. 11022) for the reorganization of the Army, and for other purposes.

Mr. HULL. Mr. Chairman, I yield one hour, or so much as he may require, to the gentleman from Illinois [Mr. MARSH].

Mr. JETT. Before the gentleman from Illinois proceeds, I should like to inquire how much time is remaining on this side of the House?

The CHAIRMAN. The Clerk informs the Chair that there are remaining on the gentleman's side two hours and four minutes.

Mr. COX. Mr. Chairman, I want to make an inquiry in this connection. As a member of the committee, I was entitled to an hour, and when I spoke I requested the Chair to stop me when I had occupied forty minutes. My purpose was to yield to two of my colleagues ten minutes each. Now I wish to understand whether I have the right to do so.

The CHAIRMAN. The Chair thinks the gentleman would not have the right unless time was yielded to him by the gentleman from New York [Mr. SULZER], because the House ordered that the time should be equally divided, the gentleman from Iowa [Mr. HULL] to control the time on one side and the gentleman from New York on the other.

Mr. COX. Mr. Chairman——

Mr. HULL. Mr. Chairman, is this coming out of the time I have yielded to the gentleman from Illinois?

The CHAIRMAN. Certainly not; the gentleman from Illinois is entitled to an hour.

Mr. HULL. All I want is that the time occupied by this "free and easy" shall not be charged to us.

Mr. COX. Mr. Chairman, I made my proposition when I was recognized as plainly as I could make it, that I would yield a part of my time for the benefit of my colleagues.

The CHAIRMAN. If the gentleman from New York should yield to the gentleman from Tennessee, of course the time would be within the disposal of the gentleman from Tennessee, unless objected to by some member of the House.

Mr. COX. The gentleman from New York did not yield to me; I had my own time.

The CHAIRMAN. The gentleman is mistaken. The House has ordered that the time be equally divided between the two sides, and that the gentleman from New York control the time on the side of the House to which the gentleman from Tennessee belongs.

Mr. CARMACK. I understood—and I think my colleagues will bear out my statement—that my colleague [Mr. COX] was given an hour, and that he stated at the beginning of his remarks his desire to talk only forty minutes and yield the rest of his time.

Mr. COX. Yes, sir.

Mr. CARMACK. My colleague made that statement when he opened his remarks.

Mr. COX. When I was recognized in my own right for an hour I kept back part of that time for the benefit of two of my colleagues.

The CHAIRMAN. The Chair understood that when the gentleman from Tennessee addressed the House and concluded his remarks, he did not reserve any time.

Mr. COX. I did; and the RECORD shows it.

The CHAIRMAN. The RECORD will show what was the fact.

Mr. COX. Yes, sir; and I reserved twenty minutes of my hour.

Mr. HULL. Mr. Chairman——

Mr. HAY addressed the Chair.

Mr. HULL. I do not want to take my friend from Virginia [Mr. HAY] off his feet.

The CHAIRMAN. The Chair thinks the time of the House ought not to be occupied now with a discussion of this kind.

Mr. HULL. My understanding is that the RECORD will show the facts in regard to this matter, and that we are using now time that ought to be devoted to debate. I yield an hour, or so much as he may need, to my colleague on the committee, the gentleman from Illinois [Mr. MARSH].

The CHAIRMAN. The gentleman from Illinois is recognized.

Mr. HAY. Before the gentleman from Illinois proceeds I desire to make a statement in regard to the time.

The CHAIRMAN. Does the gentleman from Illinois [Mr. MARSH] yield?

Mr. HAY. I do not wish to take any of the gentleman's time.

Mr. COX. I rise to a parliamentary inquiry.

The CHAIRMAN. The gentleman from Tennessee rises to a parliamentary inquiry.

Mr. COX. I announced as distinctly as I could what I proposed to do and asked the Chair and the timekeeper to call me down when I had occupied forty minutes.

The CHAIRMAN. The Chair understands that the gentleman did make that announcement.

Mr. COX. And I was called down.

The CHAIRMAN. The Chair would state to the gentleman from Tennessee that he can raise this question when the time comes back to his side of the House; and in the meantime the record can be looked up. The Chair thinks there will be no difficulty in settling this matter.

Mr. HAY. I wish to make a statement, with the consent of the gentleman from Iowa.

The CHAIRMAN. The gentleman from Illinois is occupying the floor; does he yield?

Mr. HAY. I do not wish to take any of the time of the gentleman from Illinois. I wish simply to make the statement that the gentleman from New York [Mr. SULZER] who has been authorized to control the time on our side of the House asked me in his absence to control the time, and therefore I am doing so. I desire my position in that regard to be understood. That is all.

The CHAIRMAN. Without objection, the Chair will recognize it. The gentleman from Illinois will proceed.

Mr. MARSH. Mr. Chairman, the discussion on this bill has wandered very widely from the bill itself; and if the House will have patience with me, I will occupy but a few minutes of its time in calling its attention to what I believe to be some very important provisions in the bill that ought to be modified. But before proceeding further, Mr. Chairman, I send to the Clerk's desk and ask to have read, as a part of my own remarks, an extract from the message of the President of the United States, sent to this House at the beginning of this session.

The Clerk read as follows:

Under the act of Congress approved April 20, 1898, authorizing the President in his discretion, "upon a declaration of war by Congress, or a declaration by Congress that war exists," I directed the increase of the Regular Army to the maximum of 62,000, authorized in said act.

There are now in the Regular Army 57,852 officers and men. In said act it was provided, "That at the end of any war in which the United States may become involved the Army shall be reduced to a peace basis by the transfer in the same arm of the service or absorption by promotion or honorable discharge under such regulations as the Secretary of War may establish of supernumerary commissioned officers and the honorable discharge or transfer of supernumerary enlisted men; and nothing contained in this act shall be construed as authorizing the permanent increase of the commissioned or enlisted force of the Regular Army beyond that now provided by the law in force prior to the passage of this act, except as to the increase of 25 majors provided for in section 1 hereof."

The importance of legislation for the permanent increase of the Army is therefore manifest, and the recommendation of the Secretary of War for that purpose has my unqualified approval. There can be no question that at this time, and probably for some time in the future, 100,000 men will be none too many to meet the necessities of the situation. At all events, whether that number shall be required permanently or not, the power should be given to the President to enlist that force if in his discretion it should be necessary; and the further discretion should be given him to recruit for the Army within the above limit from the inhabitants of the islands with the government of which we are charged.

It is my purpose to muster out the entire Volunteer Army as soon as the Congress shall provide for the increase of the regular establishment. This will be only an act of justice and will be much appreciated by the brave men who left their homes and employments to help the country in its emergency.

Mr. MARSH. Mr. Chairman, that portion of the President's message was, by the order of the House, referred to the Committee on Military Affairs, and in pursuance of and in response to that portion of the message your committee has reported and now presents for your consideration the pending bill. I do not understand, sir, that the committee considers that bill as perfect in all of its details. It is reported here by that committee with its recommendation, and of course it is for this House to determine whether all of its provisions are wise or unwise.

As a member of that committee, I wish to state that I distinctly reserved the right as a member of the committee to propose amendments or to oppose features of this bill as I might deem best when the matter was before the House. The main object of the committee is—or at least it ought to be—to supply to the President of the United States the increased strength of the Army that he calls for and deems necessary at this time, and I am in perfect harmony and in perfect accord with the President in his desire to have an increase in the Regular Army. He says:

At all events—

Quoting from the message—

whether that number (100,000 men) will be required permanently or not, the power should be given to the President to enlist that force if, in his discretion, it should be necessary.

I am willing and anxious and desirous of conferring upon the President of the United States the right and the power to exercise, according to his best judgment, that power to increase the Army to 100,000 men, or to 75,000 men, or to 60,000 men, or to any other number, not exceeding 100,000 men, such as his own judgment may dictate. I am not prepared to say to this House, I am not satisfied or sufficiently informed to enable me to say to the House, that the country now needs an increase in the Regular Army to 100,000 men.

But, Mr. Chairman, I am prepared to say that I am willing to leave that question absolutely and entirely in the hands of the President.

Mr. COX. Will my colleague on the committee allow me just here——

Mr. MARSH. I would prefer to proceed now.

Mr. COX. Only a word on this point.

Mr. MARSH. I must decline to be interrupted.

Mr. COX. All right, if the gentleman declines.

Mr. MARSH. Mr. Chairman, knowing full well that the President of the United States will not increase that army to the extent of one single enlisted man or one commissioned officer beyond what he may deem absolutely necessary under the responsibilities

that rest upon his shoulders, I am willing to intrust this power to him; and hence when we get into the consideration of the bill under the five-minutes rule I shall offer an amendment to the bill giving to the President discretionary power to increase the Army to 100,000 men, or less, according to his own judgment.

As the bill now reads it leaves no discretion with the President. As the bill has been prepared it makes it mandatory and obligatory upon him to increase the Army to about 100,000 men, whether he deems that increase necessary or does not deem it necessary. When peace shall have been declared, the Regular Army will consist of 26,610 enlisted men, and it will take weeks and months—a gradual process—to increase that number to 100,000 men. And I will say that while that process is going on it should go no further than the judgment of the President deems to be wise and proper and for the best interests of the country.

Under the existing law—or under the proposed bill, I should say—five new infantry regiments must be added to the Regular Army, and the necessary officers appointed to command them must be commissioned by the President, whether he needs them or not. Under the provisions of the pending bill, if it becomes a law, it becomes mandatory upon the President of the United States to appoint these additional officers for the infantry or the additional officers required for the artillery, and also the additional, the numberless, officers in the various staff departments of the Army.

Now, sir, I would leave to the President of the United States absolute power in this regard. I would leave him untrammeled. I would leave it to his judgment whether that increase should be made or not, as he shall think necessary for the best interests of the country; and he has indicated his views in his message to the House, in which he says:

> At all events, whether that number shall be required permanently or not, power should be given to the President to enlist that force if, in his discretion, it should be necessary.

And I want to say, Mr. Chairman, further, that this bill largely increases the staff department or bureaus of the Army, an increase that may be necessary if we have a force of 100,000 men in the Regular Army, as proposed by the bill, but which will be unnecessary if we are to have an army of 60,000 or 70,000 men. Yet under this bill this staff will be created and must be created; these officers must be promoted and commissioned and new ones appointed to fill the vacancies at the bottom. There is no discretion left in the President; but we undertake now to say in this bill to the President that he must provide an army of 100,000 men, whether he needs it or whether the country does not need it.

I would leave the discretion with the President. The country has confidence in his judgment. The country has confidence in his patriotism. The House can not but have confidence in his judgment, a judgment which I propose to have him exercise during the coming months after Congress shall have adjourned on the 4th day of March next. And in proposing this amendment, and in making this suggestion, I want to say to the House that I am speaking in harmony with the wishes of the President himself. I violate no confidence when I say that in two recent conversations with him he has said to me that he would not recruit a soldier nor add an officer to the Army unless he deemed it to be necessary.

In that conversation the President said to me that he thought Congress ought to be willing to trust him as to whether the Army should go up to 100,000 men or whether it should go to a less number, and that he would not add a single man nor a single officer nor a single organization unless at the time he deemed it to be necessary. Hence I trust that when we come to consider this bill under the five-minute rule the chairman of the Committee on Military Affairs and the members of this House will agree to an amendment relieving this bill from its mandatory character and conferring upon the President the discretionary power as to how fully he shall carry it into operation.

Mr. COX. Will the gentleman yield to me for a question now?

Mr. MARSH. Certainly, for a question.

Mr. COX. Let us get the point down.

Mr. MARSH. Put the question, my friend.

Mr. COX. I am going to put it. You wish to leave the President the power to organize the Regular Army to the limit of 100,000 men?

Mr. MARSH. Substantially.

Mr. COX. If that is true, why not confer upon the President the power to extend the Army to any number he wants?

Mr. MARSH. Mr. Chairman, if this bill becomes a law as it now stands it is mandatory on the President. He must appoint all the thousands of officers that it provides for, whether at the time he deems them necessary or not. This simply puts it in his discretion as to whether it shall be increased to the full extent or only part way. Why not confer upon him that discretion? Are you afraid that he will not make the Army large enough? Are you afraid that he will make it too small? My friend from Tennessee does not want a large army.

Mr. COX. No.

Mr. MARSH. This provision of mine relieves the President from the obligation imposed by the bill in its present form to make an army of a hundred thousand, and he can stop with 60,000 if he chooses, and he may stop in the appointment of the large number of officers provided for in this bill. He may stop halfway. I say, let him have that power. From that I will pass on to another point.

Mr. COX. Pardon me right there for one moment, for I am not going to interrupt except——

The CHAIRMAN. Does the gentleman from Illinois yield to the gentleman from Tennessee?

Mr. MARSH. Why, I must yield to my good friend from Tennessee, although he knows he is taking my time.

Mr. COX. I will give you all mine.

Mr. MARSH. You have given yours away already.

Mr. COX. I will borrow some more somewhere else.

Mr. MARSH. Very well.

Mr. COX. I know what my friend's idea is, but I want the House to understand it. If you are going to confer upon the President of the United States the power to call out a certain number of troops, why do you limit him at all? Why put the limit at 100,000?

Mr. MARSH. Mr. Chairman, we limit him to a hundred thousand, because nobody believes that the Army, under any circumstances, will need to be larger than a hundred thousand men, and it is supposed by a great many people that we shall not need a hundred thousand. Hence, I do not want to provide absolutely in the law that the Army must be composed of 100,000 men. We placed a limit upon the number of volunteers, in the volunteer act last spring, if I recollect right, not to exceed 500,000 men. The President called out 175,000.

Mr. COX. I beg my friend's pardon. That bill does not limit him.

The CHAIRMAN. Does the gentleman from Illinois yield?

Mr. MARSH. No, I do not want to yield.

Mr. COX. I know the gentleman does not want to make an incorrect statement.

Mr. MARSH. No, I do not want to.

Mr. COX. Another thing——

The CHAIRMAN. The gentleman from Tennessee is not in order. The gentleman from Illinois declines to yield.

Mr. MARSH. I hope my friend from Tennessee will allow me to proceed.

Mr. COX. I hope my friend will correct the statement that he has made.

The CHAIRMAN. The committee will be in order.

Mr. MARSH. Now, Mr. Chairman, in the organization of the infantry companies under the present law, 106 enlisted men are provided to each infantry company. The 106 enlisted men include the privates and noncommissioned officers. This bill increases the number of the enlisted men of an infantry company to 145. I hope at the proper time, when we get into consideration of the bill under the five-minute rule, to move an amendment reducing that number from 145 to the present number, 106. Under the present mode of handling troops, fighting necessarily in open order, instead of close order, 145 men are too many for a company commander to command. Under the old system of war, such as General HENDERSON and my friend Colonel COX were engaged in, the companies were formed in compact order. We formed even in three and four lines and charged in columns of brigades and columns of divisions in close order. The men touched elbow to elbow. That mode of warfare has passed, and the fighting now is done upon the front line, with the men 5, 6, and 8 and 10 feet apart.

Mr. HULL. Will it interrupt my friend to ask him a question?

Mr. MARSH. Not at all.

The CHAIRMAN. Does the gentleman yield to the gentleman from Iowa?

Mr. HULL. Is it not true that the open order of fighting——

The CHAIRMAN. Does the gentleman yield?

Mr. HULL. The gentleman yielded to me. I say that in order that the gentleman may elaborate it somewhat at this time, is it not true that the open formation of the modern organization of infantry in the German army has increased the number in the company in place of decreasing it?

Mr. MARSH. Mr. Chairman, the German law provides 250 for the company. There are reasons for it there that do not obtain here. In my time I do not care to discuss it here. I want to say what I ought to have said a while ago—that the Committee on Military Affairs had hearings before the recess, and reported this bill just before the recess was taken. We had before us that accomplished officer, Lieutenant-General Schofield, and that equally accomplished officer, Major-General Miles; and we had before us the representatives of the staff department here in Washington. If I recollect aright, there was not a line officer whose views were submitted to the Committee on Military Affairs. So far as I

know, the only officers who appeared there were staff officers—men that have no command, men who do not command, but men who act by virtue of the orders of their superiors.

Now, I am not complaining of that. I am not criticising that; but I am calling the attention of this House to the fact, and it is a fact, that so far as the hearings are concerned, and the information given to the committee, it comes to us solely from the staff department up here at headquarters, from men who did not command men; who under the law can not command men; men who under the law as it now exists are in the staff for a lifetime.

Now, Mr. Chairman, I want to call the attention of this House to the real meat in the cocoanut of a large company to a regiment, and I get it from that frank and candid old soldier, General Schofield. I read to you from page 21 of the hearings:

I would say, though, in connection with the strength of the Army, that it would seem to be wise to make the necessary increase by adding as few regiments as practicable—

You know the fewer regiments we have the more men we must have in the company—

and getting the necessary strength by giving very large size if necessary to the companies, making the enlisted strength very large in proportion to the number of officers—

That is what this bill does—

so, if the time comes, as I hope it may in a very few years, when a considerable reduction can be made in the force now presumed to be necessary, that it can be done without any injury to the military effectiveness by simply discharging unnecessary enlisted men, still leaving an efficient organization of 50 or 80 or 100 men to the company.

I would not hesitate, with that in view, to make the companies as large as 150 men, and I know from my own experience that with such officers as are now found in the Regular Army a company of 150 men can be made more effective than any new troops under new officers could be made in a short time, although troops organized as our volunteers generally are, of the character generally found among them, would become as good as regulars in the course of a few years; but for a long time a company of volunteers would be less efficient than a company of 150 men organized under such officers as now exist in the Army.

Subordinating the efficiency of the organization of the Army to the interest of the commissioned officers when the time comes to reduce the Army——

Mr. COX. That is what it means.

Mr. MARSH. That is the meat in the cocoanut. That was the meat in the cocoanut of the Regular Army bill last spring, when it came in here providing for 250 enlisted men in an infantry company. I asked of General Schwan, who was one of the three or four staff officers who prepared this bill, about it. It turned out upon the hearing that three or four staff officers—if I misstate it, the chairman will correct me—it turned out in the hearings that three or four staff officers in the War Department, men who never will have command of troops, who now are barred by law from the command of troops, three, four, five, or six officers up here in the War Department prepared this bill—and if I am in error, the chairman can correct me—with some corrections and some suggestions that the chairman of the Committee on Military Affairs himself made.

Mr. RAY of New York. Will the gentleman permit me?

Mr. MARSH. I will permit a question.

Mr. RAY of New York. I understand the gentleman to say that if the idea of General Schofield is carried out for the proper organization of full regiments, and a larger number of enlisted men in the companies or regiments is provided for, it will operate in the interest of the officers when we come to reduce the Regular Army, if that is ever done.

Now, it struck me—and if I am wrong I will be pleased to have the gentleman correct me—that that will not be so, because the fewer the number of regiments the fewer the number of officers; and therefore, when we come to reduce the Regular Army, by reducing the number of enlisted men there will not be as many commissioned officers remaining as there would be if we had more regiments with their necessary officers and the same number of enlisted men as in the Army with the larger number of regiments.

Mr. MARSH. I see the trouble in the gentleman's mind. Suppose the infantry organization contains 50,000 men; that is about what this bill provides for—145 men to a company. Suppose two or three years from now Congress passes a law reducing the number of men in the infantry to 20,000. Then 30,000 of the infantry are mustered out, leaving the companies, instead of 145 strong, 50 strong, and, as General Schofield said, thereby preserving the organization and not disturbing the officers.

Mr. COX. That is the point.

Mr. BROMWELL. Will the gentleman from Illinois permit a question?

Mr. MARSH. If the gentleman will wait a minute. On page 33 of the hearings before the committee, in response to a question that I propounded to General Schofield, he said:

Mr. MARSH. Now, in case, after the organization of this army of 145 men to the company, it was found that we could reduce it ten or fifteen or twenty thousand under your system, the men could be mustered out without any injustice in mustering out officers?

General SCHOFIELD. Yes. I think that would be a very important matter. It would save the danger of having to reduce the number of regiments, and so obviate the stagnation in promotion that would follow such a course. You want to make an organization that will last and that will be efficient, and let the President fill it up when necessary.

Now I will listen to the gentleman from Ohio [Mr. BROMWELL].

Mr. BROMWELL. The question I propose to ask is——

Mr. MARSH. How much time, Mr. Chairman, have I remaining?

Mr. BROMWELL. I will take but a minute.

The CHAIRMAN. The gentleman has occupied thirty-four minutes.

Mr. BROMWELL. The question I propose to ask is as to the contract relation existing between the officers of the United States Army who become regulars and the Government. I understood the gentleman to say a few days ago that in his judgment an Army officer, regularly mustered into the regular service, had a claim for his salary, or at least a right to retirement with salary for the rest of his life.

Mr. MARSH. The gentleman from Ohio misunderstood me.

Mr. BROMWELL. Let me put my question.

Mr. MARSH. Well, you are going to base the question on a misunderstanding.

Mr. BROMWELL. Now, I ask the gentleman this question: If the number of men is enlisted at 100 instead of 150, as in this bill, that will make one-half more regiments than are provided for by this bill, and it would increase the number of Regular Army officers one-half. What I want the gentleman to state is, whether, in his judgment, the officers who would be retired when the regiments were mustered out, in case a reduction became necessary, would have any claim against the Government for their salaries after the muster out?

Mr. MARSH. Mr. Chairman, what I want is a properly organized army. I do not want the efficient reorganization to be subordinated to the interests of the officers or anybody else that may take place in future years. I do not think that Congress should so legislate as to make it necessary to muster out of the service three or four years hence, when a reduction of the Army takes place, men who have devoted their lives to the Army service; while they have no vested rights to remain in the service until the period of retirement, yet I would not have Congress deliberately legislate with a view to mustering them out, when it is not necessary to do so.

Mr. COX. I hope my friend from Illinois will yield for a moment.

Mr. MARSH. I will hear the gentleman.

Mr. COX. Of course you will. [Laughter.]

Mr. MARSH. I always have to. [Laughter.]

Mr. COX. Under the bill when you come to reduce the Regular Army and muster out the privates——

Mr. MARSH. Under this bill we do not reduce it.

Mr. COX. You muster out the privates and keep the officers. Is not that so?

Mr. MARSH. Now, Mr. Chairman, when we get to the consideration of this bill under the five-minute rule, I will submit an amendment reducing the infantry company to the present number of 106 enlisted men.

Now, there is one other point I desire to call the attention of the House to, and that is the reorganization of the staff of the Army, and I do it for the purpose of expressing my views on that subject, because the time, if it has not now come, will come when this reform I suggest in the staff of the American Army will be accomplished.

Your staff now is a permanent staff. The officers on that staff are selected from the line of the Army by the President and appointed to the lowest grade where a vacancy occurs in the staff. They remain on the staff for life, or until the age of retirement. They no longer acquire experience in the field; they no longer have experience in commanding men; but they remain upon the staff for the rest of their lives.

When we get to the point under the five-minute rule where amendments may be offered, I shall offer an amendment providing that hereafter all vacancies in the staff of the Army shall be filled by details from the line for a period not exceeding four years (if the officer should not earlier be returned to his regiment), and at the end of that time, under the provisions of this amendment, such officers will be sent back to the line of the Army whence they came and will not be eligible again for staff duty until they have served in the line as long as they have served in the staff.

Mr. HENDERSON. Suppose in the meantime the vacancies caused by detailing them to staff duties are filled?

Mr. MARSH. The vacancies will not be filled. There need be no trouble in arranging that matter. That is a question of detail which can not interfere with the practical operation of this proposition. Under this system we shall be training the staff in the duties of the line, and we shall be training the line in the duties of the staff. Suppose, Mr. Chairman, that thirty-three years ago, at the close of the civil war, such a provision as I have just outlined had been in the law. Then when this Spanish war broke out your regiments would have been filled with competent staff

officers. And while I have no word of criticism, while I have none but words of praise for the staff officers who performed their duties in the recent Spanish war, I will say that if there was any weak point in our military forces during that war it was with the staff in the field. Witness the condition of things at Tampa, and I will not go further on that point.

The measure I am advocating will bring the staff and the line of the Army in closer touch, and will largely, if not entirely, prevent jealousy, envy, and ill feeling that exist in the Army between the line and the staff, and which always will exist while the staff is a separate organization.

I would not interfere with the gentlemen who are now in the staff; let them remain. But when vacancies hereafter occur or when new staff officers may be provided for by future legislation, the amendment would cover such cases.

Now, Mr. Chairman, one word further, and I am through. The bill provides for the abolition of the regimental form in the artillery. If you will refer to the hearings, you will find that General Schofield and General Miles both agreed that that feature of the bill was not right. Both of those distinguished officers—and they are the only officers who had command of anything that were heard before the committee—both of those officers were emphatic in adhering to the present regimental organization of the artillery.

So much, Mr. Chairman, for the provisions of this bill. Now, a word or two to show why, in my judgment, the President should be clothed with the power, to be exercised in his good discretion, to increase the Regular Army from 26,610 to not exceeding in the neighborhood of 100,000.

New conditions have come to the country. New responsibilities have fallen upon our shoulders. I was one of the gentlemen on this floor last spring who tired of diplomatic attempts to cure the troubles that existed in the neighboring island of Cuba. I was one of the gentlemen of this House who were anxious, on the very day that we received the news of the blowing up of the *Maine*, to declare war against Spain. I would have done it the next morning if I could have had my way. When the declaration did come, I was one of the gentlemen on this floor who urged it in season and out of season. And when I did that, Mr. Chairman, I stood ready then, as I stand ready now, to assume all the responsibilities that might flow from that war. And one of the responsibilities flowing from that war is the possessions that we now have in Porto Rico, and Cuba, and the Philippine Islands. Whether you are in favor of retaining the Philippine Islands for all time, or whether you are in favor of retaining them only so long as may be necessary to establish law, order, peace, and good government there on the part of the people, in either event the President needs an increase of the Army above 26,610.

I have heard the question asked very frequently on this floor, "What is the policy of the Administration with reference to the Philippine Islands?" I do not know what the policy of the Administration is now or what it will be in the future. I have no hesitation in saying here now, as I said to the people of my district in every one of those seven counties in Illinois, that, so far as I am concerned, I am in favor of holding the Philippine Islands and Porto Rico as long as the people of this country desire to hold them. There is no halfway measure with me on this matter. The Philippine Islands are ours by conquest; and I would not return them to Spain; I would not leave them to the mercies of their own people, who are incapable of self-government. I would give to those islands all the liberty that they are capable of enjoying and properly exercising.

I would hold those islands, not as a part of the United States, but as the property of the United States, and I would make such rules and regulations for their government as may be deemed wise by Congress from time to time. I would apply to those islands such tariff laws as Congress might deem necessary from time to time. I would apply such tariff laws to imports from those islands to this country as Congress may deem best. I would apply tariff laws in those islands to the products of other countries as well as our own, as Congress may deem necessary from time to time. In other words, I would not make those islands a part of the United States as we made Louisiana, but I would make them the property of these United States, so that the people of those islands may enjoy just such rights as the American Congress deems wise and best to confer upon them.

Why, Mr. Chairman, somebody says, "Would you use force to bring about this condition of things?" I would. Of course I would use force to bring about this condition of things. [Applause on the Republican side.] I would not have this Government a sneak and an imbecile.

Why are we sending troops and munitions of war to Manila and the Philippine Islands if it is not necessary to use them to preserve law and order and assert our authority in these islands? Nobody is responsible for the expression of these views, let me say, but myself.

Mr. COX. Nobody wants to be responsible for them.

Mr. MARSH. There is nothing new in this. Why, we used force of arms before in this country on numerous occasions. It has been necessary at times in our history. When we became the possessors of the Louisiana purchase in 1803, we sent troops there at once to take possession. We have not acquired a solid foot of territory in any portion of our land in all of that time that we had not sent a standing army there to maintain law and order and to protect the peace of the people. The acquisition of territory during the present century in every case has been followed by the same process, and we have kept this territory in that connection for years until it acquired statehood under our laws. The Regular Army has been there all of the time—a part of the standing Army to maintain law and order. Not volunteers, Mr. Chairman, please remember, but a standing Army in every instance.

When we acquired California from Mexico and acquired the Territory of New Mexico, we had no sooner done so than we sent a standing army, not volunteers, but men from the Regular Army of the country, to maintain law and order there and to protect our rights. And we did not ask the consent of the people there as to whether they were willing or not that our Army should be there. We sent troops into Florida after we had paid cash for it and closed a solid business transaction for the acquisition of that country—we sent an army there to maintain the dignity and the power of the United States and to enforce law and order and to preserve peace amongst the people. What objection, then, can there be to operating in the same way and exercising the same functions in other places? The people, speaking for all of these Territories, thank God to-day that the United States Government did send the Regular Army there from time to time as was found necessary. [Applause on the Republican side.]

Why, sir, the proposition to use force and compel obedience to the laws of the United States, the proposition to use the Army of the Government to reclaim and care for territory belonging to the Government of the United States, is, I repeat, no new one. It is a part of the history of the country.

I do not like to refer to the civil war, but I must do so, because it is one of the leading incidents, one of the leading illustrations, of the doctrine to which I am referring; that is, the doctrine of using force to preserve and maintain American territory. We used force for four long years in that struggle, and my friends on both sides of the House will well remember the fact. We mustered the largest army of modern days and fought a war for four long years, one of the greatest on record.

For what purpose? To compel a people to submit to the Constitution of the United States of America against their will. And they did submit. And, Mr. Chairman, there is not a man of them to-day but what glories in the fact that the old flag floats over them, although they fought for four years with courage and valor to down it. Even my friend from Tennessee, Colonel COX, is proud that he lives under the "starry banner;" and the old flag in all of its glory is enshrined in his heart on the 4th day of every July, when it waves over his own beautiful home in the State of Tennessee. The men who submitted to force have learned the beauties of American rule and of the protection afforded by the American flag. And they are the very last persons on earth who should resent the use of military force to retain territory belonging to this country. They are the last persons, I say, who should do so—gentlemen like my friend from Tennessee, whom I regard very highly.

But for the use of that force, but for the use of an army of one and a half or two millions of men, where would you and your people be to-day? Talk about this proposition of "using force" to compel obedience and enable the country to retain its territory! Why, it is preposterous, and ought not to come certainly from gentlemen on the other side of the House. They ought to know that if the result of force has spread such blessings and prosperity, contentment and love of country to the people of the South, great God, what may it not bring to the people of the Philippine Islands! [Applause on the Republican side.]

Mr. COX. Mr. Chairman, by the indulgence of the gentleman, your compliments to the South, let me state——

Mr. MARSH. With my friend's consent, I must decline just now to be interrupted.

Mr. COX. I only want to say a word.

Mr. MARSH. Well, if my friend wants to ask a question, I will gladly yield.

Mr. COX. Oh, well, you will have no trouble about my question. Let me say one word to you——

Mr. MARSH. Very well; say it. [Laughter.] Let me put one to you first, however, before you begin. Are you not glad the Southern Confederacy failed, and that the Union of the country has been restored, and was restored by force of arms? Now answer that frankly, from your heart. [Laughter and applause.]

Mr. COX. I will do it.

Mr. MARSH. I know you are a patriot and love your country

and glory in that flag. Now, say so to these people. [Laughter and applause.] And say it so loud that the people down in Tennessee can hear it.

Mr. COX. Do not be excited about the flag. I have my convictions, as you have yours. You need not attack me.

Mr. MARSH. Oh, no.

Mr. COX. I did what I thought was my duty.

Mr. MARSH. That is right; I know you did. I am not denying that.

Mr. COX. I have no apology to make in this Congress or anywhere else.

Mr. MARSH. I would not have you to do it. I would be ashamed of you if you did.

Mr. COX. Well, if you did expect it, I would not respect you.

Mr. MARSH. No, no.

The CHAIRMAN. The time of the gentleman from Illinois has expired.

Mr. COX. I wish I had one minute. [Laughter.]

Mr. HAY. I yield to the gentleman from Arkansas [Mr. DINSMORE] thirty minutes.

Mr. DINSMORE. Mr. Chairman, the gentleman from Illinois [Mr. MARSH] who has just taken his seat is a grizzled veteran of the Union Army in the civil war. The gentleman from Tennessee [Mr. COX], with whom he was in altercation, another, of the Confederacy. I would be glad if I could give expression to my emotions in hearing these two in fraternal terms discussing the welfare, the hopes of our common country, and referring to the past without bitterness or reproach. The gentleman from Illinois asked my friend from Tennessee if he was not glad the South had failed to disrupt the Union, and that the Stars and Stripes to-day float over a reunited, a consolidated country. As a son of the South, keenly sensitive to her honor, and resentful of any imputation against her motives or her cause in that unfortunate period, I say to the gentleman from Illinois that I am glad. I rejoice that we have a reunited country, with one flag and one people—a people devoted to the preservation of the inestimable blessings of free institutions for ourselves and all humanity.

Gentlemen have said with reference to the war with Spain that it is a blessing, in one sense at least, that it has united the sections of this country and made them all loyal and true to the Government. I deny this, Mr. Chairman. It has only furnished the opportunity for the people all over the land to discover that they are one people, loyal and united, forgetful of past differences, but this has been true for years. Lincoln and Grant conquered the feeling of rebellion largely in the South, and they did it more by what transpired at the surrender at Appomattox and afterwards than they did with their arms upon the hard-fought fields before. [Applause.] It was done in the terms of surrender and the treatment of the surrendered Confederates.

I was not prepared yesterday for the statement of the gentleman from Iowa [Mr. DOLLIVER], that the utterances upon this side of the Chamber had been almost treasonable. Mr. Chairman, has the time come when questions of great national importance are pending and we, as representatives of the people in the discharge of our duties to our constituencies, dare to speak out boldly, as all American citizens should speak, that we should be charged with treason; that we shall be considered as traitors? The gentleman said that the President had been twice insulted upon this floor.

I could not sit quietly and hear an insult offered to the President of the United States, but I have never heard it. Although he is the highest official in this land—and in the world, for that matter—he is but the servant of the people, an American citizen, and we have the right, nay, it is our duty, to animadvert upon his official conduct when it deserves criticism and censure.

I would approach the present crisis, Mr. Chairman, without any feeling of partisanship. It is one which requires the unbiased, the unprejudiced consideration of every member of this body. It is one fraught with more than usual importance to our people. Its results may lead to disaster. We who would caution against any imprudent action, against unwisdom, as we believe, are sometimes called pessimists. It suits the humor of our imperialistic friends to so characterize us, but, sir, I think we are but patriotic conservatives. I have no tolerance for that expression of opinion which I see sometimes about "little America." America is not little. She is great, and has grown great by the energies, intelligence, patriotism, and courage of our own people, attending to their own business, in their own dominion.

In the limited time allotted to me it is scarcely possible for me to do more than to make a protest in my own behalf and that of my constituency against the proposed measure to largely increase the standing Army and the Government's policy which has brought the measure before Congress. I can not conceive of any condition consistent with the safety, welfare, and happiness of the American people which would justify the increase of the Army proposed by this bill.

For many years the Army has been limited in its numbers by the law as it now exists, and though the population has outgrown the numerical strength of the Army in its proportion, nevertheless it has been at all times in the past sufficient to meet every requirement for military purposes. Our national history in the past century is without a precedent in the history of nations. Our growth in science and art, in civilization and learning, in invention and industrial development, has challenged the admiration of the world.

When the fathers established this American Republic by a Revolution in behalf of liberty and the equality of man, although successful in the initial steps, the world laughed and prophesied that the Government thus established would be but a brief experiment. The flight of time has changed contempt into admiration and wonder, and to-day we stand without a superior in the family of nations.

In civilization, in industrial enterprise, in scientific development, in educational advancement, in moral and intellectual growth, we stand in advance of many and behind none. We have achieved all this, sir, without a great standing army, walking in the well-defined and unquestioned paths of constitutional and peaceful pursuits, in the way pointed out to us by the patriot fathers who laid deep the foundations of the Republic. We were ever taught by those fathers that a great military establishment was a menace to individual freedom and might be made an instrument for the destruction of the liberties of the people.

The purpose of the establishment of this Government was the promotion of human rights, the enlargement of human liberties, the universal equality of man. It was designed that this should be a government where the people might live together upon terms of equality, at peace with each other and with all the world, where tyranny should not exist, and where the civil should predominate over the military authority, a government which should respect the rights of foreign nations and excite the just animosity of none. "Peace and honest friendship with all nations, entangling alliances with none," is the graphic expression by which Jefferson defined our relations with the world.

How successful we have been in following these salutary and happy principles is attested by the wondrous success which we have achieved. Until the recent changed conditions growing out of the war with Spain, has there ever been any to suggest the necessity to increase our military establishment, as is proposed by this measure? Have any before had the temerity to insist that there was a demand for a large increase of our Army? No, Mr. Chairman, it has been universally known that a land of peace and industry had no such requirements, and there were none to advocate it. Indeed, sir, the conditions twenty-five, thirty years ago were such as to require a greater military force than at any time since until hostilities began with Spain.

The Indian tribes, in the interior of the country, remote from the fringes of civilization on the Atlantic and the Pacific, were numerically stronger and more warlike and savage than at the present day, and more troops were required to keep them in subjection and restrain them from the perpetration of outrages against the whites in those sparsely settled localities. It has always been considered that the only purpose of a standing army was to police the country in the Territories, assist the Executive authority of the Government within constitutional limitations, and form a nucleus about which the militia of the country might be constructed into a military force requisite for the demands of any emergency.

A standing army has only been tolerated as a necessary evil, and it certainly should be kept within bounds commensurate with necessity. The people are entitled to administration of government with the least possible measure of expense, and the expenses of maintaining a standing army are enormous. Each soldier is a charge upon the labor and industrial production of the country; he adds nothing to the general stock of wealth, and his subsistence is taken from the earnings of toil in which he does not participate.

When he is disabled, he is pensioned for life; when he grows old and infirm, he is retired and maintained at the Government expense; no other class of citizens enjoys these benefits than the military forces on land and sea. The people have a right, therefore, to demand that these forces shall be kept within the strict limitations of necessity. It is proposed by this bill to quadruple the expense of the Army to the people. If it is done, Mr. Chairman, it shall be without my consent. I perceive no necessity to justify it. I recognize no conditions that require it.

The supremacy of the civil over military authority was what Jefferson advised, and the experience of the world proves that it is wise to maintain it. Let us take a lesson from France, our sister Republic, yet barely a republic—more a military despotism. The army, if not the supreme influence, has so superseded civil authority that it seems impossible to resist its power. France is a republic in name, and yet it is possible there for man to be deprived of his liberty without due presentment, without information, and without trial. We have seen Dreyfus banished and imprisoned in cruel and wretched solitude "incommunicado,"

denied the privilege of confronting the witnesses against him or even of knowing the evidence. Palpably the result of military tyranny, the supplanting of civil by the military authority. If the over-sanguine say such conditions are impossible here, I answer that no man can say. Great things result from small beginnings. A rivulet is a thing of beauty, to inspire a poet's fancy, but when it grows to be a river it is an irresistible flood.

It is proposed that this large increase shall be made in obedience to a demand growing out of our changed conditions. It is said that we must have a military force in Cuba, in Porto Rico, in Hawaii, and in the Philippines, and it is suggested that war is likely to occur to us and that our force is insufficient upon which to build an efficient army.

Mr. Chairman, I have no patience with or tolerance for the tendencies of the hour. I disapprove of the method adopted for securing to the Cubans a stable and permanent government, and I utterly abhor the proposed annexation of the Philippine Islands to the dominion of the United States. We are told, sir, by different eminent authorities in military circles that from thirty to fifty thousand men are necessary to maintain order in Cuba while a stable government is being established.

I am not an expert in military science—I pretend to be only a civilian; but I assert to this House that if the people of the country and the Congress of the United States had dreamed that such exorbitant demands would be made they would have been more reluctant to take up arms in a cause prompted solely by sympathy and humanitarian impulse.

What man dreamed of conquest when war was declared? The Congress, in the war resolutions, specifically and in distinct terms disavowed any purpose of conquest, and we believed that the good faith of this Government and the integrity of the American character was a sufficient guaranty against hypocrisy and deceit and a betrayal of our expressed purpose. The President of the United States, on April 11, 1898, in a message to Congress, used this unequivocal language with reference to Cuba:

> I speak not of forcible annexation, for that can not be thought of. That, by our code of morality, would be criminal aggression.

What did the President mean by this language? He could only mean that the United States would not forcibly annex Cuba to her territory without the consent of the Cubans themselves. What does the President propose to do with reference to the Philippines? Is not his language used with reference to Cuba equally pertinent to those islands? What is it that is holding up the country to-day, awaiting the action of ratification to a treaty which has been extorted from Spain with the bayonet at her throat?

Spain has yielded to us under these conditions her sovereignty over the Philippines. She did it not without long and persistent protest, but she was a conquered foe, subject to the dictation of her conqueror, and had to yield. But after this remission by Spain of her authority, her sovereignty, such as it was, we are confronted by the graver problem of the unwillingness of the Filipinos to submit themselves to our authority. What does the President propose to do? What does his administration advise him to do?

The gentleman from Iowa [Mr. DOLLIVER], and other gentlemen who stand for this Administration, decline to tell us; they only tell us that the President will do all things well, but the rack and thumbscrew applied by the relentless gentleman from Indiana [Mr. JOHNSON] could not extort from the gentleman from Iowa yesterday a statement as to what he wished the Government to do with reference to the Philippines. They are content to cast it into our teeth that if there is a failure of the ratification of the treaty it will be due to Democratic opposition; that a failure to ratify will leave us at war with Spain, while ratification would bring us much-desired peace.

Ratification of the treaty closes the incident with Spain, but opens another as serious with the inhabitants of the Philippines. We are told that by opposition to the treaty we would prevent peace and continue the war with Spain. How absurd! Will Spain take up arms again because we refuse to ratify the treaty for the reason that it extorts more from her than we are willing to take? Besides, if she would, she could not fight us again. Will she send back her soldiers that we have returned to her with guns in their hands? Where and how will they land? Where is her navy? Can Cervera and Montojo muster their ships from the bottom of the sea? Those ships are no longer engines of destruction, but habitations for fishes and slimy reptiles of the deep that play hide and seek behind piles of "dead men's bones." Spain is helpless against us. It can no longer be a question of war with her. It is a question of national honor and our own preservation, which we must determine for ourselves without consideration of Spain, and gentlemen must know it. Since the beginning of our national life we have boasted that all just government is derived from the consent of the governed.

Shall we, then, govern a people without their consent—nay, even against their solemn protest and violent opposition? It does not answer for gentlemen to say we will confer the benefits of our civilization upon them, which is far better than anything which they can accomplish for themselves. Who has constituted us a judge? Doubtless the Britons thought we would be much better off under their Governmnt, but our fathers thought differently and asserted and maintained their right to govern themselves independently of Great Britain and her supposed superior civilization. No, Mr. Chairman, we may not do this thing. If it is done, then burn the Declaration of Independence, tear up the Constitution, and retrace the steps by which we have marched to national greatness and renown. There is a moral obligation upon us, but it is to our own people, to preserve their ancient and present liberties, to guard against exposing them to war with other nations, to exclude from our citizenship objectionable material—this is our obligation, and at the peril of this we owe no obligation to anybody.

At this point, Mr. Chairman, I hope I may be pardoned if I make a partisan digression. I have felt that this discussion should be conducted with no partisan feeling, but yesterday my distinguished friend from Iowa [Mr. DOLLIVER], so versatile in genius, so blessed with nature's gifts, having talents rarely given to men in this world, could not refrain in his remarks from partisan thrusts and taunts at this side of the House, entirely irrelevant to the matter under discussion.

When the distinguished gentleman from Iowa [Mr. DOLLIVER], who has no superior in this House nor elsewhere in many respects, being blessed with gifts of expression and thought, is driven from the dignified field of dispassionate discussion, from logical and legitimate debate, and tumbles and vaults in rhetorical athletics, seeking to win from the House its sweet applause and from his admirers and friends on the floor and in the galleries vocal approval, not by argument, but by prancing, prismatic platitudes [laughter], it shows to the country and to the House how absolutely barren is the ground upon which he stands of reason, logic, and argument.

Ah, he is not a man to leave the field of argument when there is material to be used. Not he, Mr. Chairman, nor the very able gentleman from Ohio [Mr. GROSVENOR], who the other day asked of the gentleman from Tennessee [Mr. CARMACK], "What would you have our Navy do in the Philippines?" The gentleman from Tennessee [Mr. CARMACK] said, "Sail away and never look back." Thereupon the gentleman from Ohio [Mr. GROSVENOR] said, "And have yourselves branded in the back as cowards."

Mr. GROSVENOR. The gentleman mistakes my answer. I said "And all the world would brand you as cowards."

Mr. DINSMORE. Well, as you like. "All the world would brand us as cowards." For what, Mr. Chairman? Why cowards? Because we abandon a country a part of which has fallen into the hands of our military forces in war? Why cowards, if they act in pursuance of and in conformity with the traditions and written creed of this country, within the spirit of the Constitution, not forgetting that this is a free government which respects the rights of every people in the world and whose own people govern themselves with a view of promoting their own happiness?

Who shall brand us as cowards? Who are cowards? They are people who do not dare to meet danger and who do not dare to do the right.

But my friend from Iowa [Mr. DOLLIVER], after speaking about the beautiful event of the unanimous vote upon the $50,000,000 appropriation, which he was pleased to consider the most glorious in the history of this country, as a vote of confidence in the President of the United States, said it was a misfortune—I speak from memory, because his speech is not in the RECORD this morning—it was a misfortune that a different feeling should have taken place on this side of the House, and that we should so suddenly become partisans as to have voted against the war-revenue measure. He criticises the gentleman from Texas [Mr. BAILEY] for certain utterances said to have been made somewhere. He said we voted against the revenue bill in the House of Representatives.

Did the gentleman tell the country why? Did he say that we did it because we were not willing to hold up the hands of the Administration? That is the implication. Does he not know—at least, if he had taken the pains and had sufficient interest to be accurate, he could have ascertained—that it was stated by the gentleman from Texas on this floor that if they would take out the bond feature of that measure, the Administration could get a unanimous vote for the war-revenue bill?

Mr. GAINES. And the speech of the gentleman from Texas was printed in the RECORD.

Mr. DINSMORE. Yes, the speech was printed in the RECORD. We withheld our support from that measure because the gentleman and his colleagues forced upon us and our constituents a bonded indebtedness which we felt was an injustice. Interest-bearing bonds when there was money in the Treasury! Interest-bearing bonds when we had other means by which revenue might have been obtained! Instead of complaining that it raised too much revenue, we suggested a way by which more revenue might be

raised—by an income tax—which was rejected with scorn by gentlemen on the other side of the House.

The gentleman from Iowa [Mr. DOLLIVER] made allusions to our fondness over here for "moonshine" money. When, Mr. Chairman, did the gentleman from Iowa ascertain that the money advocated by the Democrats in the last campaign and upon the floor of this House is "moonshine?" He is a recent convert, Mr. Chairman. The gentleman from Iowa was not wont originally to hold to these views about "moonshine" money.

The gentleman has a record upon this floor and in the country upon the question of "moonshine" money; and if the House will give me its attention for but a moment (as I see the gentleman in his seat), I shall take pleasure in referring to a part of the record which he has made for himself. What I am about to read was said by him in 1890 in this House; and I will ask the Clerk to read from the RECORD that part which I have marked in pencil—an extract from a speech made by the gentleman from Iowa on the floor of this House upon the subject of "moonshine" money.

The Clerk read as follows:

The act of July 12, providing for the free coinage of the whole product of the American silver mines, is a monument to the wisdom of this Congress. It expands the currency by the annual addition of not less than $60,000,000 and keeps the money of the people as good as gold. The immediate effect of this law has been to advance the price of silver, and with the advance of silver every product of agriculture has felt the influence of advancing prices. It has solved the silver question and made the way to the free coinage of the world's silver supply easy and plain.

All this has been done without panic or financial convulsion, and in the light of what we have seen and done the words of Mr. Cleveland's last message to Congress read like the lines of a comedy. He said: "The Secretary recommends the suspension of the further coinage of silver, and in such recommendation I earnestly concur." The comedy lies in the queer fact that the very fellows who are most eager to make Mr. Cleveland President again are to-day the loudest in their pretended friendship for silver.

Mr. DINSMORE. Speaking of the farmers, he says:

They are not radicals or fanatics. They are the true, conservative force in American society.

The real anarchist of our day is not the miserable wretch in a garret working out his infernal ideas with gas pipe and dynamite. We need not fear such a man. The true anarchist in modern times is the bloodless spirit of wealth acquired without conscience, a spirit that in all ages has considered property as a mere possession and treated the commonwealth as a cheap and helpless word.

Mr. Chairman, the great misfortune to the country was that the gentleman's prediction did not prove true; and I presume the reason his prediction did not prove true was largely because he withdrew his support and influence from the purpose which was declared in that speech.

Mr. DOLLIVER. My friend will permit me to say that if he will read the whole speech, he will see that it was delivered against the free coinage of silver and not in favor of it, but in favor of the silver-purchasing law of 1890.

Mr. DINSMORE. I can not read the gentleman's whole speech, however delectable it might be; but I wish to say that it is inconceivable to me how words such as those just read could be made in opposition to silver.

Mr. CARMACK. He changed his position before he got through his speech.

Mr. DINSMORE. No; he did not. The passage read is from the concluding portion.

Mr. DOLLIVER. I voted against the free coinage of silver on the occasion when that speech was made, as I have done in every Congress since I have had the honor of a seat on this floor.

Mr. DINSMORE. Well, the gentleman's position on this question reminds me of an old fellow I once heard of who ran for the legislature. While serving there he voted for a law which proved to be unpopular. He went back home and ran as a candidate for reelection, and the people got after him for having voted for this obnoxious law. In defending himself he said: "Fellow-citizens, it is true I was for that law, but I was agin its enforcement." [Laughter.]

The gentleman says that he voted against free silver. I have not looked at the RECORD to see how he did vote, but I accept his statement in this case, as I always do his statements under every circumstance, as true. But if he was voting against free silver, he was telling the people that while Grover Cleveland, the enemy of the people, had been trying to crush silver, had quoted the recommendation of his Secretary of the Treasury in favor of suspending the further coinage of silver, and had said "in which declaration I earnestly concur." Then, says the gentleman from Iowa, the comedy lies in the fact that the very fellows who are most eager to make Mr. Cleveland President again are the loudest in their pretended friendship for silver. Here is a gentleman who voted against free silver using this language:

On the other hand, listen to the words of President Harrison's first message: "I have always been an advocate of the use of silver in our currency. We are large producers of that metal and should not discredit it." I predict that before the Administration of President Harrison ends silver will be coined by the United States without limit, as gold is now coined.

Is this a consummation to be wished? The gentleman is using this argument in favor of the Administration, whose servant he was, or one of whose members he was at that time. But, Mr. Chairman, he sings pæans of praise of the silver-bullion-purchasing law as having put up the price of silver bullion in the country and at the same time put up the price of every agricultural product. The gentleman was not trying to show the discrepancy and divergence between wheat and silver at that time.

Mr. Chairman, the gentleman from Iowa on that occasion had most respectable company. Now when I speak of the President of the United States I want it understood that I speak of him respectfully—not only so, but I have high admiration for many of the qualities which he possesses. He is a genial, amiable gentleman; but my friend from Iowa was standing alongside of the President at that time. My friend from Iowa was expressing views which accorded with views expressed by the President in that same period.

My friend from Iowa was standing by the gentleman who has been elected and inaugurated President of the United States as the leader of the enemies of silver, and those enemies, as the gentleman said at that time, were Grover Cleveland and his followers. How things change, Mr. Chairman! Now, my friend still stands by the President; that is to say, to use the expression of the sailor, he is "standing by," waiting for the President to tell him what he must do. He seems to have no well-settled convictions as to what is the duty of the Government with reference to the Philippines.

The gentleman from Indiana [Mr. JOHNSON] yesterday mercilessly plied his questions to the gentleman from Iowa [Mr. DOLLIVER] to obtain a direct response as to what ought to be done. The gentleman said he could answer; but he did not answer. I presume that having been placed once in the position of following the President on the money question, and having been obliged to take back his avowals and make explanations to the people, he does not want to commit himself this time until he finds out who else are with the President and what the President really means. [Applause.]

Ah, Mr. Chairman, the gentleman from Iowa has not many defects; there are not many weaknesses in his character. He is brilliant and able. The only thing that I would suggest that any power can add to improve him would be that he might have the courage to stand by his own convictions—to announce them and follow no leader contrary to conscience. [Applause.]

Now, Mr. Chairman, I have consumed more time than I had intended to devote to what seems to be, and is partially, at least, an irrelevant matter. This bill to increase the Army is inseparably connected with the question as to whether we shall take, as a part of our dominions, the Philippine Islands. And the measure is urged with a great deal of energy for that purpose, and the possibility of our control of the Philippines is used as an argument in support of the bill. That is the main ground upon which the bill is urged before the House.

Why should we take the Philippine Islands? We should not take them, because, Mr. Chairman, in the first place, we have no earthly use for them.

Mr. WM. ALDEN SMITH. Not for a naval station?

Mr. DINSMORE. Why, Mr. Chairman, in response to the suggestion of the gentleman from Michigan, when we were confronted with the question as to whether Hawaii should be annexed as a part of the United States, we were told by many gentlemen, and by my distinguished friend from Michigan particularly, that we needed these islands as a base for naval purposes or a naval station; and that it was the "key" to the Pacific Ocean, and would enable us to control the commerce of that great region, and we have Hawaii.

The CHAIRMAN. The time of the gentleman has expired.

Mr. HAY. I will yield to the gentleman from Arkansas ten minutes more.

Mr. DINSMORE. Mr. Chairman, I was proceeding to say that the islands of Hawaii were regarded as the key to the Pacific Ocean. Some of the members on this side of the House pointed out the fact that it was intended to use their occupation as an entering wedge to the possession of foreign territory and start upon this system of expansion, which would involve us with the great powers of the world which are contending for territory in the far East.

Now, the Philippine Islands, after Hawaii has been disposed of, have become important, and have become another key; and Guam, I presume, will be another "key" for commercial purposes; and the Caroline Islands will become a "key" for telegraphic communications; so that eventually, with all of these various "keys," Columbia will have to untravel all of its policy in the past and adopt the new arrangement, which will be contrary to the traditions, the history, and the interests of our people. [Applause.]

But the question of trade has been urged in behalf of these acquisitions, and the commercial interests of the country are presented as at least an apology for the acquisition of new territory. We have been told by gentlemen of the Republican party on this floor that the export trade of the United States—the foreign trade—has increased in an enormous proportion to the trade of

other countries. This was asserted the other day by the distinguished gentleman from Pennsylvania [Mr. BINGHAM], and afterwards, I think, by the gentleman from Ohio [Mr. GROSVENOR], and that we had become second only to one great power in the world in the matter of foreign trade, and that was Great Britain.

In the last Congress the President of the United States sent with his message to Congress a report communicated to him by his Secretary of State, setting forth the facts in relation to the foreign trade of the United States and showing results. I speak of the Annual Trade Review. This report tells us that the time has come when it can be no longer questioned that the United States can compete successfully in all the markets of the world against all of the powers of the world, and not only that, but even in their own peculiar markets.

How has all this been accomplished? At the point of flashing steel and bright bayonets? Under the frowning cannon of strategic keys and military outposts? Not at all. But our trade has thus grown while we were walking in the ways of peace, in accordance with the teachings of the fathers, according to the long-recognized principles of our Government, according to the spirit of the Constitution, which has given life and strength and success to the Republic; and yet we are told by gentlemen who support the pending bill that we must "have an army" to promote and protect that commerce!

Mr. Chairman, trade travels under the white banner of peace. It has always come in that way to America, and we can make ourselves first in the market of the world by keeping on terms of friendship and good will with other countries and offering terms mutually and reciprocally beneficial. That is what brings commerce to us; not standing armies, not fortresses in the sea, nor guns, nor swords, nor the paraphernalia of war. [Applause.]

What does the President of the United States propose to do with the Philippines? Do you know? Yesterday morning's press brings us a statement that General Otis is already having trouble in the Philippines, even at Manila. Not only at Iloilo, but a disturbance is likely to break out amongst the natives at any time at Manila, and the papers say that a victory over them would not be desirable at this time.

The President's purposes are carefully concealed with reference to our actions as a Government in that quarter. Now, what is the real purpose? Is it to turn the islands over to the people of the islands themselves to form their own government? If not, it is certain, at least, that nothing we can do will be acceptable to the people. What the people of the islands want is independence; they will be satisfied with nothing else. They will resist all else with arms. Mr. Chairman, the situation presented is unique. The President has said repeatedly that he did not desire possession of the Philippines, but asks the stereotyped question: "What can we do?" It is insisted that if we relinquish all claim and control that the several thousands of Spanish prisoners in their hands will be butchered. Yet the natives assure us that if we will withdraw our claims and leave them to control their own destiny these prisoners shall be all released.

We are told that if we leave them to themselves the Filipinos will murder each other, will cut each other's throats. Mr. Chairman, I would regret to see that, but I would far rather see it than to have our people cut their throats. [Applause on the Democratic side.] I would much prefer to see that, Mr. Chairman, to seeing them cut our people's throats. It is war, and war to which no man may place a limit now, if we attempt the conquest of these people. Why talk about relinquishing possession when we have never had possession and can not obtain it without bloody, deadly war?

We never have had anything but Manila. Dewey had to have a place of shelter for his ships, being shut out by the laws of neutrality from other ports. He sought it from the enemy, and captured it like a true American, and wrote his name in golden letters upon the scroll of history; but he took it for military purposes, and destroyed the enemy's fleet there, and when he did it his purpose was accomplished so far as the fleet was concerned. Mr. Day, the late Secretary of State, and later commissioner, some time ago, according to the press, made the suggestion that when Dewey failed to sail away on the morning after the battle of Manila he imposed upon us the responsibility of taking the Philippines. How? Why? We had Manila. Of those 2,000 islands we had one port, with the fortress at Cavite. We could have retained a naval station, if you please, and it was desirable; but I can conceive of no obligation entailed upon us in behalf of the natives that demands of us to imperil our own interests for them.

Mr. WM. ALDEN SMITH. Would you advise doing that?

Mr. DINSMORE. Doing what?

Mr. WM. ALDEN SMITH. Retaining the island of Luzon as a naval station?

Mr. DINSMORE. I advise nothing in that regard; but I tell my friend that I do not think we need it. I do not think it is necessary. You have provided one naval station already by the treaty. You get one in Guam, you have Hawaii, and Pearl Harbor will be made a naval station, and I do not believe it is necessary for our purposes of commerce or of defense. You want it as a strategic point, and you have got nothing to defend by it except the strategic point itself.

But, Mr. Chairman, the gentleman diverted me from the course of my thought. It is argued we must take them for their own preservation. Have gentlemen reflected upon what this involves? They do not reflect that before we have them in subjection we must keep our boys there, thousands of them, as they are going over there now, dying with pestilential and loathsome diseases, subject to be killed by the murderous inhabitants of those islands, many of whom are barbarians and cannibals. Their bleaching bones will whiten the plains of a thousand islands, the bones of our own boys, the sons of this happy land.

Do you want this? If this is your ambition, you will have it gratified. I would save my country from it, particularly when it brings us no single benefit, in my judgment. Those bones will be scattered wide, and you imperialists may gather them up and build of them a pyramid as a monument to your abandonment of Americanism, the safe ways of the Constitution, the sacred teachings of the Declaration of Independence; and I would have you inscribe upon it in grim letters of grinning skulls the language of the President, "Forcible annexation is criminal aggression." [Prolonged applause on the Democratic side.]

[Here the hammer fell.]

Mr. HULL. I yield one hour to the gentleman from Ohio [Mr. GROSVENOR].

Mr. GROSVENOR. Mr. Chairman, I trust I may be able to discuss the momentous questions that are pending before this body with due reference to the solemnity of the occasion, the importance of the issues presented, and the far-reaching consequence that may follow our action.

I shall not approach this subject indifferent to the opinions of others. I shall not approach this question with vituperation or denunciation. I shall not attempt the flights of eloquence and oratory that entertained the House yesterday upon either side of this question, for reasons perfectly manifest to the whole body of the House. I could not if I would, and I would not if I could. There are matters here of so much importance that I deem it proper not to reply to all the arguments or many of the arguments that have been presented, but to point out as well as I may be able the position which I occupy in my capacity as a Representative upon this floor, bound by no action of any party and controlled by no impetus other than my own judgment.

I do not wonder that among the representatives of the American people there should be a wide, distinct, and antipodean divergence of opinion upon what is said to be the question involved here. In order that any man may justify himself in discussing the past, the present, or the future supposed policy of the Government it has seemed to be admitted that by inference we will assume certain facts to be decided upon, certain administrative purposes developed, and certain policies already marked out, against which we inveigh. I shall try to come back, as well as I am able to do so, to the questions that are actually now pending in this proposed legislation.

I do not wonder that gentlemen on that side, under the inspiration of the opposition, say that this pending legislation is an assault upon the liberties of the American people. We have lived under this form of government for more than a hundred years. During all that time, or nearly all that time, we have had a standing army, as it is called. We have had officers in the Army rise to enormous popularity and distinction, appear upon the stage of politics, retire, die, and leave nothing but a fragrant memory to the people of the country.

I challenge the side of this House that undertakes to arraign this side of the Chamber for a purpose which they themselves created, a man of straw which they themselves construct, that there is no purpose of the kind that they assume, and that in the history of this country there has never been any military officer or any civil officer who by his orders to the Army or militia has ever trenched upon the rights, the privileges, and the immunities of the American people.

Men returned from the Army in the war with Mexico and became Presidential candidates and Presidents. They were citizens of the United States; they sought nothing but the applause of their fellow-citizens in the civil walks of life. They came from the battlefields of the civil war, men of enormous genius in war and wonderful popularity in peace; and yet no one of them ever failed, either in the Presidential office or in the halls of legislation or among the citizenship of the country, to draw the line closely and accurately between the domain of the military and civil authorities of the United States.

Only twice in the history of this country, so far as I now remember, has the Regular Army been used for any purpose other than opposition to the internal or external armed enemies of the Government. One of them was in the famous times when we sat here in midsummer horrified by the situation in a far distant State, in one of the great cities of the Union, when for the first time the law officer of the Government—a Democrat, a Democrat

of Democrats, a Democrat whose record as a Democrat was as unassailable as any in the Government—gave to the President of the United States a written opinion, that no lawyer has ever assailed, that it was his duty to send troops to Chicago.

He did send them; and if I was appealed to to select a single act of that Administration that commended it above all other acts, I would point it out as being his stern, inflexible desire to stand against any exercise of the military against the rights, privileges, and immunities of the citizenship of the country. So I appeal to the records and say they sustain me in saying that there is nobody in this country, great or small, who ever harbored the thought that there might be a time come when a popular expression of sentiment in the United States—as it was put by one gentleman on the other side, would be seen the calling out of the Regular Army of the country to suppress and crush that sentiment.

It is a mere man of straw. Nobody believes it. There is no gentleman on this floor that believes that any administration of this Government, or any fractional part of this Government, from the President down to the humblest sheriff of a county, has it in mind, nor is it in the range of human possibility that, without the direst necessity, troops will ever be called to suppress even an insurrection anywhere. It is a slander against the American people. I do not complain of anybody who, in the heat of debate, wants to ornament his speech, and who will bring forward something of a death's head and crossbones as something of a fright to the people of this country, but I deny that the American character is rightfully assailed by any such attack as that.

Now, Mr. Chairman, therefore, this much I have entered upon for the purpose of defense against this allegation. Who on this floor is more jealous than any other of the rights of the common people of this country? Do gentlemen on the other side assume to themselves all the virtue, all the guardianship of the common people? This side of the Chamber belongs to a party that started out with Abraham Lincoln, with the rail splitter of Illinois, and from that time to this has never elected a man President who did not come from the so-called common people of the country. We have never elected a single candidate of the distinguished aristocracy or plutocracy of the State of New York for President yet, and certainly have never repeated a nomination three or four times in succession, to our sorrow. [Laughter.]

Mr. Chairman, the question here is, Is there a necessity for legislation upon the subject of the reorganization of the Army? I shall refrain in my remarks from discussing the merits of this bill—I mean the details; I mean those provisions of it which will be open to discussion and amendment when we come to read the bill for amendment. There may be a difference of opinion here—doubtless there is; and I shall condemn nobody because he differs with me. I reserve to myself the right, as each current question arises, to dispose of it, so far as my vote and action are concerned, as I see fit, always keeping in mind that I shall support the great purpose of this bill in so far as I understand it.

Now, on yesterday I listened with some considerable interest to the fiercest, most powerful, and in form of expression the most vindictive of all the attacks that have ever been made on this floor upon the present Administration of the Government. I have no criticism of the gentleman's purpose or motive; he has a genius for the field into which he entered; he has capacity away beyond the action governed, in my judgment, by wise consideration. But I shall treat his argument, so far as I refer to it, as an argument made in perfect good faith, without any improper or ulterior purpose or motive.

I am not here to assail the gentleman, but I will try to point out that upon the very foundation of his speech and upon the foundation upon which he builded the whole of that magnificent superstructure he laid down a false premise, an untrue declaration of conditions, and that, possibly without full knowledge of what he was saying, he made an argument which answered itself the very moment the intelligent mind recapitulates the history of the past few months. I will not refer to that now, but I want to go over briefly what has happened.

It is very easy, in a matter of this character, to stand to-day and say there were some things done last April that ought not to have been done at all, and it is just as easy, and a little easier, to say that there were some things done last April that ought to have been done differently from what they were done. I stood on this floor and received the arrows of criticism from both sides of the Chamber, and they were reiterated in the press of the country from many directions, that I was holding back—that is, that I was joined with those that were holding back the war.

Well, gentlemen, looking at the whole situation to-day, looking over the past history of my country since these eventful days of April, coming down to the present time, looking forward as well as I can, I am not only proud that I stood in the ranks of the men who are willing to go slow, but I almost wish the purposes of this Administration in averting war had been accomplished. But I dare scarcely say it—I dare scarcely say, looking as I now look upon the whole prospect ahead of us—I can hardly say that I would like to have been even the humble instrument to seek effectually to turn aside the providence of Almighty God in the matter of our nation's action.

But it is unwise and impolitic, and without any force, to discuss the question whether we ought to have gone to war or not. We did go to war. We went to war with a purpose which I am going to undertake to show we have never deviated from. I know it is easy to stand up and say we went to war for humanity, we went to war to relieve the downtrodden, and suddenly became imperialists and aggressors. The facts do not justify the assertion. I tried to point out that in the declaration of war adopted in this House there is an absurd provision for which nobody would vote to-day if he had an opportunity. The Government, under the guiding hand of this Administration, has never deviated from the declared purpose of the Government at the time, and stands to-day executing, simply as he is bound to do, the orders and decrees of this Congress, and the orders and decrees of civilization, and the orders and decrees of Almighty God.

Mr. RICHARDSON. Will the gentleman allow me a question?

Mr. GROSVENOR. I have not the slightest objection. I have no manuscript.

Mr. RICHARDSON. I did not understand what part of the declaration of war the gentleman said no man would support to-day. Will he be a little more specific?

Mr. GROSVENOR. I will.

Mr. RICHARDSON. Was it the Teller provision?

Mr. GROSVENOR. The declaration that the people of Cuba were, and of right ought to be, free. I never voted to strike that out, although I made a little struggle on the other item. Speaking for myself, and I do not believe the gentleman from Tennessee differs with me on that point, I never could see how it was, if the people of Cuba were free and independent, we ought to go to war or have any fuss about it. But that was a tub to the whale of the Cuban republic.

Mr. GAINES and Mr. COX rose.

Mr. GROSVENOR. Now, I will take but one of you at a time. I started in on the great leader of the Tennessee delegation. I will take any one of the others, but not two at a time.

Mr. GAINES. Define your position.

Mr. GROSVENOR. If I fail to define it, that will be my misfortune, not my fault. What does my friend Mr. Cox desire? Whenever a gentleman with white hair gets up I always respect them.

Mr. COX. Oh, well, your hair is as white as mine. [Laughter.] White hair does not mean much. Now, I want to ask——

Mr. GROSVENOR. The trouble with the gentleman is that he does not appreciate a good thing when he hears it.

Mr. COX. The trouble with the gentleman from Ohio is that he does not appreciate anybody but himself. [Laughter.]

Mr. GROSVENOR. I started out with the best effort I was capable of to show my appreciation of my friend from Tennessee, and I have been so unfortunate as first to fail to make myself understood, and, second, to irritate him.

Mr. COX. Oh, there is no trouble about that. The gentleman is doing the best he can.

Mr. GROSVENOR. Yes; and he is not responsible for his failure to penetrate some places in this House. [Laughter.]

Mr. COX. No; I am not responsible——

Mr. GROSVENOR. Now, I am through with that. I decline to yield further for a colloquy of this kind. If the gentleman has anything to say to me about this subject, I will be glad to hear it.

Mr. COX. Well, if we have got down to a point where we can talk business, that is all right. [Laughter.]

Now, I want to call the gentleman's attention to this proposition; let us see what he has to say about it: What right have we to dictate to the people of the island of Cuba what kind of a government they shall have?

Mr. GROSVENOR. Well, that is straw which has been fairly well thrashed by pretty able gentlemen.

Mr. COX. Oh, yes; the straw is pretty well thrashed, but you did the striking. Now go on.

Mr. GROSVENOR. If the gentleman will let me make my own speech in my own way, without repeating these old, time-honored interrogatories, I will try to get along to his satisfaction, if my time holds out.

Mr. COX. Yes; but your time will not hold out. [Laughter.]

Mr. GROSVENOR. Mr. Chairman, I differ with the gentleman from Tennessee about his right to make me make one part of my speech at a time, to be directed by him. I propose to do the best I can in the hour allotted me, and I hope the gentleman will not use any more of it.

Mr. COX. I will not, because you can not get along anyway.

Mr. GROSVENOR. The gentleman has a lot of time which he says he reserved, and I have no doubt he will have a chance to be heard after a while.

Mr. Chairman, I was trying to proceed to say that the war

came; and now the very first act of the war that was war is the act which has brought us into collision with our friends on the other side; and the whole of the trouble originated on the 1st day of May, 1898. It has not been very long since there seemed to be throughout this country an organized effort to make one of the great heroes of this war a candidate for the Presidency in 1900. And looking at the matter from my standpoint, that shows great wisdom on the part of the Democratic party. Their necessities have come home to them, and they are looking about with intelligence and devotion to their country's interest and their party's good, and a great body of them, headed by one of the great leading journals of the South, nominated George Dewey to be the Democratic candidate for President.

But it was Dewey that got us into the whole of this trouble. I do not charge the other side of the House with the responsibility for Dewey's attack on Manila; because I am free to admit that at that time I barely knew, with a limited knowledge, where Manila was. But in this country we learn a great deal. My friend from Indiana now understands all about the people of Manila and the Philippine Islands, and he has come to be exceedingly fond of a gentleman over there by the name of Aguinaldo, or something to that effect; and he has baptized him on the floor of this House as a second George Washington.

At the time of Dewey's attack on the Spanish fleet in the harbor of Manila not one of us knew within a thousand, I venture to assert, how many islands were embraced within the archipelago, and not one of us would dare to have put his money or have entered into an obligation of any kind to venture an assertion that would have come within a very long distance of the facts. We did not know anything of the question, as a rule. It was not familiar talk with us, and the people of the country knew nothing of it. But the Navy of the United States knew what was required of it. The Navy Department had a duty to perform, and that duty was performed faithfully and well. The Navy Department informed the commander of our fleet in these eastern waters that the fleet of the enemy had gone into a certain bay; that this fleet belonged to an enemy of our country, with which we were at war, and there is but one single, short, curt statement embodying the order of the Navy Department: "Go and find the enemy's fleet—the fleet of the Spaniards—and capture or destroy it."

And the most brilliant page, Mr. Chairman, in the naval history of the United States, brilliant as the shining of the stars, glorious almost as the flag of the Union itself, was the answer of that splendid officer and of his men to that order. [Applause.] And when he had executed the order what could he do? He was powerless to get out of Manila Bay. His ships were so far disabled—they were so short of coal and naval supplies—that he was compelled to stay there. Is there anybody on the other side of the House who would undo what was done by that gallant officer? Is there anybody who would tear from the history of the American people that page of our history containing the operations of our naval forces in the harbor of Manila? Is there one, I ask, who would do so? Now, in this same connection, will my friend from Tennessee tell me—and not in my time, because I have but little time, but in his own time, for he is abundantly able to answer in that time, and I respectfully ask the question—will he tell me, will he tell this House, under what law, under what provision of international law, and under what provision or sentiment of public duty there could ever come a time while Spain resisted our authority when we could turn over to the Spanish Government the position and the territory we occupy in that oriental sea?

Now, then, Mr. Chairman, let us proceed a little further. The war went on. I will not discuss its glorious features. It is not necessary to do so. The history of the country will elaborate and enshrine them in its pages. I stand here to protest, in the name of the glory of my country, against the assaults which have been made upon our honor and our integrity. [Applause on the Republican side.] I will not discuss the question of the greatness or the comparative value of regulars or volunteer troops. It is not necessary that I should do so. Somebody said the volunteers did most of the fighting in other wars. That is true, as a matter of fact. But nobody who knows anything of the results of the wars in which this country has been engaged will undertake to assert here, on the floor of this House, that the proposition now pending is not one that is fraught with good and supreme importance to the people of the country. There is nobody who knows anything of war who will imperil his credibility by asserting that we could make fighting men of the volunteers of the country in four months' time and in the manner that has been suggested by the opponents of the pending bill.

It is true, Mr. Chairman, and we glory in the truth, that volunteers achieved military renown at Santiago. They carried the banner of the country with a valor that the history of the world does not excel in these bloody battles on the island of Cuba, and the wonder is not that so many mistakes were made, but the wonder is that the volunteers got there and so distinguished themselves in that noble charge and in the battles around Santiago, and cooperated so well with the forces of the Regular Army of the United States and helped to carry the flag of the country to imperishable and undying victory. [Applause.] And I will not undertake to quarrel about the men who won that victory, whether volunteers or regulars. I will not enter into or be a commissioner to partition out the glory of Santiago between the men who were on the ground and who took part in that celebrated contest. I will not enter into a contest to partition the glory to any man or any set of men in the Army or in the Navy. It is enough to say that they did their full duty without question until disgraceful bickerings and recriminations began at home.

Mr. Chairman, I hope to live to see the day when the American people will find the man or set of men, from the highest to the lowest, who, either by inspiration or otherwise, have tarnished the name of the United States and its Army, punished, whoever they may be, whether high or low, with the whip of scorpions and the contempt of a free and honorable people. [Applause.] Let them be punished with the reprobation of a free people. [Applause.] We shall expect and hope that in these cases there will be full proof, not of any mistake—for I know something of mistakes; they may be made by everybody—not of inadvertence or anything of that kind, but there must be something shown of personal dereliction of duty which will be manifest to the American people; and then, Mr. Chairman, the time for punishment has come! And until the time has come we must uphold the flag of our country's honor. [Applause.]

Then came the close of the war. Oh, was it not a glorious day for the armies of the United States! It so happened that I came to the shores of my country, a passenger, coming up the magnificent bay of New York, that so charms even the citizens of the Old World as they approach that magnificent harbor. In the morning a paper appeared on the vessel, and I learned for the first time that a protocol of peace had been signed. There was nowhere on the continent on that day a John Hook to make outcry and complaint against it; nobody calling "Beef!" "Beef!" And I will stand here, and stop to say it, that I challenge any man on this side of the House or that side of the House to assert that the President of the United States, from the day the proclamation of war was signed to the date of the signing of the protocol of peace, failed in any duty in his high office that he was called upon to discharge. [Applause on the Republican side.]

For one hundred and twenty days and nights he kept up the almost sleepless vigil, and there stood behind him and by the side of him during all that time a man of whom I turn aside for a moment to speak, the head of the Department of the Adjutant-General, a soldier who volunteered at 17 years of age, and served from that day to this in all the gradations from a private soldier up through the lieutenancies to be a brigadier-general and head of the great Adjutant-General's Department. No man on this continent ever did his duty better than did Henry C. Corbin. [Applause on the Republican side.] He was sleepless, untiring, just, intelligent, wise, and patriotic.

The President of the United States found himself with a protocol of peace submitted to him that nobody protested against, and he signed it, and he sent a commission. I am not here to utter fulsome praise, but that from the day when Franklin and Jay stood before the British commissioners to make the great peace that acknowledged our independence down to this day there never was an equal number of men who more fully and more grandly represented the best type of the best patriotism of the American people than did the Peace Commission at Paris. What did they meet there? They met the eyes of the world. They had no sentiment of politics. They had no thought of future political aggrandizement. One of them, I doubt not, fully understood when he took upon himself the high duty that he so grandly discharged that he was taking his political life in his hands, and that he would probably be sacrificed to an insensate opposition to the Administration of the Government. And if he thus prophesied, if he thus felt, the result has justified it. I am a partisan in politics. Sometimes I am charged with being too much so, but if I had it within my power, as a monument of the appreciation of the American people, GEORGE GRAY should be continued in a high position in this Government. [Applause on the Republican side.]

Now, what was done at Paris that ought not to have been done? What act? Has there been any criticism? Has anybody said that our peace commissioners ought, under the demand of Spain, to have surrendered those islands to the domination of Spain? And here our friends are confronted with a most troublesome question, and the differences of opinion are so wide and so irreconcilable that I shall only point them out. The gentleman from Tennessee [Mr. CARMACK] said the other day that he would have turned his back upon the islands and gone away; the gentleman from Indiana [Mr. JOHNSON] said yesterday in substance the same thing; and yet both of them are appealing to us from the standpoint of love of humanity. Love of humanity! A love of humanity that would have dictated that when we had our foot upon the neck of our fallen foe, we should have turned him loose to continue his barbarism of three hundred years upon the peaceful, liberty-loving citizens of the archipelago of the Philippines.

Mr. CARMACK. Will the gentleman permit me?

Mr. GROSVENOR. Certainly.

Mr. CARMACK. I made my statement that I believed the people of the United States ought to sail away from the city of Manila and from the Philippine Islands, not because I believed it would turn the people of those islands over to Spain, but because I knew that Spain has been practically driven from the islands, and that for the United States to leave the islands would simply be to turn them over to the people of the Philippines.

Mr. GROSVENOR. Why, the army of Spain, four times the size of our army there, is on the Philippine Islands to-day and has never been taken away, but would have been taken away long ago except for two reasons—two things which I will point out. First, because there sprang up a political idea in this country that assaults upon the Administration could be successfully made by the cry of "heathen" and "savages," and all that sort of thing, and because there was just intelligence enough in those savages to hope that that cry might drive the President of the United States to prepare to enforce his authority on those islands.

But I am coming along down. The gentleman from Indiana would give them liberty. And here I want to call the attention of the House and of the gentleman from Indiana, who I know will not fail to appreciate the fair purpose I have, at least. I listened yesterday with the utmost attention to every word of the gentleman's speech, and I understood him to say that when the treaty had been signed at Paris, or at some time during the pendency of the protocol of peace, if the President had sent some message to the Philippines, giving them some assurance of the kindly purpose of this Government toward the establishment of their rights and liberty, Aguinaldo would not have been an offensive element and that peace and harmony would have been the result.

Mr. JOHNSON of Indiana. I did not say it.

Mr. GROSVENOR. Well, that was the spirit of it. The complaint was twice made by the gentleman, as will appear in his speech when printed, a criticism of the President for having failed to make known to the Filipinos his purpose.

Mr. JOHNSON of Indiana. I criticise him for not making it known now.

Mr. GROSVENOR. Well, I will come to that, my friend, a little later.

Mr. JOHNSON of Indiana. I am simply trying to set you right.

Mr. GROSVENOR. Then let it be that way. That is better for my purpose by far. You are criticising the President because he has not yet let the Filipinos know what his purpose is. It would be a disgrace to us; and the President of the United States will never be a usurper of authority, if I know him. Quietly and with dignity he has discharged the duties of his office thus far without any encroachment upon the dignity and rights of Congress. Never once has he failed to recognize the authority of Congress; and I stand here to say that the sole and only power under the Constitution that William McKinley as President of the United States has the right to exercise in the islands of the Philippines is to take military possession of them and make known to them and this country his purpose in so doing—and as to all that is in the future, all that is to come after us, all of the future disposition of these great questions, the President of the United States is the adviser of Congress—and the right of veto; and beyond that he has nothing to do with these questions.

So the criticism of the President falls to the ground. He can not make war, but he can negotiate a treaty of peace. He has done so. He did not make the war, but he has negotiated the treaty of peace. He could send that treaty to the Senate of the United States and await their action, and even if the delay in that body shall fill a hundred thousand graves and make widows and orphans in this country, he is powerless to turn another wheel, except to exercise his right as Commander in Chief of the Army and hold these possessions until the treaty is acted upon. And let me tell gentlemen, not of this House, but in the country at large, ye who are clamoring for the prolongation of this struggle, you who desire to defeat this treaty of peace—let me tell you that at your doors and upon your skirts will rest the blood of the men who are being sacrificed to-day in the Philippine Islands. [Loud applause on the Republican side.] The people of this country are not blind. They move slowly, but they move with unerring instinct, with the necessary results ahead of them.

Now let us see how the President has discharged his duty in the Philippines. He found himself by the accidents of war in possession of the Philippines. Do not quibble with me——

Mr. TERRY. Will the gentleman allow me to ask him a question right there? If we were in possession of the Philippine Islands, due to the magnificent victory of Dewey, why did our commissioners agree to pay $20,000,000 for them?

Mr. GROSVENOR. Will the gentleman tell me another thing? When our flag was floating from the halls of the Montezumas, when she was bathed in the brine of the Gulf of Mexico, when we were in possession of Mexico by superior power, why did our Government, in the spirit of magnanimity, give that country $15,000,000? [Loud applause on the Republican side.]

Mr. TERRY. Why did not the gentleman answer my question, which is pertinent to this discussion, instead of asking me another?

Mr. GROSVENOR. That is the Yankee of it.

Mr. TERRY. Answer my question.

Mr. GROSVENOR. The trouble is my question answers your question.

Mr. TERRY. Will you answer me that question before the American people?

Mr. GROSVENOR. If the gentleman will keep quiet, I will answer his question.

Mr. TERRY. I ask the gentleman for information, because I know he has it.

Mr. GROSVENOR. There will be no evasion about it. We were in possession, constructively, of the Philippine Islands. We entered into a treaty stipulation which involved the turning over of certain public works, certain results of a recent expenditure of large sums of public money, and Spain lay crushed. The American people were proud and haughty, and they were generous and benevolent; and in the interest of appealing to the world that we were willing to deal justly, equitably, and generously with the Kingdom of Spain, they gave them $20,000,000. [Renewed applause on the Republican side.]

Oh, my country, in the light of the magnificence of this war——

Mr. TERRY. If we had——

The CHAIRMAN. The gentleman from Ohio declines to be further interrupted.

Mr. TERRY. I do not wonder that he declines to yield to further questions.

Mr. GROSVENOR. In the light of these days, in the light of the splendid achievements of the past, I will not discuss the question of the comparatively puny sum of $20,000,000 that this commission has agreed to give.

But now I am going back to where I left off, to see whether the President of the United States has done that which the gentleman says he ought to have done. I hold in my hand an Executive proclamation dated on the 21st day of December, 1898, and addressed, through the Secretary of War, to the people of the Philippine Islands. And before I read this proclamation or any part of it, I beg that you will allow me to say that this unhung barbarian, this vile traitor who twice sold his country's honor for money, this gentleman who is so well depicted as a traitor of traitors, a man who has developed apparently the highest attributes of a bad man under the distinction made by a gentleman in New York some time ago, that "he wouldn't stay bought"—this man took that proclamation——

Mr. JOHNSON of Indiana. To whom does the gentleman refer?

Mr. GROSVENOR. To your George Washington II. [Laughter.]

Mr. JOHNSON of Indiana. That man was good enough to be our ally.

Mr. GROSVENOR. An ally ought to be true, and if he was our ally it was his duty to have stood with us to the end. Benedict Arnold was our ally, but did that prevent the American people from branding him for all time as the greatest criminal traitor that ever lived? Times change, but I want to show you, I was trying to show you, that this man took this proclamation of our President and, as is reported, burned it up and shot the men who attempted to publish it. I am going to read a little portion of it, but in my remarks I will publish the whole of it. Consider it as having been read, and let me comment on two or three points in it.

EXECUTIVE MANSION, *Washington, December 21, 1898.*

SIR: The destruction of the Spanish fleet in the harbor of Manila by the United States naval squadron commanded by Rear-Admiral Dewey, followed by the reduction of the city and the surrender of the Spanish forces, practically effected the conquest of the Philippine Islands and the suspension of Spanish sovereignty therein.

With the signature of the treaty of peace between the United States and Spain by their respective plenipotentiaries at Paris on the 10th instant and as the result of the victories of American arms, the future control, disposition, and government of the Philippine Islands are ceded to the United States. In fulfillment of the rights of sovereignty thus acquired and the responsible obligations of government thus assumed, the actual occupation and administration of the entire group of the Philippine Islands become immediately necessary, and the military government heretofore maintained by the United States in the city, harbor, and bay of Manila is to be extended with all possible dispatch to the whole of the ceded territory.

In performing this duty the military commander of the United States is enjoined to make known to the inhabitants of the Philippine Islands that, in succeeding to the sovereignty of Spain, in severing the former political relations of the inhabitants and in establishing a new political power, the authority of the United States is to be exerted for the security of the persons and property of the people of the islands, and for the confirmation of all their rights and relations. It will be the duty of the commander of the forces of occupation to announce and proclaim in the most public manner that we come, not as invaders or conquerors, but as friends to protect the natives in their homes, in their employments, and in their personal and religious rights. All persons who, either by active aid or by honest submission, cooperate with the Government of the United States to give effect to these beneficent purposes will receive the reward of its support and protection. All others will be brought within the lawful rule we have assumed, with firmness if need be, but with out severity so far as may be possible.

Within the absolute domain of military authority, which necessarily is and must remain supreme in the ceded territory until the legislation of the United States shall otherwise provide, the municipal laws of the territory in respect to private rights and property and the repression of crime are to be considered as continuing in force, and to be administered by the ordinary tribunals, so far as practicable. The operations of civil and municipal government are to be performed by such officers as may accept the supremacy of the United States by taking the oath of allegiance, or by officers chosen, as far as may be practicable, from the inhabitants of the islands.

While we control all the public property and the revenues of the State passes with the cession, and while the use and management of all public means of transportation are necessarily reserved to the authority of the United States, private property, whether belonging to individuals or corporations, is to be respected, except for cause duly established. The taxes and duties heretofore payable by the inhabitants to the late Government become payable to the authorities of the United States, unless it be seen fit to substitute for them other reasonable rates or modes of contribution to the expenses of Government, whether general or local. If private property be taken for military use, it shall be paid for, when possible, in cash, at a fair valuation, and when payment in cash is not practicable receipts are to be given.

All ports and places in the Philippine Islands in the actual possession of the land and naval forces of the United States will be opened to the commerce of all friendly nations. All goods and wares not prohibited for military reasons, by due announcement of the military authority, will be admitted upon payment of such duties and other charges as shall be in force at the time of their importation.

Finally, it should be the earnest and paramount aim of the military administration to win the confidence, respect, and affection of the inhabitants of the Philippines by assuring to them in every possible way that full measure of individual rights and liberties which is the heritage of free peoples, and by proving to them that the mission of the United States is one of benevolent assimilation, substituting the mild sway of justice and right for arbitrary rule. In the fulfillment of this high mission, supporting the temperate administration of affairs for the greatest good of the governed, there must be sedulously maintained the strong arm of authority, to repress disturbance and to overcome all obstacles to the bestowal of the blessings of good and stable government upon the people of the Philippine Islands under the free flag of the United States.

WILLIAM MCKINLEY.

To the SECRETARY OF WAR.

With the signature of the treaty of peace between the United States and Spain by their respective plenipotentiaries at Paris on the 10th instant, and as the result of the victories of American arms, the future control, disposition, and government of the Philippine Islands are ceded to the United States.

Ceded by whom? By the terms of the treaty. Now that we are there in constructive possession, no matter if we have not got a soldier on every square foot, under the law of nations when the power holding the sovereignty yielded to us one foot of land there our authority extended clear back to the verge of the country.

Now, first he points out to the Filipinos what has been done, what has been the legal result of the transfer by the Spanish Government to the United States, and now he tells them what the effect is upon them:

The authority of the United States is to be exerted for the security of the persons and property of the people of the islands and for the confirmation of all their rights and relations.

What do you say to that? What rights and what relations? The President of the United States was not defining their rights; he had no power to do it. He was not defining their relations; he had no power to do it. The President said to them, "We come to take possession of that which has been surrendered to us by Spain, and we give notice to you that your rights shall be protected."

Then he goes further:

It will be the duty of the commander of the forces of occupation to announce and proclaim in the most public manner that we come, not as invaders or conquerors, but as friends, to protect the natives in their homes, in their employments, and in their personal and religious rights.

What more could you do than that? There is no other alternative, no other thing to do, except when Spain had signed the treaty, and it had been ratified, to turn the islands over and run away from them. And when this nation does it, the men or set of men who bring it about will be damned for all eternity, the nation will be disgraced, until the Cuban republic will be an honor among the nations of the earth in comparison. [Applause.]

Within the absolute domain of military authority, which necessarily is and must remain supreme in the ceded territory until the legislation of the United States shall otherwise provide.

That is all there was of it, and that is all there is of it.

Finally—

Says the President—

Finally, it should be the earnest and paramount aim of the military administration to win the confidence, respect, and affection of the inhabitants of the Philippines by assuring to them in every possible way that full measure of individual rights and liberties which is the heritage of free peoples.

And that, says the President of the United States, is the purpose for which our Army has gone there, and, Mr. Chairman, while the world shall stand, while intelligent judgment of men shall be brought to bear upon the things on earth, the intelligent judgment of mankind will say that but for the two things I have spoken of there would have been peace and cooperation in the Philippines to-day. Early in the campaign the eruption began in New England, and broke out again when Carnegie shouted, and some other persons came over and with a conglomeration of political ideas began to agitate the American people; and here stood the Representative that to-day is insulting and demanding of the President of the United States that he shall define his position, telegraphing or sending his communications to the Philippines all that had been done, and the resistance of the ratification of the treaty of peace became the watchword of a great body in this country.

Then it was for the first time that any considerable opposition to the power and the authority of the American Army and the American Administration to establish and protect the personal, religious, and property rights of the people of these islands was resisted by Aguinaldo and his people. To-day Admiral Dewey sends word—I meant to have brought it here and read it—in a letter to his nephew, "If you will ratify the treaty of peace and teach these fellows that they will not be supported by a great political party in the United States"—I am giving the substance—"there will be an end of strife, and peace will be established." [Applause.]

Great God of my country! Is party necessity and personal hostility of so much value in this country that the peace of the country is to be destroyed? Is the party politics of this country a matter of so great importance that it is wise and just to impede the progress of this Union toward the settlement of these mighty questions?

The gentleman from Indiana says that Porto Rico is satisfied with our occupation; but there is in that case just as good an illustration as in the other of the failure of the governed to give their consent. I hope the gentleman will not tell the General of the Army that he only went over there to receive the assent of the Porto Rican people. The fact about it was that the Porto Rican people found an army there too strong for their resistance; they did not like Spain very well anyhow, and they said, "We can not go to war with the United States;" and "the consent of the governed" was found when twelve, fifteen, or seventeen thousand magnificent troops were marching over the island in the direction of San Juan.

A gentleman over here says——

Mr. JOHNSON of Indiana. Does the gentleman from Ohio take the ground that the people of Porto Rico are opposed to our domination?

Mr. GROSVENOR. No, indeed. And if your friend Aguinaldo were only in purgatory the people of the Philippines would stand side by side shouting with the people of Porto Rico to-day. [Applause.]

Before my time shall expire, as I do not want to be accused of not answering a question of the gentleman from Tennessee (I hope he hears me) I will answer him now. He wants to know what right we have in Cuba to send troops there. Why, let me say to the gentleman that we were all unanimous about one thing. We said we were not going to own Cuba. I am ready to take that back whenever we have a fair expression of the will of the governed. And we said: "We are going there to establish a stable government." Well, under the treaty Spain got out; and we had a right to go ahead and do that which was the keynote of our war with Spain; that is what we did.

Mr. CARMACK. To what gentleman from Tennessee is the gentleman from Ohio now referring?

Mr. GROSVENOR. The older gentleman, the more—well, the man of longest experience. [Laughter.]

So we have gone to Cuba under the very terms of our proclamation of war; and to-day I have received a letter, which I hold in my hand, stating that there are 28,000 Spanish troops in the province of Santa Clara getting away as fast as they can. And we are sending troops there to preserve order. And what else are we doing? We are putting the native Cubans into such power and places as they are fit to occupy. They are building railroads and telegraphs.

The CHAIRMAN. The time of the gentleman from Ohio has expired.

Mr. GROSVENOR. I wish I had five minutes more.

Mr. HULL. I am crowded tremendously for time; but I will yield the gentleman five minutes more.

Mr. GROSVENOR. And we are giving to that island the hope of the future, which they never had before. Is it possible that in this country there is a great political party, or a great body of men—I will not say a political party—unwilling that the blessings of our Government shall be extended to the Philippine Islands?

Mr. Chairman, all this must be done by the American people by some sort of concord in support of the Administration of the Government. I was led to say what I did say personal to the President of the United States because I felt there ought to be here something in the form of a challenge to any man to say, first, that the President had deviated from the course mapped out for him by Congress, or, second, to assert that he has usurped any authority that he was not compelled to assume. And above all else I desired to say that in my humble judgment the future of the Philippines is a question for the future.

The question now is our duty to-day. All that is to come in the future is a question that stands behind the veil. The vast curtains that veil the future are all luminous to me with the glories

of coming day. And I shall answer now once more the gentleman from Indiana by saying that it would have been a usurpation upon the part of the President to send to Congress a statement that he desired to do this or that in relation to the Philippine Islands at this time. He has done his whole duty. Assaults upon him fall as broken arrows at the foot of his integrity, his patriotism, and his great leadership of the mighty hosts of the majority of the American people. [Applause.]

Mr. CARMACK. I would like to ask the gentleman a question. I understood him to say that it would be impossible for the President of the United States to make any statement to Congress with reference to the policy of his Administration toward the Philippine Islands?

Mr. GROSVENOR. The policy in the future, as to the disposition of the islands, until after the ratification of this treaty. Until that time it would be brutum fulmen—nothing but the declaration of a man undertaking to act outside of his jurisdiction.

Mr. CARMACK. Would it not be just as proper for the President to send a recommendation to Congress with reference to the Philippines as to send his recommendation, as he did, with reference to Cuba—to state his views, his policy? Why should he not say with reference to the Philippine Islands as he did with reference to Cuba, "Forcible annexation would be criminal aggression"?

Mr. GROSVENOR. Would it not be a beautiful spectacle——

Mr. CARMACK. I think it would be—beautiful.

Mr. GROSVENOR. Would it not be a beautiful spectacle to put forward to the world a plan of action when the defining of that plan of action is exclusively the duty of Congress, and while Congress has in its possession the open question whether we shall have war or peace in the future?

Mr. CARMACK. The case was the same with reference to Cuba, but the President made a statement of his policy with reference to that island.

Mr. GROSVENOR. The President has made no statement of his policy with regard to Cuba since the treaty was signed.

Mr. CARMACK. He did. He said that "forcible annexation would be criminal aggression."

Mr. GROSVENOR. That was before the war and the treaty.

The CHAIRMAN. The time of the gentleman from Ohio has expired.

Mr. GROSVENOR. I add one of the most unanswerable arguments upon all these questions yet made in this country. The author is an eminent lawyer, and his arguments are of priceless value.

[Address by Charles A. Gardiner on the question of expansion.]

THE CONSTITUTIONALITY AND VALIDITY OF THE ADMINISTRATION'S POLICY DEFENDED—OTHER PAPERS.

ALBANY, *January 18, 1899.*

The State Bar Association opened its second day's session at 10.30 o'clock. Charles A. Gardiner, of New York, was the first speaker. His address was on "Our right to acquire and hold foreign territory." It follows:

The sovereign nations of the world possess equal rights and equal powers. Their equality is perfect, their independence absolute. Between them national constitutions are unknown. In external or international relations the United States is assumed by all other sovereignties to possess absolute powers, unrestrained by constitutional limitations. That assumption is correct, based upon the fundamental canon of the law of nations. The United States may ratify its proposed treaty with Spain, and no other nation has any right to question its political or constitutional authority to do so.

Are there, therefore, no limitations on our national sovereignty? During the colonial period, as Mr. Justice Iredell explained, the British monarchs were sovereign, and the colonists their subjects; but after the Revolution sovereignty passed to and vested in the people (3 Dall., 93), and there it remains vested to-day in the 75,000,000 American citizens, not as individuals, but as a political and sovereign unit. Historically this unit preceded both State and Federal constitutions. It created them.

The Declaration of Independence, the supreme act of sovereignty, gave birth to the nation, while the Constitution gave form to its government. The Constitution is but a law of the people, distributing, not creating, sovereign powers among the several organs of sovereignty. A vast residuum of power, not disposed of by the Constitution, is "reserved to the States, respectively, or to the people" (Article X).

Although the distinction is not expressly made in the Constitution, the consensus of decisions for a century, as well as the logic of the situation, makes the following deductions irresistible: In all internal and domestic relations the States possess the sovereignty originally vested in the people, except such as the Constitution specifically grants to the Federal Government; where there is no such grant the National Government has no power; authority resides in the State governments exclusively. In all external and international relations the rule is reversed. The Federal Government possesses every sovereign power not expressly prohibited by the Constitution. If the Constitution is silent, the Federal Government, directly representing the sovereign people, is duly constituted agent and trustee to exercise such sovereignty. The States have no national powers whatever.

Early in the century Chief Justice Marshall announced as a proposition which should "command the universal assent of mankind," that the Government of the Union "is supreme within its sphere of action. * * * It is the Government of all; its powers are delegated by all; it represents all, and acts for all." (4 Wheat., 405.)

Chief Justice Chase reiterated this sentiment: "The people of the United States constitute one nation under one Government, and this Government within the scope of its powers is supreme." (7 Wall., 76.)

The idea was elaborated by Mr. Justice Bradley: "The United States is not only a government * * * it is invested with power over all the foreign relations of the country, war, peace, and negotiations and intercourse with other nations, all which are forbidden to the State governments." (12 Wall., 565.)

In the Chinese exclusion cases the court held: "The United States, in their relation to foreign countries, are one nation invested with powers which belong to independent nations." (130 U. S., 604.)

And Mr. Justice Lamar in the Neagle case used this language: "The Federal Government is the exclusive representative and embodiment of the entire sovereignty of the nation in its united character. * * * In our intercourse with foreign nations, States and State governments and the internal adjustment of Federal power, with its complex system of checks and balances, are unknown, and the only authority those nations are permitted to deal with is the authority of the nation as a unit." (135 U. S., 84.)

RIGHT TO ACQUIRE TERRITORY.

I. *Right to acquire.*—The United States possessing every attribute of the most potential sovereignty, and, in the felicitous language of Mr. Justice Lamar, the Federal Government in all external relations being "the exclusive representative and embodiment of the entire sovereignty of the nation," it follows that any power possessed by any sovereignty is possessed by the United States; and unless specifically prohibited by the Constitution can be exercised without restriction by the Federal Government.

The war and treaty making powers are not created by the Constitution; it merely designates agencies to exercise them. No one assumes that had such agencies not been designated this nation could not have waged the wars and made the treaties of our history. The nation needs no express grant of power for an international act, and it has specific authority for extremely few. It had none when it laid the embargo act of 1807, nor when it extended sovereignty over Bering Sea or the Guano Islands.

The right to acquire territory irrespective of its situs, contiguous or foreign, by conquest, treaty, purchase, or discovery, is an acknowledged and well-established attribute of sovereignty, and has been exercised by sovereigns from the beginning of recorded history. No one pretends that the right is specifically renounced in the Constitution. Hence it remains an attribute of the sovereign people, and Congress and the President, the sole agents and trustees of that sovereignty, have exclusive and unrestricted right to exercise it.

I advance the proposition with deference that this right is itself a primary and substantive attribute of sovereignty, as is the right of national existence or self-defense, and I shall regard it in this discussion as the primary and fundamental authority for territorial expansion.

The right to acquire is also derived from the enumerated constitutional powers to declare war and to make treaties. "The Constitution confers absolutely on the Government of the Union the powers of making war and of making treaties," said Chief Justice Marshall, first advancing the theory; "consequently that Government possesses the power of acquiring territory either by conquest or by treaty." (1 Pet., 542).

"The power of the United States to acquire new territory by cession or conquest," in the opinion of Mr. Justice Story, "does not depend upon any specific grant in the Constitution to do so, but flows as an incidental power from its sovereignty over war and treaties." (Constitution, section 1287.)

And Mr. Justice Bradley, in the Mormon Church Case, said: "The power to acquire territory * * * is derived from the treaty-making power and the power to declare and carry on war. The incidents of these powers are those of national sovereignty, and belong to all independent governments." (136 U. S., 42.)

The right to acquire was also derived by Chief Justice Taney from the express power of Congress to admit new States. "The power to expand the territory of the United States by the admission of new States is plainly given," he said. "It has been held to authorize the acquisition of territory, not fit for admission at the time, but to be admitted as soon as its population and situation would entitle it to admission." (19 How., 447.)

RIGHT TO HOLD AND GOVERN IT.

II. *Right to hold and govern.*—Possessing the right to acquire territory, it follows as an inevitable consequence that we also possess the right to hold, and hence to govern it. (Story, Const., section 1324.)

In 1810 Chief Justice Marshall announced these views: "The power of governing and of legislating for a Territory is the inevitable consequence of the right to acquire and to hold territory." (6 Cranch., 336.)

"And whatever may be the source whence the power is derived," he said, in a later case, "the possession of it is unquestioned." (1 Pet., 542.)

"It would be absurd," was the opinion of Mr. Justice Bradley, "to hold that the United States has power to acquire territory and no power to govern it when acquired." (136 U. S., 42-44.)

Mr. Justice Matthews said, of our right to hold and govern: "That question is, we think, no longer open to discussion. It has passed beyond the stage of controversy into final judgment." (114 U. S., 44.)

And Mr. Justice Gray, in a recent case thus summarized the law: "The United States having rightfully acquired the Territories * * * have the entire dominion and sovereignty, national and municipal, Federal and State, over all the Territories." (152 U. S., 48.)

The right to acquire being a primary attribute of sovereignty, and the right to hold and govern being ancillary thereto, it follows that wherever our sovereignty extends, there our right to acquire, and hence to hold and govern, extends also. The situs of the territory is immaterial; it may be contiguous or remote; on the American continent or in foreign lands. Our abstract right to acquire and hold is as plenary and sovereign in the Philippines as in Alaska or Arizona.

POLITICAL QUESTIONS.

III. *All problems of expansion political, not constitutional or judicial.*—Before considering the concrete application of these rights, it is important to determine their precise governmental character. Are they political or judicial? The public mind is so confused on all problems of expansion that it bases every objection thereto on assumed violations of the Constitution. Political questions differ from judicial in that none but the sovereigns can determine them. A sovereign decides by his own will, sic volo, sic jubeo. A court decides according to the law prescribed by the sovereign. Political power is that which a sovereign exerts by its own authority; judicial power is that which a sovereign grants to its own courts. Political power is sovereign and plenary, while judicial power is derivative and limited.

The "maintenance and extension of our national dominion" is a political and not a judicial problem. The reasons are thus stated: "The President and Congress are vested with all the responsibility and powers of the Government for the determination of questions as to the maintenance and extension of our national dominion. It is not the province of the courts to participate in the discussion or decision of these questions, for they are of a political nature and not judicial. Congress and the President having assumed jurisdiction and sovereignty, * * * all the people and courts of the country are bound by such governmental acts." (50 Fed. Rep., 110.)

The acquisition of territory by treaty is, therefore, political and nonjudicial. The Senate can ratify, reject, or modify any treaty. There is no limitation upon its treaty-making powers. It modified a draft treaty with England in 1706, with France in 1801, with Norway and Sweden in 1818, with Mexico in 1848, and with Bolivia in 1862. It rejected many, among them the treaty of arbitration with England in 1896, and many it has ratified without change. The action of the President and Congress will be final as to all international and political phases of the pending treaty. If a court could

modify or annul a treaty in these respects, it could, as suggested by Mr. Justice Miller, "annul declarations of war, suspend the levy of armies, and become a great international arbiter instead of a court of justice for the administration of the laws of the United States." (1 Woolw., 156.) And referring particularly to the acquisition of new territory by treaty, the Supreme Court said: "This court has solemnly and repeatedly declared that this was a matter peculiarly belonging to the cognizance of the legislative and executive departments, and that the propriety of their determination was not within the province of the judiciary to contravene or question." (9 How., 153.)

All questions also incident to acquisition and preliminary to government, whether the territory be contiguous or remote; whether our tenure be temporary or permanent; whether we keep, or give back, or sell, or lease—these are all political problems, intrusted without appeal to the discretion of Congress. (14 Pet., 538; 9 How., 242; 18 Wall., 320; 101 U. S., 133.)

CONSTITUTION NOT INVOLVED.

The same is emphatically true of the government of new territory. It belongs, as the Supreme Court has ruled, "primarily to Congress, and secondarily to such agencies as Congress may establish" (13 Wall., 319). "Territories are not organized under the Constitution, * * * but are creations exclusively of the legislative department, and subject to its supervision and control" (9 How., 243). "Congress has full and complete legislative authority over the people of the Territories and all the departments of the Territorial governments" (101 U. S., 132). In ordaining Territorial governments "all the discretion which belongs to legislative power is vested in Congress" (114 U. S., 44). Also, "In a Territory all the functions of government are within the legislative jurisdiction of Congress" (86 Fed. R., 459). And finally, all Territorial powers "are created by Congress," and all Territorial acts "are subject to Congressional supervision" (139 U. S., 446).

Hence, again, whether our new territory be organized or unorganized, governed directly or indirectly, temporarily or permanently; whether the Constitution and Federal statutes be made operative, or new rules and regulations be enacted—these and all other problems of government are political and not judicial.

IV. *Concrete application of rights—Extent and means of exercise.*—Our abstract rights and their governmental character being thus determined, we will next consider their concrete application, and the extent to which and the means by which they can be exercised.

The power to "dispose of territory," under Article IV, section 3, of the Constitution, is not alternative to the power to rule and regulate. Both powers are granted and are unlimited (8 Wheat., 580). Congress can "dispose of" Porto Rico or the Philippines as unreservedly as it can dispose of personal property; the prizes, for example, captured in the late war (14 Pet., 536). We may cede the Philippines to the inhabitants thereof, as a gift, or on such terms as may be agreed. We may let them to tenants, as China is leasing its ports to European powers. We may sell them to any bidder—England, Germany, Japan—as Russia sold Alaska to us.

The right to acquire territory being a primary attribute of sovereignty, and being therefore general and plenary, and the right to hold, and hence to govern, being a corollary of the right to acquire, it follows that such right, irrespective of the Constitution, belongs to the United States as fully and completely as a similar right could belong to any sovereign nation. So far as rights are concerned, if England can hold, and hence govern, colonies, so can we. If Russia has the right to exercise sovereignty over Port Arthur, we have an equal right of sovereignty to rule the Philippines.

In the absence of constitutional provision, this attribute of sovereignty might have been exercised by the Executive, by Congress, or by both. But the Constitution specifically designates Congress as the sole agent of sovereignty "to make all needful rules and regulations respecting the territory of the United States" (Article IV, section 3); and the decisions of the Supreme Court are uniform that these words alone empower Congress to regulate or rule territories in the manner and by the means it chooses—ranging from a joint protectorate, such as we extend over Samoa, to a fully organized Territorial government, such as we maintain in Arizona.

SAMOA AND GUANO ISLANDS.

In 1872 Pango Pango Harbor, by a treaty of cession, was "given up to the American Government," but until recently we had not even established our sovereignty over the harbor, merely exercising a protectorate over Samoa jointly with England and Germany. (1 Whart. Dig., 436.) The guano act declares that any island discovered by an American citizen shall be "considered as appertaining to the United States." (U. S. Rev. Stat., section 5570.) Under this act we hold and exercise not merely a protectorate, but actual, though tenuous, governmental authority over Navassa, Roncados, Howland, Baker, and several other guano islands. (137 U. S., 206, 647; 25 Fed. R., 675; 44 Barb., 23.)

PROVISIONAL GOVERNMENTS.

The President now maintains provisional military governments in Cuba, Porto Rico, and the Philippines—provisional upon the ratification of the treaty and upon the subsequent action of Congress. Upon ratification, and until Congress makes "rules and regulations," the President may continue these governments. Many precedents are furnished by our history—during and after the Mexican war in Tamaulipas and California, and after the rebellion in Florida, Alabama, and Arkansas from 1865 to 1868, in Mississippi and Georgia from 1865 to 1869, and in Virginia and Texas from 1865 to 1870.

The President may also, in his discretion, abolish military rule and establish provisional civil governments—provisional again until Congress enacts "rules and regulations." Such was the first and only American civil government established in California prior to statehood. (16 How., 193.) Concerning it the Supreme Court said: The civil government of California "had its origin in the lawful exercise of a belligerent right over a conquered territory. * * * It did not cease as a matter of course or as a necessary consequence of the restoration of peace. The President might have dissolved it by withdrawing the army and navy officers who administered it, but he did not do so. Congress could have put an end to it, but that was not done. The right inference from the inaction of both is that it was meant to be continued until it had been legislatively changed. * * * It must be presumed that the delay was consistent with the true policy of the Government." This provisional civil government was continued after the treaty of peace until California was admitted to the Union and its legality and powers were sustained by the Supreme Court. (16 How., 190.) Until Congress acts it will be the duty of the President under his war power to maintain in the ceded territory such military or civil rule as he chooses (20 Wall., 324; 16 How., 190), and the precedents furnish him ample political and judicial support.

COLONIES DEFINED.

Congress, however, whenever it determines to exercise its prerogatives, can govern the new acquisitions as "organized" or "unorganized" territories, directly or indirectly, temporarily or permanently. "Dependencies" or "provinces," as defined by our courts, are territories already partially or wholly settled, distinct from the sovereign State, but belonging to it and subject to the laws and regulations it may prescribe (3 Wash. C. C. Rep., 286). "Colonies" are territories settled by citizens of the sovereign or parent State (3 Wash. C. C. Rep., 286); "unions of citizens or subjects who have left their country to people another and remain subject to the mother country" (Bouv., Tit. Colony). Porto Rico and the Philippines, already densely populated and affording no opportunity for American colonization, can not, under our decisions, be strictly designated "colonies."

TERRITORIES DEFINED.

"Organized territories" are portions of the public domain over which Congress has extended our Constitution and laws, and has established a system of organized local government, such as Arizona, New Mexico, and Oklahoma (Rev. Stat., sections 1839-1895). "Unorganized territories" possess no organized local government, are usually not subject to our Constitution and laws, and are ruled directly by Congress. Such are Alaska and Indian Territory. Territories, dependencies, and provinces are in our jurisprudence practically synonymous terms. "Territories" in legal contemplation are organized or unorganized dependencies or provinces. The phrase has been incorporated in our political and judicial history for a century, and if we should designate Hawaii, Cuba, Porto Rico, and the Philippines as "territories" it would be more in harmony with American institutions than to style them "colonies."

CONGRESS HAS ABSOLUTE POWER OVER TERRITORIES.

Congress has the same power over its public domain as over any other property belonging to the United States (29 Fed. R., 205; 14 Pet., 537; 18 Wall., 319; 136 U. S., 42). "This power," said the Supreme Court, "is vested in Congress without limitation, and has been considered the foundation upon which Territorial governments rest" (14 Pet., 537). The Supreme Court early announced the comprehensive principle that "Territories are not organized under the Constitution nor subject to its complex distribution of the powers of government as the organic law, but are the creations exclusively of the legislative department and subject to its supervision and control" (9 How., 242).

Chief Justice Waite, sustaining this power of Congress, said: "All territory within the jurisdiction of the United States not included in any State must, necessarily, be governed by or under the authority of Congress. * * * It has full and complete legislative authority over the people of the Territories and all the departments of the Territorial governments" (101 U. S., 132). In a later case the court decided that "in ordaining government for the Territories all the discretion which belongs to the legislative power is vested in Congress" (114 U. S., 44).

"The power of Congress over all Territories is general and plenary," said Mr. Justice Bradley (136 U. S., 42). And the court, summarizing the whole matter, announced this opinion through Mr. Justice Brewer: "A territory is a political community, organized by Congress, all whose powers are created by Congress, and all whose acts are subject to Congressional supervision" (139 U. S., 446).

Under this full and comprehensive authority the form of local civil government first compels attention. It is absolutely in Congressional discretion. "All the discretion which belongs to legislative power is vested in Congress," said the Supreme Court, "and that extends * * * to determining by law from time to time the form of the local government in a particular Territory" (114 U. S., 44). "There can be no question," said Judge Dawson, "of the authority of Congress to enact such forms of Territorial government within the Territories as it may choose or deem best" (29 Fed. R., 205).

MAY RULE FROM WASHINGTON.

All the functions of government being within legislative discretion, Congress may exercise them directly from Washington, or indirectly through organized local rule. (86 Fed. Rep., 459; 18 Wall., 319; 114 U. S., 44.) It may, as succinctly put by Judge Morrow, "legislate in accordance with the separate needs of each locality, and vary its regulations to meet the conditions and circumstances of the people." (86 Fed. Rep., 459.)

In the language of Chief Justice Waite, "Congress may not only abrogate laws of the Territorial legislatures, but it may itself legislate directly for the local government. It may make a void act of the Territorial legislature valid and a valid act void." (101 U. S., 132.) It is true that Congress, with few exceptions, has not directly enacted the municipal laws of Territories, but this is a matter of legislative discretion, not a constitutional obligation, and Congress may, if it chooses, enact at Washington all municipal laws for Hawaii, Porto Rico, and the Philippines, as it does now for the District of Columbia and Alaska. (152 U. S., 48; 101 U. S., 133; 114 U. S., 44; 1 Deady, 31; 86 Fed. Rep., 459.)

OUR FORMER COLONIES.

Under the ordinance of 1787, as subsequently modified, the Territories of Ohio, Mississippi, Indiana, Michigan, and Illinois had a governor, judges, and council appointed or selected by Congress; governments as purely colonial, except for a Delegate in Congress, as any to-day maintained by England, Germany, or France.

Orleans Territory, a part of the Louisiana purchase, existed from 1803 to 1811, and furnished another example of colonial administration—a local legislature, a governor exercising the functions of the old Spanish intendant, a justiciary administering the old Spanish code—all appointed by the President; Federal statutes operative only in criminal cases, and a separate port law for New Orleans (2 How., 344).

Of it, Nicholson, of Delaware, said: "It is in the nature of a colony whose commerce may be regulated without any reference to the Union." "It was a startling bill," remarks Benton, "continuing the existing Spanish government, putting the President in the place of the King of Spain, putting all the Territorial officers in the place of the King's officers, and placing the appointment of all these officers in the President alone." Yet the validity of the Orleans government was repeatedly sustained by the Supreme Court (2 How., 344; 3 How., 589; 13 Wall., 434). In many respects it might furnish an acceptable model of civil rule by Congress for Porto Rico, the Philippines, and even Hawaii.

ALASKA NOW A COLONY.

Alaska was ceded to us in 1867 without any treaty covenants for future admission as a State. The Constitution and Federal laws have not been made operative therein, and only such statutes have been extended over it as circumstances gradually required. It is an unorganized territory, governed directly from Washington (U. S. Rev. Stat., section 1954). Physically it is foreign territory, its nearest point being 400 miles and its farthest point 2,400 miles from Seattle. The Aleutian Islands extend even into the geographical limits of another continent. For thirty-two years a few judicial and executive, but no legislative functions of government have been conferred upon the inhabitants. "Congress," said Judge Dawson, "could confer upon Alaska such powers, judicial and executive, as they deemed most suitable to the inhabitants. It was unquestionably within the constitutional power of Congress to withhold from the inhabitants of Alaska the power to legislate and make laws." (29 Fed. R., 205.)

CAN HOLD TERRITORIES PERMANENTLY.

The right to govern Territories temporarily or permanently is equally in the discretion of Congress. The opponents of expansion urge, however, that every foot of soil acquired by this nation is impressed with a trust or franchise of statehood, and that the Constitution prohibits its acquisition except

for such ultimate purpose. The permissive language of Article IV, section 3, is construed as mandatory. It is said to be unconstitutional to hold territory, even temporarily, except "in a state of pupilage," as Judge Bradley expressed it, in preparation for eventual statehood.

DRED SCOTT CASE.

This objection is based exclusively upon the decision of the Supreme Court in the Dred Scott case. Chief Justice Taney's words are now historic: "There is certainly no power given by the Constitution to the Federal Government," he said, "to establish or maintain colonies bordering on the United States or at a distance, to be ruled and governed at its own pleasure, nor to enlarge its territorial limits in any way except by the admission of new States. That power is plainly given. * * * It has been held to authorize the acquisition of territory not fit for admission at the time, but to be admitted. * * * It is acquired to become a State, and not to be held as a colony." (19 How., 446, 447.)

First. I am of opinion that this declaration is not a dictum, as often contended, but a vital part of the decision: an essential step in an elaborate argument; a point necessarily involved in deciding that the Missouri Compromise was unconstitutional and Dred Scott a slave and not a citizen.

Second. The Dred Scott decision has never been judicially reiterated. No court ever concurred in it. It precipitated the civil war. It is stamped with the bad eminence of antebellum conflicts. Its very title is odious, and sends a shudder through a reunited people. Such is the only decision quoted to-day against territorial expansion.

Third. The decision is either law or not law. It can not be valid as to colonies, a secondary consideration, and invalid as to slavery, a primary issue. It must stand or fall as a whole. Hence we have this dilemma: If to-day the Dred Scott decision is law, then the thirteenth, fourteenth, and fifteenth amendments are not law, the results of the rebellion are nullified, the Missouri Compromise was unconstitutional, slavery can be maintained in all our Territories, and the negro has "no rights which the white man is bound to respect" (19 How., 407). This dilemma has been overlooked.

Fourth. The major premise of Judge Taney's argument against colonies is that our sole authority to acquire territory is derived from the power to admit States. That proposition has never been accepted by any other judge or court. On the contrary, unanimous benches have declared our right to acquire territory irrespective of its situs, and irrespective also of any franchise of statehood, as a primary attribute of sovereignty and as a corollary of the war and treaty powers. Judge Taney's major premise has been specifically overruled three times (16 Wall., 434; 136 U. S., 42; 137 U. S., 212). The Supreme Court having held it utterly fallacious, all his arguments fall with it. His conclusion, therefore, that we can not hold Territories per se falls also, and is as dead to the American people as the stamp act or statutes against witchcraft.

Fifth. The utter futility of the declaration should be observed. It is without practical value. What right had the court to make it? What jurisdiction had it over the subject? Can an injunction restrain the Senate? Can the President be enjoined? How will the Supreme Court prohibit this sovereign nation from extending its sovereignty over conquered territory? The error is fundamental. Judge Taney's decision was intended to and did encroach upon the political power of the Government. He had no authority to do so. His decision, pro tanto, judged even by his own clear and logical utterances in other cases, was not law when uttered and is not law to-day.

Sixth. An exhaustive investigation of the writings and speeches of the founders of our Government and a scrutiny of the proceedings attending our acquisition of the Northwest, Louisiana, and Florida Territories establish beyond dispute the historic inaccuracy of Judge Taney's assertion that a trust or franchise of statehood was intended to be impressed upon all newly acquired territory. Edmund Randolph submitted to the Federal convention the first propositions relative to new States and Territories. Madison offered amendments, and then the present language was introduced into the Constitution on the motion of Gouverneur Morris.

During the controversy over the Louisiana cession in 1803 he was appealed to for information in regard to the meaning of the third section of the fourth article. He answered: "I am very certain I had it not in contemplation to insert a decree de coercendo imperio in the Constitution. I knew then as well as I do now that all North America must at length be annexed to us. (3 Mor. Writ., 185.) A few days later he again replied: "I mistook the drift of your inquiry, which substantially is whether Congress can admit as a new State territory which did not belong to the United States when the Constitution was made. In my opinion they can not. I always thought when we should acquire Canada and Louisiana it would be proper to govern them as provinces and allow them no voice in our councils. In wording the third section of the fourth article I went as far as circumstances would permit to establish the exclusion." (3 Mor. Writ., 192.)

ANTI-EXPANSIONISTS CHANGED ATTITUDE.

The opposition to acquiring Louisiana was based upon the treaty covenants guaranteeing ultimate statehood. No opposition developed to acquiring and holding per se Territories or dependencies. That right seems to have been assumed without discussion (Story, Constitution, section 1296). The resolution of the Massachusetts legislature is one of many similar public expressions: "The annexation of Louisiana to the Union transcends the constitutional power of the Government of the United States. It forms a new confederacy to which the States united by the former compact are not bound to adhere." (Life of Quincy, page 206.)

The Supreme Court has long since overruled these objections. I cite them merely to show that at the beginning of the century anti-expansionists acknowledged the nation's right to expand, insisted that new territory be governed permanently as such, and objected to its ultimate admission to statehood. At the close of the century anti-expansionists deny our right to expand, if territory be governed permanently as such, and insist that all acquisitions be converted into States.

Both legal and historic precedents are thus established for governing new acquisitions as organized or unorganized Territories, directly or indirectly, temporarily or permanently; and all such questions are political, subject to the discretion and power of Congress, and foreign to the jurisdiction of the Constitution and courts.

V. *Civil rights and political status of inhabitants.*—The civil rights and political status of inhabitants of ceded territory are those guaranteed by treaty and conferred by Congress. They acquire no rights under our Constitution and Federal statutes, ex proprio vigore. The Constitution makes "all treaties the supreme law of the land." (Article VI, section 2.) Treaties, as Chief Justice Marshall held, are obligatory upon the people of the United States (1 Pet., 542); and binding "as a constitutional law." (16 How., 657; 19 How., 372.) The pending treaty with Spain provides: "The civil rights and political status of the native inhabitants of the territories hereby ceded to the United States shall be determined by the Congress." (Article IX.) Hence, if Congress should ratify the treaty and do no more, that document alone would measure the civil rights and political status of the inhabitants of the ceded territory.

CONSTITUTION AND STATUTES NOT OPERATIVE.

Originally the Constitution was operative in the thirteen States which ratified the document. (Article VII, section 1.) As new States were admitted the Constitution became operative therein ex proprio vigore, even if, as in the case of Texas, it had not previously been extended over the annexed territory (143 U. S., 69). The geographical limits of Federal statutes are the national boundaries on the day of enactment. If our domain is expanded, our statutes are not ex proprio vigore expanded also.

Statutes possess no innate power of expansion. The Dingley tariff, for instance, is limited strictly to the area of the United States as it existed July 24, 1897. To make it operative over Porto Rico, the Philippines, or a single foot of new territory, a special act extending it is necessary. Even when new States are admitted, two statutes are required—one admitting to statehood, and hence to the rights of the Constitution, the other extending our laws over the admitted territory. The thirteen original States were a mere fringe along the Atlantic. By conquest, annexation, and purchase, within a hundred years we expanded our territory on this continent over 3,250,000 square miles, and over all this vast domain, with the exception of Alaska, the Constitution and laws of the Union have been made operative by more than a hundred special acts of Congress.

Prior to 1850 there was no uniformity of legislative expression, but every organized Territory then existing and every Territory subsequently organized became subject to the following section of the Revised Statutes: "The Constitution and all laws of the United States which are not locally inapplicable shall have the same force and effect within all the organized Territories and in every Territory hereafter organized as elsewhere within the United States." (Section 1891.)

In an early case Chief Justice Marshall decided that territory annexed did not ipso facto derive rights from the Constitution. Its only rights, he said, were those "stipulated in the treaty," or granted by "its new master." (1 Pet., 542.) Mr. Justice Nelson, in a subsequent case, suggested a potent reason therefor. Territories "are not," he said, "organized under the Constitution." "They are the creations exclusively of the legislative department of the Government, and subject to its supervision and control." (9 How., 252.)

If Territories are neither created nor organized nor supervised under authority of the Constitution, how can it be urged that they acquire rights from the Constitution ex proprio vigore? Consider also the remarks of Mr. Justice Bradley: "The extent of the power thus granted (to Territories) depends entirely upon the organic act of Congress in each case, and it is at all times subject to such alterations as Congress may see fit to adopt." (18 Wall., 319.) Also the words of Mr. Justice Brewer: "A Territory is a political community organized by Congress, all whose powers are created by Congress, and all whose acts are subject to Congressional supervision." (139 U. S., 446.) If all Territorial rights and powers are created by Congress, then none are created by the Constitution; if all are subject to alteration and supervision by Congress, then none are fixed and unalterable by virtue of the Constitution.

NO INALIENABLE RIGHTS.

Not only are the Constitution and laws not operative, but Congress, in creating, organizing, and supervising Territories, is not bound to grant the inhabitants any of our so-called "inalienable rights," not even those enumerated in the Constitution and its amendments, and commonly called the "bill of rights." This principle was distinctly announced by the court in an elaborate opinion in the Mormon Church case (136 U. S., 42), the consensus of all the authorities sustaining the principle that neither the letter nor the spirit of the Constitution is operative in Territories without the specific act of Congress. Although this doctrine may startle humanitarians, it was reiterated with approval by Mr. Justice Harlan in a decision of the Supreme Court on April 25 last. (170 U. S., 349.)

Ex-Senator Edmunds's recent statement is not necessarily in conflict with these views. "The Constitution," he said, "does operate and have full force in our Territories in the respects that affect the personal and civil rights of all." That is unqualifiedly true of every organized Territory since 1850. The Constitution has been specifically made operative therein. For forty-nine years the inhabitants of Arizona and New Mexico have enjoyed the same "personal and civil" rights under the Constitution as the inhabitants of New York. But if Senator Edmunds intends his statement to apply to Alaska or Porto Rico or the Philippines, or any other unorganized territory over which the Constitution and Federal statutes shall not have been specifically extended by Congress, he is opposed by uniform decisions of the Supreme Court. The inhabitants of ceded territory therefore acquire no rights from the Constitution, Federal statutes, or treaties, except such as are specifically granted. This principle has been overlooked in all pending discussions, but its logical application will solve the most perplexing problems of expansion.

First. It is urged that the inhabitants of ceded territory possess implied rights to a republican form of government. Even our Constitution guarantees only "to every State in this Union a republican form of government." (Article IV, section 4.) It guarantees no form of government whatever to a Territory. We can not put the inhabitants to the sword, but we can banish them entirely from the country and confiscate their property (8 Cranch, 122; 143 U. S., 356), or grant them any quantum of rights even to statehood. Natural rights of barbarians to a republican form of government—who can define them? None exist outside of Utopia or Plato's Republic. Whatever is granted is an act of sovereign grace. Any government, or no government, rests with Congress. Any right, or no right, is in sovereign discretion.

TAXATION WITHOUT REPRESENTATION.

Second. Taxation without representation is an equally fallacious doctrine. In 1820 Chief Justice Marshall decided that the power of Congress to tax the Territories as well as States, irrespective of representation, was "incontrovertible." "If it were true," he said, "that according to the spirit of our Constitution the power of taxation must be limited by the right of representation, whence is derived the power to lay and collect duties, imposts, and excises?" (5 Wheat., 325.)

INHABITANTS NOT CITIZENS.

Third. Inhabitants of the States of the Union have a dual citizenship, State and Federal. Article IV, section 2, guarantees to "the citizens of each State all the privileges and immunities of citizens of the several States." But this interstate citizenship is granted only to citizens of a State, not to citizens of the United States. There is no citizenship of a Territory, and the only citizenship Congress can confer is national. (92 U. S., 542.)

The fourteenth amendment provides that "All persons born or naturalized in the United States, and subject to the jurisdiction thereof, are citizens of the United States." Children of ambassadors and consuls born here are not "subject to our jurisdiction," and do not become citizens. (16 Wall., 73.) "This section," said the Supreme Court, "contemplates two sources of citizenship, and two sources only, birth and naturalization." (112 U. S., 101; 169 U. S., 702.) Persons may be naturalized either individually, under the naturalization acts, or "collectively," as the court explained, "by the force of a treaty by which foreign territory is acquired." (112 U. S., 102.) Inhabitants of Porto Rico and the Philippines not being naturalized, and the pending treaty not providing for the naturalization of either natives or Spanish subjects, it follows that they can only become citizens by a specific act of Congress.

The pending bill for Hawaii contains such naturalization provisions. The only other source of American citizenship is birth, and that must be within American territory over which the Constitution and laws shall have been

specifically extended. No Constitution, no fourteenth amendment; hence no citizenship by birth. Therefore, if Congress ratifies the treaty and does no more, neither present nor future native inhabitants will be citizens; but if Congress extends our Constitution and laws over the annexed domain, all present and future native inhabitants will be endowed with Federal citizenship.

CAN PROHIBIT IMMIGRATION.

4. The inhabitants of ceded territory, not being citizens, will have no right to immigrate to this country. Their rights will be no more nor less than those of aliens of like races immigrating from any foreign land. The Chinese in the Philippines and Hawaii will be excluded absolutely under our Chinese-exclusion acts. (130 U. S., 581.) Malays, constituting a considerable proportion of the Filipinos, being neither black nor yellow, but brown, the fifth subdivision of the human race, can be excluded as absolutely as the Chinese.

It has been repeatedly suggested by the Supreme Court that the thirteenth, fourteenth, and fifteenth amendments apply only to whites and blacks and not to Chinese, and hence Malays. (16 Wall., 73; 100 U. S., 306; 112 U. S., 101; 21 Fed. Rep., 909; 5 Sawy., 155; 71 Fed. Rep., 274; 169 U. S., 697.) White and black inhabitants migrating to this country can be admitted on the same terms and no other as white and black immigrants from any foreign land. Citizenship and that alone prevents exclusion. Any United States citizen, whatever his race or origin, may, under protection of the fourteenth amendment, reenter the United States and pass from one State to another, and Federal or State governments can not deny him that right except in punishment for crime. (21 Fed. Rep., 910; 130 U. S., 581; 169 U. S., 649.)

NO CHEAP LABOR.

Hence, unless Congress confers citizenship, Caucasians and negroes will be admitted under our immigration laws, while Mongolians and Malays may be debarred absolutely, and threatened incursions of cheap labor will not imperil the interests of American workmen.

NO UNIFORM TARIFF.

5. In construing the provision of the Constitution that "all duties, imposts, and excises shall be uniform throughout the United States" (Article I, section 8), Chief Justice Marshall in 1820 defined "United States." "Does this term," he said, "designate the whole or any particular portion of the American empire? Certainly this question can admit but of one answer. It is the name given to our great Republic, which is composed of States and Territories. The District of Columbia or the territory west of the Missouri is not less within the United States than Maryland or Pennsylvania" (5 Wheat., 319).

In its ultimate analysis it included all the land owned by the nation in 1820. It includes all the land owned to-day—even Alaska and Hawaii. It will include every foot of soil that may be ceded by the pending treaty. The islands will no longer be a part of Spain; they will not be independent; they will be ours, ceded, annexed, their very soil forming a constituent portion of the physical area of the United States. Our national entity is coterminous with our physical domain, and will anyone assert that our physical domain is not coextensive with our national entity? Judge Marshall's views are thought to favor free trade. It is assumed that the uniform tariff provisions of the Constitution will become operative and compel free trade within all our borders. But are not protectionists and free traders zealously quoting Marshall and Taney and Webster and Calhoun, while they overlook a principle which renders their dispute purely academic?

DINGLEY TARIFF INOPERATIVE.

How will tariff regulations become operative? There is no provision in the treaty; hence that document does not apply. The Constitution and statutes do not operate ex proprio vigore; hence they do not apply. We find ourselves again relegated to Congress. If it makes operative the Constitution and Dingley tariff, they will be operative—otherwise not. If it enacts new tariff laws, those laws will prevail. If, however, Congress ratifies the treaty and does nothing more, leaving the adjustment of tariffs to the President as a war power, such course is equally in Congressional discretion.

TARIFF PRECEDENTS.

These principles have been applied on several occasions in our history. Louisiana was ceded in 1803; Orleans Territory was organized therefrom in 1804, and in 1812 it was admitted as the State of Louisiana. Our tariff imposed a lower duty by 25 per cent on goods imported in American than in foreign bottoms. The Louisiana treaty gave a similar reduction to French and Spanish merchantmen trading to New Orleans, thus establishing lower duties there on French and Spanish imports than elsewhere in the Union. For eight years the Territory of Orleans had an essentially different tariff system from the rest of the United States.

Florida was ceded to us in 1819. After we had taken possession it was decided by the Treasury Department that goods imported from Florida before Congress had made our laws operative therein were liable to duty. "That is," said Chief Justice Taney, "although Florida had by cession actually become a part of the United States and was in our possession, yet under our revenue laws its ports must be regarded as foreign until they are established as domestic by act of Congress." (9 How., 617.)

In 1846 the Mexican State of Tamaulipas was conquered by us. During our military and civil rule therein, and prior to the treaty of peace in 1848, there arrived at Philadelphia an American vessel, cleared from Tampico, upon whose cargo duties were exacted as from a foreign country. The Supreme Court, sustaining the tariff, said: "There was no act of Congress establishing a custom-house at Tampico nor authorizing the appointment of a collector. The regulations the collector adopted were not those prescribed by law, but by the President in his character of Commander in Chief. The permit and coasting manifest granted by an officer thus appointed, and thus controlled by military authority, could not be recognized in any port of the United States, nor could they exempt the cargo from the payment of duties." (9 How., 616.)

Commenting generally upon this and other instances Chief Justice Taney made this decisive utterance: "The Treasury Department, in no instance that we are aware of since the establishment of the Government, has ever recognized a place in a newly acquired country as a domestic port, unless it had been previously made so by act of Congress. The principle thus adopted and acted upon by the executive department of the Government has been sanctioned by the decisions in this court and the circuit courts whenever the question came before them. And all of them maintain that under our revenue laws every port is regarded as a foreign one unless the custom-house from which the vessel clears is within a collection district established by act of Congress, and the officers granting the clearance exercise their functions under the authority of the laws of the United States." (9 How., 617.)

A separate tariff may be provided for the new territory by the simple means of continuing the present military governments. Their ports may thus remain foreign for tariff purposes (9 How., 615); they may levy a tariff on imports from us, and their goods continue to be subject to our import duties. As the Supreme Court specifically decided relative to the provisional governments of the South, such governments can "prescribe the revenues to be paid and apply them to their own use or otherwise." (20 Wall., 390.) And these governments, as we have seen, may continue indefinitely, and be terminated only in Congressional discretion. (16 How., 164.)

NO FREE TRADE.

New territory, therefore, may be acquired without becoming subject to the tariff provisions of our Constitution and laws. Sugar from Cuba and Hawaii, tobacco from Cuba and Porto Rico, and the products of the Philippines and Ladrones will not be admitted duty free, unless Congress so determines. Hence the vast sums invested in our sugar and tobacco industries need not be imperiled, nor need colonial imports reduce our customs revenues or disturb our economic status.

THE OPEN DOOR.

Sixth. The commerce of our Territories with foreign States involves the international trade problem of the "open door." The President's recent proclamation to the Filipinos has been misunderstood. "All ports," he says, "will be open to the commerce of all friendly nations. All goods * * * will be admitted upon payment of such duties and other charges as shall be in force at the time of the importation." If no duties are in force, none will be exacted. If Dingley tariff duties or any other exist, they must be paid. This is no "open door," nor even free trade. It is, moreover, only a military order, and may at any time be rescinded by the President. But when Congress makes "rules and regulations" for the new Territory, what then? If it should extend our Constitution and laws over the islands, free trade would then, as now, prevail within all our borders, and theoretically the Dingley tariff between us and the rest of the world.

The uniform tariff clause of the Constitution being operative, Congress would have no more authority to admit English goods free at Manila than at New York or Philadelphia. It must not be forgotten, however, that such action, while conclusive within our boundaries, is not final in our international relations. The President and Senate have, under the Constitution, unlimited power to make trade treaties. If we are not prepared to adopt free trade in its entirety, we must continue in the future, as in the past, to regulate our open doors by treaty and not by statute. As matter of fact, there has been no uniformity of tariff with foreign nations since our Government began. The "favored-nation" clause has not prevented such treaties, for nations have uniformly ignored it in their trade wars.

A trade war now exists between the United States and every European nation in the Orient except England. If England permits us to trade in China and India, our treaty-making power has authority to permit England to trade in the Philippines; if other European powers exclude us from their Asiatic ports, our treaty-making power, by refusing discriminating tariffs, can practically exclude them from the Philippines. There is no constitutional objection to giving Spain the preferential duties provided in Article IV of the pending treaty; and, if policy dictates, the President and Senate can extend similar discriminations to our trade allies, and refuse them to nations waging a tariff war against us.

EXPANSION DUE TO THE PRESS.

During the last year the American people have resolved upon a most momentous policy—to expand their continental bounds, acquire foreign territory, and take their place among nations as a dominant world power. Expansion is no longer a theory, but a fact. To the press of this country more than to any other aggregate intellectual force must be ascribed the development of this national policy, and for services thus rendered no tribute of praise can be unmerited.

The pending treaty will soon be ratified, and in practically its present form. As Senator GRAY tersely remarked, "it will merely put us in control of the situation." Then will confront Congress the gravest problems of the century. We have never legislated for barbarians in the Orient, nor enacted municipal laws for Malays, nor adjusted our institutions to Asiatic civilization. Old principles must be applied to new conditions. Congress shares the general confusion of public thought, distrusts its own prerogatives, and while possessing absolute power, yet daily discusses its limitations under the Constitution and Federal statutes.

DUTY OF THE AMERICAN BAR.

Now arises the opportunity of the American bar. Now is its time for action. It should emulate the patriotic services of the press; its counsel is imperatively needed; its advice will supremely benefit the nation.

What more vital issues can engage the attention of this association? What discussions can be more in harmony with its spirit and traditions? In all crises of our history the bar of New York, by profound learning, strength of argument, and splendor of eloquence, has beneficently influenced the destiny of the nation. Let us not now stand quiescent. Let us perform our full duty, and as "counsel learned in the law" advise the people and their representatives to a wise and just solution of these momentous problems.

Mr. HAY. I yield so much time as he may desire to the gentleman from Illinois [Mr. JETT].

Mr. GROSVENOR. Mr. Chairman, I ask unanimous consent to be permitted to add to my speech—as an appendix—a portion of certain citations from the authorities to which I have referred, on the question of international law as involved in this proposition.

The CHAIRMAN. The Chair thinks that under the leave already granted by the House unanimous consent would not be necessary.

Mr. GROSVENOR. I only wanted to be certain on that point.

Mr. JETT. Mr. Chairman, this is the second time during my service in the House of Representatives that a bill for the reorganization of the Army has been up for consideration in this body. I remember very distinctly the discussion that was aroused over this matter during the last session of Congress when it was up for consideration by the House. I had my convictions then with reference to the question as to whether or not the standing army of my country should be or should not be increased, and I maintain the same convictions on this great and important question at the present time—the same convictions that I maintained when the matter was before us on the occasion to which I have referred.

I regarded it, Mr. Chairman, then, as now, that character of question that should be discussed by the representatives of the American people with calmness, deliberation, and sincerity, by first laying aside all political prejudice or bias which we might entertain.

But let me say, as an humble representative of the people upon this floor, that I am sorry to see that some members have seen fit

to inject into this discussion their political feeling and political prejudices when so important a question is under consideration. I regret it much, because I believe this is a question that should be considered by the people's representatives, regardless of their political affiliations or opinions now or heretofore entertained.

I am surprised to hear, within the short period of time that has elapsed since this question was then considered—I mean that time which has elapsed since we discussed this question last spring—that some of the gentlemen have so completely changed their positions upon the question presented by this bill.

I remember that my good friend and colleague from the great State of Illinois took a position in regard to the bill then under discussion, and in the debate during the time we had it under consideration stated fully his convictions before the House. He expressed at that time precisely the sentiments that I now hold and that I then held—the sentiments that I have maintained without change up to the present hour. But for some cause or other my colleague has seen fit to absolutely change his position and reverse the views he then entertained. He was in the frame of mind then of being willing that we should always rely in case of emergency upon our citizen soldiery. But to-day he is supporting a measure demanding the organization of an army of more than 100,000 enlisted men and officers—a regular army.

How he can reconcile his present opinion with that he entertained a few months ago I am unable to say, and I simply want to read in this connection a few words in which he set forth the views he then held, not by way of any reflection upon him whatever, but because of the fact that they announce perhaps more clearly and fully than I could do myself my views on the present question.

During the time that this measure was up for discussion on the 6th day of April, 1898, my colleague from Illinois [Mr. MARSH] used this language, as it appears in the CONGRESSIONAL RECORD:

> Now, in the first place, I am opposed to the increase of the Regular Army to any such extent. The policy of European governments is to maintain large standing regular armies. Just the opposite has been the policy of this Republic from the earliest days down to the present time. In all of our wars, foreign and internecine, we have depended upon the citizen soldiery of the country to defend the flag. And, Mr. Speaker, the country has never depended upon them in vain. They have performed fully and completely all the functions of good soldiers. And I am opposed, even in time of war, to the considerable increase here proposed of the regular troops. In case of war, the imminent possibility of which now confronts us, I think it wise to do in the future as we have done in the past—to depend upon the citizen soldiery of the country.

Mr. Chairman, I have read these lines because, as I have already stated, they announce my convictions clearly on the matter that is before the House for consideration. What has caused this change in the opinion of my friend and colleague since that time? He thought it a wise thing and a good thing to do at that time. I think it is a wise thing and a good thing to do now. We have never had occasion to regret in the past our dependence upon the citizen soldiery of the country. And if we may judge the future by the past, we can confidently rest our faith in the perpetuity of the Government in the future upon the volunteer soldiers of the country. [Applause on the Democratic side.]

Mr. MARSH. Will the gentleman allow me?

Mr. JETT. To be sure; I always would do a thing of that kind for my friend.

Mr. MARSH. Does my colleague believe that the volunteer soldiery of the country desire to perform garrison duty and police duty in the Philippine Islands, in Cuba, and in Porto Rico?

Mr. JETT. I will answer that by saying no; because the purposes for which the volunteer soldiers were enlisted who are now serving have been accomplished. Their duty has been discharged. They have complied with the terms of their contract.

I will say, however, further, that I do not believe there is any necessity at this time for a standing army of 100,000 men, as is proposed by this bill. I believe the substitute offered here, upon which I hope we shall have an opportunity to vote, more thoroughly carries out what I believe to be just and right and proper for us to enact at this time. As there is no necessity for a large increase in the standing army, this substitute provides for a standing army of 30,000 men, and it further provides that if there is any necessity for it, if the President in his discretion believes that there is any necessity, he can call and raise a volunteer army for the purposes set forth in the substitute, and those who would volunteer under the provisions of this substitute would know for what purpose they were volunteering, and the men who volunteered and entered upon this war in which we were so successful, who did not enter the service to do garrison duty, could be discharged. They have discharged their duty according to the terms of the contract as they understood it.

And now, if we should adopt this substitute, then I say that those who enlisted under it would understand clearly and thoroughly the purpose for which they entered the service of the United States, and I believe that we would not have the difficulty and complaint which arises at this time from those who are doing garrison duty from the volunteer soldiery. [Applause.]

And now, Mr. Chairman, the bill under consideration is one the provisions of which are for the reorganizing of the Army of the United States, and at the same time increase the Army to more than 100,000 enlisted men and officers. It is a measure that is of as much consequence to the American people, in my judgment, as any that has been considered by the Congress within the last quarter of a century.

It is important to the people because of the fact that it is a departure from the old established policy of our Government, as well as of the fact that, if it becomes a law, it will add heavy burdens upon an already overburdened people. I have at all times been opposed to a strong standing army, and am still of the same opinion on this question that I have maintained for years, and at this time I am unable to see any necessity for an army of the proportions called for in this bill known as the Hull bill. I believe that a strong standing army as provided in and by this bill is one that is antagonistic to the principles of a republican form of government, and that it would prove detrimental to the institutions of our country.

I can not by any process of reasoning arrive at the conclusion that a strong standing army goes hand in hand with a republican form of government. The fathers never contemplated such when they outlined and drafted the fundamental law of the land, because, as I believe, it was never expected that in a government such as they were then organizing, and which put the power into the hands of the people, such an emergency would ever arise that would require the sustaining of a strong standing army, or that such a policy as is now called for by the author of this bill could be sustained and the rights and interests of the people remain inviolate upon a theory of a government by the people.

I believe that a standing army as large as asked for at this time would prove a menace to the people. We know from the past history of other countries what effect a strong army has had, and what influence it has wielded at the expense of the great mass of the people, and that it has had the effect of overthrowing governments. If we are to judge the future by the past, and knowing the effect that strong armies have had toward the downfall of governments, we should, as representatives of the American people, representing their interests in the American Congress, take into consideration those things, and not favor a policy and the enactment of a law that has led toward the downfall of governments and destroyed prosperous and happy people.

We have for more than a quarter of a century maintained in this Government a standing army of less than one-fourth of the size of the Army that is now asked for. With a population of over 75,000,000 people, we have maintained an army for years of but 25,000, and up until recently there has been no great demand from any source for an increase of our Army. For years prior to the breaking out of the Spanish-American war, in my judgment this House would not have for a moment considered a bill the purpose of which was the increasing of the Army. If an increased army is required or needed, it is because of the fact of our new possessions. As we have had an army heretofore sufficient to meet all reqirements at home, the increase demanded should not exceed more than will be required to maintain peace and order in our newly-acquired territory and in the island of Cuba.

Mr. Chairman, there appears to be a difference of opinion, even among those who are in favor of and are advocating the passage of a measure of this kind, as to the number of troops that will be required in the different islands. The Adjutant-General is of the opinion that 50,000 soldiers are required in Cuba to maintain peace and order. This is, in my judgment, an extravagant estimate. Whilst this number is demanded for Cuba, yet no good reason is shown why so many troops should be sent there. The fact is, as was developed before the Committee on Military Affairs, that before the insurrection was on in Cuba the Spanish Government only kept 12,000 soldiers in the island. The Cuban people were unfriendly to the Spaniards, yet it seems that 12,000 soldiers held them in subjection. If such was the case, when the Spaniards are removed why should it be necessary to have a force of 50,000 upon the island? If the old Cuban patriot, General Garcia, who but recently departed this life in this city, has been reported correctly, then there is no necessity for 50,000 troops. General Garcia is reported as having said that 8,000 troops would be sufficient to garrison the island, and he declared that "the American flag alone, after the departure of the Spaniards, would preserve order."

General Wood, military commander of Santiago, is still claiming that we should have 50,000 troops in Cuba. While I do not agree with him, yet it seems to me that if his judgment is correct, as those favoring the bill will probably say it is, or accept it, then it seems that the gentlemen who are strong expansionists would learn an important lesson from the experience or judgment of General Wood, and that is, if it takes 50,000 soldiers to maintain peace and order in Cuba, with a million population, at that ratio it would take an army of 500,000 to maintain peace and order in the Philippines, and cost five hundred millions annually.

As to the Philippines, it appears to me at this time we are not in a position to legislate with reference to the size of the Army or

the number of troops that should be provided to maintain peace and order in those islands, and simply because they are now sending troops to the Philippines is no good reason why the Army should be increased as is provided in and by this measure.

While the question of the disposition of these islands is still an open one, if it is necessary to have an increase at all I believe the substitute which has been read and will be offered at the proper time more clearly meets the demands according to the situation at the present as I understand it. The substitute provides for an army of 30,000, the same as under existing law, and the President of the United States, at his discretion, may issue his proclamation for not more than 50,000 men, whose services are deemed necessary by reason of the relation of the Government of the United States to the islands of Porto Rico, Cuba, Philippines, Hawaii, and the Ladrone Islands.

It provides further that the same organization shall apply to this body of troops as applies to the Regular Army of the United States, and that they shall be officered by officers appointed by the President, by and with the advice and consent of the Senate; and it provides further that these volunteers herein provided for shall be organized into such classes of troops as the President in his discretion shall deem best.

Mr. Chairman, the substitute further provides that this Volunteer Army shall, as far as practicable, be taken from the several States and Territories and the District of Columbia, and that they shall be mustered out of the service of the United States two years from the date of the passage of this act, unless their time of service is sooner terminated.

It will therefore be seen that by the provisions of the substitute a sufficient force is provided for the coast and interior defenses of the United States; and if we are to continue to send troops to the Philippines and garrison Porto Rico and Cuba, liberal provisions are made in the substitute by which the President can call into the service an army for their use in these places. Why, then, place on the Federal statutes of this country a law providing for a standing army of more than 100,000, and put the people of this nation to the enormous expense that would necessarily be required to sustain such an army? I am not only opposed to this on account of the enormous expense that it would put our people to, but I am opposed to it also as a matter of principle.

It is antagonistic to the teachings of a democratic government, and if the policy sought to be thrust upon the American people by the supporters and adherents of the bill reported by the majority of the Committee on Military Affairs of this House is successful, the effect of it will be to build up an aristocracy in the Army. I will not lend my vote to a measure the effect of which will be to build up an aristocracy in the Army or in any other branch of the Government. I am not one of those who believe that the proud American Republic, after more than a hundred years of its independence, should now embark upon a policy that would ultimately lead to the dictation of the policy in this country by the military arm of the Government. I need only to cite you to the so-called republican form of government in France, where the army dictates and absolutely controls the policy of that nation. We see how unsettled it is at this time, and we know how it has been for years, all of which is the result of the strong army that it maintains and by reason of which it has built up an aristocracy in that country in the army.

Mr. Chairman, I will not detain the House for any considerable length of time. I know that there are many members here who desire to speak; but there is one question to which I desire to call the attention of the House, and that is the question of expense. I desire to call the attention of the House to the enormous expense of maintaining an army of the size provided for by this bill.

I know there has been a difference of opinion on this question in the minds of members in this House. I have heard the testimony of the Adjutant-General; I have seen his estimates; and yet I will say frankly that I am at a loss to know or to estimate anywhere in the neighborhood of the annual cost. I see in the report made by the Adjutant-General to the committee he says it would cost annually $82,053,655.56 to maintain the army provided by the present bill. That is his statement in his report.

I remember very distinctly when the Adjutant-General of the Army was before the Committee on Military Affairs, when he was being heard, the question was put to him as to what would probably be the expense of maintaining this army, and to show to the House that there is not only a difference of opinion in the minds of members of this body as to the cost of maintaining this army provided for by the Hull bill, but in the mind of the Adjutant-General himself, I call attention to the discrepancy between the statement in his report and his statement when orally examined before the committee. In his report he says, on page 16, that the cost will be $82,053,665 annually, but here is what the Adjutant-General said when he was before the Committee on Military Affairs. The question was asked by my colleague on the committee [Mr. SULZER]:

What would the annual cost be to the people of this country for an army of 100,000 strong, such as is contemplated by this bill which has been introduced by Mr. HULL?

General CORBIN. I could not answer that question unless I had a pencil and paper. I could send you that from the office. There are so many elements that enter into it that I could not answer right off.

Mr. SULZER. I wish you would send to the committee a statement as to the cost of the present Regular Army, and what the cost would be to maintain the Regular Army according to the provisions of Mr. HULL's bill, including the cost of transportation.

General CORBIN. It is a pretty safe rule to follow that the pay for the subsistence, the clothing, the transportation, the arms, the ammunition, and all that relating to the soldier, in rough figures will amount up to $1,000 per capita; not much less and not much more. One thousand dollars per capita for every man in the Army is a fair average. If you have 100,000 men, you can just put it down at $100,000,000.

There is the testimony of the Adjutant-General as to the probable cost of sustaining an army of 100,000 men as provided in this bill. Yet he has submitted another estimate, in which he says it would cost only about $82,000,000.

Then he goes on to say:

If you will run through the appropriations made by Congress for the Army during the war, before the war, and during all the years, you will find that the appropriations have been about on a basis of $1,000 per annum per man.

I do not, Mr. Chairman, intend any reflection upon the Adjutant-General, but merely to show that, apparently, no one is hardly able to estimate this great cost that would have to be met.

This, of course, contemplates the cost of maintaining the Army when the Army is kept at home; but if they are to be sent abroad, then the estimates will be more than they have been reported by the War Department thus far. So, then, I say, Mr. Chairman, that this is an important element that should receive the consideration of this House. I believe that I am as patriotic as my brother member who holds a seat on the other side of this Chamber, but I am not in favor at this time of thrusting upon the people of my country such an enormous tax as this would bring. While I have the honor to represent one of the most important districts of this country, a proud and patriotic constituency, I do not believe that they are in favor of a standing army of 100,000 men and the necessary expense that would follow. It is their interests that I am trying to represent here.

The question now is, Mr. Chairman, who is it that is demanding a strong standing army for this country? From what source is the call made? Is this coming from the great mass of the people, who are the wealth producers? Is this demand coming from the laboring classes, those who are depending on their toil for the support of themselves and their families? I answer in the negative. Those engaged in agriculture and those who gain a livelihood by manual labor are not demanding an army of the proportions provided for in this bill.

There are no more patriotic people than the wage-earner and the farmer. They are always willing to respond to the call of their country, and have heretofore, at all times when the interests of their country were at stake, volunteered their services and gone forth and fought and won the great battles of the nation. They stand willing at all times to go forth and do battle for their country's sake, but in my judgment they are not demanding a strong standing body of troops in a time of profound peace, who are to be kept and maintained at the expense of the taxpayers.

Again, if the President desires a strong army he ought to say to Congress for what purpose the army is needed. No showing has been made to Congress that there is any necessity for such an array of troops to be organized into regulars as is asked for here and at this time.

Now, in conclusion, Mr. Chairman, I desire to say a few words with reference to the Philippines.

I am willing to put the Philippines upon the same basis and give to them the same right as the American Congress agreed to give and to do by Cuba. I am unable to see any reason why we should not treat with the Philippines as we agreed to do, as is evidenced by the resolutions passed by Congress last spring, with the Cubans. If we were right in principle when we resolved to give to the people of Cuba a stable government, why is it not right at this time to make the same advances toward the people of the Philippines? I am for my country and my country's welfare at all times, but I am opposed to oppression and the instruments of oppression. [Applause.]

[Here the hammer fell.]

Mr. HAY. Mr. Chairman, I yield twenty minutes to the gentleman from Arkansas.

Mr. McRAE. Now, Mr. Chairman——

Mr. HULL. Before the gentleman proceeds, will he allow me to yield twenty minutes to the gentleman from Ohio? Gentlemen on that side are much ahead of us now, and we have not much longer time for general debate.

Mr. McRAE. I hope that will not interfere with the arrangement already made. I am needed in the committee room, and the delay will only be twenty minutes.

Mr. HULL. We have but little over two hours of our time remaining and gentlemen on that side have less than an hour, and I simply ask to use a part of that time now.

Mr. McRAE. I can not consent to yield the floor since I have been recognized.

The CHAIRMAN. The gentleman from Arkansas is recognized.

[Mr. McRAE addressed the committee. See Appendix.]

Mr. HULL. I yield twenty minutes to the gentleman from Ohio [Mr. BROMWELL].

NECESSITY OF A LARGER ARMY.

Mr. BROMWELL. Mr. Chairman, the general provisions of this bill I am heartily in favor of. About some special items I shall perhaps offer some suggestions when we come to consider the bill under the five-minute rule. Therefore I shall not now comment upon the bill except in a general way.

It seems to me, Mr. Chairman, that this is a bill about which there ought not to be any division along party lines, because I am willing to concede to gentlemen on the other side of the House the same desire to uphold American honor, to protect American interests, and to preserve the internal peace of the country that we on the Republican side claim for ourselves.

This is a bill for the reorganization and increase of the Army. It is a bill which is recognized as necessary by every military expert in the country. It is rendered necessary not only by the experiences of the late war and the mistakes that were made therein, but it is rendered equally necessary by the rapidly increasing population of this country and the increase in the interests which the Army is called upon to protect. It is necessary in case of war or to maintain our possessions recently acquired; and it is equally necessary if we are to surrender every inch of new ground upon which the foot of an American soldier has trodden within the last year.

We have learned a lesson in regard to our Navy. Fortunately, we commenced the upbuilding and rebuilding of our Navy many years ago; and we can not but congratulate ourselves that we did take in hand this great work of rebuilding this bulwark of our national defense in time of peace, so that we might be prepared for the emergency of war. It is our duty to-day to do for the Army what we did years ago for the Navy—to start its reorganization and to increase it to sufficient strength to meet all the demands that may be made upon it. We have rested content for thirty years with this obsolete organization which is now in force. The world in the meantime has been moving on; other nations have studied the art of war and have made improvements of which we have not yet taken advantage.

In this bill, in its general features, it is proposed to profit by that experience and put the American Army on the same footing of efficiency as the armies of the military nations of the world.

OBJECTIONS URGED.

The objections which have been made to the increase of the Army are based upon the following considerations: First, that there is no necessity for it at this time; second, that it will cost a large sum of money and increase the burdens upon the people to such an extent as ought not to be borne; and third, that it is a menace to the liberties of the people of America.

It has been well said and is practically admitted by everyone that if we are to hold the Philippine Islands, Cuba, and Porto Rico, even for a limited time, these islands must be policed by the regulars of the United States Army for the purpose of maintaining order and government until the political disposition of the islands shall be determined upon by the Government. The expense which gentlemen have alleged was to be such a grievous burden upon the people of America may be, let me say, but a trifle as compared with the expense in men and in money which may come to us if we do not, in time of peace, when we can deliberately prepare an army for future emergencies, take such steps as will make it a satisfactory and efficient organization.

THE ARMY WILL BE NO MENACE.

The fear that the American Army will be a menace to the liberties of our own people is almost too ridiculous, Mr. Chairman, to combat.

The American Army—of what is it made? It is composed of our own people, officered by our own sons and our own brothers, our neighbors and their sons, composed of the young men we have year after year sent to our Military Academy to receive the necessary training to fit them for the duties imposed upon them—men who in an emergency can be relied upon, who know what the demands of the hour are upon them as citizens of the United States, and educated not only in military science at the expense of the Government, but, better than all of that, educated in the love of country and their duty to their fellow-citizens and to themselves. Shall we look to these young men who have gone into the Army of the United States to become traitors to their country, even while they bare their heads to their country's flag, as they do every time that they pass by it?

Is it possible that sensible men can entertain such an opinion as that? They are not Hessians; they are not slaves, purchased soul and body for military purpose. They are American citizens, as we are. They have the love of country implanted in them as firmly as we have. They have their devotion to the flag of their country as thoroughly grounded as you or I. And the rank and file of the Army are also Americans. They are men taken from the walks of private life, from the farms, from the workshops, and from the great masses of the people. Can it be asserted that they will betray their country because for the time being they are enlisted in the Regular Army of the United States? It is impossible, Mr. Chairman, to believe such a suggestion. Fearless in the defense of their country's honor, they would be equally fearless in refusing to partake in the destruction of its liberties.

What could such a diminutive number do with the ten or twelve millions of men capable of bearing arms in this country? What an insult to the patriotism and courage of the American people to say that the little, insignificant Regular Army of 50,000 or 100,000 men can crush out the liberty of a great republic!

COMPARISON WITH ARMIES OF OTHER COUNTRIES.

Compare the Regular Army of our country with those of other nations on a peace footing. The regular army of Russia is 860,000 men; France, 615,413 men; of the German Empire, 585,440 men; of Austria-Hungary, 385,697 men; of Italy, 231,355, and of Great Britain, 163,569. Compare these with the Army of the United States—only about 25,000 men.

These numbers, too, let me state, are exclusive of the native colonial troops. Assuming that the population of the United States is 70,000,000, that would make one regular soldier for about 2,800 inhabitants. Then compare that with the number which exists for one regular soldier and is protected by that soldier in each of the other countries of the world. In France they have 63 citizens to 1 soldier; in Germany, 1 soldier for every 80 inhabitants; in Austria-Hungary, 1 for every 115; in Italy, 1 for every 135; in Russia, 1 for every 150; in Great Britain, 1 for every 233 inhabitants, while in the United States the regular soldier stands in front of and protects 2,800 men, women, and children, and protects them against everything, not only from domestic troubles but foreign invasion and on every occasion.

Mr. HENRY of Mississippi. Are we threatened?

Mr. BROMWELL. We are threatened every day of the existence of the country, and we must prepare ourselves at all times to meet emergencies which may arise.

LABORING MEN DO NOT FEAR OUR ARMY.

Now, Mr. Chairman, I know gentlemen say that when we increase this standing army it is going to be for the purpose of permitting corporations and trusts to use this army to crush out the life of labor and to interfere with the individual liberty of the citizen.

This statement is an insult to the patriotism and the love of order of the American workingman. Who is it that fears the American Army? Not the American laborer, either organized or unorganized: not the man who desires to obey the laws of the country; not the man who is interested, perhaps more than any other class of men, in being protected in his labor that he may by that labor earn the bread with which he feeds his wife and children. It is the disorderly; it is those who are not law-abiding. It is the great undercurrent of the vile life which drifts into our great cities that finds fault with the standing Army of the United States, with the sheriff and the posse comitatus of our county and State, and with the police force of our cities. They, and not the honest, law-abiding laborer, would be glad to have unlimited license to interfere with human liberty and with private and public property.

Two years ago, in the platform of one of the great parties of this country, it was proposed to break down the barriers which protect society. What answer did the workingmen of the country make to that? Did they blindly follow this doctrine of anarchy? Did they decide that the Supreme Court of the United States should be shackled? Did they decide that the Executive of this great nation should not be given the power to protect its interests? On the contrary, in every street, in every great city of the country, thousands upon thousands of these laboring men marched in their clubs and organizations, from their factories and workshops, to show that they were in favor of a stable, capable, and safe government of their liberties.

Mr. LEWIS of Washington. Will the gentleman allow me?

Mr. BROMWELL. Excuse me.

VOLUNTEERS CAN NOT TAKE THE PLACE OF REGULARS.

Gentlemen who are opposed to this increase will say, "Why not depend upon the spontaneous enthusiasm of American patriotism to furnish an army of volunteers for emergencies as they arise?" Gentlemen, volunteers are not regulars. Patriotic devotion can not take the place of discipline. Enthusiasm is but a poor substitute for trained knowledge. Heroism and personal devotion can accomplish little compared with the results obtained by years of physical training for the fatigues and hardships of the soldier's life.

I would not detract in the slightest from the magnificent work which has been done by the American volunteer in this and in every war in which he has been engaged. He has made a record

of which the nation may well be proud and will do so again whenever it becomes necessary to call him into action. But we must not forget that the science of military affairs, like that of naval warfare, is advancing with rapid strides. Methods and implements of war which were successful thirty years ago have, like the wooden ships of the old Navy, become useless in the light of progress. Even as the United States has profited by the experience of other nations in rebuilding her Navy, has avoided their mistakes and adopted their successes, so she should to-day be willing, in the reorganization of her Army, to profit by the experience of other warlike powers.

It is true that our conditions are far more fortunate than theirs in that we are not in close touch with jealous nations, ready at all times and upon slight pretext to take offense and commit aggression. But, on the other hand, we must not forget that we no longer occupy the position of isolation in the world that we had in the days of our fathers. We can not forget, either, that our country is growing enormously in its population, both by natural increase and by foreign immigration, and that this growth is largely being concentrated in the great cities of the country, from which, as centers, the arteries of commerce, transportation, and finance reach out to every part of our system.

We can not forget how utterly dependent, by reason of this interconnection of interests, vast sections of country become upon these centers. Paralyze the nerve center, and prostration results; give mob rule control of a great city, stopping transportation and traffic, stopping the transmission of intelligence through the mails, and the result is not confined to the one locality in which the disturbance occurs, but affects the nation at large.

A city would be looked upon with contempt whose police force could not be sufficient to maintain order and protect life and property. A State would be worthy of no respect if its laws could be overridden and put to defiance by a reckless mob. This great Government owes it to every citizen that so far as the great interests which are placed by the Constitution in its care and keeping—the protection of public property, the preservation of public order when called upon by the executive of a State, and the free and uninterrupted conduct of interstate commerce—it shall have an ample force of trained regular soldiers at its disposal and for discharging these duties.

The day may come when not only nations will lay down their arms, but the entire citizenship of this country shall become so law-abiding that police supervision shall become unnecessary, but that day marks the beginning of the millennium and is not yet upon us. We must legislate for conditions as they are, we must still continue in force our statutes for the prevention and punishment of crime, we must give to the strong executive arm of the Government the means to enforce the Constitution and laws, which the President and every officer of the United States is sworn to support and maintain. It is the judgment of those best informed that even on a peace basis and for these purposes the Army should be largely increased.

We are in possession of islands which have come to us as the fruits of war. These islands are now occupied by American soldiers, most of whom must be discharged at the conclusion of the treaty of peace. The passage of this bill becomes a necessity for supplying men to take their places if we are to continue the occupancy of these territories. It is apparent that the principal opposition to this bill grows out of and is coincident with the feeling that these possessions should not be permanently retained and controlled by the United States. The objections which are made are of two general classes:

OBJECTIONS TO EXPANSION.

First. That it is unconstitutional to acquire, retain, and govern them.

Second. That admitting the constitutional right to do so, it is unwise as a question of national policy.

The first contention, viz, that it is unconstitutional to acquire, retain, and govern this territory has been made the subject of deep and exhaustive research by some of the ablest men in the country, and notably of distinguished gentlemen in the Senate.

I wish to call the attention of the members of the House who have not seen it to an address made by Mr. Gardner, of New York, published in the New York Tribune of the 19th instant. It is the most convincing and logical argument in favor of the constitutionality of the right to take, maintain, and govern these territories that I have yet seen. Briefly, the points made in that admirable address are as follows:

LEGAL RIGHT TO ACQUIRE, HOLD, AND GOVERN TERRITORY.

First. *That the United States, when the colonies became free and* independent, became invested with all the rights of a sovereign *nation, with rights equal to those of every nation on earth*, not hampered or controlled by any constitution, so far as those rights of sovereignty are concerned; not hampered or controlled by any legislation which had taken place under the Constitution, but free and independent, with the inherent right to declare war, to make peace, to acquire territory, to cede territory, to do all else that independent nations might do.

Second. *This right of sovereignty preceded and is independent of the Constitution and the Federal Statutes.* It is lodged in the people of the country, all the people as a unit, without reference to the form of government.

Third. *That among these sovereign rights is that of acquiring territory, either by purchase, cession, voluntary annexation, or by conquest and resulting treaty.* This right has been exercised in each of the above forms in the acquisition of territory we already possess. This right to acquire territory has been sustained by a long line of decisions. Among others, see 1 Pet., 542; Story on Constitution, section 1287; 136 U. S., 42; 19 Howard, 447.

Fourth. *The right to acquire gives the right to hold and govern.* This principle is stated concisely by Justice Bradley, as follows:

It would be absurd to hold that the United States has power to acquire territory and no power to govern it when acquired.

See also 136 U. S., 42–44; Story on Constitution, 1324; 6 Cranch, 336; 1 Pet., 542; 114 U. S., 44; 152 U. S., 48.

Fifth. The *question of annexation of territory is a question for the executive and legislative branches of the Government*, with which the courts have no concern.

The President and Congress are vested with all the responsibility and powers of the Government for the maintenance and extension of our national dominion. It is not the province of the courts to participate in the discussion or decision of these questions, for they are of a political nature and not judicial. Congress and the President having assumed jurisdiction and sovereignty * * * all the people and courts of the country are bound by such governmental acts.

See also 50 Fed. Rep., 110; 14 Pet., 538; 9 How., 242; 18 Wall., 320; 101 U. S., 133.

Sixth. *Having power to acquire and to hold and govern, the next question which seems to have been fully settled is that the form of government rests entirely with the Congress of the United States* and that the Constitution and laws enacted previous to the territorial acquisition do not of themselves become operative in the new territory, but require special legislative action to extend them over such territory.

The Constitution of the United States, Article IV, section 3, clause 2, reads:

The Congress shall have power to dispose of and make all needful rules and regulations respecting the territory or other property belonging to the United States, etc.

That the government of the Territories belongs solely and exclusively to Congress independent of any constitutional provisions or general legislation affecting the States has been repeatedly affirmed by the Supreme Court.

See 18 Wall., 319; 9 How., 242; 101 U. S., 132; 114 U. S., 44; 139 U. S., 446; 14 Pet., 537; 136 U. S., 42.

That special action has always been deemed necessary in order to extend these constitutional provisions and general laws to newly acquired territory has been conclusively shown by the citations of the various laws printed in the RECORD, pages 1070 and 1071 of this session.

This disposes of the contention that when the treaty of peace is signed the inhabitants of all these islands shall under the Constitution ex proprio vigore become citizens of the United States with the rights of all other citizens under the Constitution.

WHAT IS THE POLICY OF THE PRESIDENT.

The Constitution of the United States, Article IV, section 3, just cited, answers the question that has been so persistently put to the President of the United States by gentlemen on this floor, "What is your policy?" The gentleman from Ohio [Mr. GROSVENOR] has answered that question fully and satisfactorily.

The President has no policy until this Congress acts. The Constitution of the United States does not give him authority to dispose of and make rules and regulations for the government of the Territories; but it gives to this House and to the Senate, with the approval of the President, the power to make these rules and to dispose of these territories. The only authority that he will have will be, when these two Houses of Congress shall have sent to him a bill expressing their wishes and their policy, to attach his signature in approval or disapproval. If it meets his disapproval, then the President of the United States in his message to Congress can announce his views as to our policy, not his.

VARIOUS FORMS OF TERRITORIAL GOVERNMENT.

That no uniform system of government is demanded of Congress is illustrated by the various Territories over which our jurisdiction extends at the present time, independent of our recently acquired territory. Thus we have in the District of Columbia one class of laws. In Arizona and New Mexico, to which will shortly be added Hawaii and Alaska, other forms of government as organized Territories, but differing widely in details among themselves. In the Indian Territory we have no Territorial organization, but administer the government directly from Washington. In Samoa we govern jointly with two other nations in the form of a protectorate and under treaty stipulations. Any of these various forms will be changed at the discretion of Congress.

Upon the signing of the treaty of peace Porto Rico and the Philippines will come to us as unorganized territories, for the reason that there is no stipulation in the treaty which requires an

immediate extension of the constitutional provisions or general laws over their inhabitants. We can extend these provisions if we choose to do so, or we can refrain from so doing if we choose; and until some action is taken by us the Executive has authority under the precedents already established to maintain a military government.

That was the case, notably with Florida, between the time of our taking possession and the enactment of laws for its government by Congress.

Article IX of the pending treaty with Spain is in the following language:

> The civil rights and political status of the native inhabitants of the territory hereby ceded to the United States shall be determined by the Congress.

Seventh. *As a corollary to the above proposition these territories may be given a system of taxation, both local and by way of customs impositions, different from those imposed upon the States,* for taxation is but one of the forms of legislation growing out of sovereignty and coming within the power of Congress to make all rules and regulations for the Territories. It need not be upon the basis of representation, as Chief Justice Marshall stated very clearly in the following language:

> If it were true that according to the spirit of our Constitution the power of taxation must be limited by the right of representation, whence is derived the power to lay and collect duties, imposts, and excises? (5 Wheat., 325)

The treaty of peace containing no provision concerning taxation, it follows that until Congress extends the constitutional provisions, Article I, section 8, requiring all duties, imposts, and excises to be uniform throughout the United States, that the matter of uniformity or nonuniformity is entirely within the control of the Congress itself.

Eighth. *The accession of this territory does not extend the right of citizenship to the inhabitants of these islands,* nor is the fourteenth amendment applicable to their condition, for the reason, above stated, that the Constitution does not either in its body or in any of its amendments become operative without express action.

Ninth. *As a further corollary the entire subject of immigration into the United States from these islands is a matter within the control of Congress.* It can extend the exclusion acts or it can modify or repeal them, as it sees proper. This disposes of the objection that upon the conclusion of the treaty of peace the Chinese and Malays or other objectionable elements of the population of those islands may come in vast numbers into this country to enter into competition with American labor.

So much for the legal aspect of the case. With absolute power in Congress to legislate for these territories, not only for their own best interests but for the best interests of our own country as well, I can foresee no great difficulty as to acquiring, retaining, governing, or disposing, in any way we see proper, of these possessions.

THE POLICY OF EXPANSION.

The other phase of the question as to the proper policy of the Government is another question, about which there may be legitimately a wide diversity of opinion. One fact we must, however, recognize at the very outset, and that is the fact that we are to-day in actual possession of this acquired territory and responsible in the eyes of the world for the preservation of order and the protection of life and property while that possession continues; and, being thus responsible, we should put ourselves in a position to discharge that duty effectually.

It can only be done at the present time by military occupancy, to preserve these islands either from the anarchy of misrule by native leaders or absorption by foreign powers. It has been well stated by distinguished gentlemen who have already spoken upon this subject that all the other alternatives, of returning these islands to Spain, of disposing of them to other foreign powers, or of withdrawing our protection from them, are so contrary to our own ideas of duty and so contrary to the expectation of the world and our own ideas of justice that we are remitted to the final alternative of continuing, for a time at least, our present status therein.

The gentlemen who are so persistent in catechising the members on this side of the House as to their views in regard to forcing, as they put it, the government established by the United States against the wishes of the inhabitants of the Philippine Islands will no doubt desire an expression of my views, if they consider them of any importance, upon the subject. While I believe the question is a mere hypothetical one, and is based upon no condition which now exists or which may hereafter arise, I shall not hesitate to answer it frankly and fully. I believe that candor is due not only to this House but to the country upon every great political question. When the question of the recognition of a supposed existing government in the island of Cuba at the declaration of war was before this House, I was one of a few Republicans who honestly and conscientiously, and upon information which we supposed at that time to be accurate and trustworthy, favored that proposition.

WHO HAVE A RIGHT TO SPEAK FOR THE PHILLIPINES.

Candor compels me to say that in the light of history and subsequent events I believe now a mistake would have been made in doing so. The situation in the Philippines is radically different from what I was led to believe was the case in Cuba. It is not claimed by even the most ardent supporters of the anti-annexation policy that there is to-day any form of government in those islands other than that maintained by the United States by reason of military occupation.

The claim that Aguinaldo and his half-savage followers represent either a present or possible stable and independent government, capable of maintaining peace, protecting life and property, or discharging the duties of international obligations, is not seriously believed or advocated by any gentlemen upon this floor or elsewhere. Were the question of submission to his rule passed upon by the civilized inhabitants it would be unanimously rejected. He has no more rights to consideration than the chief of an Indian tribe in the Louisiana Territory, who had been at war with France and Spain while this Territory was in their possession, to have set up the claim that the United States having acquired it by cession from its former owners should be compelled to recognize him and his savage followers as entitled to recognition and recession of the Territory.

Under a Democratic Administration Louisiana became ours by purchase; the Orleans Territory, which was carved out of it, was as alien to our people, our language, our laws, and our customs and traditions as are the Philippines to-day. Its people were as vigorous in their protest against annexation to the United States as could any inhabitant of Luzon be to-day. We forced our Government upon them without their consent; we maintained order by military force; we kept the people of the territory in a state of tutelage until the time came when we could admit them to the Union.

I am not now referring to the legal right to acquire this territory, nor to the fact that under the treaty with France by which Louisiana became a part of this country there was a specific provision for the extension of the Constitution and laws of the United States and its admission to the Union as soon as possible. That question I have considered settled by the citations heretofore made. But I am referring merely to the fact that we have historical precedent, and that, too, under the Administration of the father of the Democratic party, Thomas Jefferson, for forcing an unwilling people to accept our government.

Briefly, therefore, my position is this: We are in the Philippine Islands as guardians of peace and order until at least some form of self-government shall be established. Should Aguinaldo and his insurgent followers attempt by force to interfere with the discharge of this duty, I for one would be willing to use the Army and Navy of the United States to compel him by force to submit to our control just as I would require an Indian chief and his tribe to maintain order in any part of the territory we had previously acquired.

I for one do not propose to repeat with the Filipinos the mistake which might have been made had we recognized the reputed government of Cuba, which did not represent and could not represent the wishes of the inhabitants of that island. I, for one, believe that the present status should be maintained in the Philippines until we can study the conditions and means of its inhabitants, not of the savage, barbarous tribes which neither have nor are capable of having local government, but of those civilized portions of the islands which live in settled communities, enjoy the blessings of civilization, are capable of local self-government and possibly of national existence, and who desire a stable government, whether it be dependent upon the United States as a protectorate, as an integral part of our jurisdiction, or as an independent government.

WE SHALL ACT WHEN WE HAVE FULL KNOWLEDGE.

When this information shall have been had, we shall be ready to act and we shall act, I have no doubt, wisely for our own interests as well as justly for theirs. But until that decision is reached, Aguinaldo and every other agitator and disturber must be compelled to recognize the authority of our Government, and await the working out of the problem. If this means forcing upon an unwilling people a government of our own instead of theirs, I am in favor of it, but until we hear from the real parties in interest, who are entitled to have a voice in the decision of this question, I deny that any such question is more than a hypothetical and academic one.

It is also urged that in reaching out into this distant part of the world and planting our flag in another hemisphere we are forgetting the traditions of our fathers; forgetting the precepts of Washington, and acting in violation of the Monroe doctrine.

For a phrase that is so frequently used as the Monroe doctrine I know of nothing concerning which there is more universal mistake and misunderstanding. Time does not permit me to comment upon this phase of the subject in the presence of the House, but I shall take the liberty of inserting, under the permission given

to extend our remarks, a few remarks upon the history and interpretation of this doctrine, and will endeavor to show its limited application, its true sphere, and that it in no wise hampers or controls our action in the present case.

THE FUTURE OF OUR COUNTRY.

In conclusion I wish to say that engrossed as we have been in the past with the settlement of our internal affairs, looking inwardly upon our domestic concerns rather than outwardly upon the world at large, we have suddenly, as a result of the Spanish war, awakened to a realization of the fact that the genius of our institutions will not permit us to slumber in the sleep of lethargy which dwarfed the advancement of China and Japan for so many centuries. We have climbed to higher altitudes, and above the mists and fogs which have obscured our vision in the past we look out upon a broadening horizon. We see and realize that in this busy, modern world, upon which the twentieth century will soon dawn, we must bear our share with the enlightened nations of the world in advancing the happiness and welfare of humanity.

With this brightened vision we see the commerce of the United States again reviving and its white sails fluttering on every ocean and its flag floating in every breeze. We see the products of American ingenuity, the rich harvests of American soil, and the treasures of her hills and mountains offered in every mart of the civilized world. We see American vessels, built by American skill, manned by American sailors, and laden with American merchandise, in every quarter of the globe. We see an American Navy, the equal of any in the world, with Deweys and Sampsons and Schleys and Wainwrights in command and American men behind the guns to protect our merchant marine. We see coaling stations and resting places for this vast fleet to enter and renew their energies and strength. We see a great canal across the Isthmus, built by American capital, controlled by American influence, and constructed for American commerce, across the narrow strip that connects our northern and our southern continents.

We see that as the old nation of eastern Asia or the new developments in Africa open up new markets and new fields of enterprise, the United States claims its full and fair share in the benefits of this onward march. We can not stand still; stagnation means retrogression, and that means ultimately political death. We must move upward and onward with the rest of the world; we are entitled to be in the van of the march. Wherever our flag shall be planted it shall bring to the people who rest beneath its shadow the blessings of liberty and equality and a better civilization. The Monroe doctrine shall no longer be limited to the claim of America for Americans, but shall be enlarged to mean, "All the world for American commerce, and the protection of the American flag over the lives of American citizens and American property in every corner of the earth;", and as one by one the countries of the earth yield to the beneficent influence of American liberty, morality, and religion, either under our Government or their own, the day will ultimately come when there shall no longer be only the United States of America, but all the nations of the earth shall be joined in one great United States of the World.

THE MONROE DOCTRINE.

In view of the frequency with which the Monroe doctrine is invoked to sustain views, however diverse, connected with the management of Federal affairs relating to our foreign policy, it is a matter of some importance in determining its applicability to any particular state of facts that we shall know a little more definitely than the average American, even though well informed upon other subjects, seems to be as to what the so-called Monroe doctrine actually is.

It might be well to state at the outset that the Monroe doctrine is entirely without the sanction of any direct legislation to give it any binding force. It stands to-day, as it has stood for the last seventy-five years, the expression of a national sentiment, the avowal of a national purpose, the indication of a national determination. But Congress has not, by either statutory enactment or by resolution, during all these seventy-five years, specifically enunciated the Monroe doctrine as a part of the law of the land, although the attempt has been made several times without success, nor has it ever been recognized as a principle of international law by foreign nations.

It was the offspring of an emergency, or, rather, of two emergencies which came so close together and were of so similar a character that President Monroe combined the utterances upon both in his same annual message delivered to Congress December 2, 1823.

It may conduce to a clearer understanding of the language of his message, so far as it enunciates this doctrine, for me to briefly outline the historical events which led to its announcement.

THE ORIGIN OF THE MONROE DOCTRINE.

In 1823 the western coast of North America was an almost unknown land to the civilized world. By treaty with France and Spain and by the explorations of Lewis and Clark we had extended our territory westward from the 13 original colonies with their adjacent possessions east of the Mississippi River until the western boundary included a portion of the present States of Washington and Oregon. The coast south of Oregon was still a portion of the Mexican territory. To the north of Washington Great Britain had already laid claim by reason of discovery, and Russia had already advanced a similar claim to the right of discovery in colonizing other portions to the Pacific coast of the northern continent.

These claims of Russia, Great Britain, and the United States overlapped upon each other, and threatened to involve the three countries in a controversy that would result in war. The actual boundaries of the possessions of the three nations, although not accurately determined, were still in a general way fairly well recognized.

President Monroe, in order to forestall the planting of colonies within any portion of the territory bordering upon the Pacific which then belonged to the United States or was likely ultimately to become a portion of it, announced the views of this Government upon the subject in the following language:

> At the proposal of the Russian Imperial Government, made through the minister of the Emperor residing here, a full power and instructions have been transmitted to the minister of the United States at St. Petersburg to arrange by amicable negotiation the respective rights and interests of the two nations on the northwest coast of this continent. A similar proposal had been made by His Imperial Majesty to the Government of Great Britain, which has likewise been acceded to. The Government of the United States has been desirous by this friendly proceeding of manifesting the great value which they have invariably attached to the friendship of the Emperor and their solicitude to cultivate the best understanding with his Government. In the discussions to which this interest has given rise and in the arrangements by which they may terminate the occasion has been judged proper for asserting, as a principle in which the rights and interests of the United States are involved, that the American continents, by the free and independent condition which they have assumed and maintain, are henceforth not to be considered as subjects for future colonization by any European powers.

The commissions referred to adjusted this controversy satisfactorily, and the emergency which had given rise to the declaration of President Monroe passed away. No similar occasion has since arisen for its reannouncement, and this clause of the Monroe doctrine may be considered as a dead letter at the present time, for the reason that no nation would think of putting forth a claim to any portion of the continent by reason of prior discovery or make an attempt to establish colonies thereon. It may therefore be dismissed without further consideration.

The other two clauses of the Monroe doctrine grew out of a different state of facts.

THE HOLY ALLIANCE.

The balance of power in Europe which originated in the attempt made by France under Richelieu to maintain its supremacy over Austria in the affairs of Europe was rudely shattered by the schemes of conquest which Napoleon Bonaparte was able to carry out so successfully for awhile. He broke the balance of power by practically absorbing all of Europe except Great Britain and Russia in the Empire of France. With his downfall and immediately afterwards a so-called Holy Alliance of the three great powers, Austria, Prussia, and Russia, was established, following the treaty of Chaumont. The purpose of this alliance, as it was announced shortly after, was to intrust in the great powers named therein the right to settle all European questions, and was afterwards extended to nullify all reforms which had been effected by insurrection against the authority of any of these powers and to suppress any institutions or governments whose existence might be attended with danger to the rest of Europe.

Under the authority of this "concert of Europe," as it was called, or the Holy Alliance, Austria had suppressed popular uprisings in Naples and Piedmont; the house of Bourbon had been restored to the throne of Spain; a revolt of the Spanish people had ensued, and France, with the approval of the Holy Alliance, had marched her armies into the peninsula, triumphantly suppressed the will of the people, and restored the Bourbon monarchy.

The former colonies of Spain in South and Central America had but recently revolted and established their independence. It was well understood that when the Holy Alliance should have coerced the rest of Europe into the adoption of their system and the recognition of the divine right of kings, its next step would be to restore to Spain these South American colonies. These colonies had all been recognized as free and independent governments by the United States, and diplomatic representatives had been exchanged between our Government and theirs. We had maintained an absolute neutrality so long as they were struggling for existence, but when the time came which demonstrated, as it has recently in the case of Cuba, the inability of Spain to recover her control of the colonies and the ability of the colonies to maintain their own independent government, a ready recognition had been extended to them by the United States, who welcomed them into the great family of nations.

Up to this point and so long as the object of the alliance was limited to the suppression of republican institutions in Europe and the restoration of the old order of things, which had existed

prior to the Napoleonic wars, England, as one of the five great powers, had readily acquiesced in and sanctioned what had been done. But when it became a question of the interference of European nations with the governments established on the Western Continents with the possibility of all this immense territory which had been wrested from Spain being returned to her, England, or more properly Great Britain, became alarmed. The establishment of this vast power which was most certain to receive the sympathy and support of all the continental portion of Europe was looked upon by her as a coming menace to her possessions in Canada and the other provinces of North America which could never arise if the lately established governments in South and Central America were permitted to exist.

THE MONROE DOCTRINE SUGGESTED BY GREAT BRITAIN.

Accordingly we find that the British minister of foreign affairs, Mr. Canning, called the attention of our minister to England, Mr. Rush, to the threatened danger, and proposed that England and the United States should jointly declare against this proposed intrusion of the Holy Alliance into the Western Continent. Our minister, Mr. Rush, immediately communicated the proposition to President Monroe. The latter, while tolerably well determined in his own mind as to the course to be pursued, felt, however, that it involved a question of so much importance and fraught with so momentous responsibility that his judgment should be reenforced by that of others in whom he placed the utmost confidence. He accordingly referred the matter to Thomas Jefferson and James Madison for their consideration and advice.

VIEWS OF JEFFERSON AND MADISON.

As throwing light not only upon the subject before us, but as indicating the wonderful, almost prophetic, discernment of Jefferson concerning the future of Cuba and the possibility of an Anglo-American alliance, which has recently attracted so much attention, I can not refrain from quoting a part of Jefferson's reply in his exact language. He said:

> The question presented by the letters you have sent me is the most momentous which has ever been offered to my contemplation since that of independence that made us a nation; this sets our compass and points the course which we are to steer through the ocean of time opening on our view, and never could we embark on it under circumstances more auspicious. Our first and fundamental maxim should be never to entangle ourselves in the broils of Europe; our second, never to suffer Europe to meddle in cis-Atlantic affairs. America, North and South, has a set of interests distinct from those of Europe and peculiarly her own. She should therefore have a system of her own, separate and apart from that of Europe. While the last is laboring to become the domicile of despotism, our endeavor should surely be to make our hemisphere that of freedom. One nation, most of all, could disturb us in this pursuit; she now offers to lead, aid, and accompany us in it. By acceding to her proposition we detach her from the hand of despots, bring her mighty weight into the scale of free government, and emancipate at one stroke a whole continent which might otherwise linger along in doubt and difficulty.
>
> Great Britain is the nation which can do us the most harm of any one or all on earth, and with her on our side we need not fear the whole world. With her, then, we should the most sedulously nourish a cordial friendship, and nothing would tend more to knit our affections than to be fighting once more side by side in the same cause. Not that I would purchase even her amity at the price of taking part in her wars. But the war in which the present proposition might engage us, should that be its consequence, is not her war, but ours. Its object is to introduce and to establish the American system of ousting from our land all foreign nations, of never permitting the powers of Europe to intermeddle with the affairs of our nation. It is to maintain our own principles, not to depart from it. And if, to facilitate this, we can effect a division in the body of European powers and draw over to our side its most popular member, surely we should do it.
>
> But I am clearly of Mr. Canning's opinion that it will prevent war instead of provoking it. With Great Britain withdrawn from their scale and shifted into that of our two continents, all Europe combined would not dare to risk war. Nor is the occasion to be slighted which this proposition offers of declaring our protest against the atrocious violation of the rights of nations by the interference of any one in the internal affairs of another, so flagitiously begun by Bonaparte and now continued by the equally lawless alliance calling itself holy.
>
> But we have first to ask ourselves a question. Do we wish to acquire to our confederacy any one or more of the Spanish provinces? I candidly confess that I have ever looked on Cuba as the most interesting addition which could ever be made to our system of States. The control which, with Florida Point, this island would give us over the Gulf of Mexico and the countries and the isthmus bordering on it, as well as all those whose waters flow into it, would fill up the measure of our political well-being.
>
> Yet, as I am sensible that this can never be obtained, even with her own consent, but by war, and as her independence, which is our second interest, and especially her independence of England, can be secured without it, I have no hesitation at abandoning my first wish to future chances and accepting its independence with peace and the friendship of England rather than its association at the expense of a war and her enmity. I could honestly, therefore, join in the declaration proposed, that we aim not at the acquisition of any of these possessions, that we will not stand in the way of any amicable arrangement between them and the mother country, but that we will oppose with all our means the forcible interposition of any other power, either as auxiliary, stipendiary, or under any other form or pretext, and most especially their transfer to any power by conquest, cession, or acquisition in any other way.

Madison replied in a similar manner, although he took occasion to express as his opinion that Canning was not actuated by any desire to advance the cause of liberty, but rather by the desire to preserve the possessions of Great Britain free from the threat of foreign interference.

THE DOCTRINE STATED.

The opinions of these two eminent statesmen so thoroughly coincided with that of President Monroe that he no longer hesitated to incorporate a statement of these views in his coming annual message. He did this in the following language:

> The political system of the allied powers is essentially different in this respect from that of America. This difference proceeds from that which exists in their respective governments; and to the defense of our own, which has been achieved by the loss of so much blood and treasure and matured by the wisdom of their most enlightened citizens, and under which we have enjoyed unexampled felicity, the whole nation is devoted. We owe it, therefore, to candor and to the amicable relations existing between the United States and those powers to declare that we should consider any attempt on their part to extend their system to any portion of this hemisphere as dangerous to our peace and safety. With the existing colonies or dependencies of any European power we have not interfered and shall not interfere. But with the governments who have declared their independence and maintained it, and whose independence we have on great consideration and on just principles acknowledged, we could not view any interposition for the purpose of oppressing them or controlling in any other manner their destiny by any European power in any other light than as the manifestation of an unfriendly disposition toward the United States.

The immediate result of this declaration was the abandonment of the attempt of the Holy Alliance to interfere with the rights or independence of the Spanish-American government.

THE PANAMA CONVENTION.

The first occasion which presented itself after this memorable declaration was issued to construe its full meaning by those who had been most active in its preparation and indorsement grew out of a request for a joint conference of representatives of all the Spanish-American republics to be held at Panama in 1826. To this conference the United States was invited to send a representative. Among the topics which it was officially announced were to be discussed was that of opposition to colonization in America, and also the establishment of what was called a continental system, the object of which was to unite in a common league or alliance all of the governments of the Western Continent for the purpose of resisting the interference of European nations in behalf of Spain in her attempt to reduce her former colonies to submission.

The Official Gazette of Colombia announced as one of the topics to be discussed:

> To take into consideration the means of making effectual the declaration of the President of the United States respecting any ulterior design of a foreign power to colonize any portion of this continent, and also the means of resisting all interference from abroad with the domestic concerns of the American governments.

At the time this proposition was submitted to the United States Government John Quincy Adams, who had been Secretary of State under Monroe, had succeeded to the Presidency. Adams, as a Cabinet officer of his predecessor, had himself suggested and even furnished the language in which the Monroe doctrine so called was declared. He was undoubtedly in thorough sympathy with that doctrine, and in his annual message of December 6, 1825, announced the acceptance of the invitation to this conference and stated that commissioners from the United States would be authorized to attend the conference and to take such part in it as might be compatible with the neutrality which it was the intention of the American States to maintain.

This was followed by a special message to the Senate upon the same subject, dated the 26th of December, 1825. In this the President took occasion to disclaim any intention on the part of the United States of taking part in any deliberations of a belligerent character and announced that the motives of the attendance of our representatives at this Panama Congress was "neither to contract alliances nor to engage in any undertaking or project importing hostilities to any other nation."

After commenting rather pointedly upon the fact that these various Spanish-American States had stipulated with Spain for certain special privileges and concessions in the way of trade regulations, and had also established duties and impositions operating unfavorably to the United States as compared with European nations, he gave them distinctly to understand that it was not the purpose of the United States to interfere with every quarrel that might arise between these Spanish-American Governments and any other nation of Europe, nor was it the intention of our Government to allow them to sit down supinely, making no effort to defend themselves and looking to the United States solely for protection against foreign aggression. His language was as follows:

> An agreement between all the nations represented at the meeting that each will guard by its own means against the establishment of any future European colony within its borders may be found advisable. This was more than two years since announced by my predecessor to the world as a principle resulting from the emancipation of both the American continents. It may be so developed to the new southern nations that they will all feel it as an essential appendage to their independence.

This was followed by an admirable address sent to the House of Representatives on March 15, 1826, in response to an inquiry as to the purposes of the Panama Congress, to which the President, with the consent of the Senate, had already appointed its commissioners. This address would well repay its complete quotation, but the purposes of this paper and the limit of time at my disposal will prevent my using more than one brief citation. After referring to the interest which our own Government had taken in the

establishment of the independent Governments of South and Central America, and alluding to the friendly relations which had already grown up between the new governments and our own, he referred to the objection which had been urged to the appointment of the commission, on the ground that it would stir up the antagonism of European nations, in the following patriotic language:

To the question which may be asked, Whether this meeting and the principles which may be adjusted and settled by it as rules of intercourse between the American nations may not give umbrage to the Holy League of European powers or offense to Spain, it is deemed a sufficient answer that our attendance at Panama can give no just cause of umbrage or offense to either, and that the United States will stipulate nothing there which can give such cause. Here the right of inquiry into our purposes and measures must stop. The Holy League of Europe itself was formed without inquiring of the United States whether it would or would not give umbrage to them. The fear of giving umbrage to the Holy League of Europe was urged as a motive for denying to the American nations the acknowledgment of their independence. That it would be viewed by Spain as hostility to her was not only urged, but directly declared by herself. The Congress and Administration of that day consulted their rights and duties, and not their fears. Fully determined to give no needless displeasure to any foreign power, the United States can estimate the probability of their giving it only by the right which any foreign State could have to take it from their measures. Neither the representation of the United States at Panama nor any measure to which their assent may be yielded there will give to the Holy League or any of its members, nor to Spain, the right to take offense; for the rest, the United States must still, as heretofore, take counsel from their duties, rather than from their fears.

CONTROL OVER A PANAMA CANAL.

The next important occasion on which the Monroe doctrine was placed in issue was in regard to the proposed control over an interoceanic canal across the Isthmus of Panama by certain of the European nations. Our Secretary of State, Mr. Frelinghuysen, said, in a letter to the British minister in relation to the assumption of a joint control or a protectorate by several powers over such canal in case it should be constructed, that the President would not consent to or look with indifference upon such an intervention in American affairs; that such a protectorate by European nations over the Isthmus transit would be in conflict with the American doctrine many years asserted by distinguished citizens, believed in by the people, and approved by Great Britain, and that a protectorate over the proposed canal would seriously affect and threaten our political interests.

It was again made the subject of expression by Blaine while Secretary of State in connection with certain provisions of the Clayton-Bulwer treaty which seemed to permit the occupancy of territory in Nicaragua by Great Britain, and Blaine, in his vigorous style, condemned these provisions as contrary to the Monroe doctrine, and they have since been repudiated.

THE INTERFERENCE OF THE FRENCH IN MEXICO.

The attempt of the French Government during our civil war to interfere in the affairs of Mexico, overturn its existing Government, and place the unfortunate Maximilian upon the throne of a kingdom dominated by foreign influence, led to a most vigorous protest on the part of this Government and ultimately toward the movement of troops toward the Mexican frontier for the enforcement of our demand for recognition of the principle of the Monroe doctrine as applied to the condition of affairs then existing. Bloodshed was averted by the withdrawal of the French forces, but the very fact of this peaceable yielding on the part of France to our demands was itself a practical acknowledgment of the justice of the doctrine.

THE VENEZUELA BOUNDARY DISPUTE.

Finally, to bring the doctrine down to its latest episode, we must refer to the Venezuelan boundary question, which threatened serious complications between this Government and Great Britain during the Cleveland Administration. This dispute is of so recent a date that you are no doubt all familiar with its details. It grew out of the attempt of Great Britain to extend her possessions in her colony of Guiana into territory claimed by Venezuela as her own. There was an overlapping of the two claims. The disputed territory, while small in area, was important and valuable to either country by reason of rich deposits of gold and other minerals contained therein. Great Britain, with her usual policy of enforcing her demands by her military and naval strength, was proposing to take possession of this territory against what seemed to our Government to be at least an unsettled and disputed claim of Venezuela which appeared to be just and equitable. The United States assumed the part of an intermediator as between the greater and the weaker power and succeeded in obtaining the consent to the appointment of arbitrators to settle the disputed boundary. This commission is still in existence, and we have no reason to doubt that its findings will be submitted to by both of the Governments interested.

Thus we have brought in a hurried manner the discussion of the Monroe doctrine and the various cases in which it has arisen down to the present time. It would appear plain, it seems, that this doctrine is one which grew out of the demand for self-protection of our country against European encroachments. A portion of it has undoubtedly become obsolete, for the reason that we can conceive of no case arising in the future to which the clause in relation to colonization will apply; and as to the other portion of it, it is equally clear that it applies only to the conduct of affairs in this Western Hemisphere, and in no way affects the policy of our Government in relation to our interference in the affairs of other nations, either in this hemisphere or the other. It in no way affects the right of this Government to acquire and hold as the legitimate fruits of war any of the territory we have captured from Spain in our recent war, and any attempt to cite the Monroe doctrine as an estoppel to our right of expansion in any direction or to any extent is an extension of that doctrine not warranted either by the occasion which gave rise to its enunciation, the historical precedents in which it has been applied and enforced, or by any authority vested in the President or in Congress to curtail the inherent rights of sovereignty possessed by every independent nation, and one of the attributes of which is the right to acquire territory, without limit as to extent, location, or character, either by purchase, cession, voluntary annexation, or by treaty as a result of conquest.

THE RESULTS OF A WAR MAY DIFFER FROM THOSE EXPECTED.

It is no answer to this to assert that the war with Spain was founded upon a humanitarian basis and was solely to put an end to the barbarities practiced upon the inhabitants of Cuba, and that the nation had no thought of the acquisition of territory as the result of that war.

Few wars in history have worked out precisely the end in view at the time they were begun. Two striking instances of this are recorded in our own annals. It is well known that the Revolutionary war was inaugurated with no thought of an absolute separation of the colonies from the mother country. Its purpose was to secure a redress of wrongs and a reformation of the colonial government.

It was with hesitation and reluctance that the statesmen of that day reached the conclusion that the only remedy for existing evils was a complete independence, and that conclusion was reached only after the actual war had been in progress many months. The result was unforeseen when the minute men at Lexington and the yeomanry at Bunker Hill sounded the first tocsins of war. Yet none the less we accepted the destiny that was mapped out for us and became an independent people.

The civil war was waged for the preservation of the Union. There was little or no thought of destroying the institution of slavery, and had the North triumphed in a few decisive battles at its outbreak and won a peace before the issue of the emancipation proclamation, its end would have been accomplished without resulting in the breaking of the shackles which fettered the limbs of the colored people of the South. Thus the actual purposes for which a war may be inaugurated and the results which may come from that war are sometimes widely diverse. But whatever may have been the motive which fires the first gun in deadly conflict, the responsibility of accepting its results rests equally upon the victor and the vanquished. We, as the victors in the recent struggle, can not shirk, even if we would, the duties which it has imposed upon us. We owe a duty to ourselves, to the inhabitants of the conquered land, and to the world at large, and this duty we are ready to assume and to perform with that same faith in republican institutions, that same love for human freedom, and that same trust in Divine Providence which has shaped our course as a nation during our century and a quarter of existence.

There are conscientious men, no doubt many of them, who look with foreboding on the new departure upon which we seem about to enter. They decry what they style the spirit of imperialism which has seized upon the nation; they point out that we are departing from the teachings of the father of the Republic; they would circumscribe our energies to the confines of this continent; they opposed, sincerely, I believe, many of them, the acquisition of Hawaii; they demur to the retention of Porto Rico; they lift a finger of warning against the hoped for and expected request of Cuba to come into our Union; they speak in tones of dread of the retention of a part or all of the Philippines; they would have us turn back the dial of time six months in the history of the world and surrender to Spain her conquered islands.

THE OBJECTIONS TO EXPANSION ARE NOT NEW.

The same opposition and the same voices of warning were raised at each accession of territory which came to us, whether by purchase or conquest, from the time we were but the thirteen original colonies. The purchase of Florida and of the Louisiana Territory, the accession of Texas, and the territory obtained from Mexico, all found ready opposition on the part of those who were opposed to expansion. And yet, when we look over this vast expanse of acquired territory, with its millions of happy and prosperous human beings breathing in the pure atmosphere of freedom under the benign influences of the American Constitution, how false have proven these prophecies of disaster. Our whole history has been one of expansion.

The words of Washington in his Farewell Address are entitled to the reverent admiration of every American citizen. Construed as they should be with reference to the conditions which existed

at the time he gave them to the world, and with the announced purpose of preserving our country from entangling alliances with European nations until we should be strong enough to stand alone in defense of our rights and liberties, they were the wisest utterances of his time. But a hundred years have wrought a mighty change in the world. We are no longer a weak and struggling people, fearful lest the liberties which we had acquired at the cost of so much blood and treasure should be snatched from us by a powerful foe. We stand to-day a mighty nation, the mightiest, in many respects, of any on earth.

We need no alliances for our own protection; we will make none to our detriment. That Providence which shapes the ends of nations as of men is working out for us a future of which we had but little thought a few short months ago. In the language of Jefferson already quoted, the war, the events of which have forced themselves so rapidly upon us, "sets our compass and points the course which we are to steer in the ocean of time opening on our view." We, as a Christian nation, look forward to the coming of that millennium when all the world shall be at peace, and those who look justly upon the grave and momentous questions that confront us can not but feel that as the chosen instruments of this Divine plan we are most surely and most certainly bringing nearer to its realization the promise of this day of peace by extending to the suffering and oppressed of foreign countries the beneficent influences of American civilization and the genius of our free institutions.

WE CAN TRUST THE PRESENT EXECUTIVE.

We have to-day in the Executive Mansion at Washington a man of the purest and loftiest type of patriotism, a Christian gentleman, a statesman the equal of any that the history of our country has known, conservative yet progressive; a man to whom justice and honor, personal and official, are the guiding stars of his conduct; a man who, whilst reverencing the traditions of the fathers, is wise enough to recognize the fact that the world is moving on, and that new conditions impose new obligations and demand the performance of new duties. Let us, then, as good, patriotic American citizens, trust to that wisdom, conservatism, and patriotism which have ever distinguished his course in public affairs and uphold his hands in the discharge of the trying duties that we have devolved upon our honored President, William McKinley.

I have thus briefly sketched the Monroe doctrine of the past and of the present. But what of the future? The doctrine of the past was one suited to our conditions as a weak and timid nation. The Monroe doctrine of the present, as applied to the Venezuela case and announced to the strongest nation on earth, is the sentiment of a nation self-reliant, mature in experience and development, fearing no opposition when assured of the justice of its cause, counting no odds too great, courting no alliance, but ready and willing, if necessary, to submit even to the final arbitrament of the sword the justice of its cause and its right to protect not only itself but its weaker neighbors from the rapacity and encroachment of other nations.

Mr. HULL. Mr. Chairman, I yield twenty minutes to my colleague from Iowa [Mr. HEPBURN].

Mr. HEPBURN. Mr. Chairman, the objections offered to the pending bill are somewhat various. One gentleman objects to it because he says that it raises a standing army that is to be used—to quote him literally—"to shoot labor in the back." Another one tells us it is to be used to subvert human liberty in the Republic. Another tells us it is to be used to rewrite the Declaration of Independence, to make a new Constitution, from which we shall leave out all reference to liberty, equality of human rights, the doctrine that governments derive their just powers from the consent of the governed, and to start out upon a mission of hostility to all the world that differ from us in form of government and to begin wars of subjugation and territorial expansion.

These gentlemen who fear that this measure proposes to shoot labor in the back fail, it seems to me, to realize of whom this army is to be composed, from where they come, or that there is an army of laborers, 23,000,000 in number, of men, women, and youths, who are to be shot in the back. Why, Mr. Chairman, where will this army come from? From the homes and the firesides of this land. They are to be citizens of the United States; they are to be men who have learned the lessons of liberty from liberty-loving fathers and mothers; they are to come from the great labor fields in the United States; they are to be recruited from this great army of 23,000,000 people. Are they by their mere enlistment to be changed in nature at once? Are they at once to learn to hate the liberty they have always been taught to love? Are they to become enemies of the class from which they sprang? Are they to assail their fathers, mothers, brothers, and sisters that are now in the labor field and who it is said they are to "shoot in the back?" No man believes that, in my humble judgment. It is but the catchword of those who are seizing upon this opportunity to bolster up the falling fortunes of a decaying political party. [Applause on the Republican side.]

Mr. Chairman, gentlemen have quoted illustrious names, and chief of them that of Thomas Jefferson, as unalterably opposed to a large standing army. Gentlemen must remember that when we have secured 100,000 men our standing army will not be larger in proportion to our area, in proportion to our population, in proportion to our necessities than was the standing army of which Thomas Jefferson was the advocate, and that he aided as Chief Executive of this nation in raising, and which he commanded as Commander in Chief. I suppose that when he indulged in the utterance he had in his mind that the Army must have proper relation to the wants and the interests of the country. And I can not see that this Army that we propose will be disproportionate to the one that he thought in his judgment was ample, and only ample, for the needs of the people, when we had 5,000,000 people the day he was inaugurated President of the United States.

Then we had 5,000,000; now we have 75,000,000 people. Then we had 800,000 square miles of territory; now more than 4,000,000 square miles of territory. Then there was not a settlement beyond the Mississippi River; now there are great States, an empire that he never even dreamed of when most hopeful for the future of his country. Gentlemen have made this the occasion of an assault on the President of the United States in his administration of this Government during the last year I think unfairly; I think without the candor that ought to have been theirs on a grave occasion like this. They have said that the President of the United States had pressed a war upon the liberty of the people of the Philippine Islands; that he pressed a war of conquest; that he had departed from those pledges that the nation made a year ago when we entered upon the war with Spain. I believe those charges to be unjust.

Mr. Chairman, we ought to discriminate, it seems to me, between the purpose of the war with Spain and some of the results of the war with Spain. Gentlemen tell us that we are about to take the territory of the Philippines. Ah, not so. Dewey took that territory on the 1st of May last. [Applause.] Dewey created the situation that exists to-day. It is not for the President to create a new situation, a new condition, but to deal with the one that came in the natural progress of events that we all hoped for. Every gentleman upon that side of the House hoped that we might be successful in our war with Spain. National pride, love of country, love for those that constituted our gallant Army and our Navy, compelled them to hope that victory would come to us, that we would overcome our enemy.

How was that to be done? How? Only in three ways: Overcoming his military forces, destroying his revenues, or capturing or conquering his territory—the three objects of war, the only means by which we can assail the enemy, each legitimate and each right. When we entered upon that war every patriot hoped that we would overcome the military power of the enemy; every one hoped that we would be able to cripple their revenues; every one hoped we would occupy their territory, and that we would be the conquerors of more or less of their domain. Did you not? You anticipated that? Surely as patriots you must.

Now, just what you expected came. And you now say that the declarations that we made in regard to Cuba, the object of the war, shall be applied to all of the results of the war. There is no pledge of that kind. That territory is ours. It is ours by the right of conquest; it is ours by the laws of nations; it is our property. We can invest, when we please, in the good time that we may determine, the independence of that territory of ours with just such political rights as we choose. It is for us to determine—the Congress—and not the President of the United States. He simply, in his connection with them, is the Commander in Chief. It is for this body, and the one at the other end of the Capitol, to inaugurate the policies that shall determine the political rights of the people that are now occupying our territory.

But, gentlemen say—and here is where the greatest unfairness has been manifested—they say that the President is now inaugurating a rule of conquest; that he is going to rewrite the Declaration of Independence; that he is going to deprive certain people of their liberties. When you ask them for the proof, they say to us, "Did he not, in a speech recently made, state that 'the American flag had been planted in two hemispheres, who will take it down?'" And, therefore, they argue, that the flag is there to be maintained by force, against the will of the people, in subversion of liberty, and out of harmony with the declaration which we have heretofore made in our Constitution, in our State and national bill of rights, and in the Declaration of Independence.

Ah, Mr. Chairman, it is most unfair, unfair to charge the President of the United States with a crime against liberty and then pretend to prove it in the way you have. What do we, as practicing lawyers, say of that man who will assume to read to the court an authority, and garble it, read a sentence here, leaving out connecting explanatory sentences, give it a meaning not intended? We brand him as a shyster, and where the bar is self-respecting, we drive him from it, condemned as unworthy of the confidence, respect, and association of decent practitioners. Let

me suggest the correct reading of that quotation. The President says:

> That flag has been planted in two hemispheres, and there it remains, the symbol of liberty and law, of peace and progress. Who will withdraw from the people over whom it floats its protecting folds? Will the people of the South help to haul it down?

[Great applause on the Republican side.]

That is what the President said; that is the declaration and his inquiry. There the flag is planted over these people, symbolizing to them that they are now entering upon a new existence of liberty, law, of peace and progress. Yet gentlemen here of his own party, who helped to elect him, who heretofore have given adhesion to their belief in his integrity and his statesmanship, garble that quotation, garble it, I say, for the purpose of sustaining a statement that it is his purpose to overthrow the liberty, to do away with the peace, to check the progress, to take from these people the benefits of the war. Shame on the cause, shame on the man, that needs to bolster up a cause by such misrepresentation.

Nothing that the President has done, nothing that he has said, justifies this assault. Nor has anything been done or said that justifies any gentleman in believing that the majority propose, when the proper time comes in their treatment of that people, to do other than that which we propose to extend to those who live nearer to our shores.

We have said that—

> The United States disclaims any disposition or intention to exercise sovereignty, jurisdiction, or control over Cuba except for the pacification thereof, and asserts its determination, when that is accomplished, to leave the government and control of the island to the people.

Who doubts that that is the purpose of the Administration? Who believes that there exists in the minds of any considerable number of people in the United States a thought other than that of giving them pacification, giving them opportunity to establish order and law under such a form of government, and with proper safeguards to liberty, as they choose. And that will be the time, I will say to my friend from Tennessee, when we should "sail away."

Why should we not pursue precisely the same course toward the people of the Philippine Islands? There is much more of interest to us in seeking the immediate and forceful annexation of Cuba than there is in seeking it in those distant seas. We need probably coaling stations for the purpose of aiding our expanding commerce. Is there any gentleman that asks for more? We shall, I doubt not, true to all the traditions marked out for ourselves, pursue in their case the same course that we marked out for the people of Cuba. We will pacify their disorders; we will expel anarchy; we will give the people an opportunity to express their wishes—to form a purpose and then to form a government—and when they are self-sustaining and self-supporting, when they are able to maintain the government they have erected, then will be the time for us to "sail away" from Manila, and not till then. [Loud applause.]

[Here the hammer fell.]

Mr. HULL. I yield fifteen minutes to the gentleman from Oregon [Mr. TONGUE].

Mr. TONGUE. Mr. Chairman, the responsibility for the unusual conditions that now confront us can be charged or credited to no one branch of the Government, to neither House of Congress, to no section of the country, to no political organization. There was a time when the preservation of peace seemed to be in the hands of the President. Again, the question of peace or war between Spain and our own people seemed to be in the keeping of Congress. But there came a time when neither the President, nor the Senate, nor this House, nor all combined, could have prevented the conflict between the armies of Spain and the people of the United States. When the long career of Spanish cruelty, oppression, and bloodshed culminated in the destruction of the *Maine* and the murder of American sailors on a mission of peace and friendship, no human power could have stayed the hand of vengeance, or could have prevented the American people from meting out adequate justice and retribution for the greatest crime of the century.

The duty of the President and Congress became merely that of furnishing money and leadership for the prosecution of a war that could not be avoided or delayed. The successful termination of this conflict has changed our attitude to Spain. While at peace we demanded only the relinquishment of Spanish sovereignty over Cuba. Victory entitles us to demand not only this, but compensation for the sacrifice in bloodand treasure the conflict has entailed upon us. With victory has come duties and responsibilities that it would be cowardly to evade, opportunities that it would be criminal to neglect. Let us consider them as we did the declaration of war—as Americans, without sectional, partisan, or personal bitterness.

But, Mr. Chairman, in the storm and tumult of discussion of these questions growing out of the annexation of territory, whither are we drifting? Would it not be well to inspect the compass and take our bearings? Is it profitable to indulge so much in speculation about future problems rather than those demanding present attention and present action? Why attempt to surmount difficulties that will never arise? Why assume and discuss conditions that do not, that never will exist? Why conjure up an imaginary tyranny to be erected and maintained by the American people, which every lover of freedom knows never will be constructed or tolerated by freemen? Are there not enough present duties to perform, questions to settle, and difficulties to surmount now, today, and during this Congress? We know too little of existing conditions, the capacities or will of the people, to determine upon a plan of future government for the people of the islands.

It was contended yesterday by the gentleman from Indiana that the inhabitants of the Philippine Islands have in operation a full government—executive, legislative, and judicial—of their own selection. I do not know that such a government exists. I do not believe that it exists. Had opportunity been given, I should have liked to ask the gentleman some questions, and obtain, if possible, some information upon that subject. But the distinguished gentleman's desire to question others, and to dictate the form of their answers to his own questions, was exceeded only by his eagerness to evade being questioned himself. I trust that gentleman will yet inform the House and country who provided for this election? When and where was it had? Under whose control? Upon how much, and what kind of notice? What was the qualification for exercising the right of suffrage? Who and how many were the electors? How were the ballots taken? How and by whom counted? Of the eight or ten millions of people inhabiting those islands, how many voted? How many ballots were cast in Manila or Iloilo?

But if we know little of them, the people of the Philippine Islands know less of us; less of our institutions than we do of theirs. Not only this, but their ignorance and passions are being inflamed by fraud, by falsehood, by deceit, and by slanderers of Americans and American institutions, in the Philippine Islands, in the press there and here, and in both ends of this Capitol. On both sides, in both countries, we need more light. Our future policy in the Philippine Islands, the nature of the government we may conclude to establish, the extent of suffrage, trial by jury, questions of tariff policy, and others of like nature—all these problems will be better solved next year than now; better in two years than in one; better in three years than in two.

But what are the conditions now existing, and with which we must deal, and ought to deal at once? A few weeks ago the Philippine Islands were a part of the Spanish empire. They were as much a part of that empire as the Ladrones or Porto Rico. Spanish authority was supreme and uncontested. They were under laws enacted by Spain, administered by Spaniards. They knew no other laws, no other authorities. American arms and courage in the shock of battle changed these conditions and broke the power of Spain. We destroyed the only recognized government in the Philippine Islands, the only government that those people have known or recognized for centuries. The cannons of Dewey and Otis repealed every law, disarmed every officer, and removed the last vestige of every lawful authority but our own. We have destroyed the only power, the only government, the only authority that did or could furnish protection to person or property.

Now, what shall we do? Not next year, or in ten years, but now, in this Congress? Shall we leave them to anarchy or their own fierce contentions? Shall we stand aloof while the civilization, the wealth, and the intelligence in the cities shall be engaged in a bloody contest for existence and life with barbarous hordes from the mountains? Where would it end? Who would eventually be supreme? Of the vast number of tribes likely to contend for supremacy which will be the victor? Which will ultimately control the fortunes of the islands? Or are we to leave these islands "a derelict in the ocean," a prize to be contended for either in the market or in the arena of armed conflict between the powers of Europe?

Those who talk of Philippine independence must remember that the Filipinos have not won independence. Without the ratification of the Spanish-American treaty and the payment of American money, the sovereignty of Spain in those islands will not be relinquished, but will be reasserted. All of Spanish pride, of Spanish interest, of Spanish cruelty will be aroused for the subjugation of those islands. Shall we who waged the late war because the tyranny of Spain in Cuba could no longer be endured subject the Philippine islands to unrestricted exercise of Spanish cruelty, of Spanish tyranny, and of unchecked Weylerism? Shall we withdraw our forces and witness there the repetition of the butchery and starvation, the untold and indescribable cruelty, that marked the bloody history of Spanish rule in Spain?

If Spain is unable to subjugate them, is it to be doubted for one moment that she would procure foreign assistance, either by ceding a portion of the islands or by selling the entire group to some foreign power that would conquer and subjugate them? Is it in the interest of humanity that we are to assist in bringing about

any of these conditions? Who can tell the results of such a conflict? How will it affect the islands? How will it affect other nations? How will it affect the peace of the world? What would be its result upon our own interests, upon our own trade, in Asiatic countries? Would it strengthen the policy that permits us to trade upon the same conditions with other civilized nations in China, Japan, and other Asiatic ports, or would it tend to close them against American trade and against American commerce? The consequences of any such conduct are too fearful to contemplate, and could result only in untold disaster. Every instinct of humanity, every dictate of duty to the inhabitants of those islands, to civilization, to Christianity, to humanity, and to ourselves, forbid such a course of conduct.

We can not turn these islands back to Spain. We can not permit or consent for them to be returned. We can not abandon them to a reign of anarchy, cruelty, and bloodshed more terrible even than the tyranny of Spain. We can not permit them to be the subject of competition between the powerful governments of Europe. Having destroyed the only government they had, it is our imperative duty to substitute something in its place. Having destroyed their laws, we must give them others. Having removed their protectors, we must ourselves become their protectors. We must restore order. We must establish constituted and lawful authority. We must enthrone the supremacy of the law. We must furnish protection for life, liberty, reputation, property. We must maintain a government capable of protecting not only Aguinaldo and his savages from the mountains, but civilization, intelligence, and property in the cities. This is a duty we can not escape if we would; we ought not to escape it if we could. To properly perform this duty, the authority of this Government must be asserted, maintained, and rendered supreme. Those who are opposing this are fighting not for liberty, but for anarchy and the right to plunder.

The problem now before us, pressing for immediate solution, is how to establish such a government, giving the greatest amount of protection to life, liberty, and property, with the greatest measure of personal liberty and political freedom, and as much a government by the people of the islands themselves as is consistent with the safety of all classes of the inhabitants. To the solution of this important and pressing problem there are those upon the floors of this Congress, in both ends of the Capitol, who contribute nothing but indiscreet utterances, every word of which will be paid for by the life of an American soldier at Manila.

Those gentlemen who have no words of praise for their own Government, for American institutions, American civilization, or anything American, who denounce the government to be established under Dewey and Otis as equal to the butchery and tyranny of Weyler, who describe their own Government "as a counterpart of the one of Spain, and as willing to become one of the vultures hovering around China, preparing to devour her when she becomes a carcass," who allege that we are now waging a war "to establish despotism in another country, and to destroy the liberty of its people," a war that "is a crime against liberty, and the curse of God is upon it," who are describing the government that we may establish as "a tyranny, and that rebellion against it would be a duty, and not a crime," who describe the public utterances of the Chief Magistrate of a free people as "a nasty and reeking mess that is set before us, fit only for obscene birds and beasts of prey," are lending no aid to their own Government.

On the contrary, by their intemperate speech and incendiary utterances they are encouraging and strengthening armed resistance to the lawful authority of this Government. They are furnishing hope, encouragement, and moral support to Aguinaldo and his barbarians. Their speeches are filling insurgent ranks, nerving insurgent arms, and firing insurgent hearts. They are shotting guns to be fired into the ranks of American soldiers. They are whetting knives to be plunged into American bosoms. They are preparing to make American wives widows, American mothers childless, and to slaughter the flower of American manhood in Manila.

I must insist that until we have restored order in the Philippines, until we have established some government, asserted and maintained its supremacy, until we have given to the inhabitants of those islands protection for all they have and for all they hold dear, until we have broken down armed resistance to the lawful authority of this Government, it is the duty, imperative duty, of every patriotic American citizen to stand shoulder to shoulder, side by side, in supporting the Administration in every laudable effort to bring about this result.

A prompt ratification of the treaty, a united people loyally supporting the Administration of our own country, and even now peace would prevail. An unratified treaty and divided counsels paralyze the executive arm and furnish insurgent opportunities.

Oh, but we are told, we have no right to govern these people. We have not obtained "the consent of the governed." While this question will arise hereafter, it does not arise now. We are not going to annex Cuba, but none question our right to maintain order, to establish the supremacy of law, to enforce the authority of the United States through the entire island, and to constitute and maintain a lawful government until the wishes of the Cuban people may be ascertained in an orderly, regular, and accurate manner. Shall we do less for the Filipinos? Are they more capable of organizing present government than the people in Cuba? Is Aguinaldo, who betrayed his countrymen, more statesman than Gomez and the Cuban leaders?

Have we the consent of the one more than the other? Is not our duty to one as imperative as to the other? Before the consent of the people of the Philippine Islands could be taken to anything, before their wishes could be known, order must be restored, armed resistance to constituted authority must be overcome, and the supremacy of the law must be maintained. But have we no right to govern the people of the Philippine Islands? Let us see. A few weeks ago these islands were a part of Spain. The Spanish Government was supreme; its authority was undisputed. As a part of the Spanish Empire they waged war against the United States. Oh, do not tell me that some of them did not. The constituted authorities, the people who controlled the islands and its government and its resources did, and the government of a country makes war or maintains peace and determines its attitude as a friend or enemy to other countries.

These islands furnished a basis of supplies for armed enemies. They furnished food and shelter and a harbor of refuge to a hostile fleet that threatened our commerce and the cities and trade on the Pacific coast. The Filipinos were either unwilling or unable to prevent this. We had a right to make war upon them. We had a right to capture them. We had a right to take possession of them, and we had a right to retain them as the fruits of victory. What has the consent of the governed to do in a case like this? When a hostile army or a hostile navy confronts you must you ask the enemy's consent to be conquered? After being conquered, must we ask his consent to submit to the consequences of his defeat? Must the victor ask the consent of the vanquished to settle the terms of peace and to pay the expenses of the conflict? Do we destroy civil liberty unless we ask the consent of the convicted felon to imprison him?

Have we undermined the rights of property if we enforce execution against the property of a judgment debtor? As the victors in the late war, we had a right to hold the Philippine Islands as the fruits of victory and as a compensation for our loss. And now Aguinaldo, who had sold his birthright and had become an exile for a consideration, whom we restored to the country he had sold and the people he had betrayed, proposes to slip in and appropriate to himself the fruits of our victory.

But outside of this, have we not as much the consent of the people of the islands as any annexed nation ever gave? We have the consent of the only Government in force, the only Government the people recognized, the only Government that they have known for three hundred years, the Government that exercised undisputed sway and control of every particle of civil and military authority.

Spain's title to these islands was as complete as any title she ever had to Florida or Louisiana. We dealt with the Philippine Islands as every nation deals with another nation, by dealing with the government that represents, controls, and is in the possession of the actual sovereignty. Even the Senator from Massachusetts admits that it is "impossible in dealing with a people to deal with anything but the established government." We have as much the consent of the Filipinos to administer the government over them as we have to-day the consent of the people of Alaska to administer government there. Strange uses are being made of this portion of the Declaration of Independence. A meaning is given never intended by the author of the sentiment that we now hear so often quoted.

The pilgrim fathers did not wait upon Plymouth Rock for the "consent of the governed" before taking possession of this continent. The framers of the Declaration of Independence organized a government in the Northwest Territory without consulting a single inhabitant. Men who had signed the Declaration of Independence proceeded to organize State governments, and proceeded to govern the illiterate, landless, and those who did not belong to some Christian sect, without asking their consent. Massachusetts did not ask the consent of its illiterate. Connecticut, New York, Maryland, North Carolina, South Carolina, and Pennsylvania proceeded to govern those who were without real estate without their consent.

Mississippi and other States are disfranchising large numbers, if not a majority, of their male citizens without their consent. We did not consult the inhabitants of Louisiana, of Florida, of Texas, of New Mexico, of California, of Alaska, or of the Hawaiian Islands, before annexing them. Within the memory of this generation, we expended billions of treasures and sacrificed hundreds of thousands of valuable lives to force upon the people of a part of this country a government to which they did not consent.

If this declaration means that before government can exercise its authority it must have the direct expressed consent of the governed, then there is no government on the face of the earth where this doctrine is maintained. We are governing more than one-half of the territory of the United States without ever having attempted to gain this consent.

There is not a single member upon this floor who has the expressed consent of one-fifth of the inhabitants of his district. There are 65,000,000 people in the United States who have not consented to be governed by the President of the United States or by the members of either House of this Congress. There is nowhere in the whole land a citizen of the United States who has given his expressed consent to be governed under the Constitution and laws of the United States. Some of the gentlemen who are now most solicitous that government should be "with the consent of the governed" occupy their present positions on this floor by the expressed consent of less than one-twentieth of the population of their districts. Should this spasm of virtue continue until after another election, it is difficult to predict the results upon the complexion of another Congress. This "consent of the governed" can mean nothing more than implied consent, and is generally expressed by acquiescence. In dealing with a nation we must deal with it as a unit, we must deal with it through the constituted authorities, through the de facto government in whose authority the inhabitants acquiesce. We must assume that it is with their consent, and must deal with it accordingly.

The consent of the governed must always yield for the public good and for the good of the governed themselves. We restrain the criminal and insane for the good of the public. We place a guardian over the imbecile, the dissolute, the spendthrift, for their own good. To govern with the "consent of the governed" and by the aid of the governed is an ideal that should be constantly kept in view and to which all liberty-loving nations should aspire. It is the ideal to which the American people not only aspire, but which they have more nearly approached than any other nation of ancient or modern history. To enable the American people to attain this high ideal should be the earnest desire and constant aim of every patriotic statesman and citizen. We shall abolish the prison and the asylum when there are no criminals or insane. When people cease to be imbeciles or spendthrifts or dissolute, we shall abolish their guardians.

A government by the "consent of the governed" will not attain its full perfection, a government "by the people" will not be a government by all the people, until all the people are endowed with great intelligence, are inspired by justice, devoted to humanity, possess great self-control and great capacity for self-government. Under the American flag the Filipinos will have what has been denied them for three hundred years—personal and political liberty. They will at all times have all the self-government consistent with their own freedom, their own welfare, and their own safety.

But we are told that even if we have the right so far as the Philippine Islands are concerned to annex them, this Congress has not been authorized by the American people to accept them, and that annexation is a violation of the Constitution of the United States.

I am getting wearied with this constant discussion of imaginary constitutional questions. Did the Constitution prohibit to the American people the exercise of one-half the privileges it is claimed on this floor that it prohibits, we should be a nation of slaves and serfs rather than freemen. "Unconstitutional" has lost its meaning and become "undesirable" to the unconstitutional objector. To give credence to one-half we hear, the Constitution is being violated from beginning to end about every other day in the 365 days of each year. The Constitution survived the purchase and annexation of Florida, of Alaska, of the western half of the territory of the United States, of Hawaii, and it will survive the annexation of Porto Rico, of the Ladrone Islands, and the Philippines. It seems singular that this argument should be used now. It seems still more strange that the disciples of Jefferson, the first great American annexationist, should make this contention and appeal to Moses, the first great expansionist and forcible annexationist, to support this contention. It seems still more strange that those professing adherence to the political party that since the formation of the Constitution has annexed one-half of the present territory of the United States should make this claim.

I think we are beginning to concede that the United States is a nation. It is too late now to question that doctrine. It is too firmly established. It has been sanctioned by the Supreme Court of the United States. It has been established still more firmly in the shock of battle, from whose rude decisions there is no appeal. Somewhere in this nation there is national sovereignty. There is a power to deal as a nation with other nations. The right to declare war, the right to make treaties and settle the terms of peace, is vested by the Constitution in the President and the Congress of the United States. The right of the President and Senate to make and ratify treaties with other nations is absolute and unlimited. The President and Congress are vested with full, complete, and absolute power to settle the terms of peace. They have full power, at the termination of war, to collect the expenses and costs of the conflict from the vanquished in cash or territory. The Constitution nowhere, in any manner, attempts to limit or control the exercise of this authority. This has been sanctioned by the highest judicial authority of the land on numerous occasions.

The Supreme Court of the United States, in a decision delivered by Judge Gray (in 149 U. S., page 711), decided:

> The United States are a sovereign and independent nation, and are vested by the Constitution with the entire control of international relations, and with all the powers of the Government necessary to maintain that control and to make it effective. The only government in this country which other nations recognize or treat with is the Government of the Union, and the only American flag that is known throughout the world is the flag of the United States.

To the same effect is the opinion of Judge Field (in 130 U. S., pages 603, 604, 605):

> While under our Constitution and form of government the great mass of local matters is controlled by local authorities, the United States, in their relation to foreign countries and their subjects or citizens, are one nation, invested with powers which belong to independent nations, the exercise of which can be invoked for the maintenance of its absolute independence and security throughout its entire territory.

Chief Justice Marshall delivered the opinion of the Supreme Court (in Cohens *vs.* Virginia, 6 Wheaton, 264), which decides—

> That the United States form, for many and for most important purposes, a single nation has not yet been denied. In war we are one people. In making peace we are one people. In all commercial relations we are one and the same people. In many other respects the American people are one, and the Government, which is alone capable of controlling and managing their interests in all these respects, is the Government of the Union. It is their Government, and in that character they have no other.

Justice Bradley, in delivering the opinion of the Supreme Court in Knox *vs.* Lee (12 Wall., 457), states:

> The United States is not only a Government, but it is a National Government and the only Government in this country that has the character of nationality. It is invested with power over all the foreign relations of the country—war, peace, and negotiations and intercourse with other nations—all which are forbidden to the State governments.

In the case of the American Insurance Company *vs.* Canter (1 Peter, page 511), in which Chief Justice Marshall delivered the opinion, the Supreme Court decided that:

> The Constitution of the United States confers absolutely on the Government of the Union the power of making war and of making treaties; consequently that Government possesses the power of acquiring territory either by conquest or by treaty.

Mr. Caleb Cushing, when Attorney-General of the United States, in one of his opinions gave his views upon this subject as follows:

> The power which the Constitution bestows upon the President, with advice and consent of the Senate, to make treaties is not only general and without express limitation, but it is accompanied with absolute prohibition of exercise of treaty power by the States. That is, in the matter of foreign negotiation the States have conferred the whole of their power, in other words, all the treaty powers of sovereignty, on the United States. Thus, in the present case, if the power of negotiation be not in the United States, then it exists nowhere, and one great field of international relation or negotiation and of ordinary public and private interest is closed up, as well against the United States as each and every one of the States. That is not a supposition to be accepted unless it be forced upon us by considerations of overpowering cogency. Nay, it involves political impossibility. For if one of the power functions of sovereignty be thus utterly lost to us, then the people of the United States are but incompletely sovereign, not sovereign nor in coequality of right with other admitted sovereignties of Europe and America.

Mr. Gallatin, Secretary of the Treasury under President Jefferson, wrote a letter to the President, containing the following:

> First. That the United States, as a nation, have an inherent right to acquire territory.
>
> Second. That whenever that acquisition is by treaty, the same authorities in whom the treaty-making power is vested have a constitutional right to sanction the acquisition.

Acting upon this view, the Congress of the United States authorized the acquisition of Louisiana.

Even Judge Taney, in the discarded Dred Scott decision, admits that the power in the Federal Government "to enlarge its territory and limits by the admission of new States is plainly given."

On any other principle this Government would be denied a power possessed by the smallest nations on earth. It would be powerless to purchase a coaling station, a naval station, a concession for the Nicaraguan Canal, a cable station, or a rock upon which to erect a light-house.

The practice of this Government from the time of those who made the Constitution until now has been in accordance with this power. This question has been settled too long and too uniformly to be questioned now.

But we are told we should declare our future intentions in reference to these islands. What right or power or authority have we to declare, to divine, or control the future intentions of the American people? What right or authority have we to bind the American people or their representatives at the expiration of our terms in matters that concern their own policy, and within the sphere of their own right, and aside from contracts with other people? Let the future questions be settled, as they will be settled,

by the people in authority at the time of settlement. When the people of the United States have more light, more information, know more about the Philippine Islands, their resources, their capabilities, the intentions, character, and disposition of the people, they will be much more able to determine for themselves their future intentions than we are to-day.

The gentleman from Tennessee [Mr. CARMACK] has asserted that we should turn our backs upon the Philippine Islands "and sail away and never look back." Such conduct has been characterized as it properly deserves by the gentleman from Ohio. But before he does that, let me commend to the gentleman his own utterances:

> We only ask, sir, that they shall not be cast aside without mature deliberation; that this grave step shall not be taken upon the sudden and passionate impulse of the moment. We say that it should not be done until we are in possession of all the knowledge necessary to a comprehensive survey of the problem that is before us; until with conscientious care we have sifted all the arguments for and against it; until we have scrutinized and tested all its supposed advantages and weighed them in the balance against the perils, the costs, and the consequences.

But, Mr. Chairman, should it be the deliberate judgment of the people of the United States, and the desire of the people of the Philippine Islands, that we should release our claim and give to the latter independence, now is not the time to do so. In addition to the necessity of establishing some suitable and orderly form of government, there are other matters to be considered. There must be a business settlement between them and us before we part company. We must not forget that they did not achieve their own independence; they did not throw off Spanish control; they did not extinguish Spanish sovereignty; they have not released themselves in the slightest degree from the tyranny of the Spanish yoke—if that is done, it will be by the American people, not by the Filipinos. We must remember that when Dewey entered the harbor of Manila, he found the Spanish Government in full, complete control. Its authority was undisputed and opposed by none.

Aguinaldo was an exile from his native land. His followers had been defeated, betrayed, and dispersed. The last vestige of opposition to Spanish authority had been overcome. Spanish power in Manila was shattered and finally overthrown by American soldiers, American sailors, American courage, and American heroism. If remaining Spanish sovereignty is completely and wholly released from every portion of the Philippine Islands, it will be done by American valor and the expenditure of American money. If the treaty is ratified, the United States pay for the relinquishment of this sovereignty, not only the $20,000,000 provided in the treaty, but we are accepting the relinquishment of that sovereignty in lieu of millions of dollars that we were entitled to demand as expenses of the late war.

The destruction of Spanish sovereignty, the overthrow of Spanish tyranny, the termination of centuries of Spanish cruelty in the Philippine Islands will be done, not by the inhabitants, but by the valor and expenditure of blood and treasure of the people of the United States. If we should give the Philippine Islands independence, if we should release all claim upon them, justice would require that they must reimburse us the amount those liberties have cost. The people of the United States will not consent to pay out their taxes, give the use of their armies and navies, shed the blood of their sons, and make all this a present to warring, struggling bands of savages in the Philippine Islands or elsewhere.

Another question for our consideration: Should we at some future time decide to permit the people of those islands to form an independent government, we must not only remove the sovereignty of Spain, we must not under any circumstances permit them to be annexed, to become a part of or be possessed by any other foreign power. We ought to retain, and the inhabitants of the islands ought to consent for us to retain, under any circumstances, a naval and coaling station. We ought to have such treaty relations with the islands that would authorize us to intervene and prevent the interference of any foreign power or the attempt of any foreign power to establish any dominion, to exercise any authority, to take possession or control of the islands, or any portion of them, either with or without the consent of the inhabitants.

To make such treaties and such stipulations there must be organized government. It must be organized at once. It must represent the people of all the islands, as near as that can practically be done. With whom could we now make such an agreement? From the shores of islands which we possess by such good titles, and in which we possess so many rights, costing so much of blood and treasure, we must not retreat before armed enemies, nor be driven by naked savages, even if encouraged in their insolence by members of both Houses of this Congress.

But they tell us we are going to overturn our own liberties, destroy the Constitution, endanger the perpetuity of the Union, trample under foot the unbroken precedents of the nation, and "take the Stars and Stripes down from Independence Hall!" Predictions like these have been made on the eve of every acquisition of territory by the United States. They began with the acquisition of Louisiana. It was predicted on the floors of Congress that the acquisition of Louisiana "would prove a cemetery for the bodies of our citizens." Senator Plumer, of New Hampshire, contended that to—

> admit this Western world into the Union would destroy at once the weight and importance of the Eastern cities, and compel them to establish a separate independent empire.

Senator White, of Delaware, declared:

> But as to Louisiana—this new, immense, unbounded world—if it should ever be incorporated into the Union, of which I have no idea, can only be done by amending the Constitution, I believe it will be the greatest curse that could at present befall us. It may be productive of innumerable evils, and especially of one that I fear to ever look upon. * * * Thus our citizens will be removed to the immense distance of two or three thousand miles from the capital of the Union, where they will scarcely ever feel the rays of the General Government. Their affections will become alienated. They will gradually begin to view us as strangers. They will form other commercial connections and our interests will become distinct. * * * And I do say that under existing circumstances, even supposing that this extent of territory was a desirable acquisition, $15,000,000 was a most enormous sum to give.

Upon the annexation of Texas these doleful predictions were repeated. Even statesmen like John Quincy Adams declared that—

> Annexation would be identical with dissolution. It would be a violation of the natural compact. * * * It would eventually result in a dissolution of the Union.

These evil predictions failed of fulfillment. Every acquisition of territory by the United States has proved a blessing, not a curse. It has added to our national resources, our national wealth, our national power, and national liberties. It is the source of our present position amongst the civilized nations of the earth. Among the gentlemen who oppose the annexation of the Philippine Islands there is not a single one who would be willing to relinquish a foot of territory that the United States has ever acquired. All of our great gold mines, our great silver mines, our most magnificent forests, great plains, teeming with the products of agriculture, have all been acquired by annexation and expansion.

One of the greatest blessings that the people of the United States possess is our expansive domain and large stretches of territory; the fact that its citizens have elbow room, room to breathe, room to move, room to build up and carry on great enterprises, and room to build homes for the people. All this is due to expansion. Expansion is not new to us. It has been the constant policy of the United States. It has been the law of our growth, the instinct of our nature. It is the tendency of our race. We could not prevent it if we would. We ought not to prevent it if we could. Why should this policy that has been fraught with so many blessings, that has brought no evil, mean destruction now? The Filipinos, indolent as all tropical people are, will be far more tractable than the American Indians, while the islands are more accessible and more easily reached now than was California at the close of the Mexican war.

Mr. Chairman, I have no sympathy with those timid souls who constantly fear and predict the overthrow of our liberties and the final collapse of our free institutions. I have more faith in the good sense, and wisdom, and patriotism of the American people, in the stability and perpetuity of our institutions and the future of our race, than to believe for one moment that our liberties, our safety, our Constitution, or our institutions depend in the slightest degree upon whether we retain or let go every foot of territory lately acquired from Spain. We may retain Porto Rico or not, we may retain the Philippine Islands or not, we may retain or release any or all of them, we may retain them now and release them hereafter, and the perpetuity and stability of our Government, of our institutions, the liberties of our people will be in no wise involved. The life, the strength, the endurance of this splendid Republic, for which valor has fought and devotion has prayed, cemented by the blood of heroes and the tears of bereavement, have stood every strain, in war and peace, and are too vital, their principles too firmly grounded in the hearts of 75,000,000 people, to be seriously affected by anything this Congress will or can do upon the question of annexation. If our final decision is right, it will be approved. If it is wrong, it will be swept aside by the onward march of a liberty-loving people.

Again we are told "this presents a serious matter to those of our fellow-citizens who live by the sweat of their brow; it means that every toiler in this country must compete with millions of Asiatic laborers, who are content with wages of less than 10 cents per day. It means reduced wages, consequently less comforts, less opportunities to the laboring masses. It means the crowding of the labor market of this country with a class of laborers far inferior to the Chinese, whom we have excluded." It is very gratifying that some of the gentlemen on that side of the House have become of late extremely interested in the welfare "of our fellow-citizens who live by the sweat of their brows." At last they are discovering that competition "with millions of Asiatic laborers who are content with wages of less than 10 cents per day" means "reduced wages," "less comforts," "less opportunities to the laboring masses" of our own country. Heretofore these gentlemen have subjected American laborers to competition with laborers who

labor, with workmen who work, and work cheap; men who are able, willing, well equipped with brawn, brain, and modern implements; men who must have food, clothing, reasonable comforts of civilized life for themselves and family; men who place their products in our own markets to the exclusion of products of our own labor.

Now, these gentlemen are solicitous only to protect us from competition of laborers who do not labor, from workmen who do not work, from men who do not produce, whose only raiment is a palm leaf, whose only implement is a knife, and whose only lawful occupation is gathering bananas and cocoanuts. But this small improvement even is welcome. It is to be hoped these gentlemen will learn another lesson equally, if not more, important. They should learn that competition with cheap labor in Europe, in South America, in Mexico, in any part of the world is as injurious to American laborers as competition with Asiatic labor. They should remember that competition with what cheap labor produces, puts upon our own market, and sells in competition with like products from our own workmen, cheaper than they can produce it, is competition with cheap labor itself.

But let me call attention to the fact that during our whole history it has been as competent for the Filipinos to enter the labor markets of America as it is to-day. They were entitled to come to our shores and capable of becoming citizens of the United States. There has been nothing to detain them but their want of desire to come. The annexation of those islands will not increase their facilities, their temptations, or their desires to "crowd the labor markets of this country." When Spanish tyranny rendered their lives burdensome, when they were goaded to fury by Spanish cruelty and Spanish oppression, when unprincipled tyrants rendered their homes a hell upon earth, even these were not sufficient to drive them from their homes to American shores to "crowd the labor markets of this country." If a single Filipino ever came to labor or engage in industrial pursuits in the United States, even to escape Spanish oppression, I have never heard of it.

If they preferred their own country to ours under those circumstances, preferred to endure oppression rather than exile, will they love home and native land less when under the Stars and Stripes they are guaranteed "life, liberty, and the pursuit of happiness?" Nor will their labor compete with ours by selling its products in our own market in competition with the products of our own labor. They will send us only what we can not produce in sufficient quantities to supply our own market. Attempts are being made to alarm the sugar and tobacco producers by the dread of a fearful competition. They can produce but the smallest fraction of the amount necessary to supply our own deficiencies. Of the $60,832,072 paid to foreign countries during the last fiscal year for sugar, we paid to the Philippine Islands only $381,379. Of the $10,327,479 paid for the purchase of foreign tobacco during eleven months last year, the Philippine Islands received too small a sum to be reported, if any. Their productions of these articles will doubtless increase under American control, but they can never in a hundred years supply our own deficiency. The goods they will send us will be in exchange for the products of our own labor and are those for which we now pay cash to foreign countries.

Other prophets of evil tell us that we are going "to acquire territory, not that it may be the home of a free and self-governing people, but to set it apart as 'a land accursed, a land into which the Constitution and the principles of American liberty are forbidden to enter;'" that we are going to establish over the inhabitants of the islands "a tyranny, and that a rebellion against it would be a duty and not a crime;" that the President of this Republic is endeavoring "to establish despotism in another country and to destroy the liberties of its people." What soothing effects such utterances will have upon the insurgents now threatening our soldiers at Manila! How they are pouring "oil on the troubled waters!" How they will make the Filipinos love us and our institutions! I denounce these utterances as unfounded slanders upon the American people and the American Government. If some future historian or some enemy of our country should desire to find and select the most bitter denunciations of our people and our institutions, he will find them in the newspapers and the CONGRESSIONAL RECORDS of the closing year of the nineteenth century.

No government can be established over those islands, if annexed to the United States, except with the consent of this House, of the Senate, and the President of the United States. Who has authorized you to say that a government so framed, so sanctioned, will be despotic, subversive of the liberties of the people? Who has authorized you to prophesy for the future Congress? Who has drawn such a plan of government? By what authority is it promulgated? In whose hands is its formation? What right have you to say that the representatives of the American people, men who are to be or have been elected by freemen, will impose a tyrannous government upon any people that is under their protection? Every proclamation issued by the President of the United States with reference to the government of the territories to be annexed has been a refutation of these unfounded statements.

When the needs and industries and resources of the country have been ascertained, when we have had time to acquire the necessary information, it is safe to trust the representatives of the American people to establish a government in the Philippine Islands, not only much better than the people have ever known, but one that will give the fullest share of personal liberty and political privileges that the people are capable of receiving consistent with their own welfare and happiness and the honor of our country.

We are pointed to the example of Spain in proof of the evil effects of extended territories. Why compare America to Spain, Americans to Spaniards? The difference between these two races was demonstrated by Dewey at Manila, by Sampson and Schley at Santiago, by Shafter and Wheeler and their magnificent soldiers at San Juan Hill.

Why not rather point us to our own race, to the example of our own history? Why cite us to a nation that has failed in all she has ever undertaken? Why not hold before us rather the example of that race which since the commencement of the fifteenth century has increased the area of its dominion from 125,000 square miles to 15,050,000 square miles and the people protected under its flags from 4,000,000 to 475,000,000, and who now govern and control nearly one-third of the earth's surface and one-third of its population? In the face of the success of our own previous policy of expansion, as well as the success of English colonial government, it is un-American, unpatriotic to say "can't." We can. We can do what any other people can do. Everything is possible to Americans that is possible to any other race or nation. We have met every crisis in our history successfully. The American people have surmounted every difficulty in their paths, they have proved equal to every burden, to every duty imposed upon them, in war or in peace, in science or in literature, or civil government. We have filled every ideal, and there are none to claim superiority over us.

Objections are raised that the annexation of the Philippine Islands will require a large standing army. I confess to some misgivings as to the propriety of the full increase of the Army provided for in this bill. I am not devotedly attached to a large standing army in time of peace. But it is singular that so many of the objections are urged only against the annexation of the Philippine Islands and none against the annexation of Porto Rico or the preservation of peace and order in Cuba. We hear nothing about the "consent of the governed," the "establishment of tyranny," or the "overthrow of the liberties" of the people in Porto Rico. The expense of the increase of the Army made necessary by annexation of outlying territories or preservation of peace in Cuba may well be borne by those territories. But the large increase of the Army provided for in this bill is not made necessary by the annexation of the Philippine Islands.

If some of the utterances to which we have been listening of late had been unsaid, the army needed in the Philippines would have been less in numbers and for a shorter duration. But we have not forgotten the lessons of the late war. We remember too vividly the defenseless condition in which the opening of hostilities found us. Had our enemy been a nation well prepared with an army and navy equipped and ready for action, defeat, disaster, and national humiliation at the beginning of hostilities would have undoubtedly overtaken us. We were extremely fortunate in having for an enemy a nation as unprepared as ourselves and one willing to wait until we were ready to open hostilities. But the safety and honor of the nation require that no future national difficulties in which we may become involved should find us in a like condition of unpreparedness. The position of a nation among other nations of the earth, its peace and security, are determined by the strength of its arm, the number and size of its cannon, the strength and swiftness of its battle ships, and the quality of the men it is prepared to place behind its guns. I want to see an army of such size—and of such size only—as is necessary for the national honor and national defense and the national safety.

We are told the Philippine Islands possess no trade. The same could have been said successfully, much more successfully, and with much more truth, of every Territory ever acquired by the United States, except Hawa i. As well compare the productions of gold in Colorado and California, the wheat productions of the Dakotas, the corn productions of Iowa and Nebraska, now and at the time of their annexation as compare the trade of the Philippine Islands now under the Spanish flag with what it will be under the Stars and Stripes.

But, Mr. Chairman, the trade of the Philippine Islands, while even now it is something worth acquiring and will be much expanded and increased in value through annexation by the United States, is only one part, an exceedingly small and insignificant part, of the future trade and commerce that the annexation of these islands will help us to acquire. The productions of the United States are increasing year by year with tremendous rapidity and are assuming unheard-of proportions. The end is not

yet. There is room for vast development all over the United States, East and West, North and South. Why, Mr. Chairman, if I take the train at Washington City and ride to New York, I pass in the vicinity of cities containing six to eight millions of people. Taking the train at my own home, and passing a like distance through a country more fertile, with far richer soil, much healthier in climate, with brighter skies, with infinitely greater natural resources, I pass in the vicinity of towns containing 30,000 inhabitants.

That is the difference between the East and the West. There will come a time when this difference will grow constantly less, until it will cease to exist. The opportunities for development in the West are beyond description. Its future growth and development none can foretell. But when the people of the West have attained full growth, developed all their resources, extended and expanded their industries, what is to become of our surplus productions? Where will our purchasers be? To whom shall we sell them? In the past we have depended almost wholly upon England and her colonies for our markets. Should their demands continue, which is improbable, our productions are far exceeding their needs.

Somewhere we must obtain new markets, somewhere new outlets for our productions. The only remaining field is in Asiatic countries. There are over 500,000,000 people who are just awakening from the lethargy of ages. They are just beginning to feel their wants, realize their powers. They are just beginning the development of their own resources. Their purchases now exceed $1,066,000,000 annually and are upon the constant increase. Their purchases from us have doubled in two years. They are just beginning to eat the food and wear the clothing of civilized people. As that development increases their wants will increase, their trade and commerce will increase, and it is important—extremely important—that we should be prepared to take hold and defend our share of it. No other power must be permitted to close those ports to our commerce. This will be our most natural sphere. There we enjoy advantages possessed by no great rival. Over the Pacific Ocean we are far nearer to the principal ports of eastern Asia and Oceanica than any European nation. From Hongkong to San Francisco is 6,380 miles and but little more to Portland and Puget Sound ports; the average distance from western European ports is 9,900 miles. From San Francisco to Shanghai is 5,400 miles; the average from English and German ports to Shanghai is 10,600 miles. From Yokohama to San Francisco is 4,790 miles; the average from European ports is 11,250 miles. In our trade on the Atlantic we are at a disadvantage with all our competitors. In our trade on the Pacific the advantages are all with us. There is where we must strike for future trade and future commerce, and we must be prepared to protect it. It is as much our duty to protect the business as the property of our citizens.

The gentleman from Indiana on yesterday told us that commerce is the child of peace. Not in the Orient. What would become of the commerce of Great Britain in Asia and Africa but for British tars, British cannon, and British battle ships? The kind of peace that begets commerce in that part of the world is the peace for the maintenance of which you are prepared to fight and fight hard. We can preserve and increase our trade and commerce in the Orient if we are prepared to defend them. If we hesitate or falter, they are lost. With a chain of naval stations in Hawaii, the Ladrones, and the Philippine Islands, the Pacific Ocean will become an American lake, and will bear American commerce, not only now, but in the future, when the cities of the West rival the great cities of the East and when the commerce upon the Pacific equals that upon the Atlantic Ocean.

If we lose the opportunity to secure these stations now, it may never occur again. There has been no period since the birth of the American Republic when it would have been possible in any manner, by conquest or by peaceful methods, to secure in an honorable way a good title to the islands to be acquired by the treaty with Spain. If not acquired now, there may never again in all our history occur a like opportunity. The excellent lines of ex-Senator Ingalls contain a warning:

OPPORTUNITY.

Master of human destinies am I!
Fame, love, and fortune on my footsteps wait;
Cities and fields I walk; I penetrate
Deserts and seas remote, and passing by
Hovel and mart and palace—soon or late
I knock unbidden once at every gate!
If sleeping, wake; if feasting, rise before
I turn away. It is the hour of fate,
And they who follow me reach every state
Mortals desire, and conquer every foe
Save death; but those who doubt or hesitate,
Condemned to failure, penury, and woe,
Seek me in vain, and uselessly implore.
I answer not, and I return no more!

Our national opportunity is here! It is at our very doors! It is knocking at our gate! It is upon the threshold of the Capitol! It is the hour of our fate! Let us awake, arise before it turns away, open wide our portals, welcome the coming guest, and follow the paths in which it leads, lest it pass by to "return no more." [Applause.]

Mr. HAY. I yield fifteen minutes to the gentleman from Tennessee [Mr. SIMS].

Mr. SIMS. Mr. Chairman, it is not my purpose to join in any unseemly criticism of the President. I am ready to concede to him the purest of motives. Ohio has given us three great Republican Presidents, and the present occupant of the White House, in my judgment, is not the least of them. As far as I am concerned, I would not exchange him for any other Republican from that great State.

But, Mr. Chairman, shall our admiration of the President prevent us from exercising our own independent judgment on questions which it is as much our duty to investigate and determine for ourselves as it is his?

I am not such a blind follower of those high in authority as to regard it as treasonable to exercise my own independent judgment in all matters coming before us without reference to what may be the opinions of the President. I applaud as much as any one the kindly utterances of our President in his recent Southern tour regarding the graves of the Confederate dead. But shall I, on that account, say that because our flag, in time of war, has been raised in two hemispheres it shall never be hauled down? Our flag has never yet floated over a subject people, and I hope that it never will. How long has it been since a Republican President from Ohio in effect hauled down the flag when it was used to cover despotic military rule in the States of Louisiana, South Carolina, and Florida? Our flag was made to float over the land of the free and the home of the brave. Shall it take the place of the sword of Saladin and the torch of Omar?

Since the days of childhood one warning has never ceased to reverberate in my ears: "Beware of a large standing army!" I have been taught all my life that a large standing army is the one thing most dangerous to a republic. This has been the universally expressed opinion of all the people.

It is not necessary at this time to go over in detail the elementary principles underlying and justifying our position. They are as old as our Government, and as well if not better known than any other general political doctrine. But our inquiries should rather be, What is there new in the present situation that will justify a departure?

History furnishes no example of a nation in either ancient or modern times that has equaled the growth and prosperity of our country. Ours is the one country on the face of the earth to which the people of all other nations do most like to come when they leave their own. It is the dream of half the youths of all other lands and countries that they may some fortunate day be able to make their homes in America and share the great blessing of our free and independent institutions. Then why should we change our fundamental principles and turn back, as it were, to the usages and customs of the Old World, to escape which our forefathers underwent the hardships of pioneer life in the New World?

Large standing armies have been the curse of the Old World. Why invite it to our shores?

Mr. Chairman, it is a strange contemplation to me that we are asked to increase our Army at a moment when all Europe is suffering from conditions brought on by large standing armies and at an hour when we are invited to attend a peace parliament of the world; at a time when one of the most warlike of all modern nations, one of the most successful of European powers, one of the greatest and most aggressive nations of the earth, the one having the greatest number of trained soldiers, invites all Christendom to join her in a universal peace movement. In her benign and Christian effort to reduce all the armies of all the earth, we stand forth solitary and alone in our action looking to a great increase of our standing Army. While the Old World is trying to lay down the sword we seek to take it up. While they are trying to quit the fields of blood and carnage we turn our face the other way. While the Old World powers are striving for universal disarmament we propose to increase our standing Army in time of peace by 400 per cent.

Why should we for one moment seriously consider such a proposition? What are our necessities? Does any foreign power threaten our shores? Are we in new dangers threatening us from internal sources? The answer is emphatically no. Then why increase our Army? Simply to enable our Government to carry out a policy as antagonistic to the principles and doctrines of our Constitution and Declaration of Independence as it is possible to be conceived. To enable our Government to enter upon a course of criminal aggression and foreign conquest, exceeding the designs of the most rapacious and greedy of any European nation. Simply to place ourselves in a situation to be a party to all future European and eastern complications. Simply to enable our Government to subjugate and hold in a state of continuous subjugation many millions of people who are as much entitled to free and independent government as are the people of Cuba, for whose

independence and freedom we have waged a successful but most expensive war.

Why should we fight to free the people of Cuba and fight the people of the Philippine Islands in order to keep them from establishing a free and independent government of their own? If we are not to fight the Filipinos in order to keep them from gaining their freedom, we do not need the large army called for in this bill. No other nation is making or threatening to make war on Cuba, Porto Rico, or the Philippines. The Filipinos are not asking us to assist them to form a government for themselves. They only ask to be let alone. They claim that if they are worthy of freedom they ought to be able to set up the institutions of that freedom. Putting behind us the temptations of conquest and gain, how are we to answer the argument of these people?

We are assured by one high in the councils of the dominant party that it is not the intention to hold these islands as a permanent colonial possession. Then why have a permanent increase in the standing Army? If ultimate independence is contemplated, what necessity is there for an increase in our military force of a permanent character? If our possession and occupation of the Philippines is to be only temporary, why not call for volunteers for this service to be held no longer than they are needed? The temporary occupation of our newly acquired territory can not be the excuse or justification of a permanent increase of the Army.

On the other hand, if our possession of the Philippines is to be permanent, and in order to be so we must keep up the large Army provided for in this bill, it is impossible to realize a revenue from them that will equal the increased expense of providing for so large an increase in the Army. Our holding the islands must result in an inevitable loss to our Government, while it may be beneficial to many men as individuals. It may result ultimately as a benefit to the people of those islands. But, Mr. Chairman, are we to go on increasing the burdens of our citizens as taxpayers that, forsooth, we may be of ultimate benefit to those strange and unknown people who are now getting ready to fight us in order to keep from accepting our beneficence?

Our present standing army on a peace footing does not cost us exceeding $25,000,000 a year. With the increase contemplated it will not cost the taxpayers of this country less than $100,000,000 a year. Then there will be a large increase growing out of the added expense to the War Department in the way of additional clerk hire and other outlay due to increased work on account of this increase in the Army, also to an increase of the pension list and to a large increase due to the increased retirement list. It is now the custom before retiring an Army officer to promote him. He then retires on three-fourths of full pay in this higher rank, which usually is about equal to the full pay of the rank from which he has just been promoted.

In this way the retired officer is virtually pensioned for life at full pay of the rank he held while in the actual service of the Government. When we sum up all these expenses, direct and indirect, due to this proposed increase of our standing Army, we will have added to our annual expenses not less than $100,000,000. Where is this money to come from? Are we going to tax the Filipinos, the Porto Ricans, and the Cubans to raise this enormous sum to be used in holding them in subjection? If so, what benefit will it be to them to have been freed from the Spanish yoke of like oppression? Is it possible to realize so large a sum from the resources of these countries after providing for their local wants? Will the friends of this measure be willing to make it a part of this bill that the expenses of all troops and war material used by the United States in any of these islands are to be paid out of the revenues of the islands?

The American people are willing to stand any tax that may be needed for humane and Christian purposes, but they are the last people on this earth to submit to an unjust tax or one to be used for unjust and inhuman purposes. [Applause.]

Already there is much complaint at the burden and inconvenience of our internal war taxes, while yet the war is hardly over. I ask, Mr. Chairman, what will be the storm of denunciation of this tax when it is continued indefinitely in order to keep up a large standing army in these newly acquired territories against their will and over their protest and armed opposition? No party can hope to retain control of this Government that advocates the continuance of a direct tax for purposes not approved by the people.

Our Navy is to be vastly increased, and our additional annual expenses on this account will run into the millions. Our civil expenses will also be vastly increased, by reasons of changes made necessary by the war. I again pause to ask, From what source is the money to be realized? Imports are falling off every year. We can not hope to increase our revenues from tariff taxes under the present prohibitory protective laws. The present tariff, as a revenue producer, is a lamentable failure, which will be only the more clearly demonstrated as the years go by. If our expenses are to be increased, this increase must come out of the direct taxpayer. When taxes are so collected, their burden is seen and felt by the people, and they will not submit to any taxation that does not appear to be an imperative public necessity.

We have just passed a bill reported by the Committee on Naval Affairs, called by the innocent name of the personnel bill, that increases the expenses of our Government $600,000 per annum, to be continued, as far as I can see, for all time to come. It seems that since the war some of our friends have so grown and expanded that they are unable longer to think or consider the poor taxpayer. I wish to call your attention to the fact that the apparently forgotten taxpayer does a large share of the voting, and if he has no voice here he will have one in future elections, and my opinion is that when his voice is heard again many voices heard here now will be heard here no more forever. When the taxpayer sees that his patriotism is imposed on, and that a just war waged in the name of humanity is made the excuse to pile up his burdens unnecessarily, he will be heard from in thunder tones.

I know a great deal is being said about the great balance of trade in our favor during the last year, and I am glad that it is true; but do not forget that this increase in our balance of trade is due in a large part to the reduction of imports. We do not collect revenue on exports, however large they may be. Revenue comes from imports, and when imports decrease, revenue decreases. This large and favorable balance of trade, in so far as it is due to increased exports, does not bring one cent of revenue into the Treasury of our nation.

Our pension burden in round numbers is now about $145,000,000. This amount must be augmented to some extent by the results of our late war with Spain. I think that we may reasonably expect the annual pension appropriation to reach $150,000,000 within five years from this time. If we increase our Regular Army and our Navy we must expect an increase in pensions proportionately.

Add to the present pension appropriation $150,000,000 for this standing Army, as provided in this bill, and we have an annual burden of $300,000,000 in these two items as war expenses. Then add to this annual war burden $600,000 per annum, the accruing interest on the $200,000,000 of bonds issued in aid of the late war with Spain, and we have the enormous annual expense of $300,600,000, to be raised by taxation on the people, besides the $200,000,000 of principal of these bonds to be paid when due.

Besides this, we must add the annual accruing interest on all other outstanding bonds issued for war purposes, amounting to $29,896,023.20 per annum, before we know what our annual expenses are for war purposes. Then add to this the principal of unpaid bonds issued on account of the war between the States, amounting to $747,400,580, and we begin to see what the people have to pay on account of wars that have been, without adding anything for wars that we will certainly have with increased frequency when our possessions cover half the globe.

Under our system of taxation, both direct and indirect, all this vast sum must be raised by taxing consumption and current business transactions. Not a dollar is to be levied or collected from realized wealth. If the treaty is ratified without amendment we must pay $20,000,000 to Spain. Now, I have only referred to expenses and debts of the Government due alone to wars and on account of wars. Besides all this vast sum the current expenses of the Government must be paid, which as the country grows and population increases must necessarily increase in amount.

Had we not better stop and consider where all this vast sum of money is to come from before we create the necessity for it? Is this not a surprising condition for the heretofore most peaceful nation on the earth? How unfavorably do we contrast with those nations of the Old World who, after having tried this course for centuries and finding their people no longer able to stand up under the burdens of great standing armies, invite us to join them in universal disarmament. I am told, too, that the President proposes that we take part in that great first movement toward the millennium and encourage all nations to join hands in this blessed effort to secure and maintain universal peace. Then what a sad reflection on the sincerity of our President, that we are asked to vote for this bill increasing our standing Army fourfold and our war expenses 400 per cent.

I want to warn our friends in the possession of great wealth that such legislation as this is driving us in the direction of an income tax as fast as the wheels of time can carry us. No doubtful decision of a divided court will serve longer to satisfy the people in their demand for this most just of all species of taxation. The people can make or amend constitutions, and will certainly do so where its provisions are so construed as to shield those most able to bear the burdens of government from a just and due proportion thereof.

There is another branch of this subject to which I wish to invite the attention of the House, and that is the increased political power that the Army will have when it is increased fourfold. There is no way to maintain the supremacy of the civil over the military power in this country except by keeping the Regular Army down to a comparatively small force in time of peace. I saw passed in this House, by reason of the favor of many and the

fear of others, a bill to permit the volunteer soldiers to vote for Congressmen wherever the soldiers might be stationed on the day of election.

There is no reason why the elective franchise should not be given to the soldiers of the Regular Army, if the soldiers of the Volunteer Army are to have it. The same reasons why the one should or should not vote applies with equal force to the other. Give us an army of 100,000 men, under the direct command and control of the President, and place the ballot in their hands, and you will, in my humble judgment, never defeat the party in power in any election that may hereafter be held. Should the ballot not be given the soldiers of the Regular Army, they have friends and relations who are voters and on whom they exert a most powerful influence. It would not be unreasonable for each soldier and officer in the Regular Army to influence as many as 10 votes.

With 100,000 men in the Regular Army, 1,000,000 votes may be controlled by them. With their chances of promotion all in the hands of the President as their Commander in Chief, how natural it will be for the officers and soldiers of the Army to see that their interest lies in the success of the party in power. The greater the Army the greater the inducement and temptation to use their influence. Virtual military rule in this country can be escaped only by keeping the military influence down to the minimum. I hope ours will never become a French republic. We do not need a large or even increased standing army unless we create or bring about conditions calling for it.

The total imports into the Philippine Islands from all the world for the year 1896 were $28,815,075, of which the United States contributed $162,446, or 5.5 per cent. The total exports for the same year were $33,481,484—$4,982,857 of which came to the United States, or 14.9 per cent. The total imports and exports for that year were $62,296,559. Is it reasonable to suppose that we will at once very greatly increase our trade with these islands?

Suppose that all the trade of the Philippines follows our flag at once. All the exports and imports combined in value would not exceed the cost to us of the army and navy that we would have to keep there. If we could get all the trade of the Philippines, which is an impossibility, we would be benefited only to the extent of the profits of the business, both direct and indirect, which can hardly exceed 10 per cent on the volume handled, which would be only about $6,000,000 in the combined volume of both imports and exports.

Another thing to be considered is that the profits of trade go to corporations and individuals engaged in the business, whereas taxes are collected off all citizens subject to taxation, whether they are or are not engaged in any particular business. Is it right, is it just, to tax the people of the United States in a gross sum exceeding $50,000,000 per annum in order that some of the citizens of the United States, on increasing their trade with the people of the Philippines, may realize a profit of not exceeding $5,000,000 per annum?

Suppose we are all ardent expansionists, is it not good statesmanship to consider in detail the circumstances and possibilities of benefits to result in each proposed instance of expansion, and if the difficulties and expenses attending the exercise of sovereignty and control over any particular country exceeds any possible benefits to be derived from such a country, is it not good judgment to refuse to take control of such country? From the standpoint of an ardent expansionist I can not see how it is advisable to take the Philippines.

I do not see how we can in the exercise of a good conscience take forcible control of those islands against the wish and will of those people and then tax them in order to furnish the means with which to perpetuate that control. From the devastated condition of the islands I have no doubt that it will require all the revenue their people are able to pay for many years to repair and build up the waste places left as the result of war, and the expense of keeping our Army and Navy there will have to be paid by the people of the United States for many years to come, and that it is not possible under any conceivable circumstances that the United States will ever directly or indirectly be reimbursed for the vast sums she will have to expend on this account. The only way I see to prevent it is to either modify the treaty or to give the islands their freedom.

I think patriotism, like charity, should begin at home. I think we should first consider what is best for our own people before we rush into sources of untold expense either to promote the private enterprises of our own citizens or to benefit the condition of foreigners.

It seems to me that we should confine our acquisition of territory to the Western Hemisphere. If we dominate and control half the globe, is not that enough? But under no circumstances do I favor the forcible annexation of any country whose people are struggling for freedom and independence, without their consent freely and voluntarily expressed. [Applause on the Democratic side.]

Mr. HULL. I yield ten minutes to the gentleman from New Jersey [Mr. STEWART].

Mr. STEWART of New Jersey. Mr. Chairman, in the consideration of the pending bill for the increase and reorganization of our Army much extraneous matter of a sensational nature has been obtruded in the discussion.

Gentlemen cry "Imperialism!" and "Expansion!" and wave in our faces the imperial purple of the degenerate Cæsars, and pretend to believe that this nation, the asylum of the oppressed and haven of freedom, has entered on a new policy of tyranny and repression of freedom and independence in the Philippine Archipelago.

In the subjugation of Spain destiny fixed one of the great arms of the Spanish fleet in Manila Bay. Dewey was forced to follow and destroy it there, and through the unforeseen exigencies of war the Filipinos were thrown upon us as a sacred trust to protect and defend.

We would stultify our position did we do otherwise. The Filipinos require at our hands the same treatment, the same high humanity that we accord to Cuba.

The gentleman from Indiana [Mr. JOHNSON] declaims that the people of Spain are in sackcloth and ashes, their fleets at the bottom of the seas, and that they are unable, if they were so disposed, to further molest the Philippines.

If I have read history aright, I am informed that Spanish fleets have been destroyed before in many seas, and these calamities have not cured Spain of her desire to oppress and plunder.

Spain will arise again with gloomy and baleful face and bloodshot eyes to ravage and to murder.

Had the fleet been at the Canaries or the Carolines, the Philippine question would not vex or trouble us to-day, and Spain doubtless would now control them as she does the Canaries and Caroline Islands.

Our solemnly declared policy with reference to Cuba to leave her to herself when a stable government is established would seem to furnish strong presumptive evidence that the same policy will guide us with reference to the Philippines. The Government has never declared it to be its intention to permanently annex these islands; indeed, our policy points to the opposite intention.

Reference has been made to the extempore speeches of the President on his late Southern trip as to the hauling down of the American flag. No gentleman will pretend that the President meant other than that no hostile hand should haul it down. We ourselves hauled it down in Havana when it was prematurely raised, and we are committed to the policy of hauling it down in Cuba when a stable government is established. We hauled it down in Mexico when good sense and good statesmanship suggested the wisdom of the act.

But while the Government and Administration is engaged in the solution of a complex question with reference to the Philippines, requiring much further data and information than we now possess, the gentleman from Indiana [Mr. JOHNSON] insists upon looking over the shoulder of the Administration and demanding an immediate solution. He insists that the gentleman from Iowa [Mr. DOLLIVER] shall answer categorically what the definite intention of the Administration is with regard to the future of these islands.

We submit that the problem is still unsolved, and he should be content with the answer that in the opinion of this side of the House no definite intention now exists to forcibly and permanently annex the Philippine Islands.

These islands came to our charge through the bloody issue of war. We entered that war for humanity's sake, and we will hold the Philippines by the same tenure. Call it a protectorate or what you may for humanity's sake until they can be exploited among the nations of the earth with the blessings of a free and stable government of their own.

I firmly believe that the United States will never coerce those islands or Cuba against their will to share the fortunes and destiny of the mightiest, richest, and freest nation on earth.

Again, the gentleman from Indiana [Mr. JOHNSON], from the fact that we propose to increase our Army to 100,000 men, draws the unwarrantable conclusion that we must intend to use it to subjugate and tyrannize over the Philippines.

Our flag waves now and forever over Hawaii and Porto Rico, and, in the nature of things, must glorify Cuba and the Philippines for an indefinite term in the future. Can it reasonably be said that in view of this vast acquisition of territory, both permanent and temporary, a standing army of 100,000 regular soldiers to environ our volunteers in case of war and form the first fighting line is excessive? Surely not. The only fear is that it may prove too small.

What American really fears that the most ardent devotees of freedom, the fearless champions of independence, will lend aid or countenance to oppression and tyranny? We risked our national integrity and honor, the lives and fortunes of our people, in the uncertain issues of a foreign war to save a neighboring people from the cruel oppression and injustice of vindictive Spain.

Unselfishly we demanded justice of Spain for the suffering and distracted people of Cuba, and patiently waited while the bloody work of Weyler went on, and not until our glorious ship *Maine* with her immortal crew went down in the darkling waters of Havana Harbor by the explosion of a submarine mine, while ostensibly under the protection and hospitality of Spain, did we raise the menacing arm of war, not for punishment, retribution, or conquest, but that a neighboring people might be freed from the unbearable cruelties and tyranny of Spain. [Loud applause.] Such is the unselfish part that the United States has played in this great tragedy.

Such national characteristics can not be changed in a day. The traits that have made us peculiar among the nations of the earth from the beginning will abide with us to the end.

The morning twilight of our national existence found our forefathers willing to sacrifice their "lives, their fortunes, and their sacred honor" in the holy cause of freedom and independence, and when the evening twilight arrives in the gloaming of our fading selves we will still exhort high Heaven that freedom and independence shall not depart with us from off the earth. [Loud applause on the Republican side.]

Mr. HULL. Mr. Chairman; before I move that the committee rise, I desire to state that the gentleman from Illinois [Mr. MARSH] will control the time on this side at the evening session.

Mr. HAY. I want to state that the gentleman from Illinois [Mr. JETT] will control the time on this side.

Mr. HULL. I move that the committee rise.

The motion was agreed to.

The committee accordingly rose; and the Speaker having resumed the chair, Mr. PAYNE, Chairman of the Committee of the Whole House on the state of the Union, reported that that committee had had under consideration the bill H. R. 11022, and had come to no resolution thereon.

MESSAGE FROM THE SENATE.

A message from the Senate, by Mr. PLATT, one of its clerks, announced that the Senate had passed joint resolution and bills of the following titles, in which the concurrence of the House was requested:

S. R. 231. Joint resolution providing for the further distribution of the compiled statutes of the District of Columbia;

S. 5224. An act to extend the time for the construction of a bridge across the Missouri River at or near the city of Boonville, Mo., by the Boonville and Howard County Bridge Company;

S. 5186. An act to amend an act entitled "An act to amend the statutes in relation to immediate transportation of dutiable goods, and for other purposes," approved June 10, A. D. 1880, by extending the privileges of the first section thereof to the subport of Miami, Fla.;

S. 5144. An act authorizing and directing the Secretary of the Treasury to donate one set of life-saving beach apparatus to the Imperial Japanese Society for Saving Life from Shipwreck;

S. 5130. An act to provide for the erection of a building for the Department of Justice;

S. 5019. An act to prevent the failure of military justice, and for other purposes;

S. 4549. An act authorizing the British Columbia, Seattle and Pacific Coast Railway Company to construct a bridge across the Columbia River; and

S. 3337. An act for the relief of Clinton F. Pulsifer, of the State of Washington.

The message also announced that the Senate had passed without amendment bills of the following titles:

H. R. 11116. An act to authorize the Little River Valley Railway Company to construct and operate a railway through the Choctaw and Chickasaw nations, in the Indian Territory, and branches thereof, and for other purposes; and

H. R. 774. An act for the relief of Samuel D. Hubbard.

ENROLLED BILLS SIGNED.

Mr. HAGER, from the Committee on Enrolled Bills, reported that they had examined and found truly enrolled bills of the following titles; when the Speaker signed the same:

H. R. 10459. An act to amend section 5 of the act approved June 10, 1880, governing the immediate transportation of dutiable goods without appraisement; and

H. R. 8882. An act for the reestablishment and reconstruction of a light-house at or near the mouth of Salem Creek, New Jersey.

WITHDRAWAL OF PAPERS.

By unanimous consent, Mr. KERR obtained leave to withdraw from the files of the House, without leaving copies, papers in the case of George W. Harbough, Fifty-fifth Congress, no adverse report having been made thereon.

Mr. HULL. Mr. Speaker, I move that the House do now take a recess until 8 o'clock.

The motion was agreed to.

The SPEAKER appointed Mr. CONNOLLY to act as Speaker pro tempore.

And accordingly (at 5 o'clock p. m.) the House was declared in recess until 8 p. m.

EVENING SESSION.

The recess having expired, the House (at 8 o'clock p. m.) was called to order by Mr. CONNOLLY as Speaker pro tempore.

ARMY REORGANIZATION BILL.

On motion of Mr. MARSH, the House resolved itself into Committee of the Whole on the state of the Union for the further consideration of the bill (H. R. 11022) for the reorganization of the Army, and for other purposes, with Mr. LACEY in the chair.

Mr. MARSH. I yield to the gentleman from New Hampshire [Mr. SULLOWAY] such time as he desires.

Mr. SULLOWAY. Mr. Chairman, I am earnestly supporting this measure to increase the Regular Army and authorize the Commander in Chief to recruit it, if need be, to 100,000 men, and shall favor the most liberal appropriations to increase our Navy. I am for maintaining the gold standard, the only standard of intelligence and of the commercial nations of the world, and I am also in favor of maintaining an army and navy sufficiently large and powerful to protect and defend our citizens and their property at home and abroad. I am for annexation as territory of the United States every grain of sand (the fruit of victories won by our sailors and soldiers on sea and land) that Spain has ceded to us by the terms of the pending treaty. I believe duty demands this to save the Filipinos (who are our wards as the result of war) from anarchy and to protect them against adventurers and tyrants. There are now in the service at least 75,000 men who, by the terms of their enlistment, will be entitled to be discharged the minute the pending treaty is ratified and the war now pending between this country and Spain is at an end. These good citizens and patriotic men, who abandoned their business and families to take part in the shooting match, are now held to service, and each day's delay to ratify the treaty and pass this bill causes many of them irreparable loss. This measure, if enacted into law, will enable President McKinley to further recruit the Regular Army and discharge the patriotic and heroic volunteers, who did not, when they enlisted, expect to be held to do garrison duty.

Our Navy should be second to none. I hope, trust, and expect to see our merchant marine the equal of that of any other nation. It will be if the American Congress in its wisdom shall so legislate that our commerce upon the seas can be carried in American bottoms, under our flag, instead of paying to aliens, as we are now doing, $200,000,000 annually to transport that which we sell and buy. We pay to aliens $500,000 for freight every day in the year—fifty millions more than we appropriate, and nearly sixty millions more than we pay in pensions. What a princely portion of this $200,000,000 would go into the hands and pockets of our laborers and seamen if we would legislate to put this business under our flag and into the hands of Americans, as I believe duty demands of us. With that commerce we must have a great navy to police the seas in time of peace and protect our commerce in war; for wars ever have been and must of necessity ever continue to be.

Not until human nature is annihilated will war cease to be, and it is the part of wisdom, as I believe, to accept what is inevitable and be prepared to meet conditions that must confront us in the future. Men talk of peace perpetual, arbitration for settlement of international disputes—a theory beautiful to contemplate—but it is only a delusion, a deceptive snare by which this people in their power and wisdom ought not to be caught. It pleases some to advise the beating of our swords into plowshares. If we are deluded into such action, some other people will beat their swords into our heads and take from us or destroy what we possess. I do not doubt the sincerity of purpose of those who contend for arbitration for the settlement of international disputes, but I am opposed to this Government adopting what they contend for—first, for the reason that any treaty, contract, or agreement entered into by and between nations for that purpose would be in binding effect only as a rope of sand.

The mighty will and wish of a great people, in their sovereign right, can not be chained and bound by written law or treaties. When millions of men are ready to rush to arms and die, if need be, for a cause in which they believe honor and duty demand the sacrifice, he who thinks a written constitution or a treaty would restrain them ought to have had the privilege of reading the riot act at Antietam, Shiloh, Gettysburg, or the Wilderness to convince him that such a notion was and is a delusion. For one I do not want international arbitration when the issue involves the rights of this nation or the rights of the humblest citizen thereof whom it is the duty of the nation to defend. I do not want as a board of referees, as a court of final jurisdiction, the boy King of Spain, the Sultan of Turkey, and the Shah of Persia, or any other kings or czars. I do not think they are free from prejudice toward our

form of government and us as a people. We have got on quite well in the old way, from Bunker Hill to San Juan Hill on land, and have never had very serious trouble at sea.

When diplomacy fails and duty compels this people to submit no longer to the then existing conditions, I would prefer, much prefer, to point our foe to Generals Miles, Shafter, Wheeler, Merritt, Lee, and other commanders, with one or, if need be, five million men, with arms in their hands, at their command, and to say, "There are the arbitrators selected by the United States if you wish to arbitrate on land;" and point them to Rear-Admiral Dewey, Sampson, Schley, Evans, Clark, and others of our naval heroes if they desire to arbitrate at sea. [Applause.] I should have much greater confidence in either of those tribunals and their ability to secure for this people a verdict to their liking than I should at the hands of all the crowned heads that live to-day. I believe that we are entitled, when on trial, to a jury of our peers, and the crowned heads of the Old World are not the peers of the sovereign American citizen.

The tendency is not in the direction of arbitration or disarmament, but exactly the reverse. The nations that practically govern and control the people of this planet are not disarming, but, on the contrary, without exception, are increasing their armies and navies more rapidly—and have been doing so for the last quarter of a century—than at any time in their history. The nations of continental Europe have increased their armies at least 25 per cent during that time, if not during the last decade. We have ceased to be a hermit nation, isolated from the rest of mankind. We are not among nations, as some dreamers fancy, what Robinson Crusoe was in his business relations to other individuals. We are interested in every part of the globe that has commerce or conditions such that it can be developed. With this enlarged sphere for trade we must have greater power to protect and defend our rights, and the rights of our citizens, on land and sea.

Our experience during a few months of the year just past covered our Army and Navy with glory such as was unknown to the world before; but it awakened us to a realization of what would have been our weak and defenseless condition had we been at war with a first-class power. In my judgment the people do not desire to remain longer in that condition; and it is my conviction that it is our duty as their servants to increase our Army, add battle ships to our Navy, and strengthen our fortifications along our entire coast line. I rejoice that we have before us a bill to increase the Army, and it has my hearty, enthusiastic support.

We have reached such a point in our development as a nation that from this time onward we can not expect to live within ourselves and have and enjoy that degree of prosperity which has blessed us, while our laborers, under the protective system, were enriching themselves and we were dotting our land with manufacturing establishments that now produce in abundance almost everything desirable known to man and have the capacity to produce much more than we can consume. While we shall continue to protect our toilers, we must adopt the courageous and, if you please, heroic methods essential at this time to secure to the people of this nation their share (and as much more as we can obtain by legitimate means) of the world's trade and commerce on land and sea.

A policy that fifty years ago, under then existing conditions, may have been the best possible for us as a people may not be calculated to give the best results under the present changed conditions, with all that they include, in increased facilities for agricultural productions and for manufactures, and our improved methods of transportation on land and sea, by means of which, comparatively speaking, time and distance have been to a great extent eliminated. Our 80,000,000 people, with brain and muscle the equal of that number of people anywhere, are not in their industrial and business pursuits to be confined within the narrow limits that we occupied when only half our territory was under cultivation, much of that sparsely settled: when our cities were small, and for many of our manufactured articles we depended upon alien people to supply us, and when we were, as a whole, looked at from our present condition, comparatively poor. In justice to ourselves, and from a sense of duty to those who will live after us, I am in favor of taking advantage of all means that we may rightfully and honorably employ, consistent with self-interest, to broaden our horizon of trade and annex territory that may come to us by conquest or purchase in any quarter of the globe.

In connection with this subject gentlemen are discussing—and properly, I think—the question whether it is policy and wisdom on our part to retain the territory that Spain, by the terms of the pending treaty, has ceded to us. On that question I am an ardent supporter of the treaty, believing it represents what duty and patriotism demand. There is no longer any doubt as to the wish of an overwhelming majority of this people in regard to what is termed territorial expansion. A few conservative men are not enthusiastically for it; here and there one is opposed to it; but such men are retreating, and covering their retreat by apologies. There are some who are violently opposed to such a policy; but, as a rule, there are exceptions. They are the men who were bitterly opposed to the war with Spain; and some of them, I fear, in view of the glorious results obtained, are smarting under a sense of humiliation that actuates them to oppose the Administration and refuse to accept as the fruits of victories won what Spain is willing to surrender to us.

I am an earnest supporter of the Administration and desirous that the treaty be ratified. The opponents, the men who with voice and pen would deprive this people of the fruits won by our soldiers and sailors, do not meet the issue squarely, but make violent and unwarranted statements as to what the Administration proposes to do. They indulge to an extravagant extent in the use of catchwords—"imperialism," "colonial possessions," "deprive the Filipinos of their liberty," "reduce them to vassalage." Expressions of this character are substantially the stock in trade of the opponents of annexation. What has the President said or done that warrants those who oppose annexation to use any of the catchwords or sentences quoted as if they represented his views, wishes, or purposes? I answer, nothing. Such expressions, when used by those sufficiently intelligent to know what they mean, are deliberate and wanton misrepresentations, made with a purpose to mislead, prejudice, and deceive. The use of such expressions is just the course of men smarting under disappointment and humiliation, who are unable to give substantial reasons for their actions.

Has the President, or any official representing him, ever by word or act intimated that he desired to hold and govern the territory that Spain, by the treaty as written, is to cede to us in any other manner than we have held and governed territory ever since the Constitution was adopted? I challenge his opponents to produce a scintilla of evidence to prove their assertions. Who is seeking to make this an "imperial" government in the sense they wish to have the word "imperial" understood? Who is clamoring for "colonial possessions" in the sense in which they use the term? The tender solicitude that the opponents of the President profess to have for the Filipinos, and their dislike of "imperialism," and their great desire that the Filipinos shall have liberty, is shown to be only a pretense when they insist that those people be left subjects of Imperial Spain, subject to all the barbarities Spaniards know how to inflict, or perhaps the prey of an adventurer or tyrant.

When did the Filipinos ever possess liberty that these men ask American citizens to believe President McKinley desires to deprive them of? The first ray of hope in that direction that ever flashed athwart their pathway was visible to them on that May morning when Dewey, by orders from President McKinley, entered Manila Bay, when they saw the American fleet with the starry flag, the symbol of liberty, at the masthead of every craft that formed Dewey's line of battle, advancing upon the Spanish fleet, upon Spanish forts, and Spanish power. In the thunder of Dewey's cannon they heard a voice as from Jehovah proclaiming the end of Spanish savagery, robberies, and barbarities in the Philippine Archipelago. They who saw that battle saw, as an eyewitness has described it in speaking of a shell from one of the guns in Dewey's fleet as it entered one of the enemy's ships, "It looked," he said, "as if a hogshead of hell entered her." Dewey's cannon were the first that ever thundered defiance to Spanish rule in that bay, and spoke deliverance to that people from the worst and most oppressive Government that ever cursed human beings.

The "hogsheads of hell" hurled from Dewey's guns into the Spanish ships and Spanish forts were admired by the Filipinos as messengers of deliverance and hailed by them as instruments of love and mercy. In the roar of Dewey's cannon and the fire that leaped from their mouths the Filipinos heard a voice commanding the Spaniards not only to take their yoke of cruelty off the necks of the inhabitants, but to take both their shoes and feet off those islands. [Applause.]

I belong to the political party that elected William McKinley President. That party in 1856 raised in this land the flag of liberty, on which was written, "All men are entitled to liberty who have not forfeited their rights by crime."

The people of my State are not oppressors of others; yet I sit here and listen to men who, while they pretend to be very solicitous for the liberties of the Filipinos, represent constituencies in sections of our country where within my memory the price of labor was regulated by the sale of men, women, and children at the auction block. It took rivers of blood to wipe out that damnable system of human slavery; it was an atonement that soaked the Southern soil with blood and billowed our land with graves. I do not think the men of any party in this land to-day desire to oppress or enslave any people, or that members of the Republican party are called upon to defend themselves against the charge that they favor "imperialism" and oppression. And least of all do I believe that President McKinley, who has been a chief in active service in that party for many years, who has the confidence of this people as no man since Lincoln has had it, should be asked to answer such a charge.

It is just possible that some of the opponents of annexation are smarting under the remembrance of the fact that they did not succeed in preventing war with Spain, which has proved to be the most popular war ever waged by this country, with results more glorious than were ever before achieved by our countrymen. As a sort of an apology for opposing the Administration, they shout "imperialism," "colonial possessions," etc., thereby endeavoring to set up a man of straw as a target of their own manufacturing; and then they proceed to arraign the President and his followers in thought and convictions as to what is best for the public weal, and thus seek to mislead the public. Some of these, more violent than others, take a bold stand and deny that we can acquire territory unless it is to be admitted to statehood, and others contend that we can not acquire territory except by the consent of the inhabitants thereof.

Taking these propositions in the order I have named them, I say first, that if the question were new, it would seem to me the mere definition of "sovereignty" would alone be a conclusive answer. "A sovereign State," according to the definition most commonplace and really as expressive as any, would, I think, be "a State without a superior." All governments without a superior possess "sovereignty." The United States as a State, a Government, has no superior. It can make war and peace and can acquire territory. No intelligent man questions that power. It has made war and acquired territory in the past; it has acquired territory by purchase. And to those who were emboldened to question its sovereignty in that respect the Supreme Court has said from first to last, "You are in error." The contention of the annexationist is unanswered, and must ever remain unanswered because unanswerable. That contention of the opponents of the Administration is too idle to command respect. States independent, sovereign States having no superiors, are governed by what to them seems best. They, as Judge Day said to the Spaniards at Paris (I do not quote his exact language), put into a treaty whatever as conquerors they deem best. It seems to be an idle waste of time to notice the contention of the opponents of the Administration in that respect. Let them play with their man of straw. It is a harmless bundle, and too transparent to do service as a scare crow in intelligent communities. [Applause.]

Who coined the expressions so frequently invoked by the opponents of the President, like the declaration that "in the Constitution of the United States no power is given to the Federal Government to acquire territory to be held and governed permanently as colonies." Why are such declarations made? Who is contending that we, in acquiring territory to-day, are adopting "the colonial system of other nations?" Has the President or any friend of the treaty made any such declaration, or intimated such a purpose? What difference or distinction is there in this respect between the territory we may now acquire and that acquired in 1803, when we took by purchase and treaty the Louisiana territory; in 1819, when we acquired Florida; in 1848, when we conquered vast territorial possessions from Mexico; in 1853, when we acquired the "Gadsden purchase," and in 1867, when we purchased Alaska? In 1898 we annexed by law the Hawaiian Islands. Oregon we acquired by exploration, discovery, and settlement. The last-named territory was discovered by Gray in 1792, explored by Lewis and Clark in 1805, and colonized in 1811 by what is known as the Astor Settlement. We have acquired territory by purchase, by conquest, by discovery, and by operation of law.

Our power as a sovereign State in this respect can not be limited. The decisions of our courts and the policy the nation has pursued for nearly a century establish the fact that the Government of the United States has the inherent power, as fully and comprehensively as any Government on the face of the earth can have it, to acquire territory either by treaty, conquest, purchase, or by exploration and discovery; and there has never been a judicial opinion that I am able to find, or any intimation or insinuation, that we have only the right to acquire territory that we will immediately admit to statehood. That contention is new, and when confronted by the decisions of our courts, the long line of precedents, the manner in which for almost a century we have been acquiring and governing territory thus acquired, makes but feeble impression upon the minds of this people. It looks to be only an apology for opposition. We are asked, "What right has the Government of the United States to control by military force territory that we thus acquire through conquest as the result of war?" I answer, the same right that we have exercised without exception when we have acquired territory in any manner.

There seems to be in the minds of those who thus oppose the pending treaty a fear of the military arm of the Government. Generally speaking (there are some exceptions), these individuals were opposed to using the military arm of the Government against Spain in 1898. They talked and wrote of the horrors of war, told us "the mailed hand" of the Government would be laid on the shoulder of the mother's darling boy and he would be carried by force to a foreign land to suffer and die. They pictured the widows with brows craped in mourning for husbands slain, and orphans on bended knees with uplifted hands and closed eyes, piteously imploring the God of mercy to remember them in their forlorn condition. Such scenes no longer haunt them in dreams or imagination. We are at war with Spain to-day, and if the treaty, the ratification of which they seek to defeat, is not adopted, hostilities will be resumed. There will be new-made graves and weeds of mourning in fact rather than in imagination.

There are more than 75,000 men in the regular and volunteer forces of the Government who want to be discharged from the service, and are entitled to be the minute the war is ended by a treaty of peace. These are kept in the service by the opponents of the treaty and the opponents of the measure now under consideration. Every tear that moistens an eye, every sigh that comes from a heart pained by grief, because of the forced retention of these men in the service, is chargeable directly to the opponents of the treaty and the opponents of the bill under consideration. [Applause.] I want this bill passed; I want the treaty ratified.

To their second proposition, that we can not acquire territory without the consent of the inhabitants thereon, I would suggest that this proposition is, if possible, more ridiculous than the first, and to make it cover all their contentions I will add "and unless those inhabitants speak the English language." Early in our history the then President and Secretary of State said to Spain: "We will pay you so much for Florida or take it by force of arms." I do not quote the diplomatic language used. Who in Florida then spoke the English language; the Spaniards, the Indians, or the crocodiles? None of them. There was not an English publication in Florida that I am aware of possessed by a permanent resident of that Territory. Did the Spaniards desire to be annexed? No! Did the Indians? No! Did the crocodiles? I do not know. Spain concluded to sell, and ceded the territory. In our sovereignty we then possessed it, held it, and at our own sweet will governed and controlled it as seemed best to our own people.

Prior to this we purchased the territory then known as Louisiana—a territory imperial in magnitude. Did we inquire what language the inhabitants spoke and whether they desired to be annexed? No! It was known that but a comparatively few spoke our language. The sovereign state of France ceded that territory to the sovereign state known as the United States of America, and we possessed it and our sovereignty extended over it. It is true that some opposed the annexation of Florida and of the territory acquired from France, and gave as reasons what the opponents of annexation repeat to-day. Daniel Webster, great as he was, proposed, it is said, to exchange that vast domain for the right to catch codfish off the coast of Newfoundland. This is a good illustration of how the prejudice and sentiment of a locality may mislead great men. Mr. Webster's constituents were much interested in the fishing industry.

Later we went to war with Mexico, and by conquest and purchase we acquired another empire territorially. Did we inquire what language they who lived on it spoke? No; we knew that, as in the other cases named, the language was Spanish and Indian. Did we ask the consent of the inhabitants to become citizens of this country? No. We spread over Florida, the Louisiana purchase, and the territory acquired from Mexico our sovereignty and commanded the inhabitants thereof to respect and obey the authority of the United States; and when, as in each case, some persons refused to submit, we sent the Army and compelled them to obey. We made quiet, permanent settlers of them with bullets or with a rope around the neck of those it was deemed best to hang for effect on others. Have any of the opponents of the Administration and the treaty discovered any dangerous ruptures in our Constitution produced by our conduct toward the people of those territories, a fracture of any of its limbs, or seen any evidence of contusion of any of its parts? Will they to-day contend that those who opposed the acquisition of either of the territories named were wise and that the acquisition was a mistake or a misfortune to the people of the United States or the inhabitants of the territories?

"But," says one, "I contend that we can not acquire and hold territory unless we admit it to statehood." How do you know? Who authorized you to limit the power of a sovereign State? Who shall say when any territory belonging to the United States and the people living thereon shall be admitted to statehood? Congress, not you or I. It is half a century since we acquired from Mexico the territory mentioned. We have held a considerable part of it for that length of time and not given it statehood. It is claimed that there are 400,000 people in the Territory of Oklahoma—as many as in New Hampshire. They have not statehood. They will not have until Congress grants it. What becomes of your scarecrow pretense that we can not acquire and hold territory if the wisdom of the powers that be sees fit to do so?

We have done it for at least half a century in the case named, and are continuing to do so. Has the Constitution sprung a leak by so doing? Did you feel damp and complain until Dewey at Manila won for us a victory, matchless in the annals of warfare,

and an empire territorially which as a base of operations will afford us opportunity to extend our commerce and dispose of our manufactured products in the East, where live 400,000,000 people whose trade every nation is struggling to secure—trade that must be worth to us many billions? And this was done in pursuance of orders from the President in waging a war that you opposed; and you are to-day opposed to retaining the fruits of our victories on land and sea. Why this tender solicitude of yours as to the Filipinos, the Cubans, and the Porto Ricans, when for half a century you have been as dumb as an oyster as to the oppression of those who live on territory we now possess?

The motive of this opposition to the Administration is transparent. The real reason is patent—opposition to war with Spain. This Government can acquire territory and hold it as such at home or abroad at its own good will. It can admit to statehood as seems best for the public weal. The contention of our opponents in this respect is unworthy of consideration. As to what policy should be pursued in governing territory at home or abroad, that will always be a question open for discussion and difference of opinion; but the right to acquire territory is a right inherent in a sovereign State. If by conquest we captured the Bermudas, or by purchase acquired them, does anyone think we could not hold them unless we gave them statehood? I, for one, wish we possessed them.

It is not the Constitution that prevents our possessing them. It is the sovereign State of Great Britain. And yet the contention of the opponents of the treaty and of annexation would prohibit our acquiring them for the reason that their population would not entitle them to statehood. If we engage in war with a foreign power and as an incident acquire territory by conquest as compensation, or for the protection of our commerce, or the safety and general welfare of our people, I deny that fitness for statehood is an essential condition precedent to such acquisition by us. I have frequently thought, as I have listened to speeches from gentlemen in this House opposed to annexation, gentlemen who deny the power of the Government to acquire territory except it be immediately admitted to statehood, that one who failed to hear the text announced but heard the argument and the citation of authorities would think that the gentlemen were arguing a flowage case to a jury and struggling to confuse them by citing the decisions of some court as to the rights of riparian owners.

We are asked, "What right has the Government of the United States to control by military force and power territory that we acquire through conquest and as a result of war?" That question was raised and distinctly settled in the case of Cross *vs.* Harrison, 16 Howard. That was a case that arose by reason of our acquiring California from Mexico through the Mexican war. I quote from the head note or syllabus:

In the war with Mexico the port of San Francisco was conquered by the arms of the United States in the year 1846, and shortly afterwards the United States had military possession of all of Upper California. Early in 1847 the President of the United States, as constitutional Commander in Chief of the Army and Navy, authorised the military and naval commanders of the United States forces in California to exercise the belligerent rights of a conqueror, and to form a civil and military government for the conquered territory, with power to impose duties on imports and tonnage for the support of such government and of the army which had the conquest in possession.

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The formation of the civil government in California, when it was done, was the lawful exercise of a belligerent right over a conquered territory. It was the exising government when the territory was ceded to the United States as a conquest, and did not cease as a matter of course or as a consequence of the restoration of peace; and it was rightfully continued after peace was made with Mexico until Congress legislated otherwise, under its constitutional power to dispose of and make all needful rules and regulations respecting the territory or other property belonging to the United States.

The cases of Leitensdorfer *vs.* Webb (20 Howard, 176) and New Orleans *vs.* Steamship Company (20 Wallace, 387) are also in point. Can any one doubt the right, authority, and duty of the President, through the Army, to govern and control Porto Rico, Cuba, and the Philippine Islands until Congress shall provide some other form of government or until some disposition is made of those islands? There is no limitation upon the power of Congress to govern, control, and regulate all our territory, no matter how acquired. (Scre *vs.* Pitot, 6 Cranch, 336-337; American Insurance Company *vs.* Canter, 1 Peters, 542; Bank of Brunswick *vs.* Yankton, 101 U. S., 130.) I quote from the decision last cited. The court said:

We do not consider it necessary to decide in this case whether the governor of Dakota had authority to call an extra session of the legislative assembly, nor whether a law passed at such a session or after the limited term of forty days had expired would be valid, because, as we think, the act of May 27, 1872, is equivalent to a grant of power direct from Congress to the county to issue the bonds in dispute. It is certainly now too late to doubt the power of Congress to govern the Territories. There have been some differences of opinion as to the particular clause of the Constitution from which the power comes, but that it exists has always been conceded. The act to adapt the ordinance to provide for the government of the territory northwest of the river Ohio to the requirements of the Constitution (1 Stat. L., 50) is chapter 8 of the first session of the First Congress, and the ordinance itself was in force under the Confederation when the Constitution went into effect.

All territory within the jurisdiction of the United States not included in any State must necessarily be governed by or under the authority of Congress. The Territories are but political subdivisions of the outlying dominion of the United States. They bear much the same relation to the General Government that counties do to the States, and Congress may legislate for them as States do for their respective municipal organizations. The organic law of a Territory takes the place of a constitution as the fundamental law of the local government. It is obligatory on and binds the Territorial authorities, but Congress is supreme, and for the purposes of this department of its governmental authority has all the powers of the people of the United States except such as have been expressly or by implication reserved in the prohibitions of the Constitution.

In the organic act of Dakota there was no express reservation of power in Congress to amend the acts of the Territorial legislature, but none was necessary. Such a power is an incident of sovereignty, and continues until granted away. Congress may not only abrogate laws of the Territorial legislatures, but it may itself legislate directly for the local government. It may make a void act of the Territorial legislature valid and a valid act void. In other words, it has full and complete legislative authority over the people of the Territories and all the departments of the Territorial governments.

The only legal opinion I have seen to the contrary is a dictum of Chief Justice Taney in the Dred Scott case. I say "dictum," for it was only that. The court did not accept it as law; it was not the opinion of the court. And I quote from Judge Taney in another part of his opinion, that which I submit is an admission that Congress has plenary power in the premises:

The power to acquire necessarily carries with it the power to preserve and apply to the purposes for which it was acquired. The form of government to be established necessarily rested in the discretion of Congress. It was their duty to establish the one that would be best suited for the protection and security of the citizens of the United States and other inhabitants who might be authorized to take up their abode there, and that must always depend upon the existing condition of the Territory, as to the number and character of its inhabitants, and their situation in the Territory. In some cases a government consisting of persons appointed by the Federal Government would best subserve the interests of the Territory when the inhabitants were few and scattered and new to one another. In other instances it would be more advisable to commit the powers of self-government to the people who had settled in the Territory as being the most competent to determine what was best for their own interests. But some form of civil authority would be absolutely necessary to organize and preserve civilized society and prepare it to become a State; and what is the best form must always depend on the condition of the Territory at the time, and the choice of the mode must depend upon the exercise of a discretionary power by Congress, acting within the scope of its constitutional authority. (19 How., 448, 449.)

There is no mandate in the Constitution commanding Congress to admit new States; the authority is permissive only: "New States may be admitted by the Congress into this Union." Prior to the time when the Constitution was adopted, prior to the Articles of Confederation and the Declaration of Independence, there existed in this country thirteen distinct, separate colonies, each independent of all the others, and each a political body. They associated together to carry on the Revolutionary war by means of the Continental Congress. Afterwards they formed a National Government under the Articles of Confederation, and later, to make what seemed to them a more perfect Government, they adopted the Constitution of the United States. It has been said that "the Government thus formed, while it was a political partnership between the people, was also a partnership of States."

Any one of the States (partners), in the absence of the permissive, not mandatory, clause already quoted, would have been able to prevent the admission of a new State, to refuse to take into the partnership a new member. Article XI of the Articles of Confederation reads as follows:

ART. XI. Canada, acceding to this confederation, and joining in the measures of the United States, shall be admitted into, and entitled to, all the advantages of this union; but no other colony shall be admitted into the same, unless such admission be agreed to by nine States.

In the convention that framed the Constitution Mr. Randolph introduced a set of resolutions. I copy one:

10. *Resolved*, That provision ought to be made for the admission of States lawfully arising within the limits of the United States, whether from a voluntary junction of government and territory or otherwise, with the consent of a number of voices in the National Legislature less than the whole. (5 Elliott, 128.)

It would appear that Mr. Randolph was clearly of the opinion that unless provision was made for admission of a State none could be admitted without the consent of all. Later Mr. Pinckney submitted a plan for a Federal Constitution. I quote Article XIV:

ART. XIV. The Legislature shall have power to admit new States into the Union on the same terms with the original States, provided two-thirds of the members present in both Houses agree. (5 Elliott, 132.)

The Randolph resolution was later reported back to the convention. Mr. Patterson proposed an amendment. The whole matter was referred to the committee on detail, which reported back the following:

ART. XVII. New States lawfully constituted or established within the limits of the United States may be admitted by the Legislature into this Government, but to such admission the consent of two-thirds of the members present in each House shall be necessary. If a new State shall arise within the limits of any of the present States, the consent of the legislatures of such States shall be also necessary to its admission. If the admission be consented to, the new States shall be admitted on the same terms with the original States. (5 Elliott, 381.)

This was referred to the committee on style, and was finally adopted as found in the Constitution to-day.

I desire to call attention to the views entertained in 1803, when matters connected with the Louisiana purchase were under consideration.

Senator Plumer, of my State, said:

Admit this western world into the Union, and you destroy at once the weight and importance of the Eastern States and compel them to establish a separate, independent empire.

He was an "imperialist" and anti-expansionist.

Senator Pickering, of Massachusetts, said:

It is declared in the third article (of the treaty) that "The inhabitants of the ceded territory shall be incorporated in the Union of the United States." But neither the President and Senate, nor the President and Congress, are competent to such an act of incorporation. He believed the assent of each individual State to be necessary for the admission of a foreign country as an associate in the Union.

Representative Griffin, of Virginia, said:

He feared the effect of the vast extent of our empire: he feared the effects of the increased value of labor, the decrease in the value of lands, and the influence of climate upon our citizens who should migrate thither. He did fear (though this land was represented as flowing with milk and honey) that this Eden of the New World would prove a cemetery for the bodies of our citizens.

Senator Toucey, of Connecticut, said, speaking upon the same subject at that time:

We can hold territory, but to admit the inhabitants into the Union, to make citizens of them, and States, by treaty, we can not constitutionally do; and no subsequent act of legislation or even ordinary amendment to our Constitution can legalize such measures. If done at all, they must be done by universal consent of all the States or partners to our political association.

Delaware was heard from. Senator James White, of that State, said:

But as to Louisiana, this new, immense, unbounded world, if it should be incorporated into the Union, which I have no idea can be done but by altering the Constitution, I believe it will be the greatest curse that could at present befall us. It may be productive of innumerable evils, and especially of one that I fear to ever look upon. * * * Thus our citizens will be removed to the immense distance of two or three thousand miles from the capital of the Union, where they will scarcely ever feel the rays of the General Government; their affections will become alienated; they will gradually begin to view us as strangers; they will form other commercial connections, and our interests will become distinct. * * * And I do say that under existing circumstances, even supposing that this extent of territory was a desirable acquisition, $15,000,000 was a most enormous sum to give.

Representative Griswold, of Connecticut, said:

It is not consistent with the spirit of a republican government that its territory should be exceedingly large, for as you extend your limits you increase the difficulties arising from a want of that similarity of customs, habits, and manners so essential for its support.

* * * * * * *

It will not be found either in the report of the secret committee, which has recently been published, or in any document or debate that any individual entertained the least wish to obtain the province of Louisiana. Our views were then confined to New Orleans and the Floridas. * * * The vast and unmanageable extent which the accession of Louisiana will give the United States, the consequent dispersion of our population, and the destruction of that balance which it is so important to maintain between the Eastern and Western States threatens at no distant day the subversion of our Union.

It will be observed that the opponents of the pending treaty in the march of progress have got up to 1803, and have exhumed the expressions of the men of that day, which they use with all the apparent satisfaction and enjoyment that a child gets from its first rattle. The same melancholy gloom envelops them that haunted the opponents of annexation in 1803. Note their expressions: "Immense, unbounded worlds," "immense distances," "their affections will become alienated," "a cemetery for the bodies of our citizens," "vast and unmanageable extent," "productive of innumerable evils," "the greatest curse that could at present befall us," "feared the effect of the vast extent of our empire." Eliminate from the speeches and editorials against annexation to-day the expressions borrowed from the men of 1803, and they would be mild as May zephyrs and sweet enough for use at a New England quilting. [Laughter.] I have made the quotations to refute the contention now made that the provision in the Constitution was understood by its framers to be mandatory and compels us to admit to statehood all territory acquired in any manner, regardless of its condition.

I think the evidence I have cited establishes the fact that the framers of the Constitution held the reverse doctrine, and therefore consented to the permissive clause now in the Constitution. I think I ought to say that to my mind the opponents of annexation are entitled to congratulations for that progress that has brought them up to 1803. Glancing at the map of our country, considering for only a moment what annexation has done for us, what our condition would have been to-day but for annexation, and any fair-minded man ought to be satisfied that one possessed of a disposition and mental arrangement that leads him to stand to-day where the opponents of annexation stood in 1803 has "come up through great tribulation;" and I am glad that he is within ninety-six years of the promised land—Porto Rico and the Philippine Islands. With the history of what took place in the convention that framed the Constitution before us, with the record before us of the views entertained on the subject of annexation in connection with the Louisiana Territory in 1803, coupled with the further fact that ever since the adoption of the Constitution we have continuously held, governed, and controlled territory, I think it apparent that the contentions by the opponents of annexation and the treaty have no justification in law or practice.

A word in reply to what is often suggested by the enemies of annexation, that if the Philippine Islands are annexed there will be danger to our toilers by reason of the right that may accrue to the inhabitants of those islands to come here and labor. I assure gentlemen who are preaching that doctrine that it is an idle waste of breath, first, because the laborers of this land have confidence in the Republican party, that by its works and legislation has always cared for them and their interests, and they know it. What do the opponents of the treaty tell us about the inhabitants of the Philippine Islands? Let me quote some of their choice stock-in-trade language by which they describe those people: "Cannibals," "untamed and untamable savages," "wild, ferocious barbarians, that we can only civilize by killing."

They tell us that Christian Spain, impelled only by love and mercy, has been trying for centuries to civilize them, and has endured a humiliating failure; that they prefer to die rather than by annexation become a part of this country. And in the next breath they ask us to believe that those people are so industrious, so ambitious to better their condition, that by an inherent and irrepressible desire to become Yankees they will abandon their native land, their homes, and loved ones, and flock to our shores. To such ridiculous contentions are the enemies of annexation driven. The "wild, ferocious, untamed, and untamable barbarians" that the Administration is "subjugating," "robbing of their liberties," "reducing to vassals," "wickedly" and "unconstitutionally"—these people who "prefer to die" rather than to live under our form of Government will, if we permit, come here in such numbers that they will be injurious to our laboring people! These directly antagonistic propositions, either of which being true would make the others impossible, constitute the most logical plank in the anti-annexationists' platform:

The last stand taken by the opponents of annexation is remarkable for its novelty. I am not informed that it is borrowed from the sepulcher of 1803. They contend that we can not give independence and freedom to the people of Porto Rico and the Philippine Islands without violently wrenching and, perhaps, disjointing our Declaration of Independence, which in substance declares that all men ought to be free. To the authors of this new-born delusion I have only to say, "Your last condition is worse than your first." They quote from the preamble. I desire to quote from the closing paragraph of that Declaration, to evidence what seems to me to have unquestionably been the opinion of the men who gave to the world that Declaration and immortalized the truth it contains—that a nation founded on that Declaration has all the rights that properly grow out of the right of sovereignty:

We therefore * * * do, in the name and by the authority of the good people of these colonies, solemnly publish and declare that these united colonies are, and of right ought to be, free and independent States; * * * and that as free and independent States they have full power to levy war, conclude peace, contract alliances, establish commerce, and do all other acts or things which independent States may of right do.

The tender solicitude the opponents of the treaty and of this measure to increase the Army have lest the President may use it to deprive the "wild, untamed, and untamable, ferocious barbarians" that they tell us the Philippines are of their liberty would have impelled them, had they been in a position to have done so, to have voted, as one member of Congress from New Hampshire did, against making the slave-trade piracy. Quoting from the Declaration of Independence the words "and the pursuit of happiness," he declared that such an enactment would be a violation of an "inalienable right" which the slave trader possessed in "the pursuit of happiness" to steal men, women, and children in Africa, transport them to America, and sell them as slaves.

Mr. Chairman, I have occupied much more than my share of time in this debate. A few words in conclusion and I am done. Our opponents point to Rome and Greece and tell us that colonial possessions ruined them. What nonsense! They were not republics like ours; they were oligarchies. Only the few had a voice in the government; the masses were serfs or slaves, and their conduct toward the inhabitants of acquired territory was invariably that of spoliation. England, the most powerful of nations, with a population in the British Isles of 38,000,000, holds in subjugation to-day, without allowing them any self-government whatever, more than 358,000,000 people. Does anyone imagine that those people are or have been a source of weakness to Great Britain? We have no purpose of that kind. I point to this fact to illustrate that the reverse of our opponents' contention is true, not only in the case of England, Germany, and other imperial powers, but in that of the Republic of France as well, that governs more people in her colonies and outlying territory than she has at home.

On the morning of May 1, 1898, Admiral Dewey, in the Bay of Manila, thousands of miles from a friendly port, standing upon the bridge of the *Olympia*, with the flag of "imperial" liberty above him, challenged the Spanish admiral in command of a fleet that carried double the number of guns that Dewey's carried, supported by land batteries, to a fight to the finish. The treaty of Guadalupe Hidalgo, the Declaration of Independence, and the Constitution of the United States were not much in evidence on

that bay that morning; but American ships, American guns, American prowess and heroism were there actively, and there to stay. [Applause.] Every man in our fleet knew that it was victory or the bottom for him. There was not a man under our flag who would have hauled it down or turned his back on our foe in defeat to save his life. Every man was a hero, every hero an expansionist. That victory immortalized our heroes as the Spartans did Thermopylæ. Had those who now shout "Imperialism," "Colonial possessions," "Robbers of the Filipinos' liberty" been there, would they have turned their backs to the Spaniards? If so, mankind would have branded them as cowards. If we turn away and surrender what their matchless valor won, if we leave the Filipinos to be robbed by tyrants or adventurers, the people of every nation on earth, pointing to America, will say: "Her sons are brave in war; her legislators are cowards." I hope and trust they will not have that opportunity.

With a flippancy that evidences lack of thought and inaccuracy of statement our opponents quote a sentence or two from the Farewell Address of George Washington and proceed to arraign us for ignoring and trampling upon the advice of our first President. Let me quote from that same Address:

> With me a predominant motive has been to endeavor to give time to our country to settle and mature its yet recent institutions and to progress without interruption to that degree of strength and consistency which is necessary to give it, humanly speaking, the command of its own fortunes.

To our opponents I say we have got there; we have reached that point in our development to which the author of the words quoted was anxiously looking forward.

I submit that it is patent from the language used that Washington regarded the policy of seclusion as temporary only.

Vast domain is not essential to empire or imperial and despotic rule. The most cruel of tyrants have reigned over but small territory and comparatively few people.

The fact that territory is not contiguous does not make it more desirable for imperial rule, but less so. I am not favoring empire. I desire to add imperial domain to our Republic, and give the inhabitants thereof the blessings we enjoy in the same way and manner that we have acquired territory from the day France ceded Louisiana and have added to and brought under the flag of imperial liberty many times multiplied that we originally possessed.

It is a misfortune that we have so many Rip Van Winkles in this country who can not be made to believe that time passes, progress advances, and trade and commerce increase while they sleep, unconscious of the change. They speak of the distance to the Philippine Islands, 7,000 miles, as something of sufficient importance to deter us from discharging a duty that conscience and the laws and rules of civilized nations make it imperative upon us to perform.

These sleepers, who never dream of what is transpiring in the world to-day, are not aware that Russia has nearly completed from St. Petersburg to the Pacific coast a railroad 6,600 miles in length.

I desire to place in the RECORD a copy of a letter written by Benjamin Franklin in New York City on his way to England to plead the cause of the American people before the privy council. I am indebted to Hon. Charles Marseilles, of Exeter, N. H., for the privilege of making this copy from the original in his possession:

NEW YORK, *June 4, 1757—Saturday.*

DEAR BROTHER & SISTER: We are now told that we are certainly to sail to-morrow Morning. I wish it may be so, for I am now quite tired with waiting, having been here above 8 Weeks.

I enclose you an Order of Cousin James's on Mr. Collins for 35 Dollars. Please to receive them, and send them ℔ first Safe Hand to my Wife. If you can get it in *Gold*, it may be enclosed in a little Pacquet & sent ℔ Post.

I pray God to preserve you both, & that I may find you well at my Return. I remain, as ever,

Your affectionate Brother, B. FRANKLIN.

My object in introducing this letter is twofold. First, to show that Franklin was "a goldbug;" and secondly, to prove that Manila is not so far away from San Francisco to-day in point of time as Franklin had to wait in New York for a craft to sail for England. I repeat what I have before said, that, practically speaking, time and distance have been eliminated in the affairs of men, and that our commercial relations with Asiatic people, constantly increasing in volume and profit, compel us as a prudent nation to use all means that we may rightfully to encourage and defend the same.

It is asked, "Why does not the President declare his policy?" He has a duty to perform, and not a policy to enforce. His duty is clear, well defined, and free from doubts. He must, with the military arm of the Government, protect the inhabitants of those islands in all their rights, as it would have been the duty of Spain to do had not her forces stacked their arms pending the ratification of the treaty. If the treaty be ratified, he must continue to use the land and naval forces of the United States to preserve order and enforce obedience to law until such time as Congress shall see fit to legislate. How idle the query, "Why does not the President declare his intention and purposes toward the Philippine Islands and the inhabitants thereof?" The same journals and individuals that urge this question would, if he should express an opinion as to what, in his judgment, would be wise and best to do in the future, rend the air with denunciations and charge that he desired to usurp the power of Congress. Until the treaty is ratified and the war is at an end no such question as that concerning which these men desire an opinion from the President can possibly arise.

We to-day hold those islands by the military arm. If the treaty is ratified, we shall possess them in our sovereign right. Then the President, as Commander in Chief of the Army and Navy, must govern them as best he can by means of our military and naval forces until Congress provides some other form of government or we dispose of them.

Do men forget that the President, by instructions to the commanding general of our forces in the Philippines, stated what our duty and purpose were pending the ratification of that treaty, and directed that the greatest possible publicity be given to the same, and that that adventurer who twice sold himself to Spain and who, if, as some say, he was once our ally is now a traitor, as was Benedict Arnold, ordered that proclamation burned? He is a pirate on land and sea, a betrayer of every cause he ever espoused. They who encourage and admire him must mourn the fate of Captain Jack, the Modoc chief, who shot General Canby under a flag of truce. And they who are denouncing the President for the faithful performance of a duty imposed upon him by law as a public servant are more to be despised than Aguinaldo, for they sin against greater light. [Loud applause.]

[During the delivery of the foregoing remarks Mr. SULLOWAY was interrogated, but declined to yield.]

Mr. MARSH. Mr. Chairman, I yield to the gentleman from Minnesota [Mr. FLETCHER] such time as he desires.

Mr. FLETCHER. Mr. Chairman, this bill to increase the regular standing army of the United States to 100,000 men is, in my opinion, the most important question before Congress and the people.

We are asked to enact legislation which will, if this bill is passed by Congress, place the United States upon a war footing, so that whatever emergency may arise this Government will not find itself again unprepared to meet a situation which may demand quick and aggressive action.

Those who support the bill as originally reported from the Committee on Military Affairs have told us with patriotic promptings that the passage of the bill is a necessity; that we can no longer maintain our rights and our dignity as a nation unless we have an army of this magnitude.

Mr. Chairman, while I indorse and agree to much that has been said along this line during the debate, I believe we should take up this question not alone as a patriotic measure, but we should consider it as a business proposition also, and carefully examine into all existing conditions in order to determine whether or not this Government should go upon a permanent war footing. I believe we should also look at the future and ascertain so far as may be possible the reasons for establishing and maintaining a large standing army. I know full well the value of being prepared, and of being so situated that it will be comparatively an easy matter to take advantage of an adversary. But should we not consider that the very fact of making too great preparations to meet a situation will tend to bring that situation about?

I want to go just as far as any member of this House in strengthening and aiding the War Department and the Administration in having well-trained soldiers enough to guard and defend every right of the most humble citizen of the United States against the most hostile or unwarranted and unjustified action of any nation in the world.

But I do not want to go to the extent, to use a somewhat familiar phrase heard by most of us when we were schoolboys, of walking around with a chip on our shoulders.

If I can gauge the sentiment of the American people right, they are a peace-loving and a peace-giving people. I well remember the day when the $50,000,000 emergency bill was up here in the House. One of my colleagues from Minnesota in a very short speech embodied a great deal of truth. He said that America means peace and that our Government rests upon the solid foundations of peace and righteousness.

But when forced into a quarrel and our cause is just, then we will fight for peace and to vanquish a foe with more aggressiveness than any other country.

Do we want to maintain an Army of sufficient size and number for the mere purpose of fighting somebody? Or do we want to maintain an Army that will be sufficiently large and well enough equipped to defend every outpost of our territory, protect every foot of our soil from any foreign invasion at the outset of any war, and to hold our position until such time as the national militia—the volunteer forces—could be called into service for action?

In my judgment, Mr. Chairman, it is not necessary to call into

service 100,000 men, to keep and maintain such an army, in order to preserve the peace and take care of our possessions.

I believe that 50,000 regular soldiers will be sufficient for all purposes. We are not entering upon any aggressive policy anywhere. We propose to give free and independent government, the same as we enjoy, to Cuba, Porto Rico, and the Philippines. We are bound to do it by a most solemn declaration, which made the war with Spain so justifiable and well grounded that not one of the powers of Europe or any other nation, although they sought for some cause, some circumstance, upon which they might take exception, could say aught against the policy of this Government in its declaration of war and its prompt prosecution of it to an early finish.

It sounds very nice to talk patriotism, and we are easily swayed by sentiment. But it is not at all necessary to increase the Regular Army to 100,000 in order that the American flag shall not be hauled down anywhere where it is now floating. The gunboats of Dewey's fleet and the other squadrons of our Navy, after the record made, is a guarantee that our flag and our citizens will receive due protection. [Applause.] Therefore, this matter of maintaining a large standing army comes down more to a business than a patriotic proposition.

From the information I have been able to obtain and from my observations during the past year, I am satisfied that a regular army of 50,000 men will be sufficient for all purposes. But I am willing to be liberal with the friends of the bill, who are my friends and in whose policies I believe. I will be willing to vote for 60,000 as the limit, but I do not want more officers than are actually needed. I prefer to leave room to promote meritorious men from the ranks.

During the late war thousands of the volunteers were chafing and impatient in the various home camps. There are many regiments that have prayed and petitioned for the honor of going over to Cuba.

I am sure that I will find many who will agree with me in the statement that there are far more officers and soldiers in the Volunteer Army who are complaining because they did not see active service than there are those who are complaining because they did see some fighting. The average man who enlists wants to fight. And I want to say now while the occasion offers that the overzealous efforts of friends at home, in seeking discharges and furloughs for our volunteer boys in the field, did more to create trouble for the War Department than did the volunteers themselves.

I will admit that it costs a great deal more to handle and take care of a volunteer command than it does a Regular Army command.

That is why I am advocating a reasonably fair proposition to give the country a substantial and safe standing army.

But I want to say for the Minnesota volunteer regiments, that it was not their desire or wish, as an organization, to be mustered out of the service until after it was positively known that there would be no more fighting this side of the Philippines.

And no State has made a prouder record than Minnesota in that far-distant land. Much has been said concerning the bringing home of the Thirteenth Volunteer Regiment from Minnesota. That regiment was in at the hardest of the fighting at Manila August 13 last.

They came from the colleges, the high schools, the office, the shop, and the farm. No more patriotic spectacle was ever witnessed than when the young men—the flower of our State—took up the cause of the oppressed and marched forth to do their duty as their forefathers did in the war of the rebellion, and it shall ever be the pride of Minnesota to recall the valor and glory of her citizen soldiers in every emergency.

I hope this bill may be amended along the lines I have suggested and speedily be enacted into law. [Applause.]

Mr. JETT. Mr. Chairman, I now yield to the gentleman from South Carolina [Mr. TALBERT] such time as he desires.

Mr. TALBERT. Mr. Chairman, when the war revenue bill was up for consideration last summer I made a speech against it, in which I took the ground that the war then on hand was used as a pretext for its passage, because there could be no chance to pass such a measure in time of peace with its bond provision. Now it is that the party in power again undertakes to pass a measure in this bill under consideration for increasing the standing army, under the pretense that this country will have to continue embroiled in wars in the future. Another false pretext for getting through another measure which could not otherwise pass.

I feel it my solemn duty to oppose this bill—a duty alike to the constituency that I immediately represent and to the great people of whom my constituents form a part. It is not my purpose to make a long and elaborate speech, but merely to record briefly and as clearly as I may some of the reasons which underlie my opposition and to put myself on record against the measure.

No intelligent man will deny that something in the way of a regular army is needed by the United States and no patriotic member of this body will ever vote to withhold support for such military force as the legitimate necessities of the country require. But, in my judgment, the force provided by this bill is far and away beyond the needs of the country. It certainly is, unless it be for the purpose of carrying out a policy entirely new in our national affairs, altogether at variance with our time-honored traditions, one, as I believe, that is contrary to the best interests of the great body of the American people, fraught with danger to the Republic, and striking at the very foundations of free government the world over.

For what reason, Mr. Chairman, should the Army of the United States, on a peace footing, be suddenly raised from about 26,000 men to more than 100,000? Granting that perhaps two or three regiments of artillery could be used to good advantage in garrisoning the forts along our extended seaboard; granting that from time to time small additions may, with propriety, be made in the form of skeleton organizations to protect our varied and growing interests, as well as to serve as a nucleus for a larger army in time of war; conceding all this, where or what is the emergency that calls for the quadrupling of our military force at a single step? Are the people by whose suffrages we hold our seats in this body showing signs of restiveness under the boundless prosperity(?) which certain classes claim is now throwing its refulgent gleams of sunshine over the land?

Can it be that men who are riding the heaving billows of Republican prosperity actually require a strong Republican army to convince them of the fact? Or is it the truth that the prosperity of which we hear so much is, after all, the exclusive property of the trusts, the speculators, and the money changers, who are anxious for a strong army to protect them in their "vested rights." These are classes that naturally turn to the Republican party to shield them and aid them in every abuse, that never fail to respond freely to the calls of Republican campaign managers whenever the people are to be educated in the principles of "sound money," "business integrity," and "exalted political morality."

Can it be that these classes are to any extent responsible for the sudden conversion of so large a proportion of the Republican party leaders to the idea of a great standing army? Surely this can not be. It seems incredible that the Republican leaders, acting at the dictation of the "money power," are deliberately forging chains of oppression for the American laborer by increasing the burden of his taxes, and with the money thus wrung from him creating a vast army to shoot him down if he should manifest any unpleasant signs of discontent.

But what is the reason for this marvelous change in Republican sentiment? Are we threatened with foreign war? Not at all. On the contrary we have just finished up the war with Spain, and are now apparently entering upon a long period of peace, unless we by our own action bring about a struggle with some foreign nation or people. The question, then, arises against whom are these 100,000 men to be employed? And who are to pay the countless millions of taxes thus imposed upon the people?

Mr. Chairman, so far as our internal affairs are concerned there is absolutely no reason for such an increase of the Army. Unless there is a purpose to trample upon the liberties of our own people, this measure is manifestly designed to enable the Administration to strike down and strangle the spirit of freedom in some other land.

This, sir, is the legitimate result of that wild, unreasoning fever of "expansion" or "imperialism," call it by whichever term we may, that has temporarily blinded the vision, warped the judgment, and blunted the sense of justice of so many of our people. There can be no earthly doubt that the Administration has entered upon the policy of holding in subjection the people of distant lands, with or without their consent, and wants an army to enforce such action if they resist. The closest scrutiny of the world's political horoscope suggests no other use for such an army. I do not stand here for the purpose of making an unreasoning and senseless onslaught upon the principles of expansion.

Some there are who assume that expansion is so good a thing that we must take and hold every foot of territory that we can get, no matter to whom it rightfully belongs or what principles of natural justice we must trample upon in order to do so. Others go to the opposite extreme and profess to see danger in any expansion, no matter where or under what circumstances. I think that every case should stand upon its own basis of facts. Up to a certain point I am an expansionist. It is perfectly obvious that the tendencies of civilized men are to unite into great nationalities. This is the result of the warlike spirit and ambition which has hitherto prevailed even among the most advanced and intelligent peoples.

Under such conditions the countries which fail to expand and increase in power will almost certainly fall a prey to the ambition and rapacity of those which do. But no such conditions exist in this country to-day. We have already "expanded." From a narrow fringe of sparsely settled colonies along the Atlantic seaboard we have moved with giant strides to the west, over the

Alleghanies and across the fertile prairies of the Mississippi Valley. We have climbed the lofty slopes of the Rocky Mountains, traversed the great basin, mounted the heights of the snow-crowned Sierras, and pressed on to the westward, until the waters of the vast Pacific barred our farther progress.

Lying in one massive block, with the Atlantic on the east and the Pacific on the west, secure from either European or Asiatic aggression, with no present or prospective enemy either north or south that we need fear, with a vast domain almost in the infancy of its development, our territory has been expanded to the fullest limit of necessity. The moment we pass the limit of necessity we enter a field of unknown dangers. Many doubted the wisdom of the Alaska purchase, and others seriously questioned the policy of annexing Hawaii.

It remains to be seen, when some emergency arises, whether those possessions are elements of strength or weakness. There is, perhaps, room for honest differences of opinion as to whether we should permanently hold Porto Rico, and the question of the future acquisition, with the consent of its people, of course, of Cuba may hereafter become a fairly debatable question. But the case of the Philippines is altogether different from either and radically different from any of the precedents upon which the extreme advocates of expansion rely. If there is a single valid argument in favor of our permanently holding the Philippine archipelago, I have never yet heard it. It is shouted that the islands are very rich and that we want them. That is the alpha and omega of the expansion cry, save as it is embellished by abuse of those who venture to think that it is neither wise nor just to take and hold the islands against the wishes of the people who inhabit them.

The only argument made in favor of holding the Philippines may be met and disposed of by simply quoting the divine command, "Thou shalt not steal." If the inhabitants of those islands were clamoring for us to take them, it would be bad policy for us to do so. They are already densely populated by heterogeneous races, at least nine-tenths of whom are not and never will be fit for "friendly assimilation" with the citizens of this Republic. Such an assimilation means either the subjugation of the weaker races or the moral and social degradation of the stronger. Standing as we do, face to face with the race problem in the South, the American who will deliberately enter upon the policy of "friendly assimilation" with eight or ten millions of Filipinos is either woefully lacking in intelligence or he is not a true friend of his country. The next and logical step would be to assimilate fifty or a hundred millions of Chinamen.

But, Mr. Chairman, "friendly assimilation" is wholly out of the question, for the simple reason that the Filipinos refuse to be thus "assimilated." If they were ready to accept our sovereignty and take their chances of fair treatment, would Mr. McKinley's Administration, his friends and supporters in Congress, be now vociferously demanding a vast standing army? Is an army of 100,000 men, armed with Mauser guns and Krag-Jorgensen rifles, intended as an instrument of "friendly assimilation?"

Mr. Chairman, one of two things is certainly true: Either this great army is intended to be used against our own people or it is designed for use against some other. Which is it? We challenge the friends of the measure to tell us against whom it is to be employed. It is no answer to say that conditions may arise in which it may be needed. The same contention could be made in favor of an army of a million, for it may be that some time we shall need such a military force. But so far as the defense of our own territory is concerned, no man having a just conception of the character of the American people can doubt that they will be equal to any emergency that may arise. Their courage and patriotism have never yet failed, and they never will unless they be destroyed by the inauguration of a policy which teaches them to rely upon a standing army of soldiers for protection, which standing army will, according to different estimates, saddle upon the people an annual expense of from $98,000,000 to $150,000,000, in addition to billion-dollar Congresses already fastened upon them.

In any possible aspect of the question this measure is utterly indefensible. If the Army is intended for home defense, it is an unnecessary burden; if designed for the subjection of some other people to our rule it is an abomination in the sight of God and all honest men. If the purpose be to hold the Philippines against their will or to deprive the people of Cuba of the free and independent government that we have solemnly promised them, then the force proposed is entirely too small. Let gentlemen remember that 200,000 Spanish troops were insufficient to crush the spirit of liberty in Cuba alone. Let them remember that during three centuries of nominal ownership Spain obtained actual possession and control of but a small portion of the Philippine Archipelago.

Let them remember that those islands lie 7,000 miles from San Francisco, almost under the equator, and that except under the most favorable circumstances they are practically uninhabitable by men of the Anglo-Saxon race. No matter what force we might send there, the natives could retreat into the mountain fastnesses and carry on a desultory guerrilla warfare for years. Two hundred thousand men would not suffice to effect a complete conquest of the islands if the natives intelligently make use of the natural advantages of their position. How many thousands and tens of thousands of our young men would be sacrificed in this insensate crusade I would not venture to say.

That our losses would be terrible no intelligent man will deny, and for what purpose? Simply to prove that we can whip the Filipinos and secure some imaginary commercial advantages. Even if the right were upon our side, it would be nothing less than national idiocy on our part to attempt it. The proposition brings up clearly and forcibly Burke's famous simile about shearing the wolf. "What! Shear a wolf?" "Yes," was the reply; "it is my wolf and I have a right to shear him." "But have you considered how little wool you will get?" "I care nothing about that; he is my wolf and I will shear him." "Think, though, of the danger and difficulty of shearing this wild beast." "No matter; he is my wolf. I have the power to shear him and I will."

My word for it, Mr. Chairman, the shearing of the Philippine wolf will be quite as difficult, quite as dangerous, and quite as profitless as was the shearing of the wolf in which Great Britain was then engaged.

Mr. Chairman, a year ago had the proposition been made for us to take the Philippine Islands, even with the free consent of their people, it would have been rejected as an action fraught with danger to the Republic. Such a thing had never been thought of. What has happened to bring about the apparent change in public sentiment? Nothing, save that Admiral Dewey destroyed the Spanish fleet in Manila Bay. But that in no manner affects the merits of the question. It makes the islands no more valuable than they were; it gives us no right to deny freedom to the people who denied the rightful sovereignty of Spain.

If Dewey had found the Spanish fleet somewhere else, he would have destroyed it just the same. The mere circumstance that the battle was fought at Manila changes no principle of international law, no rule of natural justice, and it should not lead us to depart from the foundation principle upon which the American Republic was organized, namely, that "governments derive their just powers from the consent of the governed."

I have no desire to paint too gloomy a picture of the possible results of our holding the Philippines by force. We might do it and survive; we might trample out liberty there and preserve something like liberty at home. But no fair-minded man can deny that it brings us face to face with dangers new and unknown. Not only are we asked to make war upon a people whose only wrong is the desire to be free, but we are asked to load ourselves down with burdens of largely increased taxation in order to enable us to do so.

Besides all this, it is quite certain to give rise to complications with other great powers, the results of which no man can foretell. At this juncture, when our President, from a timid and shrinking opponent of the war for humanity in Cuba, seems to have developed an insatiable appetite for conquest and territorial aggrandizement, it may not be out of place for me to read briefly from the remarks of another great Ohioan on the subject of expansion. They are a little overdrawn in their application to the question then before the country, but well worthy of consideration in the light of the situation as it exists to-day. I read from a speech of the Hon. Thomas Corwin:

Mr. President, this uneasy desire to augment our territory has depraved the moral sense and blunted the otherwise keen sagacity of our people. What has been the fate of all nations who have acted upon the idea that they must advance? Our young orators cherish this notion with a fervid but fatally mistaken zeal. They call it by the mysterious name of "destiny." "Our destiny," they say, is "onward," and hence they argue, with ready sophistry, the propriety of seizing upon any territory and any people that may lie in the way of our "fated" advance. Recently these progressives have grown classical; some assiduous student of antiquities has helped them to a patron saint. They have wandered back into the desolated Pantheon, and there, among the Polytheistic relics of that "pale mother of dead empires," they have found a god whom these Romans, centuries gone by, baptized "Terminus."

Sir, I have heard much and read somewhat of this gentleman, Terminus. Alexander, of whom I have spoken, was a devotee of this divinity. We have seen the end of him and his empire. It was said to be an attribute of this god that we must always advance and never recede. So both republican and imperial Rome believed. It was, as they said, their destiny. And for a while it did seem to be even so. Roman Terminus did advance. Under the eagles of Rome he was carried from his home on the Tiber to the farthest East on the one hand, and to the far West, among the then barbarous tribes of western Europe, on the other. But at length the time came when retributive justice had become "a destiny."

The despised Gaul calls out the contemned Goth, and Attila, with his Huns, answers back the battle shout to both. The "blue-eyed nations of the north," in succession or united, pour forth their countless hosts of warriors upon Rome and Rome's always-advancing god Terminus. And now the battle-ax of the barbarian strikes down the conquering eagle of Rome. Terminus at last recedes, slowly at first, but finally he is driven to Rome, and from Rome to Byzantium. Whoever would know the further fate of this Roman deity, so recently taken under the patronage of American Republicanism, may find ample gratification of his curiosity in the luminous pages of Gibbon's "Decline and Fall."

Such will find that Rome thought as you now think—that it was her destiny to conquer provinces and nations—and no doubt she sometimes said, as you say, "I will conquer a peace," and where now is she, the mistress of the world? The spider weaves his web in her palaces; the owl sings his watch

song in her towers. Teutonic power now lords it over the servile remnant, the miserable memento of old and once omnipotent Rome. Sad, very sad, are the lessons which time has written for us. Through and in them all I see nothing but the inflexible execution of that old law which ordains as eternal that cardinal rule, "Thou shalt not covet thy neighbor's goods, nor anything which is his."

For the reasons which I have thus briefly generalized, and many others that I have not the time to touch, I feel it my duty to oppose this measure in the interest of the people I have the honor to represent upon this floor.

I commend this language to the earnest and prayerful attention of those who are pressing this measure as being appropriate to the present occasion. I can not conscientiously support the bill under consideration, but will vote for the substitute offered by the gentleman from Virginia, as being the choice of evils as they exist to-day. [Loud applause.]

Mr. MARSH. Mr. Chairman, I now yield twenty minutes to the gentleman from North Carolina [Mr. WHITE].

Mr. WHITE of North Carolina. Mr. Chairman, I supported very cheerfully all measures tending to bring about the recent war for liberating a very much oppressed and outraged people. I supported with equal cheer all appropriations that were necessary for the successful prosecution of that war to a final termination. I thought it was necessary then; I think now that it was a necessity. It has been the province of the people of the United States at all times to extend a helping hand to the oppressed, to the outraged—I mean, of course, without the borders of the United States.

Being a member of this great Republic and one of the Representatives on this floor, I gave my support in voice and in every way that I could to all measures tending to the liberation of these poor people in Cuba. I now favor the acquisition of all of the territory that is within our grasp as a result of that war. [Applause.]

To say that we will not accept, to say that we will not take these acquisitions, and to say that we will not extend to the people thereof the civilization of our country, the Christian manhood and womanhood we enjoy, is to do them a wrong and to take steps backward. I therefore favor the annexation of the Philippine Islands, and I also favor the bill now pending before this House for the extension of our standing Army commensurate with our new conditions.

Our Army up to the time of this recent war was a mere bagatelle. It was not at all in keeping with the great nation that we are. Our Navy consisted of only a few crafts hanging around our shores, and the condition we were found in at the beginning of the American-Spanish war is too well known to us all to require any discussion on my part.

In times of peace it is well to prepare for war. We are now at peace, but it may not be thirty days before we shall be thrown into another war. Who can tell? Certainly if this discussion goes on, the treaty being considered in the other end of the Capitol being transferred, in part, to this end of the Capitol, and being of such character so as to encourage and inflame those of the Philippines opposed to annexation, it is most likely that it will not be thirty days before we will be at war again. Therefore I favor action upon this bill and extending our Army so that it will be ample for all emergencies that may arise.

Mr. Chairman, it is not so much on account of the recent war with Spain, or the money it took to carry on that war, or the annexation of Cuba, or Porto Rico, or the Philippine Islands that I desire to speak, nor is it so much the pending bill we have before us that I desire to address myself to this House.

But it is another problem, possibly more vexing than the one we have now under consideration. I know that you will pardon me if I do not address myself to the question before us when you recollect that I am the only representative on this floor of 10,000,000 people, from a racial standpoint. They have no one else to speak for them, from a race point of view, except myself. I shall therefore address the remainder of my remarks to another phase of the situation in this country—to another great problem that confronts us, and one which I trust ere long we shall have the manhood to stand up in our places and meet like American citizens, not like sectional cowards. I refer to the race problem. I have sat here in my place and heard discussions pro and con; I have heard my race referred to in terms anything else than dignified and complimentary. I have heard them referred to as savages, as aliens, as brutes, as vile and vicious and worthless, and I have heard but little or nothing said with reference to their better qualities, their better manhood, their developed American citizenship. It is therefore in reply to those seemingly unguarded expressions that I wish to speak.

I have listened to gentlemen here—particularly one of the gentlemen from the State of Mississippi [Mr. WILLIAMS] in his great eloquence about "white supremacy"—just here permit me to say that I have no respect for a "supremacy," white or black, which has been obtained through fraud, intimidation, carnage, and death—"white supremacy" in the great State of Mississippi; about the Anglo-Saxon ruling this country. I did not know that it required any specific reference of this kind for the world to know the fact that the Anglo-Saxon will rule the United States. We constitute as a race less than one-seventh, possibly, of the population. We have been enslaved; we have done your bidding for two hundred and forty years without any compensation; and we did it faithfully. We do not revert to it grumblingly or regretfully, but we refer to it because it seems ungracious in you now, after you have had all this advantage of us, after you have had all this labor of ours, to be unwilling, at this late day, to give us a man's share in the race of life.

That is the only sense in which I refer to it. It is not with a view to digging up the past. It is not with a view of kindling renewed animosity between the races, but only in answer to those who slur at us and remind us of our inferiority. Yes, by force of circumstances, we are your inferiors. Give us two hundred and forty years the start of you, give us your labor for two hundred and forty years without compensation, give us the wealth that the brawny arm of the black man made for you, give us the education that his unpaid labor gave your boys and girls, and we will not be begging, we will not be in a position to be sneered at as aliens or members of an inferior race. Not at all.

We are inferior. We regret it. But if you will only allow us an opportunity we will amend our ways, we will increase our usefulness, we will become more and more intelligent, more and more useful to the nation. It is a chance in the race of life that we crave. We do not expect any special legislation. We do not expect the mythical "40 acres and a mule."

The mule died long ago of old age, and the land grabbers have obtained the 40 acres. We do not expect any of those things. But we have a right to expect a man's chance and opportunity to carve out our own destiny. That is all we ask, and that we demand.

This problem is confronting the nation. We seem as a race to be going through just now a crucible, a crisis—a peculiar crisis. It is not necessary, nor have I the time, to enter into any explanation as to what brought about this crisis. I may say, however, in passing, that possibly more than by any other one thing it has been brought about by the fact that despite all the oppression which has fallen upon our shoulders we have been rising, steadily rising, and in some instances we hope ere long to be able to measure our achievements with those of all other men and women of the land. This tendency on the part of some of us to rise and assert our manhood along all lines is, I fear, what has brought about this changed condition.

Shall the nation stand by listlessly, or shall it uphold the principles that it has established? Shall it recognize, as declared in the organic law, that all men are born free and equal and are endowed with certain inalienable rights, among which are life, liberty, and the pursuit of happiness?

During the discussions here since the pendency of the treaty of peace I have heard a good deal said, both in this House and at the other end of the Capitol, about the Declaration of Independence and the Constitution of the United States. I have heard a good deal said about Thomas Jefferson and others who had to do with the drafting of that instrument. And it has been alleged that they did not mean what they said in that declaration, for the reason that at the very time it was promulgated they owned slaves, and therefore when they spoke of all men being free and equal they did not mean the black population. The Constitution is a very elastic instrument when you have a purpose to serve. Public sentiment is law, and law, when properly executed, is public sentiment.

I heard once of a learned old lawyer who was instructing his class preparatory to their examination before the supreme court of the State for license. He said to them one day, "My dear boys, whenever you have a case in regard to which the law is in your favor and the facts against you, you must lean hard on the law; but if the law is against you and the facts in your favor, then lean hard on the facts." One bright young fellow said, "Well, Judge, suppose both the law and the facts are against us, then what must we do?" "Ah, my boys," said the Judge, "then you must beat about the bush." It occurs to me, sir, that every time a construction of the Constitution or an interpretation of the law is made with reference to the humble race with which I am identified, the principle of that old judge's instruction is brought into play. If the law is in favor of the negro and the facts rather against him, they lean hard on the facts. If the reverse is true, they lean hard on the law in the construction of a statute with reference to him; but if the negro happens to have both the law and the facts on his side, all the decisions touching his rights seem to be beating around the bush. I regret to say it, and I say it with respect, with no intention of reflecting upon anybody or any branch of this Government.

Now, the problem to which I refer not only touches my people, but in my humble judgment it reaches out and ramifies and affects every citizen of the American Republic. How long will we sit—I say "we." I will sit here only two years longer, should I live, and I am going to try mighty hard to live that long. How long

will you sit in your seats here and see the principles that underlie the foundation of this Government sapped little by little, but nevertheless surely sapped away? I took the pains this afternoon to run over one or two of the States that have been harping, through their representatives, most about the colored man on this floor since I have been in Congress.

I took up Mississippi, because I recall that two gentlemen from that State especially—I have reference to Congressman ALLEN and Congressman WILLIAMS—have taken special pains on several occasions to refer to the negro; they referred to him in a slurring way, referred to him as something to be managed, referred to him as something to be gotten rid of, referred to him as somebody that must be—oh, well, Congressman ALLEN told a yarn here one day—"transferred," I believe he called it. He must be "transferred." Well, now, here is the situation. I could not say much with reference to him, but here is the situation, taking his district in the State of Mississippi.

I deal with 1896, because I could not get the figures of last November. I find in the gentleman's district there were only 8,418 votes cast for all the candidates in that district, while the estimated vote of the district is 28,663. I found in the Second district that the estimated vote was 34,102. The Congressman said that he got a plurality of 254 over his opponent, but did not give us the benefit of how many he got. I presume a few thousand. In the Third district the estimated vote is 36,859, and 4,050 were cast in the Presidential election of 1896. I found in the Fourth district there was an estimated vote of 42,647. There were votes cast for all the candidates, Democrats, Republicans, Populists, Free-soilers, hottentots, and everybody else, 11,737.

In the Fifth district the estimated vote is 44,923, and there were 13,700 votes cast for all the candidates.

In the Sixth district there were 33,882 votes estimated and there were cast nobody knows how many. Here is the note in the Directory:

Elected as a Democrat, practically without opposition, to fill out an unexpired term—

and so forth. Practically without opposition!

In the Seventh district the estimated vote is 37,338, and there were cast 8,647 votes.

The total vote cast for Congressmen in the State of Mississippi in the year 1896, leaving out the Second and Sixth districts, where the vote is not given, was 45,867 out of a total vote of between 250,000 and 300,000.

Mr. BRUCKER. Was that at the Presidential election?

Mr. WHITE of North Carolina. That was at the Presidential election in the year 1896. These were the votes cast for Congressmen as they themselves have given them in the Congressional Directory. Here they are. Where are the others? Echo answers "Where?" White supremacy to get rid of negro domination? I do not know whether the negroes ever dominated in Mississippi or not. If they did, it is the only State outside of South Carolina for a while that they ever did dominate. They certainly never dominated the State wherein I live. We have no ambition to dominate, but we would like to be given a chance by the side of other men to work out our destiny and paddle our own canoe.

I find in the State of South Carolina, adjoining the State that I hail from, a similar situation of affairs. I suppose I might give these facts and figures, because the public would like to know these things, and everyone can not get hold of a Congressional Directory.

In the First district of South Carolina the estimated vote is 34,664; the vote cast, 7,303. In the Second district the estimated vote is 29,265; the vote cast, 8,634. In the Third district the estimated vote is 30,412 and the votes cast 10,536, or about one-third.

In the Fourth district the estimated vote is 40,000; the vote cast, 12,180. In the Fifth district the estimated vote is 28,350, and the vote cast is 8,833.

In the Sixth district the estimated vote is 30,770, and we have this entry, no figures being given at all:

Elected as a Democrat without opposition, having received the entire vote cast.

A popular man! In the Seventh district the estimated vote is 35,736, while the vote cast was 9,407. The total vote cast, leaving out those two districts where the gentlemen did not give the public the benefit of the votes cast for them—the total vote cast for Congressmen in that State in that election was 56,953, while the estimated vote of the State of South Carolina is about 250,000, about one-fifth of the entire voting population having actually voted.

Now, I am not going to grumble about the number of votes that you cast down there in South Carolina, but I want to say to the Congress of the United States, and through Congress to the people of the United States, that South Carolina, Louisiana, Mississippi, and every other State in this Union ought to have the benefit of the votes that are allowed to be cast in their representation on this floor, and no more.

It is not fair to the other States of the Union to say that one gentleman shall come here from a district giving 30,000, 40,000, 50,000, or even 60,000 votes, and that a district in Mississippi or a district in Louisiana or a district in South Carolina, or possibly pretty soon a district in North Carolina, shall come here with a like population with only five or six thousand votes cast, with the others disfranchised and not allowed to vote. If we are unworthy of suffrage, if it is necessary to maintain white supremacy, if it is necessary for the Anglo-Saxon to sway the scepter in those States, then you ought to have the benefit only of those who are allowed to vote, and the poor men, whether they be black or white, who are disfranchised ought not to go into the representation of the district or the State. It is a question that this House must deal with some time, sooner or later.

It may seem a little strange to hear me speak, but nobody else has tackled this question because the boot does not pinch anybody else as it does me and my race. But it will come home to you. You will have to meet it. You have got this problem to settle, and the sooner it is settled the better it will be for all parties concerned. I speak this in all charity. I speak this with no hostility. I am not a pessimist. I take rather the other view. I am optimistic in my views and believe that these problems will adjust themselves one day. I believe that the negro problem in less than fifty years will be a thing of the past.

When it is recalled that thirty-three years ago, one generation ago, four and a half millions of these people were liberated on the plantations of their former masters, and that right by their side they have worked out their destiny thus far, have arisen from poverty to a taxation of four hundred millions of property in the United States; when it is remembered that they have arisen from no homes to the purchase, in many instances, of decent tracts of land, with splendid homes and good property, I think I am justified in saying that this problem will work itself out. Many of them have acquired professions. We are ramifying and stretching out as best we can in all departments of life, with a view to making ourselves good citizens.

And my plea is not against Mississippi, not against South Carolina, not against Louisiana, but for justice—simple justice. Unmitigated justice is what we ask. You are not afraid of the black man overriding and overawing you. He is your neighbor. He is your friend. The chord that exists between some of the whites and the blacks of the South can not be severed by all of the bloody assassins of the world. But you have got the wrong conception. You have got the idea that any means that will disfranchise him and prevent him from exercising the rights which are given him under the Constitution is legitimate, that the end justifies the means. It is a wrong conception of a civilized government. It is the wrong conception of American citizenship, and the sooner we all reach the conclusion that we are here together, here to live and here to die, the better for all concerned, because the black man is here to stay for all time to come.

The Indian has been driven to the West. He has been driven to the little reservations, and he numbers now only a few hundred thousand. He has died and has been killed and his numbers reduced to a minimum, and in a hundred years hence a few mummies in the Smithsonian Institution or somewhere else will represent an extinct race that was once very distinct in the United States. Not so with the negro; never. He did not come to this country of his own motion; he is not here of his own act; but being here, and his planting upon this soil being coequal with his white neighbor, he is here to stay from now henceforth and forever. He will not die out. I know that some of our friends have consulted the statistics and find that the mortality of the negro in some large cities is very great, and they think he will soon die out. They forget that the bulk of the negro race have never seen a large city, but are healthy and hearty and prolific on the plantations throughout the country.

Yes, we are on the increase. The war emancipated four and a half millions. The census of next year will register ten millions. The proportion that we occupy with reference to the white people will never increase, but will gradually diminish; but the number of negroes in this country will continually increase.

I say it will never increase, because we do not import negroes into the United States. It is an evident fact that the "riffraff" of all the nations of the earth enter this country except negroes. And, strange to say, they find open doors and find open hearts, and soon mingle and commingle with all the people of this country and are lost in the great civilization of this country. We do not ask to be assimilated; we do not ask to be amalgamated; we do not ask for anything but to remain a distinct and separate race as we are, and to be permitted to work out our own manhood and womanhood. We do not expect anything else.

Now, gentlemen, what are you going to do with this problem, with this question? I believe the time is coming very soon when the color of a man's skin, so far as business relations are concerned, so far as citizenship is concerned, will cut no figure at all. A man will be regarded as a man whether wrapped in a white or a black skin. I believe the time will come when we will have no more

riots in the South on account of color, when civilization will so develop all over this nation that there will be no more lynchings and barbarity and mobocracy, now so prevalent in some portions of this country.

When the black man, through toil and economy, shall have acquired property and wealth and all those things that make a good American citizen, and when all the barriers of legislation now in the way shall disappear, he will be taken by the hand as a man. I believe the time will come—yes, soon—when the condition that prevails to-day in Boston, in grand old Massachusetts, where all are recognized, both black and white, will prevail in South Carolina, North Carolina, Louisiana, and Mississippi. We can not live on the dead ashes of the past. Slavery and its institutions, racial distinctions and wrongs will come to an end. We are going forward; we are looking out; we are stretching out our arms all over the United States. The nation must care for those at home as well as those abroad.

Our ratio of representation is poor. We are taunted with being uppish; we are told to be still; to keep quiet. How long must we keep quiet? We have kept quiet while numerically and justly we are entitled to 51 members of this House; and I am the only one left. We kept quiet when numerically we are entitled to a member of the Supreme Court. We have never had a member and probably never will; but we have kept quiet. We have kept quiet while numerically and justly, according to our population as compared with all the other races of the world, so far as the United States are concerned, we should have the recognition of a place in the President's Cabinet; but we have not had it. Still we have kept quiet, and are making no noise about it.

We are entitled to 13 United States Senators, according to justice and according to our numerical strength, but we have not one, and possibly never will get another; and yet we keep quiet. We have kept quiet while hundreds and thousands of our race have been strung up by the neck unjustly by mobs of murderers. If a man commits a crime he will never find an apologist in me because his face is black. He ought to be punished, but he ought to be punished according to the law as administered in a court of justice. But we keep quiet; do not say it, do not talk about it. How long must we keep quiet, constantly sitting down and seeing our rights one by one taken away from us? As slaves it was to be expected; as slaves we were docile and easily managed; but as citizens we want and we have a right to expect all that the law guarantees to us.

We are passing, as we trust, from ignorance to intelligence. The process may be slow; we may be impatient; you may be discouraged; public sentiment may be against us because we have not done better, but we are making progress. Do you recollect in history any race of people placed in like circumstances who have done any better than we have? Give us a chance, and we will do more. We plead to all of those who are here legislating for the nation that while your sympathy goes out to Cuba—and we are legislating for Cuba—while your hearts burst forth with great love for humanity abroad, remember those who are at our own door. Remember those who have worked for you; remember those who have loved you, who have held up your hands, who have felled your forests, have digged your ditches, who have filled up your valleys and have lowered the mountains, and have helped to make the great Southland what it is to-day. We are entitled to your recognition. We do not ask for domination. We ask and expect a chance in legislation, and we will be content with nothing else.

In the language of another, who has put it possibly very much better than I can:

> We are passing from the ignorance and superstition fostered by years of thraldom to the intelligence which freedom predicates; from the immorality of two hundred and forty years to the higher standard of morality which ever characterizes the daily life of the highest social and scholastic circles; from the muscle and sinew power of the past to the multitudinous appliances of the improved machinery of the present.
>
> We are living in a grand and awful time. We are measured not by the number of pounds which we are able to lift from the earth, but by that other power which is required to move the world.
>
> Man's importance has been most beautifully delineated by Dr. Watts, who says:
>
> "Were I so tall to reach the pole,
> Or mete the ocean with my span,
> I must be measured by my soul;
> The mind's the standard of the man."

It is that standard, it is that measurement that we are willing to be measured by. It is by that standard we would like you to gauge us, and not the texture of our hair, not the color of our skin, not our flat noses, but the standard of the man that we would like to be measured by. This broad problem of giving us a man's chance confronts us; it is one well worthy of you.

I was up in Saratoga a few years ago, and in conversation with a gentleman there inquired how the people got along. I went before the season opened. Everything looked barren and bleak. He said, "Well, in the summer we live by skinning the visitors who have come here." I said, "I can very well understand that; but how do you get along in the winter?" "Then," said he, "we skin each other." [Laughter.] Gentlemen, the process of skinning the negro is nearly over. You have about completed the job. Gentlemen of the North, of the East, and of the West, yes, and you of the South, when that is done you have got to have somebody to skin, and you will turn on each other, and then possibly the negro will get his just deserts. [Laughter.]

It is well to stop and consider; you can not always keep a free man down. When he is once made free, it will be difficult to ever enslave him again, either physically or intellectually. Physical slavery is a thing nobody wants. The most ignorant of our Southern sand lappers out in the woods do not want actual slavery again; but there is a slavery that is even worse than manual slavery—the slavery of the mind, the beclouded intellect. It is there that we ask you to help lift the curtain of darkness, the curtain of ignorance, the curtain of vice that you helped to nail and foist upon us, to help break the shackles, that we may look forth in the noonday of life, in the tide of progress and beauty, that we may go up the hill with you, that we may leave the miasmatic valley of vice and degradation and climb to the top of the mount, where we can breathe God's pure air as American citizens.

Recognize your citizen at home, recognize those at your door, give them the encouragement, give them the rights that they are justly entitled to, and then take hold of the people of Cuba and help establish a stable and fixed government among them; take hold of the Porto Ricans, establish the government there that wisdom predicated, which justice may dictate. Take hold of the Philippine Islands, take hold of the Hawaiian Islands, there let the Christian civilization go out and magnify and make happy those poor, half-civilized people; and then the black man, the white man—yes, all the riff-raff of the earth that are coming to our shores—will rejoice with you in that we have done God's service and done that which will elevate us in the eyes of the world. [Prolonged applause.]

Mr. VINCENT. Mr. Chairman, as between the bill under consideration and the substitute offered by the minority of the committee, it seems to me that no member of this House should hesitate very long in deciding in favor of the substitute. Everything that can be said in favor of this bill will apply with equal force to the substitute bill, while the latter has many good features which are not contained in the former.

This bill provides for a permanent standing army of over 100,000 men—four times as large as we had at the close of the civil war. Nobody has shown and no one can show why the Army should be increased fourfold for an indefinite period. It is conceded that the Regular Army as at present constituted may possibly not be sufficient to meet the conditions that now exist and the contingencies that may arise during the next year or two, but the bill offered by the minority provides for 50,000 volunteers, to be mustered out at the end of two years. Possibly it might be better to make this three years. It also provides for 30,000 permanent troops, so that there is only a difference of about 20,000 in the number of soldiers provided for in the two bills. Better increase the number of volunteers to 70,000 than to provide for a permanent standing Army of three or four times as many as we need under ordinary circumstances.

Mr. Chairman, it has been a long cherished desire among certain classes in this country that the standing Army should be greatly increased, and those who have carefully watched public events for the past twenty years know why this is so. It is the opinion of some persons who have the temerity to reason from cause to effect that our soldiers may be used some time to shoot down Americans, without just cause, instead of foreigners. It is a significant fact that since the era of corporation rule set in and since our beneficent social system developed the tramp, the lockout, and the strike, the Army has never been called out to suppress or hold in check the corporation, but always to suppress the striker.

While it is true the strikers have often been in the wrong, the corporations have not always been right. Whether the necessity exists or not, whether right or wrong, it is not disputed that the great corporate interests of the country have been and are now demanding a large standing army. The sentiment has prevailed from the very foundation of our Government down to the present hour, and that sentiment is based upon the history of other nations and upon common sense and reason, that large standing armies are dangerous to the people's liberties. In those countries where tyranny is most oppressive and where the common people are looked upon as little better than beasts of burden, there you will find the largest standing armies. Liberty of the press and freedom of speech are suppressed in exact ratio with the increase of the army.

The gentleman from Iowa [Mr. HEPBURN] in his speech this afternoon referred to the fact that our standing army is not as large in proportion to population as it was in Jefferson's time, in the attempt to prove not only that this bill ought to pass, but that Thomas Jefferson was in favor of a large Army. Apparently the gentleman had forgotten that when Mr. Jefferson was President

probably nine-tenths or more of what is now the United States was inhabited by roving bands of blood-thirsty savages. To assume, as several gentlemen have done, that our Army should be increased with our increase in population—in the same ratio—is simply schoolboy talk. If population were the only thing to consider, we could get along with a smaller Army now than we could have done one hundred years ago, because the danger of attack from outside nations is not so great in a country containing 75,000,000 people as it is in a country with 5,000,000 of people. In proof of this I cite you to what is about to take place in the Philippine Islands. If Aguinaldo had 75,000,000 people behind him it would not take us long to pull down the flag.

The minority report has well said that such an army as this bill provides for is not necessary because of our relations to the islands of the sea nor because of any necessity which in the past year has arisen. I can not bring myself to believe that the Administration will dare to attempt the forcible annexation of the Philippine Islands. The President himself has said that forcible annexation would be criminal aggression. But, Mr. Chairman, that was a year ago, and we are told that great changes have taken place. True, but just what day and hour forcible annexation ceased to be criminal and commenced to be the pure extract of Christian civilization our imperialistic friends fail to inform us.

Since the President wrote that message he has said the flag was planted in two hemispheres, and then he asks: "Who will pull down that flag?" So far the President's friends have failed to give a satisfactory explanation of what he meant if he did not mean that the flag which was then floating over the Philippine Islands should remain there regardless of the wishes of the Filipinos. I suppose if we had found it necessary during the late war with Spain to plant the flag in some of those countries inhabited and controlled by man-eaters it would have to stay there, and we would have to adopt those countries as a part of ours, and it would be treason to pull down the flag.

In that event, Mr. Chairman, instead of addressing the Chief Executive of this nation as "His Excellency the President of the United States," I suppose it would be appropriate to address him as "King of the Cannibal Islands." If we are yearning for an opportunity to institute better government for other people and give them the "blessings of law and liberty" at the point of the bayonet, whether they want them or not, why not exercise our civilizing process upon those who need it most? But we are told that the Filipinos are little, if any, better than cannibals. If this be true, I submit that it is an additional reason why we should not make them citizens of the United States.

I submit that our experience with the American Indians is not such as to encourage us in undertaking to civilize a people 8,000 miles away, who, according to our opponents, are much inferior and less deserving. It is an old and perhaps a true saying that "the only good Indians are dead ones." At the end of more than one hundred years' experience we find that we have civilized Lo, the poor Indian, by teaching him how to use cuss words and drink bad whisky, and incidentally convincing him that if Indian agents and Indian traders were fair samples of the white race he was justified in sending them to their "happy hunting grounds" with the least possible delay. It does seem, Mr. Chairman, that the race problem, which was so ably discussed last evening by the gentleman from North Carolina [Mr. LINNEY] and which was shown to be such a perplexing one in some parts of our country, ought to be sufficient without inviting new ones of still greater magnitude.

We started the war with Spain upon a high moral plane. We declared that it was a war for human rights and not a war of conquest, but scarcely had the brave boys who fell at Santiago grown cold in death before a certain class of our citizens who represent the so-called "business interests" of the country commenced to settle upon a plan for dividing the spoils. "We have planted the flag in Manila," they said, "and the 2,000 Philippine Islands are ours."

Visions of wealth sprang up before their eyes, and the cry for liberty and independence was drowned by the more noisy and hypocritical plea for "expansion and patriotism." Those who were prompted by greed succeeded temporarily in making many who were less selfish forget the purpose for which the war was instituted. Unthinking people were carried away by the catchword "expansion." They were told by campaign orators that they must support the President's foreign "policy," though nobody knew then and nobody seems to know now what that policy is. I doubt whether he knows.

The gentleman from Ohio [Mr. BROMWELL], who made one of the most convincing pleas that has been made in favor of the pending bill and in defense of the President, admitted in his speech to-day, in so many words, that the President has no policy. Nobody but MARK HANNA knows where he will stand to-morrow regarding the Philippine question. He has already been on both sides of the question. If his friends know where to find him they refuse to tell. They seem to be guessing, and I have as much right to guess as they have. My guess is that he wants to annex the islands—forcibly, if necessary—if he is assured that it will not defeat his party for reelection in 1900; otherwise he is opposed to it.

Some people indorsed his "policy" at the polls last fall without stopping to inquire what it was or whether he had any; but the war excitement is not running so high now, and as voters gradually reach a more normal state of mind they will be less inclined to accept everything as good because it is called "patriotism" and offered by a "war administration." The people are to be congratulated upon the fact that they are slowly but surely recovering from the epidemic of hysterics which in the excitement they foolishly imagined was patriotism. They are already convalescing—to use a more classical phrase, they are getting back to earth again, and when they do find themselves in a normal condition they will be ashamed of their childish talk about the flag and of their boast that we were going to take all the territory within our reach and hold fast to all we could get possession of.

Mr. Chairman, it is somewhat amusing that nearly every partisan of the Administration in this House and in the Senate who has made a speech upon this subject has advocated and argued in favor of forcible annexation, at the same time denying that the President has ever said or done anything to indicate that he was in favor of it. Following the example of their illustrious leader, they get on both sides of the proposition. If we have the right to subjugate the Filipinos, and if it is such a good thing to do, why are they so anxious to make us believe the President is not in favor of it?

They remind me of the man who was charged with stealing a bay horse, and after denying that he was guilty, said the horse he stole was a black one and not a bay horse at all. If it is such a good, Christian act, prompted only by the loftiest feelings of philanthropy—good for us and good for the Filipinos—why should the President's friends become so indignant when he is charged with favoring such a policy? Our friends on the other side should at least cultivate the virtue of consistency, in view of the fact that they are so destitute of logic and reason.

Mr. Chairman, I believe it is as true to-day as it was one hundred and twenty-three years ago that governments derive their just powers from the consent of the governed, and I do not believe that this great principle will apply only to the people of the United States. When this declaration was promulgated the so-called great statesmen of all the other nations of earth said it was the wild dream of misguided theorists and self-constituted leaders. England said, as some of us are saying of the Filipinos, that we were incapable of self-government.

We are asked now to repudiate the Declaration of Independence, and later on, I suppose, we will be expected to substitute therefor some famous Spanish state paper. Perhaps we may be asked to read at our Fourth of July celebrations in future General Weyler's reconcentrado order instead of the Declaration of Independence. If we settle upon this contemplated policy of conquest, surely no honest man would care to call attention to the immortal Declaration except as a reminder of the former greatness and goodness of the United States Government.

We are told that if we pay Spain $20,000,000 for the islands, as provided by the proposed treaty, they would be a part of our country, and we would have a perfect right to do with them as we please. Pray, sir, when did Spain acquire the right to deed us those islands? Spain has no more right to sell them than has England or China. Her title is no better than theirs. She is selling us something she has been trying for two hundred years to steal, with only partial success. To pretend to buy these islands of Spain the United States would deliberately and willingly become the receiver of stolen goods, and the receiver would be equally guilty with the thief.

Spain has been trying for hundreds of years to become the absolute master of those people. She has robbed them year in and year out to the full extent of her ability, and this proposition simply means that we are to become their masters instead of Spain. They are to become our subjects instead of the subjects of Spain, and they are not to be consulted regarding the transfer. That such a cold-blooded scheme should ever have been openly advocated by men high in the councils of our Government should bring the blush of shame to the cheek of every true American. If we insist upon this high-handed scheme of coercion we will violate every principle of self-government and repudiate every tradition we have cherished from the beginning of the nation's history.

It seems to be the policy of the Administration to give Cuba her independence. Nobody in this debate has dared to oppose it, for the reason, I suppose, that it seems to be inevitable. If the imperialists could find any excuse, and if there was a reasonable possibility of success, there is scarcely a doubt that Cuba would suffer the same fate that it is proposed to inflict upon the Philippines. And why not? The gentlemen who are so anxious for good government in the Philippines have been asked over and over again since this discussion commenced why the same rule would not

apply to both. They have been urged and defied to give some reason why forcible annexation is not good for Cubans if it is good for the Filipinos, but they persist in ignoring the question, because they know there is no answer to it.

It is said the Filipinos are not capable of self-government; but it is only a cheap assertion, not borne out by any evidence presented. Let them have an opportunity, as we had, and we will know then whether they can govern themselves. Are you afraid to give them a chance for fear that they will demonstrate that you have misrepresented them? Do not say that they can not govern themselves, when you are standing over them with muskets, swearing they shall not do it. It is time enough to say they can not when they have tried and failed. You say we can give them a better government than they can give themselves. I believe we can, and possibly we would do it; but this can truthfully be said of all other countries.

There is no doubt in my mind that we could give England and France better governments than they now have. Is that any reason why we should go over there and compel them to accept our rule? Oh, you say, that is a different thing. Yes, indeed, it would be a different thing. We would then be jumping upon somebody a little nearer our size. We can conquer the Filipinos because they are weak, and in doing so we only add the crime of cowardice to the crime of theft. Because we think we have the best government on the face of the earth are we going to sail around the world subduing other nations in order that they may receive the benefits of our enlightenment and our system of government?

Are we going to cram our religion down their throats whether they want it or not, because we think it is a better religion than theirs? Why not? It will do them good, we think, and therefore we ought to make them take it. Why not gobble up one nation after another for the same reason until we own the world? That might slightly interfere with the protective tariff, but it would be Expansion with a big E, and that is only another word for patriotism.

If we must steal something, why go 8,000 miles from home to do it? Why not take in one or more of the South American Republics? They would, perhaps, be worth something to us, and we can soon make an excuse for doing it. We can plant the flag there under some pretext, and then "Who will dare to take it down?" There is no end to the possibilities—to the good we can do to other nations—if we will only carry this "expansion" policy, this new brand of "patriotism," to its legitimate conclusion. Patriotism under the old order of things, before the Declaration of Independence was expunged from the record, meant love of one's country. Under the new régime it means love for the other fellow's country.

"But what are we going to do with the Philippines?" you ask. "Are we going to turn them over to Spain?" Nobody proposes to do anything of the kind. What are we going to do with Cuba; turn it over to Spain? Gentlemen assume that we must either shoot the Filipinos or turn them over to be shot by Spaniards. It is neither necessary, humane, nor wise to do either one. Turn the islands over to the men who own them—the men who have been fighting for years, like the Cuban patriots fought, for their freedom. Do with them as we say we are going to do, and as every honest man says we ought to do, with the Cubans. The Filipinos are as well and better able to take care of themselves as they were before we took possession of Manila. We can leave them now in better condition than we found them, because we have prostrated their ancient enemy, and it is only a pretext when we say we must adopt them for their own good when they are protesting that they do not want and will not have such protection.

Even if the inhabitants of the islands were willing and anxious to come with us; even if it were not everlastingly wrong from a moral standpoint; annexation would still be unwise because of the enormous expense. These islands will cost us hundreds of dollars for every dollar we get in return. This can be demonstrated and has been demonstrated over and over again upon this floor without any attempt to refute it. But if there were "millions in it," that would not justify the outrage. No doubt there will be millions in it for a few speculators and syndicates, and these are at the bottom of the scheme of annexation. There will be Federal positions at good salaries and long-drawn-out mileage for scores of carpetbaggers, but the great mass of our people will pay the bills in increased taxation.

Forcible annexation means government without the consent of the governed; it means continued oppression to those who have so bravely fought against it; it means injustice from every standpoint; it means increased taxation; it means an increase in the standing Army; it means that we are going 8,000 miles from home to invite trouble; it means everything that is bad and nothing that is good, and it is a public confession to all the world that the war with Spain was fought under false pretenses. [Applause.]

Mr. BAKER of Illinois. Mr. Chairman, though the question before us is a very great one, I purpose being very short, for I think I can condense in few words much of the meaning of what we are about to-day.

There is now a population of about 75,000,000 people in the United States and its continental territories, and we have a permanent standing army of about 26,600 men. These are facts utterly unequaled in the entire past history of the world and constitute the crowning glory of our Republic at the close of the first and at the beginning of the second century of its existence; and nothing can be more certain than that this small permanent military force is all that is needed for our vast home population at the present time. This should be the fundamental basis of our thought in connection with the great expansion of our standing Army which is proposed by the bill before us. This proposal can not reasonably rest upon any actual internal need, but must rest upon the results of the war with Spain. That war grew out of the situation in Cuba and was prosecuted in the name of humanity and liberty, with an open declaration by our Government to the world—

That the United States hereby disclaims any disposition or intention to exercise sovereignty, jurisdiction, or control over said island, except for the pacification thereof, and asserts its determination, when that is accomplished, to leave the government and control of the island to its people.

This declaration sets the die for the whole policy of our Government in connection with all the territories wrested from Spain. In principle it applies equally to Cuba and to the Philippine Islands, for it is demanded by the republican genius of our institutions, which forbids wars of conquest and subjugation, but favors the upbuilding of popular governments among men.

Assuming, then, that we are to carry out this declaration in good faith and according to its spirit and meaning, the general situation is this: That for the purpose of pacifying the islands wrested from Spain and aiding their people to determine their own destiny in their own way, and to set up such governments for themselves as they may desire, it is assumed by the bill before us that it is necessary to make provision for the increase of the permanent standing Army of the United States to about 100,000 men.

This appears to me to be eminently unreasonable in a double sense. In the first place, the Filipinos, who are the principal subject of trouble, seem to be clamoring for the very liberty which is guaranteed by the declaration which I have quoted—that is, the liberty to organize a government for themselves. In the second place, the needed work of pacification, in preparation for the establishment of self-governments, must, in the very nature of the case, be quite limited in time, and it seems certain that any additional military force should by all means be alike limited in time. The object being accomplished, the additional force should be disbanded. These considerations appear to demonstrate that the wise thing to do is to provide for any temporary exigency which may really exist, instead of providing for a large and permanent increase of our military establishment, which will uselessly and injuriously continue after the exigency has passed.

When we add to this that the annual cost of our permanent standing Army is about $23,000,000, and that the provisions of the bill before us, according to the estimates of its friends, would increase this annual cost from nearly three times to about three and a half times the present annual cost, it appears to me that the case made out against the enactment of this measure is overwhelmingly strong, at least in the forum of reason and good public policy. I will only add that in States really free it has ever been a fundamental maxim of policy that the standing military force should be strictly limited to the actual needs of the State; and the crossing of this boundary line by the permanent military element has ever been inimical to the spirit and genius of republics. I believe that this bill proposes a great and dangerous step across this safety line, and that it should by no means be enacted into a law of our Republic. [Loud applause.]

Mr. JETT. Mr. Chairman, I now yield to the gentleman from Georgia [Mr. BARTLETT].

[Mr. BARTLETT addressed the committee. See Appendix.]

Mr. JETT. I yield two minutes to the gentleman from Georgia [Mr. MADDOX].

[Mr. MADDOX addressed the committee. See Appendix.]

Mr. JETT. I now yield to the gentleman from Ohio [Mr. NORTON].

Mr. NORTON of Ohio. Mr. Chairman, I desire to protest against the passage of the Hull bill, not because I am opposed to a standing army in the United States, for I have an admiration and a love for all the institutions of my country, and I would protect them from the defiling hand of any other nation and from destruction by internal foes. I have an admiration for the Regular Army, and I fear that the American people have more admiration for the Regular Army at this time than some of the generals of the Regular Army have for themselves. At this hour, Mr. Chairman, when the eyes of America are turned to the capital, waiting and listening for the result of a court-martial, it does not become gentlemen upon the other side of the House to glorify

and exalt the Regular Army as the only hope and safeguard of the American people.

I love the institution at West Point. I glory in the men that she has sent out from her doors. I love the Academy at Annapolis, and I am as proud of her graduates as any man living. But I love the American people too, and I love the boys upon the farm, and those in the factories and shops, who volunteered; and when I think of the hours they have just passed in misery, in bloodshed, in trial and tribulation, I know the volunteer to be equally as great and equally as grand as the man who has been educated at either of those institutions. [Applause.] A man may die an educated soldier, but his pain is no greater to him than to one who dies because he has come from the farm or the workshop at the call of his country. I look upon the Regular Army in admiration, but I look upon the volunteers with love and amazement, and I wonder that such things can be in any spot on God's green earth, where he comes at his country's call, asking no pay, ready at all times to yield up his life and to stand side by side with those who make war the calling and business of their lives.

Mr. Chairman, there is no good in casting aspersions upon either of these. You need only a standing army of men sufficient to guard your ports, your coast lines, and your outposts, if you will generate an honest, heartfelt patriotism, such as you had at the breaking out of the war with Spain. Our present Regular Army is large enough, but if you conduct your wars in the manner in which that war was conducted, then patriotism will be dead; if you should call to-night for a hundred thousand men, it would require not the opening of the doors for enlistment, but it would require enforced enlistment. You speak of that war as glorious and honorable. Yes, victories were won at Manila, at Santiago, and at San Juan, but Spain won her victory in Paris; and well has one of her commissioners said that "the Philippines will avenge Spain."

The hour has come when that prophecy is upon the floor of this House confronting you as a deliberate fact. You commenced this war not for acquisition. You upon that side of the House say that "the king can do no wrong." If that be true, then his words ought to be words of truth and soberness. In the very opening of this Congress the President advised you that forced aggression and annexation were criminal and disgraceful in the eyes of the world and against the moral policy of our Government and our nation. Yet to-night the very reason that you are discussing this measure is that you may have power to force annexation.

When the Senate shall have ratified the treaty, what have they done? They have belied the words of the President of the United States before the world, and they will have consummated an act that he charged as being "criminal" and against the whole theory and moral principles of our Government. You have taken the Philippines by force, and then, by strategy and bargaining such as was beneath the dignity of diplomacy, you paid twenty millions of the people's money for them, and now demand an army of 100,000 men to force that whole bargain through. I say that it is disgraceful, and I say that section of the treaty which, when ratified, makes necessary the use of arms to forcibly annex the Philippines is not less than what the President declared it to be—criminal. [Applause.]

You have assumed $100,000,000 in the payment of personal indebtedness. You want to take $20,000,000 of the people's money to pay for the Philippines. You have gone along with a war more expensive than was ever waged since the world began, and in one hundred and three days you spent more money—and I say it fearlessly upon this floor—you scattered the people's money unreasonably and unnecessarily; and the victory you bring back to us is that we assume Spain's indebtedness, assume the transportation of her soldiers back to her territory, and then raise a standing army to shoot down the Filipinos, because they have that same spirit which we claim for ourselves—the love of human liberty.

You say that Aguinaldo is a thief. If he be a thief, Dewey took him from Hongkong and placed him in the Philippines. You say he is a traitor; if he is a traitor, you placed 80,000 stand of arms belonging to the United States in the hands of a traitor. You loved Aguinaldo when he was necessary. If men with freedom in their hearts and courage in their veins go back into the islands and stand and suffer and die, they are men; but the moment that you accomplished what we started to do—to give freedom to Cuba—no, you did not accomplish that—(while you were pretending your love for the glory of my country, reaching out its hands for the starving Cubans, Dewey struck at the Philippines, and from that hour there was not a reconcentrado ever received a cracker from the United States)—when you no longer needed the aid of the insurgents, then they were rebels and traitors.

It would have been better for my country, more honorable for my flag, if when Dewey had sunk to the bottom of the ocean that Spanish fleet, he had sailed away and moored in front of Morro Castle, where the pledges of the President of the United States to his people expected him to be—to do what? To establish peace and order and a stable government in Cuba. You have not only bought the Philippines, but you have assumed the Philippine indebtedness. Think of the glory of this war. Yes, the men—veterans and the volunteers, God bless them!—they will live forever in the memory of my country; but when that war had been honorably closed by them and Spain was upon her knees, think of what followed then!

Who came to our doors then? The agents of Spain and the representatives of the owners of the Cuban bonds. What followed then? Then came a peace commission of five Spaniards and five Americans. In common decency I beg that you may forget it, and that the people of my country may not remember the shame of that. Why, think of this peace commission bartering and bargaining! Spain was upon her knees. Why not, like Emperor William, when he had conquered France and placed the German eagle over Paris, lay down your terms—"A thousand millions, Alsace and Lorraine, and you have nothing to say about it"?

Why did not we, having this victory, which we ought to have won, not in the name of humanity, but because of insult to the flag, the murder of our citizens, the destruction of our property, the blowing up of the *Maine*, every principle that ought to actuate a brave nation had been outraged; and yet upon the pitiful plea for humanity, humanity that stirs every human heart that can be reached by humanity. This whole movement, which had been dictated by the patriotism of the American people, inspired the President, whom I believe to be honest, but it has been manipulated upon the political chessboard of the Republican party from start to finish; and what is it to-day that is invoked? It is not patriotism, it is not love of country, but solely for the aggrandizement and indorsement of the Republican party in its doctrine of imperialism. [Loud applause on the Democratic side.]

Mr. Chairman, I do not fear the destruction of this great American Republic as an immediate result of the annexation of the Philippine Islands, if such an event shall take place, even though the history of the past shows the extreme likelihood of that being the finale of such a course. Experience is far safer to rely upon than popular clamor, and experience justifies my belief; therefore I am not moved by the hysterical ravings or extravagant claims and denunciations of wild-eyed, demagogic expansionists, who even try to drive aside those who, while agreeing with them, seek to maintain their position by reason and logic. In opposing the adoption of an imperialistic expansion policy by my Government I am not attempting to turn back the hands of the clock of destiny, but, rather, to brush away, as far as in my power, the obstacles to the advance of liberty and freedom placed there by these expansionists.

The lessons of history, all down through the ages, go to establish the fact that it has not been vast accumulation of wealth, not aggregation or centralization of military force and power, that has created and maintained the supremacy of any nation, but that the character of its people has ever been the foundation stone upon which their fate has rested. The true Americanism of those who are not carried away with enthusiasm, or who do not lose their balance by the quick-moving and ever-shifting scenes of war and its attendant excitement and resultant consequences, will be recognized when the people have taken their sober second thought and calmly and dispassionately reviewed existing facts.

Believing as I do in the patriotism, the honest integrity, and sterling character of the people of the United States, I am content to leave my justification in their hands, knowing well that when they come to a full realization of the condition sought to be imposed upon them, there will be no faltering or hesitation on their part, but they will speak in no uncertain tones, and woe be to the man or measure they condemn.

There is great satisfaction in fighting for right principle, even though temporary defeat be certain and sure. It is far better and more glorious to stand for truth and justice and lose, than to temporize with wrong and win, for eventually principle and right must win, as they are based on the eternal truths of God.

Political history, as shown in the birth, rise, and fall of parties as well as of governments, has ever demonstrated the fact, though, that something besides high and lofty ideals, generous, noble, and humanitarian motives, is employed to bring results sought to be accomplished. If in this late war the principle laid down at its beginning, that we were "entering upon a struggle solely in behalf of outraged humanity"—if, I say, this principle could have been conscientiously carried out, we to-day would not have the vexing questions to solve that are now thrust upon us; but the truth is, that idea, that pronunciamento, was but a juggle with words, a mask used to hide and conceal the real designs of crafty men, who found in the war an opportunity to enrich themselves at the expense of the Government.

The great heart of the American people was right; it was touched by the terrible suffering of an oppressed people; the balmy breezes that were wafted northward from Cuban shores bore on their wings the moans and groans of dying patriots and

the shrieks of female virtue outraged by Spanish soldiery, while the sky was darkened by the smoke of burning homes and factories laid waste by the devastating torch of Spanish authorities. These all appealed to our liberty-loving people, and voicing their feelings, we, their Representatives, on this side of the Chamber pleaded that the struggling Cubans be given recognition. Had this been done the Spanish yoke would have been broken, the heel of Spanish oppression would have been removed from the neck of Cuban patriots, and Cuba would have been free, without the loss of the *Maine*, and without the necessity of a war that has extended our national debt the life of another generation, as well as carried sorrow and woe to the hearthstones of thousands of American homes, laid thousands of the brave, stalwart sons of our country in martyrs' graves, and shattered forever the health of thousands more by the gross negligence and criminal incompetency of officials in charge. [Applause.]

But that war is over, and it is meet and fitting that a survey of the situation be taken to know what we have gained and what confronts us, especially as we are called upon to legislate to meet the new conditions forced upon us, conditions that for good or for evil are in our immediate present and must be met. In this bill there is proposed to us the adoption of a policy which not only leads us away from the principles upon which our Government was founded, away from the teachings and traditions of our fathers, but is in direct contravention of all the ideas laid down as safe landmarks by all our statesmen down to this last régime, a policy which not alone affects the present with dire and portentous evils that alarm every true minded, conservative, and patriotic lover of his country, but the results of which will reach out, extending into the future, imposing upon our children and our children's children a malignant incubus that will crush every spark of hope from their lives, and consign the American freeman to the bondage of despotism and render him the serf or the subservient tool of an imperial oligarchy, which already seeks to bring under its damning control these United States.

The United States to-day as a nation has no equal. It is the wonder of the age. In all that goes to build up a great nation it stands without a peer. Its foundation stones rest deep on the bed rock of national honor and the intense loyalty of the people. On its highest pinnacles floats the Stars and Stripes, the emblem of human liberty and freedom. Its growth has been phenomenal, and the wildest flights of imagination are but nothing compared with the marvelous achievements our energy, our inventive ingenuity, our wondrous ability, and the development of our boundless resources have already shown, and still there is the promise yet to produce realizations almost beyond the power of the human mind to conceive; but this has been the result of the freedom of our people.

The corner stone of our Republic is the individual as a sovereign. This being the fact, the question must occur upon the addition of any new peoples to our Government, do the individuals among these peoples possess the proper and necessary attributes and qualifications of individual sovereignty? If they do, then they can be annexed with safety, other things being of such nature as to render it politic; but if they do not, then the annexation of such peoples, they becoming sovereigns with us by such annexation, must weaken our whole Government to the extent that they are weak. So well was this understood by the framers of our Constitution that they inserted a clause in that instrument providing for a restriction upon the influx of foreign immigration, to stop the addition of new peoples to our population, and it is a matter of fact that we have been compelled to legislate for the shutting out of dangerous elements from other nations, and have passed the Chinese-exclusion and the alien-labor acts.

In our development as a nation the greatest strides have been taken during the past generation. When the fearful gale and tremendous surge of the storm of civil strife in our land was ended and the rainbow of peace bedecked the political sky, when our united country was freed from the blighting curse of negro slavery, then the genius of liberty found full expression, progress, commercial enterprise, inventive thought, and intellectual activity leaped ahead as never had entered the wildest dream of the most enthusiastic prophet. Our growth was but the logical development of the fact that our nation's grandeur is based upon the high moral character of its people.

Mr. Chairman, we have entered upon a period in our nation's history fraught with grave results, threatening its progress and challenging its perpetuity. It is well, in the light of recent history, to look with critical gaze upon the policy of the Administration and its friends in regard to the course to which it is sought to commit us. The suspicious delay that has attended every move made during the past year has given just cause to every true, patriotic citizen to examine closely into its recommendations. Democratic opposition has not been based on factious partisan feeling or prejudice, but upon the fear, justified by results, that the Republican policy would be a base surrender of the rights of the people to designing syndicates who would force countless schemes for their own aggrandizement upon the Government, and at the expense of the people.

The proposal of a standing Army of 100,000 men means an expenditure of over $150,000,000 additional each year, which is but an incident in the scheme they have in hand. This feature alone means that the present war-revenue tax will not be repealed, but that in time of peace the tax will be increased. This is to maintain the power of the military government in the islands abroad, that the valuable rights and franchises of these lands may be bartered away under direction of high officials who arrogate to themselves rights and functions wholly outside those given them by law and whose only check is the limit their insatiate greed can obtain. [Applause.]

Mr. Chairman, there is danger ahead. The watchman on the tower, the lookout at the masthead, he who looks with prophetic vision into the future history of nations, has caught a glimpse of the huge and fearful doom that lies before us. Senator Morrill, crowned with long years of ripe experience and rare wisdom, standing even then on the borderland of the beyond, gave to his countrymen ere he passed over into the summerland of a bright and glorious hereafter, this message of warning, these words of wise admonition:

> We can not afford to denounce and forbid all acquisitions of territory in the Western Hemisphere by European governments, even at the peril of war, and forthwith embark in a thus be-damned enterprise ourselves. If our fidelity to the well-ripened statesmanship of the Father of his Country shall be perpetuated for the next hundred years as in the past, the honor, prosperity, and power of our Republic, it may safely be predicted, will light and lead all nations.

And ex-Senator Sherman joins:

> I do not hesitate to state that this expansion business will ruin the American people, and that the extravagance of the Administration will ruin the Republican party. Just think of it! The debt of the country has been increased within the last few months $200,000,000. I had hoped to live to see the entire civil-war debt wiped out. I have no hope of that now.

Then listen to Hon. George S. Boutwell:

> The President proposes to take jurisdiction of the Philippines and then consider how they are to be governed. Thus he announces the essential doctrine of an unlimited tyranny. We are to pursue the policy which we condemned in Spain and which has ended in unmitigated disaster.

Clear-headed and wise-reasoning Senator HOAR says:

> My opinion is, that if the United States acquire the Philippine Islands, to govern them as a subject or vassal state, the destruction of the American Republic will date from the administration of William McKinley.

Then, too, there is the utterance of President McKinley in a message sent to this body within the last twelve months, and one which is a strange and striking commentary on proceedings now taking place and conditions sought to be fastened upon this country by a band of conspirators:

> I speak not of forcing annexation, for that can not be thought of. That by our code of morality would be criminal aggression.

These are but a few of the danger signals raised before us, but they present truths that it were well for this country to heed, even if they do emphasize the utter inconsistency of the Republican party. The good of our country is at stake, and should be considered, whatever may be the result to the coterie directing the affairs of the Administration. Presidents come and go, and are soon forgotten, but the country remains, and all legislation should be for the preservation of its liberties and the perpetuity of its free institutions.

The Republican policy of expansion, that of extending our Government over distant provinces inhabited by an entirely different race, a race of savage and semi-civilized people, means a government by force of an unwilling people, "criminal aggression" in reality, and the necessary enlargement of our standing Army. The first call is for 100,000 men; but when these are scattered in the various parts of the globe there will come the call for more, and again the Army must needs be strengthened and increased. How will we secure the men to fill the demand? In the light of the disclosures and revelations made of the conduct of this last war, the treatment of the private soldiers, the subordination of their welfare and comfort to the greed and profit of heartless contractors and inefficient officials at the head of important departments, given their authority by this Administration on the principle of toadyism and favoritism—in the face of all this, there would be but a tardy response to a call for volunteers, and a system of conscription would be forced upon our country to raise the required levy.

Where will they be needed? Surely not in Porto Rico. A few hundred troops will be amply sufficient for that vassal isle of ours. Not in Cuba, for those who are best posted in the internal affairs of Cuba inform us that 10,000 of our troops are more than enough to insure the speedy formation of a "stable government" in Cuba. Shall they be sent to the Philippines? If they go there to forcibly annex that island territory, it is true they must go in force and remain there for years, subject to all the deteriorating influences of the worst phases of the hell of war. The history of English troops in these tropical stations, among half-civilized races, has been one

of the most awful and terrible degradation of their moral, physical, and social conditions. To send the gallant troops of America to those climes would be to send them to the fountain head of physical corruption and vice, which would communicate its evil results to the third and fourth generations. But this is not the true reason. These additional men are not needed abroad. Before the war with Spain our Regular Army consisted of some 28,000 men, and was amply sufficient to protect every interest in all our vast domain; and surely twice that many men are not honestly needed to assist the people in territory no greater than Texas to form a "stable" government.

There is an ulterior motive in the minds of those who are planning all this, and urging upon the Administration expansion as an argument for a large standing Army. The liberties of the people are endangered; the foundations of our Government are being assailed; deep mines are laid to encompass the downfall of the Republic. The annexation of the island of Sardinia to the Republic of Rome was the first act in the downfall and destruction of the Republic, and marked the beginning of the Empire. The annexation of the Philippines gives the conspirators the opportunity to ask for a large standing Army, to be used as the nucleus of a military despotism. As an entering wedge, the Executive now has and seeks to prolong a military government in all our vassal and occupied territory abroad, while the Secretary of War takes upon himself the parceling out of rights, grants, privileges, and franchises with all the independence of a military dictator.

Soon we will have a horde of hired professional soldiers, perhaps recruited from the savage tribes among the Filipinos, wholly out of sympathy with the American people and American interests, at the behest of the bosses; there will be the gradual restriction and the final abolition of the elective franchise by the employment of Federal bayonets at the polls; the complete subjugation of labor, the suppression of unions or labor organizations, the complete disregard of constitutional rights, and a government without the consent of the governed. All this is in their plan; and then follows the full military dictatorship, the Republic perishes, the empire is enthroned, while the syndicates rejoice and profit by the possession of gain their ill-begotten schemes have brought to them. [Applause.]

For expansion, on their terms, they bring into play glittering generalities, catch phrases, and fine words, but utterly ignore plain practical argument.

They propose to annex and bring into our domain and as part of our dominion over 8,000,000 Malays and Negritos, races wholly alien and incapable of assimilation with our race and form of government. Throughout all the years of our history we have proclaimed our right to the title of being the land of the free, the refuge of the downtrodden, the asylum for the oppressed of every clime, and to our shores have come English, Irish, French, German, Jew and Gentile, Greek and barbarian, from nearly every land, but when have we ever had any immigration from the Philippines? When have any of the lusty sons of Luzon or Mindanao displayed their Adamite forms on America's soil, except perchance as they may have disported on the gay Midway during the World's Fair?

What folly to think of Americanizing these cannibalistic sea islanders. And unless they were brought into full understanding and comprehension of our institutions and an appreciation of the beneficent results attendant upon their preservation, it would be suicidal policy on our part to bring them in. Why are these Republican schemers so anxious now for annexation? Let me recall how, in days past, Canada, Mexico, Yucatan, Cuba, Hayti, and San Domingo knocked at our door for admission into our Union or annexation as provinces, and the Republican party said them "nay." Let me remind you how for years you have faced the immigration question, and insisted that there shall not come to our shores from civilized Caucasian Europe any who can not read a few lines of our Constitution, and now propose to open wide your arms and admit with loving embrace and make citizens of the wild and naked savages of the Orient.

This nation, with all its glory and grand achievements, has not yet learned how to deal with the race question within the confines of our present territory. Our conduct toward the American Indian shows this. The hundred years of our treatment of them has fittingly been characterized as a "century of dishonor," and our "humanitarian" policy has reduced their number from a score of millions to less than a quarter of a million, while in Alaska, another place where our humanitarian process has been in operation but comparatively a few years, but a feeble remnant of a once flourishing native population remains. Then take the negro race. We have not learned the alpha of our duties toward them, or the beginning of the solution of the problem their presence among us creates. Faulty and blamable as the Democratic party may be in this respect, its record gleams in snow-white purity when contrasted with the hypocrisy, the systematic betrayal of trust and base ingratitude of the Republican party toward that race.

If, then, this nation has so completely failed in its duty to its wards and fellow-citizens at home, what can we expect it to accomplish in the uplifting of thrice their number who are possessed of not one-third their natural endowment and civilization?

The expansionists speak of destiny, and a Providence that opens the way to the salvation of the heathen in the "isles of the sea," forgetting or ignoring the grander opportunity for their missionary zeal afforded by the "heathen nearer home." They hurl their taunts at patriotic citizens who do not see the leading of "manifest destiny" in crooked schemes, or believe that Divine Providence has revealed His plans to a band of corrupt political conspirators. They ask if we wish our country to remain a "hermit" and an "isolated" nation, and then declare "we are coming to our own; we are stretching out our hands for what nature meant should be ours; we are taking our proper rank among the nations of the earth."

What senseless bombast; how false and utterly misleading! If we should become a hermit or isolated nation, it would simply be for the reason that we stand so much the higher, on so much superior a plane than any other nation that there would be none that could rank in the same class with us. [Applause.] The United States a hermit nation! From the uttermost parts of the earth there comes to our domain people to do us homage and pay us tribute. Science, art, manufacture, commercial enterprise, all have from our land dominated conditions everywhere. Our political influence is recognized wherever there is a government on the face of the globe.

"Coming to our own, and taking what nature meant should be ours." When were the Philippines ever our own? By what manner of descent do we come into them as a heritage? By what right do we acquire title? Not by conquest, for we have neither conquered them nor have we the right to do so, for it was most solemnly proclaimed that this was not a war of conquest, but of humanity, so that, in keeping with the pronouncements of this Administration and its friends, we can not take them by conquest, and even as a matter of fact, we have not captured or conquered them. Dewey with his fleet remains at Manila, tied up by cable instructions from vacillating Washington, and the control by American power extends no farther than the guns of Dewey's fleet will carry. Spain can not give us a clear title, for her own title rested on no good tenure. It is only by the most exaggerated development of the Darwinian theory that there could be found a conception to serve as the foundation for this crazy freak of a notion, and our only claim to a title comes to us through our relationship by the remote but common origin of species. If nature intended the Philippines to be ours, why were they planted 7,500 miles away, instead of at our shores? Out upon such foolish assumptions. [Applause.]

We are told by these leaders, these syndicate bankers, that American commerce needs new markets, and only expansion of territory in the direction of Malaydom can open new markets for us. In what way can American control of these islands create trade for us? The people there are not people who would buy anything of us. Compare them with civilized folk. Canada, last year, with 5,000,000 population, bought over $85,000,000 of our goods, while the whole oceanic archipelago, including the Philippines, with over 20,000,000 inhabitants, bought of us $162,446 of our products and manufactures. If we want to extend our trade and open new markets by the annexation process let us proceed on a common-sense basis and annex first Canada, and then take in everything from "Greenland's icy mountains" to Patagonia's rocky shores.

We can not ship the products of our farms to Manila, even using that as a base of supplies for China and Japan, for the freight charges are so high that it would be impossible for the American farmer to compete successfully with the farmer of Australia or India. Last year the records show we purchased from the Philippines $4,982,857. Now, contrast this with the increased cost of maintaining a large standing Army, the swelling of the pension roll, all the added expense of the Navy, and the civil administration list, and tell me, Where is the gain? Against the imperial Republican doctrine of expansion, the head of the largest iron manufacturing concern in the world and the largest exporter of goods in the United States says: "I know that the acquiring of the Philippines would be detrimental to commercial expansion." We have no need, however, of enlarging our borders. Mr. Carnegie says:

> Without distant possessions the Republic, solid, compact, safe from the zone of war disturbance, has captured the world's markets for many products and only needs a continuance of peaceful conditions to have the industrial world at its feet.

It is admitted by the advocates of expansion that peaceful conditions will not prevail, but that we would more than likely become involved in war. Already there is talk of the "next great war." It is urged that we must mix in the turbulent conditions of the East in order that we may take our proper rank among the nations of the earth; that we must let the people of this country feel the advancing waves and be swept into the eddying currents of direst want and woe, in which the Old World has been

tossed and whirled for ages. I for one do not want such to be the doom of my countrymen. I am opposed to entanglement or alliance with any other nation, and no one denies that we would be compelled to form alliances with some of the powers of the East if we enter upon this imperialistic plan of colonial expansion, and compelled to share in international complications.

A few years ago, when the Democratic party was laboring for tariff reform and seeking to provide a system of revenue that would have permitted a degree of prosperity to have become a reality in our country, the Republicans shouted that we were copying English free trade, and England was held up as a bugaboo to frighten voters away from the Democratic party. But for years the hand that has pulled the strings and moved Republican puppets has been an English hand, and to-day it is because the English head of the syndicate prompts the move that the Republican is favoring expansion.

We as a nation do not want any alliance with, nor do the people wish to be used as a catspaw of, England. The diplomacy of England has always been against American interests and against the true welfare of this country.

Scarce a generation ago, during our civil war, to go no further back, England, as in all her history, was against the Union and did all in her power without open declaration, to effect our ruin. In her shipyards were fitted out cruisers to prey upon and destroy our commerce; blockade runners carried arms, ammunition, and supplies to the South, and while in this way assisting it, at the same time robbed it of the stores of cotton raised on its soil. No alliance with a nation whose entire history has been in entire keeping and perfect accord with her conduct toward us while we were still British colonies! To-day the dealings of England with Ireland are sufficient to justify our intervention on humanitarian grounds. No; let us have no alliance with any nation. Let us hold fast to the admonition of Washington and not "quit our own to stand on foreign ground." England is anxious that we annex the Philippines so that she may hold over us the threat that if we do not yield to her commercial demands, she will take these islands away from us or compel us to fight.

Beware of the hungry lion
Whenever he speaks you well;
His words are fair, at the mouth of his lair,
And as smooth as the road to hell.
But his deeds are dark and dastard,
And his thoughts are of his maw;
And his chops dip red with the blood he's shed,
And greed is his only law.

The Democratic party has ever advocated the doctrine of "no entangling alliances with foreign powers," it has always been the party of high and noble principle, and is to-day the party standing for the interests of the people, and I am standing on Democratic principles when I declare that imperialistic expansion is repugnant and abhorrent to true Americanism.

We need no colonies. There are countless acres in every State of the Union undeveloped. Within an hour's ride of this Capitol there is room for a thousand more farmers to bring under subjection idle and unimproved ground, and between the two oceans lies an enormous territory, whose natural resources are unequaled, and capable of supporting the entire population of the civilized world.

According to the census of 1850 there were then 180,528,000 acres of unimproved land embraced within farms in the United States. In 1890 there were 265,601,864. This does not include wild land. At the rate that land has been cultivated for the past forty years, it would take two hundred years for the land fenced in as farms in the United States to be cultivated as closely as the land in Porto Rico is now.

Taking a dozen countries, we have a population to the square mile as follows:

Saxony	605
Belgium	551
Great Britain	315
Italy	278
Prussia	223
Porto Rico	212
Austria	206
France	188
Spain	88
Philippines	66
Cuba	32
United States	21

This shows that the Philippines already support a population three times as dense as that of the United States, and that we have no surplus population that we need an outlet for, and we have abundant room without annexing foreign acres to cultivate. Let us develop our own land, open the mines, till the farms, start the mills and shops closed by the blighting policy of the Republican party, which is now preaching imperial expansion. If we do this, we will have in addition to the foreign market, the foreign trade we can scarcely satisfy now, an increased and enlarged home market, and we shall find in this fair land of ours the best and grandest spot on earth for the employment of our capital and labor.

The leaders among the laboring people in their conventions and deliberative assemblies have ranged themselves against expansion as being opposed to their interests. These are the men who represent the American laborer, possessing the intelligence and recognizing the wants of a high civilization, and ready at all times to join hands with that commercial enterprise which would lead us to and maintain us in the business supremacy of the globe.

The Central Labor Union of New York thus puts itself on record:

Resolved, That we are opposed by every means within the Constitution to the policy of imperialism and expansion beyond the limits of this continent and the islands that are within its natural and legitimate sphere of influence, and every other form of expansion everywhere not in strict accord with the Declaration of Independence. * * *

Resolved, That we indorse the preservation of the wise and time-attested policy of George Washington of avoiding all entangling alliances with European powers, and especially all alliances or undertakings looking to joint action with England, that might involve the United States in territorial, commercial, or other disputes between powers of the Old World.

The laboring people of my own district are opposed to expansion. My mail is full of protests, individually and in collective bodies. Union No. 79, the Cigar Makers' Union of America, at Sandusky, Ohio, adopted these resolutions:

We do most emphatically protest against the annexation of the Philippines. We are opposed to any foreign expansion policy, believing in self-government and against any acquisition of new territory.

The interests of every American industry are in direct antagonism to the annexation of the Philippines. There is no sentiment in trade; people buy and sell where they can do the best. Trade does not follow the flag. The shrieking of silly, addle-pated individuals about commerce and the flag going hand in hand betrays the ignoramus who knows nothing of the methods of commerce. The trade of nations is the same as the trade of individuals, and goes where it can obtain the greatest advantage and profit. Wild talk about the flag does not indicate any special degree of patriotism, and the declarations made that the flag will never be hauled down where it has once been raised excite the smile of pity from those conversant with the history of our country and its flag. On the opening day of this year of our Lord the Stars and Stripes were raised at Havana, and for several months our flag has floated over Santiago, and yet by the solemn pledge of this Government it must be hauled down when Cuba has a "stable" government, and there are a score of instances in our history where Old Glory has been raised and hauled down again.

It swings to the breeze at Manila at the masthead of Dewey's ship and over the barracks of our troops, but there will be no stain, no dishonor to it if it should leave those waters, flying over the heads of our soldiers and marines as they come back to their native shores. I do not want the flag to stay there. I prefer to have the American flag—the flag of my country, the flag for which I fought, the flag which stands the emblem of hope and freedom, the banner of a united people—I prefer rather to see that flag float over my native land, where its pure folds may be kissed by the soft breezes of liberty, rather than have it stained by raising it as the insignia of the slave driver's power over savage slaves! [Applause.]

The test of civilization is the substitution of law for war, courts for brute strength, right for might; and what a travesty on civilization, on all law, justice, and right is the assumption of our sovereignty over 10,000,000 people whose consent we have not secured, or even asked, when our own Government is founded on the principle that "all government should derive its just power from the consent of the governed." It is time that the Declaration of Independence should be reread and studied by some of our people. It is true that the Republican party in its latter-day policy and practice pays not the slightest attention to the interest of the people. It has wandered away from the ideas and principles upon which it was founded, and directs all legislation along the lines of subserviency to the dictates of organized avarice and greed. For years it has sought to bring about the centralization of power in the hands of the Federal Government. In 1868 there was started in the city of New York a paper called The Imperialist, through which advocates of this scheme for the destruction and overthrow of democratic institutions might give expression to their views and rally those in sympathy with them.

For a while it worked independently, but at last suspended, giving as its reason that "owing to the love of the people for the Constitution, the Imperialists could accomplish their designs better through the Republican party," and the Republicans have continually shown that such is the object at which they are aiming.

They have sought to maintain a Federal force around the ballot box and thus prevent the free expression of the will of the people at the polls; they tampered with the courts and prostituted justice to base ends and the subversion of the rights of American labor; they have placed the burden of taxation upon the shoulders of the poor and the working classes, absolving the corporations and the wealth of the nation from bearing their just share; they robbed the people of their money and doubled the load of indebtedness under which the nation already groaned.

The per capita expense of government depends upon the density of population, and is greater in sparsely settled countries than in those that are thickly settled. When the United States was sparsely settled, the expenditures for Federal purposes varied from $1.35 per capita to $2.20, which was the highest point reached prior to 1860. As our country increased in population the expenditures, instead of decreasing, increased, until now, with the most economical administration of affairs, it requires $5 per capita, while the average is above that sum. The per capita expenses of the United States are already in excess of those of any other nation. The German Empire, including the municipal expenses, has a per capita of $5.90; the British Empire, including colonial expenses, $2.97; Russia, $2.75; Mexico, $3.85; Japan, $1.60; Austria has $1.51; Portugal, $1.08; China has only 19 cents, while the United States has a Federal expense of $5, and including State expenditures mounts up to $14.10 per capita.

By the extravagance and abuses that have crept into the administration of public affairs under Republican management the people of the United States are taxed from three to four times more heavily than the people of any other government. The masters of the Republican party dictated the nomination of their candidate for President, and by the expenditure of a vast corruption fund, reaching into millions, by bribery, coercion, and fraud, they elected him. They saw in this war an opportunity to further enrich themselves, and they kept back the declaration, retarded its conclusion until their plans were perfected, and now, under cover of the war necessities and results, seek to fasten upon this country a standing army of from 100,000 men to no one knows how many more, and their tools and organs all over the land cry out against anyone who dares to call a halt or suggest a doubt as to the expediency or wisdom of the measure, and denounce them as traitors and maniacs. [Applause.]

All through the campaign of 1898 Republican speakers and the parrot Republican press boiled over with the maudlin stock phrases, "Stand by the President," "Hold up the hands of the Administration," and the same cries are now ringing through the land. We are willing and ready at all times to stand by the President whenever he will declare a policy, if it is right and is on the side of the patriot and freeman. We are willing to help hold up the hands of the Administration, but we want him to turn the open palm of his hand in friendship toward the American people, not with clenched fist to strike down their interests. Let him be open and frank toward the people; let him declare his policy in regard to the Philippines; and if in harmony with principles of right and justice, we will stand by him and hold up his hands as long as his most ardent supporter in the land.

We do not, however, propose to sacrifice our independence as Representatives, members of a coordinate branch of the Government, or crawl in obsequious or abject slavery at the behest and dictation of the masters of this Administration. We have the right on this question to ask, Can we afford it? The annexation of the Philippines, the establishment of a colonial system with our Republic, is used as an argument for the need of a large standing army. It would increase our per capita tax. With our already large pension list, it would cost for our military establishment over $295,000,000 per annum, even without taking into consideration the Navy expenses.

In addition to this we would be forced to the assumption of over $8,000,000 of Spanish bonds issued for the improvement of Manila Harbor. In 1892 the Spanish debt was funded, and to guarantee the payment of that debt the resources of all her colonies were pledged, and the proportion of the Philippines was over $8,000,000. We have declared our position on this question. When Mr. Adams was Secretary of State, August 10, 1818, he instructed Mr. Everett:

> No principle of international law can be more clearly established than this, that the rights and obligations of a nation in regard to other states are independent of its internal revolutions of government. It extends even to the case of conquest. The conquerors who reduce a nation to their subjection receive it subject to all its engagements and duties toward others, the fulfillment of which then becomes their own duty.

Article VII of the Paris treaty provides: "The United States will adjudicate and settle the claims of its citizens against Spain relinquished in this article." Under this clause for damages to personal property alone the United States has assumed a liability of $100,000,000. If Spain could be whipped about three times on the same terms, she would be free from debt and could resume her former grandeur. About three more such victories would make our public debt greater than it has ever been in the history of our nation. Spain receives directly $120,000,000 and probably $430,000,000 more on the bonds, and virtually but two battles were fought.

Now, we have to bear a tariff law, a "protective" tariff, which is producing even in these days of boasted "prosperity" an increasing deficit each month—a tariff which its friends make no pretensions of its bringing in sufficient revenues upon a peace basis and without a colony. What will be the result with increased expenditures and decreasing importations, and decreased receipts at the custom-house? It will force our Republican friends to the adoption of the "unconstitutional" income tax. We have also the policy or suggestion from this Republican Administration of an "open door," that all nations shall be entitled to an equal chance to the trade of these islands, while our Constitution provides that there shall be uniformity in excises, imposts, and duties everywhere within the domain of the United States.

We also have to consider the objection of the Filipinos to our sovereignty. A peculiar situation is before us. The insurgents of Luzon have an organized government; its armies have been in actual warfare against Spain; thousands of prisoners have been taken and are now held; cities have been besieged and Spanish troops compelled to surrender. Now, in direct violation of the Constitution, with unwarranted usurpation of power and authority, the President steps within the exclusive province of Congress and directs our Army and Navy to make war upon this Philippine government, a government de facto, no matter how crude or incomplete. This, though, is in perfect keeping with the tenets of the Republican party ever since the present leaders thereof obtained recognition in its counsels through the death of patriotic statesmen who once were at its head. The Philippines, the Hawaiians, and the Cubans are to be trampled under foot by the administration of HANNA, Alger, and others, carrying out the dictates of the Republican lords; the Spanish-Cuban bondholders are to be placed in charge, and the Spanish yoke exchanged for Republican chains, under guise of military law and beneath the American flag. [Applause.] The Army of the United States will be used to enforce the carrying out of these schemes, and the stalwart sons of America will be drafted to do police duty and act as tax collectors in the fever-infected climes, and the expense will be gathered from the sweat and toil of American labor.

The anti-American, unpatriotic syndicates controlling the Republican party govern and direct the actions of its members, as was shown when, by an indelicate exposure of the operation of his mind, one of their oracles exclaimed, "You may stand by the law if you will, but I prefer to stand by the friends who stood by me;" and so whatever this gigantic combination of syndicates that stood by them by contributing their millions to the success of the Republican party and the election of its candidate as President—whatever this octopus directs the Republican partisans are ready to stand by and uphold.

They seek, however, by glib, high-sounding phrases to deceive the people. "Military government," "commercial expansion," "manifest destiny," "lifting Old Glory a little higher," "the ways of Providence"—these are expressions they roll like a sweet morsel under their tongues to conceal their schemes, but—

> In vain they call old notions fudge,
> And give to sin some other name;
> The Ten Commandments will not budge,
> And stealing is stealing just the same.

And that is exactly what the Republican policy means, the wholesale plundering of the colonies abroad and the robbing of the Republic at home. It was officially announced some years ago by one high in Republican councils that "the Ten Commandments have no place in politics," and in perfect accord with that statement has been the Republican course, until it has laid its hands on as many rights of the people as it could grasp, has ignored the Constitution, and enthroned treason. [Applause.]

Let me repeat a few sentences that perchance have been lost sight of by some of the rabid friends of the Administration. Let me cull a few choice extracts from what was hailed by the same expansionists as the wisest and most patriotic document ever emanating from the executive department.

In his message to Congress April 11, 1898, President McKinley asked for the use of the Army and Navy "to secure full and final termination of hostilities between the Government of Spain and the people of Cuba," for "it is especially our duty, for it is right at our doors," and the maintenance of neutral relations "entails on this Government an enormous expense;" therefore, "in the name of humanity, in the name of civilization, in behalf of endangered American interests, which give us the right to speak and to act, the war in Cuba must stop." These are the central thoughts, the keynote of that message. Search it through and through, and you will find only Cuba mentioned. Very few, indeed, are there in all this land who believe that President McKinley ever desired to see Cuba free. Forced to action by the spontaneous demand of a great and patriotic people, he sent his message, but all through the history of those days, and between the lines of that message, was revealed his desire for Spanish autonomy in Cuba; but it was all Cuba, and all in the interest of humanity. Never a word of the isles across the sea or of conquest.

Now, how reads the declaration of war? "That the Government of Spain at once relinquish its authority and government in the island of Cuba, and withdraw its land and naval forces from Cuba and Cuban waters." And in the final summing up of the

resolutions, which were to lay before the nations of the earth the solemn purposes of this Government, we declared: "That the United States hereby disclaims any disposition or intention to exercise sovereignty, jurisdiction, or control over said island, except for the pacification thereof, and asserts its determination, when that is accomplished, to leave the government and control of the island to its people."

That was the official act and declaration of this the highest legislative body of the nation, and it stands unaltered and unchanged in any of its wording to-day.

It would seem that our Republican friends have either very short memory or seek to read new meaning into the English language. This was a great humanitarian conflict with the object to expel the Spaniards from Cuba, and yet, before a single soldier was started for Cuba from our shores, an army, fully equipped, was sent by President McKinley on a mission of conquest 10,000 miles away to the Philippines. Again, even after the peace protocol was signed, under the orders of the Chief Executive, the Commander in Chief of our Army and Navy, another army was sent to Manila. What for? Not to fight Spain, not to free Cuba, not "in the name of humanity, in the name of civilization, in behalf of endangered American interests;" no, but to drive from dominion native insurgents who, under General Aguinaldo, were fighting Spain for their liberty and the permanence of their established government.

Never was there a more monumental betrayal of national trust, placing the United States before the world as a conscienceless liar and grasping thief. He had no more right to send an army against the Filipinos than he had to send troops to Ireland. The declaration of war gave us no right to interfere with these insurgents. How about the peace protocol? Listen to the only provision of that document relating to the Orient. It is Article III:

The United States will occupy and retain the city and bay of San Juan de Porto Rico, and the port of Manila, pending a treaty of peace, which shall determine the control and form of government of the Philippines.

Let me say right here that all the talk of this having been a war for humanity is the veriest sham and hypocrisy. It was a war for revenge and castigation. We whipped Spain, and it was our right then as victors to dictate terms and demand reparation and a war indemnity. [Applause.]

But the scheming band of conspirators, the holders of Spanish bonds, who stand so near the seat of power in this Government, they who are the Warwicks, the "power behind the throne," dictated and controlled the affairs of state from the inauguration of this Administration down through all the hell of war, through the sittings of the Peace Commission at Paris and down to the present time, so manipulated that only their own interests were conserved. Under direction and in obedience to their orders, it was declared to be a war for humanity, and we were estopped from demanding indemnity; but where, in all the records, in message, resolutions, or protocol, is there a word or syllable relative to or permitting the United States to pay an indemnity?

Why should we pay out $20,000,000 for the Philippines, and especially why pay it to Spain? If the islands were the property of Spain to dispose of, we came into possession of them by virtue of conquest. But Spain had no power to dispose of them, and the high-priced Peace Commission of Paris had not one iota, not the least scintilla of a shadow of right, power, or authority to bind this Government to the payment of a single penny or peseta for any territory, Cuba, Porto Rico, or the Philippines. That commission of five Americans and five Spaniards was the outcome of a provision in that protocol which was inspired by the holders of the $400,000,000 Spanish Cuban bonds, and future generations will hold the American members of that commission in just execration as the betrayers of their country. [Applause.]

These imperial expansionists now arise and with uplifted hands and streaming eyes ask, "What can we do?"—meaning, What can we do to recoup ourselves for this $20,000,000 paid out? and also, How can we get rid of the Philippines if we do not keep them? In the first place, we have not as yet paid out our $20,000,000, and there is no reason or obligation, moral or legal, why we should, and we will do so, if we do at all, only because the godless greed of hybrid bondholders, without nationality, honor, or patriotism, heart, or soul, dictates the policy of the Republican party. How shall we get rid of them? As yet we do not actually have them, and will not unless imperial ukase and edict goes forth that the price must be paid and the foul bargain consummated.

It would harmonize with the commercialized politics of the day, as represented by Republican leaders, to put them on the bargain counter or auction table and sell them to competing nations, or perchance compel the Philippine Islanders to purchase the liberty they have already won. But the best thing to do is to say to Aguinaldo and other representative leaders, "We are going to get out of here; go ahead and establish your government; take your liberty and make the best of it; we will not force upon you any 'military government' extending over ten or fifteen years, or until the favored syndicates can obtain full control of all valuable franchises and privileges in your islands; we intend to be consistent, honest, and patriotic; we will do as President McKinley promised he would do by Cuba, 'leave the control of the islands to the people therein.'"

What higher glory could there be than in taking this manly, straightforward, and Christian course? Let them alone, keep our money, and save what little of honor there is left to us out of the whole infamous deal at Paris. There is no occasion for hysterics about turning them over to Spain. No one proposes such a course. We could not if we would. Spain could not hold control of them forty-eight hours if our Army and Navy were removed. Let them go and take care of themselves. To keep them would "entail on this Government an enormous expense," and "it is (not) especially our duty, for they are (not) right at our door." Let them alone. It is not incumbent upon us to look after them. Duty to no high principle demands our interference. There never comes to any nation the obligation to perform any duty the performance of which is impossible of realization.

If it is our duty to take these islands and impose upon ourselves and our posterity an enormous, grievous burden for the sake of their redemption and civilization, then it is just as strongly our duty to open up business as the scavengers of the world, and interfere with the domestic relations of the Hottentots, the Kaffirs, the Hindoos, the unspeakable Turk, and everywhere on the globe wherever a human heart may be that is bowed down with oppression, woe, misery, ignorance, or barbarism.

No! We have not these islands now, and to say that we must take them as the only resort left is simply begging the question. We are not in the slightest degree responsible for the condition of the Filipinos, morally, legally, or otherwise. They were struggling for liberty long before Dewey entered Manila's harbor and vanquished the Spanish squadron there, and now, thanks, indeed, to Dewey's guns, they have their freedom from Spain.

If we remain there, we stay for their reenslavement. Let them alone; give them a chance, an opportunity to build up a stable government of their own. Doing this, we will secure their friendship and gratitude; and if we desire their trade we will secure more of it than would come to us under the proposed "open-door" policy of this Administration, and if we want a coaling station, they will gladly give it to us. But perchance this plan would not afford the syndicates opportunity to reach in and filch from the Treasury to their heart's content. "Ah, there's the rub!" [Applause.]

It is not Providence, it is not the condition of the Philippine Islanders, it is not our country's needs that demand the creation of a large standing army. It is the domination of the imperialists in the Republican party, who seek their own aggrandizement at the cost of the destruction of the Republic.

As at the outset I said, I do not believe that the simple annexation of the Philippines would be our ruin, but the success of the conspiracy of which that is one of the moves would bring about its downfall. The conscience of the people is sought to be debauched, the character of the nation undermined, the defenses of virtue and justice weakened, an imperial oligarchy created and maintained by force, and freedom doomed. God grant that the sight of the people may be loosed, their eyes opened to the great danger that lies before them; that truth and reason, justice and right speedily prevail, and our beloved country go forward on its triumphant course, maintaining in her proud supremacy "that this nation, under God, shall have a new birth of freedom, and that government of the people, by the people, and for the people shall not perish from the earth." [Applause.]

Mr. JETT. I now yield to the gentleman from Missouri [Mr. ROBB].

Mr. ROBB. Mr. Chairman, I am opposed to the whole plan and purpose for the reorganization and increase of the Army.

I am opposed to it, first, because it is the development of a new system, unnecessary in my opinion, which will largely increase the expenses of our Government and the taxes of those who can least afford to bear its increased burden.

Any new departure involving an increased expenditure of public money should be supported by the soundest reason and justified by unavoidable public necessity. Any additional burdens imposed upon the people, whether in the form of taxation or otherwise, should emanate from the highest conceptions and considerations of public interest and public good. Especially should this be so when the proposition carries with it the expenditure of hundreds of millions of dollars annually, a direct charge upon the resources of our country, and which in time will be augmented rather than diminished.

If there were no other objections to the measure than the enormous cost which it will entail; if there were no other objections to a large standing army than the one of expense, this, in my judgment, is sufficient at this time to warrant the rejection of this bill. The national necessities and national duties are not commensurable with the increased burdens which it will impose. The new responsibilities which we should assume as a result of the

war can be met and the public safety guaranteed without thus menacing the liberties of our own people.

I am willing to admit that if we are, as an outgrowth of the war, to enter upon and become committed to a policy of imperialism; if we are to assume responsibilities foreign to the declared purposes of that war as well as to the fundamental principles of our Government; if we are to establish the colonial system and maintain it, the occasions will not be infrequent when we will need the services of a hundred thousand men in arms and of possibly more. But I have indulged the hope that public opinion, the builder and wrecker of political fortunes, may become so aroused and the voice of popular disapproval so pronounced as to turn from their mad purpose those who would launch us upon a course the end of which and good of which no man can foretell and the most far-seeing can not foresee.

If the original and fundamental principles of the Government are adhered to and the counsels and high purposes of its founders observed, we are absolutely secure; in fact, more secure without than with an increase in the Regular Army. If this bill becomes a law, it is estimated in the report of the minority of the Committee on Military Affairs that it will cost the people annually $150,000,000. If it costs this much, and I have no doubt but what it will, our annual expenditure on account of the Army will almost equal the cost of our war with Spain. Should we do this? Should we inaugurate a system which will in the end, as one of the abuses growing out of the war, magnify its cost and make it more burdensome to the people in time of peace than in time of war when exposed to actual public danger?

Why not allow it to be proclaimed to the country, that the people may again rejoice over our remarkable achievements in this war, that it is not to be followed by a long train of unnecessary abuses, reckless expenditures, and increasing taxation? If that war demonstrated anything, it was that we need no large standing army. We need not shape our policy after that of European powers and burden our people with this increased expenditure. It had been more than thirty years since our civil conflict, and we had been at peace with every foreign power for over half a century, when suddenly summoned to conflict with a foreign foe, on foreign land and in foreign waters. Yet our victory was as overwhelming as was the response of our people to the call to arms—complete and instantaneous—and the prowess of our seamen and citizen soldiery unquestioned.

When we stop to consider the magnitude of the established objects of expenditure and the new ones proposed by the present Congress, and what it means to the taxpayers of our country, it is little short of alarming.

Let us see. The Senate has recently passed a bill, which will in all probability pass this House at the present session, for the construction of the Nicaragua Canal, which carries with it $125,000,000.

If this bill increasing the Regular Army becomes a law it will cost $150,000,000 annually. Our expenses for pensions will reach $145,000,000 annually. If to these we add the other expenses of our Government, including the interest on our national debt, and to this we add $20,000,000 more which we are asked to pay to Spain for unloading upon us a group of islands populated by several hundred thousands of savages and several millions of semi-civilized people; indeed, if even then we have reached the high-water mark of national expenditures, which is problematical and exceedingly doubtful, the aggregate is so enormous and so disproportionate to the means and ability of those upon whom is laid most heavily the hand of taxation as to lead to the inquiry whether it is the part of wisdom to subdue our own people by governmental exactions in order to respond to a sentiment which some gentlemen have been pleased to call "expansion," but which President McKinley but a short time ago denominated "criminal aggression," what will it profit us if we gain the Philippines and lose the proud spirit of American freemen?

Mr. Chairman, if the price of the annexation of the Philippines is the establishment and maintenance of a large permanent standing army, and the increased burdens which the people will have to bear—that is, those of the people who can not hide themselves from the taxgatherer behind a Supreme Court decision—we had better forego the ambition to adopt this child of the Orient, vote down this bill, muster out our volunteers as soon as practicable, resume our peaceful pursuits under civil authority, and in the future, as in the past, encourage by our example other countries and other nations to adopt a republican form of government.

This is not the first time that attempts have been made to increase the Army since the close of the civil war. At different times numerous and varied pretexts and excuses have been offered in support of propositions and measures looking to this end. For coast defenses, and the protection of our frontier from the Indians have been urged; and in the discussion some of its advocates have been frank and bold enough to admit that it was for the purpose of controlling local disturbances in our own country. The pending measure can not be justified for any such purpose. Our present Army, with the militia, is all that is necessary.

There is an old statute (section 1625, Revised Statutes of the United States, 1878) which reads as follows:

Every able-bodied male citizen of the respective States resident therein, who is of the age of 18 years and under the age of 45 years, shall be enrolled in the militia.

Other sections provided how they should be armed and equipped, etc. While this statute has fallen into disuse, it has been continued in our revision and serves to indicate the idea of the earlier lawmakers with respect to that part of our military force. They had faith in the militia, trusted in the ability and bravery and patriotism of our citizen soldiery as contradistinguished from those of the Regular Army, looked to them as our best reliance then, as they and our volunteers are now, and will be in the future, if they be not discredited and that spirit which moves men to action be not destroyed.

Among the express powers conferred upon Congress by our Constitution is the power "to provide for calling forth the militia to execute the laws of the Union, suppress insurrections, and repel invasions."

And Washington in his sixth annual address, in recognition of the wisdom of this power, said:

The devising and establishing of a well-regulated militia would be a genuine source of legislative honor and a perfect title to public gratitude. I therefore entertain a hope that the present session will not pass without carrying to its full energy the power of organizing, arming, and disciplining the militia, and thus providing in the language of the Constitution for calling them forth to execute the laws of the Union, suppress insurrections, and repel invasions.

What has Congress done in this respect? Read section 5297 of the Revised Statutes of the United States:

SEC. 5297. In case of an insurrection in any State against the government thereof, it shall be lawful for the President, on application of the legislature of such State, or of the executive, when the legislature can not be convened, to call forth such number of the militia of any other State or States, which may be applied for, as he deems sufficient to suppress such insurrection; or, on like application, to employ, for the same purposes, such part of the land or naval forces of the United States as he deems necessary.

And section 5298:

SEC. 5298. Whenever, by reason of unlawful obstructions, combinations, or assemblages of persons, or rebellion against the authority of the Government of the United States, it shall become impracticable, in the judgment of the President, to enforce, by the ordinary course of judicial proceedings, the laws of the United States within any State or Territory, it shall be lawful for the President to call forth the militia of any or all the States, and to employ such parts of the land and naval forces of the United States as he may deem necessary to enforce the faithful execution of the laws of the United States, or to suppress such rebellion, in whatever State or Territory thereof the laws of the United States may be forcibly opposed or the execution thereof forcibly obstructed.

And section 5299:

SEC. 5299. Whenever insurrection, domestic violence, unlawful combinations, or conspiracies in any State so obstructs or hinders the execution of the laws thereof, and of the United States, as to deprive any portion or class of the people of such State of any of the rights, privileges, or immunities, or protection named in the Constitution and secured by the laws for the protection of such rights, privileges, or immunities, and the constituted authorities of such State are unable to protect, or, from any cause, fail in or refuse protection of the people in such rights, such facts shall be deemed a denial by such State of the equal protection of the laws to which they are entitled under the Constitution of the United States; and in all such cases, or whenever any such insurrection, violence, unlawful combination, or conspiracy opposes or obstructs the laws of the United States, or the due execution thereof, or impedes or obstructs the due course of justice under the same, it shall be lawful for the President, and it shall be his duty, to take such measures, by the employment of the militia or the land and naval forces of the United States, or of either, or by other means, as he may deem necessary, for the suppression of such insurrection, domestic violence, or combinations.

Is not this power all-sufficient, if in the judgment of the constituted authorities in any State the exercise of Federal power and Federal authority be required for any purpose whatsoever?

Again, should we be threatened with an invasion, the power of the President is ample, his authority complete. It is provided in sections 1642, 1643, and 1644, Revised Statutes of the United States, as follows:

SEC. 1642. Whenever the United States are invaded, or are in imminent danger of invasion from any foreign nation or Indian tribe, or of rebellion against the authority of the Government of the United States, it shall be lawful for the President to call forth such number of the militia of the State or States most convenient to the place of danger or scene of action as he may deem necessary to repel such invasion, or to suppress such rebellion, and to issue his orders for that purpose to such officers of the militia as he may think proper.

SEC. 1643. When the militia of more than one State is called into the actual service of the United States by the President, he shall apportion them among such States according to representative population.

SEC. 1644. The militia, when called into the actual service of the United States for the suppression of rebellion against and resistance to the laws of the United States, shall be subject to the same rules and articles of war as the regular troops of the United States.

Mr. Jefferson taught that the militia and the volunteers were our safest and best reliance. In his first annual message, speaking of the number of men required to garrison certain posts and stations, he said:

For defense against invasion their number is nothing; nor is it conceived needful or safe that a standing Army should be kept up in time of peace for that purpose. Uncertain as we must ever be of the particular point in our circumference where an enemy may choose to invade us, the only force which can be ready at every point and competent to oppose them is the body of neighboring citizens as formed into a militia.

And again, in his sixth annual message, he said:

Were armies to be raised whenever a speck of war is visible in our horizon we never should have been without them. Our resources would have been exhausted on dangers which have never happened, instead of being reserved for what is really to take place. * * * A militia so organized that its effective portions can be called to any point in the Union, or volunteers instead of them to serve a sufficient time, are means which may always be ready, yet never preying on our resources until actually called into use.

The first political platform ever promulgated by any party in this country, the one upon which Jefferson was nominated and elected, declared in opposition to a large standing Army. Washington was opposed to a large standing Army, as was also Jefferson, the Adamses, Monroe, Jackson, and as has been the entire policy of our country.

President Monroe, in his first inaugural address, said:

But it ought always to be held prominently in view that the safety of these States and of everything dear to a free people must depend in an eminent degree on the militia. Invasions may be made too formidable to be resisted by any land and naval force which it would comport either with the principles of our Government or the circumstances of the United States to maintain. In such cases recourse must be had to the great body of the people, and in a manner to produce the best effect.

Andrew Jackson considered standing armies dangerous to free institutions. In his first inaugural address he said:

Considering standing armies as dangerous to free governments in time of peace, I shall not seek to enlarge our present establishment, nor to disregard that salutary lesson of political experience which teaches that the military should be held subordinate to the civil power.

We should not increase our military establishment now. We should profit by the lessons of the past. We should heed the warning of our wisest and best statesmen. We should not surrender the essential principle upon which republican institutions must rest—a reliance upon and trust in the people.

But we are told that we have, or are about to have, Cuba, Porto Rico, and the Philippines on our hands; that as a result of the war new and unforeseen responsibilities and obligations have been thrust upon us which require this increase in the Regular Army. What are those responsibilities and obligations? In the war resolutions it is declared:

That the United States hereby disclaims any disposition or intention to exercise sovereignty, jurisdiction, or control over said island except for the pacification thereof, and asserts its determination, when that is accomplished, to leave the government and control of the island to its people.

Our duty and responsibility as to Cuba is the pacification thereof, and when that is accomplished our responsibility ceases. It is for the people of the island to form their own government in their own way. And as to Porto Rico, the island whose people welcomed the approach of our army, what is a large military force going to do there among people at peace with each other and in sympathy with our country? I can see no need of it, and am unable to understand why the native police or military force organized from the citizens of that island will not do all that is required.

Mr. Chairman, as to the Philippines, it might take 50,000 or 100,000, but more likely 200,000, men if we undertake to subjugate and hold those islands, to say nothing of what it may cost in the way of blood and treasure as a result of being exposed to European jealousies, becoming involved in European broils and European struggles.

I am opposed to the annexation of the Philippines and am opposed to an increase of the Army as a step in that direction. The Filipinos were in rebellion against Spain when Dewey sailed into Manila Bay and sank the Spanish fleet; they were in rebellion against Spain when the city of Manila was taken. Our purpose in going there was not the subjugation of those people, but to weaken the power of our enemy with which we were at war. Having for that purpose stricken down the hand of the oppressor in our own behalf, and not in behalf of those in rebellion, I can not understand wherein lies our duty to Spain, to the Filipinos, or to ourselves to become the future guardians and responsible for the future conduct of those people.

Would I turn them back to Spain? No. Neither would I pay Spain $20,000,000 in consideration of her cession of sovereignty or relinquishment of authority over them. I would leave them to themselves to establish their own government, encouraging them in the idea of republican institutions, and bid them godspeed in their undertaking. To do otherwise, to annex the Philippines, to subjugate the inhabitants and hold them in military bondage is to violate every principle upon which our Government was established and to expose us to danger for a generation to come. Never was there a time when the words of Washington in his Farewell Address should appeal to the Executive, to the legislative branch of the Government, and to the people with so much potency. He said:

The great rule of conduct for us, in regard to foreign nations, is, in extending our commercial relations, to have with them as little political connection as possible. So far as we have already formed engagements, let them be fulfilled with perfect good faith. Here let us stop.

Europe has a set of primary interests which to us have none, or a very remote, relation. Hence, she must be engaged in frequent controversies, the causes of which are essentially foreign to our concerns. Hence, therefore, it must be unwise in us to implicate ourselves, by artificial ties, in the ordinary vicissitudes of her politics or the ordinary combinations and collisions of her friendships or enmities.

Our detached and distant situation invites and enables us to pursue a different course. If we remain one people, under an efficient government, the period is not far off when we may defy material injury from external annoyance; when we take such an attitude as will cause the neutrality we may at any time resolve upon to be scrupulously respected; when belligerent nations, under the impossibility of making acquisitions upon us, will not lightly hazard the giving us provocation; when we may choose peace or war, as our interest, guided by justice, shall counsel.

Why forego the advantages of so peculiar a situation? Why quit our own to stand upon foreign ground? Why, by interweaving our destiny with that of any part of Europe, entangle our peace and prosperity in the toils of European ambition, rivalship, interest, humor, or caprice?

Let us, of all other things we may do or refuse to do during this Congress, not invite conditions which will involve us in disasters against which he warned us.

I notice in a London correspondence to the Washington Post of January 11 that it is the dread of Queen Victoria's dying days that Europe will be involved in a bloody war that will darken the close of her long reign.

If that dread time comes, Mr. Chairman, may it be said to the honor, glory, and peace of this nation and to the everlasting credit and felicitation of the statesmanship of this time that we are but interested spectators of the general upheaval. [Applause.]

Mr. Chairman, it is the proud boast of the Britons that the sun never sets on the Queen's dominions. But it is equally true that there is always sunshine on Uncle Sam's vast possessions, and this, too, before the annexation of Hawaii. When it is 6 p. m. on Attu Island, Alaska, it is 9.36 a. m. of the day following at Eastport, Me. And it is said that there are not two consecutive months in the year in which there is not both seedtime and harvest within the confines of our immense territory. Need we, therefore, now thirst for more, at the risk of exposing our institutions and the peace of the nation for generations to come? [Applause.]

Mr. MARSH. Mr. Chairman, I yield twenty minutes to my colleague [Mr. CONNOLLY].

Mr. CONNOLLY. Mr. Chairman, when I cast my vote, I shall be compelled to cast it against this bill. [Applause.] I thought it proper, inasmuch as my naked vote standing in the RECORD would not show any reason why I voted different from the probable majority of my party colleagues in the House—that it would be proper for me to put something in the RECORD to show some of the reasons that actuated me. There has been for years a growing sentiment among the people of the United States—the plain people, not the Army officers, but those who bear the heat and burden of the day in this great Republic—in favor of settling the questions in dispute with foreign nations by arbitration instead of by arms. We in this House now, at the close of the nineteenth century, are proposing to answer that appeal that comes up from the people of the United States by quadrupling the size of our Regular Army.

What kind of an answer is that that the representatives of the people propose to give to the demands that have been growing yearly in favor of the peaceful settlement of all questions of difference with foreign nations?

Again, a most singular thing presents itself. The autocrat of Russia, the sole head of that great nation, invites the nations of the world to a conference for the purpose of agreeing upon a plan to reduce the armaments that are bearing down his nation and all the nations of Europe with the tremendous burdens of taxation that are being piled upon the shoulders of those people in preparing the armaments that have been quoted to us in this debate as something to be followed in this country. We in this republican government of the people, for the people, and by the people, answer that call of the Czar of Russia by proposing to quadruple the fighting forces of the American Republic. What must the world argue from this but that the heads of the people of the United States are turned by this paltry victory they have won from a feeble enemy? [Applause.]

Mr. Chairman, the Army as it stands to-day, with its twenty-six thousand and odd men, has been large enough from the beginning of this Government down to to-day. We have lived more than a century under it. That Army, together with the volunteers, have made the flag of the United States respected within our own borders and respected throughout the world. When the day comes that the Republic must depend upon hired men to carry its flag and do its fighting, men professionally engaged in that business, the beginning of the end of this Republic has come. All the successful wars this nation has fought have been fought by the volunteers [applause]; and I have been tired in this debate of hearing so many disparaging remarks upon the volunteers, and talk that the volunteer can not be depended upon.

Now, I am sorry to say that advantage is sought to be taken of the temporary martial spirit that has been aroused by the late war with Spain to seek to do what could not have been done twelve months ago or two years ago; seeking to do that which in time of ordinary peace, when our people are engaged and their thoughts are turned to peaceful avocations in life, never could have

been considered one hour in this House of Representatives—an attempt to increase the size of our standing Army, and to do it by taking advantage of the temporary martial spirit that has been aroused.

Mr. Chairman, I look beyond this year, I look beyond the next two or three years from now. Our nation will still be here; we will be, I hope, in profound peace. We will have no need for a standing Army of any account any more than we had last year or the year before. I look to see the people of the United States bending their backs under the burdens of taxation that will be imposed upon them in case we quadruple this Army. Can we justify ourselves in doing it? It is all very well, in making patriotic speeches, to talk about the glory of the flag, the glory of our armies, and what the regulars have done and what the volunteers have done; but, Mr. Chairman, when the day of sober judgment and sober thought comes, the people of the United States have to pay the expenses for all these glorious things. They are looking to us to-day, and I apprehend that every member in this House has received letters from constituents inquiring when they will be relieved of the revenue taxes that were cheerfully borne in the support of the Spanish war and its expenses. Pass this bill, and you can answer those constituents confidently that never during this generation, nor in the generation to come, will the people of this country get rid of the revenue stamps that are stuck all over them. [Laughter.] We must consider these things.

Now, the pretext is being made in this House by many that because of the condition of things in the Philippine Islands we must have a largely increased standing Army. Why a standing Army? Is that condition of things to remain forever in the Philippine Islands? Will the close of the next century see an American standing army of 100,000 men there? I am ready to vote to furnish all troops necessary now to bring about peace there. I want to see that treaty ratified. I want to see the money paid to Spain. And then I want to see the American Government enforce order there against Mr. Aguinaldo and all his followers. I want them to be taught that we are not to be trifled with. But when we get rid of that adventurer and the adventurous gang that is following at his heels, then I want to appeal to the people of the Philippine Islands and let them make their government as we propose to let Cuba make hers.

What a singular spectacle we have to-day. Here in this end of the Capitol we are seeking to increase the Regular Army to 100,000 men, because we have obtained possession of the Philippine Islands. In the other end of the Capitol, at the very same time, they are insisting that we have not obtained and shall not obtain possession of those islands; that they will not confirm the treaty. Which is right? If gentlemen at the other end of the Capitol have control of this matter, then the settlement is as they say, not as the President says. It is as they say whether we shall have the Philippine Islands or not. We have probably the actual pedis possessione of 10 square miles of land and water. That is all we have.

Now, why seek to quadruple the Regular Army and to add 25 per cent to the retired list of the Army—increase the number of pensioners that are to be perpetually supported by the United States—under the pretense that we must have this Army to maintain order in the Philippines? I am willing to give the President all necessary authority to maintain order there; to give him the right to have all the troops that he in his judgment may find necessary. I have perfect faith and confidence that he would not abuse a trust of that kind reposed in him. But I do not want to force him, in order to get the power which he ought to have, to approve a measure which hangs a yoke around the necks of the American people in the shape of a large standing Army—something that has always been abhorred in this country; something that is fundamentally out of accord with republican institutions. An Army I regard as simply a necessary evil. I want to keep that evil as small as possible. [Applause.]

[Here the hammer fell.]

Mr. JETT. I now yield to the gentleman from Missouri [Mr. BENTON].

Mr. BENTON. Mr. Chairman, I have paid close attention to the debate on this bill, yet I have not heard a clear statement from a single advocate of the bill as to what the need for a large standing army is in the United States. I have not heard what we are to do with a standing army of 100,000 men. The hint comes from the chairman of the Committee on Military Affairs that we must quadruple our standing or Regular Army because of our new possessions in the sea, while the gentleman from North Carolina [Mr. LINNEY] seems to think that we must get ready to meet European trouble.

Mr. Chairman, if the Government of the United States is going into world politics, if we are to be ready for all comers, and it takes a standing army to make us ready, then 100,000 men will not suffice. England has the smallest standing army of any of the great European powers, and she keeps under arms constantly over 220,000 soldiers, while Russia leads with a regular army of 750,000 men, closely followed by France and Germany. If a great imperial policy is to prevail, if these United States must take a place in world politics, then our standing Army must be equal to the best; and to be the best, or among the best, we must have 500,000 regular soldiers, to say nothing of the other need—a $500,000,000 Navy.

And, Mr. Chairman, the plain producer must pay the bill. But, Mr. Chairman, the drift of expression among those who are for this bill is that we need this army of 100,000 men to keep peace and order in Cuba, Porto Rico, and the Philippines. Why, Mr. Chairman, Cuba is to set up a free government, and we have pledged the Cubans, pledged ourselves, and pledged the world that we will help them do it. There can be but slight need for an army in Cuba. I venture the assertion that history has no parallel to the orderly behavior of the Cubans since the cessation of active hostilities. They are poor, homeless, with a devastated country, yet so eager are they for the blessings of liberty that they obey every command of our officers. Half a dozen regiments will preserve order in the cities of Cuba, and the country will settle down to peaceful pursuits, unless they begin to believe we mean to keep "Punic faith" with them. We have been led to believe that Porto Ricans came to us with outstretched arms and will be proud to become American citizens. Surely two or three regiments will suffice there.

Mr. Chairman, if the gentleman from Iowa [Mr. HEPBURN] speaks authoritatively, that it is the purpose of the Administration to pacify the Philippine Islands, "give them an opportunity to establish order and law under such form of government as they choose," then we can not need a large standing army in those islands. Is there a member on this floor who believes there would be danger to our little Navy or to the few thousand soldiers we have over there if the Congress should declare the purpose of our Government to be to aid those people to organize a stable government and then leave the people there to enjoy liberty? If our purpose is to aid the Cubans and Filipinos to establish governments of their own, then a regular army of 30,000 men is all we need for all purposes. But if by any accident a greater force is needed at any time, the substitute of the minority for this bill gives the President the right to call out 50,000 volunteers when they may be needed.

Mr. Chairman, to return to the first proposition, What do we want with a standing army four times as large as the one we have had for more than twenty years? The Indian question has been solved; we have no dangerous border to defend. Besides, it is a costly proceeding. A standing army of 100,000 men, one-half of them to be used outside of the territory of the United States, will cost us $115,000,000 annually. Add to this our pension list of $150,000,000, and the probable pension list of the war we have just finished, and we will expend a grand total of $300,000,000 on our Army each year. Are we rich and powerful enough for that when there is no need of it? Again, I am opposed to this bill because it is a forward step toward imperialism. It is the beginning of militarism. It will be the beginning of the election of Congressmen, governors, and Presidents by military influence.

A large standing army tends inevitably to centralization of government and to decay of individual liberty. A large regular army in time of peace is contrary to the teachings of the fathers. Mr. Jefferson said, "A well-disciplined militia was our best reliance in peace," and even "for the first moments of war." President Jackson said, in his first inaugural address:

> Considering standing armies as dangerous to free governments in time of peace, I shall not seek to enlarge our present establishment, nor to disregard that salutary lesson of political experience which teaches that the military should be held subordinate to the civil power.

Our Government was builded upon the notion that each individual would be free, but would yield something to the general good. Force of arms was not to be tolerated as in opposition to civil authority. I believe in staying close to the doctrines of the fathers. Whenever we wander away from their views we get into deep water. By this bill we more than double the number of officers. This will build up and organize a military aristocracy, and all experience, all history teaches the lesson that this tends to the overthrow of the civil power. The Regular Army officer does not study constitutional questions. If the Constitution stands in the way of what he wants, then he thinks it should be suspended. This desire to enlarge the Regular Army has been the dream of plutocrats, aristocrats, and militarists for years, and they are taking advantage of the patriotic spirit of the people, aroused by the war with Spain, to thrust on us the aristocratic, un-American, and undemocratic idea of a large army being necessary to the safety of the Republic.

Mr. Chairman, I am against this bill because the strength and character of the militia or citizen soldier is to be minified. We saw enough of this in the war just closed. But few regiments of volunteers saw active service. The excuse was that they had no experience, that they were raw troops. Neither had the regulars

seen much service. I have no patience with this scheme of putting the regular soldier above the volunteer as being a veteran. Mr. Chairman, the citizen soldiers of the States have been tried on many battlefields. I declare that sixty days of regular drill in camp and one time under fire makes an American volunteer a veteran. The American volunteer is proud of his individuality, loves his country, his State, his home. His heart is fired with patriotic love of the flag, of the institutions of his country, and he does not need to be made a slave, a drilled machine, to become a safe and sturdy soldier.

Mr. Chairman, strip off the disguises, lay bare all the facts, and the purposes of this bill are threefold, to create a military aristocracy, to have an army large enough to overawe and bully labor in these United States, and to hold with the "mailed hand" of military power Porto Rico, the Philippines, and Cuba as well. Some gentlemen who are supporting this bill are frank and open. The gentleman from Illinois [Mr. MARSH] insists that he "would hold the Philippine Islands not as a part of the United States, but as the property of the United States." Then, Mr. Chairman, what is to become of our much-boasted Declaration of Independence, "that all men are created equal, that they are endowed with certain inalienable rights, that among these are life, liberty, and the pursuit of happiness; that to secure these rights governments are instituted among men, deriving their just powers from the consent of the governed"? If the Philippine Islands are to be "the property of these United States," are the Filipinos also to be our property? Are they to have no rights of liberty except what Congress sees fit to give them? This is the view of the gentleman from Illinois [Mr. MARSH], who speaks plainly what he thinks, and does not veil his thoughts and intentions as do some others.

This position is bold and frank, yet it is brutal, un-American, and violative of every sentiment—every tenet that lies at the foundation of the American Republic. But gentlemen say we must govern the Filipinos because they are not capable of self-government. Who knows this to be true? They have been fighting for liberty against the merciless power of Spain; they have protested with voice and force against the despotism of Spain. Are we Americans to declare a people can not govern themselves? After long centuries of kingcraft, Americans declared for self-government, insisted that "consent of the governed" was essential to "just governments," and with courage undaunted and patience unparalleled maintained their declaration. Americans established a government founded on consent of the governed, and for more than a hundred years our Government has been a beacon light to liberty lovers the world over. It does not lie in our mouths to say that any people are incapable of self-government. Every people are entitled to try the experiment.

Mr. Chairman, we have fallen upon strange times. We hear now that we must expand, must go into world politics, must make alliances with other powers in the Old World. We are told by generals, statesmen, and newspapers that the doctrines and counsel of Washington and Jefferson and Jackson are obsolete and no longer wise. It is insisted that a friendly alliance with England will be of great service. It would be to England, not to us. There is not a nation on earth and never has been that knows better how to take care of herself than England. But her labors, her legislation, her diplomacy, her wars, and her alliances are always for England's benefit. She has given us the "gold standard," she owns our securities and much of our property, and is doubtless willing to make a temporary ally of the "Giant of the West."

A very potent reason for enlarging the standing Army is to keep labor in subjection in this country. In a small way it has been tried. Make the Army four times as large as it has been for twenty-five years, put the soldiers under control of Federal courts, and government by injunction, enforced by the "Regular Army," will bully labor till in all the centers of population capitalized trusts can absolutely and completely control labor with an iron hand. But, Mr. Chairman, since this debate has been on we hear some mutterings of discontent with the bill by gentlemen in the majority, and the members of the Committee on Military Affairs from the majority side of the House are now proposing to make the standing Army of only 50,000 men, but authorizing the President, in his discretion, to augment it to 100,000 men. Worse and worse! I will not vote such discretion to this President or to any man who may be President. Let the Congress boldly do what it intends. It is a power that should not be given any one man, however wise, honest, or patriotic he may be. The power given the President in time of peace to call out 50,000 men and double the standing Army at a cost of from $50,000,000 to $70,000,000 per annum is without precedent. This is centralization of power with a vengeance. Congress may as well surrender its constitutional right to declare war and authorize the President to go to war when he chooses.

Mr. Chairman, I may be driven from public life, but I will not consent to shut my mouth and not protest against militarism, centralization, and all that I believe to be undemocratic and subversive of the liberties of the plain, common people. I am willing to vote for fortifications along our seacoast, guns to put on the forts, and for soldiers to man the guns; I am willing to vote money to build up a respectable Navy; I am willing to support a small standing army, as a nucleus for a great army if the need comes; but I will not vote for any bill that I believe will curtail the liberty of an American citizen, pile up additional burdens in the way of taxation upon the producer, or in the least be subversive of the Constitution of my country or in violation of any of the doctrines of the Declaration of Independence or of Thomas Jefferson's first inaugural address. [Applause.]

Mr. JETT. I now yield to the gentleman from Tennessee [Mr. PIERCE].

[Mr. PIERCE of Tennessee addressed the committee. See Appendix.]

Mr. JETT. I now yield to the gentleman from Georgia [Mr. LEWIS].

Mr. LEWIS of Georgia. Mr. Chairman, the increase of our former peace standing army of 26,000 and the present Army of 57,000 to that of 100,000 men is a serious and momentous question in which every American citizen, from the various standpoints, feels the deepest interest.

The American people may be accused of sometimes acting from sentiment, but they are just, and as a rule are a nation of practical people; therefore they will demand their right to know of this Congress its reason for so rapid and so radical a change in the military status of this country. In their calm, deliberate, and matured moments the American people move and act from sound reasoning.

NO DEFINITE POLICY.

Congress is called upon to pass a bill for the reorganization of the Army which proposes a hazardous innovation upon the ancient and fixed policy of this Government touching a standing army in times of peace, with no idea of what the policy of the President is with reference to the Philippine Islands and with no good reason for the increase of the Army. Has it come to this, that the Congress of the United States must make laws without reference to the purpose for which they are made? Are we a nation of dreamers? Republican members of the House have been repeatedly asked what the policy of the Executive is that demands so large a permanent standing army. Senators at the other end of the Capitol have, in the discussion of the Paris treaty, urged their Republican colleagues to disclose the Administration's policy with reference to the Philippine Islands.

These earnest inquiries have never been answered by any member in the confidence of the President. And in this great, free, and independent Republic, the birthplace and cradle of Liberty, we behold this strange spectacle: The Congress of the people assembled, the Senate urged to ratify a treaty of peace, the House of Representatives at the same time importuned to pass a bill for the reorganization of the Army, increasing the present peace standing Army of 26,000 to a permanent standing Army of 100,000 men. One branch of the lawmaking power engaged in the discussion of peace, the other branch preparing for war by seeking to increase the standing Army to 100,000 men. The Congress is called upon to legislate on these important and far-reaching questions with no fixed purpose in view. If the citizens of this country have not the right to know the policies of an administration, certainly the lawmaking power has the right to know.

THE PEOPLE TIRED OF VACILLATION AND UNCERTAINTY.

The Americans have had enough of the drifting and vacillating policy of this Government. I recall the course of the Executive prior to the declaration of war with Spain, how he was driven by his own party, which, grown restive over his indecision and uncertain policy, had begun to hold caucuses, to the course he pursued in sending to Congress his war message. The President's conduct with reference to the Filipinos is but a repetition of his vacillating and drifting policy with reference to the Cubans prior to the declaration of war. But our brave soldiers emerged from the conflict victorious and without a stain, subject to no criticism, and this country will not stop to inquire whether the history of that memorable struggle was the result of deep-seated forethought on the part of the Executive or whether his course was inspired by deference to public opinion.

THE COST OF THIS INCREASED ARMY.

Under the provisions of the pending bill the standing Army is increased to 100,000 men. It is estimated that each soldier serving in the United States will cost the Government $1,000 annually. The bill under consideration provides for an increase in pay of 25 per cent to all officers and men serving in foreign countries. Then for each soldier who serves in the Philippine Islands the Government must pay not less than $1,500 per annum. It will, on a conservative estimate, require 50,000 men to force the President's imperialistic policy on the Filipinos, which would cost us $75,000,000, the cost of transportation, which is a considerable item not

being considered. The depletion of armies serving in tropical countries by death and sickness, as shown by the experience of the English in India and other tropical climates, is alarming, equaling in some instances 20 per cent of their entire strength. Such heavy loss by death and sickness will swell the pension roll to an amount we can not reckon.

The Navy must be strengthened, if this policy of imperialism is adopted, at an enormous cost. Already the Secretary of the Navy has submitted estimates for the construction of fifteen battle ships, at a cost of $38,000,000.

But the cost of this imperial experiment, which the pending bill is put forth to further and defend, can not be measured in money. It will cost the lives and health of countless young American soldiers; it will cost saddened and broken homes; and if history repeats itself, it will cost the domestic peace and happiness of our country.

HOW WILL THE PROPOSED INCREASE OF EXPENSE BE MET?

We should consider how the burdens of taxation which the pending bill proposes to impose on the people are to be borne and by whom they are to be borne. We can not suppose the increased taxation is to be met by revenue collected from the Philippine Islands, for they never yielded Spain in any one year over $13,000,000. These additional burdens on the people can only be met by a higher tariff, which levies oppressive tribute on the consumer and protects and enriches the manufacturer, by increased internal revenue, or by an issue of bonds, which furnishes a safe and remunerative investment for capital at the expense of honest toil. These additional taxes should not be imposed upon a people who are already taxed to death.

ADMIRAL DEWEY'S MATCHLESS VICTORY IN MANILA BAY.

The splendid victory of Admiral Dewey in Manila Bay dates the beginning of our foreign entanglements and alliances. Had Dewey never landed there and had no troops been sent to the Philippine Islands, it would have been a great event for the domestic tranquillity of this country.

If the Paris commission had not insisted on the cession by Spain of the Philippine Islands, for which we are to pay $20,000,000, we would not to-day be annoyed with these perplexing questions and our Army in the Philippine Islands would not be drawn up in battle array against an army whose forces they were presumably sent to strengthen against a common foe.

THE QUESTION OF SELF-GOVERNMENT FOR THE FILIPINOS.

I feel that it would be best to pay Spain $20,000,000 and decree the Filipinos a free and independent people. They are capable of self-government. I quote the following from Mr. Andrew Carnegie, a gentleman of extensive travel in the oriental countries and a man of wide and accurate information:

Do you think the Filipinos capable of self-government?

Well, Admiral Dewey reports them much better qualified for self-government than the Cubans, and he knows both races well. President McKinley differs from swearing Shafter, and thinks the Cubans fit to be promised independence at the earliest possible moment. But I go further than this. No people who ever felt the divine impulse for independent nationality should be denied a fair trial. It will be impossible for us to help the Filipinos establish a stable government unless we are needed, desired, and welcomed by the people. Forcible interference, besides being criminal aggression, would mean continual rebellion. National aspirations are rarely quenched. You would make rebellion patriotic, and never could establish a reign of peace in the Philippines. We have only 56,000 regular soldiers. If we send them all to shoot down these people they could only occupy some of the ports, never possess the interior, and a worse enemy than even the Filipinos would be the climate, slowly wasting away the soldiers.

As to American influence elevating and civilizing the Filipinos, what kind of American influence can you send there? Would 50,000 soldiers be good missionaries? Does not every one know that soldiers in foreign lands require the strictest discipline themselves? Is not 46 per cent of the British troops in India to-day officially reported as diseased so terribly that we can not even mention their condition? Will ours be better in the Philippines? No! You can not establish American homes there; no wife and children, no sweet, holy influences are possible there. On the contrary, only demoralization. It is not true that a superior race governing an inferior race in the Tropics elevates or improves the inferior when the superior race can not take with it the wives and children and create homes there. If President McKinley ever had been, as I have been, in the far East, he would have known better than to be deluded in this matter. It is time to cease talking vaguely of elevating or improving the Filipinos by soldiers and adventurers, who will corrupt and demoralize them.

There are about 25,000 European residents in the islands, composed of English, French, and German people. They are capable of self-government, and desire the opportunity of governing themselves. Let us depart from the island and leave them to the responsibility of their own government.

No other government in the world will undertake to subdue them. It will be time enough for us to act when some other nation offers to conquer the islands.

THE PRESIDENT SHOULD BE FRANK WITH THE AMERICAN PEOPLE AS WELL AS WITH THE FILIPINOS.

If it is the policy of the President not to hold the Philippines permanently, he ought to be frank with the American people as well as with the Filipinos, and say so. If the Executive would declare his intention not to hold the Philippine Islands, the Paris treaty would be ratified in twenty-four hours and this bill for the reorganization of the Army would be withdrawn from the House and the Army of the United States again put upon a peace footing.

THE VALUE OF THE PHILIPPINE ISLANDS TO US.

Of what value are the Philippine Islands to us—a group of some 2,000 islands, distant 7,000 miles from our nearest port, and inhabited by about 8,000,000 people? The climate of the islands is such that our race can not thrive there. History teaches that the white race can not thrive in tropical climates. I desire to insert in my remarks a letter from Mr. Carnegie, a gentleman whose views are entitled to great respect by reason of his personal observations in the Orient:

To the EDITOR OF THE WORLD:

The ablest administrator yet cast up by the recent war is General Wood, of Santiago fame.

He told the Congressional committee the other day that "50,000 troops are required for Cuba, this number being necessary because of the climate, for only 35 to 40 per cent will be found effective as a rule. A day's active service would cause half of any military force to drop out. This is the reason Spain needed 228,000 troops in Cuba." The approaching yellow-fever season will swell the long death roll. So much for Cuba.

Professor Worcester, a member of the Philippine Commission, says in his book upon the archipelago, where he resided for years: "It is unfortunately true that the climate of the Philippines is especially severe in its effects on white women and children. It is very doubtful, in my judgment, if successive generations of European or American children could be reared there.

"If a man is permanently situated in a good locality where he can get suitable food and good drinking water, if he is scrupulously careful as to his diet, if he avoids excesses of all kinds, if he keeps out of the sun in the middle of the day, if he refrains from severe and prolonged physical exertion, he is likely to remain well, always supposing that he is fortunate enough to escape malarial infection," which he says "is especially prevalent where forest land is being cleared or new ground broken. It is often very bad near poddy fields during the dry season."

What chance have our troops to fulfill all these necessary ifs to render it likely they will escape, provided only they escape malaria? Very little indeed.

So much for this coveted possession for which President McKinley invites us to pay $20,000,000 and perhaps spend a thousand millions shooting down the natives in order to impose upon them our foreign yoke against their desire.

It is to such conditions the President recklessly proposes to expose our soldiers during the coming summer.

An epidemic among the troops is probable in one or both of these foreign lands, and what will the American people have to say to the President then? God help the President! Who is there in all this land who would share his responsibility? And for what, Mr. Editor; for what? Only that we may meddle and muddle in other people's affairs, our interference only tolerated in the one case and forcibly resisted in the other.

ANDREW CARNEGIE.

NEW YORK, *January 22.*

The chief products of the Philippine Islands are hemp, tobacco, and sugar, all of which would come in competition with our like American products. The total business of the Philippine Islands, including exports and imports, for 1896 was only of the value of $90,000,000. The imports into the Philippines from the United States in 1897 were but $94,597.

Then let us not possess ourselves of distant territory which in time of war we would be compelled to defend, and which may involve us in perpetual entanglements with foreign countries, when we get so little in return.

I will never, as long as I occupy a seat on the floor of this House—and I believe I voice the sentiment of the people whom I am commissioned to represent—consent to vote for a bill increasing the regular peace standing Army of 26,000 men to a permanent standing Army of 100,000 men, and saddling heavier burdens of taxation upon a people already taxed beyond the power of endurance for the purpose of forcing an experimental imperialistic project upon a people struggling to be free. If I occupied a seat in the Senate Chamber, I would never vote for the ratification of a treaty of peace when it is the manifest purpose of the political party seeking its ratification to force upon the Filipinos a government they do not want, a political party that would subvert the doctrine that is the very basic principle of the greatest Government the world ever saw, "All Governments derive their just powers from the consent of the governed," and substitute therefore, as the rule of their conduct, the principle that has strewn the highway of time with the wrecks of monarchies and republics, "Might makes right."

Let us remain solid and compact, and we will remain impregnable and indestructible. [Applause.]

Mr. JETT. I now yield to the gentleman from Texas [Mr. STEPHENS].

Mr. STEPHENS of Texas. Mr. Chairman, I shall vote against the bill under consideration.

It provides for increasing our Regular Army to 100,000 men. Each man will, it is estimated, cost the Government $1,000, making a total of $100,000,000. It will cost much more than this per man in any of our islands. This estimate does not include the salary of officers in the actual service or on the retired list; it does not include transportation, and many other things. From the best estimates on the subject I believe the Army provided for by this bill will cost us one hundred and fifty millions per annum.

This bill is the most extravagant Army bill ever proposed by this or any other government. It is far more extravagant than the present law. It is now proposed to promote the retiring officer to the next highest grade and give him three-fourths of the pay of that grade. Thus in many cases he would draw more pay after he was retired and doing nothing than while he was in the actual service. This is a willful robbery of the taxpayers, and

aids in building up an Army aristocracy. This bill provides for 100 Army dentists with rank of first lieutenant, and 34 horse doctors with the rank and pay of second lieutenant.

In short, it provides offices for 2,083 more men than the present law provides for, and also adds immensely to the retired list of Army officers.

This bill provides that assistant surgeons shall pass a satisfactory examination instead of a competitive examination, as the present law now requires. This is done so that Department pets and political ward heelers who know nothing of their profession may be appointed. The lives and health of the soldiers are overlooked by the framers of this bundle of iniquity called an Army reorganization bill. The satisfactory examination only means that the doctor has voted the Republican ticket in the past and will do so in the future, and that he has a political pull.

On page 9 of the majority report on this bill, made by the Republican part of the committee, I find this statement, viz:

The committee inserted a new section in regard to the Record and Pension Office, believing that the present chief of that office has by his wonderfully efficient service made it only proper for him to have the rank of brigadier-general.

The new section is section 16 and is as follows:

That the Record and Pension Office of the War Department shall consist of a chief, who shall have the rank, pay, and allowances of a brigadier-general, and an assistant chief, who shall have the rank, pay, and allowances of a lieutenant-colonel.

On the same page this report says:

The retired list is right and proper for men who devote their lives to Army work. It should not be used as an asylum for men who have spent their active life in civil employment.

I agree with the committee that the retired list should not be an asylum for men who have spent their active life in civil employment. Yet, with audacity that is amazing, this committee does the very thing in the bill that they condemn in the report. For instance, the chief and assistant chief clerk mentioned in section 16 may easily be appointed from civil life one year and retired the next year as an Army officer for life. So may the horse doctors, dentists, etc.

There should be no retired list of Army officers, for it makes a privileged class of people, who, from the day they secure an Army appointment to the day of their death, are aristocrats and supported by the public purse. The law permitting this iniquity was passed by the Republican party just after the civil war, at first for the benefit of a few ex-Union generals. Then it was extended to all officers. Not satisfied, the same party, by this bill, propose to create a great army, and add a host of new Army officers thereto, including horse doctors, dentists, and clerks in the War Department. They propose to reduce the age of retirement from 64 to 50, as they have done in the Navy, and thus retire hundreds of officers at once for life on three-fourths pay.

Not satisfied with this (for greed is never satisfied), the officer, when he reaches the retiring age, is first promoted to the next highest grade and receives three-fourths the pay of that grade for life. We will in a few years, if this bill becomes a law, have to support a greater list of retired Army officers than any nation on earth. If all men are equal before the law in this Republic, why does this bill not permit privates who are discharged from the Regular Army to be promoted to some petty office and then retired on three-fourths pay? Why do you not place the privates on the same footing as their officers, who are first promoted and then retired on three-fourths pay for life? What answer will the Republican party make to this question?

If all men are equal, why do you give a greater pension to officers' wives and children than to the wives and children of privates? If all men are equal, why do you require some men seeking Army appointments to stand competitive examinations while others are only required to stand satisfactory examinations, as is the case with assistant surgeons, horse doctors, and dentists?

Mr. Chairman, I have listened patiently through this debate, hoping that some good reasons would be given for enlarging our Regular Army from 25,000 to 100,000 men—for taking six dollars from our taxpayers, instead of one, for the support of our enlarged Army. Yet no excuse has been or can be given for this outrage on our people. Twenty-five thousand men have been found sufficient as a standing army from the foundation of our Government down to this hour. We have been victorious in four foreign wars. We have subdued multiplied thousands of savages on our frontiers, and to-day there is not a hostile Indian in our country.

The Indian problem has been solved, and an army is no longer needed to keep them in subjection. If we will break up their tribal relations, allot to them their lands in severalty, and treat them as we do our own citizens, we can make them support themselves.

The States and Territories where they reside should control them. We can then use our soldiers elsewhere. No soldiers are needed in Hawaii or Porto Rico, except a few companies for garrison duties. We are pledged to withdraw our army from Cuba as soon as the Cubans establish a stable government of their own. If they are given an opportunity, they will do this at once.

Short-time volunteer soldiers can garrison the islands of Cuba and the Philippines just as well as the regulars.

We have no use for all the regular soldiers we now have at home, and can use most of them in the islands. The bone of contention in this debate is whether or not we shall subjugate and hold the Philippine Islands as a conquered province. If we commit this blunder and crime, we must have and use a large standing army.

A coaling station is all the land we need or should have in the Philippine Islands. The city and bay of Manila is all the land we captured on these islands from the Spaniards, and is the only place where our flag floats. We need not pull our flag down from Manila or its harbor and bay. The Philippine Islanders will gladly cede these to us if we will make a treaty with them and permit them to establish a government of their own and in their own way control the rest of their islands. We should treat the Filipinos just as we have proposed to treat the Cubans. If we undertake to conquer the islands, we will have a desperate war on our hands.

I would not give the life of one of our soldiers for the whole of the islands. We need the soldier to build up and protect our own country. We do not need the Philippine Islands for any purpose. If we will be content with what we now have in our possession in the Philippines, we will have no trouble whatever with Aguinaldo or his followers. A small garrison, say one regiment, and a few war vessels is all we would need there. If we must conquer new territory and develop it, our own wild, undeveloped arid region in the West presents a most inviting field for the use of men and money. Both sides of the Colorado of the West and of the Rio Grande River, from their sources in Colorado to the gulfs of California and Mexico, present a grand field for irrigation plants and improvements.

The people living on the Rio Grande River from El Paso to the Gulf would be very greatly benefited by building a high storage dam a few miles above El Paso, where the river passes through a range of mountains. The water impounded by this dam would easily irrigate 1,000,000 acres of land that is now worthless and desolate. The cost of one battle ship would build this reservoir.

The citizens of Texas on one side of the river and of Mexico on the other have been deprived of the natural flow of the water of the Rio Grande River, when they most need it, for irrigation purposes in the spring and summer months, by the citizens of Colorado and New Mexico, who have taken out all the water flowing in the river by ditches and led it onto their own lands for irrigation purposes. They thus deprive their neighbors below, both Texans and Mexicans, of any water for irrigation, and crops can not be raised there without water.

Mexico has filed claims for damages against the United States for many millions of dollars for using all the water flowing in the river, to which the Mexicans claim a prescriptive right. The people of Texas are damaged in the same way as the Mexicans. Why should the United States neglect to build this reservoir and to let the citizens of Mexico have one-half the water impounded? Is it not better to use our money in doing a simple act of justice to a neighboring, friendly nation and in developing our own country than it is to raise a great standing army to conquer and annex the Philippine Islands?

If we would send an industrial army composed of the 100,000 men provided for in this bill to reclaim the 71,000,000 acres of arid land that we already own in the West, and arm them not with rifles and cannons, but with the implements of husbandry, with machinery, with spades and scrapers, with which to dam up rivers and streams, to dig ditches and canals to furnish water to irrigate this vast territory and turn it from a desert into the garden spot of our country, future generations would rise up and bless the Fifty-fifth Congress.

But if we fasten on the taxpayers a large standing army for purposes of conquering other nations and intermeddling with the affairs of the world, future generations will curse the Fifty-fifth Congress for entering into the imperialistic policy. Mr. Chairman, we have come to the Rubicon. Will this Congress cross this dreadful river of expansion and imperialism? Shall we change our name from the United States of America to the United States of America and Asia, and live by plundering weaker nations? May God save my countrymen from so great a crime.

The district I have the honor to represent in this House has more land above tide water than the whole of the Philippine Islands. My district has less than 3 persons to the square mile. The Philippine Islands have 60 persons to the square mile. My district has twenty times the room for expansion that the Philippine Islands have. The Geological Department estimates that the United States Government now own 71,000,000 acres of unreserved public lands that could be put under irrigation ditches. Mr. F. H. Newell, Chief of the Hydrographic Division of our Geological Survey, writing on the subject of Western irrigation, says:

One-third of the area of the United States is owned by the General Government, or about two-thirds of the territory between the one hundredth meridian and the Pacific coast. This land is the most fertile in the world, and

water, the only thing which it lacks, can be supplied under proper irrigation. Four acres of land, producing from four to five crops a year, can support a family.

In nearly all of the arid regions irrigation is not only feasible, but has been proved successful. It is not always financially profitable to the private corporation looking for 8 per cent dividends; but in the same sense that a lighthouse, the dredging of a harbor, or the improvement of a river is profitable, it will pay the community or the General Government to open this great area for agricultural use, and so make it the comfortable home of millions of prosperous people.

About eight hundred millions of the people of the earth to-day are kept alive on irrigated land. It has been carried on successfully for many centuries in Egypt, China, India, Spain, and Hawaii. Would it not be a wise policy to develop our own waste lands and let the Filipinos keep their own lands and use them in their own way? There is no room there for our American people.

There are twenty times more people to the square mile in the Philippines than there are in the arid part of America. Taking the United States as a whole, we have only 21 people to the square mile, while the Philippine Islands have 60 to the square mile. These islands are now three times more densely populated than the United States. When California was purchased from Mexico she only had one inhabitant to the square mile; the Philippines have sixty times as many. A few years after California was purchased it was a State in the American Union.

To-day it is the home of several millions of our own race of people. The gentleman from Ohio [Mr. GROSVENOR] gives the purchase of California, for which we paid only $15,000,000, as a precedent to justify the purchase of the Philippines for $20,000,000.

If any better reason can be found for purchasing the Philippines this able debater would have found it. California could be purchased without destroying the Monroe doctrine. The subjugation of the Philippines will destroy it. California became a State in a few years. It is not the intention of the Republican imperialists that the Philippine Islands ever shall become a State in this Union. Only 2 per cent of the Filipinos are Europeans or Americans; and these islands never can be peopled by the white race—first, because of climatic conditions; and secondly, because white labor can not compete with the cheap labor of the yellow races of the Orient. Hence our laborers never can live in these islands or compete with these islanders.

Cheap Asiatic labor will raise sugar and hemp to come into our country free of duty and compete with our sugar-beet, cane, and hemp raisers, thus bringing our farmers in direct competition with the cooly labor of Asia. Our laws prevent Chinamen from coming to our country one at a time or by retail. If we annex the Philippines, we annex its present inhabitants, among whom are thousands of Chinamen, whom we will make citizens by the wholesale. The jewel of consistency seems to have been lost sight of in our mad rush for Spanish spoils. If we annex or attempt to annex these islands, Spain will be avenged, and the object of our greed will be our scourge and Spain's avenger.

Our flag has always been and should ever remain the emblem of peace, justice, and freedom. If we forcibly annex the Philippine Islands by war and conquest, our flag will then become the emblem of force, of war, of conquest, of greed and slavery.

The red will represent the blood shed in subduing the islands.

The white will represent the present Administration now engaged in the whitewashing business to cover up the mistakes made in that whited sepulcher—the White House—during the war with Spain.

The blue will represent the feelings of the American taxpayers when imperialism shall have doubled their taxes. The blue will also represent the Republican politician after the voters at the next Presidential election shall have retired their whitewashing chief to private life; shall have condemned imperialism, their standing-army steal, their gold standard, their trust-fostering policies, and their forcible annexation of the Philippines.

The Czar of Russia has recently proposed a general conference of nations for the purpose of securing a lasting peace, and the prevention of future wars, and a reduction of the present standing armies of the world. The Republican party is meeting this proposition by quadrupling our standing army, by ordering a number of our war ships and an army of men to the Philippine Islands for the purpose of forcibly annexing the islands to our Government.

Dewey was right in destroying the Spanish fleet, in capturing Manila, in driving out the Spaniards, and in holding Manila to force Spain to make a treaty of peace. These were war measures, and right and necessary. But we are now considering the problems of peace, not of war. The question is, Can we withdraw now from these islands honorably?

This question was answered by the President when he said that forcible annexation would be criminal aggression. If he was right then, he is wrong now. He now proposes to forcibly annex the Philippine Islands, and if war results from his proposed criminal aggression, then every Philippine Islander that dies fighting to prevent forcible annexation will be a martyr, and every drop of blood shed by our country to subjugate these people will be shed because we covet our neighbors' land. In such a war the United States would occupy the place held by Great Britain in our own Revolutionary war.

The Filipinos would occupy the position of Washington and the rebel colonists. We thus become the conquerors of a race of people who have never injured us, and whose only crime is their desire to be free. The gentleman from Ohio [Mr. GROSVENOR], on this floor a few days ago, said that if we left the Philippine Islands now, "coward" would be written on our backs. I had infinitely rather be branded "coward" on the back than "murderer" on the brow. If forcible annexation is criminal aggression, then the crime would be murder if we take human life in the war to annex the Philippines.

We fought the Revolutionary war with Great Britain because of her military despotism, because she quartered soldiers among us in times of peace, and because she taxed us without representation. Shall we now set up in the Philippine Islands a military despotism, quarter our troops among these people, tax them without representation, and shoot them down if they resist?

Washington and his rebels made our great Republic what it is to-day. They gave us a written Constitution to guide us. Washington, Jefferson, and Monroe warned us against foreign alliances and entanglements. Out of this advice arose the famous Monroe doctrine, by which we pledge ourselves that America is for Americans, and that no European nation shall annex any territory on this hemisphere. When France, during our civil war, invaded Mexico and put Maximilian on the throne, our Government asserted the Monroe doctrine and drove the French from Mexico.

Mr. Cleveland in his last Administration again asserted it against British aggression in Venezuela, and Great Britain yielded to his demands. By this doctrine we assume a protectorate over two of the five continents on earth. Surely two-fifths of this whole earth for expansion ground should satisfy the greed of the most rabid expansionist. Even the lion of Athens, the gentleman from Ohio [Mr. GROSVENOR], who so generously brands every man opposed to the annexation of the Philippines as cowards, should be satisfied with two-fifths of the earth.

We declared war with Spain to free Cuba and give her a stable, republican form of government. Why should we treat the citizens of the Philippine Islands worse than the Cubans? Why give freedom to Cuba and make slaves of the Philippine Islanders? They were our allies and fought side by side with our troops at Manila. They hailed Dewey as their deliverer. Shall we turn their joy to sorrow by making him their conqueror?

The Times, an imperialistic journal published in this city, speaking of the Philippines, said on the 29th of last month:

> It has been decided to assert our authority at once. The insurgents will be compelled to choose between absolute submission, with the surrender of Iloilo, and war; of course the enemies of expansion will make the most of any compulsion regardless of the fact that it proves the folly of their scheme of independence.

This statement of the Times shows that the Republican party is following in the footsteps of Great Britain, and have abandoned the wise and patriotic teachings of the fathers of our Republic. In the early part of this century Great Britain demonetized silver. In 1873 the Republican party did likewise in this country. Great Britain has sent her armies and navy to every part of the earth and sought out the weak and unprotected nations and forcibly annexed them to the British Empire.

The Republican party now has an army and additional war vessels on the way to the Philippines to forcibly annex them. England has enslaved the Irish people. Not to be outdone by England, the Republican party now propose to first conquer and then govern according to their own sweet will the Filipinos, to whom the great God of this universe has given the inalienable right of self-government, or else our Declaration of Independence and our Constitution are a tissue of falsehoods. But let one of our generals testify to the fact that the imperialism of Great Britain has caused him to forget his country and to sneer at its Constitution. I will read from a New York paper the report of his speech:

SAYS WE HAVE OUTGROWN THE CONSTITUTION—GENERAL MERRITT SPEAKS AT THE ANNUAL DINNER OF THE NEW ENGLAND SOCIETY.

NEW YORK, *December 22.*

Over four hundred sons of New England sat down to-night at the ninety-third annual dinner of the New England Society of New York City at the Waldorf-Astoria. President Howland presided, and above his chair was the seal of the society, flanked on either side by the American and English flags. The guests included many men prominent in public and private life, among them being Brayton Ives, Elihu Root, J. P. Morgan, Joseph H. Choate, Gen. Hamilton S. Hawkins, Gen. William R. Shafter, Governor Elisha Dyer, of Rhode Island, Admiral William T. Sampson, Governor Theodore Roosevelt, Gen. Joseph Wheeler, Gen. Wesley Merritt, former Governor Roswell P. Flower, C. P. Huntington, and former Vice-President Levi P. Morton.

"Forefathers' Day" was responded to by Governor Dyer. Governor-elect Roosevelt was greeted with loud cheers when he rose to respond to "The State of New York." General Merritt, in the course of a short speech, said: "We have a great work before us. What we have done and what the Administration has done has been in the interests of the country. There is a great deal that approaches us from every side in the Tropics. We can extend our commerce there and we can extend the trade of America, which is now

three-fourths of it limited to the Tropics, to an enormous extent. We have the English feeling with us when we are in the colonies of England. A great many people have insisted that the Constitution forbade it. To these I have said, 'We have outgrown the Constitution. It is not worth while to discuss it.' We are here and we are here to stay."

We should be too wise to adopt England's foreign policy and to thus destroy the Monroe doctrine and invite foreign wars and complications. We should be too alert to colonize a group of islands more than 7,000 miles from our shores, at the very doors of the nations of Europe, thus inviting an attack on ourselves so far away from home that our defeat and humiliation would be greatly facilitated. A chain is no stronger than the weakest link in the chain, and the weak link in our chain of empire would (if we adopt imperialism) be the Philippine Islands. We would have to protect them with every man, every gun, every ship, and every dollar that this country could command.

We would be taken at a great disadvantage. Our loss of life and treasure under such circumstances would be fearful if attacked by any strong European power. If we adhere to the Monroe doctrine and remain on this hemisphere, the combined powers of the world could not defeat our armies. Therefore, viewing the annexation of the Philippine Islands from the standpoint of expediency, we must reject them. Viewing it as a moral and social question, we must reject forcible annexation. Christianity would be a failure if we can make people good by fighting them.

Another objection to this bill is the enormous expense it will perpetually saddle on our people. Secretary Alger asks for the modest sum (modest, I mean, for a Republican) of about $166,000,000. The minority report on this bill estimates that if the bill passes it will cost the people of our country $150,000,000 per annum. Let us compare this expense with like expenses of other nations. Russia has a standing army of 1,000,000 men, and it costs her only $155,000,000 per year for all purposes, and less for each than any other country. France comes next, with 589,000 men, and spends for her army $145,000,000 per year.

Germany has an army of 585,000 men, which costs her $135,000,000 per year.

Austria-Hungary has an army of 360,000 men, that costs $90,000,000 a year.

Italy has an army of 270,000 men, that costs her $55,000,000.

These estimates, obtained from the Ohio State Journal, are for the Army alone and do not include the expenses of the Navy. According to Secretary Alger's request, we must pay $11,000,000 more for an army of 100,000 men than Russia does for 1,000,000 men. I therefore assert that this bill if passed should be styled a bill to perpetually rob the American people, to build up an American aristocracy, to overawe labor, and protect trusts and corporations, to provide offices for political pets and the sons of millionaires. It is my deliberate judgment that this bill is demanded by the moneyed interests of this country, who own and control the Republican party. Plutocrats claim that the Army is to be used in the Spanish islands. Plutocracy intends to use it in the sovereign States of this Union to enable capital to control and overawe labor. When this Army bill passes—then, and not until then, will the Administration unfold its foreign policy.

The gentleman from Massachusetts [Mr. WALKER], a Republican, a banker and manufacturer, and, of course, an imperialist and expansionist, speaking of this bill on this floor, urged an increase of the Army, and said that it is needed, "not to keep in subjection law-abiding citizens, not to keep the workingmen from committing acts of violence when there are strikes, but to prevent those men who take advantage of strikes to do acts of violence in spite of the strikers, and to create a condition of war." This is a frank admission that the Army is intended to be used in the States and against our own people in case of strikes. And this is the real purpose of the advocates of this bill.

The spirit of imperialism and plutocracy is seeking to enslave the white citizens at home as well as to conquer and annex yellow ones in the islands of the ocean. The American people should be aroused to the great danger now confronting them in imperialism and a large standing army. What will it profit the people of the United States to conquer the Philippine Islands and annex the rest of the world if in the end they lose their own liberty?

The moneyed plutocrats have joined the Army aristocrats in an effort to raise the standing army to 100,000 men for their joint use and benefit, the moneyed men to control and coerce labor, the Army officers to draw large salaries for life and to live in luxury and ease at the taxpayers' expense. The annexed statement of Mr. Edward Atkinson, an expert statistician, shows that the mad policy of imperialism will soon bankrupt and ruin our country:

In the fiscal year ending June 30, 1897, deducting from the receipts the amounts recovered for bonds advanced to the Pacific railroad, and applied to the payment of those bonds and interest, the deficit was	$103,000,000
The Secretary computing the deficiency in the fiscal year ending June 30, 1899, at	112,000,000
Total	215,000,000

The proceeds of the war loan and $15,000,000 over will therefore have been expended within the six months after January 1, and on June 30, 1899, another deficit will be drawing cash from the Treasury reserves. This Congress will expire March 4, and the new Congress will not meet unless in extra session until December, 1899, in the middle of the fiscal year ending June 30, 1900.

The Secretary computing the revenue from taxation in the fiscal year ending

June 30, 1900, at	$510,000,000
Expenditures at	540,048,378
Deficit	30,048,378

The population for the fiscal year ending June 30, 1900, will be somewhat less then 78,000,000, but, adopting that number, the normal revenue and expenditure at $5 per head would come to $390,000,000.

According to the Secretary's estimate all the existing taxes will yield per head $6.52, while the computed expenditures will come to over $7 per head.

Additional taxation will therefore become necessary, even if the Secretary's sanguine estimates of revenue and expenditure are justified.

It will, however, be observed that he assumes that the revenues now derived from sugar and tobacco will continue as they are. But if the imperialist or annexation policy prevails, the islands of Cuba and Porto Rico can not be treated on any other basis than the Hawaiian group; hence a necessary loss of revenue in 1900, computed by myself at not less than 80 cents per head, or $62,000,000, to be added to the deficit computed by the Secretary of $30,000,000, making $92,000,000. This sum must be provided from new sources of direct internal taxation.

But it will be remembered that the Secretary's estimates of expenditure in the fiscal year ending June 30, 1900, are wholly inconsistent with the increase of the Army recommended by the Secretary of War or the increase of the Navy recommended by the Secretary of the Navy. Neither is any provision made in these estimates for the construction or renovation of coast defenses in Cuba, Porto Rico, or Hawaii, nor is there any provision made for public buildings in these islands. The Philippines are also wholly ignored.

The only safe computation that can be made for the fiscal year 1900, if the imperialist policy prevails, would be as follows:

Revenues as compiled by the Secretary	$510,000,000
Deduct loss of revenue on sugar, tobacco, rice, and fruits	62,000,000
Net revenue under existing laws, less loss on sugar, etc., at $6 per head, or $1 above the normal rate of $5	448,000,000

EXPENDITURES.

As per Secretary's estimate	540,000,000
Add for proposed increase of Army to 100,000 men, increase of Navy, coast defenses in Cuba, Porto Rico, and Hawaii, only $1 per head	78,000,000
Total at a fraction under $8 per head	618,000,000
Deficit	170,000,000

This deficit of over $2 per head must be provided by direct taxation.

78,000,000 persons taxed at $8 per head pay	$624,000,000
If taxed at the nominal rate of $5 per head, which has sufficed for twenty-one years, the sum would be	390,000,000
Cost of imperialism, $3 per head	234,000,000

This policy will raise the tax on every family of five persons from $25 to $40 a year.

But the whole cost is not even yet disclosed. The increase of the Army from 25,000 to 100,000 men can only contemplate service in Cuba, Porto Rico, and the Philippines of a force of at least 60,000 out of the 100,000, leaving 40,000 for home service where 25,000 have amply sufficed.

At least one-half the force of 60,000 will either die or become disabled every year. According to English experience in India and French experience in their tropical colonies of a death rate of 100 in each 1,000, 5 per cent will be sent home every year to be supported in hospitals or at the public cost from venereal diseases only, by which more than half the Army is infected.

Yet the Secretary of the Treasury reduces the estimate for pensions in 1900 below that of the present year. This can only be due to inadvertence, but how much must be added no one can compute.

In my previous guarded analysis I overestimated the income from the war-revenue act now in force. All my other computations are more than sustained by the report of the Secretary of the Treasury.

The money cost of the national crime which the advocates of imperialism propose to commit in the face of the declaration of President McKinley that such an act would be one of "criminal aggression" will be not less than $3 per head, $15 per family, in amount $234,000,000, in the next fiscal year, and probably more.

The pretexts upon which this so-called policy of imperialism is promoted consist of mixed motives of profits and patriotism.

Mr. JETT. I yield to the gentleman from North Carolina [Mr. KITCHIN].

Mr. KITCHIN. Mr. Chairman, had I sufficient time I would gladly discuss the incidental race question which has been often mentioned in this debate, but, sir, I am compelled to limit my few remarks more closely to the main features of the pending measure. Scorning the misrepresentations of ignorance and bigotry, rejoicing in the victory of our Army and Navy, and responsible to the descendants of the first proclaimers of American liberty for my conduct, I shall vote against increasing the standing army of the United States from 30,000 to 100,000 men in time of peace.

The memories that cluster around the battle grounds of Alamance and Guilford, in my district, and the sacrifices made by my native State in the recent war with Spain, when brave Bagley fell at Cardenas and gallant Shipp expired on the hill of San Juan, impress me with honor for heroes and with respect for military preparations. But, sir, my knowledge of the conditions of the plain people of this land and my confidence in the innate powers of my country forbid my aid to this unnecessary increase of expense for military purposes in time of peace from $25,000,000 to $100,000,000 annually, a sum sufficient to buy three districts, according to their tax books, such as I have the honor here to represent. This increase has knocked at the doors of Congress for twenty years, but the wisdom and patriotism of our statesmen

have refused it admittance; but under the infatuation resulting from our recent victories it has crept into these halls.

The King of Israel, in a moment of infatuation, yielded to temptation, committed a double crime, and in his old age mourned his conduct. Let Congress heed the moral and save the country from this error, sprung upon us in a moment of exultation, which our wisest and most honored statesmen have heretofore resisted.

Mr. Chairman, in the interest of millions we should deny the demands of the few, and we should continue in the future, as in the past, to rely upon the volunteer soldiery of this land for our safeguard.

Do gentlemen on the other side think that the treatment of the volunteer soldiers in this recent war will deter patriots from volunteering hereafter? In my judgment that treatment has been wrong. The volunteers upon application should be discharged and others should be enlisted for garrison work. The brave men who left their occupations and families to engage in active fighting for our country should not be required against their wishes to do garrison duty, to incur sickness, disease, and death under the tropical sun of distant Luzon. There are men who are willing to do garrison duty, and they should be allowed to enlist for that purpose. To keep the present volunteers in service to while away time and expend their manhood in garrisons is a violation of their contract as they understood it at the time of their enlistment.

However, hereafter when the rights of the people are involved, so strong is the patriotism and so high the courage of the citizenship of our land that gleaming steel will flash against the enemy from millions of volunteer soldiers if need be.

I think, Mr. Chairman, the result of the recent war with Spain clearly shows that this country does not need a large standing army. If for thirty years past we did not need a larger regular army than 30,000 men, why do we now need 100,000, when the Indian problem is well-nigh settled and when the victories of Manila and Santiago have added luster and prestige to our power? [Applause.]

If gentlemen take refuge behind the increased responsibilities of the war and convince the country that these responsibilities mean future wars, then, Mr. Chairman, the country will say at once, "Dispose of and withdraw from Porto Rico and Hawaii as well as from the Philippines."

In my opinion, danger, great danger lurks in the acquisition of the Philippines; and if the people thoroughly understood this matter, a wave of protest would come from the farms and the shops, the fields, the mines, and the offices of this land that would compel a patriotic Executive to change his course upon it. And I hope, Mr. Chairman, that even now, while we have this bill under consideration, these protests are making our administrative officers change their views upon the policy of annexing the Philippines.

If a just conception of the mission of this Republic, if a proper regard for the interests of our toiling masses, if a manly love for humanity's rights, are not sufficient to forbid the forcible annexation of these islands, then I trust the fear of the wrath of the American electors at least will stay the powers of the President in his grasping after Asiatic acquisitions.

It is futile for gentlemen on the other side to deny that the Executive has had the intention to permanently retain the Philippines.

Is there a lawyer here who would not expect to convict a defendant if he had the same evidence against him as we have in this matter in favor of that position being held by the Executive? Are we to suppose that our peace commissioners acted without any consultation with the Executive? Are we to suppose that a treaty of peace would be submitted to the Senate of the United States ceding the Philippines to our country without the consent of the Executive? Are we to suppose that the Executive would have made the speech that he made in a Southern city, in which he opposed "pulling down the flag," unless he had been sincere in his statements?

You will certainly not charge him with trying to involve the public in a misconception of his position by this treaty and by these expressions, and unless you think that he intended to mislead the people you can not resist the conclusion that when he made that speech at Atlanta he then intended to perpetually hold and occupy the Philippines. While the country knows this, yet the annexation proposition is so novel and perilous that so far not a single Republican has boldly advocated it in this House. Yet all Republicans, with few exceptions, are drifting with the Administration and submitting to this threatening innovation of imperialism.

Mr. Chairman, I would keep the necessary coaling and naval stations in the Philippine Islands, but never would I shed a drop of American blood in destroying the hopes of independence among their population.

I admit the right of this country to acquire vast domains of uninhabited or practically uninhabited American territory. I would go further than that. I would admit its right to annex populous adjacent territory, with the consent of the inhabitants thereof, as was done in the case of Texas; but I deny the moral right of any government, based upon the principles of our immortal Declaration of Independence, to purchase the opportunity to subdue 10,000,000 distant people who are struggling for the same rights that our ancestors wrung from British tyranny.

I protest against this Government undertaking these dangerous and expensive experiments while it shuts the Treasury to the rights of individuals and the needs of municipalities throughout this land. I protest against this threatened increase of the Regular Army as a menace to the rights of the States and the people in times of great moment, and we know not how soon those times may come. I protest against it as an unnecessary and therefore an unjust burden on the taxpayers of this country, who are now hoping for the early repeal of the present war taxes under which they are laboring. And I protest against it as a dangerous tendency to European or monarchic policies.

I wish that my distinguished colleague [Mr. LINNEY], who is rarely absent, were present, for I want also to protest against the "pussy cat" policy that my friend announced last night. I protest against our country elevating its back like a pussy cat, as my colleague demands, in order to keep the bulldogs of the world off of us.

Mr. CARMACK. We do not need to do so.

Mr. KITCHIN. We do not need to do so, as my friend from Tennessee remarks. On the contrary, I prefer to adhere to our fathers' policy in time of peace, to a standing army of 30,000 men, and to our Navy, and then in times of great emergency to depend upon the immeasurable resources, the indomitable courage, and the never-failing patriotism of the best people that the world has ever seen, for our defense, our strength, and our victories.

Mr. Chairman, gentlemen say we should not withdraw the flag. I would remind gentlemen that the German flag was withdrawn from the capital of France without dishonor; that the English flag was withdrawn from this very city in which we are without dishonor; that the American flag was withdrawn from the capital of Mexico without dishonor; and, more than that, I would remind them that the American flag was withdrawn from Pensacola, when Pensacola was Spanish, without dishonor. And, sir, I protest against the claptrap and humbug argument embraced in the question, "Who will pull down the flag?" and would answer that common sense and the welfare of our posterity demand that we withdraw from the Philippines at the earliest practicable moment, and not run the risk of fighting another war, a war which this Congress has not authorized, which the people do not approve, and which, with its succeeding evils, will be properly charged to this Administration.

The objects of the first war—the independence of Cuba and the avenging of the *Maine*—have been attained. If further bloodshed follows it will be upon the heads of those who have persisted and still persist in forcing our flag upon the Filipinos against their consent.

In conclusion I will say, in the sentiments that I have heretofore expressed on this floor, that if Dewey's great victory at Manila shall result in our country abandoning the principles of our fathers, shall result in the policy of imperialism, in a policy of territorial aggrandizement and colonial oppression, then the sweetness of that victory will be bitterness, the honor of that victory will be shame, and humanity may weep over it as the first blow by the country of Washington and Jefferson against the liberty of mankind, and may well pray that it prove not fatal. [Applause on the Democratic side.]

Mr. JETT. Mr. Chairman, I now yield to the gentleman from Nebraska [Mr. STARK].

Mr. STARK. Mr. Chairman, the discussion upon this bill has very properly taken a wide range. A measure which proposes basic alterations in the system of government and established usage of the United States of America demands the exercise of our best thought and most critical discernment. The question directly submitted is whether in time of peace there is need to permanently increase our Regular Army to 100,000 men immediately after the conclusion of a war with Spain which required the active services of less than 60,000 men. The adoption of the substitute for the bill under discussion will provide sufficient military force until the conclusion of all differences with Spain.

In the earlier days of the Republic the laurel wreath of fame was placed upon the brows of brave men who left shops and fields at the call of their country, performed their full duty as soldiers, and when peace was declared resumed their places at the anvil or "beat their swords into plowshares," to again become producers and artisans. We are proud of our citizen soldiery. They have never failed us in our hours of need. The volunteer soldier of the United States has risen to every emergency and "acted well his part" whenever called into service.

I believe, in the language of the Constitution, that "a well-regulated militia is necessary to the security of a free state," and that a well-regulated, well-drilled, and well-equipped militia will

be perfectly adequate without further increase of the standing Army to answer every requirement of a Government that seeks only the good of its citizens, endeavors simply to execute the laws duly passed by the representatives of the people, and accords to other nations, weak or strong, the same treatment we have always asked for ourselves. It is my judgment that a greater appropriation to arm and equip the militia of the various States would effectively guard the Republic from any threatened danger and relieve the people from any apprehensions regarding the permanent establishment of an unnecessary military force or power.

As regards the question of "imperialism," with which this seems intimately connected, I apprehend there is little doubt that the provisions of the Constitution of the United States apply at once to all territory that becomes a part of the United States. This seriously affects our revenue and the industries of our people. It would be impossible to levy discriminating duties against their products, and the capital of the world can employ their semislave labor to the disadvantage of American workmen and farmers. As soon as the West and South realize that this policy diverts immigration and capital to the islands of the Pacific, and that development of their industries and the rise of land values are checked in consequence, it will have few adherents in either section.

The North and the distinctively manufacturing centers have begun to realize the trend of the intended legislation, and the protests of their representatives are being recorded. People are set to thinking by self-interest, and it requires but little thought to show the average man that the doctrines of "conquest" and "colonization" are foreign to the spirit of American institutions. There is as much of an "irrepressible conflict" between a government by "consent" and a government by "coercion" as has existed between freedom and serfdom since the first aristocrat conceived the idea of living in the sweat of some other man's face.

What is taxation without representation but a system of "involuntary servitude?" And it has been decreed after due submission to the grim arbitrament of war, it has been solemnly recorded by that court of highest resort, an earnest and awakened people, that from and after the passage of the thirteenth amendment "neither slavery nor involuntary servitude, except as a punishment for crime whereof the party shall have been duly convicted, shall exist within the United States or any place subject to their jurisdiction."

I know there are men who seem to be trying to create the impression that human liberties, national honor, and the great principles of justice are empty, meaningless phrases, to be juggled with and canted over until the distinction between right and wrong is entirely obliterated, and the doctrine of "manifest destiny" has been deftly substituted for the teachings of the Sermon on the Mount. To such the quotation from Lowell is strikingly applicable;

> Think you truth a farthing rushlight to be pinched out when you will
> With your deft official fingers and your politician's skill?
> Is your God a wooden fetich to be hidden out of sight,
> That his dull eyes may not see you do the thing that is not right?

It is easy to write the word "relinquished," as applied to Spanish dominion in Cuba, and "ceded" in the treaty provisions concerning the islands of the other hemisphere. It is easy to designate forcible annexation as "criminal aggression" when applied to Cuba, and "benevolent assimilation" in speaking of the Philippines, but are not the rights of these alien people identical. If either is to be discriminated against, why should it be the race of whom Admiral Dewey in his cablegram of August 28, 1898, said:

> These people are far superior in their intelligence and more capable of self-government than the natives of Cuba, and I am familiar with both races.

Since July 4, 1776, certain great political theorems have been graven on the page of history by the people of the United States of America. "Taxation without representation is tyranny." "Resistance to tyranny is obedience to God." "All men are born free and equal, and endowed by their Creator with certain inalienable rights." "Governments derive their just powers from the consent of the governed." These are trite truths. Perhaps a little old-fashioned, but they have been held up to the children of America as worthy of acceptance for more than a hundred years. Who will take them down? [Applause.]

Mr. JETT. Mr. Chairman, I now yield to the gentleman from Virginia [Mr. LAMB].

[Mr. LAMB addressed the committee. See Appendix.]

Mr. JETT. I now yield to the gentleman from Alabama [Mr. STALLINGS].

[Mr. STALLINGS addressed the committee. See Appendix.]

Mr. JETT. I now yield to the gentleman from Nebraska [Mr. MAXWELL] fifteen minutes, or such time as he may desire.

Mr. MAXWELL. Mr. Chairman, the pioneer settlers of this country favored peace. The Puritans sought to establish a new home, where they would be free from the persecutions of their enemies. Connecticut and Rhode Island were settled by those who sought freedom to worship God as they saw fit. These settlements and others aroused the jealousy of the Indians, then very numerous and strong, and who saw that the inevitable result, if the whites were permitted to take possession of their lands, would be their own extinction. Hence bloody wars followed, and the settlers were compelled to defend their homes. It was a matter of self-defense alone, although at times aggressive.

Early in the seventeenth century the French made settlements at Quebec and along the St. Lawrence, and had established trading posts along that river, around the Great Lakes, in the valley of the Ohio, and down the Mississippi, and claimed the entire country as a colony of France. Hence Indian raids upon the frontier settlements of New England, New York, and other colonies, apparently instigated by the French, were of frequent occurrence until the French were driven out of Canada. In all these wars settlers were mustered in as soldiers, although but militia, to defend their homes, and were brave, daring, and reliable.

Braddock's defeat, bad as it was, would have been an utter rout had not the Virginia troops, practically the militia of that colony, under the command of Washington, protected the rear. These colonists were jealous of their rights as freemen. Our fathers were opposed to tyranny in whatever form or by whom exercised. Hence, when it was sought by the English Parliament to impose taxes upon them when they had no voice in the election of its members and no representation, they rebelled. And the fact that the taxes to be raised in this manner were to be applied on the debt incurred by the English Government in driving the French out of Canada was held not to change the principle.

If Parliament could levy taxes upon the colonies for one purpose when they had no representation in that body, then they could levy them for all purposes and practically reduce them to the condition of a conquered people. If they submitted to this injustice, it would be but the beginning of British tyranny, and we glory in their manhood and courage and are thankful to them for their resistance and to God for the success of the Revolution that created this nation. In this connection it may be well to inquire if we are seeking to impose taxes without representation on any of the late colonies of Spain. The Declaration of Independence contains the clearest and most direct statement of the rights of men to be found in any state paper.

It is the foundation upon which this Government is placed, and the Constitution of the United States was framed and adopted to more effectually secure the blessings of liberty, and the Constitution itself is to be construed with reference to the Declaration of Independence. This Declaration has, since its promulgation, been a beacon light to every people who desire to be free. It is the watchword that points the way to liberty, and when carried into effect by any people will secure the downfall of tyranny and oppression. In connection with this Declaration of Independence, the long and arduous services of Washington in conducting the war to a successful termination and then voluntarily surrendering his power to those from whom he received it, stating that he made no charge for his services, was an example of patriotism and disinterestedness that commended him and the new Republic to every friend of the human race.

Byron, in writing after the battle of Waterloo, in commending Washington and the Republic, said:

> Can tyrants but by tyrants conquered be,
> And freedom find no champion and no child
> Such as Columbia saw when she
> Sprang forth a Pallas armed but undefiled?
> Or must such minds be nourished in the wild,
> Deep in the unpruned forest, 'midst the roar
> Of cataracts,
> Where nature smiled on infant Washington;
> Has earth no more
> Such seed within her breast, or
> Europe no such shore?

In his address in September, 1796, Washington said, in speaking of the duty of the nation:

> Observe good faith and justice toward all nations; cultivate peace and harmony with all. Religion and morality enjoin this conduct; and can it be that good policy does not equally enjoin it? It will be worthy of free and enlightened (and at no distant period a great) nation to give to mankind the magnanimous and too novel example of a people always guided by an exalted justice and benevolence. Who can doubt that in the course of time and things the fruits of such plan would richly repay a temporary advantage which might be lost by a steady adherence to it?—*Bancroft's Life*, page 498.

In the same address he also said (page 498):

> The great rule of conduct for us in regard to foreign nations is in extending our commercial relations to have with them as little political connection as possible. So far as we have already formed engagements, let them be performed with perfect good faith. Here let us stop. Europe has a set of primary interests which to us have none or very remote relations. Hence she must be engaged in the frequent controversies, the causes of which are essentially foreign to our concerns. Hence, therefore, it must be unwise in us to implicate ourselves by artificial ties in the ordinary vicissitudes of her politics, or the ordinary combinations and collisions of her friendships or enmities. Our detached and distant situation enables us to pursue a different course.

He also says (page 496):

> So likewise a passionate attachment of one nation for another produces a variety of evils. Sympathy for the favorite nation facilitating the illusion

of an imaginary common interest in cases where no real common interest exists, and infusing into one the enmities of the other, betrays the former into a participation of the quarrels of the latter without adequate inducement or justification. It leads also to concessions to the favorite nation of privileges denied to others which is apt doubly to injure the nation making the concessions by unnecessarily parting with what ought to have been retained, and by exciting jealousy, ill-will, and disposition to retaliate in the parties from whom equal privileges are withheld; and it gives to ambitious, corrupted, or deluded citizens who devote themselves to the favorite nation facility to betray or sacrifice the interest of their own country without odium, sometimes even with popularity; gilding with the appearances of a virtuous sense of obligation a commendable deference to public opinion, or a laudable zeal for the public good the base of foolish compliances of ambition, corruption, or infatuation.

As avenues to foreign influence in innumerable ways, such attachments are particularly alarming to the truly enlightened and independent patriot. How many opportunities do they afford to tamper with domestic factions and practice the arts of seduction to mislead public opinion to influence or awe public councils? Such an attachment of a small or weak toward a great and powerful nation dooms the former to be the satellite of the latter. Against the insidious wiles of foreign influence, I conjure you to believe me, fellow-citizens, the jealousy of a free people ought to be constantly awake, since history and experience prove that foreign influence is one of the most baneful foes of a republican government.

These declarations of the future of the Republic are peculiarly applicable now for reasons that will be stated presently. Before the declaration of war against Spain last year, it was well known that Spain in the conduct of the war against the people of the island of Cuba had resorted to inhuman methods that shocked the sensibilities of our people, and as it was probable that this inhuman mode of warfare would continue indefinitely, there was a general demand on the part of our people that the war should stop. Acting upon this demand of our people, Congress, before a formal declaration of war, in effect declared war against Spain, and in the very act itself solemnly announced to the world that we "disclaimed any disposition or intention to exercise sovereignty, jurisdiction, or control over said island," except for the purpose of pacification, and when that was accomplished we would withdraw. In the first section of the bill we declared "that the people of Cuba are and of a right ought to be free."

The sole object of the bill was to compel the Spaniards to surrender their authority and get out of Cuba and leave the people of that island free to form a government of their own. This voluntary act was precisely like that of a neighbor who would assist another in distress with no thought or expectation of compensation. Had it been intended that this nation should be reimbursed for its expenses, a provision of that kind would have been put in the bill. There certainly was no suggestion of the kind either in the bill itself or on the floor of the House. The fair inference from our declarations as a nation is that the war was not waged for conquest but for humanity.

Porto Rico and the Philippine Islands were not mentioned, or, so far as I know, thought of. All these islands are thickly populated, much more so than Cuba, and the very act of declaring that the Cubans of right ought to be free and independent applies with greater force to Porto Rico and the Philippine Islands. According to our best information the Philippine Islands contain about 114,000 square miles and about 10,000,000 population, and the ratio of population per square mile in Porto Rico, I am informed, is about the same. How can we demand government of the people for Cuba and deny it to the other islands named? We can not do so without stultifying ourselves.

If we are to be indemnified by Spain, let us insist upon payment of an indemnity in money. The plea that she is unable to pay can not be sustained. France, a few years ago, when prostrate at the feet of her conquerors, raised $1,000,000,000 as an indemnity to Germany. The national debt of France was very large at the time, but she had no difficulty in raising the amount demanded. And there is good reason to believe that Spain could raise the requisite amount. I think we have already expended in this war at least $200,000,000, and it is proposed to pay Spain for the Philippines $20,000,000; and what do we get in return? Practically nothing. There are supposed to be about 700 islands, big and little, in the Philippines. With this vast number the expense of policing the islands would be enormous, even if the natives were friendly; but if hostile, it would be greatly increased. The natives, as a rule, know nothing of our language, religion, or form of government, and are pagans, Mohammedans, and followers of Confucius. They wear but little clothing, and live almost wholly on the food of the Tropics. Will anyone contend that such a people is a valuable acquisition to any nation? I think not. The life of one of our soldiers or seamen is worth more to us than the islands.

As a nation we have the high sense of honor possessed by Washington, and I trust we will not depart from the ancient landmarks. But it is said our Army is already in the Philippine Islands and that it is confronted by a large force of the natives, who claim to have set up a government of their own. The answer to this is that we have no cause of war against the natives of those islands. Our troops were sent there to drive out the Spaniards, not to make war on the people. It is said, however, that these people are not fit to govern themselves and we should hold the islands as colonies, and we are referred to Great Britain, which, it is said, has added greatly to her power and wealth by reason of her colonies and conquests.

Her rule in India, if reports apparently reliable can be credited, has been that of an absolute tyrant. The people have no voice in the government, and no salaried offices of importance are given to the natives. She rules India with a rod of iron, and while she has made many improvements there calculated to benefit the country, they have been made as investments and not as works of charity and good will to the people. But five years ago the council of state for India in London, without notice, in one day closed India's mints, discredited the money which had been almost exclusively in use from time immemorial, and caused intense suffering, sickness, starvation, and death among the poor.

Do the people of this country desire such colonies? If so, the plea should be placed on other grounds than humanity. But it is said that Great Britain is exceedingly anxious to have us hold the Philippines, and that her statesmen and public journals are doing all they can to promote this desire among our people, and that British influence all over this nation is being exerted in that behalf. If so, I commend the words of Washington which I have quoted to the attention of Congress and the American people. We wish to remain on friendly terms with England, as with all other nations, but to have no entangling alliances with her or any other nation.

One of the evil effects of annexation would be the influx of cheap labor from the Philippines. Being territory of the United States, their right to pass from State to State could not be denied. We are all interested in having labor well paid for its service, as a man or woman who receives enough to provide comfortably for his or her family and lay up something for a rainy day is a better citizen every way; and when all are employed at fair wages the country is prosperous. We sometimes hear it said that certain industries can be carried on successfully if wages can be reduced to a certain level. The proper mode of estimating such things would seem to be to fix wages at a fair rate and then make deductions as far as possible in other things. But we are gravely told that we need our Army of 100,000 men to meet any exigency that may arise.

The next census of this nation, to be taken next year, will show from 75,000,000 to 78,000,000 people herein, and in the next ten years we will in all probability pass the 90,000,000 mark. We have unbounded resources, and our people are active, industrious, intelligent, and patriotic, and ready at any time to defend the flag if occasion requires. No nation in the world can cope with us in a just cause. France has a population of about 40,000,000, and the birth rate is but little in excess of the death rate. Germany has a population of about 50,000,000; Austria-Hungary of 41,000,000. Russia, 113,000,000, and the British Isles nearly 40,000,000. In point of numbers Russia is the only nation that equals or exceeds ours, but she is deficient in both money and resources, and lacks the cohesion among her population possessed by ourselves. Of the other nations Great Britain is the only one that would be formidable, but she would have to succumb, and that speedily, to the young giant of the West. But we have no desire to go to war.

This is a Christian nation, and the Golden Rule is the standard of the highest character. We intend to treat every other nation courteously, fairly, and honorably. If our nation could be personified by the character of one individual, it would be that of a peaceable, active, intelligent, industrious, enterprising, reliable, honorable, and upright gentleman. We propose to give no cause of offense, and be honorable in our dealings, and anticipate no war. We have nothing to fear from the Indians in the United States. At the present time they are all on reservations or on their allotments of land, and need no troops to hold them in subjection. A standing army is always a menace to free government, and in a republic should not be maintained in time of peace. I admire the bravery and efficiency of our Regular Army, and I am in favor of a sufficient number of regular soldiers that the service may demand.

I think, notwithstanding the disparaging remarks as to its organization, that it will compare favorably with the army of any other nation. And in my view its organization, effected by our able generals, men skilled in the art of war, and that have made the Army strong and efficient, should not be radically changed for untried experiment. A free people, however, must rely upon volunteers in case an army is required. A volunteer soldiery possesses an energy, dash, vim, and staying qualities that are hard to excel. The volunteers tender their services to the Government for the purpose of fighting in the war in which the nation is engaged, and may be relied upon to use every effort to secure a victory. Cromwell, with his volunteers, although not so well drilled as the troops opposed to him, overcame the regular army under Charles I, and the volunteers in our civil war and the late war with Spain were brave, active, intelligent, efficient, reliable, and intensely patriotic.

Let a just cause of war arise between this nation and any other and a million men would spring to arms at once for offense or defense. But we will have no war with any other nation, and our

people are law abiding, and it is unnecessary to have an army to preserve the peace or enforce the law. In the early history of this nation, when the Indians, in armed bands many thousands strong, attacked our frontier settlements, carrying murder and devastation wherever they went, and foreign foes were threatening the nation from without, we had but a skeleton of a regular army, the principal reliance being the citizen soldiery, and it performed its duty well and restored peace to the nation. [Applause.]

Three thousand years ago a prophet declared that after a certain time the nations should study war no more. Now, on the eve of the twentieth century, the prophecy seems in a fair way to be fulfilled, and a desire exists among the nations to settle differences by arbitration, and there is a probable reduction of armies of the several nations in the near future. I hope we will not impede the march of universal peace. Our nation can easily support half a billion population. Our resources, which are almost without limit, are but beginning to be developed. We have exhaustless mines of gold, silver, iron, copper, and other minerals, and oils without limit. The waters which flow from the Rocky Mountains, if utilized for irrigation, would irrigate a large part of the semiarid lands of the nation, and an amount of money equal to that spent in this war with Spain would accomplish this result and add greatly to our production.

There are grave questions in our own nation to be settled in the near future that require wise statesmanship and dispassionate action. Let us see to it that our laws are just and equal, and are administered with impartiality and fairness, and that the rights of all and every class of citizens are fostered and protected, and our own people will be prosperous and happy without being embroiled in the contentions and controversies of other nations. [Applause.]

Mr. JETT. Mr. Chairman, I now yield to the gentleman from California [Mr. CASTLE].

[Mr. CASTLE addressed the committee. See Appendix.]

Mr. MARSH. Mr. Chairman, I move that the committee do now rise.

The motion was agreed to.

The committee accordingly rose; and Mr. CONNOLLY having resumed the chair as Speaker pro tempore, Mr. LACEY, Chairman of the Committee of the Whole House on the state of the Union, reported that that committee had had under consideration the bill H. R. 11022, and had come to no resolution thereon.

Mr. MARSH. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to.

And accordingly (at 11 o'clock and 14 minutes p. m.) the House adjourned.

EXECUTIVE COMMUNICATIONS, ETC.

Under clause 2 of Rule XXIV, the following executive and other communications were taken from the Speaker's table and referred as follows:

A letter from the receiver of the Capital Railway Company, transmitting the statement of that company for the year 1898—to the Committee on the District of Columbia, and ordered to be printed.

A letter from the Secretary of the Treasury, transmitting a copy of a communication from the Secretary of the Navy, submitting certain estimates for the navy-yards at Washington and League Island—to the Committee on Naval Affairs, and ordered to be printed.

A letter from the Secretary of War, transmitting a list of the leases granted during the calendar year 1898—to the Committee on Military Affairs, and ordered to be printed.

A letter from the Secretary of State, transmitting a copy of the preliminary report of Mr. E. L. Corthell, representative of the United States at the Seventh International Congress of Navigation at Brussels—to the Committee on Interstate and Foreign Commerce, and ordered to be printed.

A letter from the Secretary of War, transmitting, with a letter from the Chief of Engineers, copy of a report containing estimate of the cost of improvement of Mystic River—to the Committee on Rivers and Harbors, and ordered to be printed.

A letter from the Secretary of the Interior, transmitting a draft of a bill to extend the operation of "An act to provide for the examination and classification of certain mineral lands in the States of Montana and Idaho"—to the Committee on the Public Lands, and ordered to be printed.

REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS.

Under clause 2 of Rule XIII, bills and resolutions of the following titles were severally reported from committees, delivered to the Clerk, and referred to the several Calendars therein named, as follows:

Mr. MILLS, from the Committee on the Public Lands, to which was referred the bill of the House (H. R. 10831) for the relief of certain homestead settlers in Florida, reported the same with amendment, accompanied by a report (No. 1838); which said bill and report were referred to the House Calendar.

Mr. CUMMINGS, from the Committee on the Library, to which was referred the bill of the House (H. R. 11256) to provide for the erection of a memorial to the soldiers of the Second United States Volunteer Cavalry killed in a railroad accident at Tupelo, Miss., reported the same without amendment, accompanied by a report (No. 1850); which said bill and report were referred to the Committee of the Whole House on the state of the Union.

REPORTS OF COMMITTEES ON PRIVATE BILLS AND RESOLUTIONS.

Under clause 2 of Rule XIII, private bills and resolutions of the following titles were severally reported from committees, delivered to the Clerk, and referred to the Committee of the Whole House, as follows:

Mr. MIERS of Indiana, from the Committee on Invalid Pensions, to which was referred the bill of the Senate (S. 4246) granting an increase of pension to Margaret Love Skerrett, reported the same without amendment, accompanied by a report (No. 1829); which said bill and report were referred to the Private Calendar.

Mr. WARNER, from the Committee on Invalid Pensions, to which was referred the bill of the House (H. R. 6810) for the relief of Mary Luella Steele, reported the same with amendment, accompanied by a report (No. 1830); which said bill and report were referred to the Private Calendar.

Mr. RAY of New York, from the Committee on Invalid Pensions, to which was referred the bill of the House (H. R. 10013) to increase the pension of Joseph H. McGee, reported the same with amendment, accompanied by a report (No. 1831); which said bill and report were referred to the Private Calendar.

Mr. WARNER, from the Committee on Invalid Pensions, to which was referred the bill of the House (H. R. 8610) granting a pension to Minnie B. Titus, reported the same with amendment, accompanied by a report (No. 1832); which said bill and report were referred to the Private Calendar.

He also, from the same committee, to which was referred the bill of the House (H. R. 5712) granting a pension to Sarah A. Luke, reported the same with amendment, accompanied by a report (No. 1833); which said bill and report were referred to the Private Calendar.

Mr. CASTLE, from the Committee on Invalid Pensions, to which was referred the bill of the House (H. R. 11017) to restore Jesse Everly to the pension roll of the United States, reported the same with amendment, accompanied by a report (No. 1834); which said bill and report were referred to the Private Calendar.

Mr. WARNER, from the Committee on Invalid Pensions, to which was referred the bill of the House (H. R. 5805) for the relief of Col. George G. Pride, reported the same with amendment, accompanied by a report (No. 1835); which said bill and report were referred to the Private Calendar.

He also, from the same committee, to which was referred the bill of the House (H. R. 10417) for the relief of James H. Nichols, reported the same with amendment, accompanied by a report (No. 1836); which said bill and report were referred to the Private Calendar.

Mr. STURTEVANT, from the Committee on Invalid Pensions, to which was referred the bill of the House (H. R. 5796) granting a pension of $50 per month to Capt. Peter E. Shipler, late of Company G, Tenth Pennsylvania Reserve Corps, reported the same with amendment, accompanied by a report (No. 1837); which said bill and report were referred to the Private Calendar.

Mr. HENRY of Connecticut, from the Committee on Invalid Pensions, to which was referred the bill of the Senate (S. 2729) granting a pension to Lydia E. Bowers, reported the same without amendment, accompanied by a report (No. 1839); which said bill and report were referred to the Private Calendar.

He also, from the same committee, to which was referred the bill of the House (H. R. 2122) increasing the pension of William R. Christy, reported the same with amendment, accompanied by a report (No. 1840); which said bill and report were referred to the Private Calendar.

Mr. NORTON of Ohio, from the Committee on Invalid Pensions, to which was referred the bill of the House (H. R. 8445) granting a pension to Joseph N. Harmon, of West Union, Ohio, reported the same with amendment, accompanied by a report (No. 1841); which said bill and report were referred to the Private Calendar.

He also, from the same committee, to which was referred the bill of the House (H. R. 204) granting a pension to Ann E. Cooley, reported the same with amendment, accompanied by a report (No. 1842); which said bill and report were referred to the Private Calendar.

Mr. BREWSTER, from the Committee on Invalid Pensions, to which was referred the bill of the House (H. R. 8955) granting an increase of pension to Richard M. Hussey, reported the same with amendment, accompanied by a report (No. 1843); which said bill and report were referred to the Private Calendar.

Mr. SAMUEL W. SMITH, from the Committee on Invalid Pensions, to which was referred the bill of the Senate (S. 4622) granting an increase of pension to John S. Beaty, reported the same without amendment, accompanied by a report (No. 1844); which said bill and report were referred to the Private Calendar.

Mr. STURTEVANT, from the Committee on Invalid Pensions, to which was referred the bill of the House (H. R. 9415) granting an increase of pension to Dr. Henry Bullen, reported the same with amendment, accompanied by a report (No. 1845); which said bill and report were referred to the Private Calendar.

Mr. BOTKIN, from the Committee on Invalid Pensions, to which was referred the bill of the House (H. R. 4324) granting a pension to Martha Allen, reported the same with amendment, accompanied by a report (No. 1846); which said bill and report were referred to the Private Calendar.

Mr. KERR, from the Committee on Invalid Pensions, to which was referred the bill of the House (H. R. 1675) for the benefit of Alice Smith, of Newport, Ky., reported the same with amendment, accompanied by a report (No. 1847); which said bill and report were referred to the Private Calendar.

He also, from the same committee, to which was referred the bill of the House (H. R. 10345) granting an increase of pension to Abram O. Kindy, reported the same with amendment, accompanied by a report (No. 1848); which said bill and report were referred to the Private Calendar.

He also, from the same committee, to which was referred the bill of the House (H. R. 9359) to pension Charles H. Barber, reported the same with amendment, accompanied by a report (No. 1849); which said bill and report were referred to the Private Calendar.

Mr. WEAVER, from the Committee on War Claims, to which was referred House bill 5278, reported in lieu thereof a resolution (House Res. No. 379) to refer the claim of Hamlin Caldwell to the Court of Claims, accompanied by a report (No. 1851); which said resolution and report were referred to the Private Calendar.

Mr. STALLINGS, from the Committee on Pensions, to which was referred the bill of the Senate (S. 383) granting an increase of pension to William W. Tumblin, of Bradford County, Fla., reported the same without amendment, accompanied by a report (No. 1852); which said bill and report were referred to the Private Calendar.

He also, from the same committee, to which was referred the bill of the Senate (S. 290) granting a pension to Charlotte Poe, reported the same with amendment, accompanied by a report (No. 1853); which said bill and report were referred to the Private Calendar.

Mr. STRODE of Nebraska, from the Committee on Pensions, to which was referred the bill of the Senate (S. 4871) granting an increase of pension to Eleazer Smith, reported the same without amendment, accompanied by a report (No. 1854); which said bill and report were referred to the Private Calendar.

Mr. STALLINGS, from the Committee on Pensions, to which was referred the bill of the Senate (S. 2786) granting a pension to Martha E. Huddleston, reported the same without amendment, accompanied by a report (No. 1855); which said bill and report were referred to the Private Calendar.

Mr. STRODE of Nebraska, from the Committee on Pensions, to which was referred the bill of the Senate (S. 3002) to pension William Russell for services in Oregon Indian wars, reported the same with amendment, accompanied by a report (No. 1856); which said bill and report were referred to the Private Calendar.

Mr. SAMUEL W. SMITH, from the Committee on Invalid Pensions, to which was referred the bill of the Senate (S. 2002) granting an increase of pension to Byron R. Pierce, reported the same with an amendment, accompanied by a report (No. 1857); which said bill and report were referred to the Private Calendar.

Mr. CASTLE, from the Committee on Invalid Pensions, to which was referred the bill of the House (H. R. 6876) to increase the pension of George Alexander, reported the same with amendment, accompanied by a report (No. 1858); which said bill and report were referred to the Private Calendar.

Mr. STALLINGS, from the Committee on Pensions, to which was referred the bill of the Senate (S. 304) granting a pension to Henry Farmer, reported the same with an amendment, accompanied by a report (No. 1859); which said bill and report were referred to the Private Calendar.

He also, from the same committee, to which was referred the bill of the Senate (S. 285) granting a pension to Mary L. Roderick, reported the same with an amendment, accompanied by a report (No. 1860); which said bill and report were referred to the Private Calendar.

Mr. BELKNAP, from the Committee on Military Affairs, to which was referred the bill of the House (H. R. 1417) for the relief of Thomas Mullen, reported the same with amendment, accompanied by a report (No. 1861); which said bill and report were referred to the Private Calendar.

PUBLIC BILLS, RESOLUTIONS, AND MEMORIALS INTRODUCED.

Under clause 3 of Rule XXII, bills, resolutions, and memorials of the following titles were introduced and severally referred as follows:

By Mr. DAVIS: A bill (H. R. 11812) providing for the erection of a public building at the city of Gainesville, Fla., and for other purposes—to the Committee on Public Buildings and Grounds.

By Mr. LESTER (by request): A bill (H. R. 11813) to establish a system of Indian medical service, and for other purposes—to the Committee on Indian Affairs.

By Mr. SOUTHARD: A bill (H. R. 11814) to encourage the holding of an American fair in conjunction with the Ohio Centennial and Northwest Territory Exposition at the city of Toledo, Ohio—to the Committee on Ways and Means.

By Mr. HOPKINS: A bill (H. R. 11815) to provide for taking the Twelfth and subsequent censuses—to the Committee on the Twelfth Census.

By Mr. ALEXANDER: A bill (H. R. 11816) to authorize and encourage the holding of a Pan-American Exposition on the Niagara frontier, within the county of Erie or Niagara, in the State of New York, in the year 1901—to the Committee on Ways and Means.

By Mr. HILBORN: A joint memorial from the California legislature, requesting the completion of Port San Luis Breakwater, in the State of California—to the Committee on Rivers and Harbors.

PRIVATE BILLS AND RESOLUTIONS INTRODUCED.

Under clause 1 of Rule XXII, private bills and resolutions of the following titles were introduced and severally referred as follows:

By Mr. GRIFFITH: A bill (H. R. 11817) granting a pension to Mary A. McGowen—to the Committee on Invalid Pensions.

By Mr. KERR: A bill (H. R. 11818) granting an increase of pension to Jesse Snyder—to the Committee on Invalid Pensions.

Also, a bill (H. R. 11819) to remove the charge of desertion against Peter Mott—to the Committee on Military Affairs.

By Mr. LACEY: A bill (H. R. 11820) granting a pension to Taylor Hux—to the Committee on Invalid Pensions.

By Mr. MADDOX: A bill (H. R. 11821) for the relief of W. L. Kinsey, of Catoosa County, Ga.—to the Committee on War Claims.

Also, a bill (H. R. 11822) for the relief of C. J. Shelverton, of Austell, Ga.—to the Committee on War Claims.

Also, a bill (H. R. 11823) for the relief of S. H. Martin, of Catoosa County, Ga.—to the Committee on War Claims.

By Mr. MEEKISON: A bill (H. R. 11824) granting a pension to Smith Jewell—to the Committee on Invalid Pensions.

By Mr. POWERS: A bill (H. R. 11825) correcting the military record of Z. A. Cornell—to the Committee on Military Affairs.

By Mr. YOST: A bill (H. R. 11826) for the relief of George S. Day & Bro.—to the Committee on Claims.

By Mr. FARIS: A bill (H. R. 11827) increasing pension of Albert Morrison—to the Committee on Invalid Pensions.

Also, a bill (H. R. 11828) granting a pension to Alsey E. Potts—to the Committee on Invalid Pensions.

Also, a bill (H. R. 11829) increasing the pension of Levi Wright—to the Committee on Invalid Pensions.

Also, a bill (H. R. 11830) increasing pension of Henry Staff—to the Committee on Invalid Pensions.

By Mr. SWANSON: A bill (H. R. 11831) for the relief of Kate Winter—to the Committee on the District of Columbia.

By Mr. WEAVER: A resolution (House Res. No. 379) to refer the claim of Hamlin Caldwell to the Court of Claims—to the Private Calendar.

PETITIONS, ETC.

Under clause 1 of Rule XXII, the following petitions and papers were laid on the Clerk's desk and referred as follows:

By Mr. ACHESON: Petition of the Claysville (Pa.) Woman's Christian Temperance Union, to prohibit the sale of liquor in canteens and in immigrant stations and Government buildings—to the Committee on Alcoholic Liquor Traffic.

By Mr. ADAMS: Petition of the State Association of Retail Grocers, at Reading, Pa., January 11 and 12, 1899, favoring the passage of the Brosius pure food and drug bill—to the Committee on the Judiciary.

By Mr. BELL: Resolutions of Companies B, D, E, and H, First Infantry, National Guard of Colorado, for an increase in the appropriation for the maintenance of the National Guard—to the Committee on Military Affairs.

By Mr. BURLEIGH: Petitions of J. A. Adams and 75 citizens of Unita, Me., favoring the establishment of postal savings banks—to the Committee on the Post-Office and Post-Roads.

By Mr. BUTLER: Petitions of the Woman's Christian Temperance Union of Middletown, Pa., and Methodist Episcopal Church and Friends' Meeting of Lansdowne, Pa., to prohibit the sale of intoxicating liquors in canteens and in immigrant stations and in Government buildings—to the Committee on Alcoholic Liquor Traffic.

By Mr. CANNON: Papers to accompany House bill No. 10972, to increase the pension of Marie L. Apgar—to the Committee on Invalid Pensions.

By Mr. CAPRON: Resolution of Cigar Makers' Union No. 94, of Pawtucket, R. I., against the acquisition of the Philippines—to the Committee on Foreign Affairs.

By Mr. COOPER of Texas: Petitions of G. M. Boynton, M. D., and 205 citizens of Swift, Tex., favoring the establishment of postal savings banks—to the Committee on the Post-Office and Post-Roads.

Also, petitions of lumber dealers and other firms in the vicinity of Orange; pilots, merchants, and others, of Sabine Pass; and lumbermen, mill owners, and others, of Beaumont and vicinity, all in the State of Texas, asking for the passage of Senate bill No. 1114, for the establishment of a light-house and fog signal at Sabine Pass, Tex.—to the Committee on Interstate and Foreign Commerce.

By Mr. CUMMINGS: Petition of William Gleason and 17 citizens of Rochester, N. Y., for equal political rights to the women of Hawaii—to the Committee on the Territories.

By Mr. DALZELL: Resolutions of the Fourth Avenue Baptist Church, of Pittsburg, Pa., against the seating of a polygamist—to the Committee on Elections No. 1.

Also, resolution of the Boston Chamber of Commerce, in favor of the passage of House bill No. 10524, relating to the organization of the consular service—to the Committee on Foreign Affairs.

By Mr. DAVIS: Petition of Mrs. Anna E. Rainey and 27 citizens of St. Augustine, Fla., to prohibit the sale of liquor in canteens and in immigrant stations and Government buildings—to the Committee on Alcoholic Liquor Traffic.

By Mr. EDDY: Petitions of John Foltz and 202 citizens of St. Lawrence, Minn., favoring the establishment of postal savings banks—to the Committee on the Post-Office and Post-Roads.

By Mr. ERMENTROUT: Memorial of Mrs. Winthrop Cowdin, and many other women, committee, favoring the employment of graduate women nurses in the hospital service of the United States Army—to the Committee on Military Affairs.

By Mr. FARIS: Petitions of citizens of Montezuma, Terre Haute, Joseph, Jackson, Rockville, Poland, Brazil, Dana, Marshall, and Tilden, in the State of Indiana, to prohibit the sale of liquor in canteens and in immigrant stations and Government buildings—to the Committee on Alcoholic Liquor Traffic.

By Mr. FLEMING: Petitions of S. W. Whitfield and 89 citizens of Powells, Ga., in favor of the establishment of postal savings banks—to the Committee on the Post-Office and Post-Roads.

By Mr. FOWLER of New Jersey: Remonstrance of ladies of the Home Mission Society of the Central Baptist Church, of Elizabeth, N. J., against the seating of Brigham H. Roberts as a Representative from Utah—to the Committee on Elections No. 1.

Also, petition of the Board of Trade of Elizabeth, N. J., favoring the enactment of laws to regulate express companies—to the Committee on Interstate and Foreign Commerce.

Also, resolutions of the mayor and council of the borough of Undercliff, N. J., favoring a naval station on the banks of the Hudson River—to the Committee on Naval Affairs.

By Mr. GRAHAM: Petition of the State Association of Retail Grocers, held at Reading, Pa., January 11 and 12, 1899, C. E. Woods, secretary, urging the enactment of the Brosius bill to prevent the adulteration of food—to the Committee on the Judiciary.

Also, resolutions of the Chamber of Commerce of the State of New York, asking for the passage of House bill No. 10524, relating to the reorganization of the consular service—to the Committee on Foreign Affairs.

Also, resolution of the Manufacturers and Producers' Association of California, praying for the establishment of cable communication between San Francisco and the Orient, and also that the cable used in its construction shall be made in the United States and by American manufacturers—to the Committee on Interstate and Foreign Commerce.

By Mr. GRIFFITH: Petitions of C. O. Platt and 39 citizens of Manchester, A. S. Deputy and 51 citizens of Paris Crossing, Paul M. Greider and 48 citizens of Hope, D. A. West and 30 citizens of Decatur County, in the State of Indiana, favoring legislation to prohibit the sale of liquor in canteens and in immigrant stations and Government buildings—to the Committee on Alcoholic Liquor Traffic.

By Mr. HAGER: Petitions of the Methodist Episcopal Church, Sunday school and Epworth League of the Methodist Episcopal Church of Little Sioux, Iowa, in favor of House bill No. 7937, for the abolition of the canteen system in the United States Army, Government buildings, etc.—to the Committee on Alcoholic Liquor Traffic.

By Mr. HILBORN: Resolutions of the Mechanics' Institute, of San Francisco, Cal., favoring a submarine cable from San Francisco to Honolulu, Japan, and the Philippines—to the Committee on Interstate and Foreign Commerce.

By Mr. HULL: Petitions of the Willard Woman's Christian Temperance Union, Pilgrim Congregational Church, and the North Park Congregational Church, all of Des Moines, Iowa; Baptist Church of Riceville, Iowa, and Presbyterian Church of East Des Moines, Iowa, to prohibit the sale of liquor in canteens and in immigrant stations and Government buildings—to the Committee on Alcoholic Liquor Traffic.

Also, petitions of the Willard Woman's Christian Temperance Union, Pilgrim Congregational Church, and North Park Congregational Church, of Des Moines, Iowa, and the Presbyterian Church of East Des Moines, Iowa, for the maintenance of prohibition in Alaska—to the Committee on Alcoholic Liquor Traffic.

By Mr. JOHNSON of Indiana: Petitions of citizens of Shelbyville and other towns in the State of Indiana, to prohibit sale of intoxicating liquors in canteens, in immigrant stations, and in Government buildings—to the Committee on Alcoholic Liquor Traffic.

By Mr. KNOX: Petition of Charles O. Noble and 201 citizens of Woburn, Mass., favoring postal savings banks—to the Committee on the Post-Office and Post-Roads.

By Mr. LACEY: Paper to accompany House bill relating to the pension claim of R. Taylor Hux, helpless child of John Hux—to the Committee on Invalid Pensions.

By Mr. LANDIS: Petition of citizens of Ladoga, Ind., and Prairie Center Christian Endeavor Society, of Frankfort, Ind., to prohibit the sale of liquor in canteens, in immigrant stations, and in Government buildings—to the Committee on Alcoholic Liquor Traffic.

By Mr. McCALL: Petition of the executive officers of the missionary societies of the Baptist, Congregational, Episcopal, Methodist, Presbyterian, and Reformed churches, against the seating of Representative-elect B. H. Roberts, of Utah—to the Committee on Elections No. 1.

Also, petition of the executive officers of the missionary societies of the Baptist Church and others, against sectarian appropriations—to the Committee on Indian Affairs.

By Mr. McLAIN: Petitions of the boards of supervisors of the counties of Yazoo, Amite, and Simpson, State of Mississippi, for the improvement of the harbor at Gulfport, Miss.—to the Committee on Rivers and Harbors.

By Mr. MAHON: Petitions of the Presbyterian Church of Alexandria, Pa., and the Methodist Episcopal and Presbyterian churches and Woman's Christian Temperance Union of East Waterford, Pa., praying for the abolition of the canteen system in the United States Army, Government buildings, etc.—to the Committee on Alcoholic Liquor Traffic.

By Mr. PACKER of Pennsylvania: Petitions of the Third Street Methodist Episcopal Church, Mulberry Street Methodist Episcopal Church, East End Baptist Church, Prohibition League, and three Woman's Christian Temperance unions, all of Williamsport, Pa.; Presbyterian, Methodist, Lutheran, and Baptist churches of Muncy, Pa., and Stillman Woman's Christian Temperance Union, of Eulalia, Pa., to prohibit the sale of liquor in canteens and in immigrant stations and Government buildings—to the Committee on Alcoholic Liquor Traffic.

By Mr. RAY of New York: Petitions of the First Baptist Church, State Street Methodist Episcopal Church, and First Congregational Church, of Ithaca, N. Y.; Baptist Church of Newark Valley, and union meeting of Methodist and Congregational churches of Newark Valley, N. Y., to prohibit the sale of liquor in Government buildings—to the Committee on Alcoholic Liquor Traffic.

By Mr. RICHARDSON: Petition of Mary E. Winn, now Richards, of Rapides Parish, La., praying reference of her war claim to the Court of Claims—to the Committee on War Claims.

Also, petition of George Meek, of Alcorn County, Miss., praying reference of his war claim to the Court of Claims—to the Committee on War Claims.

Also, petition of D. W. F. Peoples, of Washington County, Tenn., praying reference of his war claim to the Court of Claims—to the Committee on War Claims.

By Mr. RIXEY: Petition of 114 citizens of Lincoln, Va., to prohibit the sale of liquor in canteens and in immigrant stations and Government buildings—to the Committee on Alcoholic Liquor Traffic.

By Mr. ROBINSON of Indiana: Petition of citizens of Maple Grove, Lagrange County, Ind., to prohibit the sale of liquor in canteens and in immigrant stations and Government buildings—to the Committee on Alcoholic Liquor Traffic.

By Mr. ROYSE: Petition of citizens of Millersburg and Plymouth, Ind., to prohibit the sale of liquor in canteens, in immigrant stations, and in Government buildings—to the Committee on Alcoholic Liquor Traffic.

By Mr. SHERMAN: Resolution of Clinton Grange, No. 30, in reference to restoring ocean carrying trade in vessels sailing under the American flag—to the Committee on the Merchant Marine and Fisheries.

By Mr. SIMPSON: Petition of the Methodist Episcopal, Baptist, and Cumberland Presbyterian churches and Woman's Christian Temperance Union of Mayfield, Kans., to prohibit the sale of liquor in Government buildings, etc.—to the Committee on Alcoholic Liquor Traffic.

Also, petition of the Woman's Christian Temperance Union and certain churches of Mayfield, Kans., to forbid the transmission of lottery messages by telegraph—to the Committee on Interstate and Foreign Commerce.

By Mr. SOUTHARD: Petition of Wright Chapter, Epworth League, and the Monroe Street Methodist Episcopal Church, of Toledo, Ohio, asking for the passage of the Ellis bill to forbid the sale of intoxicating beverages in Government buildings, etc.—to the Committee on Alcoholic Liquor Traffic.

Also, petition of Epworth League of the Methodist Episcopal Church of Toledo, Ohio, to forbid the transmission of lottery messages by telegraph—to the Committee on Interstate and Foreign Commerce.

By Mr. STARK: Papers to accompany Senate bill No. 5090, to authorize Victor Vifquain, colonel of the Third Nebraska Volunteer Infantry, to accept the decoration of the Order of the Double Dragon from the Emperor of China—to the Committee on Foreign Affairs.

By Mr. STEELE: Petitions of Charles Davis and 40 citizens, George Washington and 45 citizens, all of Marion, Ind.; Christian Endeavor Society, George R. Hollingsworth, and 35 citizens, of Kokomo; R. F. Schuler and 65 members of the Christian Endeavor Society, J. M. Lowman and 26 members of the Christian Endeavor Society, all of Roann, Ind.; A. J. Wilson and 100 citizens of Fairmont; William Hale and 44 citizens of Fairfield; George W. Lybrook and 29 citizens of Honey Creek; George A. Yopst and 50 others, of the Christian Church of Huntington, Ind., to prohibit the sale of liquor in canteens, in immigrant stations, and in Government buildings—to the Committee on Alcoholic Liquor Traffic.

By Mr. STURTEVANT: Petitions of the Woman's Christian Temperance Union and Methodist Episcopal Church of McLane, Pa., and the Young People's Society of Christain Endeavor of Erie, Pa., to prohibit the sale of liquor in canteens and in immigrant stations and Government buildings—to the Committee on Alcoholic Liquor Traffic.

By Mr. SULLOWAY: Petition of the Congregational Church of Gilmanton Iron Works, N. H., praying for legislation to prohibit the sale of liquor in canteens of the Army and Navy and of Soldiers' Homes, and in immigrant stations and Government buildings—to the Committee on Alcoholic Liquor Traffic.

SENATE.

FRIDAY, *January 27, 1899.*

Prayer by Rev. STOWELL L. BRYANT, of the city of Washington.

The Secretary proceeded to read the Journal of yesterday's proceedings, when, on motion of Mr. ALLISON and by unanimous consent, the further reading was dispensed with.

CONTRACTS FOR ARMY SUPPLIES.

The VICE-PRESIDENT laid before the Senate a communication from the Secretary of War, transmitting a letter from the Quartermaster-General of the Army calling attention to the necessity for continuing the suspension of the provisions of the act of June 7, 1898, entitled "An act to suspend the operations of certain provisions of law relating to the War Department, and for other purposes;" which, with the accompanying papers, was referred to the Committee on Military Affairs, and ordered to be printed.

S. BOLTON & SONS.

The VICE-PRESIDENT laid before the Senate a communication from the Secretary of the Treasury, transmitting, in response to a resolution of the 25th instant, the opinion of the Attorney-General in the case of S. Bolton & Sons, made in reference to an appropriation in the sundry civil appropriation act approved July 1, 1898; which, with the accompanying papers, was referred to the Committee on Appropriations, and ordered to be printed.

REPORT OF CITY AND SUBURBAN RAILWAY.

The VICE-PRESIDENT laid before the Senate the annual report of the City and Suburban Railway, of the District of Columbia, for the year ended December 31, 1898; which was referred to the Committee on the District of Columbia, and ordered to be printed.

MESSAGE FROM THE HOUSE.

A message from the House of Representatives, by Mr. H. L. OVERSTREET, one of its clerks, announced that the House had agreed to the report of the committee of conference on the disagreeing votes of the two Houses on the amendment of the Senate to the concurrent resolution of the House relating to the furnishing of one complete set of the Official Records of the Union and Confederate Armies to each Senator and Representative and Delegate of the Fifty-fifth Congress not already entitled by law to receive the same.

ENROLLED BILLS SIGNED.

The message also announced that the Speaker of the House had signed the following enrolled bills; and they were thereupon signed by the Vice-President:

A bill (H. R. 8882) for the establishment and reconstruction of a light-house at or near the mouth of Salem Creek, New Jersey; and

A bill (H. R. 10459) to amend section 5 of the act approved June 10, 1880, governing the immediate transportation of dutiable goods without appraisement.

PETITIONS AND MEMORIALS.

The VICE-PRESIDENT presented a petition of the trustees of the Public Library of Boston, Mass., praying that an appropriation be made for the Royal Society index of scientific publications; which was referred to the Committee on Appropriations.

He also presented a petition of the board of directors of the Chamber of Commerce of Cleveland, Ohio, praying for the passage of the Navy personnel bill; which was ordered to lie on the table.

Mr. PLATT of New York presented a petition of Local Grange No. 214, Patrons of Husbandry, of Marion, N. Y., praying for the enactment of legislation to increase American shipping; which was referred to the Committee on Commerce.

He also presented a petition of the Woman's Christian Temperance Union of Perry, N. Y., praying for the enactment of legislation to prohibit interstate gambling by telegraph, telephone, or otherwise; which was referred to the Committee on the Judiciary.

He also presented petitions of the congregation of the First Methodist Episcopal Church of Lockport, of the Woman's Christian Temperance Union of Lockport, and of the Woman's Christian Temperance Union of Perry, all in the State of New York, praying for the enactment of legislation to prohibit the sale of liquor in canteens of the Army and Navy and of Soldiers' Homes, and in immigrant stations and Government buildings; which were referred to the Committee on Military Affairs.

He also presented sundry petitions of the Woman's Christian Temperance Union of Auburn, N. Y., praying for the maintenance of the prohibition law in the Territory of Alaska; which were referred to the Committee on Territories.

He also presented a petition of the Building Trades Council of Rochester, N. Y., praying for the passage of the eight-hour bill; which was referred to the Committee on Education and Labor.

Mr. PENROSE presented a memorial of Local Union No. 295, Cigar Makers' International Union, of Scranton, Pa., remonstrating against the annexation of the Philippine Islands; which was referred to the Committee on Foreign Relations.

He also presented a petition of the Young People's Temperance Society of the First Methodist Episcopal Church of Germantown, Philadelphia, Pa., praying for the enactment of legislation to prohibit the transmission by mail or interstate commerce of pictures or descriptions of prize fights; which was referred to the Committee on the Judiciary.

He also presented a petition of the Young People's Temperance Society of the First Methodist Episcopal Church of Germantown, Philadelphia, Pa., praying for the maintenance of the prohibition laws in Alaska, the Indian Territory, and to extend it to the new possessions of the United States; which was referred to the Committee on Territories.

He also presented petitions of the Board of Trade of Philadelphia; of sundry business men of Philadelphia, and of the Grocers and Importers' Exchange of Philadelphia, all in the State of Pennsylvania, praying that an appropriation be made to provide for the continuance of the pneumatic-tube system in that city; which were referred to the Committee on Post-Offices and Post-Roads.

He also presented petitions of the Agricultural Society of Perry County; of the Pennsylvania Retail Jewelers' Association; of the American Association of Flint and Lime Glass Manufacturers of Pittsburg, and of the Commercial Club of Patton, all in the State of Pennsylvania, praying for the enactment of legislation to increase American shipping; which were referred to the Committee on Commerce.

He also presented petitions of the congregation of the First Baptist Church of Williamsport; of the Young People's Temperance Society of the First Methodist Episcopal Church of Germantown, Philadelphia; of the Woman's Christian Temperance Union of Canton; of the Young People's Society of Christian Endeavor

of the Westminster Presbyterian Church of Mifflintown; of the Middletown Woman's Christian Temperance Union of Delaware County; of the Christian Endeavor Society of Slatelick, and of the Susquehanna University Young Men's Christian Association, of Selinsgrove, all in the State of Pennsylvania, praying for the enactment of legislation to prohibit the sale of liquor in canteens of the Army and Navy and of Soldiers' Homes, and in immigrant stations and Government buildings; which were referred to the Committee on Military Affairs.

Mr. FAIRBANKS presented the memorial of Bert B. Barley and 29 other members of Local Union No. 214, Cigar Makers' International Union, of Bluffton, Ind., remonstrating against the annexation of the Philippine Islands as being detrimental to the labor interests of the United States; which was referred to the Committee on Foreign Relations.

He also presented a petition of the Central Trades Council of Marion, Ind., and a petition of Local Union No. 344, United Mine Workers of America, of Brazil, Ind., praying for the passage of the eight-hour bill; which were referred to the Committee on Education and Labor.

He also presented the petitions of Lou Donaldson and 38 other citizens of Bluffton; of John Spoon and 107 other citizens of Mooresville; of Charles Whitely and 47 other citizens of Stillwell; of John H. Call and 81 other citizens of Elwood; of George Goff and 38 other citizens of Russellville, and of James S. Campbell and 48 other citizens of Butlerville, all in the State of Indiana, praying for the enactment of legislation to prohibit the sale of liquor in canteens of the Army and Navy and of Soldiers' Homes, and in immigrant stations and Government buildings; which were referred to the Committee on Military Affairs.

Mr. PERKINS presented a joint resolution of the legislature of California, praying that an appropriation be made for the completion of the Port San Luis breakwater, in that State; which was referred to the Committee on Commerce.

He also presented a petition of sundry citizens of San Francisco, Cal., praying for the enactment of legislation to provide for holding a colonial exposition and also for the establishment of a permanent commercial museum; which was referred to the Committee on Commerce.

He also presented a petition of the trustees of the Mechanics' Institute, of San Francisco, Cal., praying for the enactment of legislation authorizing the laying of a cable between the Pacific coast and the Hawaiian and Philippine Islands and the Orient, and that the materials for its construction shall be made in the United States by American manufacturers; which was referred to the Committee on Foreign Relations.

He also presented a petition of the board of trustees of the Mechanics' Institute, of San Francisco, Cal., praying for the enactment of legislation to increase American shipping; which was referred to the Committee on Commerce.

Mr. LODGE presented the petitions of William J. Baker and 200 other citizens of Metcalf, Mass., praying for the enactment of legislation to establish postal savings depositaries; which were referred to the Committee on Post-Offices and Post-Roads.

Mr. HOAR. I present the petition of sundry citizens of Philadelphia, who assembled in public meeting to oppose the subjugation of the Filipinos. They set forth in their petition "that the Declaration of Independence asserts as fundamental and inviolable three classes of rights—the right of the individual to life, liberty, and the pursuit of happiness, of the citizen to equality before the law, and of the people to self-government; that forcible annexation violates all of these fundamental legal rights, as was recognized by the President when he said that such conduct as to Cuba would be 'criminal aggression' and that the people of the Philippine Islands ought to be free and independent; that they have committed no wrong against us; that they have never menaced our safety; that they have the right to live in peace and establish such government as they desire; that to threaten them with violence is without excuse according to every American code of morals, and that to kill them, or order them to be killed, for upholding their own rights would be wanton murder." The petitioners do not believe the American people have suddenly become so bloodthirsty or intoxicated with power, or filled with the lust of dominion, nor that they are ready to reverse all their own history or dishonor all the declarations which their fathers have made. They deem that it would be a crime for them to keep silent at this crisis, and they respectfully pray that the Senate of the United States will act upon these doctrines.

The VICE-PRESIDENT. The petition will be referred to the Committee on Foreign Relations.

Mr. HOAR presented a petition of the National American Woman's Suffrage Association, praying that the right of suffrage be granted to the women of Hawaii; which was referred to the Committee on Woman Suffrage.

He also presented a petition of the Builders' Exchange of New Bedford, Mass., praying for the enactment of legislation to increase American shipping; which was referred to the Committee on Commerce.

Mr. NELSON presented a petition of Local Union No. 109, Journeymen Bakers and Confectioners' International Union of America, of Duluth, Minn., praying for the passage of the eight-hour bill; which was referred to the Committee on Education and Labor.

Mr. QUAY presented a petition of the Downingtown Woman's Christian Temperance Union, of Chester County, Pa., praying for the enactment of legislation to prohibit the sale of liquor in canteens of the Army and Navy and of Soldiers' Homes, and in immigrant stations and Government buildings; which was referred to the Committee on Military Affairs.

Mr. SEWELL presented the petitions of Frank T. Church and 197 other citizens of Cape May City, N. J., praying for the enactment of legislation to establish postal savings depositaries; which were referred to the Committee on Post-Offices and Post-Roads.

He also presented petitions of Joseph T. Sullivan, of Morristown; of the congregations of the Methodist Episcopal Church of Merchantville and the Methodist Episcopal Church of New Egypt, N. J., praying for the enactment of legislation to prohibit the sale of liquor in canteens of the Army and Navy and of Soldiers' Homes, and in immigrant stations and Government buildings; which were referred to the Committee on Military Affairs.

He also presented a petition of the Yearly Meeting of Friends of New Jersey, Eastern Pennsylvania, and Delaware, praying for the maintenance of the prohibition laws in the Territory of Alaska; which was referred to the Committee on Territories.

Mr. McMILLAN presented a petition of the Council of Building Trades of Detroit, Mich., and a petition of the Street Railway Employees' Association of Detroit, Mich., praying for the passage of the eight-hour bill; which were referred to the Committee on Education and Labor.

He also presented a memorial of Mine Workers' Union No. 8, of Ishpeming, Mich., remonstrating against the annexation of the Philippine Islands, Porto Rico, or any other country taken from Spain in the late war; which was referred to the Committee on Foreign Relations.

He also presented petitions of the Webster Farmers' Club, of Washtenaw County; of Elbridge Center Grange, No. 711, Patrons of Husbandry, and of Pottawatomie Grange, No. 722, Patrons of Husbandry, all in the State of Michigan, praying for the enactment of legislation to increase American shipping; which were referred to the Committee on Commerce.

Mr. TILLMAN presented the petition of D. C. Boyd and 119 other citizens of Balloon, S. C., praying for the enactment of legislation providing postal savings depositaries; which was referred to the Committee on Post-Offices and Post-Roads.

Mr. CHILTON presented the petitions of Dr. G. W. Bistline and 87 other citizens of Bly, Tex., praying for the enactment of legislation providing postal savings depositaries; which were referred to the Committee on Post-Offices and Post-Roads.

Mr. GEAR presented a petition of the Woman's Christian Temperance Union of Little Sioux, Iowa, praying for the enactment of legislation to prohibit the sale of liquor in canteens of the Army and Navy and of Soldiers' Homes, and in immigrant stations and Government buildings; which was referred to the Committee on Military Affairs.

Mr. THURSTON presented a petition of sundry citizens of Table Rock, Nebr., praying for the maintenance of the prohibition law in the Territory of Alaska; which was referred to the Committee on Territories.

Mr. HANNA presented the petition of Charles S. Kelser and sundry other citizens of Dalton, Ohio, praying for the maintenance of the prohibition law in the Territory of Alaska and the Indian Territory and its extension to our new half-civilized dependencies; which was referred to the Committee on Territories.

He also presented the petition of T. R. Smith, of Delaware, Ohio, praying for the passage of a national pure-food bill; which was ordered to lie on the table.

He also presented a memorial of the Liquor Dealers' Protective Association of Toledo, Ohio, remonstrating against additional restrictions being placed on retail liquor dealers having distilled liquors in jugs, bottles, etc.; which was referred to the Committee on Finance.

He also presented petitions of the Central Labor Union of Akron; of Guernsey Lodge, No. 47, Amalgamated Association of Iron and Steel Workers, of Cambridge, and of Local Union No. 216, United Brotherhood of Carpenters and Joiners of America, of Zanesville, all in the State of Ohio, praying for the passage of the eight-hour bill; which were referred to the Committee on Education and Labor.

He also presented the petition of Dr. Washington Gladden, of Columbus, Ohio, praying for the repeal of the act of January 14, 1889, in so far as it authorizes the appointment of the Chippewa commission, etc.; which was referred to the Committee on Indian Affairs.

He also presented the memorial of Dr. L. B. Tuckerman, of Cleveland, Ohio, in behalf of the Ohio State Medical Society, remonstrating against the passage of Senate bill No. 1063, for the further

prevention of cruelty to animals in the District of Columbia; which was ordered to lie on the table.

He also presented a petition of the executive board of the Civil Engineers' Club of Cleveland, Ohio, praying for the passage of the Navy personnel bill; which was ordered to lie on the table.

He also presented petitions of Charles S. Kelser and sundry other citizens of Dalton, of the Jefferson Nonpartisan Woman's Christian Temperance Union, of the congregation of the Methodist Episcopal Church of Elyria, and of the Nonpartisan National Woman's Christian Temperance Union, all in the State of Ohio, praying for the enactment of legislation to prohibit the sale of liquor in canteens of the Army and Navy and of Soldiers' Homes, and in immigrant stations and Government buildings; which were referred to the Committee on Military Affairs.

He also presented the petition of Homer Hales, of Dayton, Ohio, praying for the enactment of legislation to authorize the transportation of distilled spirits to general bonded warehouses and the removal therefrom; which was referred to the Committee on Finance.

He also presented a petition of Bishop Post, No. 22, Department of Ohio, Grand Army of the Republic, of Defiance, Ohio, praying for the passage of the bill (S. 3256) in reference to the civil service and appointments thereunder; which was referred to the Committee on Civil Service and Retrenchment.

He also presented a petition of the Chamber of Commerce of Cincinnati, Ohio, praying for the enactment of legislation to increase the efficiency of the foreign service of the United States, and to provide for the reorganization of the consular service; which was referred to the Committee on Foreign Relations.

He also presented a petition of the Chamber of Commerce of Cincinnati, Ohio, praying that an appropriation be made for the completion of the work of improvement of the Tennessee River; which was referred to the Committee on Commerce.

He also presented a petition of the Chamber of Commerce of Cincinnati, Ohio, praying for the enactment of legislation granting additional quarantine powers to and imposing additional duties upon the Marine-Hospital Service; which was ordered to lie on the table.

He also presented petitions of Brighton Grange, No. 1263, Patrons of Husbandry; of the Merchant Tailors' Exchange of Dayton; of the Young Men's Business Club of Cincinnati, and of the Chamber of Commerce of Cincinnati, all in the State of Ohio; of the Chamber of Commerce of San Francisco, Cal., and of the Chamber of Commerce of Los Angeles, Cal., praying for the enactment of legislation to increase American shipping; which were referred to the Committee on Commerce.

He also presented petitions of the Diebold Safe and Lock Company, of Canton; of the Surgical and Dental Chair Company, of Canton; of the Selle Gear Company, of Akron; of the Forman-Bassett-Hatch Company, of Cleveland; of the Cady-Ivison Shoe Company, of Cleveland; of Paddock, Hodge & Co., of Toledo; of Benton, Myers & Co., of Cleveland; of the Queen City Supply Company, of Cincinnati; of the White Sewing Machine Company, of Cleveland; of the Elbel Company, of Cleveland; of the Upson-Walton Company, of Cleveland; of the Nicola & Stone Lumber Company, of Cleveland; of the Burrows Brothers Publishing Company, of Cleveland; of the Cleveland Stone Company; of the Sherwin-Williams Company, of Cleveland; of Francis Widlar & Co., of Cleveland; of William Taylor, Son & Co., of Cleveland; of the Reliance Oil and Grease Company, of Cleveland; of McGowan Brothers, of Steubenville, and of the Consolidated Pump Company, of Toledo, all in the State of Ohio, praying for the passage of the so-called Loud bill relating to second-class mail matter; which were referred to the Committee on Post-Offices and Post-Roads.

He also presented a petition of the board of directors of the Chamber of Commerce of Cleveland, Ohio, praying that the maritime powers of the world be invited to attend an international congress for the purpose of considering and adopting rules providing for the freedom from capture of private property on the sea in time of war, etc.; which was referred to the Committee on Foreign Relations.

He also presented memorials of Local Union No. 48, Cigar Makers' International Union of America, of Toledo; of Local Union No. 79 Cigar Makers' International Union of America, of Sandusky, and of Local Union No. 96, Cigar Makers' International Union of America, of Akron, all in the State of Ohio, remonstrating against the annexation of the Philippine Islands; which were referred to the Committee on Foreign Relations.

He also presented the petitions of Dr. T. L. Kelley, of Lakeside; Dr. J. C. Meyer, of Cincinnati; Dr. William Huntsberger, of Orrville; Isaac Pontius, of Orrville; Dr. A. E. Cole, of Leipsic; Dr. W. G. Jones and son, of Chillicothe; Dr. Sidney D. Meyers, of Wilmington; Dr. J. F. Barnes and sundry other citizens of Sidney; Dr. W. J. Jones, of Cuba; Dr. N. B. Smith, of Basil; Dr. I. O. F. Price, of Lancaster; Dr. M. C. Tuttle, of Cleveland; Dr. J. E. Foster, of Coshocton, all in the State of Ohio, and the petition of Dr. H. B. Chaney and sundry other citizens of Kansas City, Mo., praying that veterinary surgeons be given the rank of second lieutenant in the Army; which were referred to the Committee on Military Affairs.

He also presented a petition of the Merchants' Association of New York, praying that an appropriation be made to perfect and extend the pneumatic-tube system in the cities where it is now in operation; which was referred to the Committee on Appropriations.

REPORTS OF COMMITTEES.

Mr. MITCHELL, from the Committee on Military Affairs, to whom was referred the bill (H. R. 3261) to remove the charge of desertion from the military record of George L. Plummer, reported it without amendment, and submitted a report thereon.

Mr. PRITCHARD, from the Committee on the District of Columbia, to whom was referred the bill (H. R. 11024) to authorize the Commissioners of the District of Columbia to remove dangerous or unsafe buildings and parts thereof, and for other purposes, reported it without amendment, and submitted a report thereon.

Mr. FAULKNER, from the Committee on the District of Columbia, to whom was referred the bill (H. R. 9760) to redeem outstanding certificates issued by the board of public works of the District of Columbia held by W. D. Williams, reported it with amendments, and submitted a report thereon.

Mr. FRYE. From the Committee on Commerce, to whom was referred the bill (S. 5024) to promote the commerce and increase the foreign trade of the United States and to provide auxiliary cruisers, transports, and seamen for Government use when necessary, I report it favorably with amendments, and with a memorandum in the nature of a report explanatory of the bill. I will simply state that the minority of the committee reserve leave to file their views.

The VICE-PRESIDENT. The bill will be placed on the Calendar.

Mr. SPOONER, from the Committee on Privileges and Elections, to whom was referred the bill (S. 5088) to amend section 27, chapter 2, of the laws of 1871 (amended 1872), entitled "Apportionment and election of Representatives," reported it with amendments.

Mr. KENNEY, from the Committee on the District of Columbia, to whom was referred the bill (H. R. 11570) to cause the removal of weeds from lands in the city of Washington, D. C., and for other purposes, reported it without amendment, and submitted a report thereon.

He also, from the same committee, to whom was referred the bill (H. R. 8626) to punish the impersonation of weighmasters in the District of Columbia, and for other purposes, reported it without amendment, and submitted a report thereon.

Mr. PASCO, from the Committee on Military Affairs, to whom was referred the bill (H. R. 8854) to correct the military record of William Hazelbeck, of Portsmouth, Ohio, reported it with amendments, and submitted a report thereon.

DISTRIBUTION OF APPROPRIATION BILLS.

Mr. ALDRICH, from the Committee on Rules, reported an amendment intended to be proposed to the first section of Rule XVI of the standing rules of the Senate; which was ordered to be printed.

BILLS INTRODUCED.

Mr. PENROSE introduced a bill (S. 5369) granting a pension to Elam Kirk; which was read twice by its title, and, with the accompanying papers, referred to the Committee on Pensions.

He also introduced a bill (S. 5370) to correct the military record of Phillip Cooke; which was read twice by its title, and, with the accompanying paper, referred to the Committee on Military Affairs.

He also introduced a bill (S. 5371) to reimburse naval volunteers enlisted for one year or during the war with Spain for the cost of clothing and equipment; which was read twice by its title, and, with the accompanying paper, referred to the Committee on Naval Affairs.

Mr. GALLINGER introduced a bill (S. 5372) to provide buildings for the Freedmen's Hospital, and for other purposes; which was read twice by its title, and referred to the Committee on the District of Columbia.

Mr. PERKINS introduced a bill (S. 5373) providing for a colonial and industrial exposition for the encouragement of the export trade; which was read twice by its title, and referred to the Committee on Commerce.

Mr. McMILLAN introduced a bill (S. 5374) for the relief of Christiana Dengler; which was read twice by its title, and referred to the Committee on the District of Columbia.

Mr. THURSTON introduced a bill (S. 5375) to create a pure food commission, for the purpose of investigating questions pertaining to the production, manufacture, and so forth, of food products, and to suggest necessary legislation pertaining thereto;

which was read twice by its title, and referred to the Committee on Agriculture and Forestry.

Mr. SULLIVAN introduced a bill (S. 5376) authorizing the terms of the district court of the United States for the southern district of Mississippi to be held hereafter at Biloxi; which was read twice by its title, and referred to the Committee on the Judiciary.

Mr. HAWLEY introduced a joint resolution (S. R. 233) authorizing the admission of Andrés Ponte-Ruego, of Venezuela, to the Military Academy, at West Point; which was read twice by its title, and, with the accompanying papers, referred to the Committee on Military Affairs.

AMENDMENTS TO APPROPRIATION BILLS.

Mr. LODGE submitted an amendment proposing to appropriate $10,000 for deepening the harbor of Scituate, Mass., intended to be proposed by him to the river and harbor appropriation bill; which was referred to the Committee on Commerce, and ordered to be printed.

He also submitted an amendment relative to an increase in the clerical force of the department of copyrights, Library of Congress, intended to be proposed by him to the legislative, executive, and judicial appropriation bill; which was ordered to be printed, and, with the accompanying papers, referred to the Committee on Appropriations.

Mr. PRITCHARD submitted an amendment proposing to appropriate $10,000 to enable the Secretary of War to make an examination and report to Congress relative to the number and location of Confederate cemeteries and the Confederate dead buried therein, intended to be proposed by him to the sundry civil appropriation bill; which was referred to the Committee on Military Affairs, and ordered to be printed.

Mr. QUAY submitted an amendment proposing to appropriate $10,000 for a psychophysical laboratory, intended to be proposed by him to the sundry civil appropriation bill; which was ordered to be printed, and, with the accompanying papers, referred to the Committee on Appropriations.

Mr. SMITH submitted an amendment relative to the fortification of Portland, Me., New Orleans, Boston, Portsmouth, N. H., Dry Tortugas, Puget Sound, Mobile, Galveston, and Charleston, intended to be proposed by him to the fortification appropriation bill; which was referred to the Committee on Coast Defenses, and ordered to be printed.

Mr. MASON submitted an amendment proposing to appropriate $39,164.54 for the purpose of allowing an annual leave of fifteen days, with pay, to railway postal clerks, intended to be proposed by him to the legislative, executive, and judicial appropriation bill; which was referred to the Committee on Appropriations, and ordered to be printed.

Mr. ELKINS submitted an amendment proposing to increase the salaries of the clerks to the heads of the eight Executive Departments of the Government from $2,250 to $2,400, intended to be proposed by him to the legislative, executive, and judicial appropriation bill; which was referred to the Committee on Appropriations, and ordered to be printed.

REORGANIZATION OF THE ARMY.

Mr. LODGE submitted an amendment intended to be proposed by him to the bill (H. R. 11022) for the reorganization of the Army of the United States, and for other purposes; which was referred to the Committee on Military Affairs, and ordered to be printed.

CAPITAL TRACTION COMPANY.

Mr. HANSBROUGH. I move that the bill (H. R. 8656) authorizing and requiring certain extensions to be made to the lines of the Capital Traction Company in the District of Columbia, which was read twice by its title on March 10, 1898, be taken from the table and referred to the Committee on the District of Columbia, with the accompanying amendment.

The motion was agreed to.

CANALS CONNECTING ALBEMARLE AND LONG ISLAND SOUNDS.

Mr. PENROSE submitted the following resolutions; which were referred to the Committee on Commerce, and ordered to be printed:

Resolved by the Senate (the House of Representatives concurring), That the Secretary of War is hereby authorized and directed to investigate and report at the opening of the session of the Fifty-sixth Congress the sum or sums of money necessary to acquire, by condemnation and purchase, either singly or collectively, the several canals hereafter enumerated, forming the connecting links along the Atlantic coast between Albemarle and Long Island sounds, and which are now operated by private corporations charging tolls on interstate commerce, to wit: the Albemarle and Chesapeake Canal, the Chesapeake and Delaware Canal, the Delaware and Raritan Canal, with their accessories, locks, dams, reservoirs, bridges, buildings, plant, equipments, and franchises, with a view to their utilization and enlargement for commercial, naval, and strategic waterways free of toll to the people of the United States.

Resolved, That for this purpose the Secretary of War is hereby authorized and instructed to appoint as commissioner for this service any retired officer of the United States Corps of Engineers who may be available, at a rate of compensation to be fixed by the President, and that such commissioner shall be empowered to select and appoint such engineers, clerks, and other assistants and upon such terms as may be necessary to enable him to comply with the conditions of this resolution, the expense for such commissioner to be provided for from any unexpended balance appropriated to the sundry civil service of the United States.

ACQUISITION OF TERRITORY.

Mr. SPOONER. Mr. President, I desire to give notice that Wednesday next, after the routine business of the Senate, I will, if it suits the convenience of the Senate, submit some observations upon the general question covered by the joint resolution introduced by the Senator from Missouri [Mr. VEST] and the resolutions of the Senator from Illinois [Mr. MASON], the Senator from Massachusetts [Mr. HOAR], and the Senator from Georgia [Mr. BACON].

Mr. COCKRELL. When?

Mr. SPOONER. On Wednesday morning after the routine business. I shall have to be absent between now and then for a couple of days.

Mr. RAWLINS. Mr. President, I desire to give notice that on Thursday next, at the expiration of the morning business, I shall address the Senate on the subject of the resolutions in regard to expansion.

GOVERNMENT OF FOREIGN PEOPLE.

Mr. MASON. According to the notice I gave yesterday, I desire to ask simply for a vote upon the resolution I introduced. I do not wish to interfere or delay the remarks that may be made by the Senator from New York [Mr. PLATT]. If it is agreeable, I will now ask unanimous consent that on Tuesday at 1 o'clock the vote may be taken.

Mr. CARTER. Will not that interfere with the notice given by the Senator from Wisconsin [Mr. SPOONER]?

Mr. MASON. No; his notice is that he will speak on Wednesday next.

Mr. CARTER. If the vote is to be taken prior to that time, I suggest that it would be useless for the Senator to address his remarks upon the resolution.

Mr. BERRY. I gave notice that I would speak on Tuesday morning. However, if the Senator from Illinois can get unanimous consent for a vote on his resolution at that time, I will withhold my speech until after the vote can be taken.

Mr. MASON. I will change the request, then. I ask unanimous consent that we agree to vote upon the resolution on Friday, one week from to-day, at the hour of 1 o'clock.

The VICE-PRESIDENT. Unanimous consent is asked by the Senator from Illinois that on Friday next, a week from to-day, at 1 o'clock, the vote shall be taken on Senate resolution 445, declaring it to be the policy of the United States not to attempt to govern the people of any other country without the consent of the people themselves. Is there objection?

Mr. BACON. I understand that we would have the right to offer amendments under that agreement.

Mr. MASON. Yes, sir; there is no doubt of that. I shall not object to any amendments being offered.

Mr. BACON. That is my only purpose in rising. I do not understand that that order would permit any debate, but it would give the right of amendment.

Mr. MASON. Certainly.

The VICE-PRESIDENT. The right of amendment without debate.

Mr. MASON. I shall not insist upon anything that is not agreeable.

The VICE-PRESIDENT. Is there objection?

Mr. CARTER. I object.

The VICE-PRESIDENT. Objection is made.

GOVERNMENT OF THE PHILIPPINE ISLANDS.

Mr. HOAR. I ask unanimous consent that on Friday next, at 1 o'clock, a vote shall be taken on the resolution offered by me, namely, that the people of the Philippine Islands are, and of right ought to be, free and independent.

Mr. CHANDLER. I should like to ask the Senator from Massachusetts a question in this connection. Would consent given in that form prevent a motion to lay the resolution on the table?

Mr. HOAR. No.

Mr. CHANDLER. I would not agree to it unless that motion were applicable.

Mr. HOAR. I understand that it is applicable.

The VICE-PRESIDENT. Can the Senator state the Calendar number of his resolution?

Mr. MASON. Mr. President——

Mr. HOAR. Let the question be put on the unanimous consent asked by me, if the Senator is willing.

The VICE-PRESIDENT. The Chair is trying to find the Calendar number of the resolution.

Mr. HOAR. The Calendar number can be found afterwards. It is a well-known resolution.

The VICE-PRESIDENT. The Senator from Massachusetts asks unanimous consent that on Friday next, a week from to-day, at 1 o'clock, the vote shall be taken on the resolution offered by him

Mr. HOAR. And any amendments pending, of course.

The VICE-PRESIDENT. And any amendments that may then be offered. It is Senate resolution 464, offered by the Senator from Massachusetts, declaring that the people of the Philippine Islands of right ought to be free and independent, etc. Is there objection?

Mr. CARTER. Mr. President, I understand the fact to be that this resolution and other resolutions of a kindred nature were presented to the Senate and are now upon the table as texts to which Senators may address remarks and submit their views with reference to the general questions involved. Remarks have been made from day to day very largely by Senators in sympathy with the resolutions. It is but proper and just, it seems to me, that these resolutions should remain on the table until a late day in the session for the purpose of permitting all Senators desiring to do so to express their views upon the general questions involved, there not being any matter of public policy or an immediate necessity requiring a vote at an early date. I therefore object, Mr. President.

Mr. HOAR. Mr. President, I desire to give notice that if we are not to be permitted to have a vote on these resolutions—of course, any Senator who wishes to speak upon them will have an opportunity to present such resolutions as he himself may frame and speak upon them—if we are not to have an opportunity to vote on this question, which seems to me the great and immediate practical question of this year and generation, I give notice that I shall insist on keeping my resolution, or that of the Senator from Illinois if he prefers, as his has precedence in point of suggestion, constantly before the Senate in every morning hour until voted on.

Mr. GALLINGER. Mr. President, I wish to make a parliamentary inquiry as to how the Senator from Massachusetts can do that under the rules of the Senate. He can introduce a new resolution each day, but certainly he can not under a threat or in any other way keep a resolution of this kind permanently before the Senate.

Mr. HOAR. He can until it is acted on.

Mr. GALLINGER. Not at all. It goes to the Calendar.

Mr. HOAR. If it fills up the morning hour it goes to the Calendar, of course. I propose, Mr. President, to see whether there is some right left to the Senate of the United States; I will not say to the minority, because I believe the majority of the Senate believe in the doctrine of this resolution.

Mr. CARTER. Mr. President, I can not but view with regret the apparent feeling manifested by the Senator from Massachusetts in view of the objection here made to the fixing of a time for a vote upon his resolution. It will be readily conceded and nowhere controverted that the questions intended to be covered by the resolutions now pending present most momentous and far-reaching propositions for the consideration of the Senate and the consideration of the American people at large. I am sure that it is not the desire of the Senator from Massachusetts to have such questions disposed of on partial consideration.

It is well known that the present session of Congress, limited in time, well spent, in fact, has before it a large amount of very important and pressing legislative measures to be disposed of. The appropriation bills have scarcely been touched. A census bill must be passed before this Congress adjourns. Legislation for the great district of Alaska must be perfected, which is both voluminous and vitally important to the large number of our citizens assembled in that section of the country.

Now, Mr. President, after the lapse of two or three weeks of desultory debate, some Senators having been thoroughly prepared, other Senators listening from day to day to the arguments being presented for and against the proposition embraced in the several resolutions, it seems to me unjust to those Senators who have been engrossed in the current legislation of the day, finding it impossible to devote the necessary time to the close work of preparing an address upon which they are willing to stand before the country and before history on the subject, that they shall, when no immediate public necessity requires the sacrifice, overburden themselves and neglect other important duties for the purpose of preparing their views for submission to the Senate and the country within the next week, if you please.

Where a vote is sought to be fixed by unanimous consent, I have never known that consent to be refused in this Chamber when the public necessities require that an early date should be fixed for a decision of the question pending. This question is largely, as at present presented, an abstract question.

It has been sought to make it appear to the country, and to Congress as well, that the determination of the questions involved in these resolutions must be reached before the treaty now pending before the Senate can be properly disposed of. This position tends to mix important questions and unnecessarily to confuse the minds of members of this body, and the minds of the greater body outside of this Chamber, with reference to the real questions to be disposed of in the disposition of the treaty now pending.

There is no necessary connection, nor can any connection be properly shown, I assume, between the ratification of a treaty of peace and a determination of the question as to what the conscience and the judgment of the Congress and the country will be with that piece of territory which may become ours by and through the ratification of the treaty of peace.

The matter of the future disposition in a legislative way of the Philippine Islands, Porto Rico, and Cuba rests with the Congress of the country, and it is not necessary, I assume, that we should allow the question of peace or war to hang in the balance, to be disposed of only by a resolution declaring what a majority of this body, without consulting another body that has something to say with reference to public affairs, may feel disposed to do at some future time with reference to a part of the territory that falls to us through the fortunes of war.

I shall, Mr. President, in the exercise of a right which I do not believe I will at any time abuse, constantly object to a final vote upon these resolutions until every Senator upon this floor shall have submitted his views and shall have had ample time so to do, if it is his desire to be heard by the Senate and the country.

To attempt to force a vote upon this question, to attempt to remove a resolution which presents merely an abstraction for the purposes of debate, seems to me to be pressing a matter forward to a final disposition upon partial consideration, and that it savors of unfairness to attempt to do it.

Mr. BACON and Mr. MASON addressed the Chair.

The VICE-PRESIDENT. The Senator from Georgia.

Mr. CHANDLER. Is the morning business concluded?

The VICE-PRESIDENT. The Senate was proceeding under the call of concurrent and other resolutions when the unanimous-consent agreement was asked.

Mr. CHANDLER. I ask for the immediate consideration of a resolution calling for information.

Mr. GALLINGER. I did not understand that the order of reports of committees had been closed.

The VICE-PRESIDENT. It has been closed, and the order of concurrent and other resolutions was taken up.

GEN. JOHN M. PALMER.

Mr. GALLINGER. I ask unanimous consent out of order to present a favorable report from the Committee on Pensions, to which I call the attention of the senior Senator from Illinois [Mr. CULLOM].

I am directed by the Committee on Pensions, to whom was referred the bill (S. 5342) granting a pension to John M. Palmer, to report it with an amendment in the nature of a substitute, and submit a report thereon.

Mr. CULLOM. I believe that is the unanimous report of the Committee on Pensions, and, in view of the facts connected with the case, which are set forth in the report somewhat, I shall be very glad indeed if the Senate will allow the bill to be put upon its passage. I make that request.

The VICE-PRESIDENT. Is there objection to the present consideration of the bill just reported from the Committee on Pensions by the Senator from New Hampshire?

There being no objection, the Senate, as in Committee of the Whole, proceeded to consider the bill.

The amendment of the Committee on Pensions was, to strike out all after the enacting clause and insert:

That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll the name of John M. Palmer, late major-general, United States Army, and pay him a pension at the rate of $100 per month.

Mr. SEWELL. I ask the Senator in charge of the bill whether it should not read "United States Volunteers?"

Mr. GALLINGER. Yes; "Volunteers." That is right.

Mr. CULLOM. I think that is correct.

Mr. GALLINGER. It should read, "late major-general, United States Volunteers." I move that amendment.

The amendment to the amendment was agreed to.

The amendment as amended was agreed to.

The bill was reported to the Senate as amended, and the amendment was concurred in.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

Mr. THURSTON presented a resolution of the senate of the State of Nebraska, praying for the passage of the bill granting a pension to Gen. John M. Palmer, of Illinois; which was ordered to lie on the table.

ORDER OF BUSINESS.

The VICE-PRESIDENT. The Senator from Georgia [Mr. BACON] is entitled to the floor.

Mr. BACON. I understand that the Senator from New York [Mr. PLATT] has given notice that he desires to address the Senate this morning, and I shall occupy the attention of the Senate only a minute in view of that fact.

Mr. CHANDLER. Will the Senator from New York allow me to offer a resolution which I desire to have acted upon?

Mr. PLATT of New York. Certainly.

Mr. BACON. What is the request of the Senator from New Hampshire?

Mr. CHANDLER. It is a resolution of inquiry, and is a part of the morning business which I desire to have passed.

The VICE-PRESIDENT. The resolution will be received.

NAVY PAY TABLE.

Mr. CHANDLER submitted the following resolution; which was considered by unanimous consent, and agreed to:

Resolved, That the Secretary of the Navy be directed to transmit to the Senate a statement giving the present Navy pay table for officers above the warrant officers and stating in a column to the right of each amount specified for an officer when on leave or waiting orders, the pay which said officer will receive if his pay is changed to the pay now given to the corresponding officer in the Army; and stating in additional columns the amounts which the officer will from time to time, through longevity, receive as his total annual pay; and stating also in an additional column the annual money allowance which the officer will receive for commutation of quarters excluding any allowance for forage; and also inform the Senate whether or not a naval officer receiving pay and allowances at the Army rate will receive a greater amount for pay and allowances when on shore duty than when at sea, and that the Secretary be further directed to inform the Senate whether in his opinion the existing differences between sea pay, shore-duty pay, and leave or waiting-orders pay, should be abolished.

DISTINCTIVE PAPER FOR BONDS AND NOTES.

Mr. PETTIGREW submitted the following resolution; which was considered by unanimous consent, and agreed to:

Resolved, That the Secretary of the Treasury is hereby directed to send to the Senate all facts in his possession in connection with the adoption of the distinctive paper upon which United States bonds and notes are printed; and also all facts in his possession concerning the letting of the first contract for a supply of such distinctive paper, in the year 1879.

POLICY REGARDING THE PHILIPPINE ISLANDS.

Mr. SULLIVAN. I submit a resolution which I desire to have read, printed, and laid on the table.

The resolution was read, as follows:

Resolved by the Senate of the United States, That the ratification of the pending treaty of peace with Spain shall in no wise determine the policy to be pursued by the United States in regard to the Philippines, nor shall it commit this Government to a colonial policy; nor is it intended to embarrass the establishment of a stable, independent government by the people of those islands, whenever conditions make such a proceeding hopeful of successful and desirable results.

The VICE-PRESIDENT. As suggested by the Senator from Mississippi, the resolution will lie on the table and be printed.

Mr. BACON. Mr. President, I have only a word to say. While I intended to submit some remarks somewhat in reply to what the Senator from Montana [Mr. CARTER] has said in connection with the resolutions concerning which I have given notice for to-morrow, in view of the time which has passed and the desire of the Senator from New York to proceed, I will withhold what I had to say.

Mr. MASON. I understand that the unfinished business is the resolution which I have asked unanimous consent shall be voted upon one week from to-day. I desire, in order not to interrupt the Senator from New York, simply to give notice that I shall ask at the close of the morning business to-morrow to take up the resolution for passage.

I wish to say one word in reply to the Senator who objected to my having a vote taken upon the resolution. I have no disposition to intrude this question at improper times or places. I gave notice that I should ask for a vote upon the resolution before a final vote upon the treaty. I had been assured by friends of the treaty that there would be no objection and that I could undoubtedly have a vote upon the resolution. Of course I did not have an opportunity to consult every Senator.

Mr. BACON. Will the Senator permit me to say to him that several days since I gave notice to the Senate that to-morrow morning, at the conclusion of the morning business, I would ask that the Senate would take up the joint resolution which I have introduced, S. R. 211, and that would conflict with the notice which the Senator now gives?

Mr. MASON. All right; I will withdraw my notice and make it for Monday morning.

I wish simply to say one thing. I desire to be fair. I want fair treatment, and I intend to have fair treatment if I can get it. There is a class of gentlemen upon this floor who are perfectly willing to vote for the treaty, but who want an opportunity to declare as to what the policy of the treaty-making power is. I am one of those gentlemen.

I had supposed that there could be no doubt that the friends of the treaty would give me an opportunity. I do not ask you to pass the resolution. Vote against it if you like, but give us an opportunity to vote upon the question whether that is or is not the intention of this body. Mine is not a joint resolution. It does not become a law or a part of the statutes. I am asking for a simple expression of the treaty-making power that you do or do not intend to govern those people perpetually by force and against their consent.

I will say to those gentlemen who are anxious to have the treaty passed that I have not asked for an amendment of the treaty, so far as my vote is concerned. I have not asked for a delay. Those of us who believe in the Declaration of Independence have been charged with making delay, when, as a matter of fact, those having the treaty in charge by unanimous consent have fixed the time for a vote. Not one of us objected to the fixing of the time.

I desire to say very respectfully that so far as I am personally concerned, and I speak only for myself, if the alleged friends of the treaty imagine that they can assist its passage by declining to give a vote on the simple proposition that I make, namely, that all the just powers of the governed are derived from the consent of the governed and that it is not our policy or intention to perpetually govern by force a neighboring people against their will—if gentlemen feel that they can assist their treaty by refusing us even a chance to express ourselves, then they must be their own judges; they must husband their own resources.

So far as I am concerned, I consider that I have not been fairly treated unless I can have a vote upon the resolution which I offered before the treaty came in here, when in my very opening sentence I gave notice that I should ask for a vote upon the resolution before a final vote upon the treaty.

I desire to say that I have no intention to make any threats. I have no intention to injure anyone. I intend to have a vote upon the resolution if I can. I consider it manifestly unfair to my resolution, which has been pending all this time. We have been charged with delaying the treaty, when we never have delayed it five minutes, but have stood ready to vote for it in twenty-four hours. I am ready to vote for it now. But I understood from conversation on the day that unanimous consent was given that my resolution was to be voted on. I was temporarily absent. I had not been ten minutes out of the Chamber. When I came in and was informed that it had been agreed to vote upon the treaty on the 6th of February, I was also informed that we were to have a vote upon the resolution offered by the Senator from Georgia or myself, or some other resolution that should declare the policy of the treaty-making branch of the Government. I think it is only fair that I should have a vote before the treaty is voted upon.

Mr. GALLINGER. Mr. President, I rise to a question of order.

The VICE-PRESIDENT. The Senator from New Hampshire will state his question of order.

Mr. GALLINGER. The Senator from Illinois speaks of his resolution as being the unfinished business. I desire to ask the Chair what is the status of the several resolutions? As I understand the rule, they go to the Calendar unless they are retained on the table by unanimous consent.

The VICE-PRESIDENT. The resolution offered by the Senator from Illinois [Mr. MASON] is Table Calendar No. 19, resolution No. 445, and is upon the Calendar. The resolution offered by the Senator from Massachusetts [Mr. HOAR] is not upon the Calendar. It is known as resolution No. 464, and it can be taken up at the request of the Senator from Massachusetts.

Mr. GALLINGER. By unanimous consent.

The VICE-PRESIDENT. Or by a vote of the Senate.

Mr. GALLINGER. Or by a vote of the Senate.

The VICE-PRESIDENT. The unfinished business of the Senate is Senate bill 1575.

Mr. HOAR. I understood that I had the unanimous consent of the Senate to call up the resolution at any time. I hope the Senator from New Hampshire will not make that point.

Mr. GALLINGER. I will not.

Mr. HOAR. Let the Senate do what it wants with the resolution when it is brought before it, but let it go over now in accordance with the understanding.

Mr. MONEY. Mr. President, will the Senator from New York kindly yield for one moment that I may make an announcement?

Mr. PLATT of New York. Certainly.

Mr. MONEY. I desire to give notice that on next Thursday, immediately after the routine morning business is completed, I desire to address the Senate upon the resolutions on the Calendar and on the table.

PENSION APPROPRIATION BILL.

Mr. PERKINS. Mr. President——

The VICE-PRESIDENT. Does the Senator from New York yield to the Senator from California?

Mr. PLATT of New York. Certainly.

Mr. PERKINS. I simply desire to state that last evening unanimous consent was given that this morning, immediately after the consideration of the routine business, the Senate would proceed to the consideration of House bill 11157, which was then before the Senate upon its final passage, the Senators from Missouri and Maryland desiring to speak upon the pending question. I now simply desire that the Senator from New York may continue his remarks, and that that unanimous consent be continued until the close of his remarks.

The VICE-PRESIDENT. Is there any objection to the request of the Senator from California for the continuation of the unanimous-consent agreement made last evening with reference to House bill 11157? The Chair hears no objection.

ACQUISITION OF TERRITORY.

Mr. MONEY. I have just learned that the Senator from Utah [Mr. RAWLINS] has given notice that he would occupy the hour after the routine business next Thursday. I do not know what time is unoccupied. I supposed I had gone beyond the request of anyone. I do not care exactly where I come in.

Several SENATORS. Next Friday.

The VICE-PRESIDENT. Next Friday?

Mr. MONEY. On next Friday, then.

The VICE-PRESIDENT. The notice given by the Senator from Mississippi is changed to Friday next.

POLICY REGARDING THE PHILIPPINE ISLANDS.

Mr. PLATT of New York. Mr. President, I suppose I may be permitted to enjoy the same latitude of discussion and the same liberty of expression which have distinguished the remarks of other Senators during this debate. It is scarcely possible to talk to the resolution of the Senator from Missouri without saying something concerning the treaty which is being considered in executive session. Indeed, the resolution may almost be looked upon as an amendment to the treaty. If the resolution were to pass and the treaty were then to be ratified, the resolution would be nothing less than a definition of what the treaty must be understood to mean. And in voting against the resolution, which will be my course when the occasion arrives, I desire to be understood as voting against any limitation upon the terms of the treaty.

There has never been absent from the floor of the Senate that class of intellect which has found in the Constitution its warrant for opposing new things. It has always been a superior class of intellect, without doubt earnest and sincere, but not always to be appreciated by ordinary minds that believe in finding a practical solution for practical questions as they arise one after another in the course of national experience, and that starts out in its consideration of all public questions with the assumption that the founders of our Government did not intend it to be anything less than a competent government. Nor is it new things only which are so resolutely opposed in the name of the fathers. It is old things, with new faces, as well. Here we have been for a whole century annexing territory—annexing with a club or with a caress, just as the necessities demanded—and yet Senators are discovering to one another the most acute distress over what they boldly describe as a "departure from time-honored traditions."

Mr. President, it was not the main purpose of the makers of the Constitution to point out a way in accordance with which the problems of government were to be solved. That purpose, no doubt, was in their minds to some extent, but to an extent which must have had its boundaries defined in their own experience, and even then they allowed it to appear in the Constitution with reluctance and obvious misgiving. Their main purpose was to devise a plan of government, and not to ordain policies; and where they seemed to be ordaining policies, where they departed from the main work of establishing the bodies which together should form the Government, and of distributing to each its particular functions, they were doing precisely what every other legislative assembly before their time and subsequently thereto has had to do—they were satisfying popular prejudices and looking forward to the day when their work would be passed upon by minds less trained than their own in the consideration of great principles and more subject than theirs to temporary and local prejudice.

I do not mean to suggest, Mr. President, that such legislation as does occur in the Constitution is any less binding upon us because it was put there as a concession to the sentiment of the hour, but I do affirm without hesitation that the inferences which we draw now from such legislation, limiting the power of the General Government and tending to render our Government less competent than other governments, need to be drawn carefully and need to be considered in the light of the whole scheme of Federal authority. It is true that we are a Government of limited powers, but the purpose of the limitation was simply to reserve to the people of the States such ample power as would enable them to determine their own affairs in their own way—such affairs, I mean, as were not also the affairs of the people of other States; and it was not the purpose of such limitation to hinder the Federal Government in providing as might seem best and wisest for the general welfare of the whole country.

It is surprising, Mr. President, how often it has been necessary to make this argument and to call attention to these distinctions, and yet I suppose the temptation is a natural one to make the phrase "a government of limited powers" mean a government empowered to do whatever each man wants done, but forbidden to do whatever each man opposes. That thought must have occurred, it seems to me, to every Senator who heard the proposition advanced here that we had the right under the Constitution to annex territory for the purpose of putting up guns to kill people with, but lacked the right of annexing it for the purpose of putting up schoolhouses and of doing the things that contribute to the happiness and prosperity of the people concerned.

The disorder now existing in the Philippine Islands, to which Senators who are opposing the treaty may well afford to consider how far they are contributing, the unwillingness of the armed natives to accept American authority, does not constitute, in my mind, the slightest ground on which to base a vote against the Paris agreement. On the contrary, it affords a new reason why our action should be the more prompt and unanimous. No Senator has had the hardihood to suggest that we shall now return these islands to the Spanish Government, and no other disposition of them than that is inconsistent with a vote to confirm the treaty. Imputations have been made here upon the purposes of those who advocate the assumption by the United States of Philippine sovereignty which can scarcely be genuine.

All this talk about forcing our Government upon an unwilling people, all this eloquent invocation of the spirit of the Declaration of Independence, is far and away from any real point that concerns the Senate in this discussion. No Senator can suppose that there exists an American statesman who approaches the consideration of the Philippine problem with any other than the most benevolent intentions concerning the Filipinos and their future. There are reasons why the natives of these islands, after their experience with Spanish misrule, should misunderstand the presence at Manila of an American army, but there is no reason why an American Senator should misunderstand it, and no justification of his course in misrepresenting it. He knows that there is no American in all this broad land who wishes any other fate to any single native of the Philippine Islands than his free enjoyment of a prosperous life.

He knows that close in the wake of American rule there would come to the Filipinos a liberty that they have never known and a far greater liberty than they could ever have under the arrogant rule of a native dictator. He knows, moreover, that it would be self-rule, the rule of the islanders to the full extent of their capacity in that direction, and that each successive American President would welcome the time when he could recommend new leases of self-government to an advancing and improving people. The Filipinos may not know these things yet, but every American Senator knows them, and puts himself and his country in a false position when, by attributing the spirit of conquest and aggression to those whose policy has rescued the Filipinos from Spain and would now rescue them from native tyrants, he encourages them to doubt the generous sentiment of our people.

I do not say that these considerations are absolutely conclusive of our right and duty to assume the direct and exclusive government of the Philippines, for we have our own interests to think about, but certainly they forbid the use on this floor of any argument which tends to imperil the safety of our troops at Manila or which adds one whit to the embarrassment of the Administration in the trying situation by which it is confronted.

Mr. President, I do not know, and I do not think anyone else can know, just what ought to be done with the Philippine Islands beyond this—that we ought, as instantly as possible, to complete the withdrawal of their sovereignty from the Kingdom of Spain, and that we ought ourselves to assume its obligations and prudently to discharge them until we have had full opportunity in our own councils to determine its best disposition. This is all that the treaty of Paris proposes or imposes. It is all that the Administration has at any time suggested. It is no more than a safe and conservative policy advises. It is no less than our public obligations require. It is a plain, clear, positive duty. It is one of those duties that are not to be got rid of by evasion nor even by denial. It would remain after you had rejected the treaty. It lies in the nature of the situation. Your army, your navy, and your flag are at Manila. You can add to their dangers if you will. But their duty abides, and the will of the nation must be done.

Mr. CHILTON. Mr. President, I wish to give notice—notice having been given by other Senators that they will occupy the intervening days—that on Saturday of next week I shall address the Senate after the close of the routine morning business on the joint resolution introduced by the Senator from Missouri [Mr. VEST].

Mr. FAIRBANKS. Mr. President, on yesterday there was introduced into the RECORD a number of clippings purporting to have come from certain agricultural papers in opposition to annexation. No doubt other Senators as well as myself have from time to time received articles from some agricultural papers in opposition to this policy. It is perhaps proper that we should put into the RECORD some slight evidence bearing upon the manner in which adverse sentiment is sought to be created.

It will be observed that there is a systematic and subtle attempt to mislead the judgment and the opinion of the country. I am informed that the editor of an agricultural paper in Springfield, Mass., in December last sent to other agricultural papers Mr. Carnegie's letter to Secretary Wilson against annexation.

The editor requested the papers to publish the letter and to send

a copy to every Senator and to every Representative, and to render the writer bill for all charges. Later he sent to the agricultural press a card, which I ask to be inserted as a part of my remarks.

The Secretary read as follows:

Please mail two marked copies of issue containing Mr. Carnegie's letter of December 2 to Secretary Wilson to Andrew Carnegie, 5 West Fifty-first street, New York; also send one marked copy to each of the following at Washington, D. C., in addition to one to each Senator and Representative at Washington, as already ordered, including the whole in one bill: The President, the Vice-President, Secretary Wilson, Secretary Hay, Secretary Gage, Secretary Alger, Secretary McKenna, Secretary Smith, Secretary Long, and Secretary Bliss.

Mr. FAIRBANKS. On December 31 the editor addressed another letter to the agricultural press. In the interest of historical accuracy, I send this letter to the desk to be read as a part of my remarks.

The Secretary read as follows:

SPRINGFIELD, MASS., *December 31, 1898.*

MY DEAR EDITOR: Will you please send me one or more clippings from your journal containing your views or anything you have printed regarding annexation, imperialism, militarism, etc. If you have not printed anything on the subject and propose to do so, an advance copy of the same would serve my purpose and avoid the delay of waiting for it to appear.

I am getting together the views of the entire agricultural press on this subject for presentation to Congress. If you make any charge for sending these slips, I will be happy to pay it, for I feel most strongly that annexation of the East and West Indies will disastrously affect the interest of our American farmers.

Please reply instantly by next mail, as time is short. Addressed stamped envelope inclosed.

Thanking you in advance, yours, very truly,

HERBERT MYRICK, *President and Editor.*

Mr. CHANDLER. I should like to ask upon what bill or resolution the Senator from Indiana [Mr. FAIRBANKS] was speaking, or was it a personal explanation?

Mr. FAIRBANKS. It was pertinent to the joint resolution introduced by the Senator from Missouri [Mr. VEST].

Mr. CHANDLER. Mr. President, speaking to the same joint resolution, I want to ask the Senator from Indiana to say whether he objects to the payment of the necessary and legitimate expenses of having the views of the agriculturists of this country presented in the form of petitions to Congress? The Senator certainly had some object in the remarks he made. He either approves or he censures the proceedings which are being taken to present such views, under the sacred right of petition, to Congress.

Now, I want to know whether he objects to the method which has been adopted? There seems to have been a payment of money made for the expenses of this movement. I did not learn whether or not it appeared who paid the money. I should like to have the Senator state, if the documents which he presented show the fact, who is paying the bills for the proper presentation of the views of the farmers of the country to Congress, and whether the Senator from Indiana objects to it?

Mr. FAIRBANKS. Mr. President, the Senator from Indiana simply submitted the information as supplemental to that which was furnished by the distinguished junior Senator from Illinois [Mr. MASON] yesterday.

It would seem from what has been said that the clippings which have been procured for influencing Congress have been procured at somebody's expense; that Mr. Carnegie's letter has also been very systematically distributed through some portion of the agricultural press. But who paid the bills, if any there were, I do not know, nor do I undertake to say.

I have neither commendation nor criticism to offer. I have submitted for the information of the Senate the facts put in my hands, and it is for the Senator to put his own construction upon them.

Mr. CHANDLER. It seems to me we have the right to know the views the Senator from Indiana entertains when he puts in these documents. They are long and somewhat obscure, and they are put in for a purpose; otherwise the Senator would not have them put in the RECORD. Now, does the Senator undertake to either criticise or condemn the agriculturists of the country or Mr. Andrew Carnegie for paying the expenses of the agricultural press of the country in making the representations they choose to make to the Senate in reference to the policy of expansion?

Mr. HOAR. Mr. President, I have but a word to say. What has appeared in the Senate, as I understand it, is exactly this: That the editor of an agricultural paper, much interested in resisting the policy of contracting the Republic and expanding the domain of empire and irresponsible and despotic government in this world, and being of opinion that the farmers of this country, both as American citizens and as engaged in the great employment of agriculture, are to be great sufferers thereby, has gathered for the information of the public and the Senate the opinion of the agricultural press on that subject for the purpose of submitting it to us and to the people. If there could be a more absolutely harmless and a more absolutely desirable thing to do, I can not conceive of it.

Why, Mr. President, I suppose when my honorable friend from Indiana [Mr. FAIRBANKS] makes a speech which he thinks will instruct his constituents or be interesting to them, he has it printed at his own cost, and it is dispersed to the people at the cost of the nation through the mails, free; and in the case of so eminent a Senator as the Senator from Indiana, other Senators subscribe for and send copies of his arguments to their constituents. Is there any criticism to be made of an American citizen, deeply interested and concerned by a great danger to the Republic and to liberty and to honesty, as he conceives it, gathering from the agricultural press, which represents to a large extent the farming opinion of this country, their opinions and sending them to us? Is there any objection to a person who wishes to disseminate the views which he entertains, sending those views to the papers and having them paid for as advertisements or otherwise, as a mode of circulating, instead of printing pamphlets? I can not conceive of any just criticism.

I should welcome for my own instruction a corresponding action on the part of the friends of this policy, which I regard as so dangerous and destructive to the country, and indeed there are many of them who are doing the same thing. I have received abundant clippings from newspapers all over the country favoring this expansion business. Somebody sends them to me. I do not understand that the Senator from Indiana has made any objection to that thing being done on that side of the question. They are not infrequently accompanied with not only expressions of the opinion of the editor as to the policy to be pursued, but they very clearly state the opinion of the editor as to the character of any humble individual who may happen to differ from him. I do not object. I think it is a good plan for a man to have the mirror held up to his nature in that way. It does not hurt anybody.

Mr. CHANDLER. May I ask the Senator whether he knows of any man with money, more or less, who is engaged in the business of collecting newspaper expressions, securing their publication, and then collecting them on what is called the expansion side of the question, to which the Senator is opposed?

Mr. HOAR. I suppose the men who collect newspaper clippings, send them to me, and pay postage have money, more or less, to use the Senator's phrase, or they would not do it. It can not be done for nothing. I do not remember particularly who the persons are, but I have the names of some of them.

Mr. CHANDLER. The Senator, I think, meant to convey the impression that there was a systematic attempt to do it, like that which the Senator from Indiana has shown exists upon the other side.

Mr. HOAR. I did not mean to convey an impression, if the Senator will pardon me. I meant to state, as clearly and distinctly as I knew how, a fact.

Mr. CHANDLER. Does the Senator say that there is a systematic gathering in of petitions and newspaper extracts to present to Congress, carried on and paid for by money, in favor of the views which the Senator from Massachusetts is opposing?

Mr. HOAR. I do not know what the Senator means by a "systematic gathering in." That is a very vague and indefinite phrase. I stated with absolute distinctness the fact, and it is a thing which takes place in regard to every important subject of political controversy in this country. When we have a tariff pending, somebody takes the pains to gather and make known to Senators the opinions of the press about questions relating to protection or free trade.

I wish to repeat, that if any gentleman, rich or poor, on either side of this question, has spent his money to gather arguments on either side which are contained in the public press, and to present them to us for our information, he has, in my judgment, and I suppose in the judgment of the Senator from New Hampshire [Mr. CHANDLER], done a beneficial and laudable thing, on whichever side of the question he does it. Who does not want to know, if there is a great public question up, what the Concord Monitor thinks? [Laughter.] Why, Mr. President, if we are to have wisdom, we must go to the sources of wisdom; and if my honorable friend from New Hampshire can contribute either by pen or voice to any public discussion interesting the people or interesting the Senate, his contributions are always welcome and instructive, certainly to me for one, and I think to his associates in general. If that be true of him, it is true in many cases, of course in a less degree, but still true of the press throughout the country.

Mr. MASON. Mr. President——

Mr. CARTER. Before the Senator from Massachusetts resumes his seat, with his permission I should like to ask him a question.

Mr. HOAR. I shall be glad to answer any question which the Senator puts, if I can.

The VICE-PRESIDENT. Does the Senator from Illinois yield to the Senator from Montana?

Mr. MASON. Yes, sir.

Mr. CARTER. I agree with the Senator from Massachusetts that his public-spirited constituent has a perfect right to pay for the insertion of Mr. Carnegie's letter in the agricultural papers throughout the country. I desire to know, however, whether he

discerns any moral turpitude in the effort manifested through this correspondence of his constituent to purchase editorial expressions favorable to the policy outlined in that letter?

Mr. HOAR. I have not seen or heard any such suggestion. If the Senator wishes to ask me the abstract question whether, in my judgment, it is an act of moral turpitude to purchase of an editor his opinion, which otherwise would not be given on that side, by a payment of money directly or indirectly, I suppose there could be but one answer to such a question as that. It is moral turpitude.

Mr. MASON. I desire to say——

Mr. TILLMAN. Will the Senator from Illinois allow me?

Mr. MASON. Yesterday I had an order from the Senate for publishing certain papers in the RECORD, to which I suppose this discussion is directed. I examined the matter——

Mr. TILLMAN. Will the Senator allow me for a moment?

Mr. MASON. I beg your pardon. I will be through in a minute, but I will yield to the Senator if he wishes to ask a question.

Mr. TILLMAN. I wish to ask a question relating to the subject these Senators have been discussing.

Mr. MASON. You can ask the question. I am perfectly willing to yield to the Senator for that purpose.

Mr. TILLMAN. I wish to ask the Senator from New Hampshire [Mr. CHANDLER] and the Senator from Indiana [Mr. FAIRBANKS], who, I am sure, are both well posted on the subject, as to the sources of the various memorials and the infinite amount of information or misinformation which have come to this body in regard to the anti-scalping bill, how that originated, and whether anybody paid for that?

Mr. FAIRBANKS. Mr. President, answering for myself, I have to say that I have no knowledge of any kind or character upon the subject.

Mr. CHANDLER. Mr. President, answering for myself, I will say that when the anti-scalping bill comes up for consideration I small exhibit, with the help of the Senator from South Carolina [Mr. TILLMAN], in full the methods that were used to produce the public opinion proceeding from the four and a half million people, as stated by the Senator from New Jersey [Mr. SEWELL], in behalf of that bill.

Mr. MASON. Mr. President, I desire to say in this connection, because the discussion refers to the insertion in the RECORD yesterday of the clippings from agricultural papers which I presented, that they were sent to me, but with no request that they be printed. It was my own idea to give to my colleagues the benefit of the opinion of the agricultural newspapers of the country. There is nothing, so far as I have been able to find, except the statement made by the Senator from Indiana [Mr. FAIRBANKS], that these editorials were paid matter. I see nothing that would indicate that the editors of the great agricultural papers of the country have been paid to give expressions editorially; and I think the statement is exceedingly unfortunate, to say the least, for there is nothing so far which has been inserted in the RECORD to indicate that these great newspapers have been paid so much a line for editorial expressions or editorial comments. I believe that is not in the range of possibility.

I recognize among the papers which I had inserted in the RECORD the Maine Farmer, published at Augusta; the New Hampshire Mirror and Farmer, of Manchester, N. H., and the Rural New Yorker. The article from that paper, however, is not, I believe, an editorial, but an alleged poem written after the old New England style, which brought to my mind information for which I and the Senate ought to be thankful.

Mr. HOAR. I desire to suggest to my honorable friend if it is a poem in the old New England style he has no right to speak of it in that way.

Mr. MASON. I said it was "an alleged poem," but it gives some information which I think some of these gentlemen ought to have. I did not have that information before. It begins in this way:

> What's this I hear? Australia has the job of selling sheep
> To feed our Yankee boys in blue? That makes my dander creep!

I wonder if all the gentlemen who are so crazy—I do not mean absolutely insane, but who are partially demented upon this question—realize the fact that we are feeding our own Army from another country? If the agricultural papers have done nothing else, they have at least called attention to the fact that when we annex great territories, and, as is proposed, grow rich by governing people without their consent, after we have thoroughly asserted the doctrine of our religion at the point of the gun, and after having thoroughly subdued them, we are to feed our standing armies by the products of the farms of Australia.

I now simply wish to make this suggestion. I offered these clippings in good faith. I do not believe the agricultural editors of this country were born with their hands behind them; I do not believe they have changed their editorial opinions at so much a line; I do not believe there is money enough in this country to make them do that, and I think it is exceedingly unfortunate that the Senator from Indiana should say that he understands these editorials were inserted as paid matter. I have inserted them in the CONGRESSIONAL RECORD in order to afford an opportunity for all to see and know what the farmers think about this question.

I am a protectionist, and I have for a long time realized as a protectionist that we are building up factories in this country and furnishing to the farmers a home market; but it is not always and at all times and places equal to the burden upon the farmers. I have sought to find, with the help of the leaders of my party, some way to counterbalance that disadvantage, if possible, and now the agriculturists of this country, speaking through their newspapers, say to us: "You do not intend to use the product of our farms, though you are going to violate your Constitution and the Declaration of Independence. You are going to subdue those people; you are going to make them wear shirts whether they want shirts or not, in order to increase the price of calico in New England."

After having done that, and while your army is there subduing those people and teaching them the beauties of Christian civilization with guns and forts, the agricultural papers call attention to the fact that you do not even increase the demand for the produce of the farm, that the game is not worth the powder, and that you are spending money and spending men to carry out your desire of governing people without their consent, adding the tinsel and gewgaws of royalty to put upon the leaders of Tammany Hall or some other distinguished statesmen who may become the governors of those islands and govern them without their consent. It has been driven into the minds of the people of this country that we are about to do that. It is said we have had a great trust thrust upon us; that, like the good Samaritan, we have to give the man who has fallen by the wayside a dose of our medicine until he should draw on us a gun from his pocket and say, "Hands off!" telling us as good Samaritans we can increase our trade and commerce to furnish a market for our goods, and yet by the very statement of these people who represent the agriculturists of this country you show by your own conduct that you are feeding an American army with meat and vegetables from Australia.

PENSION APPROPRIATION BILL.

Mr. PERKINS. In accordance with the unanimous consent which has already been granted, I ask the Senate to proceed to the consideration of the bill (H. R. 11157) making appropriations for invalid and other pensions of the United States for the fiscal year ending June 30, 1900, and for other purposes.

The Senate resumed the consideration of the bill.

The VICE-PRESIDENT. The question is, Shall the bill pass?

Mr. COCKRELL. Mr. President, the Senator from Maryland [Mr. GORMAN], who will be here in a moment, having been called out of the Chamber for a few minutes, desires to make some remarks upon the bill. He was not present yesterday evening when the bill was about to be passed. It is now beyond amendment, as I understand the Chair. It may be that when the Senator from Maryland addresses the Senate he will desire to offer some amendments to the bill. I am not certain of that. In the event that he does, I trust the Senator from California in charge of the bill will kindly consent that a reconsideration of the vote may be had.

Mr. President, in this bill there is no attempt to change existing laws in regard to the persons entitled to pensions or the rates of compensation. The amendment which was offered by the junior Senator from Mississippi [Mr. SULLIVAN] yesterday evening was a very important amendment, and one that should certainly receive full and favorable consideration at the hands of the Committee on Pensions. The Senator in charge of the bill having made the point of order that the amendment proposed general legislation upon an appropriation bill, and was not, therefore, in order, the Chair very promptly and properly sustained the point. It was clearly not admissible when the point of order was made. But it is a question which should be fully considered by the Committee on Appropriations, and I trust that they will consider the question and report to the Senate.

The suggestions I made yesterday evening were because I believed the amendment as it was at first worded might tend to increase the number of persons who were entitled to pensions as widows. But that was very promptly and properly removed by the substitute offered by the Senator from Mississippi.

Mr. VEST. I should like to ask my colleague a question.

Mr. COCKRELL. Certainly.

Mr. VEST. I was called out of the Senate last evening when an amendment was pending offered by some Senator, substantially the same as the bill which the Senate passed last session in regard to widows. Was a point of order raised against that?

Mr. COCKRELL. A point of order was raised against the amendment, and the Chair excluded it.

Mr. GALLINGER. It was ruled out on a point of order.

Mr. COCKRELL. It was ruled out on a point of order. I trust that the Committee on Pensions will not slack their energies in

regard to the question of widows involved in an amendment which was also offered to this bill and ruled out on a point of order. I think those two questions should be fully considered by the Committee on Pensions.

Mr. GORMAN. Mr. President, the pending pension appropriation bill contains appropriations amounting to $145,233,880, which is a very large sum of money, and is, as I understand it, in conformity with the estimates of the Department. I should like to ask the Senator from California who is in charge of the bill if in his judgment after examination—a careful one, such as I am quite certain he has given to it—he believes that $145,000,000 is a sufficient amount to pay the pensions that will accrue during the coming fiscal year, or are we to have, as we have had frequently heretofore, a large deficiency on this item, to come in later?

Before the Senator from California answers the question, I will state, in order that he may be in possession of all the facts I have, that I find from the Commissioner's report that while the bill conforms to his estimate, there are now in the office to be adjusted original claims of 200,000 living Union soldiers who have not at any time heretofore had a pension granted. With the facilities for expediting these claims through the Department I should like to ask whether or not the new additions that will be made in the year will not increase the payments to be made, so that we will have a deficiency of several million dollars?

In addition to that the Commissioner very frankly states that this estimate does not make provision for the claims growing out of the war with Spain which will be filed by soldiers who served in that war. I can understand perfectly that it would be impossible at this early day for the Commissioner to form any sort of an accurate estimate as to how many applicants for pensions there will be because of service in Cuba and Porto Rico and Manila. We should consider the immense amount of sickness which has been caused by the transfer of our people from this northern climate to the Tropics. It is said that 17 per cent of them have been and are now affected by diseases which in all probability will entitle them, or a large part of them, to pensions under the general law. So this measure which we are passing here as a mere matter of form, embracing within its fold $148,000,000, going through as a matter of course, provides for only those now on the rolls who served in the Union Army from 1861 to 1865, or in the Mexican war, and the small number of pensions growing out of the war of 1812.

In addition to that we have also appropriated, not in this bill, but in other bills—and the amount may be increased during the next fiscal year and probably it will be—the sum of $2,841,021 for National Homes and $825,000 for State Homes, which the States maintain, but we aid to that extent, which will make the expenditure for pensions and Soldiers' Homes for the next fiscal year aggregate $152,431,992. To that we must add, as I have said, whatever comes from the present war on account of all the men who have suffered and who are disabled because of diseases contracted in Cuba, Porto Rico, and Manila. We must provide also for the great number of troops that the War Department has assigned to those three places. The best testimony I have been able to gather, commencing with the General in Command of the Army and the Adjutant-General of the Army, is that if 50,000 men are maintained in Cuba for six months one-half of them will be brought home disabled, a portion of them permanently disabled, because of disease contracted in the service.

Mr. HALE. Will the Senator from Maryland allow me to make a suggestion?

Mr. GORMAN. Certainly.

Mr. HALE. I think the crippling and destruction of our troops in Cuba and Manila will be far beyond what the Senator states. In conversation only a few days ago with a distinguished officer connected with our forces in Cuba, who is now here, he stated that if the troops were not withdrawn from there before July or August, substantially the entire army would be down with sickness and would have to be ordered home, and would be broken men. So the Senator has not stated his case too strongly.

Mr. GORMAN. I am very much indebted to the Senator from Maine for the information.

Mr. HOAR. Will the Senator from Maryland allow me to make a suggestion in this connection? Has the Senator read the official English reports of the diseases of the English army in the tropical countries? I have received within a day or two the English Parliamentary reports, and I have also seen, although not the official ones, the French reports. The English reports show that in India and in some other of her tropical colonies the number of soldiers committed to her hospitals annually, in addition to those who are sick in their tents, considerably exceeds the entire number of soldiers. Of course where, in some instances, a man is committed once and discharged and then committed again, he is counted twice. I ask the Senator if he has examined those English reports?

Mr. GORMAN. In answer to the Senator from Massachusetts, I will say that my attention has been called to the statements, but I have not been able to give them the thorough and complete examination which I hope to give to them a little later on.

Mr. GALLINGER. I beg the Senator's pardon. With the Senator's permission——

Mr. GORMAN. I will yield with great pleasure if the Senator will permit me to complete the sentence.

Mr. GALLINGER. Certainly.

Mr. GORMAN. But I have gone into the matter fully enough to satisfy me that with the present force which we have, distributed as they are—50,000 in Cuba, 20,000 in Manila, 6,000 in Porto Rico, and the balance of our troops that we are to keep upon the Southern border of our own country—if they are retained until September next, it will unquestionably swell the rolls of proper applicants for pensions at least 50,000 beyond the 200,000 now pending. Now I will listen with pleasure to the Senator from New Hampshire.

Mr. GALLINGER. Mr. President, I regret that the senior Senator from Massachusetts [Mr. HOAR] has left the Chamber. I meant to propound the inquiry to him, inasmuch as I have had occasion to look over those English reports, as well as the French reports, whether a very large percentage of the diseases that the English and French soldiers are suffering from are not preventable diseases; and while I do not intend to minimize the importance of the statement——

Mr. SPOONER. They are preventable.

Mr. GALLINGER. Yes, as is suggested to me by the Senator from Wisconsin, I ought to have made the statement a little stronger and said they are preventable. While I do not undertake to minimize the importance of the statement made by the Senator from Maryland or the Senator from Massachusetts, yet it is well enough for us to understand that a false impression goes out when it is said that every soldier in the English army has had hospital experience.

Mr. GORMAN. Mr. President, I do not desire to be understood by any Senator as being antagonistic to the system, and I am sure no Senator, in view of the course I have always pursued in granting pensions to the men who have served in the Army and Navy, having always voted for liberal pensions to every man who has been disabled, will so understand me, but on more than one occasion I have felt it to be my duty to call the attention of the Senate, so far as I could, and that of the country, to the enormous amount we are paying on account of pensions. I prepared, through experts of my own selection, when the last general pension bill was passed, a statement showing that the amount of pensions under the law of 1890 would exceed $160,000,000 per annum.

Mr. JONES of Arkansas. I rise to a question of order. It is utterly impossible to hear what is going on in the Senate.

The VICE-PRESIDENT. The Senate will be in order.

Mr. GORMAN. I am aware that this is a very dry subject and not of very much importance, as there are only a hundred and fifty or a hundred and sixty or a hundred and seventy million dollars of the people's money involved; but the country after a while will probably get hold of these figures, and those who pay the taxes, I say to my friend, the Senator from Arkansas, will probably listen and digest the matter to some extent.

Mr. President, the Senator from Massachusetts has called my attention to the reports as to the operation of the English army in southern climates, showing the immense number who are affected in those climates. I read two short extracts:

SICK RATE IN THE BRITISH ARMY IN INDIA.

[Medical Department Report for 1896, Parliamentary Blue Book.]

In computing the probable rate of sickness and disability among American troops in tropical countries, especially in the Philippine Islands, it must be kept in mind that the latter are close to the equator, latitude 4.40° to 20° north, while India extends from 8° to 35° north. India is, as a rule, dry and possesses numerous health stations or cantonments on the hills, while the climate of the Philippines is damp and malarious. Even in comparing the hot and malarious parts of India with the Philippines, it must be kept in mind that English troops are all regulars, that the number at each station is relatively small, and that at each station all the precautions known to modern sanitary science are taken in order to keep the sick rate low. In the Philippines none of these precautions have been taken, no well-prepared stations exist, sanitary science is unknown, and our troops must be mostly volunteers, under the direction, mainly, of inexperienced and ill-prepared line officers. With these facts in mind, the following figures may give warning:

General average of India, number of warrant officers, noncommissioned officers, and men in service, 1896	70,484
Admission to hospitals	97,738
Admissions per 1,000	1,386.7
Average sick time, each soldier, days	34.35
Number constantly sick	93.85

The above averages cover the so-called health stations as well as the plains.

For a true comparison with the Philippine Islands the condition of the troops on the plains must be taken, although the stations are, as a rule, dry, and are much farther north.

* * * * * * *

It may be safely assumed that the sick rate in the Philippines will in some measure correspond to the stations on the plains in India, adding whatever may be due to the humid climate, the lack of hospitals, etc., and the ignorance of line officers. The sick rate in the hill stations will correspond to what may be expected in Cuba and Porto Rico in the country districts, while the cities will for the present be worse than Bombay, Madras, Calcutta, etc., where about the average of India is found, 1,400 admissions to hospital in each 1,000 and a fraction less than 10 per cent constantly sick. Some of the

regiments suffer more than others; apparently those most recently recruited. The figures of the proportion constantly in hospital are suggestive:

Command.	Strength.	Constantly sick.
First Royal Fusiliers	931	118.61
Second Royal Irish	955	136.35
First Royal Welsh	877	140.19
Second Welsh	921	132.21

Another fact will be observed, namely, the increasing tendency to venereal disease of the most malignant type, which develops rapidly when the hopeless conditions of military service in the Tropics become apparent.

No precaution, notwithstanding the splendid skill shown by the head of the Medical Department of our Army, which is so much commended and admired by all those who served in Cuba and Porto Rico during the last year, will prevent our soldiers from contracting the diseases which the English soldiers contract in southern climates.

Just here I may say that if the authorities of this Government, warned by the experience of other nations which have attempted to keep their men in the Tropics, will change the rule, if we are to hold possession, and organize this force so as to be officered by our men, but composed of natives who can endure the climate, we would not have in either Hall of Congress constant appeals and demands for the increase of the Regular Army to 100,000 men to be enlisted from our own people.

But aside from that, coming back to the matter of pensions, this country ought to know that the policy which we are now pursuing—the policy, so far as I know it and as the public knows it, of the President and the Administration, which is being attempted to be forced through Congress—means that in three years from this date the pension roll alone will amount to $165,000,000 per annum. If you add to it the cost of maintaining the enlarged Army at the rate of a thousand dollars a man, in the year 1900 the American Republic will spend more for its soldiers who have served it heretofore and for those who are serving it now and who will be serving it then, if the Army is increased to 100,000, than any other nation on the face of the earth. That is the condition which the American people will have to face, and they ought to know now in advance what the situation will be if the schemes, if I may so call them, or the projects that are being forced upon us are carried out.

Mr. JONES of Arkansas. Mr. President, I have no desire to make a speech on this occasion, but I have a pamphlet in my hand, in two parts—"I. The cost of a national crime; II. The hell of war and its penalties"—written by Edward Atkinson, of Brookline, Mass. It is full of statistics and valuable information bearing on this point, and I ask unanimous consent that it may be inserted in the RECORD, as I do not care to detain the Senate by reading it.

Mr. LODGE. Why should those pamphlets be inserted in the RECORD?

Mr. ALLISON. Let them be printed as a document.

Mr. TELLER. Print them as a document.

Mr. GALLINGER. That would be the better way.

Mr. JONES of Arkansas. I should like to have the matter printed in the RECORD.

Mr. PLATT of Connecticut. Then no one will ever see it.

Mr. JONES of Arkansas. If persons do not want to read it, they need not do so, but I should like to have it printed in the RECORD and as a document also.

Mr. TELLER. Oh, no. Print it as a document.

Mr. TILLMAN. The Senator from Arkansas can get it in the RECORD by reading it.

Mr. JONES of Arkansas. Certainly; and I propose to do it, if it can not be printed otherwise. Mr. President, is there objection to printing it in the RECORD?

Mr. PLATT of Connecticut. I think we all ought to object to the request made by the Senator from Arkansas to print in the RECORD a particular document that somebody outside of Congress has written. There are a dozen documents on this subject which are just as important as the one presented by the Senator from Arkansas; we can not print them all in the RECORD, and I think the better way is not to print any of them.

Mr. JONES of Arkansas. There is no objection to matters of this kind, if they state the truth, which are prepared by intelligent citizens of the United States who have gone to the trouble to compile the statistics, being seen and read and known by the people of the United States. If they are not true they can be contradicted by the gentlemen who know what is the truth in the matter. I do not propose to detain the Senate any further, Mr. President, and as I should like to have this go to the American public, I shall trespass on the time of the Senate far enough to read it.

Mr. SPOONER. I hope the Senator will withdraw his objection. It will go into the RECORD. It is within the power of any Senator, according to the custom of the Senate, no matter if all other Senators object, to incorporate a paper in the RECORD by reading it, and the Senator from Arkansas ought not to be put to that trouble. He will take it. We may need a modification of our rules, but as the rule stands it is absolutely idle to object.

Mr. LODGE. Mr. President——

The VICE-PRESIDENT. The Chair recognizes the Senator from Massachusetts, with the permission of the Senator from Arkansas.

Mr. JONES of Arkansas. Certainly.

Mr. LODGE. Will the Senator from Arkansas allow me to say one word, simply in the capacity of chairman of the Committee on Printing? I have no objection to this pamphlet going into the RECORD any more than anything else, but if one pamphlet is put in, why not another? We are deluged every day with pamphlets on one side or the other, and of equal merit.

If we are going to open the RECORD to all the pamphlets that are written on every public question, it will swell the cost of printing enormously. There is no use in my making an objection, because the Senator from Arkansas can read the pamphlet and thus put it in, and I have no desire by any objection to subject him to that annoyance; but I merely wish to say, as the printing comes under my supervision to a certain extent, that I think we are entering on a field of great expenditure by the practice of printing long pamphlets, books even, in the RECORD, so that they may be sent through the mails free. If this custom is kept up there is nothing to prevent the loading of the RECORD with books and loading the mail in consequence with an immense amount of matter. I shall make no objection, because I do not desire to make the Senator from Arkansas read the pamphlet.

Mr. SPOONER. Will the Senator allow me a moment?

Mr. JONES of Arkansas. Certainly.

Mr. SPOONER. I do not know of anyone more accurate in speech than the Senator from Massachusetts, but when he says we are entering upon a practice which will be of great expense to the Government he ought to say that we long ago entered upon it.

Mr. LODGE. I admit that we long ago entered upon it, and I think it is an extremely bad practice.

Mr. JONES of Arkansas. It has been a practice without variation.

Mr. SPOONER. It has been going on without modification.

Mr. LODGE. It is a bad practice and it ought to be stopped. It ought not to be any longer allowed, in my judgment.

Mr. JONES of Arkansas. I object to its being stopped at this particular juncture. I ask unanimous consent for the printing of the matter in the RECORD.

Mr. SPOONER. Does the Senator from Massachusetts withdraw his objection?

Mr. LODGE. I make no objection. It is useless.

The VICE-PRESIDENT. Is there objection to printing in the RECORD the papers referred to? The Chair hears none, and the order is made.

Mr. HOAR. Will the Senator from Arkansas pardon me a moment?

Mr. JONES of Arkansas. Certainly.

Mr. HOAR. I should like to ask unanimous consent (I am sure no Senator will object) to printing as a document two English reports of the medical department of the army. They are very brief, being almost entirely statistical. There are only three or four pages, if I recollect aright, of each, and I am sure, whatever view a Senator may take of this question, he will like to have these reports before him. If they should be quoted, as, if I have occasion to speak again hereafter, I shall probably quote them, I think Senators who disagree with me will think there may be something in them which ought to modify the conclusions I have derived from them, and justice to them would seem to require that these articles should be printed as a document. I do not ask that they be printed in the RECORD.

Mr. JONES of Arkansas. At the suggestion of a number of Senators, I will suggest that the papers I have presented be printed as a document and not be printed in the RECORD.

Mr. GALLINGER. That is right.

The VICE-PRESIDENT. The Senate has heard both the request made by the Senator from Massachusetts and that made by the Senator from Arkansas to print as a document the matter referred to by each of the Senators. Is there any objection? The Chair hears none, and the order is made.

Mr. PERKINS. Mr. President, I desire to say but one word in reply to the distinguished Senator from Maryland [Mr. GORMAN]. Your committee, as I stated yesterday, have recommended that no appropriations be made except for those pensions which are provided for by law, and in arriving at the amount required they necessarily must consult the Chief of the Bureau of Pensions, which they did. There was a careful examination of his report. There was also an examination by the committee of the House of Representatives and his statement was there taken down. The estimate which he has given, which is embraced in this bill, is $4,000,000 more than was appropriated last year. It was his judgment and opinion, sustained by his assistants in the Bureau, that this sum would be ample to pay the pensions for 1900.

When asked in relation to the probable increase of pensions by

reason of our recent war with Spain, he replied that he had considered the subject; that it was entirely problematical of course; and he had estimated $150,000,000; but upon reflection and in view of the war closing much sooner than was anticipated he thought the sum estimated would be ample. The pensions that we are paying as a result of the war of 1812 have nearly passed away. In the case of those prior to 1861, the Indian wars, nature has paid the pensions. The soldiers of those wars have gone to "that bourne from whence no traveler returns." A generation has passed away—thirty-three years—since our civil war. By death and by expiration of the minority period of orphans and other causes some 47,000 were dropped last year from the pension rolls.

After considering all the conditions that exist, your committee have not deemed it wise or expedient to raise the amount or recommend that a larger sum be appropriated than that which was recommended by the Commissioner of Pensions and which met the approval of the Secretary of the Interior.

Mr. GORMAN. Will the Senator from California permit me to ask him a question?

Mr. PERKINS. Certainly.

Mr. GORMAN. Do I understand the Senator to say that the one hundred and forty-odd million dollars estimated will be increased on account of the soldiers who served in the war with Spain?

Mr. PERKINS. The Commissioner of Pensions, in his examination before the House committee, was asked the following question:

What do you estimate the claims growing out of the Spanish war will amount to?

He replied:

We have no data on which to base an estimate. Up to the 30th of November there have been only 1,783 claims filed on account of the Spanish war, and many of those were cases of widows. There have been 901 invalids—men wounded and badly disabled in various ways—and some of these were from the District of Columbia.

After passing further on, the chairman said:

If we should appropriate $144,000,000 it would probably cover all.

That is, all his estimates and these cases.

Mr. EVANS. I think it would. I made my estimate before peace was declared.

The CHAIRMAN. If we should provide $140,000,000, would the deficiency be more than it has been for the fiscal years 1898 and 1899?

Mr. EVANS. I estimated for $8,000,000 deficiency for 1898, but we did not use it all. We used $4,651,000 more than the appropriation of $140,000,000—in all, $144,651,000, and that left $730,000 in vouchers in the hands of agents for 1898.

He had considered in his estimate, as I understand it, that these claims would be made and intended that his estimate should cover them. Yet he is without data; the matter is purely speculative.

While I fully appreciate the force of the remarks of the Senator from Maryland that there will be undoubtedly large claims resulting from the war, and our soldiers who are now in the tropical climates will be disabled by disease or suffering from wounds will become pensioners, yet it seems to me when these claims shall have been presented to us it will be time enough for us to consider them. If we go outside of the estimates of the different bureaus for appropriations, where are we to draw the line? In every Department of the Government—the Interior Department, the War Department, the Navy Department, and so on, as the case may be—we go to the heads of the respective Departments, and their estimates are finally approved by the Secretary of the Treasury.

It is upon their recommendations that we act. After we have reviewed them and considered them we come to the Senate, giving the result of our investigations as to whether we believe the estimate is too much or too little. So with this bill we believe it wise for us to take the recommendation of the Chief of the Bureau of Pensions, which has been approved by the Secretary of the Interior. If the amount required exceeds the appropriation, we must meet it by a deficiency bill when the proper time comes.

Mr. GORMAN. Mr. President, I did not quite understand my friend from California, and I will detain the Senate but a few moments, for I want the bill to pass. I understand from the report of the Commissioner of Pensions and his estimates that not one dollar has been estimated or is appropriated in this bill on account of the war with Spain. That is his distinct statement, as I understand his report. Therefore, the pensions arising from the late war with Spain are to be covered by a deficiency appropriation at the next session, if I understand his report correctly. I ask the Senator from California if it is not true that no provision whatever has been made in this appropriation bill for those pensions?

I have only one other word to say, and I will ask the Senator when he gets an opportunity to look at it. The Senator speaks about time having diminished the pension roll. We are, of course, eighty-five years from the war of 1814 and thirty-odd years from the civil war; yet I want to call the Senator's attention to what the Commissioner of Pensions says on page 4 of his last report. He says:

At the close of the year June 30, 1898, the annual value of the roll—

That is, the payment on account of pensions—

was $130,968,465. June 30, 1897, the annual value of the roll was $129,795,428, showing an increase of $1,173,037.

And then the Commissioner of Pensions adds:

So that the roll is not only increasing in numbers, but in values.

This was on all the wars preceding the Spanish war.

It is believed that the roll will increase from the war of the rebellion, as there are probably 200,000 ex-Union soldiers living who have never had pension.

I venture the assertion to-day that the amount of one hundred and forty-odd million dollars you are appropriating to-day—$152,000 including the Soldiers' Homes—will not be sufficient to pay the soldiers who served in the Army prior to the declaration of the war with Spain, and that when Congress comes to deal with this question within a year you will not only have a deficiency on account of the soldiers of prior wars, but you must make provision for the 1,783 claims already filed on account of the Spanish war, and for many more when you reach that period. I will not detain the Senate further.

Mr. PERKINS. The hour of 2 o'clock having nearly arrived, I simply want to say one word in reply to my friend from Maryland. During my early experience in the Senate upon the committee, when my distinguished friend from Maryland had charge of this and other bills, I can not call to my mind a single instance where he recommended the appropriation of a larger sum than was approved by the Chief of the Pension Bureau or the Secretary of the Interior. Following that example, I am sure he will know that I have been a faithful student so far as imitating him in this respect. Therefore, I hope that the bill will pass as now presented to the Senate.

Mr. GORMAN. I am not complaining of the Senator. I only wanted to bring out the facts as they appear from the Department.

Mr. GALLINGER. Mr. President, I presume we may have a few additional minutes. I want to make a very brief observation simply on this bill, and I will make it so brief that no fault will be found.

Mr. SPOONER. Will the Senator allow me to ask him a question?

Mr. GALLINGER. Certainly.

Mr. SPOONER. Is it true, as stated by the Senator from Maryland, that no estimate is made in the bill by the Commissioner of Pensions for pensions on account of the Spanish-American war?

Mr. ALLISON. It is for all pensions, no matter what war.

Mr. SPOONER. Does it cover applications for pensions on account of the Spanish-American war?

Mr. ALLISON. Certainly.

Mr. HALE. It covers all pension laws.

Mr. PERKINS. All pension laws.

Mr. GALLINGER. I have not examined the testimony given by the Commissioner of Pensions before the House committee, but my impression is that he there said he expected this bill as framed would cover the entire pension appropriation for the next fiscal year; but it is to be remembered, and it is idle to undertake to cover facts in this matter, that the pension appropriation for the war with Spain will increase from year to year for several years to come.

Mr. SPOONER. What I want to get at is whether there is no law under which a soldier who received a pensionable disability, whether from wounds in battle, disease, or whatever it might have been, is entitled to a pension?

Mr. GALLINGER. Certainly; and the pensions are being allowed at the Pension Bureau.

Mr. PERKINS. They are being allowed every day.

Mr. GALLINGER. Every day.

Mr. SPOONER. And those are covered by this estimate?

Mr. GALLINGER. Beyond question; that is the expectation of the Commissioner of Pensions.

Mr. COCKRELL. In other words, as I understand it, if the Senator will permit me to make a suggestion, pensions are granted to the soldiers in the Spanish war just as to the soldiers of the war of the rebellion.

Mr. GALLINGER. Precisely.

Mr. COCKRELL. And they are paid out of this appropriation.

Mr. GALLINGER. The hour of 2 has arrived. Does the Vice-President desire to lay before the Senate the unfinished business?

The VICE-PRESIDENT. The hour of 2 o'clock having arrived, it is the duty of the Chair to lay before the Senate the unfinished business, which will be stated.

The SECRETARY. A bill (S. 1575) to amend an act entitled "An act to regulate commerce."

Mr. PERKINS. I hope we may have a vote on the appropriation bill.

Mr. CULLOM. The unfinished business may be informally laid aside, of course.

The VICE-PRESIDENT. Unless there is objection, the unfinished business will be temporarily laid aside. The Senator from New Hampshire will proceed.

Mr. GALLINGER. Mr. President, when the Senate adjourned last evening it was my purpose to make some brief observations on the amendment which the Senator from North Carolina [Mr. BUTLER] submitted in the matter of granting pensions to Confederate soldiers, and I now want to occupy a very brief time in saying that the speech of the Senator from North Carolina was one that I think might well have been omitted.

The Senator, for instance, declared that he was not a traitor or the son of a traitor. I wish to say that no Northern Senator during the eight years of my service in this body has ever made a suggestion of that kind, and hence the Senator's declaration was gratuitous and unnecessary.

It is a trifle late, and, it seems to me, very inopportune, in these days of conciliation and good feeling between the North and the South, for any Senator to argue, or rather reargue, the questions that were forever settled by the unfortunate war from 1861 to 1865. It is certainly an unfortunate time for a Senator from a Southern State to thrash over the old straw of that memorable conflict. The question of State rights, as argued by the Senator from North Carolina, was submitted to the arbitrament of the sword and settled in that way. No good can possibly come from its discussion at this late day; and I was pleased to hear the Senator from Tennessee [Mr. BATE] and the Senator from Alabama [Mr. PETTUS], two distinguished Confederate soldiers, express themselves as strongly opposed to reviving the memories of that cruel war, and express disapproval of the amendment that the Senator from North Carolina proposed to offer, but which he wisely withheld.

Now, Mr. President, I have noticed what many newspapers of the South have said on this subject, as well as the action that many bodies of Confederate soldiers have taken, and I say it is to the credit of the Confederate soldiers that they do not, to any great extent, indorse the views of the Senator from North Carolina in the matter of pensioning those who fought in the Confederate army. A day or two ago I noticed that the Pickett-Buchanan Camp of Confederate Veterans, of Norfolk, adopted a resolution, which I will read:

> It is against such mock humanity and false pretensions that this camp desires to record its indignant protest. The Confederate soldier is unwilling to be placed on the pension rolls of the United States or to become the recipient of any of its bounties. The time can never come when he would feel honored by any such mistaken generosity, and no political art nor sophistry shall place him in this false position.

That is good sense, good logic, and genuine patriotism, and I believe it is largely shared by the men who fought in the Confederate army in the war that we are all trying to forget. I say I am pleased to know that that is the sentiment of the people of the South largely, and the Senator from North Carolina acted very wisely in withdrawing the amendment he proposed to offer, and I trust the proposition may never be revived by any man, South or North.

Now, Mr. President, a single word in answer to the Senator from Maryland [Mr. GORMAN]. We all wish that the pension appropriations might be less than they are, but, unfortunately, we can not control that matter. These appropriations are made according to laws that have been enacted and placed upon the statute book. As long as they remain there they will have to be executed.

During the last year 64,351 names were added to the pension roll, and from death and all other causes only 46,651 were dropped from the rolls, so that there was a net increase of 17,700 names. It is to be remembered, too, Mr. President, that there are on file in the Pension Bureau to-day nearly half a million of applications for increase of pensions, and I am free to say that I do not see, having given this matter some thoughtful consideration, any reason to believe that during the next few years, at least, there will be any material reduction from the amount of appropriation that is carried in the pending bill.

The war with Spain will undoubtedly increase the pension appropriation from year to year for some years to come, and while the old soldiers are going to die off very rapidly during the next ten years, it is safe for me to say, speaking frankly on this question, that when the time will arrive that the annual appropriation for pensions will be materially reduced is purely problematical. I know that some Senators in the past have ventured prophecies on this subject, and their prophecies have not been fulfilled. I will not enter the field of prophecy in this matter, Mr. President, but will frankly say to the Senate and to the country that as chairman of the Committee on Pensions, having occasion to examine this subject from time to time with some care, it is my opinion that the pension appropriation will not be materially lessened from the amount carried in this bill for several years to come unless there is a radical revision of the pension laws, which I do not anticipate.

I trust the bill will be promptly passed.

The VICE-PRESIDENT. The bill is on its final passage. The question is, Shall the bill pass?

The bill was passed.

NOTICE OF MEMORIAL ADDRESSES.

Mr. DAVIS. Mr. President——

Mr. CULLOM. If the Senator from Minnesota will allow me, I will state that I desire to call up the resolutions relating to the death of the Hon. EDWARD DEAN COOKE, of Illinois, late a member of the House of Representatives, at some time between 4 and 5 o'clock this afternoon in legislative session.

FORESTRY INVESTIGATIONS.

The VICE-PRESIDENT laid before the Senate the following message from the President of the United States; which was read, and referred to the Committee on Appropriations, and ordered to be printed:

To the Senate and House of Representatives:

In accordance with a provision in the act making appropriations for the Department of Agriculture for the fiscal year ending June 30, 1899, I transmit herewith a report of the Secretary of Agriculture "upon the forestry investigations and work of the Department of Agriculture."

WILLIAM MCKINLEY.

EXECUTIVE MANSION, *January 27, 1899.*

OFFICIAL RECORDS OF UNION AND CONFEDERATE ARMIES.

Mr. LODGE submitted the following report:

The committee of conference on the disagreeing votes of the two Houses on the amendment of the Senate to the House concurrent resolution No. 30, in regard to printing and binding the Official Records of the Union and Confederate Armies, having met, after full and free conference have agreed to recommend and do recommend to their respective Houses as follows:

That the House recede from its disagreement to the amendment of the Senate, and agree to the same.

H. C. LODGE,
A. P. GORMAN,
Managers on the part of the Senate.
GEORGE D. PERKINS,
JAMES D. RICHARDSON,
Managers on the part of the House.

The VICE-PRESIDENT. The Chair understands that no action is required upon the conference report.

EXECUTIVE SESSION.

Mr. DAVIS. I move that the Senate proceed to the consideration of executive business.

The motion was agreed to; and the Senate proceeded to the consideration of executive business. After two hours and forty minutes spent in executive session the doors were reopened.

MEMORIAL ADDRESSES ON THE LATE REPRESENTATIVE COOKE.

Mr. CULLOM. Mr. President, I call up the House resolutions upon the death of Hon. EDWARD DEAN COOKE, of Illinois, and ask that they may be read.

The PRESIDING OFFICER (Mr. FAULKNER in the chair). The Chair lays before the Senate resolutions from the House of Representatives, which will be read.

The Secretary read the resolutions, as follows:

IN THE HOUSE OF REPRESENTATIVES, *December 13, 1897.*

Resolved, That the business of the House be now suspended that opportunity may be given for tributes to the memory of Hon. EDWARD DEAN COOKE, late a Representative from the State of Illinois.

Resolved, That as a mark of respect to the memory of the deceased, and in recognition of his eminent abilities as a distinguished public servant, the House, at the conclusion of these memorial proceedings, shall stand adjourned.

Resolved, That the Clerk communicate these resolutions to the Senate.

Resolved, That the Clerk be instructed to communicate a copy of these resolutions to the family of the deceased.

Mr. CULLOM. Mr. President, I offer the following resolutions which I send to the desk, and ask that they be read.

The PRESIDING OFFICER. The resolutions will be read.

The Secretary read the resolutions, as follows:

Resolved, That the Senate has heard with profound sorrow the announcement of the death of Hon. EDWARD DEAN COOKE, late a Representative from the State of Illinois.

Resolved, That the business of the Senate be now suspended in order that fitting tribute may be paid to his memory.

Resolved, That a copy of these resolutions be transmitted by the Secretary of the Senate to the family of the deceased, and that as a further mark of respect, the Senate will, at the conclusion of these ceremonies, stand adjourned.

Mr. CULLOM. Mr. President, I gave notice a few days ago that I would to-day call from the table a resolution adopted by the House of Representatives, announcing the death of EDWARD DEAN COOKE, lately a Representative from the Sixth district of Illinois.

It becomes a very solemn duty, Mr. President, to ask the Senate to put aside for the day questions of interest for the living and to unite in paying tribute to the memory of the honored friend whose genial presence is no longer seen amongst us. EDWARD DEAN COOKE was perhaps not known to all the Senators of this body, as he had but just entered his second term in Congress when he was called to his final account. He departed this life suddenly and unexpectedly on the morning of June 24, 1897.

I knew him well. He was a man of strong convictions of duty, never wavering from the line which his conscience and judgment approved and marked out for him. His life was pure, always

guided by his convictions. His fidelity to his friends was unchanging, and to them he was as true as steel. He always carried with him the certain evidence of nobility of mind and loveliness of character.

Mr. COOKE was a native of the State of Iowa, where his early years were spent, and where he acquired that education which fitted him for the career in life in which he afterwards was so successful. He had there chosen the profession of law for his life avocation, and had prepared to engage in the practice, when with his widowed mother he came to Illinois and established himself in Chicago. He soon became identified with the business and the citizens of Chicago, and there practiced his chosen profession for about ten years. In due time the Republicans of the district in which he resided nominated and elected him as a member of the house of representatives in the general assembly of his adopted State of Illinois. While he was in the legislature it was my privilege to know him.

In the legislature he soon became a leading and influential member. He was a young man, attractive, courteous, and pleasant to all, and by his agreeable and kindly manner became one of the most popular men in the assembly. At the close of his term in the legislature he returned to his profession, in which he was rapidly achieving reputation and success, when he was called upon to become the Republican candidate for Representative in Congress from his district, and was elected. After serving his term with eminent ability he was again nominated and elected by a large majority, thus receiving the approval of his course as a Representative.

It is not common that a man so young is found so well equipped for public duties. At almost his very starting out in life he was called to the disposition of important public and political matters, which the pursuit of his profession aided him in properly considering. His aptness in the study of conditions, as well of public as of private significance, soon became known and understood. His career soon became an assured success. His methods were admirable. He was systematic and logical in everything. When in the exercise of his abilities in the line of official duty, at the head of an important Committee on Elections in the House of Representatives, I had occasion and opportunity to note the earnestness and sincerity, the integrity and love of justice, which characterized his actions. His personality was agreeable, and his relations with his associates and fellow-Representatives were most cordial.

But in the very midst of the early years of a life which gave promise of such an enticing future the hand of God reached down from heaven and took EDWARD DEAN COOKE to the Father's home.

While engaged in the discharge of his official duties at Washington on the 24th of June 1897, in an unexpected moment, he was stricken down with a sudden illness, and in a brief time his spirit had passed from its earthly tenement to the world beyond. He died in the very height of young, vigorous manhood, and left us never to return. At 10 in the evening he was in the vigor of health; but when the morning came, he had joined the great majority.

Every Senator knows of the sad occurrence of yesterday in the Supreme Court of the United States, where our former associate in the Senate, who was afterwards an honored Cabinet officer of this Government, suddenly met the summons of his God, and has entered his final appearance in the highest court of all. How little do we know what may be in store for us from day to day! The sudden and unforeseen taking off of those who are in the vigor of youth and health reminds us of the utter uncertainty of human life. To-day men are in health; to-morrow they die and are laid in the grave. The march of the world goes on, and so it has been from the beginning. So it has been since the sun first shone above, and so it will continue to be until the trumpet shall sound the last note of time and the stars shall wander from their settings in the blue sky.

The House of Representatives of the United States has suffered a loss. The State of Illinois has lost from its register of wise and good legislators in Congress an excellent and honorable man. The city of his home mourns the loss of a good citizen and the bereaved family will never forget their departed son and brother.

Many times, Mr. President, during the last two years we have been called upon to lay aside our daily duties as legislators, and one Senator and another, each in his own way, has given expression of his estimate and often of his affection for our departed colleagues in one or the other branch of Congress. This ceremony has in a brief period been engaged in many times on account of the death of members of the Senate and the House of Representatives.

To-day we mourn a genial friend who had hardly opened the doorway to what seemed to give sure promise of a great and useful life. EDWARD D. COOKE was a friend whose greeting I loved to hear, a friend whom I loved to meet, and whose cheerful voice was always a delight to me. According to the ordinary course of nature he should have had many years to live. It does not seem natural that he should be taken and that I should remain to speak these words of kindly reminiscence. He has learned the mystery of living and dying. He has tested the verity of the hereafter and has measured the boundaries of time. He has looked into the horizon of the illimitable future and has crossed the border land of the eternal world. These wondrous things have been his to know and to enjoy. He can not see them, and know them, and enjoy them, for us. We shall meet to-morrow what he has met to-day. We shall cross the valley but a step behind him. If he is on the Mount Pisgah of that Universal World beyond, we may respond to his welcome before the sun goes down.

I can never think of ED COOKE as having gone far away. He is just over there. He is but a step from us, and I almost feel impelled to listen for that clear and cheerful voice, as musical as a harp—I have heard it a hundred times—never a discord in its tone. Like the silvery ripple of a brook, its recollection is a pleasure, its memory is a classic.

Ambition! Yes, he had ambition, but it was an ambition which dealt justly. His ambition never sought to pull another down. He sought to rise, but he scorned to rise by injuring another. He loved to make friends that he might have friends, not that he might use them. He sought to do right that he might be right.

To him, the highest aim was "duty." He evaded nothing which he deemed his duty. And if he had known that death approached, he would not have selfishly evaded that duty. And now that he is dead I would not call him back to life. In my selfish love for him I could wish him with us again, but as I fully believe it is well with him, I have it not in my heart to wish him again a child of earth. He has seen the glory of the coming of the Lord, and his soul is marching on.

Mr. ALLISON. Mr. President, I was not aware until last evening that the Senator from Illinois [Mr. CULLOM] intended to call up to-day the resolutions from the House of Representatives relative to the death of the Hon. EDWARD DEAN COOKE, but I can not refrain from paying a sincere, though brief and inadequate tribute to his memory.

He was born in a village near the city of Dubuque, where I have lived for more than forty years. Very early in his life his widowed mother came to that city to reside. So I knew her well, as I also well knew Mr. COOKE as a boy, as a lawyer, as a citizen, and as a public official.

He had not the good fortune to receive a collegiate education. His youthful training was received chiefly in the public schools of the city of Dubuque, which then, as now, afforded unusal opportunities for securing an excellent education. He had the fortune, however, to live in that portion of the State of Iowa which was first settled by the good people from the older States of the Union, so that at the time of his birth and during his youth the city in which he resided was an old and well-ordered community. He had the inestimable benefit through all these years of the influence of a most intelligent Christian mother.

After completing his education in the public schools he entered one of the leading law offices in my city and was there engaged for some two or three years as a student and clerk, being always faithful to every obligation and every duty. He subsequently came to this city, where he secured temporary employment, attended the most excellent law school of the Columbian University, and was graduated there after taking the usual course. Then he moved to the city of Chicago, finding that city, as so many others have found it, to be a place where a young man has the widest opportunity of successful life either in business or in a profession. After that I lost sight of him for several years, but learning, of course, more or less concerning him from his family and friends in my city.

I well remember when he was elected to the legislature of the State of Illinois. His election was regarded by his old friends and companions in Dubuque as a significant illustration of the progress he was making in his new home.

I was glad to greet him here some three years ago as a member of the House of Representatives. During his first term he was a member of the Committee on Elections, and in the next Congress so highly was he respected by those in authority in that House that he was assigned to the Committee on Banking and Currency, one of the most important committees of the body.

He inherited a gentle manner and absolute integrity which carried him through all the years of his life. He was clear-headed, strong-minded, and gifted with remarkable capacity for expressing his views upon any topic with which he was called upon to deal. His ability, with his integrity, his industry, and his kindly and genial manners, enabled him to rise rapidly in the estimation of his immediate neighbors, in the estimation of the people of the city of Chicago, and in the estimation of the people of the district which he so ably represented.

Knowing Mr. COOKE well, as I did; knowing his purity of character, his high motive and purpose of serving his people, his State, and his country, I profoundly regret, as I am sure do all who knew him, that he was so early cut off from his field of usefulness and carried to the realm beyond.

Mr. President, I loved EDWARD D. COOKE as a boy, as a man, as

a citizen, and as a Representative, and therefore I have felt moved to pay this humble though sincere tribute to his memory.

[Mr. MASON addressed the Senate. See Appendix.]

The PRESIDING OFFICER. The question is on the adoption of the resolutions submitted by the Senator from Illinois [Mr. CULLOM].

The resolutions were unanimously agreed to; and (at 5 o'clock and 16 minutes p. m.) the Senate adjourned until to-morrow, Saturday, January 28, 1899, at 12 o'clock meridian.

CONFIRMATIONS.

Executive nominations confirmed by the Senate January 27, 1899.

POSTMASTERS.

W. H. Crooks, to be postmaster at Adair, in the county of Adair and State of Iowa.

Gilbert Cooley, to be postmaster at Strawberry Point, in the county of Clayton and State of Iowa.

Edwin M. Parker, to be postmaster at Newell, in the county of Buena Vista and State of Iowa.

Isaac Hossler, to be postmaster at Battlecreek, in the county of Ida and State of Iowa.

Clark N. Goddard, to be postmaster at Decorah, in the county of Winneshiek and State of Iowa.

Robert M. McGonigal, to be postmaster at Colby, in the county of Thomas and State of Kansas.

George W. Fort, to be postmaster at Stafford, in the county of Stafford and State of Kansas.

Abraham Wilkin, to be postmaster at Keosauqua, in the county of Van Buren and State of Iowa.

Charles Smith, to be postmaster at Washington, in the county of Washington and State of Kansas.

William C. Palmer, to be postmaster at Jewell, in the county of Jewell and State of Kansas.

John H. Nichols, to be postmaster at Kiowa, in the county of Barber and State of Kansas.

Anders Glimme, to be postmaster at Kenyon, in the county of Goodhue and State of Minnesota.

Charles E. Fuller, to be postmaster at St. James, in the county of Watonwan and State of Minnesota.

Frank E. Bentley, to be postmaster at Montevideo, in the county of Chippewa and State of Minnesota.

Clark A. Wood, to be postmaster at Heron Lake (late Heron), in the county of Jackson and State of Minnesota.

T. M. Paine, to be postmaster at Glencoe, in the county of McLeod and State of Minnesota.

Julius E. Haycraft, to be postmaster at Madelia, in the county of Watonwan and State of Minnesota.

Caroline A. McDougall, to be postmaster at Friend, in the county of Saline and State of Nebraska.

William R. Leach, to be postmaster at Auburn, in the county of Nemaha and State of Nebraska.

George A. Eckles, to be postmaster at Chadron, in the county of Dawes and State of Nebraska.

Charles N. Hatch, to be postmaster at Bridgewater, in the county of Litchfield and State of Connecticut.

John L. Elliot, to be postmaster at Clinton, in the county of Middlesex and State of Connecticut.

Leopold J. Curtiss, to be postmaster at Norfolk, in the county of Litchfield and State of Connecticut.

Joseph T. Labit, to be postmaster at Abbeville, in the parish of Vermilion and State of Louisiana.

H. Guy Linsley, to be postmaster at Branford, in the county of New Haven and State of Connecticut.

Stephen B. Hoyt, to be postmaster at New Canaan, in the county of Fairfield and State of Connecticut.

Charles A. Perley, to be postmaster at Baldwinsville, in the county of Worcester and State of Massachusetts.

John G. Orr, to be postmaster at Pittsfield, in the county of Berkshire and State of Massachusetts.

James O. Hodges, to be postmaster at Mansfield, in the county of Bristol and State of Massachusetts.

William C. Hurley, to be postmaster at Sulphur Springs, in the county of Hopkins and State of Texas.

Otto Heilig, to be postmaster at New Braunfels, in the county of Comal and State of Texas.

A. L. Davis, to be postmaster at Gonzales, in the county of Gonzales and State of Texas.

Arthur P. Woodruff, to be postmaster at Savanna, in the county of Carroll and State of Illinois.

Louis Weete, to be postmaster at Columbus, in the county of Colorado and State of Texas.

P. A. Schaefer, to be postmaster at Georgetown, in the county of Williamson and State of Texas.

Otho F. S. Miller, to be postmaster at Bremen, in the county of Marshall and State of Indiana.

William H. Burris, to be postmaster at Milford, in the county of Kosciusko and State of Indiana.

Asa M. Ballinger, to be postmaster at Upland, in the county of Grant and State of Indiana.

John Hanna, to be postmaster at Birmingham, in the county of Oakland and State of Michigan.

Frank N. Green, to be postmaster at Olivet, in the county of Eaton and State of Michigan.

L. W. Feighner, to be postmaster at Nashville, in the county of Barry and State of Michigan.

Benjamin F. Oakes, to be postmaster at East Tawas, in the county of Iosco and State of Michigan.

Milton S. Lawton, to be postmaster at Lawton, in the county of Van Buren and State of Michigan.

Orlando J. Knapp, to be postmaster at Howard City (late Howard), in the county of Montcalm and State of Michigan.

Norvell L. Scobey, to be postmaster at Newbern, in the county of Dyer and State of Tennessee.

Henry C. Neely, to be postmaster at Greenfield, in the county of Weakley and State of Tennessee.

John Kenny, to be postmaster at Bolivar, in the county of Hardeman and State of Tennessee.

HOUSE OF REPRESENTATIVES.

FRIDAY, *January 27, 1899.*

The House met at 12 o'clock m. Prayer by the Chaplain, Rev. HENRY N. COUDEN.

The Journal of yesterday's proceedings was read and approved.

ARMY REORGANIZATION.

Mr. HULL. Mr. Speaker, I move that the House resolve itself into Committee of the Whole House on the state of the Union for the further consideration of the Army bill.

The motion was agreed to.

The House accordingly resolved itself into Committee of the Whole House on the state of the Union, Mr. PAYNE in the chair.

The CHAIRMAN. The House is in Committee of the Whole House on the state of the Union for the further consideration of the bill H. R. 11022.

Mr. HULL. Mr. Chairman, I yield twenty minutes at least to my colleague [Mr. HENDERSON], and will yield him a further five if necessary.

Mr. HENDERSON. Mr. Chairman, I find myself peculiarly situated with respect to this bill. I have been since I can remember opposed to war, as a rule. Last summer, in the early stages of the discussion, I planted myself squarely against it, and only surrendered and fell in with the war-spirit movement when every part of the country called for war and the President recommended it. I foresaw then some of the troubles we would have, although I did not begin to anticipate that the difficulties at our immediate door would carry us to another hemisphere, 7,000 miles from our shores, and open up new and unthought-of problems to our people.

I look with aversion upon increasing the Regular Army of my country. I hope that we will not find it necessary to establish a standing army of 100,000 men. I am willing, in view of the new conditions that surround us, to cheerfully support a proposition raising the Regular Army to 50,000 or 60,000; beyond that I hope that I will not have to go. But if we are to go beyond that, let it not be by fixing the limit at 100,000, but lodge the discretion in the President to go beyond 50,000 or 60,000 if the conditions of the country should so advise, if it becomes an absolute necessity.

I have faith in the President. I would have faith in any President, Republican or Democrat, on that question, surrounded by the people that govern in this country. But after you raise the standard it is hard to lower it. Plant an army of 100,000 regulars in this country and it will be no easy task to reduce it. I would rather move slowly, cautiously, and safely; it is easier to increase than it is to cut down, and once established, there will be many interested in keeping up a great standing army. I can not see great necessity for it. Certainly with the Spaniards driven out of Cuba, and when we were all so wrought upon about the patriotic Cubans, who now are with us, we ought to be able to get along policing that island, with the United States and the Cubans in harmony and the Spaniards no longer there. Conditions in Cuba do not call for a great army.

Now, I do not know how to reach this. The gentleman from Illinois [Mr. MARSH] gave notice of an amendment that he would offer. Whatever is done with this bill, which in the main is a wise and good one, should be done by friendly hands—those friendly to the Army and friendly to the country. I am not prepared to go through this bill and tender an amendment here and an amendment there, leaving it on the basis of 50,000 or 60,000 men properly officered. I could not do that and do it wisely. If those who are on the committee and familiar with this matter would take the lead in it, I will follow. But if there is no other remedy, I

will support a motion to recommit this bill to the Committee on Military Affairs with instructions to recast the bill on a basis of 50,000 or 60,000 men, if you please, and to report back forthwith to the House, so that it will have the right of way to come back and receive immediate consideration.

These are my general views in regard to this bill. I touch it carefully, for entertaining the confidence I do in our Chief Executive, and with the earnest desire that I have to do what is best for my country in these trying times, I want to move with care in this matter. But I do not want unnecessarily to increase taxation upon the people by increasing and giving a large standing army. We have nothing that calls for it; our own people are peaceful. We will, without force, manage ourselves in this country, and there is absolutely nothing in the United States to draw upon us the guns of the army or the navy of any other country—nothing. Then why impose unnecessary taxation upon the American people?

Passing from that, we are having, Mr. Chairman, I am sorry to say, a demonstration of the "kickers" in the consideration of this bill. It seems as though some men are bound to kick about everything. That is the only word that clearly expresses my meaning—a kicker. We have had kicking in this country from the time that this war got fairly under way. We have some men that kick at the President of the United States. I am sorry to see that the chief kicker is not in his seat this morning. I refer to the gentleman from Indiana [Mr. JOHNSON]. We have men who kick at the Secretary of War, who kick at the staff, kick at the Adjutant-General of the Army, and kick at almost everything and anything done by the powers in control, excepting at the boys who vote. It is an easy thing to kick. The cheapest kind of a fellow can cruelly criticise those clothed with grave responsibilities. The cheapest kind of a statesman is a kicker, and the cheapest kind of laughter and applause is that which comes from the people sustaining the kicker.

The President was criticised on account of the conduct of the war. Then he appointed a commission to investigate it, and the critics began to call it a "stacked commission," and they kicked about the commission. I know nearly every man on that commission. The chairman of it, Maj. Gen. Grenville M. Dodge, from my own State, entering the Union Army at the head of the Fourth Iowa, by his gallantry and pluck soon promoted to a star, and star followed star; wounded desperately, and ordered to the rear by the surgeon, refused to go, and fought his brigade on a stretcher; a man that has been a member of Congress, succeeded Grant and Sherman as president of the Society of the Army of the Tennessee, incorruptible and knowing no fear—that is the kind of men on that commission from first to last. They are not satisfied with having the best and biggest men of the Union on this commission to investigate the war, but they go on and kick at the investigators.

Judging from the speech of my friend from Indiana [Mr. JOHNSON], the President of the United States is almost a criminal. During the sixteen years that I have been on this floor never have I heard a speech that, in my judgment, so much deserved the condemnation of the patriotic hearts of this country, that equaled in vituperation and abuse the speech that fell from the lips of the gentleman from Indiana.

What crime has the President committed? Let us look briefly at the facts of recent history. The President did everything in his power to prevent war, by diplomacy, by agencies of the State Department; by every means known to human wisdom he tried to avert war for his country. Is that the crime of President McKinley?

He found this country wholly unprepared for war. There was not powder enough here to shoot our guns twenty-four hours in the American Navy. We had no arms to speak of, no ambulances, no horses, no surgical instruments, no tents, no clothing, and none of the instrumentalities of war, and no Army even. Was that ideal and peaceful condition of things the crime of the President of the United States?

Quickly he put every powder manufactory in this country under contract to work night and day. Our arsenals were set in motion. Double force put on, knowing no hours, daylight or dark, but for labor. And as in the twinkling of an eye, when the constitutional authorities and the people said "fight," he put this country on a war footing that has been unequaled in speed of preparation in the annals of man. He forced the fighting from the moment that Congress declared war until in one hundred and thirteen days, in two hemispheres, he sunk the enemy's fleet, whipped them on land and sea, and practically wound up the war before the people knew that we had hardly begun. Was that President McKinley's crime?

He fought so vigorously, ended the war so quickly, managing all so wisely, that no complications arose with other nations sympathizing with Spain. Was that his crime? He drove Spain from Cuba, which was the objective point of the war. Was that his crime? He is rapidly putting Cuba in order for securing self-government, as promised by us all at the opening of the war. Is that his offense?

He has taken Porto Rico, the Isle of Pines, and the richest island of the Ladrones for his country and its commerce. Was that his crime?

He has by the guns of his country and by treaty terminated this war and laid before the constitutional powers the work done, submitting it to them, and there he rests. Is that his crime?

This treaty divests Spain of all sovereignty over the Philippines. Ratify it and new problems come. Until ratified the question of the legal ending of this war is still open. Because he has done this work, tendered this treaty to the Senate, and awaits constitutional approval or disapproval, has he committed a crime?

The President from start to finish has wisely, calmly, patriotically, bravely carried the mighty problems of the country in his great heart and greater brain—not for a political party, but for his country and his countrymen. Is that his crime? [Prolonged applause.]

Ah! but we are told that he is sending guns to the Philippines, as though indicating a policy not otherwise indicated. Is that a crime? When at war with Spain, it was the duty of the Commander in Chief to attack the enemy where he could hit and hurt. He struck him in the Philippines, and the echo of the blow will ring through coming ages. That blow found the Filipinos struggling uselessly and vainly with Spain, which had held sovereignty there for centuries. This country striking that blow and taking the great city and the great bay—had it not at once and thereby no responsibilities and duties? Until that treaty is ratified the President must hold what by arms we have taken until the sovereignty of Spain is legally removed. Gentleman, is that a crime?

What may be in the brain of the President if that treaty is ratified I know not. For one it is enough for me to know what my duty is. I interrogate myself, and I say that while I can not tell yet what my duty may be (for I do not know what the real conditions are there or what those people want or need), I frankly say to this House and my country that I have the gravest doubts of the wisdom of this country taking the Philippine Islands to govern them as United States territory. [Applause.] I have grave doubts on that question. Eliminating every moral question and looking at it from the standpoint of a member of this American family, which must weigh the expenses and the responsibilities that he is about to assume, if you ask me would I force a government upon the Filipinos against their will, I answer no. [Applause.]

That is my judgment. But when the time comes to settle that question (it is not here now) I must know what my duty to the country is, and I can not tell that without knowing the condition of the Filipinos and what they need and what they want.

The President is assailed because he does not allow Agoncillo to represent the Filipinos in this country. Can the President of the United States recognize any Filipino agent or pretended agent of any single ambitious Filipino until the sovereignty of Spain is divested? Certainly not.

The CHAIRMAN. The time of the gentleman has expired.

Mr. HENDERSON. And I had only commenced.

MESSAGE FROM THE PRESIDENT.

The committee informally rose; and the Speaker having taken the chair, a message in writing from the President of the United States was communicated to the House of Representatives by Mr. PRUDEN, one of his secretaries, who also announced that the President has approved and signed bills and joint resolutions of the following titles:

On January 21, 1899:

H. Res. 90. Joint resolution for the improvement of Mystic River, Massachusetts.

On January 24, 1899:

H. Res. 338. Joint resolution to fill vacancies in the Board of Regents of the Smithsonian Institution.

On January 25, 1899:

H. R. 10709. An act to authorize the city of Saginaw, Mich., to beautify and use as a public park the United States post-office property in said city, under rules and regulations prescribed by the Secretary of the Treasury;

H. R. 1037. An act to remove the charge of desertion standing against the name of Patrick Dougherty, Company A, Thirteenth New York Volunteer Infantry;

H. R. 5112. An act to remove the charge of desertion from and to correct the military record of Capt. William Churchill, late a private of Company K, Second Regiment of United States Cavalry;

H. R. 314. An act for the relief of William H. King; and

H. R. 421. An act providing for additional circuit judges in the Fifth and Sixth judicial circuits.

ARMY REORGANIZATION.

The committee resumed its session.

Mr. HOWE. Mr. Chairman, while I am in favor of increasing our Army to a reasonable extent, as has been suggested by the gentleman from Iowa, to 60,000, I am still more in favor of increasing our Navy and adding by every means possible to the power and strength of our coast defenses.

If the United States at this time should be compelled to engage in war with either of the great naval powers of the world, our first concern would be the strength of our Navy and the extent of our coast defenses.

Appropriations for this purpose are essential to the future protection and safety of the Republic.

In my opinion, an army at this time of more than 60,000 men is without warrant. Each of our States should have a thoroughly organized and equipped State militia, adequate for every emergency and from which a volunteer army could be recruited of at least 500,000 men.

The whole nation is in one sense a standing army, ever ready and willing to be sacrificed for the life of the nation.

With proper coast defenses and a powerful Navy, equal to that of the greatest naval power in the world, we would have no need to fear being invaded by a foreign foe, for no foreign army would dare to attempt to effect a landing upon our shores.

Mr. Chairman, again I say an army of 60,000 is sufficient for our every need. It would give us an army of 7,000 in Cuba, 3,000 in Porto Rico, 25,000 in the Philippines, and 25,000 to man our fortifications and look after the Indian reservations.

As to the disposition of our recently acquired territories and the fruits of victory over Spain, let me say that I have full confidence in the good judgment of our President and in the wisdom of Congress in bringing about a solution that will not only be satisfactory to our own people but to the rest of the world and, I may add, in the highest interests of civilization and the upbuilding of humanity throughout the world.

Mr. SULZER. I yield to the gentleman from Indiana [Mr. ROBINSON].

Mr. ROBINSON of Indiana. Mr. Chairman, it had not been my purpose at first to speak on this pending measure, but the growing dangers in the far East summon the courage and patriotism of every American in the land. The channels of news are laden with threatenings and menace that must bring to the thoughtful the most portentous foreboding. While we deliberate here the military there may have kindled a spark that will cause a conflagration that may take thousands of lives to quench and millions of treasures to subdue. It is well that we have a censorship on the wires from the Philippines, and its existence is ominous. It were not best we knew the situation. Persons familiar with the people on those islands and with their tropical country tell me, as others have learned, that we can never conquer an armed rebellion in those islands. The soil breeds insurrection, the very air infects it, and the long years of turmoil and disturbance that have been the unhappy lot of those inhabitants, chafing under the domineering power of Spain, will continue till, by some evolution within themselves—until under some rule of the survival of the fittest—they establish for themselves a government and govern themselves; and until then all nations who ask dominion at the price of liberty will suffer as others under like conditions have suffered before.

If it be a part of the purposes of this bill enlarging the standing Army to hold, forcibly and against the will of the inhabitants, the Philippine Islands, then we come to the beginning of our misfortunes.

In 18 pages of the report by the majority of the committee presenting this bill no reference by name is made to those islands, although the chairman of the committee, the gentleman from Iowa [Mr. HULL], the introducer of the bill, has access to the fountain head of information. His silence is significant. True the name is once mentioned, but only by way of illustration and entirely de hors the policy and purposes of the administration in reference to forcible retention.

When this report was filed a few weeks ago the islands were still upon the earth, from 1,200 to 2,000 in number, boiling, steaming, and festering beneath a tropical sun, the land infested with vermin, the death-breeding swamps abounding with poisonous snakes and reptiles, and the native inhabitants (there being but 1 of our race for every 200 natives) a proper concomitant to the surroundings I have outlined.

But, sir, with this silence on the part of the majority, with the situation that is known to prevail, I will assume that it may be one of the purposes of this enlarged standing army to conquer the Philippines. Indeed, the peace treaty is unratified to-day only because those in charge of it so far have declined to yield to a resolution similar to that passed for Cuba.

The war, sir, was begun, and through brilliant victories carried on, for humanity, to relieve the oppressed and not to oppress; fought to liberate and not to enslave. As a war measure, we struck at one of Spain's weakest points, the Philippines, and by a naval victory by Dewey and his men peerless in the annals of the world, Spain's fleet went to the bottom and we triumphed over the Philippines.

The Filipinos had for years been waging war against Spain in those islands, and were in possession of something like two-thirds of the territory at the time of the battle of Manila, and cooperated with us in driving Spain to defeat.

I shall not recount, sir, the glories of that Spanish war, they were unparalleled in every point of view, and were only such as would come to free-born Americans fighting for the eternal principles of liberty and free government.

In this connection let us again recall the resolution of Congress declaring war, and find therein the purposes of it:

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, First. That the people of the island of Cuba are, and of right ought to be, free and independent.

* * * * * * *

Fourth. That the United States hereby disclaims any disposition or intention to exercise sovereignty, jurisdiction, or control over said island except for the pacification thereof, and asserts its determination, when that is accomplished, to leave the government and control of the island to its people.

I am opposed to this large standing army because it is against the traditional history of our country, because it is a power designed to destroy and not build up, because our national history from the beginning of our existence till now has taught us that the bulwark of our strength is not in standing armies but in citizen soldiers. I am in favor of citizen soldiers, volunteers, and not of standing armies, because the manifold achievements of our nation in the field have come from the loyalty and power of volunteers, who, by their valor in time of war and patriotism in time of peace, have made our nation great and strong.

I am opposed to a great standing army because human experience teaches that if our liberties are ever assailed or subverted it will come from the menacing force of the standing army, which till now has been unknown in all our grand progress as a nation for liberty, law, and equal justice.

That it will repress the State militia and citizen soldiers and so far repress patriotism among our people is another ground of objection. I am opposed to a taxation of the masses by a scale measured by millions to provide this menacing meteor which, through over a century of splendid advance with volunteer soldiers, a standing army has been regarded by all statesmen as an evil to our institutions.

If it be the purpose of the Administration to peaceably or forcibly take the Philippines, it is due to the coordinate branches of the Government and to the people to so declare. It is sufficient, however, for this discussion that we are opposed to a large standing army that might be employed to subject these people and destroy their liberty.

It may be that Spain did sell us for $20,000,000 something she did not have by clear title and could not deliver, but in this dilemma we need ask no favors. We know the Filipinos aided us in our war for humanity for Cuba; before we struck a blow they had in their possession the larger portion of the islands. We know this, and now sooner than depart from our traditional policy, sooner than efface our love of freedom and love of fellowmen, pay the $20,000,000 as a purchase price of peace and liberty, instead of assuming a war and entanglements with our late allies that will cost us before the end is reached hundreds of millions of dollars. Our pride will be less wounded; in fact, it will add new glory to our cause and new luster to the American name for having fought with blood for and bought with treasure the liberty of a downtrodden and oppressed nation of the world.

Many of our ships are hovering about the islands. Ships and men are still being sent. Are they there to aid in the cause of liberty? If so, why not so declare? When this is once known upon those islands the Filipino troops that prevented our soldiers from landing by force and arms at Iloilo, those who menace us at Manila, will disappear—arms ready to fight for liberty there will open to receive us. They will welcome us as did we the immortal Lafayette in our glorious fight for independence.

If this be not our policy, then misfortune is upon us—misfortune to be counted by treasure and in lives, and when I speak of lives I mean as well those lives of kin who are interested in brave young soldiers who have gone to that disease-ladened land, and who, while they wear the uniform of Americans and obey the orders, still have American hearts that beat for liberty for all mankind.

I have attended the funeral obsequies of heroes who responded to call of country and sacrified their lives in that war of humanity for Cuba. I have helped to bear them to the tomb. There assembled at those open graves were thousands of Americans who, with bowed heads and bated breath, pledged themselves to keep their memory fresh and green. Why? Because they lost their lives—they were heroes in a cause American, fought for principles American, died Americans, fighting for liberty and humanity, not for oppression and injustice.

Ten million Filipinos will not yield to the people of the United States while liberty is within their view any more than would 3,000,000 Americans yield to Britain. Their sentiments will be now what ours were as described by Lord Chatham, who thundered his eloquence in the British Parliament in the following words, which I read:

Will not a country which can produce 3,000,000 people, wronged and insulted as they are, start up, like hydras, in every corner, and gather fresh strength from fresh opposition? Nay, what dependence can you have upon the soldiery, the unhappy engines of your wrath? They are Englishmen, who must feel for the privileges of Englishmen. Do you think that these

men can turn their arms against their brethren? Surely not. A victory must be to them a defeat, and carnage a sacrifice.

Will liberty-loving men fight against liberty?

The Filipinos have fought so long for liberty and to throw off the Spanish yoke that we can not stop their clash of arms or change their master. We can not conquer them and save our tradition and preserve our self-respect. We can not conquer them and save our treasures and the lives of our brave young soldiers. We can not do both. Which will we do? In God's name leave the answer to the kindred, mothers, wives, and sisters of those who are now out on the ships watching these Filipinos; leave it to the thoughtful men; leave it to the laborers of the land, who ever have fought its battles for liberty, and who now seek a policy for protection to their own home interests, and not the subjugation of others.

In that island of 10,000,000 people, untutored in arts of civilization, except, perchance, it can be said that the art of war is an art of civilization, if you send 50,000 soldiers to conquer and pay fifty million per annum to accomplish this, how far into the interior will you penetrate on these islands through jungles, swamps, and deadly fever? Pray, how many of these 2,000 islands will you hold against the native population with an army of fifty thousand, and how much will it cost you in this mad course against liberty, and how long will this drain continue? From whom will it be collected, and who must bear the burden in the end but the laboring men, the producers of the country?

Nor will it be an equal struggle. The Philippine Islands are 10,000 miles from our seat of government and 7,000 miles from our western shore. We must cover this expanse in sending ships, troops, and munitions of war. Once there, the Filipinos in arms, ensconced amid their fever-breeding swamps, will be secure from the reach of our soldiers. God has given them a climate in which they can live and fight for liberty, while our soldiers will be stricken and die in that death-dealing clime. Many a Hyder Ali exists to-day, many are yet unborn, who will rise to plague and destroy, to hang like black clouds on the declivities of the mountains with their followers, to sweep down as did that ferocious chieftain on the plains of the Carnatic, to spread fire, slaughter, and annihilation to their oppressors. It will indeed require a very large standing army to dislodge them from the swamps and mountains of those islands while they fight for their country, home, and fireside, as our fathers fought for theirs.

To this purpose and for this end it is said, sir, that we shall create a large standing army and reverse the traditional policy that our nation is sustained by the affection the people have for its institutions and make the policy now a standing army, not to preserve our own liberties, but to deny to foreign lands the liberty we would enjoy.

Why engage in this dangerous and unholy course? I hope that some inspiration of an all-wise Providence will guide men to the performance of their patriotic duty. Retrace in the history of our country and find the sentiments of our fathers in their struggle for liberty and tell me in your minds will not those sentiments inspire others in their battle for independence?

Listen to the sentiments of John Adams, as expressed by Daniel Webster:

> Read this declaration at the head of the Army; every sword will be drawn from its scabbard and the solemn vow uttered to maintain it or to perish on the bed of honor. Publish it from the pulpit; religion will approve it, and the love of religious liberty will cling round it, resolved to stand with it or fall with it. Send it to the public halls; proclaim it there, let them hear it who heard the first roar of the enemy's cannon, let them see it who saw their brothers and their sons fall on the field of Bunker Hill and in the streets of Lexington and Concord, and the very walls will cry out in its support.
>
> Sir, I know the uncertainty of human affairs, but I see, I see clearly through this day's business. You and I, indeed, may rue it. We may not live to the time when this declaration shall be made good. We may die; die colonists; die slaves; die, it may be, ignominiously, and on the scaffold. Be it so. Be it so. If it be the pleasure of heaven that my country shall require the poor offering of my life, the victim shall be ready at the appointed hour of sacrifice, come when that hour may. But while I do live, let me have a country, or at least the hope of a country, and that a free country.

If we prosecute a war to subject people, to destroy liberty, we will stifle that splendid American sentiment so often heard in the late war and in all our wars fought by volunteers.

> I am writing to you, mother, knowing well what you will say
> When you read, with tearful fondness, all I write to you to-day;
> Knowing well the flame of ardor on a loyal mother's part
> That must kindle with each impulse, with each throbbing of your heart.
>
> I have heard my country calling for her sons who still were true,
> I have ved that country, mother, only next to God and you;
> And soul is springing forward to resist her bitter foe—
> Can I , my dearest mother? Tell me, mother, can I go?

Our Army, both regular and volunteer, must be made up of the young men; but, sir, if we start a war to deprive the Filipinos of their liberty, no such impulses like this will be found in that war to warm the patriotic heart, "to challenge brave of soul to come," or to teach the youths the lessons of their duty to their country. Children at school must seal the pages of their country's history if we now seek out to conquer those who cry for liberty.

They must turn again to ancient history of wars of conquest, of wars of plunder, of wars to gratify ambition, of wars fought under policies which by the universal voice of civilized man to-day were errors and the forerunner of ruin and decay. If they must take these histories up, let them not lay them down, but pursue them to the end, for there is recorded the wasting away of all nations that ever sought to oppress their fellow-men.

We should teach the rising generation that if we would avoid the calamities of others that have preceded we must avoid the rocks on which they split. Let them study the lessons of ancient Greece and Rome. Then it was that an Alexander would leave his country with his warriors, go in conquest to search for glory and for gold and fame immortal, reaching the enemy, would traverse his country, leaving behind him like the fiery meteor at night a great red trail of blood, returning to his country when all others had fallen, this archangel of a misguided ambition would weep amid the plaudits of his countrymen because there were no other worlds to conquer. Rome and Greece have disappeared; the ruined tower and the crumbling wall bear no better evidence of the misguided energies of early man than they do of the fate and folly of their example.

No nation ever has held colonies by force that did not have to answer for charges of rapine, devastation, tyranny, and bloodshed. It ever has been so; it will be so till the end of time.

To forcibly annex these islands is to throw to the winds our vaunted boasts of a century; to destroy the sweet and inspiring sentiment, "This is the land of the free, the home of the brave;" to blot out the principle that "all just powers of government are derived from the consent of the governed," and to ingraft on our reformed Constitution that we may tax without giving representation; to write all over our history calumnies and lies; to turn back the tide of all our great battles for liberty to degeneracy and sin, and to write the hated words "kingdom," "empire," "czarism," and "tyranny" all over our proud banner of state; aye, more, to serve notice on the nations of the world that this proud, liberty-loving people are ready, for greed and gain, to become the common enemy and oppressor of our fellow-man. When this is accomplished, I say to the labor interests of the country, "Then you and I and all of us fall down, whilst bloody treason flourishes over us."

To our credit let it be said that we have never before entered upon such a field. I pray to God we never shall. Charged against us solely in this line are the traces of the red man's gloomy monuments as he receded toward the Pacific as "westward the course of empire took its way." This is still thought by many to be a dark page in our history. True, in early time we drove the Indian almost from the face of the earth. We robbed him of his home. To-day we put aside these thoughts. We relieve the still, small voice by the belief that the Indian, like the mound-builder, filled his sphere and was destined to pass away; that this land was destined for something better than to have its forests the habitation of the red man, his only occupation the chase. We console ourselves with the thought that as he warred with his kind on the principle of extermination when we wanted his home, with this principle on the one side, it must of necessity have been adopted on the other.

Sir, whatever national crime may have been thus committed, it secured homes for freemen, where freemen could live and prosper. To-day we have within our legitimate and appropriate sphere vast forests and prairies, unbroken soil of culture, sealed mines of treasured millions; these are the fruits yet to come to civilized endeavor for us and for future generations. All this, with a latitude, clime, and natural advantages unsurpassed on the globe, invite us to pursue our natural and proper objects at home, free from international entanglements and outside disturbances.

This, sir, so far has been our cardinal principle of national policy. We have for a century rallied round the Monroe doctrine and grown strong and great. To-day our great prosperity is heralded at home and abroad. It is proudly claimed that we lead in foreign trade all nations of the earth but one. These conditions were not produced under the régime of a large standing army.

Where do you get your slogan to deprive anyone of liberty? Do you get it from the Bible; do you get it from the Declaration of Independence; do you get it from the Constitution; do you get it from that lofty policy that so long has governed us as a nation, or do you get it from the declaration of war against Spain to free Cuba? Oh, sir, let the sweet hosannas going up from the throats of Cubans in rejoical at their liberty enter the ears of those who would enslave 10,000,000 of their brothers 10,000 miles away. [Applause.] No, sir; no inspiration for that course has come from the sources I have named. It comes from the mean, selfish, and sordid behest of commercial harpies and pirates, who have no more regard for liberty of man against their standard of profits than has the wild Sioux Indian for law and order.

Henry Clay, speaking in Congress in sympathy for the Greeks, in reference to the attempt that had been made by the commercial interests to alarm Congress by the dangers to our trade in the Mediterranean, said:

> Ah, sir, what shall it profit a man if he gain the whole world and lose his own soul, or what shall it avail a nation if it save the whole of a miserable trade and lose its liberties?

A war in the Philippines for a few dollars to commercial interests, at the cost of $5 for each, to the Government, to gain these benefits to private individuals, and at untold sacrifices to our laboring men. It needs no profound knowledge of constitutional law, interpreting that instrument in the light of the Declaration of Independence, to know that when a territory becomes a part of our country its inhabitants become our fellow-citizens. On the absorption of these islands and the incoming into our body politic of these "distinguished and intelligent fellow Filipino citizens to be," they will be brought at once in competition with our own labor, which already is in the severest field of competition.

Another hand is seen in this molding of our policy. The governments of the Old World who believe in monarchy and tyranny, and who are jealous of our growing strength and power, under a form of government for liberty, may well look on this scheme of furtive ambition with a certain satisfaction of witnessing the end—a waning power, loss of prestige and power among the nations of the world. We may owe Britain a debt of gratitude for her ministrations in the late Spanish war, but let us not do it at the expense of forfeiture of ancient landmarks of liberty; let us rather repay kind in kind by showing favors to her British subjects just north of our border. A vast field is there presented for their good and for ours.

I shall make no comment on the open-door policy which must of necessity be adopted in the Philippines if expansion, peaceable or forcible, should be the policy, nor point out the advantage that other nations would have over us under such a plan by reason of their nearness and other points of vantage, for this is no part of my object in speaking.

I am content to follow the statesmen of former years in this great and momentous crisis. Who can believe that the statesmen of those years can be safely supplanted by the statesmen of this hour? The early fathers in their day were called outlaws for fighting for their independence, but they persevered and won. We followed them and preserved our liberty; but we can not long preserve it if we deny the boon to others. He that speaks for liberty for himself or for others speaks for the Declaration of Independence. Its principles are not new; they never were. They have existed from the beginning of that enlightened Christianity that marks the onward and upward progress of the race. They were embalmed in form in that instrument; but the principles have existed from the first, and will exist when all that is to-day has moldered to dust; will exist so long as the human race survives and retains a spark of love for fellow-man.

We settled the question of love of liberty, and settled it right, in the Revolutionary war; we settled the question of religious and political freedom in that war. The proof is still preserved in the Declaration of Independence and in the Constitution. Those battles of Concord, Lexington, Saratoga, and Bunker Hill were fought, not by standing armies, but by citizen soldiers; they were fought, as all our great battles were, by the laboring men of the country. Upon them rest the glory of our achievements. Who established this nation; who gave it its strength; who fought for its glory? Go ask it of history years from to-day, and the answer will be: The great laboring interests of the country. You would oppress them, oppress them with taxation to create a great standing army to increase their burdens and misfortunes.

Have the American people, have Representatives here, forgotten the history, the cause, the results of our war for liberty? Let us follow Washington, Jefferson, and Monroe. [Applause on the Democratic side.]

Sir, Switzerland for ages was the only home of Liberty, and there she dwelt in the mountain fastnesses of the Alps, but she never grew. She came to our shores still an infant in her swaddling clothes. Strong arms rocked her cradle. The lullaby that lulled her to sleep was the voice of belching cannons. She smiled upon us and grew. In infancy she inspired the hand of Jefferson to write the Declaration of Independence. England trembled and in a few years gave up the fight. In young girlhood she held up, for the world to gaze upon, the Constitution. They looked upon it and bowed their heads in admiration. In young womanhood she stirred the American minds and hearts not "to mutiny and rage," but to deeds of fame and glory, to fight for her and for themselves on the American field of valor. They won under a banner that had the legend "Free men and Americans" inscribed across its front; they marched to victory, while the flag of the free, the American flag, floated above them.

She has grown to full womanhood and maturity with 70,000,000 children and supporters; standing out before the world as an angel of light to liberty lovers, shedding her rich effulgence over and irradiating the Western world, aye the world. By her powers she has driven Spain from the Western continent and restored liberty, law, and order to the benighted people of Cuba and secured to that gem of the Antilles a government for free men, as she promised to do. All this, then, has Liberty done in the name of liberty for liberty. Will she now, with this record of her splendid achievements, in the zenith of her magnificent power—will she crush a people underneath her feet, however humble they may be, however ignorant, however feeble, however vicious?

Will she do it? Will she do it? She can not; she will not. Liberty does not want an increased standing army; she never has wanted it; she never will want it; for it stands for the worst and not for the best; it stands for evil and not for good; it stands for tyranny and not for justice.

Let us live in the hope that no evil may come to our country, but that peace and tranquillity may always prevail; but let us be assured that if storms and turmoils do come, our country will be safe. And whether the enemy shall come to lull and beguile us with the soft notes of a lute or to terrify with the bold bugle blast of war, our country will be safe and secure in the love of country and loyalty of its volunteer soldiers, who ever have fought for and ever will fight for and preserve the liberty of the people. [Applause on the Democratic side.]

Mr. GRIFFIN. I yield ten minutes to the gentleman from Pennsylvania [Mr. GROW].

Mr. GROW. Mr. Chairman, when Thomas Jefferson was inaugurated President, the area of territory of the United States of America was less than 900,000 square miles. The population, by the census of 1800, was a little over five millions, scattered along the Atlantic seaboard, hemmed in by the ocean in front, the wilderness and the savage in the rear.

In 1850 the territorial area of the United States was a little over 3,000,000 square miles and its population 23,000,000. When the declaration of war against Spain passed Congress, the territorial area of the United States was 3,600,000 square miles, and the population was about 75,000,000. In our past history the population has doubled in numbers every thirty years. This vast acquisition of territory began in 1803, not by the expectation or solicitation, in the first place, of the American people. The acquisition of Louisiana came to us not because of our solicitation. Jefferson instructed our ministers to France and Spain to procure, if possible, a landing place at what is now New Orleans for goods for reshipment without the payment of duty, and the free navigation of the Mississippi River. They were authorized to pay for these privileges $2,000,000, if they could not be procured for a less sum. But Napoleon, as if marking out for us the manifest destiny of the great Republic, instructed his secretary of treasury to cede to the United States all the territory received from Spain from the mouth of the river to its source, including both banks, for a fixed compensation.

Our commissioners, Mr. Livingston and Mr. Monroe, were surprised at this proposition, but as it was in the days of sailing vessels, with no means of communicating with their Government at home in reasonable time, they agreed if France should make this cession of territory—double that of the old original thirteen States—we should pay France $15,000,000. This country has never yet taken a foot of soil as a conquest of war alone. All of its acquisitions have been made on the payment of money. Even when our flag floated over the halls of the Montezumas, we paid Mexico $15,000,000 for the territory acquired at the close of that war. With the exception of the Floridas, Alaska, and the Gadsden purchase, all the acquisitions of territory to the United States have come, as I said before, unexpected and unsolicited on our part in the first place.

With the declaration of war with Spain our Army and Navy went forth to conquer the power of Spain in the island of Cuba because it was our neighbor, and in behalf of liberty and humanity. They went forth in a great crusade for the rights of a common humanity. But within a week ten millions of the colonists of Spain, in far-off Asia, were placed under the American flag, and that people relieved from the cruel despotism of Spain that they and their fathers had groaned under for three centuries.

To-day our flag rightfully floats over an island in the Atlantic Ocean, a thousand miles from our eastern shore. In the same manner it floats over a larger island in the Pacific, in far-off Asia, 10,000 miles away. The last rays of parting day scarcely fades from the hillsides of Porto Rico before the morning sun gilds the spires of Manila and the mountain tops of Luzon. What disposition shall be made as to the people in this vast expanse of territory over which our flag floats to-day rests with the American Congress.

What kind of government shall be established will depend on the calm, deliberate judgment of Congress on that question when the treaty of peace with Spain is ratified. Under that treaty it is agreed that Spain shall withdraw her sovereignty from the Philippine Islands and we send her soldiers home. On the 10th of December, 1898, the time of the agreement on a treaty of peace, one volume of the world's history was closed and a new one opened. In the last chapter of that closed volume is recorded that the sovereignty and the flag of Spain have been withdrawn forever from the American continent, a flag that at one time floated over a larger portion of the American hemisphere than that of any other one nation.

What shall be recorded in the new volume on American history

depends upon the action of the American people; and when the treaty is ratified the duty and responsibility of Congress will not be how they can shirk the duties and responsibilities thrown upon them by the fortunes of war. It will then become a question of how can the American people best discharge their responsibility to liberty and the common rights of humanity; for it was for that the sword was unsheathed and Spain was required to withdraw her sovereignty from this continent. Any nation in this age of Christian civilization that appeals to war to settle any question must be willing and ought to be ready to discharge all its responsibilities to liberty and humanity cast upon it by the fortunes of war, whether foreseen or not.

Now, it seems to be agreed on all sides that there shall be an increase in the Regular Army, whether it be a few thousand more or less is of little consequence. The flag of our country wherever it is rightfully planted can not be removed with honor to the American people by any power except that which planted it, and so long as patriotism dwells in the American heart and it is loyal to the glorious traditions of a heroic ancestry, over whatever portion of the earth's surface it may rightfully float it will never be lowered except by the same power that raised it. [Applause.]

We have to determine what is to be done with these new acquisitions of territory, what government shall be established, and to determine these questions in view of the rights and happiness of the American people and the rights and happiness of the people that dwell in the new acquisitions. Whatever disposition shall be made and what kind of government is to be established, the same rule applies to the Philippines that applies to Porto Rico. The flag was planted in both by the power of the American nation, and must stay where it was thus planted until the American nation withdraws it. [Loud applause on the Republican side.]

Mr. COX rose.

The CHAIRMAN. For what purpose does the gentleman from Tennessee rise?

Mr. COX. Mr. Chairman, I reserved twenty minutes of my time in the discussion, and the RECORD shows that I reserved it. Now, I do not want to consume that time, but I do not understand exactly what position I am in.

The CHAIRMAN. The Chair understands that there are eighteen minutes left on that side, and it is controlled by the gentleman from New York [Mr. SULZER] if he desires to claim recognition.

Mr. COX. The RECORD will show that when I addressed the House I reserved twenty minutes of my time. I was called down because I requested to be notified at the end of forty minutes.

Mr. GRIFFIN. Mr. Chairman, I am unable to hear what the gentleman's proposition is, but it is the understanding with the gentleman who controls the time on that side [Mr. SULZER] that we may consume the remainder of our time now.

The CHAIRMAN. Does the gentleman desire recognition now?

Mr. GRIFFIN. I do; and I will yield fifteen minutes to the gentleman from Iowa [Mr. COUSINS].

Mr. COX. Mr. Chairman, do I understand the ruling of the Chair is that when I reserved twenty minutes of my time I am to be taken off the floor by the chairman of the committee on the other side?

The CHAIRMAN. The House decided this question by unanimous consent, dividing the time equally between the gentleman from Iowa [Mr. HULL] and the gentleman from New York [Mr. SULZER], and it is not within the control of the committee, or the Chairman of the committee, only to carry out the order of the House. The Chair asked the gentleman from Tennessee for what purpose he rose, and he has stated the purpose. After he made that statement the Chair recognized the gentleman from Wisconsin [Mr. GRIFFIN], who, in the absence of the gentleman from Iowa [Mr. HULL], is dealing out the time on that side of the House, and the gentleman from Iowa [Mr. COUSINS] will be recognized for fifteen minutes.

Mr. COX. Mr. Chairman, a parliamentary question.

The CHAIRMAN. The gentleman will state it.

Mr. COX. The RECORD shows, as I say, that I reserved twenty minutes of my time, and I announced why I did it. Now, then, I do not think my friend on the other side will try to take that twenty minutes away, for it is in the RECORD, and there is no question about it. I did it carefully and with a purpose; that when the discussion went along I would have that twenty minutes remaining. Now, it is not my purpose to say another word on this matter, but it is my purpose to yield back that twenty minutes to the gentleman from New York [Mr. SULZER], who has been exceedingly kind in the division of time. My only purpose is not to occupy the time, but to give it back to him.

The CHAIRMAN. The Chair understands the gentleman from Tennessee yields twenty minutes to the gentleman from New York [Mr. SULZER], and the Chair sees no objection to it, although the Chair thinks that the gentleman from New York will get no great benefit from it, because it can not increase the time remaining on that side.

Mr. GRIFFIN. Mr. Chairman, in the absence of the gentleman from Iowa [Mr. COUSINS] I will yield ten minutes to the gentleman from Illinois [Mr. PRINCE].

Mr. PRINCE. Mr. Chairman, there is now pending before the House a bill to reorganize the Army and also to increase the Army. It is properly divided into two questions for consideration. First, should the Army as an army be reorganized? Upon that question it seems to me there ought not to be a question of difference on the part of the members of this House. It is evident to us all that the Army should be reorganized along lines of modern improvements of military affairs and in the modern mode of fighting upon the field of battle. We have in the short war that has just passed away demonstrated to the world that the American soldier on sea and land is the superior of any other soldier in the world. We ought, it seems to me, without any difference of opinion, to be in favor of any measure proposed by this committee along the line of reorganization of making better the Army of this great Republic.

The second proposition, should the Army be increased? Our friends upon the other side, some of them, say, Why do you want a larger army; what is the necessity for it? Without discussing matters which are not at this time proper for this House to consider and discuss, it seems to me that whether the Army should be enlarged from the basis it now is, upon that question, taking into consideration the growth of the Republic, taking into consideration its ability to maintain an army, it seems to me along those lines there ought not to be any difference of opinion.

Some of our friends have taken the position that we are changing from the paths of our fathers; that we are deviating from the well-known position taken by those in early days. In looking at the report as made by the committee of this House upon this bill, I find that in the earlier days we had a small army; that that army increased from time to time relatively, and it kept pace along the line of about 1,000 soldiers to 1,000,000 people. Before the war it was less than a thousand soldiers to 1,000,000 population. Keeping pace along the line with our fathers, we would have a standing army within the limits of the Republic to-day, as it now exists and did exist before the late war, of 70,000 regular soldiers.

Now, in my opinion we ought not to have a standing army beyond 50,000 regular soldiers. We ought to have, in addition to that, a provision in the law that the President of the United States could call out, in addition to the 50,000, if necessary, 50,000 more, and place upon him the responsibility, if the exigency arises, to call upon 50,000 more soldiers to defend the honor and the flag of this Republic here and elsewhere, wherever it is sought to attack it.

And upon the question of force there can be no difference of opinion, it seems to me. The question is to-day, What shall we do with what we have got?—not, How did we acquire it?—not, Why are we in this position? We are here with these people upon our hands, with these questions presenting themselves; and it is our duty, our plain duty, to conduct ourselves as members of this American Congress along the lines of right and justice. Let us then by all means favor this measure, which gives to the Regular Army at least 50,000 men, and gives to the President of the United States the power to enlarge that Army to the extent of 50,000 more if necessary.

Mr. JETT. Under this bill as it now stands, how are you going to give the President such authority?

Mr. PRINCE. We can, let me say to my colleague, at the proper time make an amendment along the line suggested by me, and I believe that it will be done.

As to the question of putting power in the hands of the President, whoever he may be, let me suggest that he is a citizen of the Republic, placed in the Presidential chair by the votes of the people of this Republic. If he does that which the people do not approve, he will be weighed in the balance and found wanting, and will be requested by the voice of the people to step down and out and take his place in the ranks. If, upon the other hand, he does his duty under the law and under his oath, the people will say, "Well done, thou good and faithful servant," and retain him in the position he occupies as President of the United States.

Therefore it seems to me no harm can come to this country, no harm can come to the people, if we organize an army of 50,000 regular soldiers and put the law in such shape that an additional force of 50,000 can be added if necessary.

And along that line I would say that I am in favor, as one member—speaking only for myself, though I believe I voice the wishes of the people of my district—I am in favor of retaining every foot of soil over which the American flag floats except Cuba. I believe that the people have so expressed themselves. I believe that from the day the President started on his Western trip to Omaha, and as he moved about this great Republic, the people, North and South, East and West, approved of his utterances and his suggestions. And I am inclined to think that some of my friends from the Southern portion of this country are not voicing the sentiments of their people, because I did not hear when the President

was in the Southland a word in opposition from the press or from the people who heard his utterances to the position that he has maintained along that line, and that is to preserve peace and order in those far-off possessions, and give to those people under the folds of our flag the same inalienable rights which we possess to life, liberty, and the pursuit of happiness. [Applause.]

Mr. GRIFFIN. I yield fifteen minutes to the gentleman from Iowa [Mr. COUSINS].

Mr. COUSINS. Mr. Chairman, the idea of increasing the Regular Army of the United States was not wholly born of emergencies or necessities which have arisen within the past year. The proposition to increase the Army and the necessity therefor existed prior to the war with Spain and prior to the responsibilities which devolved upon our country by reason of its new relations to foreign territory.

However much the necessity for a larger standing army may have been increased, or may yet be increased by reason of our foreign relations, the proposition for an augmentation of our national forces was thoroughly well founded, as evidenced by the situation which existed prior to the beginning of the recent war. As a simple business proposition it was entirely defensible on the 1st day of January, 1898. There had been no increase of the Regular Army since 1878. Since that time the United States has greatly increased in population.

Its interests have multiplied and developed at an enormous rate. The necessity for national defense, for the preservation and protection of property, for security against internal disorders of various kinds, was perhaps only apparent to those who had fully realized the tremendous growth of the country and of its business interests and commercial projects, and by those who had considered the great necessity and wisdom of more extended coast defenses, fortifications, and permanent improvements in that line. The fact is that not many realize the rate at which our country grows and the rate at which the world is traveling. Time is so noiseless that it awakens very, very few.

I have sometimes thought that the Rip Van Winkles are as numerous as the Smiths and Browns and Joneses. Of course, to those who are opposed to growth there is little use of talking about enterprise. There were thousands of people in the country willing to sleep in the back pews while wisdom and patriotism were urging the necessity of a larger navy, and there were even those who, apparently awake, contended with much noise against the evolution of an American sea power. It is not necessary to compliment the men who had the foresight to advocate and to accomplish the development of our sea power. The world has already witnessed, and history verifies their wisdom.

Since 1792, when the number of enlisted men in the Regular Army of the United States was 5,120, it had been gradually increased until 1878, when the number was 25,000, and which number had been maintained until 1898, when, by reason of the war, the number of enlisted men by authorization of law reached 63,106. The maximum number of enlisted men in the Regular Army of the United States authorized by law is 25,000, being one soldier for 2,488,890 inhabitants. I shall print, with the consent of the House, some tables showing the population of the different countries in the world, their area in square miles, their armies on a war footing, the number of inhabitants to each soldier, the number of soldiers to every thousand inhabitants, the number of soldiers per 10 square miles in time of peace, and the number of soldiers per 10 square miles in time of war; that is, the number of soldiers authorized by existing law.

Population of countries.

Country.	Population.	Census.
Russia	129,166,561	1897
United States	62,622,250	1890
German Empire	52,279,915	1895
Austria-Hungary	41,231,342	1890
France	38,517,975	1896
Great Britain	38,104,975	1891
Italy	31,114,589	(*)

*Estimated.

Area in square miles.

Russia	8,660,394
United States	2,970,000
Austria-Hungary	240,942
German Empire	208,830
France	204,092
Great Britain	120,979
Italy	110,646

Armies on a war footing.

Russia	3,503,000
German Empire	3,000,000
France	2,500,000
Austria-Hungary	1,827,178
Italy	1,268,308
Great Britain	535,220
United States	140,627

Number of inhabitants to each soldier.

Country.	Peace.	War.
France	62,589	15,407
German Empire	89,300	17,427
Austria-Hungary	114,920	22,023
Italy	135,249	24,671
Russia	150,194	26,873
Great Britain	232,959	72,413
United States	2,488,890	445,307

Number of soldiers to every thousand inhabitants.

Country.	Peace.	War.
France	15.822	64.907
German Empire	11.200	57.383
Austria-Hungary	8.700	44.315
Italy	7.394	40.533
Russia	6.656	27.120
Great Britain	4.200	13.810
United States	.399	2.246

Number of soldiers per 10 square miles—peace.

France	30.154
German Empire	28.034
Italy	30.913
Austria-Hungary	14.846
Great Britain	13.521
Russia	.993
United States	.084

Number of soldiers per 10 square miles—war.

German Empire	143.657
France	122.404
Italy	114.627
Austria-Hungary	75.831
Great Britain	43.497
Russia	4.042
United States	.473

It will not be contended for a moment that the situation in the United States requires as large a standing army as in other countries, but we do contend that reasonable foresight and prudence would authorize a sufficient standing army to protect our interests and properties, to preserve our institutions, to maintain peace and order, and to protect the liberties of our citizens.

I think it can be demonstrated to any reasonable mind that the standing army of the United States during the past two decades, while most efficient in quality, has been insufficient in numbers to serve the needs of our country.

However much the human mind must long for a peaceful adjustment of all difficulties and contentions, it is the demonstrated fact of history, not only in our own country but in all others, that force must be employed, not only in contending with savages and those who are semicivilized, but in dealing with civilized men who are disposed to be disorderly. The time may come, and I hope it will, when force shall not be the final arbiter in our worldly affairs; but until that time and coveted condition comes prudence and foresight must be exercised in order that the better day may not be further removed by reason of default in preparation, shortsightedness, and pretended economy. Let the history of our own country during the past few years bear witness to these propositions and to the continuous need which has existed for a larger standing army.

In the campaign against the Sioux Indians in 1876, in which over 4,000 troops were engaged, many of them came from distant points in Louisiana, Mississippi, New York, Montana, Missouri, Dakota, and Nebraska. The cost of transportation of the campaign has not been separately shown, but must have been very large, as the transportation expense for the year 1876 was over $3,600,000.

During the Pennsylvania riots in 1877 the number of troops sent to the scene of disturbance amounted to 2,600 officers and men. They were sent from Maine, Massachusetts, Rhode Island, Connecticut, New York, Pennsylvania, Maryland, District of Columbia, Virginia, North Carolina, South Carolina, Georgia, Florida, Alabama, Mississippi, Louisiana, Arkansas, Ohio, Michigan, and Missouri, and the cost of transportation was $73,081.86.

During the Pine Ridge disturbances in South Dakota in December, 1890, there were sent 6,400 officers and men, gathered from posts in California, Dakota, Montana, Nebraska, Texas, Illinois, and Missouri, and the cost of transportation was $543,324—more than half a million dollars.

The number of troops sent to Chicago during the riots in 1894, in addition to those stationed at Fort Sheridan, were approximately 1,300. They came from Fort Riley, Kans.; Fort Niobrara, Nebr.; Fort Leavenworth, Kans.; Fort Brady, Mich., and Madison Barracks, N. Y., and the cost of transportation alone was $221,985.35.

It will be observed that in three of these campaigns, or simple expeditions, within recent years, the cost of transportation alone was $838,391.21; and with the transportation expenses for the expedition first mentioned, which have not been separately

ascertained, the total cost of transportation for the four expeditions can safely be estimated at a million and a quarter of dollars; and if the cost of transportation for other years has been as great as for the year 1876, $3,600,000, it is an easy matter to estimate the great saving in actual expense which might have been made with a sufficient standing army, that could have been distributed throughout the country so as to avoid the necessity of moving them across the continent.

The spectacle of a great country being obliged to transport its troops from one end of a great continent to the other in order to suppress a riot or to check the murderous hands of savages is certainly ludicrous, to say the least. It was said by a Spanish newspaper during the late war, in supposed ridicule of our country, that the United States had but few soldiers, mostly located in the Western portion, and in order to transport them to the Atlantic seaboard they had to be taken over one railroad, on which was located a dangerous bridge over Niagara Falls, which was liable to give way at any time. But the ridicule of the Spanish journalist barely outdoes the tremendous satire of actual facts which have for many years existed by reason of the failure to suitably prepare for the national defense and for the protection of American citizens and properties and individual rights.

Thanks to the wisdom of recent legislation, improvements have been already set on foot for a better national defense. With the consent of the House, and for the information of the country, I shall print a table showing the artillery force needed to furnish one relief for the guns of the coast armament actually installed June 30, 1899 (Exhibit A); and following that a table showing the artillery force required to man the proposed armament of the United States (Exhibit B).

EXHIBIT A.

Table showing the artillery force needed to furnish one relief for the guns of the coast armament actually installed June 30, 1899, strength of the battery being 100 men.

Harbors and posts.	Armament actually installed June 30, 1899.	Batteries of artillery to man those guns.
Kennebec River, Maine	1 8-inch gun, on old mount	
Fort Preble	16 mortars (12-inch)	2
Portland Head	5 guns (10-inch) and 1 rapid-fire (6-inch)	2
Great Diamond Island	6 mortars, 2 guns (12-inch), 8 guns (8-inch), and 4 R. F. guns.	5
Cushing Island	2 guns (12-inch), 2 guns (10-inch), and 3 R. F. guns.	3
Fort Constitution	2 guns (8-inch)	1
Jerrys Point	2 guns (8-inch)	1
Gerrish Island	3 guns (10-inch)	2
Grovers Cliff	16 mortars and 3 guns (12-inch)	4
Long Island Head	5 guns (10-inch) and 4 R. F. guns	3
Paddocks Island	8 mortars (12-inch)	1
Nantucket Head	2 guns (12-inch) and 2 R. F. guns	2
Fort Warren	2 guns (12-inch), 5 guns (10-inch), and 5 R. F. guns.	5
Clarks Point	2 guns (8-inch) and 2 R. F. guns	2
Fort Adams	16 mortars, 2 guns (10-inch), 1 gun (8-inch), and 1 R. F. gun.	4
Fort Greble	8 mortars, 3 guns (10-inch), and 3 R. F. guns.	3
The Dumplings	2 guns (12-inch) and 2 R. F. guns	2
Napatree Point	2 guns (8-inch) and 2 R. F. guns	1
Fishers Island	2 guns (12-inch) and 2 guns (10-inch)	2
Great Gull Island	2 guns (12-inch) and 2 guns (10-inch)	2
Plum Island	8 mortars, 2 guns (10-inch), and 1 R. F. gun	2
Gardiners Point	2 guns (8-inch) and 2 R. F. guns	1
Fort Slocum	16 mortars and 1 gun (8-inch)	2
Fort Schuyler	2 guns (12-inch), 2 guns (10-inch), and 2 R. F. guns.	3
Willets Point	8 mortars, 2 guns (12-inch), 2 guns (10-inch), 2 guns (8-inch), and 4 R. F.	4
Fort Wadsworth	4 guns (12-inch), 4 guns (10-inch), 7 guns (8-inch), and 6 R. F. guns.	8
Fort Hamilton	8 mortars, 4 guns (12-inch), 7 guns (10-inch), and 4 R. F. guns.	8
Fort Hancock	16 mortars, 6 guns (12-inch), 5 guns (10-inch), and 2 R. F. guns.	8
Fort Mott	3 guns (12-inch), 3 guns (10-inch), and 2 R. F. guns.	3
Fort Delaware	3 guns (12-inch) and 4 R. F. guns	2
Battery Point	16 mortars, 2 guns (8-inch), and 2 guns (12-inch).	4
North Point	8 mortars, 2 guns (12-inch), and 4 R. F. guns.	3
Hawkins Point	1 gun (12-inch), 3 guns (8-inch), 4 R. F. guns.	2
Fort Carroll	2 guns (12-inch) and 4 R. F. guns	2
Fort Washington	8 mortars, 7 guns (10-inch), and 4 R. F. guns.	4
Sheridans Point	3 guns (8-inch) and 2 R. F. guns	2
Fort Monroe	16 mortars, 3 guns (12-inch), 8 guns (10-inch), 5 guns (8-inch), and 8 R. F.	12
Fort Caswell	8 mortars, 2 guns (12-inch), 4 guns (8-inch), and 3 R. F. guns.	4
Sullivans Island	16 mortars, 4 guns (10-inch), and 6 R. F. guns.	6
Fort Sumter	2 guns (12-inch)	1
Hilton Head	2 guns (8-inch)	1
St. Helena Island	3 guns (10-inch) and 2 R. F. guns	2
Tybee Island	8 mortars, 2 guns (12-inch), 4 guns (8-inch), and 5 R. F. guns.	4
Fort Pulaski	1 gun (8-inch) and 2 R. F. guns	1
Fort Clinch	1 gun (8-inch)	
Jacksonville	2 guns (8-inch)	1
Key West	8 mortars, 2 guns (12-inch), 4 guns (10-inch), 2 guns (8-inch), 6 R. F.	3
Mullet Key (Tampa)	8 mortars	1
Egmont Key	4 guns (8-inch) and 2 R. F. guns	2
Fort Pickens	8 mortars, 2 guns (12-inch), 4 guns (10-inch), and 4 R. F. guns.	4
Fort McRae	2 guns (8-inch) and 2 R. F. guns	1
Fort Morgan	8 mortars, 2 guns (12-inch), 4 guns (8-inch), and 4 R. F. guns.	4
Fort Gaines	2 guns (8-inch)	1
Fort St. Philip	2 guns (10-inch), 4 guns (8-inch), and 4 R. F. guns.	3
Fort Jackson	2 guns (8-inch) and 2 R. F.	1
Sabine Pass	1 gun (8-inch)	
City Beach	8 mortars, 2 guns (10-inch), and 2 R. F. guns.	2
Bolivar Point	2 guns (8-inch) and 3 R. F.	1
Fort Point	8 mortars, 2 guns (10-inch), and 4 R. F.	3
San Diego	4 guns (10-inch) and 4 R. F.	2
Fort Baker	5 guns (12-inch), 3 guns (8-inch), and 3 R. F.	3
Fort Winfield Scott	32 mortars, 8 guns (12-inch), 5 guns (10-inch), 3 guns (8-inch), 7 R. F.	14
Fort Mason	1 gun (8-inch)	
Angel Island	2 guns (8-inch)	1
Fort Stevens	8 mortars, 6 guns (10-inch), and 2 R. F.	4
Chinook Point	3 guns (8-inch) and 2 R. F.	1
Admiralty Head	10 mortars, 4 guns (10-inch), and 3 R. F.	4
Narrowstone Point	2 guns (12-inch), 4 guns (10-inch), and 2 R. F.	3
Point Wilson	2 guns (12-inch), 5 guns (10-inch), and 2 R. F.	3
Orchard Point	2 R. F. guns	
Bean Point	2 R. F. guns	
Total number batteries of artillery needed to man the guns actually installed June 30, 1899		195

EXHIBIT B.

Table showing artillery force required to man the proposed armament of the United States.

Harbors and posts.	Seacoast guns. 12-inch.	Seacoast guns. 10-inch.	Seacoast guns. 8-inch.	Mortars, 12-inch.	R. F. guns, large.	R. F. guns, small.	Batteries required.
Penobscot River					3	4	1
Kennebec River					3	4	1
Portland, Me.:							
Portland Head	4	5			3	3	5
Cushings Island	4	4			3	6	5
Fort Preble				16			2
Fort Scammel					2	2	
Great Diamond Island, south			5	16	4	12	4
Great Diamond Island, north	5		3	16			3
Cow Island	5						2
Portsmouth, N. H.:							
Jerrys Point	3				2	2	1
Gerrish Island		3		16			2
Fort Constitution			2			2	1
Boston, Mass.:		5					
Fort Warren	5	5			4	11	5
Nantasket Head	6	5			6	4	6
Long Island Head					2	4	2
Deer Island	3		5	32	4	6	8
Grovers Cliff	3			32	3		6
Nahant				32			4
Little Hog Island				16			2
Paddock Island				16			2
New Bedford, Mass.:							
Clarks Point			2	8	4	6	4
Narragansett Bay:							
Fort Adams		2		16	2	3	3
Fort Dumplings	2				3	6	2
Narragansett Bay—Continued.							
Conanicut, Eastern	2	3		16			4
Conanicut, Fox Hill	3				2	2	2
Dutch Island		3		16	3	6	4
Boston Neck	2				2		1
Paradise Rocks				16			2
Long Island Sound, eastern entrance:							
Napatree Point			2		4		1
Fishers Island	2	2		16	3		5
Bartletts Reef	3				4		2
Great Gull Island	2	2	1		4		3
Plum Island		2		16	2		3
Gardiners Point			2		2		1
New York:							
Eastern entrance—							
Willets Point	4	4	2	16	2	3	6
Fort Schuyler	7	2			2	12	4
Gardiners Point	3						1
Hewletts Point				16			2
Sands Point				16			2
Fort Slocum				16	3	4	3
Southern entrance—							
Fort Wadsworth	16	4	5	16	6	8	15
Fort Hamilton	13	7		16	4	8	11
Plum Island				32		12	4
Sandy Hook	12	5		32	7	12	14
Point Comfort				16		6	2
Wards Point					4	6	1

Table showing artillery force required to man the proposed armament of the United States—Continued.

Harbors and posts.	Seacoast guns. 12-inch.	10-inch.	8-inch.	Mortars, 12-inch.	R. F. guns, large.	R. F. guns, small.	Batteries required.
Philadelphia:							
Fort Delaware	8				3	8	4
Finns Point		6			2	2	2
Near Delaware City			2	16	2	4	3
Baltimore:							
Fort Carroll	3				4	2	2
Hawkins Point	1		3		2	2	1
North Point	4			8	3	2	3
Rock Point				8	2	2	2
Potomac River:							
Fort Washington	2	4		8	4	7	5
Sheridans Point	2		3		2	6	2
Hampton Roads:							
Fort Monroe	4	3	1	16	6	12	77
Fort Wool	6						3
Willoughby Spit				16		4	2
Wilmington, N. C.:							
Fort Caswell			3	8	2	7	3
Smiths Island		2			2	7	1
Charleston, S. C.:							
Fort Sumter	2				2		1
Sullivans Island	3			16	2		3
Fort Moultrie		4			5	5	3
Port Royal Sound:							
St. Helena		3			4	6	2
Parry Island		2		8	4	5	3
Hilton Head					2	6	1
Savannah:							
Tybee Island	2		4	16	2	5	4
Fort Pulaski					2	4	
Cumberland Sound:							
Fort Clinch		2		8	2	4	3
St. Johns River:							
St. Johns Bluff				8	4	5	2
St. Augustine, Fla					2	4	1
Key West	2	4	2	32	11	21	10
Tampa, Fla		4		8	7	19	4
Pensacola:							
Fort Barrancas							
Fort Pickens	2	4		16	2	4	4
Fort McRae			2		3	4	1
Mobile:							
Fort Morgan	3		4	8	4	6	3
Fort Gaines				16	3	3	2
New Orleans:							
Fort St. Philip		2	2	8	6	6	4
Fort Jackson			2		6	6	2
Fort Pike					2	3	
Fort Macomb						3	
Sabine Pass					2	4	
Galveston:							
Bolivar Point			2		4	6	1
Fort Point		2		16	4	4	3
City Beach		2		16		4	3
Pelican Slip		2			2	4	1
San Diego:							
Point Ioma		2		16	4		3
The Island					2	4	
Ballast Point		4			2	4	2
Coronado Beach				16	2	4	2
San Francisco:*							
Point Bonita	3	4		16			5
Gravelly Beach	4						2
Alcatraz Island	5						2
Point Lobos	6			32			7
Lime Point	5						2
Point Cavallo		5					2
Yellow Bluff			5				2
Angel Island		4	4				3
San Jose			2				1
Presidio			8				3
Fort Point	10	10	5	64			14
Laguna				32			4
Columbia River:							
Cape Disappointment		3		16			3
Scarboro Hill			3	16			3
Point Adams		8		16	3	3	4
Desdemona Sands	2						1
Puget Sound:							
Point Wilson	2	5		16			5
Marrowstone Point	3	3		16			4
Admiralty Head		7		16			4
Agate Passage			3		3	6	1
Bean Point			3	16	6	12	4
Orchard Point		3			3	6	1
Middle Point					2	2	
Magnolia Bluff				16			2
Point Defiance				8			1
Dash Point				8			1
Lake ports:							
Fort Montgomery					3	6	1
Fort Wayne		3	3	†8	7	9	3
St. Lawrence River	2	6		†8			4
Total	195	186	94	1,008	‡263	‡410	362

*The data in my possession gives 35 R. F. guns for this harbor without stating number of large and small or distribution. I have added 3 companies to those necessary for the B. L. guns.

†Ten-inch mortars.

‡The 35 R. F. guns at San Francisco are not included.

It may be admitted that the Regular Army is the manifestation of Federal authority; and here we come at once to the milk in the cocoanut of opposition to this bill. Any articulation of the national spirit is regarded by some people as the voice of tyranny; but if a patriotic manifestation of Federal authority or assertion of the national spirit is a threat at personal liberty and a menace to our institutions, then the very existence of the national spirit must be an inherent evil. If there is still remaining in the public mind a latent jealousy of Federal authority and an unexpired hatred of Uncle Sam, of course it would be expected to manifest itself against a proposition to increase the Regular Army, however great the need and however reasonable the process.

I have not failed to observe the prominence which has been given to this apparent fundamental idea of the opposition, as expressed in the views of the minority. Although occupying less than two pages of the report, the views of the minority glisten in at least four different places with general expressions indicating their tremendous anxiety about the liberty of the citizen; in fact, that idea seems to be the burden of their customary song of negation and pessimism. The country is to be enlightened in the very beginning of the views of the minority with a declaration that "such a standing army as the one proposed by the Hull bill would, in time of peace, be a menace to the liberty of the citizen."

Then resting a few moments from the fatigue of this burning announcement, and juggling momentarily with some figures relating to imagined expense, the minority rounds up again on the same page with a repetition of their unparalleled regard for the liberty of the people in these words:

> A President dominated by such interests would have, with such a standing army as is now proposed, the means at his hand to invade the liberties of the people, to suppress freedom of speech, and to desecrate the ballot box itself.

This ballot-box suggestion, it will be observed, breaks off their somewhat attenuated oration on the subject of personal liberty with a suddenness that almost gives it prominence, and makes one involuntarily wonder who has been desecrating ballot boxes.

But not being entirely sure that they have made it clear to the world that they intended to raise the question of liberty, they devote the next paragraph to that subject in a fashion which makes one believe that they are reaching a climax. It is in the nature of a warning, and tells us that this policy "launches the country upon a course which can only terminate in the destruction of the liberties of the people." And last of all, to round out their redundant report and to perfect their views with a ripeness and novelty of expression, so that it will be sure to catch the ear of every yearning and impressible citizen and not fail to enlighten the world on the subject of liberty, and that their fundamental argument may not be lost sight of, they tell us that they have prepared a substitute "embodying every need of the Government in its present condition and at the same time preserving with scrupulous care the liberty of the citizen."

I have not lived long enough to have learned of anything in the history of the exploits of American soldiery, or of their service, to justify that suspicion which is cast upon the institution known as the Regular Army of the United States, by the imputation that it could ever be used as a menace to the liberties of American citizenship. The service and the sacrifices of the Regular Army of our country is involved in just an even hundred events—wars, campaigns, expeditions, and military movements. (See Exhibit C.)

EXHIBIT C.

Dates of certain wars, campaigns, expeditions, events, etc.

1775-1783. War of the Revolution, April 19, 1775, to April 11, 1783.
1782-1787. Wyoming Valley disturbances, Pennsylvania.
1786-1787. Shay's rebellion, Massachusetts.
1790-1795. War with Northwest Indians, Miamis, Wyandots, Delawares, Pottawatomies, Shawnees, Chippawas, and Ottawas, September, 1790, to August, 1795.
1791-1794. Whisky insurrection in Pennsylvania.
1798-1800. War with France, July 9, 1798 to September 30, 1800.
1799. Fries insurrection in Pennsylvania; spring of year.
1801-1805. War with Tripoli, June 10, 1801, to June 4, 1805.
1806. Burr conspiracy.
1806. Sabine expedition, Louisiana.
1807. Naval affair in Chesapeake Bay, July 9 to August 5, 1807.
1808. Embargo troubles, Lake Champlain.
1811-1813. War with Northwest Indians, November, 1811, to October, 1813.
1812-1815. War with Great Britain, June 18, 1812, to February 17, 1815.
1812. Florida or Seminole war, August 15 to October, 1812.
1813. Peoria Indian war, Illinois, September 19 to October 21, 1813.
1813-1814. Creek Indian war, Alabama.
1817-1818. Seminole or Florida war, November 20, 1817, to October 31, 1818.
1819. Yellowstone expedition, July to September, 1819.
1823. Compaign against Blackfeet and Arickaree Indians, Upper Missouri River.
1827. Winnebago expedition, Wisconsin (no fighting), June to September, 1827, also called La Fevre Indian war.
1831. Sac and Fox Indian troubles in Illinois.
1832. Black Hawk war, April 26 to September 21, 1832.
1832-1833. Nullification troubles in South Carolina, November, 1832, to February, 1833.
1833. Cherokee disturbances and removal.
1834. Pawnee expedition, Indian Territory, June to September, 1834.
1835-1836. Toledo war, Ohio and Michigan boundary dispute.
1835-1842. Seminole or Florida war, November 1, 1835, to August 14, 1842.
1836-1837. Creek disturbances in Alabama, May 5, 1836, to September 30, 1837.

1836-1837. Southwestern frontier, Louisiana, Arkansas, and Texas (Sabine disturbances), no fighting, April, 1836, to June, 1837.
1837. Osage Indian troubles in Missouri.
1838. Heatherly Indian disturbances on Missouri and Iowa line.
1838. Mormon disturbances in Missouri.
1838-1839. New York, Aroostook, and Canada (Patriot war) frontier disturbances, no fighting.
1846-1847. Doniphan's expedition from Santa Fe, N. Mex., to Chihuahua, Mexico, November, 1846, to February, 1847.
1846-1848. Mexican war, April 24, 1846, to May 30, 1848.
1846-1848. New Mexico expedition, June 30, 1846, to February 13, 1848.
1848. Cayuse war, Oregon, Oregon Volunteers.
1849-1861. Navajo troubles, New Mexico.
1849-1861. Continuous disturbances with Comanche, Cheyenne, Lipan, and Kickapoo Indians in Texas.
1850. Pitt River expedition, California, April 28 to September 13, 1850.
1851-1852. Yuma expedition, California, December, 1851, to April, 1852.
1851-1853. Utah Indian disturbance.
1851-1856. Rogue River, Yakima, Klikitat, Klamath, and Salmon River Indian wars in Oregon and Washington.
1855. Winnas expedition against Snake Indians, Oregon, May 24 to September 8, 1855.
1855-1856. Sioux expedition, Nebraska Territory, April 3, 1855, to July 27, 1856.
1855. Yakima expedition, Washington Territory, October 11 to November 24, 1855.
1855-1856. Cheyenne and Arapahoe troubles.
1855-1858. Seminole or Florida war, December 20, 1855, to May 8, 1858.
1856-1858. Kansas border troubles.
1857. Gila expedition, New Mexico, April 16 to September 16, 1857.
1857. Sioux Indian troubles in Minnesota and Iowa, March and April, 1857.
1857. Mountain Meadow massacre, September 11, 1857.
1857-1858. Utah expedition.
1858. Expedition against Northern Indians, Washington Territory, July 17 to October 17, 1858.
1858. Puget Sound expedition, Washington Territory, August 10 to September 23, 1858.
1858. Spokane, Cœur d'Alene, and Paloos Indian troubles in Washington Territory.
1858. Navajo expedition, New Mexico, September 9 to December 25, 1858.
1858-1859. Wichita expedition, Indian Territory, September 11, 1858, to December, 1859.
1859. Colorado River expedition, California, February 11 to April 28, 1859.
1859. Pecos expedition, Texas, April 16 to August 17, 1859.
1859. Antelope Hills expedition, Texas, June 10 to September 23, 1859.
1859. Bear River expedition, Utah, June 12 to October 18, 1859.
1859. San Juan imbroglio, Washington Territory.
1859. John Brown raid, Virginia, November and December, 1859.
1859-1860. Cortina troubles on Texas and Mexican border.
1860. Pah-Ute expedition, California, April 12 to July 9, 1860.
1860. Kiowa and Comanche expedition, Indian Territory, May 8 to October 11, 1860.
1860. Carson Valley expedition, Utah, May 14 to July 15, 1860.
1860. Attack upon and murder of emigrants by Bannock Indians, Solomon Fork, Snake River, Idaho, September 15, 1860.
1860-1861. Navajo expedition, New Mexico, September 12, 1860, to February 24, 1861.
1861-1900. Apache Indian war and troubles in Arizona and New Mexico.
1861-1866. War of the rebellion, April 19, 1861, to August 20, 1866. Actual hostilities, however, commenced upon the firing on Fort Sumter, April 12 1861, and ceased by the surrender of the Confederate forces under Gen. Kirby Smith, May 26, 1865.
1862. Indian massacre at New Ulm, Minn., August 17-23, 1862.
1862-1867. Sioux Indian war in Minnesota and Dakota.
1863-1869. War against the Cheyenne, Arapaho, Kiowa, and Comanche Indians in Kansas, Nebraska, Colorado, and Indian Territory.
1865-1868. Indian war in southern Oregon and Idaho, and northern California and Nevada.
1865-1866. Fenian raid, New York and Canada border disturbances.
1867-1881. Campaign against Lipan, Kiowa, Kickapoo, and Comanche Indians and Mexican border disturbances.
1868-1869. Canadian River expedition, New Mexico, November 5, 1868, to February 13, 1869.
1871. Yellowstone expedition, August 28 to October 25, 1871.
1871. Fenian troubles. Dakota and Manitoba frontier, September and October, 1871.
1872. Yellowstone expedition, Dakota, July 26 to October 15, 1872.
1872-1873. Modoc campaign, November 28, 1872, to June 1, 1873.
1873. Yellowstone expedition, Dakota, June 4 to October 4, 1873.
1874-1875. Campaign against Kiowa, Cheyenne, and Comanche Indians in Indian Territory, August 1, 1874, to February 16, 1875.
1874. Sioux expedition, Wyoming and Nebraska, February 13 to August 19, 1874.
1874. Black Hills expedition, Dakota, June 20 to August 30, 1874.
1874. Big Horn expedition, Wyoming, August 13 to October 10, 1874.
1875. Expedition against Indians in eastern Nevada, September 7 to 27, 1875.
1876. Sioux expedition, Dakota, May 17 to September 26, 1876.
1876. Powder River expedition, Wyoming, November 1 to December 31, 1876.
1876-1877. Big Horn and Yellowstone expeditions, Wyoming and Montana, February 17, 1876, to June 13, 1877.
1876-1879. War with Northern Cheyenne and Sioux Indians in Indian Territory, Kansas, Wyoming, Dakota, Nebraska, and Montana.
1877. Labor strikes in Pennsylvania and Maryland, July to October, 1877.
1877. Nez Percé campaign, June 14 to October 5, 1877.
1878. Bannock and Piute campaign, May 30 to September 4, 1878.
1878. Ute expedition, Colorado, April 3 to September 9, 1878.
1879. Snake or Sheepeater Indian troubles, Oregon and Washington, August to October, 1879.
1879-1894. Disturbances of settlers in Indian and Oklahoma Territories, "Oklahoma Boomers," and the Cherokee Strip disturbances.
1879-1880. Ute Indian campaign in Colorado and Utah, September 21, 1879, to November 8, 1880.
1885. Chinese miner and labor troubles in Wyoming, September and October, 1885.
1890-1891. Sioux Indian disturbances in South Dakota, November, 1890, to January, 1891.
1891-1893. Garza troubles, Texas and Mexican border disturbances, "Tin Horn War."
1892. Miner disturbances in Idaho, July to November, 1892.
1894. "Industrial Army," "Commonwealers," "Coxeyites," and labor disturbances.
1892-1896. Troubles with renegade Apache Indians, under Kidd and Massai, in Arizona and Mexican border.
1894. Railroad, Pullman, and labor strikes extending from Illinois to Pacific coast, June to August, 1894.
1895. Bannock Indian troubles, July and August, 1895.
1898. War with Spain.

Does the history of valor and of glory in the Revolution prompt the gentlemen of the minority and of the opposition to warn America against American soldiery? Does the record of the regulars led by General Jackson at New Orleans fill the hearts of gentlemen with fear or apprehension for the safety of our citizens? Does Chapultepec send warning even unto modern Washington? Did there ever issue from the lips now closed in everlasting love and fame in that silent mausoleum by the Hudson any word of menace to a future citizen, any thought save peace, any oracle save liberty and union? God spare a grateful country and an admiring world from any doubt about the matchless magnanimity of Appomattox!

The lonely graves of "regulars" dot the Western plains, unlettered and obscure. Can it be possible that in those sepulchers of silence gentlemen hear echoes of dead voices menacing our liberties? Shall any thought of tyranny be attributed to Forsyth and his 50 gallant followers in that famous conflict with the Sioux? Would a standing army of 70,000,000 men like Captain Gunnison menance anything save barbarism or fail in their protection of great and noble enterprise?

Perhaps it is to Colonel Fetterman, with that famous detachment of the Eighteenth United States Infantry and the Second United States Cavalry, who were guilty of nothing save being massacred in the "Fatal Valley," near Fort Phil. Kearney, that gentlemen mean to impute a tendency to usurpation of the liberty of citizens. Or maybe they mean Lieutenant Grattan and his detachment of the Sixth United States Infantry, murdered in the "Mantrap," near Fort Laramie, Wyo., in 1854. It could not be General Canby and the famous heroes of the Modoc war in the awful lava beds. Perhaps in the peerless Custer and his annihilated followers this anxious and solicitous minority read some sign of usurpation, which makes them fear that future regulars, inspired by their illustrious example, might encroach upon our civil liberty.

But, after all, it may be that not until the cool and desperate charge at San Juan Hill, through murky river water up to the waistband, then through the terrible entanglements of barbed wire woven in the brush land, then up the hill to death and victory, did these gentlemen of the opposition feel so keenly the threatening danger of our regulars to the liberty of our citizens! Or, maybe, not in word or deed of soldiers, regular or volunteered, have they foreseen the tendency which they say can only terminate in the destruction of the liberties of the people. Perhaps it is in the apprehension that the people can not safely trust themselves in the selection of a Chief Executive, and that at some time the people's President may move the Army to some ignoble purpose and enslave the people who have chosen him and destroy their liberties and their institutions. Which will the country believe in the face of history, that the Regular Army is likely to destroy our liberties or that the people can not trust themselves in the selection of a Chief Executive?

For one State of the Union I answer we shall believe neither. A State which has for its motto, "Our liberties we prize, and our rights we will maintain," has neither fear of military menace, Federal authority, nor inherent weakness in our national system of self-government. Our citizens, whose ideas of personal liberty are founded in reason, are not jealous of the power which is the safeguard of that liberty. Uncle Sam has no terror for a Hawkeye. He is always a venerated and respected and a welcome guest. Nobody ever heard of anyone who was trying to serve the Lord and his country being interfered with by the Regular Army or by Federal authority. All the symbols and tokens and manifestations and personifications of the national spirit are welcome in the State of Iowa and, as I verily believe, to all law-abiding citizens.

Men are sometimes overtaken by their own shadows, but if they are willing to face their own intentions, they make no outcry. The State of Iowa holds in reverent respect the patriotic valor of the American Army, and doubting not our system of self-government, but believing in the ability and good intentions of a righteous President, will not discredit either by a single vote to cripple the power which is the conservator of peace, of property, of law and order, and of individual rights and human liberty.

Whatever number may be finally determined upon as a reasonable increase for the Army in view of all existing conditions and necessities, it will be found that much time—perhaps many years—will be required to recruit that number. For, as pointed out by Adjutant-General Corbin in a straightforward and sensible article in the January number of the Forum, the personnel and the morale of the Army are constantly being improved and the recruit

of recent years has been required to meet severer tests than formerly. I quote from that most excellent discussion of General Corbin this sentence:

As the years have gone by the gantlet which the applicants have been forced to run has been made more and more severe, until last year only about 3 men were accepted to every 10 rejected; or, to be exact, while 29,521 recruits were obtained, 98,277 applicants were rejected as lacking in legal, mental, moral, or physical requirements.

In view of these facts, that our need for a larger standing army is constantly increasing and that owing to the excellent grade that is and should be required in recruiting, much time will be required to fill the ranks that may be authorized, it appears to me that there should be no delay in making the authorization for an increased national defense.

When I contemplate the peerless services, the modest bravery, and the unselfish devotion of the American "regular" to the country's interests and to the public welfare, when I consider the wondrous character and manhood that have been evidenced in all ranks of the Regular Army, and in services which they have so patriotically rendered with the simple inspiration of their thought of duty, I feel a certain sense of safety and security in their presence and in their guardianship of public institutions and of law and order, which makes me glad to have the opportunity to supply their needs and to augment their forces, and there are so many instances in the history of their matchless sacrifices and incomparable courage that I can not withhold an expression of gratitude on my own account and on behalf of the industrious, law-abiding, loyal people for whom I have the great honor to speak in this assembly.

In all the years of toil and strife and victory that make the history of our Republic great the Regular Army has been its shield and buckler. Whether on desert plain, in lava beds, or forest jungle, contending with the cunning, cruel savages, or on the open battlefield in bloody strife with peers, or facing mad men in the terrible delirium of anarchistic riots and rebellion, the "regular" has been the same unswerving, dauntless bearer and defender of the flag. Whether rationed well and plentifully fed, or surviving on mule meat till succor came from distant post, aroused by faithful messengers, the Stars and Stripes have kept his eye with sleepless vigilance awake to duty and to deeds of daring. Pittance paid and plainly fed, he falters not and never complains.

Living at the lonely frontier post year in, year out, trusted emissary of his Uncle Sam, protector of the pioneer, shortening the uneventful hours with games of pitch or jesting with his comrades, opening with anxious haste belated letters brought by courier or stagecoach telling him of happenings at home, of life and love, of births and deaths and orange blossoms, of failure and ambition and success, of opportunity in civil life, and just there, caught in the middle of a sigh by signal taps, he straightens up, a soldier still, a soldier every inch of him, ready for his duty in any hour of day or night.

Whether he hails from Southern clime or Northern shore, from classic East or hardy Westland, the spirit of his country enters and possesses him, and he becomes a comrade and a patriot, faithful always, always unto death. Wherever he lives, we honor him: wherever he sleeps, we mourn, and whenever he comes to judgment the record will say: Thou faithful servant of the Most High God.

Mr. HULL. I now ask the gentleman from New York [Mr. SULZER] to use the remainder of his time.

Mr. SULZER. Mr. Chairman, how much time have we on our side?

The CHAIRMAN. Eighteen minutes.

Mr. SULZER. How much time have gentlemen on the other side?

The CHAIRMAN. Nine minutes.

Mr. SULZER. I yield the balance of our time to the gentleman from Massachusetts [Mr. FITZGERALD].

[Mr. FITZGERALD addressed the committee. See Appendix.]

Mr. HULL. Mr. Chairman, I yield three minutes to my colleague on the committee [Mr. MARSH].

Mr. MARSH. Mr. Chairman, in the remarks I submitted to the House yesterday, I stated that at the proper time I should offer an amendment reducing the number of men in a company of infantry from 145 to 106. For reasons satisfactory to myself, I now give notice to the House that I will not offer that amendment.

I also stated in my remarks that at the proper time I would offer an amendment that appointment and promotion to the staff hereafter should be by detail from the line of the Army. I now give notice to the House, for reasons satisfactory to myself, that I will not offer that amendment.

I stated to the House further that at the proper time I would offer an amendment to this bill leaving it discretionary with the President as to whether he would enlist up to the full limit, men and officers, or not, and I now give notice I will offer an amendment or amendments which leave the minimum of the Army, so far as the infantry, cavalry, and artillery are concerned, at 50,000, and the maximum as provided for in this bill. And at the proper time I will submit amendments appropriately reducing the number of staff officers provided for in this bill.

Having announced yesterday that I would offer these amendments, I thought that I was in duty bound to notify the House that I had concluded, for satisfactory reasons to myself, not to offer them.

Mr. HULL. Mr. Chairman, before submitting any papers in regard to the number of men believed to be necessary at this time I want to say that I think the Republicans on the Committee on Military Affairs are absolutely unanimous in supporting an amendment fixing the minimum of the Army so that it will meet all the criticisms we have heard of the bill from those who are in favor of a reputable army to enforce the mandates of the nation.

As to the number of men required at this time, I want to say that the Committee on Military Affairs has not taken its own views nor the views of members of Congress, but has taken the authoritative expression of men on the ground, who state the number necessary in order to preserve peace, maintain law, and maintain the supremacy of the United States.

These men know members of Congress can only guess. There was a commission appointed to arrange for the evacuation of Cuba by the Spanish forces, consisting of Major-General Wade, Major-General Butler, and Admiral Sampson, and I hold in my hand their report, or a copy of it, in which they say that 50,000 men are necessary, not possibly to enforce order, but to absolutely insure that there will be no bloodshed and that there will be law and order there. While a smaller number may perform the duty assigned to them, yet a smaller number is liable to encounter looting and bloodshed and rioting, and the consideration of prudence is to have enough to insure peace and tranquillity in the island. We all know how it is in Manila.

The general in command there thirty days ago cabled that 20,000 men would be enough. Within the last month the number has been gradually increasing until to-day the United States Government is sending to the islands of the Philippines at least 30,000 men to maintain our authority there. The very fact that we had a small force, coupled with the fact that the inhabitants of those islands have been led to believe the people of the United States are divided and would turn down the Administration, has multiplied the dangers in the islands of the Pacific until no man can know how many men it will take before we are through with it to maintain the authority of the United States.

I do not propose, Mr. Chairman, in the few minutes I have, to discuss expansion. We have our flag planted in the Philippines, we have the territory ceded to us by the only Government heretofore exercising sovereignty over it, and until the Congress of the United States determines what shall be done there it is the part of patriotism to maintain our authority so that we may preserve the respect of the nations of the world.

Mr. Chairman, to my mind, it is absolutely important that in fixing the maximum for this army we should at least listen to the men who are on the ground, who know the situation, and who can tell us facts and not make a mere guess as to what is needed there. If we do this, the maximum of 100,000 will not be disturbed.

Now, Mr. Chairman, it seems to me that by preserving the flexibility which the amendment offered by the gentleman from Illinois will preserve, leaving to the President of the United States a discretion to make an increase of the Army ranging from 50,000 as a minimum to 100,000 men as a maximum, we shall have accomplished what those who are afraid of a large army have desired. We shall have put in the hands of the Executive the discretion and power and duty of increasing the Army only to the extent necessary to maintain the authority of the United States and preserve peace.

And, Mr. Chairman, we must trust somebody. Gentlemen here are afraid to trust the next Congress. They are afraid to legislate with the understanding that when the crisis passes, when we reach the point that we do not need these additional men, Congress can cut down the number. We die as a Congress on the 4th of March next. We must place in the hands of some one the power to protect the interests of the United States and maintain the authority of the law. We have got to do that; and I believe every man on this floor has an abiding faith that the present occupant of the White House—I will except the gentleman from Indiana [Mr. JOHNSON], but every other man, I believe——

Mr. DOCKERY. I will remind the gentleman from Iowa that the gentleman from Indiana is not here.

Mr. HULL. But he will read my remarks in the RECORD. He always knows what is going on. I say there is this abiding faith that the President of the United States will not violate or abuse this trust. There has never been a time in the history of our Republic when all parties have united in paying tribute to the patriotism and ability and honesty and purity of motive of any President to the extent that has been witnessed in the United States during this past summer in the case of the present Chief

Executive of this country. He has not prosecuted the war on a partisan basis. He has been broad enough to take in the whole country and all factions. He has been broad enough to recognize every section and every faction of this country, and he has won the plaudits which the people of the United States are glad to bestow on a broad-minded, conservative, patriotic President of the United States.

And, gentlemen, he will have no object in increasing the Army beyond what is necessary. He will have the discretion, and it will be his duty to pass upon the question. And that being true, I believe I can appeal at least to this side of the House, by a solid, unanimous vote, to place in his hands the power to maintain the sovereignty of the United States wherever the Army or the Navy has carried it; wherever it has been granted to us by treaty; until the Congress of the United States itself shall determine what shall be the future policy of the United States Government. [Loud applause.]

Mr. Chairman, I shall take the liberty of adding to my remarks in the RECORD the report of the commissioners on the situation.

WAR DEPARTMENT, ADJUTANT-GENERAL'S OFFICE,
Washington, December 14, 1898.

SIR: Agreeable to your request of this date, while I was before the House Committee on Military Affairs, I have the honor to transmit herewith letter from Major-General Wade, chairman of the Commission of Evacuation, giving recommendation of that commission for the number of troops necessary to garrison the island of Cuba.

Very respectfully,
H. C. CORBIN,
Adjutant-General.

Hon. J. A. T. HULL,
Chairman Military Committee, House of Representatives,
Washington, D. C.

U. S. COMMISSION FOR EVACUATION OF ISLAND OF CUBA,
Havana, October 19, 1898.

SIR: As directed by your cable of the 14th instant, I have the honor to furnish herewith a table showing my recommendation as to the stations for United States troops, with number and kind of troops at each, upon evacuation by Spain. The Spanish troops now occupy 52 garrisons, counting Havana and other cities as one station each. It will be neither practicable or advisable to replace all these garrisons. My recommendation is based upon holding the more important cities, seaports, and railroad centers, with sufficient force to operate in the vicinity and furnish small garrisons at such other points as may become necessary. This I believe to be the best disposition to make of troops when they arrive. Should this be approved, the troops for each station should be promptly furnished when asked for by the evacuation commission, so as to be at their stations in time to relieve the Spanish garrisons and prevent occupation by insurgent troops now concentrated near most of the designated places.

I consider the number of troops named in the accompanying table as the smallest that should be in the island not including those now in the Department of Santiago. In fixing this number I have been governed by the following considerations: Cuba is, and for a long time has been, really a military camp and governed by the most arbitrary rules, practically there is no civil government or authority. The Spanish force consists of about 118,000 regulars, 21,000 volunteers on duty, and 52,000 volunteers, armed, but not on duty. The insurgents claim to have about 40,000 armed men, making a total of 231,000. Probably the military evacuation by Spain will remove about 100,000 men, leaving considerably more than that number who will be, or recently have been, under arms and to a great extent living off the country. Many of these men will, from necessity if not from choice, be without employment. Among these men, as well as those who have not taken part in the late Spanish-Cuban war, exist race feuds and political factions. Many of the people are very ignorant, few understand what independence and liberty mean, or have fixed ideas as to what the future of their country will or should be. It will require tact and force to harmonize the conflicting interests and insure order. If a large force occupies the island as soon as Spain evacuates, it can under favorable conditions be much reduced in a few months, but it would be unfortunate to begin with too small a force and be obliged to increase it.

Very respectfully,
J. F. WADE,
Major-General, Volunteers.

ADJUTANT-GENERAL, UNITED STATES ARMY,
Washington, D. C.

HAVANA, CUBA, *October 19, 1898.*

Proposed stations for United States troops.

Province.	Town.	Regiments of infantry.	Regiments of cavalry.	Number of men.	Total.
Pinar del Rio	Guanajay	1	.....	1,000	
	Mariel	1	.....	1,000	
	Pinar del Rio	1	.....	1,000	
					3,000
Havana	Havana	22	2	24,000	24,000
Matanzas	Matanzas	7	1	8,000	
	Cardenas	2	.....	2,000	
					10,000
Santa Clara	Cienfuegos	2	1	3,000	
	Trinidad	2	.....	2,000	
	Sagua la Grande	1	.....	1,000	
	Santa Clara	1	.....	1,000	
	Placetas	1	.....	1,000	
	Caibarien and Remedios	1	.....	1,000	
	Sancti Spiritus	1	.....	1,000	
					10,000
Puerto Principe	Nuevitas and Puerto Principe.	1	1	2,000	2,000
Santiago de Cuba	Manzanillo	1	.....	1,000	1,000
		45	5	.....	50,000

Also light artillery as follows: Havana, 4 batteries; Matanzas, 2 batteries; total, 6 batteries—1,200 men.

The CHAIRMAN. The time allowed for general debate has expired. The Clerk will proceed to read the bill.

The Clerk read as follows:

Be it enacted, etc., That from and after the date of approval of this act the Army of the United States shall consist of 1 Lieutenant-General, 6 major-generals, 12 brigadier-generals, 12 regiments of cavalry, a corps of artillery, 30 regiments of infantry, an Adjutant-General's Department, an Inspector-General's Department, a Judge-Advocate-General's Department, a Quartermaster's Department, a Subsistence Department, a Medical Department, a Pay Department, a Corps of Engineers, an Ordnance Department, a Signal Corps, 30 post chaplains, the Chief of the Record and Pension Office, the officers of the Army on the retired list, the professors, corps of cadets, an army-service detachment, and band at the United States Military Academy, and such other officers and enlisted men as may hereinafter be provided for.

The following amendment, reported by the Committee on Military Affairs, was read:

In lines 11 and 12 of section 1, strike out the words "thirty post" and insert the word "forty;" so as to read "forty chaplains."

Several members rose.

The CHAIRMAN. The first amendment in order is this amendment offered by the committee.

Mr. DOCKERY. But outside amendments, if offered, may influence the judgment of the Committee of the Whole.

Mr. HULL. Committee amendments come first in order.

The CHAIRMAN. The amendment of the committee is, of course, subject to amendment.

Mr. SHAFROTH. But this amendment is subject to debate.

The CHAIRMAN. The Chair will recognize the gentleman from Colorado [Mr. SHAFROTH].

[Mr. SHAFROTH addressed the committee. See Appendix.]

Mr. HULL. I hope we may have a vote on the committee amendment now.

Mr. BRUCKER. Mr. Chairman——

Mr. DOCKERY. Mr. Chairman, I want to offer a substantial amendment to this paragraph.

The CHAIRMAN. The Chair will recognize the gentleman from Michigan [Mr. BRUCKER].

[Mr. BRUCKER addressed the committee. See Appendix.]

Mr. DOCKERY. I desire to offer an amendment to the text of the committee amendment.

Mr. HAY. A parliamentary inquiry.

The CHAIRMAN. The gentleman from Missouri desires to offer an amendment to the amendment.

Mr. HAY. A parliamentary inquiry. Can any amendment be offered until the committee amendments are disposed of?

The CHAIRMAN. Not if the chairman of the Committee on Military Affairs should choose to offer the amendments.

Mr. HULL. The amendments are offered.

The CHAIRMAN. If he should yield, of course other members can offer amendments.

Mr. DOCKERY. I desire to offer an amendment, unless some member of the committee should desire to offer it.

Mr. HULL. Do I understand the gentleman from Missouri to offer an amendment to the amendment?

Mr. DOCKERY. I desire to offer an amendment to the text.

Mr. HULL. I object to that.

The CHAIRMAN. It is not in order until the committee amendments are disposed of.

Mr. HULL. I ask for a vote.

Mr. DOCKERY. Let us have a separate vote on the amendments. There is an increase of 10 chaplains; I should like to hear an explanation.

Mr. HULL. Yes, sir; I will say to the gentleman——

Mr. HOPKINS. I trust the gentleman from Missouri will not object to additional chaplains.

Mr. DOCKERY. Why, I am not objecting, but simply inquire the necessity for the increase.

Mr. HOPKINS. The gentleman certainly believes that the soldiers should have the benefit of religious instruction and consolation as well as civilians.

Mr. SMITH of Arizona. Each one will need a preacher if he goes there and stays long.

Mr. DOCKERY. I suspect the gentleman from Iowa is more familiar with the question than the gentleman from Illinois [Mr. HOPKINS]. [Laughter.]

Mr. HULL. I call for a vote.

The CHAIRMAN. The question is on agreeing to the first committee amendment.

The question was taken; and the Chairman announced that the ayes seemed to have it.

Mr. STEELE. Let us have a division.

The committee divided; and there were—ayes 60, noes 24.

So the amendment was agreed to.

The CHAIRMAN. The Clerk will report the next amendment.

The Clerk read as follows:

In line 12, after the word "chaplains," insert "to be assigned to regiments or posts in the discretion of the Secretary of War;" strike out the words "chief of the" and insert "a."

The CHAIRMAN. The question is on agreeing to the amendment.

The amendment was agreed to.

Mr. DOCKERY. Now, Mr. Chairman——

Mr. HULL. There is another committee amendment.

Mr. HAY. I offer the following amendment to the text.

The CHAIRMAN. The gentleman from Iowa states that there is another amendment suggested by the committee.

Mr. HAY. That is all of them.

The CHAIRMAN. The Clerk states to the Chair that all the amendments have been read and adopted.

Mr. HULL. The first amendment was, to strike out "thirty posts" and insert "forty." That carried. The next was, "to be assigned to regiments or posts in the discretion of the Secretary of War;" and that carried. The next is, to strike out "chief of the" and insert "a;" so that it will read "Record and Pension Division." That has not been submitted.

Mr. DOCKERY. The Clerk read it.

The CHAIRMAN. The Clerk read it as one amendment.

Mr. HAY. Now, Mr. Chairman, I offer this amendment, to come in at the end of the section.

The Clerk read as follows:

Provided, That the increase of the Regular Army provided for in this bill over what it was before the war with Spain shall only be used in Porto Rico, Cuba, the Philippine Islands, the Hawaiian Islands, and the Ladrone Islands: *And provided further*, That said increase of both officers and men shall be mustered out of the service of the United States within two years of the passage of this act, or sooner, if the exigencies of the public service permit.

Mr. HAY. Now, Mr. Chairman, I offer this amendment in line of the suggestion of the gentleman from Iowa, who has abandoned by his statement on this floor the bill which he has brought into this House. It seems that there can only be used, by the admission of the gentleman, 50,000 men, but the President is to be given discretion by this Congress to increase the Army up to 100,000 men.

I agree with the gentleman from Michigan [Mr. BRUCKER] that no matter how good or how great a man may be, such power as is proposed to be conferred upon him by the gentleman from Iowa [Mr. HULL] ought not to be conferred. Now, the amendment which I have proposed is practically an amendment which provides for the volunteer forces to be used only in the islands and to be used in accordance with what the General of the Army says will be necessary for those islands.

I do not believe that the 100,000 men can be used in this country and the islands put together; however, recognizing the character of the temporary conditions which exist between this country and the islands, which we have not as yet acquired, I am willing to provide for some temporary force to meet the conditions which the Executive says now confront us.

I am not willing to go one step beyond that, but I am not willing to admit that we need any more men in the Regular Army in this country than we needed before the war with Spain. I am not willing to admit or to believe that in two years from this time it will be necessary to have a man in the island of Cuba or in the Philippine Islands. I am not willing to believe that the Congress of the United States will inaugurate a policy which will result in continual warfare with the people of the Philippine Islands.

To-day we are informed that a conflict has occurred between the army of this country and the people in the Philippine Islands. If we continue by passing measures of this sort, which can only be excused from the standpoint that we are going to take forcible possession of the Philippine Islands, then we may expect within thirty days to be at war with the people of the Philippines, with a people that we say ought to have their liberty and that some gentlemen on the other side say the President intends to give liberty.

Mr. WILLIAMS of Mississippi. Notably the gentleman from Iowa [Mr. HEPBURN].

Mr. HAY. Notably the gentleman from Iowa [Mr. HEPBURN]. Now, it does seem to me that it is our duty to the people of this country to protect our own interests and our own liberties before we undertake to give liberty to other people. To give it to them by sending them a large army, a force of 30,000 or 40,000 men, to shoot and kill them if they do not come up with the requirements which we may prescribe, is, in my judgment, a very poor way to bestow liberty on any people.

Therefore it is that I offer this amendment for the purpose of having only a temporary force and one that will not be at the discretion of the President.

The CHAIRMAN. The gentleman's time has expired.

Mr. HULL. Mr. Chairman, I sincerely hope this amendment will not be adopted. It is a part of the minority report to provide a temporary force. It will simply, as I believe, result in defeating all the purposes of increasing the force of the United States Army. We know that the volunteers we have to-day, while they were anxious to get into the Army, are equally anxious to get out, and we want to legislate so they can get out as soon as possible. I do not believe it would be possible to organize an army of occupation for two years only on the plan that this amendment provides it shall do, for this does not extend beyond two years. In other words, it is trying to make something that is temporary in its nature answer where a general permanent law will answer better. A general law will save money to the United States and will not tie the hands of the Government as to what shall be its policy when two years from this time shall roll around.

As I said in the beginning, with things as they are now, and with the amendment that will be offered by the gentleman from Illinois [Mr. MARSH], it will put in the hands of the President ample discretion. There is no need of putting a larger army in the field than is absolutely necessary. It seems to me that to raise 50,000 men that must be kept all the time in the islands is mischievous. You have got to take the men away from the islands after a while, and you must have a reserve at home. You must exchange the men from the Temperate Zone with those in the Tropics. To provide 50,000 men to serve only in a tropical country would be almost murder. I do not believe a proposition of that kind should receive the vote of a single man on the floor of this House.

It seems to me that when we provide a flexible system, as has been suggested, it answers all the purposes necessary. Nobody knows who will be President three years from now. We believe that Mr. McKinley will be reelected. Some of you gentlemen on that side affect to believe that you will elect a man of your party. But no matter who he is, he will be the President of the United States, and I do not believe he will exercise his power to the injury of the people who have elected him to his high office. Now I will yield to the gentleman from Tennessee [Mr. COX] for a question.

Mr. COX. I would like to ask the gentleman, the chairman of the committee, what do you want of this army? [Laughter.] I did not intend to provoke any kind of merriment at all. But what I want to know is this: When you get your Regular Army recruited up to 100,000 men, what are you going to do with them?

Mr. HULL. Mr. Chairman, if we have an army of 100,000 under the bill as it will be changed, it will be because we absolutely need an army of 100,000. I will answer the question, What are we going to do with such an army? We are going to place them where the Chief Executive says they are necessary to enforce the laws and the sovereignty of the United States. And I want to say to my friend that in doing that with the Army we are doing what every nation on earth does with its physical power—maintaining its sovereignty and enforcing its laws. If the laws of the United States are not challenged—if our authority is not challenged—we will not need that army. But if the authority of the United States and our laws are challenged, we shall need physical force to bring respect to our flag.

[Here the hammer fell.]

Mr. WILLIAMS of Mississippi. Mr. Chairman, the closing sentence of the gentleman on the other side [Mr. HULL] was that we needed this army for the purpose of enforcing the laws and the sovereignty of the United States wherever they were disputed.

Mr. HULL. No; I did not say that. I did not say "wherever they were disputed," because we could not very well take that army to England and Germany and France.

Mr. GAINES. You would strike only the little fellows.

Mr. WILLIAMS of Mississippi. The remark of the gentleman from Iowa is a mere quibble about words. Of course I did not understand the gentleman—who is my personal friend—as disclaiming what he now disclaims, as saying what he now disclaims. I do not think he had a right to understand my observation. What he meant was this—that we wanted this Army for the purpose of maintaining the laws and sovereignty of the United States in our allegedly newly acquired territories whenever our laws and sovereignty may be disputed.

Mr. HULL. I will stand by that.

Mr. WILLIAMS of Mississippi. Now, the laws and sovereignty of the United States extend nowhere except where the Constitution of the United States, the creator of the law and of the Government itself, extends. Gentlemen on the other side contend that the Constitution of the United States will not apply to newly acquired territory. But outside of all that, the point that I make here now is that the gentleman presupposes the taking and holding of the Philippine Islands—because at least thirty or forty thousand of these troops are to be sent to those islands, according to the universal consensus of opinion upon both sides.

Now, Mr. Chairman, how are the laws and the sovereignty of the United States to be enforced in the Philippine Islands? Purely by this title, if any—the title which we obtained from the Kingdom of Spain. She is our grantor, and we are her grantees. Up to a short while ago we were ourselves disputing the title of Spain in the Philippine Islands; and now we step in as the grantees of that title and undertake, as the Washington Post has done lately, to denounce as "rebels" against American law and sovereignty and authority a people who are doing nothing except what our own people did in the days of George III—asserting their rights

to be free, and if it be necessary in order to be free, then their right to be independent.

Mr. Chairman, the gentleman objects to the observation of my friend from Virginia [Mr. HAY] that what he proposes to provide is simply a temporary force; and the gentleman's objection is substantially upon the ground that it is simply temporary. Then he must mean that he wants something permanent in its character. If the gentleman from Iowa is right, and if the Republican policy is to have a permanent standing army for the permanent occupation of the Philippine Islands, then in what sort of a condition is my friend from Iowa [Mr. DOLLIVER], who absolutely refused to answer the question put to him—absolutely refused to indorse what we have said was the Republican policy, namely, a permanent occupation of the Philippine Islands.

And in what sort of a condition must my other friend from Iowa [Mr. HEPBURN] be, when he has asserted upon the floor of this House that the Republican policy is to occupy the Philippine Islands only until stability of government can be obtained there and until anarchy among the people can be prevented?

[Here the hammer fell.]

Mr. CANNON. Mr. Chairman, in five minutes one can say but little; still I think that time will be sufficient for me to say what I desire.

Many things have followed the declaration of war with Spain. One is that Spain has gone out of Cuba; another is that she has gone out of Porto Rico; another is that our Army and Navy are over in the Philippines; another is that we have possession of one of the Ladrones. It does not make any difference whether we are fond of that condition of affairs or not. Those results have followed the war as a logical sequence, and we have got to deal with them. We may quarrel and excuse; we may support by words, and strike under the fifth rib, watching our opportunity, but the man or the party that fails to deal with the situation as it is does not do justice to himself or itself, and the rocks and the mountains will and ought to fall on him. [Applause.]

Mr. Chairman, we are in the Philippines. We are there under the war power, and will be there under the war power until the treaty is ratified. We have got a navy there; we have got a considerable portion of the Army there, and we are sending more. Gentlemen say, What are you going to do with the Philippines? In my judgment (and I act accordingly and from that standpoint) on the 6th day of February, or, at the furthest, by the 10th day of March next, the treaty with Spain will be ratified; and then we have got to deal with the Philippines. How? We will deal with them by the continuance of a military government there for the present. That is what there is there now, and that is what it will continue, just as it continued in California after we acquired it as a portion of our national territory.

A MEMBER. Just as it did in Louisiana.

Mr. CANNON. Yes; just as it did in Louisiana.

Mr. WILLIAMS of Mississippi. Will the gentleman allow me?

Mr. CANNON. I can not yield in five minutes. If I had a little more time, I should be glad to do so.

Mr. WILLIAMS of Mississippi. Let me ask the gentleman a question——

Mr. CANNON. Now, my friend knows that I can not yield in five minutes. I would with a great deal of pleasure if I had time. I will hereafter, no doubt, have an opportunity to answer any question that my friend may desire to ask.

But, Mr. Chairman, let me continue. If we proceed in our policy, we must have an army sufficient to enforce the laws, and also to enforce order and respect for the flag of the country, at least during our temporary occupation of these outlying countries, for the purpose of protecting our own people, and, in fact, to protect all other people there who may need our protection.

It is vain and futile to say what will be done with the Philippine Islands. Who knows? I do not know and you do not know. Who can tell what the result will be? After the ratification of the treaty we will have a question presented with which the Congress of the United States is strong enough and able enough to deal; but in the meantime we must hold them under military control until Congress, in its wisdom and in its patriotism, shall determine what our course is to be. [Applause on the Republican side.]

Now, Mr. Chairman, for these reasons, as the Army goes down to 25,000 men under the law, as it is at present, the moment that treaty of peace is ratified—for that reason I say I am for the pending bill.

What is the pending bill? It is a proposition simply to increase the Regular Army of the United States—after it is amended, as it will be amended under the lead of my distinguished colleague from Illinois—to 50,000 as a minimum, which may be enlarged, in the light of the necessities that may arise and in the discretion of the President, from 50,000 to 100,000 men. That will be done in case of necessity. That is all there is of it.

"Too much power," somebody says, "in the hands of the President." Why, Mr. Chairman, the President is chosen every four years by the people of this country.

The CHAIRMAN. The time of the gentleman has expired.

Mr. HULL. I ask unanimous consent that the gentleman from Illinois have five minutes' additional time.

There was no objection.

Mr. WILLIAMS of Mississippi. Mr. Chairman——

Mr. COX. I desire to ask the gentleman a question.

Mr. WILLIAMS of Mississippi. I want to interrupt the gentleman——

Mr. CANNON. Now, I trust my friends will permit me to proceed for the short time I shall occupy the attention of the House. There are certain things I want to say. I will be on the floor again, and I will seek to yield to the gentleman from Mississippi for any inquiry he may wish to propound.

Mr. WILLIAMS of Mississippi. Of course, I do not desire to be discourteous to the gentleman, and will desist from my effort to ask him a question in connection with what he has said.

Mr. COX. I wish to ask the gentleman from Illinois——

Mr. CANNON. I can not yield at present. In all courteousness, I must say to my friend from Tennessee that I can not submit to any inquiry at this time.

Mr. COX. Very well; I will take another opportunity.

Mr. CANNON. The President of the United States is selected once in every four years. If he violates the law of the country, he is subject to impeachment; and also there is a remedy, stronger even than that, I believe, in the minds of the people. If he violates the Constitution and the laws, he is subject to the discipline of a wise and patriotic public sentiment. [Applause on the Republican side.]

Gentlemen say that a standing army is a menace to the liberties of the people, when they know, as a matter of fact, that its life is dependent altogether upon the action of Congress, upon appropriations for its support, for its transportation, and all of the necessities of an army, all of these questions to be determined by a vote of the Congress chosen every two years by the people of the country, and coming, it may be, with instructions from them as to their will upon any important question.

There is no danger, Mr. Chairman, whatever, in the proposition which presents itself to us for consideration to-day. There is no danger with the 75,000,000 of our kindred—of our own people—the people of this country, whose liberties are in their own hands—there is no danger that these liberties will be subverted by a standing army of 50,000 men, to be increased to 100,000 in the discretion of the President if occasion shall demand such an increase. This army is to be recruited from our own citizens. It is composed of our own people. There is no trouble or danger from that source. I do not know that anything can convince gentlemen on that side of the House. It is your province to be critical. Your function is criticism and opposition.

You are in the minority. Our function—we being in the majority—is to legislate. We are responsible to the people and to the country. And I want to say to the House and those who listen to me that we dare not shirk that responsibility. [Applause on the Republican side.] And further, Mr. Chairman, in the present condition and in our present troubles, we dare not go at a snail's pace or resort to halfway measures. We have a duty which is set to us and which we can not shirk. It is our duty to "pluck the flower safety from the nettle danger."

When questions of this character arise, demanding the patriotic consideration of the members of this body, it is our duty to grasp the situation and to deal with it according to the dictates of common sense and common reason. [Applause.]

We are in that condition now. Is there a man here, even on that side of the House, save one, who would call back the Army and the Navy of the United States from the Philippine Islands if he had the power to do so? [Applause on Republican side.] There is one, at least, who says that he would do so. But if he says that the majority of this body would be willing to do such a thing, then, Mr. Chairman, he is "talking through his hat." There is no one on this side of the House who will assume such a position as that. [Applause on Republican side.] And if we fail to give honest government, safety and security of property, and personal liberty to these people, as is our duty, in the Philippine Islands, and disaster comes, rocks and mountains will fall upon us, and every man on the other side of the House will be heaving rocks upon us and on our heads over the precipice. [Applause on Republican side.]

The CHAIRMAN. The time of the gentleman from Illinois has expired.

Mr. COCHRAN of Missouri. Mr. Chairman, it is always delightful to listen to the gentleman from Illinois [Mr. CANNON], for, while he usually states only part of the facts pertaining to the matter in hand, he states them with great emphasis, seemingly impressed with the notion that thus he may dispense with the necessity of stating all the facts. [Laughter.] He says we will continue to hold the Philippine Islands. May I inquire, what portion of the Philippine Islands do we now hold? We hold a single city. How did we obtain possession of that city?

Mr. TAWNEY. By the guns of Admiral Dewey.

Mr. COCHRAN of Missouri. We obtained it by securing as allies the army commanded by Aguinaldo, the present chief executive of the republic of the Philippines. We placed arms in the hands of an army of natives, and this army, which took the field with the avowed purpose of winning liberty and independence, assisted in capturing the only Philippine territory now occupied by our forces.

Contemporaneous with Dewey's investment of Manila by sea, it was invested by land by the army under command of Aguinaldo. Indisputably, Aguinaldo went to the island and organized and placed this army in the field at the request of the authorized representatives of the United States. We know that upon landing there he issued a proclamation declaring that he appeared as the liberator of his country, and that in response to this appeal his countrymen flocked to his standard by thousands.

The American people know—the world knows—that it was for the liberation of their fatherland, and not with the expectation that they were to merely change masters, that the Filipinos took up arms. The President of the United States is aware, and at every stage of the pending discussion has been aware, that before a blow was struck by the followers of Aguinaldo he proclaimed the independence of the islands. Knowing all this, we accepted his services.

And, Mr. Chairman, I call history to witness that the Philippine Islanders under the command of Aguinaldo have earned and deserve the respect and admiration of the world. Traversing a large area of Luzon, they drove the Spanish forces from the interior of the island, captured 5,000 prisoners, surrounded the capital, and confined the Spanish forces there within the intrenchments until the arrival of our army upon the scene.

Aguinaldo had placed himself and his army at the disposal of the American commander, and never was subaltern more loyal to his chief. When Dewey directed that Aguinaldo's forces should refrain from an assault upon Manila until the arrival of Merritt and his men, Aguinaldo was obedient. When the city was surrendered, Aguinaldo was requested to depart and leave the American forces in possession, and without complaint he yielded obedience.

This Filipino chief has evinced the profoundest reverence for our country and unquestioning faith in its good intentions. Is it possible that the American Congress would break faith with this man and his people? Can we draw the sword against the Philippines without dishonor? It has been said that we entered into no explicit engagement binding us to recognize Aguinaldo and his followers—that they have no standing entitling them to our consideration.

Undoubtedly by their achievements and deportment during the months preceding the fall of Manila they won the right to be treated as a belligerent power, and were so treated by the American commander. Are we to say that at Manila, while acting in conjunction with Dewey's fleet and under Dewey's orders, they were patriots and soldiers because they fought under the Stars and Stripes for the emancipation of their country, but that at Iloilo this same army became mere interlopers because, forsooth, they continued the struggle without our help? Why was not Aguinaldo and his followers denounced as mere rioters when they fought side by side with our forces at Manila?

Mr. Chairman, they were patriots then; they are patriots now. They took the field to establish the liberty and independence of their country, and who can blame them for still treasuring the hope of success?

Mr. Chairman, we are told that these people are incapable of self-government. A dozen of the ablest men in the convention which framed and adopted our Constitution said the same thing concerning the men who achieved American independence.

The soldiers of the Revolution were characterized as "the ribald democracy," and it was insisted that they should not participate directly in controlling this Government. Scores of times in the course of debates in the Constitutional Convention the demand was made that a constitution be formulated which would eliminate, as far as possible, the participation of the masses in the enactment of laws and their administration.

Mr. Chairman, this objection to democracy was not new then—it is not new now. It is the objection which has been made at every step in the world's struggle for emancipation from absolutism. How do we know that the Filipinos are incapable? We can at least give them a chance. Good faith requires it. The honor of the Republic is at stake as well as the maxims of free government.

Sir, let us remember that the oppressed people of the Philippines have followed our flag in battle and placed their future in our keeping with unalloyed confidence, and that all they now ask is adherence to promises, implied by acceptance of their loyal devotion. Speaking for myself and, I think, for this side of the House, I declare that nothing should tempt us to betray their confidence. [Applause on the Democratic side.]

Mr. Chairman, if we seize these islands by force, we must hold them by force. If we quarter an army of occupation in the Philippines, we do so with the distinct understanding that we must constantly maintain an army there and that the authority of this Government will not extend beyond the places thus occupied. Such has been the history of Spanish occupation.

Sir, 7,000 miles of ocean separate the Philippine Islands from this country, and while we, an alien race, may usurp authority there by force of arms, the extent of that authority will be measured by the numbers sent to vex the people and impose upon them an objectionable government. We may obtain lodgments upon the seacoast and hold numerous fortified places in the Philippines, but before entering upon such an enterprise we should bear in mind that our army of occupation must be transported 7,000 miles.

Mr. WILLIAMS of Mississippi. Ten.

Mr. COCHRAN of Missouri. We are requested to pass this bill and then leave everything to the President; we are not to be permitted to inquire what the President intends to do. Gentlemen on the other side admit that they do not know what policy will be pursued by the Administration.

In the course of this discussion it has been said that we "must hold the Philippines," and I take it this must mean that no attention must be paid to the resistance of the natives. This must be what the President contemplates. If so, why does he not say so? The army provided for by this bill is to be sent to the Philippines, and the American Republic is to enforce its authority there by force of arms, just as Spain has for nearly three centuries.

Mr. Chairman, I protest against leaving in the hands of the Executive discretionary authority to levy war upon the Philippine Islanders, or to exercise any other constitutional function of the legislative branch of the Government. Are we prepared to abdicate the constitutional rights of this body? What are its constitutional functions, and what the functions of the President?

In grave junctures like this the Constitution provides that the President shall lay before Congress all the facts and his views concerning them, and that the people through their representatives, and not the Executive, shall deal with the question. The Constitution does not provide that the President shall say to Congress, "The country is on the eve of war. Give me an army of 100,000 men; then adjourn; and after I shall have performed according to my own sweet will until next December, Congress can assemble and determine what it wants done."

The CHAIRMAN. The time of the gentleman has expired.

Mr. DOCKERY. I ask unanimous consent that the gentleman's time be extended five minutes.

There was no objection.

Mr. COCHRAN of Missouri. What may be expected to happen in the Philippines within the next six or seven months? War, inevitably. War with Spain? No; war with the natives—a war in which we will seek to force upon the islands a right to govern, bought for spot cash from Spain. This Republic is about to enforce the brutal doctrine that governments derive their just powers from the free use of the sword. It is about to declare that the right to govern 10,000,000 people may be sold by an oppressor who for three centuries has held sway by violence and practiced robbery as a privilege inherent in rulers holding power ostensibly by divine right.

To uphold this new and strange doctrine we are about to turn our arms against our late allies. We are going to make war upon a people who, in their pronunciamento in favor of the right to self-government, quoted the immortal language of our Declaration of Independence that all men possess the inalienable rights of life, liberty, and the pursuit of happiness.

Mr. Chairman, that noble sentiment will never be eradicated from the American mind. The gentlemen who say "Hold the Philippines!" will never convince the American people that governments do not derive their just powers from the consent of the governed. The proposed war of conquest may find for a while champions and defenders, but when the sober second thought shall come, when the American people shall pass finally upon the rights of the Filipinos, they will accord to them the measure of human rights written by the founders of this Republic, and woe to the party that shall attempt to substitute for that measure the brutal maxims of the conqueror. Sir, the rocks and mountains, which according to the gentleman from Illinois [Mr. CANNON] are to fall upon those responsible for mistakes in this matter, will not fall upon opponents of the present policy of the Republican side of this House. [Applause on the Democratic side.]

But, Mr. Chairman, for the purpose of this discussion, let us assume for a moment that the Republicans are right as far as the principles of government involved are concerned. Have they counted the cost of the venture? Let me warn them that they are entering upon a dangerous undertaking. Every authority on the subject, every traveler who has visited those islands and written about them, every line of their history, proves that there is not to-day in all the earth a military power that can take possession of the interior of those islands and reduce them to the

pacific condition of an American State. Alien soldiery is powerless amid the deadly shades of the Philippines. No alien army can survive there. No alien power will ever occupy the interior. Spain has never undertaken it.

From the beginning of her occupancy of the Philippines, nearly three hundred years ago, she has recognized the peculiar tribal relations of the natives, because it was impossible to extend actual occupation beyond a few fortified places. Spain has never attempted at any time to permanently occupy the interior of a single one of the islands. When the Spanish soldiers have gone forth on temporary expeditions for the purpose of compelling submission to demands for taxes and tributes, or, as I prefer to characterize it, for the purpose of enforcing systematic robbery, God has avenged the invasion. Death, caused by climatic diseases, has been the penalty paid by Spanish troops sent into the interior, and before we go further in the enterprise which depends for success upon the passage of this bill we should bear in mind that all the authorities concur in the opinion that the chief enemy our brave boys will encounter will be diseases which no European or American army can survive.

Mr. Chairman, the Spaniards, when they sued for peace, were in possession of Manila, Iloilo, and other trade centers on the coast, but were they in possession of the interior of the islands? No; the southern Philippines, containing 3,000,000 people, with whom Spain has scarcely come into contact, are and have ever been practically independent of Spanish authority. Some of these islands have never been explored, much less invaded, and even if climatic conditions would permit military operations, to conquer them would involve an enormous expenditure of life and treasure.

Mr. Chairman, much has been said of the great resources of the Philippines. Why, the gross sum of their exports and imports combined, last year, amounted to less than one-fourth the value of the cotton crop of Texas. [Loud applause.]

And we propose to send 100,000 American troops there. We will need that many before we are through with the proposed enterprise. How many will we bury there?

How many will return? What is the condition of the American Army now in the Philippines? We do not know. Already we have a press censorship rigidly enforced to prevent the wails of our soldiers from reaching the ears of their countrymen. [Loud applause.] Are we to repeat the experience of the English in India? The Englishmen who first invaded the great empire died like vermin by thousands, and those who survived became mere wrecks. The climate of India is far less deadly than that of the Philippines. What reason have you to hope that the soldiers you propose to send to this pestilential country will fare better than did the English in India?

The CHAIRMAN. The time of the gentleman has expired.

Mr. RIDGLEY. I ask unanimous consent that the time of the gentleman be extended five minutes.

There was no objection.

Mr. COCHRAN of Missouri. If at the outset this Government intended to use Aguinaldo and his followers as long as they could be useful, and then declare them mere rioters and disturbers of the peace, why did we not say so? [Applause.] Common honesty required it. We said nothing of the sort. On the contrary, we armed the Filipinos and asked them to help us. Are we going to say to the people who endangered their lives in support of our flag, whose army in conjunction with ours achieved victory over a common enemy, that having used them as long as they could be useful we now demand their submission to a government of our making? Do gentlemen think they can justify such a course by saying we made no promises?

I notice that our State Department says there is not extant a scrap of paper containing expressed recognition of Aguinaldo or promising liberty and independence to the Philippines. Are we going to say to them that it was all right for them to march and suffer and fight, but at the wind-up a change of masters shall be the reward of their devotion? Mr. Chairman, if we can not do anything else, we can at least keep faith with this unfortunate country. Gentlemen say the Filipinos are barbarians. Is that charge borne out by history? Not an authority I have consulted on the subject justifies it. The universal testimony of writers on the subject is to the effect that they are peaceful, law-abiding, lovable—a people whose only crime has been abhorrence of oppression.

Mr. WILLIAMS of Mississippi. But suppose we allow the barbarians to have their own vine tree?

Mr. COCHRAN of Missouri. If they are a peaceful and law-abiding people, then they are capable of self-government, because that precisely defines self-government, which is to be law-abiding.

Mr. Chairman, if gentlemen will read the history of Philippine insurrections, they will find that the islanders have rebelled, not against the Spanish Government, but against the government of the friars. A score of times within two centuries the Filipinos have taken the field, and invariably they have demanded the expulsion of the friars and a termination of a government not to be characterized as a union of church and state, but a government of petty exactions, of petty impositions, of cruel penalties, administered by the religious orders. Until within the past year they never demanded the withdrawal of Spain from those islands, but they demanded a change in the methods of municipal government.

Can we effect the reforms for which they have fought? We will be powerless to do so. In the first instance, will we not be compelled to do as General Shafter did at Santiago—adopt the municipal government now in operation there? I do not see how we can do anything else. An invading power is compelled to do this. Are we going to enforce continuance of this government at the point of the bayonet? How long will we compel obedience to it? Until we find a better? When will we find it? At the end we will be compelled to hand over the government to the people as the only way of terminating military control. Colonization will not change the population. The islands never will be occupied by Europeans nor by Americans.

They will be occupied by the natives and such soldiers as we send there. Will the natives become more capable by repression and the presence of the soldiery to overawe them? The Romans occupied Great Britain for three hundred years, and when they departed the islanders had lost the power to order and control their most immaterial domestic affairs.

Mr. Chairman, if the Filipinos are to learn the art of self-government, it must be in the school of experience. Every day of acquiescence in the reign of an alien power would dull their capabilities. The guardianship proposed is justified by the olden plea of the oppressor—a desire to benefit the victims of greed. Enforce it, and you consign the Filipinos to slavery and convert the great Republic hitherto the exponent of the tenets of liberty and justice into the copartner and ally of those rapacious nations whose deeds of violence and aggression have deluged the world in blood and filled it with slaves.

Mr. Chairman, if we are to do this hideous thing, then let the maxims of free government be expunged from the literature of the Republic, for they are obsolete; muffle the bell in Independence Hall, for it may never again proclaim liberty to the inhabitants of all the world; tear from the uplifted hand of the colossal statue which stands as a sentinel at the port of our chief city the torch of Liberty enlightening the world and place there a sword, dripping with the blood of patriots slaughtered by our legions while defending their homes from invasion and their country from enslavement. [Applause.]

The CHAIRMAN. The question is on agreeing to the amendment offered by the gentleman from Virginia [Mr. HAY].

The question was taken; and the Chairman announced that the noes seemed to have it.

Mr. HAY. Division, Mr. Chairman.

The committee divided; and there were—ayes 77, noes 92.

So the amendment was rejected.

Mr. McCLELLAN. Mr. Chairman, I offer the amendment which I send to the Clerk's desk.

The Clerk read as follows:

In lines 7 and 8, page 1, strike out the words "an Adjutant-General's Department, an Inspector-General's Department" and insert the words "a general staff."

Mr. McCLELLAN. Mr. Chairman, the purpose of this amendment is the creation of a general staff. I have talked so much during the last few days upon the question of a general staff that I shall not weary the committee by any long discussion of the subject. The necessity of a general staff has been most admirably expressed in the Journal of the Military Service Institution of the United States for July, 1892, by Col. Theodore A. Bingham, of the Corps of Engineers, one of the most brilliant and talented officers in the service. He says:

The Prussian great general staff system is at once the cleverest and the most successful military invention of our age. Its field is very large, of primary importance, and the one which we have heretofore altogether neglected, but which is, nevertheless, the one we must now thoroughly work, not only that we may not be defenseless, but also that we may carry out to its practical and common-sense conclusion the true American principle of military institutions in a free Republic.

Gen. Bronsart von Schellendorf, in his book, The Duties of the General Staff, says:

The peace duties of the general staff should prepare it for its duties in war. The staff of an army supplies brains, information, and maps.

I desire to say that if this amendment should be agreed to, I shall later offer a further amendment covering the organization of the proposed general staff.

There is an erroneous impression among a great many people that a general staff must necessarily be temporary and made up by assignment, for a term of years only, from the line of the Army. There is only one instance in the world where such is the case, and that is England, and England has really no general staff whatever, in the modern meaning of the word.

It is sometimes said in advocacy of our present absurd and obsolete staff system, that it is the English system and that the

English system has proved its excellence by actual trial in modern times. In the first place, our system is not the English system of to-day, but the English system of one hundred years ago. In the second place, the English organization, superior as it is to ours, has in practice failed dismally. The only trial it has had in modern times was in the Crimean war, which certainly can not be cited as an argument that the British staff is either competent or effective.

The English papers flatter themselves that Kitchener's campaign against Khartoum was a signal triumph for British organization and for British methods. Let me state the real facts about that campaign. Kitchener was the sirdar of the Egyptian army. For the time being he was not an officer in the British army. He had an absolutely free hand, untrammeled by orders or suggestions from the war office. He took eighteen months to make his preparations. At the end of that time his army was ready to commence the campaign that ended in giving Khartoum to Great Britain and in making him famous. But during his eighteen months of preparation he had completely remodeled his command. He found it with the English staff system and gave it the Prussian. The Soudan expedition was conducted under the Prussian system, with the Prussian organization, and on Prussian methods. Khartoum was taken, not by Kitchener, the red-tape British officer, but by Kitchener, the highly educated, thoroughly modern officer of the Prussian general staff. If the opponents of the Prussian system can find any comfort in Kitchener's success, I am sure that, as far as I am concerned, they are entirely welcome to it.

The general staff, I should propose, would be composed of a small number of men, made up by amalgamation of the Inspector-General's Department and the Adjutant-General's Department, with the present Adjutant-General at the head of the general staff corps, and any further officers needed would be obtained by temporary detail from the line of the Army.

The amendment I will offer is as follows. On pages 8 and 9, strike out all of sections 6 and 7 and insert a new section, as follows:

SEC. 6. That the general staff shall consist of 1 major-general, who shall be chief of the general staff; 2 brigadier-generals; 3 colonels; 6 lieutenant-colonels; 12 majors, and 26 captains.

The present Adjutant-General's Department and Inspector-General's Department are hereby consolidated in the general staff, the officers of the two departments taking precedence, with their present rank, according to date of commission: *Provided*, That upon the consolidation of the Adjutant-General's Department and the Inspector-General's Department the present Adjutant-General shall become the chief of the general staff. No promotion in the general staff shall then be made until, by death, resignation, or retirement, the number of officers in each grade shall be reduced below the number provided for in this section.

All officers of the general staff must serve not less than two years with line troops, in the grade of their commissions, and will not be eligible for promotion to a higher grade until such service has been performed: *Provided*, That this return to duty with line troops shall recur once in every ten years.

It provides for 1 major-general, 2 brigadier-generals, 3 colonels, 6 lieutenant-colonels, 12 majors, and 26 captains, a total of 50 officers, as against 43 as provided for in the Hull bill, for the two departments, at an increased expense of only $1,500. In other words, for an increase of $1,500 a year, by this reorganization we can obtain a modern, flexible, general staff for the Army; and I appeal to all gentlemen, whether Democrats, Republicans, or Populists, whether they are in favor of increasing the Army or not, to vote for this amendment and give the Army a proper head and an efficient staff.

Mr. HULL. Mr. Chairman, I hope the amendment will not be adopted. We have followed the plan in the staff as now organized, and this amendment only applies to two of the organizations. I regard the Inspector-General's Department as one of great importance. Better results could be obtained by keeping it as it is until we can go into the question of the general staff as an independent measure. I hope the measure will not be adopted.

The amendment was rejected.

Mr. LACEY. Mr. Chairman, I move to strike out, in lines 4 and 5, the words "one lieutenant-general."

The CHAIRMAN. The Clerk will report the amendment.

The Clerk read as follows:

In lines 4 and 5, page 1, strike out the words "one lieutenant-general."

Mr. LACEY. Mr. Chairman, on this question the American people have thought and talked for many years. In the beginning of the civil war we found very soon that it was desirable to have several men eligible at the same time to command the Army, of substantially the same rank. We tried one man and he proved inadequate to the emergency. He was placed in a subordinate capacity by assignment by the President, and another was tried, and another, and another, until one was found worthy of this high command; and the policy of the nation for many years has been simply to withhold the stars of the lieutenant-general until some man by virtue of great deeds should become so thoroughly recognized as the one man to command the whole Army that there could be no question about it.

And taking that view of it, Grant was made lieutenant-general. Sherman and Sheridan successively succeeded to the same place. Now, in the Spanish war, suppose it had continued three or four years instead of one hundred and thirteen days? Who knows what the result would have been? Who knows what captain or lieutenant would have risen in that time to command the confidence of the people and of the Army sufficient so that all would concede that he should command the whole forces? I have no doubt the man was there, but who could name him? Would he of necessity have been selected from among the present major-generals? Not at all. Some man would have risen, like Sheridan did, perhaps, from a quartermaster's position to command the Armies of the United States.

Now, we make a mistake if we undertake to pick out from some of the members of the present Army one man and create him lieutenant-general. If thus selected, he becomes by virtue of his rank absolutely entitled to command the whole Army. It is perfectly safe to assign any one of the major-generals to the command of the Army. If he should fail, his place could readily be filled by another without retiring him entirely from the service. This has been our policy in the past. It has worked well; and there is no reason for changing it now when the war is over. There is no one who would be singled out as having distinguished himself in the late brief war so greatly as to entitle him necessarily to this rank.

In the Navy the case is different. There is no difficulty there. The minds of all our people, either upon the land or the sea, would point to Admiral Dewey as entitled to the highest rank that can be conferred upon him. [Applause.] But in the Army there is no such a situation as to require, authorize, or justify the creation of this particular place in the Army reorganization bill, and I believe it would be a mistake to insert any such provision. If we could submit now to a viva voce vote or a showing of hands to this House the names of the persons who would be regarded as eligible to the rank of lieutenant-general, would the hands go up unanimously in favor of one particular general or another? Is there any particular individual that the minds of the people point to so unhesitatingly and unerringly as to justify his selection for this high place? Surely not.

We have one bill providing for two lieutenant-generals and a full general. This would be still more objectionable. The difficulty about some features of this bill (I do not criticise them) is this: It is natural that the committee should have called upon the various officials of the Army for suggestions, and those officials have been free to make them. But it is also natural that in making them they should look out for their particular arm of the service, or for some particular official that they have in mind.

Whom my friend, the chairman of the committee, has in view for this particular place, if he has anyone, is not a question now for us to consider; the question is whether we shall change the policy of the nation upon this subject and confer upon some one man in time of peace a rank by virtue of which he must of necessity be the commanding general of our whole Army in time of war, whether experience should pick him out or develop him as the proper man for the place or not. For these reasons I think this provision should be changed. The bill is likely to become a law, and it should not have a blemish like this in its first section.

Before closing let me say that Washington, Scott, Grant, Sherman, and Sheridan——

Mr. MARSH. And Schofield.

Mr. LACEY. And Schofield are all who have ever held this place. This is a list that it is difficult to add to. When the time comes for great deeds, the man, too, appears. The Spanish war was too brief to develop the soldier who might be worthy to succeed to this great title, and it should be held in abeyance.

Mr. DOCKERY. Mr. Chairman, I had intended to offer the amendment which has been offered by the gentleman from Iowa [Mr. LACEY], and had asked the Chair to recognize me for that purpose, but while absent from the Chamber for a moment the pending amendment was offered by the gentleman from Iowa. It has my hearty and cordial support.

Mr. Chairman, we may differ, as we do, in regard to many of the provisions of this bill. A great many of them, I think, are opposed by gentlemen on both sides of the Chamber. Some of the objections to these provisions I shall state later on in the debate, but the amendment offered by the gentleman from Iowa should receive the hearty and unanimous support of both sides of the House. It is not necessary for me to restate the reasons which have been advanced in support of the amendment. They have been well enforced by the gentleman from Iowa. It seems to me they are conclusive, and I hope that without further debate the House will by a unanimous vote agree to the amendment of the gentleman from Iowa.

Mr. FLEMING. Mr. Chairman, I had hoped to have the opportunity to make before the House an argument against what I had understood to be the Administration's policy of imperialism. I regret that I was not able to obtain the time in which to present this argument; and I shall therefore have to avail myself of the

privilege allowed by the House and have it printed in the RECORD, where it will be found by anyone who may have interest enough in it to look for it.

I will say, however, in passing, that as one of the conclusions of my own analysis or investigation of this subject I admit that the United States Government has full and ample power to acquire territory as an inherent element of the sovereignty of the nation. And it is entirely immaterial where that territory may lie or what may be the character of the people who inhabit it. But when you have granted that much, the important question still remains, what powers have we under the Constitution to govern the people who inhabit that territory?

Now, while the power of acquisition is, in my opinion, unlimited, there are certain restrictions in favor of the civil and personal rights of American citizens, no matter where they live, which will necessarily attach themselves to all the inhabitants of our newly acquired territory. We have the power in Congress to regulate their political status in the sense of defining and establishing a character of government in accordance with our own ideas; but certain personal and civil rights of an American citizen are guaranteed by the Constitution, and they can not be denied on any foot of land over which our flag floats as the emblem of our sovereign power.

Now, Mr. Chairman, I for one do not believe that with these restrictions placed upon us we could possibly govern the people who inhabit the Philippine Islands. They are not prepared, in their customs or habits, in their methods of thought or self-restraint, to admit of the application to them of the restrictions which our own Constitution places upon us in governing them.

We hear, and have heard, Mr. Chairman, a great deal about the "open-door policy" in the Philippine Islands. Sir, there will be no open door in the Philippines, except upon a basis of absolute free trade. The Constitution of the United States prevents it. The decisions of the courts of the land are uniform, that the tax laws of this country go pari passu with its authority; and the moment the military arm is taken off the people of the Philippine Islands, that moment our tax laws attach and become paramount there. Hence this "open-door policy" of which we hear so much can only exist on a basis of absolute free trade.

Now, is the Republican party ready to give that open-door policy a trial on such terms? Nobody believes it; certainly nobody on this side of the House. [Applause on the Democratic side.]

[Here the hammer fell.]

Mr. HULL. Mr. Chairman, I only want to say a word or two in reference to the pending amendment with regard to the position of the Committee on Military Affairs on the question presented by the gentleman from Iowa and the amendment he presents relating to the office of lieutenant-general.

There were bills before us providing for a general and two lieutenant-generals of the Army. I will say to the House that there was no one in the War Department urging the creation of the office of lieutenant-general. There were, of course, some members of the Army asking that the rank of general and two lieutenant-generals should be authorized by the bill—but not by the War Department. And I will say to my good friend from Iowa [Mr. LACEY] that the chairman of the Committee on Military Affairs had absolutely nobody in his mind, either for this or any other office, in connection with the pending bill.

But so far as the creation of this office is concerned a large number of gentlemen with whom I have conversed believe that if the Army of the United States was more than an army corps, the commanding officer should have the rank of a lieutenant-general. So far as I am concerned, and I think I voice the opinion of the majority of my colleagues, we have no pride of opinion on this question, but believe it to be our duty, in view of the agitation which has been going on for three years in regard to this matter, to bring it in and let the members of the House decide it as they may. We will be satisfied with their decision, whatever it shall be.

Mr. STEELE. I would like to ask the gentleman who he thinks is responsible for the agitation of this question of creating the office of lieutenant-general?

Mr. HULL. Well, Mr. Chairman, I do not propose to answer such questions. I do not know, as a matter of fact.

Mr. CANNON. Mr. Chairman, I would like to ask my friend from Iowa a question, with his consent.

Mr. HULL. I yield, of course, with pleasure.

Mr. CANNON. In view of the fact, if I may be permitted to make the suggestion, that there is a motion to strike out this provision which creates, if it be adopted, the office of lieutenant-general, a position that does not now exist in the Army, and as there seems to be a consensus of opinion amongst members that the motion might well be adopted without reflecting upon anybody, and as a lieutenant-general does not seem to be necessary to our Army organization to win victories, does not my friend think that he might assent to the motion, and later on such a provision can be made with reference to the matter as may meet his judgment and the opinions of the members of the House? In other words, the office of lieutenant-general may be created, if there be a sentiment in support of it, to be determined hereafter.

Mr. DOCKERY. Mr. Chairman, the word "if" is a good word that the gentleman has used in this connection.

Mr. CANNON. I suggest this with all due deference to my friend from Iowa. I think the members of the House, of course, are competent to pass on it, just as competent now as they will be hereafter, and I shall be satisfied whichever way the question is determined.

Mr. HULL. I will state to my friend from Illinois that I have no objection whatever. I am perfectly willing to let the matter be determined by the vote of the House at this time. [Cries of "Vote!" "Vote!"]

The CHAIRMAN. The question is on the motion submitted by the gentleman from Iowa.

The motion was agreed to.

Mr. DOCKERY. Mr. Chairman, I move to strike out the last word of the pending proposition for the purpose of making an inquiry of the gentleman in charge of the bill.

I am advised that under existing law three major-generals are authorized for the Army. I desire to ask the chairman of the committee, in view of his announced purpose of fixing the minimum strength of the Army at 50,000 and the maximum at 100,000, in the discretion of the President, whether or not it will involve any change in the pending paragraph in regard to the major-generals?

Mr. HULL. Mr. Chairman, in answer to the gentleman from Missouri I will state that the number of major-generals should be determined largely by the scope of territory over which the Army must operate, as well as the size of the Army itself. And these major-generals are absolutely as important now as three were when we were confined to the territory occupied actually by our troops prior to the war.

If the time should come and the conditions should change, no matter whether that change be near or remote, you will have the power to change that condition with reference to the rank of these officers; and this is more particularly the case in view of the fact that these men who will hold the positions are men who are rapidly nearing retirement, and that can be accomplished when the time comes without doing injury to the service when it is found that we do not need their services.

Mr. DOCKERY. But if the minimum of the Army is fixed at 50,000, it occurred to me that the bill ought not to carry a top-heavy complement of officers.

Mr. HULL. Well, I will say to my friend that the time may come when you will need all of these men, even with the smaller number of forces proposed by the bill, just as much as if we had the larger Army.

If the time comes when you have but few troops in Cuba, Porto Rico, the Philippines, and the Ladrones, then if we still have these departments, if we occupy them, we can determine whether we need men of the higher rank to administer affairs. We may need the six major-generals with an army of 50,000 as much as with an army of 100,000. And to my mind it would be inexpedient and unwise to cut down the number provided for in the bill.

Mr. DOCKERY. I have but a limited technical knowledge of the organization of the Army, and obviously a gentleman not connected with the committee would find it somewhat difficult to prepare amendments; but I suppose that at some point along the line the gentleman proposes to offer an amendment to fix the minimum at 50,000. Now, the question which occurs to me is whether that reduction is to apply to the rank and file and to allow the officers to remain undisturbed, or whether the amendment which the gentleman proposes to offer will also reduce the number of officers as well as the number of men.

Mr. HULL. A time may come when we will not need six major-generals, but the question of the reduction of the Army to 50,000 would not be the determining factor in that question, to my mind.

Mr. GROSVENOR. Mr. Chairman, I wish to add just this much to the discussion of the question raised by the gentleman from Missouri. The organization of the Army is not alone the organization provided for by the bill before the House, but it becomes necessary to have departments, as the gentleman is quite well aware.

Now, under the organization that gave us a little over 20,000 men, we had in this country a department of the East, a department of the coast, and a central department, three great leading departments. In each of them we had a major-general in command. Then we had a General Commanding, which is after all more a fiction than a reality. The General Commanding commands whoever the President orders him to command, and is just as much subject to the orders of the President and just as much compelled to take and assume the commands which the President gives him as is a colonel or a brigadier-general.

Now, we all of us agree that for a time to come, we know not

how long, we shall have Cuba, possibly Porto Rico, I do not know, and surely the Philippines at present. I am not going to be drawn into any discussion about the future. Six major-generals, therefore, will not only not be out of proportion to the department, but they will not be out of proportion to the increased volume of the Army.

Now, another word, while I am on my feet. I hope we shall not legislate upon this bill with reference to the advancement or retirement of men. The last vote taken, to which I bow, because it was overwhelming, was in all respects to me a very significant vote; and yet I regret that in a time like this, when we are legislating necessarily for some years of the organization of the Army, anything should have happened that would make personal considerations paramount to our better judgment.

I do not say that has had the effect, but I hope it may not have the effect, for we ought to bear in mind at last that the organization of the Army, the promotion of its generals, either to the rank of a lieutenant-general or to any of the other grades, is all under the control of the President, and if there were a lieutenant-general of the Army to-day, or if there were a senior and ranking major-general of the Army to-day whom the President of the United States deemed to be in a position not the most satisfactory, he could dispose of that question readily and always without any difficulty or trouble.

Why, I remember not a great many years ago when one of the great generals that came from the war of the rebellion, who was the General of the Army, as we call him, differed with the Secretary of War about his jurisdiction. The question was settled as it has always been settled, in favor of the Secretary of War, and General Sherman took himself away to St. Louis and stayed there and frankly and bluntly said that under the existing order of things there was not anything for him to do.

So we need not worry about who is to be this or who is to be that. The rule of the law of the Army that makes it imperative that unless there is a good reason to the contrary every man shall be promoted by seniority up to the grade of and including colonel, by fair implication as well as by the utterance of law, gives to the President, without limitation and without the duty or the right of the people to criticise him, the absolute power to determine who shall be major-generals and brigadier-generals and lieutenant-generals, and who shall or shall not be the Major-General Commanding.

Mr. RAY of New York. Mr. Chairman, I move to strike out the last two words for the purpose simply of making an inquiry of the chairman of the Committee on Military Affairs.

I notice that you provide here in the bill for a record and pension office as a department of the Army.

Mr. HULL. A separate bureau.

Mr. RAY of New York. A separate bureau. Is that intended or designed to make any change in the present system?

Mr. HULL. Not in the present system. You will notice on page 18 it provides a change in the personnel, or rather the rank of the chief officer.

Mr. RAY of New York. Simply the rank.

Mr. HULL. It also provides for an assistant with the rank of lieutenant-colonel.

Mr. RAY of New York. Does it make any change, or is it intended to make any change, in the general mode or manner of administering the pension laws?

Mr. HULL. No, sir; it does not contemplate that. We regard the Record and Pension Office as so admirably run now that we are satisfied with it, and believe the man who inaugurated the reforms should receive substantial recognition.

Mr. RAY of New York. It is intended to make permanent the present system.

Mr. HULL. As a bureau of the War Department.

Mr. RAY of New York. Mr. Chairman, I withdraw my amendment.

Mr. SAMUEL W. SMITH. Mr. Chairman, I move to strike out the last two words.

The CHAIRMAN. The gentleman from Missouri is recognized.

Mr. DOCKERY. Mr. Chairman, I do not desire to detain the committee but just a moment. Remarks falling from the lips of the gentleman from Ohio [Mr. GROSVENOR] seemed to indicate that there was some purpose, covert and concealed and not expressed, on the part of some gentlemen on the floor, in sustaining the proposition of the gentlemen from Iowa [Mr. LACEY], to strike the position of lieutenant-general from the bill. I had no concealed purpose. I am against the creation of the rank of lieutenant-general simply because I do not think it necessary for the efficiency of the Army.

Now, then, as to the question of the 6 major-generals and 12 brigadier-generals, and other officers to follow, I ask the chairman to state his views, as he has recently announced his purpose to present some proposition fixing a minimum limit of 50,000 for the Army. We desire to know the terms of the amendment, so that we may intelligently offer amendments to the bill. I want to know, I will say very frankly, and I think the House is entitled to know, whether it is the purpose of the gentleman in charge of the bill to maintain all the officers now provided by the bill and make the reduction in the rank and file of the Army.

Mr. COX. That is what it is.

Mr. DOCKERY. The House is entitled to know, because it is impossible to offer amendments intelligently unless we get a direct answer to the question.

Mr. HULL. Does the gentleman want me to answer that now?

Mr. DOCKERY. In your own time. I have only five minutes. The gentleman from Iowa is entirely frank, and I know he will give the House a frank answer to the question. I ask him the question because I remember—it is a matter of history, and not by way of criticism—the fact that the first bill the gentleman from Iowa brought to this House, when we were standing on the threshold of the war with Spain, was prepared in the War Department, and proposed a Regular Army of 104,000 men, which, had it been enacted, would practically have disposed of the necessity of volunteers in that war. The House will remember that after debate running two or three days the bill was recommitted to the Committee on Military Affairs on the 7th of April, on the motion of the gentleman from Illinois [Mr. MARSH], by a vote of 155 to 61. That is simply a historic recital.

The gentleman from Iowa [Mr. HULL] has been consistent not only in respect to the bill then presented and recommitted, but, as I believe, also in this bill, in giving expression, so far as the legislation of the committee is concerned, to the wishes of the War Department. Let us know, at the outstart of the consideration of this bill under the five-minute rule, whether the entire corps of officers is to consist of the same number as the corps would have numbered if the Army had been fixed at 100,000 men under the provisions of the original bill, and if so, is the reduction to be made in the rank and file?

Mr. HULL. Mr. Chairman——

Mr. COX. The chairman of the committee will proceed.

Mr. HULL. I do not want to commence until my time is running.

Mr. Chairman, to go back first to the matter of history the gentleman speaks of, there was a bill presented to this House before the Spanish war which, at its maximum, would be raising the Army to 104,000 men, and would have increased the officers in the Regular Army less than 900 men, organized on the basis of a large force of enlisted men and as few officers as possible. The bill provided for an infantry company of 250 men at a maximum, with a proviso that when recruited to 150 it should be on a war footing. I believe that 150 would be as large an infantry company as it should ever be recruited to. I want to say to my friend from Missouri who antagonized the bill so vigorously that if it had been adopted it would not have cut off the chance of the volunteers participating in the war; it would have been an efficient first line of our fighting force.

Your volunteers would have been in their camps. Not as many, but over 100,000 of them, and it would have saved to the people of the United States in the cost of the war more than $30,000,000. The small regiments and full complement of officers have been expensive. So far as this bill is concerned I want to be frank with the House as to my position. I believe that we have never within the last fifteen years had as many officers in the Regular Army as we should have in the line of the Army. We have skinned the companies of their officers to send them to colleges and to perform other details to the number of 327. When the war broke out we still further depleted the officers of the Regular Army and put them, by advice and consent of the governors of the States, into the volunteer regiments, so that many of the companies of the Regular Army had but one commissioned officer to go on the fighting line with.

I believe that this Government can afford to educate and take care of accomplished officers of the Government in numbers sufficient to meet the necessities of our people not only in time of peace, but in time of war. I do not believe the Government will ever have a sufficient number of educated officers to do away with the National Guard or the volunteers whenever an exigency shall arise. I do not desire anything of that kind. It is a small army, a small force, and you have to depend on the great body of the people for an army if any great war comes.

Now, Mr. Chairman, to come down to the details of this bill, it has been agreed to by the committee, or a majority of the Committee on Military Affairs, that we will reduce the staff in such proportion as to preserve the proper balance between the 50,000 and the 100,000 men but so far as I am concerned, to keep the units of regiments as they are in the bill. We reduce the enlisted force to 50,000 men, but we have the officers of the companies the same as if there were 100,000; and then, if danger comes, if we need an increased army, it can be extended by the mere addition of the enlisted men. That is the theory of it. Mr. Chairman, I now yield to the gentleman from Missouri [Mr. DOCKERY], who wants to ask a question.

Mr. DOCKERY. It is stated that this bill now provides for 970 new officers of the line and for 633 new staff officers. Is that a correct statement?

Mr. HULL. The report will state that. I will say, Mr. Chairman, that the increase of the staff—400 of it—is in the Medical Department. Now, I stated expressly in my opening speech that in the staff department I referred to the hearings before the committee on the ground that I was not prepared to go into the details of it. I do not believe that the staff will be allowed to remain at the number it is. I do believe we have in the past cut the staff down below what it should have been. When the war came, our regular staff was too small. In other words, we were compelled to bring in from the country a large number of men without experience, who in time would make good staff officers, and we had to quadruple the staff and make it up out of inexperienced men.

Mr. DOCKERY. I want to know whether it is true, as stated by a great metropolitan journal, that this bill adds 970 new officers and 633 new staff officers?

Mr. HULL. If the gentleman will look at the report, page 10, accompanying the bill, he will see that the report, as originally prepared—the committee cut off some officers—provided for 2,599 officers—that the present law, in time of war, gives 1,878 officers; that the Senate bill and the Miles bill give 3,485 officers.

Mr. DOCKERY. What is the number of officers authorized in time of peace?

Mr. HULL. There would be a discharge of two companies from each regiment of infantry, the absolute mustering out of those companies.

Mr. DOCKERY. I wish the gentleman would make a statement, giving us the best information he has.

Mr. HULL. On the 1st of January, 1898, there were 1,625 officers in the United States Army. That was on a peace basis. The bill that we prepared giving these two companies of infantry additional officers raised the number to 1,878. The House bill as originally introduced makes it 2,599.

Mr. HAY. Does the gentleman believe it to be within the range of possibility now to change this bill in Committee of the Whole so as to provide for 50,000 enlisted men? Is it possible for us here to go through all the details necessary to reduce the various organizations, the various officers, and all that sort of thing?

Mr. HULL. I have no doubt of it at all. The committee will have suitable amendments prepared; and when those amendments are prepared and sent to the House for a vote, as I presume they will be, I have no doubt that the number of officers provided for, for the next two years at least, will be away below the number provided for by the substitute of the gentleman from Virginia.

Mr. HAY. Is it not a fact that the officers provided for in this bill amount to about three thousand seven hundred and odd?

Mr. HULL. No, sir.

Mr. HAY. The number comes very close to that.

Mr. HULL. I now yield to the gentleman from Massachusetts [Mr. WALKER] for a question.

Mr. WALKER of Massachusetts. I want to ask the chairman of the Committee on Military Affairs this question: If the amendment which the gentleman states the committee propose to offer should be adopted and the force be reduced to 50,000 men instead of that now proposed by the bill, will the officers be any more than doubled, as the present rank and file are doubled?

Mr. HULL. They will not be anywhere near doubled. There will be an increase of about 960 officers, not counting the staff.

Mr. WALKER of Massachusetts. That is to say, with this doubling of the rank and file, the increase of officers—is it now 1,600?

Mr. HULL. One thousand six hundred and odd officers.

Mr. WALKER of Massachusetts. And that number of officers will only be increased about 960?

Mr. HULL. On a peace basis there will be only 960 more than we have now.

Mr. WALKER of Massachusetts. And that will allow a continuance of assigning military officers as instructors to the different schools, colleges, and citizen soldiery of the country?

Mr. HULL. We have applications from all the States to enlarge the present law so that we can make further details of officers to assist in military education in the different States.

Mr. COX. I should like to ask a question.

The CHAIRMAN. The time of the gentleman from Iowa has expired.

Mr. COX. Very well; give me five minutes in my own right and I will yield to the gentleman from Iowa.

The CHAIRMAN. The gentleman from Tennessee [Mr. COX] is recognized.

Mr. COX. Now, my question is this: If you pass this bill and make it a basis of our Army organization, what would be the increase of officers of the Regular Army?

Mr. HULL. We increase the number of Regular Army officers about nine hundred odd.

Mr. COX. If, then, you increase the number of Regular Army officers nine hundred and odd on a peace basis, what is the necessity for it?

Mr. HULL. We simply keep the officers in command of the troops, and we do not have to increase them if we should have war and there should be a necessity for increasing the companies.

Mr. LACEY. I should like to be recognized to ask my colleague [Mr. HULL] a question for the information of the House.

The CHAIRMAN. The gentleman from Iowa will proceed.

Mr. LACEY. On the basis of 100,000 men the expense of maintaining our Army is estimated, as I understand, at about $100,000,000—$1,000 to a man.

Mr. HULL. The estimate of the War Department, which is set out in full in our report, is a little in excess of $82,000,000.

Mr. LACEY. I notice that many of the generals estimate the cost to be in the neighborhood of $1,000 a man.

Mr. HULL. General Corbin said that that had been the cost of the Army in the past.

Mr. LACEY. If we deduct 50,000 enlisted men from the 100,000 proposed, what would be the reduction in the annual expense?

Mr. HULL. Simply the pay proper of the enlisted men, their clothing allowance, their ration allowance, and matters of that kind.

Mr. LACEY. I thought perhaps my colleague could give an approximate estimate of what the reduction would be.

Mr. HULL. That can be figured out exactly if we want it. I would ask the experts in the War Department to figure it; I would not regard myself as competent to do so, if exact figures were required. We have men in the War Department trained in exactly this line of work, and I would call upon them for such information over their signature. But I will say this: Your larger army would not cost as much per man as your smaller army, because, as you will find by looking over the tables furnished by the committee, the proportion of officers to men is much larger in your smaller army than that provided for in this bill. Under the present law the proportion of officers to men is much larger than it would be under this bill.

Mr. SAMUEL W. SMITH. I wish to ask the chairman of the committee this question: At what age do these chaplains enter the Army?

Mr. HULL. Under the present law they can enter at as late an age as 63.

Mr. SAMUEL W. SMITH. And at the age of 64 they can be retired on two-thirds pay?

Mr. HULL. Yes, sir.

Mr. SAMUEL W. SMITH. Does not the gentleman think the law ought to be amended in that particular? I suggest that the committee prepare an amendment which will prevent chaplains from entering the Army at 63 and retiring at 64 on three-fourths pay.

Mr. HULL. The bill as originally submitted by the committee provided that no man should be appointed a chaplain after reaching the age of 30; but subsequently the committee struck out all that section in regard to chaplains. When the proper point in the bill is reached, that question can be brought up.

Mr. DOCKERY. Mr. Chairman, now a single word and I am through.

The actual appropriation for the support of the Army for the fiscal years 1889 to 1898, inclusive—25,000 men, and frequently, I may say in passing, the enlistments were not complete—the actual appropriations for that period were $239,398,707.08, or an average appropriation for the support of the Army for each fiscal year from 1889 to 1898, inclusive, of $23,939,870.70. This exhibit vindicates the old-time estimate, which has been accepted by the Committee on Appropriations from time immemorial, that the average annual cost for each soldier of our Army is about $1,000.

Mr. SPALDING. That includes the officers.

Mr. DOCKERY. Certainly; that includes the entire force, officers and men.

Mr. BINGHAM. You estimate on the basis of the number of men authorized for the Army service?

Mr. DOCKERY. Certainly. I am speaking of the amount which the Government has appropriated to support the Army, which includes officers and men—infantry, cavalry, and artillery, and all other branches of the service.

Mr. BINGHAM. That is the small Army——

Mr. DOCKERY. I speak of the Army of 25,000 men.

Mr. BINGHAM. But the gentleman should remember that we never had that number.

Mr. DOCKERY. Certainly not. That statement makes stronger still the position I have taken.

Mr. BINGHAM. I understand that. I only wanted to get the gentleman right.

Mr. DOCKERY. The smaller the army ofttimes the greater the expense for each soldier.

I have assumed, for the purpose of this calculation, that the Army

was up to the maximum, and, even with this assumption, the expenditure is about $1,000 yearly for each soldier. So that practical experience demonstrates that each soldier in the Army costs the taxpayers of this country about $1,000 a year. Fifty thousand men will cost the people not less than $50,000,000 annually and 100,000 men, the maximum proposed by the bill, will cost $100,000,000, and no juggling with estimates in the War Department can reduce the annual expenditure to $82,000,000.

Mr. WILLIAMS of Mississippi. Will my friend from Missouri allow me an interruption just here?

Mr. DOCKERY. Certainly.

Mr. WILLIAMS of Mississippi. I wish to interrupt my friend to say that, while that is true of the Army stationed in the United States, the estimate would not be true of the men stationed in Cuba, Porto Rico, or in the Philippine Islands, because in these instances our expenditures would be largely increased——

Mr. DOCKERY. Unquestionably; there is no doubt of the correctness of that statement.

Mr. WILLIAMS of Mississippi (continuing). And that 30 or 40 per cent must be added to the expense.

Mr. JOHNSON of Indiana. Mainly for transportation.

Mr. DOCKERY. Certainly.

Mr. JOHNSON of Indiana. So that the expense would be largely increased in the illustration suggested by the gentleman from Mississippi.

Mr. DOCKERY. The cost of transportation will be enormously increased in case of the occupation of foreign territory.

Mr. MARSH. Will the gentleman from Missouri permit an interruption?

Mr. DOCKERY. I will.

Mr. MARSH. I wanted to say, in connection with what the gentleman from Missouri said about the 50,000 minimum and 100,000 maximum in the Army, that 10,000 troops would cost the Government only $10,000,000; and 5,000 would cost the Government only $5,000,000, and 1,000 troops would cost the Government but $1,000,000——

Mr. SIMPSON. Then let us make it 1,000 troops. [Laughter.]

Mr. DOCKERY. That is true, and I regret, Mr. Chairman, that the distinguished gentleman from Illinois [Mr. MARSH] who interrupts me has changed his views on the general question. On the 7th day of April last, when the bill to reorganize the Army was under consideration, he entertained opinions which seem to have changed since that time. He was then opposed, as I was, to that increase, and I am now opposed to the proposed increase of the Regular Army.

For reasons "satisfactory to himself" he does not now object to a provision for increasing the standing army to 50,000 as a minimum and 100,000 as a maximum, in the discretion of the President. Obviously the gentleman entertained a different opinion when, at the last session, he moved to recommit the Army bill.

Mr. Chairman, the House may as well understand the question that confronts it. The minimum limit has been conceived in a desire to quiet the mutterings of discontent, which come largely from gentlemen on the other side of the Chamber. [Applause on the Democratic side.]

The amendment, however, deceives no one. Speaking for myself, I will say that I would as readily intrust the great discretion of increasing the Regular Army by 50,000 men to the present Chief Executive as to any other Executive who might be chosen by the Republican party. But, sir, I would not give to Thomas Jefferson himself, if he were now President, the dangerous power in time of peace to increase the standing army of the United States from 50,000 to 100,000 men. [Applause.]

I would not be willing to trust that great Virginian who founded my party with such vast discretion, involving as it does the taxing power, and involving as well the liberties of the people. I have a high personal regard for the present Executive, but I am unwilling to commit to any Chief Magistrate the right to use in time of peace both the Treasury and the sword at his discretion. [Applause on the Democratic side.]

Mr. CANNON. Mr. Chairman, in time of peace, for the period that the gentleman from Missouri [Mr. DOCKERY] has referred to, when in round numbers we had twenty-five thousand plus in the Regular Army——

Mr. HULL. Twenty-five thousand minus.

Mr. CANNON. The gentleman says twenty-five thousand minus, but for the period when we had, in round numbers, 25,000 men in the Regular Army we had 1,600 officers. We had, as I understand it, in the Regular Army from the war standpoint, which consisted of sixty thousand men plus, under existing legislation, 2,500 officers.

Mr. HULL. Eighteen hundred in the line of the Army. There was an immense increase in the staff of the volunteers.

Mr. CANNON. Eighteen hundred in the line of the Army. That is correct. I have the statement in my hand. Now it is proposed, I find, after talking with the chairman of the Committee on Military Affairs, that if this bill passes, when the Committee on Military Affairs get through with it, if the House follows the recommendations of that committee, there will, in round numbers, be 2,300 officers for an army the minimum of which is 50,000, and the 2,300 officers would be sufficient for the maximum, if required. I believe I have stated it correctly.

Mr. WILLIAMS of Mississippi. May I ask the gentleman a question right there?

Mr. CANNON. Just in a moment. In other words, the more men you have in the Army, the less the number of officers in proportion. Now, one word as to the cost. It costs something to live, to stop at a hotel, to stop at a bording house.

Mr. MAHON. Especially in Washington. [Laughter.]

Mr. CANNON. The annual expenses of 75,000,000 people are simply enormous, but that is no reason why 75,000,000 people should all die in one minute.

Mr. JOHNSON of Indiana. Nor any reason why they should waste their substance.

Mr. CANNON. No; nor any reason why they should waste their substance. Now, I will say to the gentleman from Missouri [Mr. DOCKERY] and the gentleman from Indiana [Mr. JOHNSON], that there can be in my mind no doubt but what wisdom and the best interests of all the people require an Army with a minimum of fifty thousand and a possible maximum of a hundred thousand, and whether it costs much or little, I have but little patience with the man who would inquire the cost if the enlistment of the men be necessary for the public defense. [Applause on the Republican side.]

Mr. WALKER of Massachusetts. Mr. Chairman, there is not a man in this House nor in this country who does not know that the very existence of civil liberty, as well the consent of the governed, so that their consent may be had and acted upon, is dependent in the last analysis upon physical force—on our courts of justice, our constables and police officers, and finally the Army. Not to keep in subjection law-abiding citizens; not to keep the workingmen from committing acts of violence when there are strikes, but to prevent those men who take advantage of strikes to do acts of violence in spite of the strikers and to create a condition of war. We must have an army. Every man admits that.

Now, the question is as to its size. Why, for 70,000,000 people scattered over a territory the size of the United States, with the confessed necessity for the existence of forts, the manning of forts, the caring for guns in forts, the maintaining of good order, 25,000 men are confessedly too few; 50,000 is the least number desirable. Why talk about the expense when you are talking about the number? Let us decide what the number is, and we can then control the expense. We can cut the pay of officers and men down one-half, if we choose—there is no difficulty about that—if we think we are paying them too much. We can draft men into the service and do the injustice of making them serve for nothing, if we choose. That is a question which does not rightly enter into this debate. That is within the power of Congress to determine at any time. The question is, Do we need 50,000 men? If we need 50,000 men in time of peace—and I believe it is conceded that we do—let us agree on the 50,000 men.

Now, the next question is, How can we maintain an adequate force at the least additional expense? I am told that we add only 900 officers to this Army to which we propose to add 25,000 men. I submit to this House that to educate this force and the volunteers, to educate the National Guards, 900 officers in addition to what we now have are not half enough. Instead of being too many, 900 are not enough, even if we never need to increase the Army to 100,000 men.

Mr. COX. I should like to ask the gentleman a question?

Mr. WALKER of Massachusetts. I have only a minute. The next question comes up with reference to the economy of educating our citizen soldiery outside of the Regular Army, and then, as I said, the question of increasing the Army. Again, will you trust the President? Dare you trust the President? I ought to put the question the other way. Dare you leave this Army at 25,000 men, and dare you not trust the President to act in an exigency? When war with Spain was threatened, even when it was known long before we declared war that we should come to war, if this law had then been on the statute books and the President had quietly recruited the Army to 100,000 men "during the existence of the exigency, or for the war," so that they might be discharged at any time, we are assured it would have saved us $30,000,000 over what 100,000 men actually cost.

Shall we reorganize our Army in view of this fact and have an adequate force provided in case of another exigency? One more thing, and I am done. The conditions of peace, call ourselves as intelligent, as enlightened, and as Christian as we may—the conditions of peace are that the physical prowess of this nation, to a reasonable amount, shall be committed to the hand of the President ready for use in an exigency; and an exigency will not then arise. In the little war threatened with Chile we should have been beaten, and disgracefully beaten, at the beginning, if it had occurred when we were suspicious of it; and if we had the

organization proposed at the beginning of our war with Spain not only $30,000,000 would have been saved, but many, many lives.

Mr. VANDIVER. Mr. Chairman, not having had a suitable opportunity to protest against the principles of the bill itself, I avail myself of this the only opportunity to express my protest against the enacting clause. What is it that we are asked to do? To increase the standing army of the United States to 100,000 men, 50,000 of them certainly to be enlisted, the other 50,000 to be enlisted at the pleasure, the will, or perhaps the caprice of the President of the United States. I am not here to impeach the honesty, the integrity, or the patriotism of the present occupant of the White House. I would be as much opposed to the principles of this bill if the occupant of the White House were a Democrat as I am when he is a Republican.

Sir, when we are told by the gentleman from Illinois and other advocates of this bill that there is "no danger" in this extreme delegation of power to one individual, I am reminded that in the whole history of the world every passage that has been made from free government to despotism has been made with that sign held up to the public: "No danger! No danger!" I am reminded, sir, that when Augustus Cæsar assumed the powers of emperor in Rome this same plea was made, that the republic was in no danger, because he declined the titles of king and dictator and only called himself a princeps or leader. The senate still sat, and for three hundred years continued, nominally at least, to hold the position of a legislative body, whereas in reality they only served to register the decrees of one man.

The great Gibbon, in that immortal work, The Decline and Fall of the Roman Empire, shows how gradually, step by step, all of the executive and then the legislative functions of government were centered in one man—the victorious general of the army.

"Augustus," says the historian, "wished to deceive the people by an image of civil liberty and the army by an image of civil government. He was sensible that mankind is governed by names; nor was he deceived in his expectation that the senate and people would submit to slavery, provided they were respectfully assured that they still enjoyed their ancient freedom."

And thus it has ever been. Power grows like other things, by exercise. Military usurpation has never been without the sanction of some previous grant of power by the people. "Eternal vigilance is the price of liberty." [Applause.]

Now, I call attention of the House to the answer of the gentleman from Ohio, who, when interrogated yesterday as to what he wanted to do with this standing army of 100,000 men in time of peace, replied that we needed them to protect our citizens against the violence of mobs. He has judiciously, perhaps wisely, left a part of his answer out of the RECORD, but those who heard his words will remember that he expressed himself in favor of a standing army to protect the people against mob violence. So, too, the gentleman from Massachusetts [Mr. WALKER] who has just taken his seat stated that one of the necessities for this great standing army was that the President might be able to protect the people of this country against those who would commit violence in times of strikes. So we see that the foreign war scare is only being used to obscure the real purpose, which will crop out occasionally, and which is to put it into the power of the Administration to use this great standing army to suppress any violence which he may choose to consider unlawful.

Mr. Chairman, in considering the immense expense of a hundred and fifty million dollars, which this bill will call for, I call attention to this simple fact, that in the days of Andrew Jackson, in the days of simplicity and honest economy in the administration of the Government, only $3 per capita was necessary to defray the expenses of this Government; that during the days of the first administration of Benjamin Harrison it required about $5 per capita, and that during the present year it has required over $11 per capita, and if you will strike out all the expenses connected with the Spanish war it will still be over $7 per capita to run the Government of this country, to say nothing of State, county, and local taxation. Therefore, when you make a further attempt to withdraw a large number of citizens from the productive classes of society and put them into a class who are to be supported out of the labor of others, you are largely and unnecessarily adding to the burdens of taxation. Where is this extravagance to end? For the General Government alone it means about $35 per year from the average man with wife and three children, and I tell you he is tired of it.

The CHAIRMAN. The time of the gentleman has expired.

Mr. VANDIVER. I should like to have a few minutes more in which to conclude my remarks.

The CHAIRMAN. The gentleman asks unanimous consent that his time may be extended five minutes. Is there objection? [After a pause.] The Chair hears none.

Mr. VANDIVER. Mr. Chairman, there are provisions in this bill that I would seriously object to—there are a number of them. But I object most emphatically and most positively to the principle of the bill itself. What are we asked to do? To give the President power to raise an army of 100,000 men in time of peace, when 50,000 is all that is claimed to be necessary even by the advocates of the bill.

Mr. Chairman, it seems to me that gentlemen have gone out of their way to find a suitable method—as I would think, an unsuitable method—of furnishing the President with an opportunity to reward political followers. There are not enough offices to be filled by civil appointment in the various bureaus and departments of the Government, but in order that those who have the appointing power may have the privilege of appointing their friends to office we are to fasten upon the taxpayers of this country an additional expense for the support of a standing army of 100,000 men.

I am opposed to it not only on account of the expense, for if it were necessary I would be willing to vote the expense of 100,000 men to carry on war against any foreign foe, but I am opposed to this bill because it creates a standing army for the defense of our country instead of a volunteer army. When I review the history of the world, I think I discover that all the great battles that have been fought for freedom have been fought by volunteer soldiers, and all the great battles of history that have been waged against the liberties of mankind have been waged by standing armies.

I remember that during the great period of the civil war in this country the brave heroes on both sides were men who had gone to battle, not as professional soldiers, not as the men who had chosen war for a profession, but as men who had stepped out of the ordinary walks or occupations of life temporarily only for the purpose of defending the right as they understood it, and with the intention of returning to their occupations when that unhappy strife was over.

I am opposed to the principle itself of a large standing army, not only because of the large expense connected with it, but also because I believe that when you select a man for the profession of war you encourage the military spirit; you give him to understand that hereafter he is not to be a self-supporting citizen, but he is to be kept in idleness and training for the part of a butcher. I grant that a few of them are needed, but the fewer the better. You are encouraging militarism, which is opposed to the natural spirit of our people and the spirit of our institutions.

But, sir, if I had the opportunity, I would like to go further and ask why it is you take advantage of the sentiment of patriotism which is just now making itself felt for a large army because of the present emergency. There is not a gentleman on this floor who is willing to stand up and say that we need that standing army for the support of the Government of the United States against foreign foes. What do we need them for? If they are needed for the Philippine Islands, it is only to take and hold possession of a country thousands of miles distant from our own shores against the will and against the wishes of its own people.

I am opposed to this bill, further, Mr. Chairman, because, instead of a standing army of 100,000, we can easily give the President all the soldiers that are necessary to conclude the war with Spain, if it is not already concluded, and authorize him to enlist them for a period of two years or even three years. But when you come to us and ask us to make a permanent provision in this country for a military establishment of 100,000 men, at an expense of $150,000,000 per year, to be supported by the toiling masses of patriotic, self-respecting, and self-supporting citizens, I must oppose it. [Applause.]

[Here the hammer fell.]

Mr. JOHNSON of Indiana. Mr. Chairman, it is well that we should take our bearings early in this five-minute debate on the pending measure. There are some facts here which should be burned into the mind of every gentleman on this floor. This bill, as originally brought in here, provided for an army of 100,000 men. It quadrupled the Army that we possessed when the war with Spain commenced. It more than quadrupled the expenses of maintaining that Army. That purpose was so monstrous on its very face that it not only awakened the uncompromising opposition on the other side of the main aisle to this Chamber, but there have been mutterings of an approaching storm on this side which it has been illy attempted to conceal and which the gentleman in the White House has probably heard. It was doubtless seen and felt that this bill was indefensible and involved enormous expenditures.

What will we do with 100,000 men in our Regular Army, unless we contemplate some aggression upon the people beyond the sea? No man dare pretend that they are intended simply for the United States to protect and maintain peace within our own borders. It is in aid of the policy of the Administration with respect to the annexation of the Philippine Islands and the depriving of the people there of their right to control their affairs in their own way that this unreasonable demand is made.

What is the meaning of this proposition now made that we shall take this monstrosity and gradually change it and cut it down in the course of the five-minute debate until in the end it

shall emerge with a fixed Army of 50,000 men, with a kind of sliding scale to be operated by the President of the United States, in which he shall exercise his well-known powers of elasticity, increasing or diminishing the Army to suit his sovereign pleasure, any increase not to exceed 50,000 men additional? The gentleman from Missouri [Mr. DOCKERY] is right. No President, I care not what his name may be, should be trusted in a time of peace with such a power as this, much less should any man be intrusted with it who is seeking to use it to wage a war against a people in the Orient to compel them to submit to a Government which they despise and repudiate.

Now, we all understand the significance and purpose of the proposed amendment to this bill. There is not a bit of practical difference between Congress arbitrarily fixing one hundred thousand as the maximum of the Regular Army and Congress fixing it at fifty thousand, and at the same time giving the President the right to enlarge it, so far as the size of the Army is concerned. In either event it means an army of 100,000 men—created in one case by the legislation of Congress and in the other created, to the extent of fifty thousand, by the will of the President of the United States. I am not willing to give him or to any other President in time of peace the power that might justly be conferred upon him in time of a great war. The truth is that this measure as originally framed can not be gotten through this House, and this change is being made in the expectation that it will make it acceptable. It will deceive nobody.

Why are not gentlemen frank as to the bill? Why do they not allow Congress to determine the size of the Regular Army? If we fix it too high, Congress at a subsequent session can reduce it; if too low, Congress at a subsequent session can increase it. We shall not have long to wait if amendment is needed. We are told now that there is a probability of a special session to assemble soon after this session adjourns. And if we do not have a special session this spring, the regular meeting of Congress will be held in less than one year from now. And if we should become, meanwhile, involved in foreign complications so as to render necessary an increase of the Army beyond the number now fixed by Congress, this body can be convened any time at the pleasure of the President.

Why should Congress abrogate its power? Why should Congress adjourn, giving the President authority, if no special session is called, to exercise these extraordinary powers—leaving him to pursue, uncontrolled by the action of an existing Congress, some policy which he may determine is right, but which the representatives of the people may think wrong and might arrest if they were in session? I am opposed to this surrender of Congressional power. I am opposed to surrendering our convictions and our prerogatives to the President, I care not who he may be.

There is another thing developed by the debate we have had here this morning, and that is that the Army is going to cost each year more than my friend from Iowa, chairman of the Committee on Military Affairs, stated the other day to the House.

The CHAIRMAN. The time of the gentleman has expired.

Mr. JOHNSON of Indiana. I ask an extension of five minutes.

Mr. WILLIAMS of Mississippi. I hope unanimous consent will be granted.

The CHAIRMAN. In the absence of objection, the gentleman from Indiana will proceed for five minutes more.

Mr. JOHNSON of Indiana. I do not charge the gentleman with intending to misrepresent, but I do charge him with displaying a lamentable lack of good judgment. I and all of us naturally look to him for information, because, as chairman of the committee having this measure in charge, he is presumed to have studied this subject. He ought to be able to give us information that we can rely upon.

Mr. HULL. Would not the gentleman depend on figures given by the War Department as to this question of cost?

Mr. JOHNSON of Indiana. That would depend entirely upon circumstances. If such figures were submitted, I would seek to test their correctness. I would not be contented with a mere statement. I would want an opportunity to cross-examine the gentleman who furnished them and to fortify myself with such pertinent general information as I might obtain, either by reading proper literature or by consulting gentlemen who were well informed on the subject.

The gentleman stated here the other day, in response to questions addressed to him, that according to his estimate this army of 100,000 would cost for its maintenance only $65,000,000 a year. I will grant (because I want to be perfectly fair) that he stated soon afterwards that this was a revision of his first figures, which he said made the amount $83,000,000 or $85,000,000. This shows the gentleman is not to be relied upon. [Laughter.] I do not say it unkindly, but it shows a wonderful change in computation in a short time. But I pass that by to notice what has been disclosed here to-day—the fact, which nobody now denies, that an army of 100,000 men will cost $100,000,000 a year. That has been conceded here this morning; there is no dispute about it. The progress of this day's debate, therefore, has been useful in at least one respect. We are beginning at last to get something like a correct basis on which to make our computations.

The debate this morning has developed something more. It has shown that an army of 100,000 men will cost more than $100,000,000 per year. Why do I say this? Because it has been conceded on the floor that the old method of computation as to the cost of maintaining a single soldier for a year fixed it at $1,000. But it leaks out that this computation is one which has been applied by the authorities in time of peace and before we had acquired any outlying possessions requiring the transportation there of large bodies of troops.

The gentleman [Mr. HULL] himself said the other day that one of the largest items in making up the sum total of the maintenance of an army was this matter of transportation, which was very costly. If, then, it has cost a thousand dollars per man to maintain our Army under the condition of affairs previously prevailing, when we had to make no transportation out of the United States, how much more will it cost to maintain each man in the army we are about to create, when transportation will be required over thousands of miles of water as well as within the borders of the United States?

So that instead of costing $100,000,000 a year, as is estimated for this army of 100,000 men, which is to be created by the joint action of Congress and the President of the United States, it will cost us considerably over that sum, and we must not lose sight of this fact.

Mr. DOCKERY. Will the gentleman from Indiana allow me a single suggestion?

Mr. JOHNSON of Indiana. Certainly.

Mr. DOCKERY. I am advised that the provisions of this bill would increase the pay of the Army 25 per cent to those who go abroad.

Mr. JOHNSON of Indiana. That simply verifies the fact that I have been endeavoring to state.

Now, Mr. Chairman, can we afford to take a leap in the dark in so important a matter as this, whether we are in favor or not in favor of an increase in the Army; whether we are in favor or not in favor of the President of the United States; whether we are or are not in favor of an expansion of our territory beyond its present boundaries? This is the all-important question.

This is the question that we must stop and consider, and should consider calmly and dispassionately, and not rush along recklessly and blindly with this legislation.

I imagine, Mr. Chairman, that by this time the chairman of the Committee on Military Affairs [Mr. HULL] is willing to revise the opinion which he expressed on this floor when he was unfolding his bill, that we should "legislate for the present, and let the future look out for itself."

I insist, sir, that every indication shows us, and we must not be blinded to the facts, that an army of 100,000 men, such as would inevitably be raised under the provisions of the bill under consideration, whether the limit be fixed at 100,000 or at 50,000, with the increase to 50,000 additional left to the discretion of the President, will cost the people of the country, and they must put their hands in their pockets to raise the money for its payment, from $125,000,000 to $150,000,000 a year; and there are conscientious Representatives, I am sure, on this side of the Chamber who will rebel against such a proposition as this. For, gentlemen, you never will be able to go to your constituents and defend your records if you support such an expenditure.

Gentlemen around me say, "We will take care of that." Well, the people will take care of it, let me tell you.

[Here the hammer fell.]

Mr. WILLIAMS of Mississippi. Mr. Chairman, I ask unanimous consent that the gentleman from Indiana may be permitted to have five minutes longer.

Mr. JOHNSON of Indiana. Mr. Chairman, I do not care for additional time now. I will probably occupy the floor again hereafter.

Mr. HULL. Mr. Chairman, I take the floor only for a moment to reply to the personal remarks of my amiable friend from Indiana [Mr. JOHNSON].

I read from the report of the committee, on page 18, the estimated cost of maintaining an army under the provisions of the Hull bill, which amounted to $40,013,246. In this estimate the increased cost of transportation is included, and is raised from $2,300,000 to $15,200,000, showing that the officers of the War Department did make a careful computation, and that the subject referred to by the gentleman from Indiana was included. I did make a mistake, of course, in the total amount involved, as I have already stated, and which amount has been corrected.

Now, I stated in the beginning of the debate that I had been too unwell to make all of the preparations and computations I had intended in reference to the subject and which I should have made.

The House knows that I was unable to take charge of the matter for some considerable time. The reports of the War Department I had not read in full, because I was not physically able to attend to it, and it was not published until after I left the city; and, as a matter of fact, I did not leave my room for three weeks after returning to Washington from Iowa.

It is not necessary that I should proceed further in that direction. But before taking my seat I wish to say a word further in reference to the cost of the Army, showing that the committee did not act unadvisedly. Let me say that the cost—the total cost amounting to some $82,000,000—was not a question of computation on my own part, but a question which the experts of the Department charged with the administration of the law had passed upon. They examined the question and figured out the actual cost. I simply gave the amounts which I had derived from these experts.

Now, in the very nature of things, gentlemen must understand that, to a certain extent at least, these must be estimates. The pay of the Army, the clothing, and all of that can be figured out absolutely; and it may be said in the same connection that the transportation can be figured out to almost an exact sum. But no one can be precisely correct in figures on that subject. There may be slight variances. And I want to say to this House, what my friend ought to know—what I believe he does know, for no keener intellect is on the floor—that the larger the army the less the expense per man. A small army, with its full complement of officers, costs more in proportion than a large army with practically the same complement of officers.

Not only that, but the absolute cost in the past has not been a thousand dollars per man, even when the Army was scattered through the Territories, with the enormous expense of transportation, far removed from railroads, where supplies had to be teamed for hundreds of miles. The cost has not been a thousand dollars per man when the officers commanded 25,000 men, while this bill provides for commanding a much larger number.

When the percentage of officers was greater than now, the cost was not a thousand dollars per man, and as you have increased your number of enlisted men without proportionately increasing your officers, you have reduced the sum per man, and I am willing to put the evidence which I received from the War Department against the unsupported statement of the gentleman from Indiana on a subject about which he confessedly knows nothing except in general terms—I am willing to take the evidence of experts, their statements under the responsibilities of their officers, that even with the increased expense by reason of the distance of these islands the total cost will not exceed $83,000,000, as against the gentleman's unsupported, wild statement that it will be $125,000,000 or $150,000,000.

Mr. CANNON. Mr. Chairman, I had no intention of claiming the attention of the committee again to-day, if at all during the consideration of this bill, but the remarks of the gentleman from Indiana seem to me to justify me in saying a word.

No man has more respect for the ability of the gentleman on his feet and otherwise than I have. I have wished sometimes that his judgment was one-tenth part as good as his ability. If it were, we would not have the spectacle in the Committee of the Whole House to-day of the gentleman from Indiana receiving the plaudits of the other side of the House for saying that which no man upon that side of the House dare say.

Mr. SIMPSON. They dare say it, but could not say it as well as the gentleman from Indiana said it.

Mr. HULL. They dare say it, but would not.

Mr. CANNON. Now, the President of the United States needs no defense at my hands. I do not believe there is a man in this House, including the gentleman from Indiana [Mr. JOHNSON], who will pledge himself to speak truly, who will say that he would have had the President withdraw the navy or the army from the Philippines up to this time.

Mr. HANDY (from his seat). Oh, yes.

Mr. CANNON. Who is he?

Mr. HANDY (rising). I would have had him. [Manifestations of derision on the Republican side.]

Mr. CANNON. Is there one more? We will open an experience meeting here. Are there any more?

Mr. TODD. I have an amendment directing the President to withdraw the Army and Navy as soon as our Government has evidence of the formation of a republic of their own.

Mr. CANNON. Now, Mr. Chairman, they are there in a time of war. What is to be done in a time of peace when this treaty is ratified is to be done by the President, furnishing a military government until Congress speaks, and if that treaty is ratified before the 4th of March, the gentleman from Indiana [Mr. JOHNSON] and the minority and the majority of the House can have the right to speak and legislate, to call the Army away or make any disposition touching the Philippines that they may desire.

Now, let us be practical. I believe—and for that reason I am supporting this bill—I believe that the treaty that has been negotiated will be ratified, and ought to be. [Applause on the Republican side.] And when ratified, with our Army and Navy in possession, it will stay there until Congress otherwise provides. [Applause on the Republican side.] I am for it. What disposition will be made in the fullness of time God alone knows.

Mr. SIMPSON. And McKinley.

Mr. CANNON. The heart and the patriotism and the wisdom of this people and of that people will work it out. Now, the gentleman from Indiana [Mr. JOHNSON] says that it is going to cost something, a hundred or a hundred and twenty-five million dollars, to support this Army. I do not know how much it is going to cost. I hope we shall not have to have a greater number than 50,000. I hope that number will be enough. But for one I am not willing that this Congress should expire without provision being made that the President may have power to have 50,000 more if the national defense requires it. I am going to keep my skirts clear as well as I know how.

Ah, but the ghost of Cæsarism comes to the gentleman from Indiana. Why, we gave the President power without limit to call, not for 50,000 men, but 100,000, 200,000, 300,000, a million; to call for every fighting man in the United States of America if he desired. I believe the gentleman from Indiana did not vote for it, but all the balance of us, on both sides of the House, did. [Applause on the Republican side.] And yet they carp and criticise. Now, I did not get upon my feet for the purpose of saying unkind things of the gentleman from Indiana.

The CHAIRMAN. The time of the gentleman has expired.

Mr. HULL. Mr. Chairman, I ask that the gentleman's time be extended five minutes.

Mr. CANNON. I do not think I want so much. I do not want to weary the committee. [Cries of "Go on!"]

The CHAIRMAN. The gentleman from Iowa asks unanimous consent that the time of the gentleman from Illinois be extended five minutes. Is there objection? [After a pause.] The Chair hears none.

Mr. CANNON. The gentleman has always had my respect, but I have felt called upon, in view of the line of his attack upon the President of the United States, the line of his attack upon what I conceive to be the Republican policy and the policy of the patriotic people of the United States, to say what I have said about his position, divorcing his position from his personality. Now, I think that is all I desire to say.

In conclusion, I will say, as I said before, it is a fact manifestly patent that the Republican side of the House have got to take this measure and, without fear, with the best wisdom that we can command to guide us, write it upon the statute books, so far as we are concerned, against the opposition of the great mass of the other side of the House, and for one I stand ready with my vote to help do it. [Loud applause on the Republican side.]

Mr. HAY. Mr. Chairman——

Mr. JOHNSON of Indiana. Mr. Chairman——

Mr. HAY. I will yield three minutes to the gentleman from Indiana.

Mr. JOHNSON of Indiana. I want a little more time.

Mr. HAY. Mr. Chairman, what I rose to say was not in any way to reflect on the remarks of the gentleman from Illinois.

Mr. DOCKERY. Will the gentleman allow me to suggest the gentleman is going to touch upon a question of fact between him and the chairman of the committee as to the number of officers provided by this bill; and I hope every gentleman will give attention.

Mr. HAY. I simply arose to put into the RECORD the facts as to the number of officers which this bill will provide for. It provides for 3,781 officers. It provides for 18 generals, 582 cavalry officers, 620 artillery officers, 1,410 infantry officers, 25 in the Adjutant-General's Department, 19 in the Inspector-General's Department, 14 in the Advocate-General's Department, 122 in the Quartermaster's Department, 62 in the Commissary-General's Department, 601 in the Surgeon-General's Department, 61 in the Paymaster's Department, 208 engineer officers, 37 Signal Corps officers, and 2 officers in the Record and Pension Office. Now——

Mr. BOTKIN. Does that mean commissioned officers?

Mr. HAY. Yes; that means commissioned officers.

Mr. HULL. Will the gentleman confine himself to the line officers? The general statement was made that the staff is going to be materially reduced.

Mr. HAY. I do not know how you are going to do it. I hear the gentleman from Illinois get up here and stand by this bill and the gentleman from Iowa gets up and says that he is going to reduce the bill, and it seems to me that gentlemen on this side may come to the conclusion that they do not know what they are going to do about this bill. Perhaps they will show——

Mr. HULL. That is not fair. I know my colleague is a fair man, and I take pleasure in my service on the committee with him.

Mr. HAY. I am answering the question as to the number of officers.

Mr. HULL. I will say that the gentleman from Illinois and

the gentleman from Iowa have both said that there is a substantial agreement in the majority of the committee about revising the staff so that it will conform more nearly to the force of 50,000 men. What the chairman of the committee was quoting was the officers in the line, not the staff, and the increase of line officers for the present Army. The proposed increase was simply those in the line of the Army, and included a lieutenant-general and all general officers.

Mr. HAY. If you strike out the staff, you have 2,700 in the line, 400 more than the chairman of the committee stated.

Mr. HULL. I said 2,599 in the line.

Mr. DOCKERY. Then it is true, as I understand from the gentleman, that 970 new officers of the line are created by this bill and about 636 staff officers?

Mr. HAY. Yes, sir; about that.

Now I yield to the gentleman from Indiana.

Mr. JOHNSON of Indiana. Mr. Chairman, I have always observed since a member of this House that when my very good friend from Illinois desires to attack a man he always commences by complimenting him. I knew very well after he uttered two or three sentences that he was going to put his weapon under my ribs; but, accustomed to that style of warfare all my life, I know very well how to meet it, and certainly I can find no fault with my good friend for resorting to this peculiar method of attack which I have so often parried and know well how to protect myself against.

When the gentleman talks about my having uttered sentiments that have not been uttered on the other side, I think he gives me credit for originality to which I do not wish to lay claim, for I have heard nothing but solemn protests from that side of the Chamber from the start against the policy of expansion and against the proposition to increase the Regular Army.

The gentleman asked whether or not I would be willing to have the Army and Navy withdrawn from Manila. I want to say to him that we will go farther back than the present with respect to the Manila question. The wrong was committed when the President of the United States created a commission and sent it to make a treaty of peace with Spain at Paris, with instructions to demand the cession to us of the Philippine Islands and to pay therefor the enormous sum of $20,000,000.

While I might not be willing right now to withdraw the Navy and Army from the Philippines immediately, I would withdraw them from menacing the republic of the Philippine Islands and from awakening in the breasts of the people there what I feel is a well-founded fear that the great Government of the United States is determined to annex the territory to the United States whether they wish it or not, and to thrust upon them against their opposition a government which is distasteful to them. That is the principle involved here, and we can not hide it.

The gentleman says the Army and Navy are in the Philippines in time of war. I say there is no actual war at all between the United States and any nation on the face of the globe. We are practically at peace with Spain, and she is powerless to renew the war. It is almost a stretch of the imagination to say that the legal status is that of war. Technically it may be so. The only danger of war arises from the fact that under the misguided policy of William McKinley, President of the United States, we may provoke to just resentment the people whose liberties are now threatened by the menace of this great Government. [Applause on the Democratic side.]

We are told—if gentlemen desire to interrupt me, the proper way to do it is to do it openly by asking me questions or by answering me on the floor—we are told by my friend that after the treaty of peace is ratified Congress may legislate on the subject. I do not doubt this; I knew as much before he made that remark. I never knew yet of an insidious effort or scheme to fasten certain measures upon a legislative body or upon the people that it was not, when resistance was made to it, suggested that the opposition should be delayed to some other time, and then it could be made just as well.

It is the same argument that is generally addressed to the man who is to receive the first blow and be put hors de combat, that he can fight after he has been knocked down. The time to expose this scheme is now. The time to call public attention to it is now. The time to resist it to the last is now, and I am not going to lose my right to be heard against this forging of the machinery for a colonial policy until all chances of resisting it successfully is gone.

I will cheerfully vote for a regular standing army to be fixed by authority of Congress, with no elastic scale for the President to use, but a sufficient number of men to garrison the United States, Hawaii, Porto Rico, and the island of Cuba, but not to be employed for extending our sway nearly to the shores of Asia and enslaving the people there.

The gentleman says we have heretofore given the President of the United States authority to raise a large army. I grant it, but this was in a time of war, or just before actual hostilities were commenced. I had no objection to that war measure. It is my recollection that I voted for it.

What does the gentleman mean by saying that he and others here voted on this floor for a war measure, and expressing uncertainty as to how my vote was cast? I opposed the Spanish war because I thought it unwise and unnecessary, and I have no apologies for my conduct; and yet at the same time, after the war was precipitated, there was not a war measure that I did not vote for cheerfully and patriotically.

I saw then only my imperiled country. I laid aside my private opinions and joined those who exerted their power and cast their votes in favor of a speedy and vigorous prosecution of the war. But now that the war is over and we are brought face to face with those troublesome, perplexing, and dangerous problems, which I foresaw would come as the result of the war, and which I therefore sought to escape by avoiding the war, I have the right, now that peace has returned, to do all that my conscience teaches me is necessary to prevent the injurious effects of the conflict from being inflicted upon our people and upon posterity.

I have a right to oppose—I would be derelict in my duty to myself and to my constituents if I did not oppose—here, as much as one humble individual can, a colonial policy such as has been the curse of every nation that ever attempted it, and which, if we persist in it, we and our posterity will regret in sackcloth and ashes.

Only one thing more and I am through. My friend says that he admires my ability in speech, but he goes on and disparages my judgment. I am one of those men who are willing to trust the soundness of their judgment, not to the passions and the prejudices of the hour, but to the calm, cool, and dispassionate "second sober thought," which always comes to a great and patriotic people when the brunt of an active conflict is over. The question whether my judgment in the position I have taken is right or wrong is one which can not be determined now. But there is coming a time soon in this country when I shall be willing to put my judgment against that of the gentleman from Illinois and let the people determine whether my judgment or his has been defective and at fault.

Mr. HILL. I understood the gentleman to invite questions.

Mr. JOHNSON of Indiana. I did not invite questions, but I very readily yield to my friend for a question.

Mr. HILL. I understand the gentleman to concede that the people of Porto Rico have just as much inherent right to self-government as the people of the Philippines; and yet he has stated that he would not object to a garrison in Porto Rico.

Mr. JOHNSON of Indiana. It is my distinct understanding that the people of Porto Rico have welcomed us to that island. I have not heard of their opposing our domination there. I will say to the gentleman, however, that I am opposed to the acquisition——

The CHAIRMAN. The time of the gentleman has expired.

Mr. JOHNSON of Indiana. I must answer this question.

Mr. RIDGELY. I ask unanimous consent that the gentleman have five minutes more.

The CHAIRMAN. The Chair hears no objection.

Mr. JOHNSON of Indiana. I am opposed to the acquisition of Cuba and Porto Rico, just as I was opposed to the acquisition of Hawaii, just as I am opposed to the annexation of the Philippines. I do not believe in acquiring territory outside of the United States. I thought I had made myself plain on that subject. But there is a different condition of affairs in Porto Rico, whose territory has been ceded to us——

Mr. HILL. How do you know that?

Mr. JOHNSON of Indiana. How does anybody know anything? [Laughter.] I know it from various reports in the daily papers, which have been uncontradicted. I know it from conversations I have had with people who knew something on this subject. And there is a distinction between a republic with arms in its hands standing ready to resist our aggression, as is the case to-day in the Philippines, and a country like Porto Rico, that welcomes our troops. But I say now that whenever the people of Porto Rico desire independence I will cast my influence and vote to grant it, for it is slavery to hold any people in subjection without their consent; and the Declaration of Independence is the best authority I care for on that subject.

One word more. Gentlemen say I am antagonizing the principles of the Republican party. My friend from Illinois saw fit to make that charge against me. It is an old dodge, to impugn a man's party fidelity and to read him out of the Republican party if he does not happen to subscribe to every little thing the managers of the party dictate and indorse every wrong they advocate. That game can not be played on me. I was born a Republican. I have been a Republican almost my entire life. I believe in the underlying principles of my party, but I am not a hide-bound partisan.

I do not believe that all the virtue and patriotism of this country

are found inside the pale of my political organization. I do not believe that every portion of this country south of Mason and Dixon's line is wholly given up to treason and spoils. I comprehend with my ken and my heart the whole of my country; I am trying to legislate for it if I can, and I am not going to be whipped into line to support a Republican President when I believe he is wrong, when I believe that his conduct is inimical to the best interests of the American people.

[Here the hammer fell.]

Mr. HULL. Mr. Chairman, I move that the committee now rise.

The motion was agreed to.

The committee accordingly rose; and the Speaker having resumed the chair, Mr. PAYNE reported that the Committee of the Whole House on the state of the Union having had under consideration the Army reorganization bill had come to no resolution thereon.

ORDER OF BUSINESS.

Mr. PAYNE. Mr. Speaker, I ask unanimous consent that the time for taking the recess under the rule be extended five minutes.

There was no objection.

FORESTRY INVESTIGATION.

The SPEAKER. The Chair will lay before the House at this time a message from the President of the United States.

The message was read, as follows:

To the Senate and House of Representatives:

In accordance with a provision in the act making appropriations for the Department of Agriculture for the fiscal year ending June 30, 1899, I transmit herewith a report of the Secretary of Agriculture upon the forestry investigation and work of the Department of Agriculture.

WILLIAM McKINLEY.

EXECUTIVE MANSION, *January 27, 1899.*

The SPEAKER. The message and accompanying documents will be referred to the Committee on Agriculture.

PROMOTION OF COMMERCE.

Mr. PAYNE. Mr. Speaker, I desire to submit a report from the Committee on Merchant Marine and Fisheries, and desire to present it to the House, and that the minority may have leave also to file their views.

The SPEAKER. The Clerk will read the title of the bill.

The Clerk read as follows:

A bill (H. R. 11312) to promote the commerce and increase the foreign trade of the United States and to provide auxiliary cruisers, transports, and seamen for Government use when necessary.

The SPEAKER. The bill and report will be referred to the Committee of the Whole on the state of the Union.

Mr. HANDY. I ask unanimous consent that the minority of the committee have leave until next Tuesday to file their views.

There was no objection.

MESSAGE FROM THE SENATE.

A message from the Senate, by Mr. PLATT, one of its clerks, announced that the Senate had agreed to the report of the committee of conference on the disagreeing votes of the two Houses on the amendment of the Senate to House concurrent resolution No. 36, relating to furnishing one complete set of the Official Records of the Union and Confederate Armies to each Senator, Representative, and Delegate of the Fifty-fifth Congress not already entitled by law to receive the same.

The message also announced that the Senate had passed without amendment the bill (H. R. 11157) making appropriations for the payment of invalid and other pensions of the United States for the fiscal year ending June 30, 1900, and for other purposes.

LEAVE OF ABSENCE.

By unanimous consent, leave of absence was granted as follows:

To Mr. GAINES, for the balance of the day, on account of sickness.

To Mr. PEARSON, indefinitely, on account of important business.

The SPEAKER. The gentleman from Illinois [Mr. CONNOLLY] will preside as Speaker pro tempore at the evening session to-night.

And then, on motion of Mr. PAYNE (at 5 o'clock and 2 minutes p. m.), the House took a recess until 8 o'clock p. m.

EVENING SESSION.

The recess having expired, the House (at 8 o'clock p. m.) was called to order by Mr. CONNOLLY as Speaker pro tempore, who directed the reading of the special order.

ORDER OF BUSINESS.

Mr. TALBERT. Mr. Speaker, before a motion is made to go into Committee of the Whole to-night, I would like to make a statement and ask consent of the House as to a special order of business.

I see from the Calendar that there are only about 70 bills on it, 49 of which are removals of charges of desertion and of political disabilities, 8 for original pensions, and some 13 or 14 for increases. Now, I ask unanimous consent to pass over the bills for the removal of charges of desertion until we finish the pension bills, and then afterwards we can take up these cases of charges of desertion and consider them. I ask unanimous consent for that order.

Mr. RAY of New York. I hope that will be granted, Mr. Speaker. I see no objection to it.

I think, however, the gentleman is mistaken as to the number of bills for removing charges of desertion. I think there are only seven or eight.

Mr. TALBERT. That may be. I looked hurriedly over the Calendar.

The SPEAKER pro tempore. The order asked for by the gentleman from South Carolina will be made, unless objection is entered.

There was no objection.

B. C. LOWE.

Mr. RAY of New York. Mr. Speaker, before submitting a motion to go into Committee of the Whole, there is, I think, a bill coming over as unfinished business from the last Friday session. I refer to the bill (H. R. 1279) granting a pension to Mrs. B. C. Lowe. There is an amendment pending, submitted by the chairman of the Committee on Pensions, to reduce the amount of the pension from $12 to $8 per month. I trust that amendment will be considered now and adopted. I move its adoption.

The SPEAKER pro tempore. The Clerk will read the amendment proposed by the gentleman from New York and by the Committee on Pensions.

The Clerk read as follows:

Strike out, in line 10, the word "twelve" and insert "eight;" so as to read: "pay her a pension at the rate of $8 a month."

The amendment was considered and agreed to.

The bill as amended was ordered to be engrossed and read a third time; and it was accordingly read the third time, and passed.

The title of the bill was amended to correspond.

On motion of Mr. RAY of New York, a motion to reconsider the last vote was laid on the table.

ORDER OF BUSINESS.

Mr. RAY of New York. Mr. Speaker, I now move that the House resolve itself into Committee of the Whole House for the purpose of considering business on the Private Calendar under the rule fixing Friday evening sessions of the House.

The motion was agreed to.

The House accordingly resolved itself into Committee of the Whole House, Mr. LACEY in the chair.

ALBERT S. SHEPARD.

The first business on the Private Calendar was the bill (H. R. 9979) granting an increase of pension to Albert S. Shepard.

The bill was read, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and hereby is, authorized and directed to place upon the pension roll the name of Albert S. Shepard, who served during the late war in Company B, First Regiment of Massachusetts Cavalry, and pay him a pension of $24 per month in lieu of any pension now received by him.

The Committee on Invalid Pensions recommended the following amendments:

In line 4, after the word "roll," insert "subject to the provisions and limitations of the pension laws."

In line 5 strike out the words "who served during the late war in " and insert in lieu thereof the words "late of."

In line 7, after the word "pension," insert "at the rate."

At the end of line 7 strike out the word "any" and insert in lieu thereof the word "the."

The CHAIRMAN. The question is on the committee amendments.

Mr. TALBERT. Mr. Chairman, I do not make this motion for the purpose of consuming time, but I submit that the reports ought to be read and put upon record in these cases so as to show the reasons why these increases are granted. I presume that the members are not all in possession of the reports, and where the reports are not too long I would ask that they be read so that as we go along the RECORD will show why.

Mr. RAY of New York. Would it satisfy the gentleman to allow me to make a statement of the salient facts in each case, unless in some particular case he desires to have the report read in full?

Mr. TALBERT. Why, certainly, that would cover the ground.

Mr. RAY of New York. And have unanimous consent that the report be printed in the RECORD, whenever you desire it?

Mr. TALBERT. Well, a short statement would satisfy us. That could go into the RECORD. My idea is not to consume time, but I think the RECORD ought to show the reasons for our action. I think most of these bills are meritorious. I am willing to vote for them upon the statement of the chairman. Where the reports are long, I will not ask for their reading, but a short statement of the reasons will be sufficient.

Mr. RAY of New York. If they are not satisfactory, then of course I will not ask that the bills be passed by this House, and

so far as I am concerned, I would not consent to their being reported to the House, and would come here and fight a bill that I did not believe to be meritorious.

Now, I will state this case. This soldier served from August, 1862, to November, 1864, when he was honorably discharged. He has exhausted his remedy at the Bureau. He has hemorrhage of the lungs, disease of the heart and kidneys, has lost a part of his hand, and has stiffness of the hand and can not perform any labor at all. He is very, very poor.

Mr. GIBSON. And confined to his bed.

Mr. RAY of New York. He is confined to his bed permanently. He is old and can live but a little time. He has no property and no wife, children, or relatives upon whom he can depend for support. Rather than have this old man, who served nearly four years as a soldier, go to the almshouse, we report an increase of pension to $24 a month, which, it must be admitted, is reasonable.

The amendments recommended by the committee were agreed to.

The bill as amended was laid aside to be reported to the House with a favorable recommendation.

MAZIE V. SULLIVAN.

The next business on the Private Calendar was the bill (H. R. 10285) granting an increase of pension to Mazie V. Sullivan.

The bill was read, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll the name of Mazie V. Sullivan, widow of George R. Sullivan, late of Company G, Eleventh Maryland Volunteer Infantry, and to pay her a pension of $30 per month, in lieu of that which she is now receiving.

The Committee on Invalid Pensions recommended the following amendments:

In line 4, after the word "roll," insert "subject to the provisions and limitations of the pension laws."

In line 7 strike out the words "of twenty" and insert in lieu thereof the words "at the rate of twelve."

Mr. RAY of New York. Mr. Chairman, this lady, who is a very worthy lady, resides in this city. She is drawing a pension of $8 a month, which it is proposed to increase to $12. She is the widow of George R. Sullivan, who served faithfully and long in the war. He never filed a claim for a pension, and it can not be proved that his death was due to his military service. Hence, under the law, she can draw but $8. Now, she is very poor. She was afflicted with a cancerous growth on her right hand, in consequence of which the hand was amputated, and since then her whole system seems to be involved. She has no means of support excepting her pension, and the only child that she has is sick and confined permanently in the hospital. Therefore, we give her $4 increase.

The amendments recommended by the committee were agreed to.

The bill as amended was ordered to be laid aside to be reported to the House with a favorable recommendation.

WILLIAM B. MATCHETT.

The next business on the Private Calendar was the bill (H. R. 835) granting a pension to William B. Matchett.

The bill was read, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of William B. Matchett, chaplain of the Tenth Regiment of New York Volunteers, at the rate $30 per month, from and after the passage of this act.

The Committee on Invalid Pensions recommended the following amendments:

In line 7, after the word "Volunteers," insert "and pay him a pension."

In line 7 strike out the word "twenty" and insert in lieu thereof the word "twelve."

Strike out all after the word "month," in line 8.

Mr. RAY of New York. Mr. Chairman, Mr. Matchett served nearly all through the war as chaplain of a regiment. Owing to his being in active service, or for some other reason, he did not actually get mustered in, but he served nearly all through the war. He is now an old man and is poor. The Senate, in the Fifty-third Congress, passed a bill granting this claimant a pension of $20 a month, but it was not reached in the House.

In both the Fifty-third and Fifty-fourth Congresses bills were reported from the committee of this House giving this man a pension, I think, but am not sure, in each case, of $20 a month. This committee did not think it proper to give him over $12, and we have therefore reported the bill at $12 a month. The reason why he can not get a pension at the Bureau is because of the technicality of his not having been mustered in.

The committee amendments were agreed to.

The bill as amended was ordered to be laid aside to be reported to the House with a favorable recommendation.

JOHN GREEN.

The next business on the Private Calendar was the bill (S. 1183) for the relief of John Green.

The bill was read, as follows:

Whereas John Green, late a private in Troop C, Fourth Regiment United States Cavalry, in said service incurred a fracture of left thigh; and

Whereas the continuance and permanency of said injury is due to malpractice by the medical officer of the United States placed in charge of his case: Therefore,

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the claim of the said John Green for pension, the same being original invalid No. 736714, for fracture of left thigh, be given a pensionable status and adjudicated in accordance with the indorsement of his company officers, made upon his discharge, that the same was received in line of duty, the same to be rated in accordance with the rules and limitations of the pension law.

The amendment recommended by the committee was read, as follows:

Strike out the second paragraph of the preamble.

Strike out all after the enacting clause, and insert the following:

"That the Secretary of the Interior be, and he is hereby, authorized and directed, in adjudicating the pension claim of John Green, late of Troop C, Fourth United States Cavalry to accept disability as having been incurred in line of duty, and thereupon to place the name of said John Green on the pension roll, subject to all other provisions and limitations of the pension laws, such pension, when granted, to date from the approval of this act."

Mr. RAY of New York. Mr. Chairman, I would like to say to the gentleman from South Carolina, if he asks it the Clerk will have to read the report in this case, because the next three or four cases come from the Committee on Pensions, and I do not have the reports before me.

The CHAIRMAN. The question is on the amendments of the committee.

Mr. TALBERT. Mr. Chairman, I would like to have the report read.

The CHAIRMAN. The report will be read.

The report (by Mr. SHELDEN) is as follows:

The Committee on Pensions, to whom was referred the bill (S. 1183) granting a pension to John Green, have considered the same and report:

A House bill for the relief of this applicant was before your committee at the first session of the Fifty-fourth Congress, and the favorable report thereon, fully setting forth the facts, is adopted by your committee as their report, and the bill is returned with the recommendation that it do pass, amended, however, as follows: Amend the title so as to read: "A bill granting a pension to John Green."

This is a bill enacting that John Green be granted a pension on account of a fracture of left thigh, received while serving as a private in Troop C, Fourth United States Cavalry. He enlisted February 7, 1888, and was discharged October 19, 1889, because of disability arising from said injury.

In his application for pension, filed November 2, 1889, he alleged that at Fort Bowie, Ariz., about February 15, 1889, he incurred a fracture of left thigh by being crushed between a wood pile and a cart while on fatigue duty hauling wood.

The claimant was undergoing punishment by being confined under guard at hard labor for the period of one month at the time of receiving the injury. His offense was becoming intoxicated and using bad language in the reading room of the troop, and because he was under sentence of court-martial at the time of incurring the injury the Pension Bureau held that he was not in line of duty and rejected his claim.

Notwithstanding the adverse view of the case taken by the Pension Bureau, the claimant's commanding officers had recorded the accident as having been received in line of duty.

The muster rolls of the troop from February 28, 1889, to August 31, 1889, report claimant "Present; sick (at Fort Bowie, Ariz.) since February 21, 1889. Simple fracture of left femur, contracted in line of duty." The hospital records show that he was treated from February 15 to October 19, 1889, for "simple oblique fracture of left femur (middle third), caught between a cart wheel and a wood pile while on fatigue in line of duty."

In the certificate of disability upon which the claimant was discharged First Lieut. H. J. McGrath, commanding the troop, certifies that "on February 15, 1889, this man had his left leg broken by having it crushed between a cart and wood pile, the injury being received in line of duty."

A similar indorsement was made on the certificate by L. C. Touey, acting assistant surgeon, United States Army.

The claimant's discharge certificate, which is on file with the papers, states that his character is good.

A medical examination by a Washington (D. C.) board, January 27, 1890, found a "fracture of left thigh, middle third: result, bad. The upper fragment overrides the lower to such an extent that the extremity is shortened. There is angular deformity formed. Altogether a bad limb (large mass of callus at seat of fracture). * * * Walks very lame, leaning on a cane."

The degree of disability found by the board was seventeen-eighteenths.

The claimant is in indigent circumstances and an inmate of the Soldiers' Home at Washington.

Your committee do not believe that the offense for which the claimant was undergoing punishment at the time he received his injury was sufficiently great to deny him a pension for injuries incurred while actually engaged in fatigue duty, and hence the favorable recommendation herein made is believed to be just and proper.

Mr. TALBERT (during the reading). I ask that the further reading of the report be dispensed with.

The amendments of the committee were agreed to.

The bill as amended was ordered to be laid aside with a favorable recommendation.

MRS. LETITIA TYLER SEMPLE.

The next business on the Private Calendar was the bill (S. 1776) to increase the pension of Mrs. Letitia Tyler Semple.

The bill was read, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll the name of Letitia Tyler Semple, widow of the late James A. Semple, a paymaster of the United States Navy, at the rate of $50 per month, in lieu of the pension she is now receiving.

The amendment recommended by the committee was read, as follows:

In line 6 strike out the word "fifty" and insert "twenty."

Mr. LAMB. Mr. Chairman, anticipating my friend from South Carolina, I will ask that this report be read; it is a short one, and explains the situation fully to the House.

The report (by Mr. LOUDENSLAGER) was read, as follows:

The Committee on Pensions, to whom was referred the bill (S. 1776) granting an increase of pension to Letitia Tyler Semple, have considered the same and report:

The bill is accompanied by Senate Report No. 635, second session of the present Congress, and from it the facts set forth below are taken:

"The following letters from the claimant and Hon. THOMAS S. MARTIN, a Senator from Virginia, explain the grounds upon which an increase of pension is asked in this case, and also clearly set forth the necessities of the claimant. Mrs. Semple wrote, under date of April 20, 1897, as follows to Senator VEST:

"WASHINGTON, D. C., *April 20, 1897.*

"Hon. GEORGE G. VEST,
"*United States Senator from Missouri.*

"SIR: I will not occupy your time longer than is absolutely necessary in bringing a matter before you of much interest to myself, and in which I ask your sympathy.

"With Mrs. Vest I have the pleasure of a slight acquaintance. I have not the honor to have met you, but as Missouri is a daughter of Virginia, I do not hesitate to call upon you, one of her noble sons, to extend me kind consideration.

"Very recently (in the month of February) your body, the Senate, granted to Mrs. Dandridge, a daughter of Gen. Zachary Taylor, the President of the United States, an increase of pension on the life of her first husband, Colonel Bliss, U. S. A. This is a second time an increase has been granted to her. My object in writing is to say to you that I draw a Mexican war pension for the services rendered by my husband, Paymaster James A. Semple, U. S. N., which has never been increased from $8 per month.

"Mrs. Dandridge and myself stand toward a President of the United States in the same position, my father being John Tyler, of Virginia. I ask that you obtain for me the same increase of pension that Mrs. Dandridge receives, for at all points we stand alike, save that she has married again, and that I represent four Presidents. James Monroe, William Henry Harrison, John Tyler, and Benjamin Harrison were cousins through the Armisteads and Tylers of Virginia.

"My necessity must plead with you for me, inasmuch as the $8 pension from the Mexican war is the only income whatever I have, and this amount is inadequate for my necessities. I therefore most respectfully ask your intercession in my behalf. I will close my letter with this fact: That after the death of my mother, September, 1842, upon the invitation of the President, I assumed the duties of the lady of the White House and performed them to the satisfaction of all.

"With sentiments of very high consideration and respect,

"I am, yours,

"LETITIA TYLER SEMPLE.

"LOUISE HOME, *Washington, D. C.*"

The letter of Senator MARTIN is as follows:

UNITED STATES SENATE,
Washington, D. C., December 14, 1897.

MY DEAR SIR: On the 23d of April, 1897, I introduced a bill (S. 1776) to increase the pension of Mrs. Letitia Tyler Semple.

Mrs. Semple is the widow of the late James A. Semple, a paymaster in the United States Navy, and as such is receiving a small pension on account of the service of her late husband in the Mexican war.

The bill provides for an increase to $100 per month. At the time I introduced the bill I had a conversation with you in which you stated you thought $100 too much, but an increase to $50 per month perhaps might be proper.

While I rest the claim of Mrs. Semple on the fact that she is the widow of a soldier in the Mexican war, I will say that her case has appealed strongly to my sympathy because of her greatly changed circumstances and her poverty in her old age.

Besides being the widow of an officer, she is the daughter of the late President John Tyler, of Virginia, and as such was once the mistress of the White House. Now, in her extreme old age (I think she is about 80 years old, though I do not undertake to speak with entire accuracy as to that, but for greater accuracy I refer you to a letter she wrote me and which I mailed you, I think, during the last session of Congress) she is an inmate of the Louise Home in this city, having not a dollar's worth of property of any kind. She is a refined and accomplished lady in every respect, and this small increase in her pension will alleviate her condition during the few remaining years of her life.

I believe a Mrs. Dandridge, to whom an increase of pension was given, stood in like case as this one of Mrs. Semple.

Yours, very truly,

THOMAS S. MARTIN.

Hon. JACOB GALLINGER,
Chairman Pension Committee, United States Senate.

There are many precedents for the allowance of an increase of pension to the aged and needy widows of old war soldiers, and in the light of the facts related above the passage of the bill is recommended, with an amendment striking out the word "fifty," in line 6, and inserting in lieu thereof the word "twenty," so as to fix the rate of pension at $20 per month.

Mr. LAMB. Now, Mr. Chairman, I will detain the committee but a few moments. I ask that this amendment be voted down. I think that this worthy lady, the only living daughter of President Tyler, of Virginia, by his first marriage, ought to be granted this pension that was agreed upon by the Senate committee.

Mr. GIBSON. I would like to ask the gentleman if her mother is living?

Mr. LAMB. No, sir; this lady is about 80 years of age.

Mr. GIBSON. Is President Tyler's wife living?

Mr. LAMB. His last wife is also dead. President Tyler was twice married, and there were two sets of children. This is the only surviving child by the first marriage. I visit her in the Louise Home. She is about 80 years old and totally blind. She writes to me sometimes, but it is through an amanuensis. Recently she has had an operation performed on her eyes at some considerable expense. How she obtained the money I do not know, but presume it must have been through the kindness of some of her friends.

President Tyler left the Executive Mansion poorer than he came to it, and left very small estate at his death. I appeal to you, gentlemen, to give to this lady the pension that is granted as the bill passed the Senate. She will not live long. Her position is shown in the letter I have had read. Therefore, I ask that the amendment recommended by the committee be voted down and that she be given $50 a month.

Mr. RAY of New York. Mr. Chairman, that ought not to be done, but so far as I am concerned, I would have no objection whatever to amending the bill to make it $30 a month. That would be in accord with what the Senate has done and what the House has invariably done in the case of a daughter of a soldier.

Mr. LAMB. She was the widow of a naval officer and also the daughter of a President. She was the widow of Captain Semple, who was in the Navy.

Mr. RAY of New York. She is the widow of a naval officer. So far as I am concerned, I should be willing to give her $30 a month instead of $20, which will be in line with what the committee has done in similar cases; but it would not be right, it would not be just to others, or in line with what the committee has done to do differently here than has been done in every case of like character.

Mr. MANN. I would like to ask the gentleman if, when he refers to cases of like character, he refers to cases where the claimant was the daughter of an ex-President.

Mr. RAY of New York. Well, Mr. Chairman, I would say to the gentleman that there is no law and never has been under which we gave pension, or should pension, to daughters of Presidents or of ex-Presidents, so that we have had no cases of that kind or character, and no pension should be granted upon that ground.

Mr. LAMB. There is the case of Mrs. Dandridge, the daughter of President Zachary Taylor. I will say, in reply to my friend, if I could have been before the committee at the time this bill was passed on and made a statement, that more than likely the committee would have agreed to the Senate report. I think so, but I was called away that day and was not before the committee.

Mr. RAY of New York. Mr. Chairman, I move that the amendment proposed by the committee be amended by substituting "thirty" for "twenty."

Mr. LAMB. I hope that will be voted down, and give us the $50 we ask.

Mr. RAY of New York. You would be sure to get your bill if you do that, and you will be sure not to get it if you do not.

Mr. ARNOLD. Mr. Chairman, it seems to me a lady of this age, about 80 years, likely to live but a very short time, the widow of a deceased naval officer, and in addition to that the daughter of a President of this great country—that it is not a question of law, but a question of national pride, and I shall vote for $50.

Mr. MANN. Mr. Chairman, there is no one in this House for whom I have so great a respect in his judgment as to pensions as the gentleman from New York, chairman of the Committee on Invalid Pensions. But it does seem to me in this case the United States can well afford not to split hairs upon a matter of this kind, and where we grant pensions of $50 a month in many cases, and even of a hundred dollars a month in some cases, that we might well strain a point, if necessary, and grant to the widow of a naval officer, the daughter of a President of the United States, in her old age, when she is blind and is on the side of life that will soon end, at least $50; and I hope every amendment for less than that may be voted down.

Mr. MORRIS. Mr. Chairman, I happen to know something about the peculiar circumstances of this lady's case. Indeed, she and her people are old and long-standing friends of both my father's and my mother's family. This lady, the daughter of John Tyler, President of the United States, was born in the city of Williamsburg, Va. She was a young woman, the wife of a naval officer of the United States, and her mother having died while her father was President, she was called by her father to preside at the White House, at least, for a time. The ravages of war destroyed all the property of her people, and the end of the war found her absolutely without means.

The great charity which was established here by Mr. Corcoran, who made his fortune in this city, has given her an asylum in her old age. She is nearly, as I recollect, 80 years of age. Now, Mr. Chairman, it does seem to me that a case of this sort appeals to members of this House with peculiar force. It is a peculiar spectacle for the people of the United States to behold a woman, the daughter of an ex-President of the United States, who has presided in the White House, looking out of the window of a charitable institution upon the scenes of her former magnificence.

It does seem to me that this is a most peculiar case, appealing to the sympathy of every member of this House, and I hope this Congress will not split hairs upon $10 a month or $20 a month, but will give this lady the full sum of $50 a month, for which the bill was originally drawn. It is a very small matter. I have the highest respect for my friend from New York [Mr. RAY]; but it does seem to me that in a case of such peculiar circumstances as this, this Congress might afford to be thus liberal.

Mr. RAY of New York. Mr. Chairman, this country of ours contains here and there many people who in their old age and adversity are looking out, in the language of the gentleman from Minnesota, upon the scenes of their former magnificence, or the scenes of the former magnificence of their country.

There are more than a million surviving heroes of the late civil war and about 700,000 of them are on the pension rolls, and they are growing older every day, and there are thousands of them suffering from wounds which absolutely disable them from performing any labor and who are very poor. There are hundreds, and I may say thousands, of them who were brave and gallant officers of high rank who are to-day without a penny, and they in their necessity come knocking at the doors of Congress for special relief.

We also have thousands upon thousands of widows of officers and private soldiers who served three and four and five years. Their husbands are gone, their sons are gone, daughters gone; they are simply objects of charity. And what do we give them? The general law in their old age and necessity gives them, if the husband died of a disease or disability not contracted in the service, $8 per month. If the disease or disability was contracted in the service, it is $12 per month.

In their old age and adversity and necessity, with the doors of the poorhouse wide open before them, they come for relief, and what do we do? In case of the widow of an officer, old, blind, and very poor, we have given them an increase of $14, $16, $18, $24, and $30, and it is stopped at that. Only $30 in the case of the highest officer, unless the death of the husband was the result of service in the Army, when $50 per month has been the limit.

Now, we have on the Calendar here to-night 50 pension bills. The claimants are old, poor, and in necessitous circumstances, excepting two or three, who are poor, helpless children. We have four or five cases of officers' widows—old, poor, and in necessitous circumstances. There are hundreds more that I know of, and I do not know but 500 more, because there are something like 3,000 bills that we have not had time to examine; and when we remember that the poverty and necessities of these classes are increasing we ought to be careful and cautious and so proceed that we may grant some help to all, extravagant pensions to none.

There is not anything sentimental that can be said in the one case that can not be said in all. We ought to be consistent in this legislation, so that all pensioners and all claimants coming before this Congress may say that we do by one as we do by another in like circumstances and under similar conditions. We certainly should not travel outside the line and undertake to pension either the children or the brothers or the sisters or the relatives of ex-Presidents. That would lead us to the pensioning of the wives and children and sisters of Senators and Members of Congress and civil officers of all kinds.

Mr. Chairman, it is an ungracious task for me to be here to-night defending the action and report of the Committee on Pensions, of which Mr. LOUDENSLAGER is chairman. I knew nothing of this report until it came up to-night. I never had heard of the case unless it may have been casually mentioned. The chairman of the committee that reported the bill is not here, but the bill is here, and I know what the action of the Committee on Invalid Pensions has been in cases of this kind; I know what this House has decided it should be.

I know what the Senate has said its action should be in like cases. Under such circumstances and with such facts before us, it seems to me there is no justification whatever for passing this bill at a higher rate than $30 a month. As I understand it, this lady now gets only——

A MEMBER. Eight dollars a month.

Mr. RAY of New York. Eight dollars a month, which is the highest sum the law allows her; and if this Committee of the Whole should assent to the amendment and raise the pension from $8 to $30, it will certainly give this old lady enough to afford her reasonable care for the rest of her days. If you go beyond that in this case, then, to be consistent, you should go beyond it in other cases which will come before us to-night, cases similar in all respects to this, except that the Presidential element is not in them. Therefore it is that I have moved the amendment.

Mr. SULLOWAY. Mr. Chairman, I do not rise to address myself to the Committee of the Whole on this subject. I want to call attention simply to a single statement made by the chairman of the committee to which I belong. He says that to be consistent with the Senate we should adopt his amendment. This is a Senate bill. It has been passed by the Senate and comes here for our concurrence. Therefore there is involved no such question as the gentleman from New York undertakes to raise. I hope this lady will get $50 a month.

Mr. RAY of New York. The gentleman from New Hampshire [Mr. SULLOWAY] should not have made all of the statement he has just made, because he is aware that the Senate has adopted an iron-clad rule for cases of this kind—possibly since they passed this bill; I do not know how that is. They have sent to our committee a copy of that rule with others. Under that rule they treat all House bills in the same way, saying that in such cases they will not go beyond $30 a month.

Mr. JETT. What amount has been allowed by the Senate in this case?

Several MEMBERS. Fifty dollars.

The amendment of Mr. RAY of New York to the amendment of the committee was rejected; and the amendment of the committee was rejected.

The bill was then laid aside to be reported favorably to the House.

GEORGE HUGHES.

The next business on the Private Calendar was the bill (S. 1154) for the relief of George Hughes, of Portland, Oreg.

The bill was read, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, directed to place on the pension rolls, subject to the provisions and limitations of the pension laws, the name of George Hughes, late a soldier in the Mexican war, at the rate of $50 per month, in lieu of the pension he is now receiving under certificate 10517.

The amendments reported by the committee were read, as follows:

Amend the title so as to read: "An act granting a pension to George Hughes."

In line 7 strike out the word "fifty" and substitute therefor the word "twenty;" so as to fix the rate of pension at $30 per month.

The amendments were agreed to.

The bill as amended was laid aside to be reported favorably.

ALEXANDER ROGERS.

The next business on the Private Calendar was the bill (H. R. 10155) to increase the pension of Alexander Rogers.

The bill was read, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of Alexander Rogers, a Mexican war veteran, late a private in Company G, Eighth United States Infantry, and Company B, Nineteenth New York Cavalry, at the rate of $24 per month in lieu of the pension he is now receiving.

The amendments reported by the committee were read, as follows:

Strike out the words "a Mexican war veteran, late a private in Company G," in lines 6 and 7, and substitute "late a musician, Eighth United States Infantry, Mexican war."

After the word "cavalry," in line 8, insert "civil war," and change "twenty-four" to "twenty" in line 8.

The amendments were agreed to.

The bill as amended was laid aside to be reported favorably.

LEMON HOLTON.

The next business on the Private Calendar was the bill (H. R. 8754) granting an increase of pension to Lemon Holton.

The bill was read, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and instructed to place the name of Lemon Holton, an invalid Mexican war veteran, on the pension roll at the rate of $30 per month, the same to be in lieu of the pension now drawn by him.

SEC. 2. That this act shall take effect from and after its passage.

The amendments reported by the committee were read, as follows:

In line 5 strike out "an invalid Mexican war veteran" and substitute therefor the words "late of Company D, Tenth United States Infantry, Mexican war."

Strike out the word "thirty," in line 6, and insert the word "twenty;" so as to fix the rating at $20 per month.

Strike out section 2.

The amendments were agreed to.

The bill as amended was laid aside to be reported favorably.

BONAVENTURA HEINZ.

The next business on the Private Calendar was the bill (H. R. 4806) granting a pension to Bonaventura Heinz.

The bill was read, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of Bonaventura Heinz, late a private in Company D, Gilpin's Battalion Missouri Volunteers, Mexican war, and pay him at the rate of $22 per month in lieu of that which he is now receiving.

The amendments reported by the committee were read, as follows:

Amend the title so as to read: "A bill granting an increase of pension to Bonaventura Heinz."

In line 8 strike out "twenty-two" and substitute therefor the word "eighteen," so as to fix the rating at $18 per month.

The amendments were agreed to.

The bill as amended was laid aside to be reported favorably.

WILLIAM F. BOLAN.

The next business on the Private Calendar was the bill (H. R. 123) granting a pension to William F. Bolan, invalid son of John V. Bolan, late private in Company A, Third Regiment Rhode Island Heavy Artillery.

The bill was reported from the Committee on Invalid Pensions with amendments.

The bill was read, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of William F. Bolan, of Providence, R. I., invalid son of John V. Bolan, late a private in Company A, Third Regiment Rhode Island Heavy Artillery, and grant him a pension at the rate of $25 per month.

Amend the title so as to read: "A bill granting a pension to William F. Bolan."

The Committee on Invalid Pensions recommend the adoption of the following amendments:

In line 6 strike out "of Providence, R. I."

In line 7 strike out "invalid" and insert "permanently helpless and dependent."

In line 8 strike out "grant" and insert "pay."

In line 9 strike out "twenty-five" and insert "twelve."

At the end of line 9 add "through his legally qualified and appointed guardian."

Amend the title so as to read: "A bill granting a pension to William F. Bolan."

The amendments were considered and agreed to.

The bill as amended was laid aside to be reported to the House with a favorable recommendation.

LILLIAN M. YOST.

The next business on the Private Calendar was the bill (S. 2015) granting a pension to Lillian M. Yost.

The bill was read, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of Lillian M. Yost, widow of Robert V. Yost, Corps G, Second District of Columbia Infantry, and pay her a pension at the rate of $12 per month.

The bill was laid aside to be reported to the House with a favorable recommendation.

ALLEN MEEKS.

The next business on the Private Calendar was the bill (H. R. 1115) to pension Allen Meeks.

The bill was read, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place upon the pension roll the name of Allen Meeks, of Star of the West, Ark., at the rate of $12 per month, subject to the rules and limitations prescribed by law.

The Committee on Invalid Pensions recommended the adoption of the following amendments:

Strike out all after "roll," line 4, and insert in lieu thereof the following: "Subject to the provisions and limitations of the pension laws, the name of Allen Meeks, late of Company A, Third Arkansas Infantry, and pay him a pension at the rate of $12 per month."

Amend the title so as to read: "A bill granting a pension to Allen Meeks."

The amendments were considered, and agreed to.

The bill as amended was laid aside to be reported to the House with a recommendation that it do pass.

TIMOTHY A. ALLEN.

The next business on the Private Calendar was the bill (H. R. 9569) for the relief of Timothy A. Allen.

The bill was read, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place upon the pension roll the name of Timothy A. Allen, late quartermaster of the One hundred and forty-fifth Regiment of New York Volunteers, and pay him a pension of $72 per month, in lieu of the pension now received by him.

The Committee on Invalid Pensions recommended the adoption of the following amendments:

Strike out in line 7 the words "of seventy-two" and insert "at the rate of twenty-four;" so that it will read "at the rate of $24 a month," and amend the title.

The amendments recommended by the committee were agreed to.

The bill as amended was laid aside to be reported to the House with the recommendation that it do pass.

ISAAC STEPHENS.

The next business on the Private Calendar was the bill (H. R. 9314) granting an increase of pension to Isaac Stephens, of Louisville, Ky.

The bill was read, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place upon the pension roll the name of Isaac Stephens, of Louisville, Ky., late lieutenant in Company A, Sixth Indiana Infantry, at the rate of $30 per month in lieu of the pension he is now drawing.

The Committee on Invalid Pensions recommended the adoption of the following amendment:

In line 5 strike out "of Louisville, Ky."

In line 6, after "Infantry," insert "and pay him a pension."

In line 6 strike out "thirty" and insert "twenty-four."

In line 7 strike out all after "of" and insert "that he now receives."

Amend the title so as to read: "A bill granting an increase of pension to Isaac Stephens."

The amendments were considered, and agreed to.

The bill as amended was laid aside to be reported to the House with the recommendation that it do pass.

HARRIET TUBMAN DAVIS.

The next business on the Private Calendar was the bill (H. R. 4982) granting a pension to Harriet Tubman Davis, late a nurse in the United States Army.

The bill was read, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place upon the pension roll of the United States the name of Harriet Tubman Davis, late a nurse in the United States Army, and pay her a pension at the rate of $25 per month in lieu of all other pensions.

The Committee on Invalid Pensions recommend that the title of the bill be changed to read, "A bill granting an increase of pension to Harriet Tubman Davis."

Mr. TALBERT. Mr. Chairman, I would like to have the report in that case read.

Mr. RAY of New York. If the gentleman will permit me, I will make a brief statement, which may cover the point.

Mr. TALBERT. That will be satisfactory.

Mr. RAY of New York. Mr. Chairman, this bill was introduced by the gentleman from New York [Mr. PAYNE], my colleague, who sits here.

This pensioner is now drawing the sum of $8 a month, and we propose to increase it to $25 a month. She was the widow of Nelson Davis, who served in Company G, Eighth United States Infantry, from September, 1863, to November, 1865, and was honorably discharged. She also served long and faithfully as an army nurse. She acted as a nurse in the hospital, as a cook in the hospital, and as courier or messenger and spy during the whole period of the war. There is a letter accompanying the report from Hon. William H. Seward, which refers to her services, and there are also letters from other officers of high rank in the service, attesting her faithfulness and her efficiency.

She is now old and very poor, and an object of charity, unless the pension is increased.

Mr. TALBERT. She is getting pensioned as a widow, then, and also as a nurse?

Mr. RAY of New York. No; only as a widow. She is about 75 years of age, I may add, as I remember the testimony.

Mr. JETT. What does the bill provide for her?

Mr. RAY of New York. An increase of from $8 to $25 per month.

The bill was considered, and was laid aside to be reported to the House with a favorable recommendation.

ELIZABETH V. LITZENBERG.

The next business on the Private Calendar was the bill (H. R. 4838) to pension Elizabeth V. Litzenberg.

The bill was read, as follows:

Be it enacted, etc. That the Secretary of the Interior be, and he is, authorized and directed to place on the pension roll the name of Elizabeth V. Litzenberg, widow of Henry M. Litzenberg, late second lieutenant in Company I, Eighty-eighth Regiment Ohio Volunteer Infantry, and pay her a pension of $30 a month.

The committee recommend the adoption of the following amendments:

Line 4, after "roll," insert "subject to the provisions and limitations of the pension laws."

Line 7, after "pension," insert "at the rate."

In line 8 strike out "thirty" and insert in lieu thereof "twenty-five."

Amend the title so as to read: "A bill granting an increase of pension to Elizabeth V. Litzenberg."

The amendments were considered and agreed to.

The bill as amended was laid aside to be reported to the House with a favorable recommendation.

OLIVIA WORDEN.

The next business on the Private Calendar was the bill (S. 2919) granting a pension to Olivia Worden, widow of the late John L. Worden, United States Navy.

The bill was read, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of Olivia Worden, widow of the late John L. Worden, an admiral of the United States Navy, and pay her a pension, from the passage of this act, at the rate of $100 per month.

The Committee on Invalid Pensions recommended the following amendments:

In line 8 strike out the words "one hundred" and insert in lieu thereof the word "fifty."

Amend the title so as to read: "An act granting a pension to Olivia T. Worden."

The amendments recommended by the committee were agreed to.

The bill as amended was ordered to be laid aside to be reported to the House with a favorable recommendation.

ANNIE E. JOSEPH.

The next business on the Private Calendar was the bill (S. 3534) granting an increase of pension to Annie E. Joseph.

The bill was read, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of Annie E. Joseph, widow of George W. Joseph, late private, Company B, One hundred and thirty-second Indiana Volunteer Infantry, and pay her a pension at the rate of $20 per month, in lieu of that she is now receiving.

The bill was ordered to be laid aside to be reported to the House with a favorable recommendation.

ANDREW S. EVANS.

The next business on the Private Calendar was the bill (H. R. 3307) to increase the pension of Andrew S. Evans.

The bill was read, as follows:

Be it enacted, etc., That the Secretary of the Interior is hereby authorized and directed to place upon the invalid pension roll the name of Andrew S. Evans, late of Company C, Twenty-eighth Iowa Infantry Volunteers, at the rate of $50 per month, in lieu of the pension he is now receiving, and subject to the limitations of the general pension laws.

The Committee on Invalid Pensions recommended the following amendments:

In line 4 strike out "invalid."
In line 4, after "roll," insert "subject to the provisions and limitations of the pension laws."
In line 6, after "Volunteers," insert "and pay him a pension."
Strike out all after "receiving," in line 7, and all of line 8.

Mr. RAY of New York. Mr. Chairman, I should like to say that this was an old soldier who served long and faithfully. He was honorably discharged. He received terrible wounds, for which he is drawing a pension. In addition to this, some years after his service closed a piece of gun cap was found in one of his eyes, which had always troubled him. Soon after this a cancer began to develop near the eye upon his nose.

He claims that this cancer was the result of that piece of gun cap being in his eye. The Pension Bureau found against him. But the cancer has developed and extended until it has eaten out both his eyes, and we have a photograph on file in the committee room showing the spread of this cancerous growth over his face, almost as large as your two hands. He can live only a short time. It is for these reasons that we give him $50 a month.

The amendments recommended by the committee were agreed to.

The bill as amended was ordered to be laid aside to be reported to the House with a favorable recommendation.

JAMES WEBB.

The next business on the Private Calendar was the bill (H. R. 10056) increasing the pension of James Webb.

The bill was read, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll the name of James Webb, late a private of Company F, Ninth Regiment of Tennessee Cavalry, and pay him a pension at the rate of $50 a month, in lieu of the pension he is now receiving.

The Committee on Invalid Pensions recommended the following amendments:

Line 4, after "roll," insert "subject to the provisions and limitations of the pension laws."
Line 7, strike out "fifty" and insert "forty."

Mr. TALBERT. Mr. Chairman, I should like to ask the chairman of the Committee on Invalid Pensions to explain why, in this and other bills, you use the words "subject to the provisions and limitations of the pension laws," and then fix the amount of the pension. If he has a pensionable status, why should he not go to the Pension Bureau and get his pension?

Mr. RAY of New York. He does not have a pensionable status at the rate reported by the committee. He has been to the Bureau and exhausted his remedy. He served long, honorably, and faithfully, and was captured, and he has disabilities of service origin which entitle him to the amount of money that the Bureau give him, but because of disabilities, partially of service origin, mostly arising since, he is now absolutely paralyzed and helpless. He is old and very poor. He has no one upon whom he can depend for support. Therefore we increase his pension for his few remaining days; to take care of him and keep him out of the poorhouse.

Mr. TALBERT. Why do you say "subject to the provisions and limitations of the pension laws?"

Mr. RAY of New York. We always put those words in a bill, even when we fix the rate.

Mr. TALBERT. Then I do not see that the words have any meaning.

Mr. RAY of New York. The Pension Bureau is organized, and it has its rulings and provisions of law providing for the payment of pensions quarterly, and so forth, and this phrase is for the protection of the Government.

Mr. TALBERT. So this man has been there and can not get this increase?

Mr. RAY of New York. Certainly not; because these additional disabilities are not of service origin.

Mr. TALBERT. Not traceable to service origin?

Mr. RAY of New York. No; but the words "subject to the provisions and limitations of the pension laws" are put in so as to authorize the Commissioner of Pensions to pay his pension according to the rules and regulations fixed by law and the Pension Bureau, so they will have a right to insist that he execute a voucher when he draws his pension, and in other respects comply with the law.

We put that in all bills, whether the introducer of the bill puts it in or not. If we should leave it out the Senate would put it in. We always put it in their bills, so as to have pensions paid under the provisions of existing law, except that in many cases we fix the amount.

The amendments recommended by the committee were agreed to.

The bill as amended was ordered to be laid aside to be reported to the House with a favorable recommendation.

JOHN W. OHNGEMACH.

The next business on the Private Calendar was the bill (H. R. 5802) granting a pension to John W. Ohngemach, of Friend, county of Saline, Nebr.

The bill was read, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws of the United States, the name of John W. Ohngemach, late of Company E, Second Regiment Colorado Volunteer Cavalry, and pay him a pension at the rate of $50 per month.

The amendments recommended by the committee were read, as follows:

From lines 5 and 6 strike out "of the United States."
From line 8 strike out the word "fifty" and insert in lieu thereof the word "thirty."
At the end of line 8 add the following: "in lieu of that he is now receiving."
Amend the title so as to read: "A bill granting an increase of pension to John W. Ohngemach."

Mr. TALBERT. I would like to ask the gentleman how much he is receiving now?

Mr. RAY of New York. He is receiving $17 a month. He is totally blind. He lost one eye in the service and lost the other since.

Mr. TALBERT. He would have gotten much more if he had a pensionable status at the Bureau.

Mr. RAY of New York. He has a pensionable status at the Bureau, but he can not trace his blindness to service origin. He gets $17 a month now for other disabilities, but nothing on account of his blindness. He can not trace that to service origin, but still he is blind. He rendered long and faithful service, is old and poor, and therefore we increase it from $17 a month to $30 on account of the blindness, and he could not get that, mind you, at the Pension Bureau, because all his disabilities are not of service origin.

The amendments of the committee were agreed to.

The bill as amended was ordered to be laid aside with a favorable recommendation.

GEORGE BLAKESLEY.

The next business on the Private Calendar was the bill (H. R. 9234) increasing the pension of George Blakesley.

The bill was read, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, directed to place upon the pension roll, subject to the restrictions and limitations of the pension laws, the name of George Blakesley, late of Company A, One hundred and eighty-ninth New York Volunteer Infantry, and Company D, One hundred and sixty-first New York Volunteer Infantry, and pay him a pension of $30 per month in lieu of the pension he is now receiving.

The amendments of the committee were read, as follows:

In line 4 strike out "restrictions" and insert in lieu thereof the word "provisions."
In lines 8 and 9 strike out "of thirty" and insert in lieu thereof "at the rate of twenty-four."

Mr. RAY of New York. Now, I will say to the gentleman from South Carolina that this is the father of three soldiers, two killed in battle and the third died in the Army. He is now approaching 70 years of age and very poor. We think he is entitled to be kept out of the poorhouse, and therefore increase his pension.

The amendments of the committee were agreed to.

The bill as amended was ordered to be laid aside with a favorable recommendation.

JOHN J. BOWEN.

The next business on the Private Calendar was the bill (H. R. 10888) for the relief of John J. Bowen.

The bill was read, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of John J. Bowen, late captain in the United States Volunteers, and that he pay him a pension of $35 per month in lieu of all other pension.

The amendments recommended by the committee were read, as follows:

Line 7, after "pension," insert "at the rate."
Line 8, strike out "of all other pensions" and insert "the pension he now receives."
Amend the title so as to read: "A bill granting an increase of pension to John J. Bowen."

The amendments of the committee were agreed to.

The bill as amended was ordered to be laid aside with a favorable recommendation.

MARGARET A. LOWTHER.

The next business on the Private Calendar was the bill (H. R. 11382) for the relief of Margaret A. Lowther.

The bill was read, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place upon the pension roll the name of Margaret Ann Lowther, widow of Henry Lowther, deceased, late of Company E, First West Virginia Volunteers, at the rate of $20 per month.

The amendments recommended by the Committee were read, as follows:

In line 4 strike out "upon" and insert "on."
After "roll," line 4, insert "subject to the provisions and limitations of the pension laws."
In line 7 strike out all after "volunteers" and insert "and pay her a pension at the rate of $12 per month."
Amend the title so as to read: "A bill granting a pension to Margaret A. Lowther."

The amendments of the committee were agreed to.

The bill as amended was ordered to be laid aside with a favorable recommendation.

JULIA WALKE.

The next business on the Private Calendar was the bill (H. R. 1578) granting a pension to Julia Walke, widow of the late Rear-Admiral Henry Walke, at the rate of $100 per month.

The bill was read, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of Julia Walke, widow of Henry Walke, late rear-admiral, United States Navy, at the rate of $50 per month.

The amendments recommended by the committee were read, as follows:

Line 7, after "Navy," insert "and pay her a pension." Same line, strike out "fifty" and insert "thirty."
Amend the title so as to read: "A bill granting a pension to Julia Walke."

The amendments of the committee were agreed to.

The bill as amended was ordered to be laid aside with a favorable recommendation.

AMERICA EASTON.

The next business on the Private Calendar was the bill (H. R. 9843) granting a pension to America Easton.

The bill was read, as follows.

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of America Easton, widow of Jacob Easton, who was a private in Company H, One hundred and fourteenth Regiment of United States Colored Infantry, and to pay her a pension of $8 a month.

The amendment recommended by the committee was read, as follows:

In line 8, after "pension," insert "at the rate."

The amendment of the committee was agreed to.

The bill as amended was ordered to be laid aside with a favorable recommendation.

GEORGE W. GOULD.

The next business on the Private Calendar was the bill (S. 4422) granting an increase of pension to George W. Gould.

The bill was read, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of George W. Gould, late first lieutenant and adjutant, First Vermont Volunteer Infantry, and pay him a pension at the rate of $24 per month in lieu of the pension he is now receiving.

The amendment recommended by the committee was read, as follows:

In line 6, after the word "adjutant," strike out the word "First" and insert in lieu thereof the word "Ninth."

The amendment of the committee was agreed to.

The bill as amended was ordered to be laid aside with a favorable recommendation.

CHARLES H. STREETER.

The next business on the Private Calendar was the bill (S. 1974) granting a pension to Charles H. Streeter.

The bill was read, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll the name of Charles H. Streeter, invalid and dependent son of Alonzo Streeter, late of Company E, Thirty-second Regiment Wisconsin Volunteer Infantry, and pay him a pension at the rate of $12 per month.

The bill was ordered to be laid aside with a favorable recommendation.

JANE B. JOHNSTON.

The next business on the Private Calendar was the bill (S. 943) granting a pension to Jane B. Johnston.

The bill was read, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of Jane B. Johnston, an army nurse at Government Hospital, Throggs Neck, N. Y., during the war of the rebellion, and pay her a pension of $12 per month.

Mr. TALBERT. Mr. Chairman, I would like to have the report read in that case. I never heard of that place before.

Mr. RAY of New York. Is that the reason why the gentleman wants the report read?

Mr. TALBERT. A statement by the gentleman will do as well, or better.

Mr. RAY of New York. It is Throggs Neck, not Frogs Neck. Frogs do not have much neck, although they frequently "get it in the neck;" but this is Throggs Neck. It is a place up in New York where troops were stationed during the war, and there were large numbers of them there. This lady went there and served a long time as a nurse during the war between the States. She is now old and poor, but she rendered faithful and valuable service. She was not employed, however, by authority that was recognized at the War Department, but they accepted her service.

Mr. TALBERT. Let her have a pension.

Mr. RAY of New York. For that reason she could not get it at the Bureau.

The bill was ordered to be laid aside with a favorable recommendation.

EVA W. BRANNAN.

The next business on the Private Calendar was the bill (S. 717) granting an increase of pension to Eva W. Brannan, widow of the late Maj. Gen. John Milton Brannan, United States Army.

The bill was read, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of Eva W. Brannan, widow of the late Maj. Gen. John Milton Brannan, United States Army, at the rate of $50 per month, which pension shall be in lieu of the pension she is now receiving.

The amendments recommended by the committee were read, as follows:

Line 6, strike out "Major-General" and insert "Brigadier-General."
Line 7, strike out "Army" and insert "Volunteers."

The amendments of the committee were agreed to.

The bill as amended was ordered to be laid aside with a favorable recommendation.

MARGARET LOVE SKERRETT.

The next business on the Private Calendar was the bill (S. 4246) granting an increase of pension to Margaret Love Skerrett.

The bill was read, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of Margaret Love Skerrett, widow of Joseph S. Skerrett, late rear-admiral, United States Navy (retired), and pay her a pension at the rate of $50 per month in lieu of that she is now receiving.

The bill was laid aside to be reported to the House with a favorable recommendation.

MARY LUELLA STEELE.

The next business on the Private Calendar was the bill (H. R. 6810) for the relief of Mary Luella Steele.

The bill was read, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place upon the pension roll the name of Mary Luella Steele, dependent daughter of James H. Steele, late orderly sergeant of Company B, Forty-eighth Missouri Infantry Volunteers, and pay her a pension of $30 per month.

The committee amendments were as follows:

Line 5, after the word "Steele," insert "the permanently helpless and."
Strike out all after the word "pension," line 8, and insert in lieu thereof the following: "at the rate of $12 per month."

The committee amendments were considered, and agreed to.

The bill as amended was laid aside to be reported to the House with a favorable recommendation.

JOSEPH H. M'GEE.

The next business on the Private Calendar was the bill (H. R. 10013) to increase the pension of Joseph H. McGee.

The bill was read, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place the name of Joseph H. McGee, late major First Missouri State Militia Cavalry, on the pension roll, subject to its provisions and limitations, and pay him a pension at the rate of $40 per month in lieu of the pension he is now receiving.

The amendments recommended by the committee were as follows:

After "place," in line 4, insert "upon the pension roll, subject to the provisions and limitations of the pension laws."
From lines 5 and 6 strike out "on the pension roll, subject to its provisions and limitations."

The amendments recommended by the committee were considered, and agreed to.

The bill was laid aside to be reported to the House with a favorable recommendation.

MINNIE B. TITUS.

The next business on the Private Calendar was the bill (H. R. 8610) granting a pension to Minnie B. Titus.

The bill was read, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, at the rate of $10 per month, the name of Minnie B. Titus, daughter of Edward H. Titus, late a private in Company A, Thirteenth New Jersey Infantry Volunteers.

The amendments recommended by the committee were as follows:

Lines 4 and 5, strike out "at the rate of $10 per month" and insert in lieu thereof the words "subject to the provisions and limitations of the pension laws."

After "Titus," line 5, insert "the permanently helpless and dependent."

After "Volunteers," line 7, add the words "and pay her a pension at the rate of $10 per month."

Mr. HANDY. I would like, Mr. Chairman, to hear the report read.

The report (by Mr. WARNER) was read, as follows:

The Committee on Invalid Pensions, to which was referred the bill (H. R. 8610) granting a pension to Minnie B. Titus, has examined the same and all the evidence relating thereto and respectfully reports:

This bill proposes to pension at $10 per month Minnie B. Titus, of Edgewood, Pa., the dependent daughter of Edward H. Titus, late a private in Company A, Thirteenth New Jersey Infantry, and Company F, Thirteenth Veteran Reserve Corps, who served from July 24, 1862, to June 28, 1865, when honorably discharged. There is record of his treatment while in service for nephritis and bronchitis or pleurisy.

Soldier filed a claim July 13, 1888, under the general law, based on disease of heart and rheumatism. It was submitted for admission by an examiner, approved for admission of disease of heart by reviewer, and for rejection of rheumatism, subject to the action of the medical referee, on the ground of no disability since filing. After that action was placed on the brief, claim was returned to the examiner to verify the service of a comrade and to ask that comrade to give a full account of soldier's condition in the service. That claim has never been adjudicated.

He filed and established a claim under the act of June 27, 1890, and was pensioned for disease of heart at $10 per month from December 8, 1890, to October 23, 1894, when he died.

The widow filed a claim as such under the act of June 27, 1890, but died before completing it.

May 25, 1898, a claim was filed on account of two minor children of the soldier, and that claim is still pending. Evidence filed with this committee shows that the beneficiary of this bill was 16 years of age at the time of her father's death, and consequently has no pensionable rights as the law is construed by the Pension Bureau. It shows, however, that she is deaf and dumb, and her sight is so seriously impaired that she is unable to do anything for her own support, and has been in that condition since she was 3 years of age. Neither her father nor her mother left any property, and she is dependent on charity.

The minors claimed for are undoubtedly entitled to pension from the date their claim was filed, and will be until they reach the age of 16 years; but such fact has no particular bearing here.

This child is entitled to a pension as the helpless and dependent daughter of the soldier. She is within the spirit of the law, as this committee and the House and Senate have frequently held.

The bill is therefore reported back with the recommendation that it pass when amended as follows:

Lines 4 and 5, strike out "at the rate of $10 per month" and insert in lieu thereof the words "subject to the provisions and limitations of the pension laws."

After "Titus," line 5, insert "the permanently helpless and dependent."

After "Volunteers," line 7, add the words "and pay her a pension at the rate of $10 per month."

The amendments recommended by the committee were agreed to.

The bill was laid aside to be reported to the House with a favorable recommendation.

SARAH A. LUKE.

The next business on the Private Calendar was the bill (H. R. 5712) granting a pension to Sarah A. Luke.

The bill was read, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to enter upon the pension roll the name of Sarah A. Luke, widow of Capt. John W. Luke, late of Company E, Fifteenth Regiment Illinois Infantry Volunteers, at the rate of $20 per month, this to be in lieu of any other pension that she may now be drawing on her own account.

The committee amendments were as follows:

In line 7, after "Volunteers," insert "and pay her a pension."

Strike out all after "month," in line 7, and insert "in lieu of the pension she is now receiving."

Mr. HANDY. Mr. Chairman, I would like to ask the chairman of the Committee on Invalid Pensions what pension this lady is now receiving and what is the reason for the increase?

Mr. RAY of New York. She is now receiving $8 a month. The soldier was mustered into the service, and served long and faithfully. He was wounded in both thighs, promoted and made first lieutenant, and after that made captain; and he took part in a dozen battles, and was in the campaign from Atlanta to the sea and then up the coast. He was seriously wounded in other engagements, but always returned to his duty.

He died in 1875; but it could not be proved that his death was caused by these disabilities received in the service, although the committee believed that such was the fact; but we do not say it, and we do not undertake to overrule the Pension Bureau in that regard. Under the law she could get only $8 a month. She is very poor.

Mr. HANDY. Is $8 a month the maximum a widow can receive when she can not prove that her husband died from disabilities received in the service?

Mr. RAY of New York. It is. There is no law that will give a widow of a private or an officer more than $8 a month, unless it can be shown that the death of the soldier was the result of disease or disability incurred in the service.

Mr. HANDY. If the death of the soldier was the result of disease or wounds received in the service, what is the limit?

Mr. RAY of New York. Twelve dollars in the case of a private, and then up to $30, according to the rank the husband held.

Mr. HANDY. What would be the amount this widow could receive if she could prove that her husband died of disabilities received in the service?

Mr. RAY of New York. As captain, $20; and we give her $20 on account of the rank of her husband, and on account of her age and necessity. She is old and poor and has no one on whom she can rely.

Mr. HANDY. It seems to me like a meritorious case, Mr. Chairman.

Mr. GIBSON. Yes, and she has six children.

The amendments recommended by the committee were considered, and agreed to.

Mr. RAY of New York. Mr. Chairman, when I drew the committee amendments there was one I neglected to make. I move to amend, in line 4, by striking out the word "enter" and insert in lieu thereof the word "place;" so it will read "place upon the pension roll."

The amendment was agreed to.

The bill as amended was laid aside with a favorable recommendation.

JESSE EVERLY.

The next business on the Private Calendar was the bill (H. R. 11017) to restore Jesse Everly to the pension roll of the United States.

The bill was read, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to restore to the pension roll of the United States, at the rate of $12 per month, from May 4, 1898, the name of Jesse Everly, late a member of Company A, Twenty-sixth Regiment of Kentucky Volunteer Infantry, in the United States Army in the war of the rebellion, and to issue to him a certificate for said pension in lieu of the one revoked.

The committee amendments were as follows:

Mr. RAY of New York. Mr. Chairman, all I need to say in regard to this bill is that it is recommended by the Commissioner of Pensions. There was a little technicality, so that they could not give it, and he recommended special legislation.

Mr. MAGUIRE. On what ground was the pension revoked?

Mr. RAY of New York. Upon a technical ground.

Mr. HANDY. I understood the gentleman from New York to state that on some technical ground the commissioner declined to grant this pension.

Mr. RAY of New York. On a technical ground the commissioner refused to restore the pensioner to the pension roll. At one time he was on the roll. The report states—

In 1875 he filed a claim for pension under the general law, and was pensioned at $4 per month from date of filing. Later, under the arrears act, he was pensioned from date of discharge (by the adjutant-general of Kentucky) to the date of the original commencement of his pension. His rate was increased to $8 from July 22, 1885, on application and examination. In May, 1891, he was pensioned at $12 per month from July 16, 1890, under the act of June 27, 1890, for gunshot wound of left foot, disease of stomach, and resulting emaciation and debility. It was recently discovered that an error had been committed in pensioning claimant under the general law, he having no title because of never having been mustered into the United States service, and in consequence of that discovery his name was dropped from the pension roll.

At the same time that the action of dropping was recommended by the chief of the board of review he recommended that the case be referred to Congress for legislation looking to the soldier's relief, in view of the fact that his wound was received in action, and, in a letter dated June 9, 1898, the Commissioner of Pensions said:

"It may be proper to state that while under existing laws Mr. Everly does not appear to have title to pension, the fact that he was wounded in action while serving with Company A, Twenty-sixth Kentucky Volunteers, and that he was discharged by the adjutant-general of Kentucky on account of wound, is shown by the evidence on file, and the case appears to be one that is worthy of special legislation by Congress looking to his relief."

This man actually served in battle and received this gunshot wound which disabled him, and on account of this wound he was pensioned. Subsequently it was found that he had not been regularly mustered in, and on account of that technicality his name was dropped. The Department now recommends that we give him a pension.

Mr. HANDY. How did it happen that he was not regularly mustered in? Did he have a regiment and company, and how long did he serve?

Mr. GIBSON. Under a law passed about 1875 a citizen wounded in battle was entitled to be pensioned, provided he had filed his claim before July 4, 1874. This man filed his claim after that date, and on a review of the case this fact was discovered. For that reason he was dropped from the rolls.

Mr. HANDY. You are familiar with this particular case?

Mr. GIBSON. I am familiar with the law on the subject, and am somewhat familiar with the case for the reason that I am on the committee.

Mr. HANDY. Did this man, when he first made his application, allege that he had been mustered in and belonged to a particular company and regiment?

Mr. GIBSON. No, sir; only that he was wounded in battle. Our pension laws provide that any citizen wounded in battle shall be entitled to a pension provided he filed his claim before July 4, 1874.

Mr. RAY of New York. The soldier is not required to state or

prove in his application that he was mustered in; he is only required to state that he served, and to name the company and regiment in which he served. There is no doubt that he actually served about a year in the company and regiment named by him. The defect in his case was in the fact that he did not happen to be mustered in. Suppose the gentleman from Delaware during the war had gone into a company and regiment and for some reason the officers had neglected to muster him in.

Suppose he did not know anything about the requirement of the law in that respect. Suppose he served with the company and regiment for a year or two, and was then wounded in battle. Suppose, then, he came home, and after a lapse of years, when he had become old and poor, applied for a pension. Suppose the Pension Department discovered that he had not been actually mustered in, and suppose that on that account he was refused a pension. Would not the gentleman consider himself justly entitled to a pension?

Mr. HANDY. Under such circumstances, no doubt I should; but I was thinking that possibly this man might be one of those fellows called "camp-followers," who had got into battle by mistake.

Mr. RAY of New York. Oh, no. This man actually served in this regiment; he did duty faithfully with the regiment, and finally, while with the regiment in battle, was shot.

Mr. HANDY. How long did his service last?

Mr. GIBSON. From October 22, 1861, until August 22, 1862. He would have been mustered in but for the wound which he received in battle. That made him unfit for service, and the surgeon refused to give him a certificate of physical qualification.

Mr. HANDY. What regiment and company was he with during the time that he served?

Mr. GIBSON. Company A, Twenty-sixth Kentucky Volunteers. He was wounded at the battle of Whip-poor-will Creek, Kentucky, December 1, 1861.

Mr. HANDY. At what rate is it proposed to pension him?

Mr. GIBSON. Twelve dollars a month.

Mr. HANDY. Is that the rate at which he was pensioned before he was dropped?

Mr. GIBSON. Yes, sir.

The amendment was agreed to.

The bill as amended was laid aside to be reported favorably.

GEORGE G. PRIDE.

The next business on the Private Calendar was the bill (H. R. 5205) for the relief of Col. George G. Pride.

The bill was read, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and instructed to place upon the pension roll the name of Col. George G. Pride, and pay to him a pension at the rate of $30 per month.

The amendments reported by the committee were read, as follows:

Line 4, strike out the word "instructed" and insert in lieu thereof the word "directed."

Line 4, after the word "roll," insert the words "subject to the provisions and limitations of the pension laws."

Line 5, strike out the word "Colonel."

Line 5, after the name "George G. Pride," insert the words "a volunteer aid, with the rank of colonel, on the staff of Gen. U. S. Grant."

Line 6, strike out the word "thirty" and insert in lieu thereof the word "twenty-five."

The bill as amended was laid aside to be reported favorably.

JAMES H. NICHOLS.

The next business on the Private Calendar was the bill (H. R. 10417) for the relief of James H. Nichols.

The bill was read, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of James H. Nichols, as dependent father of John S. Nichols, late of Company C, First Regiment Michigan Light Artillery Volunteers, and pay the said James H. Nichols a pension at the rate of $12 per month.

The amendments reported by the committee were read, as follows:

Line 6, strike out "as."

Line 8, strike out "the said James H. Nichols" and insert "him."

Amend the title so as to read: "A bill granting a pension to James H. Nichols."

The amendments were agreed to.

The bill as amended was laid aside to be reported favorably.

PETER A. SHIPLER.

The next business on the Private Calendar was the bill (H. R. 5796) granting a pension of $50 per month to Capt. Peter E. Shipler, late of Company G, Tenth Pennsylvania Reserve Corps.

The bill was read, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, directed and authorized to increase the pension of Capt. Peter E. Shipler, of Mercer, Pa., late captain of Company G, Tenth Regiment Pennsylvania Reserve Corps, and pay him a pension of $50 per month in lieu of the pension now received by him.

The amendments reported by the committee were read, as follows:

In line 3, after "and," insert "he."

Strike out all of lines 4 to 8, inclusive, and insert as follows: "authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of Peter E. Shipler, late captain Company G, Tenth Regiment Pennsylvania Reserve Corps, and pay him a pension of $30 per month in lieu of that he now receives."

Amend the title so as to read: "A bill granting an increase of pension to Peter E. Shipler."

The amendments were agreed to.

The bill as amended was laid aside to be reported favorably.

LYDIA E. BOWERS.

The next business on the Private Calendar was the bill (S. 2729) granting a pension to Lydia E. Bowers.

The bill was read, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of Lydia E. Bowers, widow of Charles Bowers, late of Company G, Thirty-second Massachusetts Volunteer Infantry, and pay her a pension at the rate of $8 per month.

The bill was laid aside to be reported to the House with a favorable recommendation.

WILLIAM R. CHRISTY.

The next business on the Private Calendar was the bill (H. R. 2122) increasing the pension of William R. Christy.

The bill was read, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and is hereby, authorized and directed to place on the pension roll the name of William R. Christy, late private in Company C, One hundred and thirty-eighth Regiment Indiana Infantry, and in Company K, One hundred and forty-second Regiment Indiana Infantry, at the rate of $72 per month, on account of total disabilities, subject to the provisions and limitations of the pension laws.

The committee recommended the adoption of the following amendments:

In line 4, after "roll," insert "subject to the provisions and limitations of the pension laws."

In line 8, after "Infantry," insert "and pay him a pension."

In line 8 strike out "seventy-two" and insert "twenty-four."

Strike out all of lines 9 and 10.

The amendments were agreed to.

The bill as amended was laid aside to be reported to the House with a favorable recommendation.

JOSEPH N. HARMON.

The next business on the Private Calendar was the bill (H. R. 8445) granting a pension to Joseph N. Harmon, of West Union, Ohio.

The bill was read, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll the name of Joseph N. Harmon, of West Union, Ohio, father of William H. Harmon, late of Company B, Seventeenth Regiment Ohio Volunteers; of James E. Harmon, late of Company B, Twelfth Ohio Volunteers; of Thomas J. Harmon, late of Company C, Twenty-first Ohio Volunteers; also of John F. Harmon, deceased, late of Company C, Twenty-first Ohio Volunteers, and pay the said Joseph N. Harmon a pension of $12 per month.

The committee recommended the adoption of the following amendments:

In line 4, after "roll," insert "subject to the provisions and limitations of the pension laws."

In line 5 strike out "of West Union, Ohio," and insert "dependent."

In line 11 strike out "the said Joseph N. Harmon" and insert "him."

In line 11, after "pension," insert "at the rate."

Amend the title so it will read: "A bill granting a pension to Joseph N. Harmon."

The amendments were considered, and agreed to.

The bill as amended was laid aside to be reported to the House with the recommendation that it do pass.

ANN E. COOLEY.

The next business on the Private Calendar was the bill (H. R. 204) granting a pension to Ann E. Cooley.

The bill was read, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of Ann E. Cooley, widow of Benjamin Cooley, late of Company K, Seventy-third Regiment Ohio Volunteer Infantry, and pay her a widow's pension.

The committee recommend the adoption of the following amendment:

Line 8 strike out "widow's pension" and insert "pension at the rate of $12 per month."

The amendment was agreed to.

The bill as amended was laid aside to be reported to the House with a favorable recommendation.

RICHARD M. HUSSEY.

The next business on the Private Calendar was the bill (H. R. 8955) granting an increase of pension to Richard M. Hussey.

The bill was read, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll the name of Richard M. Hussey, Company B, Second Maine Volunteer Cavalry, and to pay him a pension at the rate of $30 per month in lieu of that he is now receiving.

The committee recommend the adoption of the following amendment:

In line 4, after "roll," insert "subject to the provisions and limitations of the pension laws."

The amendment was agreed to.

The bill as amended was laid aside to be reported to the House with a favorable recommendation.

JOHN S. BEATY.

The next business on the Private Calendar was the bill (S. 4622) granting an increase of pension to John S. Beaty.

The bill was read, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he hereby is, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of John S. Beaty, late a member of Company A, Fourth Regiment of Minnesota Volunteer Infantry, and pay him a pension at the rate of $30 per month in lieu of that he is now receiving.

The bill was laid aside to be reported to the House with a favorable recommendation.

DR. HENRY BULLEN.

The next business on the Private Calendar was the bill (H. R. 9415) to increase the pension of Dr. Henry Bullen.

The bill was read, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll the name of Dr. Henry Bullen, of Latrobe, Pa., late of United States Navy, and pay him a pension of $50 per month in lieu of that he now receives.

The committee recommend the adoption of the following amendments:

Line 4, after "roll," insert "subject to the provisions and limitations of the pension laws."
Line 5, strike out "Doctor."
Line 6, strike out "Navy" and insert "Marine Corps."
Line 6, strike out "of fifty" and insert "at the rate of twenty-four."
Amend the title so as to read: "A bill granting an increase of pension to Henry Bullen."

The amendments were agreed to.

The bill as amended was ordered to be laid aside to be reported to the House with a favorable recommendation.

MARTHA ALLEN.

The next business on the Private Calendar was the bill (H. R. 4324) granting a pension to Martha Allen.

The bill was read, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of Martha Allen, widow of Robert Allen, deceased, late private, Company I, Second Regiment Kansas State Militia Volunteers.

The committee recommend the adoption of the following amendment:

At the end of line 8 add "and pay her a pension at the rate of $12 per month."

The amendment recommended by the committee was agreed to.

The bill as amended was laid aside to be reported to the House with a favorable recommendation.

ALICE SMITH.

The next business on the Private Calendar was the bill (H. R. 1675) for the benefit of Alice Smith, of Newport, Ky.

The bill was read, as follows:

Be it enacted, etc., That the Secretary of the Interior is hereby authorized and directed to place upon the pension roll the name of Alice Smith, widow of William Lanson, alias William Waterworth, of Company C, First Ohio Cavalry, at the rate of $12 per month.

The committee recommend the adoption of the following amendments:

Line 4, after "roll," insert "subject to the provisions and limitations of the pension laws."
Line 6, after "Cavalry," insert "and pay her a pension."
Line 6, strike out "twelve" and insert "eight."
Amend the title so as to read: "A bill granting a pension to Alice Smith."

The amendments were agreed to.

The bill as amended was ordered to be laid aside to be reported to the House with a favorable recommendation.

ABRAM O. KINDIG.

The next business on the Private Calendar was the bill (H. R. 10345) granting an increase of pension to Abram O. Kindy.

The bill was read, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he hereby is, authorized and directed to increase the pension of Abram O. Kindy, late a private in Company K, Twelfth Regiment Michigan Infantry, from $12 to $72 per month.

The committee recommend the adoption of the following amendments:

In line 4 strike out "increase the pension" and insert "place on the pension roll, subject to the provisions and limitations of the pension laws, the name."
In line 5 strike out "Kindy" and insert "Kindig."
Strike out all after "Infantry," line 6, and insert as follows: "and pay him a pension at the rate of $24 per month."
Amend the title so as to read: "A bill granting an increase of pension to Abram O. Kindig."

The amendments were agreed to.

The bill as amended was laid aside to be reported to the House with a favorable recommendation.

CHARLES H. BARBER.

The next business on the Private Calendar was the bill (H. R. 9359) to pension Charles H. Barber.

The bill was read, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and is hereby, directed to place upon the pension roll the name of Charles H. Barber, of Kent, Portage County, Ohio, late of Company G, Twenty-fifth Regiment Connecticut Volunteer Infantry, and pay him a pension at the rate of $72 per month in lieu of the pension of $45 per month which said soldier is now receiving, this provision to be subject to the limitations and provisions of the general laws for pensions in the United States.

The committee recommend the adoption of the following amendments:

In line 4, after the word "roll," insert "subject to the provisions and limitations of the pension laws."
In line 6 strike out the words "of Kent, Portage County, Ohio."
In line 7, after "Infantry," insert "and pay him a pension."
In line 8 strike out "seventy-two" and insert "fifty."
In line 9 strike out "and to be."
Strike out all after "pension," in line 9, and insert the words "he is now receiving."
Amend the title.

The amendments were agreed to.

The bill as amended was laid aside to be reported to the House with a favorable recommendation.

WILLIAM W. TUMBLIN.

The next business on the Private Calendar was the bill (S. 383) granting an increase of pension to William W. Tumblin, of Bradford County, Fla.

The bill was read, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to increase the pension of William W. Tumblin, of Bradford County, Fla., a soldier in the Florida Indian war of the year 1835, and pay him at the rate of $30 a month, in lieu of the pension he is now receiving.

The bill was ordered to be laid aside to be reported to the House with a favorable recommendation.

CHARLOTTE POE.

The next business on the Private Calendar was the bill (S. 290) granting a pension to Charlotte Poe.

The bill was read, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of Charlotte Poe, widow of Isaiah Poe, a soldier in Capt. William Johnson's company of Missouri troops in the war of 1812.

The Committee on Pensions recommended the following amendment:

After the word "twelve," in line 8, add the words "and pay her a pension at the rate of $12 per month."

The amendment recommended by the committee was agreed to.

The bill as amended was ordered to be laid aside to be reported to the House with a favorable recommendation.

ELEAZER SMITH.

The next business on the Private Calendar was the bill (S. 4871) granting an increase of pension to Eleazer Smith.

The bill was read, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of Eleazer Smith, late a soldier in Capt. Nathan Johnson's company, Thirtieth Regiment, war of 1812, and pay him a pension at the rate of $30 per month in lieu of that he is now receiving.

The bill was ordered to be laid aside to be reported to the House with a favorable recommendation.

MARTHA E. HUDDLESTON.

The next business on the Private Calendar was the bill (S. 2786) granting a pension to Martha E. Huddleston.

The bill was read, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of Martha E. Huddleston, widow of Pinkney Huddleston, of Company I, First Battalion Second Arkansas Volunteers, or mounted gun men, in the Sabine disturbances in the Southwest in 1836 and 1837, and pay her a pension at the rate of $8 per month.

The bill was ordered to be laid aside to be reported to the House with a favorable recommendation.

WILLIAM RUSSELL.

The next business on the Private Calendar was the bill (S. 3002) to pension William Russell for services in Oregon Indian wars.

The bill was read, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, directed to place on the pension roll the name of William Russell, of Capt. Samuel Gordon's Company H, Oregon Volunteers, also of Capt. Edward Sheffield's Company A, of said volunteers, for meritorious service, and for wounds received in August, 1856, by hostile Indians in Oregon, then a Territory, and allow him a pension at the rate of $8 per month.

The Committee on Pensions recommended the following amendments:

In line 5, after "Company H," insert "Second."
In line 8 strike out "in August, 1856."

Amend the title so as to read: "A bill granting a pension to William Russell."

The amendments recommended by the committee were agreed to.

The bill as amended was ordered to be laid aside to be reported to the House with a favorable recommendation.

BYRON R. PIERCE.

The next business on the Private Calendar was the bill (S. 2002) granting an increase of pension to Byron R. Pierce.

The bill was read, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of Byron R. Pierce, brigadier-general and brevet major-general of United States Volunteers, and pay him a pension at the rate of $50 per month in lieu of the pension he is now receiving.

The Committee on Invalid Pensions recommended the following amendment:

In line 8 strike out "fifty" and insert "thirty."

The amendment recommended by the committee was agreed to.

The bill as amended was ordered to be laid aside to be reported to the House with a favorable recommendation.

GEORGE ALEXANDER.

The next business on the Private Calendar was the bill (H. R. 5876) to increase the pension of George Alexander.

The bill was read, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the general pension laws, the name of George Alexander, late of Company G, First Regiment Michigan Volunteer Cavalry, and pay to him a pension of $24 per month in lieu of the pension now received by him.

The Committee on Pensions recommended the following amendments:

In line 8, after "pension," insert "at the rate."
In line 5 strike out "general."

The amendments recommended by the committee were agreed to.

The bill as amended was ordered to be laid aside to be reported to the House with a favorable recommendation.

HENRY FARMER.

The next business on the Private Calendar was the bill (S. 304) granting a pension to Henry Farmer.

The bill was read, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of Henry Farmer, late a private in Captain Chile's company, Second Regiment Tennessee Mounted Infantry, in Cherokee war.

The Committee on Pensions recommended the following amendment:

Add, after the word "war," in line 8, the words "and pay him a pension at the rate of $8 per month."

The amendment recommended by the committee was agreed to.

The bill as amended was ordered to be laid aside to be reported to the House with a favorable recommendation.

MARY L. RODERICK.

The next business on the Private Calendar was the bill (S. 285) granting a pension to Mary L. Roderick.

The bill was read, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of Mary L. Roderick, widow of Simon Roderick, late private in Captain Bossier's company, Missouri Militia, war of 1812.

The Committee on Pensions recommended the following amendment:

In line 8, after the word "twelve," add the words "and pay her a pension at the rate of $12 per month."

The amendment recommended by the committee was agreed to.

The bill as amended was ordered to be laid aside to be reported to the House with a favorable recommendation.

THOMAS MULLEN.

The next business on the Private Calendar was the bill (H. R. 1417) for the relief of Thomas Mullen.

The bill was read, as follows:

Be it enacted, etc., That the Secretary of War be, and is hereby, authorized and directed to remove the charge of desertion now standing upon the records of the War Department against the name of Thomas Mullen, of Wallaceburg, Ark., late member of Company G, First New York Mounted Rifles Volunteers, and grant him an honorable discharge as of the 29th day of November, 1865.

The Committtee on Military Affairs recommended the following amendment:

Add to the bill the words: "*Provided*, That no pay, bounty, or other emoluments shall become due or payable by virtue of the passage of this act."

Mr. STURTEVANT. I should like to know if the gentleman who introduced that bill is present?

The CHAIRMAN. It was introduced by the gentleman from Arkansas [Mr. MCRAE].

Mr. LITTLE. I will state that my colleague [Mr. MCRAE] is called away.

Mr. STURTEVANT. What is the object of the bill?

Mr. CONNOLLY. To remove a charge of desertion.

Mr. RAY of New York. It was agreed that those bills should stand aside until we get through with the others. I move that the committee rise and report these bills to the House.

Mr. PACKER of Pennsylvania. I should like to call up a case that was passed over in the early part of the session.

Mr. GIBSON. A pension case?

Mr. PACKER of Pennsylvania. A desertion case.

Mr. RAY of New York. Unanimous consent was asked that no desertion case should be taken up until we had disposed of all the pension bills on the Calendar, and that order was made by the House.

Mr. PACKER of Pennsylvania. I understand that these pension cases have all been disposed of.

Mr. RAY of New York. Oh, no; we must rise and report them to the House and pass them.

The motion of Mr. RAY of New York was agreed to.

The committee accordingly rose; and Mr. CONNOLLY having resumed the chair as Speaker pro tempore, Mr. LACEY, Chairman of the Committee of the Whole on the Private Calendar, reported that that committee had had under consideration sundry bills, and had directed him to report the same back to the House, some with and some without amendments, and with the recommendation that the same do pass.

HOUSE BILLS WITH AMENDMENTS PASSED.

The following bills of the House were severally considered, read twice, the amendments recommended by the Committee of the Whole House severally considered, and agreed to; and the bills as amended were ordered to be engrossed, were read the third time, and passed:

A bill (H. R. 9979) granting an increase of pension to Albert S. Shepard;

A bill (H. R. 835) granting a pension to William B. Matchett;

A bill (H. R. 10285) granting an increase of pension to Mazie V. Sullivan;

A bill (H. R. 10155) to increase the pension of Alexander Rogers;

A bill (H. R. 8754) granting an increase of pension to Lemon Holton;

A bill (H. R. 4806) granting a pension to Bonaventura Heinz;

A bill (H. R. 123) granting a pension to William F. Bolan, invalid son of John V. Bolan, late private in Company A, Third Regiment Rhode Island Heavy Artillery (title amended);

A bill (H. R. 11115) to pension Allen Meeks (title amended);

A bill (H. R. 9569) for the relief of Timothy A. Allen (title amended);

A bill (H. R. 9314) granting an increase of pension to Isaac Stephens, of Louisville, Ky. (title amended);

A bill (H. R. 4982) granting a pension to Harriet Tubman Davis, late a nurse in the United States Army (title amended);

A bill (H. R. 4838) to pension Elizabeth V. Letzenberg (title amended);

A bill (H. R. 3307) to increase the pension of Andrew S. Evans;

A bill (H. R. 10056) increasing the pension of James Webb;

A bill (H. R. 5802) granting a pension to John W. Ohngemach, of Friend, county of Saline, Nebr. (title amended);

A bill (H. R. 9234) increasing the pension of George Blakesley;

A bill (H. R. 10688) for the relief of John J. Bowen (title amended);

A bill (H. R. 11382) for the relief of Margaret A. Lowther (title amended);

A bill (H. R. 1573) granting a pension to Julia Walke, widow of the late Rear-Admiral Henry Walke, at the rate of $100 per month (title amended);

A bill (H. R. 9843) granting a pension to America Easton;

A bill (H. R. 6810) for the relief of Mary Luella Steele (title amended);

A bill (H. R. 10013) to increase the pension of Joseph H. McGee;

A bill (H. R. 8610) granting a pension to Minnie B. Titus;

A bill (H. R. 5712) granting a pension to Sarah A. Luke;

A bill (H. R. 11017) to restore Jesse Everly to the pension roll of the United States (title amended);

A bill (H. R. 5805) for the relief of Col. George G. Pride;

A bill (H. R. 10417) for the relief of James H. Nichols (title amended);

A bill (H. R. 5796) granting a pension of $50 per month to Capt. Peter E. Shipler, late of Company G, Tenth Pennsylvania Reserve Corps (title amended);

A bill (H. R. 2122) increasing the pension of William R. Christy;

A bill (H. R. 8445) granting a pension to Joseph N. Harmon, of West Union, Ohio (title amended);

A bill (H. R. 204) granting a pension to Ann E. Cooley;

A bill (H. R. 8955) granting an increase of pension to Richard M. Hussey;

A bill (H. R. 9415) granting an increase of pension to Dr. Henry Bullen (title amended);
A bill (H. R. 4324) granting a pension to Martha Allen;
A bill (H. R. 1675) for the benefit of Alice Smith, of Newport, Ky. (title amended);
A bill (H. R. 10345) granting an increase of pension to Abram O. Kindy (title amended);
A bill (H. R. 9359) to pension Charles H. Barber (title amended);
A bill (H. R. 6876) to increase the pension of George Alexander;

SENATE BILLS WITH AMENDMENTS PASSED.

The following bills of the Senate were severally considered, the amendments recommended by the Committee of the Whole House were considered and agreed to, and the bills as amended were read three times, and passed:
A bill (S. 1183) for the relief of John Green (title amended);
A bill (S. 1154) for the relief of George Hughes, of Portland, Oreg. (title amended);
A bill (S. 2919) granting a pension to Olivia Worden, widow of the late John L. Worden, United States Navy (title amended);
A bill (S. 4422) granting an increase of pension to George W. Gould;
A bill (S. 717) granting an increase of pension to Eva W. Brannan;
A bill (S. 290) granting a pension to Charlotte Poe;
A bill (S. 3002) to pension William Russell for services in Oregon Indian wars;
A bill (S. 2003) granting an increase of pension to Byron R. Pierce;
A bill (S. 304) granting a pension to Henry Farmer; and
A bill (S. 285) granting a pension to Mary L. Roderick.

SENATE BILLS WITHOUT AMENDMENT PASSED.

The following bills of the Senate were severally considered, were read three times, and passed:
A bill (S. 1776) to increase the pension of Mrs. Letitia Tyler Semple;
A bill (S. 2015) granting a pension to Lillian M. Yost;
A bill (S. 3534) granting an increase of pension to Anne E. Joseph;
A bill (S. 1974) granting a pension to Charles H. Streeter;
A bill (S. 943) granting a pension to Jane B. Johnston;
A bill (S. 4246) granting an increase of pension to Margaret Love Skarrett;
A bill (S. 2729) granting a pension to Lydia E. Bowers;
A bill (S. 4622) granting an increase of pension to John S. Beaty;
A bill (S. 383) granting an increase of pension to William W. Tumblin, of Bradford County, Fla.;
A bill (S. 4871) granting an increase of pension to Eleazer Smith;
A bill (S. 2786) granting a pension to Martha E. Huddleston;

Mr. RAY of New York. Mr. Speaker, as to each and all of the bills that have passed, except the bill (S. 1776), I move to reconsider the several votes by which the various bills were passed, and also move to lay that motion on the table.

The latter motion was agreed to.

Mr. RAY of New York. Now, Mr. Speaker, as to the bill (S. 1776), Calendar No. 1054, an act to increase the pension of Mrs. Letitia Tyler Semple, I move to reconsider the vote by which the bill was passed.

Mr. LAMB. Mr. Speaker, I move to lay that motion on the table.

The question was taken on the motion of Mr. LAMB; and the Speaker pro tempore announced that the ayes seemed to have it.

Mr. RAY of New York. I call for a division.

The House divided; and there were—ayes 13, noes 9.

Mr. RAY of New York. No quorum, Mr. Speaker.

The SPEAKER pro tempore. Evidently there is no quorum present.

Mr. SULLOWAY. Mr. Speaker, I desire to suggest to the gentlemen present that they have done to-day something that never has been done before by the American Congress. They have pensioned Eleazer Smith, of Danbury, N. H., a man who is within a few weeks of 101 years of age. I think it is worthy of being embalmed in the RECORD.

Mr. PAYNE. Mr. Speaker, I move that the House adjourn.

The motion of Mr. PAYNE was agreed to; and accordingly (at 10 o'clock and 22 minutes) the House adjourned until to-morrow at noon.

EXECUTIVE COMMUNICATIONS, ETC.

Under clause 2 of Rule XXIV, the following executive and other communications were taken from the Speaker's table and referred as follows:

A letter from the Secretary of War, transmitting a letter from the Quartermaster-General of the Army relating to the necessity of continuing the suspension of the provision of the act of June 7, 1898, entitled "An act to suspend the operation of certain provisions of law relating to the War Department, and for other purposes"—to the Committee on Military Affairs, and ordered to be printed.

A letter from the president of the City and Suburban Railway, of Washington, transmitting the annual report of said company for the year 1898—to the Committee on the District of Columbia, and ordered to be printed.

REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS.

Under clause 2 of Rule XIII, Mr. PAYNE, from the Committee on the Merchant Marine and Fisheries, to which was referred the bill of the House (H. R. 11312) to promote the commerce and increase the foreign trade of the United States and to provide auxiliary cruisers, transports, and seamen for Government use when necessary, reported the same with amendment, accompanied by a report (No. 1866); which said bill and report were referred to the Committee of the Whole House on the state of the Union.

REPORTS OF COMMITTEES ON PRIVATE BILLS AND RESOLUTIONS.

Under clause 2 of Rule XIII, private bills and resolutions of the following titles were severally reported from committees, delivered to the Clerk, and referred to the Committee of the Whole House, as follows:

Mr. RIXEY, from the Committee on Claims, to which was referred the bill of the House (H. R. 11588) to pay Samuel Lee for services in Forty-seventh Congress, reported the same without amendment, accompanied by a report (No. 1862); which said bill and report were referred to the Private Calendar.

Mr. STRODE of Nebraska, from the Committee on Pensions, to which was referred the bill of the House (H. R. 10385) for the relief of George Brown, reported the same with amendment, accompanied by a report (No. 1863); which said bill and report were referred to the Private Calendar.

Mr. STALLINGS, from the Committee on Pensions, to which was referred the bill of the House (H. R. 10478) granting increase of pension to Mrs. Jenette E. Arnold, reported the same with amendment, accompanied by a report (No. 1864); which said bill and report were referred to the Private Calendar.

He also, from the same committee, to which was referred the bill of the House (H. R. 2550) granting a pension to Mrs. Annie M. Clemens, reported the same with amendment, accompanied by a report (No. 1865); which said bill and report were referred to the Private Calendar.

PUBLIC BILLS, RESOLUTIONS, AND MEMORIALS INTRODUCED.

Under clause 3 of Rule XXII, bills, resolutions, and memorials of the following titles were introduced and severally referred as follows:

By Mr. LACEY: A bill (H. R. 11832) providing for the extinguishment of private claims and titles within the limits of forest reservations and the selection of other lands in lieu thereof—to the Committee on the Public Lands.

By Mr. SULZER: A bill (H. R. 11833) to provide for medals for volunteer nurses—to the Committee on Military Affairs.

By Mr. LACEY: A bill (H. R. 11834) to extend the time for the completion of the classification of lands within the land-grant and indemnity land-grant limits of the Northern Pacific Railroad Company, authorized by the act of Congress approved February 26, 1895—to the Committee on the Public Lands.

By Mr. McLAIN: A bill (H. R. 11859) to amend chapter 58 of the Revised Statutes, being an act to provide for holding terms of the United States court at Mississippi City, so as to provide for holding said court at Biloxi, Miss., instead of Mississippi City—to the Committee on the Judiciary.

By Mr. MAXWELL: A bill (H. R. 11860) making an appropriation for the purchase of a site for a post-office in each of certain cities of Nebraska—to the Committee on Public Buildings and Grounds.

By Mr. GILLET of New York: A bill (H. R. 11861) for the erection of a public building at Elmira, N. Y.—to the Committee on Public Builings and Grounds.

By Mr. CURTIS of Kansas: A bill (H. R. 11862) granting the right of way through Indian reservations to the Choctaw, Oklahoma and Gulf Railroad Company—to the Committee on Indian Affairs.

By Mr. HITT: A bill (H. R. 11863) relating to Hawaiian silver coinage and silver certificates—to the Committee on Coinage, Weights, and Measures.

By Mr. KITCHIN: A bill (H. R. 11864) to establish a light

beacon at the Cape Channel in Pamlico Sound—to the Committee on Interstate and Foreign Commerce.

Also, a bill (H. R. 11865) to establish a light beacon on the beach at Cape Hatteras, North Carolina—to the Committee on Interstate and Foreign Commerce.

By Mr. BULL: A resolution (House Res. No. 380) calling on the Secretary of War for information regarding the improvement of the Sakonnett River, Rhode Island—to the Committee on Rivers and Harbors.

PRIVATE BILLS AND RESOLUTIONS INTRODUCED.

Under clause 1 of Rule XXII, private bills and resolutions of the following titles were introduced and severally referred as follows:

By Mr. BLAND: A bill (H. R. 11835) granting a pension to Emma A. Porch—to the Committee on Invalid Pensions.

By Mr. COONEY: A bill (H. R. 11836) to pension Mrs. Portia E. Street—to the Committee on Invalid Pensions.

Also, a bill (H. R. 11837) to pension John Henry—to the Committee on Invalid Pensions.

By Mr. ERMENTROUT: A bill (H. R. 11838) granting a pension to Sarah Maginley Richards—to the Committee on Invalid Pensions.

By Mr. JENKINS: A bill (H. R. 11839) for the relief of certain citizens of Brookland, D. C.—to the Committee on the District of Columbia.

By Mr. KETCHAM: A bill (H. R. 11840) granting a pension to Catharine Coughlin—to the Committee on Invalid Pensions.

By Mr. MANN: A bill (H. R. 11841) granting a pension to John Eckerman—to the Committee on Invalid Pensions.

Also, a bill (H. R. 11842) granting a pension to Georgia R. Demarest—to the Committee on Invalid Pensions.

By Mr. SPARKMAN: A bill (H. R. 11843) to carry out the findings of the Court of Claims in the case of the estate of Robert M. Clark, deceased—to the Committee on War Claims.

By Mr. SHERMAN: A bill (H. R. 11844) for the relief of H. Clay Hall—to the Committee on Naval Affairs.

By Mr. SETTLE: A bill (H. R. 11845) for the relief of Thomas Gayle, of Owen County, Ky.—to the Committee on War Claims.

By Mr. WARD: A bill (H. R. 11846) to grant an increase of pension to Henry Smith, late Company M, New York Engineers—to the Committee on Invalid Pensions.

Also, a bill (H. R. 11847) to grant a pension to Uriah M. Deck, late of Company H, Eighty-sixth New York Volunteers—to the Committee on Invalid Pensions.

Also, a bill (H. R. 11848) to increase the pension of John Rilley—to the Committee on Invalid Pensions.

Also, a bill (H. R. 11849) to increase the pension of Thomas W. Sorter—to the Committee on Invalid Pensions.

Also, a bill (H. R. 11850) to remove the charge of desertion against the military record of George Maurer, alias Albert Fulton, Company G, Fourth Wisconsin Volunteer Cavalry—to the Committee on Military Affairs.

Also, a bill (H. R. 11851) to pension Morrissa Shaw, mother of Charles A. Baker—to the Committee on Invalid Pensions.

Also, a bill (H. R. 11852) granting a pension to Manville F. Forsythe, late of Company F, One hundred and ninth New York Infantry—to the Committee on Invalid Pensions.

Also, a bill (H. R. 11853) granting a pension to Roselle M. Starring—to the Committee on Invalid Pensions.

Also, a bill (H. R. 11854) to pay W. W. Crandall for loss sustained in war of the rebellion—to the Committee on War Claims.

Also, a bill (H. R. 11855) for increase of pension to Andrew K. Fletcher—to Committee on Invalid Pensions.

Also, a bill (H. R. 11856) granting an increase of pension to Royal Colvin—to the Committee on Invalid Pensions.

Also, a bill (H. R. 11857) to increase the pension of John Mosher—to the Committee on Invalid Pensions.

By Mr. BURTON: A bill (H. R. 11858) granting an increase of pension to Anna H. Tupper—to the Committee on Pensions.

By Mr. SULZER: A joint resolution (H. Res. 343) recognizing the patriotic devotion of Margaret Astor Chanler—to the Committee on Military Affairs.

PETITIONS, ETC.

Under clause 1 of Rule XXII, the following petitions and papers were laid on the Clerk's desk and referred as follows:

By Mr. ACHESON: Remonstrance of citizens of Waynesburg, Pa., against the seating of Brigham H. Roberts as a Representative from Utah—to the Committee on Elections No. 1.

Also, petition of Woman's Christian Temperance Union of Waynesburg, Pa., to prohibit the sale of liquor in canteens and in immigrant stations and Government buildings—to the Committee on Alcoholic Liquor Traffic.

By Mr. ARNOLD: Petitions of the Methodist Episcopal Church and Sunday School, Union Sunday School, and Methodist Protestant Church of Burnside, Pa., for the passage of the Ellis bill to prohibit the sale of liquor in canteens and in immigrant stations and Government buildings—to the Committee on Alcoholic Liquor Traffic.

Also, petition of Mount Zion Circuit Methodist Protestant Church, of Burnside Pa., to forbid the transmission of lottery messages and other gambling matter by telegraph—to the Committee on Interstate and Foreign Commerce.

By Mr. BARHAM: Petition of Highland Orange Growers' Association and citizens of Highland, Cal., advocating the immediate construction of the Nicaragua Canal—to the Committee on Interstate and Foreign Commerce.

By Mr. BINGHAM: Resolutions of the Methodist Episcopal Preachers' Association of Philadelphia, Pa., against sectarian appropriations—to the Committee on Appropriations.

Also, resolutions of the Philadelphia Conference of Baptist Ministers, protesting against the seating of Brigham H. Roberts as a Representative from Utah—to the Committee on Elections No. 1.

Also, petition of millinery merchants of Philadelphia, Pa., opposing the Hoar amendment to House bill No. 3589, relating to birds and fancy feathers—to the Committee on the Merchant Marine and Fisheries.

By Mr. BOTKIN: Petition of the Woman's Christian Temperance Union, Baptist Young People's Union, Epworth League, Christian Endeavor of the Presbyterian Church, and the Christian Church, all of Eldorado, Kans., favoring the passage of a bill prohibiting the sale of alcoholic liquors in Government buildings, etc.—to the Committee on Alcoholic Liquor Traffic.

By Mr. BROSIUS: Petitions of the Woman's Christian Temperance unions of Manheim, Lititz, Quarryville, Sandersville, Christiana, and New Holland; Christian Endeavor Society and Epworth League of Christiana; Protestant Episcopal, Baptist, United Brethren, Methodist Episcopal, and Presbyterian churches of New Holland, Pa., to prohibit the sale of liquor in canteens, in immigrant stations, and in Government buildings—to the Committee on Alcoholic Liquor Traffic.

By Mr. BUTLER: Petition of the Woman's Christian Temperance Union of Downingtown, Pa., to prohibit sale of intoxicating liquors in canteens, in immigrant stations, and in Government buildings—to the Committee on Alcoholic Liquor Traffic.

By Mr. CODDING: Petition of Openhand Grange, No. 153, of Leroy, Pa., in favor of legislation to increase American shipping—to the Committee on the Merchant Marine and Fisheries.

Also, petition of the Woman's Christian Temperance Union of Canton, Pa., to prohibit the sale of liquor in canteens, in immigrant stations, and in Government buildings—to the Committee on Alcoholic Liquor Traffic.

Also, papers to accompany House bill No. 4793, to correct the military record of Charles W. Chapman—to the Committee on Military Affairs.

By Mr. CONNELL: Petition of the executive officers of the missionary societies of the Baptist, Congregational, Episcopal, Methodist, Presbyterian, and Reformed churches, against the seating of Representative-elect Brigham H. Roberts, of Utah—to the Committee on Elections No. 1.

By Mr. CRUMPACKER: Petitions of Ray Rothrock and others, of Rensselaer; Willie Kirk and others, of Boswell; May Stickney and others, of Valparaiso; T. A. Hall and others, of Oxford, and Earl Simmons and others, of Warren County, Ind., to prohibit the sale of liquor in canteens and in immigrant stations and Government buildings—to the Committee on Alcoholic Liquor Traffic.

By Mr. DALZELL: Protest of sundry missionary societies, against the seating of a polygamist—to the Committee on Elections No. 1.

Also, protest of sundry missionary societies, against the reopening of the sectarian school question—to the Committee on Indian Affairs.

Also, resolution of the State Association of Retail Grocers, held at Reading, Pa., January 11 and 12, 1899, urging the enactment of the Brosius bill to prevent the adulteration of food—to the Committee on Interstate and Foreign Commerce.

Also, petitions of the Second United Presbyterian Church of Wilkinsburg, Pa., and Bethel African Methodist Episcopal Church, of Pittsburg, Pa., to prohibit the sale of liquor in canteens and in immigrant stations and Government buildings—to the Committee on Alcoholic Liquor Traffic.

Also, petition of Wayman Union, Mrs. R. Smith, president, Pittsburg, Pa., to forbid the interstate transmission of lottery messages by telegraph—to the Committee on Interstate and Foreign Commerce.

By Mr. DE ARMOND (by request): Petition of W. M. Cummins and others, in the State of Missouri, to prohibit sale of intoxicating liquors in canteens, in immigrant stations, and in Government buildings—to the Committee on Alcoholic Liquor Traffic.

By Mr. ELLIS: Petitions of various churches in New York City

and vicinity, to prohibit the sale of liquor in canteens and in immigrant stations and Government buildings—to the Committee on Alcoholic Liquor Traffic.

By Mr. ERMENTROUT: Petition of Windsor Castle Farmers' Alliance, No. 428, of the State of Pennsylvania, urging measures to promote the ocean carrying trade in vessels under the American flag—to the Committee on the Merchant Marine and Fisheries.

Also, papers to accompany House bill granting a pension to Sarah Maginley Richards—to the Committee on Invalid Pensions.

By Mr. FITZGERALD: Resolutions of the Chamber of Commerce of Boston, Mass., asking for the passage of House bill No. 10524, relating to the reorganization of the consular service—to the Committee on Foreign Affairs.

Also, resolutions of the National Board of Trade of Philadelphia, Pa., in support of the Loud bill and in favor of 1-cent postage—to the Committee on the Post-Office and Post-Roads.

Also, resolutions of the Board of Trade of Chicago, Ill., urging an appropriation for the improvement of the Chicago River—to the Committee on Rivers and Harbors.

By Mr. GRAHAM: Remonstrance of the executive officers of American missionary societies, against the reopening of the sectarian-school question, and favoring the advancement of education among the Indians on the basis of the American common-school system—to the Committee on Indian Affairs.

Also, remonstrance of the executive officers of the missionary societies of the Baptist, Congregational, Episcopal, Methodist, Presbyterian, and Reformed churches, against the seating of Representative-elect Brigham H. Roberts, of Utah—to the Committee on Elections No. 1.

Also, petition of the National American Woman's Suffrage Association, for woman suffrage to Hawaiian women—to the Committee on the Territories.

By Mr. GROUT: Petitions of George W. Morrow and the Independent Order of Good Templars; George O. Howe, pastor, and the members of the First Methodist Episcopal Church; Mary A. Moulton and King's Daughters; J. A. Howard, pastor, and the First Baptist Church, and the Christian and Congregational churches of Randolph, Vt., to prohibit the sale of liquor in canteens, in immigrant stations, and in Government buildings—to the Committee on Alcoholic Liquor Traffic.

By Mr. HENDERSON: Petitions of 1,445 citizens of the State of Iowa, urging the establishment of postal savings banks—to the Committee on the Post-Office and Post-Roads.

Also, petition of C. G. Dake, of Epworth, Iowa, praying for the maintenance of prohibition in Alaska, the Indian Territory, and new dependencies—to the Committee on the Territories.

By Mr. HOWARD of Georgia: Petition of citizens of Elberton, Ga., for the continuance of fast mail service through the South and entire United States—to the Committee on the Post-Office and Post-Roads.

By Mr. HOWE: Petition of the executive officers of the missionary societies of the Baptist, Congregational, Episcopal, Methodist, Presbyterian, and Reformed churches, against the seating of Representative-elect B. H. Roberts, of Utah—to the Committee on Elections No. 1.

Also, protest of the executive officers of the missionary societies of the Baptist and other churches, against reopening the question of sectarian appropriations, and for advancing education among the Indians on the basis of the free common-school system—to the Committee on Indian Affairs.

By Mr. KERR: Petitions of the Christian Church of Mount Vernon, Ohio, to prohibit the sale of liquor in canteens of the Army and Navy, in Soldiers' Homes, and Government buildings—to the Committee on Alcoholic Liquor Traffic.

Also, petitions of the Presbyterian Church, Christian Church, and Methodist Episcopal Church of Mount Vernon, Ohio, to forbid interstate gambling by telegraph or telephone—to the Committee on the Judiciary.

By Mr. KITCHIN: Petition of the legislature of the State of North Carolina, favoring the establishment of a beacon light at the entrance of the Cape Channel in Pamlico Sound, and also to establish one at Cape Hatteras—to the Committee on Interstate and Foreign Commerce.

By Mr. KULP: Petition of the executive committee of missionary societies of different churches, against the seating of Brigham H. Roberts as a Representative from Utah—to the Committee on Elections No. 1.

Also, papers to accompany House bill No. 11808, granting an increase of pension to Thomas Gannon, of Sunbury, Pa.—to the Committee on Invalid Pensions.

Also, papers to accompany House bill No. 11807, to correct the military record of Joseph W. Myers, of Northumberland, Pa.—to the Committee on Military Affairs.

By Mr. LACEY: Remonstrance of Oakgrove Union Christian Endeavor Society, State of Iowa, against the seating of Brigham H. Roberts as a Representative from Utah—to the Committee on Elections No. 1.

By Mr. McALEER: Resolutions of the Manufacturers' Club of Philadelphia, Pa., favoring the Nicaragua Canal and the parcels-post system—to the Committee on the Post-Office and Post-Roads.

By Mr. MAHON: Petitions of the Young People's Society of the First Lutheran Church, Christian Endeavor Society of Falling Spring Presbyterian Church, Young People's Union of the First United Brethren Church, and the Christian Association of the King Street United Brethren Church, all of Chambersburg, Pa., for the passage of the Ellis bill to prohibit the sale of liquor in canteens and in immigrant stations and Government buildings—to the Committee on Alcoholic Liquor Traffic.

By Mr. MANN: Papers to accompany House bill granting a pension to Georgia R. Demarest—to the Committee on Invalid Pensions.

Also, papers to accompany House bill granting a pension to John Eckerman—to the Committee on Invalid Pensions.

By Mr. MOODY: Petition of John E. Davis and 207 citizens of Marblehead, Mass., in favor of the establishment of postal savings banks—to the Committee on the Post-Office and Post-Roads.

By Mr. OVERSTREET: Petitions of Seth Mills and 47 citizens of Marion County, R. G. McClure and 41 citizens of Indianapolis, Christian Endeavor Society of the Christian Church of Columbus, G. T. Ragsdale and 43 citizens of Johnson County, R. B. Drake and 44 citizens, E. P. Wise and 4 citizens of Marion County, Ind., to prohibit the sale of liquor in canteens and in immigrant stations and Government buildings—to the Committee on Alcoholic Liquor Traffic.

By Mr. RAY of New York: Petition of the Woman's Christian Temperance Union of Owego, Tioga County, N. Y., to prohibit the sale of liquor in Government buildings, etc.—to the Committee on Alcoholic Liquor Traffic.

By Mr. RUSSELL: Petitions of citizens of Bakerville, Stevenson, Smithburg, Shelton, Derby, and Huntington, Conn., favoring postal savings banks—to the Committee on the Post-Office and Post-Roads.

By Mr. STEWART of Wisconsin: Petition of citizens of Merrill, Wis., and vicinity, against the seating of Brigham H. Roberts as a Representative from Utah—to the Committee on Elections No. 1.

By Mr. STONE: Petitions of 57 citizens of Plumer and 64 citizens of Rouseville, Venango County, Pa., for the abolition of the canteen system in the United States Army, Government buildings, etc.—to the Committee on Alcoholic Liquor Traffic.

By Mr. YOUNG: Resolutions of the Trades League of Philadelphia, Pa., praying for legislation restoring to the United States the ocean carrying trade sailing under the American flag—to the Committee on the Merchant Marine and Fisheries.

Also, petition of commissioned officers of the Naval Militia of Pennsylvania, favoring the establishment of a national naval reserve—to the Committee on Military Affairs.

SENATE.

SATURDAY, *January 28, 1899.*

Prayer by Rev. STOWELL L. BRYANT, of the city of Washington.

The Secretary proceeded to read the Journal of yesterday's proceedings, when, on motion of Mr. HALE, and by unanimous consent, the further reading was dispensed with.

AGREEMENT WITH CHEROKEE NATION.

The VICE-PRESIDENT laid before the Senate a communication from the Secretary of the Interior, transmitting an agreement between the United States commissioners to negotiate with the Five Civilized Tribes and the commissioners on the part of the Cherokee Nation, concluded at Muscogee, Ind. T., on the 14th day of January, 1899, and also a letter from Hon. Henry L. Dawes, chairman of the commission to the Five Civilized Tribes; which, with the accompanying papers, was referred to the Committee on Indian Affairs, and ordered to be printed.

APPLICATIONS FOR RIGHT OF WAY.

The VICE-PRESIDENT laid before the Senate a communication from the Secretary of the Interior, submitting a draft of a proposed bill relating to fees for filing applications for right of way; which, with the accompanying papers, was referred to the Committee on the Public Lands, and ordered to be printed.

KIOWA, COMANCHE, AND APACHE INDIANS.

The VICE-PRESIDENT laid before the Senate a communication from the Secretary of the Interior, transmitting, in response to a resolution of the 25th instant, certain information as to the total number of adult male Indians belonging to the Kiowa, Comanche, and Apache tribes of Indians in October, 1892, and also as to the signatures attached to the agreement made with these Indians at that date, comprising three-fourths of such adult males of these tribes; which, with the accompanying papers, was referred to the Committee on Indian Affairs, and ordered to be printed.

GEORGETOWN AND TENNALLYTOWN RAILWAY COMPANY.

The VICE-PRESIDENT laid before the Senate the annual report of the Georgetown and Tennallytown Railway Company, of the District of Columbia, for the year ended December 31, 1898; which was referred to the Committee on the District of Columbia, and ordered to be printed.

MESSAGE FROM THE HOUSE.

A message from the House of Representatives, by Mr. H. L. OVERSTREET, one of its clerks, announced that the House had passed the following bills:

A bill (S. 383) granting an increase of pension to William W. Tumblin, of Bradford County, Fla.;

A bill (S. 943) granting a pension to Jane B. Johnston;

A bill (S. 1974) granting a pension to Charles H. Streeter;

A bill (S. 2115) granting a pension to Lillian M. Yost;

A bill (S. 2729) granting a pension to Lydia E. Bowers;

A bill (S. 2786) granting a pension to Martha E. Huddleston;

A bill (S. 3534) granting an increase of pension to Annie E. Joseph;

A bill (S. 4246) granting an increase of pension to Margaret Love Skerrett;

A bill (S. 4622) granting an increase of pension to John S. Beaty;

A bill (S. 4871) granting an increase of pension to Eleazer Smith; and

A bill (S. 5047) to revive, reenact, and amend an act to authorize the construction of a bridge across the Missouri River at or near the city of Lexington, Mo.

The message also announced that the House had passed the following bills, with amendments in which it requested the concurrence of the Senate:

A bill (S. 285) granting a pension to Mary L. Roderick;

A bill (S. 290) granting a pension to Charlotte Poe;

A bill (S. 304) granting a pension to Henry Farmer;

A bill (S. 717) granting an increase of pension to Eva W. Brannan;

A bill (S. 1154) for the relief of George Hughes, of Portland, Oreg.;

A bill (S. 1183) for the relief of John Green;

A bill (S. 2002) granting an increase of pension to Byron R. Pierce;

A bill (S. 2919) granting a pension to Olivia Worden, widow of the late John L. Worden, United States Navy;

A bill (S. 3002) to pension William Russell for services in Oregon Indian wars; and

A bill (S. 4422) granting an increase of pension to George W. Gould.

The message further announced that the House had passed the following bills; in which it requested the concurrence of the Senate:

A bill (H. R. 123) granting a pension to William F. Bolan;

A bill (H. R. 204) granting a pension to Ann E. Cooley;

A bill (H. R. 835) granting a pension to William B. Matchett;

A bill (H. R. 1573) granting a pension to Julia Walke;

A bill (H. R. 1279) granting a pension to Barbara C. Lowe;

A bill (H. R. 1675) granting a pension to Alice Smith;

A bill (H. R. 2122) increasing the pension of William R. Christy;

A bill (H. R. 3307) to increase the pension of Andrew S. Evans;

A bill (H. R. 4324) granting a pension to Martha Allen;

A bill (H. R. 4806) granting an increase of pension to Bonaventura Heinz;

A bill (H. R. 4838) granting an increase of pension to Elizabeth V. Litzenberg;

A bill (H. R. 4982) granting an increase of pension to Harriet Tubman Davis;

A bill (H. R. 5712) granting a pension to Sarah A. Luke;

A bill (H. R. 5796) granting an increase of pension to Peter E. Shipler;

A bill (H. R. 5802) granting an increase of pension to John W. Ohngemach;

A bill (H. R. 5805) for the relief of Col. George G. Pride;

A bill (H. R. 6810) granting a pension to Mary Luella Steele;

A bill (H. R. 6876) to increase the pension of George Alexander;

A bill (H. R. 8445) granting a pension to Joseph N. Harmon;

A bill (H. R. 8610) granting a pension to Minnie B. Titus;

A bill (H. R. 8754) granting an increase of pension to Lemon Holton;

A bill (H. R. 8955) granting an increase of pension to Richard M. Hussey;

A bill (H. R. 9234) increasing the pension of George Blakesley;

A bill (H. R. 9314) granting an increase of pension to Isaac Stephens;

A bill (H. R. 9359) granting an increase of pension to Charles H. Barber;

A bill (H. R. 9415) granting an increase of pension to Henry Bullen;

A bill (H. R. 9569) granting an increase of pension to Timothy A. Allen;

A bill (H. R. 9843) granting a pension to America Easton;

A bill (H. R. 9979) granting an increase of pension to Albert S. Shepard;

A bill (H. R. 10013) to increase the pension of Joseph H. McGee;

A bill (H. R. 10056) increasing the pension of James Webb;

A bill (H. R. 10155) to increase the pension of Alexander Rogers;

A bill (H. R. 10285) granting an increase of pension to Mazie V. Sullivan;

A bill (H. R. 10345) granting an increase of pension to Abram O. Kindig;

A bill (H. R. 10417) granting a pension to James H. Nichols;

A bill (H. R. 10688) granting an increase of pension to John J. Bowen;

A bill (H. R. 11017) granting a pension to Jesse Everly;

A bill (H. R. 11115) granting a pension to Allen Meeks; and

A bill (H. R. 11382) granting a pension to Margaret A. Lowther.

PETITIONS AND MEMORIALS.

Mr. PENROSE presented petitions of the Society of Friends of Lansdowne; of the Downingtown Woman's Christian Temperance Union of Chester County; of the Woman's Christian Temperance Union of Fallsington; and of the United Presbyterian Congregation of New Alexandria, all in the State of Pennsylvania, praying for the enactment of legislation to prohibit the sale of liquor in canteens of the Army and Navy and of Soldiers' Homes, and in immigrant stations and Government buildings; which were referred to the Committee on Military Affairs.

Mr. HALE presented the memorial of H. L. Parker and 10 other citizens of Maine, and the memorial of E. H. Witham and 8 other citizens of Maine, remonstrating against the passage of the anti-scalping ticket bill; which were ordered to lie on the table.

He also presented a petition of the Granite Cutters' Union of North Jay, Me., praying for the enactment of legislation to limit the hours of labor for workmen on public buildings; which was referred to the Committee on Education and Labor.

Mr. GALLINGER. I present a concurrent resolution passed by the two houses of the legislature of the State of New Hampshire, which I ask may be read, together with the letter of transmittal.

There being no objection, the concurrent resolution was read, and ordered to lie on the table, as follows:

STATE OF NEW HAMPSHIRE, SENATE CHAMBER,
Concord, January 23, 1899.

SIR: We have been directed to transmit to you the inclosed resolution, passed without division by both branches of the New Hampshire legislature.

Very respectfully,

FRANK D. CURRIER,
Speaker, House of Representatives.
THOMAS N. HASTINGS,
President of the Senate.

Hon. JACOB H. GALLINGER,
United States Senate, Washington, D. C.

STATE OF NEW HAMPSHIRE, HOUSE OF REPRESENTATIVES.

Resolved by the house of representatives (the senate concurring), That in view of the critical condition of affairs now existing in the Philippines, which are liable to be greatly aggravated by further delay upon the part of our Government, and having implicit confidence in the wisdom, patriotism, and ability of our honored President and the Senate and House of Representatives to solve all problems which may arise by reason of said ratification, it is the opinion of the house and senate that the treaty recently negotiated between the United States and Spain should be immediately ratified by the United States Senate, without amendment.

We therefore respectfully request our Senators to bring this resolution to the attention of the Senate and to do all in their power to bring about the speedy ratification of the treaty.

The speaker of the house and the president of the senate are hereby designated as a committee to forward this resolution.

Mr. BURROWS presented a concurrent resolution of the legislature of Michigan, praying for the enactment of legislation limiting the hours of service of laborers, workingmen, and mechanics employed upon public works, etc.; which was referred to the Committee on Education and Labor, and ordered to be printed in the RECORD, as follows:

Concurrent resolution relative to the passage of the bill in Congress limiting the hours of service of laborers, workingmen, and mechanics employed upon public works.

Whereas there is now pending before the United States Senate a bill known as House bill No. 7389, for the limiting of the hours of daily service of all laborers, workingmen, and mechanics employed upon the public works of the United States to an eight-hour workday; and

Whereas the passage of this measure would place our Government on record as a humane Government and in favor of advancing the cause of labor, as less hours give better wages, better homes, and better lives: Therefore, be it

Resolved by the house of representatives (the senate concurring), That our Senators in Congress be respectfully requested to use their earnest endeavors to secure the passage of said bill.

Resolved, That a copy of these resolutions be forwarded by the secretary of state to each of the Senators of this State.

OWIN W. ROBINSON,
President of the Senate.
E. J. ADAMS,
Speaker of the House.

Approved January 24, 1899.
H. S. PINGREE, *Governor.*

Mr. BURROWS presented a petition of Picking Naval Garrison, No. 8, Regular Army and Navy Union, United States, of Erie, Pa., praying for the passage of the Navy personnel bill; which was ordered to lie on the table.

He also presented a petition of the executive board of the American Shipping and Industrial League, praying for the enactment of legislation to increase American shipping; which was ordered to lie on the table.

Mr. PRITCHARD presented a petition of the legislature of North Carolina, praying that an appropriation be made to establish a light beacon at the Cape Channel in Pamlico Sound; which was referred to the Committee on Commerce.

Mr. HOAR presented the memorials of F. P. Appleton, Emerson Rice, Edward Cordis, Henry E. Gordon, and 9 other citizens, and William F. Pysio, all in the State of Massachusetts; of Henry B. Fuller and 33 other citizens of New Hampshire; of Rose Wagner and 9 other citizens, and of William I. Palmer and 6 other citizens, all in the State of Colorado; of John P. Young and 19 other citizens of Indiana; of George J. Harvey, of New Jersey; of Isabelle Cromwell and 5 other citizens of Connecticut; of Ines C. Capponi and 3 other citizens, and of Herbert M. Richards and 2 other citizens, all in the State of New York; of William Haller and 9 other citizens of Ohio, and of J. M. Griffin and 97 other citizens of Georgia, remonstrating against any extension of the sovereignty of the United States over the Philippine Islands in any event, and over any other foreign territory without the free consent of the people thereof; which were referred to the Committee on Foreign Relations.

Mr. DAVIS presented the petition of Edgar Allan and other members of a committee appointed under authority of the Thirty-first National Encampment of the Grand Army of the Republic, held at Buffalo, N. Y., August 26 and 27, 1897, praying for the establishment of a battlefield park at or near Fredericksburg, Va.; which was referred to the Committee on Military Affairs.

He also presented a petition of the Minnesota State Woman's Christian Temperance Union, praying for the maintenance of the prohibition laws in the Territory of Alaska; which was referred to the Committee on Territories.

Mr. QUAY presented a petition of Picking Naval Garrison No. 8, Regular Army and Navy Union, United States, of Erie, Pa., praying for the passage of the Navy personnel bill; which was ordered to lie on the table.

He also presented a petition of 25 citizens of Philadelphia, Pa., praying for the enactment of legislation to prohibit the sale of liquor in canteens of the Army and Navy and of Soldiers' Homes, and in immigrant stations and Government buildings; which was referred to the Committee on Military Affairs.

Mr. WELLINGTON presented the petitions of C. S. Smith and 117 other citizens of Bissell; of John E. Beck and 100 other citizens of Rock Hall; of F. G. Wright and 114 other citizens of Easton, and of George T. Lynn and 102 other citizens of Middleburg, all in the State of Maryland, praying for the establishment of postal savings depositories; which were referred to the Committee on Post-Offices and Post-Roads.

Mr. CULLOM presented petitions of the Stockham Manufacturing Company, of Chicago; Oakford & Fanestock, of Peoria; the Allen B. Wrisley Company, of Chicago; L. Kiper & Sons, of Chicago; Francis Beidler & Co., of Chicago; the Electric Appliance Company, of Chicago; the Cross Press and Sign Company, of Chicago; the Peck Brothers Company, of Chicago; the Powers Regulator Company, of Chicago; the Mosely Folding Bath Tub Company, of Chicago; of P. H. Bolten & Co., of Chicago; the Sanitary Specialty Manufacturing Company, of Chicago; Close Bros. & Co., of Chicago; the Consolidated S. O. S. Bag Company, of Chicago; A. G. Spalding & Bros., of Chicago; Parliament & Espert, of Chicago; George B. Tiarks, of Chicago; the Remington-Sholes Company, of Chicago; Miller & Hart, of Chicago; the J. C. Grant Chemical Company, of Chicago; the Amberg File and Index Company, of Chicago; the United States School Furniture Company, of Chicago; the Lumberman's Credit Association, of Chicago; William Cook & Sons, of Chicago; the Plume & Atwood Manufacturing Company, of Chicago; Jobst, Bethard & Co., of Peoria; Wolf, Sayer & Heller, of Chicago; the Illinois Seed Company, of Chicago; the Chicago Fire Proof Covering Company, of Chicago, and of O. W. Richardson & Co., of Chicago, all in the State of Illinois, praying for the passage of the so-called Loud bill relating to second-class mail matter; which were referred to the Committee on Post-Offices and Post-Roads.

THE ELECTION OF SENATORS BY THE PEOPLE.

Mr. BUTLER. Mr. President, I present a resolution which has just been adopted by the general assembly of North Carolina, in regard to the election of United States Senators by a vote of the people; which I ask may be read.

There being no objection, the resolution was read, as follows:

Resolution in regard to the election of United States Senators by a vote of the people.

Resolved by the general assembly of North Carolina, First. That it is in favor of the election of United States Senators of the several States by a vote of the people of the several States.

Second. That it most respectfully requests our Senators and Representatives in Congress to do all in their power to have submitted to the legislatures of the different States an amendment to the Federal Constitution looking to this end.

Third. That the clerk of the senate is hereby directed to furnish to each of our members in Congress a copy of this resolution.

A true copy.

H. G. CONNOR,
Speaker of the House.

Mr. BUTLER. Mr. President, I desire to call the attention of the Committee on Privileges and Elections to the resolution which has just been read. The chairman of that committee is not, I regret, in his seat at present. There are now a number of joint resolutions before that committee providing for such an amendment to the Federal Constitution to be proposed to the legislatures of the several States. On January 5, 1898, I introduced a joint resolution (S. R. 78) "proposing an amendment to the Constitution of the United States providing for the election of Senators by the votes of the qualified electors of the States," which proposed amendment was referred to the Committee on Privileges and Elections. It is still before that committee. There is besides a House joint resolution (H. Res. 5) to the same effect before that committee. The House resolution passed that body on May 11, 1898, and came to this body on May 12, and was referred to the Senate committee.

But so far the Committee on Privileges and Elections has not taken action on any of these resolutions. This is not the first time that the House has passed similar resolutions proposing such an amendment to the Constitution as the general assembly of North Carolina declares in favor of, and on at least one occasion the action of the House has been unanimous. I trust, Mr. President, that the Committee on Privileges and Elections will take up this resolution, which has passed the House, and give us an early report on it. If we can have a report at this session, and the Senate will pass the House resolution, then the amendment can at once go to the legislatures of every State and give them a chance to act on it. Mr. President, Congress can propose any amendment to the Constitution to the legislatures of the several States whenever it so desires, but I submit that when a number of States ask for a particular amendment to be submitted we should give some consideration to their requests.

North Carolina is not alone in this position, for already a majority of the States of the Union have, I think, passed similar resolutions through their general assemblies. I have in my hand a list of 24 States that have, I am informed, passed similar resolutions, and only the other day the governor of Pennsylvania, in his annual message to the general assembly of that State, strongly recommended the adoption of such an amendment.

Mr. GALLINGER. Will the Senator kindly have the list of those States printed in the RECORD?

Mr. BUTLER. Certainly. The following are the States, if I am correctly informed:

California,	Michigan,	Missouri,	Wyoming,
Colorado,	Oregon,	Montana,	Iowa,
Florida,	Wisconsin,	Nebraska,	Kansas,
Idaho,	Kentucky,	Nevada,	New York,
Illinois,	Louisiana,	Ohio,	South Carolina,
Indiana,	West Virginia,	Utah,	North Carolina.

Mr. HOAR. If this matter is going to be debated at this hour, I should like to take a hand. I hope the Senator is not going to precipitate any discussion when we have even cut off the reading of the Journal.

Mr. BUTLER. Mr. President, I do not care to discuss the merits of the proposed amendment at this time. I shall be glad to hear the Senator from Massachusetts discuss it if we can get the committee to make a report, so that the question may properly be before the Senate for discussion, and that is what I am now trying to do. I am calling the attention of the committee to the number of State legislatures that have passed resolutions asking Congress to submit such an amendment, and appealing to that committee to make a report on the House resolution, so that the Senate can take action. The fact that a majority of the States have taken the initiative in petitioning Congress to submit such an amendment, indicates a very strong popular demand for such a change. I think it safe to say that it indicates that more than three-fourths of the State legislatures would ratify such an amendment when formally submitted to them.

Mr. President, there is another fact that should appeal to the committee and to the Senate, and that is the object lessons that we have to-day in so many State legislatures that are trying to elect Senators. There are eight States to-day—Delaware, Pennsylvania, California, Utah, Wisconsin, Nebraska, Washington, and Montana—that are in a deadlock over the election of Senators, with the possibility, if not probability, of continuous deadlocks that will result in leaving a number of vacant seats in this Senate. In one State, where a deadlock has just been broken, there is notice of a contest to be brought into this body.

That is not the worst; scandals are cropping out, charges of bribery are being made, and in some cases proven, to say nothing of the demoralization of the State legislatures where these things are occurring. These great and growing evils seem clearly to outweigh whatever supposed advantage there may have been in the indirect method of electing Senators.

Mr. President, even if these Senatorial scandals and legislative deadlocks did not occur—which do occur and which are growing more frequent and odious each year—yet the fact that so many States have, through their legislatures, asked Congress to submit

such an amendment should appeal to the Committee on Privileges and Elections to report back the House joint resolution so that the merits of the question can be discussed on the floor of the Senate.

Indeed, Mr. President, I think it goes further and appeals to the Senate to pass the joint resolution and give the legislatures of the several States an opportunity to say whether or not they wish to change the present method of electing their Senators. It now seems that such an amendment is absolutely necessary to revive and preserve the spirit of the Constitution.

Mr. President, I will not detain the Senate further on this question now. I ask that the memorial from the North Carolina legislature be referred to the Committee on Privileges and Elections. I trust they will give us an early report, when I shall ask to be heard on the merits of the question.

Mr. HALE. Mr. President, I must call for the regular order.

The VICE-PRESIDENT. The Senator from Maine calls for the regular order, which is the presentation of petitions and memorials. The memorial presented by the Senator from North Carolina will be referred to the Committee on Privileges and Elections. If there are no further petitions and memorials, reports of committees are next in order.

REPORTS OF COMMITTEES.

Mr. GALLINGER, from the Committee on the District of Columbia, to whom was referred the bill (H. R. 8816) for the relief of the heirs of Minnie Frederich, reported it without amendment, and submitted a report thereon.

He also, from the same committee, to whom was referred the bill (H. R. 6248) to provide for the disposition of assessment certificates of the District of Columbia, and for other purposes, reported it without amendment, and submitted a report thereon.

Mr. MCMILLAN, from the Committee on the District of Columbia, to whom was referred the joint resolution (S. R. 188) to allow the use of certain lands by the Department of Agriculture, reported it with an amendment, and submitted a report thereon.

Mr. PASCO, from the Committee on Military Affairs, to whom was referred the bill (H. R. 6718) for the relief of Samuel Racey, reported it with amendments, and submitted a report thereon.

BUREAU OF ENGRAVING AND PRINTING.

Mr. PRITCHARD. I am directed by the Committee on Civil Service and Retrenchment, to whom was referred the resolution submitted by the Senator from Illinois [Mr. MASON] on the 26th instant, to report it without amendment, and I ask unanimous consent for its present consideration.

The Senate, by unanimous consent, proceeded to consider the resolution; which was read, as follows:

Whereas an investigation of the administration of the Bureau of Engraving and Printing by the present director of said Bureau was ordered by the present Secretary of the Treasury through a committee composed of Messrs. Lyman, Hendricks, and Brown; and

Whereas said investigating committee have made a report to the Secretary of the Treasury of the result of their investigation:

Resolved, That the Secretary of the Treasury be, and he is hereby, requested to submit said report, together with the testimony taken in said investigation, to the Senate.

Mr. PLATT of Connecticut. We do not use the word "requested" when we call upon the heads of Departments, but the word "directed."

Mr. MILLS. It should read "directed."

Mr. PRITCHARD. Let the resolution be so amended.

The VICE-PRESIDENT. The resolution will be so amended. The question is on agreeing to the resolution as amended.

The resolution as amended was agreed to.

DAKOTA SOUTHERN RAILWAY.

Mr. PETTIGREW. I am directed by the Committee on Indian Affairs, to whom was referred the bill (S. 5282) granting to the Dakota Southern Railway Company a right of way through the Yankton Indian lands in the State of South Dakota, to report it without amendment, and I ask for its immediate consideration. It is a very brief right-of-way bill.

Mr. HALE. I will not object if it does not give rise to debate.

Mr. PETTIGREW. I think it can not give rise to debate.

Mr. HALE. I withhold my objection.

There being no objection, the Senate, as in Committee of the Whole, proceeded to consider the bill.

The bill was reported to the Senate without amendment, ordered to be engrossed for a third reading, read the third time, and passed.

BILLS INTRODUCED.

Mr. QUAY (by request) introduced a bill (S. 5377) revising and amending the statutes relating to patents; which was read twice by its title, and referred to the Committee on Patents.

Mr. MCMILLAN introduced a bill (S. 5378) for the relief of certain citizens of Brookland, D. C.; which was read twice by its title, and referred to the Committee on the District of Columbia.

Mr. DAVIS introduced a bill (S. 5379) granting a pension to Bartlett Minot; which was read twice by its title, and referred to the Committee on Pensions.

He also introduced a bill (S. 5380) granting an honorable discharge to Michael Waller; which was read twice by its title, and referred to the Committee on Military Affairs.

Mr. DEBOE introduced the following bills; which were severally read twice by their titles, and, with the accompanying papers, referred to the Committee on Pensions:

A bill (S. 5381) granting an increase of pension to Hans Castor;

A bill (S. 5382) granting an increase of pension to Alsie Robinson;

A bill (S. 5383) granting an increase of pension to Hannah Markley; and

A bill (S. 5384) granting an increase of pension to Andrew Davis.

Mr. CAFFERY introduced a bill (S. 5385) for the relief of the New Orleans and Bayou Sara Mail Company; which was read twice by its title, and referred to the Committee on Claims.

Mr. GALLINGER introduced a bill (S. 5386) restoring to the pension roll the name of Samuel S. McDonald; which was read twice by its title, and referred to the Committee on Pensions.

Mr. BUTLER (by request) introduced a bill (S. 5387) to regulate the service and fix the hours of service for persons employed as policemen and officers in the District of Columbia; which was read twice by its title, and referred to the Committee on the District of Columbia.

Mr. JONES of Arkansas introduced a bill (S. 5388) granting the right of way through Indian reservations to the Choctaw, Oklahoma and Gulf Railroad Company; which was read twice by its title, and referred to the Committee on Indian Affairs.

Mr. PETTIGREW introduced a bill (S. 5389) to provide for the acquiring of rights of way by railroad companies through Indian reservations, Indian lands, and Indian allotments, and for other purposes; which was read twice by its title, and referred to the Committee on Indian Affairs.

Mr. FORAKER introduced a bill (S. 5390) granting an increase of pension to Martha G. D. Lyster; which was read twice by its title, and referred to the Committee on Pensions.

Mr. SULLIVAN introduced a bill (S. 5392) to limit the class of persons who shall receive pensions; which was read twice by its title, and referred to the Committee on Pensions.

AMENDMENTS TO APPROPRIATION BILLS.

Mr. PRITCHARD (for Mr. ELKINS) submitted an amendment relative to an increase in the salaries of the Second and Third Assistant Secretaries, Department of State, intended to be proposed by him to the legislative, executive, and judicial appropriation bill; which was referred to the Committee on Appropriations, and ordered to be printed.

He also (for Mr. ELKINS) submitted an amendment relative to an increase in the salary of the consul at Windsor, Nova Scotia, intended to be proposed by him to the diplomatic and consular appropriation bill; which was referred to the Committee on Appropriations, and ordered to be printed.

Mr. PASCO submitted an amendment authorizing the Secretary of War to enter into contract or contracts for such materials and work as may be necessary for the completion of the improvement of the St. Johns River, Florida, intended to be proposed by him to the river and harbor appropriation bill; which was referred to the Committee on Commerce, and ordered to be printed.

Mr. DANIEL submitted an amendment proposing to appropriate $2,957.81 to pay the governor of the State of Virginia for clothing and shoes furnished to the United States for the use of the Second, Third, and Fourth Regiments of Virginia Volunteers, etc., intended to be proposed by him to the Army appropriation bill; which was referred to the Committee on Appropriations, and ordered to be printed.

RIGHTS OF WOMEN IN THE TERRITORY OF HAWAII.

Mr. WARREN submitted an amendment intended to be proposed by him to the bill (S. 4895) to provide a government for the Territory of Hawaii; which was referred to the Committee on Woman Suffrage.

JOHN CONNER, SR.

Mr. TURLEY submitted an amendment proposing to appropriate the sum of $1,804.60 to pay John Conner, sr., of Lauderdale County, Tenn., as compensation for 20.1 acres of cleared land, at $25 per acre, etc., intended to be proposed by him to the sundry civil appropriation bill; which was referred to the Committee on Commerce, and ordered to be printed.

On motion of Mr. TURLEY, it was

Ordered, That the Committee on Claims be discharged from the further consideration of the papers of John Conner, sr., and that they be referred to the Committee on Commerce, to accompany the amendment to compensate him.

BRAZOS RIVER IMPROVEMENT.

Mr. MILLS submitted the following resolution; which was considered by unanimous consent, and agreed to:

Resolved by the Senate, That the Secretary of War be directed to submit a report of survey and estimates for the improvement of the mouth of the Brazos River, near Velasco, Tex., with such information as may be in his possession for the improvement thereof by continuing the work done by the Brazos River Channel and Dock Company, or otherwise, with probable cost,

and such other information as he may have in connection with the proposed improvement.

FOREIGN PENSION LAWS.

Mr. GALLINGER submitted the following resolution; which was considered by unanimous consent, and agreed to:

Resolved, That the Secretary of State be, and he is hereby, directed to procure from the representatives of the Government abroad, for transmission to the Senate, a synopsis of the pension laws (not civil) of the leading nations of the world, with statement showing the aggregate amount of annual appropriation made by each country for the above purpose.

ADDITIONAL CLERK FOR COMMITTEE ON TERRITORIES.

Mr. HANSBROUGH submitted the following resolution; which was referred to the Committee to Audit and Control the Contingent Expenses of the Senate:

Resolved, That the Committee on Territories be, and it hereby is, authorized to employ an additional clerk for the remainder of the present session of Congress, at the rate of $1,440 per annum, same to be paid out of the contingent fund of the Senate.

THE MERCHANT MARINE.

On motion of Mr. FRYE, it was

Ordered, That there be printed for the use of the Senate, in addition to the usual number, 600 copies of the bill (S. 5024) to promote the commerce and increase the foreign trade of the United States and to provide auxiliary cruisers, transports, and seamen for Government use when necessary.

CLOTHING ACCOUNTS OF DECEASED SOLDIERS.

Mr. HAWLEY. I ask unanimous consent for the present consideration of the bill (H. R. 10912) for adjusting clothing account for deceased soldiers in certain cases. The Auditor for the War Department desires very much that this act shall be passed, because he is being embarrassed constantly and is being obliged to commit what is an act of injustice toward the soldier or toward his heirs. There can be no possible debate on the bill. It is a mere matter of accounting, and, as I said, the Auditor has to do what he thinks is an injustice every day.

Mr. HALE. It is very desirable that the diplomatic and consular appropriation bill shall be passed before 2 o'clock, because then it would be cut off. I give notice that after this bill is disposed of I shall ask the Senate to take up the appropriation bill. I shall not object to this bill if it does not give rise to debate.

Mr. HAWLEY. There can not be any debate upon it.

Mr. BACON. I wish to call the attention of the Senator from Maine to the fact that several days since I gave notice that at the conclusion of the morning business to-day I would ask the Senate to take up Senate joint resolution No. 211, which I have introduced, relative to the policy of the Government in the Philippine Islands. I hope the Senator will not interpose the motion which he now gives notice he will make. I do not suppose it will take any great length of time. It certainly will not unless it is taken by some one other than myself.

Mr. HALE. If the Senator desires to submit remarks, of course under the rule of courtesy in the body I can not object, but certainly I can not give way to the taking up of any other subject for action. I do not think it is customary to gain any additional right for the passage of resolutions or bills by giving notice. If we shall adopt that extension of the courtesy of the Senate, Senators will see at once that preference would be given to a particular measure or resolution by a Senator simply giving notice that he will call it up. If the Senator desires to address the Senate on the subject, of course under the usual rule, as I have said, I can not object; but I think he will see, as all will see, that we must get the appropriation bills out of the way. Otherwise we shall not finish the business of the session.

Mr. HAWLEY. I renew my request.

The VICE-PRESIDENT. Unanimous consent is asked by the Senator from Connecticut for the present consideration of the bill (H. R. 10912) for adjusting clothing account for deceased soldiers in certain cases.

Mr. HOAR. How long a bill is it?

Mr. HAWLEY. It is about ten seconds long.

The VICE-PRESIDENT. Is there objection?

There being no objection, the Senate, as in Committee of the Whole, proceeded to consider the bill. It provides that in the adjustment of the accounts of volunteers enrolled on account of the existing war with Spain, who have died, or may hereafter die within six months from the date of their enrollment, the accounting officers of the Treasury shall make no stoppage on account of clothing overdrawn against the pay or allowances otherwise found due the widow, heirs, or legal representative of the soldier, unless the amount of clothing actually drawn by him is in excess of the clothing allowance for a soldier of his grade for the first six months of service.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

DIPLOMATIC AND CONSULAR APPROPRIATION BILL.

Mr. HALE. I move that the Senate proceed to the consideration of House bill 11487, the diplomatic and consular appropriation bill.

Mr. BACON. Mr. President, I do not desire to antagonize the motion of the Senator from Maine, but I respectfully submit that I have at least a right to make the motion of which I gave notice. I gave notice several days ago that to-day I would move to proceed to the consideration of Senate joint resolution No. 211. I will state to the Senator that I have no disposition to intrude upon the time that he desires, and that I simply desire that the Senate shall act upon the motion to take up the joint resolution. I will be perfectly willing then that it shall be laid aside.

Mr. HALE. Let the Senator then ask for unanimous consent. I do not object to taking it up. Then my motion can be put.

Mr. BACON. Of course I should be very glad to have unanimous consent, but I do not desire to leave the matter there. I desire to have the sense of the Senate on the question of taking up the joint resolution.

Mr. CHANDLER. Does the Senator desire to have a vote taken on the disposition of the joint resolution to-day?

Mr. BACON. I do not if Senators desire that it shall not be voted on to-day.

The Senator from Montana [Mr. CARTER] yesterday in speaking to the proposition for unanimous consent in reference to several of these resolutions said that they had been introduced by Senators for the purpose of furnishing texts upon which speeches could be delivered. I am not prepared to state as to the resolutions introduced by other Senators, but that certainly is not true of the joint resolution introduced by myself. It was introduced for a practical purpose, which if subserved must be done within a few days, because that purpose will affect the position which Senators will take with reference to a very grave matter that is ahead of us, the question of the ratification of the treaty. It being a joint resolution if it is to effect any purpose it must have the time not only for passage through the Senate, but through the House. It was introduced by me not for the purpose of making a speech, but for the practical purpose of endeavoring to bring us to a basis where we can have a solution of this matter, and where there may be an agreement among those who now to a certain extent disagree.

Mr. President, if I may be pardoned for making a further statement, the joint resolution is intensely practical, in the view, in my opinion, that if it should become a law as the expression of this Government it would entirely dissipate the danger that we are in of war. For that reason I desire not to ask, as was asked yesterday, unanimous consent that we take a vote, but that the Senate take up the joint resolution. It is a most grave matter; and it strikes me that this grave body should be willing to meet the issue and to declare to the world what is our position relative to this most important subject without side-tracking or anything else.

Mr. HALE. I suppose I am in entire sympathy with the Senator upon his resolution, but I do think, with all the time which is being consumed by Senators who give notice of speeches which nobody can shut off, that occasionally an hour should be given to the appropriation bills. We are far behind the House.

Mr. PLATT of Connecticut. It will not take an hour.

Mr. HALE. I do not suppose the bill, if it comes up, will take twenty minutes. It never takes long to pass a diplomatic and consular appropriation bill, and this bill ought to be passed and go into conference.

Mr. BACON. With that statement of the Senator, if I may be allowed to do so, I will change the notice I have given to the effect that I shall make the motion after the passage of the appropriation bill, if it is to occupy so short a time.

Mr. HALE. I am personally very much obliged to the Senator from Georgia, because I want to get the bill through this morning.

Mr. BACON. I do not want to antagonize the appropriation bill.

The VICE-PRESIDENT. The Senator from Maine asks unanimous consent for the present consideration of the bill (H. R. 11487) making appropriations for the diplomatic and consular service of the United States for the fiscal year ending June 30, 1900. Is there objection?

There being no objection, the Senate, as in Committee of the Whole, proceeded to consider the bill, which had been reported from the Committee on Appropriations with amendments.

Mr. HALE. I ask that the formal reading of the bill be dispensed with, and that the amendments of the committee be considered as they are reached in the reading.

The VICE-PRESIDENT. Is there any objection. The Chair hears none, and the order is made as suggested.

Mr. JONES of Arkansas. I ask the Senator from Maine to yield to me for a moment.

Mr. HALE. Certainly.

FUNERAL OF EX-SENATOR A. H. GARLAND.

Mr. JONES of Arkansas. Mr. President, the Senate is aware that ex-Senator Garland, who was for a number of years an honored member of this body, and who was the Attorney-General of the United States, died within a day or two. His funeral takes place to-day at 2 o'clock. His body will be borne from the city to

his home for burial at half past 3. There are a number of Senators who desire to attend the funeral ceremonies; and I ask the unanimous consent of the Senate that there be a recess taken from 2 until half past 3 to enable Senators who desire to do so to attend the funeral.

Mr. CHANDLER. I suggest that the Senator ask that we shall adjourn.

Mr. FRYE and others. Oh, no.

Mr. CHANDLER. It is Saturday afternoon.

Mr. TELLER and others. No, no.

Mr. HALE. Let us come back.

Mr. JONES of Arkansas. I am unwilling to ask that the Senate shall adjourn, in view of the unanimous-consent agreement which has obtained in the Senate heretofore, but I ask for a recess.

Mr. HOAR. Mr. President, as the Senator from Arkansas has made this request, perhaps it will not be inappropriate for some gentleman on this side of the Chamber to express the great affection which his old associates here felt for this eminent gentleman who died so suddenly in the height of his intellectual vigor in the Capitol itself.

He was a model of the Senatorial character, an admirable lawyer, a statesman whose vision and interest comprehended the whole country without distinction of section or party, a man full of patriotism, of unimpeachable personal integrity, a model not only of the character of the Senator, but of the character of the gentleman.

I am very glad that this slight token of our respect, which is all we can under the circumstances pay Mr. Garland, is likely to be paid.

The VICE-PRESIDENT. Unanimous consent is asked that a recess be taken from 2 o'clock until 3.30 this afternoon for the purpose stated by the Senator from Arkansas.

Mr. JONES of Arkansas. To attend the funeral services of ex-Senator Garland at the Colonial Hotel.

The VICE-PRESIDENT. Is there objection? The Chair hears none. The order is made.

DIPLOMATIC AND CONSULAR APPROPRIATION BILL.

The Senate, as in Committee of the Whole, resumed the consideration of the bill (H. R. 11487) making appropriations for the diplomatic and consular service of the United States for the fiscal year ending June 30, 1900.

The Secretary proceeded to read the bill, and continued the reading to line 4, on page 5.

Mr. HALE. After line 4 I move to insert:

For the salaries of three third secretaries of embassy at London, at Paris, and at Berlin, at the rate of $1,600 each per annum, $4,800.

The amendment was agreed to.

Mr. HALE. On page 5, line 5, I move to change the total of the appropriations for "salaries of secretaries of embassies and legations" from $58,900 to $63,700.

The amendment was agreed to.

The reading of the bill was resumed. The first amendment of the Committee on Appropriations was, under the subhead "Ground rent of legation at Tokyo, Japan," on page 6, line 23, after the word "fifteenth," to strike out "1899" and insert "1900;" so as to make the clause read:

Annual ground rent of the legation at Tokyo, Japan, for the year ending March 15, 1900, $250, or so much thereof as may be necessary.

The amendment was agreed to.

The next amendment was, on page 11, after line 18, to insert:

INTERNATIONAL CONFERENCE ON A CATALOGUE OF SCIENTIFIC LITERATURE.

For the purpose of carrying out on the part of the United States the recommendation of the International Conference on a Catalogue of Scientific Literature, held in London in July, 1896, for the expense of clerk hire and the other expenses incident to the work of cataloguing the scientific publications of the United States, the same to be expended under the direction of the Secretary of the Smithsonian Institution, $5,000.

The amendment was agreed to.

The reading of the bill was continued to line 7, on page 13.

Mr. HALE. On page 13, line 7, after the word "thousand," I move to insert "five hundred;" so as to read:

For salaries of consuls, vice-consuls, and commercial agents, $426,500.

The amendment was agreed to.

Mr. HALE. On page 18, line 15, after the word "Martinique," I move to insert "Nantes;" so as to include Nantes in consulates of Class VI, where the salary is fixed at $1,500.

The amendment was agreed to.

The reading of the bill was resumed and continued to Schedule C, Class VII, on page 20, line 13.

Mr. HALE. On account of the insertion of the amendment which has just been adopted, I move to strike out lines 13 and 18 on page 20.

The VICE-PRESIDENT. The amendment will be stated.

The SECRETARY. On page 20, after line 11, it is proposed to strike out:

France and French dominions:
Consul at Nantes.

The amendment was agreed to.

The reading of the bill was resumed and concluded.

Mr. GALLINGER. Mr. President, before the bill is passed, I simply want to call attention to three consulates of which I have some knowledge, and while I regret to say that my former appeals to increase the salaries of consuls of the United States at foreign ports where they are living on starvation wages have been fruitless, I feel constrained to call attention to the matter once more.

We will take Pernambuco, Brazil, as an illustration, where there happens to be a New Hampshire man in the consular service. The estimates which were made for the consular service by the State Department recommended a salary of $2,500 at Pernambuco, but Congress apparently knows more about that matter than does the Department, and they report this bill giving the consul $2,000.

I will not take time, Mr. President, to read the letter which I hold in my hand from the consul at that place, a son of a distinguished United States Senator, who at one time was President pro tempore of this body; but if there be no objection, I should like to insert it in the RECORD, in the hope that some of the economists of Congress may take occasion to read what this man writes concerning the cost of living in Pernambuco, the paucity of the salary, and the meanness of the Government in treating its representatives abroad as this Government does in almost every instance. The consul did not use the word "meanness," Mr. President, but I use it here, as I have used it on more than one occasion before. I ask permission to have this letter inserted in the RECORD, and to suggest that I shall endeavor to have an amendment adopted increasing this salary to the point recommended by the Department.

The VICE-PRESIDENT. Is there objection? The Chair hears none, and that order will be made.

The letter referred to is as follows:

CONSULATE OF THE UNITED STATES,
Pernambuco, November 5, 1898.

MY DEAR SIR: As you have kindly offered to read my views on the consular service in this part of the world, I herewith jot them down. In his letter, transmitting estimates of the consular appropriation for the fiscal year 1898–1899, the Secretary of State writes as follows:

"Bahia, Para, and Pernambuco, Brazil, an increase from $2,000 to $2,500 in the salaries of each of these places is recommended. Our interests in all of these places are extensive, and the opportunities for further extension of trade are great. The climate is unhealthy and the compensation should be sufficient to offset this drawback, in part at least. We need men of ability and experience in all of these new fields of commerce."

This recommendation was made after the aforesaid consulates had been looked over by a special examiner, who reported what he found—needs, etc. Why make two bites at a cherry—why not make the salary $3,000? 'Tis no more than should be paid. No competent man should be asked to come into these tropical climates to contend with the difficulties of the language, to put up with the thousand and one inconveniences, to ostracize himself from what we know of civilization, and to expose himself to the insidious diseases of the country without sufficient remuneration. By that I mean not a bare living, but the salary should be such that he may be able to put by something for a rainy day. The expenses of living here are large, and the low rate of exchange alone makes it possible to keep up appearances, for I think it will be conceded that they count for something. A consul can not make his influence felt living in lodgings and on a cracker-and-cheese diet. He is the accredited official of a great country, and varied and numerous are the calls made upon him; much is expected of him, and he can not stand forth in the proper light on a meager salary.

"The time is rapidly approaching when it will be the reverse of judicious to allow any man unacquainted with world politics to round off his career in a first-class foreign mission.

"We shall have to look at diplomacy as the highest and best paid of trades. Public servants of this sort can not be kept on board wages."

It is notorious that the American consular service is the worst paid and the poorest equipped of any of the great countries. It will be contended that many are offering to fill the places on the present salaries; true, but how?

Is not a man's experience worth something? Why, as I look back to the time I came here practically green, I feel that I have already become much more useful to my country in this capacity than two or three green men could possibly be. One little knows the many important details of an office of this kind, and can only learn from actual experience. This district has a coast line of between eight and nine hundred miles and an area greater than our New England, and all of it is under the jurisdiction of the consul at Pernambuco. Then the danger from disease is great in this country; yellow fever and smallpox is always prevalent—a man is here to-day and buried to-morrow. To one unaccustomed to it deaths and funerals come with great harshness; it almost seems as though the breath had time to leave the body before the corpse is hurried into the grave; but all these things are imperative in the Tropics.

The British consul receives as salary £100 per month and an allowance of £400 for office rent, incidentals, etc., beside 2½ per cent commission on all disbursements; for all this he draws draft at sight.

The American consul is the disbursing agent for the United States in this, viz, care and transportation of shipwrecked mariners, American seamen in distress, etc.; in fact all contingent expenses must be paid from his pocket, and he can draw to reimburse himself at the end of each quarter, thus forcing him in many instances to advance money in behalf of the United States.

The Italian consul here receives 35,000 francs salary, and the consul from little Chile, with nothing to do, $2,000 salary, beside 2½ per cent commission on all disbursements; he draws draft for all this in advance. It is admitted on all sides that the American consular service does more to advance trade for its country than any other similar service in the world. Is not the laborer worthy of his hire?

The following is taken from the report of the Auditor for the State and other Departments for the year ending June 30, 1896:

Comparative statement of consular fees received and expenditures made annually from 1884 to 1896, inclusive.

Year.	Consular fees received.	Salaries and other expenses.	Excess of expenditures.	Excess of receipts.
1884	$805,780.27	$872,345.08		$23,435.19
1885	791,345.43	870,183.10	$78,837.67	
1886	881,569.79	900,604.90	19,035.11	
1887	950,690.64	918,973.26		31,717.38
1888	999,172.31	934,983.93		64,188.38
1889	979,191.60	953,580.37		15,611.23
1890	1,039,653.26	1,032,048.08		7,605.18
1891	978,142.58	1,095,160.93	117,018.35	
1892	940,040.50	1,097,585.55	157,545.05	
1893	1,009,060.26	1,105,103.16	96,042.90	
1894	758,410.81	1,055,417.43	297,006.62	
1895	938,764.66	1,039,332.58	100,567.92	
1896	975,500.30	1,045,920.70	70,420.40	

To sum up briefly, the consular service cost the United States during those thirteen years just $53,542.59 per annum, truly a munificent sum. The national legislator who, in view of these facts, would not vote to increase the consuls' salaries ought not to draw his breath, much less draw his salary.

While I enjoy my work and do not find it irksome, the idea that obtains in some quarters "that a consul has nothing to do" is erroneous. If he be conscientious and desirous of rendering the best service possible, he must keep his eyes and ears open and his office hours will be none too long for its proper accomplishment.

Happily the war is ended and everything so far seems to have redounded to the glory of the American arms. 'Twill be a glorious outcome if the conclusion is carried forward as speedily and successfully. We are very pleasantly situated here and have so far enjoyed the best of health, yet I should rejoice if the powers that be would transfer me a little nearer civilization and God's country. I wish you might use your influence to have something done at the next session, with both ends in view.

With the compliments of the season from Mrs. Clark and myself, I remain,

Very truly, yours,

BENJ. F. CLARK.

Hon. J. H. GALLINGER, *Concord, N. H.*

Mr. GALLINGER. Mr. President, I chance to have a friend at La Guaira, Venezuela, who is getting the enormous salary of $1,500 a year, with fees of about $500 a year, or an aggregate of $2,000. He is living in one of the most unhealthy ports in Venezuela. He writes me that he is paying $50 a month rent for a house that is not as good as the house he rented in Dover, N. H., for $18 a month; that he is paying from $13 to $14 a barrel for flour; for potatoes of inferior quality, 7 cents a pound; for kerosene oil, 30 cents a gallon, and sugar, 14 cents a pound for the common brown grade. That man is expatriated. It is true he wanted service with the Government. He is an educated man. He was born in France, is an accomplished French and German scholar, and he had desired to serve the Government. He asked for an appointment in either France or Germany, and this accomplished French, German, and English scholar was sent to a country where the language used is Spanish.

I think the consular service ought to be improved by sending men to countries the language of which they speak, and I commend the matter to my civil service friends. This gentleman did want to go abroad; he wanted to serve the Government in the capacity of consul, and was sent to La Guaira, Venezuela, where he is paid $2,000 a year salary; and he pays, as I have said, $50 a month for house rent, $14 a barrel for flour, and everything else in proportion.

I ask consent to have the letter inserted in the RECORD.

Mr. BUTLER. Will the Senator allow me to ask him whether this gentleman pays $14 a barrel for flour in American money or in the money of Venezuela? There is quite a difference between the value of our money and Venezuelan money. I have not a copy of the report before me to show what is the value of the American dollar in that country.

Mr. GALLINGER. My impression is this gentleman means that he pays $14 in American money, or its equivalent, for flour in Venezuela. He does not say anything to the contrary, and I take that to be the fact.

Mr. BUTLER. When our money is changed into the money of Venezuela, a larger number of dollars is received for it.

Mr. GALLINGER. There is no question about that, but I think this gentleman means that he pays the equivalent of $14 a barrel for flour in American money.

Mr. BUTLER. That is the point about which I desired information.

Mr. GALLINGER. I think there is no doubt on that point. I ask consent to have the letter inserted in the RECORD, and as the State Department recommended an increase in this salary of $500, making it $2,000, I shall also endeavor to have that accomplished by an amendment to the bill.

The VICE-PRESIDENT. Without objection, the order to print the letter will be made.

The letter referred to is as follows:

CONSULATE OF THE UNITED STATES OF AMERICA,
La Guaira, Venezuela, December 10, 1898.

DEAR SENATOR: According to request, I take the liberty to write to you and again trouble you with my affairs. I have been back here about a month, and the weather at the present is quite a little cooler than when I left here last summer. It averages about 80° every day of this month.

As I told you before, my salary at this office is but $1,500, and the agencies under this office bring in about from $500 to $600 generally per year. The cost of living here is very high. For instance, we pay $50 a month rent, and the house we hire for that money is not as good as one we paid $18 in Dover for. Food products are enormously high, as everything pays high duty entering here. For instance, flour retails for about thirteen or fourteen dollars a barrel, the duty on it being about $5 per barrel. Potatoes of very small, inferior quality retail at 7 cents per pound, kerosene about 30 cents a gallon, and sugar 14 cents for common brown grade. This will give you a faint idea of the cost of living here.

Of course the American consul can not live like a beggar; and if I have to live on my salary, the end of the year shows me in debt instead of having laid up anything.

Of course I said before I would prefer a good consulate in Europe, paying about $2,500, but if the change can not be effected, the salary of this consulate ought to be raised to at least $2,500 to enable one to live decently. The consular department of the State Department last year recommended an increase of $500 in the salary of this office without my asking for it, but this really is not sufficient, and I believe that you might bring influence enough to bear to bring the salary to $2,500. La Guaira is the chief port of this country, as the statistics show that over three-fourths of the total imports into this country come through the port of La Guaira, and although Maracaibo sends more merchandise to the United States, they do not import one-fourth as much as this port, and the salary of the consul at Maracaibo is $2,000.

I give you these particulars so as to have something to go by and I hope you will not think me a bore in troubling you again.

Hoping to hear from you at some near future date,

I remain, yours, very truly,

LOUIS GOLDSCHMIDT.

Hon. J. H. GALLINGER.

Mr. GALLINGER. Mr. President, I have here an extract from a letter of Dr. William Jarvis, consul at Milan, Italy, an educated and cultured gentleman, received by me a few weeks ago, in which he discusses very intelligently what he thinks are the needs of the consular service in that country, which I ask to have inserted in the RECORD.

The VICE-PRESIDENT. Without objection, the paper referred to will be inserted.

The matter referred to is as follows:

I think there is a big chance for improvement in the way the Government conducts the consular service. A consul should have a salary that he can live on respectably, and then he should be required to turn in every dollar he receives to the Government, and he ought at all times to work for the Government as faithfully as he would for himself. But I am afraid that is not always the way. When he can cut down expenses without any detriment to the office, he should do so. It almost seems to me as though the United States Government paid the consuls on the same plan that the hotels, etc., over here pay their servants—that is, mighty little, and expect them to make up the difference by beating someone else, or even, when there is a chance, the Government itself. I know that all the consulates are not self-supporting like this one, but that makes no difference in the principle of the thing.

Mr. GALLINGER. All I care to say further in this connection, Mr. President, is that during my service in the other House, as well as in this body, I have been astounded every time the diplomatic and consular bill has passed to observe the inadequacy of compensation which is paid our consuls abroad; and I have felt formerly, as I feel to-day, that one of the ways to increase American trade in foreign countries is to give our consuls respectable salaries, so that they can have respectable offices at which foreigners as well as Americans may call, and where there shall be some evidence of the fact that they represent a great country.

If we should compare these salaries with those given by Great Britain or France or Germany we would be astounded at the utter parsimony, the inexcusable economy, that we are practicing in this matter of salaries to the men who represent very intelligently, and many of them with large experience, this great Government in foreign countries. The evil is a crying one and ought in some way to be remedied.

Mr. HALE. Mr. President, if the Committee on Foreign Relations would take into consideration the recommendations of the Secretary of State and reorganize the consular service upon the basis of more liberal salaries, I have no doubt that the Senate would pass the bill at once, and I have no doubt it would be passed by the other branch and become a law; but the Committee on Appropriations did not deem it wise to select here and there one or two cases or a half dozen cases out of the fifty or sixty that are recommended by the Department. The committee was only dealing with salaries under existing law, and so it did not go into the question of increases. All I wish to do is to enforce what I said in the beginning. The Committee on Foreign Relations ought to take up that subject and report a bill covering all of these cases.

There is one suggestion I wish to make in the way of an amendment to the bill. On page 18, at the end of line 22, the word "Clifton," before the word "Canada," should be stricken out and "Niagara Falls" inserted. It is simply a change of name for convenience.

The VICE-PRESIDENT. The question is on the amendment submitted by the Senator from Maine.

The amendment was agreed to.

Mr. CULLOM. I have not been in the Senate during the consideration of the bill, and I inquire of the Senator from Maine whether its consideration has been completed by the Senate?

Mr. HALE. The reading of the bill has been completed.

Mr. CULLOM. I have a letter from the Secretary of State, to

which I called the attention of the Senator in charge of the bill, but I fear he has not read it; and I should like to have it read, so as to let the Senator hear it, and then I shall wish to inquire of him whether it does not make a special case justifying action in this particular matter.

In addition to that, I want to say that I have had several letters with which I do not intend to trouble the Senate; but it seems to me that this particular case is deserving of special attention. I should, therefore, like to have the letter read, at any rate, to see whether or not the Senator will not allow the matter to be fixed.

Mr. HALE. I presume the case to which the Senator refers is like twenty others where the Secretary of State has recommended an increase of salary and gives special reasons for it, as the Senator from New Hampshire [Mr. GALLINGER] has just done. Undoubtedly these men find the salaries small; but they are the same as they were when the places were accepted, and the places do not go vacant.

I say again, the Committee on Appropriations did not think it wise to begin to cull and make fish of one and flesh of another, and, therefore, rejected all of them. Every letter from such officers which might be read would make out a good case in itself. The desire of the incumbent of the office to get more salary is natural enough. The salaries are small; there is no profit in them; and it has always been to me a matter of wonder why so many men have a mania for getting into this service—this underpaid service—and every Administration is met by a dozen applications for every place.

Mr. COCKRELL. Will the Senator yield for a question?

Mr. HALE. Yes.

Mr. COCKRELL. Has the Senator ever known of any applicant to object to the salary before he got the office?

Mr. HALE. I have never known that.

Mr. COCKRELL. Do they not always willingly take the office knowing what the salary is?

Mr. HALE. I have not known of any resignations because the salaries were inadequate.

Mr. CULLOM. All I have asked in this case is that the letter to which I referred be read, and I think I have a right to that.

Mr. COCKRELL. Nobody is objecting to the letter being read.

Mr. CULLOM. Let it be read, then.

Mr. COCKRELL. I suppose somebody else wants to talk besides the Senator.

Mr. CULLOM. I have not talked at all except to make a request.

Mr. COCKRELL. The letter will be read; I am not objecting to that, but I only want to discuss this question for a minute.

As the Senator from Maine [Mr. HALE] has said, nearly every one of these officers seeks an increase of his salary. The Senator from Illinois knows that all through they are seeking an increase of their salaries, and the Committee on Appropriations could only be consistent in rejecting the whole of them, and I think they did exactly right.

Mr. CULLOM. We will now hear that letter, if it is agreeable to the Senate.

The VICE-PRESIDENT. The letter referred to will be read, in the absence of objection.

The Secretary read as follows:

DEPARTMENT OF STATE, *January 17, 1899.*

SIR: I have the honor to acknowledge the receipt of your letter of the 11th instant, asking to be furnished, for the information of the Senate Committee on Appropriations, with a brief statement of the business transacted at the United States commercial agency at Collingwood, Ontario.

In reply, I have to say that the agency at Collingwood, Ontario, includes all the ports situate on Georgian Bay, of which Collingwood, Owen Sound, Penetang, Parry Sound, Byng Inlet, French River, and Killarney are the principal. Many American vessels arrive at and depart from these ports during the season of navigation, and while much of the commercial agent's time and attention are taken up in adjusting difficulties between the masters and crews of American vessels, yet he receives no compensation therefor, as it has not been deemed advisable, as you are aware, to enforce the marine regulation so far as the ports on the Great Lakes are concerned.

It is also proper to state that Georgian Bay, which is embraced within the Collingwood Agency, is 100 miles long and 60 miles wide, and is the only portion of the Great Lakes which is entirely within Canadian territory.

As the fees of the office, as well as the value of the merchandise exported from the Collingwood consular district, are fully equal to many of the $2,000 consulates, and as it is one of the most important commercial points in Canada, I respectfully recommend that it be added to the consulates of that grade, and that instead of fees it be provided with a fixed salary at $2,000 per annum.

I have the honor to be, sir, your obedient servant,

JOHN HAY, *Secretary of State.*

Hon. S. M. CULLOM,
United States Senate.

Mr. CULLOM. I merely desire to say a word in reference to the letter which has been read, and shall then submit the matter to the Senator in charge of the bill.

I have barely met this gentleman. He does not belong to my State. I never saw him until a few days ago, when he stated the case to me, which I thought was strong enough to justify me in asking of the Secretary of State to give me the facts regarding it; and, so far as I know, they are given in the letter which has been read. It seems to me that it makes a case which takes it out of the ordinary claim of a consul for an increase of salary. It seems to me the application ought to be granted, as it will not probably occasion any additional expense.

Mr. FAULKNER. What is the compensation of the officer now?

Mr. CULLOM. He is paid by fees. He has to travel nearly all over Canada in order to do his duty, and most of the amount he receives is paid out on that account. I thought in perfect good faith that it was such a case as would justify the Senator in charge of the bill in allowing this consulate to be made a salaried office, and, as the letter of the Secretary of State says, the consul be given a salary of $2,000.

That is all I desire to say. If the Senator in charge of the bill declines to accede to the amendment, I shall make no further opposition.

Mr. HALE. I am very sorry, but I think I must insist on the rule being followed.

Mr. GALLINGER. Mr. President, I would not delay the Senate a moment longer—and I will delay it but a moment—had it not been for the observation of the Senator from Missouri [Mr. COCKRELL] that these places are sought by a great many men, and that they never are vacant. That is true, Mr. President; but it is not an argument. I take it that there are men in every State of the American Union who would be willing to serve in this body for one-half of what is being paid to the present membership. Indeed, I think from what I read in the newspapers that there are some men in Montana, California, and perhaps in some other States who are willing to pay a bonus for the privilege of sitting in this body; but that is no argument why Senators should not be paid a decent salary, and it is no argument to say that because ambitious, young, enterprising men seek these consular positions the Government should pay them a salary that is meanly inadequate.

In the two instances to which I called attention, where the Department which is presumed to know something about this matter advised slight increases of salary, certain gentlemen who are drawing $5,000 salaries and some perquisites conclude that these men ought to live on $1,500 or $2,000 a year, and they proceed to coolly ignore the recommendations of the Department of State and bring a bill here saying that the smaller sums are the proper rates of compensation for the service.

Mr. President, that is all I care to say. I simply wanted to go on record, probably for the fourth time, as saying that our consular service is verging on the disgraceful in the matter of salaries to the men who represent us abroad and who are expected to give, and who do give, the best possible service to the Government which they are proud to serve in that capacity.

Mr. MORGAN. I offer an amendment, on page 4, in line 18, after the word "Venezuela," to insert "and;" and after the word "Peru" to insert "at $1,800 each;" so that it will read:

Secretaries of legations to Argentine Republic, Venezuela, and Peru, at $1,800 each.

This amendment would give an additional $300 to each of those secretaries of legations. I offer the amendment by the direction of the Committee on Foreign Relations, having presented it in the Senate, by whom it was referred to the Committee on Appropriations some days ago, and is therefore in order.

I was induced to offer the amendment by a letter from the Secretary of State to me urging that some movement should be made to give relief to these three secretaries, so as to equalize the salaries of the secretaries of legations in the South American States. The secretaries in the other South American States, except the three mentioned in the amendment, receive $1,800 a year for their compensation.

I happen to know some of the secretaries of legations at some of these points, and I desire to state that the Secretary at Buenos Ayres is a man of very decided ability, who has filled the office of chargé d'affaires during the time of the absence of Minister Buchanan in that very important part of the continent of South America, and filled it with great credit.

More than that, he has by his earnest efforts contributed very successfully to the prospect of increasing mail and commercial intercourse between the United States and Argentina. He is a man who has already rendered to this Government service worth five or six thousand dollars, instead of fifteen hundred; a gentleman who is a friend of mine and was my secretary at the Paris arbitration. He wrote to me that he was living there and, after paying his way from the United States to Argentina, he had $750 a year for his salary. In the absence of Mr. Buchanan, of course he was obliged to maintain a little better state than a man could afford to do who has to get his meals around at restaurants and coffeehouses and lodgings at an obscure lodging house, in order to preserve himself in a sufficient condition of personal decency to represent so great a Republic as the United States.

Now, we all are met here by the statement of the Senator from Maine, that if you increase one of these salaries you have to increase all of them, or ought to increase all of them, and that it is the duty of the Committee on Foreign Relations to make these recommendations. The Senator forgets that the Committee on Foreign Relations has never been charged at all with consular

business. It requires the action of two separate committees, one in regard to ministers and secretaries of legation and the other in regard to consuls and all that class of offices, to make any movement whatever in the direction of the necessary reformation of the salaries of our different consuls and secretaries of legation. Bills have been reported here from the Committee on Foreign Relations on three or four occasions, which have been studied out with very great care, to reorganize the diplomatic service, and also they took the liberty of trying to reorganize the consular service in this respect and in many other respects. Those bills have had no success in Congress at all, because the men who are filling these minor places out in the outside parts of the earth are not the sons of important or distinguished gentlemen. When you come to those places like the embassies, to which the sons of important and distinguished political gentlemen are sent, we find no difficulty in getting increases of salary.

The House seems to have this matter under its jurisdiction. The House and the Senate get upon the statute book an enactment that a secretary of a legation or a consul is to be placed at a certain legation or embassy at a certain salary, and then they regard that as a fixed statute, which can not be amended at all without a special recommendation of some committee of the Senate when it gets over here. The House, at their own pleasure, introduce these propositions from time to time, and they hold them down and we hold them down, making a uniform practice of giving favoritism to certain of our friends and our important men whose sons or friends have got the places in these different legations and consulates.

The growth of this system, Mr. President, is not only derogatory to the character of the United States, but it is defamatory to the men concerned in it. We have one standing committee—one great Committee on Appropriations. They take all the liberties they please with these bills. Whenever they find occasion to raise the salary of a consul or a secretary of legation for some special reason, they find no difficulty at all in doing it. When anybody else comes in here, they say, "If you raise the salary of one of these men, as you propose to do, everybody else's salary must be raised."

In that way there is a deadlock in legislation upon this very important subject; and I want to draw the attention of the country as well as that of the Senate to the facts. I want the country to know who is responsible for the fact that the consular service and the secretaries of legation of the United States are put in such shape by our legislation that they can not make a decent support while they are filling these places. "But," said the Senator from Missouri, "I have never yet known one to resign." Neither did the Senator ever know a Senator to resign, and yet there are Senators in this Chamber who do not attend upon the deliberations of this body one day in every twenty-five. We sit here and know it and understand it perfectly well and pair with them, and they do not come here one day in twenty-five, either to vote or to do anything else of a legislative character.

As suggested by the Senator from New Hampshire, I could farm out my seat in the Senate of the United States to a thousand men in Alabama who would discharge my duties as well as they know how for a thousand dollars a year, and do it easily enough. But that is not the practice of the Government of the United States. That is not the theory upon which men are compensated for public service. The theory we have here now and the practice is that a poor man can not hold office. We make the salaries so miserably mean, cut them down to such a degrading extent, that a man who has not resources to draw upon can not afford to represent the United States in many of these positions that are called "honorable" positions, but are only fit for starvelings or paupers.

There ought to be something done about this matter, and that is one of the complaints I have to make against this great committee of the Senate, that they will not, unless moved thereto by a consideration satisfactory to them personally, make any movement for the relief of the public service. Here is the public service in South America and in various other places, the consular service and the service of secretaries of legations, assistants to our legations abroad, degraded, cut down, and put into the hands of men who are sent there, if they go at all, usually because they have either fathers or some backing or other that will enable them to pay their expenses or a large part of their expenses while they enjoy the honor of being secretary of legation, engaged in the social elegancies of these foreign places.

A secretary of legation sent from the United States, for instance, to Buenos Ayres, which is one of the most expensive cities on the whole Western Hemisphere, is bound to perform his duties socially. That, indeed, usually is the main part of his business there. It is to keep up the reputation of the legation for elegant courtesy, for the dispensation of the elegant hospitalities and the like of that of our ministers who go abroad. An ordinary poor man can not afford to do it, and the practice of this great committee is merely a condemnation of a man who has not a father or friend to back him with money so that he shall not enter even at the lowest rung of the ladder with the view of pulling himself up.

The young gentleman I speak of was educated at Heidelberg, educated at Paris, educated in one of the universities of the United States, and he came off with distinguished honors from all of these universities. There is not so well an educated man in the Senate to-day as he is, and there ar , very few who are abler. He happens to be a man who has some little estate, which his widowed mother divides with him—not much; very little—but he has a desire to be in the service of the United States Government. He was taken as a clerk in the Department here and educated himself thoroughly in all of the clerical duties of the State Department.

When he got to a point where the State Department thought he ought to be connected with the diplomatic service, being a very competent and very able man, not merely as a translator of Spanish, French, and German, but otherwise, they suggested to him service on a legation. He did so. To get to his point at Buenos Ayres he has to sail across the Atlantic Ocean, down the coast of Africa to about one-half the length of that continent, then across to Rio Janeiro, and then down to Buenos Ayres. By the time he gets through with his journey he has occupied scarcely less than thirty days of his time, thirty days going and thirty days coming. And he could not, in the commonest possible way, unless he took steerage passage, get there for less than $500. He gets a salary of $1,500. This is simply one of these wrongs. More than that, the men who live very much nearer to the United States and who occupy similar positions get $1,800, the sum I ask for these three secretaries of legation.

Mr. President, I do not think this subject ought to be put off in this way at all. I do not think the committee have a right to ask the Senate not to consider this question because they are unwilling to come up and make some impression upon the appropriations due to these men from the Treasury of the United States. Suppose they do not like it. Suppose, in their great anxiety to save money to the Treasury of the United States, they are willing to starve an honest gentleman who is out on the service of his country. The Senate ought not to be willing to do it, and the Committee on Appropriations, inasmuch as they have got in their grasp all the powers of appropriations in this body, ought at least to show some little spirit of relaxation in cases such as that presented by the Senator from Illinois, where, obviously, there is a high duty resting upon us to do justice to an honest, upright gentleman who is working to serve his country.

I intend that the country shall understand this thing and who is responsible for it. I, as a member of the Committee on Foreign Relations, have tried time and again, by assisting others in reporting bills here, to relieve these obvious and discreditable conditions. I have tried it. You can not get any action upon those bills. Now comes the committee and challenges the Committee on Foreign Relations, and asks, "Why do you not report bills?" We do. I ask them what alarm have they got about the condition of the Treasury of the United States that they can not afford to give $900 out of the Treasury to three gentlemen down here who are representing this Government in these important positions? What sudden alarm have they got about this $900 that causes them to withdraw? Why do they shrink from the tremendous duty of voting $900 to three secretaries of legation in South America who need it, and who ask for it, when the Secretary of State comes here and supplicates us to pass these bills.

Now, I take issue with the committee. I think that this amendment, being in order, ought to be put upon the pending bill, and it is a shame and a disgrace to this country for Senators to get up here and say that they have never known a man who had one of these offices who did not want an increase of salary, and that he was willing to accept it at the time he took it. Suppose he was. Does a man never grow in office, does he never grow in experience, does he not become more and more capacitated for the service of his country as he stays longer in office? Are we to throw his services away or to starve him because at one time one committee has fixed his salary at $1,500 a year, which does not compensate him except at the ordinary rate that a hackman would get in the city where he is representing the Government of the United States? No, sir; we ought to march out of this condition. We have been locked into it here to my knowledge for twenty-two years, for I have been on this floor that long, and during all that time I have heard this very same objection made. The way to get at it is to unlock it, and let the Committee on Appropriations understand that the Senate has a right to an opinion upon these questions as well as they have. I therefore call for the yeas and nays upon the amendment.

The PRESIDING OFFICER (Mr. FAULKNER in the chair). The question is on agreeing to the amendment proposed by the Senator from Alabama [Mr. MORGAN].

Mr. HALE. I make the point of order, Mr. President.

Mr. MORGAN. I just stated, and the RECORD shows, that I offered the amendment at the instance of the Committee on Foreign Relations.

Mr. HALE. Has the Committee on Foreign Relations reported the amendment?

Mr. MORGAN. It has.

Mr. HALE. I am desirous of getting the bill through the Senate, and I will take no further time. Let the vote be taken.

The PRESIDING OFFICER. The question is on agreeing to the amendment proposed by the Senator from Alabama, on which the yeas and nays have been demanded.

Mr. HALE (to Mr. MORGAN). Withdraw the demand for the yeas and nays.

Mr. MORGAN. I withdraw it.

The PRESIDING OFFICER. The question is on agreeing to the amendment proposed by the Senator from Alabama.

Mr. PETTIGREW. I should like to hear the amendment.

The PRESIDING OFFICER. The amendment will be stated.

The SECRETARY. On page 4, line 18, it is proposed, after the word "Venezuela," to insert "and," and after the word "Peru" to insert "at $1,800 each;" so that if amended the paragraph will read:

Secretaries of legations to Argentine Republic, Venezuela, and Peru, at $1,800 each; Liberia and Korea, $1,500 each—$8,400.

The amendment was agreed to.

Mr. GALLINGER. Mr. President, as I stated a moment ago, the State Department in its estimates recommended that a salary of $2,000 should be paid to the consul at La Guaira, Venezuela. I move to amend the bill by striking out "$1,500" and inserting "$2,000."

Mr. HALE. I make the point of order against the amendment. Is the amendment reported by the Committee on Foreign Relations?

Mr. GALLINGER. It is not; but it is recommended by the head of a Department.

The PRESIDING OFFICER. The amendment will be stated.

The SECRETARY. After line 6, on page 18, it is proposed to insert:

Venezuela:
Consul at La Guaira.

Mr. HALE. I make the point of order against the amendment.

Mr. GALLINGER. I call attention to the last clause of Rule XVI, which provides:

Or unless the same be moved by direction of a standing or select committee of the Senate, or proposed in pursuance of an estimate of the head of some one of the Departments.

I wish to ask the Senator from Maine if it was not proposed——

Mr. HALE. I do not think the recommendation of the Secretary is in any way the foundation for changing law. All of these salaries are fixed by law, and the fact that the head of a Department has estimated for an increase does not, in my judgment, take it out.

Mr. GALLINGER. It seems to me the Senator from Maine can not have read this rule very carefully of late:

And no amendments shall be received to any general appropriation bill the effect of which will be to increase an appropriation already contained in the bill, or to add a new item of appropriation, unless it be made to carry out the provisions of some existing law, or treaty stipulation, or act, or resolution previously passed by the Senate during that session; or unless the same be moved by direction of a standing or select committee of the Senate, or proposed in pursuance of an estimate of the head of some one of the Departments.

I think a point of order will not lie in this case.

The PRESIDING OFFICER. The Chair is of the opinion that the point of order is not well taken. The question is on agreeing to the amendment proposed by the Senator from New Hampshire.

Mr. HALE. I am told that it is not estimated for.

The PRESIDING OFFICER. If it is not estimated for——

Mr. GALLINGER. Of course, if the Senator from Maine says it is not estimated for—my information is that it is——

Mr. HALE. My information is from the Clerk. He has the list. [A pause.] I am wrong; it is estimated for.

The PRESIDING OFFICER. The question is on agreeing to the amendment proposed by the Senator from New Hampshire.

The amendment was agreed to.

Mr. DAVIS. I offer an amendment reported from the Committee on Commerce.

The SECRETARY. On page 21, line 25, it is proposed to strike out the word "one" and insert "three," and in the same line to strike out the word "six" and insert "two;" so that it will read:

Paris, $3,200.

Mr. HALE. Is this recommended by a committee?

Mr. DAVIS. By the Committee on Commerce.

Mr. HALE. Was it reported from that committee?

Mr. DAVIS. It was reported from that committee.

Mr. CULLOM. Is it estimated for?

Mr. GALLINGER. It does not require both.

The PRESIDING OFFICER. The question is on agreeing to the amendment proposed by the Senator from Minnesota.

The amendment was agreed to.

Mr. CULLOM. I ask the Secretary to turn to the Collingwood agency. I desire to offer an amendment to that paragraph, wherever it may be found in the bill—I have not the bill before me—so that the consul there may be allowed a salary of $2,000, instead of being paid as he is.

Mr. HALE. I suggest to the Senator that he put it in on page 16. In line 24, after the word "Chatham," insert "Collingwood." That would be the formal amendment. I am not in favor of the amendment.

Mr. CULLOM. I hope there will be no opposition to this amendment, in view of the turn affairs have taken. I believe there is no action which can be taken with reference to salaries more meritorious than this.

The PRESIDING OFFICER. The amendment will be stated.

The SECRETARY. It is proposed, on page 16, line 24, after the word "Chatham," to insert the word "Collingwood."

Mr. CULLOM. That is in the $2,000 list.

The PRESIDING OFFICER. Should "Collingwood" be stricken out anywhere else?

Mr. CULLOM. That will be taken care of if the amendment is adopted.

The PRESIDING OFFICER. The question is on agreeing to the amendment proposed by the Senator from Illinois.

The amendment was agreed to.

Mr. PLATT of Connecticut. I move an amendment by striking out "Naples," in line 11, page 19, and inserting, after line 13, on page 15, the words:

Italy:
Consul at Naples.

Mr. HALE. I make the point of order that the amendment is not in order unless it is estimated for or reported from a committee.

Mr. PLATT of Connecticut. A one-thousand-dollar increase is estimated for in the Book of Estimates.

The PRESIDING OFFICER. The amendment will be stated.

The SECRETARY. After line 21, on page 15, it is proposed to insert:

Italy:
Consul at Naples.

And strike out the word "Naples" in line 11, on page 19.

The PRESIDING OFFICER. The Chair understands that the increase is estimated for.

Mr. PLATT of Connecticut. It is estimated for at $1,000 additional to what it is now. In the bill it is put the same that it is now. Transferring it makes it $1,000 more than it is. It is estimated for by the Secretary of State in the Book of Estimates.

The PRESIDING OFFICER. The question is on agreeing to the amendment proposed by the Senator from Connecticut.

The amendment was agreed to.

Mr. GALLINGER. The consul at Pernambuco, Brazil, is estimated at $2,500, and the bill allows him $2,000. I move to transfer Pernambuco from the $2,000 list to the $2,500 list.

The PRESIDING OFFICER. The amendment will be stated.

The SECRETARY. On page 16, line 12, it is proposed to strike out "consuls" and insert "consul;" after "Bahia" to insert "and;" after "Para" to strike out "and Pernambuco;" on page 15, line 6, to strike out "consul" and insert "consuls," and after "Santos" to insert "and Pernambuco."

The PRESIDING OFFICER. The question is on agreeing to the amendment proposed by the Senator from New Hampshire.

The amendment was agreed to.

Mr. HALE. I ask unanimous consent that the Secretary be authorized to correct the footings of the clauses in which changes of appropriation have been made.

The PRESIDING OFFICER. That order will be made, in the absence of objection.

The bill was reported to the Senate as amended, and the amendments were concurred in.

The amendments were ordered to be engrossed and the bill to be read a third time.

The bill was read the third time, and passed.

CAPT. ROBERT W. DOWDY.

Mr. BACON. Mr. President——

Mr. TURLEY. Will the Senator from Georgia yield to me for a moment?

Mr. BACON. Certainly.

Mr. TURLEY. I ask unanimous consent for the present consideration of the bill (H. R. 11036) to restore Capt. Robert W. Dowdy to the active list of the Army. It is a short bill, containing only a few lines.

There being no objection, the Senate, as in Committee of the Whole, proceeded to consider the bill, which had been reported from the Committee on Military Affairs with an amendment, in line 3, after the word "authorized," to strike out the words "and directed;" so as to make the bill read:

Be it enacted, etc., That the President be, and he is hereby, authorized to restore Robert W. Dowdy to the active list of the Army of the United States, with the same rank and relative position he would hold if he had not been retired.

The amendment was agreed to.

The bill was reported to the Senate as amended, and the amendment was concurred in.

The amendment was ordered to be engrossed and the bill to be read a third time.

The bill was read the third time, and passed.

POLICY REGARDING THE PHILIPPINE ISLANDS.

Mr. BACON. I move that the Senate take up for consideration and action at such time as it may determine, the joint resolution S. R. 211.

The PRESIDING OFFICER. The Senator from Georgia moves that the Senate proceed to the consideration of a joint resolution, which will be read by title.

The SECRETARY. A joint resolution (S. R. 211) relative to the acquisition of foreign territory.

Mr. CULLOM. I desire to inquire whether if that joint resolution is taken up by the action of the Senate it displaces the regular order at 2 o'clock, which is the anti-scalping bill?

The PRESIDING OFFICER. The Chair will inform the Senator from Illinois that it does not.

Mr. PLATT of Connecticut. I desire to inquire whether the taking up of the joint resolution under the motion of the Senator from Georgia makes it in order to-morrow morning during the morning hour.

The PRESIDING OFFICER. It does not. It will not be in order to-morrow, unless it is taken up by a motion or by unanimous consent.

Mr. BACON. Mr. President, I desire to have the joint resolution taken up, in order that the Senate may give some direction as to the time when it may be disposed of. I desire to submit to Senators that when we agreed to take a vote on the treaty at a certain time, which is a public matter, we certainly understood that we should have a reasonable opportunity for a vote of the Senate upon matters which pertain to that proceeding on the part of the Senate. I think it is nothing but fair, in view of the situation, that the Senate should determine when it will vote upon the joint resolution, and that is the object I have in now calling it up. I do not desire to occupy the time of the Senate in any remarks upon the resolutions, and, so far as I know, I shall not do so unless something is said by those who oppose the resolutions which may require some reply.

Mr. FORAKER. I inquire of the Senator from Georgia if there was not a time fixed yesterday for voting upon the resolution introduced by the Senator from Illinois [Mr. MASON].

Mr. BACON. No, sir.

Mr. FORAKER. I was absent from the Chamber, but I understood a time had been fixed for a vote upon that resolution.

Mr. BACON. No time whatever has been fixed. The Senator from Illinois gave notice that he would call up the resolution for the purpose of having some time fixed.

Mr. President, I simply state to Senators that that is the object which I have. Of course the time that we now have is very limited. I should like to have the Senate take up the resolutions for such disposition as the Senate may then determine upon.

Mr. PLATT of Connecticut. The Senate is very thin at this hour and the Senator from Georgia ought not to ask in so thin a Senate that a time shall be fixed for voting upon this joint resolution. The resolution is but one of four resolutions which have been introduced looking to the same or a similar object, that is to say, the declaration of some policy by the Senate as to how newly acquired territory shall be governed. But these four resolutions are all distinct and different in the method proposed for dealing with such territory. The Senator from Georgia now asks to have his resolution taken up and a time fixed for a vote on all four resolutions, I understand.

Mr. BACON. No, sir.

Mr. PLATT of Connecticut. Though he makes no request——

Mr. BACON. No.

Mr. PLATT of Connecticut. He said there ought to be a time fixed for voting on these resolutions. That is what the Senator said.

Mr. BACON. I am speaking of the joint resolution which I introduced.

Mr. TILLMAN. Mr. President——

The PRESIDING OFFICER. Does the Senator from Connecticut yield to the Senator from South Carolina.

Mr. PLATT of Connecticut. I must, I suppose. I had just commenced what I wanted to say.

Mr. TILLMAN. I simply rose to ask if the motion to take up the joint resolution is debatable.

The PRESIDING OFFICER. The Chair would rule that it is not debatable.

Mr. HOAR. Let us get the joint resolution up, then.

Mr. PLATT of Connecticut. I supposed that the joint resolution was before the Senate.

The PRESIDING OFFICER. No, it is not.

Mr. HOAR. I hope we shall have unanimous consent to take it up. The Chair has already stated that if it is taken up by unanimous consent it will operate for only ten minutes.

Mr. PLATT of Connecticut. There is no objection.

Mr. HOAR. No harm will be done, and the Senator from Connecticut will then proceed in order.

The PRESIDING OFFICER. The Senator from Massachusetts asks unanimous consent that the joint resolution be read and laid before the Senate. Is there objection?

Mr. NELSON. I object.

The PRESIDING OFFICER. The Chair hears no objection, and the joint resolution is before the Senate.

Mr. TILLMAN. I was just going to remark before the Chair made that statement that if the joint resolution is taken up I want to ask the Chair whether, if it is taken up by unanimous consent, it does not by the rule go to the foot of the Calendar at 2 o'clock?

Mr. PLATT of Connecticut. The joint resolution is on the Calendar now, I understand.

Mr. TILLMAN. It is on the table now.

The PRESIDING OFFICER. The joint resolution is now on the table, and at 2 o'clock it would, under the rules of the Senate, go to the regular Calendar.

Mr. HOAR. I rise to a parliamentary inquiry. I think my friend from Minnesota [Mr. NELSON] does not understand what the Chair has already said. If there be unanimous consent to take the joint resolution up, will not the only practical effect be to make the remarks of the Senator from Connecticut in order and will not the joint resolution go back to the table at 2 o'clock, in ten minutes?

Mr. PLATT of Connecticut. That course could be agreed to, at any rate.

The PRESIDING OFFICER. The Chair would hold that if the unanimous-consent agreement included the putting of the joint resolution back on the table at 2 o'clock, it could be done by unanimous consent; but otherwise at 2 o'clock the joint resolution would go to the Calendar.

Mr. HOAR. Very well.

Mr. PLATT of Connecticut. There is no objection to that course, I think.

The PRESIDING OFFICER. Is there objection to the request as modified, that the joint resolution be now taken up and that at the hour of 2 o'clock it lie on the table? The Chair hears none, and it is so ordered. The Senator from Connecticut will proceed.

Mr. PLATT of Connecticut. Mr. President, I will then proceed very briefly, as I must, with what I have to say.

I have no objection to voting upon any or all these resolutions when a fair time can have been given for their discussion. I have very decided convictions that we ought not to pass them at all while the treaty, which has been made public and which I may therefore speak of, is pending in the Senate.

I do not, however, desire to elaborate at this time my views upon that subject, but simply to say that I protest against the pressure of these resolutions upon the Senate for a vote without ample time being given for their discussion. I had the honor at an early period in the session to make some remarks upon the joint resolution introduced by the Senator from Missouri [Mr. VEST] relating to the right of the Government to acquire, hold, and govern territory. I felt embarrassed at that time by the fact that no treaty had been made public; that a treaty was to be considered in secret session; and that it was not proper for me at that time to discuss the question as to how territory which we might acquire should be dealt with. I have had no opportunity for that discussion. I agree that the debate in the Senate has run into a discussion of that question; but before any resolutions are acted upon defining the future policy of this Government with reference to territory acquired in the near or remote future I want an opportunity for a full and fair discussion. That is all I desire to say on the subject this morning.

Mr. MASON. Mr. President, I judge, from the statement made by the distinguished Senator from Connecticut, that he desires to be heard upon either the resolution which I offered or some of the kindred resolutions before the vote upon the treaty is had. I want to suggest to him that those people who have any doubt about the propriety of all the terms of the treaty have given unanimous consent to have that vote taken one week from Monday, and there is still all of next week in which he can be heard.

I simply do not want to be put in a position where it may be said that I have crowded a vote upon my resolution, which was introduced before the treaty was reported, and which has been pending, and upon notice which I gave. In order that there may be no misunderstanding, I will state that before the agreement was made to vote upon the treaty I gave notice that I should ask for a vote upon that resolution.

Mr. BACON. Mr. President, it is evident that nothing can be done in the short interval between now and 2 o'clock, and therefore I will not ask for the further consideration of the joint resolution.

Mr. PLATT of Connecticut. The joint resolution goes to the table the same as before it was taken up.

Mr. BACON. Yes; just the same as if it had not been called up.

TICKET BROKERAGE.

The PRESIDING OFFICER. The hour of 2 o'clock having arrived, the Chair lays before the Senate the unfinished business, which will be stated.

The SECRETARY. A bill (S. 1575) to amend an act entitled "An act to regulate commerce."

The PRESIDING OFFICER. Under the unanimous agreement of the Senate the Senate will take a recess until half past 3 o'clock.

RECESS.

The Senate (at 2 p. m.) took a recess until 3.30 p. m., at which time it reassembled.

EXECUTIVE SESSION.

Mr. DAVIS. I move that the Senate proceed to the consideration of executive business.

The motion was agreed to; and the Senate proceeded to the consideration of executive business. After one hour and thirty-five minutes spent in executive session the doors were reopened.

DISTRIBUTION OF APPROPRIATION BILLS.

Mr. ALDRICH called up the following amendment to the standing rules of the Senate, reported by him yesterday from the Committee on Rules; and it was considered by unanimous consent, and agreed to:

Amend the first section of Rule XVI of the standing rules of the Senate so as to read as follows, this amendment to take effect at the beginning of the Fifty-sixth Congress:

"All general appropriation bills shall be referred to the Committee on Appropriations, except the following bills, which shall be severally referred as herein indicated, namely: The bill making appropriations for rivers and harbors, to the Committee on Commerce; the Agricultural bill, to the Committee on Agriculture and Forestry; the Army and the Military Academy bills, to the Committee on Military Affairs; the Indian bill, to the Committee on Indian Affairs; the naval bill, to the Committee on Naval Affairs; the pension bill, to the Committee on Pensions; the Post-Office bill, to the Committee on Post-Offices and Post-Roads; and no amendments shall be received to any general appropriation bill the effect of which will be to increase an appropriation already contained in the bill, or to add a new item of appropriation, unless it be made to carry out the provisions of some existing law, or treaty stipulation, or act or resolution previously passed by the Senate during that session; or unless the same be moved by direction of a standing or select committee of the Senate, or proposed in pursuance of an estimate of the head of some one of the Departments.

DANIEL STRAW.

Mr. GALLINGER. I ask the Senate to proceed to the consideration of the bill (H. R. 2274) to remove the charge of desertion from the military record of Daniel Straw, late private, Company F, Twenty-sixth Massachusetts Volunteers.

There being no objection, the bill was considered as in Committee of the Whole.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

NATIONAL CELEBRATION IN 1900.

Mr. HOAR. I am directed by the Select Committee on the Anniversary of the Foundation of the City of Washington, D. C., to report a bill and to ask for its present consideration.

The bill (S. 5391) to provide for an appropriate national celebration of the establishment of the seat of government in the District of Columbia was read the first time by its title and the second time at length, as follows:

Be it enacted, etc., The President is authorized to appoint a committee from the country at large, of such number as he shall think proper, to act with any committees that may be appointed by the two Houses of Congress or either of them, and with any committee that may be appointed from the citizens of the District of Columbia, who may prepare plans for an appropriate national celebration, in the year 1900, of the first session of Congress in the District and the establishment of the seat of Government therein. Said committee shall report their proceedings to the President, to be by him communicated to Congress.

SEC. 2. The actual expenses of the members of said committee shall be paid by the Secretary of the Treasury on vouchers to be approved by the Secretary of the Interior.

SEC. 3. The sum of $10,000, or so much thereof as may be necessary, is hereby appropriated, from any money in the Treasury not otherwise appropriated, to carry into effect the second section of this act.

By unanimous consent, the Senate, as in Committee of the Whole, proceeded to consider the bill.

Mr. PETTUS. In section 2, line 2, after the word "committee," I move to insert "so appointed by the President."

The amendment was agreed to.

The bill was reported to the Senate as amended, and the amendment was concurred in.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

HEALTH OF SOLDIERS IN PHILIPPINE ISLANDS.

Mr. MASON. I ask unanimous consent for the present consideration of the resolution which I send to the desk.

The PRESIDING OFFICER (Mr. CHANDLER in the chair). The Senator from Illinois asks unanimous consent for the present consideration of the resolution presented by him, which will be read for the information of the Senate.

The Secretary read the resolution, as follows:

Whereas a large number of the sailors and soldiers of the United States are now in the Philippine Islands, or on their way there; and

Whereas there are differing newspaper reports as to the condition of the health of the soldiers and sailors; and

Whereas it is reported by the press that a large percentage of those who are made sick by reason of the climate of said islands; and

Whereas it is stated upon good medical authority that during the late years as high as 50 per cent of the soldiers unaccustomed to that climate have died by reason of the said climate: Therefore, be it

Resolved, That the Surgeon-General of the Army be requested to furnish for the information of the Senate a statement as to the percentage of our soldiers who are sick and have been sick, and the number of deaths in our Army by reason of the sickness caused by the climate, and to set forth when, according to the generally accepted term, the sickly season begins in the said islands.

And further, That he will give to the Senate the benefit of his opinion as to the number of deaths that will occur in our Army before the end of the next sickly season, his opinion to be based upon his experience and the information within his possession.

The PRESIDING OFFICER. Is there objection to the present consideration of the resolution?

Mr. GALLINGER. I do not think I shall object to the consideration of the resolution, yet it strikes me that it will not be very valuable information when the Surgeon-General of the Army guesses how many soldiers are going to die during the sick season in the Philippine Islands or in any other part of the known world. I think the Senator might, with propriety, leave out that paragraph of the resolution. I think the resolution will be stronger if he leaves that portion out; but still I have no objection to the present consideration of the resolution.

Mr. MASON. If the Senator has no objection, I should like to have the resolution considered and passed.

The PRESIDING OFFICER. Is there objection to the present consideration of the resolution?

Mr. ALDRICH. I ask that the resolution be again read.

The PRESIDING OFFICER. The resolution will be again read.

The Secretary again read the resolution.

Mr. ALDRICH. I think that resolution had better go to the Committee on Military Affairs. I do not like to ask the Surgeon-General his opinion as to how many deaths are likely to occur in the next year.

Mr. MASON. Then I will amend the resolution; and if the Senator is in good faith, he will not object to it after I amend it.

Mr. ALDRICH. Very well.

The PRESIDING OFFICER. Does the Senator from Illinois desire to modify the resolution before the Chair asks if there is objection to its present consideration?

Mr. MASON. I should like to first know whether there is objection to its consideration.

The PRESIDING OFFICER. The Senator from Illinois desires to know whether there is objection to the consideration of the resolution before he modifies it, as the Chair understands.

Mr. ALDRICH. I do not object to asking the Surgeon-General for any facts which may be in his possession, but I do object to asking him his opinion as to what will happen in the future in the Philippine Islands or anywhere else. That would be a mere matter of speculation.

The PRESIDING OFFICER. Is there objection to the present consideration of the resolution as it is proposed to be modified?

Mr. TELLER. How is it proposed to be modified?

Mr. ALDRICH. Let the resolution be read for information as it is proposed to be modified.

Mr. MASON. As I understand, there is objection to the consideration of the resolution as it stands, and so I will let it lie upon the table if there is objection to it in its present form, and I will draw another resolution. I understand it takes unanimous consent to have the resolution considered now. I am very anxious to get information on this subject. I have seen different reports as to the situation there, some saying that it is a very healthy climate. I should like to know for my own information not only the cost in money of the war we are to make against the Filipinos, but the cost in life, and I do not know of any better way than to ask the Surgeon-General when the sickly season begins, and what, based upon experience, history, and everything else within his knowledge, is his opinion on this matter. I am told that 55 per cent of the Spanish soldiers died who had never participated in an engagement.

Mr. HOAR. May I make a suggestion?

Mr. MASON. Yes; I shall be very thankful.

Mr. HOAR. I do not think there has ever been an instance known to any Senator in the body in which a request has been directed to any Department of the Government except to the President himself. In all other cases there are directions given.

The PRESIDING OFFICER. The resolution is not yet before the Senate.

Mr. HOAR. I am speaking by unanimous consent, as I am aware that the resolution has not been taken up.

The PRESIDING OFFICER. The Chair supposed the Senator was through.

Mr. HOAR. I desire to say one word more.

A direction is always given to the head of a Department, who commands his subordinates. So in this case the Secretary of War, it seems to me, should be directed to furnish this information and to furnish the opinion of the Surgeon-General, if that is desired.

Mr. MASON. Very well.

Mr. HOAR. The Senator will see that to have subordinate officers, however eminent, as they are in this case, giving their own opinions to Congress might involve a conflict between them and the head of their own Department in their recommendations.

Mr. MASON. I understand there is objection to the present consideration of the resolution.

Mr. HAWLEY. I object to the consideration of the resolution now. It ought to be revised.

The PRESIDING OFFICER. The Senator from Connecticut will suspend a moment. The Chair understood the mover of the resolution to say that he himself desired that it should go over.

Mr. MASON. Yes; that is to say, it goes over under objection. I simply give notice that I shall introduce another resolution that may go the usual course, to the deadhouse, known as a committee.

The PRESIDING OFFICER. Is there objection to the present consideration of the resolution?

Mr. HAWLEY. There is. I object.

The PRESIDING OFFICER. Objection being made, the resolution goes over.

USE OF VOTING MACHINES.

Mr. SPOONER. I ask unanimous consent for the present consideration of Senate bill 5088.

Mr. COCKRELL. I think it is nearly time to adjourn.

Mr. SPOONER. I hope the Senator will not object. The bill to which I refer is a short one, reported from the Committee on Privileges and Elections.

Mr. COCKRELL. What is it?

Mr. SPOONER. It simply has this effect: It authorizes the States, if they see fit to do so, to use a voting machine in the election of members of Congress.

Mr. COCKRELL. All right.

The PRESIDING OFFICER. The Senator from Wisconsin asks unanimous consent for the present consideration of a bill the title of which will be stated.

The SECRETARY. A bill (S. 5088) to amend section 27, chapter 2, of the laws of 1871 (amended 1872), entitled "Apportionment and election of Representatives."

The PRESIDING OFFICER. Is there objection to the present consideration of the bill?

There being no objection, the Senate, as in Committee of the Whole, proceeded to consider the bill, which had been reported from the Committee on Privileges and Elections with amendments, on page 1, line 3, after the word "twenty-seven," to strike out:

Chapter 2 (Title II—The Congress) of the laws of 1871 (amended 1872), relating to the apportionment and election of Representatives, being section 27, chapter 2.

In line 8, after the date "1878," to strike out "page 5;" in line 9, after the word "amended," to insert "so as;" in line 2, before the word "law," to insert "the State," and in line 4, after the word "effect," to strike out:

But this section shall not apply to any State voting otherwise whose election for Representatives occurs previous to the regular meeting of its legislature next after the 28th day of February, 1871.

Mr. HOAR. Is the phrase which the Secretary read, "but this section shall not apply to any State voting otherwise," etc., still in the bill?

The PRESIDING OFFICER. The Secretary will read the bill as proposed to be amended.

The SECRETARY. The bill, if amended as proposed, will read as follows:

Be it enacted, etc., That section 27 of the Revised Statutes of the United States of 1878 be amended so as to read as follows:

"All votes for Representatives in Congress must be by written or printed ballot, or voting machine the use of which has been duly authorized by the State law; and all votes received or recorded contrary to this section shall be of no effect."

Mr. HAWLEY. With reference to the phrase "All votes for Representatives in Congress must be by written or printed ballot," I wish to ask, is there anybody who votes nowadays viva voce for members of Congress in great popular elections?

Mr. SPOONER. The Senator must remember that that is simply the law as it stands now and as it has stood for a great many years. The only change made by this bill in the existing law is this. The law reads now:

All votes for Representatives in Congress must be by written or printed ballot.

We insert the words "or voting machine the use of which has been duly authorized by the State law." That is the only change which is made. It leaves the matter to the States.

The PRESIDING OFFICER. The question is on agreeing to the amendments reported by the Committee on Privileges and Elections, which have been read.

The amendments were agreed to.

The bill was reported to the Senate as amended, and the amendments were concurred in.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

The title was amended so as to read: "A bill to amend section 27 of the Revised Statutes, relative to the apportionment and election of Representatives."

MARY L. RODERICK.

Mr. HAWLEY. I move that the Senate adjourn.

Mr. GALLINGER. I appeal to the Senator from Connecticut to withdraw the motion. There are some Senate bills on the table, with minor amendments made by the House of Representatives, which I should like very much to have acted on. They will take but a few minutes at most.

Mr. COCKRELL. They are pension bills.

Mr. HAWLEY. I withdraw my motion.

Mr. GALLINGER. I ask that the bills which are on the table may be laid before the Senate.

The PRESIDING OFFICER laid before the Senate the amendment of the House of Representatives to the bill (S. 285) granting a pension to Mary L. Roderick, which was, in line 8, after the word "twelve," to insert "and pay her a pension at the rate of $12 per month."

Mr. COCKRELL. I move that the bill be indefinitely postponed. The person proposed to be pensioned by it has died since the passage of the bill through the Senate and since it went to the House of Representatives. That is my information, and I do not think that I am mistaken. The applicant was quite an old lady. When the bill passed the Senate I sent her copies of it and of the report, together with a memorandum that it had passed the Senate. My letter was returned to me marked "deceased." I then sent another to a friend who had been doing the correspondence with me, and it was returned in the same way, and I have heard nothing further. Therefore I do not think the bill ought to be allowed to pass.

The PRESIDING OFFICER. The question is on the motion of the Senator from Missouri, that the bill be indefinitely postponed.

The motion was agreed to.

GEORGE W. GOULD.

The PRESIDING OFFICER laid before the Senate the amendment of the House of Representatives to the bill (S. 4422) granting an increase of pension to George W. Gould, which was, in line 6, to strike out the word "First" and insert "Ninth."

Mr. GALLINGER. I move that the Senate agree to the amendment made by the House of Representatives.

The motion was agreed to.

WILLIAM RUSSELL.

The PRESIDING OFFICER laid before the Senate the amendments of the House of Representatives to the bill (S. 3002) to pension William Russell for services in Oregon Indian wars, which were, in line 5, after the initial "H," to insert "Second;" and in line 8, to strike out "in August, 1856."

Mr. GALLINGER. I move that the Senate concur in the amendments of the House of Representatives.

The motion was agreed to.

BYRON R. PIERCE.

The PRESIDING OFFICER laid before the Senate the amendment of the House of Representatives to the bill (S. 2002) granting an increase of pension to Byron R. Pierce, which was, in line 8, to strike out "fifty" and insert "thirty."

Mr. GALLINGER. I move concurrence in the amendment of the House of Representatives.

The motion was agreed to.

JOHN GREEN.

The PRESIDING OFFICER laid before the Senate the amendment of the House of Representatives to the bill (S. 1183) for the relief of John Green, which was to amend the title so as to read: "An act granting a pension to John Green."

Mr. GALLINGER. I move that the Senate concur in the amendment of the House of Representatives.

The motion was agreed to.

EVA W. BRANNAN.

The PRESIDING OFFICER laid before the Senate the amendments of the House of Representatives to the bill (S. 717) granting an increase of pension to Eva W. Brannan, which were, in line 6, to strike out "Major-General" and insert "Brigadier-General;" and in line 7, to strike out "Army" and insert "Volunteers."

Mr. GALLINGER. I move that the Senate concur in the amendments of the House of Representatives.

The motion was agreed to.

CHARLOTTE POE.

The PRESIDING OFFICER laid before the Senate the amendment of the House of Representatives to the bill (S. 290) granting a pension to Charlotte Poe, which was, in line 8, after the word "twelve," to insert "and pay her a pension at the rate of $12 per month."

Mr. GALLINGER. I move concurrence in the amendment of the House of Representatives.

The motion was agreed to.

HENRY FARMER.

The PRESIDING OFFICER laid before the Senate the amendment of the House of Representatives to the bill (S. 304) granting a pension to Henry Farmer, which was, in line 8, after the word "war," to insert "and pay him a pension at the rate of $8 per month."

Mr. GALLINGER. I move that the Senate concur in the amendment of the House of Representatives.

Mr. COCKRELL. Is that the rate allowed in such cases?

Mr. GALLINGER. That is the legal rate for the class of pensioners to which the applicant belongs.

Mr. COCKRELL. Very well.

The PRESIDING OFFICER. The question is on the motion of the Senator from New Hampshire [Mr. GALLINGER] to concur in the amendment of the House of Representatives.

The motion was agreed to.

Mr. GALLINGER. I move that the Senate adjourn.

The motion was agreed to; and (at 5 o'clock and 24 minutes p. m.) the Senate adjourned until Monday, January 30, 1899, at 12 o'clock meridian.

NOMINATIONS.

Executive nominations received by the Senate January 28, 1899.

UNITED STATES DISTRICT JUDGE.

William C. Hook, of Kansas, to be United States district judge for the district of Kansas, vice Cassius G. Foster, resigned.

UNITED STATES ATTORNEY.

Marcus C. McLemore, of Texas, to be attorney of the United States for the eastern district of Texas, vice Sinclair Taliaferro, whose term will expire February 13, 1899.

CONSUL.

William T. Fee, of Ohio, now consul at Cienfuegos, to be consul of the United States at Bombay, India, vice Hans J. Smith, declined.

COMMERCIAL AGENT.

James H. Worman, of New York, now commercial agent at Cognac, to be consul of the United States at Munich, Bavaria, vice George G. Pierie, resigned.

COLLECTOR OF CUSTOMS.

George R. Whitaker, of New Jersey, to be collector of customs for the district of Burlington, in the State of New Jersey, to succeed John A. Wilson, whose term of office has expired by limitation.

CONFIRMATIONS.

Executive nominations confirmed by the Senate January 28, 1899.

COLLECTOR OF CUSTOMS.

Nelson E. Nelson, of North Dakota, to be collector of customs for the district of North and South Dakota, in the States of North Dakota and South Dakota.

POSTMASTERS.

G. A. Albrecht, to be postmaster at Plymouth, in the county of Sheboygan and State of Wisconsin.

Charles D. Hellen, to be postmaster at Webster City, in the county of Hamilton and State of Iowa.

Hervey L. Coe, to be postmaster at Port Washington, in the county of Ozaukee and State of Wisconsin.

Morris F. Barteau, to be postmaster at Appleton, in the county of Outagamie and State of Wisconsin.

Bernhard Beck, to be postmaster at Horicon, in the county of Dodge and State of Wisconsin.

William H. Landolt, to be postmaster at Wauwatosa, in the county of Milwaukee and State of Wisconsin.

Thomas Hill, to be postmaster at Spring Green, in the county of Sauk and State of Wisconsin.

Francis R. Dittmer, to be postmaster at Seymour, in the county of Outagamie and State of Wisconsin.

William W. Wren, to be postmaster at Boyertown, in the county of Berks and State of Pennsylvania.

Clement C. Williams, to be postmaster at Iron River, in the county of Bayfield and State of Wisconsin.

James W. Meiklejohn, to be postmaster at Waupun, in the county of Fond du Lac and State of Wisconsin.

Anna H. Griscom, to be postmaster at Jenkintown, in the county of Montgomery and State of Pennsylvania.

John G. McCamant, to be postmaster at Tyrone, in the county of Blair and State of Pennsylvania.

Abel H. Byers, to be postmaster at Hamburg, in the county of Berks and State of Pennsylvania.

John L. Chapman, to be postmaster at Lewiston, in the county of Nez Perces and State of Idaho.

Merle D. Vincent, to be postmaster at Goldfield, in the county of El Paso and State of Colorado.

Benjamin B. Ogden, to be postmaster at Keyport, in the county of Monmouth and State of New Jersey.

Michael F. Myers, to be postmaster at Davis, in the Chickasaw Nation, Ind. T.

David C. Blossom, to be postmaster at Atoka, in the Choctaw Nation, Ind. T.

Sophia Davis, to be postmaster at Caldwell, in the county of Canyon and State of Idaho.

James E. Cook, to be postmaster at Manasquan, in the county of Monmouth and State of New Jersey.

Arthur W. Macpherson, to be postmaster at Wadsworth, in the county of Washoe and State of Nevada.

T. L. Crane, to be postmaster at Lees Summit, in the county of Jackson and State of Missouri.

Alfred G. Boshart, to be postmaster at Lowville, in the county of Lewis and State of New York.

Aaron P. Kachline, to be postmaster at Frenchtown, in the county of Hunterdon and State of New Jersey.

John E. Fennell, to be postmaster at Morristown, in the county of Morris and State of New Jersey.

Henry M. Haviland, to be postmaster at Jamaica, in the county of Queens and State of New York.

Charles W. Hatch, to be postmaster at Lockport, in the county of Niagara and State of New York.

John K. Grant, to be postmaster at Stamford, in the county of Delaware and State of New York.

Lewis B. Jewell, to be postmaster at Ovid, in the county of Seneca and State of New York.

Robert Hunter, to be postmaster at Depew, in the county of Erie and State of New York.

John J. Hodge, to be postmaster at Oneida, in the county of Madison and State of New York.

Henry J. Pinneo, to be postmaster at Prattsburg, in the county of Steuben and State of New York.

Charles S. Munger, to be postmaster at Herkimer, in the county of Herkimer and State of New York.

George G. McAdam, to be postmaster at Rome, in the county of Oneida and State of New York.

Oliver S. Applegate, to be postmaster at Antwerp, in the county of Paulding and State of Ohio.

James A. Wilson, to be postmaster at Sacket Harbor, in the county of Jefferson and State of New York.

W. Scott Siver, to be postmaster at Chittenango, in the county of Madison and State of New York.

Albert Munson, to be postmaster at Medina, in the county of Medina and State of Ohio.

Joseph G. Gest, to be postmaster at Washington Court House, in the county of Fayette and State of Ohio.

John A. Birkimer, to be postmaster at New Lexington, in the county of Perry and State of Ohio.

Franklin A. Barkley, to be postmaster at Lincolnton, in the county of Lincoln and State of North Carolina.

Lloyd Du Bois, to be postmaster at Vancouver, in the county of Clarke and State of Washington.

Daniel Perry, to be postmaster at Plain City, in the county of Madison and State of Ohio.

Albert F. Huggins, to be postmaster at Shelbina, in the county of Shelby and State of Missouri.

L. Downer Hazen, to be postmaster at St. Johnsbury, in the county of Caledonia and State of Vermont.

Ella C. Peace, to be postmaster at Oxford, in the county of Granville and State of North Carolina.

HOUSE OF REPRESENTATIVES.

SATURDAY, *January 28, 1899.*

The House met at 12 o'clock m. Prayer by the Chaplain, Rev. HENRY N. COUDEN.

The Journal of the proceedings of yesterday was read and approved.

SUITS AGAINST HEADS OF DEPARTMENTS.

Mr. CONNOLLY. Mr. Speaker, I present a conference report on the bill (H. R. 6901) to prevent the abatement of certain actions.

The Clerk read as follows:

The committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H. R. 6901) to prevent the abatement of certain actions, having met, after full and free conference have

agreed to recommend and do recommend to their respective Houses as follows:

The House recede from its nonconcurrence with the Senate amendments, and concur therein with an amendment as follows: Strike out all the text of said amendment and substitute as follows:

"That no suit, action, or other proceeding, lawfully commenced by or against the head of any Department or bureau or other officer of the United States, in his official capacity or in relation to the discharge of his official duties, shall abate by reason of his death, or the expiration of his term of office, or his retirement or resignation or removal from office; but, in such event, the court, on motion or supplemental petition filed, at any time within twelve months thereafter, showing a necessity for the survival thereof to obtain a settlement of the questions involved, may allow the same to be maintained by or against his successor in office, and the court may make such order as shall be equitable for the payment of costs."

And the Senate agree to the same.

JAMES A. CONNOLLY,
D. S. ALEXANDER,
WM. ELLIOTT,
Managers on the part of the House.

GEORGE F. HOAR,
JOHN C. SPOONER
E. W. PETTUS,
Managers on the part of the Senate.

The conference report was agreed to.

APPOINTMENT OF CADET TO WEST POINT FROM VENEZUELA.

Mr. HULL. Mr. Speaker, I have a resolution transmitted by the State Department to comply with the request of the Venezuelan Government to appoint a cadet from that Government to West Point without expense to the United States. The reading of the papers will make it perfectly clear to members. It is to grant the usual permission to the Venezuelan Government to appoint a cadet from that country to West Point, a courtesy that has always been extended to South American Republics when asked of this Government.

The Clerk read as follows:

Joint resolution granting authority to the Republic of Venezuela to send a cadet to West Point Military Academy.

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of War be, and he is hereby, authorized to permit Andrés Ponte-Ruego, of Venezuela, to receive instruction at the Military Academy, at West Point: *Provided*, That no expense shall be caused to the United States thereby: *And provided further*, That in the case of the said Ponte-Ruego the provisions of sections 1320 and 1321 of the Revised Statutes shall be suspended.

[Translation.]

LEGATION OF THE UNITED STATES OF VENEZUELA,
Washington, D. C., January 11, 1899.

SIR: The President of Venezuela has instructed me to solicit from the Government of the United States the position of student at the Military Academy of West Point for a young Venezuelan, Andrés Ponte-Ruego. I beg your excellency to have the kindness to give this request the usual course in such cases, and to favor it, if possible, by your valuable recommendation.

Accept, excellency, in advance my sincere thanks and the renewed assurance of my most distinguished consideration.

JOSÉ ANDRADE.

His Excellency JOHN HAY, etc.

WAR DEPARTMENT, *Washington, January 20, 1899.*

SIR: I have the honor to acknowledge the receipt of your letter of the 18th instant, inclosing copy of a note from the minister of Venezuela at this capital, requesting, in pursuance of instructions from his Government, permission for Andrés Ponte-Ruego to enter the Military Academy at West Point as a student, together with your request for information as to whether this Department has objection to application being made for the necessary legislation in the case.

Replying thereto, I beg to inform you that if your Department deems it advisable, for public considerations, that this Government should comply with the wishes of the Republic of Venezuela in the matter, there appears to be no objection to admitting the youth into the Academy, provided no expense is caused the United States and that the necessary Congressional authority shall be obtained.

In like previous cases a joint resolution of Congress has been obtained through your Department, and the representative at this capital of the government applying for the privilege has looked after the necessary details with the Academy authorities.

Very respectfully,

R. A. ALGER,
Secretary of War.

The SECRETARY OF STATE.

DEPARTMENT OF STATE, *Washington, January 26, 1899.*

SIR: In compliance with the request of the Government of Venezuela, made known through its minister at this capital, and with the consent of the Secretary of War, I have the honor to inclose the draft of a resolution authorizing the Secretary of War to receive Andrés Ponte-Ruego as a student at the Military Academy at West Point, at the expense of the Government of Venezuela, and to request that the measure be reported to the House at the earliest practicable date with a view to its speedy passage.

The resolution follows the precise language of that used in previous similar cases.

A translation of the note of the minister of Venezuela making the request and a copy of the letter from the Secretary of War giving his consent are also inclosed.

I have the honor to be, sir, your obedient servant,

JOHN HAY.

Hon. JOHN A. T. HULL,
Chairman Committee on Military Affairs, House of Representatives.

Mr. ROBINSON of Indiana. I wish to inquire of the chairman of the Military Committee how many of these South American Republics now have representatives at the Military Academy?

Mr. HULL. I have no exact information on that point. I remember that this House passed a bill giving this authority in the case of one of these Republics, and I think the same thing has been done in three or four other cases, but I do not undertake to speak positively. That fact, however, makes no difference as to this case. This is a courtesy which this South American Republic asks and one which has never been denied when it has been asked.

A MEMBER. And it entails no expense?

Mr. HULL. No; it entails no expense.

There being no objection, the House proceeded to the consideration of the joint resolution, which was ordered to be engrossed and read a third time; and it was accordingly read the third time, and passed.

SENATE BILLS REFERRED.

Under clause 2 of Rule XXIV, Senate bills and joint resolution of the following titles were taken from the Speaker's table and referred to their appropriate committees as indicated below:

S. 4549. An act authorizing the British Columbia, Seattle and Pacific Coast Railway Company to construct a bridge across the Columbia River—to the Committee on Interstate and Foreign Commerce.

S. R. 231. Joint resolution providing for the further distribution of the compiled statutes of the District of Columbia—to the Committee on the District of Columbia.

S. 3357. An act for the relief of Clinton F. Pulsifer, of the State of Washington—to the Committee on Claims.

S. 5019. An act to prevent the failure of military justice, and for other purposes—to the Committee on the Judiciary.

S. 5130. An act to provide for the erection of a building for the Department of Justice—to the Committee on Public Buildings and Grounds.

S. 5144. An act authorizing and directing the Secretary of the Treasury to donate one set of life-saving beach apparatus to the Imperial Japanese Society for Saving Life from Shipwreck—to the Committee on Interstate and Foreign Commerce.

S. 5186. An act to amend an act entitled "An act to amend the statutes in relation to immediate transportation of dutiable goods, and for other purposes," approved June 10, A. D. 1880, by extending the privileges of the first section thereof to the subport of Miami, Fla.—to the Committee on Ways and Means.

ENROLLED BILLS SIGNED.

Mr. HAGER, from the Committee on Enrolled Bills, reported that they had examined and found truly enrolled bills of the following titles; when the Speaker signed the same:

H. R. 774. An act for the relief of Samuel D. Hubbard; and

H. R. 11116. An act to authorize the Little River Valley Railway Company to construct and operate a railway through the Choctaw and Chickasaw nations, in the Indian Territory, and branches thereof, and for other purposes.

BRIDGES OVER LAKE CHAMPLAIN.

Mr. POWERS. I ask unanimous consent for the present consideration of Senate bill No. 5191.

The bill (S. 5191) to authorize the construction of certain bridges over the waters of Lake Champlain was read.

Mr. POWERS. I desire to say that when I asked consent a few days since to call up this bill the gentleman from New Jersey [Mr. MCEWAN] interposed some objection to some of its phraseology; and if the bill is considered now, I shall offer an amendment to meet his objections.

There being no objection, the House proceeded to the consideration of the bill.

Mr. POWERS. I offer the amendment which I send to the desk.

The Clerk read as follows:

Amend section 2 by striking out, in lines 14, 15, and 16, the words "beyond what is necessary in order to carry into effect the rights and privileges hereby granted."

The amendment was agreed to.

The bill as amended was ordered to a third reading, read the third time, and passed.

On motion of Mr. POWERS, a motion to reconsider the vote by which the bill was passed was laid on the table.

BRIDGE ACROSS MISSOURI RIVER.

Mr. COWHERD. I ask unanimous consent for the present consideration of Senate bill 5047, and will state that a similar bill has been favorably reported by the committee of the House.

The bill (S. 5047) to revive, reenact, and amend an act to authorize the construction of a bridge across the Missouri River at or near the city of Lexington, Mo., was read.

There being no objection, the House proceeded to the consideration of the bill; which was ordered to a third reading, read the third time, and passed.

On motion of Mr. COWHERD, a motion to reconsider the vote by which the bill was passed was laid on the table.

BROWNELL & CO.

Mr. BRENNER of Ohio. I ask unanimous consent for the present consideration of a bill (H. R. 599) authorizing the Secretary of the Treasury to pay the sum of $400 to The Brownell & Co.,

Dayton, Ohio, on account of penalty erroneously imposed by the Light-House Board.

The bill was read, as follows:

Be it enacted, etc., That the Secretary of the Treasury be, and is hereby, authorized and directed to pay, out of funds not otherwise appropriated, the sum of $400 to The Brownell & Co., Dayton, Ohio, as a reimbursement of penalty erroneously imposed by the Light-House Board of the Treasury Department.

Mr. PAYNE. I think we should have some explanation to this.

Mr. BRENNER of Ohio. The Treasury Department has recommended the passage of the bill. I ask the Clerk to read the letter which I send to the desk.

The Clerk read as follows:

TREASURY DEPARTMENT, *Washington, D. C., January 20, 1899.*

SIR: I have the honor to acknowledge the receipt of your reference to this Department for report and recommendation of H. R. 599, a bill authorizing the Secretary of the Treasury to pay the sum of $400 to The Brownell & Co., Dayton, Ohio, on account of penalty erroneously imposed by the Light-House Board.

In reply I beg to state that the Light-House Board at its session of January 9, 1899, considered the subject and recommended the passage of the bill in question.

Respectfully, yours, O. L. SPAULDING,
Acting Secretary.

THE CHAIRMAN OF THE COMMITTEE ON CLAIMS,
House of Representatives, Washington, D. C.

There being no objection, the House proceeded to the consideration of the bill, which was ordered to be engrossed and read a third time; and it was accordingly read the third time, and passed.

On motion of Mr. BRENNER of Ohio, a motion to reconsider the vote by which the bill was passed was laid on the table.

ARMY REORGANIZATION.

Mr. HULL. Before we resume the consideration of the Army reorganization bill, I wish to ask that, on account of the fact that so few members are here, the amendments to be offered by the gentleman from Illinois may go over until Monday, if that part of the bill should be reached to-day, so that we may have a fuller vote upon them. In explanation of this request, I will state that a great many members are absent because they supposed that to-day would be taken up entirely with eulogies. We propose, however, to occupy a little time of the House this afternoon with the consideration of the bill, leaving those two amendments to be voted upon on Monday.

Mr. HAY. I do not wish to interpose any objection to the request of the gentleman from Iowa, if we can have an understanding as to what is the amendment to be offered by the gentleman from Illinois [Mr. MARSH].

As I understand it, his proposition is to reduce the infantry arm of the service by some sort of a sliding scale, whereby the President of the United States may exercise certain discretion and increase the number whenever he chooses to do so, and further, that the infantry and cavalry shall be subject to this same sliding scale.

I would like to see the changes the gentleman proposes to make, and know what they are, before this consent is given. I think we are entitled to have them presented to the House.

Mr. HULL. If my friend from Virginia will yield to me, and as the gentleman from Illinois is present, I am perfectly willing to let the amendments be offered, considered as pending, to be determined on next Monday.

Mr. HAY. Is there any objection to having the House informed as to what they are at this time?

Mr. HULL. Not at all.

Mr. RICHARDSON. Let it be printed in the RECORD.

Mr. HULL. I suppose the gentleman from Illinois has no objection to letting the House know exactly what amendments he proposes to offer, and let them be printed and stand over until Monday.

Mr. McCLELLAN. Will that cut off an opportunity for offering amendments to the amendments?

Mr. HULL. Oh, not at all.

Mr. DOCKERY. I would like the gentleman to explain the parliamentary situation. Suppose the consideration of the amendments are not concluded in the Committee of the Whole when the time comes for a final vote under the agreement, will the amendments be reported to the House with the bill?

Mr. HULL. Well, that is a parliamentary inquiry, a question for the Chair to determine. The gentleman knows as well as I do what the effect would be.

Mr. DOCKERY. I do not know what may be the opinion of the gentleman in charge of the matter, but this condition may arise. It seems to me that we might have amendments which were not considered at all in Committee of the Whole reported to the House for its action after the committee has risen. We should understand the question fully before consent is given.

Mr. HAY. I desire it to be distinctly understood, Mr. Speaker, that if the gentleman from Iowa submits his request in such shape that if granted in the Committee of the Whole it would have the effect of cutting off any amendment that might be offered to the amendment to which he refers, and that any member of the committee may desire to offer, objection would be made.

The SPEAKER. The gentleman from Iowa might ask permission in Committee of the Whole, with reference to these particular items which are desired to be amended, that they be passed over. Would not that accomplish the object?

Mr. HULL. I have only asked, Mr. Speaker, that the amendments proposed to be offered with reference to the infantry and cavalry arm of the service—that is, fixing a minimum number—be passed over and the vote be taken upon them on Monday next.

Mr. HAY. If the gentleman puts the proposition in that form I shall have to object, because the effect would be to preclude us from offering any amendments whatever, if we desired to do so, to the amendments so carried over.

The SPEAKER. Objection is made.

Mr. HULL. Mr. Speaker, I move that the House resolve itself into Committee of the Whole House on the state of the Union for the purpose of considering the Army reorganization bill.

The motion was agreed to.

The House accordingly resolved itself into Committee of the Whole House on the state of the Union, Mr. PAYNE in the chair.

Mr. TODD. Mr. Chairman, I move the following amendment.

Mr. HULL. To what section; section 1?

The CHAIRMAN. To section 1. The amendment proposed by the gentleman from Michigan will be read.

The Clerk read as follows:

At the end of section 1 insert:

"The President is hereby directed to recall the military and naval forces of the United States from the islands of the Philippines whenever the United States Government shall have evidence of the formation of a stable and independent government in those islands by the inhabitants thereof.

"The Army of the United States shall in time of peace consist of the same numbers as the peace footing authorized by existing law. And the President is hereby authorized and directed to use the State militia and to call for volunteers whenever the exigencies of the Government require additional troops."

Mr. HULL. I raise the point of order that that is entirely out of order. It is not germane.

Mr. TODD. I will admit that the point of order is good, and will move to strike out the last word.

The CHAIRMAN. The Chair sustains the point of order.

Mr. TODD. Mr. Chairman, from whatever point of view we look upon the pending measure to increase our standing army in time of peace to four times the numbers authorized by the present law, I am unable to find the shadow of an argument in its favor that will stand the test of enlightened reason and judgment, a proper conception of the safeguards of our Republic, or a patriotic consideration of the principles upon which the Constitution of our country is founded.

On the contrary, sir, a careful study of the appalling conditions already prevailing in this country, viewed in the light of the history of the great commonwealths which have preceded ours, teach us that what this nation most needs, if our Republic is to long survive, is to prevent the further destruction of civil liberty from within by gigantic domestic corporations who are fast usurping the sovereignty which both by divine right and the law of the land is vested in the people.

I am opposed to this measure for several momentous reasons, three of which I will name, and any one of which, in my judgment, should be deemed sufficient to defeat the proposed legislation.

1. The real purpose for which this great standing army is desired is to enforce despotic laws against citizens of the United States with a government "by injunction."

2. The pretended reason—viz, increased forces to subjugate the inhabitants of these islands, who have already adopted a republican government of their own—is a proposition too monstrous to be considered by those who are themselves enjoying the blessings of liberty in a republic whose foundations were laid in the blood of patriot ancestors who bared their breasts against foreign bayonets, giving their lives as willing sacrifices on the altar of human liberty, setting an illustrious example for all times, nations, and tongues, worthy to be emulated by the inhabitants of Cuba and the Philippines. [Applause.]

3. A great standing army will engender a spirit of militarism and lust for conquest, by which the minds of the American people will be diverted from the subversion of their own dearest rights by domestic rather than foreign foes.

The first of these dangers—the usurpation of sovereignty and the spoliation of the people by corporate power and monopolies—has already several times been discussed by me on the floor of this House, in which I have endeavored to point out the menace to our free institutions by this new and most dangerous form of sovereignty.

I shall, therefore, take this opportunity to enforce these views

by quoting from a most eminent authority whose patriotic utterances and nonpartisan independence entitle his words to the highest respect, Hon. Hazen S. Pingree, recently reelected governor of Michigan on the Republican ticket. Should any of my Republican colleagues on this floor object that Governor Pingree is not a loyal and patriotic Republican, I ask you, In what respect does he differ from Lincoln and Sumner, or, if you please, from Washington and Jefferson, whose patriotism, like that of the founders of both the Democratic and Republican parties, and of the soldiers of the Revolution, "was not hemmed in by either State or party lines?"

Or if you should say that his views of what constitutes true republicanism and true patriotism are not shared by the majority of the people of the great State of Michigan and the best men of all parties throughout the nation, I ask you how it was that in the campaign of 1896 he received 27,300 more votes than did President McKinley upon the same ticket? And why was it that he was recently reelected by an overwhelming majority notwithstanding the fact that the Federal power and patronage of the Administration, with the untold millions of corporate wealth led by the railroad power, attempted by almost superhuman means to encompass his defeat? And notwithstanding that the opposing candidate was a most highly respected citizen and distinguished statesman, who served his State and nation with honor as a member of this House for four successive terms.

I accordingly invite your attention to some statements made by Governor Pingree vital to the subject we are now considering, which must arrest the attention of every thoughtful man who holds his country above his party. From his message to the legislature of Michigan, on the 9th day of the present month, I quote the following extracts:

"I have always been a loyal Republican. I am a Republican still. But I prefer to believe that the Republicanism of Abraham Lincoln is superior to that of a more modern type. The party of Lincoln was not organized merely to enfranchise the black race, but to preserve the liberties, the dignity of manhood of every citizen, of whatsoever race or color.

"No Spanish official, from the time of Columbus to that of Weyler, ever saddled them with such monstrous wrongs as our own people are threatened with to-day from the trusts and combines and monopolies upon which most of the great men of the Republican party of this day look with toleration, if not with sympathy. The men who are most notorious as the heads of great monopolies seem to be the most intimate friends of the present Administration, and to be the most eager to redress the wrongs of all people who live outside the United States, it being their well-defined purpose to divert attention from the outrages committed against them.

"So far as the American people are concerned, this Administration seems to look upon them as having no rights except to lay down their lives and, incidentally, their freedom for the conquest of foreign lands and the fattening of domestic monopolies.

"Our leaders, our press, and our legislators have not yet fully realized what this degrading process means to the future of a Republic founded upon democratic principles. A democratic republic can not survive the disappearance of a democratic population.

"When the process of concentration has worked itself out to completion, the law which governs both prices and wages will assert itself with irresistible force. The consumer will be charged the highest price that can be squeezed out of him; the laborer will be paid the lowest wages upon which he can keep life enough in his body to perform his daily task. This result has not yet been quite accomplished, but it is as sure as that night follows day, as certain as the law of human selfishness.

"There is no salvation for the consumer except in free competition; there is no dignity, no manhood for the laborer except in the comparative independence he derives through the free competition of many employers who seek his services. When there shall be but one source from which the consumer can obtain his supplies, but one employer to whom the laborer can offer his services, both consumer and laborer will be slaves.

"There must be remedies. The law was made for the people, not the people for the law. We have done greater things, bolder things, before. Other peoples have accomplished reforms which seemed quite as difficult to the lawyers and the courts. Without going back to the time when parliaments, flinging all law and precedent and supposed property rights to the winds, boldly confiscated the property of the church and of the nobles, when no other method sufficed to restore to the people their natural heritage of the soil, we have a notable example in our own day.

"The soil of Ireland had fallen into the hands of less than 10,000 persons. A population of 5,000,000 rested their feet upon the soil of their ancestors only at the mercy of a few landlords. Rents had so fallen that owners of the fee could not live upon them. Prices of agricultural products were so low by reason of the cheapness of American foods that the tenants could not live and pay the rents, such as they were. Here was a situation more puzzling to the technical jurist than our own. A nation was perishing before the eyes of the world. There was not a court in Great Britain which did not hold that the landlords had a right to fix the rents of their own lands.

"If the tenants could not pay, there was nothing for them to do but get off the soil, even if in doing so they had to get off the earth. What could be clearer than this as a matter of law? Every court in the United States would to-day take the same position as those of Great Britain. Did the British Parliament confess its helplessness? No. It proceeded to create commissions authorized to review the rents of Irish lands and fix them at a figure that would enable the people to live, even if the landlords perished. This would be called confiscation in the United States; and so it was, but it saved a nation's life.

"Shall American legislators hesitate where those of Great Britain went at the disease with a knife? I am aware that the great British Parliament is not limited in its power by a written and rigid constitution, such as that which ties the hands of the National Congress and the State legislatures and makes the courts, in effect, the real lawmakers of this country. But if technical construction of the Constitution stands in our way, the Constitution can be amended, or a more summary method may be adopted by electing and appointing judges who will construe these instruments according to the eternal law of justice and humanity.

"One of the great political parties of this country has already made this latter suggestion in a national platform, only to have it denounced by the promoters of the people's degradation as anarchy and revolution. There may be those who will so denounce me for intimating that there is no divinity hedging about judges which makes them superior to their masters, the sovereign people. I am content to suffer this penalty, if I must, but no penalty shall restrain me from raising my voice on all proper occasions even against courts which foster what I believe to be a danger to the freedom and welfare of the people.

GOVERNMENT OWNERSHIP OF RAILROADS.

"I would hesitate before making any recommendations on the subject of governmental ownership of railroads were I not thoroughly convinced that there is no other equitable and permanent solution of the great questions arising out of railway transportation. This proposition is just in principle, and the experience of all countries where the railroads are operated by the state proves that it is practical.

"If corporations respected the principle that 'each person's liberty ends where the liberty of another person commences,' there would be no need for interference in their affairs by the State. But every citizen knows that the railroads consider neither the rights of their patrons nor the justice of their charges. An unjust charge is an extortion, and when a corporation or an individual becomes so great that it can extort tribute from its patrons without rendering an equivalent in return, it is not only the right but the duty of the State to interfere.

"'Government ownership in Switzerland is public ownership in fact as well as in name, for the people own and control their Government through the initiative and referendum.'

"In my opinion it is high time for Michigan to imitate the example of Switzerland. I most earnestly recommend that this legislature inaugurate a policy looking to the ultimate purchase by the State of all the railroads within its limits. Laws equalizing taxation and regulating rates of fare only reach the symptoms. They do not reach the root of the disease, which is private ownership of public franchises. The only way to permanently cure such evils is to eradicate the cause by the State assuming the ownership and control of all franchises of a public nature."

Mr. Chairman, I have quoted these words of Governor Pingree with especial pleasure, because he is governor of the great State which gave birth to the Republican party—Michigan—in which State it was my privilege to be born and to spend my life, and because I am always glad to recognize the patriotism of those who have the courage of their convictions, whether in accord with their party or otherwise.

THE PATRIARCH FATHER AND THE PRODIGAL SON.

There still lives in that State, in the little city of Ionia, the sole surviving member of the famous "Committee of Sixteen" who drafted the resolutions of the first Republican convention, where "under the classic oaks at Jackson" the party was born and christened "Republican," July 6, 1854.

I refer to Judge Albert Williams, attorney-general of Michigan during the civil war, whom our State delights to honor as one of its most historic personages and distinguished citizens, and whose splendid physical and intellectual powers, although now over 80 years old, still exhibit the vigor of early manhood.

Judge Williams not only announces his convictions that the control of his once beloved party has passed into the hands of those who seek to destroy human freedom, but, believing that his

influence should be given in organized work, he has during the past two years openly espoused the Chicago platform and the ticket of the united parties which supported it during the last two campaigns.

It was a scene so impressive as never to be forgotten when this great man, the early friend of Lincoln and his patriot associates, with his kingly bearing, his splendid presence and erect form, his intellectual face, with his eyes flashing fire, told the story of the birth of this once glorious party, the child of his paternal love and solicitude.

To those whose privilege it was to see and hear this great man on these occasions, when the fervor of his soul was reflected with a dramatic power unknown to art, he recalled the words of Shakespeare:

What a piece of work is man! how noble in reason! how infinite in faculties! in form and moving how express and admirable! in action how like an angel! in apprehension how like a god!

He told us how he had assisted at the birth of the party, in one of Nature's most beautiful temples—under the canopy of heaven, where the columns were Nature's giant oaks, "not reared by human hands." He told us how, "With bright hopes for its splendid future, I watched over its cradle, assisted to set it on its feet, whispered words of encouragement, counsel, and hope in its ear as I beheld in this my child such glorious promise for itself and its country!"

He then traced its glorious early history, and the triumphs which our country won for human liberty, and the brilliant pages added to our nation's history under the leadership of that child of promise quickly developed into heroic manhood.

Then this grand old patriarch, trembling with emotion, told us how later on this child of his hopes, after winning renown, was allured by the enemies of its country to forsake its early teachings, and he then said:

I am reminded of an event like this in sacred history, and I recollect how I watched this wayward son as he started, in 1896, for the great convention of St. Louis; how I trembled between hope and fear, wondering whether he would not retrace his dissolute steps and, after building a platform worthy of great name, would return to his father's house with honor "clothed and in his right mind."

But with tears streaming down his face he told us how his dear son, his prodigal son, returned home with swollen eyes, with face of shame, unable to meet his father's glance, and he then said:

Little did I think that this son, born under such glorious auspices, after having won a name so illustrious, should have so far forgotten his splendid youth as to go to St. Louis to take the gold cure! But if my wayward son will forsake his dissolute ways and return to his father's house, how gladly would I kill for him the fatted calf purchased with free silver!

Judge Williams has contributed to Fox's History of Political Parties a most interesting chapter upon the founding of the Republican party, which, both on account of the event and its author, should be read by every student of history. I shall therefore print it as an appendix to my remarks.

Referring to the attitude taken in recent years by the Republican party in the interests of corporate oppression, Judge Williams says in a recent letter to me:

MY DEAR SIR AND FRIEND: The great Republican party, born "under the oaks at Jackson, July 6, 1854, in the sacred interest of humanity and hostility to concentrated, grasping, grinding wealth, and running well and grand for a series of years, how, oh! how has it of late years so lamentably and shamelessly fallen as to become the wet nurse of the money power in all its protean forms." And if this last act (the passage of the anti-scalper's bill), which practically invites and will protect, as to passenger fare, a heartless trust of railways, which will engage in legalized robbery, does not mark the decadence of that party, it will be because the Declaration of Independence has become obsolete and the plain people fit only to be the slaves of trusts.

Mr. Chairman, as I have stated, it is my honor to have been all my life a citizen of the great State (Michigan) which is the birthplace of the Republican party. My father was one of the early pioneers who went from the State of New York to what was then the "Great West," and with his strong right arm cleared away the forest and hewed from the trees his home "near to nature's heart." The principles of the Republican party he had inherited from New England ancestors.

Those principles were inherited by his children, and I well remember how, when a child, I learned to venerate the great Lincoln, and shouted his name in his campaigns as the leader worthy the great cause of human liberty which he represented. And when I became of age my first vote was cast for the Republican ticket. But when I saw that a set of men opposed to the principles of Lincoln had stealthily gained control of that party that they might use its illustrious name to subvert the very liberties which it was founded to protect, I was forced to find another political home, humble though it was, that I might still perform the highest function of an American citizen—that of casting a conscientious ballot.

I desire also to quote the words of Governor Pingree, who, in his famous speech in Buffalo just a year ago, uttered these remarkable words regarding his party:

To the Republican party have come all the trusts and combines, all the beasts of prey and the birds of ill omen, because they feared the Democratic party, which had kicked them out.

FORCIBLE CONQUEST OF A FOREIGN AND INOFFENSIVE PEOPLE IS A MONSTROUS ASSAULT UPON OUR OWN CHARTER OF LIBERTIES AND THE HEROES OF THE REVOLUTION.

I now come to the consideration of the second momentous objection to the quadrupling of our standing Army, as authorized by this bill, the creation of an armed force by which our Republic is to subjugate the people of an infant and struggling republic, whose only crime is to claim those rights which the Declaration of Independence says are inherited by every human being from his Creator.

Mr. Chairman, no sentiment more atrocious has ever been advanced by despots of either ancient or modern times, more repugnant to every conception of those great principles upon which our own Republic was founded. By what right, sir, human or divine, are we to invade the Philippine Islands and shoot down in cold blood those inoffensive people? What have they done? "Why," you say, "they resist the authority of the United States, and refuse to allow us to make their laws and enforce them by American bayonets."

I ask you, sir, whence came this new revelation to us, this new code of morals, which tramples in the dust and spits upon the memory of the heroes of Concord, of Lexington, and of Bunker Hill? If this new gospel of yours that "might makes right" is to henceforth be our inspiration, then the soldiers of Washington whose bleeding bare feet trod the snows of Valley Forge should no more be held in grateful remembrance. If you are correct, then that most glorious of all documents written by human pen, the Declaration of Independence, is a lie, and the heroic deeds and utterances of the patriots of the Revolution, on the field of battle and when framing the charter of our liberties, should be effaced from history.

But, sir, I can not believe that Washington and Jefferson, Franklin and Adams, Madison and Paine, and those countless other patriots who in camp, on the field, or with their voice and pen banished British rule from our shores, were violators of either human or divine law. On the contrary, I believe their deeds and words have rendered their memory immortal and that their influence will extend through all time and to the utmost regions of the earth.

They smote the rock of human traditions, and the tables of the law of the "divine right of kings" engraved for centuries thereon faded away, and there appeared in letters of living light the higher law of the "divine right of man," never to be effaced, to be the possession through all ages of all nations and peoples and tongues.

But you say: "The case is not parallel. We propose to buy the islands and the sovereignty of the people from Spain for $20,000,000. We have already conquered part of the territory, and can give them a better government than they can effect."

Is sovereignty, then, over an inferior or helpless race a thing to be bought and sold? It was once so held in this Republic to its sorrow and disgrace, when 4,000,000 black slaves were driven by the whip of taskmasters, and this barbarous "right" was enforced by the courts and police power; but the conscience of the American people revolted against so great a wrong, and with one stroke of the pen Abraham Lincoln set them free, and thus perished, as we hoped, forever human slavery or vassalage under the Stars and Stripes. [Applause.]

"ALL MEN ARE ENDOWED BY THEIR CREATOR WITH CERTAIN INALIENABLE RIGHTS"—"GOVERNMENTS DERIVE THEIR JUST POWERS FROM THE CONSENT OF THE GOVERNED."

The Declaration of Independence says that "all men are endowed by their Creator with certain inalienable rights, among which are life, liberty, and the pursuit of happiness." It does not say that "some men," or "Americans," but "all men" are thus endowed.

That this "new evangel of liberty" was intended as the heritage of all mankind of whatever race, and for all time, I ask your attention to the following high authorities:

Mr. Lincoln, in 1858, in his memorable speech at Lewiston, Me., speaking of the actions and purposes of the founders of our Republic, said:

This was their majestic interpretation of the economy of the universe. This was their lofty and wise and noble understanding of the justice of the Creator to his creatures. Yes, gentlemen, to all his creatures, to the whole great family of man. * * * They grasped not only the whole race of man then living, but they reached forward and seized upon the furthest posterity. They erected a beacon to guide their children and their children's children, and the countless myriads who should inhabit the earth in other ages. Wise statesmen as they were, they knew the tendency of prosperity to breed tyrants, and so they established these great self-evident truths, that when in the distant future some man, some faction, some interest, should set up the doctrine that none but rich men, or none but white men, or none but Anglo-Saxon white men were entitled to life, liberty, and the pursuit of happiness, their posterity might look up again to the Declaration of Independence and take courage to renew the battle which their fathers began, so that truth and justice and mercy and all the humane and Christian virtues might not be extinguished from the land; so that no man should thereafter dare to limit and circumscribe the principles on which the temple of liberty was being built. Now, my countrymen, if you have been taught doctrines conflicting * * * with the Declaration of Independence; if you have listened to suggestions which would take away from its grandeur and mutilate the fair symmetry of its proportions, * * * let me entreat you to come back. Return to the fountain whose waters spring close by the blood of the Revolution.

The language of the United States Supreme Court is so decisive on this and upon other phases of the question involved that I desire to quote from their celebrated opinion, as delivered by Mr. Justice Field in Butchers' Union Company *vs.* Crescent City Company (111 U. S., 746, 756-757):

As in our intercourse with our fellow-men certain principles of morality are assumed to exist, without which society would be impossible, so certain inherent rights lie at the foundation of all action, and upon a recognition of them alone can free institutions be maintained. These inherent rights have never been more happily expressed than in the Declaration of Independence, that new evangel of liberty to the people:

"We hold these truths to be self-evident"—that is, so plain that their truth is recognized upon their mere statement—"that all men are endowed," not by edicts of emperors, or decrees of Parliaments, or acts of Congress, but "by their Creator with certain inalienable rights"—that is, rights which can not be bartered away, or given away, or taken away except in punishment of crime—"and that among these are life, liberty, and the pursuit of happiness, and to secure these"—not grant them, but secure them—"governments are instituted among men, deriving their just powers from the consent of the governed."

THE CONSENT OF THE GOVERNED.

Our Declaration of Independence also asserts that "Governments derive their just powers from the consent of the governed." Upon this source of sovereignty Charles Sumner said:

The words that "governments derive their just powers from the consent of the governed" are sacred words, full of life-giving energy. Not simply national independence was here proclaimed, but also the primal rights of all mankind. Then and there appeared the angel of human liberation, speaking and acting at once with heaven-born strength, breaking bolts, unloosing bonds, and opening prison doors; always ranging on its mighty errand, wherever there are any, no matter of what country or race, who struggle for rights denied; now cheering Garibaldi at Naples, as it had cheered Washington in the snows of Valley Forge, and especially visiting all who are downtrodden, whispering that there is none so poor as to be without rights which every man is bound to respect, none so degraded as to be beneath its beneficent reach, none so lofty as to be above its restraining power; while before it despotism and oligarchy fall on their faces, like the image of Dagon, and the people everywhere begin to govern themselves. Such is the popular sovereignty proclaimed by the Declaration of Independence.

He further says:

These words in the Declaration of Independence were not uttered in vain. Do you suppose them idle? Do you suppose them mere phrase or generality? No such thing. They are living words, by which this country is solemnly bound, and from which it can never escape until they are fulfilled. Your statutes can not contain any limitation which inflicts an indignity upon any portion of the human family. Only in this way can you have peace.

I repeat, sir, there is not a single one of the founders of our Republic, or of the Democratic or Republican party, who would defend this monstrous doctrine that the Declaration of Independence is no longer of binding force or that the God-given rights which it enumerates are the heritage of but one nation or race. [Applause.]

FORCIBLE ANNEXATION OF EITHER CUBA OR THE PHILIPPINES WOULD BE VIOLATION OF OUR SACRED PLEDGE WHEN ENTERING INTO THE WAR—AN ANALOGY DRAWN FROM THE REVOLUTION.

In the resolution of Congress formally setting forth the purposes of the United States in the recent war we expressly declared—

The United States hereby disclaims any disposition or intention to exercise sovereignty, jurisdiction, or control over said island except for the pacification thereof, and asserts its determination, when that is accomplished, to leave the government and control of the island to its people.—*Joint resolution for the recognition of the independence of Cuba, approved April 20, 1898.*

Surely it can not be asserted that this pledge was not made in good faith. Now, under what pretense are the Filipinos deserving of less consideration than the Cubans? They, as well as the Cubans, had reason to believe that we would reasonably assist, much less oppose, "the formation of a free and independent government of their own." And having faith in the integrity of our motives, they both cooperated with our troops in the overthrow of a common foe. When we entered into this war the Philippines had not even been mentioned or thought of as coming under our control in the remotest degree. Many of us had almost forgotten their location, so little intercourse have we had with them.

Only recently, in a book published by the War Department, "Military Notes on the Philippines," it says:

NUMBERS AND AREA.

The number of islands is not definitely known, but is variously estimated at from 1,300 to 2,000. New ones are being continually added to the maps. Some members of the vast archipelago, as well as the more remote districts in the larger islands lying beyond the direct control of the Spanish, have remained unexplored. Even the regions governed by the Europeans are still but imperfectly known, no methodical and detailed study of the Philippines having yet been made. Present maps and charts are extremely defective, except for the seaboard, in the survey of which the leading maritime nations have cooperated.

How comes it, then, that all of a sudden you find we can not longer live happily until we seize this far-away and almost unknown country?

Mr. Chairman, it was my privilege and honor to introduce in this House the first resolution declaring war against Spain and for the recognition of Cuban independence.

It has since been my duty and pleasure to support every honest effort of the Administration to bring the war to a speedy and successful issue and to carry out the sacred pledge contained in the resolution. When the first act looking toward war was before Congress (the appropriation of $50,000,000 for the national defense) to be used at the discretion of the President, which was passed without a dissenting vote, referring to an event in our own history which now seems to demand our increased consideration, I said:

"The time has come when this nation must fulfill its high and God-given mission, for I believe that Almighty God planted our infant Republic on the shores of the western seas to carry forward and upward the standards of civilization and progress and to be the defender of human liberty for the whole Western World.

* * * * * * *

"We should be guided in our action by the most illustrious examples of history. A century and a quarter ago, during the dark days of the Revolution, when our ancestors were nearly exhausted in a conflict with a powerful nation, and the cause of the united colonies hung trembling in the balance, France nobly came to our rescue, and defeat was changed to victory. We have since become a great and powerful nation—great in the intelligence and patriotism of our citizens and great in our strength and resources. What France did for us and the cause of human liberty we should now repay to the struggling Cubans. Had our Government extended them in time its moral support by recognizing a state of war in Cuba, the inhuman butcheries of Weyler and his successors might have long since ceased and our brave seamen of the *Maine* not have found their grave in a foreign sea."

But the echoes from American firesides, from the Atlantic to the Pacific and from the Gulf to the Lakes, find an answering chord in the breast of every representative of their Government assembled here. Spain will do well to mark our nation in absolute accord, cease at once from her mad course, grant freedom to the Cubans, and seek by penitence and good works to repair as best she can the wrongs done by her to the human race! And may this be the beginning of a new era in which "Peace shall have her victories no less renowned than war!"

Now, suppose that during the Revolution the military power of France had been greater than the combined power of America and England, and after the Revolution was ended, by the cooperation of the soldiers of France with ours, France should have asserted the right to frame our Constitution, claiming we were "less educated, civilized, and refined," and upon our denying her that right, she attempted to enforce it by arms. Would we not have doubted her friendship and the sincerity of her professions? And would we not have repelled her claims by arms, as we had those of Great Britain? If we would have been justified then, the Filipinos are justified now. The cases are parallel.

ATTEMPTED JUSTIFICATION OF FORCIBLE CONQUEST A HOLLOW SHAM—HISTORIC PARALLELS.

But, sir, the plea is urged that "the Filipinos are barbarous, uneducated, and incapable of self-government, and that we can frame for them a better constitution and laws." That they are barbarous and incapable of self-government is contrary to fact. That they are naturally peaceful, and war only against foreign usurpers, is thoroughly established. That they are not all educated according to our standards I admit; but for this lack Spanish tyranny is responsible, and this now being removed, it will give opportunity for their advancement.

It is notorious that this same plea has almost always been urged by covetous nations against those whom they wished to oppress, and was urged against our revolutionary ancestors by those who claimed to be the intellectual as well as moral lights of Great Britain. Dr. Samuel Johnson, one of the most brilliant and scholarly minds which England ever produced, in recognition of whose great attainments as a Christian philosopher the University of Oxford conferred the degree of LL. D., with special ceremonies, said (and perhaps honestly through ignorance of the facts) just previous to the Revolution, that "the Americans were so barbarous and rebellious as to be unworthy the claims of humane consideration or Christian forbearance." He compared our ancestors to "rattlesnakes," and wrote a famous treatise against us, entitled "Taxation no Tyranny," to which he did not, however, have the moral courage to sign his name. From this celebrated work, published in 1775, I quote the following from the first edition:

We are told the Americans can not be taxed; that they are the descendants of men who left all for liberty; that they are too obstinate for persuasion and too powerful for constraint; that the continent of North America contains 3,000,000, not of men, but of Whigs, fierce for liberty and disdainful of dominion, and that they multiply with the fecundity of their own rattlesnakes. * * * Instead of terrifying the English hearer to tame acquiescence, it disposes him to hasten the experiment of bending obstinacy before it becomes more obdurate, and convinces him that it is necessary to attack a nation thus prolific while we may hope yet to prevail.

* * * * * * * *

But hear, ye sons and daughters of liberty, the sounds which the winds are wafting from the Western Continent! The Americans are telling one another that "they are entitled to life, liberty, and property, and that they have never ceded to any sovereign power whatever a right to dispose of either without their consent."

He then speaks of the Continental Congress as a "Congress of anarchy," and says:

All is filled with misrule, uproar, and violence. * * * If they are condemned unheard, it is because there is no need of a trial. * * * That the same vengeance involves the innocent and guilty is an evil to be lamented, but human caution can not prevent it.

He enforces this view on the authority of a bigot of the dark ages, whom he styles a "philosopher."

Referring to that great statesman, Edmund Burke, who in the British Parliament dared to champion the rights of the colonists, unpopular though it was, and to whom America and the world owe a debt of gratitude, and to his colleagues, he says:

On the original contrivers of mischief let an insulted nation pour out its vengeance. With whatever designs they have inflamed this pernicious contest they are equally detestable. To them must be imputed the miseries of war, the sorrow of those that shall be ruined, and the blood of those that shall fall.

It is the custom of those who wish to destroy the liberties of others to raise the cry of "patriotism," and to designate as "traitors" those who have the moral courage to defend the intended victims of lust. This cry has constantly been raised in this Congress by those who seek to plunder the Treasury and legislate in the interests of great corporations, and against those who condemn such legislation and the conquest of the Philippines. Dr. Johnson used this same cowardly invective against those members of the British Parliament who had the patriotism and courage to speak for the rights of the American colonies.

When we reflect that these astounding, and to us inhuman arguments were uttered by one of the foremost men of his nation, reverenced as a Christian teacher as well as a profound scholar and philosopher, and who perhaps honestly thought, as did Paul, that he was "doing God's service," can we not reasonably assume that the "barbarism" of the Filipinos and their inability for self-government has been misstated; that the advocates of forcible conquest may be mistaken, though honest, and that the opponents of this policy are right, as Burke was right?

AMERICAN SYMPATHY WITH THE GREEKS IN THEIR STRUGGLE FOR LIBERTY—WEBSTER'S PATRIOTIC WORK AND WORDS.

It is the just pride of the American people that our nation has always sympathized with the oppressed in other lands, although we could not engage in war in their behalf. During the heroic struggle of the Greeks to throw off the Turkish yoke in 1823, a resolution was introduced in the United States Senate by Daniel Webster for recognizing their independence. Mr. Webster held that the policy, and the rightful policy, of our nation was to progress through the arts of peace, and that a warlike policy, should never be entered upon, except in defense of the oppressed and of the principles of human liberty. He said:

The mighty agents which are working out our greatness are time, industry, and the arts. Our augmentation is by growth, not by acquisition. No schemes can be suggested by us so magnificent as the prospects which a sober contemplation of our own condition, unaided by projects, uninfluenced by ambition, fairly spreads before us. * * * We are placed by our good fortune and the wisdom and valor of our ancestors in a condition in which we can not act an obscure part. Be it for honor, or be it for dishonor, whatever we do is sure to attract the observation of the world.

THE DANGER TO OUR REPUBLIC FROM LUST OF EMPIRE.

The honorable Senator from Massachusetts [Mr. HOAR] has referred in his able speech to the history of other nations who were overthrown by lust of conquest and domestic foes. He says:

There are two lessons our fathers learned from the history of Greece which they hoped their children would remember—the danger of disunion and domestic strife and an indulgence in the greed and lust of empire. The Greeks stood together against the power of Persia as the American States stood together against the tyranny of England. For us the danger of disunion has happily passed by. Our Athenians and our Spartans are bound and welded together again, each lending to the other the strength of their steel and the sharpness of their tempered blade in an indissoluble union. Our danger today is from the lust of empire. It is a little remarkable that the temptation that besets us now lured and brought to ruin the Athenian people in ancient times. I hope that we may be able to resist and avert that danger as we resisted and averted the peril of disunion.

As to the disposition of nations to tyrannize over their colonial possessions, Professor Creasy says in his Sixteen Decisive Battles of the World:

There has never been a republic yet in history that acquired dominion over another nation that did not rule it selfishly and oppressively. There is no single exception to this rule either in ancient or modern times. Carthage, Rome, Venice, Genoa, Florence, Pisa, Holland, and republican France all tyrannized over every province and subject state where they gained authority.

OUR NATION'S PROSPERITY AND SAFETY IS IN LIBERAL LAWS, AND HER BEST RELIANCE IN WAR IS IN "CITIZEN SOLDIERS."

Mr. Chairman, our nation will advance or decline as other nations have in the past, according as our institutions and laws are just and liberal, and with such laws impartially enforced. With education, industry, and temperance encouraged, no standing army is needed, for we all will be "under the higher law of liberty."

But as we may be drawn into war against our will to protect the integrity of our Republic, it is right and necessary that we be ready at all times for whatever emergencies may arise.

Believing that the nation's defense should be intrusted to citizen soldiers, I favor, instead of increasing our Regular Army, the liberal encouragement of the State militia and National Guard. The man who leaves his home at his country's call has something sacred and dear to inspire him to noble endeavor and heroic deeds. And soon as war is over he returns again to his avocation, helping to build up rather than destroy; a help to the nation rather than a burden. It is with these citizen soldiers, fresh from their homes and firesides, that the great struggles for liberty in the world have been won. Of them, Webster well said:

Shoulder to shoulder they went through the Revolution; hand in hand they stood round the Administration of Washington, and felt his own great arm lean on them for support.

Before closing I wish to recall to your minds the fact that the great nations of Europe are at this moment engaged in preparing a conference looking to a military disarmament. The Czar of Russia, seeing how the world is cursed and impoverished by great standing armies, in inviting a conference of nations for this purpose says:

I look out over the world; I study our civilization, and I do not find it very good. I see nations all engaged in seizing or trying to seize all territory not yet occupied by European powers.

For the native races what does imperial expansion mean? Too often opium, alcohol, and all manner of diseases—a great gulf between the governed and those who rule, and crushing taxation upon the natives for the blessings of this civilization.

And for the nations who seize what does it mean? A continual increase of suspicion, jealousy, and rivalry; the heaping up of fleets and armies in order to take part in a scramble with the world, with the result that the army and navy are swallowing up more and more millions that should be used for the welfare of the people and advancement of the world.

On top are a very few rich and comfortable. Down below, with an ever-increasing pressure of taxes for armaments, is the great mass of poor people, whose position is not very good. There is an ever-increasing multitude of those below, with their breeding discontent ripening into socialism and developing into all kinds of anarchy.

Surely our nation should be the first to encourage, rather than oppose, this humane endeavor, which if effected will bring "peace on earth, good will to men."

Mr. Chairman, the Fifty-fifth Congress is soon to close; a Congress that will pass into history memorable for the statesmanlike legislation it has effected for the banishment of Spanish despotism from both Cuba and the Philippines, accomplished by an Army and Navy whose heroism has added new laurels to American arms. Let us not now dim the luster of their heroism, or dishonor that glorious flag which led them to victory; but let us seize the great opportunities, afforded by those achievements, to win for our nation and its flag the love and reverence of all mankind. [Applause.]

The CHAIRMAN. The time of the gentleman has expired.

Mr. TODD. Mr. Chairman, I ask for five minutes longer.

The CHAIRMAN. The gentleman asks that his time be extended five minutes. Is there objection?

Mr. HULL. I object, unless the gentleman talks to the bill.

The CHAIRMAN. Does the gentleman from Iowa object?

Mr. HULL. I object, unless the gentleman talks to the bill.

Mr. TODD. Well, this is right on the bill, Mr. Chairman——

Mr. HULL. I object. The gentleman can extend his remarks in the RECORD.

Mr. FITZGERALD. That objection was made too late. The gentleman had been recognized.

The CHAIRMAN. The Clerk will read the second section.

The Clerk read as follows:

SEC. 2. That each regiment of cavalry——

Mr. HENRY of Mississippi. Before leaving section 1, I want to ask the gentleman in charge of the bill if it is his purpose, as he said yesterday, to reduce the number of the Army from 100,000 to 50,000, whether he purposes thereby to make any reduction in the officers as provided for in this bill?

Mr. HULL. Mr. Chairman, I answered that yesterday.

Mr. HENRY of Mississippi. Yes, and I want you to answer it now.

Mr. HULL. And I want to answer it again, so that the House may know that my purpose is not to make any reduction in the line officers, but that there will be a recasting of the staff officers on the new basis.

Mr. HENRY of Mississippi. When will that be?

Mr. HULL. When we reach the proper place.

Mr. HANDY. Mr. Chairman, I move to strike out the last two words.

Mr. HULL. I raise the point of order that we had commenced reading the second section and the Clerk had not concluded.

The CHAIRMAN. The gentleman from Mississippi rose before the Clerk had fairly commenced the reading.

Mr. CANNON. How far shall he proceed before he has commenced reading?

Mr. HANDY. The resolution or amendment offered a moment ago by the gentleman from Michigan brought back to the attention of the House a subject which the gentleman from Illinois

[Mr. CANNON] was speaking about yesterday. I find in the CONGRESSIONAL RECORD that the gentleman from Illinois [Mr. CANNON] said:

I do not believe there is a man in this House, including the gentleman from Indiana [Mr. JOHNSON], who will pledge himself to speak truly, who will say that he would have had the President withdraw the navy or the army from the Philippines up to this time.

Mr. HANDY (from his seat). Oh, yes.

Mr. CANNON. Who is he?

Mr. HANDY (rising). I would have had him. [Manifestations of derision on the Republican side.]

Now, there is no doubt, Mr. Chairman, about the "manifestations of derision;" they were audible and general. I desire now not to explain or modify, but to emphasize the stand which yesterday brought upon me the "manifestations of derision" on the Republican side of the Chamber. I would that Dewey, when he destroyed the Spanish fleet in the harbor of Manila and wiped out of existence the Spanish sea power in the Pacific, had filled his coal bunkers and set to sea with his prows homeward turned. I would to-day that my country would announce concerning the Philippines and the inhabitants thereof what we have announced concerning the Cubans—that they are and of right ought to be free and independent. [Applause on the Democratic side.]

I would, Mr. Chairman, withdraw our army of conquest from those far distant and tropical islands. I would do it soon. I would do it before American troops fire their first shot at men standing bravely, as our forefathers stood, for liberty, independence, and home rule.

Mr. Chairman, I wonder if there is a Bunker Hill near Manila, as there was near our own Boston? We love to remember that our troops at Bunker Hill stood behind the breastworks defending native land against an invading force of foreign tyrants. Shall that memorable, that glorious conflict be reenacted in those tropical islands? Shall our troops be forced to play the part of the invaders, charging up the hill—the tyrants' part—instead of defending home and liberty and independence as our fathers did?

I am bold to say that I would have had our troops withdrawn ere this; I would have had our army of conquest home; I would have had our navy home. For my part, I do not see why we should desire to hold the Philippines. I do not think it took unusual courage to stand up here yesterday and say so, and I do not believe that the "manifestations of derision" from the Republican side of the Chamber represent in the least the public sentiment of this country. The public sentiment of this country is in line with the amendment offered by the gentleman from Michigan, which was ruled out on a point of order. The public sentiment of this country is rising in favor of recognition of human rights all over the world, in favor of recognizing and granting the liberty that the Filipinos stand up and ask for, as well as the liberty that the Cubans have struggled so long to attain. [Applause on the Democratic side.]

Mr. CANNON. Mr. Chairman, just one word. The gentleman has read from the CONGRESSIONAL RECORD correctly what happened yesterday. The gentleman from Delaware constitutes one, the gentleman from Michigan [Mr. TODD] constitutes the other. That is a pair; and so far as any manifestation was had yesterday, I believe, for one, you might draw to every member of this House and you could not get three of a kind. [Great laughter.]

Mr. HANDY. Mr. Chairman, when the gentleman from Illinois——

Mr. GROSVENOR. Mr. Chairman, I rise to a question of order.

Mr. HANDY (continuing). Was on the floor——

The CHAIRMAN. The gentleman from Ohio rises to a question of order.

Mr. GROSVENOR. Mr. Chairman, I deny the right of a member of this House to speak in a language that is not understood by the average American. [Great laughter.]

Mr. CANNON. The gentleman from Ohio is just about an average American. [Renewed laughter].

The CHAIRMAN. The Chair thinks the point of order comes too late. [Laughter.]

Mr. HANDY. Mr. Chairman, I wish to say that when the gentleman from Illinois was standing on the floor, not being a pair at all, but simply a single card—that when he stood there and drew for additional cards over on this side of the House, and succeeded in getting the gentleman from Michigan [Mr. TODD] and myself to stand up, there were three of a kind before the House [cries of "Oh, no!" on the Republican side], and it would take exactly three queens to beat us. [Great laughter.]

Mr. TODD. The gentleman from Illinois alludes to me. I am reminded that Henry Clay once said——

Mr. BELL. Mr. Chairman——

The CHAIRMAN. The gentleman from Michigan will suspend. The gentleman from Colorado is recognized.

Mr. TODD. Mr. Chairman, I desire to reply to a personal allusion made to me.

The CHAIRMAN. The gentleman from Michigan is not in order.

Mr. TODD. I desire to reply to a personal allusion made to me. Will the gentleman give me just one minute to reply to a personal allusion?

The CHAIRMAN. Does the gentleman from Colorado yield?

Mr. BELL. What I have to put in I would rather——

Mr. TODD. I just want to answer a personal allusion made to myself. [After a pause.] All right. I am always glad to hear my distinguished friend from Colorado.

Mr. BELL. I will yield to the gentleman.

Mr. TODD. Mr. Chairman, I am reminded, by the satire which the distinguished gentleman from Illinois [Mr. CANNON] attempts to heap upon two members of this House who have the courage to stand for their convictions, of the reply that Henry Clay once made, that he would rather be right than be President. But the distinguished gentleman from Illinois [Mr. CANNON] has changed that to "I would rather be wrong than be President."

Mr. BELL. Mr. Chairman——

Mr. PARKER of New Jersey. Mr. Chairman, I rise to a point of order. What amendment is pending?

The CHAIRMAN. The Chair will state that the amendment is to strike out the last two words.

Mr. PARKER of New Jersey. I make the point of order that that is not a germane amendment to the bill.

The CHAIRMAN. The gentleman from Colorado is recognized.

Mr. BELL. Mr. Chairman, I take it that if we did not intend to hold the Philippine Islands this bill would not be here. I have received from the city of Denver, from the Cigar Makers' Union, a petition that is applicable to the question involved. The annexation of these islands will not only bring the tobacco grown by the cheap Malay labor of these islands in direct competition with the tobacco growers of this country, but it will put the tobacco and cigar manufacturers in direct competition with these cheap laborers.

I desire this petition read as a part of my remarks.

The Clerk read as follows:

Whereas there is grave danger that the late war with Spain, declared for the purpose of freeing a subjected race from alien tyranny, may degenerate into a war of conquest;

Whereas it is our joint duty as citizens, when questions of great moment arise, to express our sentiments clearly and unequivocally: Therefore, be it

Resolved, That the Cigar Makers' Union No. 129, of Denver, Colo., does hereby earnestly protest against the United States acquiring, annexing, or claiming sovereignty over the Philippine Islands, for the following reasons:

First. It would be in open and direct conflict with the Declaration of Independence and the fundamental principles of a republic to hold by conquest any country against the will of its people. It would necessitate the creation of a great army, not an army of defense, the only kind a republic should own, but an army of repression and coercion.

Second. As workingmen, and more especially as cigar makers, we protest against the admission to our ranks of a horde of semicivilized races whose highest wants can be supplied upon from 5 cents to 15 cents per day. Against such competition there can be no defense: Therefore, be it

Resolved, That a copy of these resolutions be forwarded the Senators and Congressmen of our State.

Yours, fraternally,

CHAS. DUNN,
122 East Bayaud street.

Hon. JOHN C. BELL,
House of Representatives.

Mr. BELL. Now, Mr. Chairman, I also have here an interview with a soldier just discharged and returned from the Philippine Islands that I desire to have the Clerk read, which also throws light on this bill.

The Clerk read as follows:

Ferdinand Reinhardt, of Denver, a member of Company B, First Colorado Volunteers, arrived in Denver yesterday, heartily thankful to be home and very tired of doing garrison duty at Manila. After having fever and enduring many hardships, heart trouble rendered him unfit for duty, and, securing a discharge, he sailed home on the *Ohio*.

"Up until last October the rations we received were very poor and inadequate in quantity and quality," said he. "Finally the murmurings in the ranks and the cablegram sent to Governor Adams telling him that 1,000 enlisted men of the regiment wanted to come home had their effect and the food improved. It is an actual fact, however, that before the improvement was noted we were fed canned horse meat. It was supposed to be beef, but nevertheless it was common, ordinary horse, and every once in a while we would get a piece of hide with hair on it that told the true origin of the meat.

"The bread was bad, too, and at times wormy. We often found baked worms in it. They had evidently taken possession of the flour, and the Chinese cooks who made the bread did not care.

"There was a good deal of feeling when that cablegram from the men telling Governor Adams they wanted to come home was sent. It cost about $200 to have it cabled. Colonel McCoy went to the committee of men who had the matter in charge and asked them not to send the message by wire, but to write it. The men persisted, but when they went to the cable office the message was refused on the ground that Colonel McCoy's permission to send it had not been received. In the afternoon Colonel McCoy agreed that the message should go, but then the lack of the approval of General Otis was given by the cable people as an excuse for not accepting the message. The boys were not to be beaten, however, and gave the cablegram to a Red Cross man, intrusted the money to him, and at Hongkong the message was accepted and sent.

"When I left Manila there was a great deal of sickness in the regiment; for instance, there must have been 30 officers and men unfit for duty in Company B alone. After a man gets sick there he does not get over it, but kind of mopes along and remains weak and listless. I fear there will be a great many men ill within a short time, for the most unhealthy season of the year is now on. Not more than 1 per cent of the soldiers on the island are willing to remain there. The 1 per cent is composed of those who believe they can make money in the Philippines."—*Denver Post*, January —, 1899.

The CHAIRMAN. The time of the gentleman from Colorado has expired.

Mr. HULL. Mr. Chairman, I object to the further extension of time, because this can all be printed in the RECORD.

Mr. BELL. Does the gentleman expect to extend this to all members of the House?

Mr. HULL. I want the bill considered, and I think the purpose of the gentleman is to delay the consideration of the bill.

Mr. BELL. Then I give the gentleman warning now that he may expect to be paid in his own coin should he want an extension of time.

Mr. HULL. Well, Mr. Chairman, I am requested by a colleague on the committee to withdraw, and I will withdraw my objection for the next five minutes, but I now give notice to members that I want this bill considered.

Mr. BELL. Well, this letter is exactly applicable to this bill.

The Clerk proceeded with the reading of the paper:

"I do not think there will be any serious trouble at Manila. If there is, the Filipinos are the least likely to start it. They are tired of war and taxation, are not a military people, and fight like amateurs. In the trenches they simply stick their rifles out and shoot at random. I think the troops now at Manila will be able to attend to any outbreak that may occur there, and I regard trouble there as unlikely.

"Iloilo is a different proposition. It is 600 miles distant, and has in its population many Mohammedans who will fight fiercely against conquest by a Christian nation. There may be serious trouble at Iloilo, but when I left Manila there was little excitement or alarm concerning it.

"To explain the whole situation briefly, I say that troops in the Philippines will now suffer greatly from the climate. Trouble at Manila is unlikely, and the outcome at Iloilo is a guess. One Spanish regiment that went to Iloilo lost 80 per cent of its men from disease or wounds."

Mr. BELL. Now, Mr. Chairman, as I said, this is directly applicable to our condition here. This shows beyond question that one company from which this discharged soldier came has about 33 per cent unfit for service now. It shows also that of the Spanish companies that were sent to Iloilo only 20 per cent returned alive. Now, the application of it comes here. The cost of the Army that we are now organizing must include the resulting pension roll. The pension roll of the Army of the rebellion makes the expense of the war much more than that for the actual soldiers in the time of conflict. I say that the diseases and deaths of the soldiers who go to these islands will so swell the pension roll that the $82,000,000 or $100,000,000 per annum will be a mere pittance of the cost of acquiring this territory before we are through with it.

Furthermore, there has been quite a dispute about the actual current expense. Now, I have before me, as gathered by the San Francisco Call, the estimated expenses of this Army under this bill made by the officers of the Government, as follows:

Letters sent by Adjutant-General Corbin to Chairman HULL, of the House Military Committee, give the present cost of the Regular Army at $24,443,480; cost under the proposed bill, $82,053,885; increase of cost, $57,710,231.

The cost as applied to the three main departments of the Army is as follows:

Quartermaster's Department, present cost, $7,107,000; proposed, $40,013,246. Subsistence Department, present cost, $2,730,775; proposed cost, $10,148,478. Pay Department, present cost, $14,496,659; proposed cost, $31,891,943.

General Corbin incloses letters from Quartermaster-General Ludington, Commissary-General Eagan, and Paymaster-General Stanton, showing the details of the comparison. The main items of increase in the Quartermaster's Department are:

Transportation, from $2,300,000 to $17,700,000; clothing and equipment, from $975,000 to $5,952,246; regular supplies, from $1,800,000 to $7,200,000; barracks, quarters, and military posts, from $1,170,000 to $4,000,000; hospitals, $90,000 to $360,000; incidental expenditures, $600,000 to $2,400,000.

General Eagan gives the increased cost of each branch of the service, including active, sick, and convalescent.

General Stanton says the pay estimate does not cover the 20 per cent to enlisted men during time of war or the proposed 25 per cent to those serving in distant lands.

But the great pension roll that is to come from our soldiers serving at Manila, I say, will swell it more than you have any idea of at this time.

I was talking with an officer who has just returned from Manila, and he says that a man begins to degenerate the moment he arrives there. He says a man will suffer more with heat on Pennsylvania avenue at times than he will in Manila; but that when the heat begins in Manila it goes from the end of one year to another, day and night, and that he could not work up even courage enough to read a magazine; that in what they call the "dry season" there it is raining most all the time.

He said that the population were as much inferior to the population of Hawaii as the Hawaiians are inferior to the Americans; that they were undergrown, that they were diseased, that they had the vilest of loathsome diseases pictured on their faces; their teeth were yellow, their mouths sore, they were dwarfed and inferior in every way, and the unfortunate thing of the whole occurrence was that Mr. Dewey did not find the fleet in mid-ocean and sink it there and return to Hongkong. He said they delighted to dine on monkeys, mice, snails, and stewed grasshoppers, and there was no possibility of their ever assimilating with our population. Now, if we do not want these inhabitants as American citizens, then we do not want or need the passage of this bill. He says our people can not stand the rigor of the climate, and even if their health would permit they would not remain there.

Mr. GROSVENOR. Mr. Chairman, I do not criticise the letter of the soldier. I will assume, for the purposes of what I am going to say, that every word of it is true and contains no exaggeration. Therefore, I would ask the gentleman from Colorado [Mr. BELL] if he is willing to precipitate a condition that will reduce the Regular Army to 20,000 or 25,000 men and compel the retention of these volunteers during their entire two years of service. One of the very purposes of this bill, which is being fought at every step of the way, is to put into the hands of the War Department such material of war as will enable the Department to muster out of the service every one of the volunteers and let them come home.

The opposition to the ratification of the treaty, if it should be successful, would impose upon the War Department the duty of compelling the volunteers to remain in service until an extra session of the Senate, that can be extended during the entire summer, if necessary, shall have ratified that treaty; for the right of the volunteer to come home and the Regular Army soldier to come home will only accrue when the treaty is ratified. So that every delay here, every effort at delay, not only arouses the hopes of certain portions of the inhabitants of those islands, but it puts this terrible burden upon these volunteer soldiers, who ought to have the privilege of coming home.

Mr. LOUD. Mr. Chairman, I regret very much that it seems to some gentlemen on our side necessary to endeavor to appeal to fear and passion in order to pass this bill. The gentleman from Ohio [Mr. GROSVENOR], appealing to a sentiment now existing for the return of our volunteers, undertakes to urge that as a reason for the passage of this bill. I regret also that there has been crimination and recrimination in this House in regard to the motives of the Chief Executive of this nation. The Chief Executive, just the same as members of this House and the country, is in a chaotic state in regard to this question. He can not tell what to-morrow will bring forth.

I believe that if we had followed the inclination or suggestion of the President; I believe that if we had not been tempted by gentlemen on the other side, who should now be repenting in "sackcloth and ashes" and who here to-day are bitterly opposing this bill, and further induced or frightened by the gentleman from Missouri, who said in his celebrated speech, "We had to take you Republicans by the scuff of the neck and drag you into this war" (I do not know whether that language was changed when it went into the RECORD, but that is what he said), we would have been free from sin and out of trouble. I believe that if the country had followed the President we never would have had any war.

I thank God daily that I had no responsibility in bringing on this war. I am not a prophet and could not see all the evil results, but I saw enough to dread war. I knew that "war was hell," and its consequences disastrous to the nation. But you forced war upon the country, and we must accept the consequences, not in passion, but in calmness, with deliberation; and you can not hold the President responsible. He has hold of a live wire and can not let go now, but time and his wisdom will release him and us.

As I have said, the President stands to-day not knowing what to-morrow may bring forth. I do not believe there is a man in this country who can undertake to predict whether we are to retain Cuba or not. In a high-sounding resolution we declared that we would not; that we were only going to free the people of Cuba; but I repeat, what to-morrow may bring forth no man can tell. Such being the condition, is it not better to await results before forcing upon the country a large standing army?

Now, then, the Committee on Military Affairs have brought into this House a bill (although I believe they have since proposed to surrender by subterfuge one-half of it) to increase our Army to 100,000. Now, is that necessary? If you raise the Regular Army to 100,000 men you can not get rid of it. You may perhaps get rid of some of the privates, but you can not get rid of the officers; you can not get rid of putting them on the retired list; you can not get rid of pensioning their widows after they shall have passed away.

Let us then go slowly. Let us await the development of events. Let us increase our Army to 50,000—not in the manner that gentlemen here propose. Let me say to you, when you retreat, as you have retreated, retreat manfully. Do not endeavor to flank us by coming here with this subterfuge—an amendment proposing to fix the minimum of the Regular Army. Why, gentlemen, you can not catch suckers with so much of the hook exposed as that. [Laughter.] Why, sir, such a proposition is an overturning of our whole system of legislation. You might as well say to the military department, "You shall spend so much money, and as much more as you please." You might as well frame your appropriation bills upon that basis.

No, sir; Congress should retain within itself the right and the power to fix the maximum. Let us fix the number of this Regular Army at 50,000, which I think the demands of this country

justify—I am speaking now of the United States—and let it be determined by subsequent events whether we are going to retain those islands by force or not. If we are to retain them without force, many of our troops will not be required, either in Cuba or in the Philippine Islands.

Mr. CANNON. Suppose that within the next six months it should be necessary for the defense of person and property and the honor of the Republic to have more men in the Army than 50,000?

Mr. LOUD. I say, give the President the power to enlist for one or two years, when necessary, volunteers; but do not fix upon this country a regular army. [Applause.] Oh, Mr. Chairman, they have been compelled to bring into this debate as a "buffer" my friend from Illinois. This gentleman, who has heretofore stood up in defense of conservative appropriations, appears to be turning a complete somersault; but, no, he is only turning his face the other way; it is only temporary——

The CHAIRMAN. The time of the gentleman from California has expired.

Mr. HULL and Mr. JOHNSON of Indiana asked unanimous consent that Mr. LOUD's time be extended.

There was no objection.

Mr. LOUD. The gentleman from Illinois has for many years stood here, and very properly, as the guardian of the public Treasury, and I honor him for it. But he says, "What is $50,000,000 when the honor and the integrity of the country are at stake?" Sir, $50,000,000 is as nothing when the expenditure is necessary; but, Mr. Chairman, it is not necessary to put upon this country a regular army to protect the honor and integrity of the country.

"Oh," they say, "do not talk about expense." Sir, our pension roll of $150,000,000 to-day is not going to decrease. You are going to increase it. One hundred and fifty million dollars for the support of the Army! Three hundred million dollars for a military establishment! And you know it is a fact that a growing pension roll must come as the result of your proposition.

Mr. JOHNSON of Indiana. And you have a deficit now in sight for the last two years and for the coming year of about $180,000,000 to be provided for.

Mr. LOUD. Unquestionably; and your present system of taxation, devised to meet existing conditions, is practically inoperative in this regard, and there is no man on the floor who can say that it will be sufficient to meet the expenditures of the proposed army. [Applause.]

Now, Mr. Chairman, we have a duty to perform in this matter. There is no necessity for this unseemly haste. Let us go slowly. You can not re-form this bill, let me say to the gentleman, on the floor of the House to meet an army of 50,000 men on the framework of the original bill. You can not re-form in the face of the enemy. If you endeavor to re-form the bill on the basis of 50,000 or 60,000 men as a minimum in the Army, you will have a bill that is not appropriate to meet the scrutiny of anybody. [Applause.]

You have proposed to debate this bill until next Tuesday. The vote is to be taken at a certain hour on that day. You have listened already to some of the rumblings on this side of the Chamber, and have offered a concession—an apparent concession—to those gentlemen who are opposed to some of the features of the bill, which is not in any sense of the word a concession.

The idea of a legislative body fixing the minimum of the standing army in this manner is simply an absurdity. How will you meet the difficulty? Let me, with your permission, offer a single suggestion. You are patriotic men; you are desirous of doing the best; your chairman is able and capable. You take the bill back into your committee again and bring it before the House prepared and properly completed in every function and in every provision, and you can pass it just as easily by Tuesday as not. [Applause on the Democratic side.] That is to say, if you prepare it to meet the requirements of an army of fifty or even sixty thousand men if necessary. But I beg you, gentlemen, do not endeavor to press, by subterfuge, the Army bill providing for 100,000 men upon this House, because you can not catch a vote with any such bait as that. [Applause on the Democratic side.]

Mr. HULL. Mr. Chairman, a single word in response to the gentleman.

The gentleman from California says that there has never been a law, and that there never can be any law, by which the maximum and minimum of the military establishment is to be fixed.

Mr. LOUD. I said that there could be no minimum fixed.

Mr. HULL. If the gentleman had read the law in force before the late war with Spain, and if he had listened to or read the amendment of the gentleman from Illinois [Mr. MARSH], he would have found that it was almost a copy of the military law of this country as it stood in force for many years. We provided in 1870, I think it was, that the companies of infantry should be composed of 60 enlisted men as a minimum——

Mr. LOUD. I hope the gentleman will not undertake to misconstrue what I did say.

Mr. HULL (continuing). To be expanded, in the discretion of the President, if occasion should arise, to 100 enlisted men.

Congress afterwards passed another act, independently of this law, putting the maximum at 30,000 in the Regular Army, and afterwards, on an appropriation bill, fixing the number at 25,000 enlisted men——

Mr. LOUD. One being a peace and the other a war footing.

Mr. HULL (continuing). The maximum and minimum of companies standing unchallenged all this time, and when the Army was reduced the last time the officers were not interfered with.

Mr. LOUD. I ask the gentleman if one condition did not apply to war and the other to peace?

Mr. SHAFROTH. What is the condition of the amendment proposed? Is this your amendment?

Mr. HULL. The gentleman from California also said, in the course of his remarks, that the Committee on Military Affairs had surrendered the whole question. I say that we have not surrendered one single thing. We simply propose to fix a minimum and leave some power in the discretion of the Executive, and it was proposed before my distinguished friend from Iowa [Mr. HENDERSON] made his speech the other day. We are told this morning by the press of the country that General HENDERSON "frightened the committee" into surrendering! But the committee proposed to fix the minimum of the Army before we heard from him, and the gentleman from Illinois, my colleague on the committee [Mr. MARSH], gave notice that he would offer that amendment before any such remarks were made by anybody upon the floor. We may have been surprised at his argument, but certainly have not been frightened by his opposition.

The proposition was discussed by several members on the floor informally with members of the Military Committee, and we were perfectly willing to fix a minimum. It is not a very unusual thing. For more than a quarter of a century we lived under that kind of a military law. Again, they say we can not revise the Army on the lines that we suggest. Why? On account of the line officers? Did the Congress of the United States cut off a single line officer when it reduced the Army from 30,000 to 25,000? Did they cut off a single officer? Two companies of each regiment of infantry were skeletonized, but the officers were kept.

Mr. LOUD. Why, no; but you should have done it, and from the Navy, too.

Mr. HULL. You should not have done so. When the number of regiments were reduced Congress legislated officers out, but when the number in a company were reduced the line officers were left. Why? Because you have here the nucleus of an army. You have your 60 men in a company, you have your officers detailed in time of peace as professors in colleges, you have them detailed as teachers at West Point, you have them as recruiting officers, you have them in all the various details of the Government, running up to about 337 officers. And then if you have war, you are not subjected to the expense of bringing in men without training, men without experience, men without knowledge, to take command of troops in the face of the enemy. You have these trained men prepared for immediate and efficient service. The Government needs them. It is not unusual to propose it.

I am in favor of an army that the President can have at his disposal, if necessary, of a hundred thousand men, and I want to say to you and to this House that if this bill is recommitted it has got to be on the motion of some one other than myself and by a yea-and-nay vote of the members of this House who are willing to go on record. [Applause on the Republican side.] We might just as well understand this now as at any time. My friend from California [Mr. LOUD] has the right to oppose the Army. He has the right to oppose an increase of the number which is necessary to enforce the laws of the United States. He has the right as a member to say to the President that he will not trust him with this discretion, but neither he nor any other member of this House has the right to assume to this House that they are the majority of the House and try to scare and browbeat and force the Military Committee into a course of action that not a single member of the majority of the committee believes right. [Applause on the Republican side.]

[Here the hammer fell.]

Mr. CANNON. Mr. Chairman, the gentleman from California saw proper to refer to myself in connection with this proposed legislation, and talked in general terms about a great increase of pensions, and, instead of giving discretionary power to increase the Regular Army from fifty to a hundred thousand, in the discretion of the President, says let us have one-year volunteers. Is there any discretion to the President there?

Mr. LOUD. He can get rid of them when we get through.

Mr. CANNON. Has it not been said here time and again that our people do not wish to volunteer for garrison duty? Have we not now from seventy-five thousand to a hundred thousand volunteers who are kept in the Army and will be kept in the Army until some

provision is made for an increase of the Regular Army, and who are clamoring to come home?

But the gentleman is afraid of pensions. There is not much danger of considerable pensions to a small regular army of 50,000 to 100,000 men who are disciplined and inured and acclimatized—not much. The great bulk of the pension roll growing out of the war with Spain is to come from our 250,000 volunteers.

Mr. HAY. Will the gentleman permit me to ask him a question?

Mr. CANNON. I have but two or three minutes.

Mr. LOUD. The volunteers outnumbered the others ten to one, and the bulk of the pensions ought to come from them.

Mr. CANNON. Now, I want to say a word to the gentleman from California, who says that I have faced about the other way.

Mr. LOUD. Temporarily.

Mr. CANNON. I stand ready now, as I have always stood, ready to help give every dollar from the Federal Treasury that an efficient public service demands [applause on the Republican side], and I hope I will die politically and otherwise when I ever preach any other doctrine. My good friend from California is scared upon this economical question, or he is not as frank as he usually is in this House, and is seeking under the cry of economy to prevent the House from giving the proper armed force for the national defense and the national honor. [Applause on the Republican side.]

Mr. JOHNSON of Indiana. National defense against whom?

Mr. CANNON. And I for one will not take counsel of the gentleman from Indiana or the gentleman from California in shaping my vote for an increase of the Regular Army, because they are not friendly Indians. [Applause and laughter on the Republican side.]

Mr. JOHNSON of Indiana. I would have liked the gentleman to state against whom we need preparation for a national defense.

Mr. WALKER of Massachusetts. Mr. Chairman, we are entering upon very serious legislation, and we ought to do it in all coolness. We ought to keep in mind the conditions of the country and the seriousness of the business we are doing. I listened to the speech of the gentleman from Indiana [Mr. JOHNSON] the other day, and, striking out a very little that was entirely foreign to the subject and very unnecessary, I could approve the speech.

I also listened to the speech of the gentleman from Iowa [Mr. DOLLIVER] in reply, and I could see very little in it, if anything, I did not approve of. It was entirely consistent, most of it, with the bulk of the speech of the gentleman from Indiana, but why need we have any of this heat and passion? There is no cause for any adverse criticism of the President. There is not a particle of evidence before the country from first to last, in interviews, in words spoken, in messages, state papers of any kind, that the President of the United States is not as much opposed to forcibly taking a single foot of foreign territory in permanency as the gentleman from California [Mr. LOUD] or the gentleman from Indiana [Mr. JOHNSON].

A word about "subsequent events," of which the gentleman from California speaks. In any true sense of his allusion to them as creating an exigency they are upon us now. They are here. I would vote to-day to pay $100,000,000 for the privilege of honorably forsaking at once Porto Rico, Cuba, and the Philippines. But I would sacrifice $500,000,000 before I would dishonorably do either. [Applause.] Dishonorably do either! There is not a man in this House that would so do. We now have those islands. There is no possible path out of our dilemma but to confirm the treaty and to take the islands, and that at once. Take all of them into our possessions. If we can not trust ourselves to do right, who can we trust?

Mr. GAINES. And hold them permanently?

Mr. WALKER of Massachusetts. Not by any means. Not necessarily so, at all. And then depart from every one of them, so far as forcing a government upon them, at the very earliest opportunity we can honorably do it.

Mr. GAINES. Why does not the President say that?

Mr. WALKER of Massachusetts. Wait a moment. Because the President can not safely say it now. It is for us to say it when we have confirmed the treaty and have a right to say it. Not the President now or hereafter.

Mr. GAINES. Ought he not say it?

Mr. WALKER of Massachusetts. He ought not to say it now. When we have rescued a boy from the hands of a bully we want the bully to first submit, to give us possession of the boy, before we can treat with him or with the boy, or make the boy safe.

Mr. GAINES. This is not a boy. Here are 10,000,000 people, whom Dewey says are capable of self-government.

The CHAIRMAN. The committee will be in order.

Mr. WALKER of Massachusetts. Not so. They are less than a boy. I would like to have two minutes more.

The CHAIRMAN. The gentleman's time has not yet expired.

Mr. TODD. I would like to ask the gentleman if he would be willing that those troops should be withdrawn when they have formed an independent republic of their own?

Mr. WALKER of Massachusetts. Mr. Chairman, let me say to you that we propose to submit all questions for the consent of the governed, in the Philippines and everywhere else. The important question is, What is "the consent of the governed?" The governed must be competent to give an intelligent consent. They must be intelligent enough to give a rational consent. There can be no such thing as "consent of the governed" of an individual or of a people that has not sufficient intelligence, culture, and civilization to give a legal "consent." There is not a man on this side of the House or in this country—and I do not strike off the other side of the House—that does not claim as much interest in having "all governments derive their just powers from the consent of the governed" in these islands as you do.

Now, as to the Army, every fact and every consideration presented to this House shows that this Army bill should pass exactly as it is now proposed to pass it. It is in the interest of an efficient Army, in the interest of economy. There is not a man on this floor who believes that we can get an intelligent "consent of the governed" from the people in Cuba, or Porto Rico, or in the Philippines, even in three years. Then why not pass this bill and make such an Army as we ought to have under existing conditions, and trust to a subsequent Congress to change it whenever they think it wise to change it? Rest assured the most unhappy thing that a conservative President can do is to have a single man more in the Army than is absolutely necessary.

There is not a man in this country in public office or private place, be he a Democratic President or be he a Republican President, that will have any more interest in reducing the Army to the lowest possible point than the man who stands in the White House now and every other President and for evermore.

The only sound army legislation for a free people is a flexible system, with a minimum and maximum force, with the same number of officers to the minimum force. This is necessary that there may be enough officers to distribute a large number among the States to educate a large force of citizen soldiers, that they may be ready for action in an emergency.

Mr. HULL. Mr. Chairman, I move that all debate be closed on this section. There is no amendment pending. There is no trouble in gentlemen getting in on the next section.

The CHAIRMAN. The gentleman from Iowa moves that all debate on this section be closed.

The question was taken; and the motion was agreed to.

The Clerk read as follows:

SEC. 2. That each regiment of cavalry shall consist of 1 colonel; 1 lieutenant-colonel; 3 majors; 15 captains, 3 of whom shall be available for detail as adjutant, quartermaster, and commissary; 15 first lieutenants, 3 of whom shall be available for detail as squadron adjutants; 12 second lieutenants; 2 veterinarians; 1 sergeant-major; 1 quartermaster-sergeant; 1 commissary-sergeant, who shall have the rank, pay, and allowances of a quartermaster-sergeant of cavalry; 3 squadron sergeant-majors, who shall have the pay and allowances of first sergeants of cavalry; 1 band, and 12 troops organized into 3 squadrons of 4 troops each: *Provided*, That nothing herein contained shall be construed as abolishing the office of chaplain in each regiment of colored cavalry. Each cavalry band shall consist of 1 chief musician; 1 chief trumpeter; 1 principal musician; 1 drum major, who shall have the rank, pay, and allowances of a first sergeant of infantry; 4 sergeants; 8 corporals; 1 cook, and 11 privates. Each troop of cavalry shall consist of 1 captain; 1 first lieutenant; 1 second lieutenant; 1 first sergeant; 1 quartermaster-sergeant; 6 sergeants; 8 corporals; 2 cooks; 2 farriers and blacksmiths; 1 saddler; 1 wagoner; 2 trumpeters, and 83 privates, the commissioned officers to be assigned from among those hereinbefore authorized. The veterinarians provided for in this section shall be enlisted and shall have the pay of $1,200 per annum: *Provided*, That the veterinary surgeons now in service with cavalry regiments may be enlisted as veterinarians without reference to age: *And provided further*, That in computing length of service for retirement such veterinarians shall be credited with the time they have already served as veterinary surgeons.

The amendment recommended by the committee was read, as follows:

Line 5, after the word "shall," strike out down to and including the word "annum," in line 7, and insert "have the rank, pay, and allowances of a second lieutenant of cavalry."

Mr. HAY. Mr. Chairman, I desire to offer an amendment to the amendment.

The CHAIRMAN. The gentleman from Virginia desires to offer an amendment to the amendment.

Mr. COX. I desire to move to strike out the last word.

The CHAIRMAN. The gentleman from Virginia offers the following amendment to the amendment.

The Clerk read as follows:

In line 8, after the word "cavalry," insert the words "provided that the veterinary provided for above shall stand a competitive examination, to be held under rules and regulations to be prescribed by the Surgeon-General of the United States."

Mr. COX. Now, then, Mr. Chairman, I move to strike out the last word.

The CHAIRMAN. The question is on the amendment. The gentleman from Tennessee to the right of the Chair is recognized.

Mr. HULL. This is simply a regulation of the War Department.

Mr. CANNON. To what amendment does that go?

Mr. HULL. This goes to the amendment for a veterinary surgeon.

Mr. HAY. I would like to be heard on this subject.

Mr. HULL. The gentleman has the floor.

Mr. COX. I am recognized, I think, by the Chair. [Laughter.]

Mr. HULL. I have nothing to say against the amendment. It is simply a matter of regulation by the War Department. I do not think that there can be any objection to it, and I have no objection to having it written in the bill.

Mr. HAY. Then you have no objection to my amendment?

Mr. HULL. Not at all; it is simply what the Department would do, I think.

Mr. CARMACK. Mr. Chairman, I wish to recur briefly to some remarks that have been made in the progress of this debate. It has been assumed by gentlemen on this side of the Chamber, and believed, I think, by the country at large, that this bill to quadruple the permanent military force of the country is simply part of a scheme of colonial empire. That such a policy has been determined upon by the present Administration and by the Republican party has been believed without doubt or question by all the people of every political party in the country. For the first time, within the last few days, we have heard a suggestion of doubt upon that question. It was believed when the President of the United States on his Southern tour asked the question as to who should haul down the flag in the Philippine Islands that that was simply an interrogative and rhetorical form of declaring that that flag should never be hauled down.

My friend from Iowa [Mr. HEPBURN] the other day sought to put a different construction on that language; but able and eloquent as that gentleman is, I wish to say that when it comes to translating the mind of the President of the United States into the language of the country, I prefer the more authoritative interpretation of my friend from Ohio. [Laughter.] Upon this question of pulling down the flag, I wish to quote my distinguished friend from Ohio and his expression of the sentiments of the President of the United States and the policy of the Administration.

Now, I do not wish to say that my friend from Ohio is the mouthpiece of the President, because he is not, but I do say that whenever he undertakes to speak, and positively proclaims that he is speaking for the Administration, what he says is ex cathedra, and it comes hot from the throne. [Laughter.]

Here the other day—on the 12th of January, to be exact—my friend from Ohio [Mr. GROSVENOR], in reply to some remarks of mine, in which I commented upon the fact that the Republican conventions in the last campaign had not indorsed the policy of permanently holding the Philippine Islands, quoted the language used by him in addressing the Ohio convention, which was as follows:

> I make no prognostication except this: I doubt very much whether you or I will live to see the day when by the order of a Republican Administration—and surely not by the order of McKinley's Administration—the starry banner of your country's glory shall be pulled down from any flagstaff where conquest of arms has placed it.

The gentleman read that to the House, and he declared, "I had the honor to deliver that sentiment, and I have never backed down from it."

Now, Mr. Chairman, conquest of arms, the President in his proclamation to the people of the Philippine Islands declares, has placed our flag over those islands, and my friend from Ohio, speaking, as he expressly avowed, for the Administration, and speaking what he declared to be the views and policy of the Administration, declared that that flag should never come down; that none of us now living would ever live to see the flag taken down from the flagstaff where the conquest of arms had placed it in the Philippine Islands; and the gentleman on the 12th day of this month declared that he still adhered to it and that such was the policy of the Administration.

Mr. GROSVENOR. The gentleman is mistaken; I did not say it was the policy of the Administration. The gentleman said I repeated it and said I never had backed down from it and that it was the policy of the Administration.

Mr. CARMACK. I did not intend to say that the gentleman said that; I was interpreting his language, not undertaking to quote his exact words; but he did say in that passage which he quoted and indorsed that the flag would not be pulled down by order of McKinley's Administration from any flagstaff where conquest of arms has placed it.

[Here the hammer fell.]

Mr. RICHARDSON. Mr. Chairman, I ask unanimous consent that the gentleman's time be extended five minutes.

The CHAIRMAN. Is there objection? [After a pause.] The Chair hears none.

Mr. CARMACK. Now, my friend from Iowa [Mr. HEPBURN] said the other day that he did not doubt we should deal with the Philippine Islands just as we have promised to do with the island of Cuba; that we will give liberty and independence and the right of self-government to its people.

Now, I wish to say if that will come from some authoritative source, if that promise shall be made with the sanction of this Government, then I believe that the crisis now on in the Philippine Islands and the hour of danger will have passed. But if there is to be war there, if there is to be slaughter there, if the Philippine Islands are to be made to swim in the blood of their inhabitants and in the blood of the American soldier, the responsibility, I will say to my friend from Ohio, will rest upon those who, by saying with authority what the gentleman from Iowa has said upon his own responsibility, could avert that catastrophe.

My friend from Ohio this morning, as he has in debate heretofore, has undertaken to lay the responsibility for all the suffering and all the war and all the bloodshed that may occur in the Philippine Islands upon those who are opposing the ratification of the treaty in its present form. I wish to say, Mr. Chairman, that those of us here, and on the other side of the Chamber, I believe, who are opposed to the unconditional ratification of that treaty are those who are seeking to save the lives of the American soldiers. We are here pleading for the lives of the volunteers. We are reminding you that we have already more than accomplished all that this war was begun for.

We say to you, "Now that you have done that, take your soldiers away from the Philippine Islands, where they have no business to be; and by so doing you will save thousands of lives."

But the gentleman from Ohio tells us, "If you do not consent to this new policy, if you will not consent to enter upon this policy of imperialism and colonial empire, we will punish you by sacrificing thousands of the lives of American soldiers; we will devote them to disease and death; and then we will lay the death roll at your door." Mr. Chairman, that can not be done. The American people will understand, and the American volunteers will understand, who is responsible. They have done their duty, they have fought this war to a finish, they have accomplished all that was asked or expected of them when this war began, and the responsibility for the death of every other American soldier will rest upon those who are now prosecuting a new war for a new purpose.

Mr. Chairman, my friend from Ohio said the other day that I would be branded as a coward because I wished to withdraw our troops from the Philippine Islands. I want to say to him that there are other cowards in this country, even in Ohio; and I will furnish to my friend from Illinois the third man to make his "three of a kind." I will read just one passage. This is from an interview with John Sherman, late Secretary of State:

> "I am decidedly opposed to the invasion of the Philippines. The idea of our country forcing its way in these islands and forcing its Government upon the 7,000,000 or 9,000,000 population is monstrous. It is subversive of the basic principle of our Government, that the just powers of government are derived from the consent of the governed, and it is in violation of the traditions of our country."
>
> "Then if you were in the Senate, you would not vote to ratify the treaty of Paris as it stands?"
>
> "If I were in the Senate I would not vote to ratify it as it stands. I would vote to withdraw from the islands as soon as possible."

There is another coward; there is your three of a kind.

Mr. WALKER of Massachusetts. We will all agree to that. Every man of us will agree that we should withdraw military force as soon as we honorably can.

[Here the hammer fell.]

Mr. GROSVENOR. Mr. Chairman, I hope the gentleman from Tennessee will listen to what I am about to say——

Mr. CARMACK. I always do.

Mr. GROSVENOR. In order that an end may come to what I deem a matter of the utmost unfairness in his attempted treatment of myself. I know the gentleman does not mean any personal harm to me; but I want him to be fair to me and to others. I have never here or anywhere else on earth ever said or predicted as having come from the Administration any word or sentence——

Mr. CARMACK. I did not say that.

Mr. GROSVENOR. The gentleman has used very adroit language. He started out by saying that he would not charge me with attempting to speak for the Administration except when I said I was speaking for the Administration. He then said that I had on one occasion spoken authoritatively, as I claimed, for the Administration, and he read what he said I had said——

Mr. CARMACK. You used the word "certainly."

Mr. GROSVENOR. I have said nothing of the kind. And now let me state the fairness I demand of the gentleman. Let me read what I said in the State convention at Columbus, Ohio, and see whether or not he will ever again charge me with having used that language with reference to an authoritative statement from the President.

In the first place, it will be seen by a restatement of the matter that I was looking forward—recollect this was on the 21st of June, a date when we had only put our flag upon a little island down there in the harbor of Manila, not on the mainland, but in the harbor; and I was looking forward toward the question of an

invasion and a conquest—looking forward to the exact condition we are in now. I used this language:

In the near future important problems will arise out of the war in which the nation is now engaged. Among others will be the disposition to be made of conquered territory. The people can safely leave the wise and patriotic——

Mr. CARMACK. That is from your platform.

Mr. GROSVENOR. Not at all; it is my language.

A MEMBER. That is the same thing.

Mr. GROSVENOR. Yes; that is in the platform. Having written it myself, it is not very strange I should have been for the moment misled.

The people can safely leave the wise and patriotic solution of these great questions to a Republican President and a Republican Congress.

Now, I want to put forward my own language. Let me see whether the gentleman will not at once admit that I did not assume to speak for anybody but myself and that there is nothing in my language which by any fair construction can be supposed or imagined to have been intended by me or understood by anybody else to mean that I assumed to speak for the President.

I make no prognostication except this: I doubt very much whether you or I will live to see the day when by the order of a Republican Administration—and surely not by the order of McKinley's Administration—the starry banner of your country's glory shall be pulled down—

That meant something—

from any flagstaff where conquest of arms had placed it.

Now let me read it again exactly as it was intended and as it is now:

I make no prognostication except this: I doubt very much whether you or I will live to see the day when a Republican Administration—and surely I doubt whether we will live to see the time when McKinley's Administration—will order pulling down the flag.

It never was understood by anybody—and the gentleman from Tennessee, standing by himself and uninstigated by anybody on that side of the House, will not repeat, I am sure—that it is a fair construction of that language that I declared I was speaking for the Administration. There is a parenthetical remark thrown in there, controlled entirely by the former part of the sentence, that I would predict that we would never live to see it, and surely never during this Administration. Well, I predict it right now, as I predicted it then; and my prediction will stand good during all the coming six years of this Administration. [Laughter and applause.] I do not care to rediscuss with my friend the question as to who is responsible.

Mr. CARMACK. Mr. Chairman, I desire to occupy the floor but a moment longer in response to what the gentleman from Ohio has said.

I do not wish, sir, to do the gentleman from Ohio the slightest possible injustice. I think he knows that. I quoted the exact language used by the gentleman—I read it to the House in his own words—and the House can put its own construction upon it. Let me refer again to the circumstances under which those remarks were made.

They were made, Mr. Chairman, in reply to certain remarks of mine on the floor of the House. I had argued to the House that the Republican conventions in the recent campaign had not indorsed the policy of the Administration, which I had declared to be a policy of forcible annexation, and especially with reference to the Philippines, the permanent possession of these islands as a province of the United States. In reply to these remarks and to refute them, as I understood, the gentleman quoted from the Ohio platform and from his speech before the Ohio convention.

Mr. GROSVENOR. Now, will the gentleman allow me just there? Did I not reply to that, and say that so far as that part of the suggestion was concerned our convention was held in Ohio on the 21st day of June, and therefore that it could not possibly have made the utterances to which reference was made, and in reference to which the gentleman was complaining, as to the Administration and its policy and its supposed plans?

Mr. CARMACK. Mr. Chairman, I am referring now to the language of the gentleman from Ohio himself.

Mr. GROSVENOR. Very well. I will stand by my language.

Mr. CARMACK. The gentleman has just said that he was looking forward to the condition that exists at the present time when he made the remarks I have quoted. They were made looking forward, I say, to the conquest of the Philippine Islands by force of arms. There can be no other meaning in the language employed.

The gentleman said then, substantially, and repeated it here a few days ago, that "you will never live to see the day, and certainly not under the McKinley Administration, when the starry banner of your country's glory shall be taken down from the flagstaff where it now floats in the Philippine Islands, and where it was placed by force of arms."

And the gentleman from Ohio said a few moments ago, in reference to the platform quoted by him and written by him—and the language used by him before that convention—the gentleman said that it was used with reference "to future conditions and the condition which exists now in the Philippine Islands," and that condition is that these islands have come under our possession "by conquest of arms."

Mr. GROSVENOR. That is right.

Mr. CARMACK. Now, the gentleman has stated that he did not speak for the Administration. I did not mean to say that the gentleman from Ohio was expressly charged with that duty by the Administration, or that he used the exact language furnished to him by the Administration, or that he had been coached by the Administration.

I did not mean that the President of the United States actually told the distinguished gentleman from Ohio to come into this Hall and say to this body exactly what he did say. The gentleman from Ohio is too intelligent a representative of the Administration to need any such specific instructions. The gentleman breathes the air of the White House; he comes here with the odor of its sanctity about him. [Laughter.] He knows all the varying moods and shifting opinions of the Administration.

Mr. JOHNSON of Indiana. I do not believe it possible for any man to register them. [Laughter and applause on the Democratic side.]

Mr. CARMACK. I think the gentleman from Indiana is correct. I am inclined to agree with my friend on that point; but at all events my friend from Ohio who has just taken his seat seems to think that he knows them; and when he says anything on the subject; when he uses, especially, language such as has been quoted; when he says, "surely something will be done by the Administration," or "surely something will not be done" by it, the gentleman knows what the Administration means and intends at that particular moment of time, or at least he thinks he does. [Laughter.]

Mr. GROSVENOR. Now, if the gentleman will allow me to put it into his remarks, I will say if it were a mere guess on my part, it was a mighty good one, was it not?

Mr. CARMACK. I do not know; neither do you.

Mr. GROSVENOR. Well, time will tell.

Mr. CARMACK. Whatever may be the opinion of my distinguished friend from Ohio, I do not believe that any of us can predict that. We are all "guessing" at present.

Mr. HULL. Mr. Chairman, this is an amendment pending before the committee to give to the veterinary surgeons in the Army a certain rank—the rank of a second lieutenant of cavalry. I think the House is ready to vote upon it.

I ask a vote now upon the pending amendment.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Virginia [Mr. HAY] to the amendment offered by the chairman of the committee.

Mr. PARKER of New Jersey. I hope the gentleman will not demand a vote yet.

Mr. HULL. The gentleman from New Jersey objects to my closing debate immediately, and I move that all debate be closed in ten minutes.

Mr. PARKER of New Jersey. I do not want to talk on this. I simply want to offer an amendment.

The CHAIRMAN. The gentleman from Iowa moves that all debate on the pending paragraph and amendments be closed in ten minutes.

Mr. PARKER of New Jersey. I have an amendment simply to put the word "assimilated" before the word "rank."

The CHAIRMAN. The motion of the gentleman from Iowa to close debate is unnecessary at this time. Debate has already been exhausted on these two amendments, and the Chair will put the question to a vote.

Mr. HULL. The amendment to the amendment was accepted, as I understand?

The CHAIRMAN. Has the gentleman from Iowa accepted the amendment of the gentleman from Virginia?

Mr. HULL. I understand the gentleman from New Jersey offers an amendment to the amendment of the gentleman from Virginia which was accepted by the committee.

The CHAIRMAN. The Clerk will report the amendment.

The Clerk read as follows:

Insert in line 7, page 3, after the word "the," the word "assimilated."

Mr. PARKER of New Jersey. The object of the amendment is to make veterinaries have assimilated rank and not full rank.

Mr. HULL. I hope that amendment will be voted down. I think they ought to have full rank, and I want to say to the gentleman from New Jersey that we have in the Army the poorest class of veterinary surgeons in the United States, because they have not the rank to enforce their orders; and assimilated rank will not fill the bill.

The CHAIRMAN. The amendment of the gentleman from New Jersey [Mr. PARKER] is not yet in order. The vote will be taken on the amendment to the amendment offered by the gentleman from Virginia.

The amendment to the amendment was agreed to.

The CHAIRMAN. Now the gentleman from New Jersey offers the amendment just read from the desk. The question is on

agreeing to the amendment of the gentleman from New Jersey, which is an amendment to the amendment.

Mr. LACEY. Mr. Chairman, I move to strike out the last word, in order to ask the chairman of the committee——

The CHAIRMAN. That motion is not in order. Two amendments are now pending.

Mr. HULL. I yield to my colleague for a question.

Mr. LACEY. I want to ask the gentleman, in regard to the necessity of this amendment, as to what the rule is in other countries. Take Germany, France, and other countries that have a large regular army. What is the rank of veterinary surgeons? I want to know whether this is a new thing or whether it is something that has been done heretofore, and we should like to have some reasons given. The debate has gone off on the question of the Philippines instead of on these horse doctors, and I want to know about the horse doctors.

Mr. HULL. I think there is no question that in the German army they have rank.

Mr. HAY. I can state to the gentleman that I know as a positive fact that the rank of veterinary surgeon in the German army goes up as high as major and lieutenant-colonel.

Mr. HULL. My colleague has looked that up.

Mr. McCLELLAN. I think, if the gentleman will permit me, it is assimilated rank, and that surgeons have assimilated rank as well.

Mr. HULL. For all outside of the general staff the rank is assimilated in the German army.

Mr. JOHNSON of Indiana. I did not hear what the gentleman from Iowa said in respect to the lack of competency of our veterinary surgeons.

Mr. HULL. Many of the veterinary surgeons in the Army today are men who have been gradually worked in from the position of farriers. They have grown old in the service. You can not get the best class of veterinary surgeons to accept positions in the Army, for the reason that they have no rank. They have no power to enforce their orders. Their grade is simply that of noncommissioned officers, and if they find horses that are diseased, they report the fact to an officer of the company or regiment, and if he does not agree with them they are powerless to protect the property of the United States. Now, Mr. Chairman, I have one word further——

Mr. JOHNSON of Indiana. Right in that connection, I want to say to my friend that I know personally that there are a great number of very competent veterinary surgeons in this country who are graduates of schools, for there are some very fine veterinary colleges both in this country and Canada. I know men who are graduates of these schools, men who possess high intelligence and culture; and I have on my desk in my room five or six letters from gentlemen just of that character urging that some provision be made for them in this Army bill. That is why I asked the question. I do not entertain the shadow of a doubt but that we have as high a class of veterinary surgeons in this country as in any country, unless it is England.

Mr. PARKER of New Jersey. Mr. Chairman——

Mr. HULL. I have the floor yet. I hope my friend will not take that out of my time. I want to say that the object of this amendment is to get the best veterinary surgeons into the Army. We have, as you say, the best educated veterinary surgeons in the world in this country—as good as they have in England—but they will not go into the Army because of the lack of rank, the lack of standing in the Army, and the lack of protection in their professional work.

Mr. JOHNSON of Indiana. Mr. Chairman——

Mr. HULL. Now, hold on one minute. My time is only five minutes. Let me give you an illustration. In talking to the Secretary of Agriculture, when this matter was before the committee, he stated that the War Department had called upon the Agricultural Department to send veterinary surgeons from the Agricultural Department to Florida to take charge of the sick animals. Why? Why, because in the Agricultural Department the veterinary is recognized as belonging to an educated profession, and they have the very best in the country drawn to the service of the Department there, while in our Army we have not been able to get good veterinary surgeons on account of the way they are treated in the Army. They are not recognized.

Mr. BELKNAP. Being without rank, they can not enforce their orders.

Mr. PARKER of New Jersey. Mr. Chairman, I think I ought to have a minute.

The CHAIRMAN. The gentleman has five minutes.

Mr. PARKER of New Jersey. I do not want that much.

The provision to give proper pay and recognition to the skill and education of the veterinary surgeon has my heartiest support. The veterinary surgeons should have the shoulder straps and a position in the Army which will give them authority over the men. They should have every honor that belongs to that part of the staff that do not have actual command or act in the actual fighting line.

We are reorganizing the Army, and the question is whether the lawyers who help in courts-martial as judge-advocates, or the business men who manage the accounts as paymasters, or the accountants and bookkeepers who attend merely to the war office, or even the skilled professional men who attend to the horses' health should have more than assimilated rank and pay and honors. We alone of modern nations give them the actual rank and title of command—general, colonel, major, captain, and lieutenant—which many of us think should belong only to those actually in command.

This is the first sentence of the bill that raises the question of the true position of this part of the staff.

I for one believe they should have the assimilated rank, but not full rank. I have never believed in giving paymasters full rank, or men who work only in offices and not at the front.

They should have an assimilative rating, but not full rank and right to go on the retired list, because they do not risk their lives in the fight. There perhaps should be an exception for surgeons, who, by their very profession, are required to go on the battlefield, and for that reason ought to have full rank. Veterinary surgeons would perhaps not be required to be up with the regiment in front, but would find their proper post elsewhere.

Mr. GRIFFIN. Why not?

Mr. PARKER of New Jersey. They are to take care of the teams.

Mr. GRIFFIN. The horses are at the front.

Mr. PARKER of New Jersey. But, perhaps they would not be taking care of them in the front. It is with reference to all parts of the staff who are not forced to be at the front that there is question whether the staff rank should be the full rank of an officer with full power to go on the retired list. This principle is partially followed as to surgeons. It is well known that while a certain number of them serve in the line, others are only called in for a time as acting assistants. They are given their authority and honor and shoulder straps, and serve in the Medical Department, but not as a part of the permanent staff; and it was for that reason that I used the word "assimilated," not with any idea of being against giving the veterinarian and his noble occupation proper recognition, but so as to raise this general and fundamental question as to staff rank in many of its branches.

Mr. RIDGELY. Mr. Chairman——

The CHAIRMAN. The gentleman will be recognized for two minutes.

[Mr. RIDGELY addressed the committee. See Appendix.]

The question was taken on the amendment; and the amendment was rejected.

The CHAIRMAN. The question now is on the amendment of the gentleman from Iowa.

[Mr. COCHRAN of Missouri addressed the committee. See Appendix.]

Mr. HULL. Mr. Chairman, I now ask for a vote on this amendment.

The amendment was agreed to.

Mr. HULL. Mr. Chairman, I move that the committee do now rise. A portion of the day has been set apart for eulogies, and the gentlemen are now ready to proceed.

Mr. HAY. Mr. Chairman, a parliamentary inquiry. I would like to know whether, if the committee now rises, we shall still be on the same section when we go into Committee of the Whole again?

Mr. HULL. Certainly.

The CHAIRMAN. Yes.

The motion was agreed to.

Accordingly the committee rose; and the Speaker having resumed the chair, Mr. PAYNE, Chairman of the Committee of the Whole House on the state of the Union, reported that that committee had had under consideration the bill (H. R. 11022) to reorganize the Army, and for other purposes, and had come to no resolution thereon.

Mr. HULL. Mr. Speaker, I want to ask unanimous consent that the superintendent of the folding room may send enough of the Army reorganization bills to the desk of the Clerk in the Hall, so that members may get them there. A great many members have not realized yet that they must write an order to get them, and they are continually coming here for them.

The SPEAKER. Will the gentleman from Iowa indicate what number?

Mr. HULL. Two hundred.

Mr. BARTLETT. Why not put them on the desk of each member of the House?

Mr. HULL. Because in that way probably many of them would

get lost. There can be 200 brought here and put on the desk of the Clerk and still leave a large number in the folding room.

Mr. PERKINS. Mr. Speaker, these bills are now assigned to individual members. Can the House change that assignment? I think it can not.

The SPEAKER. The Chair thinks it is a doubtful question.

Mr. HULL. I suppose by unanimous consent they can take one here for each member.

Mr. PAYNE. I think this question could be solved, Mr. Speaker, by members signing an order and sending it by a page when they want a copy.

The SPEAKER. Objection is made.

EULOGIES ON THE LATE HON. JOHN SIMPKINS.

The SPEAKER. The Clerk will read the special order for to-day.

The Clerk read as follows:

IN THE HOUSE OF REPRESENTATIVES, *Tuesday, January 17, 1899.*

Resolved, That Saturday, January 28, 1899, be set apart for the purpose of paying tribute to the memory of Hon. JOHN SIMPKINS, late a member of the House of Representatives from the State of Massachusetts.

Mr. GREENE of Massachusetts. Mr. Speaker, I offer the resolution which I send to the Clerk's desk.

The SPEAKER. The Clerk will report the resolution.

The Clerk read as follows:

Resolved, That the business of the House be now suspended that opportunity may be given for tributes to the memory of Hon. JOHN SIMPKINS, late a Representative from the State of Massachusetts.

Resolved, That as a particular mark of respect to the memory of the deceased, and in recognition of his eminent abilities as a distinguished public servant, the House, at the conclusion of these memorial proceedings, shall stand adjourned.

Resolved, That the Clerk communicate these resolutions to the Senate.

Resolved, That the Clerk be instructed to send a copy of these resolutions to the family of the deceased.

The SPEAKER. The question is on agreeing to the resolution.

The resolution was agreed to.

Mr. GREENE of Massachusetts. Mr. Speaker, as the successor of the late Mr. SIMPKINS, I approach the difficult task of expressing a tribute to his memory with a great deal of diffidence.

My opportunities of intimate association with him were few, as he resided in a portion of the district quite remote from my home. But the impressions formed upon my first visit to his house were fully borne out in my subsequent relations with him. He sat surrounded by a well-stocked library in his elegant home, and from his conversation and expressive language I realized that this library was among the choicest of his possessions, and that his familiarity with it would be one of his strongest weapons of offense and defense in the performance of the duties which would devolve upon him as a Representative of his district in the National House, to which position he had decided to aspire in response to the wishes of his friends and neighbors, who had, in a formal petition from the citizens of every town in Barnstable County, expressed their desire that he should thus serve them.

More than fifty years had elapsed since this county had been represented in the National House, and at no time previously had there been that unanimity of sentiment expressed for the selection of a candidate.

I shall refer somewhat briefly to some of the acts of his Congressional life, but I doubt not some other member associated with him in his work will much more fittingly refer to his achievements here.

Mr. SIMPKINS was born in New Bedford, Mass., June 27, 1862, and died in Washington, March 26, 1898, after a very brief illness. In early childhood he removed to Yarmouth, Mass., where he attended the public schools of the town, which was ever after his home. He afterwards attended St. Mark's School, at Southboro, and entered and graduated at Harvard College. He was always active in the public affairs of his town, and for several years served upon the school committee. He seemed destined for a career of public service. He was elected and served in the State senate of Massachusetts in 1891 and 1892, and might have been reelected for many years, but he laid down the honors which might have been easily his to take a special course in economics at Harvard College, in order that he might be the better fitted to take up the sterner duties of more rugged manhood.

He had always been active in the councils of the Republican party, serving with marked ability for several years upon the State committee, and with great distinction and honor as the second president of the Republican Club of Massachusetts, succeeding the present Governor Wolcott in this honorable office. He had also been Presidential elector in 1892.

Nothing that could be of interest to his fellow-townsmen or associates in Barnstable County escaped his attention.

Although young in years, he became a leader. In all matters he was looked up to very much as a child looks to a parent, and he entered into every phase of life which surrounded him. He was essentially a Cape Cod boy. His great-grandfather, John Simpkins, was for many years a minister at Brewster. His grandfather, Nathaniel S. Simpkins, was a man of prominence in the county and held many positions of trust, and was the editor and publisher of the first newspaper in the county. His father was a very successful business man. For many years Mr. SIMPKINS had been very actively interested in the Barnstable County Agricultural Society, serving as its president, contributing his splendid vigor and earnest, painstaking labor toward its successful maintenance. Inheriting considerable wealth, to which he added by careful investment, his was not the life of contentment and ease which, alas! too many similarly situated regard as their proper station.

He was elected to the Fifty-fourth Congress and reelected to the Fifty-fifth Congress, and seemed destined for a long and successful career in public life. He entered with great earnestness upon his duties, mastering subjects of public interest in such a manner that he was able to creditably sustain himself in the conflict of debate with those who had rendered very much longer service in the House. He very strongly presented arguments for the repeal of the "compulsory pilotage law," for it was of great interest to the mariners of his district, and he expressed himself very intensely, because the injustice of it to them had been burned into his very soul by those of his constituents with whom he had been intimately associated.

The varied wants of the district he represented were his constant care, and no service which the humblest sought from him was overlooked. It meant for him a life of service and of toil, and yet he never complained, for he seemed best satisfied when he was making the burdens of others less burdensome and when he could gratify the wishes of some humble constituent. The expressions of kindness coming from his associates here, without distinction of party or social surroundings, have been very gratifying to myself and to his friends.

Since his death an elegant library of choice books has been presented to the Yarmouth High School by his sister, Mrs. Bacon. It was a gift to the school in his memory, and it is known as "The John Simpkins Library."

No gift could have been better chosen as a memorial, nor could there have been anything more in accordance with his personal wishes had it been possible for him to give expression thereto. Above the library case is an excellent portrait of the late Congressman, and as the present and coming generations enjoy the advantages which this library affords they will constantly be reminded of the deep interest which he took in the cause of education and of his brief but eventful and honorable career.

The Boston Journal, in an editorial referring to Mr. SIMPKINS's death, said:

It abruptly ends a career which has been as successful and useful as has been achieved by any public man of his years in Massachusetts. He sought public life because it was congenial to his personal tastes, and because he was unwilling to do as he might have done, and as many men of his fortunate class have always done, and made his ample means the pretext for a life of elegant idleness.

The Washington Post, in the closing paragraph of an editorial referring to his death, used the following words:

Here is a life of promise suddenly cut short. A strong man in the heyday of his maturity and at the threshold of his usefulness has been stricken down. A staunch and loyal friend, a brave and honorable gentleman, a fine specimen of simple and straightforward and unselfish manhood, he will be mourned as it is the fate of few to be mourned—with genuine sorrow and affection.

His loss will be keenly felt among his associates here, but the grief of his family and more intimate friends will be the more poignant and lasting because of the shock which came so suddenly upon them and blasted their brightest and most cherished hopes.

Mr. SWANSON. Mr. Speaker, I shall deliver no elaborate eulogium upon our deceased friend. I shall not undertake to give the details of his young life, crowded with successes, covered with honors, and crowned, at his early death, with brilliant promises. This has been admirably performed by the distinguished member from his own State who succeeds him.

I desire to speak only of Mr. SIMPKINS as a member of this House, and of the impressions produced upon me by an acquaintance and an association with him.

Mr. SIMPKINS impressed every one who met him as being possessed of a gentle, kindly disposition, full of generosity, and abounding with the love of humanity. He was frank and open. He scorned all disguises, all concealments. His aims being high, his purposes pure, he neither needed nor used any of the acts of political dissimulation. It was impossible to meet a person more straightforward, more truthful than Mr. SIMPKINS. He expressed his convictions clearly and fearlessly. Personally he was of the most lovable nature, held in high esteem and affection by all who knew him. His friendships were genuine and sincere. He was generous and gave liberally of his large means. He was modest, refined, unpretentious. It was rare to meet a character so full of excellencies, so devoid of defects. His qualities of mind were more substantial than shining. His intellect was clear, strong, and vigorous. It could grasp any subject fully and hold it firmly.

He was highly educated and possessed splendid intellectual attainments. In Congress he was one of the useful and not merely ornamental members. His time was faithfully used in looking after the interest of his constituency or the legislation of his country, and not entirely in the preparation of speeches for personal display. He made a most capable and efficient Representative, serving his people and country well.

He was always a Republican, but never allowed partisan feeling to stand in the way of a just judgment. All public matters received from him a most liberal and intelligent consideration. He was in all respects a worthy son of the great Commonwealth that gave him birth. In his attributes of heart and qualities of mind he illustrated those steady virtues which have made his State and her achievements famous the world over.

His early death ended a pure and an unselfish life. It closed a career brilliant with prospects for the future.

Mr. WALKER of Massachusetts. Mr. Speaker, scarcely has the death of a Congressman been such a shock to his colleagues and friends as that of Hon. JOHN SIMPKINS.

The very picture of health, with a physique that indicated the very highest ideal of physical powers and long life, we had scarcely heard of his slight indisposition before the tidings reached us of his death.

Having an ample fortune, he early decided to devote himself to public affairs. Having held many official and semiofficial places of high honor, he was first elected to the Fifty-fourth Congress.

In the discharge of his duties in committee and on the floor he was exceptionally conscientious and industrious, and displayed rare good judgment and discretion. Massachusetts anticipated for him a career of great usefulness, which his brief service in the House fully warranted.

He was a worthy representative of a noble constituency.

Mr. WEYMOUTH. Mr. Speaker, little did I think when I became a member of this body that the first words I should utter on the floor would be spoken as a tribute to the memory of our late brother, JOHN SIMPKINS. Yet such is the case. I first met him at the Republican national convention at St. Louis, in 1896, though I had known him by reputation for several years. The drawing of seats at the beginning of the Fifty-fifth Congress placed me immediately in front of him; consequently I saw a great deal of him from that time until he was taken away. My attention was at first especially called to him by an act of kindness shown a young friend of mine who was calling on me at the time and who was a total stranger to him. On account of that kindly act, and largely through his influence, that boy is now a page in this House. It was then that I first began to realize the make-up of the man and the many noble qualities he possessed. Several times he took a seat by my side during the extra session and asked me as a new member how I was getting along, and offering to render me any assistance in his power. Nothing is so much appreciated by new members who come here almost entire strangers as such treatment from older members.

Incidents like those I have mentioned prove more conclusively his kind heart, sweet disposition, and generous impulses than any words of general eulogy can do.

Mr. Speaker, well do I remember his last day in this House. The day previous he came to me and said that he was going to introduce a bill regarding some public land in his district which would be referred to the Committee on Public Buildings and Grounds, of which I have the honor to be a member, and asked for information regarding the form of making out the bill. I explained it to him as best I could, and to further assist him I sent a page to the committee room for several bills of like nature that had already been introduced, who through some misunderstanding returned without them. Much against his wishes, I then went myself and brought them to him, and I shall never forget his appreciation of that service. The next day he touched me on the shoulder and returned the bills, saying he had gotten all the information necessary, and again heartily thanked me for my trouble, as he termed it. This was the last time I saw JOHN SIMPKINS or heard his voice, but it will always be a pleasant recollection that in our very last intercourse I was permitted to reciprocate, even in a small way, his many courtesies and kindnesses to me.

Many times I have wondered why such a life of promise should be cut down so suddenly on the very threshold of its usefulness, and can arrive at but one conclusion:

God moves in a mysterious way
His wonders to perform.

Born amid wealth and refinement, he could have lived a life of leisure, but he chose rather a busy and industrious one, working for the welfare of others. He was one of the most generous and hospitable men that it has ever been my good fortune to meet. He possessed every quality to endear himself to all who came in contact with him in whatever capacity. He never spoke on the floor to hear himself talk; but when he did speak, two characteristics impressed his hearers, his earnestness and his sincerity. He was an able representative of one of the most important constituencies of the old Bay State, and will be sadly missed.

Mr. Speaker, a long eulogy on the life and character of JOHN SIMPKINS is not necessary. All that need be said of him can be summed up in these few words: He was born one of nature's noblemen, his record was without spot or blemish, he will be mourned with sincere sorrow and affection, and his memory will be cherished as an inspiration by all who knew him.

Angels of life and death are His,
Without His leave, they pass no threshold o'er,
Who, then, would wish or dare, believing this,
Against His messengers to shut the door?

Mr. LOVERING. Mr. Speaker, nearly a year has rolled by since we laid away in the cold sands of Cape Cod all that was mortal of JOHN SIMPKINS. The lapse of time has not dimmed the immortalities that we have laid away in our hearts. In life he was not a man to pass by in easy forgetfulness. In death fond memories draw ever closer the bonds of endearment that sprung from his own strong personality and affectionate nature. While yet a young man he determined upon an earnest career, and brought to bear a vigorous individuality and a concentration of purpose that soon raised him high in public estimation and made him a wise counselor and an able legislator.

He had a strong and healthy mind, and whatever he undertook he did with singleness of purpose, great thoroughness, and conscientious zeal. He was a champion of the oppressed and always an unostentatious friend of the unfortunate. He could call everyone friend, and all who came near him felt the influence of his genial character. Accomplished in all the arts of friendship, amiable, and gracious in manner and bearing, he was able to summon to his aid a host of friends to assist him in any cause he espoused. Such a life was rich in lessons for all those who would turn aside from the luring temptations of ease and luxury and devote themselves to the public weal. Such a memory is fragrant with the recollections of a pure, gentle, and noble nature. It is fitting that we should record in tender words our appreciation of his public service and thank God for the useful years of this young life.

Mr. FOSS. Mr. Speaker, and I, too, knew him. I come not so much to pay the tribute of a fellow-legislator who closely watched the career of JOHN SIMPKINS in his Congressional life, but rather to speak of him as a classmate and friend. A little over seventeen years ago we entered the same college together, and for four years, while my acquaintance with him was not intimate, I marked his course. Active in college sports, foremost in all class movements, earnest in all his undertakings, he enjoyed great popularity among his associates. He was congenial, considerate of the feelings of others, large-hearted, sympathetic, and drew men to him by the tender cords of good-fellowship and affection. He was not a bookworm. He spent comparatively little time in study, as he was quick to learn, but always ranked well in his class, and when he graduated he left behind him an honorable record.

JOHN SIMPKINS was an ambitious man. Some men born into the world under conditions of wealth and ease would have been content with an aimless life. Wealth usually has this effect upon men—to enervate them, to take away that better part of their nature which seeks the pathway of honor and of fame. But it did not have this effect on him. On the contrary, it seemed only to stimulate him to greater incentive to make a name for himself that would be honored after he was gone. In this respect his life will always stand out as a splendid example to those young men in our country to-day who, born in affluence and educated in our greatest institutions, do not feel the necessity of entering into the struggle of life with their fellows, and of giving the best of themselves to public causes and to public good.

JOHN SIMPKINS was a generous, philanthropic, and charitable man. The world will never know how much he gave to those who needed, and when he gave, it was without ostentation, but quietly, without the knowledge of anyone except the beneficiary. I know of numerous cases where, when the giver became known, it displeased him and he refused to renew his generous contributions. There was no selfishness in his kind nature. When he gave, he gave to bless others and sought not blessings for himself.

While some, not acquainted with him, might at first judge him as one of aristocratic ideas and notions, yet when they came within the circle of his friendship and knew him as he was, they found him the most democratic of men. There was no man whom misfortune or circumstances had humbled who lost his friendship on that account. Wherever he could do a friendly act he was glad to do it, and one or two instances I know of where he assisted strangers who lived far from his own Congressional district and from whom he could receive no recompense.

He was an industrious and persistent man. He accomplished

results. While of large affairs, yet he gave himself to all the little details which might seem to one overburdened as he was too trivial for his care.

In his legislative career all marked him as an earnest, conscientious Representative; a man who, if he had lived, would have carved out for himself a large place of influence and power in this Legislative Assembly.

One can not hope in a short time to make himself a great factor in this Assembly. It takes years of patient industry, of hard and laborious work, and of conscious endeavor to fill the place of one whom but two weeks ago we honored as a national leader and statesman. For a while one who enters here must enter like a humble worshiper, who gropes his way along a dark and shadowy aisle, now and then receiving inspiration from streaks of heavenly light, but still groping on, after much toil finds himself at last out in the broad cathedral under the swelling dome, and takes his place and rank among the legislators of his time.

We can say this justly of JOHN SIMPKINS, that he had started well; that he had made substantial progress on the way, and that he showed the promise of a public life full of high attainment, rich in honor and service to his country.

JOHN SIMPKINS was always the same. He never appeared different from what he really was. Whether in the recitation room, where he was attentive to his work, or speeding across the field, winning laurels for his college eleven amid the admiring plaudits of his fellows, or in the quiet seclusion of his own home, where generous hospitality always reigned; or in the streets of his native town, where there were none too humble to receive his courtesy; or on this floor, where he won honors for himself and gave faithful service to his constituency, he was always the same genial, large-hearted, broad-minded man, who belonged to Nature's true nobility. In his death we have lost a generous colleague, his brother and sisters a loving companion, his friends everywhere a sympathetic man, his Congressional district an industrious and able Representative, and Massachusetts, sir, who always sends her best men here to represent her, one of her noble sons, true to her teachings, and loyal to her fame.

Mr. MOODY. Mr. Speaker, I can hope to add little to the tributes which have already been paid to our departed colleague by the few words which I shall speak. Though they be few, they shall be sincere. Needless as it may be, I can not refrain from adding my testimony to his fidelity as a representative of the people and to the simple beauty of his character. Though the election of Mr. SIMPKINS preceded my own by a year, we began our service together in this Chamber on the opening day of the Fifty-fourth Congress. My acquaintance with him had been but slight. I thought of him then as the favorite of fortune, whose caprice had bestowed upon him the honor of a seat upon this floor. I supposed that the duties and responsibilities of the place would rest lightly upon him. Every day of our common service led me to correct my estimate and convinced me of my error. Respect, esteem, and friendship followed each other in quick succession. I learned to know well how earnest was his desire to guard the interests of the people who had honored him and to render faithful service to the Republic. He met every responsibility. He discharged every duty. None seemed to him small enough to be neglected, and none great enough to be avoided.

He was a constant attendant upon the daily sessions of the House, watching its proceedings with zealous care, and scrutinizing the measures before it with intelligence. Though he did not with frequency participate in its deliberations by speech, when he did so it was modestly, forcibly, and to the point. With the members of the delegation from the Commonwealth of Massachusetts he came to be considered their most trusted and sagacious counselor. As his services lengthened his views broadened, and we always knew that his opinions were untouched by mean, petty, or narrow considerations. No one rendered better service to the Commonwealth during the weary months of the construction of the tariff bill which so deeply affected her interests. He was always at his post, ready to enlist in any just cause which was brought to his attention.

But it is more especially as a man that I like to think of him now. He was upright and sincere, despising falsehood and adhering to the truth always and at whatever cost. He may well serve as a model to us all in every relation of life. Affectionate and lovable to his friends, he daily strengthened their affection and love for him. Always putting others before himself, he seemed not to understand the quality of selfishness. In relations too sacred to be mentioned here there can be no consolation for his untimely death. Eager for public service and fitted for it, favored with apparent health and vigor and with fortune, which left him the leisure for work, and ready for it, blessed with the growing regard of his constituency and troops of friends and loving kindred, he seemed destined to a long career of happiness, honor, and usefulness. When the end came, it was without warning, and the shock of his sudden death has not yet departed from us. As we placed him in the soil of his native State, near to his ancestral home and by the shores of the sounding sea, it seemed as if we had returned to her bosom something of the elements which have given her strength, riches, and renown.

I know not what epitaph will be inscribed over his resting place, but whether it is so written or not, there is to lie forever the body of a loving son and brother, of a steadfast friend, of a faithful public servant, and of a pure and loyal soul.

Mr. Speaker, my colleague [Mr. MCCALL], who is confined to his home by illness, has requested me to read his contribution to these services.

Mr. MCCALL. Mr. Speaker, I am unable to attend the session of the House to-day on account of illness, but I can not forbear to send an expression, brief and imperfect as it must necessarily be, of my high appreciation of JOHN SIMPKINS.

I knew him before he was elected to any office and was intimately acquainted with the way he bore himself in his political campaigns and as a senator in Massachusetts and a Representative in Congress. He was distinguished by industry, fine judgment, and a natural aptitude for the discussion of public questions. His administrative talents were of high value to his party. His death was a great loss, not merely to his Commonwealth, but to the nation, for there is no office which he might not have aspired to fill and which he could not have filled with honor.

His loss was one most grievous to be borne by those who were his friends, and his kindly and genial nature could not shut itself up in any narrow circle. He had many warm friends in all classes of life. The people at his home loved him, and the tidings of his death carried the keenest sorrow to many an humble fisherman's cottage on the shores of his own beloved Cape Cod. Genial, kindly, and loyal, his loss left a void which time does not fill. The noble words of Emerson exactly apply to him:

> His heart was as great as the world, but there was no room in it to hold the memory of a wrong.

Mr. BERRY. Mr. Speaker, we are assembled under a resolution for the purpose of paying tribute to the memory of JOHN SIMPKINS, late a member of this body. I never knew Mr. SIMPKINS until he came here, chosen by the people of his district to a seat in this body. A very close friend and relative, who had been his instructor in Harvard College, wrote me, "Make the acquaintance of JOHN SIMPKINS; you will find him a noble fellow." These words were more than verified when I came to know him well. We were members of the same committee, the Merchant Marine and Fisheries, where he performed much intelligent and valuable work for the whole country, and especially for his immediate constituency, who were so much interested in subjects that naturally came before this committee, his district bordering along the Atlantic seaboard. He was always prompt in attendance upon his committee and faithful in the discharge of his duties on the floor. His great contention was for free-pilotage laws, in which the sailors of his district were deeply interested, and for which measure he made a very able argument. He was the friend of the sailors, so many of whom were his constituents, favoring giving them more comfortable conditions for sleeping, prescribing the amount of space to be allotted to each seaman, and specifying the food that shall be allowed, so as to secure better sanitary surroundings. The work of JOHN SIMPKINS is bearing fruit to-day, for at this very session those ideas have become law, largely attributable to his services in the Fifty-fourth Congress in pressing these measures upon this body.

Mr. SIMPKINS had been honored by his State. He was twice a member of its legislature. He took an active part in the matters about his home, in public improvements, schools, indeed in everything that was of practicable benefit to his community. He was possessed of a handsome fortune, which he enjoyed in a liberal, magnanimous fashion. His lovely residence in this city, adorned by his bright, intelligent sisters, made it one of the most agreeable and hospitable homes of Washington. In the six years I have been in Congress death has often visited this Chamber and many noble men have suddenly been taken from the boisterous scenes of legislation. There was not, perhaps, upon the floor a more perfect specimen of health and manhood than Mr. SIMPKINS; yet in a few days the icy hand of Death touched his manly form.

Scarcely had we heard he was sick until his death was announced, startling his friends that one such a picture of health should be called so suddenly. How many have been called! Mr. Dingley was taken after a brief illness, and General Garland, distinguished statesman and lawyer, dropped dead on the floor of the Supreme Court. Truly, may we say with the poet—

> Death rides on every passing breeze,
> He lurks in every flower.

I was honored by being designated by the Speaker as one of his pallbearers from this body, and accompanied the remains to their final resting place at Yarmouth.

Governor Wolcott and members of the legislature of the old

Bay State met us at the depot in Boston with deepest expressions of sympathy.

As we approached his home at Yarmouth there was universal mourning. People of all condition were present with every evidence of profound sympathy. Men, women, and children—the whole community had gathered about his home.

We laid him away in the soil of his native State, near the roar of the great Atlantic, which he loved so well. I would say, "Requiescat in pace!"

Mr. SPRAGUE. Mr. Speaker, so much has been said of our deceased friend, Mr. SIMPKINS, by those who have preceded me, and so much will be said by those who are to follow, that I hesitate to attempt to contribute anything to these eulogies. But I wish to say a word in regard to my friendship with JOHN SIMPKINS, a friendship beginning early in our lives. I knew him when he was a young man, graduating from St. Mark's; and when he went to Harvard I had the opportunity to study his character still more. He became a good scholar and a fine man. Not confining himself exclusively to study, he engaged in athletic exercises of every kind. He was foremost in football. In every way he sought to lead a life which would fit him for the future.

Reflecting upon the friendly spirit which was characteristic of him, I recall an incident which I shall never forget. Two years ago, when the opening proceedings of this Congress were in progress, he and I were waiting for our names to be called during the drawing for seats. Mr. SIMPKINS, having been called, had chosen his seat when my name was reached. I was about to make my choice when he beckoned me to come to a seat beside him. This little incident furnishes, as I have said, an incident of his friendliness of character; he always thought of others; he looked out for his friends; he was of a generous spirit; his heart was open to all.

Doubting, as I have said, my ability to add much to what other members contribute to these memorial proceedings, I may still be permitted to follow in a personal way some of the incidents of his career. I had the honor of representing a district in the legislature of our State when he represented the Cape in the senate. I saw the good work he did at that time in looking after the interests of his constituents. He was a prominent figure in the senate. At that time he was one of the political opponents of the late William E. Russell; yet they were on the most intimate terms of personal friendship. This illustrates the liberal character of Mr. SIMPKINS. He did not allow political differences to interfere with his personal friendships.

He was a charming companion. I have been with him in the South when we were together shooting. At night, when everything was peaceful and when we gathered around the fire, he showed himself to be most delightful in conversation.

When he finished his term in the senate, the following year he was a Presidential elector and became the president of the Republican Club of Massachusetts, where he showed great power in the way of organization.

In 1894 there was a call from the Cape end of the Thirteenth district that it should have a representative in Congress, as no representation had been granted that section for over thirty years. Mr. SIMPKINS was selected, nominated, and elected by a large majority, and so valuable were his services that he was reelected in 1896 for a second term. Before taking his seat he familiarized himself with his district and its needs, and particularly with regard to the harbors, coastwise trade, and commerce generally, which enabled him to appear before the committees in Congress in an interesting way. He was very successful in having his projects adopted, and when he was to speak on such matters his colleagues listened, for he was talking about that which he thoroughly understood. Just before his untimely death he was selected by the unanimous vote of his colleagues from Massachusetts to represent them on the Republican Congressional Committee, and this was their tribute to his good judgment.

He was always devoted to the Cape district, where he resided from early childhood and where he spent all of his leisure hours. In Congress he was much respected for his sterling character, his honesty, his genial nature, and his powers of persuasion. His intimate friends will never forget the loss they have sustained.

I can say no more at present. I have expressed myself simply in the language of one who regarded JOHN SIMPKINS as a dear friend. Recalling him as he sat at his desk next me, and regretting deeply his loss, I feel the inadequacy of any tribute I can pay to his memory.

Mr. FITZGERALD. Mr. Speaker, in the prime of life, apparently in the enjoyment of a vigorous manhood, JOHN SIMPKINS was stricken by the hand of Death.

Though young in years, he had attained high honors at the hands of the people of his State, and a brilliant and honorable career awaited him had he lived. Plucked as he was by the hand of Death in the noonday of his career, his life and deeds marked him as a remarkable man.

I knew him in public life before I became associated with him as a member of this body, and I always admired his fairness and frankness in discussing the public questions of the day. He was not an intense partisan.

I remember particularly well his admiration for the talent and ability of our lamented young Governor Russell, and I know that this feeling was reciprocated by Mr. Russell.

Mr. SIMPKINS believed in toleration, and would not condemn a man who differed with him upon the public questions of the day.

It was my privilege to serve with him on the Committee on Merchant Marine and Fisheries. It was remarkable to witness the devotion of this man, although of unlimited means himself, to the welfare of the fishermen and the sailors. I remember the painstaking study that he gave to the bill which was to regulate the character of food that was to be served aboard ship to the sailors, and I know that it was he who drew up the report advocating the reform and improvement in the sailors' food. On every measure which came before that committee JOHN SIMPKINS'S voice and vote were recorded in favor of beneficial legislation for the fisherman and sailor. I think this is the highest tribute that can be paid to his character. He was not a great orator. When he addressed the House his words were few, but well chosen, and always delivered with great earnestness.

He was an intense lover of his native State, and Massachusetts may well preserve his memory among her fondest treasures. His star, which climbed so steadily and shone so brightly in the zenith of the heavens, fell like a meteor in the darkness of the night and shines no more. His remains now lie embedded in the soil of his beloved State, and his grave looks calmly out at the soothing sea as it sings sad requiems on that stern, rock-bound coast. The world is the loser by his death. His monument rests in the hearts of the people of Cape Cod, whom he loved so well, rather than in enduring stone or bronze.

The visible form of our colleague has passed away, but I know that honor and glory await him in the resurrection of the just.

As shadows cast by cloud and sun
Flit in the summer's grass,
So in Thy spirit, Almighty One,
Earth's generations pass;
And as the years, an endless host,
Come pressing swiftly on,
The brightest names that earth can boast
Just glisten and are gone.

Mr. LAWRENCE. Mr. Speaker, I realize that it is unnecessary for me to add anything to the affectionate, eloquent, and just tributes which have been to-day paid to the memory of JOHN SIMPKINS. And yet I wish to take advantage of this opportunity to speak of the loss which has come to my Commonwealth and to give expression to my own sense of personal loss. I can never forget the cordial and hearty welcome which he extended to me, "a stranger in a strange land," when I entered upon my duties as a member of this House at the beginning of the last session of Congress. During the few short months of my service with him here I received at his hands constant kindness and never-failing courtesy. He was a man of heart, and delighted in nothing so much as in giving pleasure to his friends. His whole life was characterized by kind words and helpful deeds. His genial presence made the world seem brighter and happier, and wherever he went he carried sunshine with him. I sometimes think we do not fully appreciate how helpful is such a happy temperament as his. Companionship with men like him brings hope and courage, drives away melancholy, and makes life better worth living. If he had troubles, he did not inflict them upon his friends; he evidently believed with all his heart the gospel of cheerfulness.

JOHN SIMPKINS was a successful man. In public life I do not remember that he had ever known defeat. That success was due to marked executive ability, persistence, fairness, and capacity for work. There was nothing negative about him. Active and practical in whatever position he was placed, he became a positive force and made his influence felt. He thought for himself, and developed those qualities so essential to success—courage and self-reliance. He was a partisan, an active, working Republican, a Republican who believed sincerely in the principles and purposes of that great party. He worked with all his might for its supremacy. But his partisanship was never of a bitter type. Friendship overleaps party bounds, and JOHN SIMPKINS had many friends upon the other side of the House who had entire confidence in his integrity and sincerity of purpose.

Others who have been associated with him longer and more intimately than I have been have spoken of his services in this House. I can add little to what they have said, but I am glad to bear testimony to the fidelity with which he discharged his public duties. It can be said of him that he was a valuable public servant. At all times he worked energetically for his State and the people of his district. He looked closely after the interests of his

constituents, endeavoring to render useful service to those who had given him his commission. They had trusted him. In return he tried to be their faithful representative, to be loyal to duty.

The bravest lives are those to duty wed,
Whose deeds, both great and small,
Are close-knit strands of an unbroken thread
Where love ennobles all.

In accord with an honored custom of this House, its members are gathered here to express by heartfelt tributes their appreciation of an able and devoted associate. To the members of the Massachusetts delegation he was more than that; he was their friend, a friend whom they loved and honored. He was taken away at a time when there was every assurance of continued success. But 36 years of age, his life thus far had been one of preparation for greater usefulness. That a life so rich in promise should have been thus cut short is a mystery we can not solve. He is gone from us, but he was so full of life I can not think of him as dead.

There are no dead; we fall asleep
To waken where they never weep.
We close our eyes on pain and sin,
Our breath ebbs out, but life flows in.

Mr. FISCHER. Mr. Speaker, I accept this opportunity to place on the record my appreciation of JOHN SIMPKINS, and my opinion of his worth.

There was no member of this House outside of those who represent my own State with whom I was so intimate as he, and because of that intimacy was enabled to observe most thoroughly. Our Congressional careers began simultaneously, and from the first there sprang up between us a friendship which not only endured, but which grew stronger with time.

This friendship formed, however, was of comparatively short duration, for on the 26th day of March, 1898, in the beginning of his second term, Providence took him from us to sleep with his fathers, and his relatives and friends were called upon to mourn over his sad departure.

JOHN SIMPKINS was a man of powerful frame, possessed a most vigorous manhood, and appeared to enjoy a most robust health. He was a man of great activity and seemed to have an untiring energy. One was compelled to admire his physical structure and wonder if it could not resist the storms that human flesh is heir to, but his rapid failure from the time of his affliction, taking him away in the very springtime of his life, fully answers such queries and reminds us of the uncertainties of our existence upon this earth.

JOHN SIMPKINS by his many sterling qualities, his affability, his kindliness of heart, and his readiness to at all times assist his friends endeared himself to all who knew him. His conduct while among us varied not a particle from that which he evinced in his home and in his district, both to his family and to his constituents. He was alike to all men. He knew no deceit, and he knew not how to do wrong. He was fair in his dealings, and the testimony of all who knew him was that he was an honest man.

He was always of a cheerful disposition, and everyone in his company was sure to be influenced by it.

JOHN SIMPKINS was honored by his constituents because as their Representative he honored them. He considered it not only his duty, but also his pleasure, to serve them. At all hours he was engaged in pushing their cause. He did not allow the rights of his people to be injured or taken from them, and his constant thought was to secure for them some benefit. No district was more faithfully represented and no constituency mourned the loss of its Representative more.

JOHN SIMPKINS was an ambitious man. He had a laudable desire to attain still higher honors, and he bent his energies in order that he might secure them; and the promise of their success seemed to him assuring.

Carried off thus early in his life, while surrounded by a host of friends, he is greatly mourned. His friends in this House, wishing to record their love and regard for him, join in these sad ceremonies to say their last farewell. His name will live with us forever.

Mr. KNOX. Mr. Speaker, it is almost impossible for me to add anything to the words of eulogy that have been so fittingly spoken to-day in reference to our dead colleague; yet I can not forbear to contribute a word to this general and deserved tribute to the memory of JOHN SIMPKINS, whose life was so suddenly cut short.

If it can ever be properly said of the death of a human being that that death was untimely, I think it may be said truthfully in the case of our late colleague. He was at the very threshold of his public career, a career for which, in the opinion of those who knew him best, he was in many respects exceedingly well qualified. He was liberally educated. He had been a faithful and, as I am informed, a somewhat hard-working student. He had not neglected the great opportunities which had come to him. He was endowed with abundant means. He was not, and would not have been, troubled with those cares and anxieties that often interfere with the public career of our best and ablest men. This public career he had chosen for himself. It was his desire, his ambition. He had intentionally fitted himself for it; he had sought it; and the people, recognizing his ambition and desire, had elected him to the high office of a Representative in this body.

Now, Mr. Speaker, if we could speak of what would have been if he had been spared, if we could speak here to-day of his career as we now conceive it might have proved, very much might be said. But little can be said of that career as it was, because it was so short. But he certainly brought to the career which he had chosen very many attributes exceedingly valuable to those who sent him here. As has been said by all, he was an industrious man. His time, apart from that spent in this House, was devoted to study and work designed to familiarize himself with the legislation proceeding here from day to day. He did not come here as an ornamental legislator. He came here for work; and he followed out faithfully his purpose to the end.

He was a man of very excellent judgment, as I think every one of his colleagues will agree. He was a practical man. Not troubling himself with the broader theories and wider scope of legislation, he looked at it in its practical relation to men and affairs—to the business of the country.

His excellent judgment and practical aptitude led to his being chosen unanimously by his associates as a representative of Massachusetts on the Congressional committee. Very much was expected and hoped from the service which he would be able to render his party and the country in that office. I know that during the consideration of the tariff bill, representing as he did a large manufacturing district of New England, he was exceedingly vigilant and anxious at every step in that legislation, zealously watching all that related to the interests of his constituents.

And, Mr. Speaker, in the debates on this floor that followed the enactment of this bill, resulting from the hard times and troubles in New England, when anything was said about his district, about the strike at New Bedford, or the trouble at Fall River, he was ever jealous of the reputation of the men who sent him here, caring not only for their local interests but for their character and standing before the rest of the country.

As I have stated, if we could speak of what he might have been, much might be said. Much more, Mr. Speaker, might be said if we should undertake to speak of all he was to us as a man, as a friend, as a kind and helpful associate, ready always to sacrifice his own ease and his own ambitions for the benefit of his associates.

Mr. GILLETT of Massachusetts. To express satisfactorily one's feeling toward a deceased colleague on these formal occasions is always difficult; when he was one of your nearest and dearest friends it is impossible. I shall only allude to one or two features in the life and character of Mr. SIMPKINS which seem to me remarkable. Most of us who come to this House, most Americans who achieve distinction in any line of work, have from childhood been urged to effort and industry and application by the spur of necessity. Wealth with us has been so widely distributed and so little concentrated that it is almost a matter of course to assume that a successful man, after inheriting perhaps the means of education, has made his way by his own resources. Lafayette, wealthy nobleman as well as ardent patriot, when visiting this country in 1825, said that the first question most of his old companions in arms asked him was: "What do you do for a living?" To work for a living is the rule of American life, and doubtless largely to this is due the tremendous energy and prodigious results which have been evolved here in the century. The habits of work, formed in early life, continue when the first motive is removed, so that restless activity and industry are the characteristics of the successful as well as of the necessitous American.

So I think the prime, original cause of our industry is necessity. And if that motive force were withdrawn we should gradually sink into idleness and sloth. And when a man in early life sees his wants supplied by a kindly fortune without effort of his own, it marks uncommon strength of character and force of mind if, without the usual spur of necessity and acquisitiveness, he studies self-development, and instead of entire absorption in pleasure and self-gratification, applies his faculties to useful work for himself and for others.

Such was one of the distinctions of JOHN SIMPKINS. Born with a sufficient competency to make remunerative work unnecessary, he did not waste his talents in self-indulgence, but devoted himself industriously to their development. I would not intimate that he was an ascetic. All the pleasures of life he appreciated keenly and enjoyed to the full, but his strong sense and overruling judgment kept them subordinate, made them the incidents, not the ends of life. And in a State and a district where industry is honored and idleness is a reproach he was elected to Congress

when only 33. To have convinced his constituents of his fitness at such an early age, and without the usual opportunities of professional or business display, proves an ability, character, and will power of extraordinary strength.

And when he came here he soon proved to his supporters the wisdom of their choice. In scrupulous attention to the work of his committees and the interests of his district I do not think he was surpassed by any member. He showed an extraordinary adaptation to legislative work. Even in debate, where he had no professional training and where his powers were comparatively untried, he displayed great proficiency; and in his first extended speech surprised even his expectant friends by his ease, his readiness, and his force. His complete mastery of the subject surprised no one who knew him. I think he would have developed into a strong and influential debater. But I think his most valuable quality was an inborn sagacity. His judgment was not easily disturbed or distorted, and he had that invaluable gift of seeing men and things in their true proportion and perspective, and knew instinctively how best to adapt means to a desired end. Death alone could prevent his taking a position of great influence.

But strong and able as he was, his heart was larger than his mind. He was the most delightful and generous and affectionate of friends. As we grow older and become more selfish, more suspicious, and more discreet, new friendships become more and more difficult. But JOHN SIMPKINS was one whose genial, sincere nature invited entire confidence. With him I felt no need to conceal what I might think were my weaknesses of character or intellect, any more than to parade what I thought was my strength. It is often a sympathy in the trifling and incidental matters of life, rather than in profound and serious concerns, which binds friendship fast. With some men we associate constantly, have similar intellectual tastes, the same views of life and duty, and yet the barriers which shut off real intimacy never fall down. I suppose it is because friendship is of the heart, not of the head, and the warm heart and disposition betray themselves in trifles more than in important or studied action. In small things, as in large, he was singularly sympathetic and kindly and considerate.

While full of spirit and entering with great zest into the pleasures as well as the work of life, he had an inherent thoughtfulness for others which was ever alert to see that they too were cheerful and that no one was ill at ease or neglected. He was generous and kindly to a fault. On Monday before he died, I remember walking home with him from the Capitol, as was our custom, and he stopped to send some flowers to a casual friend, of whose illness he had just heard. Such little kindnesses were his habit and his pleasure. On that day if I had been asked who in all this House had the fairest prospect for a long life, I think I should have selected him, as he stood among us a model of attractive, vigorous young manhood, singularly endowed with every gift that can make man happy or can make man useful. In five days he was gone, and it brings home to us again the terrible lesson which we are daily learning but ever forgetting—

What shadows we are, and what shadows we pursue.

Mr. Speaker, the gentleman from Pennsylvania [Mr. ADAMS] and the gentleman from Iowa [Mr. COUSINS] both desired to be present to-day, but are detained from the House because of illness, and ask permission to insert some remarks in the RECORD with reference to our dead comrade and friend.

The SPEAKER pro tempore (Mr. BERRY). The Chair hears no objection to the request of the gentleman from Massachusetts.

Mr. GREENE of Massachusetts. Mr. Speaker, I move, as a further mark of respect to the memory of the deceased, that the House do now adjourn.

The motion was agreed to; and accordingly (at 3 o'clock and 33 minutes p. m.) the House adjourned.

EXECUTIVE COMMUNICATIONS, ETC.

Under clause 2 of Rule XXIV, the following executive and other communications were taken from the Speaker's table and referred as follows:

A letter from the Secretary of the Interior, transmitting a corrected copy of the agreement between the United States Commissioners and the Cherokee Nation, concluded at Muscogee, Ind. T., January 14, 1899—to the Committee on Indian Affairs, and ordered to be printed.

A letter from the Secretary of the Interior, transmitting, with a favorable recommendation, a draft of a bill relating to fees for filing applications for right of way over public lands—to the Committee on the Public Lands, and ordered to be printed.

A letter from the Attorney-General, transmitting a list of judgments in favor of claimants in Indian depredation cases rendered in the Court of Claims since December 5, 1898—to the Committee on Appropriations, and ordered to be printed.

A letter from the president of the Georgetown and Tennallytown Railway Company, transmitting the report of that company for the year 1898—to the Committee on the District of Columbia, and ordered to be printed.

A letter from the Secretary of the Treasury, transmitting a copy of a communication from the Secretary of War submitting supplemental estimates of appropriation for pay of the Army—to the Committee on Military Affairs, and ordered to be printed.

A letter from the Secretary of the Treasury, transmitting a copy of a communication from the Attorney-General withdrawing a former estimate of appropriation for construction of a penitentiary at Atlanta and submitting a new estimate—to the Committee on Appropriations, and ordered to be printed.

REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS.

Under clause 2 of Rule XIII, bills and resolutions were severally reported from committees, delivered to the Clerk, and referred to the several Calendars therein named, as follows:

Mr. BARHAM, from the Committee on Interstate and Foreign Commerce, to which was referred the bill of the House (H. R. 2060) for the establishment of a light and fog signal on or near Sabine Bank, Texas, reported the same with amendment, accompanied by a report (No. 1867); which said bill and report were referred to the Committee of the Whole House on the state of the Union.

Mr. RIXEY, from the Committee on Naval Affairs, to which was referred the joint resolution of the House (H. Res. 307) authorizing the Secretary of th Navy to pay certain laborers, workmen, and mechanics at United States navy-yards and naval stations 50 per cent additional for work performed in excess of eight hours per diem, reported the same without amendment, accompanied by a report (No. 1869); which said resolution and report were referred to the Committee of the Whole House on the state of the Union.

Mr. FLETCHER, from the Committee on Interstate and Foreign Commerce, to which was referred the bill of the House (H. R. 11462) to amend an act entitled "An act to authorize the construction of a bridge across the Missouri River at or near the city of Boonville, Mo.," reported the same with amendment, accompanied by a report (No. 1868); which said bill and report were referred to the House Calendar.

Mr. BURTON, from the Committee on Rivers and Harbors, to which was referred the bill of the House (H. R. 9335) granting to the Muscle Shoals Power Company right to erect and construct canal and power stations at Muscle Shoals, Alabama, reported the same with amendment, accompanied by a report (No. 1870); which said bill and report were referred to the House Calendar.

PUBLIC BILLS, RESOLUTIONS, AND MEMORIALS INTRODUCED.

Under clause 3 of Rule XXII, bills, resolutions, and memorials of the following titles were introduced and severally referred as follows:

By Mr. CURTIS of Iowa (by request): A bill (H. R. 11866) to incorporate the Copper River and Yukon Railroad Company and grant it right of way over public lands, and for other purposes—to the Committee on the Public Lands.

By Mr. GRIGGS: A bill (H. R. 11867) to authorize the Georgia Pine Railway Company, of Georgia, to construct a bridge across the Flint River, a navigable stream, in Decatur County, Ga.—to the Committee on Interstate and Foreign Commerce.

By Mr. CURTIS of Kansas: A bill (H. R. 11868) to provide for acquiring the rights of way by railroad companies through Indian reservations, Indian lands, and Indian allotments, and for other purposes—to the Committee on Indian Affairs.

By Mr. CURTIS of Iowa: A bill (H. R. 11877) to amend section 5 of an act entitled "An act to provide for the opening of alleys in the District of Columbia," approved July 23, 1892—to the Committee on the District of Columbia.

By Mr. WHITE of North Carolina: A memorial from the senate and assembly of North Carolina, favoring a light beacon at Cape Channel, Pamlico Sound, North Carolina—to the Committee on Interstate and Foreign Commerce.

PRIVATE BILLS AND RESOLUTIONS INTRODUCED.

Under clause 1 of Rule XXII, private bills and resolutions of the following titles were introduced and severally referred as follows:

By Mr. BRUCKER: A bill (H. R. 11869) to grant a pension to Michael Ryan, alias Kennedy, Company F, One hundred and eighty-seventh New York Infantry—to the Committee on Invalid Pensions.

By Mr. CUMMINGS (by request): A bill (H. R. 11870) for the relief of holders of certain District of Columbia tax-sale certificates, and for other purposes—to the Committee on the District of Columbia.

Also (by request), a bill (H. R. 11871) for the relief of John A. Narjes—to the Committee on the District of Columbia.

By Mr. HENRY of Mississippi: A bill (H. R. 11872) for the relief of Thomas Henry, deceased—to the Committee on Military Affairs.

By Mr. LITTLE: A bill (H. R. 11873) authorizing and directing the Secretary of the Interior to examine certain claims of persons who owned or occupied buildings on the Hot Springs Mountain Reservation which had been condemned by the Hot Springs Commission and afterwards burned, and to fix a reasonable value thereof, and making appropriation for the payment of said claims—to the Committee on the Public Lands.

By Mr. MITCHELL: A bill (H. R. 11874) to correct the military record of Washington E. Hall, alias John Duffy—to the Committee on Military Affairs.

Also, a bill (H. R. 11875) for the relief of Wickham Hoffman, services as chargé d'affaires ad interim at St. Petersburg between July 1, 1878, and June 30, 1880—to the Committee on Foreign Affairs.

By Mr. SULLOWAY: A bill (H. R. 11876) granting an increase of pension to Clarence L. Chapman—to the Committee on Invalid Pensions.

PETITIONS, ETC.

Under clause 1 of Rule XXII, the following petitions and papers were laid on the Clerk's desk and referred as follows:

By the SPEAKER: Protests of the National Christian League for the Promotion of Social Purity, the Paxataqua Association of Congregational Ministers, and the executive officers of various missionary societies, against the seating of Representative-elect B. H. Roberts, of Utah—to the Committee on Elections No. 1.

Also, protest of the executive officers of the missionary societies of the Baptist and other churches, against reopening the question of sectarian appropriations—to the Committee on Indian Affairs.

By Mr. ADAMS: Petition of the American Shipping and Industrial League of New York City, praying for legislation restoring to the United States the ocean carrying trade sailing under the American flag—to the Committee on the Merchant Marine and Fisheries.

By Mr. ADAMSON: Petition of the Board of Trade of Columbus, Ga., for the continuance of fast mail service through the South and entire United States—to the Committee on the Post-Office and Post-Roads.

By Mr. ALLEN: Petitions of D. M. Lominick and other fourth-class postmasters in the State of Mississippi, in favor of House bill No. 4931, relating to the compensation of fourth-class postmasters—to the Committee on the Post-Office and Post-Roads.

By Mr. ALEXANDER: Petition of E. M. M. Schram and others of the Woman's Christian Temperance Union (no town or State named), to prohibit the sale of liquor in canteens and in immigrant stations and Government buildings—to the Committee on Alcoholic Liquor Traffic.

By Mr. ARNOLD: Petition of the American Shipping and Industrial League of New York City, praying for legislation restoring to the United States the ocean carrying trade sailing under the American flag—to the Committee on the Merchant Marine and Fisheries.

By Mr. BABCOCK: Resolutions of the North Capitol and Eckington Citizens' Association, suggesting Mount Vernon Square as a suitable site for the Carnegie Library—to the Committee on Public Buildings and Grounds.

By Mr. BRUNDIDGE: Papers to accompany House bill for holding courts at Batesville, Ark.—to the Committee on the Judiciary.

By Mr. CURTIS of Iowa: Memorial of 500 citizens of Maquoketa, Iowa, to prohibit the sale of liquor in canteens and in immigrant stations and Government buildings—to the Committee on Alcoholic Liquor Traffic.

By Mr. FLETCHER: Resolution of the Commercial Club of Minneapolis, Minn., urging measures to promote the ocean carrying trade in vessels under the American flag—to the Committee on the Merchant Marine and Fisheries.

By Mr. FOSS: Resolutions of the Board of Trade of Chicago, Ill., urging an appropriation for the improvement of the Chicago River—to the Committee on Rivers and Harbors.

Also, petition of the Young People's Society of Christian Endeavor and Independent Order of Good Templars of Libertyville, Ill., to forbid interstate gambling by telegraph or telephone—to the Committee on the Judiciary.

Also, petitions of the Independent Order of Good Templars and Young People's Society of Christian Endeavor of Libertyville, Ill., to prohibit the sale of liquor in canteens and in immigrant stations and Government buildings—to the Committee on Alcoholic Liquor Traffic.

By Mr. GRIFFITH: Petition of M. C. Lewis and 32 citizens of Azalia, Ind., for the abolition of the canteen system in the United States Army, Government buildings, etc.—to the Committee on Alcoholic Liquor Traffic.

By Mr. HAGER: Petition of the Woman's Christian Temperance Union of Little Sioux, Iowa, to prohibit the sale of liquor in Government buildings, etc.—to the Committee on Alcoholic Liquor Traffic.

By Mr. HENRY of Indiana: Petitions of John H. Hall and 81 citizens of Ellwood, S. Ketrow and 33 citizens of South Whitley, D. F. Kain and 34 others, S. E. Strill and 43 others, W. P. Conn and 36 others, all of Wells County; G. F. Heritage and 55 others, C. V. Nipp and 62 others, W. H. Surbaugh and 32 others, all of Anderson; W. L. Fisher and 14 others, Lem Donaldson and 30 others, A. D. Kilker and 77 other citizens of Anderson, all in the State of Indiana, for the abolition of the canteen system in the Army, Government buildings, etc.—to the Committee on Alcoholic Liquor Traffic.

By Mr. HICKS: Resolution of the Commercial Club of Patton, Pa., S. M. Wilson, president, urging measures to promote the ocean carrying trade in vessels under the American flag—to the Committee on the Merchant Marine and Fisheries.

By Mr. HILL (by request): Petition of C. B. Bennett and 95 citizens of Norfolk, Conn., in favor of the establishment of postal savings banks—to the Committee on the Post-Office and Post-Roads.

By Mr. HINRICHSEN: Papers to accompany House bill No. 9934, relating to the claim of William B. Payne—to the Committee on War Claims.

By Mr. KIRKPATRICK: Resolutions of the Manufacturers and Producers' Association of California, recommending the use of American-made materials in the construction of the proposed Pacific cable—to the Committee on Interstate and Foreign Commerce.

Also, resolution of the American Shipping and Industrial League of New York, in reference to restoring ocean carrying trade in vessels sailing under the American flag—to the Committee on the Merchant Marine and Fisheries.

Also, resolution of the National Council of American Mechanics, favoring the construction of the Nicaragua Canal—to the Committee on Interstate and Foreign Commerce.

Also, resolution of the International Typographical Union, against the passage of the anti-scalping bill—to the Committee on Interstate and Foreign Commerce.

By Mr. McCALL: Petition of the American Industrial and Shipping League, urging the passage of the Hanna-Payne shipping bill—to the Committee on Interstate and Foreign Commerce.

Also, resolution of the Boston Merchants' Association, in favor of the passage of House bill No. 10524, relating to the organization of the consular service—to the Committee on Foreign Affairs.

Also, petition of the trustees of the Public Library of the city of Boston, recommending an appropriation to be placed at the disposal of the Smithsonian Institution to enable that institution to render necessary service in connection with the Royal Society index of scientific publications—to the Committee on Appropriations.

By Mr. McCLELLAN: Remonstrance of the executive officers of American missionary societies, against the reopening of the sectarian-school question, and favoring the advancement of education among the Indians on the basis of the American common-school system—to the Committee on Indian Affairs.

Also, remonstrance of the executive officers of the missionary societies of the Baptist, Congregational, Episcopal, Methodist, Presbyterian, and Reformed churches, against the seating of Representative-elect Brigham H. Roberts, of Utah—to the Committee on Elections No. 1.

By Mr. MITCHELL: Papers to accompany House bill for the relief of Wickham Hoffman, chargé d'affaires ad interim at St. Petersburg—to the Committee on Foreign Affairs.

By Mr. PAYNE: Resolution of the Good Government Club of Cortland, N. Y., in regard to the census bill—to the Committee on the Twelfth Census.

By Mr. ROBINSON of Indiana: Petition of Claude A. Link and other citizens of Auburn, Ind., for the passage of the Ellis bill to prohibit the sale of liquor in canteens and in immigrant stations and Government buildings—to the Committee on Alcoholic Liquor Traffic.

By Mr. ROYSE: Petition of citizens of South Bend, Ind., for the passage of the Ellis bill to prohibit the sale of liquor in canteens and in immigrant stations and Government buildings—to the Committee on Alcoholic Liquor Traffic.

By Mr. RUSSELL: Resolutions of the Baptist Ministers' Conference of Eastern Connecticut, against the seating of a polygamist—to the Committee on Elections No. 1.

Also, petitions of citizens of East Thompson, Colchester, Clarks Corners, Chaplin, Montville, and Norwich, Conn., favoring postal savings banks—to the Committee on the Post-Office and Post-Roads.

By Mr. SPERRY: Letters in relation to House bill No. 11028,

to amend the jurisdiction act of 1887 so as to abrogate Federal jurisdiction over State corporations—to the Committee on the Judiciary.

By Mr. TODD: Petitions of the Methodist Episcopal Church and the Congregational Church of Cooper, and of the Methodist Church of Pittsford, Mich., to prohibit the sale of liquor in canteens and in immigrant stations and Government buildings—to the Committee on Alcoholic Liquor Traffic.

By Mr. WHITE of Illinois: Petitions of Levi B. Dell and 200 citizens of Wellington, N. B. Cox and 200 citizens of Cooperstown, H. L. Kelly and 207 citizens of Fisher, Louis Veronda and 204 citizens of Carbonhill, Louis J. Hetz and 203 citizens of Longwood, George Tallman and 145 citizens of Kappa, H. F. Turner and 203 citizens of Wyoming, A. J. Smith and 199 citizens of Dover, James Gillam and 199 citizens of Ray, all in the State of Illinois, in favor of the establishment of postal savings banks—to the Committee on the Post-Office and Post-Roads.

By Mr. YOUNG: Petition of the executive officers of the missionary societies of the Baptist, Congregational, Episcopal, Methodist, Presbyterian, and Reformed churches, against the seating of Representative-elect B. H. Roberts, of Utah—to the Committee on Elections No. 1.

SENATE.

MONDAY, *January 30, 1899.*

Prayer by Rev. STOWELL L. BRYANT, of the city of Washington.

The Secretary proceeded to read the Journal of the proceedings of Saturday last, when, on motion of Mr. GALLINGER, and by unanimous consent, the further reading was dispensed with.

THE W. T. WHITAKER HOME, INDIAN TERRITORY.

The VICE-PRESIDENT laid before the Senate a communication from the Secretary of the Interior, transmitting sundry petitions of persons living in the Indian Territory, praying that an appropriation be made to assist the "W. T. Whitaker Home," at Pryor Creek, in that Territory, for the education and care of orphan children of white citizens of the United States who live in that Territory; which, with the accompanying papers, was referred to the Committee on Appropriations, and ordered to be printed.

SALE OF TIMBER IN FOREST RESERVATIONS.

The VICE-PRESIDENT laid before the Senate a communication from the Secretary of the Interior, transmitting a draft of a bill to amend the act of June 4, 1897, in respect to certain provisions thereof regulating the sale of timber in forest reservations; which, with the accompanying papers, was referred to the Select Committee on Forest Reservations and the Protection of Game, and ordered to be printed.

REPORT OF CAPITAL TRACTION COMPANY.

The VICE-PRESIDENT laid before the Senate the annual report of the Capital Traction Company, of the District of Columbia, for the year ended December 31, 1898; which was referred to the Committee on the District of Columbia, and ordered to be printed.

HOUSE BILLS REFERRED.

The following bills were severally read twice by their titles, and referred to the Committee on Pensions:

A bill (H. R. 123) granting a pension to William F. Bolan;
A bill (H. R. 204) granting a pension to Ann E. Cooley;
A bill (H. R. 835) granting a pension to William B. Matchett;
A bill (H. R. 1573) granting a pension to Julia Walke;
A bill (H. R. 1279) granting a pension to Barbara C. Lowe;
A bill (H. R. 1675) granting a pension to Alice Smith;
A bill (H. R. 2122) increasing the pension of William R. Christy;
A bill (H. R. 3307) to increase the pension of Andrew S. Evans;
A bill (H. R. 4334) granting a pension to Martha Allen;
A bill (H. R. 4806) granting an increase of pension to Bonaventura Heinz;
A bill (H. R. 4838) granting an increase of pension to Elizabeth V. Litzenberg;
A bill (H. R. 4982) granting an increase of pension to Harriet Tubman Davis;
A bill (H. R. 5712) granting a pension to Sarah A. Luke;
A bill (H. R. 5796) granting an increase of pension to Peter E. Shipler;
A bill (H. R. 5802) granting an increase of pension to John W. Ohngemach;
A bill (H. R. 5805) for the relief of Col. George G. Pride;
A bill (H. R. 6810) granting a pension to Mary Luella Steele;
A bill (H. R. 6876) to increase the pension of George Alexander;
A bill (H. R. 8445) granting a pension to Joseph N. Harmon;
A bill (H. R. 8610) granting a pension to Minnie B. Titus;
A bill (H. R. 8754) granting an increase of pension to Lemon Holton;
A bill (H. R. 8955) granting an increase of pension to Richard M. Hussey;
A bill (H. R. 9234) increasing the pension of George Blakesley;
A bill (H. R. 9314) granting an increase of pension to Isaac Stephens;
A bill (H. R. 9359) granting an increase of pension to Charles H. Barber;
A bill (H. R. 9415) granting an increase of pension to Henry Bullen;
A bill (H. R. 9569) granting an increase of pension to Timothy A. Allen;
A bill (H. R. 9843) granting a pension to America Easton;
A bill (H. R. 9979) granting an increase of pension to Albert S. Shepard;
A bill (H. R. 10013) to increase the pension of Joseph H. McGee;
A bill (H. R. 10056) increasing the pension of James Webb;
A bill (H. R. 10155) to increase the pension of Alexander Rogers;
A bill (H. R. 10285) granting an increase of pension to Mazie V. Sullivan;
A bill (H. R. 10345) granting an increase of pension to Abram O. Kindig;
A bill (H. R. 10417) granting a pension to James H. Nichols;
A bill (H. R. 10688) granting an increase of pension to John J. Bowen;
A bill (H. R. 11017) granting a pension to Jesse Everly;
A bill (H. R. 11115) granting a pension to Allen Meeks; and
A bill (H. R. 11382) granting a pension to Margaret A. Lowther.

OLIVIA T. WORDEN.

The VICE-PRESIDENT laid before the Senate the amendments of the House of Representatives to the bill (S. 2919) granting a pension to Olivia Worden, widow of the late John L. Worden, United States Navy.

The amendments of the House were, in line 8, before the word "dollars," to strike out "one hundred" and insert "fifty;" and to amend the title so as to read: "An act granting a pension to Olivia T. Worden."

Mr. GALLINGER. I move that the Senate disagree to the amendments made by the House of Representatives and ask for a conference on the disagreeing votes of the two Houses.

The motion was agreed to.

By unanimous consent, the Vice-President was authorized to appoint the conferees on the part of the Senate; and Mr. HANSBROUGH, Mr. CHANDLER, and Mr. MITCHELL were appointed.

GEORGE HUGHES.

The VICE-PRESIDENT laid before the Senate the amendments of the House of Representatives to the bill (S. 1154) for the relief of George Hughes, of Portland, Oreg.

The amendments of the House were, in line 7, before the word "dollars," to strike out "fifty" and insert "twenty;" and to amend the title so as to read: "An act granting a pension to George Hughes."

Mr. GALLINGER. I move that the Senate disagree to the amendments made by the House of Representatives and ask for a conference on the disagreeing votes of the two Houses.

The motion was agreed to.

By unanimous consent, the Vice-President was authorized to appoint the conferees on the part of the Senate; and Mr. GALLINGER, Mr. PRITCHARD, and Mr. ROACH were appointed.

MESSAGE FROM THE HOUSE.

A message from the House of Representatives, by Mr. W. J. BROWNING, its Chief Clerk, announced that the House had passed the bill (S. 5191) to authorize the construction of certain bridges over the waters of Lake Champlain, with an amendment in which it requested the concurrence of the Senate.

The message also announced that the House had passed the following bill and joint resolution; in which it requested the concurrence of the Senate:

A bill (H. R. 599) authorizing the Secretary of the Treasury to pay the sum of $400 to The Brownell & Co., of Dayton, Ohio, on account of penalty erroneously imposed by the Light-House Board; and

A joint resolution (H. Res. 344) granting authority to the Republic of Venezuela to send a cadet to West Point Military Academy.

The message further transmitted to the Senate the resolutions of the House of Representatives as a tribute to the memory of Hon. JOHN SIMPKINS, late a Representative from the State of Massachusetts.

ENROLLED BILLS SIGNED.

The message also announced that the Speaker of the House had signed the following enrolled bills; and they were thereupon signed by the Vice-President:

A bill (H. R. 774) for the relief of Samuel D. Hubbard; and

A bill (H. R. 11116) to authorize the Little River Valley Railway Company to construct and operate a railway through the Choctaw and Chickasaw nations, in the Indian Territory, and branches thereof, and for other purposes.

PETITIONS AND MEMORIALS.

Mr. MITCHELL presented the petition of Rev. Henry Colman, D. D., of Milwaukee, Wis., praying for the ratification of the treaty of peace, and also for the enactment of legislation to prohibit the sale of liquor in canteens of the Army and Navy and of Soldiers' Homes, and in immigrant stations and Government buildings; which was referred to the Committee on Military Affairs.

He also presented a memorial of Local Union No. 182, Cigar Makers' International Union, of Madison, Wis., remonstrating against the acquisition of foreign territory by the United States; which was referred to the Committee on Foreign Relations.

Mr. PENROSE presented a petition of the Trades League of Philadelphia, Pa., praying that an investigation and report be made as to the sum or sums of money necessary to acquire, by condemnation or purchase, either singly or collectively, the several canals forming the connecting links along the Atlantic coast between Albemarle and Long Island sounds; which was referred to the Committee on Commerce.

He also presented a petition of 39 citizens of Philadelphia, Pa., praying for the repeal of the act of Congress approved January 14, 1889, in so far as it relates to the appointment of the Chippewa commission, etc.; which was referred to the Committee on Indian Affairs.

He also presented petitions of the congregations of the First Congregational Church of Rochester, the Central Presbyterian Church of Allegheny, the Methodist Church of Lansdowne, and the Methodist Episcopal and Presbyterian churches of Alexandria; of the Woman's Christian Temperance Union of Union County, of the Friends' Temperance Association of West Chester, the Friends' Meeting of Lansdowne; the Carversville Union, of Bucks County; the Churchville Union, of Bucks County; the Lansdowne Central Union, and of the Official Board of the Methodist Episcopal and Presbyterian churches of Myalusing, all in the State of Pennsylvania, praying for the enactment of legislation to prohibit the sale of liquor in canteens of the Army and Navy and of Soldiers' Homes, and in immigrant stations and Government buildings; which were referred to the Committee on Military Affairs.

Mr. PLATT of New York presented a petition of the Fourteenth Assembly District Republican Club, of New York City, N. Y., praying for the ratification of the treaty of peace; which was ordered to lie on the table.

He also presented a petition of the Lumberman's Association of Tonawanda, N. Y., and a petition of Clinton Grange, No. 870, Patrons of Husbandry, of Oneida County, N. Y., praying for the enactment of legislation to increase American shipping; which were referred to the Committee on Commerce.

He also presented a petition of the Woman's Christian Temperance Union No. 2, of Syracuse, N. Y., praying for the enactment of legislation to prohibit the transmission by mail or interstate commerce of pictures or descriptions of prize fights; which was referred to the Committee on the Judiciary.

He also presented the petition of A. J. Cottrell and sundry other citizens of Utica, N. Y., and a petition of the Woman's Christian Temperance Union No. 2, of Syracuse, N. Y., praying for the enactment of legislation to prohibit the sale of liquor in canteens of the Army and Navy and of Soldiers' Homes, and in immigrant stations and Government buildings; which were referred to the Committee on Military Affairs.

Mr. PERKINS presented the petition of Hugh Craig, president of the Trans-Mississippi Congress and ex-president of the Chamber of Commerce of San Francisco, Cal., praying for the imposition of an export bounty on agricultural products; which was referred to the Committee on Commerce.

He also presented a petition of sundry citizens of Santa Clara County, Cal., praying for the enactment of legislation to prohibit the sale of liquor in canteens of the Army and Navy and of Soldiers' Homes and in immigrant stations and Government buildings; which was referred to the Committee on Military Affairs.

Mr. NELSON presented a petition of the North Star Daily Press Association of Minnesota, praying for the adoption of the proposed amendment to the Post-Office appropriation bill prohibiting the printing by the Government of return cards on stamped envelopes free of charge; which was referred to the Committee on Post-Offices and Post-Roads.

He also presented the petitions of Werner Hemstead and 197 other citizens of Brainerd, of James Twitchell and 198 other citizens of Lino, of P. B. Hansen and 199 other citizens of Atkinson, John Ellsworth and 201 other citizens of Comorant, Ole Brunner and sundry other citizens of Hovland, Christian Engine and sundry other citizens of Ringbo, William Merdink and sundry other citizens of Pelan, Andrew Peterson and sundry other citizens of Princeton, R. Walker and sundry other citizens of Kasota, M. Spielman and sundry other citizens of Buenavista, and of A. R. Brown and sundry other citizens of Ash Creek, all in the State of Minnesota, praying for the establishment of postal savings depositaries; which were referred to the Committee on Post-Offices and Post-Roads.

Mr. GALLINGER presented a petition of the Woman's Christian Temperance Union of Carroll, N. H., praying for the enactment of legislation to prohibit the sale of liquor in canteens of the Army and Navy and of Soldiers' Homes, and in immigrant stations and Government buildings; which was referred to the Committee on Military Affairs.

He also presented a petition of the Woman's Christian Temperance Union of Carroll, N. H., praying for the enactment of legislation to prohibit interstate gambling by telegraph, telephone, or otherwise; which was referred to the Committee on the Judiciary.

He also presented a petition of the Woman's Christian Temperance Union of Carroll, N. H., praying for the enactment of legislation to prohibit the transmission by mail or interstate commerce of pictures or descriptions of prize fights; which was referred to the Committee on the Judiciary.

Mr. QUAY presented a petition of the Coal Exchange of Pittsburg, Pa., praying that an appropriation be made for the building of a complete system of levees for the protection of the Mississippi Valley; which was referred to the Committee on Commerce.

He also presented a petition of the Lansdowne Central Union, of Lehigh County, Pa., praying for the enactment of legislation to prohibit the sale of liquor in canteens of the Army and Navy and of Soldiers' Homes, and in immigrant stations and Government buildings; which was referred to the Committee on Military Affairs.

Mr. CARTER. I present 17 petitions, numerously signed by citizens of Montana, being the petitions of D. E. Martain and 231 other citizens of Chinook; of Louis Tellifson and 224 other citizens of Burton; of John Henderson and sundry other citizens of Boulder, and of Dan W. Slayton and sundry other citizens of Folsom, praying for the establishment of a postal savings bank system by the Government. I move that the petitions be referred to the Committee on Post-Offices and Post-Roads.

The motion was agreed to.

Mr. McBRIDE presented a petition of the legislature of Oregon, praying that the construction, operation, and ownership of the Nicaragua Canal be placed exclusively under the control of the United States; which was ordered to lie on the table.

He also presented a petition of the legislature of Oregon, praying for the enactment of legislation providing for the election of United States Senators by a direct vote of the people; which was referred to the Committee on Privileges and Elections.

Mr. PRITCHARD presented petitions of the Business Men's Club of Elizabeth City; of sundry citizens of Manteo, Creswell, Hertford, Edenton, Plymouth, Newbern, and Elizabeth City, all in the State of North Carolina, praying that an appropriation be made for the purpose of deepening the Upper Pasquotank River at the point where the Dismal Swamp Canal enters that river; which were referred to the Committee on Commerce.

REPORTS OF COMMITTEES.

Mr. WARREN, from the Committee on Military Affairs, to whom was referred the bill (S. 5223) providing for the establishment and erection of a military post near the city of Sheridan, in the State of Wyoming, and making an appropriation therefor, reported it with an amendment and submitted a report thereon.

Mr. CHILTON, from the Committee on the Judiciary, to whom was referred the bill (S. 5319) to change and fix the time of holding the terms of the district and circuit courts at Batesville, Ark., reported it without amendment.

ADMISSION TO WEST POINT MILITARY ACADEMY.

Mr. HAWLEY. I am directed by the Committee on Military Affairs, to whom was referred the joint resolution (S. R. 233) authorizing the admission of Andrés Ponte-Ruego, of Venezuela, to the Military Academy at West Point, to report it without amendment.

The joint resolution merely gives authority to the Republic of Venezuela to send a cadet to the West Point Military Academy. I beg leave to ask that it be acted upon immediately. It is a courtesy always granted without hesitation. All the expenses of the cadet are to be paid by his own country. A similar joint resolution, I am told, was passed by the House and came over here this morning.

The VICE-PRESIDENT. Is there objection to the present consideration of the joint resolution? The Chair hears none.

Mr. HAWLEY. I would lay aside the Senate joint resolution and take up instead the House joint resolution, which is identical with it.

The joint resolution (H. Res. 344) granting authority to the Republic of Venezuela to send a cadet to West Point Military Academy was read the first time by its title and the second time at length, as follows:

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of War be, and he is hereby, authorized to permit Andrés Ponte-Ruego, of Venezuela, to receive instruction at the Military Academy at West Point: *Provided*, That no expense shall be caused to the United States thereby: *And provided further*, That in the case of the said Ponte-Ruego the provisions of sections 1320 and 1321 of the Revised Statutes shall be suspended.

The VICE-PRESIDENT. Is there objection to the present consideration of the joint resolution?

There being no objection, the joint resolution was considered as in Committee of the Whole.

Mr. HAWLEY. The meaning of the last clause is that he shall be excused from taking the oath to support the Constitution of the United States.

The joint resolution was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

Mr. HAWLEY. I move that joint resolution (S. R. 233) authorizing the admission of Andrés Ponte-Ruego, of Venezuela, to the Military Academy at West Point be indefinitely postponed.

The motion was agreed to.

SAMUEL RACEY.

Mr. PASCO. I am directed by the Committee on Military Affairs, to whom was referred the bill (S. 5168) for the relief of Samuel Racey, to report adversely thereon, and ask that it be indefinitely postponed. On Saturday I reported favorably from the same committee a House bill having the same purpose in view, and hence the Senate bill is no longer necessary. I move that the Senate bill be indefinitely postponed.

The motion was agreed to.

Mr. ALLISON. I ask unanimous consent that the House bill, being the bill (H. R. 6718) for the relief of Samuel Racey, be considered at this time. It will take but a moment.

Mr. PASCO. It is the last bill on the Calendar. It was unanimously reported from the Committee on Military Affairs.

There being no objection, the Senate, as in Committee of the Whole, proceeded to consider the bill, which had been reported from the Committee on Military Affairs with amendments.

The amendments were, in line 5, page 1, to strike out "Adjutant-General, United States Army" and insert "War Department;" and after the word "Infantry," in line 7, to strike out the following words:

And that a certificate of honorable discharge be issued to said soldier as of date September 29, 1864.

And in lieu thereof to insert:

And substitute therefor "absented himself without leave in January, 1864, and so remained absent to September 28, 1864, when he enlisted in the name of Samuel Rowling and was mustered into the service in such name on September 29, 1864, as a private in the Twenty-fifth Battery Indiana Light Artillery, and served faithfully to July 20, 1865, when he was honorably discharged under the name of Samuel Rowling," and correct the records of the Twenty-fifth Battery Indiana Light Artillery by adding after the name Rowling the words "alias Samuel Racey," and to issue to said Samuel Racey an honorable discharge as of date July 20, 1865, reciting his record in both said organizations.

So as to make the bill read:

Be it enacted, etc., That the Secretary of War is hereby authorized and directed to remove the charge of desertion appearing on the records of the War Department against Samuel Racey, late private, Company K, Thirtieth Ohio Infantry, and substitute therefor "absented himself without leave in January, 1864, and so remained absent to September 28, 1864, when he enlisted in the name of Samuel Rowling and was mustered into the service in such name on September 29, 1864, as a private in the Twenty-fifth Battery Indiana Light Artillery, and served faithfully to July 20, 1865, when he was honorably discharged under the name of Samuel Rowling," and correct the records of the Twenty-fifth Battery Indiana Light Artillery by adding after the name Rowling the words "alias Samuel Racey," and to issue to said Samuel Racey an honorable discharge as of date July 20, 1865, reciting his record in both said organizations: *Provided*, That no pay, bounty, or other emoluments shall become due or payable by virtue of the passage of this act.

The amendments were agreed to.

The bill was reported to the Senate as amended, and the amendments were concurred in.

The amendments were ordered to be engrossed and the bill to be read a third time.

The bill was read the third time, and passed.

THE NICARAGUA CANAL.

Mr. GALLINGER, from the Committee to Audit and Control the Contingent Expenses of the Senate, to whom was referred the following resolution, submitted by Mr. MORGAN on the 5th instant, reported it without amendment; and it was considered by unanimous consent, and agreed to:

Resolved, That the lawful expenditures for the summoning and attendance of witnesses, and of stenographic reports incurred or to be incurred by order of the Select Committee on the Construction of the Nicaraguan Canal in executing the resolutions of the Senate heretofore adopted, directing the investigation of certain matters relating to that subject, shall be paid out of the contingent fund of the Senate: *Provided*, That such expenditures in the aggregate shall not exceed the sum of $500.

INVESTIGATIONS BY THE COMMITTEE ON INDIAN AFFAIRS.

Mr. GALLINGER, from the Committee to Audit and Control the Contingent Expenses of the Senate, to whom was referred the following resolution, submitted by Mr. PETTIGREW on the 13th instant, reported it without amendment; and it was considered by unanimous consent, and agreed to:

Resolved, That the Committee on Indian Affairs be, and it hereby is, authorized to continue investigations authorized by resolutions of July 13, 1897, and February 7, 1898, during the present session of the Senate.

BILLS INTRODUCED.

Mr. MALLORY introduced a bill (S. 5393) to grant to the city of Pensacola, in the State of Florida, all the right, title, and interest of the United States of America in and to certain lots of land in said city; which was read twice by its title, and referred to the Committee on Public Lands.

Mr. HANSBROUGH introduced a bill (S. 5394) providing for the extinguishment of private claims and titles within the limits of forest reservations and the selection of other lands in lieu thereof; which was read twice by its title, and referred to the Committee on Public Lands.

Mr. McMILLAN introduced a bill (S. 5395) granting an increase of pension to William N. Carlisle; which was read twice by its title, and referred to the Committee on Pensions.

Mr. BAKER introduced the following bills; which were severally read twice by their titles, and referred to the Committee on Pensions:

A bill (S. 5396) granting an increase of pension to Thomas G. Huff (with accompanying papers);

A bill (S. 5397) granting a pension to Abigail M. Wheeler (with an accompanying paper);

A bill (S. 5398) granting an increase of pension to Joseph L. Six (with accompanying papers);

A bill (S. 5399) granting a pension to James M. Muck (with accompanying papers);

A bill (S. 5400) granting an increase of pension to William Taylor;

A bill (S. 5401) granting an increase of pension to William H. Mize (with accompanying papers);

A bill (S. 5402) granting a pension to Edward L. Ruby (with accompanying papers);

A bill (S. 5403) granting an increase of pension to Mary Irene Rosenthal (with an accompanying paper);

A bill (S. 5404) granting an increase of pension to Joseph R. Martin (with accompanying papers);

A bill (S. 5405) granting an increase of pension to Frederick W. Wagner (with an accompanying paper);

A bill (S. 5406) granting an increase of pension to Thomas Howey (with accompanying papers); and

A bill (S. 5407) granting a pension to Mary Soupene (with accompanying papers).

Mr. BAKER introduced a bill (S. 5408) to provide for the erection of a public building at Kansas City, Kans.; which was read twice by its title, and referred to the Committee on Public Buildings and Grounds.

He also introduced a bill (S. 5409) for the relief of Martin Mullins; which was read twice by its title, and, with the accompanying paper, referred to the Committee on Military Affairs.

Mr. PENROSE introduced a bill (S. 5410) to provide for the better protection of railroad employees and others; which was read twice by its title, and referred to the Committee on Interstate Commerce.

Mr. MARTIN introduced a bill (S. 5411) for the relief of the estate of Sarah G. Smith, deceased, late of Stafford County, Va.; which was read twice by its title, and referred to the Committee on Claims.

He also introduced a bill (S. 5412) for the relief of Martha H. Shultz; which was read twice by its title, and referred to the Committee on Claims.

Mr. BERRY introduced a bill (S. 5413) to remove the charge of desertion against William F. Heffington and other private soldiers of Third Arkansas Cavalry, United States Army; which was read twice by its title, and referred to the Committee on Military Affairs.

Mr. PASCO introduced a bill (S. 5414) to amend an act entitled "An act to change the boundaries of the judicial districts of the State of Florida;" which was read twice by its title, and referred to the Committee on the Judiciary.

Mr. KENNEY introduced a bill (S. 5415) granting a pension to Frederick Auer; which was read twice by its title, and referred to the Committee on Pensions.

AMENDMENTS TO POST-OFFICE APPROPRIATION BILL.

Mr. KYLE submitted an amendment relative to an additional appropriation for clerk hire in third and fourth class post-offices, intended to be proposed by him to the Post-Office appropriation bill; which was referred to the Committee on Post-Offices and Post-Roads, and ordered to be printed.

Mr. TILLMAN submitted an amendment relative to the deposit and collection of mail in boxes located along the line of star routes, intended to be proposed by him to the Post-Office appropriation bill; which was referred to the Committee on Post-Offices and Post-Roads, and ordered to be printed.

DELAWARE RIVER IMPROVEMENT.

Mr. PENROSE. I present a proposed amendment to the river and harbor bill, which I ask to have read, referred to the Committee on Commerce, and printed.

The amendment was read, referred to the Committee on Commerce, and ordered to be printed, as follows:

For obtaining a channel 600 feet wide and 30 feet deep in the Delaware River from a point at or near the city of Philadelphia to the deep water of Delaware Bay, $100,000: *Provided*, That the Secretary of War may enter into a contract or contracts for such materials and work as may be necessary for the completion of said channel 600 feet wide and 30 feet deep, to be paid for as appropriations may from time to time be made by law, not to exceed in the aggregate $5,835,000, exclusive of the amounts herein and heretofore appropriated.

EMPLOYMENT OF WOMEN NURSES.

On motion of Mr. BURROWS, it was

Ordered, That the bill (S. 5353) to provide for the employment of women nurses in military hospitals of the Army be reprinted.

THE CALENDAR.

Mr. HOAR. Mr. President, I desire to ask the unanimous consent of the Senate for that which I think everybody will see the propriety of. In printing this paper, called the Calendar of Business, I understand it is the custom to print a list of the subjects on the table, the subjects on the regular Calendar, the status of appropriation bills, and notices which have been given for the future. But where a resolution is offered and it goes over either for one day, under the rule, or from day to day, by the consent of the Senate, no notice is taken of it. I desire that the Secretary be directed that where such a resolution is introduced and goes over under the rule or stands over from day to day, it be put with the list of like matters in a like position and also be printed on the Calendar. It will be very convenient to the Senate to know what is coming up each particular day in that way. I ask unanimous consent that resolutions which have gone over under the rule may be printed on the Calendar so far as to indicate their subjects.

The VICE-PRESIDENT. Is there objection to the request made by the Senator from Massachusetts? The Chair hears none, and the order is made.

EMPLOYMENT OF STENOGRAPHER.

Mr. GEAR submitted the following resolution; which was read:

Resolved, That the stenographer employed to report a hearing on the 28th instant before the subcommittee of the Committee on Agriculture and Forestry, relative to the establishment of a bureau of domestic science in the Department of Agriculture, be paid from the contingent fund of the Senate.

Mr. GEAR. I ask for the present consideration of the resolution.

Mr. COCKRELL. Does it not have to be referred?

The VICE-PRESIDENT. The resolution must be referred to the Committee to Audit and Control the Contingent Expenses of the Senate.

Mr. GEAR. It embraces the expenses of a stenographer for only one day.

The VICE-PRESIDENT. The Chair understands the rule to be that such resolutions must necessarily be referred.

Mr. COCKRELL. That is the rule.

The VICE-PRESIDENT. The resolution will be referred.

LAKE CHAMPLAIN BRIDGES.

Mr. ROSS. I ask the Chair to lay before the Senate the amendment of the House of Representatives to Senate bill 5191.

The VICE-PRESIDENT laid before the Senate the amendment of the House of Representatives to the bill (S. 5191) to authorize the construction of certain bridges over the waters of Lake Champlain.

The amendment was, in line 14, after the word "lake," to strike out down to and including the word "granted," in line 16.

Mr. ROSS. I move that the proposed amendment of the House of Representatives be concurred in.

The motion was agreed to.

HOUSE BILL REFERRED.

The bill (H. R. 599) authorizing the Secretary of the Treasury to pay the sum of $400 to The Brownell & Co., of Dayton, Ohio, on account of penalty erroneously imposed by the Light-House Board, was read twice by its title, and referred to the Committee on Claims.

PRESIDENTIAL APPROVALS.

A message from the President of the United States, by Mr. O. L. PRUDEN, one of his secretaries, announced that the President had on the 28th instant approved and signed the following acts and joint resolutions:

An act (S. 626) for the establishment of a light-house and fog signal or light-ship at a point north of the bell buoy near the broken part of the Pollock Rip Shoals, on the coast of Massachusetts;

An act (S. 1601) to remit the time penalties on the light-house tender *Rose;*

An act (S. 3441) to authorize the Secretary of War to remove the charge of desertion and issue to Lewis C. L. Smith, Company D, First Delaware Infantry Volunteers, an honorable discharge;

An act (S. 3816) for the relief of Mary J. Cranston, of Washington, D. C.;

An act (S. 4037) to correct the military record of James Denny;

An act (S. 4316) to incorporate the American Social Science Association;

An act (S. 5004) to authorize the construction of a bridge across the Missouri River at or near Oacoma, S. Dak.;

An act (S. 5045) to authorize the Arkansas and Choctaw Railway Company to construct and operate a railway through the Choctaw and Chickasaw nations, in the Indian Territory, and for other purposes;

A joint resolution (S. R. 210) authorizing the Secretary of War to receive for instruction at the Military Academy, at West Point, Luis Yglesias, of Costa Rica; and

A joint resolution (S. R. 222) to furnish the CONGRESSIONAL RECORD to the Library of Congress.

MISSOURI AND KANSAS TELEPHONE COMPANY.

Mr. COCKRELL. I ask unanimous consent for the present consideration of the bill (H. R. 10509) to authorize the Missouri and Kansas Telephone Company to construct and maintain lines and offices for general business purposes in the Ponca, Otoe, and Missouria Reservation, in the Territory of Oklahoma. It has passed the House and has been reported favorably from the Committee on Indian Affairs, and is a very short bill.

There being no objection, the Senate, as in Committee of the Whole, proceeded to consider the bill, which had been reported from the Committee on Indian Affairs with an amendment, in section 1, line 5, before the word "business," to insert "telephone;" and after the word "business" to strike out the word "purposes;" so as to make the section read:

That the Missouri and Kansas Telephone Company is hereby authorized and empowed to construct and maintain telephone lines and offices for general telephone business in the Ponca, Otoe, and Missouria Reservation, in the Territory of Oklahoma, subject to the approval of the Secretary of the Interior and upon the terms and conditions hereinafter prescribed.

The amendment was agreed to.

The bill was reported to the Senate as amended, and the amendment was concurred in.

The amendment was ordered to be engrossed and the bill to be read a third time.

The bill was read the third time, and passed.

GEORGE W. M'BRIDE.

Mr. McMILLAN. I ask unanimous consent for the present consideration of the bill (H. R. 967) to correct the war record of George W. McBride.

There being no objection, the Senate, as in Committee of the Whole, proceeded to consider the bill. It directs the Secretary of War to so amend the records of the War Department as to remove the charge of mutiny, disobedience and defiance of orders, and conduct unbecoming an officer and a gentleman from the record of George W. McBride, late second lieutenant Company H, Fifteenth Michigan Infantry Volunteers, and to grant him an honorable discharge as of the 14th day of August, 1865, with all pay and other emoluments due him at the time of discharge for all services.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

EXTENSION OF RHODE ISLAND AVENUE.

Mr. HANSBROUGH submitted the following report:

The committee of conference on the disagreeing votes of the two House on the amendment of the House to the bill (S. 4571) to extend Rhode Island avenue, having met, after full and free conference have agreed to recommend and do recommend to their respective Houses as follows:

That the Senate recede from its disagreement to the amendments of the House and agree to the same, amended as follows:

Strike out all after the word "directed," in line 4 of section 1, and insert the following: "to commence suit for the condemnation of the land required for the extension of Rhode Island avenue from Florida avenue to Le Droit

avenue within thirty days from the passage of this act, and the proceedings for such condemnation shall be under and according to the provisions of sections 257 to 267 of the Revised Statutes of the United States relating to the District of Columbia, which provide for the condemnation of lands in said District for public highways.

"SEC. 2. That payment of the sum or sums of money adjudged to be due and payable for lands taken under the provisions of this act shall be made by the Treasurer of the United States, ex officio commissioner of the sinking fund of the District of Columbia, upon the warrant of the said Commissioners, out of the revenues of the District of Columbia; and a sufficient sum to pay such judgments and awards is hereby appropriated out of the revenues of the District.

"SEC. 3. That of the amount found due and awarded as damages for and in respect of the land condemned under this act for the widening of said avenue, one-half thereof shall be assessed by said jury in said proceedings against those pieces or parcels of ground situate and lying on each side of said Rhode Island avenue extended, between Florida avenue, Maple avenue, Linden street, and Le Droit avenue; and also those contained in squares 18 and 19 and the north half of square 20 in the recorded addition to Le Droit Park; and also those contained in blocks 1, 2, and 3, and the northwest corner lot of block 7 in the subdivision known and designated as Bloomingdale; and also against so much of that tract of land known and designated as the David Moore tract as lies west of North Capitol street.

"SEC. 4. That the sums to be severally assessed against each lot and piece or parcel of ground shall be determined and designated by the jury, and in determining what amount shall be assessed against any particular piece or parcel of ground the jury shall take into consideration the situation of such lots and each of them and the benefit they may severally receive from the widening of said avenue.

"When the use of a part only of any piece or parcel of ground shall be condemned, the jury, in determining its value, shall not take into consideration any benefits that may accrue to the remainder thereof from the opening of said avenue, but such benefits shall be considered in determining what assessment shall be made on or against that part of such lot as is not taken, as is hereinbefore provided.

"SEC. 5. That when confirmed by the court, the assessments made as aforesaid shall severally be a lien upon the land assessed, and shall be collected as special-improvement taxes in the District of Columbia have been collected since February 20, 1871, and shall be payable in five equal installments, with interest at the rate of 4 per cent per annum until paid.

"SEC. 6. That payment of the awards made in respect of the property condemned under the provisions of this act shall not be made until the assessments herein provided for shall have been made against the aforesaid property and duly confirmed, and approved or affirmed by the court."

H. C. HANSBROUGH,
JAMES MCMILLAN,
THOMAS S. MARTIN,
Managers on the part of the Senate.

G. M. CURTIS,
W. S. COWHERD,
Managers on the part of the House.

Mr. COCKRELL. What is the effect of that conference report? I should like to have the chairman of the Committee on the District of Columbia explain it.

The VICE-PRESIDENT. The Senator from North Dakota [Mr. HANSBROUGH] submitted the report.

Mr. HANSBROUGH. The bill as it passed the Senate appropriated in section 2, to pay the awards of such condemnation, $75,000, or so much of said sum as may be necessary. The House amended it so as to provide that the expenses of such condemnation shall not exceed $1,000, one half of the expenses to be paid by the property owners who are benefited and the other half by the District.

The VICE-PRESIDENT. The question is on agreeing to the report.

The report was agreed to.

HEALTH OF SOLDIERS IN THE PHILIPPINE ISLANDS.

The VICE-PRESIDENT. The Chair lays before the Senate the resolution submitted by the Senator from Illinois [Mr. MASON], coming over from a previous day.

Mr. MASON. I will state that I have modified my resolution in conformity with the suggestion made by the Senator from Rhode Island [Mr. ALDRICH], and it meets the objection on the part of the Senator from Connecticut [Mr. HAWLEY].

The VICE-PRESIDENT. The resolution as modified will be read.

The Secretary read the resolution as modified, as follows:

Whereas a large number of the sailors and soldiers of the United States are now in the Philippine Islands, or on their way there; and

Whereas there are differing newspaper reports as to the condition of the health of the soldiers and sailors; and

Whereas it is reported by the press that there is a large percentage of those who are made sick by reason of the climate of the said islands; and

Whereas it is stated upon good medical authority that during the late years as high as 50 per cent of the soldiers unaccustomed to that climate have died by reason of the said climate: Therefore, be it

Resolved, That the Secretary of War be directed to furnish for the information of the Senate a statement as to the percentage of our soldiers who are sick and have been sick, and the number of deaths in our Army by reason of the sickness caused by the climate in said islands, and to set forth when, according to the generally accepted term, the sickly season begins in said islands.

Mr. MASON. I merely ask for the information from the Secretary of War, and not from the Surgeon-General.

Mr. HAWLEY. I confess I do not see the usefulness of the inquiry. The reports may be exaggerated. I do not believe any such stories as that 50 per cent of the soldiers have been sick. I think the Senator could get his information at the Surgeon-General's Office by private inquiry, but I will not make a formal objection, though I have no respect for the resolution.

The VICE-PRESIDENT. The question is on agreeing to the resolution as modified.

The resolution as modified was agreed to.

INDIAN DEPREDATION CLAIMS.

Mr. PETTIGREW. I ask unanimous consent for the present consideration of the bill (S. 5206) to declare the proper construction of the act of March 3, 1891, entitled "An act to provide for the adjudication and payment of claims arising from Indian depredations."

There being no objection, the Senate, as in Committee of the Whole, proceeded to consider the bill. It provides that in the construction of the act of Congress approved March 3, 1891, entitled "An act to provide for the adjudication and payment of claims arising from Indian depredations," the condition of amity existing in the year 1890 between the United States and the Sioux and Cheyenne nations of Indians, and the several bands and tribes thereof, shall not be considered to have been interrupted or destroyed by any disturbance occurring in the latter part of the year 1890 and the early part of the year 1891, but the said nations and all the bands and tribes thereof shall be deemed and considered as continuously in amity during those two years.

The bill was reported to the Senate without amendment, ordered to be engrossed for a third reading, read the third time, and passed.

WIDENING OF NINETEENTH STREET.

Mr. GALLINGER. I ask unanimous consent for the present consideration of the bill (H. R. 11605) for the widening of Nineteenth street NW.

There being no objection, the Senate, as in Committee of the Whole, proceeded to consider the bill, which had been reported from the Committee on the District of Columbia with an amendment, in section 4, line 11, page 3, after the word "highway," to insert:

When the use of a part only of any piece or parcel of ground shall be condemned, the jury, in determining its value, shall not take into consideration any benefits that may accrue to the remainder thereof from the opening of said avenue, but such benefits shall be considered in determining what assessment shall be made on or against that part of such lot as is not taken, as is hereinbefore provided.

So as to make the section read:

SEC. 4. That the sums to be assessed against each lot and piece and parcel of ground shall be determined and designated by the jury, and in determining what amount shall be assessed against any particular piece or parcel of ground the jury shall take into consideration the situation of said lots and the benefits that they may severally receive from the widening of said street and highway. When the use of a part only of any piece or parcel of ground shall be condemned, the jury, in determining its value, shall not take into consideration any benefits that may accrue to the remainder thereof from the opening of said avenue, but such benefits shall be considered in determining what assessment shall be made on or against that part of such lot as is not taken, as is hereinbefore provided.

The amendment was agreed to.

The bill was reported to the Senate as amended, and the amendment was concurred in.

Mr. GALLINGER. I ask now that the further consideration of the bill may be postponed, so that it may remain as it is, as I recall the fact that the Senator from Montana [Mr. CARTER] may possibly desire to offer an amendment to it.

The VICE-PRESIDENT. The bill will go over.

Mr. GALLINGER subsequently said: A few minutes ago House bill 11605 was under consideration. It was considered as in Committee of the Whole and was reported to the Senate. At my suggestion, supposing the Senator from Montana might want to amend it, the bill was laid over. The Senator does not care to move an amendment, and I ask that the bill may be passed.

The amendment was ordered to be engrossed and the bill to be read a third time.

The bill was read the third time, and passed.

SOUTHERN JUDICIAL DISTRICT OF MISSISSIPPI.

Mr. ALLISON. I ask unanimous consent that the Senate proceed to the consideration of the Indian appropriation bill.

Mr. PETTUS. By the courtesy of the Senator from Iowa, I wish to make a report. The Committee on the Judiciary, to whom was referred the bill (S. 5376) authorizing the terms of the district court of the United States for the southern district of Mississippi to be held hereafter at Biloxi, direct me to report it favorably without amendment; and by the instructions of the same committee I ask that the bill may be now considered and put on its passage.

Mr. ALLISON. I yield to the Senator from Alabama, provided that no time is consumed beyond the reading of the bill.

Mr. PETTUS. I think the bill will occasion no debate.

There being no objection, the Senate, as in Committee of the Whole, proceeded to consider the bill.

The bill was reported to the Senate without amendment, ordered to be engrossed for a third reading, read the third time, and passed.

INDIAN APPROPRIATION BILL.

Mr. ALLISON. I now ask unanimous consent that the Senate proceed to the consideration of the Indian appropriation bill.

There being no objection, the Senate, as in Committee of the Whole, resumed the consideration of the bill (H. R. 11217) making appropriations for the current and contingent expenses of the Indian Department and for fulfilling treaty stipulations with various Indian tribes for the fiscal year ending June 30, 1900, and for other purposes.

Mr. QUAY. I desire to call the attention of the Senator from Iowa in charge of the pending bill to the clause on page 34, from line 10 to line 16, inclusive, which is an appropriation for the subsistence and civilization of the Arapahoes and Cheyennes on the reservations set apart for them.

I desire to offer as a substitute for that clause an amendment which is recommended by the Indian Department.

Mr. JONES of Arkansas. There was so much noise in the Chamber that I did not understand what was the motion of the Senator from Iowa, nor do I understand what the Senate is now doing.

Mr. ALLISON. I asked unanimous consent that the Senate should proceed to the consideration of the Indian appropriation bill, which was granted, and we now have that bill under consideration.

POLICY REGARDING PHILIPPINE ISLANDS.

Mr. JONES of Arkansas. Mr. President, I should like to interrupt the proceedings long enough to say that when the agreement was made some time since to take a vote on the pending treaty, I thought the understanding was that the joint resolution which had been introduced by the Senator from Georgia [Mr. BACON] and the resolutions introduced by other Senators might be considered within the time that was left. I did not understand that the intention of the Committee on Appropriations was to take up the time after the routine morning business every morning until 2 o'clock with appropriation bills, to the exclusion of those matters which are collateral to and connected with the treaty.

The Senator from Georgia gave notice some days ago that on Saturday last he would ask to have his resolutions taken up for action on that day. We understood that was to be done. The newspapers give out, of course, that these resolutions will not be considered; that the majority will not permit them to be considered. I hope that is not the case. There are a number of us who would like to have votes on these resolutions, and for one I think there should be time enough given to allow votes on these questions if the Senate is unwilling to allow a discussion of them.

Mr. ALLISON. Mr. President, I have no intention to interfere with proper and legitimate discussion or with proper action on any matter connected with or incidental to the pending treaty. I inquired at the Secretary's desk this morning to ascertain whether any Senator desired to speak during the morning hour on any of these resolutions, and I found that there was no memorandum there upon that subject. Therefore I felt at liberty to ask the Senate to take up the Indian appropriation bill.

Mr. JONES of Arkansas. I was not complaining that there was no opportunity allowed for a speech; but what I did think, and what I think now, is that the Senate should allow time for the consideration of the resolution of the Senator from Georgia as well as other resolutions; and if it suits that Senator and other Senators, I am willing now to take a vote on that resolution, and would be glad to have it done before we proceed with the consideration of the Indian appropriation bill.

Mr. BACON. If the Senator from Iowa will permit me, in explanation of what the Senator from Arkansas has said, I wish to say that I gave notice several days ago that on Saturday last I should ask the Senate to take up the joint resolution introduced by me. I well recognize, of course, that I gained no advantage by that notice; but the object I had in giving that notice was that Senators might be informed of the purpose.

The Senator will remember that on Saturday, when the time came for the making of that motion, the Senator from Maine [Mr. HALE] interposed a motion for the taking up of an appropriation bill, and now again this morning, when an opportunity might be offered for the making of the motion, another appropriation bill is interposed. The result will be that whereas we have given consent for the taking of the vote on the treaty next Monday, these collateral matters, which are not only connected with that particular action intended by the Senate, but which will necessarily affect the votes of Senators, whether they will vote one way or another—these resolutions will be entirely displaced and no action will be taken upon them.

Mr. ALLISON. Mr. President, as I understand, there is no purpose on either side of the Chamber to interfere with the proper discussion of the resolutions which have been referred to. There are, I think, four or five of them on the table. The Senator from Connecticut [Mr. PLATT] gave public notice a day or two since that before any vote was taken upon any of the resolutions he desired an opportunity to debate them, and other Senators about me I know desire the same opportunity. Therefore it seems to me that it will be impossible to take a vote upon any one of these resolutions so long as this important debate is going on.

I do not wish to interfere in any way with the complete execution of the understanding which was had some days ago respecting the treaty and matters incident to it.

Mr. GALLINGER. If the Senator will permit me, there are now on the Calendar notices of six speeches on these resolutions.

Mr. ALLISON. I had not observed that.

So, I think it will be manifestly impossible for us to secure a vote upon the resolutions at this time. If any Senator now desires to discuss them or any one of them, I will not this morning press the Indian appropriation bill; but if the discussion is not to go on, I feel that I am justified in asking that we proceed with the Indian appropriation bill.

Mr. BACON. Mr. President, if Senators can postpone the consideration of matters by simply saying that they desire to discuss those matters, and at the same time make no effort to discuss them, of course that is a very simple way of preventing any action on the part of the Senate.

As I understand, no notice has been given to discuss the particular joint resolution which I have introduced, and the particular resolutions which I have introduced can be acted upon by the Senate without preventing any discussion as to other resolutions.

Mr. ALLISON. But the Senator will see that these resolutions are all practically to the same tenor and effect. At least I understand them to be so. Whilst, for example, the joint resolution of the Senator from Missouri [Mr. VEST] has been taken up and debate has been had upon it, yet the debate has gone to the whole question involved in each and all of the resolutions. I will say to the Senator that in looking over the notices which are printed on our Calendar, I find that for to-morrow the Senator from Arkansas [Mr. BERRY] has given notice that after the routine morning business he will submit some remarks on Senate joint resolution 191, which, I suppose, is the resolution of the Senator from Missouri, as most of the speeches have been based upon that resolution, it being the first one offered.

Next, I find that the Senator from Wisconsin [Mr. SPOONER] has given notice that on Wednesday, February 1, after the routine morning business, he desires to offer some observations on Senate joint resolution 191. I think it will be impossible for the Senator from Arkansas or the Senator from Wisconsin to make observations upon this general question without debating the resolution of the Senator from Georgia [Mr. BACON].

For the next day, Thursday, February 2, I find that the Senator from Utah [Mr. RAWLINS] has given notice that he will submit some remarks on Senate joint resolution 191; the Senator from Mississippi [Mr. MONEY] has given notice that he will speak on Friday, February 3; the Senator from Texas [Mr. CHILTON] has given notice that he will speak on Saturday, February 4; and the junior Senator from Illinois [Mr. MASON] has given notice that he will also speak on Friday.

So, finding that there was no engagement for a speech this morning, I asked the Senate to consider the Indian appropriation bill. Now, if there is any Senator or if there are Senators who desire to debate any one of these resolutions, I am perfectly willing to give way.

Mr. DANIEL. Will the Senator permit me a moment?

Mr. ALLISON. Yes, sir.

Mr. DANIEL. If I had known that to-day would be unoccupied, I should have requested that I be permitted to submit a few remarks on the subject of the resolutions referred to. Finding that all the days of this week have been appropriated by Senators, I do not see any day before Monday next on which I can secure an opportunity to address the Senate.

Mr. ALLISON. The Senator will observe that after to-day every day is to be occupied in debate on the resolutions which are pending on this subject.

Mr. DANIEL. With the permission of the Senator from Iowa [Mr. ALLISON], I desire to give notice, Mr. President, that on Monday next I should like to make some remarks on the joint resolution introduced by the Senator from Missouri [Mr. VEST], as I do not see any day on which I can have such an opportunity before that time.

Mr. COCKRELL. Monday is the day for voting on the treaty, is it not?

Mr. ALLISON. Monday next at 3 o'clock.

Mr. HOAR. I hope the Senator will give his notice for some convenient day this week, following some other Senator who has already given notice of an intention to speak.

Mr. DANIEL. I shall say Friday of this week then, or Monday, unless I have an earlier opportunity.

Mr. ALLISON. Say Saturday.

Mr. DANIEL. I shall be willing to proceed on Friday or Saturday, if an opportunity presents.

Mr. CHANDLER. Mr. President——

Mr. HOAR. Allow me one moment in reference to this matter. The Senator from Iowa [Mr. ALLISON] inadvertently stated that the Senator from Illinois [Mr. MASON] had given notice of a purpose to address the Senate on Friday next. The Senator from Illinois gave no notice of any purpose to address the Senate, but only that he would call for a vote on his resolution on Friday.

Mr. PLATT of Connecticut. That notice was for last Friday.

Mr. COCKRELL. That notice was for January 27.

Mr. ALLISON. Then I modify my statement. The Senator from Illinois, I take it, will make some observations before the vote on his resolution.

Mr. DANIEL. I will then state that on Friday next I shall address the Senate.

Mr. JONES of Arkansas. I wish to call the attention of the Senator from Iowa particularly to the fact that every single notice to which he has referred has been a notice that the Senator would discuss Senate joint resolution 191, which is the resolution introduced by the Senator from Missouri [Mr. VEST]. There is no notice given of the discussion of the joint resolution of the Senator from Georgia [Mr. BACON]. There is nothing interposed between that proposition and a vote; no Senator has expressed any desire to speak on that; and unless there is a determination simply to avoid a vote on the resolution of the Senator from Georgia, there is no reason why the resolution can not now be taken up and voted on.

Mr. ALLISON. One word, Mr. President. The Senator from Arkansas says that the notices to which I have referred have been notices of speeches upon the joint resolution of the Senator from Missouri.

Mr. JONES of Arkansas. So they have been.

Mr. ALLISON. Whilst that is technically true, we all know that the resolution of the Senator from Georgia, the resolution of the Senator from Missouri, and other resolutions are practically addressed to the same question and decide practically the same point. The Senator from Wisconsin [Mr. SPOONER], when he gave his notice, stated that he wished on next Wednesday to discuss joint resolution 191 and all kindred resolutions upon the same subject.

I submit that it has not been usual to press a vote on any particular matter when it is under debate in this Chamber. Therefore, as I supposed, seeing no probability of or opportunity for a discussion of the resolutions this morning, because they involve one question and are all incident to the treaty, I called up the Indian appropriation bill. Now, if there is any disposition to debate the resolutions, I shall withdraw at once any proposition.

Mr. JONES of Arkansas. Let us have a vote.

Mr. ALLISON. Very well; but the Senator knows that there are Senators on this floor who desire to discuss the resolutions who are not ready to vote, and that there will be no vote this morning. Did not the Senator from Connecticut [Mr. PLATT], who can speak for himself, give notice that he did not desire to vote upon this question until he had an opportunity to debate it in this Chamber? I do not know, but he may have abandoned that idea.

If the Senator from Arkansas will ask unanimous consent to vote now on the resolution of the Senator from Georgia, I will yield for that purpose and see whether we can have it.

Mr. BACON. Mr. President, we, of course, understand the general rule of courtesy which prevails in this body, that each Senator, if he so desires, shall be allowed to express himself upon a measure before a vote is taken upon it. At the same time, it must be manifest that when a resolution which is pending must, in order that it may be effective, be voted upon before a certain time, it is certainly a stretch of that rule to claim that such a resolution shall not be voted upon before that time in order that Senators may have an opportunity so to express themselves.

Mr. President, these resolutions are designed to affect the action of Senators in voting upon the treaty next Monday; in other words, the design of the introduction of these resolutions was that there might be an expression by the lawmaking power before the time arrived when Senators would be called upon to vote upon the treaty. If by giving notice at a late day of an intention to speak the purpose can be defeated, then I say it is a stretch of that rule.

Now, what are the facts? These resolutions were introduced here on the 11th day of January, nearly three weeks ago. Senators have had ample opportunity since that date not only to make up their minds as to the position they desire to occupy or intend to occupy, but also to express themselves to the Senate, in order that, if possible, they might influence the views of others.

What, I repeat, is the purpose of these resolutions? I desire to call the attention of the Senator from Iowa to the fact that these resolutions in one particular differ from the other resolutions which are upon the table and which are being called up for discussion from time to time.

The resolution introduced by the Senator from Missouri [Mr. VEST] is the declaration of an abstract principle, a declaration as to the power of the Government for the acquisition of territory for the purposes of colonization. The resolution offered by the Senator from Illinois [Mr. MASON] is also an abstract declaration as to the power of this Government to impose a government upon an unwilling people. The resolutions I have introduced, however, go to the root of the practical question, If this treaty is ratified, what is the purpose of the Government with reference to the Philippine Islands? There are those who will support that treaty if that purpose is in accord with what we deem to be the fundamental principles of this Government. There are those of us who can not vote for the treaty unless there is such an authoritative declaration on the part of the lawmaking power.

Mr. ALLISON. Mr. President——

Mr. BACON. Mr. President, the point I am coming to, if the Senator from Iowa will pardon me a moment, is this: In order that the resolutions which I have introduced may be of any effect, if passed, they must go through this body, go to the other House, and go to the President, and the matter be concluded before the date for voting on the treaty arrives. With three weeks intervening since their introduction, with ample opportunity for every Senator to examine the matter and to express himself, I submit that it is not in accord with the spirit of the rule of courtesy that the consideration of the resolutions and action thereon by this body should be postponed to a date when such postponement would utterly defeat the purposes of the resolutions.

The Senator from Iowa suggests that all these notices of speeches by Senators have been given and that therefore the Senate should not take up these resolutions for consideration.

Mr. ALLISON. No; the Senator does not understand me. I say that if it is the purpose of the Senate, or the wish of Senators, to take up these resolutions, I shall give way.

Mr. BACON. Very well. Then, Mr. President, in order that we may ascertain what is the wish of the Senate in the matter, I move that the Senate proceed to the consideration of Senate joint resolution 211.

The VICE-PRESIDENT. The Chair understands that, with the assent of the Senator from Iowa [Mr. ALLISON], the Indian appropriation bill is temporarily laid aside for the purpose of the motion of the Senator from Georgia [Mr. BACON], to wit, that the Senate shall now proceed to consider Order of Business No. 20, Senate joint resolution 211, relative to the acquisition of foreign territory.

Mr. ALLISON. No formal vote is necessary, Mr. President. I understand the Senator wishes to ask that the subject be voted on; and if he desires that, I shall give way in order that that may be done.

The VICE-PRESIDENT. The Chair hears no objection to the motion of the Senator from Georgia.

Mr. BACON. I move that the joint resolution be taken up.

Mr. ALLISON. There is no objection to taking up the joint resolution.

The VICE-PRESIDENT. Is there objection? The Chair hears none.

The Senate, as in Committee of the Whole, proceeded to consider the joint resolution (S. R. 211) relative to the acquisition of foreign territory.

Mr. GALLINGER. Let the joint resolution be read in full, Mr. President.

The VICE-PRESIDENT. The joint resolution will be read at length.

The Secretary read the joint resolution, as follows:

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, First. That the Government and people of the United States have not waged the recent war with Spain for conquest and for the acquisition of foreign territory, but solely for the purposes set forth in the resolution of Congress making the declaration of said war, the acquisition of such small tracts of land or harbors as may be necessary for governmental purposes being not deemed inconsistent with the same.

Second. That in demanding and in receiving the cession of the Philippine Islands it is not the purpose of the Government of the United States to secure and maintain dominion over the same as a part of the territory of the United States, or to incorporate the inhabitants thereof as citizens of the United States, or to hold said inhabitants as vassals or subjects of this Government.

Third. That whereas at the time of the declaration of war by the United States against Spain, and prior thereto, the inhabitants of the Philippine Islands were actively engaged in a war with Spain to achieve their independence, and whereas said purpose and the military operations thereunder have not been abandoned, but are still being actively prosecuted thereunder, therefore, in recognition of and in obedience to the vital principle announced in the great declaration that governments derive "their just powers from the consent of the governed," the Government of the United States recognizes that the people of the Philippine Islands of a right ought to be free and independent; that, with this view and to give effect to the same, the Government of the United States has required the Government of Spain to relinquish its authority and government in the Philippine Islands and to withdraw its land and naval forces from the Philippine Islands and from the waters thereof.

Fourth. That the United States hereby disclaim any disposition or intention to exercise sovereignty, jurisdiction, or control over said islands, and assert their determination, when a stable and independent government shall have been duly erected therein entitled to recognition as such, to transfer to

said government, upon terms which shall be reasonable and just, all rights secured under the cession by Spain, and to thereupon leave the government and control of the islands to their people.

Mr. CHANDLER. Mr. President, I move that the resolutions be referred to the Committee on Foreign Relations.

Mr. BACON. I trust that that motion will not prevail. This is a matter which requires that we shall take immediate action, or the contrary will result in the practical defeat of the joint resolution. Therefore when the Senator from New Hampshire moves to refer the resolutions to the Committee on Foreign Relations, it is an indisputable conclusion that whether the purpose is such or not, the effect of it will be to defeat the resolutions. Therefore those of us who favor the resolutions must vote in the negative; and upon the motion of the Senator from New Hampshire I call for the yeas and nays.

Mr. TELLER. I will inquire whether the motion includes all the resolutions?

Mr. CHANDLER. All the resolutions of the Senator from Georgia.

Mr. TELLER. There are several resolutions before the Senate on the same subject. It seems to me, if the Senator from New Hampshire suggests that the resolution introduced by the Senator from Georgia should be referred to the committee, all the other resolutions ought to go there. I think myself it would be eminently proper to send them there if we could have the assurance of the committee that they would promptly report something back. I should not like to see them go there and be smothered, and I do not care to vote to refer one resolution when there are other resolutions that ought to go there if this one is referred.

Mr. CHANDLER. Mr. President, the resolutions of the Senator from Georgia are the only resolutions now before the Senate. Of course we can not deal with all the resolutions at once. The resolutions of the Senator from Georgia are put in the form of a joint resolution and, as he well says, must be acted upon by the House of Representatives to have any validity. Now, I am free to say that I do not believe the resolutions can be acted upon in the House, even if they are acted upon in the Senate, before next Monday. I think it reasonable, Mr. President, that there should be a vote upon the disposition of the resolutions of the Senator from Georgia before next Monday.

I have no desire to prevent a vote of the Senate upon the resolutions, on the question of referring them, or on the question of adopting them before next Monday. I think it reasonable that on Friday or Saturday the sense of the Senate should be taken as to whether it will take any prior action before voting upon the treaty. I think it reasonable that such a vote should be allowed, because, as the Senator from Georgia has well said, a unanimous-consent agreement has been made for Monday, and no Senator feels at liberty to violate such an agreement. No such agreement ever has been violated, either for light cause or for weighty cause, that I know of. That agreement having been made, if there are Senators who want votes upon these various resolutions before that time, I think there should be unanimous consent to take such votes, say on Friday.

Mr. TELLER. Say Saturday.

Mr. CHANDLER. Saturday. I wish to say to the Senator from Colorado that the only way the Senate can deal with these various resolutions is one after another. It can refer one resolution and adopt another. It can lay upon the table one resolution and adopt some one of the resolutions if the Senate desires to do that thing.

My own judgment, Mr. President, is very much averse to having any declaration of the Senate made before next Monday. I think we should take the action we are to take next Monday without any declaration of the policy of the United States, and I hope to speak briefly on that subject before a vote is taken. But if the Senator from Georgia asks that a vote be taken on Friday or Saturday—either day—I shall not object to it. I prefer to vote to refer the resolutions, because I think they come up very naturally and very properly after the vote of next Monday. I do feel that we ought not to take any action on any of these resolutions before that time.

Mr. BACON. Mr. President, although the Senator from New Hampshire makes other suggestions, I understand the motion is still pending for the reference of the resolutions to the Committee on Foreign Relations. The Senator from New Hampshire suggests that it will be an impossibility to get the resolutions acted upon by the House by next Monday. If there is difficulty of that kind, and of course we all recognize it, that fact emphasizes the importance of prompt action by the Senate, and the futility of acting after it will be impracticable to make our action of any avail by reason of the want of time for the House also to act.

If in good faith the Senator from New Hampshire says that we ought to vote on these resolutions, then good faith requires that we should vote upon them at such time that if the Senate should agree to the resolutions the House would also have the opportunity to agree to them, and to postpone the vote until such time that even if the Senate should agree to the resolutions the House would not have the opportunity to agree to them is not acting in the good faith to which the Senator from New Hampshire alludes and which he recognizes.

Mr. CHANDLER. I shall not personally object to a vote to-day. I understand what the Senator wishes to accomplish, and I think it is a fair purpose which he has in view. I have stated my views very clearly. I shall not object to a vote to-day upon the Senator's resolutions, but I do wish to have them referred, because we ought to have the opinion of the Committee on Foreign Relations upon all these subjects, and we ought not to adopt any of the resolutions before we do the work which has been set for next Monday.

Mr. BACON. I suppose there can be no doubt that every Senator in this Chamber knows how he is going to vote on the resolutions. On the motion of the Senator from New Hampshire to refer the joint resolution to the Committee on Foreign Relations I ask for the yeas and nays.

Mr. CARTER. Mr. President, the statement by the Senator from Georgia [Mr. BACON] that there is a possible lack of good faith in reference to the contemplated vote or contemplated disposition to prevent a vote on the resolution here presented challenges my attention.

Mr. BACON. I beg the Senator's pardon before he proceeds. I could not hear him distinctly on account of the confusion in the Hall. Did I correctly understand the Senator to say that I said that there was a lack of good faith?

Mr. CARTER. That was my impression from the Senator's remarks.

Mr. BACON. The Senator misunderstood me. I said, practically, that the Senator from New Hampshire [Mr. CHANDLER] had said that as we had given unanimous consent to vote upon the treaty he thought it was fair and right that we should have a vote on the cognate resolutions; and I said that implied a statement on the part of the Senator from New Hampshire that good faith required that it should be done within a time which would make the vote upon the resolutions effective. I did not make the statement in the shape the Senator puts it.

Mr. CARTER. I am glad to have the explanation of the Senator, because I think it puts him where his judgment would naturally dictate.

Mr. President, I take direct issue with the proposition that public interest, sound public policy, or any aspect of the existing situation requires or justifies a vote on any of these resolutions at this session of Congress. We have here presented a series of resolutions. That of the Senator from Missouri [Mr. VEST] brings up a question of constitutional limitation upon the power of the Federal Government to do or not to do certain things set forth in the resolution. It is neither useful nor is it at present necessary for the Senate of the United States or the Congress of the country, if you please, to indulge in constitutional interpretations. The theory of the Senator from Missouri was evidently present in the mind of every Senator who prepared a resolution touching this general question. The theory of those who seek a vote on these resolutions is that before peace can be concluded with the Kingdom of Spain under the terms of the pending treaty the United States Senate must vote a want of confidence in the judgment, the discretion, the honor, and the integrity of the American people.

It is apprehended by those who seek the present consideration of these resolutions that a Congress to assemble hereafter to deal with the territorial acquisitions that may fall to us under and by virtue of the treaty under consideration may depart from the traditions of our country, the traditions of our race, the letter and spirit of our written Constitution, and launch the people of the United States upon a wild and shoreless sea of universal expansion, attended with tyranny and oppression wherever the flag may go. Mr. President, if such disposition should unhappily be developed in this country, written constitutions will not long restrain it, and resolutions of Congress or of either branch will be but as ropes of sand to stay the mighty tide.

The treaty under consideration requires no interpretation of the purpose of the Government of the United States or the people with reference to the future of the Philippine Islands. Our forefathers were compelled to meet the question of the future disposition of populations at the time of the ratification of the treaty of 1803, whereby Louisiana was ceded to the United States. By an article in that treaty it was expressly provided that the people of the territory annexed should ultimately become entitled to and participate in all the privileges, benefits, and rights of American citizens.

The same is true in reference to a clause in the treaty of cession by Mexico, adopted in 1848. By Article IX of that treaty it was provided that any citizen of the Republic of Mexico residing within the territory ceded might within the period of one year elect to

retain his citizenship in the Republic of Mexico or become a citizen of the United States. After the lapse of the year, according to the terms of the treaty, the individuals residing within the ceded territory, now known as New Mexico, Arizona, and California, became entitled to full participation in and enjoyment of the rights and privileges of citizens of the United States. In the pending treaty no such provision occurs. Under its terms the mere sovereignty of Spain is ceded to the Republic of the United States. There is no promise in the treaty to Spain, there is no obligation existing to any power whatever to dispose of the Philippine territory or the people residing therein save and except as the enlightened judgment and acute conscience of the people of the United States may in the future direct.

Mr. President, the people of this country will be as good a class of people twelve months hence as they are to-day, and according to our general theories of progression they may be a better class of people. The Congress of the country will probably be as safe a body, all things considered, as the present Congress. By what right or authority, for what useful purpose, is this Congress now sitting, soon to expire, to undertake to tie the arms of the Government or to mortgage the privileges of the future, to undertake to limit the sphere of usefulness or the field of legitimate action for a Congress that is to follow? There is nothing in this treaty that requires it. By virtue of the ratification of the treaty the Government of the United States will be left without restraint of any kind, character, or description with reference to the Philippine Islands and the people who inhabit that archipelago. For what needful purpose, then, Mr. President, does the present Congress insist upon the determination of a policy to be pursued in those islands?

It must be conceded by those who seek to determine the momentous questions presented by the resolutions, not questions of constitutionality, but questions of policy, that our information is of the most meager character. I am in perfect sympathy and accord with the reported purpose of the President of the United States to take ample time to consider what is wise and prudent and patriotic and honest to do with reference to these new possessions. Even the number of islands in the archipelago seems to be a matter of controversy and doubt. The number of dialects or languages spoken by the people is merely conjectural, so far as our information at present extends. The number who speak the Spanish language, the number of inhabitants upon the islands who are Germans, English, Americans, Chinese, Japanese, or belong to the various other nationalities represented there we know only through vague and indefinite rumor.

Mr. President, the utility of that country for purposes of trade and commerce, looked at from the American point of view, can not be determined on the data at present before us. It seems to me that all the aspects of the case, the facts, the figures, and the statistics with reference to population and industry, to arable land, to mineral productions and possible productions, might with perfect propriety be sought before we determine just what we intend to do with that territory.

The Senator from Georgia and those who sympathize with his views in the Senate upon the resolutions contemplate disposition of the questions upon partial consideration. I would agree with him that something ought to be said by the Senate of the United States at this time and before the ratification of the treaty if the ratification of the treaty in any manner committed the Government of the United States for the future in that country.

Mr. MASON. Would I interrupt the Senator from Montana if I asked him a question?

Mr. CARTER. Not at all.

Mr. MASON. Do we not, in the ratification of the treaty, enter into an agreement with Spain to give her certain trade rights there for the next ten years?

Mr. CARTER. Only such trade rights as we ourselves may enjoy.

Mr. MASON. As we ourselves have.

Mr. CARTER. Yes.

Mr. MASON. But that does commit us to a certain policy so far as trade is concerned.

Mr. CARTER. So far as we may enjoy privileges of trade in the islands, for the next ten years we are to allow Spain similar rights and privileges. That is a mere matter of contract relation. Should we cede the sovereignty to some other power it would be subject to that particular provision.

Mr. CHANDLER. Mr. President——

Mr. MASON. Pardon me. From that statement I judge the Senator from Montana to say that under the treaty we take the sovereignty of the Philippine Islands.

Mr. CARTER. The sovereignty of Spain over the Philippine Islands is relinquished.

Mr. MASON. Do we take it?

Mr. CARTER. I understand it will not be in the air.

Mr. MASON. Still the Senator does not answer my question. I do not wish to interrupt him or to annoy him. Do we take the sovereignty of the Philippine Islands?

Mr. CARTER. I understand the fact to be that the United States will exercise control over the Philippine Islands to such full extent as Spain has exercised control over the islands.

Mr. MASON. Then we do by treaty announce a policy?

Mr. CARTER. We put ourselves in position by this treaty to do whatsoever we may in the future determine proper and wise and patriotic to do for our own interest and the interest of the inhabitants of the islands.

Mr. CHANDLER. Right here I ask the Senator from Montana to allow me to call his attention to the fact that the President, in the only proclamation he has made with reference to the policy which he intends to pursue, expressly states that it is only until Congress shall determine what shall be done with the islands. It is expressly so stated in his proclamation.

Mr. CARTER. Certainly. One of the misfortunes connected with these resolutions is that through them no attempt is made by Congress in any manner to dispose of the islands. This is a voluntary, uncalled-for, premature tying of the hands of this Government, and a limitation upon its right and privilege in the future to do the best thing that may be done for those people and for the benefit of this country at large.

Mr. BACON and Mr. TELLER addressed the Chair.

The VICE-PRESIDENT. Does the Senator from Montana yield to the Senator from Georgia?

Mr. CARTER. Certainly.

Mr. BACON. I simply desire to state, in order that I may not interrupt the Senator from Colorado in what he wishes to say, that there is no purpose in these resolutions and no effect in them to commit this Government to anything with reference to the future disposition and control of the Philippine Islands except that this Government will not itself exercise permanent dominion and sovereignty in the islands. So far as concerns arranging for their protection in the future, so far as concerns arranging for the establishment of an independent stable government, so far as concerns, by arrangement with other nations, guaranteeing that independence to them, there is nothing in the resolutions which will interfere with any such action on the part of the Government. The sole purpose and the only vital element in the joint resolution is the declaration that this Government does not intend to exercise permanent sovereignty in those islands.

Mr. TELLER. Will the Senator allow me to ask him a question?

Mr. BACON. Certainly.

Mr. TELLER. I should like to ask the Senator from Georgia if there is anything in the joint resolution, according to his notion, that would prevent the Government of the United States from guaranteeing the independence of those islands alone, acting as a sort of protector over them?

Mr. BACON. Without committing myself to that as a policy which I would support, I think that the resolutions are certainly broad enough to allow the Government to take that position if it desires to do so, or, I think, to take any other position with reference to the islands short of the exercise of permanent dominion and sovereignty.

Mr. TELLER. Would it interrupt the Senator from Montana if I should make a suggestion?

Mr. CARTER. Certainly not.

Mr. TELLER. In conversation with the Senator who introduced the joint resolution, I suggested to him that we must exercise some dominion there for a time anyway, until we can get those people started, and he said he has no objection to inserting on the first page, in line 12, after the word "maintain," the word "permanent," so as to declare that "it is not the purpose of the Government of the United States to secure and maintain permanent dominion." If the Senator from Georgia does not object to that amendment, and the Senator from Montana will give me leave, I will move it now, so that we may know what the joint resolution means.

Mr. BACON. In what paragraph?

Mr. TELLER. In the second paragraph, to put the word "permanent" before "dominion," in line 12.

Mr. BACON. So far as I am authorized to do so by the rules of the Senate, I will accept that as an amendment.

Mr. GRAY. Ought not, for consistency's sake, the same amendment to be made in the fourth paragraph, line 21?

Mr. TELLER. I was going to make that suggestion as to the fourth section, line 21, page 2. There should be inserted, before the word "sovereignty," the word "permanent," showing that we must exercise some temporary power. If the Senator accepts that amendment, he has a right to have it incorporated in the joint resolution.

Mr. BACON. That is the spirit of the joint resolution. I have no objection to the amendment suggested by the Senator from Colorado in line 21, on page 2.

The VICE-PRESIDENT. Is there objection? The Chair hears none, and the amendment is agreed to. The Senator from Montana will proceed.

Mr. TELLER. I wish to ask for a reprint of the joint resolution. I understand that the print is out.

The VICE-PRESIDENT. Is there any objection to the request made by the Senator from Colorado that the joint resolution be reprinted as modified?

Mr. BACON. Before that is done, I will call attention to the fact that there had previously been an amendment adopted by the insertion of the words "a stable and" in line 23, on page 2, so as to read "when a stable and independent government shall have been erected therein." That amendment has been previously adopted, although it does not appear in the print. I only call attention to it so that it may appear when the joint resolution is reprinted.

Mr. TELLER. I should like to have a reprint of the joint resolution as now amended, so that we may have it before us in the amended form. I understand that the former print has been exhausted.

The VICE-PRESIDENT. That will be the order, in the absence of objection.

Mr. CARTER. Mr. President, it must be borne in mind, in another point of view, that this Government has recently, by the common consent of all mankind, become one of the great world powers, a recognized if not a dominating force on the globe, and whatsoever is done by the Congress of the country should be with some regard for this universally recognized fact. In the light of such a fact, it seems to me that acting upon a theater or stage in the presence of the whole civilized world we belittle the dignity, we seriously invade the good name of the United States Government everywhere by undertaking upon the floor of the open Senate to make a dicker with the future as a price for present action in giving a vote upon a treaty of peace.

A vote is urged on the resolution preliminary to another vote, and the adoption of the resolution would be in substance and effect a declaration to the world that the people here assembled as representatives of the States have no confidence either in the patriotism or the intelligence or the regard for the Constitution of those who are to dispose of the territory that may come to us through the ratification of the treaty. It does seem to me that the position of our Government thus placed would be most pitiable indeed. Is it possible that we must pledge ourselves to ourselves to be fair and just and generous and decent?

Now, for one, Mr. President, I must give vent to my faith unlimited in those who are to handle the destinies of this Republic throughout the next century. It would have been as useless for resolutions to have been passed in the First Congress of the country trying to control, forestall, and limit legislation for a century, as it would be for us now to undertake to circumscribe, control, and limit the proper and legitimate sphere of Congressional action for the future. To whom would these promises be made, Mr. President? All these resolutions are but a promise, a form of construction which pledges us to do or not to do something in the future. Is it a pledge to those who are openly defying the authority of the United States in the Philippine Islands?

Mr. President, before having that rebellion suppressed through such a supine and trifling promise I would have the Army of the United States out there strengthened and supported until the last man went down who defied the authority or the laws of the United States.

We can not afford, Mr. President, to have it understood that the Army of the United States has been expelled from the Philippine Islands. We went in there with the sovereignty of Spain recognized the wide world over as extending over that archipelago. We overthrew that sovereignty. We seemed to have imported some of this revolution ourselves, running it down from Hongkong to Manila and starting it up in the interior of the country. Shall we now recognize as sovereigns the people whom we transported from Hongkong to Manila and allow them to defy the authority of the United States? Shall we, in order to secure their good will and kindly cooperation, promise them that we and our successors will be honest, decent people, true to the traditions, the Constitution, the laws, and the spirit of our own institutions?

Mr. President, I would not vote for such a petty, trifling promise if it took the entire Army of the United States to advise the Malays and the Orientals that this is one Government, benevolently inclined, but not to be driven one inch anywhere.

I would like to see a change in the foreign policy of the United States, and until such change obtains our trade will not have its proper, robust, and vigorous growth. Let it be understood, Mr. President, that wherever an American citizen is engaged in a lawful pursuit and his right is being invaded, he has 75,000,000 people behind him, with all their resources. I would take that position and enforce it with the same scrupulous regard for the citizen's rights that has marked the supremely grand policy of Great Britain in that behalf.

It must be humiliating to our people to realize that in hundreds of little disputes which have arisen concerning the rights of our citizens abroad they have been compelled time and again to pass by the door of the American consulate and seek the protection of the English, the German, or the French consul.

Mr. MASON. Will the Senator from Montana yield for a question?

Mr. CARTER. Certainly.

Mr. MASON. I quite agree with the Senator, if he will permit me, though I do not wish to interrupt him in the vigorous policy he suggests for the protection of American rights. But, outside of the protocol and the law of conquest that occurred in Manila Bay, have we any authority in the Philippine Islands? And while you are answering that just say in what way, at Iloilo, for instance, you can charge the inhabitants with being in rebellion against the authority of the United States when we even have not a treaty of peace with Spain to take her natives there.

Mr. CARTER. Mr. President, I have made no statement with reference to the legal status of the controversy at Iloilo. The Government of the United States is the only power and authority recognized by the world at large as having control in the Philippine Islands to-day. We humiliated, conquered, and subdued the power of Spain, the legitimate and recognized sovereign of the country prior to the date when Manila was captured.

Now, being the responsible Government there, representing as we do and holding in trust for all mankind, if you please, the future of those islands, the protection of the life and the property of every person residing in the islands, whether he be German or French or Japanese or native, rests with us. Having military control, we can not properly, justly, or with decent regard for the proprieties of life pass a resolution which will in effect say to the rebel forces on those islands, "We will give you everything we fought for and let you use it in your own way without consulting us, if you will just let us alone and permit us to ratify a treaty of peace with the Kingdom of Spain." That is the proposition.

Mr. MASON. Whom are they rebelling against? That is what I want to know.

Mr. CARTER. As soon as the treaty is disposed of we will inquire just who is in rebellion.

Mr. GALLINGER. And against whom.

Mr. CARTER. And against whom they are rebelling. And we will in the most humane way imaginable conciliate the forces or, if they compel us, will whip them to death, one or the other.

Mr. President, this is not said in any spirit of braggadocio, but I do say to every Senator here present, whether in favor of the treaty or not, that the soldiers of the United States can not retreat from that group of islands. They must come away, when they do, if ever, with banners flying and with the full and free and untrammeled consent of their own Government. I would not pass resolutions that would undertake to bring any other force into existence under a pretended policy of the United States which could, with any degree of justification, attempt to expel, on the theory of our own declarations, the soldiers of the United States from the Philippine Archipelago.

TICKET BROKERAGE.

The VICE-PRESIDENT. The Chair calls attention to the fact that the hour of 2 o'clock has arrived; and it is the duty of the Chair to lay before the Senate the unfinished business.

Mr. MASON. I ask that the unfinished business be temporarily laid aside.

Mr. DAVIS. Mr. President, I move that the Senate proceed to the consideration of executive business.

Mr. GALLINGER. Let the unfinished business be first laid before the Senate.

Mr. DAVIS. Very well.

The VICE-PRESIDENT. The Chair lays before the Senate the unfinished business, which will be stated.

The SECRETARY. A bill (S. 1575) to amend an act entitled "An act to regulate commerce."

EXECUTIVE SESSION.

The VICE-PRESIDENT. The Senator from Minnesota moves that the Senate proceed to the consideration of executive business.

The motion was agreed to; and the Senate proceeded to the consideration of executive business. After three hours and forty minutes spent in executive session the doors were reopened, and (at 5 o'clock and 40 minutes p. m.) the Senate adjourned until to-morrow, Tuesday, January 31, 1899, at 12 o'clock meridian.

NOMINATIONS.

Executive nominations received by the Senate January 30, 1899.

APPOINTMENTS IN THE ARMY.

Pay Department.

Col. Asa B. Carey, assistant paymaster-general, to be Paymaster-General with the rank of brigadier-general, January 30, 1899, vice Stanton, retired from active service.

APPOINTMENTS BY BREVET, TO RANK FROM JULY 1, 1898.

To be major-general by brevet.

Brig. Gen. William R. Shafter, United States Army, for distinguished service in the conduct of the Santiago campaign, June 22, 1898, to July 17, 1898.

To be brigadier-general by brevet.

Col. Hugh A. Theaker, Sixteenth Infantry (since retired), for gallantry in battle, Santiago de Cuba, July 1, 1898.

To be colonels by brevet.

Lieut. Col. Charles W. Miner, Sixth Infantry, for gallantry in battle, Santiago de Cuba, July 1, 1898.

Lieut. Col. Jacob H. Smith, Twelfth Infantry, for gallantry in battle, El Caney, Cuba, July 1, 1898.

Lieut. Col. Abram A. Harbach, Third Infantry, for gallantry in battle, El Caney, Cuba, July 1, 1898.

Lieut. Col. John M. Hamilton, Ninth Cavalry (killed in action July 1, 1898), for gallantry in battle, Santiago de Cuba, July 1, 1898.

Lieut. Col. Stevens T. Norvell, Ninth Cavalry, for gallantry in battle, Santiago de Cuba, July 1, 1898.

Lieut. Col. Arthur L. Wagner, assistant adjutant-general, United States Army, for gallantry in battle, El Caney, Cuba, July 1, 1898.

To be lieutenant-colonels by brevet.

Maj. Stephen W. Groesbeck, judge-advocate, United States Army, for gallantry in battle, Santiago de Cuba, July 1, 1898.

Maj. Samuel Q. Robinson, surgeon, United States Army, for meritorious service in attending wounded under fire, Santiago de Cuba, July 1, 1898.

Maj. Henry S. Kilbourne, surgeon, United States Army, for meritorious service in attending wounded under fire, El Caney, Cuba, July 1, 1898.

Maj. Ernest A. Garlington, inspector-general, United States Army, for gallantry in battle, Santiago de Cuba, July 1, 1898.

Maj. Charles A. Dempsey, Second Infantry, for gallantry in battle, Santiago de Cuba, July 1, 1898.

Maj. Sumner H. Lincoln, Tenth Infantry, for gallantry in battle, Santiago de Cuba, July 1, 1898.

Maj. Richard I. Eskridge, Tenth Infantry, for gallantry in battle, Santiago de Cuba, July 1, 1898.

Maj. Augustus W. Corliss, Seventh Infantry, for gallantry in battle, El Caney, Cuba, July 1, 1898.

Maj. Charles A. Coolidge, Seventh Infantry, for gallantry in battle, El Caney, Cuba, July 1, 1898.

Maj. James Miller, Twentieth Infantry, for gallantry in battle, Santiago de Cuba, July 1, 1898.

Maj. William Auman, Thirteenth Infantry, for gallantry in battle, Santiago de Cuba, July 1, 1898.

Maj. Alfred C. Markley, Twenty-fourth Infantry, for gallantry in battle, Santiago de Cuba, July 1, 1898.

Maj. William M. Van Horne, Twenty-second Infantry, for gallantry in battle, El Caney, Cuba, July 1, 1898.

Maj. Stephen Baker, Fourth Infantry, for gallantry in battle, El Caney, Cuba, July 1, 1898.

Maj. Lyster M. O'Brien, Seventeenth Infantry, for gallantry in battle, El Caney, Cuba, July 1, 1898.

Maj. Henry W. Wessells, jr., Third Cavalry, for most distinguished gallantry in battle, Santiago de Cuba, July 1, 1898.

Maj. Henry Jackson, Third Cavalry, for gallantry in battle, Santiago de Cuba, July 1, 1898.

Maj. Thomas C. Lebo, Sixth Cavalry, for gallantry in battle, Santiago de Cuba, July 1, 1898.

Maj. George McCreery, surgeon, United States Army (since deceased), for meritorious service in attending wounded under fire, Santiago de Cuba, July 1, 1898.

Maj. Albert G. Forse, First Cavalry (killed in action July 1, 1898), for gallantry in battle, Santiago de Cuba, July 1, 1898.

Capt. Jacob G. Galbraith, First Cavalry, for gallantry in battle, Santiago de Cuba, July 1, 1898. (Nominated for brevet major, to rank from June 24, 1898.)

Capt. Robert P. P. Wainwright, First Cavalry, for gallantry in battle, Santiago de Cuba, July 1, 1898. (Nominated for brevet major, to rank from June 24, 1898.)

Maj. Theodore J. Wint, Tenth Cavalry, for gallantry in battle, Santiago de Cuba, July 1, 1898.

Capt. William H. Beck, Tenth Cavalry, for gallantry in battle, Santiago de Cuba, July 1, 1898. (Nominated for brevet major, to rank from June 24, 1898.)

Capt. Charles G. Ayres, Tenth Cavalry, for gallantry in battle, Santiago de Cuba, July 1, 1898. (Nominated for brevet major, to rank from June 24, 1898.)

Capt. James W. Watson, Tenth Cavalry, for gallantry in battle, Santiago de Cuba, July 1, 1898. (Nominated for brevet major, to rank from June 24, 1898.)

Capt. Lloyd S. McCormick, Seventh Cavalry, for gallantry in battle, Santiago de Cuba, July 1, 1898. (Nominated for brevet major, to rank from June 24, 1898.)

Maj. William S. McCaskey, Twentieth Infantry, for gallantry in battle, El Caney, Cuba, July 1, 1898.

To be majors by brevet.

Capt. Lloyd M. Brett, Second Cavalry, for gallantry in battle, El Caney, Cuba, July 1, 1898.

Capt. Henry C. Fisher, assistant surgeon, United States Army, for meritorious service in attending wounded under fire, Santiago de Cuba, July 1, 1898.

Capt. William B. Banister, assistant surgeon, United States Army, for meritorious service in attending wounded under fire, Santiago de Cuba, July 1, 1898.

Capt. Harry M. Hallock, assistant surgeon, United States Army, for meritorious service attending wounded under fire, El Caney, Cuba, July 1, 1898.

Capt. Madison M. Brewer, assistant surgeon, United States Army (since deceased), for meritorious service attending wounded under fire, El Caney, Cuba, July 1, 1898.

Capt. Alexander M. Wetherill, Sixth Infantry (killed in action), for gallantry in battle, Santiago de Cuba, July 1, 1898.

Capt. Charles Byrne, Sixth Infantry, for gallantry in battle, Santiago de Cuba, July 1, 1898.

Capt. Lyman W. V. Kennon, Sixth Infantry, for gallantry in battle, Santiago de Cuba, July 1, 1898.

Capt. George B. Walker, Sixth Infantry, for gallantry in battle, Santiago de Cuba, July 1, 1898.

Capt. Zerah W. Torrey, Sixth Infantry, for gallantry in battle, Santiago de Cuba, July 1, 1898.

Capt. Charles H. Noble, Sixteenth Infantry (now major, Twenty-fifth Infantry), for gallantry in battle, Santiago de Cuba, July 1, 1898.

Capt. George H. Palmer, Sixteenth Infantry (now major, Fourth Infantry), for gallantry in battle, Santiago de Cuba, July 1, 1898.

Capt. William C. McFarland, Sixteenth Infantry, for gallantry in battle, Santiago de Cuba, July 1, 1898.

Capt. William Lassiter, Sixteenth Infantry, for gallantry in battle, Santiago de Cuba, July 1, 1898.

Capt. Leven C. Allen, Sixteenth Infantry, for gallantry in battle, Santiago de Cuba, July 1, 1898.

Capt. Theophilus W. Morrison, Sixteenth Infantry (killed in action, July 1, 1898), for gallantry in battle, Santiago de Cuba, July 1, 1898.

Capt. Richard R. Steedman, Eleventh Infantry, for gallantry in battle, Santiago de Cuba, July 1, 1898.

Capt. Harry L. Haskell, Twelfth Infantry, for gallantry in battle, El Caney, Cuba, July 1, 1898.

Capt. Wallis O. Clark, Twelfth Infantry, for gallantry in battle, El Caney, Cuba, July 1, 1898.

Capt. Palmer G. Wood, Twelfth Infantry, for gallantry in battle, El Caney, Cuba, July 1, 1898.

Capt. Robert K. Evans, Twelfth Infantry, for gallantry in battle, El Caney, Cuba, July 1, 1898.

Capt. Millard F. Waltz, Twelfth Infantry, for gallantry in battle, El Caney, Cuba, July 1, 1898.

Capt. William J. Turner, Second Infantry, for gallantry in battle, Santiago de Cuba, July 1, 1898.

Capt. Charles W. Rowell, Second Infantry (killed in action, July 10, 1898), for gallantry in battle, Santiago de Cuba, July 1, 1898.

Capt. John K. Waring, Second Infantry, for gallantry in battle, Santiago de Cuba, July 1, 1898.

Capt. Abner Pickering, Second Infantry, for gallantry in battle, Santiago de Cuba, July 1, 1898.

Capt. Frederick T. Van Liew, Second Infantry, for gallantry in battle, Santiago de Cuba, July 1, 1898.

Capt. Joel T. Kirkman, Tenth Infantry (now major, Sixteenth Infantry), for gallantry in battle, Santiago de Cuba, July 1, 1898.

Capt. Gregory Barrett, Tenth Infantry (since deceased), for gallantry in battle, Santiago de Cuba, July 1, 1898.

Capt. John F. Stretch, Tenth Infantry (now major, Eighth Infantry), for gallantry in battle, Santiago de Cuba, July 1, 1898.

Capt. Walter T. Duggan, Tenth Infantry, for gallantry in battle, Santiago de Cuba, July 1, 1898.

Capt. William Paulding, Tenth Infantry, for gallantry in battle, Santiago de Cuba, July 1, 1898.

Capt. Robert C. Van Vliet, Tenth Infantry, for gallantry in battle, Santiago de Cuba, July 1, 1898.

Capt. Charles J. T. Clarke, Tenth Infantry, for gallantry in battle, Santiago de Cuba, July 1, 1898.

Capt. Frederick M. H. Kendrick, Seventh Infantry, for gallantry in battle, El Caney, Cuba, July 1, 1898.

Capt. John T. Van Orsdale, Seventh Infantry, for gallantry in battle, El Caney, Cuba, July 1, 1898.

Capt. Charles A. Booth, Seventh Infantry, for gallantry in battle, El Caney, Cuba, July 1, 1898.

Capt. Charles A. Worden, Seventh Infantry (since deceased), for gallantry in battle, El Caney, Cuba, July 1, 1898.

Capt. George S. Young, Seventh Infantry, for gallantry in battle, El Caney, Cuba, July 1, 1898.

Capt. James B. Jackson, Seventh Infantry, for gallantry in battle, El Caney, Cuba, July 1, 1898.

Capt. Daniel L. Howell, Seventh Infantry, for gallantry in battle, El Caney, Cuba, July 1, 1898.

Capt. George W. McIver, Seventh Infantry, for gallantry in battle, El Caney, Cuba, July 1, 1898.

Capt. Daniel A. Frederick, Seventh Infantry, for gallantry in battle, El Caney, Cuba, July 1, 1898.

Capt. Frederick H. E. Ebstein, Twenty-first Infantry, for gallantry in battle, Santiago de Cuba, July 1, 1898.

Capt. Daniel Cornman, Twenty-first Infantry, for gallantry in battle, Santiago de Cuba, July 1, 1898.

Capt. Joseph W. Duncan, Twenty-first Infantry, for gallantry in battle, Santiago de Cuba, July 1, 1898.

Capt. Willis Wittich, Twenty-first Infantry, for gallantry in battle, Santiago de Cuba, July 1, 1898.

Capt. Charles A. Williams, Twenty-first Infantry, for gallantry in battle, Santiago de Cuba, July 1, 1898.

Capt. Francis E. Eltonhead, Twenty-first Infantry, for gallantry in battle, Santiago de Cuba, July 1, 1898.

Capt. Charles H. Bonesteel, Twenty-first Infantry, for gallantry in battle, Santiago de Cuba, July 1, 1898.

Capt. Harry L. Bailey, Twenty-first Infantry, for gallantry in battle, Santiago de Cuba, July 1, 1898.

Capt. Lawrence J. Hearn, Twenty-first Infantry, for gallantry in battle, Santiago de Cuba, July 1, 1898.

Capt. John S. Parke, jr., Twenty-first Infantry, for gallantry in battle, Santiago de Cuba, July 1, 1898.

Capt. Morris C. Foote, Ninth Infantry (now major, Ninth Infantry), for gallantry in battle, Santiago de Cuba, July 1, 1898.

Capt. James Regan, Ninth Infantry, for gallantry in battle, Santiago de Cuba, July 1, 1898.

Capt. Edgar B. Robertson, Ninth Infantry, for gallantry in battle, Santiago de Cuba, July 1, 1898.

Capt. Thomas S. McCaleb, Ninth Infantry, for gallantry in battle, Santiago de Cuba, July 1, 1898.

Capt. Charles R. Noyes, Ninth Infantry, for gallantry in battle, Santiago de Cuba, July 1, 1898.

Capt. John B. Rodman, Twentieth Infantry, for gallantry in battle, El Caney, Cuba, July 1, 1898.

Capt. Joseph F. Huston, Twentieth Infantry, for gallantry in battle, El Caney, Cuba, July 1, 1898.

Capt. Alfred Reynolds, Twentieth Infantry, for gallantry in battle, El Caney, Cuba, July 1, 1898.

Capt. Herbert S. Foster, Twentieth Infantry, for gallantry in battle, El Caney, Cuba, July 1, 1898.

Capt. James S. Rogers, Twentieth Infantry, for gallantry in battle, El Caney, Cuba, July 1, 1898.

Capt. Henry B. Moon, Twentieth Infantry, for gallantry in battle, El Caney, Cuba, July 1, 1898.

Capt. James A. Irons, Twentieth Infantry, for gallantry in battle, El Caney, Cuba, July 1, 1898.

Capt. John C. Dent, Twentieth Infantry, for gallantry in battle, El Caney, Cuba, July 1, 1898.

Capt. John F. Morrison, Twentieth Infantry, for gallantry in battle, El Caney, Cuba, July 1, 1898.

Capt. Henry A. Greene, Twentieth Infantry, for gallantry in battle, El Caney, Cuba, July 1, 1898.

Capt. Marion B. Saffold, Thirteenth Infantry, for gallantry in battle, Santiago de Cuba, July 1, 1898.

Capt. William N. Hughes, Thirteenth Infantry, for gallantry in battle, Santiago de Cuba, July 1, 1898.

Capt. Ammon A. Augur, Twenty-fourth Infantry, for gallantry in battle, Santiago de Cuba, July 1, 1898.

Capt. Charles Dodge, Twenty-fourth Infantry (since deceased), for gallantry in battle, Santiago de Cuba, July 1, 1898.

Capt. John J. Brereton, Twenty-fourth Infantry, for gallantry in battle, Santiago de Cuba, July 1, 1898.

Capt. Arthur C. Ducat, Twenty-fourth Infantry, for gallantry in battle, Santiago de Cuba, July 1, 1898.

Capt. James E. Brett, Twenty-fourth Infantry, for gallantry in battle, Santiago de Cuba, July 1, 1898.

Capt. Henry Wygant, Twenty-fourth Infantry, for gallantry in battle, Santiago de Cuba, July 1, 1898.

Capt. Benjamin W. Leavell, Twenty-fourth Infantry, for gallantry in battle, Santiago de Cuba, July 1, 1898.

Capt. Benjamin C. Lockwood, Twenty-second Infantry, for gallantry in battle, El Caney, Cuba, July 1, 1898.

Capt. John J. Crittenden, Twenty-second Infantry, for gallantry in battle, El Caney, Cuba, July 1, 1898.

Capt. Robert N. Getty, Twenty-second Infantry, for gallantry in battle, El Caney, Cuba, July 1, 1898.

Capt. William H. Kell, Twenty-second Infantry, for gallantry in battle, El Caney, Cuba, July 1, 1898.

Capt. Richard H. Wilson, Eighth Infantry, for gallantry in battle, El Caney, Cuba, July 1, 1898.

Capt. Colville P. Terrett, Eighth Infantry, for gallantry in battle, El Caney, Cuba, July 1, 1898.

Capt. Butler D. Price, Fourth Infantry, for gallantry in battle, El Caney, Cuba, July 1, 1898.

Capt. Henry E. Robinson, Fourth Infantry, for gallantry in battle, El Caney, Cuba, July 1, 1898.

Capt. Edward H. Browne, Fourth Infantry, for gallantry in battle, El Caney, Cuba, July 1, 1898.

Capt. Leonard A. Lovering, Fourth Infantry, for gallantry in battle, El Caney, Cuba, July 1, 1898.

Capt. Frank B. Andrus, Fourth Infantry, for gallantry in battle, El Caney, Cuba, July 1, 1898.

Capt. Henry Seton, Fourth Infantry (now major, Twelfth Infantry), for gallantry in battle, El Caney, Cuba, July 1, 1898.

Capt. George O. Webster, Fourth Infantry, for gallantry in battle, El Caney, Cuba, July 1, 1898.

Capt. Charles W. Mason, Fourth Infantry, for gallantry in battle, El Caney, Cuba, July 1, 1898.

Capt. Carver Howland, Fourth Infantry, for gallantry in battle, El Caney, Cuba, July 1, 1898.

Capt. Charles L. Hodges, Twenty-fifth Infantry, for gallantry in battle, El Caney, Cuba, July 1, 1898.

Capt. Robert H. R. Loughborough, Twenty-fifth Infantry, for gallantry in battle, El Caney, Cuba, July 1, 1898.

Capt. Eaton A. Edwards, Twenty-fifth Infantry, for gallantry in battle, El Caney, Cuba, July 1, 1898.

Capt. Robert W. Dowdy, United States Army, retired (then serving as first lieutenant, Seventeenth Infantry), for gallantry in battle, El Caney, Cuba, July 1, 1898.

Capt. Daniel H. Brush, Seventeenth Infantry, for gallantry in battle, El Caney, Cuba, July 1, 1898.

Capt. George H. Roach, Seventeenth Infantry, for gallantry in battle, El Caney, Cuba, July 1, 1898.

Capt. Edward Chynoweth, Seventeenth Infantry, for gallantry in battle, El Caney, Cuba, July 1, 1898.

Capt. Charles St. J. Chubb, Seventeenth Infantry, for gallantry in battle, El Caney, Cuba, July 1, 1898.

Capt. James T. Kerr, Seventeenth Infantry, for gallantry in battle, El Caney, Cuba, July 1, 1898.

Capt. John W. Hannay, Third Infantry, for gallantry in battle, El Caney, Cuba, July 1, 1898.

Capt. Omar Bundy, Sixth Infantry (then serving as first lieutenant, Third Infantry), for gallantry in battle, El Caney, Cuba, July 1, 1898.

Capt. Arthur Williams, Third Infantry, for gallantry in battle, El Caney, Cuba, July 1, 1898.

Capt. George Bell, jr., First Infantry, for gallantry in battle, El Caney, Cuba, July 1, 1898.

Capt. Chase W. Kennedy, Eighth Infantry, for gallantry in battle, El Caney, Cuba, July 1, 1898.

Capt. Joseph Hale, Third Infantry, for gallantry in battle, El Caney, Cuba, July 1, 1898 (since deceased).

Capt. Charles Morton, Third Cavalry (now major, Fourth Cavalry), for gallantry in battle, Santiago de Cuba, July 1, 1898.

Capt. George A. Dodd, Third Cavalry, for gallantry in battle, Santiago de Cuba, July 1, 1898.

Capt. George K. Hunter, Third Cavalry, for gallantry in battle, Santiago de Cuba, July 1, 1898.

Capt. Henry L. Ripley, Third Cavalry, for gallantry in battle, Santiago de Cuba, July 1, 1898.

Capt. George H. Morgan, Third Cavalry, for gallantry in battle, Santiago de Cuba, July 1, 1898.

Capt. Daniel H. Boughton, Third Cavalry, for gallantry in battle, Santiago de Cuba, July 1, 1898.

Capt. Francis H. Hardie, Third Cavalry, for gallantry in battle, Santiago de Cuba, July 1, 1898.

Capt. Franklin O. Johnson, Third Cavalry, for gallantry in battle, Santiago de Cuba, July 1, 1898.

Capt. John B. Kerr, Sixth Cavalry (now major, Tenth Cavalry), for gallantry in battle, Santiago de Cuba, July 1, 1898.

Capt. William Stanton, Sixth Cavalry, for gallantry in battle, Santiago de Cuba, July 1, 1898.

Capt. Henry P. Kingsbury, Sixth Cavalry, for gallantry in battle, Santiago de Cuba, July 1, 1898.

Capt. Frank West, Sixth Cavalry, for gallantry in battle, Santiago de Cuba, July 1, 1898.

Capt. Augustus P. Blocksom, Sixth Cavalry, for gallantry in battle, Santiago de Cuba, July 1, 1898.

Capt. John F. R. Landis, Sixth Cavalry (now captain, First Cavalry), for gallantry in battle, Santiago de Cuba, July 1, 1898.
Capt. Clarence A. Stedman, Ninth Cavalry, for gallantry in battle, Santiago de Cuba, July 1, 1898.
Capt. Charles W. Taylor, Ninth Cavalry, for gallantry in battle, Santiago de Cuba, July 1, 1898.
Capt. John F. McBlain, Ninth Cavalry, for gallantry in battle, Santiago de Cuba, July 1, 1898.
Capt. George J. Newgarden, assistant surgeon, United States Army, for meritorious service in attending wounded under fire, Santiago de Cuba, July 1, 1898.
Capt. Charles J. Stevens, Second Cavalry, for gallantry in battle, Santiago de Cuba, July 1, 1898.
Capt. Herbert E. Tutherly, First Cavalry, for gallantry in battle, Santiago de Cuba, July 1, 1898.
Capt. William C. Brown, First Cavalry, for gallantry in battle, Santiago de Cuba, July 1, 1898.
First Lieut. Peter E. Traub, First Cavalry, for gallantry in battle, Santiago de Cuba, July 1, 1898. (Nominated for brevet captain, to rank from June 24, 1898.)
First Lieut. Edmund S. Wright, First Cavalry, for gallantry in battle, Santiago de Cuba, July 1, 1898. (Nominated for brevet captain, to rank from June 24, 1898.)
Capt. Thaddeus W. Jones, Tenth Cavalry, for gallantry in battle, Santiago de Cuba, July 1, 1898.
Capt. John Bigelow, jr., Tenth Cavalry, for gallantry in battle, Santiago de Cuba, July 1, 1898.
First Lieut. Robert J. Fleming, Tenth Cavalry, for gallantry in battle, Santiago de Cuba, July 1, 1898. (Nominated for brevet captain, to rank from June 24, 1898.)
Capt. Allyn Capron, First Artillery (since deceased), for gallantry in battle, El Caney, Cuba, July 1, 1898.
Capt. Clermont L. Best, First Artillery, for gallantry in battle, Santiago de Cuba, July 1, 1898.
Capt. George S. Grimes, Second Artillery, for gallantry in battle, Santiago de Cuba, July 1, 1898.
Capt. Charles D. Parkhurst, Second Artillery, for gallantry in battle, Santiago de Cuba, July 1, 1898.
Capt. Thomas H. Wilson, Second Infantry, for gallantry in battle, Santiago de Cuba, July 1, 1898.
Capt. Joseph T. Dickman, Eighth Cavalry, for gallantry in battle, Santiago de Cuba, July 1, 1898.
Capt. Albert B. Scott, Thirteenth Infantry, for gallantry in battle, Santiago de Cuba, July 1, 1898.
Capt. Eugene D. Dimmick, Ninth Cavalry (now major, Fifth Cavalry), for gallantry in battle, Santiago de Cuba, July 1, 1898.

To be captains by brevet.

First Lieut. Thomas L. Smith, Seventeenth Infantry, for gallantry in battle, El Caney, Cuba, July 1, 1898.
First Lieut. Benjamin F. Hardaway, Seventeenth Infantry, for gallantry in battle, El Caney, Cuba, July 1, 1898.
First Lieut. John D. Miley, Second Artillery, for gallantry in battle, Santiago de Cuba, July 1, 1898.
First Lieut. Samuel E. Smiley, Fifteenth Infantry, for gallantry in battle, El Caney, Cuba, July 1, 1898.
First Lieut. Matthew W. Steele, Eighth Cavalry, for gallantry in battle, Santiago de Cuba, July 1, 1898.
First Lieut. Edward R. Chrisman, Sixth Infantry, for gallantry in battle, Santiago de Cuba, July 1, 1898.
First Lieut. William H. Simons, Sixth Infantry, for gallantry in battle, Santiago de Cuba, July 1, 1898.
First Lieut. Stephen M. Foote, Fourth Artillery, for gallant and meritorious service in presence of the enemy, Santiago de Cuba, July 1, 1898.
First Lieut. Benjamin W. Atkinson, Sixth Infantry, for gallantry in battle, Santiago de Cuba, July 1, 1898.
First Lieut. William C. Bennett, Sixth Infantry, for gallantry in battle, Santiago de Cuba, July 1, 1898.
First Lieut. Edwin T. Cole, Sixth Infantry, for gallantry in battle, Santiago de Cuba, July 1, 1898.
First Lieut. Willard E. Gleason, Sixth Infantry, for gallantry in battle, Santiago de Cuba, July 1, 1898.
First Lieut. S. J. Bayard Schindel, Sixth Infantry, for gallantry in battle, Santiago de Cuba, July 1, 1898.
First Lieut. Jules G. Ord, Sixth Infantry (killed in action), for gallantry in battle, Santiago de Cuba, July 1, 1898.
First Lieut. William K. Jones, Sixth Infantry, for gallantry in battle, Santiago de Cuba, July 1, 1898.
First Lieut. Guy G. Palmer, Sixteenth Infantry, for gallantry in battle, Santiago de Cuba, July 1, 1898.
First Lieut. Edward C. Carey, Sixteenth Infantry, for gallantry in battle, Santiago de Cuba, July 1, 1898.
First Lieut. Lewis S. Sorley, Sixteenth Infantry, for gallantry in battle, Santiago de Cuba, July 1, 1898.
First Lieut. John F. Preston, jr., Sixteenth Infantry, for gallantry in battle, Santiago de Cuba, July 1, 1898.
First Lieut. Isaac Erwin, Sixteenth Infantry, for gallantry in battle, Santiago de Cuba, July 1, 1898.
First Lieut. Charles P. George, Sixteenth Infantry, for gallantry in battle, Santiago de Cuba, July 1, 1898.
First Lieut. Samuel P. Lyon, Sixteenth Infantry, for gallantry in battle, Santiago de Cuba, July 1, 1898.
First Lieut. Frank L. Winn, Twelfth Infantry, for gallantry in battle, El Caney, Cuba, July 1, 1898.
First Lieut. Willis Uline, Twelfth Infantry, for gallantry in battle, El Caney, Cuba, July 1, 1898.
First Lieut. William J. Lutz, Second Infantry, for gallantry in battle, Santiago de Cuba, July 1, 1898.
First Lieut. Charles H. Muir, Second Infantry, for gallantry in battle, Santiago de Cuba, July 1, 1898.
First Lieut. William P. Jackson, Second Infantry (now first lieutenant, Twenty-fourth Infantry), for gallantry in battle, Santiago de Cuba, July 1, 1898.
First Lieut. John L. Hines, Second Infantry, for gallantry in battle, Santiago de Cuba, July 1, 1898.
First Lieut. Carl Koops, Tenth Infantry (since deceased), for gallantry in battle, Santiago de Cuba, July 1, 1898.
First Lieut. James Baylies, Tenth Infantry, for gallantry in battle, Santiago de Cuba, July 1, 1898.
First Lieut. Eli A. Helmick, Tenth Infantry, for gallantry in battle, Santiago de Cuba, July 1, 1898.
First Lieut. Samuel Burkhardt, jr., Tenth Infantry, for gallantry in battle, Santiago de Cuba, July 1, 1898.
First Lieut. Truman O. Murphy, Tenth Infantry, for gallantry in battle, Santiago de Cuba, July 1, 1898.
First Lieut. Mathew E. Saville, Tenth Infantry, for gallantry in battle, Santiago de Cuba, July 1, 1898.
First Lieut. Robert S. Offley, Seventh Infantry, for gallantry in battle, Santiago de Cuba, July 1, 1898.
First Lieut. John S. Grisard, Seventh Infantry, for gallantry in battle, El Caney, Cuba, July 1, 1898.
First Lieut. Harry H. Bandholtz, Seventh Infantry, for gallantry in battle, El Caney, Cuba, July 1, 1898.
First Lieut. William Wallace, Seventh Infantry, for gallantry in battle, El Caney, Cuba, July 1, 1898.
First Lieut. William C. Rogers, Seventh Infantry, for gallantry in battle, El Caney, Cuba, July 1, 1898.
First Lieut. George H. Jamerson, Seventh Infantry, for gallantry in battle, El Caney, Cuba, July 1, 1898.
First Lieut. Otho B. Rosenbaum, Seventh Infantry, for gallantry in battle, El Caney, Cuba, July 1, 1898.
First Lieut. Almon L. Parmerter, Twenty-first Infantry, for gallantry in battle, Santiago de Cuba, July 1, 1898.
First Lieut. Edward W. McCaskey, Twenty-first Infantry, for gallantry in battle, Santiago de Cuba, July 1, 1898.
First Lieut. Charles Crawford, Twenty-first Infantry, for gallantry in battle, Santiago de Cuba, July 1, 1898.
First. Lieut. Peter Murray, Twenty-first Infantry, for gallantry in battle, Santiago de Cuba, July 1, 1898.
First Lieut. William M. Morrow, Twenty-first Infantry, for gallantry in battle, Santiago de Cuba, July 1, 1898.
First Lieut. John J. O'Connell, Twenty-first Infantry, for gallantry in battle, Santiago de Cuba, July 1, 1898.
First Lieut. William H. Mullay, Twenty-first Infantry, for gallantry in battle, Santiago de Cuba, July 1, 1898.
First Lieut. Frank H. Lawton, Twenty-first Infantry, for gallantry in battle, Santiago de Cuba, July 1, 1898.
First Lieut. David G. Spurgin, Twenty-first Infantry, for gallantry in battle, Santiago de Cuba, July 1, 1898.
First Lieut. Wendell L. Simpson, Ninth Infantry, for gallantry in battle, Santiago de Cuba, July 1, 1898.
First Lieut. Edgar F. Koehler, Ninth Infantry, for gallantry in battle, Santiago de Cuba, July 1, 1898.
First Lieut. Andre W. Brewster, Ninth Infantry, for gallantry in battle, Santiago de Cuba, July 1, 1898.
First Lieut. John M. Sigworth, Ninth Infantry, for gallantry in battle, Santiago de Cuba, July 1, 1898.
First Lieut. Edwin V. Bookmiller, Ninth Infantry, for gallantry in battle, Santiago de Cuba, July 1, 1898.
First Lieut. Francis H. Schoeffel, Ninth Infantry, for gallantry in battle, Santiago de Cuba, July 1, 1898.
First Lieut. Louis B. Lawton, Ninth Infantry, for gallantry in battle, Santiago de Cuba, July 1, 1898.
First Lieut. Thomas W. Connell, Ninth Infantry, for gallantry in battle, Santiago de Cuba, July 1, 1898.
First Lieut. Hugh D. Wise, Ninth Infantry, for gallantry in battle, Santiago de Cuba, July 1, 1898.
First Lieut. John H. Parker, Thirteenth Infantry, for gallantry in battle while commanding Gatling-gun detachment, Santiago de Cuba, July 1, 1898.

First Lieut. William H. H. Chapman, Twentieth Infantry, for gallantry in battle, El Caney, Cuba, July 1, 1898.

First Lieut. Robert W. Mearns, Twentieth Infantry, for gallantry in battle, El Caney, Cuba, July 1, 1898.

First Lieut. Morton F. Smith, Twentieth Infantry, for gallantry in battle, El Caney, Cuba, July 1, 1898.

First Lieut. Ulysses G. Worrilow, Twentieth Infantry, for gallantry in battle, El Caney, Cuba, July 1, 1898.

First Lieut. Charles C. Smith, Twentieth Infantry, for gallantry in battle, El Caney, Cuba, July 1, 1898.

First Lieut. Lorrain T. Richardson, Twentieth Infantry, for gallantry in battle, El Caney, Cuba, July 1, 1898.

First Lieut. George H. Estes, jr., Twentieth Infantry, for gallantry in battle, El Caney, Cuba, July 1, 1898.

First Lieut. Edward M. Lewis, Twentieth Infantry, for gallantry in battle, El Caney, Cuba, July 1, 1898.

First Lieut. Frederick R. Day, Twentieth Infantry, for gallantry in battle, El Caney, Cuba, July 1, 1898.

First Lieut. Thomas W. Darrah, Twentieth Infantry, for gallantry in battle, Santiago de Cuba, July 1, 1898.

First Lieut. Hansford L. Threlkeld, Thirteenth Infantry, for gallantry in battle, Santiago de Cuba, July 1, 1898.

First Lieut. Frederick W. Fuger, Thirteenth Infantry, for gallantry in battle, Santiago de Cuba, July 1, 1898.

First Lieut. Frank D. Ely, Ninth Infantry, for gallantry in battle, Santiago de Cuba, July 1, 1898.

First Lieut. Charles E. Tayman, Twenty-fourth Infantry, for gallantry in battle, Santiago de Cuba, July 1, 1898.

First Lieut. Albert Laws, Twenty-fourth Infantry, for gallantry in battle, Santiago de Cuba, July 1, 1898.

First Lieut. Henry G. Lyon, Twenty-fourth Infantry, for gallantry in battle, Santiago de Cuba, July 1, 1898.

First Lieut. Henry C. Keene, jr., Twenty-fourth Infantry, for gallantry in battle, Santiago de Cuba, July 1, 1898.

First Lieut. Joseph D. Leitch, Twenty-fourth Infantry, for gallantry in battle, Santiago de Cuba, July 1, 1898.

First Lieut. Isaac C. Jenks, Twenty-fourth Infantry, for gallantry in battle, Santiago de Cuba, July 1, 1898.

First Lieut. Hunter B. Nelson, Twenty-fourth Infantry, for gallantry in battle, Santiago de Cuba, July 1, 1898.

First Lieut. William P. Jackson, Twenty-fourth Infantry, for gallantry in battle, Santiago de Cuba, July 1, 1898.

First Lieut. John A. Gurney, Nineteenth Infantry (killed in action), for gallantry in battle, Santiago de Cuba, July 1, 1898.

First Lieut. Walter L. Taylor, Twenty-second Infantry (since deceased), for gallantry in battle, El Caney, Cuba, July 1, 1898.

First Lieut. William H. Wassell, Twenty-second Infantry, for gallantry in battle, El Caney, Cuba, July 1, 1898.

First Lieut. George J. Godfrey, Twenty-second Infantry, for gallantry in battle, El Caney, Cuba, July 1, 1898.

First Lieut. William C. Neary, Fourth Infantry (since deceased), for gallantry in battle, El Caney, Cuba, July 1, 1898.

First Lieut. Charles McQuiston, Fourth Infantry, for gallantry in battle, El Caney, Cuba, July 1, 1898.

First Lieut. Austin H. Brown, Fourth Infantry, for gallantry in battle, El Caney, Cuba, July 1, 1898.

First Lieut. Vernon A. Caldwell, Twenty-fifth Infantry, for gallantry in battle, El Caney, Cuba, July 1, 1898.

First Lieut. Marcus D. Cronin, Twenty-fifth Infantry, for gallantry in battle, El Caney, Cuba, July 1, 1898.

First Lieut. Ross L. Bush, Twenty-fifth Infantry, for gallantry in battle, El Caney, Cuba, July 1, 1898.

First Lieut. Dennis M. Michie, Seventeenth Infantry (killed in action), for gallantry in battle, Santiago de Cuba, July 1, 1898.

First Lieut. Hollis C. Clark, Twenty-fifth Infantry, for gallantry in battle, El Caney, Cuba, July 1, 1898.

First Lieut. Henry L. Kinnison, Twenty-fifth Infantry, for gallantry in battle, El Caney, Cuba, July 1, 1898.

First Lieut. William T. Schenck, Twenty-fifth Infantry, for gallantry in battle, Santiago de Cuba, July 1, 1898.

First Lieut. James A. Moss, Twenty-fourth Infantry, for gallantry in battle, El Caney, Cuba, July 1, 1898.

First Lieut. Charles D. Clay, Seventeenth Infantry, for gallantry in battle, El Caney, Cuba, July 1, 1898.

First Lieut. Verling K. Hart, Seventeenth Infantry, for gallantry in battle, El Caney, Cuba, July 1, 1898.

First Lieut. Arthur Johnson, Seventeenth Infantry, for gallantry in battle, El Caney, Cuba, July 1, 1898.

First Lieut. James H. McRae, Third Infantry, for gallantry in battle, El Caney, Cuba, July 1, 1898.

First Lieut. James W. McAndrew, Third Infantry, for gallantry in battle, El Caney, Cuba, July 1, 1898.

First Lieut. Harry Freeland, Third Infantry, for gallantry in battle, El Caney, Cuba, July 1, 1898.

First Lieut. Horace M. Reeve, Third Infantry, for gallantry in battle, El Caney, Cuba, July 1, 1898.

First Lieut. James T. Moore, Third Infantry, for gallantry in battle, El Caney, Cuba, July 1, 1898.

First Lieut. George E. Houle, Third Infantry, for gallantry in battle, El Caney, Cuba, July 1, 1898.

First Lieut. Hamilton A. Smith, Third Infantry, for gallantry in battle, El Caney, Cuba, July 1, 1898.

First Lieut. John W. Barker, Third Infantry, for gallantry in battle, El Caney, Cuba, July 1, 1898.

First Lieut. John C. McArthur, Third Infantry, for gallantry in battle, Santiago de Cuba, July 1, 1898.

First Lieut. Alexander L. Dade, Third Cavalry, for gallantry in battle, Santiago de Cuba, July 1, 1898.

First Lieut. Thomas B. Dugan, Third Cavalry (now captain, Seventh Cavalry), for gallantry in battle, Santiago de Cuba, July 1, 1898.

First Lieut. Arthur Thayer, Third Cavalry, for gallantry in battle, Santiago de Cuba, July 1, 1898.

First Lieut. Francis J. Koester, Third Cavalry, for gallantry in battle, Santiago de Cuba, July 1, 1898.

First Lieut. Alfred C. Merillat, Third Cavalry, for gallantry in battle, Santiago de Cuba, July 1, 1898.

First Lieut. Oren B. Meyer, Third Cavalry, for gallantry in battle, Santiago de Cuba, July 1, 1898.

First Lieut. John A. Harman, Sixth Cavalry, for gallantry in battle, Santiago de Cuba, July 1, 1898.

First Lieut. James A. Cole, Sixth Cavalry, for gallantry in battle, Santiago de Cuba, July 1, 1898.

First Lieut. Richard B. Paddock, Sixth Cavalry, for gallantry in battle, Santiago de Cuba, July 1, 1898.

First Lieut. Edward C. Brooks, Sixth Cavalry, for gallantry in battle, Santiago de Cuba, July 1, 1898.

First Lieut. Winthrop S. Wood, Ninth Cavalry (now captain and assistant quartermaster, United States Army), for gallantry in battle, Santiago de Cuba, July 1, 1898.

First Lieut. Henry A. Barber, Ninth Cavalry, for gallantry in battle, Santiago de Cuba, July 1, 1898.

First Lieut. Wilbur E. Dove, Twelfth Infantry, for gallantry in battle, El Caney, Cuba, July 1, 1898.

First Lieut. Michael M. McNamee, Third Cavalry, for gallantry in battle, Santiago de Cuba, July 1, 1898.

First Lieut. John D. L. Hartman, First Cavalry, for gallantry in battle, Santiago de Cuba, July 1, 1898.

First Lieut. Milton F. Davis, First Cavalry, for gallantry in battle, Santiago de Cuba, July 1, 1898.

First Lieut. Clough Overton, First Cavalry, for gallantry in battle, Santiago de Cuba, July 1, 1898.

First Lieut. William H. Osborne, First Cavalry (since deceased), for gallantry in battle, Santiago de Cuba, July 1, 1898.

First Lieut. George W. Goode, First Cavalry, for gallantry in battle, Santiago de Cuba, July 1, 1898.

First Lieut. William E. Shipp, Tenth Cavalry (killed in action), for gallantry in battle, Santiago de Cuba, July 1, 1898.

First Lieut. William H. Smith, Tenth Cavalry (killed in action), for gallantry in battle, Santiago de Cuba, July 1, 1898.

First Lieut. John J. Pershing, Tenth Cavalry, for gallantry in battle, Santiago de Cuba, July 1, 1898.

First Lieut. James B. Hughes, Tenth Cavalry, for gallantry in battle, Santiago de Cuba, July 1, 1898.

First Lieut. Malvern-Hill Barnum, Tenth Cavalry, for gallantry in battle, Santiago de Cuba, July 1, 1898.

First Lieut. Richard L. Livermore, Tenth Cavalry, for gallantry in battle, Santiago de Cuba, July 1, 1898.

First Lieut. Edward D. Anderson, Tenth Cavalry, for gallantry in battle, Santiago de Cuba, July 1, 1898.

Second Lieut. George Vidmer, Tenth Cavalry, for gallantry in battle, Santiago de Cuba, July 1, 1898. (Nominated for brevet first lieutenant, to rank from June 24, 1898.)

Second Lieut. Dennis E. Nolan, First Infantry, for gallantry in battle, El Caney, Cuba, July 1, 1898. (Nominated for brevet first lieutenant, to rank from May 12, 1898.)

Second Lieut. Alexander M. Miller, jr., Tenth Cavalry, for gallantry in battle, Santiago de Cuba, July 1, 1898. (Nominated for brevet first lieutenant, to rank from June 24, 1898.)

First Lieut. William Lassiter, First Artillery, for gallantry in battle, Santiago de Cuba, July 1, 1898.

First Lieut. William L. Kenly, First Artillery, for gallantry in battle, El Caney, Cuba, July 1, 1898.

First Lieut. John Conklin, jr., Second Artillery, for gallantry in battle, Santiago de Cuba, July 1, 1898.

First Lieut. William W. Quinton, assistant surgeon, United States Army, for distinguished public service in presence of the enemy, Santiago de Cuba, July 1, 1898.

First Lieut. Briant H. Wells, Eighteenth Infantry, for gallantry in battle, Santiago de Cuba, July 1, 1898.

To be first lieutenants by brevet.

Second Lieut. Edmund M. Leary, Second Cavalry, for gallantry in battle, El Caney, Cuba, July 1, 1898.

Second Lieut. James H. Reeves, Sixth Cavalry, for gallantry in battle, Santiago de Cuba, July 1, 1898.

Second Lieut. Joseph Wheeler, jr., Fourth Artillery, for gallantry in battle, Santiago de Cuba, July 1, 1898.

Second Lieut. Dwight W. Ryther, Sixth Infantry, for gallantry in battle, Santiago de Cuba, July 1, 1898.

Second Lieut. Clarence N. Purdy, Sixth Infantry, for gallantry in battle, Santiago de Cuba, July 1, 1898.

Second Lieut. Louis H. Gross, Sixth Infantry, for gallantry in battle, Santiago de Cuba, July 1, 1898.

Second Lieut. William F. Nesbitt, Sixth Infantry, for gallantry in battle, Santiago de Cuba, July 1, 1898.

Second Lieut. James V. Heidt, Sixth Infantry, for gallantry in battle, Santiago de Cuba, July 1, 1898.

Second Lieut. John Robertson, Sixth Infantry, for gallantry in battle, Santiago de Cuba, July 1, 1898.

Second Lieut. Reuben S. Turman, Sixth Infantry (since deceased), for gallantry in battle, Santiago de Cuba, July 1, 1898.

Second Lieut. Edmund N. Benchley, Sixth Infantry (killed in action), for gallantry in battle, Santiago de Cuba, July 1, 1898.

Second Lieut. Benjamin T. Simmons, Sixteenth Infantry, for gallantry in battle, Santiago de Cuba, July 1, 1898.

Second Lieut. William F. Creary, Second Infantry, for gallantry in battle, Santiago de Cuba, July 1, 1898.

Second Lieut. Alexander E. Williams, Second Infantry, for gallantry in battle, Santiago de Cuba, July 1, 1898.

Second Lieut. Franklin S. Hutton, Second Infantry, for gallantry in battle, Santiago de Cuba, July 1, 1898.

Second Lieut. Oscar J. Charles, Tenth Infantry, for gallantry in battle, Santiago de Cuba, July 1, 1898.

Second Lieut. Alga P. Berry, Tenth Infantry, for gallantry in battle, Santiago de Cuba, July 1, 1898.

Second Lieut. Romulus F. Walton, Tenth Infantry, for gallantry in battle, Santiago de Cuba, July 1, 1898.

Second Lieut. Thomas A. Pearce, Seventh Infantry, for gallantry in battle, El Caney, Cuba, July 1, 1898.

Second Lieut. Charles E. Russell, Seventh Infantry, for gallantry in battle, El Caney, Cuba, July 1, 1898.

Second Lieut. Henry M. Dichmann, Seventh Infantry, for gallantry in battle, El Caney, Cuba, July 1, 1898.

Second Lieut. Curtis W. Otwell, Seventh Infantry, for gallantry in battle, El Caney, Cuba, July 1, 1898.

Second Lieut. Herbert A. Lafferty, Seventh Infantry (since deceased), for gallantry in battle, El Caney, Cuba, July 1, 1898.

Second Lieut. Thomas A. Wansboro, Seventh Infantry (killed in action), for gallantry in battle, El Caney, Cuba, July 1, 1898.

Second Lieut. Anton Springer, Twenty-first Infantry, for gallantry in battle, Santiago de Cuba, July 1, 1898.

Second Lieut. William M. Fassett, Twenty-first Infantry, for gallantry in battle, Santiago de Cuba, July 1, 1898.

Second Lieut. Edgar T. Conley, Twenty-first Infantry, for gallantry in battle, Santiago de Cuba, July 1, 1898.

Second Lieut. Francis K. Meade, Twenty-first Infantry, for gallantry in battle, Santiago de Cuba, July 1, 1898.

Second Lieut. Louis M. Nuttman, Twenty-first Infantry, for gallantry in battle, Santiago de Cuba, July 1, 1898.

Second Lieut. Arthur R. Kerwin, Twenty-fourth Infantry, for gallantry in battle, Santiago de Cuba, July 1, 1898.

Second Lieut. Claude H. Miller, Twenty-fourth Infantry, for gallantry in battle, Santiago de Cuba, July 1, 1898.

Second Lieut. Isaac Newell, Twenty-second Infantry, for gallantry in battle, El Caney, Cuba, July 1, 1898.

Second Lieut. Charles S. Lincoln, Twenty-fourth Infantry, for gallantry in battle, Santiago de Cuba, July 1, 1898.

Second Lieut. William L. Murphy, Twenty-fourth Infantry, for gallantry in battle, Santiago de Cuba, July 1, 1898.

Second Lieut. Joseph N. Augustin, jr., Twenty-fourth Infantry (since deceased), for gallantry in battle, Santiago de Cuba, July 1, 1898.

Second Lieut. Halstead Dorey, Fourth Infantry, for gallantry in battle, El Caney, Cuba, July 1, 1898.

Second Lieut. John H. Hughes, Fourth Infantry, for gallantry in battle, El Caney, Cuba, July 1, 1898.

Second Lieut. John J. Bernard, Fourth Infantry (killed in action), for gallantry in battle, El Caney, Cuba, July 1, 1898.

Second Lieut. Howard W. French, Twenty-fifth Infantry, for gallantry in battle, El Caney, Cuba, July 1, 1898.

Second Lieut. John E. Hunt, Twenty-fifth Infantry, for gallantry in battle, El Caney, Cuba, July 1, 1898.

Second Lieut. Berkeley Enochs, Twenty-fifth Infantry, for gallantry in battle, El Caney, Cuba, July 1, 1898.

Second Lieut. Paul Giddings, Third Infantry, for gallantry in battle, El Caney, Cuba, July 1, 1898.

Second Lieut. George L. Byroade, Third Infantry, for gallantry in battle, El Caney, Cuba, July 1, 1898.

Second Lieut. Thomas T. Frissell, Third Infantry, for gallantry in battle, El Caney, Cuba, July 1, 1898.

Second Lieut. Ira C. Welborn, Ninth Infantry, for gallantry in battle, Santiago de Cuba, July 1, 1898.

Second Lieut. Ira L. Reeves, Seventeenth Infantry, for gallantry in battle, El Caney, Cuba, July 1, 1898.

Second Lieut. Thomas F. Dwyer, Ninth Infantry, for gallantry in battle, Santiago de Cuba, July 1, 1898.

Second Lieut. Harry F. Rothers, Ninth Infantry, for gallantry in battle, Santiago de Cuba, July 1, 1898.

Second Lieut. Warren S. Barlow, Fifteenth Infantry, for gallantry in battle, Santiago de Cuba, July 1, 1898.

Second Lieut. Charles W. Exton, Twentieth Infantry, for gallantry in battle, El Caney, Cuba, July 1, 1898.

Second Lieut. Lucian Stacy, Twentieth Infantry (since deceased), for gallantry in battle, El Caney, Cuba, July 1, 1898.

Second Lieut. G. Maury Crallé, Twentieth Infantry, for gallantry in battle, El Caney, Cuba, July 1, 1898.

Second Lieut. Lyman M. Welch, Twentieth Infantry, for gallantry in battle, El Caney, Cuba, July 1, 1898.

Second Lieut. Thomas M. Anderson, jr., Thirteenth Infantry, for gallantry in battle, Santiago de Cuba, July 1, 1898.

Second Lieut. Alvan C. Read, Thirteenth Infantry, for gallantry in battle, Santiago de Cuba, July 1, 1898.

Second Lieut. Lincoln C. Andrews, Third Cavalry, for gallantry in battle, Santiago de Cuba, July 1, 1898.

Second Lieut. Julius T. Conrad, Third Cavalry, for gallantry in battle, Santiago de Cuba, July 1, 1898.

Second Lieut. Andrew E. Williams, Third Cavalry, for gallantry in battle, Santiago de Cuba, July 1, 1898.

Second Lieut. Harry H. Pattison, Third Cavalry, for gallantry in battle, Santiago de Cuba, July 1, 1898.

Second Lieut. John Morrison, jr., Third Cavalry, for gallantry in battle, Santiago de Cuba, July 1, 1898.

Second Lieut. William D. Chitty, Third Cavalry, for gallantry in battle, Santiago de Cuba, July 1, 1898.

Second Lieut. Edgar A. Sirmyer, Third Cavalry, for gallantry in battle, Santiago de Cuba, July 1, 1898.

Second Lieut. George C. Barnhardt, Sixth Cavalry (now first lieutenant, Fourth Cavalry), for gallantry in battle, Santiago de Cuba, July 1, 1898.

Second Lieut. Harry H. Stout, Sixth Cavalry (now first lieutenant, Ordnance Department), for gallantry in battle, Santiago de Cuba, July 1, 1898.

Second Lieut. Nathan K. Averill, Seventh Cavalry, for gallantry in battle, Santiago de Cuba, July 1, 1898.

Second Lieut. August C. Nissen, Sixth Cavalry, for gallantry in battle, Santiago de Cuba, July 1, 1898.

Second Lieut. Alvord Van P. Anderson, Sixth Cavalry, for gallantry in battle, Santiago de Cuba, July 1, 1898.

Second Lieut. John C. Raymond, Sixth Cavalry, for gallantry in battle, Santiago de Cuba, July 1, 1898.

Second Lieut. Kenzie W. Walker, Ninth Cavalry, for gallantry in battle, Santiago de Cuba, July 1, 1898.

Second Lieut. Edward E. Hartwick, Ninth Cavalry, for gallantry in battle, Santiago de Cuba, July 1, 1898.

Second Lieut. Walter M. Whitman, First Cavalry, for gallantry in battle, Santiago de Cuba, July 1, 1898.

Second Lieut. Henry C. Smither, First Cavalry, for gallantry in battle, Santiago de Cuba, July 1, 1898.

Second Lieut. Charles McK. Saltzman, First Cavalry, for gallantry in battle, Santiago de Cuba, July 1, 1898.

Second Lieut. Robert C. Williams, First Cavalry (now first lieutenant, First Cavalry), for gallantry in battle, Santiago de Cuba, July 1, 1898.

Second Lieut. Hugh D. Berkeley, First Cavalry, for gallantry in battle, Santiago de Cuba, July 1, 1898.

Second Lieut. Newton D. Kirkpatrick (since deceased), First Cavalry, for gallantry in battle, Santiago de Cuba, July 1, 1898.

Second Lieut. Harry O. Williard, Tenth Cavalry, for gallantry in battle, Santiago de Cuba, July 1, 1898.

Second Lieut. Henry C. Whitehead, Tenth Cavalry, for gallantry in battle, Santiago de Cuba, July 1, 1898.

Second Lieut. Frank R. McCoy, Tenth Cavalry, for gallantry in battle, Santiago de Cuba, July 1, 1898.

Second Lieut. Thomas A. Roberts, Tenth Cavalry, for gallantry in battle, Santiago de Cuba, July 1, 1898.

Second Lieut. Alfred E. Kennington, Tenth Cavalry, for gallantry in battle, Santiago de Cuba, July 1, 1898.

Second Lieut. Alston Hamilton, First Artillery, for gallantry in battle, El Caney, Cuba, July 1, 1898.

Second Lieut. Otho W. B. Farr, Second Artillery, for gallantry in battle, Santiago de Cuba, July 1, 1898.

Second Lieut. Charles D. Roberts, Seventeenth Infantry, for gallantry in battle, El Caney, Cuba, July 1, 1898.

To be major-general by brevet.

Brig. Gen. Henry M. Duffield, United States Volunteers, for gallant and meritorious service in the presence of the enemy, Aguadores, Cuba, July 1, 1898.

To be brigadier-generals by brevet.

Col. Embury P. Clark, Second Massachusetts Volunteer Infantry, for gallantry in battle, El Caney, Cuba, July 1, 1898.

Lieut. Col. Theodore Roosevelt, First Volunteer Cavalry, for gallantry in battle, Santiago de Cuba, July 1, 1898. (Nominated for brevet colonel, to rank from June 24, 1898.)

To be colonels by brevet.

Lieut. Col. Edward J. McClernand, assistant adjutant-general, United States Volunteers, for gallantry in battle, Santiago de Cuba, July 1, 1898.

Lieut. Col. George McC. Derby, United States Volunteer Engineers, for gallantry in battle, Santiago de Cuba, July 1, 1898.

Lieut. Col. John Jacob Astor, inspector-general, United States Volunteers, for gallantry in battle, Santiago de Cuba, July 1, 1898.

Lieut. Col. Joseph H. Dorst, assistant adjutant-general, United States Volunteers, for gallantry in battle, Santiago de Cuba, July 1, 1898.

Maj. William D. Beach, United States Volunteer Engineers, for gallantry in battle, Santiago de Cuba, July 1, 1898. (Nominated for brevet lieutenant-colonel, to rank from June 24, 1898.)

Lieut. Col. Edwin R. Shumway, Second Massachusetts Volunteer Infantry, for gallantry in battle, El Caney, Cuba, July 1, 1898.

To be lieutenant-colonels by brevet.

Maj. Robert H. Noble, assistant adjutant-general, United States Volunteers, for gallantry in battle, Santiago de Cuba, July 1, 1898.

Maj. Charles G. Starr, inspector-general, United States Volunteers, for gallantry in battle, Santiago de Cuba, July 1, 1898.

Maj. Henry S. T. Harris, brigade surgeon, United States Volunteers, for meritorious service attending wounded under fire, Santiago de Cuba, July 1, 1898.

Maj. Henry T. Allen, assistant adjutant-general, United States Volunteers, for gallantry in battle, El Caney, Cuba, July 1, 1898.

Maj. Alfred C. Sharpe, assistant adjutant-general, United States Volunteers, for gallantry in battle, El Caney, Cuba, July 1, 1898.

Maj. C. Creighton Webb, inspector-general, United States Volunteers, for gallantry in battle, El Caney, Cuba, July 1, 1898.

Maj. John A. Logan, assistant adjutant-general, United States Volunteers, for gallantry in battle, El Caney, Cuba, July 1, 1898.

Maj. Francis J. Ives, brigade surgeon, United States Volunteers, for meritorious service attending wounded under fire, El Caney, Cuba, July 1, 1898.

Maj. Harry E. Wilkins, chief commissary of subsistence, United States Volunteers, for gallantry in battle, El Caney, Cuba, July 1, 1898.

Maj. Reuben A. Whipple, Second Massachusetts Volunteer Infantry, for gallantry in battle, El Caney, Cuba, July 1, 1898.

Maj. George H. Sands, United States Volunteer Engineers, for gallantry in battle, Santiago de Cuba, July 1, 1898.

Capt. Albert L. Mills, assistant adjutant-general, United States Volunteers, for gallantry in battle, Santiago de Cuba, July 1, 1898. (Nominated for brevet major, to rank from June 24, 1898.)

Maj. Webb Hayes, First Ohio Volunteer Cavalry, for gallantry in battle, Santiago de Cuba, July 1, 1898.

Maj. Philip Reade, inspector-general, United States Volunteers, for gallantry in battle, Santiago de Cuba, July 1, 1898.

Maj. Victor C. Vaughn, surgeon, Thirty-third Michigan Volunteer Infantry, for meritorious service in attending wounded under fire, Aguadores, Cuba, July 1, 1898.

Maj. Charles B. Nancrede, surgeon, United States Volunteers, for meritorious service in attending wounded under fire, Aguadores, Cuba, July 1, 1898.

To be majors by brevet.

Capt. Stewart M. Brice, commissary of subsistence, United States Volunteers, for gallantry in battle, Santiago de Cuba, July 1, 1898.

Capt. John C. Gilmore, assistant adjutant-general, United States Volunteers, for gallantry in battle, Santiago de Cuba, July 1, 1898.

Capt. William A. Chandler, assistant adjutant-general, United States Volunteers, for gallantry in battle, Santiago de Cuba, July 1, 1898.

Capt. William H. McKittrick, assistant adjutant-general, United States Volunteers, for gallantry in battle, Santiago de Cuba, July 1, 1898.

Capt. Cornèlis De W. Willcox, assistant adjutant-general, United States Volunteers, for gallant and meritorious services in presence of the enemy, Aguadores, Cuba, July 1, 1898.

Capt. James H. McMillan, assistant quartermaster, United States Volunteers, for gallant and meritorious services in presence of the enemy, Aguadores, Cuba, July 1, 1898.

Capt. Frederick M. Alger, assistant adjutant-general, United States Volunteers, for gallant and meritorious services in presence of the enemy, Aguadores, Cuba, July 1, 1898.

Capt. Charles D. Rhodes, assistant adjutant-general, United States Volunteers, for gallant and meritorious services in presence of the enemy, Santiago de Cuba, July 1, 1898.

Capt. Ulysses G. McAlexander, quartermaster, United States Volunteers, for gallantry in battle, Santiago de Cuba, July 1, 1898.

Capt. William E. Horton, assistant adjutant-general, United States Volunteers, for gallantry in battle, Santiago de Cuba, July 1, 1898.

Capt. Harvey C. Carbaugh, assistant adjutant-general, United States Volunteers, for gallantry in battle, El Caney, Cuba, July 1, 1898.

Capt. William H. Wright, assistant adjutant-general, United States Volunteers, for gallantry in battle, El Caney, Cuba, July 1, 1898.

Capt. Robert L. Howze, assistant adjutant-general, United States Volunteers, for gallantry in battle, Santiago de Cuba, July 1, 1898.

Capt. Robert H. Beckham, commissary of subsistence, United States Volunteers, for gallantry in battle, Santiago de Cuba, July 1, 1898.

Capt. Morton J. Henry, assistant adjutant-general, United States Volunteers, for gallantry in battle, Santiago de Cuba, July 1, 1898.

Capt. Edward Anderson, assistant adjutant-general, United States Volunteers, for gallantry in battle, El Caney, Cuba, July 1, 1898.

Capt. William R. Sample, assistant adjutant-general, United States Volunteers, for gallantry in battle, Santiago de Cuba, July 1, 1898.

Capt. Micah J. Jenkins, First Volunteer Cavalry, for gallantry in battle, Santiago de Cuba, July 1, 1898.

Capt. William H. H. Llewellyn, First Volunteer Cavalry, for gallantry in battle, Santiago de Cuba, July 1, 1898.

Capt. Frederick Muller, First Volunteer Cavalry, for gallantry in battle, Santiago de Cuba, July 1, 1898.

Capt. Maximilian Luna, First Volunteer Cavalry, for gallantry in battle, Santiago de Cuba, July 1, 1898.

Capt. William O'Neill, First Volunteer Cavalry, for gallantry in battle, Santiago de Cuba, July 1, 1898.

To be captains by brevet.

First Lieut. Joseph A. Carr, First Volunteer Cavalry, for gallantry in battle, La Guasima, Cuba, June 24, 1898.

First Lieut. Herbert H. Warren, Second Massachusetts Volunteer Infantry, for gallantry in battle, El Caney, Cuba, July 1, 1898.

First Lieut. Woodbury Kane, First Volunteer Cavalry, for gallantry in battle, Santiago de Cuba, July 1, 1898.

First Lieut. Frank Franz, First Volunteer Cavalry, for gallantry in battle, Santiago de Cuba, July 1, 1898.

First Lieut. James H. Pound, Thirty-third Michigan Volunteer Infantry, for gallant and meritorious service in presence of the enemy, Aguadores, Cuba, July 1, 1898.

First Lieut. George H. Brown, Thirty-third Michigan Volunteer Infantry, for gallant and meritorious service in presence of the enemy, Aguadores, Cuba, July 1, 1898.

First Lieut. George L. Harvey, Thirty-third Michigan Volunteer Infantry, for gallant and meritorious service in presence of the enemy, Aguadores, Cuba, July 1, 1898.

First Lieut. Guy G. Bailey, assistant surgeon, Thirty-third Michigan Volunteer Infantry, for meritorious service in attending wounded under fire, Aguadores, Cuba, July 1, 1898.

To be first lieutenants by brevet.

Second Lieut. David J. Leahy, First Volunteer Cavalry, for gallantry in battle, Santiago de Cuba, July 1, 1898.

Second Lieut. Horace K. Devereux, First Volunteer Cavalry, for gallantry in battle, Santiago de Cuba, July 1, 1898.

Second Lieut. David M. Goodrich, First Volunteer Cavalry, for gallantry in battle, Santiago de Cuba, July 1, 1898.

Second Lieut. John C. Greenway, First Volunteer Cavalry, for gallantry in battle, Santiago de Cuba, July 1, 1898.

To be colonel by brevet.

Lieut. Col. Theodore Roosevelt, First Volunteer Cavalry, for gallantry in battle, La Guasima, Cuba, June 24, 1898.

To be lieutenant-colonels by brevet.

Maj. Alexander O. Brodie, First Volunteer Cavalry, for gallantry in battle, La Guasima, Cuba, June 24, 1898.

Maj. William D. Beach, engineer officer, United States Volunteers, for gallantry in battle, La Guasima, Cuba, June 24, 1898.

To be majors by brevet.

Capt. Albert L. Mills, assistant adjutant-general, United States Volunteers, for gallantry in battle, La Guasima, Cuba, June 24, 1898.

Capt. Allyn Capron, First Volunteer Cavalry (killed in action), for gallantry in action, La Guasima, Cuba, June 24, 1898.

Capt. James H. McClintock, First Volunteer Cavalry, for gallantry in battle, La Guasima, Cuba, June 24, 1898.

To be captains by brevet.

First Lieut. James R. Thomas, First Volunteer Cavalry, for gallantry in battle, La Guasima, Cuba, June 24, 1898.

First Lieut. James R. Church, assistant surgeon, First Volunteer Cavalry, for meritorious service in attending wounded under fire, La Guasima, Cuba, June 24, 1898.

Appointment by brevet in the Army of the United States, to rank from June 24, 1898, namely:

To be a colonel by brevet.

Maj. James M. Bell, First Cavalry, for gallantry in battle, La Guasima, Cuba, June 24, 1898. (Brevet lieutenant-colonel, to rank from February 27, 1890.)

To be lieutenant-colonel by brevet

Maj. Stevens T. Norvell, Tenth Cavalry, for gallantry in battle, La Guasima, Cuba, June 24, 1898.

To be majors by brevet.

Capt. Thomas T. Knox, First Cavalry (now major and inspector-general), for gallantry in battle, La Guasima, Cuba, June 24, 1898.

Capt. Robert P. P. Wainwright, First Cavalry, for gallantry in battle, La Guasima, Cuba, June 24, 1898.

Capt. Jacob G. Galbraith, First Cavalry, for gallantry in battle, La Guasima, Cuba, June 24, 1898.

Capt. William H. Beck, Tenth Cavalry, for gallantry in battle, La Guasima, Cuba, June 24, 1898.

Capt. Charles G. Ayres, Tenth Cavalry, for gallantry in battle, La Guasima, Cuba, June 24, 1898.

Capt. James W. Watson, Tenth Cavalry, for gallantry in battle, La Guasima, Cuba, June 24, 1898.

Capt. Lloyd S. McCormick, Seventh Cavalry, for gallantry in battle, La Guasima, Cuba, June 24, 1898.

To be captains by brevet.

First Lieut. George L. Byram, First Cavalry, for gallantry in battle, La Guasima, Cuba, June 24, 1898.

First. Lieut. Peter E. Traub, First Cavalry, for gallantry in battle, La Guasima, Cuba, June 24, 1898.

First Lieut. Edmund S. Wright, First Cavalry, for gallantry in battle, La Guasima, Cuba, June 24, 1898.

First Lieut. Robert J. Fleming, Tenth Cavalry, for gallantry in battle, La Guasima, Cuba, June 24, 1898.

First Lieut. Tyree R. Rivers, Third Cavalry, for gallantry in battle, La Guasima, Cuba, June 24, 1898.

First Lieut. Leigh A. Fuller, assistant surgeon, United States Army, for meritorious service attending wounded under fire, La Guasima, Cuba, June 24, 1898.

To be first lieutenants by brevet.

Second Lieut. Robert C. Williams, First Cavalry, for gallantry in battle, La Guasima, Cuba, June 24, 1898.

Second Lieut. Henry C. Smither, First Cavalry, for gallantry in battle, La Guasima, Cuba, June 24, 1898.

Second Lieut. George Vidmer, Tenth Cavalry, for gallantry in battle, La Guasima, Cuba, June 24, 1898.

Second Lieut. Alexander M. Miller, jr., Tenth Cavalry, for gallantry in battle, La Guasima, Cuba, June 24, 1898.

Second Lieut. William R. Smedberg, Fourth Cavalry, for gallantry in battle, La Guasima, Cuba, June 24, 1898.

Second Lieut. Harry O. Williard, Tenth Cavalry, for gallantry in battle, La Guasima, Cuba, June 24, 1898.

Second Lieut. Frank R. McCoy, Tenth Cavalry, for gallantry in battle, La Guasima, Cuba, June 24, 1898.

Second Lieut. Walter M. Whitman, First Cavalry, for gallantry in battle, La Guasima, Cuba, June 24, 1898.

Appointments by brevet in the Army of the United States, to rank from July 2, 1898, namely:

To be major by brevet.

Capt. Edward H. Plummer, Tenth Infantry, for gallantry in battle, at Santiago de Cuba, July 2, 1898.

Capt. Daniel A. Frederick, Seventh Infantry, for gallantry in battle, Santiago de Cuba, July 2, 1898.

Capt. Clermont L. Best, First Artillery, for gallantry in battle, Santiago de Cuba, July 2, 1898.

To be captain by brevet.

First Lieut. Ernest Hinds, Second Artillery, for gallantry in battle, Santiago de Cuba, July 2, 1898.

To be first lieutenants by brevet.

Second Lieut. Robert McCleave, Second Infantry, for gallantry in battle, Santiago de Cuba, July 2, 1898.

Second Lieut. Harry H. Tebbetts, Tenth Infantry, for gallantry in battle, Santiago de Cuba, July 2, 1898.

Second Lieut. Benjamin M. Hartshorne, jr., Tenth Infantry, for gallantry in battle, Santiago de Cuba, July 2, 1898.

Second Lieut. James W. Clinton, Seventh Infantry, for gallantry in battle, Santiago de Cuba, July 2, 1898.

Second Lieut. Ira C. Welborn, Ninth Infantry, for gallantry in battle, Santiago de Cuba, July 2, 1898.

Second Lieut. Harry E. Smith, First Artillery, for gallantry in battle, Santiago de Cuba, July 2, 1898.

Appointment by brevet in the Army of the United States, to rank from July 10, 1898, namely:

To be captain by brevet.

First Lieut. Alfred M. Hunter, Fourth Artillery, for gallantry in battle, Santiago de Cuba, July 10, 1898.

Appointment by brevet in the Volunteer Army of the United States, to rank from July 2, 1898, namely:

To be captain by brevet.

First Lieut. Guy E. Manning, Third Ohio Volunteer Infantry, for gallantry while delivering orders in battle near Santiago de Cuba, July 1, 1898.

PROMOTIONS IN THE ARMY.

INFANTRY ARM.

To be captains.

First Lieut. Benjamin M. Purssell, Nineteenth Infantry, August 22, 1898, vice Crowell, Sixth Infantry, promoted.

First Lieut. Fielder M. M. Beall, Eighteenth Infantry, August 30, 1898, vice Stouch, Third Infantry, promoted.

First Lieut. Maury Nichols, Seventh Infantry, September 8, 1898, vice Goodwin, Fourteenth Infantry, retired from active service.

First Lieut. Zebulon B. Vance, quartermaster, Eleventh Infantry, September 8, 1898, vice Avery, Third Infantry, retired from active service.

First Lieut. Joseph P. O'Neil, Twenty-fifth Infantry, September 16, 1898, vice Quinton, Twenty-fifth Infantry, promoted.

First Lieut. Wendell L. Simpson, Fourteenth Infantry, September 17, 1898, vice Randall, Fifth Infantry, retired from active service.

First Lieut. Frederick L. Palmer, Twenty-first Infantry, September 17, 1898, vice Cavenaugh, Thirteenth Infantry, promoted.

First Lieut. Clarence E. Dentler, Eleventh Infantry, September 21, 1898, vice Worden, Seventh Infantry, deceased.

First Lieut. James K. Thompson, Twenty-third Infantry, September 28, 1898, vice Chance, Thirteenth Infantry, promoted.

First Lieut. Henry D. Styer, Thirteenth Infantry, October 4, 1898, vice Noble, Sixteenth Infantry, promoted.

First Lieut. Waldo E. Ayer, Twelfth Infantry, October 5, 1898, vice Wilkinson, Third Infantry, deceased.

First Lieut. Robert H. Noble, First Infantry, October 12, 1898, vice Hale, Third Infantry, deceased.

First Lieut. Benjamin C. Morse, Twenty-third Infantry, November 1, 1898, vice Sharp, Seventeenth Infantry, retired from active service.

First Lieut. John P. Finley, quartermaster Ninth Infantry, November 1, 1898, vice Sanborn, Twenty-fifth Infantry, retired from active service.

First Lieut. Frederick R. Day, quartermaster Twentieth Infantry, November 1, 1898, vice Stretch, Tenth Infantry, promoted.

First Lieut. Carl Reichmann, Ninth Infantry, December 13, 1898, vice Roe, Third Infantry, retired from active service.

First Lieut. Alfred S. Frost, Twenty-fifth Infantry, December 14, 1898, vice Mills, Twelfth Infantry, appointed inspector-general, who resigns his line commission.

First Lieut. George W. Ruthers, Eighth Infantry, December 15, 1898, vice Rogers, Seventeenth Infantry, promoted.

First Lieut. Leon S. Roudiez, First Infantry, December 20, 1898, vice Webster, Twenty-second Infantry, retired from active service.

First Lieut. William C. Wren, Seventeenth Infantry, December 23, 1898, vice Seton, Fourth Infantry, promoted.

To be first lieutenants.

Second Lieut. Walter S. McBroom, Eighteenth Infantry, July 12, 1898, vice Lazelle, Eighteenth Infantry, deceased.

Second Lieut. David S. Stanley, Twenty-second Infantry, July 23, 1898, vice McQuiston, Fourth Infantry, promoted.

Second Lieut. Benjamin T. Simmons, Sixteenth Infantry, July 26, 1898, vice Perkins, Eighth Infantry, promoted.

Second Lieut. Girard Sturtevant, Twenty-fifth Infantry, July 30, 1898, vice Edwards, Twenty-third Infantry, promoted.

Second Lieut. Louis H. Bash, Thirteenth Infantry, August 4, 1898, vice Burnham, Twentieth Infantry, promoted.

Second Lieut. Anton Springer, Twenty-first Infantry, August 6, 1898, vice Koops, Tenth Infantry, deceased.

Second Lieut. Frank B. Watson, Nineteenth Infantry, August 7, 1898, vice Arrasmith, Second Infantry, promoted.

Second Lieut. Oscar J. Charles, Tenth Infantry, August 8, 1898, vice Johnston, Sixteenth Infantry, promoted.

Second Lieut. Thomas A. Pearce, Seventh Infantry, August 11, 1898, vice Perry, Eighth Infantry, promoted.

Second Lieut. Lawrence B. Simonds, Eighth Infantry, August 11, 1898, vice George, Sixteenth Infantry, promoted.

Second Lieut. Robert H. Allen, Fourteenth Infantry, August 11, 1898, vice Atkinson, Sixth Infantry, promoted.

Second Lieut. Dwight W. Ryther, Sixth Infantry, August 11, 1898, vice Elliot, Twelfth Infantry, deceased.

Second Lieut. William F. Creary, Second Infantry, August 12, 1898, vice Wood, Twelfth Infantry, deceased.

Second Lieut. Edward T. Hartmann, Fifteenth Infantry, August 15, 1898, vice Sehon, Twentieth Infantry, retired from active service.

Second Lieut. Howard W. French, Twenty-fifth Infantry, August 15, 1898, vice Clay, Seventeenth Infantry, promoted.

Second Lieut. Frederick B. Shaw, Fifth Infantry, August 22, 1898, vice Purssell, Nineteenth Infantry, promoted.

Second Lieut. William B. Cochran, Twenty-fifth Infantry, August 30, 1898, vice Beall, Eighteenth Infantry, promoted.

Second Lieut. Harry F. Rethers, Ninth Infantry, September 8, 1898, vice Nichols, Seventh Infantry, promoted.

Second Lieut. Alga P. Berry, Tenth Infantry, September 16, 1898, vice O'Neil, Twenty-fifth Infantry, promoted.

Second Lieut. Haydon Y. Grubbs, Eighteenth Infantry, September 16, 1898, vice O'Brien, Fifth Infantry, deceased.

Second Lieut. Celwyn E. Hampton, Twenty-third Infantry, September 17, 1898, vice Simpson, Fourteenth Infantry, promoted.

Second Lieut. Herschel Tupes, Fifteenth Infantry, September 17, 1898, vice Palmer, Twenty-first Infantry, promoted.

Second Lieut. George H. Shelton, Eleventh Infantry, September 18, 1898, vice Taylor, Twenty-second Infantry, deceased.

Second Lieut. Isaac Newell, Twenty-second Infantry, September 21, 1898, vice Dentler, Eleventh Infantry, promoted.

Second Lieut. Robert M. Brookfield, Second Infantry, September 28, 1898, vice Thompson, Twenty-third Infantry, promoted.

Second Lieut. Frank H. Whitman, Second Infantry, October 4, 1898, vice Styer, Thirteenth Infantry, promoted.

Second Lieut. Clarence N. Purdy, Sixth Infantry, October 5, 1898, vice Ayer, Twelfth Infantry, promoted.

Second Lieut. Merch B. Stewart, Eighth Infantry, October 12, 1898, vice Noble, First Infantry, promoted.

Second Lieut. Frederick W. Lewis, Twenty-second Infantry, November 1, 1898, vice Morse, Twenty-third Infantry, promoted.

Second Lieut. Charles E. Russell, Seventh Infantry, December 13, 1898, vice Reichmann, Ninth Infantry, promoted.

Second Lieut. Dennis E. Nolan, First Infantry, December 14, 1898, vice Frost, Twenty-fifth Infantry, promoted.

Second Lieut. James N. Pickering, First Infantry, December 15, 1898, vice Ferris, First Infantry, retired from active service.

Second Lieut. William A. Burnside, Fourteenth Infantry, December 15, 1898, vice Ruthers, Eighth Infantry, promoted.

Second Lieut. Reynolds J. Burt, Twenty-fifth Infantry, December 20, 1898, vice Roudiez, First Infantry, promoted.

Second Lieut. Russell C. Langdon, Eighth Infantry, December 20, 1898, vice Peterson, Third Infantry, appointed commissary of subsistence, who resigns his line commission.

Second Lieut. Harry H. Tebbetts, Tenth Infantry, December 23, 1898, vice Wren, Seventeenth Infantry, promoted.

Second Lieut. Houston V. Evans, Sixth Infantry, December 28, 1898, vice Chapman, Twentieth Infantry, appointed regimental quartermaster.

APPOINTMENT IN THE ARMY.

Infantry arm.

James S. Young, jr., of Pennsylvania, to be second lieutenant, vice Offley, Tenth Infantry, promoted.

APPOINTMENTS IN THE VOLUNTEER ARMY.

To be chief surgeons with the rank of major.

Maj. John L. Phillips, brigade surgeon, United States Volunteers.

Maj. Jefferson R. Kean, brigade surgeon, United States Volunteers.

Maj. Paul Clendenin, brigade surgeon, United States Volunteers.

To be brigade surgeons with the rank of major.

Capt. Julian M. Cabell, United States Army, retired.

Frederick J. Combe, acting assistant surgeon, United States Army.

Ninth Regiment Volunteer Infantry.

First Lieut. James Mitchell, assistant surgeon, to be surgeon, with the rank of major, vice Pallones, discharged.

CONFIRMATIONS.

Executive nominations confirmed by the Senate January 30, 1899.

POSTMASTERS.

Adolphus R. Martin, to be postmaster at Chicopee Falls, in the county of Hampden and State of Massachusetts.

Edwin F. Wyer, to be postmaster at Woburn, in the county of Middlesex and State of Massachusetts.

HOUSE OF REPRESENTATIVES.

MONDAY, *January 30, 1899.*

The House met at 12 o'clock m. Prayer by the Chaplain, Rev. HENRY N. COUDEN.

The Journal of the proceedings of Saturday was read and approved.

THE CENSUS BILL.

Mr. HOPKINS. Mr. Speaker, I desire to present at this time a report for reference.

The SPEAKER. A privileged report?

Mr. HOPKINS. I think it is a privileged report.

I offer, by instructions of the Committee on the Census, the bill I send to the desk as a substitute for various bills presented to the committee.

Mr. BAILEY. Mr. Speaker, before the report of the gentleman is presented, I desire to say that I have some doubt as to whether it is privileged or not.

The SPEAKER. The right of the gentleman in that respect will be reserved; and the Clerk will report the title of the bill.

The Clerk read as follows:

A bill (H. R. 11815) to provide for the taking of the Twelfth and subsequent censuses.

Mr. HOPKINS. Mr. Speaker, I desire to inform the House that if nothing is pending to interfere, I will call this bill up for consideration on Monday morning next.

Mr. BAILEY. Mr. Speaker, I am unable to state at this time whether I shall raise the question of privilege or not. However I desire to reserve all rights which exist at the present time when this bill is called up for consideration. With the understanding, therefore, that the matter can go over with the right of objection reserved, I shall make no present objection to the presentation of the report.

Mr. HOPKINS. This, I will state, is the unanimous report of the Committee——

Mr. BAILEY. I understand that, and think there will be no objection to the consideration of it. But I merely desire to reserve the points of order which we may be entitled to make against the bill, if on examination it shall be desirable to do so.

The SPEAKER. The Chair would suggest to the gentleman from Illinois that he might possibly lose such rights as may now exist in the committee by reporting the bill at this time and letting it go on the Calendar. Perhaps consent had better be asked—with the reservation of any points of order that may be made against the bill—that it be submitted now as a report from the committee and be held over for consideration until such time as the committee may desire to call it up for action by the House.

Mr. HOPKINS. Then, Mr. Speaker, I would ask unanimous consent that this report may not lose its privilege by being reported now——

Mr. PAYNE. Could it not be reported now and recommitted to the committee, and then called up at their convenience?

The SPEAKER. That could be done.

Mr. HOPKINS. Then I will ask unanimous consent that by making the report now it may not lose any of its privileged character.

Mr. DOCKERY. That is if it has anything of a privileged character.

Mr. HOPKINS. Well, that is a matter for the House to determine when the question is called up. I think myself that it is a privileged report.

Mr. BAILEY. I understood the suggestion of the gentleman from Illinois that he would call the bill up next Monday to be in the nature of a request for postponement.

Mr. HOPKINS. Yes.

Mr. BAILEY. So that it will not lose any privilege that it may now possess.

Mr. HOPKINS. My object——

The SPEAKER. With that understanding——

Mr. HOPKINS. My object in reporting it now was to have the report of the committee printed, to be placed in the hands of each member of the House.

Mr. BAILEY. I think that is desirable, and I am perfectly willing it should be done.

The SPEAKER. It will be printed, then, and considered as postponed until next Monday, subject to all rights and points of order.

REPRINT OF A BILL.

Mr. GRIFFIN. I ask for a reprint of House bill 11770, relating to the employment of women nurses in the Army.

The SPEAKER. The gentleman from Wisconsin asks for the reprint of House bill 11770. Is there objection?

There was no objection.

MESSAGE FROM THE SENATE.

A message from the Senate, by Mr. PLATT, one of its clerks, announced that the Senate had agreed to the amendments of the House of Representatives to bills of the following titles:

S. 304. An act granting a pension to Henry Farmer;

S. 290. An act granting a pension to Charlotte Poe;

S. 717. An act granting an increase of pension to Eva W. Brannan.

S. 2002. An act granting an increase of pension to Byron R. Pierce;

S. 3002. An act to pension William Russell for services in Oregon Indian wars;

S. 4422. An act granting an increase of pension to George W. Gould; and

S. 1183. An act for the relief of John Green.

The message also announced that the Senate had passed with amendments bills of the following titles in which the concurrence of the House was requested:

H. R. 11487. An act making appropriations for the diplomatic and consular service of the United States for the fiscal year ending June 30, 1900; and

H. R. 11036. An act to restore Capt. Robert W. Dowdy to the active list of the Army.

The message also announced that the Senate had passed without amendment bills of the following title:

H. R. 10912. An act for adjusting clothing account for deceased soldiers in certain cases; and

H. R. 2274. An act to remove the charge of desertion from the military record of Daniel Straw, late private, Company F, Twenty-sixth Massachusetts Volunteers.

The message also announced that the Senate had passed bills of the following titles; in which the concurrence of the House was requested:

S. 5282. An act granting to the Dakota Southern Railway Company a right of way through the Yankton Indian lands, in the State of South Dakota;

S. 5088. An act to amend section 27 of the Revised Statutes, relative to the apportionment and election of Representatives;

S. 5391. An act to provide for an appropriate national celebration of the establishment of the seat of government in the District of Columbia; and

S. 5342. An act granting a pension to John M. Palmer.

SENATE BILLS REFERRED.

Under clause 2 of Rule XXIV, Senate bills of the following titles were taken from the Speaker's table and referred to their appropriate committees as indicated below:

S. 5342. An act granting a pension to John M. Palmer—to the Committee on Invalid Pensions.

S. 5282. An act granting to the Dakota Southern Railway Company a right of way through the Yankton Indian lands, in the State of South Dakota—to the Committee on the Public Lands.

S. 5088. An act to amend section 27 of the Revised Statutes, relative to the apportionment and election of Representatives—to the Committee on Election of President, Vice-President, and Representatives in Congress.

S. 5391. An act to provide for an appropriate national celebration of the establishment of the seat of government in the District of Columbia—to the Committee on the District of Columbia.

ARREARAGES OF TAXES IN THE DISTRICT OF COLUMBIA.

Mr. JENKINS. Mr. Speaker, I desire to take from the Speaker's table the bill S. 4700 and to move that the House insist upon its amendments and agree to the conference asked for by the Senate.

The SPEAKER. The gentleman from Wisconsin calls up the bill the title of which the Clerk will report.

The Clerk read as follows:

A bill (S. 4700) to receive arrearages of taxes due the District of Columbia to July 1, 1898, at 6 per cent interest per annum, in lieu of penalties and costs—

With House amendments thereto.

The House amendments were read.

Mr. JENKINS. I move that the House insist upon these amendments and agree to the conference asked by the Senate.

The motion was agreed to; and the Speaker appointed as conferees on the part of the House Mr. JENKINS, Mr. SPRAGUE, and Mr. RICHARDSON.

ARMY REORGANIZATION.

Mr. HULL. Mr. Speaker, before moving to go into Committee of the Whole on the Army reorganization bill, I want to ask unanimous consent that if the consideration of the bill is concluded to-day, the time from the reading of the Journal up to 3 o'clock to-morrow may be set aside for general debate. I do that at the request of gentlemen on the other side.

The SPEAKER. The gentleman from Iowa asks unanimous consent that if the consideration of the bill be concluded under the five-minute rule this afternoon, the time between the reading of the Journal and 3 o'clock to-morrow be given to general debate.

Mr. McRAE. The time to be equally divided, of course?

Mr. HULL. The time to be equally divided.

The SPEAKER. The time to be equally divided. Is there objection?

There was no objection.

On motion of Mr. HULL, the House resolved itself into Committee of the Whole House on the state of the Union for the further consideration of the bill (H. R. 11022) for the reorganization of the Army of the United States, and for other purposes, with Mr. PAYNE in the chair.

Mr. MARSH. Mr. Chairman, I move an amendment to be inserted after the word "authorized," in line 5, page 3.

The amendment was read, as follows:

Insert after the word "authorized," in line 5, page 3, the following:

"*Provided*, That the President in his discretion may enlist only 60 men in a troop of cavalry, or reduce the number of enlisted men in a troop of cavalry to not less than 60, to be organized, so far as noncommissioned officers are concerned, under regulations of the War Department.

Mr. MARSH. Mr. Chairman, in the remarks which I submitted to the House on Thursday of last week I stated to the House that at the proper time I would offer an amendment which would give the Presdent discretionary power as to whether the Army should be increased to the maximum provided in this bill of about 100,000 men.

This amendment is in pursuance of that purpose. If adopted, it will provide in the infantry, artillery, and cavalry about 50,000 enlisted men. If the bill should become law, with a similar amendment of this character attached to the provision relating to the cavalry, the President will have the power, in his discretion, to increase the enlisted force of the Army from 50,000 up to 100,000. I believe, Mr. Chairman, to-day, as I have believed for some time, that that discretion ought to be vested in the President—a discretion that I have no doubt will be wisely and patriotically exercised.

I have been somewhat criticised by my colleague [Mr. JETT] and by my friend from Missouri [Mr. DOCKERY] because at the last session of Congress I opposed the increase of the Regular Army to 104,000 and that now I am in favor of its increase to 50,000, giving the President discretionary power to make it 100,000. The gentleman from Missouri expresses his regret at what he was pleased to call the change that has come over "the gentleman from Illinois." Let me say to the gentleman from Missouri that he ought to be able to comprehend the charge that has taken place in the condition of things since that debate last spring.

At that time, Mr. Chairman, the volunteers of the country were anxious to go, the citizen soldiery of the country were anxious to go into the service of the Government, and, as an illustration, let me call the House's attention to what took place in my own State of Illinois. While under that volunteer law which we passed last spring Illinois was allowed to furnish eight regiments of infantry, one regiment of cavalry, and a battery or two of artillery, yet, so anxious were the citizen soldiers of the State to support the Government in the prosecution of the Spanish war that there were filed with the adjutant-general at Springfield the enlistment rolls of 27 full regiments from the State of Illinois, so anxious, willing, and desirous were the volunteers to fight the battles, when I opposed at that time the increase of the Regular Army.

Now the conditions have changed. The volunteers do not want to do police and garrison duty. The gentleman, my friend from Missouri, perhaps ought to explain his position upon this floor, as he will have to explain it to the people of Missouri when he becomes the Democratic candidate for governor over there. [Laughter and applause on the Democratic side.] While he is supporting a proposition for the raising of 50,000 volunteers for service in these Pacific and West India islands, while he is doing that, he is at the same time bombarding the War Department and the White House to get the volunteers of his own State mustered out of the service. [Laughter.]

The CHAIRMAN. The time of the gentleman has expired.

Mr. MARSH. I would like to have a few minutes more.

Mr. HULL. Mr. Chairman, I ask that the gentleman from Illinois be allowed five minutes more, with the understanding that the time be extended to a gentleman on the other side the same as has been extended to my colleague.

There was no objection.

Mr. MARSH. I do not know that I shall use that much time.

Now, I want to say, Mr. Chairman, that so far as my own State of Illinois is concerned, which proffered 27 regiments for the war, for active hostilities, I do not know of even one regiment, or of any considerable number of men, who want to enlist in a volunteer organization for police and garrison duty in the Pacific islands that have come into our possession and ownership, nor in the West India Islands.

Mr. KNOWLES. In the Regular Army?

Mr. MARSH. They will enlist in the Regular Army. A good many of them did enlist in the Regular Army. Those who could not get into the Volunteer Army not only enlisted in my own State in the Regular Army, but so anxious were they to get into

the fray that they went down to Mississippi, at the request of gentlemen from Mississippi, to help fill up the quota of that State.

Mr. KNOWLES. With the understanding that they were to be mustered out at the close of the war?

Mr. MARSH. That has always been the case with the Volunteer Army of this country in all its wars—when the fighting was over they wanted to be allowed to go home and to permit the Regular Army to perform the garrison and police duty. That is the position I believe the people of the country occupy to-day; and that is why, Mr. Chairman, I am in favor of increasing the Regular Army from 26,610 enlisted men to 50,000 enlisted men, in the cavalry, artillery, and infantry arms, giving to the President the discretionary right to increase it, if necessary in his judgment, to the extent of 100,000 men, and also giving him the right, after it has been increased under that discretionary power, to reduce it again to 50,000 men when the necessity for the larger force shall have ceased.

Mr. RIDGELY. If this amendment that you offer is adopted, will the bill then have all the official machinery and number of organizations necessary for an army of 100,000 men, and only make it optional with the President to make a reduction in the number of privates?

Mr. MARSH. I would say, Mr. Chairman, that further along in this bill, when we arrive at the proper place, an amendment will be offered by the committee—a majority of the committee—reducing the number of staff officers that are now provided for in the bill.

Mr. RIDGELY. But not of line officers?

Mr. MARSH. Not of line officers. It preserves 3 officers to each company, whether they consist of 60 or 100 or 145 enlisted men.

Mr. RIDGELY. And will continue the same number of military organizations of the various kinds, as required for an army of 100,000?

Mr. MARSH. It will continue the same number of military organizations as provided in the bill.

Mr. RIDGELY. With a full line of officers for all?

Mr. MARSH. With full officers for all.

Mr. HAY. Mr. Chairman, I had intended and prepared to offer an amendment to the amendment of the gentleman from Illinois [Mr. MARSH], and I still propose and will do so; but it shows the impossibility of perfecting the bill on the floor of this House. I want to insert after the word "pay," in the first line, the words "in time of war," and I propose to amend further by adding a proviso, "*Provided further*, That in time of war the number of enlisted men in a troop of cavalry shall not exceed 100." Now, that is incongruous; it is almost impossible to put that upon the bill or to put the amendment of the gentleman from Illinois upon the bill and make any sense out of it. But I want it made so that this discretion shall be given to the President only in time of war.

The CHAIRMAN. The Clerk will report the amendment of the gentleman from Virginia [Mr. HAY] to the amendment offered by the gentleman from Illinois [Mr. MARSH].

The Clerk read as follows:

After the word "may," in the amendment offered by the gentleman from Illinois [Mr. MARSH], insert the words "in time of war."

At the end of the first section add "*Provided further*, That in time of war the number of enlisted men in a troop of cavalry shall consist only of 60."

Mr. GRIFFIN. Mr. Chairman, the gentleman from Virginia [Mr. HAY] misapprehends the application of his amendment to that proposed by the gentleman from Illinois [Mr. MARSH]. The gentleman from Virginia desires that the President, according to his amendment, shall only exercise his discretion of enlisting in companies 60 men in time of war. His amendment would have been very proper if it had been an amendment to the original bill, for that would constitute a reduction; but in this instance, in order that there may be an exercise of discretion on the part of the Chief Executive in enlisting the minimum number, it must be exercised in time of war. Therefore, I think the gentleman misapprehends the precise situation with reference to his proposition.

Now, Mr. Chairman, in considering this bill last week, it was intimated that the purpose of vesting this discretion in the Chief Executive was merely a subterfuge; that it was without precedent; that it would not accomplish the purpose or desire of the House. I want to call the attention of the House to the fact that that law, the existing law, the law which has been upon the statute book since 1866, as to the three arms of the service, provides that the President may increase the number of enlisted men in each organization at his discretion.

Mr. DOCKERY. Will my good friend allow me?

Mr. GRIFFIN. Certainly.

Mr. DOCKERY. I want to suggest that that discretion only operated in time of war.

Mr. GRIFFIN. If such be the impression of the gentleman from Missouri as to the law, he is mistaken, and in support of my statement I desire to read the law relating to infantry companies. It will be found in section 1107 of the Revised Statutes, in an enactment of July 28, 1866:

SEC. 1107. Each company of infantry shall consist of 1 captain, 1 first lieutenant, 1 second lieutenant, 1 first sergeant, 1 quartermaster-sergeant, 4 sergeants, 4 corporals, 2 artificers, 2 musicians, 1 wagoner, and 50 privates, and the number of privates may be increased at the discretion of the President not to exceed 100 whenever the exigencies of the service require such increase.

War is not made a condition, or an existent condition, of that increase; whatever may be the requirements or exigencies of the service, the President was authorized under that statute to increase the number of privates from 50 to 100.

Mr. DOCKERY. My friend from Wisconsin will remember that the limitation of 26,000 men upon the total number still remains.

Mr. GRIFFIN. I will say in reply to the gentleman from Missouri that that limitation was subsequently affixed.

Mr. MARSH. A good many years subsequent.

Mr. GRIFFIN. A number of years after this law had been enacted and while it was in force. Let me call the attention of the committee to this fact, that no one, anywhere, under any circumstances, has ever found fault with any Chief Executive because he improperly exercised the discretion provided for by that statute. And at this day, at this time, after acting so long under a discretionary power of this kind, without any fault being found with the conduct of the Chief Executive or his exercise of power under it, it is rather late to say that the proposition is a mere subterfuge, or that there is any danger to the rights and liberties of the American people by vesting that power in the Chief Executive.

Mr. Chairman, I am one of those who believe that we can safely trust the Chief Executive of this nation, no matter to what party he belongs, with any discretionary power which may be vested in him. It is not an unusual power, it is in the interest of peace and good order and the maintenance of the dignity of this country, and it ought at all times to exist in the Chief Executive and Commander in Chief of the armed forces of the United States. I think the fact that we have this precedent, and that it has existed so long, relieves the committee of the charge, in renewing the proposition, that it is a subterfuge, after it has met the sanction and approval of the American people, and is one under which they have lived for so many years.

Mr. Chairman, if it be the intention of gentlemen in good faith to see that the Army shall not be increased beyond the number requisite to meet the exigencies, the wants, the necessities of our country, no matter what its policy may be, and conceding that that policy is to be fixed by Congress—if they are sincere, they will not object to the reduction of the Army in accordance with the provision relating to the Executive discretion, which we have submitted and which is agreed to by the majority of the committee. If, on the other hand, they still desire that this bill shall not pass or that no legislation shall be enacted to meet the present emergency, it is well that we so understand it and proceed with the duty of putting this measure in the best possible form agreeable to the friends of the Administration, and then pass it.

This measure seems to be antagonized by those who are naturally opposed to any increase of the Regular Army, and also by the carping class who insist that the Administration shall, before remedial legislation of this character is enacted, announce and declare a positive policy with reference to the final disposition to be made of the Philippine Islands.

Gentlemen should bear in mind that the war with Spain was not sought or desired by either the President or his Administration. Congress alone is responsible for initiating the war and ought to be willing to assume the consequences and the resulting obligations imposed upon us by reason of its own action.

It is to be regretted that those who were most belligerent in bringing about conditions leading up to the passage of the declaration of war now seem to be in little sympathy with those who are endeavoring to best adjust the questions and conditions which have come to us by reason of the war.

Those who oppose the increase of the Army to a proper number for the preservation of our national honor are certainly not maintaining good faith with an Administration which they did everything in their power to force into war when they now undertake to shirk its necessary responsibilities. Good faith on the part of every member of Congress who voted for the declaration of war demands that he should now support the President in his efforts to maintain our national honor. That the Administration will have the support and sympathy of a large proportion of the American people in this emergency can not for a moment be doubted. Those who under other circumstances would align themselves in opposition to an increase in our permanent military establishment believe in the necessity for the proposed increase.

There are those in this Congress who carry their inconsistencies to the extremity of insisting upon an actual demonstration of the number of troops required upon each of our insular possessions and the particular places upon the islands at which they are to be stationed, before making any provision for the care of the islands.

Opponents of this kind well know that it is utterly impossible for any human being to say at this time absolutely at what different point troops ought to be stationed, or how many each garrison should contain. The common judgment of mankind, however, in viewing the entire field, dictates that 100,000 regular troops, enlisted for three years, would give better assurance of the establishment and maintenance of peace and good order, when judiciously distributed, than would any other influence or course that we might exert or pursue.

Expert military men appearing before the Committee on Military Affairs have given it as their opinions that a proper distribution of troops, both at home and on the islands, would require an army of 100,000 men.

The Philippine Islands seem, at the present juncture, to present the most perplexing question, as indicating the necessity for a larger military establishment. Those who favor an increase of the Army hope that placing a sufficient number of troops at points of vantage on the islands will have the effect, without bloodshed or conflict, to cause those who might otherwise feel like offering resistance to abandon any such plan, while an insignificant force would only encourage the rebellious to pursue a course that would lead to further strife and loss of life. Even though we may be mistaken in this policy, we believe that the main principle involved and the possibility of making it a success justify us in carrying it forward.

Again, the amendments which have been proposed to this bill giving the President the discretion to limit the Army to about 50,000 men, in case the emergency be not such as to require a greater number, relieves the friends of the Administration of any supposed intention to permanently foist a large army upon the people. The Chief Executive will be held accountable by the American people for any increase of the armed establishment beyond that actually required by the conditions which confront the nation, and the desire on the part of every Chief Magistrate to secure the universal approval of our citizens operates as a sufficient restraint, if any intention even existed to thwart the wishes of the public.

Experience has taught us that in great emergencies our Chief Executives have invariably awaited the development and crystallization of the sentiment pervading the masses of the people before taking an important step respecting any momentous question.

If, therefore, we will calmly and impartially view the situation in the light of our past history, we ought not to have the slightest hesitation in conferring upon our Chief Executive the most abundant authority and power in the present instance.

Without knowing the definite views of others and speaking only for myself, I have not the least expectation that the Philippine Islands will be annexed or become a part of this country, but should circumstances be such that we could in no other way maintain our honor as a nation or preserve our consistency in view of the causes which prompted the war, I would not consider the annexation of the islands a menace to the perpetuity of our Government and its free institutions. It is our imperative duty, however, to secure control of the Philippine Islands as a part of the property of the United States and to exercise a protectorate over the people thereof until their condition becomes such as to enable them to deal with us properly concerning their independence and the establishment of proper relations between them and ourselves. Those who would ask us to abandon them to their fate overlook the fact that such an act would, in the eyes of the world, be regarded as most dishonorable on our part.

Those who oppose giving the President the authority and power to maintain the national honor extol the victory won by Admiral Dewey in Manila Bay and his subsequent acts in the performance of what he conceived to be his sacred duty as the representative of this Government. None of us take issue with him on anything that he has done, but all laud him for the honor which he has conferred upon our country. By common consent he is the peerless hero of the war, and yet the securing of this unblemished victory renders it necessary for us to honorably solve the problems incident thereto and which now confront us.

It can not be expected that under the circumstances the precise number of troops requisite to meet the emergency can be definitely fixed. There should be sufficient latitude allowed to enable the Administration to send the requisite force to each of the islands as well as the retention of an ample number for the preservation of peace and good order at home. Some gentlemen have been pleased to insist upon knowing what is to be done with the troops which, under this bill, if it becomes a law, will be sent to Cuba, Porto Rico, and the Philippines. They seem to think that there will be nothing for them to do in the islands, or that they are going to our distant possessions for the purpose of ruthlessly shooting down the inhabitants of the islands. They are greatly at fault in both assumptions.

It is not the intention or expectation of the supporters of this bill that war shall be unnecessarily waged upon the people of any of the islands in question. The only object we have in view is to give the President authority to station wherever necessary a force large enough to satisfy the people that obedience to law and the maintenance of peace and good order can and will be enforced by this Government, and thereby avoid any armed conflict. This does not necessarily or legitimately involve either expansion or annexation, and hence the pending measure should be passed without at this time determining whether or not this Government should further pursue the policy of expansion which it has adhered to for nearly a century.

The increase of the Army as proposed is no departure from any time-honored custom or principle of this Government. Although the maximum number is larger than has ever been reached by the Regular Army in the past, yet in all previous emergencies the Army has been increased to meet the particular demands of the time. Our great growth and rapid progress, as well as the increased territory, render the present emergency an exceptional one.

It is to be regretted that the Regular Army should have so few advocates. Every loyal, law-abiding citizen ought rather to be a friend of such an army as we maintain than an opponent of it. To my mind there does not seem to exist any substantial reason for the prejudice which some maintain against our military establishment. The organization is composed of our own citizens. No one can enter the Army unless he be a citizen of the United States, a man of good moral character, and possessing sufficient intelligence for the comprehension and proper performance of his duties. The examinations for several years past have been so strict with reference to the enlistments that only about one out of every four applicants was received into the service.

This is due to the fact that they must be physically acceptable, as well as possessing all the other qualifications which go to make up intelligent, respectable citizens. They are commanded by officers who are citizens of the United States, sent from the various States and communities to be educated at Government expense, and hence are in close touch with our people. They are able and accomplished, as everyone knows who gives the subject the slightest attention. They are deeply interested in the success of our Government and its free institutions. They are American in all their thoughts and habits of life. They are loyal and true to their Commander in Chief under all circumstances, and, with the uses of the Army restricted as they are by law and constitutional provision, it is almost impossible that it should be employed for any purpose other than one which would meet public approval.

There is no danger that the Administration, for the time being, in any emergency would be unmindful of its responsibilities to confine the movements of the Army to its proper field.

The Regular Army ought to be our nation's pride, as it is our hope in time of need. It is the defender and protector of our national honor and our flag. It suffers very much because it can not say to Senators and Members of Congress that it is a part of their individual constituencies, and hence there is no one who feels that he should personally champion its cause.

We appropriate to ourselves the honor and renown won by the Army for our country. We have been much gratified over the victories secured by our Navy and our Army during the past ten months, and it is passing strange that while those victories, so far as the Army is concerned, were mainly won by the permanent establishment, we now hesitate to provide for the increase of that Army to the number that the situation beyond question renders necessary. [Applause.]

Mr. JOHNSON of Indiana and other members addressed the Chair.

The CHAIRMAN. Debate on this amendment has been exhausted, and no further amendment is in order, as there is already an amendment pending to an amendment. The question is on the amendment of the gentleman from Virginia.

The question being taken, the amendment to the amendment was rejected.

Mr. McCLELLAN. I desire to offer an amendment to the amendment.

Mr. JOHNSON of Indiana. Does the gentleman from New York [Mr. McCLELLAN] desire to be heard on his amendment?

Mr. McCLELLAN. Yes; for a minute or two.

Mr. JOHNSON of Indiana. I have been trying to get the attention of the Chair for a long time. I should like very much to be recognized.

The CHAIRMAN. The Chair will state to the gentleman from Indiana that the Chair has already recognized him a number of times. Other gentlemen have come to the Chair this morning—members of the committee and others—who have not been recognized; and the Chair will feel obliged to recognize those gentlemen, but he hopes to reach the gentleman from Indiana in due time.

Mr. JOHNSON of Indiana. I hope so, for several times on Saturday the Chair refused to recognize me. I do not want to intimate that anything personal was intended or that the Chair is

disposed to abuse its power. The Chair has refused several times this morning also to give me recognition——

A MEMBER. "Too much Johnson."

Mr. JOHNSON of Indiana. Too much Johnson for the gentleman who made that remark, it is quite evident.

The CHAIRMAN (rapping loudly with his gavel). The gentleman from Indiana is not in order. The Clerk will report the amendment of the gentleman from New York.

The Clerk read as follows:

Add to the amendment offered by the gentleman from Illinois the following: "*And provided further*, That in time of peace, except in organizations serving beyond the sea, the enlisted strength of each troop shall not exceed sixty."

Mr. McCLELLAN. Mr. Chairman, I offer this amendment as a friend of the bill. I offer it as a compromise. The main purpose of the increase of the Army above 55,000 or 60,000 men, as provided in the amendment of the gentleman from Illinois, is to use that increase beyond the sea. I know there is a prejudice on the part of some gentlemen to having in service at one time in the United States more than, say, fifty-five or sixty thousand men. Sixty thousand men are certainly all that we need in the United States at one time. Under this amendment the President would have the authority to recruit all organizations enlisted for foreign service up to the maximum allowed in the present Hull bill, and such organizations on returning to the United States would be reduced to 60 men; so that at no time in the United States could we have an army of more than 60,000 if every organization were ordered home at the same time; and if every organization were serving beyond the sea we could have 100,000 men at one time. I offer this amendment as a friend of the bill, in the hope that it will be accepted in good faith.

Mr. BRUCKER. Does the amendment of the gentleman divide the military force into those enlisted for domestic service and those enlisted for service abroad?

Mr. McCLELLAN. Certainly not. It permits the President, in the case, for instance, of a cavalry regiment ordered for service beyond the sea to recruit each unit of organization up to 106, as provided in the Hull bill.

Mr. BRUCKER. Then nothing in the gentleman's amendment divides the service?

Mr. McCLELLAN. Nothing at all.

Mr. HULL. Mr. Chairman, I think the objection to the amendment offered by the gentleman from New York [Mr. McCLELLAN] will be apparent to him when it is stated. A regiment, for instance, may have served in Cuba for six or eight months, and then it may be necessary to bring it home and send another regiment there in its place. Thus there would be a constant enlistment and discharge of privates, which would be exceedingly expensive. To my mind the necessities of the case would be much better met by giving discretion to the President. In this bill, in a section farther on, we have provided that the President may enlist from among the natives of these islands a force to serve there. In the nature of things, such a force will be enlisted very slowly at first. Until we reach the point of having such a force as England has in England and in India, it would be impracticable to keep sending regiments back and forth under his amendment. It is certainly desirable to avoid any such confusion as would result from the discharge of a regiment and taking it home and then enlisting a new regiment to go abroad.

Such exchanges certainly ought not to go on month after month. It seems to me, therefore, that my friend's amendment is not advisable. If we can have a permanent force in the islands and a permanent force in the United States, then, assuming that the President would not exercise his discretion wisely, it would probably be well enough for Congress to limit that discretion by a positive enactment of law.

Mr. McCLELLAN. But it is scarcely supposable that troops will be sent beyond the sea for a less period than the term of their enlistment.

Mr. HULL. Their enlistment will be for three years. Now, it does seem to me you can not keep men in Cuba or the Philippines or Porto Rico for three years. I think it is too long to keep them there. Our men are not acclimated. It seems to me that to put upon the President such a restriction as is proposed may cost the Government a great deal of money and sacrifice the lives of many of our citizens, without accomplishing any good. I hope the amendment will not be adopted.

I recognize the ability and high character of the gentleman from New York, and know that he is friendly to the general features of the bill under consideration, and is a friend in all respects to the Army of the United States. But I do not think, Mr. Chairman, that the amendment ought to be adopted.

The CHAIRMAN. The question is on agreeing to the amendment proposed by the gentleman from New York.

The question was taken; and on a division (demanded by Mr. McCLELLAN) there were—ayes 36, noes 82.

So the amendment was rejected.

Mr. DE ARMOND. Mr. Chairman, the amendment suggested by the gentleman from Illinois [Mr. MARSH] seems to be designed to enlarge the discretion of the President of the United States and to increase his control over the Army, rather than to determine the policy of the House of Representatives in dealing with the problems presented by this Army bill.

As I understand the amendment, it is not the intention to provide a smaller army, but the large army of 100,000 men, with a kind of discretionary power or authority vested in the President to reduce it by reducing the various companies to a specified minimum.

Now, if 100,000 men are needed, the discretion lodged in the President, whether likely to be wisely or unwisely exercised, must be a useless if not practically a dangerous surrender of legislative right and power. If there be reason for the exercise of such discretion and a reduction of the force, proposed by the bill, to 50,000 or 60,000 men, then manifestly 100,000 men are not needed, and a provision for that number ought not to find approval in this body.

It has been too much the fashion, Mr. Chairman, for the Congress to part with its constitutional powers and prerogatives, and to confer upon the President that authority which under the Constitution ought to be exercised here.

It is remarkable how, during the discussion of this bill, gentleman after gentleman, leaders upon the other side of the House, have taken pains to disavow any "authority" to speak for the Administration or any knowledge of what its purposes are. The President himself has not seen fit to communicate to Congress his opinion upon the question of expansion and the enlargement of the Army, and we are left to grope in the dark, as far as this debate is concerned, while trying to determine, if we can, the purposes which the "powers that be" have in mind to accomplish through the agency proposed—a huge standing army.

Mr. MARSH. Will the gentleman permit me? The gentleman stated that the President has not indicated his intention in regard to the increase of the Army, or indicated his wishes. The gentleman is mistaken——

Mr. DE ARMOND. That is correct.

Mr. MARSH (continuing). If the gentleman will look at the message of the President, he will find that he did indicate his purpose so far as the extension of the Army is concerned.

Mr. DE ARMOND. The gentleman is correct in that. The President did indicate that there ought to be an increase in the Army, but did not indicate why this increase ought to be made, or indicate to the House or to the country what use was to be made of the great army recommended.

I therefore recur to my former suggestion—that we are left to grope in the dark, so far as this debate is concerned and so far as current history goes, as to the use which is to be made of this Army by the President, if increased as he wishes it to be.

Now, Mr. Chairman, what are the facts before us? Nothing has transpired in the United States to make necessary much increase of the Army. The Indians have ceased to call for troops to fight or awe them. The problem of dealing with them seems to have been settled by the extermination, practically, of the Indians themselves. Instead, therefore, of having any necessity for more troops, instead of an increase of the Army—excepting the addition of the men who may be needed to take charge of the seacoast batteries—the Regular Army in the United States might well be smaller rather than larger. What, then, is the purpose of the proposed increase?

We have reason to hope, we have the right to expect—and, if need be, demand—that soon our forces will be withdrawn from Cuba. Certainly within a short time no reasonable pretext can be found for quartering any part of the Army there. As to Porto Rico, a peaceful present foreshadows a peaceful future. No considerable army will be needed there. So that a few thousand men for our own United States and Cuba and Porto Rico are all that will be needed, as far as we possibly can determine at the present time.

Then this extra call—this increase of the Army—must be for the distant Philippine Islands. Nowhere else can they be employed. Are we to take these islands and incorporate them as a part of the territory of the United States by indirection and in the dark? Are we to depart from the traditional policy of the country, under which we have grown great and prosperous beyond all examples in the history of the world, and depart blindly, heedlessly, without knowing how far we are to go, or when or where or how we are to stop?

But the President's intentions may be gathered in certain provisions of the treaty of peace now pending in the Senate for ratification or rejection. Article IV of the treaty provides:

ART. IV. The United States will, for the term of ten years from the date of the exchange of the ratifications of the present treaty, admit Spanish ships and merchandise to the ports of the Philippine Islands on the same terms as ships and merchandise of the United States.

Article XVI reads:

It is understood that any obligations assumed in this treaty by the United States with respect to Cuba are limited to the time of its occupancy thereof,

but it will, upon the termination of such occupancy, advise any government established in the island to assume the same obligations.

By this treaty we have also, in the case of Cuba, a relinquishment of Spanish sovereignty; in the case of the Philippines, as in the case of Porto Rico, a cession. We have a further provision for the payment by the United States to Spain of $20,000,000 for the Philippines. Obligations assumed by the United States under the treaty with reference to Cuba shall terminate when the occupation of that island by the United States terminates. But as to the Philippines, Spanish ships and Spanish merchandise shall be admitted to their ports for the period of ten years on the same terms as United States vessels and United States merchandise are admitted; the United States will so admit them.

It is but reasonable to suppose that this treaty, unmodified, not toned down, means that for the period of ten years, at least, the United States are proposing to govern the Philippines—how much longer we are left to conjecture. The President chose the commissioners who negotiated that treaty. He created a partisan commission, four of the five of his own party, and they did as he bade them. He bought the territory and its inhabitants from the Spanish oppressor. It is to be hoped that the Senate may withhold the sanction of its approval.

For one I am opposed to an increase in the Regular Army beyond what may be suggested by absolute necessity. I am opposed to creating the necessity for the necessity. There is no occasion for an increase in the Regular Army beyond the few artillerists needed along the coast, unless you propose to "expand," to the extent of taking in the Philippine Islands. To that I am opposed. Upon that we are legislating now, though no one dares avow it.

No one is willing to assume the responsibility for it. Certainly it can not be statesmanship thus to plunge away in the dark; thus to go blindfolded along a way that the Republic never has known; thus to start out upon trackless and unfathomed seas, without chart or compass, sailing, drifting blindly wherever wind or chance may carry us, whether into some undiscovered harbor or upon the rocks. I fancy the promoters of the scheme to raise a large army and with it hold the Philippines at the point of the bayonet do not delude themselves with the suspicion that there is aught of statesmanship in what they are doing. It is politics and nothing higher. If politics which have no regard for the principles of our Government or the welfare of our countrymen can prove good politics, then good and bad mean the same thing.

Since you gentlemen really desire to annex the Philippine Islands, since this is the object and policy, why do you not proclaim your purpose, and if you have bounds or limits, fix them?

One gentleman upon the other side says he believes we can amalgamate this distant population and annex with profit these far-away islands. Another is very confident, though he takes great pains to assert that he does not speak for anybody but himself, that in a short time—how long he does not know, does not even hint whether ten years, a hundred years, a thousand years, but "within a reasonable time"—we can, "with honor," depart from those islands.

One gentleman, the venerable member from Massachusetts [Mr. WALKER], suggested that he would give almost untold millions—he told the number, and it was large—if we could be rid of this Philippine problem "with honor." But no one points out how or why there rests upon us any obligation to any other people, any duty to our own people, to assume burdens in the far-distant islands of the sea, when it is so desirable to get rid of those islands. The question is not, Shall we get rid of the islands with their burdens? or, How can we get rid of them? but the practical question is, Shall we blindly take the islands and hope some time to get rid of them?

If the treaty as it is is ratified, the question no longer will be one of acquisition, but one of dismemberment. Never yet have we parted with territory belonging to us. If we take the Philippines and pay for them, many who oppose that action later on will oppose giving them up, unless holding them be attended with appalling disaster.

Ah, Mr. Chairman, the line of safety lies where the centuries have cast it. Safety for us lies where our fathers found it. Safety for us lies in adhering to the principles, the traditions, and the practices of this Republic. It is the best illustration, the best example, the strongest proof, that freemen, by holding fast to the principles of self-government, moving along intelligently and bravely upon correct lines, may accomplish vast and glorious things in the upbuilding of mankind.

And yet we are about to plunge into a sea of difficulties; we are about to overwhelm ourselves with debt; we are about to sentence hundreds and thousands and tens of thousands, perhaps hundreds of thousands, of the young men of our land to exile and death on the other side of the world.

And what is to come from it? Where is the good? Who has pointed it out? Who now will point it out? It is a dream, a vision. There is no promise, there is no assurance, there is no evidence that we are to get any compensating benefit from this dangerous course. No one can tell in what it will result. All that there is inviting us to the Philippines is a vague hope, without foundation, while perils innumerable, only too well founded, darken the way, admonishing us not to court difficulties, but to abide in peace and safety.

Then this Army is to be officered in a political way. Why, a little further on in the bill, for the most important positions men are to be not over 50 years of age and are to be examined physically! Are they to be examined mentally, morally, technically as to the duties of their office? Why, it makes no difference about that, provided they are all right politically. [Applause on the Democratic side.]

[Here the hammer fell.]

Mr. HULL. Mr. Chairman, I move that all debate on this section and amendments be now closed.

Mr. DOCKERY. I hope the gentleman from Iowa will allow the gentleman from Indiana to be heard.

Mr. HULL. He can get in just as well on the next section.

Mr. HAY. I have an amendment to the section.

Mr. HULL. My motion would not cut off amendments.

Mr. DOCKERY. It simply cuts off all right of explanation.

The question was taken; and the Chairman announced that the ayes seemed to have it.

Mr. DOCKERY. Division.

Mr. HAY. I call for a division.

The committee divided; and there were—ayes 86, noes 92.

Mr. HULL. Tellers, Mr. Chairman.

Mr. HAY. I want to offer an amendment.

The CHAIRMAN. The gentleman calls for tellers.

Tellers were ordered.

The CHAIRMAN. The gentleman from Iowa, Mr. HULL, and the gentleman from Virginia, Mr. HAY, will please act as tellers.

The committee again divided; and the tellers reported—ayes 98, noes 94.

So the motion was agreed to.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Illinois.

The question was taken; and the Chairman announced that the ayes seemed to have it.

Mr. HAY. I call for a division, Mr. Chairman.

The committee divided; and there were—ayes 104, noes 75.

Mr. HAY. I call for tellers.

Tellers were ordered.

The CHAIRMAN. The gentleman from Illinois, Mr. MARSH, and the gentleman from Virginia, Mr. HAY, will please act as tellers.

The committee again divided; and the tellers reported—ayes 105, noes 82.

So the amendment was agreed to.

Mr. HULL. Mr. Chairman, I want to offer an amendment that is made necessary by the change of language in the bill. In line 10, page 3, strike out the word "enlisted" and insert "appointed," in regard to veterinarians.

The Clerk read as follows:

On page 3, line 10, strike out the word "enlisted" and insert the word "appointed."

Mr. HULL. It is simply a verbal amendment.

The amendment was agreed to.

Mr. HULL. Now, Mr. Chairman, on page 2, line 13, before the word "quartermaster," insert the word "regimental." That was omitted in the print.

The Clerk read as follows:

On page 2, line 13, before the word "quartermaster," insert the word "regimental."

The amendment was agreed to.

Mr. GROUT. An amendment, Mr. Chairman.

Mr. HAY. Mr. Chairman, I offer the following amendment.

The CHAIRMAN. The gentleman from Vermont offers an amendment.

The Clerk read as follows:

Insert, line 17, page 2, after the word "each," the following: "*Provided*, That in filling vacancies there shall be appointed annually in the cavalry, artillery, and infantry branches, respectively, at least one second lieutenant from among the graduates of such military schools as are authorized to confer degrees and have been in existence since 1860; and if there be a sufficient number of vacancies, there shall also be appointed one second lieutenant from each institution of learning at which military instruction is given by an officer detailed from the Army.

Mr. COWHERD. Mr. Chairman, I wish to offer an amendment to the amendment.

Mr. HULL. I hope it will be voted down.

Mr. COWHERD. Change 1860 so as to read 1895. Some of the schools in my district were organized since 1860, and are just as good as those that were organized in 1860.

Mr. GROUT. Are they military schools?

The CHAIRMAN. The Clerk will report the amendment. No debate is in order.

The Clerk read as follows:

Strike out 1860, and insert 1895.

The question was taken on the amendment to the amendment, and the Chairman announced that the noes seemed to have it.

Mr. HAY. Division.

The committee divided; and there were—ayes 48; noes 91.

So the amendment to the amendment was rejected.

The CHAIRMAN. The question is on the amendment of the gentleman from Vermont.

The question was taken, and the amendment was rejected.

Mr. HAY. Mr. Chairman, I offer the following amendment.

The Clerk read as follows:

In line 5, page 3, strike out the words "eighty-three" and insert the word "sixty;" after the word "authorized," in line 2, insert the words "*Provided*, That the President may in time of war increase the number of privates to 83 in a cavalry troop."

Mr. HULL. A provision in the bill now gives him that power.

The CHAIRMAN. There seem to be two amendments.

Mr. HAY. I understand that the gentleman's amendment has been adopted; but I understand, also, that it is impossible to get this thing perfected unless you send it back to a committee, where we can examine it thoroughly.

The CHAIRMAN. Debate is not in order.

Mr. HULL. I hope this amendment will not be adopted.

Mr. DOCKERY. I hope the Chair will enforce the rule against the chairman of the committee also.

Mr. HAY. The first amendment is to strike out 83 privates and insert 60.

The CHAIRMAN. The Clerk will report the first amendment.

The Clerk read as follows:

In line 3, page 3, strike out the words "eighty-three" and insert the word "sixty."

The question was taken; and the Chairman announced that the noes seemed to have it.

Mr. HAY. I call for a division, Mr. Chairman.

The House divided; and there were—52 ayes and 91 noes.

So the amendment was rejected.

The CHAIRMAN. The Clerk will report the next amendment.

The Clerk read as follows:

After the word "authorize," in line 5, insert the words "*Provided*, That the President may in time of war increase the number of privates to 83 in a cavalry troop."

Mr. HAY. Mr. Chairman, I will withdraw that amendment because of the failure of the other amendment.

The CHAIRMAN. Without objection, the amendment will be withdrawn.

There was no objection.

The CHAIRMAN. The Clerk will report the next section.

The Clerk read as follows:

SEC. 3. That the regimental organization of the artillery arm of the United States Army is hereby discontinued, and that arm is constituted and designated as the corps of artillery. It shall be organized as hereinafter specified, shall belong to the line of the Army, and, subject to the command and control of superior authority, shall, in matters pertaining to its technical work, be under the supervision of an officer whose title shall be inspector-general of artillery, who shall have the rank, pay, and emoluments of a brigadier-general.

The corps of artillery shall comprise two branches, the coast artillery and the field artillery. The coast artillery is defined as that portion in charge of the fixed and of the movable elements of land defense, including torpedoes and submarine mines operated from the shore, and the field artillery as the portion accompanying an army in the field, and including field or light artillery proper, horse artillery, siege artillery, mountain artillery, and also machine-gun batteries.

All officers of artillery below the grade of brigadier-general shall be placed on one list in respect of promotion, according to seniority in their several grades, and shall be assigned to coast or to field duty by the General Commanding the Army, on the recommendation of the senior inspector-general of artillery, according to their respective qualifications for one or the other kind of duty.

For purposes of coast defense the coast line of the United States shall be, and hereby is, divided into two parts, the Atlantic and the Pacific. Each division shall be under the immediate supervision of an inspector-general of artillery with the rank of colonel, who shall report direct to the General Commanding the Army. The Atlantic division of the coast is defined to include the Atlantic and the Gulf seaboards of the United States and the coast of the Great Lakes, and shall ultimately include the coast line of the West Indian possessions of the United States. The Pacific division is defined to include the Pacific seaboard of the United States, and shall ultimately include the coast line of the various possessions of the United States in the Pacific Ocean.

The personnel of the Corps of Artillery shall, in addition to the one general and two field officers already provided for, consist of 14 colonels, 14 lieutenant-colonels, forty-two majors, 182 captains (14 to be detailed as adjutants), 200 first lieutenants (six to be detailed as aids-de-camp), 168 second lieutenants with batteries, 14 sergeant-majors, 144 batteries of coast artillery, 24 field batteries, 10 bands: *Provided*, That such numbers of batteries as the President shall direct may be organized as siege, horse, machine-gun, and mountain batteries, respectively.

In respect of enlisted men the composition of a coast battery on a peace footing shall be as follows: One first sergeant; 1 quartermaster-sergeant; 10 sergeants; 16 corporals; 2 musicians, 2 mechanics; 1 wagoner; 2 cooks; 15 first-class privates; 70 second-class privates.

In respect of enlisted men the composition of a field battery on a peace footing shall be as follows: One first sergeant; 1 stable and veterinary sergeant; 1 quartermaster-sergeant; six sergeants; 12 corporals; 4 artificers; 2 musicians; 2 cooks; 91 privates.

Each band shall consist of 1 chief musician, 1 principal musician, 1 drum major (with the pay and allowances of first sergeant), 4 sergeants, 8 corporals, 1 cook, 12 privates.

In addition to the enlisted men specified there shall be 1 electrician sergeant to each post garrisoned by coast artillery, who shall have the pay and allowances of a hospital steward.

The Clerk read the following amendment, recommended by the committee:

In section 3, beginning in line 19, strike out the following: "shall, in matters pertaining to its technical work, be under the supervision of an officer whose title shall be inspector-general of artillery, who shall have the rank, pay, and emoluments of a brigadier-general."

[Mr. DOCKERY addressed the committee. See Appendix.]

Mr. PERKINS. Mr. Chairman, the contention which seems to run through this whole debate pertains, in the first place, to the necessity of an increase in the military force; and, in the second place, to the discretion which it is proposed to lodge with the President of the United States. Now, I assume, Mr. Chairman, that the gentlemen on the other side of the Chamber are in the main disposed to support the substitute reported from the minority of the committee. In that substitute it is provided that there shall be an increase of the Army, regulars and volunteers, for a period of two years, to the number of 80,000 men. Now, in the bill before us it is proposed that the Army shall be increased to 50,000, with a discretion on the part of the President to increase the number to 100,000. So that the difference existing between that side of the House and this is really a matter of 20,000 men. They concede in their report the necessity for an increase of our military force.

Now, as to the discretion to be intrusted with the President against which they contend. I find it proposed in the report of the minority to provide for 50,000 volunteers within the discretion of the President of the United States. Do not those gentlemen thus concede the propriety, under the existing condition of things, of lodging with the President this discretionary power? The only difference between that side of the House and this is as to whether this discretion should be exercised with reference to regulars or with reference to volunteers.

Now, then, much of the talk that we have heard here is irrelevant. All that has been said against the necessity of an increased military force is dissipated in the report made by the minority of this committee. And the only difference existing between the two sides of the House is as to whether the conceded increase of the Army shall be part regulars and part volunteers or whether it shall be all regulars.

Mr. LOUD. Will the gentleman yield for a question?

Mr. PERKINS. Yes, sir.

Mr. LOUD. Does not the gentleman discover the distinction between a Volunteer Army enlisted for two years, which we can dispose of at the expiration of two years, and a Regular Army of 100,000 men saddled permanently upon the country?

Mr. PERKINS. Mr. Chairman, I appreciate the distinction that the gentleman points out, but back of that lies the fact that on that side of the House it is conceded that for at least two years this increase is required.

Mr. HULL. And the matter is all within the power of Congress at any time.

Mr. PERKINS. Therefore, very much, if not all, that has been contended for on that side of the House is mere chaff.

Now, the only question that we have really to determine between the two sides of the House, if gentlemen on the other side are honest in the views they have expressed in the minority report, is whether this increase shall be composed entirely of regulars or partly regulars and partly volunteers. A discretion, as all concede, is to be lodged in the hands of the President. That is conceded in the minority report.

Mr. LOUD. But there is a difference in this—that in one case the increase is to be permanent, in the other temporary.

Mr. PERKINS. But the Congress of the United States at all times will have jurisdiction over that question; and if in two years from now it should appear, as the minority side seems to think it will, that this increased force is no longer necessary, Congress can then legislate to reduce the number to what may be required.

Mr. BARBER. I should like to ask the gentleman a question.

Mr. PERKINS. I yield for that purpose.

Mr. BARBER. If there should be a reduction of the Regular Army by Congress, would not the officers, so far as it might be necessary to dispense with them, be placed upon retired pay for the rest of their lives?

Mr. MARSH. No.

Mr. PERKINS. Well, Mr. Chairman, that is a question outside of what I am debating. It is a question that the committee are much better qualified to answer than I am. I rose only to call attention to the position occupied by the two sides of the Chamber on this question and to emphasize the fact that there is practically no difference between them.

[Here the hammer fell.]

Mr. HULL. Mr. Chairman, there is no difference of opinion in the committee as to the amendments to this entire section.

Mr. HAY. Mr. Chairman, the gentleman from Iowa is entirely mistaken, so far as I am concerned.

The CHAIRMAN. The Chair would state that debate on this section and all amendments has been exhausted.

Mr. HAY. I do not want to debate the matter.

Mr. HULL. I merely want to state, in this connection, Mr. Chairman, that I do not think there is any difference of opinion in the committee as to this artillery clause.

Mr. HAY. The gentleman from Iowa [Mr. PERKINS] made an attack upon the substitute offered by the minority, for which I am responsible——

Mr. PERKINS. Hardly an attack, simply a criticism.

Mr. HAY. Well, I would like to respond to the gentleman, on whatever term he may give to his objection to the substitute.

The CHAIRMAN. The first question before the committee will be on the amendments proposed by the committee, and the Clerk will report the first amendment to this paragraph of the bill.

The Clerk read as follows:

Strike out in section 3, after the word "authority," the words "shall, in matters pertaining to its technical work, be under the supervision of an officer whose title shall be inspector-general of artillery, who shall have the rank, pay, and emoluments of a brigadier-general."

The question was taken; and the amendment of the committee was agreed to.

Mr. HAY. Now, Mr. Chairman, I offer the following amendment——

Mr. HULL. Mr. Chairman, there are other amendments from the committee.

The CHAIRMAN. The Chair did not understand the gentleman from Iowa as demanding consideration of all of the amendments.

Mr. HULL. I stated, Mr. Chairman, that I wanted the amendments of the committee considered first. I hope the gentleman will allow the committee amendments to be first determined.

Mr. HAY. I prefer, Mr. Chairman, with the consent of the gentleman from Iowa, to go on now.

Mr. HULL. Well, if the Chair rules that the committee amendments are not first in order——

Mr. JOHNSON of Indiana. Mr. Chairman, I rise to a parliamentary inquiry.

The CHAIRMAN. The Chair would state that the custom and the rule has been to vote first on the committee amendments; and the Chair will recognize the gentleman from Iowa, and after the committee amendments are disposed of will recognize the gentleman from Virginia [Mr. HAY].

Mr. JOHNSON of Indiana. I do not understand whether the committee amendments are before the committee or not.

The CHAIRMAN. The amendments proposed by the committee will be read.

The Clerk read as follows:

Strike out, in line 25, on page 3, in section 3, the words "in charge of the fixed and of the movable elements of land defense, including torpedoes and submarine mines operated from the shore" and insert in lieu thereof the words "charged with the care and use of the fixed and movable elements of land and coast fortifications, including the submarine mines and torpedo defenses."

Mr. HULL. Mr. Chairman, on that amendment I ask a vote.

Mr. HAY. Mr. Chairman, I rise——

Mr. HULL. Mr. Chairman, I ask that a vote be taken on the amendment just read.

Mr. BAILEY. Mr. Chairman, I rise to a parliamentary inquiry.

The CHAIRMAN. The gentleman will state it.

Mr. BAILEY. Has debate on the paragraph and all amendments been closed?

The CHAIRMAN. It has not been.

Mr. BAILEY. Well, the gentleman from Virginia, as I understand, desired to address the Chair.

The CHAIRMAN. The Chair recognized the gentleman from Virginia, but understood that he had concluded what he wished to say.

Mr. HAY. Mr. Chairman, I desired to make reference to the remarks of the gentleman from Iowa [Mr. PERKINS]. I understood the gentleman from Iowa in charge of the bill [Mr. HULL] to say that there would be no further debate, and I took my seat.

The CHAIRMAN. The Chair will recognize the gentleman from Virginia.

Mr. HAY. Mr. Chairman, I desire, then, to reply to the remarks of the gentleman from Iowa [Mr. PERKINS]. I refer to his remarks on the substitute offered by this side of the House with a view to showing that his remarks were misleading, so far as I have been able to determine.

Now, the minority of the committee proposes not to increase the standing army to the extent of a single man beyond what it was before the war with Spain broke out. We propose to give to the Executive all of the force that the General of the Army said was necessary for the preservation of peace and order in the Philippine Islands. One is a temporary force—an army to be raised to meet an emergency—which can be raised with little cost to the Government. But the proposition here, on the contrary, is the equipment of a regular force of 100,000 men. There is proposed here to give discretion to the President of the United States to exercise his judgment in reference to any increase or decrease that he may think necessary.

But, Mr. Chairman, we all know, and the gentleman knows, that that is a mere subterfuge; that the moment a bill is passed of this character the President of the United States will use his discretion and call out the entire force of 100,000 men. Under the substitute, however, he can not get beyond 80,000 men, excepting under conditions which are prescribed in the substitute bill.

Mr. HULL. Will the gentleman allow a question?

Mr. HAY. Certainly.

Mr. HULL. I do not wish to take the time of my friend, but is not the substitute proposed by the gentleman an addition of 50,000 to 30,000 now in the Regular Army, making a total of 80,000 men?

Mr. HAY. Certainly; but your bill is 100,000, and you can not disguise that fact by saying that the President has "discretion." We give him discretion only to raise a temporary army to meet passing conditions, and you give him "discretion" in a time of profound peace to raise a permanent standing army. That is just the difference between us.

Mr. SIMPSON. Will my friend from Virginia allow a question?

Mr. HAY. Certainly.

Mr. SIMPSON. If I understand the gentleman, the bill provides for 100,000 men as a maximum, and leaves it discretionary with the President whether he would reduce that number to a minimum or not.

Mr. HAY. That is correct.

Mr. SIMPSON. That is to say, it leaves it entirely optional with him as to the reduction?

Mr. HAY. That is right.

Mr. SIMPSON. And the substitute makes a different arrangement and proposes to limit the number to the minimum, except under certain conditions.

Now, does anybody suppose that the President is going to exercise such a discretion as that conferred by the majority proposition and reduce this force?

Mr. HAY. I do not think that anybody makes such a supposition.

Mr. SIMPSON. Certainly nobody but a lunatic would. [Laughter.]

Mr. MAGUIRE. Is it not the purpose of the bill which is now pending to lodge in the President discretion to increase the Army to 100,000 men?

Mr. HAY. That is correct.

Mr. MAGUIRE. And is it not an Administration measure, prepared by the Administration?

Mr. HAY. I have understood that the bill is an Administration bill—an Administration measure. I do not know anything personally about that, but that has been the common talk about it.

Mr. LEWIS of Washington. The bill was prepared in the Adjutant-General's Office, was it not?

Mr. HAY. I can not say about that; I do not know where it was prepared.

Mr. RICHARDSON. Why not ask the chairman of the committee?

Mr. HAY. I do not choose to ask the chairman of the committee. I do not think it would be courteous to do it.

Mr. HULL. The chairman of the committee is perfectly willing to answer the question.

Mr. HAY. What I want to say is that the gentleman from Iowa [Mr. PERKINS] is mistaken in thinking that we are conferring the same discretionary power upon the President of the United States as is being conferred by what is known as the Hull bill, or by what may now be known as the Marsh amendment to the Hull bill. We are providing a machinery which can be put out of existence, and which will, by operation of law, without any discretion of the President at all, be put out of existence the very moment that the necessity for any such army ceases.

Mr. MARSH. Will my colleague allow me?

Mr. HAY. Certainly.

Mr. MARSH. Does my colleague hold that Congress has not the power to reduce the Regular Army two, three, or four years from now, both in its enlisted force and in its commissioned force?

Mr. HAY. Why, I will say to my colleague that I am not exactly an idiot, and therefore I know very well that Congress has the power to reduce the Army down to any size it pleases, but it is a very easy thing to raise an army of a hundred thousand men, and it is a very difficult thing to reduce that Army down, when you contemplate the immense power and the immense influence which will be exerted by the officers of that Army, by the President of the United States, and by all the various people who gather

around the Administration for the purpose of office and obtaining office.

[Here the hammer fell.]

Mr. JOHNSON of Indiana and Mr. SHAFROTH rose.

The CHAIRMAN. The Chair will recognize the gentleman from Indiana [Mr. JOHNSON] if he cares to be recognized.

Mr. JOHNSON of Indiana. While the pending measure was being discussed in this committee on last Saturday the gentleman from Illinois [Mr. CANNON], chairman of the Committee on Appropriations in this House, became involved in a controversy with the gentleman from California [Mr. LOUD], and during the course of the colloquy which ensued between them he made use of certain language to which I tried at the time to get the floor to reply, but was unable to do so. I therefore desire very briefly to call the attention of the House to those remarks to-day and to submit some observations in answer to them. The language to which I refer is reported in the RECORD as follows:

Mr. CANNON. I stand ready now, as I have always stood, ready to help give every dollar from the Federal Treasury that an efficient public service demands [applause on the Republican side], and I hope I will die politically and otherwise when I ever preach any other doctrine. My good friend from California is scared upon this economical question, or he is not as frank as he usually is in this House, and is seeking under the cry of economy to prevent the House from giving the proper armed force for the national defense and the national honor. [Applause on the Republican side.]

Mr. JOHNSON of Indiana. National defense against whom?

Mr. CANNON. And I for one will not take counsel of the gentleman from Indiana or the gentleman from California in shaping my vote for an increase of the Regular Army, because they are not friendly Indians. [Applause and laughter on the Republican side.]

Mr. JOHNSON of Indiana. I would have liked the gentleman to state against whom we need preparation for a national defense.

Now, Mr. Chairman, when the gentleman from Illinois [Mr. CANNON] boasted that he stood ready to give every dollar from the Federal Treasury that an efficient public service demanded, there was contained in that statement the implied reflection that those who are opposed to this measure to increase the Regular Army to a hundred thousand men, and who are opposed to taxing the people to pay for it, are not willing to vote that which is necessary for the efficient conduct of the Government. If the gentleman did not intend that his language should have this construction, it is quite evident that it is susceptible of it, and to my certain knowledge that construction was placed upon it by certain members of the House.

Mr. Chairman, I protest here and now against any effort on the part of any gentleman to befog the issue here raised and to put those of us who are opposing this measure in the attitude of attempting to cut off the supplies of the Government. No such purpose exists upon my part. I do not believe any such purpose exists upon the part of any gentleman who is opposing this bill. I am willing, as I have said repeatedly on this floor, to vote for a reorganization of the Army; I am willing to vote for an army of reasonable size; I am willing to vote all the money that is necessary to maintain such an army; but I am absolutely unwilling to vote for an army which is unnecessarily large in point of size, to maintain which will unjustly impose taxes upon the people, and which I firmly and honestly believe is designed, when the treaty of peace is ratified and Congress has adjourned, to be used by the President of the United States for the purpose of furthering his policy of annexing foreign territory against the wishes of the people there residing, and foisting on the country and on posterity a colonial policy. [Applause on the Democratic side.]

I am not deceived, sir, by the proposed change of the pending bill. It received, I have no doubt, the sanction of the President of the United States as it was originally reported. Finding it could not be passed through this House in its original form; that the number of men sought to be raised was too great and the expense too large, and that the people would rebel against it, this proposed amendment is brought in that only 50,000 be authorized by Congress and the President in his discretion may increase the Army 50,000 men more.

Mr. PERKINS. May I ask the gentleman a question? Does the substitute meet your approval?

Mr. JOHNSON of Indiana. I am not advocating the substitute or any particular provision of it. I am speaking of the pending measure, and I say that no man will be deceived by this proposed amendment. It is a pure subterfuge. It is designed to enable gentlemen to quiet their consciences and vote for it, to make them believe that they can excuse themselves for so doing to their constituents. I do not believe, however, that the effect of it will be to mislead and deceive the people. They will see, sir, as you and I see, that it accomplishes, if it becomes a law, precisely what the original bill was intended to accomplish. It gives us an army of 100,000 men.

Mr. Chairman, when I was taken from the floor a bit ago, I had just, through inadvertence, misstated the terms of the proposed amendment to this bill. It does not fix the size of the Army at 50,000 and then confer the power to increase it to 100,000 upon the President, in his discretion; but it fixes the number of soldiers at 100,000 in the first place, as did the original bill, and then provides that the President may reduce the number in his discretion. This amendment, sir, is infinitely more objectionable than as I stated it. It gives us 100,000 men to start on, and, as the gentleman from Virginia very properly observed in his remarks a few moments ago, this army once enlisted, it will be impossible to secure its reduction. Sir, the President of the United States is not the kind of a man who will push aside and resist the combined influence of those who will demand that this army shall be retained at its maximum size after it has once been recruited.

But, Mr. Chairman, what did the gentleman from Illinois mean when he accused the gentleman from California of not giving the proper armed force for the "national defense?" I asked the gentleman that question the other day. I repeat the question to him now. Does the nation require any defense? Are we upon the verge of a war? I apprehend not. I declare not. Is Great Britain threatening us? Not at all. She is our ally. Does France, Germany, or Austria menace us, either singly or in concert? The gentleman will not make any such a claim. Certainly he does not apprehend an attack upon us by Spain? Why, Mr. Chairman, Spain is utterly impotent to do us harm, even if she had the inclination to do so. She is bankrupt in treasury, her fleets are destroyed, her soldiers are scattered and dismayed, many of them being prisoners in the Philippine Islands.

Our condition is one of absolute peace. Ah! Mr. Chairman, it is not for national defense that this great army is designed. It is intended for national aggression. No earthly employment can be found for so many as 100,000 men unless they are to be used in the overthrow of the people of the Philippines. We can not sanction, sir, any such purpose as this. We can not do such a monstrous injustice. We can not enslave others and yet remain free ourselves. For one, sir, I will not consent to create an army for such a purpose.

Mr. Chairman, the gentleman from Illinois is chairman of the Committee of Appropriations in this House. Ever since I have been a member of this body I have observed him fighting against extravagant appropriations. There have been times when I have felt that he was going too far in this direction; but I shall not complain of him for this, since such a course is infinitely better than to go to the other extreme.

Now, sir, I want to give the gentleman some figures to ponder over—some figures upon which he can exercise his peculiar genius for economy to the very great advantage of our people. I gave them to the House the other day in a little fuller form, and as yet I have heard no gentleman in all this debate deny their accuracy.

What is our financial condition to-day? We have a deficit in the National Treasury, actual and prospective, as stated by the Secretary of the Treasury in his report, of nearly $180,000,000 for the fiscal years 1898, 1899, and 1900. This, sir, although, as the Secretary declares, our annual revenue from the tariff and war revenue bills for the fiscal year 1899 and 1900 will aggregate $1,200,000,000. Our military and naval establishments for the present fiscal year alone, according to estimates of the Secretary, will reach $310,000,000. Our appropriation for the pension roll for the fiscal year 1899 will be $145,000,000, for our Army $145,000,000 more, and for our Navy $47,000,000 additional—all as the Secretary estimates.

Now, will the gentleman from Illinois inform me how we are going to secure the money with which to pay this immense deficit of $180,000,000; where we are going to procure the revenue with which to pay this $145,000,000 for next year's pension roll, this $145,000,000 for the next year's maintenance of our Army, this $47,000,000 for the support of our Navy? It is apparent that it can not possibly be done from existing revenues. Does not the gentleman well know that it will have to be secured by the increase of our revenue?

Mr. Chairman, we will either have to increase our tariff duties or our war revenue taxes or issue additional bonds. Sir, the increase of our taxation to meet these great changes is as inevitable as that the future will come. Is it not, then, the part of wisdom and statesmanship to exercise great economy now? Can we afford to create here an army four times as large as the Army we had before the war? Can we afford to more than quadruple the expense of that Army? These are the questions to which I invite the attention of the gentleman. As for myself, I answer that we can not, especially when the army so created is designed to be used to further a policy that will oppress an alien people and embark us in a national policy that can only result in trouble and disaster.

The CHAIRMAN. The time of the gentleman has expired.

Mr. JOHNSON of Indiana. I desire to have five minutes more.

Mr. SIMPSON. I ask that the gentleman's time be extended.

Mr. HULL. I object.

Mr. JOHNSON of Indiana. What is the use of the gentleman doing that?

Mr. HULL. I want to get on with this bill.

The CHAIRMAN. The time for debate on this section is closed, and the question is on the amendment.

Mr. JOHNSON of Indiana. I do not want to be taken off my feet in this kind of way.

The question was taken; and the amendment was agreed to.

The CHAIRMAN. The Clerk will report the next amendment.

The Clerk read as follows:

In line 13, after the word "Army," strike out the following:
"On the recommendation of the senior inspector-general of artillery, according to their respective qualifications for one or the other kind of duty."

Mr. JOHNSON of Indiana. Mr. Chairman——

Mr. TERRY. Mr. Chairman, standing true to the great fundamental principles that underlie the very foundations of this Government, and shoulder to shoulder with the great majority of my party and my Democratic colleagues on the floor, I am opposed to the passage of this bill, and I regret that the state of my health, important business before my committee, and urgent calls to service in behalf of people of my State prevented my making the necessary arrangements to take part in the general debate, and I simply rise now to enter my earnest protest against the pending measure.

Under proper limitations and restrictions, I would be willing to vote for a reasonable increase in our Army to carry out the duties and obligations necessarily imposed upon us by all the legitimate results of the recent war; but I am utterly opposed to the imperialistic craze that seems to have invaded the minds of many, and the great body of the people of my section are utterly opposed to it.

We are not willing to place such vast powers in the hands of any Executive who will not frankly avow the real purpose for which he desires such a vast increase in our standing army. My people have too much love for their own liberties and too much respect for the liberties of others, to lend their support to the policy foreshadowed in this measure.

More than four-fifths of the white population of the South are descendants of the men who battled for the great cause of human freedom in 1776, and stood shoulder to shoulder with Washington and Light Horse Harry Lee. We revere their memories and the immortal principles for which they shed their blood. The great principles of the Declaration of Independence, penned by a Southern statesman, are still good enough for us, and the day has not yet come when we are willing to emulate the conduct or indorse the policies of King George III. [Applause.]

Mr. HULL. Mr. Chairman, I want to say to the House there is not a single word being said as to the amendment proposed by the committee. There will be amendments that will be offered that will be legitimately open to debate and difference of opinion, and I move that debate upon the committee amendments be now closed.

Mr. JOHNSON of Indiana. I hope the committee will not do that.

Mr. HAY. I have an amendment to the amendment offered by the committee, and I desire to explain it. It is to this very section, and the gentleman proposes to cut off all debate.

Mr. HULL. My desire is to get on with the bill. Not a word has been said about the amendments, but gentlemen have been talking on the general proposition.

Mr. JOHNSON of Indiana. If a gentleman talks in favor of the gentleman's proposition he can do it, and if he talks against it he can not.

Mr. HULL. I will make my proposition, that all debate be closed in ten minutes, so that the gentleman may have an opportunity to be heard on his amendment.

Mr. BAILEY. Will the gentleman say to the Committee of the Whole how many amendments there are of the committee?

Mr. HULL. We only propose to offer an additional amendment—striking out one general and two field officers to harmonize the bill.

Mr. BAILEY. We will have then completed all the committee's amendments.

Mr. HULL. We have completed the amendments to this section.

Mr. BAILEY. There can be no kind of question but what you will easily conclude your committee amendments, and I think you would save time not to attempt to close debate on the paragraph and amendments. I will say to the gentleman from Iowa that if the progress of debate should render it impossible to reach these amendments there will be no objection on this side of the House, they being purely formal, to agree that they may be pending when the bill is reported to the House, and that would leave gentlemen who desire to address the House an opportunity to do so.

Mr. HULL. The proposition I made this morning was to let in to-morrow this character of debate that we have had to-day. The gentleman from Arkansas [Mr. TERRY] and the gentleman from Indiana [Mr. JOHNSON] under the general debate of three hours to-morrow could have an opportunity to get in on that line.

Mr. JOHNSON of Indiana. That depends upon who is in the chair. [Laughter.]

Mr. HULL. We want to proceed with the consideration of the bill, Mr. Chairman, and I move that all debate on this section and all amendments be closed in ten minutes.

The question was taken; and the Chairman announced that the ayes seemed to have it.

Mr. JOHNSON of Indiana. Division, Mr. Chairman.

The House divided; and there were—ayes 87, noes 67.

Mr. JOHNSON of Indiana. I call for tellers.

Tellers were ordered; and the Chair appointed as tellers Mr. HULL and Mr. JOHNSON of Indiana.

The House again divided; and the tellers reported that there were—ayes 98, noes 83.

So the motion was agreed to.

Mr. ARNOLD. Mr. Chairman, the other side of the House——

Mr. HAY. Mr. Chairman, have we voted upon all the amendments recommended by the committee?

The CHAIRMAN. They have not been voted upon; only the first one. The chairman of the committee made the motion that all debate on the section and the amendments thereto shall be closed in ten minutes.

Mr. HULL. If the gentleman from Virginia gets the floor, he can talk on his amendment.

Mr. ARNOLD. Mr. Chairman, have I the floor?

The CHAIRMAN. The Chair will state that all debate on this particular amendment has been exhausted. The Chair will recognize the gentleman from Pennsylvania [Mr. ARNOLD] when another amendment is reached. The question is on agreeing to the first amendment recommended by the committee.

The amendment was agreed to.

The CHAIRMAN. The Clerk will read the next committee amendment.

The Clerk read as follows:

Strike out from section 3 the following:
"For purposes of coast defense the coast line of the United States shall be, and hereby is, divided into two parts, the Atlantic and the Pacific. Each division shall be under the immediate supervision of an inspector-general of artillery with the rank of colonel, who shall report direct to the General Commanding the Army. The Atlantic division of the coast is defined to include the Atlantic and the Gulf seaboards of the United States and the coast of the Great Lakes, and shall ultimately include the coast line of the West Indian possessions of the United States. The Pacific division is defined to include the Pacific seaboard of the United States, and shall ultimately include the coast line of the various possessions of the United States in the Pacific Ocean."

Mr. ARNOLD. Mr. Chairman, the other side of the House, especially including the gentleman from Indiana [Mr. JOHNSON] and the gentleman from Tennessee [Mr. CARMACK], persists and insists that the President is determined upon an imperial policy—one of conquest, of colonial empire.

The gentleman from Ohio, General GROSVENOR, has given his views, and it all suggests to me with great force that there is much of idle speculation as to what will or should be done with the Philippines, because no man can now tell. The developments of the next few months or years will determine what our duties are and what our policy shall be. It is most unjust, if not cowardly, to assail the President as he has been assailed by the gentleman from Indiana; and the arts of petty politics on the other side of the House, in demanding a statement of a definite policy from the Administration when they well know, or should know, none can now be given, will not be commended or approved by reasonable men anywhere.

It seems to me it should be clear to any reasonable and reasoning man that with the present condition of affairs, our present lack of sufficient and definite information as to the capabilities, character, and general condition of the Filipinos, the inability of human eyes to read the future and what it will unfold to us, the uncertainties, the unexpected developments, the new duties as they will arise, all show conclusively that a definite policy can not be determined or given by any man.

The Philippines came to us, we may say, by the accident of war. We are now in legal, if not actual possession of them. Where, I ask, in all this great nation can we find any man—excepting always the gentleman from Delaware [Mr. HANDY] and the gentleman from Michigan [Mr. TODD]—who, claiming to be a true American, will turn the coward's back when duty and honor call upon us?

The bill under consideration, as now amended in committee, will give us 50,000 men and leave to the discretion of the President an increase to 100,000. But the gentleman from California [Mr. LOUD] said the other day that this discretionary provision meant the full 100,000, and he sees in it a scheme to secure votes for the bill.

I want to say to him there is no scheme and will be no scheme when the President now in the White House controls, no more than when we placed the $50,000,000 in his hands a few months ago to use in his discretion—an act unparalleled in all history.

Had we confidence in his integrity then? Can anyone—and I defy all—point to any act in the whole public life of William McKinley that was not inspired by honest purpose and strictest integrity? Thus far he has led us on with greatest success, and the patriotic people of this great country believe in him and trust him.

No, Mr. Chairman, nothing has been done, nothing will be done by him that will not meet the approval and honest judgment of his countrymen. His past life insures to me that his every act will be guided by honor, wisdom, and integrity, and by that high patriotism which he has ever shown, and which assures us that the nation is in wise and safe hands.

But, Mr. Chairman, the Administration has a settled, definite, determined policy, and I am authorized, by observation, to declare it: "New occasions teach new duties," and President McKinley will meet those duties, as they arise, honestly, fearlessly, conscientiously, and patriotically. [Applause.]

Mr. HAY. Mr. Chairman, I ask the Clerk to read the amendment which I send to the Clerk's desk.

The CHAIRMAN. Does the gentleman offer it or is it only for information?

Mr. HAY. For the information of the committee.

The Clerk read as follows:

In line 12, page 5, strike out all after the word "bands" down to and including the word "respectively," in line 14.

Mr. HAY. Mr. Chairman, I want to call the attention of the committee to the fact that under that proviso, while a full artillery arm of the service has been provided for, the President will have unlimited discretion to raise other batteries and to organize them in siege, horse, machine guns, and mountain batteries, as he may see fit. In other words, it leaves him an unlimited power to add as much artillery to the Army as he may see fit over and above the 100,000 men provided for in the bill, because nowhere in the bill is there any limitation upon the 100,000 men which they say the bill will raise. It is simply a bill made up of organizations, saying how many men shall be in each organization.

Mr. HULL. If the gentleman will recur to page 5, lines 11 and 12, he will see that it provides for 144 batteries of coast artillery and 24 field batteries.

Mr. HAY. Yes; but you make the proviso that such numbers of batteries as the President shall direct may be organized as siege, horse, machine guns, and mountain batteries.

Mr. HULL. Well, make it "said batteries," if you want it. It is the present law.

Mr. HAY. Well, I will accept that, and that will cut it out.

Mr. CLARK of Missouri. Mr. Chairman——

The CHAIRMAN. The gentleman from Missouri is recognized for three minutes, the remaining time.

[Mr. CLARK of Missouri addressed the committee. See Appendix.]

Mr. HULL. Mr. Chairman, the first question is, I think, on the committee amendment.

The amendment of the committee was considered, and agreed to.

Mr. HULL. Now, I move to amend, on page 5, in lines 4 and 5, by striking out the words "shall in addition to the one general and two field officers already provided for."

Mr. LEWIS of Washington. Mr. Chairman——

The CHAIRMAN. For what purpose does the gentleman rise?

Mr. LEWIS of Washington. I wish to make a suggestion.

The CHAIRMAN. Debate has been closed on this section, and on all amendments by order of the committee.

Mr. LEWIS of Washington. I understand that the gentleman from Iowa has offered an amendment?

The CHAIRMAN. The gentleman has offered an amendment; but debate is closed on the amendment, and all amendments to this section; and the question is on agreeing to the amendment which has just been read.

The amendment was considered, and agreed to.

Mr. HAY. Now, Mr. Chairman, I offer a further amendment, on page 5, in line 12, to strike out the word "such"——

Mr. HULL. Mr. Chairman——

Mr. LEWIS of Washington. Mr. Chairman, I make the point of order that there is no debate on the section or amendment. [Laughter.]

Mr. HULL. Mr. Chairman——

Mr. LEWIS of Washington. Regular order.

The CHAIRMAN. The committee will be in order. The Chair will try to preserve order on the floor.

Mr. LEWIS of Washington. I want an indiscriminate order; not one that discriminates in favor of one side or an individual.

Mr. HAY. Mr. Chairman, I desire to offer an amendment here to strike out the word "such," in line 12, and insert the word "said."

Mr. GRIFFIN. I offer an amendment to the amendment.

The CHAIRMAN. The gentleman will state the amendment.

Mr. GRIFFIN. I move that the amendment be so amended as to insert the word "said" immediately before the word "batteries," in line 13—the first word in that line.

Mr. HAY. Mr. Chairman, I withdraw the amendment I have offered and accept that suggested by the gentleman from Wisconsin.

The CHAIRMAN. The Clerk will report the amendment proposed by the gentleman from Wisconsin.

The Clerk read as follows:

Amend line 13 by inserting, before the word "batteries," in said line, the word "said."

The amendment was agreed to.

The CHAIRMAN. The Clerk will proceed with the reading of the bill.

The Clerk read section 4 of the bill, as follows:

SEC. 4. That each regiment of infantry shall consist of 1 colonel; 1 lieutenant-colonel; 3 majors; 15 captains, 3 of whom shall be available for detail as adjutant, quartermaster, and commissary; 15 first lieutenants, 3 of whom shall be available for detail as battalion adjutants; 12 second lieutenants; 1 sergeant-major; 1 quartermaster-sergeant; 1 commissary-sergeant, who shall have the rank, pay, and allowances of a regimental quartermaster-sergeant of infantry; 3 battalion sergeants-major, who shall have the pay and allowances of a first sergeant of infantry; 1 band, and 12 companies, organized into 3 battalions of 4 companies each: *Provided*, That nothing herein contained shall be construed as abolishing the office of chaplain in each regiment of colored infantry.

Each infantry band shall consist of 1 chief musician; 1 principal musician; 1 drum major, who shall have the rank, pay, and allowances of a first sergeant of infantry; 4 sergeants; 8 corporals; 1 cook, and 12 privates.

Each infantry company shall consist of 1 captain; 1 first lieutenant; 1 second lieutenant; 1 first sergeant; 1 quartermaster-sergeant, who shall have the pay and allowances of a sergeant of infantry; 8 sergeants; 16 corporals; 2 cooks; 2 musicians; 2 artificers; 1 wagoner, and 112 privates, the commissioned officers to be assigned from among those hereinbefore authorized: *Provided*, That in time of war the President may, in his discretion, appoint an extra second lieutenant for each company of infantry.

Mr. MARSH. Mr. Chairman, I move to strike out from the section just read the words in lines 10, 11, and 12 and insert in lieu thereof the following:

Provided, That the President, in his discretion, may enlist only 60 men in a company of infantry, or reduce the number of enlisted men in a company of infantry to not less than 60, to be organized, as to noncommissioned officers, under regulations of the War Department.

That amendment is in line of the amendment I offered to the provision of the bill in reference to the cavalry force. If adopted, this bill will then provide for a force of about 50,000 enlisted men in the three arms of the service, to wit, the cavalry, the artillery, and infantry; and it gives the President discretionary power as to whether he will enlist the Army above that number or not.

Mr. UNDERWOOD. Mr. Chairman, I have not taken up any of the time of the committee in the discussion of this bill so far. I am not very well informed on questions relating to the Army of the United States. But in my experience in this House, on all other bills except this, I have found that when a committee have reported a bill for the consideration of the members of the House the committee have always brought the facts and figures with them to sustain the proposition that they advocated.

The gentleman from Illinois [Mr. CANNON] the other day, in advocating the adoption of this measure, said that we must pass this bill and grant this great increase in the standing army of the United States for the honor and the glory of the American flag. I have never known the gentleman before to be compelled to depend on arguments of that kind to sustain himself on the great bills that he has brought before this House. When he has advocated an appropriation bill carrying millions he has always given the reason why the appropriation should be made and the cause for it. We may not have agreed with him at all times, but he has always been able to offer his reasons why it should be done. But when you come in with this Army bill, you offer no explanation. You do not tell us where these men will be needed or what is the necessity for them at this time.

You say we must increase the standing Army of the United States, because we must maintain law and order and protect the laws of the United States. Is there a man in the United States who doubts that this Congress and every member here stands willing and ready at all times to maintain law and order in this country?

Did you think it necessary, when the great Spanish war was hanging like a thundercloud over this country last spring, to bring in a bill for a standing army? Some of you did, but the Republicans on that side of the House assisted us in defeating that bill, and that showed that they did not recognize the necessity of a large standing army in this country, even when a foreign war was imminent.

And to-day, when our Spanish foe lies stricken at our feet; when Spain has lost her entire colonial possessions; when she can no longer maintain a war ship in the seas; when she has begged for peace and peace has practically been declared; when there are no longer any foreign foes threatening us; when Porto Rico has acknowledged the dominion of the United States and the power of our Government; when the President has said that he proposes to recognize in due time and proper course the liberties of the Cubans; when every foot of territory that we acquired from Spain

by the arms of our soldiers is in peace and quiet; when there is no trouble threatened, except that which may come from ourselves in trying to beat down and crush a people who for almost a hundred years have been fighting for their liberties in the Philippines, you come here saying that we need a larger standing army.

Where are you going to use it? Is there a member of the Military Committee, is there a member on that side of the House, who has informed us why we need so many soldiers to garrison this point and so many soldiers to garrison that point? It is a simple proposition. If we need the men, the question where we need them and why we need them can be reduced to a mathematical calculation. If we need a thousand men to garrison Manila, why do you not say that we need a thousand men for that purpose? If we need 2,000 men to garrison Havana, why do you not say that we need the men for that purpose and how long we will need them?

But not one single proposition has come from the Chief Executive of this nation or from the Secretary of War or the Adjutant-General or the members of this committee. Nay, more, not a single statement has come from any member on the floor of this House who advocates this bill to show us where we need these men and why we need them. We are to vote blindly to give you a standing army of a hundred thousand without knowing where we are going to use them or for what purposes they are needed.

Mr. PERKINS. Will the gentleman tell us where he proposes to use the troops provided for in the substitute offered from that side of the House—the 80,000?

Mr. UNDERWOOD. I do not believe the 80,000 men to be necessary now.

Mr. HULL. The experts say they are.

Mr. UNDERWOOD. But if the President of the United States says he needs a temporary force, even if he asks for more than are actually needed, I would be willing to give that force to him, because I think two years from now we will be in a better condition to understand the number of men that are needed for a standing army, if we need any increase at all, than now. Two years from now, in all probability, the uncertain conditions that to-day exist in Cuba and in Porto Rico and the Philippines will be at an end.

[Here the hammer fell.]

[Mr. BLAND addressed the committee. See Appendix.]

Mr. DOCKERY. I ask that my colleague be allowed five minutes more.

Mr. BLAND. I understand that gentlemen will object.

Mr. HULL. I move that all debate on this paragraph and amendments be closed in ten minutes.

Mr. HAY. I hope the gentleman will not make that motion.

Mr. HULL. If gentlemen on the committee want to talk on the amendment itself, I will make it twenty minutes, so as to give them time.

The CHAIRMAN. The gentleman from Iowa moves that all debate on the section and amendments be closed in twenty minutes.

The question was taken; and the motion was agreed to.

Mr. MAHON. Mr. Chairman, I have not as yet said one word on this great bill before this House. I remember how, a few short months ago, we could see the bloody footprints of the jingoes through and around this Capitol. In that hour I stood by the great President of the United States, hoping and praying that through diplomacy we might prevent the shedding of blood and give to the Cuban people their independence. But those who saw differently, constantly, in season and out of season, urged the President of the United States to declare war against Spain. Mr. Chairman, from that moment to this moment I have stood as an humble member of this House in support of every measure to carry on the war. I did not do like some men, after they had voted to appropriate $50,000,000; like gentlemen on the Democratic side who, when it came to raising the sinews of war, either by issuing bonds or taxation, cast their votes against every war measure and the measure for raising money.

Now, Mr. Chairman, the war has been fought, and in my short time I have not time to allude to its great events; but I want to say this: I have watched the papers of this country—the Democratic papers—and I have watched the Democratic members of this House; I have listened to them attentively, and I have been forced to come to but one conclusion. You say, "Why does not the President say what he intends to do?" I find the Democratic party where I have always found them in the past. They have always been obstructionist and never constructionists. Their whole mission has been "to lie in cold obstruction across the path of this nation." Whenever any great problems were to be solved the Democratic party hindered the solving of the same. Whatever the President and the Republican party are to do in relation to the great questions before us, it will meet with the solid opposition of the Democratic party of this House and country. They propose to force into the next Presidential election the issue they are now making. As a Republican Representative I propose to stand by the Republican President and Republican Administration against their opposition.

Every vote I have to give shall be cast in that direction. I have lived in this country fifty-eight years and I never have seen the day, and I never expect to see the day, that I shall be afraid of an American citizen in the uniform of an American soldier. I am one of the men who believed in the Army of the United States in the past, and I believe that the President will never be a menace to the liberties of the people of this country, but will be a defense. The gentlemen on the other side talk about liberty. I look into their faces and see great tears running down their cheeks when they cry, "Give the Filipinos liberty, the black, swarthy men of the East." Evidently they have forgotten that they are the leaders of the great party who are taking away to-day from half a million of the citizens of this country the most sacred right, the right which is the foundation rock of all liberty, the right of suffrage. [Applause on the Republican side.]

Mr. BARTLETT. Will the gentleman yield?

Mr. MAHON. No; I have only a few minutes.

Mr. BARTLETT. That is what you are trying to do with the Hawaiians.

Mr. MAHON. These gentlemen cry "Liberty!" The gentleman from Missouri asks whether the men on this side of the House are willing to state their position. I stood up in my seat and said yes. I do not know what the President's views are, and I care not, but I represent a great district in the great Commonwealth of Pennsylvania, and I propose to stand here as their representative and try to represent my people as best I can.

Great problems have risen for us to solve. This is not the first time that the Republican party has solved the greatest problems that were ever solved by any nations of the world. The Republican party has fought out the greatest conquest in the cause of freedom that ever was fought in the world. These great problems they will take hold of in the future. I am in favor of this bill. I would have gone further. I would have been against these amendments except out of deference to the chairman of the committee. I am willing to vote to put 100,000 men into the Regular Army of the United States; put them on the islands until violence is overcome and these people are under control and the American citizens in those islands have full protection from the insurgents.

[Here the hammer fell.]

Mr. LEWIS of Washington. Mr. Chairman, a parliamentary inquiry.

The CHAIRMAN. The gentleman will state it.

Mr. LEWIS of Washington. I did not rise to take the floor in my own behalf, but I wish to ask the Chairman if, under the rule, any time that is given me can be given to another gentleman?

The CHAIRMAN. The Chair will decide that question when the gentleman gets the floor. [Laughter.]

Mr. LEWIS of Washington. I think, Mr. Chairman, there is a mutual suspicion in this matter. [Laughter.]

Mr. BOTKIN. Mr. Chairman, I have a letter received from a cadet in our Military Academy who charges that the pending bill provides for the appointment of 800 civilian officers, and further that these civilian officers, under the provisions of this bill, shall outrank in pay and position the graduates of our Military Academy so long as the latter shall serve in the American Army. I desire to ask the chairman of the Committee on Military Affairs if that criticism is correct?

Mr. HULL. I beg the gentleman's pardon. I was talking with my colleague and did not hear his question.

Mr. BOTKIN. The cadet charges that the bill provides for the appointment of 800 civilian officers, and that they will outrank in pay and position the graduates of our Military Academy so long as they shall serve.

Mr. HULL. The rank of a man in the Army is determined by the date of his commission. If a man is appointed second lieutenant to-day and another man two months from now, the man appointed to-day will rank the other. The bill as it is proposed to be amended in section 5 makes the West Point cadet the first man to be appointed, and then the man from the ranks, and then the cadet from the schools where there are military instructors. The gentleman from Kansas understands that all second lieutenants get the same pay?

Mr. BOTKIN. Yes. Now, Mr. Chairman, I have but little knowledge of army organization or military affairs, either theoretical or practical, and do not therefore feel competent to either condemn or commend the plan proposed in the pending bill.

Mr. SIMPSON. Will my colleague permit me? I want to suggest to the chairman of the committee that all second lieutenants do not get the same pay. The lieutenants in the cavalry get more than the lieutenants in the infantry.

Mr. HULL. Of course, I meant in the same arm of service.

Mr. SIMPSON. Well, then, let the gentleman be accurate when he makes a statement.

Mr. BOTKIN. I feel disposed, Mr. Chairman, to submit to the judgment of men who have had experience and have real knowledge, so far as the plan of the reorganization of the Army is concerned. And I am ready at all times, as I always have been, to advocate and vote for the enlistment of every man and the appropriation of every dollar needed in peace or war to defend the honor and enforce the just mandates of our Government.

But, sir, I must be allowed some liberty in deciding the size of an army I shall vote for, and also in determining the best method of raising the funds for the support of such army. Gentlemen on this side the Chamber readily concede the importance of maintaining such a standing army in time of peace as may be required to perform whatever garrison work may be necessary within our own borders, or in any other place where justice and duty call us, and also to furnish a respectable number of well drilled and trained officers and men who shall constitute a nucleus for an army in case of war.

In the reorganization of the Army, as in all other public enterprises requiring additional taxation, it is the duty of Congress to observe the most rigid economy consistent with the public welfare, bearing in mind also that it is much easier to enlarge the Army if too small than to reduce it if too large. As a measure in some degree calculated to obviate the necessity of a large and expensive Regular Army, the National Guard should be thoroughly organized in every State. Our young men should be encouraged to enter this organization for the purpose of receiving such military training as might be consonant with their duties in civil life and prepare them for the possible emergency of war. In recruiting the National Guard as great care should be observed in the selection of men for the ranks and for official positions as is necessary in recruiting a volunteer army for actual service in the field. Thus, with a small standing army, say, of 30,000 or 40,000 men, and a well-equipped National Guard of 200,000 or 300,000 men, we should, in my judgment, be fully prepared for any emergency that is at all likely to arise.

I have no sympathy with the theory that the American people must be ruled and held in subjection to law by anything like brute force. With increasing intelligence, with our growth in morals, and our love of peace and order, I firmly believe that with the proper administration of our Government no agency except the ordinary police system of this country will ever be needed to protect the rights of our people and to preserve peace in all our borders. I am slow to believe that any man would advocate the necessity for a powerful standing army to regulate our internal affairs, although it has been mildly charged on one side of this Chamber and almost, if not quite, admitted on the other side. The bare suspicion that a few great capitalists are behind this movement for a standing army four times as large as that we have maintained, and that, too, for the purpose of overawing the labor elements of this country, would be a menace to our national peace. It would arouse the labor and producing classes of our country as nothing else has ever done. If the time has come when a powerful standing army is required to enforce the obedience of American citizens to the laws of the land, the days of this Republic are numbered.

That matters are somewhat unsettled in this country can not be denied, although for two years we have heard much about restored confidence and returned prosperity. Much is said of our increasing foreign commerce and of our growing domestic trade. I am aware that in consequence of foreign crop conditions in 1897 prices advanced in this country, and a measure of temporary prosperity came to those fortunate enough to have products for the improved market. Even now prosperity prevails in some quarters of our country. We have read in the daily press of mighty booms in Wall street. Millions have been piled upon other millions.

It is reported that fortunes aggregating more than half a billion of dollars have been made in Wall street within the past six months. It is stated that Rockefeller has added $30,000,000 to his fortune and the Vanderbilts $20,000,000 or more; while J. P. Morgan, August Belmont, George Gould, and other patriotic American citizens have gathered in many millions more with which to keep the gaunt wolf from their doors. It is quite evident that these stock gamblers, and all American citizens who believe that the United States are a part of Wall street and that the prosperity of the "street" is the prosperity of the whole country, are quite disposed to celebrate amid popping champagne bottles and loud acclaims the return of general prosperity. Only a few months ago the most distinguished citizen of this country in the present period, a gentleman possessing many of the most admirable personal qualities, declared in an eloquent speech that "the time was when the man was seeking the job, but now the job is seeking the man." At that very moment about twenty men lay dead and many others wounded in the great State of Illinois as the result of a deadly conflict over a few jobs. Since then there has not been a week when the public press has been free from news of similar strikes in various parts of our country.

Only a few days since a gentleman made a touching appeal through the Washington Post on behalf of members of the District regiment who are destitute and out of employment. It is an appalling fact that these men, who a few months ago went out amid the plaudits of the people to do battle for this country, and who assisted in maintaining the honor of our flag and the glory of our Republic, have now returned and are seeking in vain in this wealthiest nation on the globe a bare opportunity to earn bread. It is impossible to convince these multitudes of the laboring classes who are in enforced idleness or whose wages have been reduced that general prosperity is in the saddle in this country. It is equally impossible to convince the Western farmer, who sold his wheat crop of 1898 for a little more than half the price realized for his crop of 1897, that prosperity has gone much beyond the speculators.

Prosperity has indeed come to a comparatively few of our people, but to the many life is still a battle for bare existence. We boast of the wealthiest country on the globe. True, but most of the wealth of this country is concentrated in the hands of a few. One of the most towering American statesmen of this generation, a gentleman who for many years reflected honor upon my State and the whole country by his service in the highest legislative body on earth, in a speech of surpassing eloquence on February 15, 1878, said:

> We can not disguise the truth that we are on the verge of an impending revolution. The old issues are dead. The people are arraying themselves upon one side or the other of a portentous contest. On one side is capital, formidably intrenched in privilege, arrogant from continued triumph, conservative, tenacious of old theories, demanding new concessions, enriched by domestic levy and foreign commerce, and struggling to adjust all values to its own standard. On the other is labor, asking for employment, striving to develop domestic industry, battling with the forces of nature, and subduing the wilderness; labor, starving and sullen in cities, resolutely determined to overthrow a system under which the rich are growing richer and the poor are growing poorer; a system which gives to a Vanderbilt the possession of wealth beyond the dreams of avarice and condemns the poor to a poverty which has no refuge from starvation but the prison and the grave. Our demands for relief, for justice, have been met with indifference or disdain. The laborers of the country asking for employment are treated like impudent mendicants begging for bread.

Mr. Chairman, the most startling thing to be said of this statement is that it is a correct portrayal of the then existing conditions in our country. For more than twenty years these conditions have become more and more aggravated. Capital has become more "formidably intrenched in privilege" with each recurring year. It has become more and more arrogant. Its ever-increasing demands for "new concessions" have been so long and so readily acceded to by men in legislative, judicial, and executive positions as to have become a sort of fixed national habit, so much so that an effort put forth in any State to enact or enforce a law to even limit the oppression of the people by corporations and trusts is met with the howling charge that it is an effort on the part of "hairbrained cranks to subvert the present order of things."

It is a fact of history that in the year 1898 more trusts were formed than in any previous year. An aggregate of a billion and a quarter of dollars entered these combinations. The purpose and effect of the formation of trusts in our great mining, manufacturing, and commercial interests is to crowd out the small operator and secure to a few capitalists a monopoly of output, and thus reduce the cost of production and increase the prices of the products. This means less wages for labor, higher prices for the consumer, and greater profits for the capitalists who constitute the trusts.

In an eloquent speech in this Chamber on September 27, 1890, discussing the conflict between the American farmers on one side and the trusts and stock gamblers on the other, the distinguished gentleman from Iowa [Mr. DOLLIVER] said:

> The real anarchist of our day is not the miserable wretch in a garret working out his infernal ideas with gas pipe and dynamite. We need not fear such a man. The true anarchist in modern times is the bloodless spirit of wealth acquired without conscience, a spirit that in all ages has considered property as a mere possession and treated the commonwealth as a cheap and helpless word.

Mr. Chairman, I fully agree with Mr. DOLLIVER that the "true anarchist of modern times is the bloodless spirit of wealth acquired without conscience," and with Mr. Ingalls, that the "system" under which we live "gives to a Vanderbilt the possession of wealth beyond the dreams of avarice and condemns the poor to a poverty which has no refuge from starvation but the prison or the grave;" and so believing, I warn the members of this House and the people of the country that the greatest menace to our free institutions is this growing imperialism of capital, recognized by every intelligent student of our national conditions.

In my humble judgment about the only standing army needed to preserve internal peace, to perpetuate our free institutions, and to hold in loving loyalty to our flag the great mass of American citizens is an army sufficient to drive from the capitals of our nation and our several States the lobbies of the great corporations and trusts of this country, thus leaving our lawmakers unhampered in their efforts to legislate for the whole people.

But in determining the size of our standing Army we must consider our relation to other countries, and especially to those islands of the sea in whose welfare we have suddenly become so much interested. In all these relations we shall have little need of a powerful land force for the accomplishment of legitimate purposes.

Our Navy, already so strong and renowned, should be enlarged and improved. By means of our Navy we shall be able to command the respect and induce the friendship of the great powers of earth, and in large degree hold in check any turbulent elements that may arise in Cuba, Porto Rico, or Hawaii, thus rendering a large land force unnecessary in those islands. The people of Hawaii and Porto Rico seemed eager to be absorbed by us and to enjoy the protection of our flag, and they may be expected to submit cheerfully to the wise and beneficent rule the United States Government is sure to exercise over them. That only a few troops will be needed in Cuba, and they but for a limited time, will be conceded upon reflection that so small a population, living in such close proximity to us and having so many interests in common with us, will readily amalgamate under the potent influences of our civilization, and will, in the not distant future, seek organic union with us.

An additional reason for believing that a small military force will be ample for our purposes in Cuba is the reasonable assumption that this Government will carry out its clearly defined policy toward the people of that island. In his annual message, under date of December 6, 1897, the President said:

> Of the untried measures there remain only recognition of the insurgents as belligerents, recognition of the independence of Cuba, neutral intervention to end the war by imposing a rational compromise between the contestants, and intervention in favor of one or the other party. I speak not of forcible annexation, for that can not be thought of. That, by our code of morality, would be criminal aggression.

This statement, which met the approval of all American citizens at the time, was repeated and emphasized by the President in his message of April 11, 1898, at which time it again received universal indorsement.

The declaration of war adopted on the 18th of April, 1898, by a vote of 42 to 35 in the Senate and 311 to 6 in the House (especially the first and fourth resolutions thereof), clearly sets forth the policy of this Government:

> First. That the people of the island of Cuba are, and of right ought to be, free and independent.
>
> Second. That it is the duty of the United States to demand, and the Government of the United States does hereby demand, that the Government of Spain at once relinquish its authority and government in the island of Cuba and withdraw its land and naval forces from Cuba and Cuban waters.
>
> Third. That the President of the United States be, and he hereby is, directed and empowered to use the entire land and naval forces of the United States, and to call into the actual service of the United States the militia of the several States, to such extent as may be necessary to carry these resolutions into effect.
>
> Fourth. That the United States hereby disclaims any disposition or intention to exercise sovereignty, jurisdiction, or control over said islands except for the pacification thereof, and asserts its determination when that is accomplished to leave the government and control of the island to its people.

The great mass of our people indorsed this policy at that time, and will continue to do so, not only as to Cuba, but as to all other countries not of our domain.

Mr. Chairman, the public mind is just now engaged almost exclusively with the Philippine question. Probably the chief reason for a large standing army in the minds of those who support the pending measure is that a large force will be required in the Philippine Islands. The well-meant but ill-timed expressions, "Old Glory must forever wave wherever planted," and "The Stars and Stripes must forever float over every land wet with the blood of an American soldier," and "Who will haul down the flag?" have exerted a powerful influence over the public mind under the martial spirit that has swept the country for several months. But all this is mere sentiment, and will not control the American people in their sober second thought.

History points to several places, wet with the blood of American soldiers, where Old Glory has been planted by the force of arms and where we have hauled down the flag. We did it, not through cowardice nor at the mandate of hostile powers, but because to do so was simple justice and in accordance with the principles of our Government. It is the expressed purpose of this Government to "haul down the flag" sooner or later in the island of Cuba. Why should it be thought any less honorable and brave and American to "haul down the flag" in the Philippines or any other place where the principles of eternal justice do not require us to maintain it? Better a thousand times to bring back our flag from every outpost than have its folds tarnished with the blood of oppression.

The invasion of the Philippines was not thought of by the American people at the time we declared war against Spain. Everyone understood the purpose of the war to be the rescue of the Cuban people from Spanish oppression. The country was startled at the roar of Dewey's guns at Manila, and on every side was heard the question, "What has that attack to do with the rescue of the miserable reconcentrados about Havana?" The proper answer was, "The exigencies of war demand that we destroy our enemy's navy and crush his power wherever found, to the end that the contest may soon terminate with assured freedom and independence to the Cuban people." The country accepted the answer, never dreaming that the struggle was to degenerate from a war for humanity to a war for conquest, from a war for liberty and independence to a war of coercion and oppression.

In his address at the peace jubilee at Chicago last October, President McKinley said:

> The war with Spain was undertaken, not that the United States should increase its territory, but that the oppression at our doors should be stopped. This noble sentiment must continue to animate us, and we must give to the world a full demonstration of the sincerity of our purpose.

In the light of this noble statement of the purposes of our war with Spain I ask what means this effort of leaders in both Houses of Congress who are supposed to be nearest the Administration, and of the leading Administration papers of the country, to explain away that fundamental doctrine of the fathers upon which republican government rests, "that all governments derive their just powers from the consent of the governed."

For more than a hundred years this foundation principle has been accepted by all true Americans without equivocation, evasion, or adulteration; accepted as the sheet anchor of our liberty. But just now we are learning for the first time that the Declaration of Independence does not mean precisely what it says and should be taken with large grains of allowance and with much mental reservation. It has become obsolete. We are expanding away from it. It should no longer be read at our Fourth of July celebrations; or, if read, it should not be given the prominence hitherto accorded it in the programme.

What means all this, Mr. Chairman, if not that these teachers of strange doctrines are seeking to prepare the American mind to indorse a policy of coercion and oppression in the Philippine Islands, and for the final acceptance of the imperialism of militarism and commercialism as against a "government of the people, by the people, and for the people."

I now insist that if "the forcible annexation" of Cuba "would be criminal aggression" "under our code of morality," it would be equally criminal to forcibly annex the Philippine Islands. But it is affirmed that we purchased that archipelago from Spain at a cost of $20,000,000, and therefore hold, or will upon the ratification of the treaty hold, a legitimate title to those islands and their inhabitants. Being a layman, I make no pretense to a knowledge of law, and especially of international law; but as a matter of plain common sense and equity, according to American history and standards, I submit that Spain had no just title to those islands.

According to competent and reliable authority, Spain held but one port in all that group at the time the peace commissioners completed their work. The remainder, except Manila, was under the control of the Philippine republic, which had been established several months before the treaty was signed. I therefore hold that this Government has no right to acquire title to the Philippine Islands from the Spanish Government. The original design of the Administration was not to acquire the entire archipelago by "criminal aggression," or by any other method, but simply to secure in a proper way ample coaling stations for naval and commercial purposes. This should be done, in my humble judgment, through negotiations with the people who have fought so long and well for independence, and not by a treaty with their cruel and bloody oppressors.

In connection with the discussion of this Philippine question, and as a pretext for the organization of a powerful standing army, a large portion of which is presumably to be kept in those islands, certain men are making a great noise about our commercial interests. I yield to no man in a desire for the expansion of American commerce, and am ready to support any proper measure for the accomplishment of this end, if found to be in the interest of all the people; but I am not willing to vote for a large standing army to be maintained at enormous public expense and to be used in the suppression of the Filipinos and in opening the way for the profitable investment of the syndicated capital of America and Europe.

In considering this commercial argument, I desire to direct special attention to the following points: First, in 1896 the export trade of the Philippines was $20,000,000; the import trade, $10,000,000; total, $30,000,000. Had all this trade been with this country and distributed equally among our people, it would have amounted to about 42 cents per capita, while the profits to each individual would have been practically nothing. But if a few American capitalists could have monopolized our country's share of the trade and its profits great would have been their gains.

Second, we are to be committed to an open-door policy, which means, as I understand it, that the people of the various countries shall have free and equal access to the Philippine trade. This means no duties on goods brought from those islands to this country. If you believe in a tariff, either for protection or revenue, I beg you to consider this point. No American with small means

can succeed in the Philippines single handed and alone. It costs too much to go. Climatic conditions are such that he dare not undertake a permanent residence and ordinary labor. Under no conditions, therefore, can those islands furnish opportunities to the average American citizen.

But a wealthy syndicate can secure large tracts of land on which to grow the products that constitute our chief imports from those islands, viz, sugar, tobacco, and hemp. Unfortunately the climate can not affect these syndicates. They are immunes. While the syndicate in its organized capacity may be operating in the Philippines, employing the cheap labor of that country on cheap lands to raise cheap sugar, tobacco, and hemp, to ship by cheap ocean transportation to this country, entering without tariff duty, to come into competition with American producers and American labor, the individuals composing these syndicates may and doubtless will be in the health and pleasure resorts of this country and Europe living off the fat of the land. Under the new régime the investment of large capital in the productive industries may be expected to greatly increase the volume of products to seek foreign markets. This must add to the embarrassment of the American laborer and producer, and bring enormous increase to the wealth of a few capitalists.

Third, should this Government organize a powerful standing army and use it in suppressing the Filipinos, does anyone doubt that the organized capital of this country and of Europe would exploit great enterprises in the Philippines, monopolize the valuable franchises, and lay under perpetual tribute to "the bloodless spirit of wealth" the resources of that splendid archipelago? And does not this reflection give coloring to the suspicion in many eminent minds of all parties that these exploiters are behind the movement for a powerful standing army, and that the real purpose is to enforce commercialism and imperialism?

Mr. Chairman, it will not be denied that the climatic conditions of the Philippine Islands are inimical to the health of Americans. Everyone who has studied the subject believes that should we attempt to maintain a military force there the mortality of the troops from the ravages of disease will be far greater than has ever yet been known in the American Army. It must also be borne in mind in this connection that we are dealing with eight or ten millions of people who live in their native land and are perfectly adjusted to climatic conditions; that they are not willing simply to exchange their old taxgatherers and taskmasters for new ones; that they are thoroughly innured to war, having for years maintained a desperate struggle for independence from Spanish domination; and that they are determined to maintain to the bitter end against all comers their struggle for an independent government.

In view of these facts, if it be the purpose of the Administration to conquer the Filipinos by the force of arms and hold them in perpetual subjection to the authority of this Government, a hundred thousand men will be found altogether insufficient long to satisfy the insatiable maw of that awful god of war enthroned under a tropical sun. While I believe that every true American is ready to "die to make men free," I do not believe that any considerable number of American citizens will be found willing to enter a standing army which is confessedly to be used to acquire by conquest new territory thousands of miles away in another hemisphere, to subjugate its population, and to recklessly carry our flag into the very storm centers of the Old World's controversies and probable wars. It is absolutely un-American to organize an army for such purposes. And if the Administration have no such designs it is the height of folly to create a standing army of more than 40,000 men.

Gentlemen in this debate have shown from the highest authority that our standing Army in time of peace, on the basis of 25,000 men, has cost the Government on an average $1,000 per annum for each man, or $25,000,000 per annum. Everyone knows that to maintain an army eight or ten thousand miles away, or any other distance from our shores requiring expensive transportation, must cost much above $1,000 per man. It is safe to say that an army of a hundred thousand men provided for in this bill, if used in large part in the Philippines, would cost one hundred and twenty-five millions or one hundred and fifty millions per annum. While I would not hesitate to incur this expense should the needs of the country require it, yet I submit that in view of the fact that our expenditures are going beyond our receipts, notwithstanding the high tariff on imports, the recent bond issue, and the great revenue-producing war tax, we should move with exceeding caution in matters which are likely to increase the public expenditures.

I desire to say, Mr. Chairman, that the most astonishing feature of this nation-wide discussion is the stand taken by many zealous propagandists of the religion of Jesus in favor of "criminal aggression" in the Philippines. I am informed that a number of eminent ministers in the church to which I have the honor to belong are insistent upon the organization of a powerful army for the forcible occupancy of those islands, presumably to the end that missionaries may safely go there to establish the church.

I hold it to be the duty of this Government to protect American citizens, of whatever color, politics, or religion, engaged in legitimate business anywhere in this world. It should protect American missionaries of all churches against violence to person or property wherever properly engaged in their work. But American soldiers must not be used to forcibly establish any religion or any church anywhere in this world. Christianity does not propose to conquer by force, but by the resistless power of love. You can not shoot the religion of Jesus into the Filipinos with 13-inch guns, nor punch it into them with American bayonets. The only instance on record of the attempted use of the sword in defense of the Prince of Peace was in the garden when He was in the hands of a mob; and He said to Peter, "Put up again thy sword into his place: for all they that take the sword shall perish with the sword."

If it be said that it is our duty to maintain an army in the Philippines to guard against the encroachments of Spain, I reply: If convinced that the permanent occupancy of those islands by our Army were necessary to deliver those people from the bloody domination of the Spaniard I should favor such occupancy; but every intelligent man knows that Spain, with a bankrupt treasury, a broken and disheartened army, and a navy at the bottom of the sea, will never again attempt to subjugate the Filipinos.

Finally, every consideration of humanity, of civilization, of good morals, and of just government requires us to apply to this question the Golden Rule. If our Government would do unto those people as we would have them do unto us, namely, give them our encouragement and friendly aid in their efforts to establish and perfect an independent government of their own, which shall be adapted to their capacities and conditions, my word for it we shall avoid serious complications and enormous expenditures of blood and treasure, and secure ample opportunities for the legitimate expansion of our commerce. By these methods we shall hold their confidence and good will, and they in turn will joyfully receive our American teachers of religion and civilization.

Mr. CLARK of Iowa. Mr. Chairman, Revision of the pension laws should go along with the reorganization of the Army and the taking on of any provincial relation to lands outside the present territory of the United States. Undoubtedly the soldiers comprising our army in the Philippines, Hawaii, Cuba, and Porto Rico will be in large part inhabitants of those islands. It is worth consideration, both by the American people and their lawmakers, whether or not they want to tax themselves to extend the provisions of the existing pension policy into great sums to be disbursed in other lands and to soldiers of other races. Our existing pension laws are based on three grounds:

First. Upon disability by reason of wound received or disease contracted by any officer, soldier, sailor, or marine in the service of the United States, and in the line of duty when said wound was received or disease contracted. The pension continues while such disability lasts; in the event of death the pension goes to the pensioner's widow, or his child or children under 16 years of age, or, not having those, to his dependent mother, father, orphan sisters and brothers, in that order.

Second. A pension is given to any officer, soldier, sailor, or marine who served ninety days or more in the military or naval service of the United States in the war of 1861–1865, who has had an honorable discharge, and who is suffering from a disability of a permanent character not the result of his own vicious habits which incapacitates him for the performance of manual labor in such a degree as to render him unable to earn a support. In the event of his death his widow becomes entitled to a pension; if she remarries or dies, then the child or children of such soldier or sailor under the age of 16 years receives a pension.

Third. Service in war is a ground for pension; but service pensions only exist for the Revolutionary war, the war of 1812, the war with Mexico, and the Indian wars of 1832 to 1842. No service pension has yet been established for participants in the war of the rebellion, but there is continuous agitation for it, and the precedents of our past legislation give promise that a service pension in that war will be finally granted. It was thirty-five years after the close of the Revolutionary war that the first service pensions were granted the soldiers of that war, and then only to those who were indigent and in needy circumstances. Forty-nine years after the close of the Revolutionary war a service pension was granted to all soldiers of that war who had served not less than six months. Service pensions were granted to soldiers of the war of 1812 fifty-six years after it closed and for sixty days' service; sixty-three years after the close of that war the pension was extended to all who had given fourteen days of service. Service pensions were granted to soldiers and sailors of the war with Mexico thirty-nine years after its close. Service pensions were granted for service in the Indian wars fifty years afterwards.

The operation of service pensions is illustrated by the enactment of the law of 1871 giving pensions for sixty days' service in the war of 1812. This was fifty-six years after the close of that war. In seven years 30,447 original applications for pensions under

the act were made by surviving soldiers and 12,256 by widows of soldiers. In 1878 the scope of the law was enlarged so as to give pensions for fourteen days' service. This was sixty-three years after the close of the war. After the passage of this act 4,496 surviving soldiers applied for pensions and 32,980 widows. That makes up to the close of the last pension report 80,179 applications for pensions in the last war with England, beginning fifty-six and sixty-three years after the war ended. When one recalls the history of that war and that President Madison found himself unable throughout to collect soldiers; that General Hull had to surrender Detroit to 700 British soldiers and 600 Indians; that Chicago—then Fort Dearborn—had only 50 soldiers to defend it and these were butchered; that General Brown had but 2,000 men to defend our Canadian line; that there were but 225 American soldiers to take part in the battle of Queenstown Heights; that the gallant Croghan had but 150 men with which to defend Fort Stephenson; that Scott had but a handful of men at Lundy's Lane; that the British general, Ross, with less than 5,000 men, took Washington City and destroyed the Capitol and the White House because there were no American soldiers to defend their nation's capital; that General Jackson, in the one great battle of the war at New Orleans, had only about 2,000 soldiers; that nearly all the men and women who lived under President Madison had long ago passed to the beyond—when one considers these things one not only wonders where these more than 80,000 war heroes were in 1814 when this national capital was being occupied and destroyed by 5,000 British troops. We have equally to admire the repetition of the miracle of the prophet's body in the Valley of Jehoshaphat; the power of a pension to make alive more than 80,000 strenuous patriots who were of fighting and marrying age under the Presidency of James Madison, but who, quickened by the marvelous potency of a pension, can still earn a living wage off the taxpayers of America, although the war in which they participated was eighty-seven years ago.

Another illustration is the Mexican war. In 1887, thirty-nine years after its close—more than forty-nine now—Congress passed a law to give service pensions to those of sixty days' service if over 62 or disabled or dependent. Immediately or subsequently 25,051 survivors and 14,747 widows made original claims for pensions under that law.

In this connection it is interesting to observe that General Taylor officially reported that the total number of men with which he advanced to the Rio Grande was 3,860. He had 2,288 officers and men at Palo Alto in the battle of the 8th of May and 2,222 the next day at Resaca de la Palma. At Monterey he had received the troops called for by reason of the declaration of war and his force had been increased to 6,650 officers and men. At the battle of Buena Vista he had 4,757 officers and men. In General Scott's investment of Vera Cruz his army numbered, in round numbers, 13,000 men. At the battle of Cerro Gordo he had 8,500; when he began his march to the City of Mexico he had 12,776 men, sick and well. Part of his men were drawn from Taylor. The latter had, as we have seen, 4,757 men at Buena Vista and Scott had 12,776. These two commands, a total of 17,533 men by the roster, were the army of Mexico and were the men who began the war at Palo Alto and ended it by the conquest of the City of Mexico. To these are to be added the 224 men under Frémont in California and the not quite 1,800 who formed the "Army of the West," under General Kearny and Colonel Doniphan.

History and the official reports of the commanding officers give an account of less than 20,000 men as the army that made the war with Mexico and carried the flag from the Brazos to the Pacific, from Monterey to the "halls of the Montezumas." A service pension is such a quickener of diligent patriotism that fifty years after the treaty of Guadalupe Hidalgo it can gather now nearly 40,000 eager heroes of war to take the money of the American people out of the National Treasury, although when the war was on Zachary Taylor could find less than 5,000 of them in his fierce need at Buena Vista, and Winfield Scott had the help of less than 15,000 of them in his battle-tossed march from Cerro Gordo to the heights of Chapultepec.

There are but two just and adequate grounds upon which pensions can rest; one is disability or death of the soldier during war, the other the service of the soldier during war. Any other ground of pension is an inequity and an injustice, leading, and rightly leading, to pervading and gnawing discontents among both soldiers and citizens.

The people and their lawmakers should avoid two things: one, persistence in any policy which makes it difficult or hazardous for public officials as agents of the people to honestly and lawfully do their duty; the other, persistence in any policy which makes any considerable part of the people feel that they are not fairly treated by their government. The Government of the United States is paying more for pensions than any government in the world. It is paying more for pensions than other governments to maintain armies. Yet the result is not to strengthen the Government by making popular content, but to weaken the Government by increasing popular discontent.

A Commissioner of Pensions is merely a sworn agent to administer existing law. He did not make it. He can not unmake it. He dare not pervert it. He is not an almsgiver. He is not an administrator of self-determined charities. The difficulties of his place are manifold, and however faithfully and zealously he administers the law he is the most continuously censured and abused of all American officials. An examination of facts set forth in the excellent recent annual report made by Hon. H. C. Evans, the Commissioner of Pensions, will disclose things worth the attention of Congress and the people.

Excluding from the present consideration those who have become entitled to pensions under the general laws by reason of service in the recent war with Spain, pensions are given, as already stated, for participance in the Revolutionary war, the war of 1812, the Indian wars from 1832 to 1842, the Mexican war, and the war for the Union. For all but the war for the Union pensions are given for service. For fourteen days' service in the war of 1812, for sixty days' service in the Mexican war, the soldier or the soldier's widow receives a pension. Since 1871, 61,187 of these soldiers and soldiers' widows' pensions have been granted on account of the war of 1812, and often for the most trivial and ineffective services. Since 1887, 31,717 of these service pensions have been granted to soldiers and widows of the war with Mexico, and often for a trivial and futile service. That makes 93,000 service pensions granted in recent years, in full view and knowledge of the soldiers and their widows of the war for the Union, the most tremendous war service of modern times, where the service and the stress of camp and hospital, of march and battle, was for more than four years, and not a soldier or a soldier's widow or a soldier's child can get one dollar of pension because of the soldier's service as service in that war. This has filled every community in America with rankling discontents and invested the helpless Commissioner of Pensions in an atmosphere of resentments. It is not he; it is the Congress of the United States that is at fault by adopting a wrong principle as to pensions or refusing to apply universally and impartially a right one.

Service pensions are either right for all or right for none. They are either right for soldiers of the Union or wrong for the soldiers of other wars. The American people like justice, equality, and fair play, and they do not think and I do not think, that it meets the requirements of just, fair, and impartial government for Congress to give service pensions for a little brief, make-believe part in such mere simulations of war as the skirmishes of 1812 and petty Indian wars, and withhold it from the service of the men whose heroism saved the very life of this nation in the greatest storm of war the world ever saw. Do not misunderstand me; I do not ask and Union soldiers do not ask and the American people do not ask service pensions for the Union soldiers, but only fair play and impartial treatment by their Government and lawmakers. One hundred thousand pensioners put recently upon the nation's pay roll, which the Union soldiers and the rest of the American people have to pay, because of some shadowy service in 1812 or 1832 or 1846, upon some principle of war legislation which Congress does not apply to the soldiers of the Union, makes a flagrancy and enormity in the perversion of all just and fair policies of government which others may defend, but which I will not. But it is an enormity in legislation which has rightly pervaded the American people with discontent.

I presume every member of this House has read in Gibbon and Ferguson, in Liddell and Mommsen, or other writers who reproduce their knowledge, how in the squalid days of expiring Rome foolish demagogues bought a short tenure of place by bribing the pretorian guards at their own price, without considering the people, who in the end keep governments in their place as God's laws keep the planets. The American people are sound and staid and safe. Go out among them and you will find they want no pension bribe to preserve this Republic. They only demand fair play, equal rights, and justice. If any have played the demagogue, if any have assumed that either soldiery or people in America had come to be like the mercenary pretorian guard of expiring Rome that put their government up for sale for pay for pension, I commend them to a radical change of their opinions. The American people have not got to that stress yet. All they want is equal and exact justice. If Congress had resisted improper legislation, if it had stood out against the pension-claim agents of Washington, it would find it could now be appropriating ten or twenty million dollars for pensions with far more general contentment than is now given by its use of $148,765,971.26 as its outlay for pensions in the last fiscal year.

That great sum published to the world as spent on pensions last year quickens all the passions that corrupt mankind and destroy governments. The American soldiery, as well as the American people—and I do not think the one should be considered without the other—were perfectly content that in 1871, six years after the

war ended and when all the pensionable cases on account of death, wounds, disease, or war disability were all in, the amount paid for pensions should begin to decrease as it did from the war maximum. The law as to pensions was known to every soldier who enlisted in the Union Army, if he cared to know. Most of them did not and never made pensions a thought or factor in their contracts in enlistment. The soldiers and the people were perfectly content that in 1873 pensions should decline two and one-half million dollars from their war maximum. They all thought every American should go about making his living in his own way, greatly helped, as every survivor was greatly helped, by the pay he got as a Union soldier. No able-bodied soldier thought then he had any contract or moral or patriotic right to anything more than his monthly pay or the pension to his widow and orphan children if he was killed. At the close of the war for the Union no able-bodied soldier would any more have applied for a pension than he would have applied for maintenance in the county poorhouse.

The soldiers of the Union recognized this as the end of the war. No one of them was an applicant for pension except the wounded or disabled or the families of the killed in war. It is the Congress of the United States, influenced by false views and the stress of claim agents, that has depraved and corrupted the people away from that sturdy, honest, American view. If the Government owes a pension to anyone it should pay that pension without allowing one dollar to any claim agent or permitting any claim agent to commit any spoliation of the Government claimant. Yet the Government is being undermined, the lawful administration of the Pension Office thwarted, the course of justice perverted, public opinion misled, and pension claimants continuously bunkoed by corrupt and greedy claim agents, who write to pensioners false and misleading statements that the claimant can win illicit gains outside of the law and outside of the honest administration of the Pension Department. The claim agent tells the claimant that the Senator or Congressman can by his personal influence make the Commissioner of Pensions violate the law in the claimant's case or else pass a special law through Congress giving him more than the general law allows. And Congress has so far yielded to this unjust, partial, corrupting policy, undermining the Government, that since 1867 it has passed 6,097 special pension acts overriding its own pension laws, impeaching the Commissioner of Pensions in public confidence, making caprice instead of uniform law the basis of pension legislation, giving Congressional sanction to inequality and injustice in the giving of pensions, yielding the National Treasury up to individual greed, and corrupting the Government in its foundations. The making by Congress of a special pension, overriding and displacing its general law as to pensions, is a corrupting and degenerate influence.

How can the Commissioner of Pensions maintain himself; how can the law be maintained as an equity for all; how can the people be persuaded they are treated to equal rights before the law when, with a half million Americans pleading their claims before the Commissioner of Pensions, Congress takes two to three hundred haphazard cases in each session and grants pensions outside of principle, upon the sheerest caprice, upon grounds no one can account for, and wholly outside of the nation's law and outside of what Congress has given the Commissioner of Pensions liberty to do? Twelve months hence is Congress going to give a special pension to a native Filipino or a native Porto Rican by act of Congress, while a half million American citizens who, by staking their lives saved the life of this nation, are waiting at the Pension Bureau for the adjudication of their claims according to law? Congress should make general pension laws, dealing impartially and fairly with all of the like service, and it should pass no special acts—no acts of favoritism whatever. Let us keep to the spirit of Jefferson and Jackson and Lincoln; or rather and better let us keep the Constitution and do equal justice to all the people alike.

The special pension bills passed by Congress are too few to be a public benefit, but numerous enough to be a public menace—378 in the Fifty-fourth Congress; 119 in the Fifty-third; 217 in the Fifty-second; 1,388 in the Fifty-first; 12 in the Thirty-seventh.

The board of review of the Pension Office really passes upon and adjudicates pension claims, and it is governed by the general pension laws made by Congress. In the last fiscal year that board admitted 95,760 claims and rejected 85,629; a total of 181,389. The board had to return 51,676 claims for further examination as incomplete; making a total of claims reviewed by the board 233,065. There are multitudes of Americans who think these cases, the examination of which is a year's labor of more than 1,800 officials in the Pension Bureau, are all personally examined by the Commissioner of Pensions, and that his action upon them depends not upon the law but upon his personal caprice or inclination, according as he is sympathetic or unsympathetic with the Union soldier. The 85,629 rejected claimants and the 51,676 delayed claimants, who have stated upon oath that their claims are just, feel like King Lear, "mightily abused." That is a great multitude of the citizenship, a great army of the discontented, to make in one year because the existing law and the desires of pension claimants are at cross purposes.

The action of the Pension Bureau and the Commissioner is not final. There is an appeal to the Secretary of the Interior. There was 12,057 of these appeals in the last year—all by the attorneys of the pension claimants. Not one appeal was taken by the Government. There are already nine considerable volumes of published opinions in the appealed cases.

The appeal and the special act of Congress are a double method of inspiring the whole body of pensioners with discontent and distrust of the Commissioner and the Pension Bureau, while increasing greatly the work and burden of the latter.

The method of examination of claimants by local medical boards is most productive of discontent among pension claimants. The report of Commissioner Evans shows an illustrative case where a claimant was sent in immediate succession before four medical boards. One reported no ratable or pensionable disability; the second board, an $8 disability; the third, a $17 rate; the fourth, a $24 rate; and all four reports reached the Pension Bureau within the same forty-eight hours.

In 1878 General Garfield said, as is well known, that the amount paid for pensions would thenceforth steadily decline. The amount paid that year for soldier pensions was $26,251,725. Four years before it was $29,603,159. There were then 223,998 pensioners on the rolls and the year before 232,104. The last fiscal year there were 993,714 on the rolls and the amounts paid more than $148,000,000. There were 37,524 new applications for pension filed in the last year. There were 52,648 allowed. Since 1862 to the close of the last fiscal year there were 2,222,940 pension claims filed with the Pension Bureau. Remember there is no service pension for the war for the Union. The only grounds for pensions so far allowed by law as to this is death, wound, or disability while in the war, or by the act of 1890 a twelve-dollar or smaller monthly rate for an ex-soldier who can not work.

I doubt if any other part of all the vast outlay of the Government annually for its various purposes diffuses so many benefits, does so much general, communal, and individual good as what is paid for pensions.

But that is not the question. Along with those benefits, accompanying that good, goes the great evil that an unequal, crude, raw, ill-devised pension system dealing unwisely and partially is pervading the people with discontent, causing anger to the very beneficiaries of the nation's bounty, corrupting the public conscience, enfeebling the moral sense at once of the people and their lawmakers, sapping the principles of good government and the essentials of individual and communal well-being at their foundations, making vast masses of the people dissatisfied with their public officials, and making it difficult, if not impossible, for those officials to faithfully do their duty according to the law and their oaths.

We should not think of starting this Government out upon what may be distinctively a policy of militarism; at least involving an increase of our Army and composing it in large part of the natives of islands heretofore foreign to us, we should not do this without revising and reconstituting our pension system.

The time is opportune. For many years the nation's lawmaker from the North did not dare do his will as to pensions for one reason. The lawmaker from the South did not dare do it for another reason. Thank God that is past. Now the nation and the Congress have no spectral and divided hands reaching from the graves of the past, holding the lawmakers of North or South, of this party or that, back from unitedly, harmoniously, and together doing what is best and safest as to pensions for the good solely of the whole united American people and of their one chosen Republic.

Mr. BERRY. Mr. Chairman, I desire to have read an amendment which I send to the desk.

The CHAIRMAN. Is this to be read for the information of the committee, or does the gentleman desire to offer it now as an amendment?

Mr. BERRY. I ask that it be read for information.

The Clerk read as follows:

Amend by adding at the end of section 4 as follows:

"There shall be a board consisting of five members to be appointed by the President, four of whom shall be Regular Army officers and graduates of the West Point Military Academy, and the fifth shall be a medical officer, before which board every appointee to a commissioned office made since the declaration of war against Spain, or who may be appointed hereafter under the provisions of this bill, said board shall fix a standard not less than that required for admission to the second class at the academy at West Point. No one shall remain a commissioned officer of the Army appointed since the war with Spain or to be hereafter appointed thereto who shall not in such examination receive at least 2.50 mark on a maximum of 4 as now adopted by said West Point Academy. This provision shall not apply to any officer who has distinguished himself by heroic conduct in the war with Spain."

The CHAIRMAN. This amendment has been read for the information of the committee.

Mr. BERRY. Mr. Chairman, the object of the amendment——

Mr. HULL. Allow me to suggest that this amendment would come in better on section 5.

Mr. BERRY. I am afraid we shall never reach section 5 the way we are going on.

Mr. HULL. I hope we shall get there in ten minutes.

Mr. BERRY. Then I will address myself more particularly to the bill itself, which seems to me, and so far as I could learn from the discussion, and I have listened to this debate on both sides, to have no particular paternity. When I look at the RECORD I find the chief participants in this debate and the members of the Military Committee all to be quite young men, who could not have been soldiers during the late civil war, and probably did not originate this bill; and the military department has been very much occupied with embalmed beef. Neither the Secretary of War nor the Adjutant-General nor the General Commanding have had military educations. I should like to find out who originated this bill for the reorganization of the Army. Nobody has acknowledged its paternity yet.

So far as I am concerned, I am for the retention of every foot of territory—as that question seems to have been dragged into this discussion—I am for the retention of every foot of territory that has been acquired by this war with Spain [applause]; and I am in favor of just as much force as may be necessary to vindicate the American Government inside of that territory. But I want to say right here that I never want the Philippines to be represented on the floor of Congress or to be a State of the National Government to which I belong.

Mr. MAGUIRE. What do you want them to be?

Mr. BERRY. I want them to be under the control of the United States and protected, as we said in regard to Cuba at the inception of the war, until they are able to take care of themselves, with an independent government of their own choosing. [Applause.] But I do not want to place in the hands of the President of the United States or any other man such power as some gentlemen on this floor seem willing to confer. I do not blame the President very much for what I am about to speak of, because he has been importuned by all sorts of people, and he has a great many things to demand his attention and has to satisfy many importunities. But I have here a long list, which I propose to publish in the RECORD, of fathers and grandfathers and cousins and aunts who have had their particular friends appointed as officers in the service.

I regret it is not more complete. In the future, if the Army is to be increased, I want the poor young men who have no Senators or Representatives for fathers or special influence to have an opportunity to be admitted into the Army of the United States on real merit and capacity. [Applause.] And that is the object of the amendment which I have had read. Why, sir, I took to the Adjutant-General of the Army the name of an expert in his line in this country—Albert Silva; and the Adjutant-General had years before from personal knowledge said that this man was one of the best he had ever seen in the commissary department and the Government needed just such men. Yet I could not secure an appointment, perhaps because I was an humble Congressman. But if some distinguished Senator or member of the Military Committee goes up to the Department and asks the appointment of a young man who knows nothing about the issuing of rations, that young man obtains a place without any difficulty. I want to remedy that condition of things, so that every poor young man in America, whether from Kentucky or any other section of the Union, shall have the same opportunity for securing a place in the Army that every other man has.

I want to say, as a Democrat, that when the United States Government sent its peace commissioners to Paris—a nonpartisan commission, being composed in part of Democrats—that commission agreed that this country would take the Philippine Islands, and the treaty will and should be confirmed; we have taken them; and I say that it is now as much the duty of the United States to protect the Philippines against such men as Aguinaldo and such adventurers as it was the duty of the United States to protect the Cubans against the outrages of the Spanish Government. [Applause.] And whenever a condition of peace is restored in the Philippines, I shall be ready to say to whoever may be the constituted authorities chosen by the people of those islands, "Take them and control them, but let them be in sympathy with the United States, that our trade may expand in that direction and that encouragement may be given to the industries of America."

[Here the hammer fell.]

The following are the documents referred to in Mr. BERRY's remarks:

Name.	Rank.	Father.
Fred M. Alger	Captain	Secretary of War.
Russell B. Harrison	Major	Benjamin Harrison.
Frederick A. Hill	Lieutenant-colonel	Congressman HILL.
James G. Blaine	Captain	James G. Blaine.
Samuel W. Belford	do	Congressman BELFORD.
John C. Breckinridge	do	Cabell Breckinridge.
John A. Logan	Major	Gen. J. A. Logan.
Robert Lee Longstreet	do	General Longstreet.
Fitzhugh Lee, jr	First lieutenant	Gen. Fitzhugh Lee.
Jos. B. Foraker, jr	Captain	Senator J. B. FORAKER.
Warren C. Fairbanks	do	Senator FAIRBANKS.
William J. Sewell	do	Senator SEWELL.
J. E. B. Stuart	do	Gen. J. E. B. Stuart.
John A. Hull	Lieutenant-colonel	Representative HULL.
Hugh H. Gordon	Major	Ex-Senator Gordon.
Stewart M. Brice	do	Ex-Senator Brice.
Hiram E. Mitchell	do	Ex-Senator Mitchell.
Chas. H. Mills	Major	Senator R. Q. MILLS.
James H. McMillan	Captain	Senator MCMILLAN.
John Earle	do	Late Senator Earle.
Davis Elkins	do	Senator ELKINS.
R. W. Thompson, jr	do	Ex-Secretary Thompson.
Britton Davis	do	Ex-Governor E. J. Davis.
C. L. Woodbury	Major	Ex-Governor Woodbury.
William S. Worth	Brigadier-general	General Worth, U. S. A.
W. B. Rochester, jr	Captain	Gen. W. B. Rochester.
H. S. New	do	Ex-Consul-General New.
P. B. Strong	do	Ex-Mayor Strong.
Erskine Hewitt	do	Ex-Mayor Hewitt.
Lloyd C. Griscom	do	Clement A. Griscom.
W. E. English	do	W. H. English.

GRANDSONS.

Name.	Rank.	Grandfather.
Alg. Sartoris	First lieutenant	General Grant.
Jay Cooke, 3d	Captain	Jay Cooke.
C. E. McMichael	Major	Clayton McMichael.

NEPHEWS.

Name.	Rank.	Uncle.
George S. Hobart	Major	The Vice-President.
W. B. Allison	Captain	Senator ALLISON.

SONS-IN-LAW.

Name.	Rank.	Father-in-law.
Beverley A. Read	Captain	Senator MONEY.
Adelbert Ames	Brigadier-general	B. F. Butler.

CHILDREN OF THE SOCIAL PULL.

Name.	Rank.
Edward Murphy, jr	Captain.
Larz Anderson	Do.
Perry Belmont	Major.
William A. Harper	Captain.
C. Dupont Coudert	Do.
Morton J. Henry	Do.
John Jacob Astor	Lieutenant-colonel.
G. Creighton Webb	Major.
Leonard Wood	Brigadier-general, President's physician.

EX-GOVERNOR.

John G. Evans.....Captain

BROTHER.

Name.	Rank.	Brother.
Charles J. Goff	Captain	Judge Nathan Goff.

Ex-President Harrison—Maj. Russell B. Harrison, inspector-general (son).

John C. New, editor of the Indianapolis News—Capt. Harry C. New, assistant adjutant-general (son).

Oregon delegation—Capt. Hiram E. Mitchell, assistant quartermaster; Maj. H. W. Cardwell, surgeon.

Senator HANSBROUGH, of North Dakota—Maj. J. D. Black, commissary.

Senator PRITCHARD, of North Carolina—Maj. James N. Moody, commissary.

Ex-Vice-President Morton—Maj. William M. Grinnell, commissary (nephew).

Ex-Senator Brice—Capt. Stewart M. Brice, commissary (son); two sons.

Representative ALEXANDER, of New York—Capt. Peter C. Deming, commissary.

Representative HOOKER, of New York—Capt. F. H. Hyde, commissary.

Representative WADSWORTH, of New York—Maj. William A. Wadsworth, quartermaster (nephew).

Senators DAVIS and NELSON and the Representatives of Minnesota—Capt. Charles H. McGill, assistant adjutant-general; Capt. Giles F. Barrett, assistant quartermaster; Capt. Don A. Dodge, commissary; Capt. James Colfax Grant, commissary; Maj. Edward Bockmann, surgeon; Maj. Henry F. Hoyt, surgeon.

Representatives GIBSON and BROWNLOW, of Tennessee—Capt. Ed. C. McDowell, assistant quartermaster; Capt. George B. McCullom, commissary.

Representative BROWNLOW, of Tennessee—Capt. William A. Tucker, commissary.

Surgeon-General Sternberg—Maj. George Cook, surgeon; Maj. R. Emmett Griffin, surgeon.

Senator THURSTON, of Nebraska—Capt. Thomas Swobe, assistant quartermaster.
Senator CARTER, of Montana—Maj. E. W. Bach, commissary.
Senator SEWELL, of New Jersey—Capt. William J. Sewell, assistant adjutant-general (son).
Senators CHANDLER and GALLINGER, of New Hampshire—Maj. George Cook, surgeon; Capt. Arthur Thompson, assistant quartermaster.
General Longstreet's friends—Maj. R. L. Longstreet, commissary.
Major-General Merritt—Maj. F. S. Bourns, surgeon.
Representative EBENEZER J. HILL, of Connecticut—Maj. Fred A. Hill, inspector-general (son).
Senators PLATT and MURPHY, of New York—Capt. Edward Murphy, assistant adjutant-general (son of Senator MURPHY); Maj. William G. McDonald, surgeon.
Senator E. O. WOLCOTT, of Colorado—Maj. William Cook, assistant adjutant-general; Capt. Charles M. Augur, assistant quartermaster; Capt. Ed. M. Hurlkuk, commissary; Maj. Clayton Parkhill, surgeon.
Representative HULL, of Iowa—Lieut. Col. John A. Hull, judge-advocate-general (son); Capt. Chester B. Whittington, assistant quartermaster.
Senator DEBOE, of Kentucky—Capt. Gordon Voorhees, assistant adjutant-general.
National Guard—Lieut. Col. Avery D. Andrews, quartermaster.
Vice-President HOBART—Maj. George S. Hobart, assistant adjutant-general (nephew).
Grand Army influence—Capt. Fred J. Koutze, assistant adjutant-general (son of the commander in chief).
Senators CLARK and WARREN, Wyoming—Capt. J. F. Jenkins, incompetent politician; Capt. W. F. Dunn, incompetent politician.
Secretary of War Alger—Capt. Frederick M. Alger, assistant adjutant-general (son); Maj. Charles B. Nancrede, surgeon; Capt. James H. McMillan, assistant quartermaster, and Capt. E. B. Fenton, commissary; Maj. Philip Motherhill, commissary; Capt. Walter I. Daveny, commissary.
Senator HANNA, of Ohio—Capt. Elias H. Parsons, assistant quartermaster.
Representative VAN VOORHIS, of Ohio—Capt. Daniel Van Voorhis, commissary (son).
Governor Wolcott, of Massachusetts—Capt. Augustus P. Gardner, assistant adjutant-general.
Representative MCCALL, of Massachusetts—Capt. Ed. Glines, commissary.
Senators HOAR and LODGE, of Massachusetts—Capt. Walter L. Bouvee, assistant adjutant-general (Gardner's son-in-law).
Senator GORMAN, of Maryland—Maj. H. C. Mullickson, commissary.
Representative BOTKIN, of Kansas—Capt. T. Botkin, assistant adjutant-general (brother).
Maine delegation—Capt. James G. Blaine (son of the late Secretary of State); Capt. Seth Milliken, commissary.
Representative ELLIOTT, of South Carolina—Lieut. Col. David Hemphill, quartermaster; Capt. Ambrose E. Gonzales, assistant quartermaster.
Senators SPOONER and MITCHELL, of Wisconsin—Lieut. Col. Otto Falk, quartermaster; Maj. John R. McDill, surgeon.
Senators GEAR and ALLISON, of Iowa—Capt. Edward A. Hutchins, commissary; Capt. Ralph Howell, commissary.
Senator ALLISON, of Iowa—Capt. William E. Allison, jr., assistant adjutant-general (son); Capt. William Larrabee, jr., commissary.
Iowa Representatives—Maj. Lewis Schooler, surgeon; Maj. Charles E. Ruth, surgeon; Maj. George A. Smith, surgeon; Capt. Frank Lyon, jr., Signal Corps.
Senator ELKINS, of West Virginia—Capt. Davis Elkins, assistant adjutant-general (son); Capt. Charles J. Goff, assistant quartermaster (brother of Judge Goff); Capt. Robert L. Brown, assistant quartermaster.
Representative EDWARD E. ROBBINS, of Pennsylvania—Capt. Edward E. Robbins (himself), assistant quartermaster.
President Griscom, of the International Steamship Line—Capt. Lloyd C. Griscom, aid-de-camp (son).
Senators QUAY and PENROSE, of Pennsylvania—Capt. Jay Cooke, third, commissary; Maj. Ed. De Morrell, Engineer Corps; Capt. John P. Teagarden, commissary.
Pennsylvania Railroad—Capt. Joseph N. Du Barry, commissary.
National Committeeman Durbin, of Indiana—Maj. Winfield T. Durbin, paymaster (son).
Representative STEELE, of Indiana—Capt. Lee Lynn, commissary.
Senator FAIRBANKS, of Indiana—Capt. William M. English, assistant quartermaster (son of the late W. H. English, candidate for Vice-President with Hancock); Capt. Richard W. Thompson, jr. (son of the ex-Secretary of the Navy); Capt. Warren T. Fairbanks, commissary (son of the Senator).

Mr. HULL. Mr. Chairman, I understand that there are four minutes of the time remaining on this paragraph and the amendment, and that the time belongs to the members on this side of the House who are in favor of this bill.

The CHAIRMAN. The gentleman is correct.

Mr. HULL. Now, I wish to say in reference to the——

A MEMBER. Why not give the other side a chance?

Mr. HULL (continuing). I desire to say that I sympathize fully with the remarks of my friend from Kentucky [Mr. BERRY] who has just taken his seat, and I have no doubt that we can prepare a bill so as to give to all parties and to every individual an equal, reasonable, and proper chance. But I wish to say a few words especially as to the paternity of this bill, which has been called in question here.

Mr. LACEY. I hope the gentleman will talk of the pending amendment, which is the principal point now. We can come to the paternity of the bill later.

Mr. HULL. Mr. Chairman, I have a word to say only in the few moments remaining. It will be impossible to go over the features that have already been considered; but I wish to suggest that this amendment deals with reference to the infantry as has already been done with reference to the cavalry, as to making a minimum for the company.

Mr. BERRY. Are you willing that the President shall designate——

The CHAIRMAN. Does the gentleman from Iowa yield?

Mr. HULL. No; I can not yield in the short time at my command.

There has been some talk as to the paternity of the bill; and I wanted to say a word on my own behalf in that regard. The gentleman from Tennessee was anxious to have some one ask a question in reference to it this morning. I am perfectly willing that a question shall be asked, or any question, so that full information shall be given.

It is only necessary to say, Mr. Chairman, that in the preparation of this bill I was anxious to have the very best information that was attainable for my benefit and for the use of Congress. I called upon the experts at the War Department, men who have been engaged in this business, and asked their views and opinions. We wanted expert opinions only—of men who had served in the cavalry, the infantry, and artillery. I had the benefit of the knowledge and experience of General Schwan, a general officer of the Army in the recent war, a man who enlisted as a private soldier, afterwards became second lieutenant and then first lieutenant, and afterwards captain, and served, I think, for thirty-one years as a commissioned officer. He has been on staff only a few years. I have also the benefit of the knowledge of Major Heistand, who served for nineteen years in the infantry and for one year on the staff of the Army; the help of Major Simpson, who served twenty-three years in the line as an artillery officer and one year on the staff.

Then I also had the benefit of the experience of Major Johnston, who served in the cavalry for more than nineteen years and one year on the staff. I tried to get full information, as far as it was available, from the very best sources, and have given to the House all of the information that was accessible to us. I spent time here before Congress convened, and am satisfied with the work.

Mr. BERRY. Do you not think that the men who have had a military education, and who have seen services under such circumstances, are stronger and better qualified to give testimony than those who were appointed from civil life?

Mr. HULL. Undoubtedly.

These men are competent to determine the various questions that are necessarily presented in a bill of this character; and let me say that no man is able to prepare a bill of this kind, covering all of its details, without accepting assistance and information from others who are experienced and who have had information with reference to the questions presented. It requires a man who has served in the line, in the ranks, and on the staff for a series of years to master all the details.

The question is a large one, and covers an enormous field, and requires an immense amount of information and consideration. And while we may here undertake to discuss all of the sections and features of the bill and guard, in the main, all of the provisions which the bill presents, yet, as a matter of fact, we are compelled to rely for technical matters on the training of those who have had experience, and I am glad they have been so competent to help Congress find a fair solution of the problem, so that the country may have an organization which insures an efficient Army.

The CHAIRMAN. The time fixed for debate upon this paragraph and all amendments has expired.

The question is on agreeing to the amendment proposed by the gentleman from Illinois [Mr. MARSH].

The amendment was considered, and agreed to.

Mr. HAY. I give notice that I will ask a separate vote of the House on that proposition.

The Clerk read section 5 of the bill, as follows:

SEC. 5. That all vacancies created or caused by the provisions of this act above the grade of captain in the line of the Army shall be filled by promotion according to seniority in the several arms. To equalize promotions in the lower grades, the lieutenants of cavalry, artillery, and infantry in service on the date of the passage of this act shall be placed on one list, according to relative rank. There shall then be selected for promotion, according to seniority, a sufficient number of them to fill the vacancies in the grade of captain in the cavalry, artillery, and infantry. When thus selected, they shall be commissioned, as far as practicable, in the arm to which they belonged as lieutenants. The lieutenants remaining after the vacancies in the grade of captain shall have been filled shall be distributed proportionately in the cavalry, artillery, and infantry, and shall be assigned, as far as practicable, to the several arms to which they belonged at the time of the passage of this act; and thereafter they shall be promoted as now provided for by law.

Mr. GRIFFIN. Mr. Chairman, I move to amend by inserting a new section 5, instead of the section embodied in the bill.

The Clerk read as follows:

SEC. 5. That all vacancies created or caused by the provisions of this act, above the grade of captain in the line of the Army, shall be filled by promotion, according to seniority, in the several arms. To equalize promotion to captaincies, the lieutenants of cavalry, artillery, and infantry in the service on the date of the passage of this act shall be placed on one list, according to rank as determined by length of service as commissioned officers: *Provided*, That in cases where such officers have the same length of service as commissioned officers they shall take rank, according to their relative rank on entry into the service, as commissioned officers: *And further provided*, That graduates of the Military Academy of the same date shall be arranged according to class standing on graduation; and that officers occupying an anomalous position, by reason of voluntary transfer or sentence of court-martial, shall remain in the arm to which they now belong, with the relative rank resulting from such transfer or sentence.

There shall be then selected for promotion, according to seniority as above established, a sufficient number of them to fill the vacancies in the grade of captain in the cavalry, artillery, and infantry. When thus selected, they shall be commissioned as far as practicable in the arm to which they belonged as lieutenants. The lieutenants remaining, after all vacancies in the grade of

captain in the cavalry, artillery, and infantry shall have been filled, shall remain in the arm to which they belonged, and with the relative rank they held previous to the passage of this act: *Provided*, That if the provisions of this section should leave second lieutenants remaining in any arm of the line while there are vacancies in the grade of first lieutenant in one or both of the other arms, such remaining second lieutenants may be commissioned as first lieutenants in the arm or arms in which there are such vacancies, and with rank according to the rule above provided for promotion to captaincies: *And provided further*, That when any vacancies shall exist in the rank of second lieutenant in any arm of the service the same shall be filled by the President; first, from the graduates of West Point not previously assigned; second, by the promotion of qualified noncommissioned officers already in that arm of the service, and one annually from each military school which has a special course of military instruction, if vacancies exist; third, from distinguished graduates of colleges and military schools, where Army officers are or have been assigned to duty as instructors, and from like graduates of such colleges as have a course in or give military instructions.

Mr. DOCKERY. I am not sure but that is subject to a point of order.

Mr. GRIFFIN. I yield to the gentleman from Massachusetts [Mr. LOVERING].

Mr. LOVERING. Mr. Chairman, I offer an amendment to the amendment.

Mr. DOCKERY. I should like to reserve a point of order.

The CHAIRMAN. The gentleman from Massachusetts [Mr. LOVERING] offers an amendment to the amendment, which the Clerk will report.

The Clerk read as follows:

Insert after the word "law" the following:
"*Provided*, That officers to be transferred to the cavalry and artillery shall be required to pass a special examination as to their fitness and qualifications for such assignment."

Mr. GRIFFIN. Mr. Chairman, on behalf of a majority of the Committee on Military Affairs, I will say that there is no objection to that latter amendment. In support of the amendment which I submitted as a substitute for the entire section, I send up the following letter from the War Department, that it may be read from the desk by the Clerk.

Mr. BROMWELL. Mr. Chairman, before that is read, may I ask the gentleman a question?

Mr. GRIFFIN. Certainly.

Mr. BROMWELL. Is this proviso as to the examination of certain officers intended to dispense with the examination which is now required for every man in the case of lieutenants who are to be promoted to captaincies in this bill, or are they still to be required to pass the examination for the upper grades?

Mr. GRIFFIN. In answer to the question of the gentleman from Ohio, I will say that this applies specially, particularly, and only to officers who are transferred from one arm of the service to the other; for instance, from the infantry to the cavalry or the artillery.

Mr. BROMWELL. Yes; but you do not answer my question.

Mr. GRIFFIN. It does not dispense with the examination of officers in being promoted; not at all. Now, Mr. Chairman, I wait for the reading of that letter.

The CHAIRMAN. The Clerk will read the letter.

The Clerk read as follows:

WAR DEPARTMENT, ADJUTANT-GENERAL'S OFFICE,
Washington, January 21, 1899.

DEAR MR. HULL: Some fault has been found with section 5 of the Hull bill, from the fact that lieutenants of infantry, having had unusual promotion during the past year, would, if they were transferred to another arm, have undue rank in that arm. I send you herewith a proposed amendment, the result of much thought. It is believed to be as just and fair as any provision that could be made. The effect of it would be to give any officer transferred to another arm exactly the position he would have occupied in that arm had he gone into it on his original entry into the service.

The special provision about the graduates of the Military Academy is put in because in some cases graduates came into one arm as additional second lieutenants, their full second lieutenancies bearing a later date, thus coming below men in other arms originally their juniors.

You will observe that this letter and the amendment of section 5 it proposes supersedes my letter to you of December 12, together with a substitute therein proposed for section 5 of H. R. 11022, as agreed to by your committee and reported to the House.

I send these papers by special messenger, as I now understand you intend to have certain proposed amendments to the bill printed. That our latest amendment of section 5 (the one herewith) embodies a just and workable scheme, Major Simpson and I will endeavor to explain to you Monday morning.

Very respectfully,
THEO. SCHWAN,
Assistant Adjutant-General.

Hon. JOHN A. T. HULL,
Chairman Committee on Military Affairs,
House of Representatives.

Mr. GRIFFIN. Mr. Chairman, if there is any one branch of this bill which might or might not, according to its provisions, do justice to the various lines of the Army as applicable to commissioned officers, it is this provision. If there is any one subject connected with Army reorganization which ought to be so adjusted as to deal justly and fairly with every officer in the Army, and with those who are approaching the condition of being commissioned officers, it is this section.

From the time the bill was first formulated up to the time when we began the consideration of this measure, much was heard on all sides in the way of advice and suggestion from experts in the line of the Army; and out of the line of the Army, from civilians and from Representatives on this floor, as to the necessity of fixing in this reorganization a rule of promotion which would deal justly by all. This amendment is submitted, in view of those appeals, in order to have a just and fair rule of promotion. The amendment was prepared on those lines, and the committee believe that it is the best proposition that can be submitted on the subject.

Mr. MCCLELLAN. Mr. Chairman, I only want to say a word. This section of the Hull bill, as originally drawn, did not equalize promotions. The substitute offered by the gentleman from Wisconsin [Mr. GRIFFIN] is one which, had he not offered it, I should have offered. It does equalize promotions. It is satisfactory to every branch of the service, as I understand it, and, with the amendment to the amendment offered by the gentleman from Massachusetts [Mr. LOVERING], will obviate any criticism that an infantryman transferred to the artillery is not competent to perform the duties of an artilleryman, because the amendment to the amendment requires him to pass a technical examination, and in every way this substitute, as I understand it, is perfectly satisfactory not only to the line of the Army, but to the staff, who drew the original bill.

Mr. LOVERING. Mr. Chairman, I desire to offer some comments upon this bill now before the House. But in the short time allotted under the five-minute rule it is impossible to go over the ground to my own satisfaction. I ask the privilege of having some rather extended remarks printed in the RECORD. I am aware that I have the right by vote of the committee to do this, but as these remarks are somewhat lengthy, and include suggestions that have been submitted to me, I ask special permission to do so.

The CHAIRMAN. The gentleman from Massachusetts asks unanimous consent that he may extend his remarks in the RECORD. Is there objection?

Mr. HULL. My understanding is that he has that right absolutely.

Mr. DOCKERY. He has the right already.

The CHAIRMAN. The gentleman says he so understands, but he desires special consent of the committee. There seems to be no objection, and the gentleman has that privilege.

Mr. LOVERING. Mr. Chairman, section 3 of the Hull bill, favorably reported to the House December 20, 1898, with amendments, provides for a corps organization for the artillery, but the amendments strike out some of the most valuable features—inspector-general of artillery, etc.

Section 5 provides that to equalize promotions in the lower grades on account of the increase in the several arms the lieutenants of cavalry, artillery, and infantry shall be placed on one list according to relative rank and promoted to captain according to seniority, etc. The report of the committee gives as a reason for this that promotions in the cavalry arm, on account of the increase in the Army, would not be as great as in the other arms. It would seem proper, however, to take into account the superior training demanded for the artillery, and require that in this promotion the officers to be assigned to the artillery, particularly from other arms, should be required to pass a special examination. The Committee on Military Affairs, in its report, dwells on the special qualities required for artillery, but seems to overlook this point in this section of the bill. Many appointments from civil life were recently made in the artillery without taking this into account.

Section 6 introduces very desirable requirements, that officers appointed into the Adjutant-General's Department should pass a special examination.

The same is true of section 7 in reference to the Inspector-General's Department.

In section 8, referring to the Judge-Advocate-General's Department (this is the name of the present department. The McClellan bill calls it the Judge-Advocate's Department, the Miles bill the Bureau of Military Justice), this provision is entirely omitted. It would seem proper that appointment in this department should demand some method of determining legal qualifications of appointees, admission to the bar, or even admission to practice before the United States courts; and this whether they are appointed from the Army or from civil life. It seems desirable that judge-advocates should have had some military training also, since often important questions relating not only to military but to civil law are referred to the Judge-Advocate's Department. It is practically the legal adviser of the War Department.

In sections 9 and 10, referring to the Quartermaster's Department and the Subsistence Department, the examination as to qualifications for appointment is entirely omitted, and it is provided that persons from the Volunteer Army or from civil life can be appointed without any other examination than as to their physical fitness. In the recent war it has been apparent that one great source of difficulty in the administration of these two departments was the intermingling of untrained and inexperienced men with

those in the department, the new men often outranking regular officers of the corps and depending upon them for their own information.

It was generally considered among Army men that these corps in particular needed to be filled by men of some military training and practical experience. As now constituted "promotion" from one grade to another up to a major in these corps is made on examination, although "appointments" in the lowest grade are made simply by selection without examination. This bill provides for appointments, even to the rank of major, without examination as to qualifications. Instead of breaking down the barrier to promotion in these corps, it seems desirable rather to require special examination for appointments as well as promotions, even if the appointment is confined entirely to Regular Army officers. It can not be assumed that every officer in the Army will make a good quartermaster or commissary, and appointments from outside the Army should be made only after a thorough and special investigation regarding fitness for the position.

In section 11, referring to the Medical Department, provision is made for the appointment of 100 dentists. It would seem almost as important to provide for the appointment of 100 chiropodists, since the care of the feet is specially important for the soldier and very few surgeons or physicians seem to pay special attention to this subject in connection with the foot gear. It is to be remembered, however, in organizing a corps with two or more sets of officers, that they are very likely in time to be consolidated into one list for promotion. This has previously occurred in the Medical Department in the grade of medical purveyor, and officers so graded before permanent consolidation entered the corps with a higher grade than they would otherwise have reached. A similar condition arose at one time in the Corps of Engineers when a separate corps of topographical engineers was consolidated with it.

Section 12, relating to the Pay Department, demands only examination into the physical fitness. It seems important that there should be some definite method prescribed for determining an appointee's business capacity and fitness for handling funds. While great responsibility may not often rest on the lower grades of this corps, its officers are often called upon to settle very important questions relating to money affairs. Some knowledge of military conditions is also advisable.

Section 13 refers to the Corps of Engineers. If there is any criticism to be made regarding the present methods of appointment into this corps, it would be that the officers enter it with no other military experience than the West Point training, and that there is nothing to insure their coming into immediate contact and dealings with the line of the Army, especially in the lower grades.

The present method of appointment in the Ordnance Department, which is still continued in section 14 of the bill, secures this preliminary experience and has worked most satisfactorily. It not only insures a preliminary military schooling, but a continuation of scientific study after entrance into the Army and before appointment into the corps. Section 13 proposes to remove, in regard to appointment into the engineers, even the present assurance of some military training. If the chief object of an engineer corps of the Army is to provide officers for civil works, to which they are so extensively assigned at present; it would be of greater importance to introduce engineers from civil life; but it is to be remembered that the main object of the military establishment is to conduct military work, and all the officers of this corps are liable to be called on for works of military engineering. The principal advantage to be gained by introduction of engineers from civil life would be that this would subject them to restrictions of a system the thoroughness of which is the secret of the confidence imposed in this corps. The tendency of the work of the Engineer Corps is even now to draw its officers more and more away from touch with Army work, as indicated in the following statement by the General of the Army:

> Under the present law governing the Army, cadets in the Military Academy who graduate highest in their class are assigned to the Engineer Corps and are ordered to report to the senior officers of the corps for duty in connection with the improvement of rivers and harbors—a civil engineer's work—so that in case of war after the lapse of a number of years, those bright young officers are liable to become totally unfitted for the duties of their profession, in a military sense, and for which they were educated at the Military Academy.

Section 13 of the McClellan bill is a practical reproduction of section 13 of the Hull bill, relating to the Corps of Engineers.

Sections 16, 17, 18, and 19 of the Miles bill, relating to the Corps of Engineers, do not attempt to correct the difficulty pointed out by General Miles and referred to in above notes on section 13 of the Hull bill.

The standing at West Point grades students according to a fair promise for the future, but does not allow for the development often noticeable in practical life after an academic course nor for the stagnation often seen in those whose faculties have been overstrained to attain schoolboy success. The final graduation standing at the Naval Academy is not determined until two years of service have passed after the academic course is completed.

Section 20, corresponding to section 21 of the McClellan bill, to the effect that "nothing in this act shall operate to cause the discharge from the service of the United States of any commissioned officer now in the Army," is obscure from not defining whether it refers to officers of volunteers as well as officers of regulars.

MILES BILL ESPECIALLY DETAILS TO THE STAFF.

In section 9, referring to the Adjutant-General's Department and to positions to be filled by details from the Army, there is some obscurity as to the meaning of "original vacancies." It is not clear whether the intention is that the higher grades should be filled, as far as possible, by promotion of the regular officers of the corps, or whether the numbers added by the bill to each grade should be filled by detail, and the promotion of the regular officers confined to vacancies which may occur in the present membership of the corps.

Section 10 properly provides, as does section 7 of the Hull bill, for examination before appointment into the Inspector-General's Department.

Section 11, regarding the "Bureau of Military Justice" (Judge-Advocate-General's Department), omits, as does section 8 of the Hull bill, all reference to determination of legal qualifications of appointees.

In sections 12 and 13, relative to the Quartermaster's and Subsistence Department, there is the same obscurity as that noted with reference to the Adjutant-General's Department in section 9.

In section 14, regarding the Ordnance Department, the recognized advantage of the present method of appointment seems to be overlooked.

Section 22, relating to appointments, gives a very indefinite indication of the system to be followed.

Section 23, which allows arbitrary transfers from any branch of the Army to any other, annuls all the previous restrictions in the bill.

This bill provides for a slight increase in the number of cadets at the Military Academy; the Proctor bill for a still greater increase.

The most important feature of the Miles bill, as shown in various paragraphs, is that relating to the detail of officers for various staff duties, in place of having regularly established staff corps. Under proper restrictions, and with a suitable control of the Army, there is much to be said in favor of such a method. As compared with the present system of arbitrarily appointing officers to permanent and life-long positions in such corps without careful scrutiny into their capacity, not only for the important duties of the lower grades to which they are appointed, but of the higher grades, to which they may rapidly succeed, the system of temporary appointment by which the capacity of officers could be tested, allowing officers to be relieved from such positions if they are not suited to them, would be superior in some respects.

While, however, under the present system of appointment permanent positions are often obtained under mere personal or political pressure, the proposed system, unless modified by restrictions which do not appear in the bill, would allow still greater room for the exercise of such personal or political influence, and would make an efficient administration of the Army wholly dependent on the power of the military authorities to resist pressure of those who do not have the efficiency of the Army at heart, or at best do not appreciate the conditions on which that efficiency depends. Under a military government like that of Germany such selection can be safely left to the authorities, because the military power controls the Government, and the efficiency of the army is of the first importance. Controlled as our Government is by changing Administrations with varying policies, the importance of making and keeping the Army a strictly military body is often lost from sight by those in power, who forget that even to be of full value to the civil power, to which it is and should be ever subordinated in this country, the Army should be like the Navy, a thoroughly organized machine, capable of carrying out without fail the military duties for which it is intended.

The country has just seen the disastrous extent to which such a system of arbitrary details and appointments can be carried when the laws do not provide proper restrictions for its exercise. In the temporary organization growing out of the war with Spain not only have officers often been rapidly advanced from subordinate positions in the Regular Army to greatly increased rank in the volunteers and placed above their superiors in rank in the Regular Army, without reference to the comparative abilities of these officers, and even without consultation with their military superiors, but civilians, with little and often with no military experience, have been placed in high positions in the staff and in the line, where efficient and experienced officers were subjected to service under them. There is nothing in the Miles bill to prevent a recurrence of many of these conditions, even in the regular establishment. While many of the early sections of the bill seem to provide some safeguard for certain corps, section 23 seems to sweep them all aside and reduce the bill practically to this: "Any-

one once appointed into the Army can be arbitrarily assigned to any department and can be promoted in it or in any other department which would give him the most rapid advancement." If a system of details is to govern, while the final authority for ordering the details must rest with the Secretary of War or the President, the efficiency of the Army can be protected only by requiring that such details or transfers, at least below the rank of general, should not be made without the recommendation of the strictly military head of the Army or of some properly constituted military board or council.

It is hardly possible to estimate the serious blow given to military morale among the officers of the Army during the past year by the total disregard of all the established principles which they have been trained and required to follow and on which they have been taught to rely. Under cover of a law hurriedly planned and passed the Regular Army was merged into a great force, in which all principles of advancement for the service and merit have been violated, and in the very emergency for which officers had been preparing by years of patient service and hard study they were practically told that this was to count for naught. Of the heart-burning rage and despair so caused full estimate can not be made. Bad as this state of affairs has been for the temporary conditions of the emergency, its perpetuation by making these temporary inequalities permanent, broadly and without even the restriction to cases of conspicuous gallantry and ability, will do lasting injury to the service, making dependence on influence the rule, rather than the confidence which has inspired and held together our little Army and made it effective, that faithful service would bring its fair reward. Already this new spirit has spread far and wide, and from low to high the opinion is fully expressed that merit counts for nothing. But just here are the regular soldiers also at a disadvantage, being by their duties far from home usually quite removed from touch with powerful influence, while respect for their profession, too, has led many of the most deserving to avoid using even what influence they could command.

After the long and arduous duties of the civil war, where new men were molded into armies by campaigns and battles which drew out all their soldierly capabilities, it was right and proper that officers so trained should pass into the permanent establishment, and that many should even enter it with high rank commensurate with that held in the volunteers; but it will be found that even then a large proportion of those now left in service, many who had served as colonels and had the brevets of generals, entered the Regular Army with the rank of company officers, often with the rank of second lieutenant. It is not only the men of West Point training, but such as the above who have worked their way up from the lower grades, who are now to be affected and smothered by an influx of comparatively raw men, and are to see the staff positions before open to them filled by men of inferior capacity.

It is even proposed in the Hull bill that this be done by selection for mere physical capacity. One of the most efficient regimental quartermasters of the Volunteer Army—the present governor of Minnesota—would fail in this test.

Even after the civil war there were many inequalities resulting from the reorganization, but this was inevitable when the small Regular Army at the beginning of that war was but a drop in the immense force called into being, and when the war was of a nature to throw doubt and distrust on the loyalty of many who were in that small Army.

There is grave doubt whether the country should maintain at great expense a military academy and a regular army for the training of officers and soldiers if the product of these theoretical and practical schools is to be belittled and the trained men thereby produced left unused and humiliated when the very emergency arises for which they are needed. While it is right and proper that officers should enter the lowest grades from the ranks and from civil life, as now provided for by law, and especially from among those who have volunteered in the late war, it is, for future safety of the Army administration, criminal to so flood even those positions and not provide for supplying a fair proportion of men especially trained by the United States military school or colleges where serious military instruction is given. Too many examples are even now arising of the lowering of the soldierly standing by the lack of such an element among those who have risen by natural promotion to the grades demanding the highest degree of military training. Though it can not be expected that all graduates of the Military Academy will rise to or even prove capable of high command, it is nevertheless especially in the higher grades that thoroughness of early training in military science and tradition, when combined with experience, most tells to advantage in the organization, discipline, and administration of an army, as well as in directing its movements.

THE PROCTOR BILL.

This, like the Miles bill, provides for the detail of officers for staff duties, and, like it, omits all provision for regulating such details. It has some advantage in reference to the promotion of present officers of the staff corps.

The criticisms that have been made on present and past methods of appointment to staff corps are not to be interpreted as a reflection upon the present personnel of these corps. It would be safer to trust to those who are familiar with the duties as they are, and to work the change gradually, than to attempt to upset and wholly disturb the organization.

While it is evident that the experiences of the past year have not been a fair test of most the regularly organized staff corps, because of the admixture of inexperienced men in various grades, it does not appear that any one of them, saving, perhaps, the Medical Corps, though controlled by officers who had military experience during the civil war, had even evolved from the lessons of that war a scheme for expansion to be applied in the emergency demanding it.

That they should have been unprepared goes without saying, for the actual preparation depended on Congress, which had been for years indifferent. Possibly all prearranged plans would have been rendered futile by the disorganization introduced by hurried legislation, and the resulting laws, which have had the same effect as if devised more with reference to distributing patronage than to promoting the efficiency of the Army. It by no means follows that promotion to a majorate or even to a colonelcy during the civil war, in the great armies to which a regiment was a smaller unit than was a company in the Regular Army at the beginning of the Spanish war, made a man a general, or even made him capable of appreciating and directing military operations to the full.

The officers of the staff corps, from knowledge of our unprepared conditions, well and ably pictured by many officers during many years past, and of the almost certainty that no well-digested laws would be passed in an emergency, might well have been discouraged from working out schemes which would be swept away by a breath.

M'CLELLAN BILL.

Section 6 provides for the creation of a general staff, but does not sufficiently define its duties and authority. It defeats the very purpose of a general staff by arbitrarily assigning to it special officers, instead of having it made up of specially selected and trained officers wherever they can be found.

Section 7, relative to the Judge-Advocate's Department, makes no provision for legal qualifications, but this may be covered sufficiently by section 19, providing for examination of all appointments in staff corps.

Section 12, relating to the Engineer Corps, is practically the same as section 13 of the Hull bill.

Section 13 arranges for the transfer of the Ordnance Department to the Corps of Artillery. The officers of ordnance are now rated as mounted officers. This transfer would reduce the pay of present officers below the rank of major. The general advantages and disadvantages of this consolidation will be noted later on.

Section 14, transferring the officers of the Signal Department to the infantry, makes no provision for the present head of the corps and would reduce the present pay of captains and lieutenants now rated as mounted officers.

Section 15 creates a new department, called the equipment department, the object of which is not clearly shown.

Section 18 wisely provides for an age limit to appointments of second lieutenants, as does the same section of the Hull bill. It would be of advantage to add a limit of age for appointment to each grade. This has been adopted in the English service to produce a healthy flow of promotion.

This bill contains the desirable feature of assimilated rank instead of actual military rank for those departments which are not strictly of a military nature requiring a high degree of military training. This is in accordance with conditions in the Navy.

Section 19 wisely limits appointments in the staff corps, after examination, to officers who have served five years in the Army, and throws open positions in the staff to officers of any branch of the Army.

Section 19 of the Hull bill contains the latter provision without the limitation provided in the McClellan bill.

"GENERAL STAFF."

The most important feature of the McClellan bill is the provision in section 6 for the creation of a general staff. Few military men will deny the advantage of having a general staff organization if it can be adapted to the peculiar conditions of our service, some of which have been mentioned in discussing the system of details proposed by the Miles bill. In the first place, the constitution of such a body should be entirely free from personal and political control. It should have at its head a man of recognized capacity, familiar with all the branches of the military profession, and the officers under him should be drawn from all parts of the Army, whether of the staff or of the line, after a thorough investigation into their capacities for the varied and special duties that would devolve on such a corps.

Such assignment should not, as a rule, depend upon relative rank of officers to be selected. There is very little doubt that the efficiency of the Army will be greatly increased by having, for the staff corps at least, a central military control of recognized ability and authority—a "clearing-house," so to speak—to insure the mutual action of the different bureaus in harmony and for the greatest efficiency. The tendency in the different bureaus is to grow toward complete independence of each other, controlled only by the nonmilitary head of the War Department; since the Adjutant-General's Department, through which such questions pass to and from the Secretary of War, is not by law officered or organized for deciding, if even for advising upon them. Examples may be cited of such difficulties.

The transportation of ordnance, commissary, and medical supplies, as well as of the supplies of its own department, depends upon the Quartermaster's Department. Each separate department naturally urges precedence in the forwarding of its own supplies, and the question of deciding often has to rest on officers of the transportation department who may not understand the relative importance. Even in time of peace different policies are pursued by different departments regarding the same thing, and there is no one whose duty it is to note and accommodate such differences. While for years the Engineer's Department, under civil-service appropriations, in improving the navigation of the Mississippi River was incidentally lowering the level at a point just above Rock Island Arsenal, the Ordnance Department, under military appropriations, was using every effort to secure and maintain proper head of water in the water-power pool supplied from this same point in the river.

It is doubtful whether the McClellan bill insures such composition of the general staff as would meet the needs of the Army. Section 6 provides for the consolidation of the present Adjutant-General's and the Inspector-General's Department for this purpose, and the organization of the present Inspector-General's Department may be classed with the Adjutant-General's Department as discussed above with respect to adaptation to such an important rôle.

By the accidents of service, the rôle not intended for it has been practically forced upon the Adjutant-General's Department, so that from being merely the official mouthpiece of authority it has practically become in many respects the controlling authority itself; and over certain things, such as enlistments, control is directly given to it. In this connection the anomalous condition of this department at Headquarters of the Army should be noted. The Adjutant-General of the Army is the mouthpiece of both the Secretary of War and the General of the Army; subordinate in part to the latter, but in position to annul his work by influence with the nonmilitary chief—issuing orders in the name of the Secretary of War to control even the General of the Army, whose mouthpiece he also is. It is on record that the lack of distinct authority in the hands of the General of the Army, with want of definite control over the staff officer issuing his orders, has caused much friction in the conduct of military affairs under many Administrations.

The general staff, if established, should have its relations to the Secretary of War and the General of the Army definitely prescribed; and assignments to it, whether temporary or permanent, should not depend on mere favor, but on merit determined under some definite system of selection. While, as indicated above, it is doubtful whether consolidation of the Inspector-General's and Adjutant-General's departments would secure exactly what is needed for a general staff, even under the most approved restrictions for future assignment to it, a properly organized general staff would perhaps give a body of officers from whom selection could best be made for temporary assignment to the special and proper duties of Adjutant-General at Headquarters of the Army and of its various subdivisions. It would also naturally supply officers for military inspections, the result of which would need to be communicated to the general staff for its proper understanding of the condition of the Army. The duties of the general staff, however, ought to be of a still wider nature, embracing the collection of military information from all sources and the evolution of plans for the execution of military operations. In this the fact is not overlooked that an officer, so long as he is in command of military expeditions actually in progress, should have unhampered control of all military operations, regulated by the nonmilitary head only in respect to the political bearing of the general movement.

The laws relating to appointments need some revision with reference to the effect given by the Senate's approval of the President's nomination even where the preliminary requirements prescribed by law have not been carried out. It is held, for instance, that if the President should by mistake appoint an officer in place of another and the Senate should confirm this it would displace the other officer and put him out of the Army. There is a case on record of the appointment of a civilian as second lieutenant, even since the laws required examination therefor, without his having passed a satisfactory examination. The confirmation by the Senate secures him in his position, and there is nothing to prevent his transfer, with advanced rank, to some staff corps for which the laws at present require appointments to be made from officers of the Army. Where nominations dependent on special qualifications are to be made, the statement that those requirements have been complied with should accompany the nomination, and confirmation by the Senate should be inoperative if these conditions have not been carried out. It is a serious matter if an incompetent man can be foisted contrary to law upon the line of the Army for the sake of making him eligible to a staff position.

To open the different corps of the Army to appointment on mere influence is worse than adopting the purchase system long used and now abandoned in the English service.

ARTILLERY AND ORDNANCE.

The plan of adopting corps organization for the artillery, as provided in both the Hull and McClellan bills, seems to possess many advantages well set forth in the report of the committee on the Hull bill. This report dwells on the complicated nature of the artillery service as compared with the infantry and cavalry services, implying the need of more varied training in the officers of artillery. At the same time, as noted before, the Hull bill proposes to promote officers of infantry and cavalry into the artillery without special inquiry into the breadth of their knowledge. The McClellan bill goes further and provides for the consolidation of the Ordnance Department with the artillery. This plan was formerly tried and abandoned, and it has been frequently urged of late years. There are many points to be made in favor of such combination. This is the system followed in the English service. There is no separate ordnance corps in our Navy, the line officers being detailed to perform ordnance duties. It is to be remembered, however, that the line of the Navy consists, with very few exceptions, of a compact body of especially trained men, graduates of the Naval Academy, and that the discipline and training of the Navy has been for years in the hands of just such men. The selection of proper officers for this duty could therefore be confidently assured.

In regard to consolidation of the present ordnance corps with the artillery, whether as the latter is at present organized or as proposed in Congress, the advantage will depend largely on the personnel of the artillery. It is to be questioned whether such attention has heretofore been paid to its composition as would insure the detail of capable men from among them; and whether the new organization proposed would immediately secure such conditions. While of late years such attention has been paid to appointments and training of the artillery officers as to secure in the lower ranks excellent material, there is doubt whether this has always been the case. It is claimed that this was not regarded in the appointments from civil life during the past summer. It would be unwise at the present time to reduce the standard demanded for entrance into the artillery, particularly if it is to affect the ordnance also. It may well be hoped, however, that the organization will be so framed that at some future time such consolidation will take place. There is undoubtedly considerable advantage to the service, and to officers themselves, to pass from theory and construction to the practical test of problems and the machines they have devised.

It is to be remembered, however, that comparatively recent laws have led to a selection for the Ordnance Department of picked officers from the Army, mostly from the artillery, who, besides having the training of a Military Academy, have had practical army service with troops, and have been called upon to pass a severe professional competitive examination to test their special fitness for the duties demanded of the Ordnance Department. It is believed that where officers are to be permanently diverted to staff duties the present system of selection for the Ordnance Department is a model for the Army. It is hardly reasonable to assume that the general run of officers of artillery would be superior for technical work to those specially culled from the Army for appointment in the Ordnance Department under a suitable examination upon their qualifications. Officers so appointed have already reached the grade of major, and it seems unwise to disturb that corps just when the new system is beginning to have full effect.

While the artillery work is rarely, even in war, carried on according to a regimental organization any more than is that of the infantry and cavalry in time of peace when split up in small garrisons, it is doubtful whether service in the heavy artillery adapts men or officers for light-artillery service, including horse artillery, any better than service in the infantry does for the cavalry. The bills provide for the transfer at will from heavy to light artillery as done at present.

The management of artillery in the field is of a tactical nature, and the duties of a chief of artillery are there quite distinct from those relating to fortress or siege artillery. In the European services the field artillery is organized into regiments quite distinct from other work of the artillery; and such a separation becomes more and more necessary as the artillery arm increases. It is believed that cavalry troops, officers and men, could be more readily

transformed to field artillery than could the batteries of heavy artillery.

EQUIPMENT DEPARTMENT.

The McClellan bill, in section 15, provides for an additional department, to be called the equipment department. It is the opinion of many able officers that, instead of adding to the number of supply departments of the Army, all the duties of supply so intimately connected with the welfare and comfort of the troops as those of the Subsistence and Quartermaster's departments should be concentrated in one, and that if any separation is to be made, it should be in order to give a department solely for transportation.

VOLUNTEERS AND MILITIA.

Notwithstanding the lessons of the past year, none of the bills seem to contemplate any proper reorganization of the volunteers. In regard to the militia, we still have the antiquated laws as illustrated in sections 1625 to 1628 of the Revised Statutes. With regard to the use of the militia, the remarks of Monroe to Congress in 1814 are still true to-day:

It may be stated with confidence that at least three times the force of militia has been employed at our principal cities, along the coast and on the frontier, in marching to and returning thence, that would have been necessary in regular troops, and that the expenses attending it have been proportionately augmented from the difficulty, if not the impossibility, of preserving the same degree of system in the militia as in the regular service. The cost of putting them in the field is always disproportionately great. Another source of waste is in the time required for this. The State governments and the National Government will struggle to avoid a call of militia, even though risking great disasters by the neglect. Opposed to trained armies, they invite defeat; opposed to similar forces, decisive action on either side is impossible, and the war drags on till its cost far exceeds that of years of standing armies and peace preparations.

The report of the Adjutant-General of the Army shows that an imperfect bill was passed when the war was upon us. An earlier and more reasonable bill was killed by militia influence, since it would have stood in the way of giving militia officers, when called into the United States service, precedence over officers of the Regular Army. The militia officers claimed that the State organizations were prepared as a body to enter United States service. This prediction was not borne out by the result. The inexperience of their officers caused much suffering in the ranks of the volunteers, and it is believed that they would be the first to favor a system of Government volunteers in preparation for war, officered by trained men appointed by the General Government.

It is even proposed, however, to transfer bodily into the permanent service of the United States the immune regiments of volunteers, if not the engineer regiments of volunteers. But few of the officers of these regiments were taken from the Regular Army, while these were arbitrarily selected from the lower grades for appointment, or for examination and appointment in the case of the engineers, other officers of equal ability having no chance to compete. Admitting such regiments into the service as a body, especially when not one of them took part in any campaign, would be no more just than so transferring any regiment of State troops which might have had a single field officer of regulars with it or one composed wholly of volunteers, but having had the experience of a campaign. It would be putting volunteer officers, whether from the regulars or from civil life, into high regimental grades, to take rank in the line of promotion above worthy regular officers of long service who are now seniors to some in the regular service itself. It has been proposed to put such regiments in a separate organization from the present regular regiments. The history of such detached corps is almost invariably a later consolidation, when all the evils referred to will occur.

The substitute bill proposed for the Hull bill by the minority report of the Military Committee of the House contains all the dangerous elements of the other bills intensified, and it introduces even more fatal elements for disorganizing the future discipline and administration of the Army. While the use of volunteers in time of great and sudden emergency, inspiring the best blood of our youth to enter the service even as privates, may be necessary and practicable, in spite of the manifold difficulties we even then encounter, the attempt to give a semipermanence to such a body would make it neither one thing nor the other, and would attract a very different class of men, particularly as officers. It would expose the regular establishment to still greater danger than it now runs of having such officers placed in high positions where their want of training would most tell with disastrous consequences.

OFFICERS RETIRED AND HONORABLY DISCHARGED.

None of the bills before Congress make provision for utilization of retired officers in case of need. The Navy had the advantage of the Army in this respect during the Spanish war, for the retired Navy officers were called upon freely, wherever their physical condition would permit, to supply places, in recruiting or office work, which would have otherwise drawn away officers of the active list from sea service.

The conditions of retirement from the Army should be such that the Government, in case of actual hostilities or of extreme preparation for war, could call upon capable retired officers—possibly excepting those beyond the age limit—to perform the duties of mustering officers, quartermasters of posts, etc.

It would be well, too, to make acceptance of the resignation of an officer conditional upon the right of the Government to demand his temporary service in a like emergency, subject to a fair rating of rank in respect to his fellows who remained in the Army.

The privilege of appointment to United States Volunteer service, except with State troops, was denied to all retired officers, with one conspicuous exception of appointment to the grade of brigadier-general. With respect to service of regular officers with State troops, the governors were limited to one field officer to a regiment. Militia influence in most cases prevented even that. A better rule would be to require at least one regular officer to each regiment from a State, or an officer from among those retired or honorably discharged.

It is an unwritten law among officers who have resigned to offer their services in case of war, but there is no provision for assigning them temporarily to regular service. Cases are cited where officers so offering services were turned away because they had no political influence to back them. In the Navy temporary restoration to rank was allowed to an officer who had left the service.

PAY DEPARTMENT.

The maintenance of a separate corps for paying troops is opposed by many, and it has been proposed, though not in any of the bills now before Congress, to transfer these duties to the Quartermaster's Department. It may be questioned, rather, whether the duties of this Pay Corps should not be enlarged and extended, making it the official "disbursing department" of the Army and the only department to control its fund. Examination of the system in vogue in the different departments in the Army will show that no two follow the same rules with regard to the details of money accountability, forms of vouchers, and the minor details coming under the laws of general application. The result is that officers and clerks may be perfectly familiar with the method of rendering accounts in one department and yet be almost as unprepared as an entirely untrained man for handling the accounts of another department.

Consolidation of these duties in one department would have the effect of assimilating such rules, and would relieve the officers of the separate corps from much of the difficulty. Vouchers prepared by them could be paid by the "disbursing department." Such an organization of the Pay Department would not, however, necessarily involve the direct payment of vouchers by the regular officers of that department any more than is the case at present with payments made by the Commissary and Quartermaster's departments. The officers detailed for the latter duties at the various posts and for the smaller units of the Army have funds placed to their credit for payment, and a single officer may hereafter, as now, have to perform the duties belonging to more than one department.

In such case the simplification brought about by the proposed change would reduce their labor. While the duties of the Pay Department in this respect would not require them to pass upon the special technical nature of the articles purchased or the work done, these being matters regulated by the different departments concerned, yet it would become more necessary than ever that officers of this corps should have some military training. The settlement of accounts in the Treasury Department gives rise to such a singular condition that the following instructions are embodied in the regulations of at least one of the departments:

Disbursing officers should always bear in mind that the accounts which they state are to be examined and decided upon by accounting officers who may be unacquainted with the professional business to which the accounts relate, and who can not be presumed to be familiar with all its details, and whose duty it is to suspend or to disallow accounts the propriety of which is not made manifest to them. Terms of art or technical phrases should be sparingly used in stating accounts when terms in common use are equally applicable.

GENERAL CONSIDERATIONS.

In this discussion of the various matters brought before Congress special attention has not been paid to the size of the Army in its separate corps, nor to the details of military organization of the line except to a certain extent in the artillery, because these points are sure of careful consideration. It has been the endeavor in these remarks to free them entirely from all directly personal considerations as to the advantage or disadvantage to individuals, and it is recognized that in a systematic reorganization for considerable expansion of the Army many individual inequalities must arise which it is difficult, if not impossible, to provide for in a general bill. The argument is directed against any sweeping injustice and against organic legislation in the interest of present individual aspirants.

There is one point, however, that ought to be carefully considered, and in regard to which the officers of the Army seem to possess the right to have personal consideration given them. This is: That by an ill-considered reorganization the right they have acquired to consideration on account of faithful and long continued

service—their reasonable expectancy of fair promotion and of proper advance of pay and authority—is liable to be overlooked. While it is recognized that in time of war, even of short duration, there arise some men with little or no military training who distinguish themselves in such a manner that they merit even military advancement, the numerous claims already made for the advancement of volunteers seem to make it now a question not whether the training at West Point is an advantage over other training, nor whether service in the Regular Army is an advantage over short service in the volunteers, but whether service in the volunteers, or even personal influence in civil life, is not to be counted as overshadowing long and efficient service in the Regular Army.

The ultimate object in favor of individuals, and even the hardly veiled present aim of some of the provisions in the proposed bills, under color of reward for volunteering or of improvement in efficiency of the service, would seem to make long and continuous service in the Army rather a bar to promotion in comparison with short service in the volunteers even if solely in camps of instruction, or in comparison with short previous service in the Regular Army in low grades followed by years of separation from the Army in civil life. The Hull bill throws open to civilians and volunteers, upon a mere physical examination, corps recognized as demanding special military training. While it is often the case that in the lower grades, and without special preparation, such men prove acceptable, the future should be looked to in making appointments into the Army; and it must be remembered, especially in regard to the staff corps, that it often takes but a few years to bring these men to the top, where they may need a broad knowledge of Army administration. For the special benefit of such appointees, the bill proposes to raise the limit of age for appointment to fifty years, and so admit men who have passed in civil pursuits the time of life after which as a rule they can not readily adapt themselves to new conditions. The only considerations that seem to have led the Military Committee to adopt even this limit were those of the cost to the Government of having such men put on the retired list at the age of 64 without obtaining very much service from them.

The question involved is a much more important one than that of money expenditure. It involves the future administration of the Army. At a time when strenuous effort is being made in the Navy to limit the advancement of officers above other meritorious officers on account of special services, and when some other system is sought of rewarding such men in a way which will not do injustice to others, it seems strange that for the Army a general system of military rewards should be urged for a similar kind of service. The contrast is intensified by the fact that while in the Navy the officers to be rewarded belong as a rule to the regular establishment and are recognized as trained in their profession, just the contrary is the case in the Army.

It is fatal to the efficiency of the Army to discourage ambitious men of ability from entering the service, and the tendency of the course lately pursued, and now promised continuance, is not only to drive from the Army all except those who would be satisfied by mere assurance of a secure position with moderate but sure pay, but to deter the better element among our young men from entering the Military Academy. This strikes at the source of military training. Already the desire to go to West Point as a matter of scientific education is reduced among ambitious young men by the establishment of many scientific schools throughout the country and by the many professional demands for their graduates. West Point is no longer the leading scientific or even engineering school of the country, as it used to be. It was at one time the only one. Now it must depend more than ever on the military training to attract, and on the security it gives of sure military advancement to the capable and faithful. It is not desirable to have boys go there merely to obtain an education without personal expense.

But two of the bills provide for increasing the number of students there. It is by increasing the output of the school, while maintaining its high standard, that we may obtain an adequate supply of well-trained men to well leaven the additions which must inevitably come from other sources. The military instruction in colleges should also be fostered and regulated under Army officers, to make this a recognized and efficient source of supply of officers, the gradnates being encouraged to enter the service, or being put on a roll from which officers can and shall be drawn in case more officers are needed. The Government might even demand the right, in consideration of such instruction, to call on a certain number from each class.

Officers of the Army should not be reduced to the necessity of fighting for their positions as a mere question of bread and butter. War has become more and more of a science. By the multiplication of other sciences and pursuits, the days have passed when one man could grasp all or even master one in all its branches. In many pursuits we see specialists in different branches. It is so even in the Army itself. However capable men might be of becoming great soldiers if properly trained, so long as they pursue training by choice in other fields it is as absurd for them to claim that they can at once shift to military rank in any branch of the Army as for the lawyer to assume the office of the physician in like manner with no training. In other professions men depend for support on the natural wants of their fellows, who need advice and assistance for their personal ills or tastes. There is no such personal support for the soldier. A lawyer consults an able doctor, not because the latter is an abler man—quite the reverse may be the case—but because the latter is an able doctor.

So long as men are tied to other pursuits and are unwilling or unable to devote themselves in times of peace to study of the military art, the public must maintain at general expense a body of men for that purpose. It is often said that Army officers make their choice knowing well the conditions of the position, and that they can leave the service if they do not like it; but the very training they should receive, and the nature of the service they are called on to perform, remove them from the practice of other callings and make it impossible for them to acquire a knowledge necessary for other work. They would have to start at the foot in any profession. This makes it the more obligatory on the country to prevent their being driven to such alternative after they have cast their lot and grown into it. The laws should secure to such men every incentive to excel, provide every facility for their work, compel them to maintain the highest state of efficiency, and exact thorough discipline and unquestioning obedience. If the regular establishment is not capable of this, it should be torn up root and branch and such a system adopted as will secure the object for maintaining an army.

If volunteer organizations are to form a part of our Army for war, and are to share in its rewards on equal terms with the regulars, they should be held to like restrictions. What an example for regular officers has it been to see volunteer officers making private reports, promptly published, over the heads of their military superiors, or demanding special consideration and obtaining it unrebuked! Many were their comments and criticisms, freely uttered. The officers most capable of commenting on affairs have had their tongues tied by their position in the Regular Army. Regular officers were for the most part debarred from volunteering, and they had to await special selection for volunteer rank, or to use outside influence to obtain it. A large proportion of the regulars could have obtained better attention, with their qualifications, had they been out of the service.

The insinuation is often made that officers of the Army in time of peace are idle and unoccupied. If this be true—and the idea is often due to public contact with officers only when they are off duty—it is the fault of the laws in not demanding such a thorough system of administration that officers throughout the service will feel the impulse and incentive to improvement. The conditions of garrison life, from the splitting up of the day into duties with short intervals between, interfere with sustained study. That, in spite of trying conditions at small and distant garrisons, with few resources for the mind, the officers of the line of the Army had kept up their military work and well trained their men the battles before Santiago witness. That was essentially a triumph of the regulars, and it is confidently claimed that they would have been better off without the presence of volunteers, saving, perhaps, the Rough Riders. Yet it seems to be considered that a volunteer officer from civil life who came under fire and did not run away should be specially marked for advancement.

What of the regular officers who did this while serving with their regiments and kept control of their men too? Recognition of their work is long delayed, and they are liable to be overslaughed in the reorganization by volunteers who did not leave the United States during the war.

Bravery is not the only thing that counts where bravery is the rule, and the private soldier showed this as much as anyone. The volunteer rank and file quailed only when they could not depend on their officers and trust their capacity. Is the fact that a capable officer or man of the regulars is confined to his regiment or company and that he can show his bravery only there to stand in the way of his advancement in favor of those, less experienced and less capable, who accidentally held higher positions in the volunteers without the knowledge to be of service in them? The latter stood the same danger; that is all. Ultimately all service in our Army is "voluntary." Is the temporary volunteer to be rewarded beyond the man who volunteers to stay?

In this appeal jealousy does not enter. The graduates of the Military Academy expect and are willing to stand the full test for efficiency. The officers of the Regular Army in general are willing to submit to this test. They would all be satisfied if untrained claimants were made to stand the same test, even; not to be preferred as a separate and favored class for whom special consideration shall be shown, and for whom excuses shall be made if they are ignorant—a class to whom rapid advancement is to be opened by admission to special staff corps in which the natural order of promotion may soon bring them to the head of an administration

which demands thorough military training. When the laws were first passed prescribing examination for general promotions, it was specially provided that men of civil-war service should have this test of efficiency lightened, on the ground that they could not be expected to stand it as well as others. It is now proposed to reduce the test of appointment to mere physical condition, such as any man who would be allowed to enlist could pass more satisfactorily.

At present no examinations are made in the Regular Army for promotion above the rank of major, by which time an officer's qualifications may be assumed; but there is every reason why the physical examination should be extended at least to the rank of colonel in the line, to determine fitness for active service, and in the staff corps for such duty as may reasonably be expected. It is well known in Army circles that officers have been allowed to pass from the grade of major up to that of colonel, if not above, who in either grade would have had to retire if any field service had been demanded of them or if they had merely been required to use a horse as mounted officers. The approach of the Spanish war caused many such to retire from the so-called active list.

Among the majors appointed from civil life to staff corps of volunteers, above captains of the regular service who received no volunteer rank, there is already example of the boast that they could be transferred to the regular service by the same influence which procured for them in the volunteers the rank they hope to retain in the Regular Army, notwithstanding the fact that their service was entirely outside the sphere affected by the war and where they could gain no knowledge at all of actual conditions in a campaign or at military posts. If efficiency is to be the aim, the Army should not be made a retreat for the unsuccessful and inexperienced, nor a home for the aged.

If admitted into a permanent staff corps, such men are likely soon to rise by natural promotion to the rank from which chiefs of the corps are selected, and the same kind of influence that forced them into the corps will secure their choice even above more experienced men. If in addition to appointing officers in this way a system of arbitrary details should be adopted as allowed by the Miles bill, it is such men who will naturally have the influence to obtain desired positions.

This is no fancy picture. The records of the Army show that since the first period after the civil war, when officers from West Point had forged to the head, as would naturally be the result of a prolonged contest demanding the best equipped men, the tendency has been more and more to select for high honors men who were without this training but possessed powerful friends. In spite of this method of selection, many capable officers have so come to the front; but at the beginning of the Spanish war there was but one general of the line from West Point, while, with the exception of the two strictly scientific corps, the Engineers and Ordnance, not one of the heads of bureaus, Adjutant-General, Inspector-General, Quartermaster, Commissary, etc., was a graduate.

Nor does it stop here. Until the last few years, when graduates have preponderated in the lower grades of the line, the greater proportion of the staff appointments have been from nongraduates.

Among the field officers of the line, from whom will naturally be drawn the new general officers for future command of the Army, the preponderance of nongraduates is very great, except in the artillery arm, which seems to have been especially neglected in promotion to the rank of general. Such distinguished artillery officers as Hunt and Getty were passed over, and the only general officer made since the civil war from the artillery was appointed to the Army from civil life. The appended table shows the field officers of the line of the Army January 1, 1898.

This condition was an inevitable consequence of the civil war. At the time these officers were appointed the present situation could have been foretold. That war, for which it was impossible to make provision, was of such stupendous magnitude, so far exceeding the military establishment we had before, that the old control was practically swept away. We had to meet the emergency as best we could, and it was necessary as well as right and proper to call in the volunteers to fill the depleted quota of officers for which we had no adequate supply of men especially schooled. It is fortunate that we had so many ready trained in the field, though often the fact of service counted as much as the nature of the service. Naturally many so came in who were of little account. Many looked upon their new positions as given them in reward for past services, places where they could rest secure on their honors, content to simply follow the regular routine with full assurance that the mill of promotion would bring them to the top in due time, and thinking little of preparation for the future. Many trusted to securing, without reference to special fitness, and did secure positions in the staff where there would be rapid promotion, because the higher officers in the corps were old.

The necessities of that time were unique in our history, and they are not likely to recur to like extent again. The effect, however, is making itself felt in the present composition of the Army in the higher grades. It is no reflection on those officers to claim that the Army administration would gain by a greater admixture of officers trained in military principles as well as practice. The latter is in great measure limited to few phases of the art.

The trouble is that after the civil war, in the reaction from exhaustion and in the confidence that peace would last, we did not profit by its lessons to prepare for the future. Far from providing training to give us officers capable of shaping the militia and the volunteers, we made no adequate preparation to supply officers in the lower grades of the Regular Army to meet emergencies.

Even in time of peace we admitted into the Army men from the three sources of supply—graduates, enlisted men, and civilians—in platoons, as it were, each of a different kind and large enough to cause one and another set in the future to alternately fill all the grades of field officer in the Army. The slight expansion already made in the Army has of necessity brought in a disproportionate number from civil life, and the necessary increase now demanded will bring in many more, with, fortunately, many who have had volunteer experience in campaigns, or at least in an organized army of preparation. Drafts from these sources, however, should be carefully selected by means of suitable examination, and they should be confined to appointment as subalterns of the line. It does not follow that a man will make a good officer simply because he is fond of parade, interested in military drill, or attracted by the fife and drum.

From these men will come in time the commanders of the Army. It is evident that there will be inevitably enough now elements to affect materially the future administration of the Army. Is it safe to add the danger of introducing inexperienced men in higher positions, where they will sooner come to the head, delaying for that purpose the advancement of officers who have won the right to it by long and faithful service, and impressing on the younger officers in the start of their career the idea that service counts but little, influence for everything?

Throughout the middle grades will be found now more nearly the suitable proportion of graduates. It was the officers in these positions who told to best effect before Santiago. If undisturbed, these officers will in some half dozen years form the materials for the field officers, if not for generals. They will be of service in working our new Army into trim. Some of the regular regiments now starting for foreign service are half composed of recruits who do not know their facings or who can not stack arms. Many of the second lieutenants are without experience. It would be a lasting injury to the service to still further delay the desirable control of the Army by the experienced men we have, placing above them men who would have to look up to them as teachers. The effect on discipline caused by inexperienced commanders is more than temporary. It is lasting.

It is recognized that in time of war there should be some freedom of selection among the higher grades for the general command. This was the case in the Army of the Potomac during part of the civil war, officers of the same grade serving as commanders without reference to relative rank in the grade, though the conditions were vastly improved when the full control of all Army operations was put in the hands of one recognized leader. But we must make sure that we have men of capacity in those higher positions from which to select, if necessary, and that mere rank does not cover want of proper training. There may be many reasons for special assignment to secure full harmony with the Administration, but the control should be definite and covered by Executive order. The nominal commander should not be passed over and disregarded.

The power of selection was exercised to an extreme degree in the Navy during the Spanish war, when a captain was by Executive order made acting rear-admiral and placed in command over another officer who not merely outranked the former, but held the higher actual grade of commodore. Whatever may have been the injustice in this, somewhat obscured now by the fact that the former has by natural promotion reached the same actual rank as the other before the question of permanent precedence is settled, it is still to be considered that the choice lay between men of recognized ability and training, not between ability and mediocrity, though the action is the more emphatic that it occurred before either had been tested in any engagement and before the fight off Santiago introduced another element to be considered.

Arbitrary as this action has been considered, it is not a circumstance to what was a common practice in the Army. No officer of the Army was so low in rank or so disconnected with its military branches that he might not hope to be advanced to high command, or put in the way of it, for reasons wholly disconnected with military advancement. The success of anyone so pushed forward, an unforeseen and happy accident, should not obscure the danger of introducing such a dangerous method or allowing it. While every officer of the Army will applaud the personal success of anyone, however trained, in carrying out new and great responsibilities thrust upon him, it is unjust to give its military aspect more credit than is its due and to honor with permanent

military rank what indicates more a personal strength of character and capacity of administration than an ability to direct armies. It was not even necessary to be in any way connected with the Army to receive high military reward.

Table of field officers of the line.

[Army Register, January 1, 1898.]

	Colonels.		Lieutenant-colonels.		Majors.		Total field officers.	Total graduates.
	Total.	Graduates.	Total.	Graduates.	Total.	Graduates.		
Infantry	25	6	25	1	25	3	75	10
Cavalry	10	2	10	1	30	5	50	8
Artillery	5	5	5	3	15	3	25	11
Total	40	.....	40	.....	70	.....	150	.....
Graduates	.....	13	.....	5	.....	11	.....	29

Mr. FISCHER. Mr. Chairman, I desire to offer the following additional amendment.

Mr. HULL. Mr. Chairman, I raise the point of order that there are two amendments pending.

Mr. FISCHER. That is a mistake. One amendment has been accepted by the committee.

Mr. HULL. We are still acting on the amendment to the substitute.

The CHAIRMAN. Is the amendment offered by the gentleman from New York an amendment to the substitute or to the original text?

Mr. FISCHER. My amendment is offered as an amendment to the text.

The CHAIRMAN. An amendment to the original text would be in order.

The Clerk read as follows:

Provided further, That in time of war retired officers of the Army and retired enlisted men physically able, in the discretion of the President, may be employed on active duty other than in command of troops, and when so employed shall receive the full pay and allowances of their grades.

Mr. HULL. I want to raise the point of order upon that. This bill is for the organization of the Army, and this is no place to amend it with the provision of the kind the gentleman has introduced.

Mr. FISCHER. I understand the object of the bill is to provide for things to come, and also for many things that have already transpired, and taking care of the Army. Now, this is adding to it, and providing for officers in the Army and their promotion.

Mr. HULL. This amendment relates to taking care of retired officers.

The CHAIRMAN. The Chair will hear the gentleman from Iowa on the point of order.

Mr. HULL. Mr. Chairman, there is another provision in the bill dealing with the retired list, and if the amendment should come in at all, it should come in at that point. The law provides for men being retired at 64 years of age. They are relieved from active service at that time by a provision of the Revised Statutes, and they can only be used as governor of the Soldiers' Home or teachers of colleges, if they are willing to go to them, but they can not be assigned. But this amendment brings them into the active force of the Army again, and the amendment of my friend has nothing to do with the section before the committee.

Mr. DOCKERY. Let us have the amendment reported again.

The CHAIRMAN. The amendment will be again reported.

The amendment was again reported.

Mr. DOCKERY. That is clearly not germane to the section.

Mr. HULL. It is not germane to the section.

Mr. FISCHER. I understand the gentleman from Iowa says that this is germane to some other section of the bill?

Mr. HULL. If it is germane at all, it ought to come in that part of the bill that deals with the retired list.

Mr. FISCHER. Which point do you think it is germane to?

Mr. HULL. I do not believe it is germane; but if it is at all, it is to that part which refers to the retired list.

The CHAIRMAN. The Chair thinks it is not germane to the section under consideration.

Mr. FISCHER. It is germane to the bill, however; and I desire to have it read and printed, so that it may be called up at the proper place.

Mr. SIMPSON. Mr. Chairman, if I understood the Chair aright, he ruled that the amendment of the gentleman from New York was out of order. It seems to me that the whole bill is out of order; and when the gentleman from Kentucky asked the gentleman in charge of the bill about its parentage, he did not disclose as to its parentage. He acknowledged that he stood by the bedside at its birth and assisted somewhat [laughter], but that he was not its legitimate parent. [Renewed laughter.] It seems to me that it is the illegitimate child of the Republican party, and none of them have the courage yet to acknowledge its parentage.

Mr. GRIFFIN. You will find that it will be a very healthy infant.

Mr. SIMPSON. So that point of order could be properly raised against the whole bill (Hull bill). [Laughter.] I have been considerably amused as well as instructed in listening to the general debate as well as the debate under the five-minute rule.

I listened to the gentleman from Pennsylvania [Mr. MAHON], and I saw him when he stood up singly and alone on his own side as the one willing to represent the courage of his convictions; and I saw him when he stood up here and made a speech on this bill, in which he talked very loudly and learnedly about the great problems opened up in this bill, but unfortunately for the House and the country he did not inform us what those great problems were that this bill is going to solve.

He did not tell us and he did not know what course the President is going to pursue with reference to expansion or the annexation of the Philippine Islands, but he finally said that he was willing at all times, in season and out of season, to stand by whatever his party wanted him to stand by. [Laughter.] He virtually acknowledged that this new kind of statesmanship, of which he is the champion, would surrender, and surrender to the power in the White House, the power that has been delegated to him by his constituents.

For if I understand the genius of this Government aright, it is that the country is divided into political divisions called Congressional districts, and that they every two years elect Representatives here to enact into law the wishes and will of their constituents. Now, this gentleman from Pennsylvania surrenders all that power and becomes a kind of a "me-too" Congressman. [Laughter.] Why, the gentleman would not know in the morning——

Mr. MAHON. I represent the people of my district.

Mr. SIMPSON. He would not know in the morning until he read his paper and found what the President stood for [laughter], and then he would come up here in the morning after the President said "Me," and he would say, in a little squeaky voice, "Me, too." [Laughter and applause on the Democratic side.] This is a new kind of statesmanship; and unfortunately for the country there is too much of it. I admire the stamina and backbone and heroism of the gentleman from Indiana, who stood up against the sneers and jeers of his party for what he believed to be right.

Mr. STEELE. We will always do that.

Mr. SIMPSON. I can admire the courage of the gentleman from Pennsylvania——

The CHAIRMAN. The time of the gentleman has expired.

Mr. DOCKERY. I ask that the gentleman from Kansas be allowed five minutes more.

Mr. HULL. I object to any extension.

Mr. DOCKERY. This is peculiarly interesting.

Mr. HULL. I object.

Mr. DOCKERY. I hope you will not object.

The CHAIRMAN. Debate on the amendment and the substitute is exhausted. The question is on the amendment to the substitute.

The question was taken; and the amendment was agreed to.

The CHAIRMAN. The question is on the substitute.

The question was taken; and the substitute was agreed to.

The CHAIRMAN. The Clerk will read the next section.

Mr. SIMPSON. Mr. Chairman, I move to strike out the last word.

The CHAIRMAN. There is no last word to strike out. [Laughter.]

Mr. SIMPSON. Well, as soon as there is a last word, I want to strike it out. [Laughter.]

The Clerk read as follows:

SEC. 7. That the Inspector-General's Department shall consist of 1 Inspector-General, with the rank of brigadier-general; 4 inspectors-general, with the rank of colonel; 5 inspectors-general, with the rank of lieutenant-colonel, and 9 inspectors-general, with the rank of major: *Provided*, That all vacancies created or caused by this section shall be filled by promotion and appointment as now prescribed by law, but no person shall be appointed to the position of major and inspector-general until he shall have passed a satisfactory examination similar to that required for promotion to the rank of major prescribed by regulations made under the act of Congress approved October 1, 1890.

Mr. MAHON. Mr. Chairman, I move to strike out the last word. The five-minute rule cut off what I intended to say on the other section. I did say that I was satisfied beyond all controversy—and I am not complaining of the gentlemen on that side of the House—that they had made up their minds deliberately to make an issue of this contest over the annexation of territory and what shall be done with the Philippine Islands—a political question in the next Presidential campaign. Any man can see by reading the Democratic papers in this country, and the action of the Democrats in the House, that it makes no difference what the President of the United States does, these gentlemen will oppose it. I

have no quarrel with them for making a political issue, but I believe in taking up the glove every time they throw it down; and if they make it an issue, I appeal to Republicans on this side of the House to stand like a solid wall against them.

Mr. SIMPSON. Right or wrong.

Mr. MAHON (continuing). If we are to take the responsibility of working out these problems, we will take it. I believe in the Republican party handling the great questions before us.

Now, Mr. Chairman, I am asked what I would do with the Philippine Islands. I would do what the gentleman from Kentucky [Mr. BERRY] said he would do. I would have enough men down there to control the Filipinos and protect the Americans, Germans, English, and men of all nationalities at Manila and other ports of the islands in their mercantile transactions. I would protect their persons and lives from the hands of the insurgent leaders, whose only purpose is to pillage and destroy.

How to work out these problems the future alone will tell. I simply say that the Republican party in the past has worked out far greater problems than confront us to-day. The Republican party at its birth was dedicated to the cause of human freedom and liberty, and on that line it has marched ever since 1856, and will continue to march as long as it shall exist, and all this talk about the Republican Administration putting shackles and irons onto the people of the Philippine Islands is the veriest rot. The Republican party has never been guilty of a great crime like that and never will be. The Republican party has made mistakes, but it never committed a crime consciously; the respect it has for the right always has been, is to-day, and ever shall be its lifeblood. [Applause on the Republican side.]

Now, the gentleman from Kansas [Mr. SIMPSON] talks about my being "Me, too." [Laughter.] I have never been afraid, at home or away, to give voice to my convictions. I am a Republican of Republicans. Down in my State I am known as a stalwart Republican. I am one of the men who believe that the Republican party is right and stands for the best interests of this country, and I believe that the man who serves his party best when its principles are right serves his country best. [Applause.]

Now, up in my district, which covers nearly one-third of Pennsylvania, we have no Populists, we have no demagogues. I want to say to the gentleman from Kansas [Mr. SIMPSON] that if he were put on a Democratic ticket in my State and he made the same speeches that he makes here and in Kansas, he would not get 400 votes out of the 14,000 Democratic votes in that district. [Applause on the Republican side.] He talks about other people being demagogues. I have been in the House six years, and of all the demagogues of demagogues the worst demagogue has been the gentleman from Medicine Lodge. [Laughter on the Republican side.]

Mr. Chairman, he is recognized all over the country as the demagogue of this Congress. He does not voice his own convictions, but simply works for party advantage. But I have no quarrel with him, if he wants to sustain his organization, if he wants to stand by the Democratic party—because my judgment of a Populist is that he is a rectified, double-distilled Democrat—he can do so. I have been in this Congress for six years, and I never saw a Populist vote with the Republican party yet upon any political question.

[Here the hammer fell.]

Mr. STRAIT rose.

Mr. SIMPSON. Mr. Chairman, a question of personal privilege.

The CHAIRMAN (Mr. SHERMAN). The gentleman from South Carolina [Mr. STRAIT].

Mr. SIMPSON. A question of personal privilege, Mr. Chairman.

The CHAIRMAN. Arising out of a matter now under consideration?

Mr. SIMPSON. Yes.

The CHAIRMAN. The gentleman from Kansas will be recognized on a question of personal privilege.

Mr. SIMPSON. The gentleman from Pennsylvania [Mr. MAHON] in his speech just now alluded to me personally and designated me as a demagogue, which I take it he meant for an offensive epithet. [Laughter.]

Mr. HULL. Mr. Chairman, I rise to a parliamentary inquiry. Can a member rise to a question of personal privilege in Committee of the Whole?

The CHAIRMAN. Only on a matter that arises at the time in the Committee of the Whole.

Mr. SIMPSON. Mr. Chairman, in my experience here in this House I have made one discovery among others, that when a gentleman is cornered in debate and finds he is on the wrong side he generally retorts by calling his opponent a demagogue.

A MEMBER. Or coward.

Mr. SIMPSON. I have discovered also that it does not require very much ability to say a thing of that kind. I may be a demagogue; but I want to remind the gentleman who makes that charge that if I have been a demagogue, it is because I have erred on the side of the people. I have tried to find out from the best light that I had, first, what was for the best interests of the people whom I represented, and then what was for the best interests of the people of the United States. I have tried to follow that line of action. In voting and in debate I have sought to determine what was for the best interests of all the people. If that is being a demagogue, then I am a demagogue.

Since I have been a member of this House I have voted sometimes with one side of the House and sometimes with the other. I have voted with the Republicans when I thought they were right, and then I was called a "demagogue" by some of the Republicans; and I have voted with this side of the House when I thought they were right, and then I have been called a "demagogue" by gentlemen on the other side.

A MEMBER. Then we are unanimous on that question.

Mr. SIMPSON. If a member of this House follows out his honest convictions and votes for what he believes is right and for the best interests of the people, he is liable to fall under the displeasure of the gentleman from Pennsylvania.

Mr. WILLIAMS of Mississippi (to Mr. SIMPSON). You have never been a plutogogue.

Mr. SIMPSON. I want to say, as suggested by my friend from Mississippi, that I have never been a plutogogue, and I never want to be.

The gentleman from Pennsylvania, referring to me, says that I could not get any votes in the State of Pennsylvania if I should run for Congress there. Why, sir, of course not. I could not, because of my well-known convictions as an opponent of the plutocracy and to the schemes of corporations, trusts, and combines, who elect members of Congress in Pennsylvania [laughter and applause], and therefore nobody but his kind of a demagogue could get votes in that State. A State that has as a conspicuous candidate for the United States Senate a gentleman now under indictment upon criminal charges for robbing a bank will certainly never have very many Populist or Democratic votes while it is in that condition.

Mr. Chairman, I do not want to take up the time of the House. I will only say in this connection that this is an old charge which has been hurled at me, not alone in this House, but in every campaign, and it has been hurled at every man who attempts to stand up for what is right and takes the side of the common people. But I want the gentleman, and all others who use such epithets, to understand that I do not care for them.

I consider it an honor to be called a Democrat—I mean a demagogue [laughter]—by such men as the gentleman from Pennsylvania. Aye, or a Democrat, either. [Renewed laughter.] Democrat is an honorable name, since at the Chicago convention that great party purified and purged itself and threw out the plutocracy that has since joined the Republican party. [Applause.] I want to say now that such epithets have no terror for me, not even when they come from so eloquent a gentleman as the gentleman from Pennsylvania.

Mr. MAHON. I rise to a question of personal privilege.

The CHAIRMAN. The gentleman from Pennsylvania rises to a question of personal privilege.

Mr. MAHON. I want to say to the gentleman from Kansas that when he flung across this Chamber the insinuation which he did, that I was hanging onto somebody's coat tail, I replied in a spirit which I thought the remark called for. When any other man gets his club out I always reach for mine.

The gentleman admits that his own side of the House has charged him with being a demagogue; he admits that this side of the House has charged him with being a demagogue. And, sir, his own constituents, at the last election, have branded him as a demagogue and have decided to leave him at home. [Applause on the Republican side.]

Mr. HULL. There are no amendments pending to this section. I move that all debate on this section be now closed.

The question being taken on the motion of Mr. HULL, it was agreed to; there being on a division (called for by Mr. HAY and Mr. LACEY)—ayes 90, noes 80.

Mr. MAGUIRE. I rise to a parliamentary inquiry.

The CHAIRMAN. The gentleman will state it.

Mr. MAGUIRE. My inquiry is this: The gentleman from South Carolina having taken the floor to debate the pending amendment, having been recognized, and then having been taken off the floor by questions of personal privilege, can the Committee of the Whole close debate and deny him the right to proceed.

The CHAIRMAN. It certainly can. The gentleman from South Carolina did not reclaim the floor. The Clerk will now read the next section of the bill.

The Clerk read as follows:

SEC. 7. That the Inspector-General's Department shall consist of 1 Inspector-General with the rank of brigadier-general; 4 inspectors-general with the rank of colonel; 5 inspectors-general with the rank of lieutenant-colonel,

and 9 inspectors-general with the rank of major: *Provided*, That all vacancies created or caused by this section shall be filled by promotion and appointment as now prescribed by law, but no person shall be appointed to the position of major and inspector-general until he shall have passed a satisfactory examination similar to that required for promotion to the rank of major prescribed by regulations made under the act of Congress approved October 1, 1890.

The amendment reported by the committee was read, as follows:

Add at the end of the section the following:
"*Provided*, That it shall be the duty of inspectors-general to make duplicate reports, one of which shall be forwarded immediately to the commanding officer in the field, and the other to the Inspector-General of the Army."

Mr. HULL. I rise simply for the purpose of calling for a vote on this amendment. I do not want to cut off debate until there has been a reasonable amount of it. This amendment was proposed in committee by the gentleman from Virginia and unanimously adopted there.

Mr. HAY. Will the gentleman permit me to ask a question?

Mr. HULL. Certainly.

Mr. HAY. The gentleman from Iowa, the chairman of the committee, stated that when we reached the question of the staff there was going to be some cutting off. Now, we have gone through sections in reference to staff officers in two departments, and we have not cut off any. I would like to have the gentleman tell the House when the cutting off will come.

Mr. HULL. I will say to the gentleman from Virginia that the staff will be reduced altogether 322; but it is not proposed to make reductions in these two departments. And, Mr. Chairman, I will say to the gentleman, while I am on the floor, that the Adjutant-General's force was increased seven, as he knows; and that the Inspector-General's Department was also increased, making a total increase of nine in the Inspector-General's Department; and the committee believed that it was absolutely necessary to make the increase, which was deemed necessary for these branches of the service.

Take the Adjutant-General's Department, for instance, as an indication of the necessity for the increase which was made. They are at work in that department from 9 o'clock in the morning until 6 o'clock at night, and frequently until 12 o'clock at night.

The Inspector-General's Department is, as it were, the eye of the Army; and it is absolutely impossible to make the necessary inspection which the military service requires with the present force. There is no difference of opinion in that regard at the War Department, and I am sure that gentlemen will not assert that there is not a necessity for this increase.

Mr. HAY. I am obliged to the gentleman from Iowa for telling what the committee did.

Mr. HULL. I am only speaking now in the interest of the best regulation which can be made for the military service.

Mr. HAY. I am obliged for the information, because we have had no information as to what the Committee on Military Affairs has devised or seek to devise in this regard.

Mr. HULL. The amendment which is now before the House was agreed upon by the committee unanimously.

Mr. HAY. I am not opposing that amendment. I did not refer to it——

Mr. McCLELLAN. What is the purpose of the pending amendment?

Mr. HAY. That the report shall be made to the Inspector-General in Washington.

Mr. McCLELLAN. Why should that not be done? What is the objection?

Mr. HULL. The committee has considered the matter, and as it had not been done heretofore, they did think it necessary to make the change which the amendment contemplates.

The CHAIRMAN. Does the gentleman from Iowa offer an amendment?

Mr. HULL. Yes; on page 9——

The CHAIRMAN. The Chair understands the gentleman to offer this amendment on behalf of the committee?

Mr. STRAIT. Mr. Chairman, I desire to submit, with the consent of the House, in this connection and at this point, some remarks of the Rev. Henry Van Dyke, D. D., of New York. I have not taken any of the time in debate, and ask that I be permitted to submit these remarks as my own on this bill.

The CHAIRMAN. The Chair hears no objection.

Mr. HAY. I understand the gentleman has that right under the rule anyway.

The CHAIRMAN. The Chair thinks so; but the gentleman asks consent to print certain remarks by the Rev. Mr. Van Dyke. Is there objection? The Chair hears none.

Mr. SHATTUC. Mr. Chairman, I object.

The CHAIRMAN. The Chair thinks that the objection comes too late, as consent has already been given.

The article referred to is as follows:

THE AMERICAN BIRTHRIGHT AND THE PHILIPPINE POTTAGE.

[A sermon preached on Thanksgiving Day, 1898, by Henry Van Dyke, D. D., LL. D., pastor of the Brick Church in New York City.]

Hebrews, xii, 16: "Esau, who for one morsel of meat sold his birthright."

This is the most important Thanksgiving Day that has been celebrated by the present generation of Americans. Three and thirty years have rolled away since we gave thanks for the ending of the civil war. Never since that time has our national religious festival been observed under such brilliant sunlight of prosperity or with such portentous clouds of danger massed along the horizon.

It is a significant Thanksgiving because we have extraordinary causes for national gratitude. The first and greatest of these causes is the superabundant harvest with which, for the second year in succession, God has rewarded the patient toilers who are the strength and pride of our country. This harvest includes not only the fruits of the earth but also the manifold products of human industry. The true power of a nation is in the character of its workers. The true glory of a nation is in the quality of their workmanship. The true prosperity of a nation is in the reward which God bestows upon their work. For this reward, far greater than it has ever been before in our history, let us give our first and our deepest thanks.

The second cause for gratitude to-day is the new evidence that we have received of the union of the whole American people in loyalty and patriotism. The gaping wounds left by the civil war have closed. There is no bloody chasm between the North and the South. The President presides over a united country, responding as one man to a call to support the national honor; and the brave men who once wore the gray uniform are ready to march again beside the "boys in blue" under the starry flag of American freedom. For this glorious restoration of the spirit of national unity let us give joyous and united thanks.

The third cause for gratitude is the renewal of cordial amity between the two leading nations of the world—Great Britain and the United States. The clouds of jealousy and distrust which have so often risen between England and America seem to have faded entirely away. These two sister countries, representing in widely different political forms the triumphant spirit of Anglo-Saxon civilization, rejoice together in the clear sunlight of warm and vital sympathy. Such a friendship is nobler and more secure than any kind of partnership. A true and open amity between Great Britain and the United States, undisturbed by any rivalries in the dangerous business of imperial conquest, unthreatened by any secret and selfish compact to divide the spoils of territorial war, would be a powerful guaranty of the peace of the world. For this unchartered friendship with our kinsmen across the sea let us give sincere and prudent thanks.

The fourth cause for thanksgiving to-day is the signal victory that has been granted to our country's arms in a war undertaken for the destruction of the ancient Spanish tyranny in the Western Hemisphere and the liberation of the oppressed people of Cuba. How reluctantly the American people took up the cross of war after thirty-three years of peace none can know except those who have read the peace-loving heart of the great silent classes, the happy, industrious, prosperous classes of our country. The call of humanity was the only summons that could have roused them: the cause of liberty was the only cause for which they would have fought. No party, no Administration, could have received the loyal support of the whole people unless it had written on its banner the splendid motto, "Not for gain, not for territory, but for freedom and human brotherhood!" That avowal alone made the war possible and successful. For that cause alone Christians could pray with a sincere heart, and mothers give their sons to death by slaughter or disease, and lovers of liberty take up the unselfish sword. The cause is won: the last vestige of the Spanish power in the Western Hemisphere is broken; Cuba is free. Proud of the splendid discipline and courage and compassion of our Navy, proved at Manila and Santiago; proud of the personal bravery of the true heroes in our Army who endured unknown hardships and were patient under incredible difficulties, and who faced with equal daring the pestilence that walked in darkness through the camps of death and the invisible bullets that sang through the cruel sunlight of Guantanamo and San Juan Hill; proud and glad of all that American soldiers and sailors have done this year in the cause of liberty, we present our offerings upon the solemn altar of gratitude. For the Divine guidance and protection, without which a victory so complete and swift, even over an inferior foe, could never have been won, let us give most humble and hearty thanks.

But this Thanksgiving Day is not significant alone in its causes for gratitude. It is an important day, a marked day, an immensely serious day, because it finds us, suddenly and without preparation, face to face with the most momentous and far-reaching problem of our national history.

The question that came upon us at the close of the Revolution was serious. Should the liberated colonies separate, or should they unite? But the leaders of the people had been long preparing to meet it; and the irresistible pressure of reason and sympathy consolidated the nation.

The question that came upon us in the civil war was urgent and weighty. Could the Republic continue to exist "half slave, half free?" But again the minds of the wise and fearless were ready with the well-considered answer, wrought out after painful years of conflict. Slavery must die that the Republic might live.

The question that comes upon us to-day is less urgent, but it is vaster—more fraught with incalculable consequences.

Are the United States to continue as a peaceful Republic, or are they to become a conquering empire? Is the result of the war with Spain to be the banishment of European tyranny from the Western Hemisphere, or is it to be the entanglement of the western Republic in the rivalries of European kingdoms? Have we set the Cubans free, or have we lost our own faith in freedom? Are we still loyal to the principles of our forefathers, as expressed in the Declaration of Independence, or are we now ready to sell the American birthright for a mess of pottage in the Philippines?

Nine months ago no one dreamed of such a question. Not one American in five hundred could have told you what or where the Philippines were; if any one thought of their possession as a possible result of the war, he kept the thought carefully concealed.

Six months ago, while Admiral Dewey's triumphant fleet was resting in Cavite Bay, there were not 50 people in the country who regarded his victory as the first step in a career of imperial conquest in the far East; the question of reversing a whole national policy and extending our dominion at one stroke of the sword over a vast and populous group of islands in the China Sea was utterly unconsidered.

Without warning, without deliberation, and apparently without clear intention, it has been made the burning question of the day. Never has fate sprung a more trying surprise upon an unsuspecting and ingenuous people. Never has the most difficult problem of a great republic been met so hastily, so lightly, or with such inconsiderate confidence. And, as if to add to the irony of the situation, political leaders assure us not only that the question has been raised unintentionally, but also that it has been already settled involuntarily. Without any adequate discussion, without any popular vote,

without any intelligent and responsible leadership, by a mysterious and non-resident destiny, by the accident that a Spanish fleet destroyed on the 1st of May, 1898, was in the harbor of Manila instead of on the high seas, the future career of the American Republic has been changed irrevocably; the nation has been committed to a policy of colonial expansion, and the United States of America have been transformed into the "United States and Conquered Territories of America and the China Sea." Surely this is the veriest comedy of self-government, the most ridiculous blind-man's buff of national development that ever a scorner of democracy dared to imagine. If it were true, it would be a humorous commentary on the Declaration of Independence and a farcical finale of the American Revolution.

But, fortunately, it is not true. There is an old-fashioned document called the American Constitution which was expressly constructed to discourage the unconscious humor of such sudden changes. Before the die is cast the people must be taken fairly into the game; before the result is irrevocable the Supreme Court must pass upon the rules and the play. The question whether the American birthright is to be bartered for the Philippine pottage is still open. A brief, preliminary discussion of this question will not be out of place this morning.

I wish to confine the question to the precise form in which it is put. The case of Cuba does not enter into it. There is no proposal at present to do anything more for Cuba than we promised: to guarantee peace, order, and free government to a neighboring people. That is a fine thing to do.

Nor do the cases of the Hawaiian Islands and Porto Rico come clearly and altogether within the question. The legal Government of Hawaii has asked for annexation to the United States: Porto Rico is a small island, close at hand, and inhabited principally by white people who have received us willingly and are already asking for Territorial government. Whatever objections there may be to taking such territories under our flag, there is at least no flagrant violation of American principles. No one can say that these islands are annexed absolutely without hope or prospect of their ever becoming a real part of the Republic. There is at least some shadow of resemblance between their annexation and the process by which the contiguous Territories of Texas and Louisiana were acquired, civilized, and incorporated into the Union. The shadow is very thin, to be sure, but it is perceptible.

But in the case of the Philippines there is a glaring difference. No man of intelligence ventures to deny it; many openly rejoice in the difference. The proposal to annex, by force, or purchase, or forcible purchase, these distant, unwilling, and semibarbarous islands is hailed as a new and glorious departure in American history. A new word—imperialism—has been coined to define it. It is frankly confessed that it involves a departure from ancient traditions; it is openly boasted that it leaves the counsels of Washington and Jefferson far behind us forever. Because of this novelty, because of this separation from what we once counted a most precious heritage, I venture to ask whether this bargain offers any fit compensation for the loss of our American birthright?

I. Let us consider the arguments in favor of it. They may be summed up under three heads—the argument from duty, the argument from destiny, and the argument from desperation.

1. The argument from duty comes first, because it is the strongest with honest and conscientious men. Undoubtedly we have incurred responsibilities by the late war and we must meet them in a manly spirit, but certainly these responsibilities are not unlimited. They are bounded on one side by our rights. The very question at issue is whether we have a right to deny the principles of our Constitution by conquering unwilling subjects and annexing tributary colonies to our domain. On the other side, our responsibilities are bounded by our abilities. It is never a duty to attempt a task which there is no prospect of performing with real usefulness. We surely owe the Filipinos the very best we can give them consistently with our other responsibilities; but it is far from being certain that the best thing we can do for them is to make them our vassals. If that were true, our whole duty would not be done, the humane results of the war would not be completed, until we had annexed the misgoverned Spaniards of Spain also. No argument drawn from our duty to an oppressed and suffering race can be applied to the conquest of the Philippine Islands which does not apply with equal and even with greater force to the conquest of the Iberian Peninsula.

2. The argument from destiny is not an argument; it is a phrase. It takes for granted all that is in dispute; it clothes itself in glittering rainbows and introduces the question of debate in the disguise of a fact accomplished. "Yesterday," says a brilliant orator, "there were four great nations ruling the world and dividing up the territories of barbarous tribes—Great Britain, Russia, France, and Germany—to-day there are five, for America has entered the arena of colonial conquest." But how came the great Republic in that strange copartnership? By what device was she led blindfold into that curious company? What does she there? What must she forfeit to obtain her share in the partition of spoils? That is the question. To talk of destiny is not to discuss, but to dodge, the point at issue.

3. The argument from desperation directly contradicts the argument from destiny. It presents the annexation of the Philippines, not as a glorious accomplishment, but as a hard necessity. We must do it because there is nothing else that we can do. A speaker less brilliant than the orator of the five nations, but more cautious, puts the case in a sentence: "We have got a wolf by the ears and we can't let go."

The answer to this is simple. We have not got the wolf at present, though we are trying our best to get hold of him. It is absurd to say that the only way for us to get out of our difficulties is to go into the enterprise of wolf keeping. Nothing has yet been said or done which binds us to take permanent possession of these islands. Granting that the Philippines need a strong hand to set them in order, it has not been shown that ours is the only hand, nor that we must do it all alone. A protectorate for a limited time and with the purpose of building up a firm self-government would be one of the possible solutions of the difficulty. To pass this by and say that our only resort is to assume sovereignty of these yet unconquered islands is merely to beg the question.

No, these contradictory arguments from duty and destiny and despair do not touch the real spring of the movement for colonial expansion. It is the prospect of profit that makes those distant islands gleam before our fancy as desirable acquisitions. The argument drawn from the supposed need of creating and fortifying new outlets for our trade has the most practical force. It is the unconscious desire of rivaling England in her colonial wealth and power that allures us to the untried path of conquest; and this in spite of the fact that during the last seven years England, with all her colonies, has lost 5 per cent of her export trade, while the United States, without colonies, have gained 18 per cent. It is a secret discontent with the part of a peaceful, self-contained nation that urges us to take an armed hand in the partition of the East and exchange our birthright for a mess of pottage.

II. Let us weigh the arguments against such a course.

1. It is contrary to the Constitution of the United States as interpreted by the Supreme Court. The authority of that magnificent tribunal in which the Anglo-Saxon ideal of the supremacy of law is forever embodied more clearly and powerfully than in any other human institution is clearly against the legitimacy of a policy of colonial expansion for this Republic as now constituted. "There is certainly no power given by the Constitution to the Federal Government to establish or maintain colonies bordering on the United States or at a distance, to be ruled and governed at its own pleasure. * * * No power is given to acquire a Territory to be held and governed permanently in that character."*

It is idle and foolish to urge against this that the Federal Government has the power to make war and to conclude peace. War is to be made and peace concluded in harmony with the Constitution—not over its ruins.

2. Every following step in the career of colonial imperialism will bring us into conflict with our own institutions and necessitate constitutional change or insure practical failure. Our Government, with its checks and balances, with its prudent and conservative divisions of power, is the best in the world for peace and self-defense, but the worst in the world for what the President called, a few months ago, "criminal aggression." We can not compete with monarchies and empires in the game of land grabbing and vassal ruling. We have not the machinery, and we can not get it, except by breaking up our present system of government and building a new fabric out of the pieces. Republics have not been successful as rulers of colonies. When they have entered that career they have changed quickly into monarchies or empires. The supposed analogy between England and America is a fatal illusion. British institutions are founded, as Gladstone has said, on the doctrine of inequality. American institutions are founded on the doctrine of equality. If we become a colonizing power, we must abandon our institutions or be paralyzed by them. The swiftness of action, the secrecy, not to say slipperiness of policy, and the absolutism of control, which are essential to success in territorial conquest and dominion, are inconsistent with republicanism as America has interpreted it. Imperialism and democracy, militarism and self-government are contradictory terms. A government of the people, by the people, for the people is impregnable for defense, but impotent for conquest. When imperialism comes in at the door democracy flies out at the window. An imperialistic democracy is an impossible hybrid; we might as well speak of an atheistic religion or a white blackness. To enter upon a career of colonial expansion with our present institutions is to court failure or to prepare for silent revolution.

3. There is an equally serious objection to the attempt to launch the United States upon the business of acquiring vassal colonies and governing distant and inferior races in the poor outfit of our people for such a task.

It is said that we must begin or we shall never learn; the trouble is that we have already begun, but we have not learned. I am not speaking now in the spirit of pessimism or despair of the American people. No man could have a more profound confidence in their native ability, their fundamental integrity, and their ultimate common sense. It is to this common sense that I would appeal for a candid judgment of our preparation for an imperial career at the present moment.

Let us be on our guard against the flattering comparison with England. The English people have a natural genius for governing inferior races—a steady head, an inflexible hand, and a superb self-confidence. What proof have we given of any such extraordinary genius in our dealing with inferior races? Does the comparison of the treatment of the Indians in Canada and in the United States give us a comfortable sense of pride? Is the condition of drunken and disorderly Alaska a just encouragement to larger enterprises? Is our success in treating the Chinese problem and the negro problem so notorious that we must attempt to repeat it on a magnified scale 8,000 miles away? The rifle shots that ring from Illinois and the Carolinas, announcing a bloody skirmish of races in the very heart of the Republic—are these the joyous salutes that herald our advance to rule 8,000,000 more of black and yellow people in the islands of the Pacific Ocean?

England has a magnificent civil service at the foundation of her colonial empire. What have we? A recently unstarched civil service in New York, a civil service in Washington which is threatened with a new and serious crippling, and a persistent endemic of boss rule all over the country. These things are not good guaranties that we shall send our best, our cleanest, our most educated young men to fill the offices in our distant colonies. And even if we could be sure that such men would be sent, they are more needed at home than they are abroad. We have no such domestic surplus of men and deficit of work as England has. Her tiny territory and immense population mark her necessity, even as our immense territory, not yet fully peopled nor wisely ruled, marks our. For a country in our position to set out upon the adventure of colonial conquest promises discredit to ourselves and discomfort to our vassals. With our unsolved problems staring us in the face, our cities misgoverned, and our Territories neglected, the cry of to-day—not the cry of despair, but the cry of hope and courage—must be "Americans for America!"

4. Another weighty argument against the annexation of the Philippines is the frightful burden which it will almost certainly impose upon the people.

First, a burden of military service. If we do this thing we dare not do it halfway. A great colonial power must have an army and a navy equal to any in the world. An expansion of territory to a line 10,000 miles away means a new frontier of danger which can only be defended by an enormous armament. No one can tell how large a military force we must ultimately create. But this anyone can foretell: the ranks must be kept full; and if Americans do not thirst for garrison duty in the Tropics they must be compelled or bought to serve. On the one hand we see a system of conscription like that of Germany, where every man child is born with a soldier's collar around his neck; on the other hand we see an enormous drain upon the earnings of the people, like England's annual budget of $236,000,000 for the army and navy.

Second, a burden of heavy taxation. The cost of militarism comes out of the pockets of the people. So far as armies and navies are needed, their expense must be cheerfully borne. I am no advocate of parsimony in national defense; our American Navy has been worth all that it has cost; and if our Army has disappointed us in any way it is because we have not realized its importance nor treated it with generosity and prudence. But to willfully increase our need of military force by an immense and unnecessary extension of our frontier of danger is to bind a heavy burden and lay it upon the unconscious backs of future generations of toiling men. If we enter the course of foreign conquest, the day is not far distant when we must spend in annual preparation for wars more than the $180,000,000 that we now spend every year in the education of our children for peace.

Third. A burden of interminable and bloody strife. Expansion means entanglement; entanglement means ultimate conflict. The great nations of Europe are encamped around the China Sea in arms. If we go in among them we must fight when they blow the trumpet. Lord Salisbury says with characteristic frankness: "The appearance of the American Republic among the factors, at all events, of Asiatic, and possibly of European diplomacy, is a grave and serious event which may not conduce to the interests of peace, though I think, in any event, it is likely to conduce to the interest of Great Britain."

Hear the unintentional warning of an interested friend! Colonial expansion means coming strife; the annexation of the Philippines means the annexation of a new danger to the world's peace. The acceptance of imperialism means that we must prepare to beat our plowshares into swords and our pruning hooks into spears, and be ready to water distant lands and stain foreign seas with an ever-increasing torrent of American blood. Is it for this that philanthropists and Christian preachers urge us to abandon our peaceful mission of enlightenment and thrust forward, sword in hand, into the arena of imperial conflict?

*Supreme Court, Scott vs. Sanford, December, 1856.

5. But the chief argument against the forcible extension of American sovereignty over the Philippines is that it certainly involves the surrender of our American birthright of glorious ideals. "This imitation of Old World methods," said one of our most powerful journals (The Outlook, July 2, 1898) a few months ago, "by the New World appears to us to be based upon an entire disregard not merely of American precedents but of American principles."

I do not speak now of our word of honor, tacitly pledged to the world, when we disclaimed "any disposition or intention to exercise any sovereignty, jurisdiction, or control over said islands, except for the pacification thereof." It is said that this was a limited promise; that it was meant to be taken in a Pickwickian sense; that it applies only to the island of Cuba. Pass it by.

But how can we pass by the solemn and majestic claim of our Declaration of Independence that "government derives its just powers from the consent of the governed"? How can we abandon the principle for which our fathers fought and died, "No taxation without representation"?

Men have told me that it is a useless task to discuss the question that we have been considering this morning. It is too late. A distinguished diplomatist (one who believes that the war with Spain might have been avoided if he had been given more time to complete his negotiations) said to me the other night: "You argue in vain. It is no more possible to check imperialism than it would be to stop the chip that has gone over Niagara Falls." I for one refuse to believe in the disastrous simile. There is still time to avert, or at least to modify, the catastrophe if the people will but realize what it means. There is still time to utter a sincere protest against the final commitment of the Republic to the new and perilous policy of undisguised imperialism. There is still time to call for a halt and an intelligent discussion before an archipelago of conquered islands on the other side of the globe is made a permanent part of the domain of the United States of America.

Anonymous patriots have written to warn me that it is a dangerous task to call for this discussion. It imperils popularity. The cry of to-day is: "Wherever the American flag has been raised it never must be hauled down." The man who will not join that cry may be accused of disloyalty and called a Spaniard. So be it, then. If the price of popularity is the stifling of conviction, I want none of it. If the test of loyalty is to join in every thoughtless cry of the multitude, I decline it. I profess a higher loyalty—allegiance to the flag, not for what it covers, but for what it means.

There is one thing that can happen to the American flag worse than to be hauled down. That is to have its meaning and its message changed.

Hitherto it has meant freedom, and equality, and self-government, and battle only for the sake of peace. Pray God its message may never be altered.

May the luster of its equal stars never be dimmed by the shadow of the crowned imperial eagle. May its stripes of pure red and white never be crossed by the yellow bar-sinister of warfare for conquest. May it never advance save to bring liberty and self-government to all beneath its folds. May it never retreat save from a place where its presence would mean disloyalty to the American idea. May it float untarnished and unchanged save by the blossoming of new stars in its celestial field of blue. May all seas learn to welcome it, and all lands look to it as the emblem of the great Republic; the mountain peak of nations, lonely, if need be, till others have risen to her lofty standard.

God keep her from lowering her flag from that proud solitude of splendor to follow the fortunes of the conquering sword.

God save the birthright of the one country on earth whose ideal is not to subjugate the world, but to enlighten it.

[Mr. COWHERD addressed the committee. See Appendix.]

Mr. WHEELER of Kentucky. Mr. Chairman, I shall offer no criticism upon the details of this bill. I am not sufficiently advised in military affairs to do that. It is against the system that I desire to protest, for I am unwilling that this bill should be completed without entering a protest against the inauguration of a system which I believe to be fraught with danger to the American people. The most insidious and dangerous enemy of a free people is the spirit of militarism. The love of military glory has sapped the vigor and destroyed the fabric of every people who have risen to empire and renown. The Anglo-Saxon alone has escaped the universal judgment, and we find to-day one family of this great race struggling beneath the Titanic load of soldier and sailor. We are answering the appeal of the greatest despot in Europe for disarmament by a proposition to quadruple the standing army of the United States. Sir, if this bill was offered to carry into execution a fixed purpose resulting from the settled policy of this Government, I should be swift to support it; but I deny that it delivers the judgment of the American people.

For the first time in my limited experience as a member of this body the committee has scrupulously guarded the reasons for offering to the Congress an important bill, and no man can now say why or for what reason it is proposed to foist upon the American people a hundred thousand soldiers as a standing army. If it be claimed that it is to establish justice and maintain law in Cuba, it may readily be answered that the substitute accomplishes that purpose, but draws the pernicious fangs of this bill by providing that the increase shall be temporary. I deny, sir, that there is any occasion for an increase of the standing Army. Stripped of its deceptive teguments, with the whole truth declared, it is the purpose of the Executive to establish military supremacy in the Philippines. This is contrary and hostile to the will of our people. No one is willing now to father such a purpose. If it be, sir, that Cuba and Porto Rico need a great standing army, what will be the answer? To tax the American people $150,000,000 per annum for those possessions, that scarce equal in area, population, and wealth many Congressional districts of this country.

It is, however, against the inauguration of this system that I desire to protest. I believe this measure to be the consummation and not the inauguration of a purpose. There are those in the United States who possess and who profess, for that matter, a superlative contempt for the rule of the plain people, and who despise the voice of a complete democracy. It is that sinister spirit, long held in solution in the body politic, which is precipitated in this bill. Bayonets and bullets may be the prop of a tottering empire, but can never become the bulwark of a free republic. This element does not expect to use the Army of the United States to protect our shores from hostile invasion nor to enforce justice and establish law, but to advance their own sinister and selfish purposes. "Therefore, my Harry, be it thy course to busy giddy minds with foreign quarrels. This action hence borne out may waste the memory of former days."

It is in the hope of "busying giddy minds with foreign quarrels and wasting the memory of former days" and former questions that some gentlemen are so anxious to see this measure become law. [Applause on the Democratic side.] A brave and loyal people will support their government with their bared bosoms. This bill, sir, and this proposed increase in the Army is not intended to be used against the enemies of this country. When justice is established in Cuba, when Porto Rico is admitted as a State of the Union, what, then, will you do with a hundred thousand men? Maintain justice in our own country? God save the mark! Then we shall see every sturdy workman who dares beard corporate greed in its stronghold put down with the bayonet; and that is the ultimate purpose of this measure.

I am no advocate of strikes or lockouts; I am no advocate of a disregard of the law; but I maintain quite seriously that the fact that the rugged independence of American manhood leads its citizens to protest, even if need be by a violation of the law, against the strong arm of oppression is the surest guaranty of the preservation of republican institutions. From them we see our people ready to obey laws wisely created and justly enforced, but equally ready to resist any infringement of their vested rights under whatever guise the unlawful purpose may present itself. Sir, against a great standing army we have both precedent, history, and tradition. In the very cradle of Anglo-Saxon liberty, when our ancestors had assembled upon the historic fields of Runnymede, they were quick to recognize and swift to protest against the evils of a great army. [Loud applause on the Democratic side.]

Our country, formed, in the prodigality of nature, with every advantage of climate and every variety of soil, and a people ambitious alone in the generous rivalry of peace, have elicited the wonder and admiration of mankind. So potential is our example on the nations of the earth that a great people have erected on our shores, as an inspiration to our youth and an example to mankind, the emblem of our national life, lifting aloft, not the sword but the beacon of freedom, justice, and truth.

"It was believed of old that there were some devils easily raised, but never to be laid. In so much that if a magician called them up, he should be forced to find them always some employment; for though they would be of his bidding, yet if he left them but for one moment without some work of evil to perform, they would turn their claws against himself. Such a fiend is an army; they who evoke it can not dismiss it; they are at once its masters and its slaves. Let them not fail to find for it task after task of blood and rapine; let them not leave it for a moment for repose, lest it tear them in pieces."

If we are to become a great military people among the nations of the earth, it is folly to enlist an army one-fifth the size of Germany or France. Limited as is my experience, unripe as is my judgment, I can not conceive how any Representative, controlled alone by love of country, wishes to depart from a system so eminently satisfactory in the past, so certainly safe for the future.

Every soldier is a drone. He earns his bread in the sweat of his neighbor's face. The Army is a class unto itself and, by reason of their training and their associations, out of sympathy with this nation of toilers and workers. The spirit of militarism is the breeder of class distinction; class distinction destroys equality. If this army were needed for purposes of defense or the maintenance of national honor, for the protection of American institutions, I would be eager to assist in its organization; but, sir, its creation is a consummation long devoutly wished by that element of our citizenship which, in my judgment, is the greatest enemy of our country.

Aside from the view that it is unnecessary and impolitic to depart from the ancient custom of our country, the cost of maintaining such an establishment should be reckoned. The people of this country now pay $5 per capita each year for the maintenance of law and order to the Government. The increase of the Army as proposed in this bill will make the cost to the Government $6 per capita.

Gentlemen may say there is no danger of the military becoming dominant, nor do I believe there is now a threatened danger, but if we establish an army of a hundred thousand men this year how long will it be before the demand will be for 200,000, or even 500,000?

It was thought a spirit of such heroic mold that no inclosure could encompass him ruled the world, but an ingenius mortal beguiled him to contract his stature to the compass of a brazen ball and enter it. So soon as the spirit had entered the ball, the mortal

at once closed the aperture, and the spirit's power and prestige were gone forever. The civil law, like this huge spirit, overstrides American institutions, and the ingenius individual offering this bill but tempts the supremacy of the civil law with a brazen ball. Let it once enter and the spirit of militarism will forever take its place.

I have no foolish reverence for ancient things, nor do I draw any conclusion from the practice of our Government in the past so convincing as to lead me to oppose this bill. My hostility to the measure is based on broader grounds.

The presence of a great army endangers peace. If we are ready at once to embark in a conflict of arms, we are more prone to take offense; ready to seek a cause of quarrel.

I have thought, sir, that the greatest compliment paid the American people was the sneer of the Europeans that we are a nation of merchants. Had they but said a nation of toilers, we would have worn their damaging characterization as our greatest decoration of honor. What right have we to ask the farmer who, beneath the burning summer sun, with skill and husbandry brings forth the kindly fruits of the earth to contribute of his labor to support and maintain a soldier in ease and plenty? What right have we to ask the artisan who with skilled fingers takes the felled tree and fashions it into the implements of art and luxury, or the mechanic who from his fiery furnace hammers the hot iron into the tools of industry, to contribute of their labor to the support of one whose business it is to live upon the product of his fellow-man?

I have said the ultimate purpose for increasing our Army was to use it against our own people—the present purpose is equally reprehensible. It is proposed to maintain a military government in the Philippine Islands against the wishes and in disregard of the rights of the inhabitants. I know, sir, such a purpose is vigorously denied by many gentlemen on the other side, but occasionally some one has let fall the real truth. I call attention to the remarks of the gentleman from Illinois [Mr. CANNON], chairman of one of the greatest committees of the House and certainly in a position to speak for his party. The other day, debating this very measure, he said:

> Mr. Chairman, we are in the Philippines. We are there under the war power, and will be there under the war power until the treaty is ratified. We have got a navy there; we have got a considerable portion of the Army there, and we are sending more. Gentlemen say, What are you going to do with the Philippines? In my judgment (and I act accordingly and from that standpoint) on the 6th day of February, or, at the furthest, by the 10th day of March next, the treaty with Spain will be ratified, and then we have got to deal with the Philippines. How? We will deal with them by the continuance of a military government there for the present. That is what there is there now, and that is what it will continue, just as it continued in California after we acquired it as a portion of our national territory.

Nor is he alone in expressing such sentiments. The gentleman from Massachusetts, always frank and, like the gentleman from Illinois, also chairman of a great House committee, on the day following the speech of the gentleman from Illinois, said:

> Mr. Chairman, let me say to you that we propose to submit all questions for the consent of the governed, in the Philippines and everywhere else. The important question is, What is "the consent of the governed?" The governed must be competent to give an intelligent consent. There can be no such thing as "consent of the governed" of an individual or of a people that has not sufficient intelligence, culture, and civilization to give a legal "consent." There is not a man on this side of the House or in this country—and I do not strike off the other side of the House—that does not claim as much interest in having "all governments derive their just powers from the consent of the governed" in these islands as you do.
>
> Now, as to the Army, every fact and every consideration presented to this House shows that this Army bill should pass exactly as it is now proposed to pass it. It is in the interest of an efficient army, in the interest of economy. There is not a man on this floor who believes that we can get an intelligent "consent of the governed" from the people in Cuba or Porto Rico or in the Philippines even in three years. Then why not pass this bill and make such an army as we ought to have under existing conditions, and trust to a subsequent Congress to change it whenever they think it wise to change it? Rest assured the most unhappy thing that a conservative President can do is to have a single man more in the Army than is absolutely necessary.

These two extracts from the speeches of two of the most prominent Republicans in the House may be said to fairly represent the intention of the Administration. The purpose, plainly stated, is to conquer the inhabitants of the Philippine Islands and hold that distant territory, not as a State, or a Territory preparing for statehood, but as a military colony, governed by military laws. I can not and do not believe the American people will sanction such a course. That we have the power to subjugate the innocent and ignorant islanders no one will question, but power can never justify murder, nor ignorance rapine, and we will be guilty of murder most foul if we shoot down people who fight in the same cause and for the same objects as did our ancestors at Brandywine, Lexington, and Yorktown.

When we came to establish a government of our own, it was declared as a basic principle "that all governments derive their just power from the consent of the governed," and from that day every question of domestic or foreign policy has been tried by the square and compass of this eternal truth. So fundamental is this principle that it has vitalized the organic law of every people struggling for liberty in modern times. We who declared it are first to violate it. The United States has been the one bright spot to which patriots from every country, in every clime, have turned their eyes—at once the apotheosis and the vindication of liberty. If we do this thing, if we crush this ignorant people with a great army, deny them the right of self-government, we will earn the contempt of men and the curse of God. But those not moved by the moral, let them look to the material aspects of the case.

The Philippine Islands are nearly 8,000 miles from our coast, lying in the Tropics, and inhabited by a barbarous and alien people; they are unfit for a white man to live upon; their shores are visited by the most disastrous storms; their valleys are afflicted with dreadful volcanoes; the people are utterly unfit for citizenship and totally unacquainted with our language, customs, or people. For hundreds of years Spain spent millions in money and thousands of lives in an effort to subjugate them, and after centuries of effort her possessions consist of a few scattered towns that fringe the seacoast.

The bare suggestion of taking the islands calls for a quadrupling of our Army, and if we take them our Navy must be multiplied many times. The revenue derived will never pay the cost of keeping them. Every hill, every valley will become the winding sheet of some brave American youth who has fallen by a savage native's gun or dreadful tropical fever. The possession of these islands carries us at once into the dangerous maelstrom of European politics. Their proximity to China makes the fate of that Kingdom of vital importance to their owner, and every country now striving to gain a portion of Chinese territory will look with ever-increasing jealousy on the possessor of the Philippines.

The present policy of our Government, I believe, portends, sir, nothing but disaster. It is a departure from long-established custom, a disregard of the wisest safeguards of our national life. It is surely impolitic; I believe it disastrous. [Applause.]

Mr. LACEY. Mr. Chairman, I tried unsuccessfully to get the attention of the Chair and the chairman of the committee in regard to section No. 6. It provides for an increase of 11 majors. We were told the other day that it was the intention of the Committee on Military Affairs to amend this bill and reduce the number of enlisted men to 50,000, with discretion in the President to increase it, and also to reduce the number of commissioned officers.

It seems to me we ought to have had an opportunity to discuss the bill as well as politics. I am very much interested in the question as to what constitutes a demagogue and the various other things that have been discussed in the debate all day on this bill, but as we have only to-morrow until 3 o'clock before we shall vote upon it there are some very important items that ought to be considered by the House. Instead of 11 majors provided for in section 6, the additional number, I think, should have been captains, and be added the present number.

So in section 7, why not make the additional inspectors captains instead of majors? We are expected to scale this bill down, in order that its expense may not be so great and to make it more acceptable to those who are not satisfied with the bill as a whole. Why not take time to consider these items longer, instead of merely allowing a brief discussion of some political question and then closing debate on the paragraph, leaving the House with no actual information on the paragraph.

I want to know why some of these officers can not properly be put on a lower instead of the higher rank that they are given in this bill. There are a large number of assistant adjutant-generals in the Army filling these places in the volunteer service, with the captain's rank, and we expect to increase the Regular Army, and they will take the place of volunteers. This bill provides for 70 quartermasters of the rank of captain, 37 commissaries of subsistence with the rank of captain. Why not scale down some of these proposed new officers?

Now, they have the rank of captains in the field. They went through the war with Spain, many of them, with that rank. They have always had the rank of captain in the Adjutant-General's Office in the time of war heretofore. I want to know now from the committee the reason why a portion of these staff officers can not be given this lower grade, and thus reduce the expenditures on account of this bill and redeem it of some of those features of objection that some friends of the bill have to it.

Mr. GROSVENOR. Will the gentleman yield to me?

Mr. LACEY. I yield to the gentleman from Ohio.

Mr. GROSVENOR. During the entire civil war the adjutant and commissary was a lieutenant.

Mr. LACEY. He was a first lieutenant with a regiment, and a captain with a brigade. Now, this bill provides he shall be a major. The bill would provide that from this time on, in time of war as well as in time of peace, he must be a major. Now, it seems to me that this is a place where we could have scaled down and relieved this bill of some of its objectionable features; and I would be glad if the committee would aid us in that respect.

I want to vote for this bill. I would like to have it modified so that I can feel willing to do so, but I would like to have it so modified as to farily meet the approval, at least to some extent, of those gentlemen who are unwilling to vote for a large standing

army. We know how difficult it is to get rid of public offices when once created. We had an experience of that kind only a short while ago. Nineteen policemen were put upon the Capitol police force to keep the Capitol from being blown up by Spanish incendiaries during the war. The war closed, and we know that on a yea-and-nay vote we could not get rid of a single one of these policemen. A place once created becomes permanent. It is so whenever there is an increase in the number of the public officers.

Congress is powerless to reduce them, and while as a legal question Congress has unlimited power under the Constitution to create or reduce them, that power to reduce can not be exercised, and the more officers you appoint the more difficult it is to get rid of them, because there are so many more persons who have friends in Congress to defend them. Therefore I think now we ought to be very careful both as to the number and rank of these officers. It is proposed by the gentleman, the chairman of the committee, to reduce the number 300 or 400. I am glad to hear him say that, and I wish he would say where the reduction was to come in, and whether in rank as well as in number. I hope that the bill will be revised into a form that it may receive the substantially united support of those who believe that the Army should be reorganized.

The CHAIRMAN. The time of the gentleman has expired.

Mr. LACEY. I should like another five minutes.

Mr. HULL. I object to any extension. I said I would in the beginning.

Mr. CUMMINGS. Mr. Chairman, I have said nothing concerning this bill nor of the annexation of the Philippine Islands. I hope that the treaty will be ratified, and that the President will then turn the whole business over to Congress. This is evidently what he intends to do. Meantime, sir, I want to say that at the proper time, if the proper time ever arrives, and it begins to look as if it would not, I propose to offer the following amendment to the bill, which I ask the Clerk to read.

The Clerk read as follows:

After the word "army," line 5, page 20, insert:

"*Provided*, That no part of the Army constituted or organized under this bill shall be used for or shall do the duty of a posse comitatus, or be employed in putting down strikes or riots or do any police duty whatever in any State in this Union, except upon the application of the governor of such State to the President, stating that he has not sufficient force to maintain or restore order."

Mr. CUMMINGS. Now, Mr. Chairman, I want to add that if the proper time for offering this amendment does not arrive, I give notice that when the vote comes on the final passage of the bill, with the recognition of the Speaker, I shall move to recommit it, with instructions to insert this paragraph.

Mr. HULL. Mr. Chairman, before voting on the amendment, I wish to say that the debate so far has had nothing to do with the amendment, and what I shall say has nothing to do with it, but in answer to my colleague from Iowa [Mr. LACEY], who wanted to know why we wanted an increase of officers, I will say that I tried to answer that before; that these two departments, the Adjutant-General's and the Inspector-General's, are purely military, and no man can be put in either of these departments, or bureaus, except from the line of the Army. They are not open to appointments from civil life. They are both now charged with duties that the present force can not discharge, according to the universal testimony of the General of the Army and all the men connected with the Army.

Another thing about the rank—there is not under the present law a single man in the Bureau of the Inspector-General or the Adjutant-General's Department below the rank of major. The men in the field have a lower rank; those serving in regimental organizations are lieutenants. If this bill passes, they will be captains. And this corps, recruited from the line of the Army, are promoted from captains, like Captain Schwan, who has served twenty-nine years in the line and had experience, and who passed through a competitive examination. When they are transferred to the staff, they are given one grade higher than they held.

I want to say that if you do not promote the men one grade, you can not get men to leave the line for the staff. This is not a new departure; it is as old as the Government itself. For that reason the committee followed the universal rule that it had heretofore, and listened to the arguments submitted to show the imperative need of an increase. If you will look at the increase provided by the committee, you will find that it increases only practically the lower grades. In the Adjutant-General's Department it makes one lieutenant-colonel and six majors.

In the Inspector-General's it makes one colonel, two lieutenant-colonels, and six majors to preserve the uniformity and maintain the proportion in the promotion of the men to a higher rank at the different departments and headquarters. You will see that all new men must be appointed to the lowest grade. That is the reason, and I am opposed to any amendment. Now, if there is no gentleman who wants to offer an amendment, I move that all debate be closed upon the section and the amendment.

The motion was agreed to.

The amendment was agreed to.

The CHAIRMAN. The Clerk will read the next section.

The Clerk read as follows:

SEC. 8. That the Judge-Advocate-General's Department shall consist of 1 Judge-Advocate-General, with the rank of brigadier-general; 5 assistant judge-advocates-general, with the rank of colonel; 4 deputy judge-advocates-general, with the rank of lieutenant-colonel, and 4 judge-advocates, with the rank of major, and in all other respects the organization of said Department shall be that provided in the act of Congress approved July 5, 1884: *Provided*, That the vacancies hereby created or caused shall be filled, as far as practicable, by the promotion, according to seniority, and officers so promoted shall rank all other officers of same grade not so promoted, of officers of the Judge-Advocate-General's Department: *Provided further*, That persons who have served in the Volunteer Army in the war with Spain, and persons in civil life, may be appointed to positions in the Judge-Advocate-General's Department, but no such person shall be appointed after he shall have reached the age of 50 years: *And provided further*, That the professor of law at the United States Military Academy shall be detailed from the Judge-Advocate-General's Department, and (if of rank inferior to that of colonel) shall have the rank, pay, and allowances of colonel when he shall have served ten years in said Department, or in said Department and as professor of law at the United States Military Academy together; and otherwise he shall have the rank, pay, and allowances of lieutenant-colonel, if of rank inferior thereto.

Mr. HULL. Mr. Chairman, I want to amend the committee amendment where it proposes to strike out "five," in line 12, and insert "two;" but it can be reached by asking the House not to adopt the committee amendment, leaving it as it is in the bill, with only two assistant judge-advocates-general with the rank of colonel.

The first committee amendment was rejected.

The CHAIRMAN. The question now is on the amendment recommended by the committee, in line 13, to strike out "five" and insert "four."

The amendment was agreed to.

The CHAIRMAN. The next question is on the amendment to insert in line 19, after the word "created," the words "or caused."

The amendment was agreed to.

The CHAIRMAN. The Clerk will report the next amendment recommended by the committee.

The Clerk read as follows:

After the word "seniority," in the twentieth line, insert "and officers so promoted shall rank all other officers of same grade not so promoted."

Mr. HULL. I yield to the gentleman from Wisconsin [Mr. GRIFFIN] to offer an amendment.

Mr. GRIFFIN. I offer as a substitute for the entire proviso the following, which I send to the Clerk's desk.

The Clerk read as follows:

Amend the first proviso, section 8, page 9, so as to read as follows:

"*Provided*, that the vacancies hereby created or caused shall be filled as far as practicable by the promotion according to seniority of officers of the Judge-Advocate-General's Department, and officers so promoted shall rank all other officers of same grade not so promoted."

Mr. GRIFFIN. The necessity, Mr. Chairman, of offering this substitute for a proviso grows out of the fact that an error was made in drawing the amendment originally. It was transposed so that according to the arrangement of the bill it is in an improper place, and this substitute answers the purpose.

The amendment to the amendment was agreed to.

The CHAIRMAN. The question is on agreeing to the amendment as amended.

The amendment as amended was agreed to.

The CHAIRMAN. The Clerk will report the next amendment recommended by the committee.

The Clerk read as follows:

In line 24, section 8, strike out the words "officers of the Judge-Advocate-General's Department."

The amendment was agreed to.

The CHAIRMAN. The question now is on agreeing to the amendment recommended by the committee in section 8, page 10, line 4, striking out the word "thirty" and inserting "fifty."

The amendment was agreed to.

Mr. MAHON. Mr. Chairman, I offer the amendment which I send to the Clerk's desk.

The Clerk read as follows:

In line 4, page 10, after the word "of," strike out the word "fifty" and insert the words "thirty-five" and add the words "and such persons prior to appointment shall be examined as to their moral, mental, and physical fitness for such position."

Mr. HULL. Mr. Chairman, I make the point of order that we have just stricken out the word "thirty" and inserted "fifty."

The CHAIRMAN. The gentleman from Iowa makes the point that this is an amendment to an amendment already agreed to. The point of order is well taken.

Mr. SIMPSON. Mr. Chairman, I offer the following amendment, which I send to the desk.

The Clerk read as follows:

In line 19, page 9, after the word "filled," insert the following: "as now prescribed by law."

Mr. HULL. We have stricken out that proviso and adopted a substitute for it.

The CHAIRMAN. The Chair so understands. Does the gentleman make a point of order upon the amendment?

Mr. HULL. I do.

The CHAIRMAN. The Chair sustains the point of order.

Mr. SIMPSON. Has all this provision with regard to recruiting officers from civil life been stricken out?

Mr. HULL. We have stricken out all that proviso, and a substitute has been adopted for it—the substitute offered by the gentleman from Wisconsin.

Mr. SIMPSON. Then, Mr. Chairman, I offer my amendment to the substitute.

The CHAIRMAN. The substitute having been already adopted, it is impossible for the Committee of the Whole now to adopt an amendment to it.

The Clerk read the next section of the bill, as follows:

SEC. 9. That the Quartermaster's Department shall consist of 1 Quartermaster-General, with the rank of brigadier-general; 10 assistant quartermasters-general, with the rank of colonel; 15 deputy quartermasters-general, with the rank of lieutenant-colonel; 25 quartermasters, with the rank of major; 70 assistant quartermasters, with the rank of captain, mounted; the military storekeeper, now provided for by law, and 150 post quartermaster-sergeants: *Provided*, That all vacancies in the grade of colonel, lieutenant-colonel, and major created or caused by this section shall be filled by promotion, according to seniority, as now prescribed by law: *And provided further*, That persons who have served as officers of the Quartermaster's Department in the Volunteer Army in the war with Spain, and persons in civil life, may be appointed to positions in the grade of captain created by this section; and such persons, prior to appointment, shall be examined as to their physical fitness for service only; but no such person shall be appointed to the grade of captain after he shall have reached the age of 30 years.

Upon the death, retirement, or other separation from active service of the military storekeeper now in service, the office of military storekeeper shall cease to exist.

The first amendment of the committee was read, as follows:

In line 15, page 10, strike out "ten" and insert "eight;" so as to read: "eight assistant quartermasters-general."

Mr. HULL. I move to amend the amendment by striking out "eight" and inserting "six."

Mr. HULL'S amendment to the amendment was agreed to; and the amendment as amended was adopted.

The next amendment of the committee was read, as follows:

In line 16 strike out the word "fifteen" and insert "sixteen;" so as to read "sixteen deputy quartermasters-general."

Mr. HULL. I move to amend the amendment by striking out "sixteen" and inserting "twelve."

Mr. HULL'S amendment to the amendment was agreed to; and the amendment as amended was adopted.

The next amendment of the committee was read, as follows:

In line 17 strike out "twenty-five" and insert "twenty-six;" so as to read "twenty-six quartermasters."

Mr. HULL. I move to amend the amendment by striking out "twenty-six" and inserting "twenty."

Mr. HULL'S amendment to the amendment was agreed to; and the amendment as amended was adopted.

Mr. HULL. I move to amend by striking out in line 18 the word "seventy" and inserting "fifty;" so as to read "fifty assistant quartermasters."

The amendment was agreed to.

The next amendment of the committee was read, as follows:

In lines 25 and 26 strike out the words "as officers of the Quartermaster's Department."

The amendment was agreed to.

The next amendment of the committee was read, as follows:

On page 11, in line 6, strike out the word "thirty" and insert "fifty;" so as to read: "no such person shall be appointed to the grade of captain after he shall have reached the age of 50 years."

The amendment was agreed to.

Mr. MAGUIRE. I wish to make an inquiry of the chairman of the Committee on Military Affairs. I find in the last paragraph of this section a provision that the office of military storekeeper shall be abolished or shall cease to exist upon the death or retirement of the present occupant of that office. Is that the position that was created for the doorkeeper of the President at the last session?

Mr. HULL. Yes, sir.

Mr. MAGUIRE. Has the appointee ever performed any service as military storekeeper?

Mr. HULL. I have not made any inquiry on that point. The gentleman from California [Mr. MAGUIRE], by addressing a letter to the War Department, can find out.

Mr. MAHON. I move to amend by inserting before the word "physical," in line 4 of page 11, the words "moral, mental, and;" so as to read, "shall be examined as to their moral, mental, and physical fitness for service."

Mr. HULL. I hope that amendment will not be adopted. We had that matter under consideration in committee for a long time.

Mr. MARSH. I hope this amendment will not be adopted. It is not likely that the President of the United States will send to the Senate the name of an immoral person for a position on the staff. This amendment proposes to require that an examining board shall pass upon the mental and moral, as well as the physical qualifications of a man whom the President has selected for appointment. I think the gentleman from Pennsylvania [Mr. MAHON] will on reflection withdraw the amendment. This feature of the bill was very fully discussed in the committee, and their conclusion was to leave the provision as it stands.

Mr. MAHON. Mr. Chairman, the President can not always ascertain the mental, moral, and physical fitness of a man whom he proposes for appointment. Very often he may be imposed upon by information given to him that men are fitted for places of this kind when in fact they are not. The examination required by law for promotions in the Regular Army and for the appointment of boys to West Point or Annapolis embrace mental and moral fitness. Why, Mr. Chairman, a well-bred horse offered at auction can stand a first-class physical examination. If it were possible for the President, in making his selections from all over this broad country, to know personally the mental and moral fitness of men to occupy places as commissioned officers of the Regular Army, I should be perfectly willing to leave the matter to the President of any party. But he can not.

What is the objection to the amendment? I contend that no man should hold a position in the Army of the United States unless he can pass a moral, mental, and physical examination. I hope the amendment will be adopted.

Mr. MARSH. Will the gentleman allow me a moment?

Mr. MAHON. Certainly.

Mr. MARSH. In your amendment the President nominates a man to the Senate, and he is confirmed or rejected by that body, but you require that he shall go before a board to pass an examination as to his mental and moral qualifications. Now, that seems to me to be asking a little too much.

Mr. MAHON. Not at all. The mental examination is certainly necessary for a man in the Regular Army. Why should it not be made applicable to a man coming from private life who goes into the same service?

Mr. HULL. The same would apply to both of these appointments, either from civil or military life. The physical powers of a man to discharge the duties may not be known either to the President or the Senate. But if the man to be examined is of bad moral character and mentally unfit for the position, it seems to me that there is always somebody who will give the President information, or the information will be reached in some way, so as to prevent such an appointment.

Now in the case of postmasters——

Mr. MARSH. Allow me to interrupt my friend on the committee for a moment.

Mr. HULL. Certainly.

Mr. MARSH. This is giving to a board of three officers a veto power upon the action of the President and the Senate of the United States.

Mr. HULL. That is correct.

Mr. MAHON. But that is not an answer to the suggestion I make. If men in the Regular Army are to pass these examinations in order to determine their capacity to command men, certainly it ought not to be considered a hardship or an injustice to require men appointed from civil life to pass the same examination.

Now, Mr. Chairman, it will make it a stronger feature in the bill. It would, in other words, strengthen the bill. It will give it additional power, and commend it to the people of the country. It is a proposition that will satisfy both sides of the House, and indicates the fact that there are no political jobs in the bill, and no "places" for men of any political party, who will be enabled to get into office through the medium of the bill.

We know, as a matter of fact, that during the late war—the war with Spain—that many appointments were made which if proper care had been taken or opportunity given for investigation would not have been made. It has been stated, and no doubt truthfully, that a great many persons, gamblers, drunkards, worthless, shiftless fellows, were appointed simply because of the fact that they had some one to reach the ear of the President, and got a commission from him under what might be said to be false pretenses. [Applause.]

Now, Mr. Chairman, I want to guard against just that state of things. There is no necessity for it. Some of these men are in to-day; and there is an effort made to keep them in. If they can not stand a physical examination, or a moral examination, I hope the House will consent that such people should not be permitted to remain in the service longer. I have nobody in my own mind. I do not strike at any man. It is true that one man got in from my own district. Not on my recommendation; but he got there by chance——

Mr. HENDERSON. What is his "brand?" [Laughter.]

Mr. MAHON. A man who is no more fitted for the position he occupies than the devil would be to preside over a church meeting. [Laughter.] He got in in some way; but how, I do not know how. Certainly not by my consent. [Laughter and applause.]

[Here the hammer fell.]

Mr. DE ARMOND. Mr. Chairman, I have an amendment prepared which I desire to offer, which covers a little more than the amendment suggested by the gentleman from Pennsylvania. I will submit it now, to be read as a substitute for his amendment.

The Clerk read as follows:

Amend by inserting between the words "physical" and "fitness," in line 4, on page 11 of the bill, the following words:
"Mentally, educationally, and morally;" and by striking out the word "only" in the same line.

Mr. DE ARMOND. Mr. Chairman, I believe this is merely the same as the amendment offered by the gentleman from Pennsylvania [Mr. MAHON], if I heard correctly the reading of that one, with the exception that it includes also educational qualifications. And I am at a loss to understand what objection there really can be either to the amendment offered by the gentleman from Pennsylvania or to what has just been read from the Clerk's desk.

Mr. MAHON. Will the gentleman from Missouri allow me to make a suggestion?

Mr. DE ARMOND. Certainly.

Mr. MAHON. I inserted the word "mental," because that is the term used concerning the examinations both at Annapolis and West Point. The word has a well-defined meaning, and includes a thorough educational examination.

Mr. DE ARMOND. Very likely, then, both amount to the same thing. If so, I do not wish to press the substitute. Let the substitute be withdrawn.

Mr. Chairman, what can be the objection to an examination to ascertain really the fitness of the person to be appointed? What is the use of a physical examination to the exclusion of all other examination? If there are to be appointed men lacking mental and moral qualities for the office, it is better that they should be decrepit, so that soon they will pass from the positions which they never ought to have, than that they should be strong and vigorous physically and thus likely long hold and long disgrace them. An examination, to be worth anything, must be one which inquires into the abilities and the qualifications required for a proper discharge of the duties of the office to be filled.

Physical ability is the smallest part of the essential qualifications. For one of these places the mental and moral qualities are the vital things. A man weak and feeble in physique, but strong mentally and morally, would be infinitely more valuable in a place of trust than a giant, a physical athlete, deficient mentally or wanting morally.

There is a reason, perhaps, for the committee action, and it ought to be explained here and now. It seems to me very strange that an examination is required to ascertain a man's physical fitness, but no requirement is made or question raised as to his mental or moral qualifications. A man in one of these high places ought to possess sufficient mentality and sufficient education, and be upright and clean.

He ought to be a gentleman in office, a gentleman before he goes into office, and a gentleman after he retires from office. What the objection can be to an examination which will ascertain whether one proposed or proposing himself for these important places is of that character, I can not imagine.

It seems to me it is incumbent upon the committee for its own sake, incumbent individually upon each member of the committee who favors this most peculiar examination as to "physical fitness for service only," to give some reason why this discrimination is made in favor of physical vigor and against mental and moral manhood, why an athlete or a bully should be qualified for appointment, while gentlemen less robust are to be excluded, to the great detriment of the service. Really, as one seeking information, and believing that I express what is in the minds of many, I would like to learn what reason or excuse or apology the committee can have for this discrimination.

The CHAIRMAN. Without objection, the amendment offered by the gentleman from Missouri will be considered as withdrawn.

Mr. LANDIS. Mr. Chairman, I had not thought to speak on any question growing out of this debate. I must confess, however, to an intense conviction that I can not return with honest heart and satisfied conscience to the good, the brave, and the true in my beloved State unless I, at least in a feeble way, speak a word for what I think is right.

I want it known here in this Hall and throughout the country, and by the sons and daughters of Indiana everywhere, that the voice of that magnificent Commonwealth is not the voice of pessimism and detraction. [Applause.] I want it known that that voice to-day, at this hour, and in this crisis, as in the days of Lane and Morton and Colfax and McDonald, is the voice of inspiring hope and stalwart patriotism. [Applause.]

Mr. Chairman, I believe I know the people of Indiana. It has not been two years since I met them and learned their minds. It has been recently; and were I uncertain now as to their attitude on any question of great importance to this Republic I would not seek the ocean, far, far from home, where fashion sports and torpid natures flock, but I would go home and, face to face, greet and speak to those whose trust I claim to guard. [Applause.] Driven from intrenchment to intrenchment, put to utter rout by precedent, by tradition, by history, and by masterful logic, the opponents of this bill claim that it should die because of liberty; that liberty demands that we withdraw from the eastern sea.

Mr. Chairman, never since Yorktown has liberty ever for an instant felt called upon to issue an injunction against the American Republic. [Applause on the Republican side.] Gentlemen on the other side of this Chamber are in error. Liberty does not speak through the voice of Aguinaldo any more than the people of Indiana speak through the voice of the distinguished gentleman from the Sixth district of that State. [Renewed applause on the Republican side.]

Rather does liberty speak through that great captain of ours on the eastern sea, and through him she implores us to remain. She begs us to remain because she sees greedy nations looking on. She begs us to remain because she sees Asia in terror, Africa and the islands of the sea despoiled. Should our ships sail away, vessels of other nations would land their soldiers, and their mighty guns would frown budding hope to death. [Applause.] They tried to do this even while our flag was there, and nothing but heroic warning held them back.

Mr. Chairman, on behalf of human liberty, I contend that we should remain in the Philippine Islands. [Loud applause on the Republican side.]

[Here the hammer fell.]

Mr. SHATTUC. I ask that the gentleman have five minutes more time.

Mr. HAY. I object.

Mr. LANDIS. I should like to know who objected?

The CHAIRMAN. Objection is made by the gentleman from Virginia.

Mr. SIMPSON. Mr. Chairman——

The CHAIRMAN. Debate on this paragraph is exhausted.

Mr. SIMPSON. I move to strike out the last word.

This section that we now have under discussion differs from the other section inasmuch as it provides for recruiting officers from civil life. I understood a substitute was offered for section 8, and that it passed. Now, this section, section 9, still provides that these officers can or may be recruited from civil life.

Mr. Chairman, that is one of the difficulties we labored under during the late war with Spain. To my mind a great many of the evils that crept into the service connected with the Army were due to the fact that so many incompetent men were appointed to responsible positions, and I am glad to see the gentleman from Pennsylvania [Mr. MAHON], in a lucid interval, bringing the attention of the committee to that fact. [Laughter.]

I also bring your attention to the fact that it elicited no applause from the Republican side. [Laughter and applause on the Democratic side.] Now, what does this mean? It means that you can go into civil life, if, as the gentlemen from Pennsylvania suggests, you have sufficient political pull, and appoint some fellow, the smug son of a rich father, some son of a bloated bondholder, who has not demonstrated he has sense enough to keep the money his father stole and has shown himself to be incapable of performing any business. This man can get him into the Army and get him made a lieutenant-colonel.

Now, I do not say that the gentleman from Iowa would do anything of that kind. But take the chairman of this committee himself as an example. He has a son who served a short time in the last war. Now, if he could bring political influence to bear he could have him appointed—of course the gentleman from Iowa would not—a lieutenant-colonel, with all that implies. What is this for?

To furnish positions for some incompetents that have no qualifications for the responsibility, and are only fit to put on exhibition the uniforms of the latest style and to stand as samples and display the latest military millinery of American regimentals. [Laughter and applause.] That is what it means, and that is to be done at the expense of the people.

Now, I say this section ought to be amended so as to read the same as the rest, so as to provide for an increase of the officers from the rank of those competent to fill the positions. The country goes to great expense every year, and we were increasing the number just a few days ago of 120 at West Point. We are spending large sums to educate officers to fill these positions.

For about four years they undergo the most rigid military discipline and education, and we ought to recruit the Army in this way, giving it to men who come from that branch of the service instead of going over the country and looking up a lot of incompetents to fill these places because it affords an opportunity to provide places for a lot of lame ducks of the Republican party. Therefore, I hope and think the bill ought to be amended so as to make this next section agree with the rest. I hope the amendment will be agreed to.

Mr. HULL. I move that all debate upon the pending section and amendments thereto be closed.

The motion was agreed to.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Pennsylvania.

The question was taken; and the Chairman announced that the noes seemed to have it.

Mr. MAHON and Mr. HAY. Division!

The committee divided; and there were—ayes 113, noes 30.

So the amendment was agreed to.

Mr. VINCENT. Mr. Chairman, I desire to offer an amendment to this section.

The Clerk read as follows:

In section 9, strike out all of line 7 and all of line 8, except the word "the" at the end of the line.

Add at the end of the section the words: "Upon the passage of this bill."

Mr. VINCENT. Mr. Chairman, I believe this section provides——

The CHAIRMAN. Debate is closed on this section and all amendments.

The question was taken; and the Chairman announced that the noes seemed to have it.

Mr. VINCENT. Division, Mr. Chairman.

The House divided; and there were—ayes 49, noes 86.

So the amendment was rejected.

The CHAIRMAN. The Clerk will read the next section.

The Clerk read as follows:

SEC. 10. That the Subsistence Department shall consist of 1 Commissary-General, with the rank of brigadier-general; 4 assistant commissaries-general, with the rank of colonel; 6 deputy commissaries-general, with the rank of lieutenant-colonel; 10 commissaries, with the rank of major; 27 assistant commissaries, with the rank of captain, and 160 commissary-sergeants, who shall hereafter be known as post commissary-sergeants: *Provided*, That all vacancies in the grades of colonel and lieutenant-colonel created or caused by this section shall be filled by promotion, according to seniority, as now prescribed by law: *And provided further*, That persons who have served as officers of the Subsistence Department in the Volunteer Army in the war with Spain, and persons in civil life, may be appointed to positions in the grades of major and captain created by this section; and such persons, prior to appointment, shall be examined as to their physical fitness for service only; but no such person shall be appointed to the grade of major after he shall have reached the age of 35 years, nor to the grade of captain after he shall have reached the age of 30 years.

The first amendment recommended by the committee was read, as follows:

In section 10, line 13, strike out "six" and insert "eight;" so that it will read "eight deputy commissaries-general," etc.

Mr. HULL. Mr. Chairman——

Mr. JOHNSON of Indiana. Mr. Chairman, I rise to a question of personal privilege.

The CHAIRMAN. The gentleman from Iowa has the floor.

Mr. HULL. Mr. Chairman, I would like to have the amendment reported again.

The amendment was again reported.

Mr. HULL. Mr. Chairman, I move to amend that by striking out "eight" and inserting "five."

The amendment to the amendment was agreed to.

The amendment as amended was agreed to.

Mr. HULL. Mr. Chairman, I ask to go back to line 12 and strike out the word "four" and insert "three."

The amendment was agreed to.

The CHAIRMAN. The next question is on the amendment recommended by the committee, in line 14 strike out "ten" and insert "twelve."

Mr. HULL. Mr. Chairman, I move to amend the amendment by striking out "twelve" and inserting "eight."

The amendment to the amendment was agreed to.

The amendment as amended was agreed to.

The CHAIRMAN. The Clerk will report the next committee amendment.

The Clerk read as follows:

In line 15, strike out the words "twenty-seven" and insert the words "thirty-seven."

Mr. HULL. Mr. Chairman, I move to amend the amendment by striking out "thirty-seven" and inserting "twenty."

The amendment to the amendment was agreed to.

The amendment as amended was agreed to.

Mr. HULL. In line 16, I move to insert the word "mounted" after the word "captain."

The amendment was agreed to.

Mr. HULL. In line 19, I move to insert after the words "lieutenant-colonels" the words "or major."

The amendment was agreed to.

The CHAIRMAN. The Clerk will report the next amendment recommended by the committee.

The Clerk read as follows:

In line 22, section 10, strike out the words "as officers of the Subsistence Department."

The amendment was agreed to.

The CHAIRMAN. The Clerk will report the next committee amendment.

The Clerk read as follows:

On page 12, section 10, in lines 2 and 3, strike out the words "thirty-five" and insert "fifty."

Mr. MAHON. I move to amend by striking out "fifty" and inserting "thirty-five."

Mr. HULL. Mr. Chairman, we have agreed to fifty all the way along.

The CHAIRMAN. The Chair will say to the gentleman from Pennsylvania that that amendment is not in order. The gentleman can attain the same object by having the committee vote down the committee amendment.

Mr. MAHON. Then, Mr. Chairman, I move to amend by inserting "thirty" instead of "fifty." I want the chairman of the committee to understand that I am not captious about offering these amendments. You name men from civil life at 50 years of age, and it is safe to say that at least one-half of these men—if we are to determine this matter by the frailties of our bodies—that one-half of these men, if no more, after they have been put into the Regular Army at the age of 50, when they have crossed the meridian of life and are on the downward side, will be on the retired list of the Army in less than five years from date of their appointment.

Several MEMBERS. Make it 40 years.

Mr. MAHON. I want some reason from the gentleman who has offered the amendment to change it from 35 years to 50 why men of this age shall be taken from civil life and commissioned in the Regular Army, men who have never had during their younger years the training to command men, who never have had the exposure of camp life to harden and toughen them——

Mr. MARSH. Let me say to the gentleman from Pennsylvania that commissaries do not command men.

Mr. MAHON. That does not make any difference. During the war we had an Inspector-General's Bureau, and they came to Congress asking for more help to look after the camp and those deadly diseases that follow every new army.

Inexperienced men from the department are sent to these encampments, as they were in Cuba. That department was left in the hands of inexperienced men, and I would rather blame the mistake for the deaths that followed from typhoid and other fevers to that fact. I am satisfied that if it was investigated, that if these men who should have remained in Washington had looked after the camps it would have been far better. Gentlemen say this is the Commissary Department. Well, in a time of war they can be called into the field. That is not the question. Tell me if there is a man on the floor of this House who thinks that we should take men from civil life and put them into the Regular Army to do the dangerous work of a soldier in camp or on the battlefield at the age of 50 years. I am one of the men who, if a man has served his country well and has reached the age of 64, am willing to retire him, to place him on the retired list; but as long as I have a voice or a vote in this House I will not vote for any part of this bill that would take a man at the age of 50 and put him into the Regular Army and in less than five years put him on the retired list.

Does the gentleman tell me that service for five years or six years or ten years should entitle a man to go on that roll of honor? I hope this House will vote to reduce this age limit and make it 35. If that is satisfactory to the committee, I will not object.

Mr. HULL. Make it 40.

Mr. MAHON. Well, I will not object to 40, because then the appointee can have twenty-four years of service before retirement. Mr. Chairman, I ask to modify my amendment so as to insert 40.

The CHAIRMAN. Is there objection to the modification of the amendment? The Chair hears none.

Mr. HULL. Mr. Chairman, it seems to me particularly unfair to fix a different age limit in the Commissary Department from that which is fixed in the Quartermaster's Department.

Mr. MAHON. That other was worked through on a substitute; and I trust it will be changed.

Mr. HULL. The Committee of the Whole can not reconsider its action.

If this House chooses to adopt one rule for the Commissary Department and another for the Quartermaster's Department, I have no objection individually; but I want to say that the original bill prescribed as an age limit for these positions 30 or 35 years. The committee believed that in the Commissary and Quartermaster's Departments, where the officers go in as captains, 30 or 35 years would be too young an age. Finally it was fixed at 50; and that is the limit agreed upon by the Committee of the Whole for the Quartermaster's Department and the Judge-Advocate-General's Department.

A MEMBER. That can be changed.

Mr. HULL. It can not be changed. In order to be consistent in its action, I hope that the House will sustain the committee and preserve the same age limit for these different and equal departments.

Mr. MAHON. If the House should decide to fix the age limit in this case at 40, the chairman of the Committee on Military Affairs can easily ask unanimous consent to have the other portion of the bill made uniform.

A MEMBER. We can reconsider our action.

Mr. HULL. There is no reconsideration in Committee of the Whole.

The question being taken on the amendment of Mr. MAHON to strike out "fifty" and insert "forty," it was agreed to; and the amendment of the committee as thus amended was agreed to.

The next amendment of the committee was read, as follows:

In line 4 strike out "thirty" and insert "fifty."

Mr. MAHON. I move to amend the amendment by striking out "fifty" and inserting "forty."

The amendment to the amendment was agreed to; and the amendment as amended was agreed to.

Mr. MAHON. In order to make the bill uniform, I move to amend by inserting after the word "their," in line 16, page 11, the words "moral, mental, and;" so as to read "moral, mental, and physical fitness for service only."

Mr. HULL. The word "only" ought to be stricken out if this amendment is made. That will make our present action harmonious with what was done in reference to the Quartermaster's Department.

The amendment was agreed to.

Mr. JOHNSON of North Dakota. Mr. Chairman, I move the amendment which I send to the desk.

The Clerk read as follows:

Insert after line 4, page 12, the following:

"*And provided further*, That no officer or private soldier shall be detailed to sell intoxicating drinks, as a bar tender or otherwise, in any post exchange or canteen, nor shall any other person be required or allowed to sell such liquors in any encampment or fort or on any premises used for military purposes by the United States."

Mr. HULL. I raise a point of order on the amendment. We are now dealing with provisions which have reference to the several departments. This amendment applies to the regulation of the Army. If it should come in at all, it should be as a separate and independent section.

A MEMBER. What is the amendment?

Mr. HULL. Its object, as I understand, is to abolish canteens.

The CHAIRMAN. The point of order is made that this amendment is not germane to the section. The Chair will hear the gentleman from North Dakota [Mr. JOHNSON] on the amendment.

Mr. JOHNSON of Indiana addressed the Chair.

The CHAIRMAN. The gentleman from North Dakota is on the floor upon a point of order.

Mr. JOHNSON of Indiana. I hope I shall get it some time.

Mr. JOHNSON of North Dakota. This is certainly a very proper matter for deliberation and decision on the part of Congress. The amendment embraces a provision which should come in somewhere in this bill, and on looking over the bill I have found no section where it would be more appropriate than here.

Mr. TAWNEY. Bring it in as a separate section.

Mr. HULL. It should come in after the provisions for the staff have been completed. It belongs to the general provisions for the Army.

Mr. JOHNSON of North Dakota. With that understanding, I am perfectly satisfied to have the amendment printed, so that members of the House may read it——

Mr. HULL. I will not raise a point of order upon it when it comes in at the proper place.

The CHAIRMAN. The Chair understands that the gentleman from North Dakota withdraws his amendment and that it is to be printed in the RECORD for information.

Mr. JOHNSON of North Dakota. With the agreement that the point of order is not to be raised.

The CHAIRMAN. The Chair hears no objection.

Mr. HULL. I move that all debate on this section and amendments thereto be closed.

The motion was agreed to.

Mr. JOHNSON of Indiana. Mr. Chairman, I rise to a question of personal privilege.

The CHAIRMAN. For what purpose does the gentleman from Indiana rise?

Mr. JOHNSON of Indiana. To a question of personal privilege.

The CHAIRMAN. The gentleman will state it.

Mr. JOHNSON of Indiana. Mr. Chairman, the gentleman from Indiana [Mr. LANDIS] rose in his place a bit ago, and repeated with great deliberation what was evidently the exordium of a carefully prepared and committed speech, the balance of which, I suppose, will appear in the RECORD to-morrow morning, under the liberality of the House, which will enable him, even under the five-minute rule of debate, to "extend his remarks" in the RECORD.

He made use, during the expression of his sentiments, of the following remark, which was in the nature of an exceeding surprise to me, inasmuch as I had supposed that my personal relations with him were kindly, and I could not remember of anything that I had ever said or had ever done since I have been in Congress that could even by the remotest possibility have been construed by him into an act of unfriendliness toward him.

In order that I might not do any injustice to him or make any mistake, I sought the reporter and got exactly the language which was used. I was desirous of seeing, sir, whether in some manner I had misunderstood or misconstrued the words which were uttered by my colleague. I find, however, the following to be his language:

Mr. Chairman, I believe I know the people of Indiana. It has not been two years since I met them and learned their minds. It has been recently; and were I uncertain now as to their attitude on any question of great importance to this Republic, I would not now seek the ocean, far, far from home where fashion sports and torpid natures flock, but I would go home and face to face greet and speak to those whose trust I claim to guard.

Did the gentleman from Indiana refer to the fact that I have not been at home for the past two years?

Mr. KNOX. Mr. Chairman, I rise to a question of order.

The CHAIRMAN. The gentleman will state it.

Mr. KNOX. The gentleman from Indiana is not stating, or has not stated up to this time, a question of personal privilege.

The CHAIRMAN. The gentleman from Indiana——

Mr. JOHNSON of Indiana. There is an unkind, an ungenerous, and an untruthful implication contained in this language, and it was used, too, when the gentleman from Indiana found that I had failed, as I did on several occasions, to get the floor this afternoon, although I tried repeatedly to do so, and under the impression that I would not be able to reply to his unjust insinuations.

The CHAIRMAN. The gentleman from Indiana has not stated a question of privilege.

Mr. JOHNSON of Indiana. Why, Mr. Chairman, the implication conveyed by the gentleman's remarks that I misrepresent my constituents, and that I have avoided them and refuse to go home to face them, certainly entitles me to a hearing and to an explanation on the floor of the House. Now, if it does not raise a question of privilege to impugn a man's motives in this connection, I do not know what constitutes a question of privilege.

The CHAIRMAN. Will the gentleman allow the Chair to make one statement?

Mr. JOHNSON of Indiana. I certainly will.

The CHAIRMAN. The Chair wishes to say that so far he has not understood the gentleman from Indiana to state a question of personal privilege.

Mr. JOHNSON of Indiana (speaking at the same time). I understood the Chair to ask me to state the question of personal privilege. I was answering the Chair.

The CHAIRMAN. Will the gentleman from Indiana allow the Chair to make a statement? The Chair would state that so far the gentleman does not disclose any question of personal privilege.

Mr. JOHNSON of Indiana. Now, I will say to the Chair that in what I said just before the Chair made that observation, when the Chair was rapping so vigorously to stop me, as the Chair has done repeatedly to-day, I was answering the question which I understood the Chair had previously addressed to me as to what there was in this that constituted a question of privilege. Now, it is a singular condition of affairs if a man representing the views that I do upon this floor must sit here a whole day and hear gentlemen assail him and impugn his motives and not be heard in his own defense.

It has been done over and over again here during this debate, and gentlemen have been all the more emboldened because they saw it was utterly impossible for me to gain the floor in order to take part in this discussion. I do not intend to say anything personal about the gentleman, but I do intend to repel, once and for all, personal charges that have been made against me here upon this floor, and I think now it is proper that I should be allowed to proceed. I want to say to the gentleman [Mr. LANDIS] that I recognize the fact that the people of Indiana are not pessimists, but I recognize the further fact that all over that great State——

Mr. CANNON. I rise to a question of order.

The CHAIRMAN. The gentleman will state his question of order.

Mr. CANNON. It seems to me the gentleman is not addressing himself to a question of personal privilege. Now, I am quite content that by unanimous consent he shall take his five minutes, and it seems to me in fairness if any other member wants five minutes to reply to the gentleman from Indiana that he should have it.

Mr. GAINES. Make it ten.

Mr. CANNON. But it is not a question of privilege and ought not to be presented before the House as such.

Mr. JOHNSON of Indiana. I do not care on what ground I get the floor, if I am allowed to proceed.

Mr. CANNON. I make the point of order that a question of privilege has not been disclosed.

The CHAIRMAN. The Chair is quite ready to decide that point. The gentleman from Indiana has stated no question of personal privilege whatever.

Mr. JOHNSON of Indiana. Then I ask unanimous consent that I may be allowed to proceed——

Mr. BERRY. I ask unanimous consent that the gentleman may be allowed to proceed for ten minutes.

Mr. CANNON. I ask unanimous consent that the gentleman have five minutes.

The CHAIRMAN. The gentleman from Illinois asks unanimous consent that the gentleman from Indiana may proceed—for how long?

Mr. CANNON. The gentleman whom he is replying to had only five minutes, and prompt objection was made to the extension of his time.

The CHAIRMAN. Unanimous consent is asked that the gentleman from Indiana be allowed to proceed for five minutes.

Mr. GAINES and others. Ten minutes.

The CHAIRMAN. Is there objection?

Mr. SHATTUC. If the gentleman from Indiana [Mr. LANDIS] is to have ten minutes, too, then I do not object.

The CHAIRMAN. The proposition is that the gentleman from Indiana be allowed to proceed for five minutes.

Several MEMBERS. Ten minutes.

The CHAIRMAN. Is there objection?

Mr. SHATTUC. Yes; I object, unless his colleague has ten minutes. If he can have that, all right. The gentleman [Mr. JOHNSON] has held the floor here——

Mr. JOHNSON of Indiana. It is not necessary for the gentleman from Ohio to make reflections upon me, for I have not held the floor this afternoon, as he is well aware.

Mr. SHATTUC. If Mr. LANDIS can have ten minutes, I will not object.

Mr. JOHNSON of Indiana. He can have ten hours for aught I care. I simply do not want to leave uncontradicted in the RECORD the charge against me that I have been derelict in my duty and been absent from my home and constituents unnecessarily, unwilling to face them, and unable to know their sentiments.

The CHAIRMAN. Does the gentleman from Ohio object?

Mr. SHATTUC. Not if his colleague is allowed an equal time.

The CHAIRMAN. The Chair hears no objection. The gentleman from Indiana.

Mr. JOHNSON of Indiana. Now, the charge made against me here is that I have, without good cause, avoided my district; that I do not know the feelings, and that I am misrepresenting the sentiments of my people. There is not one word of truth in this, and the gentleman, on reflection, if he is a manly man, will disavow any wrongful intent in uttering it.

I have not been home to my district for nearly two years, and there has scarcely been a day during that time that I have been able to breathe without pain. The condition of my health has been of such a character that I have at times been compelled to take to bed and remain there for a considerable time. I have been obliged to seek the benefit of the ocean and mountain air under the advice of one of the best specialists of the country in these cases. I have been under the care of a physician nearly all of the time.

I have spent my time there and here for two years, and it has simply been a question of my health that has influenced my location. All that gentlemen on the floor have heard is that my health was impaired. It certainly has not been necessary that I should describe my malady, nor would I have thus referred to it but for the gentleman's unwarranted attack upon me. I could have no motive on earth to keep me away from my constituents. There has never been a minute when I have been unwilling to face them, when it would not have been a pleasure for me to do so.

A royal welcome awaits me there whenever I go back. Men may differ from me there in opinion, but they have always treated me kindly. I have been prosecuting attorney of my county for two terms, represented my county in the State senate, and for my first term in Congress was nominated over one of the most magnificent lawyers and best citizens of eastern Indiana, as the gentleman from Indiana knows. I received after that two unanimous nominations; and, as the gentleman further knows, I made the fight last time for my nomination against one of his friends, where there was used against me a large amount of money, promises of office, and, indeed, every base instrumentality to which men could resort for the purpose of defeating me, and where, as the gentleman still further knows, I made myself a clean, manly, honorable fight, without using a single illegitimate weapon against my opponent, and got a majority of the unpurchased and unpurchasable vote of the county of Henry, on which the contest hinged, and was triumphantly reelected to this House. It is known in the district that I desired four years ago not to make the race for Congress.

But the gentleman's friend, who had defeated Judge Holman in one of those political upheavals that occur sometimes in Indiana, insultingly challenged me to the race. It was a well-known fact in my district, and I believe the gentleman is aware of it also, that I said at the time of this race that I would never again be a candidate for Congress. I was anxious to retire in order that I might resume again the practice of an honorable profession. And I could go back to the county of Wayne, where I live, to-day and be received there on all hands with kindness, both by those who believe as I do in politics and by those who do not agree with me in politics.

I can say, too, without any egotism, that I could command there almost one side on every important lawsuit in the county during my absence from my district. Why, then, should I be unwilling, sir, to face my people? I have been in constant communication with my constituents, and have known their sentiments and endeavored to serve them faithfully. The gentleman can speak for his district, and I will speak for mine. I know what the sentiment of my people is, and while I am aware that those who talk the loudest and are most prominent in the control of politics are probably in favor of the policy of this Administration and of the expansion of territory, yet that the masses of the people are not in favor of the forcible annexation of the Philippines and do not believe with the gentleman that we would advance the cause of liberty by seizing upon these islands over the protests of their people and denying them the right to govern themselves.

All over my district there are thoughtful and intelligent people, people of all shades of political opinion, who feel that we stand in troublesome times, that there are great difficulties before us with respect to the Philippine Islands, and who have no wish to colonize them or to do them wrong. Again, the gentleman tells me that on this public question I do not reflect public opinion.

I do not believe, sir, that the Representative is the slave of the people. It is fair to presume that those who elect him have some confidence in his intelligence, his integrity, and his judgment, while he is expected, generally speaking, to represent them, yet it is necessary that he should have a fair latitude for individual opinion. This has always been the sentiment by which I have guided my political life in my Congressional career. Whenever I have made up my mind on a subject, whatever might be my conclusion, I have never cared to find out whether my political views were popular, so I felt that they were right, nor do I care to change my opinion now to please a gentleman who makes war upon me only in order to try to kick himself into notoriety by making a base attack upon a man whose fame is above his reach. [Applause.]

Mr. LANDIS. Mr. Chairman, I confess that it is with some degree of hesitancy that I arise to reply to the distinguished gentleman from the Sixth Congressional district of Indiana [Mr. JOHNSON], because in his closing remarks he states that his fame is above my reach.

Mr. GROSVENOR. That is an admission.

Mr. LANDIS. I presume that is so, because he admits it is so. [Laughter.] It reminds me of the challenge the gentleman made a year ago when I attempted to interrupt him, and he brushed me off by saying that for him to recognize me would be much like a giant recognizing a pigmy. Mr. Chairman, think of a giant going to the seashore for his health. [Laughter.] Taking into consideration the fact that the gentleman claims to be a giant, I can not understand why he should think the language I used in my opening remarks referred to him, because certainly——

Mr. JOHNSON of Indiana. Did the gentleman not refer to me?

Mr. LANDIS. The distinguished gentleman complains that he has not had any time in this debate. He has consumed more time in this debate than any other one man in this House, and he has consumed it against the desire and the will of a great many members of this House, who did not care to interfere with the gentleman's remarks.

I did not in my remarks intend to say anything personal against the gentleman from Indiana. I did start out to address a few remarks to this House in which I intended to convey the impression that the distinguished gentleman, in all the remarks he has made, has not reflected the sentiment of the people of his State, and should he return there and mingle among the people he would learn as much. He misrepresents them; he has not been in a position to understand what they want or what their feelings are upon these great questions in this great crisis.

I have received letters myself from friends who did all in their power to send the distinguished gentleman to Congress this last time, in which they asked me if some member of the Indiana delegation had not the courage to rise and state to this House and to announce to the country that the distinguished gentleman is not representing the Republican party, and, as far as that is concerned, the Democratic party, in the State of Indiana on this question.

I would say more, that the leading newspaper in our State, all the Republican newspapers in our State, and a great many of the most influential Democratic newspapers in Indiana are diametrically opposed to the sentiments advanced by my distinguished colleague, and he would learn this if he would go out among the people. I did not know he was kept away on account of his health; but you seem to have good health when you get on the floor of the House; you seem to have health enough to make trouble for your party and trouble for the President of the United States. [Laughter and applause.]

The CHAIRMAN. The gentleman from Indiana [Mr. LANDIS] should not address his colleague in the second person.

Mr. LANDIS. The distinguished gentleman seems to be stalwart enough when it comes to arraigning the President of the United States and the party that elected him to a seat on the floor of this House. It strikes me that a man that can consume as much time as the distinguished gentleman from Indiana has consumed in misrepresenting his party, in assailing his President, applying to him epithets, and referring to him by insinuation in a way that Aguinaldo would scarcely do, ought to find enough time to at least spend a few days or a few weeks with his people and really ascertain what they think upon great public questions. [Applause.]

[Here the hammer fell.]

The CHAIRMAN. The Clerk will read the next section.

The Clerk read as follows:

SEC. 11. That the Medical Department shall consist of 1 Surgeon-General, with the rank of brigadier-general; 10 surgeons, with the rank of colonel; 20 surgeons, with the rank of lieutenant-colonel; 110 surgeons, with the rank of major; 300 assistant surgeons, with the rank of captain or first lieutenant; and a hospital corps, consisting of 250 hospital sergeants, who shall have the pay and allowances of hospital stewards; 100 pharmacists, with a compensation of $40 per month and the allowances of acting hospital stewards; 400 hospital corporals, with the pay and allowances of acting hospital stewards, and 3,000 privates: *Provided*, That all vacancies in the grades of colonel, lieutenant-colonel, and major created or caused by this section shall, as far as practicable, and subject to the prescribed examination, be filled by promotion according to seniority, as now provided by law: *Provided also*, That assistant surgeons shall have the rank of first lieutenant for the first five years' service, and that of captain after five years' service, subject to the examination now required by law: *And provided further*, That the period during which any assistant surgeon shall have served as a medical officer of the Volunteer Army during the war with Spain shall be counted as a portion of the five years' service required to entitle him to the rank of captain: *Provided further*, That all vacancies in grade of assistant surgeons shall be filled by competitive examinations, as now provided by law.

Acting assistant surgeons may be appointed by the Surgeon-General, with the sanction of the Secretary of War and under such regulations as may be prescribed by him, for temporary service whenever imperatively necessary, at a compensation not to exceed $150 per month: *Provided*, That no one shall be so appointed until he shall have passed a satisfactory professional examination.

The CHAIRMAN. The Clerk will read the first committee amendment.

The Clerk read as follows:

In line 10, section 11, after the word "lieutenant," insert the following:
"One hundred dentists, with rank, pay, and allowances of a first lieutenant, mounted, who shall be graduates of a dental college and shall pass a satisfactory professional examination."

Mr. HAY. Mr. Chairman, I offer an amendment to the amendment.

The CHAIRMAN. The Clerk will report the amendment.

The Clerk read as follows:

On page 12, in line 13, after the word "professional," insert the words "competitive, and shall be not over 30 years of age."

Mr. HAY. Mr. Chairman, I desire to call the attention of the House to the fact that this is an entirely new feature incorporated in the Army bill. It provides for a corps of 100 dentists, with the rank of first lieutenant. It does not provide for any age limit whatever. It does not provide for any competitive examination, as has been heretofore provided for surgeons in the Army.

I think in the interest of the service that these dentists ought not to be over 30 years of age. Otherwise you may put in men of 60 years of age. You want men just from college, men who have a college education, men who have some knowledge of dentistry and who can stand a competitive as well as a professional examination, and not a lot of old men with a political pull. I trust that the amendment will be agreed to.

Mr. COX. I want to offer an amendment to the amendment of my friend from Virginia [Mr. HAY]. I desire to submit a proposition to strike out the entire section providing for this corps of dentists.

Mr. HAY. That would have to be an amendment to the bill, not an amendment to my amendment.

Mr. COX. There has never been a corps of this kind in the Army at all, and I want to put myself on record as having been opposed to it in the committee as I am opposed to it here. It does seem to me that we are going absolutely wild about this matter. I can not see any reason for putting 100 lieutenants in the Army as dentists.

Mr. HAY. With the consent of the Committee of the Whole, I will withdraw my amendment proposing to fix "thirty" as the age limit, and will move to insert "thirty-five."

The CHAIRMAN. Without objection, the gentleman from Virginia modifies his amendment.

Mr. COX. Now my proposition would be in order, Mr. Chairman, would it not? I move to strike out the entire section providing for these dentists.

The CHAIRMAN. The amendment of the committee is to insert such a paragraph. If that paragraph be voted down, the purpose of the gentleman from Tennessee will be accomplished.

The question being taken on agreeing to the amendment of Mr. HAY, it was rejected; there being—ayes 34, noes 73.

The amendment of the committee was then rejected.

Mr. HULL. I ask to offer an amendment on behalf of the committee, by striking out, in line 6, page 12, the word "ten" and inserting the word "eight," so as to provide for eight surgeons with the rank of colonel.

Mr. HAY. I move to amend the amendment by striking out "colonel" and inserting "lieutenant-colonel."

Mr. HULL. If that amendment should be adopted there would be no colonels in the Medical Department.

Mr. HAY. Well, why should there be any?

Mr. HULL. Because there have always been, and because it is proper to preserve this order of promotion.

Mr. HAY. Why should we go to this expense?

The CHAIRMAN. The Chair will state to the gentleman from Virginia [Mr. HAY] that his amendment can not properly be entertained as an amendment to the amendment of the gentleman from Iowa, but it will be in order after that amendment is disposed of.

The question being taken on Mr. HULL'S amendment, it was agreed to.

Mr. HAY. I now move to amend by striking out "colonel" and inserting "lieutenant-colonel," so as to provide for "eight surgeons with the rank of lieutenant-colonel."

The amendment was not agreed to.

Mr. HULL. I move to amend by striking out, in line 7, the word "twenty" and inserting "sixteen," so as to provide for "sixteen surgeons with the rank of lieutenant-colonel."

The amendment was agreed to.

Mr. HULL. I move to amend by striking out, in line 8, the words "one hundred and ten" and inserting "sixty," so as to provide for sixty surgeons with the rank of major.

Mr. HAY. Mr. Chairman, I wish to call attention to the fact that the majority of the Committee on Military Affairs, by these amendments, are striking out the very officers who have more to do with the health and comfort of the soldiers than any other arm of the service.

By the pending amendment they are striking out in this bill, which provides for an army of 100,000 men, 50 surgeons; they are cutting down in other directions the surgical staff, which in peace as well as in war is essential to the health of the men of the Army. Why, sir, we heard complaints during the last war about surgeons in the Army; but no complaint was made about the efficiency of the surgeons of the Regular Army. They knew how to take care of their men.

I do not believe in relying on contract surgeons to take care of the health of the Army. I do not think this is the right place in this bill to undertake to cut down expenses. The amount proposed to be saved by this cutting down is, at any rate, a mere bagatelle in comparison with the important interests involved. A reduction of 331 staff officers, and about half of them taken from the Surgeon-General's Department, amounts to hardly anything in the grand total of the expense of this bill.

It does not amount to as much as $500,000 when you come to add up the salaries of these men. You have not taken a single officer from the line. You have reduced the companies down to 60, or say that you are going to do so, but we have not taken from them a single officer. But you make amendments for the purpose of strengthening the bill before this House which do not seem to have any bearing upon the questions embodied in the leading features of the bill. That is the complaint I make, and I think there has been some complaint before the country, as well as from the military service, as to the modifications and changes suggested.

Mr. HULL. I wish to say, Mr. Chairman, in answer to the gentleman from Virginia, only one or two words.

When the war broke out—I mean the late war with Spain—this force in the department consisted of 177 altogether. Now, we have increased it largely, as the bill shows, even with the pending amendment adopted.

Mr. HAY. To what extent?

Mr. HULL. Why, we have increased it to 235. We make the total number 235 under this provision; and I think it will be conceded that the law passed by Congress providing for the employment of contract surgeons has been a success. We have been enabled to secure competent men at $150 per month, and there is no trouble in getting them at that rate. Their services have been of great importance in the Army during the late war.

Now, we fix the staff on the theory that the Army will be greatly reduced, and we are endeavoring to make the bill conform so that there will be no necessity for changing it hereafter, or any necessity for legislation on the part of Congress to reduce the number of officers and muster them out of the service. We would prefer to make the bill to correspond exactly with the action of the House with reference to the total strength of the Army. The bill makes a sufficient increase, with the amendments which have been suggested. The increase proposed by these amendments to this section will meet all of the requirements of the service, in the judgment of the committee.

Mr. HENDERSON. The amendment is all right. Let us take a vote upon it.

The amendment was considered, and agreed to.

Mr. HULL. Now, Mr. Chairman, in line 9 of the same paragraph, I move to strike out the words "three hundred and sixty" and insert instead thereof the words "one hundred and fifty."

Mr. HENDERSON. That is right. Let us have a vote.

Mr. HULL. This refers to the assistant surgeons who are commissioned with the rank of first lieutenant.

The amendment was agreed to.

Mr. HULL. Now, Mr. Chairman, in line 14 of the same section of the bill, I move to strike out the word "two" and insert "one;" so as to read:

And a hospital corps consisting of 150 hospital sergeants.

The amendment was agreed to.

Mr. HULL. In line 16 of the same paragraph, I move to strike out "one hundred" and insert "sixty."

This is a provision for the pharmacists.

The amendment was agreed to.

Mr. HULL. In line 18 I move to strike out "four hundred" and insert "two hundred." This relates to the hospital corporals.

The amendment was considered, and agreed to.

Mr. HULL. In lines 19 and 20 I move to strike out "3,000" and insert "1,500."

This, Mr. Chairman, is in respect to the privates employed in the Hospital Corps.

Mr. COX. I would like to ask the chairman of the Committee on Military Affairs, who reports the bill now before the committee, why it is that these changes are being made? Since the bill came into the House it seems that the whole thing is going by amendments and modifications, and changes are made that we can not not well understand.

Mr. HULL. Mr. Chairman, in answer to the gentleman from Tennessee, it is sufficient to say that my understanding was, when we put the minimum at 50,000 men in the Army, we were to reduce the rest of the force to correspond.

Mr. HAY. Has the gentleman amended the bill in all other respects? It seems to me, in some respects no change has been made from the total force fixed originally by the committee.

Mr. COX. Well, I am against the whole thing, and would not object to seeing it defeated in the House.

The CHAIRMAN. The question is on agreeing to the amendment proposed by the gentleman from Iowa.

The amendment was agreed to.

Mr. HULL. Now, Mr. Chairman, there is the committee amendment on page 13, line 8 to line 10, to strike out the words:

That all vacancies in grade of assistant surgeons shall be filled by competitive examinations, as now provided by law.

And insert in lieu thereof the words:

That no person shall be appointed to fill any vacancy in the grade of assistant surgeon until he shall have passed a satisfactory professional examination.

The CHAIRMAN. The Clerk will report the amendment.

The Clerk read as follows:

On page 13, beginning with line 8, strike out the words "That all vacancies in grade of assistant surgeons shall be filled by competitive examinations, as now provided by law" and insert in lieu thereof the words "That no person shall be appointed to fill any vacancy in the grade of assistant surgeon until he shall have passed a satisfactory professional examination."

Mr. HULL. Mr. Chairman, just one word as to that amendment. The majority of the committee preferred the use of the word "professional" to that of "competitive," for the reason that they believed that the word "competitive" was more "civil service" than the other, and that the word "professional" left more latitude in the appointment from those who passed a satisfactory professional examination, while the word "competitive" meant that those who passed highest, regardless of any other question, must be appointed. That is the whole question, and the House is able to decide it.

Mr. CANNON. Mr. Chairman, I should like to ask——

Mr. HAY. I believe I have the floor.

Mr. HULL. I had not yielded the floor. I will yield to the gentleman from Illinois.

Mr. CANNON. If the amendment is adopted as you propose it, there will be some chance, in the examination of the assistant surgeons before they are appointed, to ascertain their common sense and their professional capacity, rather than to decide it all on the answers to questions in black and white.

Mr. HULL. That is all there is to it.

Mr. CANNON. Then I am for it.

Mr. HULL. That is all there is to it.

Mr. HAY. I want to state that the law for a long time has provided for competitive examinations for surgeons in the Army, and has produced very good results. The surgeons in the Army are a fine body of men and always have been.

Now, the gentleman undertakes to say something about the civil service. I am as much opposed to the civil service as he or any other man, but this is no question about civil service. This is a question as to a man's particular fitness for a professional duty, and I do not understand that this service has ever been called a part of the civil service in any possible way.

As the present system has produced good results heretofore, why change it and make it "professional," which means that if a man passes a professional examination put up by a board, however low he may pass, he may be put in the Army as a surgeon above a man who possesses qualifications much higher than he has? This does not meet the position of the gentleman from Illinois [Mr. CANNON] at all. Who is going to judge of it? The Surgeon-General? No. Of course it is going to be a political appointment, and that is what it is intended for and put in for.

The CHAIRMAN. The question is on agreeing to the amendment.

Mr. FLEMING. Do I understand the amendment to be to strike out the word "competitive" and insert the word "professional?"

Mr. HULL. That is the whole of the amendment.

Mr. FLEMING. In other words, to make it a matter of political appointment?

Mr. HULL. No, sir; it is not.

Mr. HANDY. Who offers the amendment?

Mr. HULL. The committee.

The question being taken, Mr. HAY demanded a division.

The committee divided; and there were—ayes 64, noes 30.

Mr. HAY. I make the point of no quorum.

Mr. HULL. I ask the gentleman to withdraw that, so that we can finish this section. Then the committee will rise until to-morrow.

Mr. HAY. Do you say that the committee will rise immediately after getting through with this section?

Mr. HULL. Yes; I will do that, if you will withdraw it.

Mr. HAY. Then that is understood?

Mr. HULL. Yes.

Mr. HAY. I withdraw the point of no quorum.

The CHAIRMAN. The ayes have it; and the amendment is agreed to.

Mr. HULL. I think there are no further amendments to this section. Now, Mr. Chairman, with the understanding that we commence on section 12 to-morrow morning—we had started to read section 12, and if it is the agreement of the committee, without reading section 12 now, that we commence with section 12 in the morning, I will move that the committee rise.

The CHAIRMAN. Without objection, section 12 will be considered as read.

Mr. HAY. I object to that.

Mr. HULL. That does not cut off the right of amendment or debate.

Mr. HAY. I should like to hear it read. It is a very interesting section.

Mr. HULL. I ask the Clerk to read it. It will take only a minute.

The CHAIRMAN. The Clerk will read.

The Clerk read as follows:

SEC. 12. That the Pay Department shall consist——

Mr. HAY. I rise to a point of order, or a point of etiquette and good faith. The gentleman from Iowa stated that if I would withdraw the point of no quorum, he would move that the committee rise. Now, the gentleman is going ahead with the next section.

Mr. HULL. My agreement was this, and I think the Reporter's notes will show it, that as soon as we completed section 11, I would then move that the committee rise.

Mr. HAY. Well, we have completed section 11 now, and you are proceeding to have section 12 read.

Mr. HULL. We have not completed section 11 until we begin the consideration of section 12. To-morrow morning it would have been possible to indefinitely amend section 11. That is the only reason why I wished to have section 12 read, or considered as read.

Mr. HAY. The Clerk has read the first line of section 12.

Mr. HULL. I understand that the Clerk has begun the reading of section 12. If we can begin on section 12 to-morrow morning, I will now move that the committee rise.

Mr. HAY. I would not have insisted upon any such point as the gentleman seems to fear.

Mr. HENDERSON. That is all right, and everybody is protected.

The motion of Mr. HULL that the committee rise was agreed to.

The committee accordingly rose; and the Speaker having resumed the chair, Mr. PAYNE, Chairman of the Committee of the Whole House on the state of the Union, reported that that committee had had under consideration the bill H. R. 11022, and had come to no resolution thereon.

WITHDRAWAL OF PAPERS.

Mr. POWERS, by unanimous consent, obtained leave to withdraw from the files of the House, without leaving copies, the papers in the case of Oliver L. Kezer, Company A, Seventeenth Vermont Volunteers, no adverse report having been made thereon.

ENROLLED BILL SIGNED.

Mr. HAGER, from the Committee on Enrolled Bills, reported that they had examined and found truly enrolled a bill of the following title; when the Speaker signed the same:

H. R. 10912. An act for adjusting clothing account for deceased soldiers in certain cases.

LEAVE OF ABSENCE.

By unanimous consent, leave of absence was granted to Mr. LAWRENCE, indefinitely, on account of sickness in his family.

Mr. HULL. I ask unanimous consent that when the House adjourn to-night it be to meet at 11 o'clock to-morrow morning.

The SPEAKER. The gentleman from Iowa asks unanimous consent that when the House adjourn, it adjourn to meet at 11 o'clock to-morrow morning. Is there objection? [After a pause.] The Chair hears none, and it is so ordered.

Mr. HULL. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; and accordingly (at 5 o'clock and 57 minutes p. m.) the House adjourned until 11 o'clock a. m. to-morrow.

EXECUTIVE COMMUNICATIONS, ETC.

Under clause 2 of Rule XXIV, the following executive and other communications were taken from the Speaker's table and referred as follows:

A letter from the Secretary of War, transmitting a communication from the disbursing clerk of the War Department, with a copy of a letter from the Comptroller of the Treasury relating to certain credits in the War Department—to the Committee on Appropriations, and ordered to be printed.

A letter from the Secretary of the Treasury, transmitting a copy of a communication from the Secretary of War submitting estimates of appropriation for equipment of engineer troops and civilian assistants to engineer officers—to the Committee on Military Affairs, and ordered to be printed.

A letter from the Secretary of the Treasury, transmitting a communication from the custodian of the dies, rolls, and plates, Bureau of Engraving and Printing, in relation to overtime worked by employees in his office from April 1 to November 12, 1898—to the Committee on Appropriations, and ordered to be printed.

A letter from the Attorney-General, transmitting a list of judgments against the Government by the circuit and district courts of the United States in which records have been received since June 22, 1898—to the Committee on Appropriations, and ordered to be printed.

A letter from the president of the Capital Traction Company, transmitting its annual statement for 1898—to the Committee on the District of Columbia, and ordered to be printed.

A letter from the Secretary of the Treasury, transmitting estimates of appropriations required for completing the service of the fiscal year ending June 30, 1899, including postal revenues—to the Committee on Appropriations, and ordered to be printed.

A letter from the Acting Secretary of the Interior, transmitting a draft of a bill to amend the act of June 4, 1897, relating to the sale of timber on forest reservations—to the Committee on the Public Lands, and ordered to be printed.

REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS.

Under clause 2 of Rule XIII, Mr. GILLETT of Massachusetts, from the Committee on Foreign Affairs, to which was referred the concurrent resolution of the House (House Con. Res. No. 55) relative to the freedom from capture of non-offending commerce on the sea, reported the same without amendment, accompanied by a report (No. 1874); which said resolution and report were referred to the House Calendar.

REPORTS OF COMMITTEES ON PRIVATE BILLS AND RESOLUTIONS.

Under clause 2 of Rule XIII, private bills and resolutions of the following titles were severally reported from committees, delivered to the Clerk, and referred to the Committee of the Whole House, as follows:

Mr. STALLINGS, from the Committee on Pensions, to which was referred the bill of the House (H. R. 11420) to pension Emily McLaine, reported the same with amendment, accompanied by a report (No. 1872); which said bill and report were referred to the Private Calendar.

He also, from the same committee, to which was referred the bill of the House (H. R. 9344) to pension John Begley, a soldier of the Mexican war, reported the same with amendment, accompanied by a report (No. 1873); which said bill and report were referred to the Private Calendar.

Mr. DE GRAFFENREID, from the Committee on Pensions, to which was referred the bill of the House (H. R. 8179) for the relief of Levi M. Truitt, reported the same with an amendment, accompanied by a report (No. 1875); which said bill and report were referred to the Private Calendar.

PUBLIC BILLS, RESOLUTIONS, AND MEMORIALS INTRODUCED.

Under clause 3 of Rule XXII, bills, resolutions, and memorials of the following titles were introduced and severally referred as follows:

By Mr. LOUD: A bill (H. R. 11878) providing for a colonial and industrial exposition for the encouragement of export trade—to the Committee on Ways and Means.

By Mr. GRIFFIN: A bill (H. R. 11879) to amend an act entitled "An act to suspend the operation of certain provisions of law relating to the War Department, and for other purposes"—to the Committee on Military Affairs.

By Mr. BELL: A bill (H. R. 11880) to provide for the sale of United States internal-revenue stamps by all United States postmasters, and for other purposes—to the Committee on the Post-Office and Post-Roads.

By Mr. JENKINS: A bill (H. R. 11881) providing for the rate of wages that shall be paid to mechanics and laborers employed on public works in the District of Columbia—to the Committee on the District of Columbia.

By Mr. DE VRIES: A bill (H. R. 11882) to increase the limit of the cost for the erection of a public building in Stockton, Cal., and making provision for the acquisition of additional land or a new site therefor—to the Committee on Public Buildings and Grounds.

By Mr. HOWELL: A bill (H. R. 11883) for the purchase of a site and the erection of a public building thereon in the city of New Brunswick, N. J.—to the Committee on Public Buildings and Grounds.

By Mr. MOON: A bill (H. R. 11884) to establish a military post in or near the Chickamauga and Chattanooga National Military Park, in Hamilton County, Tenn.—to the Committee on Military Affairs.

By Mr. HILBORN: A bill (H. R. 11885) providing for a colonial and industrial exposition for the encouragement of the export trade—to the Committee on Ways and Means.

By Mr. GAINES: A bill (H. R. 11886) for the purchase by the United States of land near the city of Nashville, Tenn., for a military post—to the Committee on Military Affairs.

By Mr. STARK: A bill (H. R. 11911) to authorize the Secretary of the Treasury to accept for the United States a post-office building and grounds from citizens of Wymore, Gage County, Nebr., and for other purposes—to the Committee on the Post-Office and Post-Roads.

By Mr. STALLINGS (for Mr. WHEELER of Alabama): A bill (H. R. 11912) authorizing the employment of trained women nurses in the hospitals of the United States during war—to the Committee on Military Affairs.

By Mr. BROMWELL: A joint resolution (H. Res. 345) to provide for naming one of the new battle ships *The American Boy*—to the Committee on Naval Affairs.

By Mr. TONGUE: A joint resolution (H. Res. 346) asking the Secretary of War to submit estimates for the improvement of the Long Tom River, in Oregon—to the Committee on Rivers and Harbors.

By Mr. PAYNE: A resolution (House Res. No. 382) providing for consideration of H. R. 11312 on February 1, after reading of the Journal—to the Committee on Rules.

By Mr. TONGUE: A memorial from the Oregon legislature, for passage of Indian war veteran bill—to the Committee on Pensions.

Also, a memorial from the Oregon legislature, for the construction of Nicaragua Canal—to the Committee on Interstate and Foreign Commerce.

PRIVATE BILLS AND RESOLUTIONS INTRODUCED.

Under clause 1 of Rule XXII, private bills and resolutions of the following titles were introduced and severally referred as follows:

By Mr. BARNEY: A bill (H. R. 11887) to increase the pension of John E. Hughes—to the Committee on Invalid Pensions.

By Mr. BARBER: A bill (H. R. 11888) for the relief of the owners of the schooner *Chesapeake Trader*—to the Committee on War Claims.

By Mr. BREWER: A bill (H. R. 11889) granting a pension to W. C. Griffin—to the Committee on Pensions.

By Mr. CUMMINGS: A bill (H. R. 11890) to correct the military record of Reinhard Schneider—to the Committee on Military Affairs.

By Mr. DE VRIES: A bill (H. R. 11891) for the relief of George Schmidt—to the Committee on Pensions.

By Mr. GREENE of Nebraska: A bill (H. R. 11892) granting a pension to John Divine, of Company C, First Regiment Pennsylvania Mounted Rifles, United States Army—to the Committee on Invalid Pensions.

By Mr. JONES of Washington: A bill (H. R. 11893) for the relief of Mary E. Adams—to the Committee on Claims.

By Mr. KIRKPATRICK: A bill (H. R. 11894) to correct the military record of John Sailer—to the Committee on Military Affairs.

By Mr. LACEY: A bill (H. R. 11895) to increase the pension of John M. Box—to the Committee on Invalid Pensions.

By Mr. McDONALD: A bill (H. R. 11896) for the relief of Mary E. Bell—to the Committee on Invalid Pensions.

By Mr. STEVENS of Minnesota: A bill (H. R. 11897) for the relief of William N. Carey—to the Committee on Claims.

Also, a bill (H. R. 11898) for the restoration to the Navy of Frederick Swanstrom—to the Committee on Naval Affairs.

By Mr. SIMS: A bill (H. R. 11899) granting a pension to Judith Doherty—to the Committee on Pensions.

Also, a bill (H. R. 11900) for the relief of J. V. Worley—to the Committee on Claims.

By Mr. SOUTHARD: A bill (H. R. 11901) to pension Eli Jacobs—to the Committee on Invalid Pensions.

Also, a bill (H. R. 11902) to pension Angeline Mills—to the Committee on Invalid Pensions.

Also, a bill (H. R. 11903) to correct the military record of James Kean—to the Committee on Military Affairs.

Also, a bill (H. R. 11904) to correct the military record of George M. Kemp—to the Committee on Military Affairs.

Also, a bill (H. R. 11905) to correct the military record of Edward S. Knappen—to the Committee on Military Affairs.

By Mr. WARNER: A bill (H. R. 11906) granting a pension to Mary Ann Fell—to the Committee on Invalid Pensions.

By Mr. DAYTON: A bill (H. R. 11907) granting an increase of pension to William R. Huffman—to the Committee on Invalid Pensions.

Also, a bill (H. R. 11908) to remove the charge of desertion from the military record of John Hall—to the Committee on Military Affairs.

Also, a bill (H. R. 11909) for the relief of F. M. Smallwood, of Jefferson County, W. Va.—to the Committee on War Claims.

Also, a bill (H. R. 11910) for the relief of the heirs of Thomas G. Flagg, deceased, late of Berkeley County, W. Va.—to the Committee on War Claims.

By Mr. CLAYTON: A bill (H. R. 11913) granting a pension to David Blackshear—to the Committee on Pensions.

Also, a bill (H. R. 11914) granting a pension to W. W. Jewett—to the Committee on Pensions.

PETITIONS, ETC.

Under clause 1 of Rule XXII, the following petitions and papers were laid on the Clerk's desk and referred as follows:

By the SPEAKER: Memorial of Levi W. Huffman, in relation to the proposed memorial bridge across the Potomac—to the Committee on Interstate and Foreign Commerce.

By Mr. BARTLETT: Resolutions of the Chamber of Commerce of Macon, Ga., asking for the passage of the bill to improve the United States building at Macon, Ga.—to the Committee on Public Buildings and Grounds.

Also, petition of the Chamber of Commerce of Knoxville, Tenn., for the continuance of fast mail service through the South and entire United States—to the Committee on the Post-Office and Post-Roads.

By Mr. BELL: Resolutions of the Colorado Scientific Society, favoring the passage of Senate bill No. 205, for a division of mines and mining in the United States Geological Survey—to the Committee on Mines and Mining.

Also, resolution of the Board of Trade of Leadville, Colo., in opposition to a bill restricting ticket brokerage—to the Committee on Interstate and Foreign Commerce.

Also, resolutions of Company A, First Infantry, National Guard of Colorado, for an increase in the appropriation for the maintenance of the National Guard—to the Committee on Military Affairs.

Also, petitions of the Westminster Presbyterian Church, First Methodist Episcopal Church, Baptist Church, and Patterson Woman's Christian Temperance Union, all of Pueblo, Colo., to prohibit the sale of liquor in Government buildings—to the Committee on Alcoholic Liquor Traffic.

By Mr. BRODERICK: Petition of the Woman's Christian Temperance Union of Effingham, Kans., for the passage of a bill to protect State anti-cigarette laws—to the Committee on the Judiciary.

By Mr. BROMWELL: Resolution of the Ohio State board of health, concerning the National Board of Health—to the Committee on Interstate and Foreign Commerce.

By Mr. CHICKERING: Petition of James W. Fenner, Joseph Bishop, James A. Hagerty, W. H. Baker, and Mary L. Johnston, for the Woman's Christian Temperance Union, all of Port Leyden, N. Y., for the abolition of the canteen system in the Army, Government buildings, etc.—to the Committee on Alcoholic Liquor Traffic.

By Mr. CLARKE of New Hampshire: Petitions of D. W. Coe, S. S. Call, S. B. Whitteman, Robert N. Merrill, George W. Osgood, H. B. Swett, Walter Major, B. C. Noyes, C. R. Jones, D. H. Dickey, Moses D. Webber, L. H. Daniels, James H. Larson, Eli H. Toss, Arven Blanchard, S. N. Stevens, Frank Blodgett, Asa Fairbanks, and numerous other citizens of the State of New Hampshire, urging the establishment of postal savings banks—to the Committee on the Post-Office and Post-Roads.

By Mr. COOPER of Wisconsin: Petitions of the Congregational, Methodist Episcopal, and Seventh-Day Baptist churches of Milton, Wis., and of the Congregational Church of Clinton, Wis., for the passage of the Ellis bill to prohibit the sale of liquor in canteens and in immigrant stations and Government buildings—to the Committee on Alcoholic Liquor Traffic.

By Mr. DE VRIES: Resolutions of Hartford Post, No. 155, of Lodi, Grand Army of the Republic, Department of California, in support of Senate bill No. 3256, to give veterans the preference in Government employment—to the Committee on Reform in the Civil Service.

Also, papers to accompany House bill for the relief of George Schmidt—to the Committee on Pensions.

By Mr. ELLIOTT: Resolution of the Chamber of Commerce of Charleston, S. C., in favor of the passage of House bill No. 10534, relating to the organization of the consular service—to the Committee on Foreign Affairs.

By Mr. ERMENTROUT: Resolution of the American Shipping and Industrial League of New York, in reference to restoring the ocean carrying trade in vessels sailing under the American flag—to the Committee on the Merchant Marine and Fisheries.

Also, petition of the Chamber of Commerce of Knoxville, Tenn., for the continuance of fast mail service through the South and entire United States—to the Committee on the Post-Office and Post-Roads.

Also, resolution of the Merchants' Association of New York, favoring the restoration of pneumatic tubes in the postal service—to the Committee on the Post-Office and Post-Roads.

Also, petition of the National Board of Trade, in favor of the Loud bill, international postage, and parcels-post system—to the Committee on the Post-Office and Post-Roads.

By Mr. GREENE of Nebraska: Papers to accompany House bill correcting the military record of Adolph Kansgen—to the Committee on Military Affairs.

By Mr. GROSVENOR: Protest of citizens of the Eleventh Congressional district of Ohio, against the seating of Representative-elect B. H. Roberts, of Utah—to the Committee on Elections No. 1.

By Mr. GROUT: Petition of Mrs. M. B. Grattan and the Woman's Christian Temperance Union of West Wardsboro, Vt., for the passage of the Ellis bill to prohibit the sale of liquor in canteens and in immigrant stations and Government buildings—to the Committee on Alcoholic Liquor Traffic.

Also, petition of the Woman's Christian Temperance Union of West Wardsboro, Vt., to forbid the transmission of lottery messages by telegraph—to the Committee on Interstate and Foreign Commerce.

By Mr. HENDERSON: Petition of 138 citizens of Laporte, Iowa, to prohibit the sale of liquor in canteens and in immigrant stations and Government buildings—to the Committee on Alcoholic Liquor Traffic.

Also, paper of the adjutant-general of Iowa, asking for an appropriation of $5,000,000 per annum for the National Guard—to the Committee on the Militia.

By Mr. HENRY of Mississippi: Petitions of the Baptist Church and Methodist Church of Edwards, Miss., to prohibit the sale of liquor in canteens, in immigrant stations, and in Government buildings—to the Committee on Alcoholic Liquor Traffic.

By Mr. LACEY: Petition of citizens of Floris, Iowa, to accompany House bill granting an increase of pension to J. M. Box—to the Committee on Invalid Pensions.

By Mr. LESTER (by request): Petitions of E. H. Cross and 106 citizens of Collins, J. S. Gough and 101 others of Gough, J. A. McKing, G. W. Nunn, J. A. Jenkens, J. G. Copeland, Simon Jackson, W. M. Clark, G. W. Welsh, and others, all of the State of

Georgia, in favor of the establishment of postal savings banks—to the Committee on the Post-Office and Post-Roads.

By Mr. LOUD: Petitions of citizens of Santa Clara County, Cal., to prohibit the sale of liquor in canteens, in immigrant stations, and in Government buildings—to the Committee on Alcoholic Liquor Traffic.

Also, resolution of the Mechanics' Institute of San Francisco, Cal., relative to a colonial exposition, and the establishment of a commercial museum—to the Committee on Interstate and Foreign Commerce.

By Mr. McALEER: Resolution of the Chamber of Commerce of Knoxville, Tenn., for the continuance of fast mail service through the South and entire United States—to the Committee on the Post-Office and Post-Roads.

Also, resolution of the State Association of Retail Grocers, at Reading, Pa., January 11 and 12, 1899, favoring the passage of the Brosius pure food and drug bill—to the Committee on the Judiciary.

By Mr. McCALL: Remonstrance of the Young Men's Congregational Club of Boston, Mass., against the seating of Brigham H. Roberts as a Representative from Utah—to the Committee on Elections No. 1.

By Mr. McDONALD: Petition of the heirs of Jacob Avey, deceased, late of Washington County, Md., praying for reference of his war claim to the Court of Claims—to the Committee on War Claims.

Also, petition of the heirs of John Snavely, deceased, late of Washington County, Md., praying reference of his war claim to the Court of Claims—to the Committee on War Claims.

By Mr. OLMSTED: Resolution of the Board of Trade of Harrisburg, Pa., urging the importance of the establishment and securing the universal recognition of the enlightened principle that private property on the sea should be as secure from violence and capture as private property on land—to the Committee on Interstate and Foreign Commerce.

By Mr. OTJEN: Resolutions of the Presbytery of the United Presbyterian Church of Wisconsin, against the seating of Brigham H. Roberts as a Representative from Utah—to the Committee on Elections No. 1.

Also, resolution of the National League and Commission Merchants of Milwaukee, Wis., urging measures to promote the ocean carrying trade in vessels under the American flag—to the Committee on the Merchant Marine and Fisheries.

By Mr. OVERSTREET: Petition of Frank L. White and 30 citizens of the State of Indiana, to prohibit the sale of liquor in canteens and in immigrant stations and Government buildings—to the Committee on Alcoholic Liquor Traffic.

By Mr. POWERS: Paper to accompany House bill No. 5082, removing the charge of desertion against John Levigne—to the Committee on Military Affairs.

By Mr. RICHARDSON: Petition of Russell M. Kilburn, of Lauderdale County, Ala., praying reference of his war claim to the Court of Claims—to the Committee on War Claims.

Also, papers of Malinda Ellett, of Madison County, Ala., praying reference of her war claim to the Court of Claims—to the Committee on War Claims.

By Mr. ROBB (by request): Papers in support of House bill No. 11706 for the relief of William Berry—to the Committee on Invalid Pensions.

By Mr. ROBINSON of Indiana: Petitions of citizens of St. Joe, Metz, and Kendallville, Ind., for the abolition of the canteen system in the United States Army, Government buildings, etc.—to the Committee on Alcoholic Liquor Traffic.

By Mr. SIMS: Petition of Fielding Hurst Post, No. 7, Grand Army of the Republic, of Adamsville, Tenn., asking for the repeal of section 4716, relating to pensions—to the Committee on Invalid Pensions.

By Mr. SMITH of Illinois: Petitions of Levi B. Dell and 200 citizens of Wellington, N. B. Cox and 200 citizens of Cooperstown, H. L. Kelly and 207 citizens of Fisher, Louis Veronda and 204 citizens of Carbonhill, Louis J. Hetz and 203 citizens of Longwood, George Tallman and 145 citizens of Kappa, H. F. Turner and 203 citizens of Wyoming, A. J. Smith and 199 citizens of Dover, James Gillam and 199 citizens of Ray, all in the State of Illinois, in favor of the establishment of postal savings banks—to the Committee on the Post-Office and Post-Roads.

By Mr. SPRAGUE: Petition of the Woman's Christian Temperance Union of Berkley, Mass., to prohibit the sale of liquor in Government buildings, etc.—to the Committee on Alcoholic Liquor Traffic.

By Mr. STEELE: Petition of James Wyatt and 26 citizens, A. F. Tweedy and 27 citizens, of Lincolnville, Ind.; Bert Bond and 11 citizens of Marion, Willis Cammack and 34 members of the African Methodist Episcopal Church of Weaver, Ind., to prohibit the sale of liquor in canteens and in immigrant stations and Government buildings—to the Committee on Alcoholic Liquor Traffic.

By Mr. STEVENS of Minnesota: Resolutions of the Jobbers' Union and Northwestern Manufacturers' Association, of St. Paul, Minn., urging measures to promote the ocean carrying trade in vessels under the American flag, so that the money expended may be retained in the United States—to the Committee on Interstate and Foreign Commerce.

By Mr. STRODE of Nebraska: Petition of the First Presbyterian Church and of the First United Presbyterian Church of Pawnee City, Nebr., to forbid interstate gambling by telegraph or telephone—to the Committee on the Judiciary.

Also, petition of the Second United Presbyterian Church of Pawnee City, Nebr., to prohibit the sale of liquor in Government buildings—to the Committee on Alcoholic Liquor Traffic.

By Mr. SUTHERLAND: Petition of L. C. Huck and 188 other citizens of Holdredge, Nebr., against any Government aid or appropriation for an exposition to be held at Omaha, Nebr., during the year 1899—to the Committee on Appropriations.

By Mr. WANGER: Petitions of the Woman's Christian Temperance unions of Brownsburg, Bristol, Carversville, Fallsington, Churchville, and Penns Park, all in Bucks County, Pa., for the passage of the Ellis bill to prohibit the sale of liquor in canteens and in immigrant stations and Government buildings—to the Committee on Alcoholic Liquor Traffic.

By Mr. WHITE of North Carolina: Petition of the Woman's Christian Temperance Union of Goldsboro, N. C., to prohibit the sale of liquor in Government buildings, etc.—to the Committee on Alcoholic Liquor Traffic.

Also, petition of the Woman's Christian Temperance Union of Goldsboro, N. C., to forbid the transmission of lottery messages and other gambling matter by telegraph—to the Committee on the Judiciary.

Also, resolution of the Tarboro Board of Trade, of Tarboro, N. C., urging measures to promote the ocean carrying trade in vessels under the American flag—to the Committee on the Merchant Marine and Fisheries.

SENATE.

TUESDAY, *January 31, 1899.*

Prayer by the Chaplain, Rev. W. H. MILBURN, D. D.

The Vice-President being absent, the President pro tempore took the chair.

The Secretary proceeded to read the Journal of yesterday's proceedings, when, on motion of Mr. HANSBROUGH, and by unanimous consent, the further reading was dispensed with.

The PRESIDENT pro tempore. The Journal will stand approved, in the absence of objection.

FOREIGN NAVIGATION LAWS.

The PRESIDENT pro tempore laid before the Senate a communication from the Secretary of the Treasury, transmitting, in response to a resolution of the 26th instant, a statement prepared by the Commissioner of Navigation relative to the navigation laws of all foreign nations in possession of the Treasury Department; which was read.

The PRESIDENT pro tempore. The communication will be printed and referred to the Committee on Commerce, unless the Senator from Louisiana desires some other reference.

Mr. CAFFERY. I have not been able to hear the communication which has been read.

The PRESIDENT pro tempore. It is a communication in answer to a resolution passed by the Senate on the 26th of January, asking for copies of the various navigation laws of the nations of the world, which was offered by the Senator from Louisiana.

Mr. CAFFERY. I am satisfied with the reference of the communication to the Committee on Commerce.

The PRESIDENT pro tempore. That reference will be made.

MESSAGE FROM THE HOUSE.

A message from the House of Representatives, by Mr. W. J. BROWNING, its Chief Clerk, announced that the House insists upon its amendments to the bill (S. 4700) to receive arrearages of taxes due the District of Columbia to July 1, 1896, at 6 per cent interest per annum, in lieu of penalties and costs, disagreed to by the Senate, agrees to the conference asked for by the Senate on the disagreeing votes of the two Houses thereon, and had appointed Mr. JENKINS, Mr. SPRAGUE, and Mr. RICHARDSON managers at the conference on the part of the House.

ENROLLED BILL SIGNED.

The message also announced that the Speaker of the House had signed the enrolled bill (H. R. 10912) for adjusting clothing account for deceased soldiers in certain cases; and it was thereupon signed by the President pro tempore.

PETITIONS AND MEMORIALS.

Mr. MITCHELL presented a petition of the Central Labor Union, Wisconsin State Federation of Labor, of Sheboygan, Wis., praying for the passage of the eight-hour bill; which was referred to the Committee on Education and Labor.

Mr. HARRIS presented a petition of the Woman's Christian Temperance Union, the Baptist Young People's Union, the Epworth League, the Christian Endeavor Society of the Presbyterian Church, and the Christian Endeavor Society of the Christian Church, all of Eldorado, in the State of Kansas, praying for the enactment of legislation to prohibit the sale of liquor in canteens of the Army and Navy and of Soldiers' Homes, and in immigrant stations and Government buildings; which was referred to the Committee on Military Affairs.

Mr. TURLEY presented a petition of the Chamber of Commerce of Chattanooga, Tenn., praying that an appropriation be made for the continuance of a fast-mail service between certain Eastern and Southern cities; which was referred to the Committee on Appropriations.

Mr. SHOUP presented petitions of sundry citizens of Grandview, Minkcreek, Seneaguoteen, Collins, Anderson, Freedom, Bellevue, Doniphan, Lane, Hagerman, Grant, Bellgrove, and Forney, all in the State of Idaho, praying for the establishment of postal savings bank depositories; which were referred to the Committee on Post-Offices and Post-Roads.

Mr. BUTLER. I present petitions of sundry citizens of Tippecanoe and Coinjock, in the State of North Carolina, praying for the establishment of postal savings bank depositories. The first petition is signed by John W. Williams and 202 other citizens, and the second by T. P. Hall and 129 other citizens. I move that the petitions be referred to the Committee on Post-Offices and Post-Roads.

The motion was agreed to.

Mr. BUTLER presented a petition of the legislature of North Carolina, praying that an appropriation be made to establish a light beacon at the Cape Channel in Pamlico Sound; which was referred to the Committee on Commerce.

Mr. TELLER presented a petition of the Scientific Society of Colorado, praying for the establishment of a division of mines and mining in the Geological Survey; which was ordered to lie on the table.

He also presented petitions of Company A, Company B, Company E, and Company H of the First Infantry, Colorado National Guard, praying that liberal appropriations be made for the maintenance of the National Guard; which were referred to the Committee on Military Affairs.

He also presented a memorial of the Board of Trade of Leadville, Colo., remonstrating against the passage of the anti-scalping ticket bill; which was ordered to lie on the table.

He also presented a memorial of the Grand Loyal Orange Lodge of Colorado, remonstrating against an appropriation being made for the support of sectarian Indian schools; which was ordered to lie on the table.

He also presented a memorial of Local Union No. 129, Cigar Makers' International Union, of Denver, Colo., remonstrating against the annexation of the Philippine Islands; which was referred to the Committee on Foreign Relations.

He also presented a memorial of sundry citizens of Georgetown, Colo., remonstrating against the passage of House bill No. 3589, to extend the powers and duties of the Commissioner of Fish and Fisheries to include game birds and other wild birds useful to man, and praying that an additional appropriation be made for the maintenance of the United States fish hatchery, near Leadville, in that State; which was referred to the Committee on Fisheries.

Mr. PETTUS presented a petition of the Chamber of Commerce of Knoxville, Tenn., praying for the continuance of the appropriation for the fast mail service between the Northern and Southern cities; which was referred to the Committee on Appropriations.

Mr. TURNER presented the petitions of W. W. Ames and 203 other citizens of Columbus, of Rev. F. S. Pearson and 45 other citizens of Fern Hill, of M. E. Traver and 197 other citizens of Spokane, of O. F. Johnson and 203 other citizens of Vancouver, of Isaac P. Calhoun and 197 other citizens of Black Diamond, of B. D. Mills and 201 other citizens of Clifton, of W. L. Orrahood and 206 other citizens of Salkum, and of A. K. Jackson and 202 other citizens of Urban, all in the State of Washington, praying for the establishment of postal savings bank depositaries; which were referred to the Committee on Post-Offices and Post-Roads.

Mr. QUAY presented a petition of the Richboro Woman's Christian Temperance Union of Bucks County, Pa., and a petition of the Woman's Christian Temperance Union of Langhorne, Pa., praying for the enactment of legislation to prohibit the sale of liquor in canteens of the Army and Navy and of Soldiers' Homes, and in immigrant stations and Government buildings; which were referred to the Committee on Military Affairs.

Mr. McMILLAN presented a petition of the North Capitol and Eckington Citizens' Association, of the District of Columbia, and the petition of Albert F. Marsh and sundry other citizens of the District of Columbia, praying that the Washington Public Library be located on Mount Vernon Square; which were referred to the Committee on the District of Columbia.

Mr. DAVIS presented a petition of Local Union No. 14, Amalgamated Woodworkers' Association, of Minneapolis, Minn., praying for the passage of the eight-hour bill; which was referred to the Committee on Education and Labor.

He also presented a petition of the congregation of the First Free Baptist Church of Winnebago City, Minn., praying for the enactment of legislation to prohibit the sale of liquor in canteens of the Army and Navy and of Soldiers' Homes, and in immigrant stations and Government buildings; which was referred to the Committee on Military Affairs.

Mr. GALLINGER presented a petition of the Woman's Christian Temperance Union of East Rochester, N. H., praying for the maintenance of prohibition in Alaska, the Indian Territory, and also to extend it to our new half-civilized dependencies; which was referred to the Committee on Territories.

He also presented a petition of the Woman's Christian Temperance Union of East Rochester, N. H., praying for the enactment of legislation to prohibit interstate gambling by telegraph, telephone, or otherwise; which was referred to the Committee on the Judiciary.

He also presented a petition of the Woman's Christian Temperance Union of East Rochester, N. H., praying for the enactment of legislation to prohibit the sale of liquor in canteens of the Army and Navy and of Soldiers' Homes, and in immigrant stations and Government buildings; which was referred to the Committee on Military Affairs.

He also presented a petition of the Woman's Christian Temperance Union of East Rochester, N. H., praying for the enactment of legislation to prohibit the transmission by mail or interstate commerce of pictures or descriptions of prize fights; which was referred to the Committee on the Judiciary.

Mr. SULLIVAN presented a petition of sundry citizens of Claiborne County, Miss., praying for the enactment of legislation to prohibit the sale of liquor in canteens of the Army and Navy and of Soldiers' Homes, and in immigrant stations and Government buildings; which was referred to the Committee on Military Affairs.

REPORTS OF COMMITTEES.

Mr. PLATT of New York, from the Committee on Naval Affairs, to whom was referred the bill (H. R. 4122) to correct the naval record of John Hurley, reported it without amendment, and submitted a report thereon.

Mr. SHOUP, from the Committee on Pensions, to whom was referred the bill (S. 3227) granting a pension to John W. Lay, reported it with an amendment, and submitted a report thereon.

He also, from the same committee, to whom was referred the bill (S. 5040) granting an increase of pension to Jane McMahon, widow of Bernard J. McMahon, reported it with amendments, and submitted a report thereon.

Mr. HANSBROUGH, from the Committee on Pensions, to whom was referred the bill (H. R. 11048) granting a pension to William L. Quinn, reported it without amendment, and submitted a report thereon.

He also, from the same committee, to whom was referred the bill (H. R. 4001) granting an increase of pension to Robert Fletcher, reported it with amendments, and submitted a report thereon.

He also, from the same committee, to whom was referred the bill (S. 2716) granting a pension to Mary R. Bacon, reported it with an amendment, and submitted a report thereon.

Mr. HANNA, from the Committee on Pensions, to whom was referred the bill (H. R. 9503) granting a pension to Mary Woodmansy, reported it without amendment, and submitted a report thereon.

He also, from the same committee, to whom was referred the bill (H. R. 3144) granting an increase of pension to Robert S. Moorhead, reported it without amendment, and submitted a report thereon.

Mr. GALLINGER, from the Committee on Pensions, to whom was referred the bill (S. 5288) granting a pension to Emma A. Porch, submitted an adverse report thereon, which was agreed to; and the bill was postponed indefinitely.

He also, from the same committee, to whom was referred the bill (S. 5267) granting an increase of pension to Charles E. Banfield, reported it with an amendment, and submitted a report thereon.

He also, from the same committee, to whom was referred the bill (S. 5386) restoring to the pension roll the name of Samuel S. McDonald, reported it with an amendment, and submitted a report thereon.

He also, from the same committee, to whom was referred the

bill (H. R. 9593) to increase the pension of Michael Meehan, reported it with an amendment, and submitted a report thereon.

He also, from the same committee, to whom was referred the bill (H. R. 1780) granting an increase of pension to Reuben H. Waters, reported it with amendments, and submitted a report thereon.

He also, from the same committee, to whom was referred the bill (H. R. 8955) granting an increase of pension to Richard M. Hussey, reported it without amendment, and submitted a report thereon.

He also (for Mr. BAKER), from the same committee, to whom was referred the bill (H. R. 4324) granting a pension to Martha Allen, reported it with an amendment, and submitted a report thereon.

Mr. ROACH, from the Committee on Pensions, to whom was referred the bill (S. 4681) to increase the pension of Joseph F. Mollere, reported it with amendments, and submitted a report thereon.

He also, from the same committee, to whom was referred the bill (S. 5003) granting an increase of pension to Mrs. M. A. Dennis, reported it with amendments, and submitted a report thereon.

Mr. LINDSAY, from the Committee on Pensions, to whom was referred the bill (H. R. 10158) granting a pension to Mary A. Taylor, reported it without amendment, and submitted a report thereon.

Mr. PRITCHARD, from the Committee on Pensions, to whom was referred the bill (H. R. 10488) to increase the pension of Susan C. Byrd, widow of Mexican war soldier, reported it with amendments, and submitted a report thereon.

He also, from the same committee, to whom was referred the bill (H. R. 9323) to increase the pension of Mary E. Townes, reported it without amendment, and submitted a report thereon.

TREATY WITH SPAIN.

Mr. LODGE, from the Committee on Printing, reported the following resolution; which was considered by unanimous consent, and agreed to:

Resolved, That there be printed for the use of the Senate 1,500 copies of the treaty of peace with Spain and the accompanying papers, to be delivered to the Senate document room.

TEMPORARY FORCE OF THE NAVY.

Mr. CHANDLER. I report back favorably from the Committee on Naval Affairs, without amendment, the bill (S. 5363) granting extra pay to officers and enlisted men of the temporary force of the Navy, for which I ask present consideration. I ask that it may be read at length, subject to objection.

The Secretary read the bill, as follows:

Be it enacted, etc., That the officers and enlisted men comprising the temporary force of the Navy during the war with Spain who served creditably beyond the limits of the United States, and who have been or may hereafter be discharged, shall be paid two months' extra pay; and all such officers and enlisted men of the Navy who have so served within the limits of the United States, and who have been or may hereafter be discharged, shall be paid one month's extra pay.

The PRESIDENT pro tempore. Is there objection to the present consideration of the bill? The Chair hears none.

Mr. CHANDLER. I ask that a short letter on the subject from the Secretary of the Navy be read.

The Secretary read as follows:

NAVY DEPARTMENT, *Washington, January 23, 1899.*

SIR: I have the honor to transmit herewith a draft of a bill granting extra pay to officers and enlisted men of the temporary force of the Navy, and to recommend the same to the favorable consideration of the committee. A measure making like provision for the volunteer officers and men of the Army (H. R. 11243) unanimously passed the House on the 6th and the Senate on the 7th instant, and was approved January 12, 1899. (Public act No. 14.)

It has not been the custom of this Department to grant to officers and men leave of absence before discharge, but all are discharged upon their arrival home, or as soon thereafter as practicable. Nearly all those comprising the temporary force of the Navy have been discharged, and would not be entitled to the benefits of the proposed measure did its provisions not extend to those that have been heretofore, as well as those that may be hereafter, discharged.

These officers and men rendered efficient and valuable service to the Government, and merit the same favorable consideration as has been extended to those of the Army. Giving to the Volunteer Army, for similar service, privileges that are withheld from the Navy is a discrimination against the latter class, whose services deserve the highest consideration.

Very respectfully,

J. D. LONG, *Secretary.*

Hon. EUGENE HALE,
Chairman Committee on Naval Affairs,
United States Senate.

Mr. PETTIGREW. I did not hear the bill read that is under consideration. I should like to have it read.

The Secretary again read the bill.

The PRESIDENT pro tempore. The Chair will again ask, Is there objection to the present consideration of the bill?

There being no objection, the bill was considered as in Committee of the Whole.

The bill was reported to the Senate without amendment, ordered to be engrossed for a third reading, read the third time, and passed.

BILLS INTRODUCED.

Mr. HANSBROUGH introduced a bill (S. 5416) to amend section 2238 of the Revised Statutes of the United States; which was read twice by its title, and referred to the Committee on Public Lands.

Mr. GORMAN introduced a bill (S. 5417) for the relief of holders of certain District of Columbia tax-sale certificates, and for other purposes; which was read twice by its title, and referred to the Committee on the District of Columbia.

He also introduced a bill (S. 5418) for the relief of John A. Narjes; which was read twice by its title, and referred to the Committee on the District of Columbia.

He also introduced a bill (S. 5419) granting a pension to Martha E. Horn; which was read twice by its title, and, with an accompanying paper, referred to the Committee on Pensions.

Mr. HANNA introduced a bill (S. 5420) granting an increase of pension to Edward M. Duff; which was read twice by its title, and, with the accompanying papers, referred to the Committee on Pensions.

He also introduced a bill (S. 5421) granting an increase of pension to Thomas H. Kearney; which was read twice by its title, and, with the accompanying papers, referred to the Committee on Pensions.

He also introduced a bill (S. 5422) granting an increase of pension to George G. Gaylord; which was read twice by its title, and, with the accompanying papers, referred to the Committee on Pensions.

He also introduced a bill (S. 5423) granting an increase of pension to Charlotte A. Reeder; which was read twice by its title, and, with the accompanying papers, referred to the Committee on Pensions.

He also introduced a bill (S. 5424) to amend an act entitled "An act to authorize the Denison and Northern Railway Company to construct and operate a railway through the Indian Territory, and for other purposes;" which was read twice by its title, and referred to the Committee on Territories.

Mr. TELLER introduced a bill (S. 5425) granting an increase of pension to Belle F. Ralston; which was read twice by its title, and referred to the Committee on Pensions.

AMENDMENTS TO APPROPRIATION BILLS.

Mr. FAULKNER submitted an amendment proposing an appropriation of $3,000 for arrearages of rent in connection with the municipal building, No. 464 Louisiana avenue, for use of the Commissioners of the District of Columbia, intended to be proposed by him to the sundry civil appropriation bill; which was ordered to be printed, and, with the accompanying paper, referred to the Committee on the District of Columbia.

Mr. McMILLAN submitted an amendment proposing an appropriation of $45,000 for grading, regulating, and curbing the street on the west border of the Zoological Park from Woodley road to Cathedral avenue, intended to be proposed by him to the sundry civil appropriation bill; which was referred to the Committee on the District of Columbia, and ordered to be printed.

Mr. CHANDLER submitted an amendment proposing an appropriation of $50,000 for constructing and equipping a railroad in the navy-yard at Portsmouth, N. H., and an appropriation of $5,000 for the construction of closets for workmen in the navy-yard at Portsmouth, N. H., intended to be proposed to the naval appropriation bill; which was referred to the Committee on Naval Affairs, and ordered to be printed.

PERSONNEL OF NAVY AND MARINE CORPS.

Mr. CHANDLER. I submit an amendment intended to be proposed by me to the bill (H. R. 10403) to reorganize and increase the efficiency of the Navy and Marine Corps of the United States, which I ask may be printed and referred to the Committee on Naval Affairs and that at the end of the amendment may be printed certain tables which are annexed.

The PRESIDENT pro tempore. It will be so ordered.

ADDITIONAL CLERK OF COMMITTEE ON FOREIGN RELATIONS.

Mr. DAVIS submitted the following resolution; which was referred to the Committee to Audit and Control the Contingent Expenses of the Senate:

Resolved, That the Committee on Foreign Relations be authorized to continue until the end of the Fifty-sixth Congress the employment of the additional clerk authorized by the resolution of the Senate of May 9, 1898, and that said clerk be paid during such term of employment out of the contingent fund of the Senate at the rate of $1,440 per annum.

ACQUISITION OF TERRITORY.

Mr. BERRY. I ask the Chair to lay before the Senate Senate joint resolution 191, introduced by the Senator from Missouri [Mr. VEST], in regard to the power of the Government over colonies.

The PRESIDENT pro tempore. The Chair lays before the Senate the joint resolution indicated by the Senator from Arkansas.

The SECRETARY. A joint resolution (S. R. 191) declaring tha

under the Constitution of the United States no power is given to the Federal Government to acquire territory to be held and governed permanently as colonies.

Mr. BERRY. Mr. President, If in November, 1896, it had been known or generally believed throughout the United States that within less than two years from the date of his inauguration the President of the United States would be asking Congress to grant a standing army of 100,000 men for the purpose of being used to subjugate and subdue a people 7,000 miles away from our territory, who were seeking to form a government of their own, he would not have received the electoral vote of a single State in this Union. Prior to that time the Government of the United States had been the friend of all people in all places who were struggling for liberty and who sought to establish a government for themselves. To the people of France, the people of the South American Republics, the people of Poland, the people of Hungary, the people of Greece, the Government of the United States and all the people of the United States have extended their sympathy when they were fighting for liberty. The last year of the nineteenth century will hereafter mark the date that will show when the Government of the United States first aligned itself with those nations which seek to impose government upon other people contrary to their will.

Mr. President, if less than one year ago, when the junior Senator from Massachusetts [Mr. LODGE] read from that desk to the Senate of the United States the Farewell Address of the Father of our Country, it had been asserted here that in less than twelve months from that time that Senator and a majority of his associates upon this floor would be advocating a policy which contradicts and disregards every word and every sentiment contained in that wonderful letter, that Senator would indignantly have denied it and resented it as an imputation upon his patriotism.

And yet we have gone forward, or backward, as you may choose to regard it, with such bewildering rapidity that to-day every man who dares to raise his voice in the way of protest against this radical departure from our time-honored beliefs, traditions, and professions is denounced as a traitor to his country, an ally, aider, and abettor of Malays, negroes, and savages.

Mr. President, it seems to me that the wholesale abuse, misrepresentation, and slander that daily come from the public press, and the intolerance shown by some Senators on this floor toward those who are unwilling to follow the President in his wild scheme of colonization and acquisition of territory is not the best and fairest way to determine and settle the great and important question which now confronts the American people.

When the protocol for peace was signed on the 12th day of last August, I think it could have been truthfully said that there had never been a time since the organization of the Government when the American Republic commanded so much respect from the nations of the world, and never a time when its own citizens felt for that Republic so much love, so much devotion, and so much admiration. Less than six months have passed and there are thousands and tens of thousands of intelligent and patriotic citizens who sincerely believe that the danger of the destruction and overthrow of our institutions has never been so great as it is to-day.

What has been the cause, Mr. President, of the remarkable change in the policy of our Government? What has been the mighty influence that has caused us to depart from the teachings of our fathers and to enter upon a course of action directly opposed to all that we have ever professed. Mr. President, men do not always agree as to causes and effects, but it seems to me that the all-powerful force that is pushing us on to destruction can be easily found. In 1896, for the first time since the organization of the Government, all of the great combinations of wealth, all of the great corporations, all of the trusts, all of the syndicates, boards of trade, merchants and manufacturers' associations and exchanges of the great cities, were united in the support of the same candidate for the Presidency. They were associated together as, and assumed for themselves, the name of the business men of the country. Many of them boldly claimed that the men who owned the wealth and property of the country had a right to dictate the policy of the Government and to name its Chief Magistrate. This powerful combination of wealth was able to control nearly all of the great daily newspapers, and they succeeded in electing William McKinley President of the United States.

Mr. President, it is largely the same element, the same mighty influence, which is to-day, under the plea that the United States must have a wider and broader field for trade and commerce, pushing us to a line of action that threatens the very foundations of the Republic. It is no doubt true that there are many earnest and honest people in all sections of the Union who believe that it is the duty of the Government to sacrifice the lives of thousands and tens of thousands of our own people in order to force civilization and Christianity at the cannon's mouth upon the people of those distant islands; but the influence of this class is small compared with those I have first named.

The cause for the universal rejoicing of our people at the close of the war can be easily understood. The unparalleled victories of our Navy at Manila and Santiago and the superb courage of our soldiers, coming as they did from all parts of the Union, at San Juan had astonished the world and excited the wildest enthusiasm of the American people. Europe had learned something of the tremendous power of a free people; and if any doubt remained there or elsewhere as to the loyalty and devotion of the people of every section of the Union to the American Government and American flag, that doubt was forever removed.

The pride and glory that the American people felt in the Army and Navy was greatly enhanced by the fact that all felt and knew that the war had been waged by us from unselfish and disinterested motives. We had fought to make others free as we ourselves were free; we had fought to enable the Cuban people to throw off their colonial dependence upon Spain and establish a free and independent government for themselves; we had disclaimed, in the act declaring war, any intention of acquiring territory in the island. The President himself had said that the forcible acquisition of territory would not be tolerated by the American people, and that such an attempt would be criminal aggression. The American people were proud because they had done a brave and generous and unselfish deed, which would be a gratification to them and to their children in all the years to come.

They had no thought then that the great combinations of wealth and greed would be able thereafter to unite and bring to bear such a mighty influence as would control the public press, to a large extent public sentiment, the President, and the Senate of the United States, and secure the adoption of a policy that would hereafter forever dim and obscure the glory that they had fairly won. We fought Spain in order to free the Cubans from her control. We can not, in my opinion, without placing a blot upon the fair name of the Republic, without dishonor to ourselves, fight the inhabitants of the Philippine Islands in order to subject them to our control. But such is the proposition made to us to-day. Under the terms of the protocol for peace signed by our Government and that of Spain, until the treaty of peace is ratified by the Senate the United States has no right in the Philippine Islands except to hold and defend the city of Manila, the harbor, and the bay.

It has been often said, Mr. President, that we hold those islands and that we can not turn them loose. That is not true. Except the city of Manila and the bay and harbor we do not hold those islands either in law or in fact, and, Mr. President, the city of Manila itself was never captured until after the protocol of peace was signed. This is admitted by those that supported the treaty; and it can not be denied that under the terms of the protocol of peace our rights were confined to the defenses of the city of Manila and its bay and its harbor.

Those who support the treaty urge this as a reason why there should be a speedy ratification of the treaty in order that General Otis may be at liberty to move forward his battalions to crush the Philippine government and slaughter those who resist. They insist that we must agree to a treaty by which we promise to pay Spain $20,000,000 in order to obtain her consent to make war upon those who were our allies in the recent contest; and we are told that any party or individual who refuses to give his consent to this proposition will meet with the indignation of the American people. Mr. President, it may be true; I do not know; but it seems to me that when the excitement of the hour has passed away and impartial history comes to be written the men who are urging the forcible acquisition of foreign territory will not be proud of the record they are making.

But I do know that any Senator upon this floor who earnestly and honestly believes that this policy endangers this country and who would be intimidated by any threat of indignation from any source or any power is unworthy of a seat upon the floor of the Senate. This matter is too great for any purpose, except that we stand by our convictions.

But it was said by the President of the United States, in his speech at Omaha, I think—at least in one of the speeches he made on his Western tour—that it is destiny, and we must meet it and accept it. Mr. President, the plea of destiny as an excuse for any course of action is an admission that no other reason can be given. If destiny is a sufficient excuse for wrong, then there is no crime however great and no infamy however degrading that a nation may not commit under that name. And we are told again that we must conquer these people in the interests of humanity and for their own good, that we must entail enormous expense upon our own people, that we must drag our youth to that far-off land, and kill and slaughter hundreds and, it may be, thousands of these people, in order that we may civilize and Christianize the remainder.

Mr. President, this is the same excuse, the same false pretense, that has been given by every nation of the world which sought to impose its government upon another people. This is the same excuse that was given by Spain when Cortes marched through Mexico and Pizarro through Peru, leaving burning houses and

murdered men and women and children in their pathway. Spain said that it was in the interest of civilization and Christianity. When Lord Clive and Warren Hastings robbed India and committed outrages that shocked the civilized world, England said that this was done in the interest of humanity; that this was done in order to extend English commerce. So the same excuse was made by Austria and Prussia for the destruction of Hungary and Poland, and the same excuse was given by George the Third when he made war upon the colonies in this country.

But I am asked if I think our people are as bad as theirs. I answer no, Mr. President, I do not think they are; but the reason why I do not think they are is because they have never indulged in these practices in the past. But the very moment we attempt to govern foreign territory against the will of the inhabitants, the chances are, if history can be relied upon, that we shall grow worse year by year.

Mr. President, I do not believe that it is possible for any government, however pure that government may be, to give just government to people 7,000 miles away from the parent government.

Mr. President, those of us who live in the States of the South have some knowledge of the wrongs and outrages that may be perpetrated even by Americans where they seek to govern by strangers and by military power an unwilling people. Fortunately for our Republic, the people of the North learned in time that such government could not be continued without danger to every part of the Union, and I remember what universal applause from every part of the country greeted the statement made by the Hon. Charles Foster, of Ohio, when he said in the House of Representatives in 1877 that thereafter the flag of the country should wave over States and not provinces.

No, Mr. President, the plea of humanity is not the true cause of this movement. It doubtless has controlled the judgment of many, but the all-powerful force behind it is the desire of extending trade and commerce. It is the desire for gain, and not to relieve suffering. It has been urged by some who are in high position that it is necessary that we should do this thing in order that we might be in a position to share in the dismemberment of the Chinese Empire now going on by the governments of Europe, and that if other nations contested our right to do so the result would be an alliance, offensive and defensive, between Great Britain, the United States, and Japan. Mr. President, if this should come, the 100,000 soldiers now demanded will soon be 500,000. We will be plunged into foreign wars for fifty years to come; we will transmit to our children a great bonded debt and a military supremacy, and our great Republic will be a thing of the past. It is because of this possibility, and even probability, that I believe it to be the duty of every man who is opposed to such a policy to resist it at every step and in all honorable ways.

But, Mr. President, it is urged upon us that if we do not take the sovereignty of these islands and conquer and subdue these people other nations stand ready to seize them. It is a poor excuse for the commission of a crime that others stand ready to seize the opportunity, that others will be less honest. It is no defense to robbery to say that if we do not commit it some other party will.

But suppose it is true that other nations would seize the Philippine Islands, what obligations rest upon us to impose upon our own people burdens of so serious a character as this in order to become the protectors of a people on the shores of Asia? Spain's power has gone from the islands, and gone forever. She has not the power to-day to reconquer them. They have formed for themselves a government. Whether it is one suited to their conditions and their surroundings is for them to judge and not for us. Let us recognize their independence and give them a chance to organize and perfect that government, and not undertake to give them a government based upon force and contrary to their will.

But it is said that all this will be a matter for discussion and determination after the treaty is ratified; that after we have finally concluded the bargain by which we purchase the sovereignty of the islands and the right to control these people, after we have paid Spain $20,000,000 for these people, and after we have, by force, if need be, destroyed their present government, we may conclude at some time in the far distant future to give them a chance to form a new government, and we will then cease to control. Does any man believe that such is the purpose? Has the President of the United States ever avowed such a purpose? Does not the treaty itself show that it is not the purpose? The language of the treaty in the case of Cuba and that of the Philippines is purposely different. Cuba is not ceded to the United States, but Spain simply relinquishes her sovereignty. The Philippine Islands are ceded. Do you not to-day refuse absolutely to amend the treaty so as to make the promise to the people of those islands the same as that which we have given to Cuba? And have you not day by day refused to pass a joint resolution containing any kind of promise to those people? And yet we have men who are sufficiently credulous to believe, after the bond has been signed and sealed and the money paid, that in the far-off future you will do then what you even refuse to promise to do to-day.

In addition to this, Mr. President, it has been urged upon us that if we do not at once ratify the treaty, in all probability there will be a collision between our people and the people of the Philippine Islands; and it has been said that those on this floor who oppose this policy would be responsible. Mr. President, it seems to me that if we ratify the treaty and give the authority to General Otis to move forward with troops, a collision will be inevitable; and if that collision comes, I want it understood now that the responsibility will rest upon those who have changed a war begun for humanity into one that is being prosecuted and carried out for the sake of the acquisition of territory.

But, Mr. President, it is not the people of those far-off islands that concern me most; it is the effect upon our own country, our own Government, and our own institutions; it is the fear and dread that I have of a large standing army; it is the sympathy that I feel for the mothers whose boys, either voluntarily or by the operation of conscript laws, will perish in a useless foreign war; it is the regret I feel for the great demoralization of our people which must come when all their ideals are shattered and when we adopt a line of action which we have for more than a hundred years denounced as unjust and wicked.

Mr. President, I have not argued, and I do not intend to argue, the constitutional phases of this question, nor the power of Congress over the inhabitants of the Territories. The men who are most active in forcing this policy upon the Government are not likely to be restrained by constitutional inhibitions. That it certainly overrides, sets aside, and forever destroys the provisions of the Declaration of Independence, which declares that "all just powers of government are derived from the consent of the governed," no man can seriously doubt. Every youth in our land has been taught to believe that this Declaration was the foundation stone of our Government. A distinguished Senator of this body, who I understand will vote for the treaty, said recently in a public speech in another place that some of those who were most earnestly now in favor of standing by the declaration that just government came from the consent of the governed disregarded that declaration when they made war upon the Southern States in 1861.

It is probable, Mr. President, that those to whom he referred will not admit that the conditions are the same, but I for one will not take issue with him. I believed in 1861, as he believed, that the Southern States had a right to govern themselves. I did, as he did, fight for four years for that belief. We were beaten, but neither he nor I changed our belief; and I will say to him that if the doctrine that "all just powers of government are derived from the consent of the governed" was true in 1861, it is true in 1899, and that I for one will never vote to force upon an unwilling people principles and policies against which Lee fought and to prevent which Jackson died. Nor will I ever vote to force upon the inhabitants of the Philippine Islands, Malays, negroes, and savages though they be, the curse of a carpetbag government.

Already, Mr. President, we are beginning to see some of the evils that come from war and military power. We have a commission sitting to investigate charges of corruption and maladministration upon the part of high Army officers. Already, if the papers are to be believed, a commission under the authority of the War Department has been organized in this city to deal out franchises and privileges to a favored few in Cuba and Porto Rico. What charges of wrong and injustice will reach us from the far-off Philippines when the discredited politician at home shall be shipped there to govern time alone can tell. It is because I would stop all this and give at the earliest moment possible the power to govern themselves to the inhabitants of both Cuba and the Philippines that I am so earnestly opposed to this policy of expansion and imperialism. I want to keep our Government as it is, as our fathers gave it to us. I want to maintain the doctrine promulgated by President Monroe and always indorsed by the American people. I want to say that no foreign government shall secure a foot of land upon this continent, and that we will not seek to do that in the Eastern Hemisphere which we prohibit others from doing in the Western.

When war was declared against Spain we plighted the faith of the American nation that that war should be waged for the freedom of the people of Cuba and not for the acquisition of territory. It is true that the letter of the law confines that declaration to the island of Cuba itself, but no great nation, when its honor is at stake, can ever take advantage of a technicality. That promise was understood by the whole people of the United States and by every foreign nation in its broadest and widest sense, and that was that we had gone to war for the liberty of those people and not for the purpose of conquest or the acquisition of territory.

Mr. President, what is it we propose to-day? What shame and humiliation will we and our children and our children's children who are to come after us feel when we and they are taunted

with the fact that we have agreed and bargained with Spain to take away the liberties of a people in part payment of the money we expended in a war begun for the sake of humanity? Mr. President, I want no such blot on the United States. I want to transmit this Government to our children with its honor untarnished and unimpaired.

It may be said, and has been said, that I did not feel that way some years ago. Mr. President, it is true that I was a soldier in the Southern army, and there never has been a day or an hour from that time to this when I was not proud of that service; yet, while that is true, I believe that the Government of the United States to-day is the best Government beneath God's sunshine. It is the only Government where the largest possibilities are open to all of its citizens; it is the only Government where the poorest and most obscure boy in the land, if he has the nerve to do and dare, if he has the will, if he is honest and speaks the truth, may aspire to any place within the gift of the people. That is why I love this Government, and that is why I would preserve its honor unimpaired.

I do not believe, after the solemn declaration we have made, that we can take and hold conquered territory to indemnify us for expenses of the war which we have waged without placing a blot and a stain upon the honor of this nation. I trust that that will never be done. If we hereafter, as we have tried to do in the past, hold truth and honor and fair fame far above all considerations of wealth, so long this Government will live and prosper; but when the time comes when the great body of our people believe that all things and all men are matters of merchandise and can be bought and sold like cattle, I say that this Republic will perish.

I say to-day that we are entering upon a dangerous field. We are doing it on the pretense, it may be, of humanity and Christianity, but behind it all, I repeat, is the desire for trade and commerce; and whenever and wherever considerations of money making are placed above the honor and fair fame of this Republic, the men who do it are undermining the very foundations of the Government under which we live.

ADMISSION TO WEST POINT MILITARY ACADEMY.

Mr. HAWLEY. Yesterday the Senate passed the joint resolution (H. Res. 344) granting authority to the Republic of Venezuela to send a cadet to West Point Military Academy. There is a mistake in the name, and the mistake came to us from the State Department. I believe the joint resolution has not been sent to the House of Representatives, and I now enter a motion to reconsider the vote by which the joint resolution was passed.

Mr. COCKRELL. When was the joint resolution passed?

Mr. HAWLEY. It was passed by the Senate yesterday.

Mr. COCKRELL. All right.

The PRESIDENT pro tempore. The motion of the Senator from Connecticut will be entered.

POLICY REGARDING THE PHILIPPINE ISLANDS.

Mr. BACON. Mr. President, yesterday, on my motion, the Senate took up Senate joint resolution 211 for consideration and action, and, as explained by me yesterday, this is a resolution which, unless it is acted upon within a reasonable time, will by lapse of time fail of the purpose, even though the Senate should thereafter desire to act upon it.

I do not wish to be unduly importunate; at the same time I think the consideration I have mentioned is one which should constrain the action of the Senate; and in order that the Senate may have the opportunity to act upon the joint resolution within such time as will make it effective if the Senate shall agree to it, I now move that the Senate take up Senate joint resolution No. 211.

The PRESIDENT pro tempore. The Senator from Georgia moves that the Senate proceed to the consideration of a joint resolution, the title of which will be stated.

The SECRETARY. A joint resolution (S. R. 211) relative to the acquisition of foreign territory.

The PRESIDENT pro tempore. The question is on the motion of the Senator from Georgia.

The motion was agreed to; and the Senate, as in Committee of the Whole, resumed the consideration of the joint resolution.

Mr. BACON. Mr. President, I do not desire to detain the Senate with any remarks upon the joint resolution at this time. If there is no desire upon the part of any Senator to address the Senate upon the joint resolution, I will ask the Senate to vote upon it now.

Mr. SPOONER. What is the pending motion, Mr. President? It is to refer the joint resolution, is it not?

Mr. BACON. I think, if I am not mistaken in the status of the resolution, when the hour of 2 o'clock arrived yesterday it went to the Calendar. I may be mistaken in that, however.

Mr. SPOONER. There is a motion pending to refer the joint resolution to the Committee on Foreign Relations, as I recollect it. I do not think that motion died with the session.

Mr. BACON. Very well.

The PRESIDENT pro tempore. The senior Senator from New Hampshire [Mr. CHANDLER] entered a motion to refer the joint resolution to the Committee on Foreign Relations; and that is the pending motion.

Mr. BACON. That is the pending motion; and upon that motion I have called for the yeas and nays.

Mr. CARTER. This is a matter of some moment, and I observe the Senate is not very largely attended by its members. I therefore suggest the absence of a quorum.

The PRESIDENT pro tempore. The absence of a quorum being suggested, the Secretary will call the roll.

The Secretary called the roll, and the following Senators answered to their names:

Aldrich,	Faulkner,	McMillan,	Roach,
Bacon,	Foraker,	Mallory,	Ross,
Bate,	Frye,	Mantle,	Sewell,
Berry,	Gear,	Mason,	Shoup,
Burrows,	Gray,	Mills,	Simon,
Butler,	Hanna,	Mitchell,	Smith,
Caffery,	Hansbrough,	Money,	Sullivan,
Carter,	Harris,	Morgan,	Teller,
Chilton,	Hawley,	Murphy,	Thurston,
Clark,	Heitfeld,	Pasco,	Tillman,
Clay,	Hoar,	Penrose,	Turley,
Cockrell,	Jones, Ark.	Perkins,	Turner,
Cullom,	Kenney,	Pettus,	Wolcott.
Daniel,	Lindsay,	Platt, Conn.	
Davis,	McBride,	Pritchard,	
Deboe,	McEnery,	Quay,	

Mr. TILLMAN. I wish to announce that my colleague [Mr. MCLAURIN] is detained from the Senate on account of illness in his family.

The PRESIDENT pro tempore. In answer to the roll call, 61 Senators have responded. There is a quorum present. The Senator from Georgia demands the yeas and nays on his motion to proceed to the consideration of the joint resolution.

The yeas and nays were ordered.

Mr. PLATT of Connecticut. Mr. President, this resolution is one of a series of resolutions which have been from time to time introduced in the Senate for the purpose of declaring what our policy with regard to the Philippine Islands is not to be. I think no one has yet, unless it be the Senator from Massachusetts [Mr. HOAR], signified what he thought the policy of the Government ought to be with reference to the Philippine Islands should we acquire them.

I wish to say that I can not vote for any of these resolutions, and I wish to give my reasons for that, so that my vote may not be misunderstood.

The first resolution which was introduced was one by the Senator from Missouri [Mr. VEST], to the effect that it is unconstitutional to acquire any territory under any circumstances except for Government buildings and the like, and to hold it and govern it permanently as a colony.

The next resolution, as I remember it, was one introduced by the Senator from Illinois [Mr. MASON], in the preamble of which was the statement that "all governments derived their just powers from the consent of the governed," and he proposes to have a Senate resolution passed making the declaration that we will not take any territory anywhere or attempt to govern any territory anywhere except by the consent of those who reside on it.

The third resolution, as I remember, was one introduced by the Senator from Massachusetts [Mr. HOAR], in which he recited certain statements from the Declaration of Independence, and closed by saying that the United States in the case of the Philippine Islands did not intend in any way to interfere with those human rights guaranteed by the Declaration of Independence.

Then comes the resolution of the Senator from Georgia [Mr. BACON], which is a joint resolution. It is not very long, and I ask the Secretary to read it.

The PRESIDENT pro tempore. The Secretary will read as requested.

The Secretary read as follows:

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, First. That the Government and people of the United States have not waged the recent war with Spain for conquest and for the acquisition of foreign territory, but solely for the purposes set forth in the resolution of Congress making the declaration of said war, the acquisition of such small tracts of land or harbors as may be necessary for governmental purposes being not deemed inconsistent with the same.

Second. That in demanding and in receiving the cession of the Philippine Islands it is not the purpose of the Government of the United States to secure and maintain permanent dominion over the same as a part of the territory of the United States, or to incorporate the inhabitants thereof as citizens of the United States, or to hold said inhabitants as vassals or subjects of this Government.

Third. That whereas at the time of the declaration of war by the United States against Spain, and prior thereto, the inhabitants of the Philippine Islands were actively engaged in a war with Spain to achieve their independence, and whereas said purpose and the military operations thereunder have not been abandoned, but are still being actively prosecuted thereunder, therefore, in recognition of and in obedience to the vital principle announced in the great declaration that governments derive "their just powers from the consent of the governed," the Government of the United States recognizes that the people of the Philippine Islands of a right ought to be free and independent; that, with this view and to give effect to the same, the Gov-

ernment of the United States has required the Government of Spain to relinquish its authority and government in the Philippine Islands and to withdraw its land and naval forces from the Philippine Islands and from the waters thereof.

Fourth. That the United States hereby disclaim any disposition or intention to exercise permanent sovereignty, jurisdiction, or control over said islands, and assert their determination, when a stable and independent government shall have been erected therein entitled to recognition as such, to transfer to said government, upon terms which shall be reasonable and just, all rights secured under the cession by Spain, and to thereupon leave the government and control of the islands to their people.

Mr. PLATT of Connecticut. Mr. President, analyzing that resolution, it means one thing, and one thing only, that if we acquire the Philippine Islands by the ratification of the pending treaty, it is the duty of the United States to immediately surrender them to the inhabitants of those islands.

Mr. BACON. It does not say so, at least. It says quite the contrary.

Mr. PLATT of Connecticut. It does not say so; but if it be true "that in demanding and in receiving the cession of the Philippine Islands it is not the purpose of the Government of the United States to secure and maintain permanent dominion over the same as a part of the territory of the United States, or to incorporate the inhabitants thereof as citizens of the United States, or to hold said inhabitants as vassals or subjects of this Government," there can be no other construction placed upon the resolution by the inhabitants of the Philippine Islands, at least, than that this Government takes those islands to turn them over immediately to the inhabitants thereof.

Mr. BACON. Will the Senator from Connecticut, in that connection, kindly read the fourth resolution and see whether it means immediately or not?

Mr. PLATT of Connecticut. I will read the fourth resolution. That is more emphatic:

That the United States hereby disclaim any disposition or intention to exercise sovereignty, jurisdiction, or control over said islands.

Mr. BACON. The word "permanent," the Senator will remember, was put in by amendment yesterday. It now reads "permanent sovereignty." Now, read the balance of the clause, please.

Mr. PLATT of Connecticut. It says:

And assert their determination, when a stable and independent government shall have been erected therein entitled to recognition as such, to transfer to said government, upon terms which shall be reasonable and just, all rights secured under the cession by Spain, and to thereupon leave the government and control of the islands to their people.

Does not that carry out what I said is the proper construction and what will be understood by the people of the Philippine Islands to be the proper construction of these resolutions, especially when the third resolution counts on the fact "announced in the great Declaration that governments derive 'their just powers from the consent of the governed,'" and says "the Government of the United States recognizes that the people of the Philippine Islands of a right ought to be free and independent?"

Mr. GRAY. Does it say "are?"

Mr. PLATT of Connecticut. It says "of a right ought to be free and independent."

Mr. President, I wish to know what construction can be placed upon that resolution, if the Congress of the United States passes it, by the other powers of the world or by the Filipinos themselves, except that we take possession of the islands simply for the purpose of turning them over to the inhabitants thereof. What declaration is there in the resolution that the United States will have any right even to maintain themselves in the Philippine Islands until such time as a stable government can be established? It is clean, clear-cut, all-embracing of the doctrine that we have no right there and will have no right there after the islands have become ours by virtue of the treaty.

Mr. President, there are some reasons, as I said, why I can not vote for any resolution at this time. These resolutions have not taken the ordinary course of bills and resolutions upon important topics introduced in the Senate of the United States. The proposers of these resolutions have not desired to have them receive the consideration of any committee of this body, but insist that they shall be voted upon without consideration and report by a committee. Aimed at the same object, they differ somewhat widely in their details, and each Senator who proposes a resolution of this kind, by which he would have the Government of the United States and its Congress for all time committed to a policy with reference to the territory we may acquire as the result of this war, wants his resolution adopted, or else, as we are informed, his vote can not be had for the ratification of the treaty. It is because the situation is too grave, because the consequences of any declaration which we may make here will be too lasting, that I am unwilling to vote in favor of any of these resolutions.

Let us look at the situation for a moment. It would scarcely seem credible outside of this country, among the people of other nations, that upon the consideration of a peace treaty the attempt should be made by Senators who do not like the treaty to amend it in this way or to defeat it if their plans and ideas do not receive consideration. What is the situation, Mr. President? We have had a war. It has ended, so far as it has ended, gloriously for our arms, our policies, our institutions, and the cause of free government in the world. On the 12th of August last the contending powers, the United States and Spain, came to an agreement, and a protocol was signed, and the matter of the negotiation of a treaty which should put an end to the war legally was left to commissioners to meet in Paris. That was the 12th of August last. It is now the last day of January. Nearly six months have passed. Those commissioners have met and the two nations which were at war have agreed upon the terms of peace. Spain has surrendered the most valuable territory which we had conquered. She has evacuated Cuba and Porto Rico. Whatever may be the fate of this treaty we come in possession of those islands. Spain has surrendered them believing that an agreement would be arrived at in regard to the Philippines and the other territory.

I wish to say here that I believe the negotiation of this treaty reflects the greatest honor upon the diplomacy of the United States of any treaty that has ever been negotiated. I hear a great deal said about our being at a disadvantage when we meet the trained diplomatists of Europe, because we in this country have had no special training for diplomacy, but the commissioners who were sent by the President met the trained diplomatists of Europe, and this treaty is a triumph for American diplomacy. One of the great opposers of the treaty has written a book called Triumphant Democracy, and I suggest to him that we should call this treaty Triumphant Diplomacy. It is a diplomacy which honors the United States, which honors its armies, which honors its Navy, which honors its traditions, which honors its Declaration of Independence, which honors free government and the cause of humanity in the world.

But, Mr. President, while this treaty has been in process of negotiation an ambitious leader in the Philippine Islands has been raising revolt, and I say revolt against the United States and its Government and its Navy and its Army. He is to-day a Spanish citizen arraying Spanish subjects against the United States. He had a great opportunity to do so, because by the terms of the protocol, by the operation of international law, he had a free field for his operations. We had taken all effective Spanish soldiers in the island prisoners, so that Spain could not resist him. We had tied our hands by the protocol until a treaty of peace should be declared, so that the United States could not resist him.

By reason of the situation he was given free course in all his operations. He has gathered an insurgent band and to-day gives notice to the United States that unless he is recognized as the ruler of that territory he will contest his right by armed attack upon the armies of the United States. The situation is critical. He is in arms, using the arms which the United States furnished him, and in arms against the United States authority. That is the situation. Against whom else is Aguinaldo in arms? Against whom else are the threats of warfare? The ratification of a peace treaty will give the United States rights which it does not possess now. It will give the United States the right then to say, "We are in control of these islands, attack us if you dare," and in a very short time, without warfare, this insurgent band will melt away, better counsels will prevail, and a government superior, immensely superior, to anything which Aguinaldo could establish there will bless the inhabitants of those islands.

To defeat this treaty relegates us to a state of war, legally. What will happen then no human being knows or can foresee. Whether actual warfare will go on, or whether Spain will submit to what she will consider a game of the United States played upon her and say to us, "We have no more treaties to make; we made one and you refused it; do your worst;" and thus keep us interminably in a state of legal war, or whether she may negotiate some new treaty, no human being knows. It is probable, Mr. President, that she would insist, as I think she might have a right to insist, in morals if not in law, that if we do not take the Philippines, which she has agreed to cede to us, we shall at least restore her to the position which she occupied in the Philippines at the time the peace commissioners met. That would be nothing but fairness, Mr. President. I do not say whether it would be law or not.

Will some Senator who wishes these resolutions passed tell me what he proposes, when the treaty is rejected, to have the Government of the United States do; what he proposes to have the Commander in Chief of the Army and Navy of the United States do?

Mr. BACON. Will the Senator from Connecticut permit me for a moment?

Mr. PLATT of Connecticut. Certainly.

Mr. BACON. I simply desire to interrupt him to say that the object of these resolutions is not to defeat the treaty, but to secure its ratification.

Mr. PLATT of Connecticut. I will come to that point in a moment. Suppose the treaty be defeated. What will Senators who insist upon the passage of these resolutions, and say they will vote against the treaty if they are not passed, have the President of the United States do? Will they have him recall Dewey and

Otis from the Philippine Islands? The President who would do that, the body of men who would recommend him to do that, would incur the just condemnation and indignation of the people of the United States.

What are we to do in this war to which we will be restored? Are we to attack Spain in other quarters of the globe and her other possessions, or are we to sit down and do nothing and allow an interminable condition where we are legally at war, but not actively at war? No one answers that question. No one can answer that question except it be said in answer that it would be the duty of the United States immediately to follow up its operations in the Philippine Islands, to bring those islands into the condition of a conquered archipelago, and to establish there by military occupation such a government as will preserve life, secure property, and all the blessings of freedom which it is possible they should enjoy.

So, if the treaty is to be defeated we are put in exactly the position which the Senators who have proposed these resolutions say they do not want to be put in. They say they are not willing to have the treaty ratified until they know what the Congress is going to do with the islands, and yet if these resolutions are not passed they propose to defeat the treaty and put this Government in a position where it can not in honor, or without making itself the disgrace of the civilized world, do anything except to continue its military occupation and to establish a government by military power.

It is said these resolutions are not introduced for the purpose of defeating the treaty, but for the purpose of enabling it to be ratified. This treaty, then, is to be voted against unless the Senate, whether it believes in these resolutions or no, will adopt them. I do not see how that differs from the introduction of these resolutions for the purpose of defeating the treaty, unless a minority of the Senate can compel the majority to vote for them.

Mr. BACON. Will the Senator from Connecticut permit me for a moment?

Mr. PLATT of Connecticut. Certainly.

Mr. BACON. I will not interrupt the Senator if he objects.

Mr. PLATT of Connecticut. I do not object at all.

Mr. BACON. I am somewhat less reluctant to trespass upon his time, for I feel that I am rather assisting him in what I hope I do not do him an injustice in suggesting may be the consumption of time between now and 2 o'clock. I would not cooperate in that effort if I were not satisfied that without my cooperation it would be accomplished. I simply interrupt the Senator to say that it is not the purpose of those who favor these resolutions, as suggested by the Senator from Connecticut, to force a majority of the Senate to agree to resolutions in which they do not believe, but that the purpose of the resolutions is to get an expression of the Senate, which I can but believe, if allowed to be had, will be in favor of the adoption of the resolutions.

Mr. PLATT of Connecticut. I understand the Senator from Georgia to say that if his joint resolution is adopted he will vote for the treaty?

Mr. BACON. The Senator from Connecticut is correct in that respect.

Mr. PLATT of Connecticut. And that if it is not adopted the inference is—I do not know whether he has stated it—that he will vote against the treaty?

Mr. BACON. I certainly do so state now.

Mr. SPOONER. Will the Senator allow me? What right has this Congress, which will die on the 4th of March, to proclaim a policy for the United States?

Mr. BACON. If the Senator from Connecticut does not object——

Mr. SPOONER. I withdraw the question.

Mr. BACON. If the Senator from Connecticut does not object to the interjection of that discussion—and it will take some time to answer the question——

Mr. SPOONER. I think so.

Mr. BACON. I desire to correct myself in one particular, though. I said, in response to the suggestion of the Senator from Connecticut, that I would not vote for the treaty unless these resolutions were adopted. I would modify that to the extent of saying that unless there is a declaration by the lawmaking power which shall express the vital principle embodied in these resolutions, that this Government will not exercise permanent dominion and sovereignty in those islands.

I do not mean by that, as would be indicated by his remarks, to put the Senate upon terms. I simply mean to put myself in a position where, if such is the view of the lawmaking power, I will very gladly vote for the treaty. I do not mean to say that I am threatening them with my vote if they do not agree to it. I simply mean to say that if that is the view of the Government and that is the intention of the Government, then I am prepared to vote for the treaty. If it is not the view and the intention of the Government, then I am not prepared to do so. That is all there is to it.

Mr. PLATT of Connecticut. The Senator from Georgia goes further than that in that he says in effect "if that is the policy of the Government, they must declare it now or I will not vote for the treaty."

Mr. BACON. Certainly.

Mr. PLATT of Connecticut. I hold that such resolutions are entirely out of place.

Mr. TELLER. Will the Senator from Connecticut allow me to ask the Senator from Georgia a question?

Mr. PLATT of Connecticut. Certainly.

Mr. TELLER. I wish to ask if he means by that statement that this resolution must pass the House and receive the approval of the President before the vote is taken on the treaty?

Mr. BACON. Certainly. It is a joint resolution and it would be brutum fulmen unless that was the course it took.

Mr. TELLER. Does the Senator mean to say that he would not vote for the treaty, although the resolution may pass the Senate, unless it also passes the House and gets the approval of the President?

Mr. BACON. I do, because unless it is so passed by the other House and gets the approval of the President it amounts to nothing. If the Senator from Connecticut will pardon me, it would not amount to the force of a resolution by the Senate, because it would not be binding on the Senate until it had received the approval of the other House and the President.

Mr. TELLER. That statement of the Senator from Georgia will determine my vote on this resolution. I think myself it is utterly impossible to pass the resolution through the House, and so does the Senator, in time for next Monday. If the Senator will attempt to get the opinion of the power that ratifies the treaty, I will join him in passing just such a resolution, if that would be satisfactory. I do not believe in passing a resolution with full knowledge that it can not pass the other House before we vote upon the treaty. I should like myself a declaration from the ratifying power as to what the sentiment of this body is.

Mr. BACON. If the Senator from Connecticut will pardon me for a moment, it is not impossible for these resolutions to receive the sanction of the House in formal agreement thereto if it is the desire of the House to pass the same. There is plenty of time to do it. It can be done in any one day after they get to the House, and if the House does not desire to pass them, they would not pass them in a year.

Mr. TELLER. If I may be allowed, the Senator from Georgia knows very well that whatever may be the sentiment of the House it is within the power of a few men to prevent its passage, and therefore there is no probability that it would pass before next Monday. If the Senator wants to get some authoritative declaration, it seems to me he had better address himself to getting it from the treaty-ratifying power.

Mr. BACON. The Senator will mark the fact that the treaty-making power is not confined to the Senate. It embraces the President also.

Mr. TELLER. The President has already acted.

Mr. BACON. Yes; but the President has not acted upon this expression and can not unless it reaches him in the shape of a joint resolution passed by the two Houses.

Mr. CHILTON. Or by an amendment.

Mr. BACON. Or by an amendment to the treaty.

Mr. TELLER. There is no reason to suppose, so far as I know, from any declaration the President has made, that he is not in accord with this sentiment. Last summer he said:

> I speak not of forcible annexation, for that can not be thought of. That, by our code of morality, would be criminal aggression.

Mr. BACON. I will go further, if the Senator will pardon me. I will vote for the treaty if the Senate will make such a declaration as is contained in these resolutions, and if we can get an expression from the President to that effect, without the House.

Mr. TELLER. I do not know how we can get it.

Mr. BACON. I do not, either; but we can get it. It is practical.

Mr. PLATT of Connecticut. Mr. President, I do not question the motives of Senators. I agree that every Senator is as pure and disinterested in his motives as I am or any other Senator. I am not one who imputes improper motives to Senators; but I wish to call the attention of the Senate to this remarkable declaration. Here are resolutions introduced by a Senator, and he says, "I will vote for the treaty if the resolutions can be passed by the Senate, and the expression of the President of the United States can be obtained as to whether he agrees to the policy announced in the resolutions."

It is a most remarkable declaration, Mr. President. Outside of this Chamber it will be regarded as a hold-up of this treaty until the individual ideas of Senators as to what policy shall be pursued in the future in regard to these particular acquisitions can be stated and voted by the Senate and the advice and opinion of the President obtained thereon.

The Senator doubtless thinks that that matter lies on his conscience and that he can not vote for the treaty until such a declaration has been made and until the President of the United States

has been forced to declare himself as to the future policy of this Government with regard to the treatment of this particular acquired territory. I can hardly believe the Senator can understand in what a position he places himself in the eyes of the country.

Now, Mr. President, I can not vote for this resolution at this time for the best of reasons. There is not a Senator in the United States Senate who knows what the Government ought to do with reference to those islands. There is not a Senator in the United States Senate who is prepared to-day to formulate a policy for the action of the Government in those islands. If any Senator sat down to attempt it, to put on paper precisely what the Government ought to do, unless he said the Government ought to leave there and have nothing to do with them, he would find it utterly impossible to satisfy himself in framing a bill which should define the policy of this Government.

Mr. BACON. Will I interrupt the Senator from Connecticut?

Mr. PLATT of Connecticut. Not at all.

Mr. BACON. Mr. President, I desire to call the attention of the Senate to the fact that there is no effort in the joint resolution to formulate any particular policy. It leaves everything open to future determination, except as to one thing. It simply declares that this Government will not maintain a permanent dominion and sovereignty in those islands.

Mr. PLATT of Connecticut. What does that mean, Mr. President?

Mr. BACON. Will the Senator pardon me just a moment? If I interrupt him unduly, I will not do so. Mr. President, I think that we can very readily relinquish what is required by the joint resolution, to wit, such sovereignty as we have in the Philippine Islands.

If the Senator will pardon me, I desire to read a short extract which indicates to what extent we have anything to relinquish in that country.

In yesterday morning's Washington Post there appeared a letter from some gentleman whose name is not given, but whose character is indicated by the Washington Post, which, as everybody knows, is an extreme expansion paper. That paper says of this correspondent as follows:

> Pertinent to the attention and interest given to the Philippine situation by the United States Senate, in its discussions of the several resolutions pertaining to the question of expansion and imperialism, the following extracts from letters written by a gentleman well known in Washington and New York, socially and commercially, will no doubt prove both interesting and instructive. As the letter was written with no idea of its ever being published, the name of the writer is withheld. If this name could be given, however, it would be sufficient guaranty of the accuracy and unprejudiced character of the writer's comments on the situation in the Orient.

Now, just one or two short extracts from that letter. The writer says:

> This must be remembered by those who would scoff at such a recognition of the Filipinos, that at present they hold the country; that even the governor-general himself can not go 3 miles up the river Pasig without the permission of the president of the Filipino republic, and that any other but a peaceful solution by intelligent, reasonable diplomacy will mean a long war of the guerrilla kind, in which our soldiers will perish by thousands from disease as well as bullets, and success will not merely be uncertain, but, even attained, will be out of proportion to the sacrifice. I am confident that this is the situation; but I am also reasonably certain that those in authority here, in Washington, at Paris, are not cognizant of the facts, of their real significance.

Now, one other short extract, if the Senator will pardon me, from the same letter:

> A Filipino congress is now in session at Malolos, representing a large portion of Luzon (perhaps two-thirds). I have not been able to see the body in session, but my companion has been present, and has been deeply impressed with their acquaintance with parliamentary procedure, their ability to speak intelligently and clearly (he had an interpreter at his side), their earnestness, and their signs of power over those whom they represented.

I repeat that, while the name of the writer is not given, it is one that is vouched for by the editors of the Washington Post.

Mr. PLATT of Connecticut. Mr. President, we have an anonymous letter writer brought in here as authority to the fact, I suppose, that the Filipinos are in a situation to establish and maintain, against foes within and foes without, a free government. If that be so, then, according to the Senator's idea, we ought to retire from there at once.

But I go back to what I was saying, that there is no Senator on this floor who can say to-day whether that is true or not. There is no Senator on this floor who can say whether that people are capable of self-government in all those numerous islands and among all those numerous tribes; whether it is possible, even with the aid of the United States, in one year, or two years, or five years, to establish a free government and a government which shall secure life and property and freedom in those islands or not.

No one knows, Mr. President, but by the time this treaty is ratified, or immediately after its ratification, the troops of the United States, the Army of the United States, may be engaged in war brought on by this insurgent attack upon it.

What kind of a declaration would this be in view of such a condition? We can not foresee conditions; we are without information. No man can tell whether it is for the interest of the United States or for the interest of the people of the Philippine Islands to do that at present, and yet it is insisted that the treaty shall not be ratified until that is all mapped out, not specifically, but in general terms.

Such resolutions have no place at this time, Mr. President. They are absolutely futile if passed. They do not bind any other Congress. An occasion might arise, circumstances might arise, where it would be the duty of the United States Congress to sweep them aside and act otherwise than is proposed in this joint resolution.

But, Mr. President, any resolution of this character which we may pass here will be, as I said in the commencement of the few remarks which I am making, open to misconstruction, and will be misconstrued everywhere.

Suppose after the passage of this joint resolution has secured a ratification of the treaty it should be thought that it was proper, more for our interest, more for the real interests of the Filipinos, not permanently, as the joint resolution says, but for the time being only, that the United States should attempt to maintain peace and order in those islands.

Mr. Aguinaldo would come with the joint resolution in his hand and say, "You passed a solemn resolution in order to ratify the treaty, saying we were entitled to independence, and that it was not the purpose of the Government 'to secure and maintain permanent dominion over the same,' 'or to incorporate the inhabitants thereof as citizens of the United States.' You disclaimed any disposition or intent to exercise permanent sovereignty." He would also point to this clause, "announced in the great Declaration that governments derive 'their just powers from the consent of the governed;'" that "the Government of the United States recognizes that the people of the Philippine Islands of right ought to be free and independent." And would he not have a right to say so? Would not every nation in Europe say that Aguinaldo, with that joint resolution passed in the Senate, had a right to insist on the immediate independence of the Philippine Islands, because governments could only derive their just powers from the consent of the governed, and he did not consent to the United States in those islands at all, and his government did not, because the joint resolution declared that the Filipinos of right ought to be free and independent?

With the passage of the joint resolution and the ratification of the treaty secured, as they tell us it may be by the passage of the joint resolution, how is the United States going to maintain the slightest authority thereafter in the Philippine Islands for any purpose, either in the city of Manila or elsewhere, except by consent of Aguinaldo and his insurgent band and his shadowy congress? Is the Senate of the United States going to place itself in that position? Does any Senator doubt that that will be the construction placed by Aguinaldo upon the joint resolution, if it passes, in which he will receive the sympathy of the world so far as the construction of the joint resolution is concerned?

Mr. TILLMAN. Mr. President——

The PRESIDENT pro tempore. Does the Senator from Connecticut yield to the Senator from South Carolina?

Mr. PLATT of Connecticut. Yes.

Mr. TILLMAN. I presume the Senator from Connecticut will not object to my calling his attention, or rather recalling his attention, to a statement in the papers of this city as to the speech that was made by General Shafter at a banquet two or three weeks ago in which he announced a willingness to disarm those people and, if necessary, to kill half of them to do it. I wish to know whether he sympathizes with that view.

Mr. PLATT of Connecticut. Oh, well, Mr. President, I do not think it is required of me that I shall answer that question. It is entirely irrelevant. We are not discussing General Shafter.

Mr. TILLMAN. The Senator——

Mr. PLATT of Connecticut. We are not discussing the newspapers; we are not discussing the peculiar ideas which the Senator from South Carolina seems by his interruptions to entertain.

The PRESIDENT pro tempore. Will the Senator from Connecticut suspend one moment while the Chair lays before the Senate the unfinished business, which will be stated.

The SECRETARY. A bill (S. 1575) to amend an act entitled "An act to regulate commerce."

Mr. DAVIS and Mr. BACON rose.

The PRESIDENT pro tempore. The Senator from Minnesota.

Mr. HAWLEY. Will the Senator from Minnesota kindly yield to me just a moment?

Mr. DAVIS. Certainly.

Mr. BACON. I hope I may be allowed to ask that the Senator from Connecticut may have unanimous consent to complete his remarks. Does the Senator from Minnesota yield for that request on my part?

Mr. DAVIS. I have yielded to the Senator from Connecticut.

Mr. HAWLEY (to Mr. PLATT of Connecticut). Do you want consent to complete your remarks?

Mr. PLATT of Connecticut. No; I do not, Mr. President. If I had not been interrupted I should have concluded all I want to say. There was only one other point which I wished to speak of, and I am willing to leave the matter where it is left.

ADMISSION TO WEST POINT MILITARY ACADEMY.

Mr. HAWLEY. I ask unanimous consent that the votes by which the joint resolution (H. Res. 344) granting authority to the Republic of Venezuela to send a cadet to West Point Military Academy was read the third time and passed be reconsidered.

The PRESIDENT pro tempore. The Senator from Connecticut asks unanimous consent that the votes by which the joint resolution indicated by him was read the third time and finally passed may be reconsidered. Is there objection? The Chair hears none. The votes are reconsidered.

Mr. HAWLEY. I move to make the corrections I have indicated to the clerks at the desk. In line 4 of the joint resolution, I move to strike out the hyphen and the word "Ruego," and in lines 7 and 8, I move to strike out the hyphen and the word "Ruego."

The PRESIDENT pro tempore. The question is on agreeing to the amendment proposed by the Senator from Connecticut.

Mr. HOAR. Mr. President, I do not wish to interpose, as I did not the other day when this joint resolution was before the Senate, but the more I think of it the more I regret its introduction, and I want in one or two minutes to put on record my view of the matter.

I am told that the person who is expected to be sent to the Military Academy under the joint resolution is a young gentleman of excellent qualities; that he belongs to an excellent family, who have been especially friendly in sentiment to the people of the United States; and I am quite sure that every member of the Senate and every American would like to pay a mark of respect to the sister Republic of Venezuela; but after all, if we set the example——

Mr. HAWLEY. We set it forty years ago.

Mr. HOAR. Well, if we continue to set the example, then, which has been set forty years ago, of educating at the request of foreign governments their military or naval officers at our expense, we are educating persons whose duty it may be to employ the result of their education in war against the United States, and it is inconsistent with a military establishment to do that.

If any government in Europe, however powerful, if Germany, France, or Great Britain, or if China or Japan in the Orient, should esteem it a good policy to send some of their young men to get at our military methods, perhaps our secrets, our mode of education for the training of their officers, and if we extend this courtesy to one country we can not refuse it to others, I hope this application will not be repeated. As I said, as the Senate has passed on it and the House has passed on it without any objection, I do not wish to interpose an objection now, but it seems to me it is a very grave and serious departure. Could we refuse the same request to Brazil to-morrow, or to Japan?

Mr. GRAY. May I ask the Senator from Massachusetts a question for information?

Mr. HOAR. Certainly.

Mr. GRAY. I think what the Senator says is very important, but I ask him if there is not an international custom among countries to allow each other this privilege? For instance, I believe that cadets who graduate in a certain grade, the two highest, at Annapolis have the choice of being sent by this Government to Greenwich, in England, to pursue a post-graduate course there in naval architecture.

Mr. HOAR. But Greenwich is not essentially a naval school.

Mr. GRAY. I do not know. I was asking for information.

Mr. HOAR. It is a school like the École Politechnique in Paris, or like a great many of the schools of instruction in the science of government.

Mr. GRAY. It is a Government institution?

Mr. HOAR. It is a Government institution, I understand.

Mr. GRAY. And cadets from West Point may be sent to Woolwich, which is an army school, also in the same way? I did not know whether there was an international custom founded upon courtesy or comity, or not.

The PRESIDENT pro tempore. The question is on agreeing to the amendment.

The amendment was agreed to.

The amendment was ordered to be engrossed and the joint resolution to be read a third time.

The joint resolution was read the third time, and passed.

SUITS AGAINST GOVERNMENT OFFICERS.

Mr. HOAR submitted the following report:

The committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H. R. 6901) to prevent the abatement of certain actions, having met, after full and free conference have agreed to recommend and do recommend to their respective Houses as follows:

The House recede from its nonconcurrence with the Senate amendments, and concur therein with an amendment as follows: Strike out all the text of said amendment and substitute as follows:

"That no suit, action, or other proceeding, lawfully commenced by or against the head of any Department or bureau or other officer of the United States, in his official capacity or in relation to the discharge of his official duties, shall abate by reason of his death, or the expiration of his term of office, or his retirement or resignation or removal from office; but, in such event, the court, on motion or supplemental petition filed, at any time within twelve months thereafter, showing a necessity for the survival thereof to obtain a settlement of the questions involved, may allow the same to be maintained by or against his successor in office, and the court may make such order as shall be equitable for the payment of costs."

And the Senate agree to the same.

GEORGE F. HOAR,
JOHN C. SPOONER,
E. W. PETTUS,
Managers on the part of the Senate.
JAMES A. CONNOLLY,
D. S. ALEXANDER,
WM. ELLIOTT,
Managers on the part of the House.

The report was agreed to.

EXECUTIVE SESSION.

Mr. DAVIS. I move that the Senate proceed to the consideration of executive business.

The motion was agreed to; and the Senate proceeded to the consideration of executive business. After three hours and twenty-five minutes spent in executive session the doors were reopened, and (at 5 o'clock and 35 minutes p. m.) the Senate adjourned until to-morrow, Wednesday, February 1, 1899, at 12 o'clock meridian.

NOMINATIONS.

Executive nominations received by the Senate January 31, 1899.

CONSUL.

Elias H. Cheney, of New Hampshire, to be consul of the United States at Curaçao, West Indies, vice Leonard B. Smith, deceased.

PROMOTIONS IN THE NAVY.

Lieut. Martin E. Hall, to be a lieutenant-commander in the Navy, from the 25th day of December, 1898, vice Lieut. Commander Charles C. Cornwell, promoted.

Lieut. (Junior Grade) Theodore C. Fenton, to be a lieutenant in the Navy, from the 25th day of December, 1898, vice Lieut. Martin E. Hall, promoted.

Ensign Louis A. Kaiser, to be a lieutenant (junior grade) in the Navy, from the 25th day of December, 1898 (subject to the examinations required by law), vice Lieut. (Junior Grade) Theodore C. Fenton, promoted.

CONFIRMATIONS.

Executive nominations confirmed by the Senate January 31, 1899.

CONSUL.

William T. Fee, of Ohio, now consul at Cienfuegos, to be consul of the United States at Bombay, India.

MEMBER OF NICARAGUA CANAL COMMISSION.

Col. Peter C. Hains, Corps of Engineers, United States Army, to be a member of the Nicaragua Canal Commission

APPOINTMENT IN THE ARMY.

Pay Department.

Col. Asa B. Carey, assistant paymaster-general, to be Paymaster-General with the rank of brigadier-general, January 30, 1899.

UNITED STATES ATTORNEY.

Marcus C. McLemore, of Texas, to be attorney of the United States for the eastern district of Texas.

DISTRICT JUDGE.

William C. Hook, of Kansas, to be United States district judge for the district of Kansas.

SURVEYOR-GENERAL.

Matthew Kyle, of Virginia City, Nev., to be surveyor-general of Nevada.

COLLECTORS OF CUSTOMS.

James Low, of New York, to be collector of customs for the district of Niagara, in the State of New York.

Walter Fifield, of New Jersey, to be collector of customs for the district of Great Egg Harbor, in the State of New Jersey.

SURVEYORS OF CUSTOMS.

John A. Bassarear, of New York, to be surveyor of customs for the port of Greenport, in the State of New York.

William Barnes, jr., of New York, to be surveyor of customs for the port of Albany, in the State of New York.

POSTMASTERS.

Warner B. Nichols, to be postmaster at Essex Junction, in the county of Chittenden and State of Vermont.

Charles A. Paine, to be postmaster at Eastport, in the county of Washington and State of Maine.

William R. Reese, to be postmaster at Crisfield, in the county of Somerset and State of Maryland.

Charles M. Lucas, to be postmaster at Chestertown, in the county of Kent and State of Maryland.

Milton S. Lankford, to be postmaster at Princess Anne, in the county of Somerset and State of Maryland.

William A. Boyd, to be postmaster at Sandy Lake, in the county of Mercer and State of Pennsylvania.

William P. Bach, to be postmaster at Pottstown, in the county of Montgomery and State of Pennsylvania.

John W. Armstrong, to be postmaster at Eddystone, in the county of Delaware and State of Pennsylvania.

Samuel M. Stewart, to be postmaster at Mercer, in the county of Mercer and State of Pennsylvania.

Amos R. Hougendobler, to be postmaster at Columbia, in the county of Lancaster and State of Pennsylvania.

Henry M. Brownback, to be postmaster at Norristown, in the county of Montgomery and State of Pennsylvania.

Andrew C. Allison, to be postmaster at Mifflintown, in the county of Juniata and State of Pennsylvania.

William W. D. Yerkes, to be postmaster at Ogontz, in the county of Montgomery and State of Pennsylvania.

Howard S. Stillwagon, to be postmaster at Rosemont, in the county of Montgomery and State of Pennsylvania.

John H. Dunn, to be postmaster at Parkesburg, in the county of Chester and State of Pennsylvania.

Alfred J. Dessent, to be postmaster at Belle Vernon, in the county of Fayette and State of Pennsylvania.

Alfred W. Christy, to be postmaster at Slipperyrock, in the county of Butler and State of Pennsylvania.

George H. Reitenbaugh, to be postmaster at Ardmore, in the county of Montgomery and State of Pennsylvania.

Samuel H. Jackson, to be postmaster at Claysville, in the county of Washington and State of Pennsylvania.

Frederick Huffnagle, to be postmaster at Fort Washington, in the county of Montgomery and State of Pennsylvania.

Samuel E. Worth, to be postmaster at Oxford, in the county of Chester and State of Pennsylvania.

John Watters, to be postmaster at Evans City, in the county of Butler and State of Pennsylvania.

W. C. Steele, to be postmaster at Brownsville, in the county of Fayette and State of Pennsylvania.

John H. Thomas, to be postmaster at Carbondale, in the county of Lackawanna and State of Pennsylvania.

Arthur M. Roy, to be postmaster at Wellsboro, in the county of Tioga and State of Pennsylvania.

Cyrus F. Zimmerman, to be postmaster at Palmyra, in the county of Lebanon and State of Pennsylvania.

Aaron Brining, to be postmaster at Versailles, in the county of Darke and State of Ohio.

Frank W. Halsted, to be postmaster at Poughkeepsie, in the county of Dutchess and State of New York.

Bryant S. Palmer, to be postmaster at Carmel, in the county of Putnam and State of New York.

Edward D. Cook, to be postmaster at Piper City, in the county of Ford and State of Illinois.

Frederick P. Burgett, to be postmaster at Keithsburg, in the county of Mercer and State of Illinois.

John Q. Adams, to be postmaster at Marengo, in the county of McHenry and State of Illinois.

Robert W. Morris, to be postmaster at New Albany, in the county of Floyd and State of Indiana.

Winfield S. Pinnell, to be postmaster at Kansas, in the county of Edgar and State of Illinois.

Charles F. Douglass, to be postmaster at Ashland, in the county of Cass and State of Illinois.

Nathan N. Metcalf, to be postmaster at Austin, in the county of Potter and State of Pennsylvania.

Francis I. Jones, to be postmaster at Blossburg, in the county of Tioga and State of Pennsylvania.

Judson A. Elliott, to be postmaster at Mansfield, in the county of Tioga and State of Pennsylvania.

HOUSE OF REPRESENTATIVES.

TUESDAY, *January 31, 1899.*

The House met at 11 o'clock a. m. Prayer by the Rev. JAMES I. VANCE, D. D., of Nashville, Tenn.

The Journal of yesterday's proceedings was read and approved.

Mr. HULL. Mr. Speaker, I move that the House resolve itself into Committee of the Whole House on the state of the Union for the further consideration of the Army bill.

REPRINT OF A BILL.

Mr. ADAMS. A reprint of a bill, Mr. Speaker. I offer the following resolution for a reprint of a bill.

The Clerk read as follows:

Resolved, That there be printed for the use of the House of Representatives 2,000 copies of the bill (H. R. 10524) with the report, No. 1460, accompanying the same.

The SPEAKER. Without objection, this resolution will be agreed to.

Mr. PERKINS. Is that the amended bill?

The SPEAKER. It is a proposition to print 2,000 copies. The Chair supposed it was for a simple reprint.

Mr. ADAMS. That is all.

The SPEAKER. This is not a simple reprint.

Mr. ADAMS. Then I will ask for a reprint.

The SPEAKER. The gentleman from Pennsylvania asks for a reprint of the bill (H. R. 10524) to increase the efficiency of the foreign service of the United States and to provide for the reorganization of the consular service and the report thereon.

There was no objection, and it was so ordered.

ARMY REORGANIZATION.

Mr. HULL. Mr. Speaker, I move that the House resolve itself into Committee of the Whole House on the state of the Union for the further consideration of the Army bill.

The motion was agreed to.

The House accordingly resolved itself into Committee of the Whole House on the state of the Union, Mr. PAYNE in the chair.

The CHAIRMAN. The House is in Committee of the Whole House on the state of the Union for the further consideration of the bill H. R. 11022, and the Clerk will read the next section.

The Clerk read as follows:

SEC. 12. That the Pay Department shall consist of 1 Paymaster-General, with the rank of brigadier-general; 4 assistant paymasters-general, with the rank of colonel; 8 deputy paymasters-general, with the rank of lieutenant-colonel; 13 paymasters, with the rank of major; and 34 paymasters, with the rank of captain: *Provided*, That all vacancies in the grades of colonel and lieutenant-colonel created or caused by this section shall be filled by promotion, according to seniority, as now prescribed by law: *And provided further*, That persons who have served as officers of the Pay Department in the Volunteer Army in the war with Spain and persons in civil life may be appointed to positions in the grade of major created by this section, and such persons, prior to appointment, shall be examined as to their physical fitness for service only; but no such person shall be appointed to the grade of major after he shall have reached the age of 35 years, nor to the grade of captain after he shall have reached the age of 30 years.

Mr. HULL. Mr. Chairman, I move to strike out "forty-seven" and insert "thirty-five," so as to amend the committee amendment.

The amendment was agreed to.

The amendment as amended was agreed to.

Mr. HULL. Now, Mr. Chairman, I want to go back to line 21 and strike out "four," with the rank of colonel, and insert "three."

The CHAIRMAN. The Chair will suggest to go through with the committee amendments.

Mr. HULL. I am taking the section in order. The majority of the committee instructed me to offer these amendments. Strike out "four," in line 21, and insert "three."

The amendment was agreed to.

Mr. HULL. In line 22, with the rank of lieutenant-colonel, I move to strike out "eight" and insert "five."

The amendment was agreed to.

Mr. HULL. In line 24, after major, strike out "and 34 paymasters, with the rank of captain."

The amendment was agreed to.

The Clerk read as follows:

Line 4, page 14, after "served," strike out "as officers of the Pay Department."

The amendment was agreed to.

The Clerk read as follows:

Line 11, page 14, strike out "35" and insert "50."

Mr. MAHON. I move to amend that by making it 40.

Mr. SHAFROTH. There is nothing in the duties of a paymaster that requires him to be 50 years of age.

Mr. HULL. But he is retired at 64, and this makes a man give some service before he is retired.

Mr. HAY. There can be no objection to that amendment.

Mr. SHAFROTH. This was a committee amendment?

Mr. HULL. The original bill was 35, but yesterday the House

by vote made it 40 in one place and 50 in another, and this puts it at 40.

Mr. SHAFROTH. Puts it at 40?

Mr. HULL. It is made 40. This is done in the case of the judge-advocates, and it ought to be made 40 so as to conform with the rest of the bill.

Mr. SHAFROTH. It seems to me that there ought not to be a change in this particular. I do not know as to the others, but I see no reason why a paymaster can not be 50 years of age and do good service.

Mr. HULL. They sometimes get to be 60 years.

Mr. LACEY. I will ask my colleague why we should not make it as the committee did, 35 years. The paymaster sees no hard service in the field, but just keeps the money and accounts.

Mr. STEELE. Make it uniform.

Mr. LACEY. It is not uniform. We have got it 40 in one place and 50 in another. We make it 40 in the case of a man who has seen hard service in the field. A man who goes out as paymaster may as well come in at 27.

Mr. TAWNEY. It is proposed, as I understand, to make all of them 40.

Mr. LACEY. No; it is not.

Mr. TAWNEY. Yes; it is.

Mr. LACEY. We have got beyond that.

Mr. TAWNEY. I think the House will give unanimous consent, and that is what the chairman proposes to do.

Mr. LACEY. That proposition is not made now.

Mr. MAHON. I understand it will be made.

Mr. HULL. I made the proposition, as far as I was concerned, that I would ask unanimous consent to go back and make it 40 all the way through.

Mr. SHAFROTH. Why not ask unanimous consent now?

Mr. HULL. We can do that, Mr. Chairman, after we get through with the bill. I do not propose to go back on what I said.

Mr. SHAFROTH. I have no doubt the gentleman intends to do it; the only reason for my proposition was that he could get consent now, and he might not be able to get it later.

Mr. HULL. Well, Mr. Chairman, in order to test that, I will now ask unanimous consent that where the age limit has been fixed in the staff department, in the Quartermaster's Department, and in the Judge-Advocate's Department, the only two places where it is fixed, these two which were passed at 50 years of age be made 40 years of age, so that they will have to serve twenty-four years before they reach the age of retirement.

Mr. MARSH. I object to that.

Mr. HULL. Then, Mr. Chairman, I ask for a vote on the amendment.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Pennsylvania [Mr. MAHON].

Mr. LACEY. I think this ought to be left as the bill was originally, at 35. I think we ought to vote down both amendments and leave it 35 years of age.

The CHAIRMAN. The question is on the amendment of the gentleman from Pennsylvania.

The amendment to the amendment was agreed to.

The committee amendment as amended was agreed to.

The CHAIRMAN. The Clerk will read the next committee amendment.

The Clerk read as follows:

In line 11, page 14, after the word "years," strike out "nor to the grade of captain after he shall have reached the age of 30 years."

The amendment was agreed to.

Mr. MAHON. Mr. Chairman, I offer the following amendment, which I send to the desk.

The Clerk read as follows:

On page 14, line 9, after the word "their," insert the words "moral, mental, and;" and in the same line strike out the word "only;" so that it shall read "their moral, mental, and physical fitness for service."

Mr. GRIFFIN. We are unable to determine where that comes in.

The CLERK. On page 14, line 9, after the word "their."

Mr. HULL. That conforms to the amendments agreed to yesterday in the other corps, and I can see no objection to adopting it now.

The amendment was agreed to.

The CHAIRMAN. The Clerk will read the next section.

The Clerk read as follows:

SEC. 13. That the Corps of Engineers shall consist of 1 Chief of Engineers, with the rank of brigadier-general; 10 colonels, 20 lieutenant-colonels, 36 majors, 41 captains, 50 first lieutenants, 50 second lieutenants, and 1 regiment of engineers, which, together with the officers serving therewith, shall be a part of the line of the Army: *Provided*, That vacancies in the Corps of Engineers created by this act in all grades above that of second lieutenant shall be filled, as far as possible, by promotion by seniority from the Corps of Engineers: *And provided further*, That officers of the Corps of Engineers shall not be eligible to promotion to the grade of captain until they shall have served at least five years as lieutenants: *Provided also*, That the remaining vacancies in the grade of captain shall be filled, subject to such physical and mental examination as may be prescribed by the Chief of Engineers and approved by the Secretary of War, by transfer of officers of the Regular Army of at least five years' service as such, or by appointment from civil life, or from the volunteer engineers, who have been in the regular practice of their profession as civil engineers for at least six years; and that the vacancies in the grade of first lieutenant shall be filled by promotion of second lieutenants of the Corps of Engineers and by transfer from the Regular Army, or appointment, as above prescribed for captains, excepting that the time limit in cases of transfers shall be three years and in cases of appointments four years, respectively, and that twenty vacancies in the grade of second lieutenant shall be left for future promotions from the corps of cadets of the United States Military Academy and the remainder filled by transfer from the Regular Army, or appointment, subject to such physical and mental examination as may be prescribed by the Chief of Engineers and approved by the Secretary of War.

The regiment of engineers shall consist of 1 sergeant-major; 1 quartermaster-sergeant; 1 commissary-sergeant, who shall have the pay and allowances of regimental quartermaster-sergeant; 3 battalion sergeants-major, who shall have the pay and allowances of first sergeant; a band, and 12 companies, organized into 3 battalions of 4 companies each.

The band of an engineer regiment shall consist of 1 chief musician; 1 principal musician; 1 drum major, who shall have the rank, pay, and allowances of first sergeant; 4 sergeants; 8 corporals; 1 cook; 12 privates.

Each company of engineers shall consist of 1 first sergeant; 1 quartermaster-sergeant, who shall have the pay and allowances of a sergeant of engineers; 9 sergeants; 15 corporals; 2 musicians; 2 cooks; 60 first-class privates and 60 second-class privates, and shall be recruited in the same manner and with the same limitations as are prescribed for the other branches constituting the military establishment: *Provided*, That such additional restrictions and limitations may be required as may be necessary for securing recruits specially fitted for the engineer service. And the officers of the regiment shall consist of 1 colonel; 1 lieutenant-colonel; 3 majors; 15 captains, including a regimental adjutant, a regimental quartermaster, a regimental commissary, and 12 company officers; 18 first lieutenants, including a battalion adjutant and a battalion quartermaster for each battalion and 12 company officers, and 12 second lieutenants, all of whom shall be detailed from time to time, when deemed necessary by the Chief of Engineers, from the Corps of Engineers.

Mr. HULL. I will ask unanimous consent to go to line 14 first, so as to keep it in consecutive order, and I move to strike out "ten" and insert "eight."

The amendment was agreed to.

The Clerk read the next committee amendment, as follows:

In line 15 strike out "fifteen" and insert "twenty."

Mr. HULL. I move to amend that amendment by striking out "twenty" and inserting "sixteen."

The amendment to the amendment was agreed to.

The committee amendment as amended was agreed to.

The Clerk read the next committee amendment, as follows:

In line 15 strike out "twenty-five" and insert "thirty-six."

Mr. HULL. I move to amend the committee amendment by striking out "six," so that it will read "thirty."

The amendment to the amendment was agreed to.

The committee amendment as amended was agreed to.

The Clerk read the next committee amendment, as follows:

In line 16 strike out "fifty-seven" and insert "forty-one."

Mr. HULL. I move to amend the committee amendment by striking out "forty-one" and inserting "thirty-five."

The amendment to the amendment was agreed to.

The amendment as amended was agreed to.

Mr. HULL. I now move to strike out, in line 16, the word "fifty" and insert "forty," so it will make 40 first lieutenants.

The amendment was agreed to.

Mr. HULL. In line 17 I move to strike out "fifty" and insert "forty," so that it will make 40 second lieutenants.

The amendment was agreed to.

Mr. HULL. Mr. Chairman, those are all of the committee amendments.

Mr. BROMWELL. Mr. Chairman, I offer the following amendment, which I send to the Clerk's desk.

The Clerk read as follows:

Strike out in line 5, page 15, after the word "such," the following: "or by appointment from civil life or from the volunteer engineers who have been in the regular practice of their profession as civil engineers for at least six years."

Mr. BROMWELL. Mr. Chairman, the object of this amendment is that the appointments to this corps shall be confined entirely to graduates from West Point—to exclude civilian appointments. It is known to every member of this House, I presume, that the Engineer Corps is made up of graduates who stand highest in their classes at West Point. They are the sifted-out and selected young graduates of this Academy, specially qualified for this particular work. The growth of the fortification and river and harbor improvement work, which has been going on steadily year after year, has made necessary a large increase in the engineer force of the Army, without reference to any question of foreign territorial acquisition. The natural needs of this country developed the necessity for this increase in this corps.

But gentlemen will see that under the amendments which have been adopted upon the suggestion of the chairman of the committee thirty-eight of the officers who were to be provided for had the bill as originally printed been passed are now dispensed with. It is a matter known to all that the number who are selected for this corps from each graduating class at West Point is usually limited to two or three, or at most four or five, standing

highest in their classes. All the cadets at West Point have precisely the same training, the same instruction in engineering, the same instruction in every other branch that is taught there, and the dividing line between the boy who is selected to go into the Engineer Corps and the boy who is selected to go into another arm of the service, usually the ordnance or artillery, may be nothing more than a fraction of 1 per cent for the four years' study in that school. After graduating at the Academy, those chosen for the Engineer Corps are assigned to a special course of engineering at Willets Point for three years, and then their first active tour of duty as engineer officers commences.

Now, it seems to me, as there is so large an increase in this bill over the present number of engineers, the matter of filling the Engineer Corps may well be left to the future needs of the service; and a gradual increase in that corps may be made by assigning one or two more members of each graduating class at West Point to the Engineer Corps. This corps is the chosen corps of the Army. It is the object of every boy's aspiration when he enters West Point to be assigned to this corps. It is a grade that has reflected more credit, more honor upon the country than any other in the Army. In the entire experience of one hundred years or more of the existence of the American Army there has been but a single case of dereliction of duty on the part of an engineer officer resulting in charges being preferred against him. Could you expect such a record as this were the appointments made under the provision of this bill which I propose to strike out? Could you expect such a record from civilian appointees, considering the fact that so many of these appointees receive their places as the result of political influence?

The gentleman from Kentucky [Mr. BERRY] called attention yesterday to this objectionable feature in other corps. If it be an objectionable feature in any corps of the service, it is especially so in this Engineer Corps, consisting of men to whom is intrusted the handling not only of these vast public improvements, in connection with which ignorance or dereliction of duty may result in the loss of thousands or millions of dollars, but the faithful disbursement of which depends upon the honor and integrity of the officer thus handling the funds of the Government.

Mr. DOCKERY. The gentleman will allow me to suggest in the line of his present observations that the Government has recognized specially the integrity of this corps by exempting its officers from the usual requirement in regard to giving bonds.

Mr. BROMWELL. I was going to allude to that. As the gentleman from Missouri says, so high is the record of this Corps of Engineers, so much confidence has the Government placed in the officers of this special corps, that they have been exempted from the requirement applying to officers in every other department of the Government handling and disbursing the funds of the Government. In their cases a bond is not required to be given, although they handle millions of dollars in connection with public improvements every year.

Now, it seems to me there is no occasion for any provision for the appointment of officers of this corps from civil life. By this bill you add largely to the Engineer Corps, but you have an abundance of young men in the service who are graduates of the Military Academy who are qualified by their education to fill these places—young men in whom there has been created an esprit de corps unequaled and unrivaled in any army of the world. I hope this clause of the bill will be stricken out.

Mr. HULL. Mr. Chairman, General Wilson, Chief of Engineers, submitted the draft of this provision as it was submitted to the House. He stated in his formal examination before the committee and in conversation with members that on account of this increase in the corps there were going to be more vacancies than could be filled under existing conditions, even reserving the twenty positions for future graduates of West Point, and that men who had had six years' experience in civil engineering would be more competent for service on this corps than the average man whom you might pick up in the Army who had not been thus trained.

Now, the very minute a civil engineer is appointed in the Engineer Corps he becomes just as much a part of the Army as though he had graduated at West Point; and the man who has served six years in civil engineering, taking care of himself on public or private work, would not, it seems to me, materially lower the dignity of the Engineer Corps.

Mr. Chairman, I want to say further that I can not see the force of the argument that a man, simply because he has been educated at West Point, will prove himself any more honest than the man who has been taking care of himself outside of West Point. I concede the splendid record of this corps. I know that it is all that the gentleman from Ohio claims that it is. I know that it has had charge of marvelously large work and has discharged its duties in a marvelously faithful manner. But I object, Mr. Chairman, to the idea conveyed here that because a man has worked outside of the Army in the line of the same profession as the Engineer Corps he is, for that reason only, not worthy of trust. I do not think this House is prepared to take any such position.

Mr. STEELE. Does the gentleman think there is any more reason for exempting the officers of the Engineer Corps from the requirement of giving bonds than there is to extend a similar exemption to other officers of the Army?

Mr. HULL. Mr. Chairman, I do not know that I care to answer the question of the gentleman, or to enter upon that branch of the discussion. As a rule, Army officers do not give bond, for they have their positions and commissions at stake——

Mr. DOCKERY. And their commissions may be taken from them under certain circumstances.

Mr. HULL. Certainly; their commissions are at stake; their reputation is at stake; the pride of the service is at stake; and it will not be possible for them to receive pay from the Government if there shall be any dereliction of duty on their part.

Now, this was not inserted on the idea of the committee itself; but was inserted at the suggestion of the Chief of the Engineer Corps, who is competent to give information and make suggestions on a matter of this kind, and who stated that there could be no possible objection to it, in his judgment.

Mr. RIDGELY. Will the gentleman allow me to interrupt him for a question?

Mr. HULL. Certainly.

Mr. RIDGELY. Does not the gentleman think the proposed amendment wrong, in view of the fact that we must limit the number of appointments at West Point in order that engineers in civil life may get in who could not under this amendment? I think the amendment wrong, as it limits engineers to West Pointers. I hope it will be defeated.

Mr. HULL. I think it ought to be defeated.

Mr. WALKER of Massachusetts. Mr. Chairman, a single word in reference to the pending question. I hope the amendment suggested by the gentleman from Ohio [Mr. BROMWELL] will prevail.

This bill is not being passed for an hour or for a day. It will probably stand for the next fifty years. At least we may hope it will not be necessary to legislate every few years upon this question.

Mr. HULL. If the gentleman from Massachusetts will allow me to interrupt him at this point?

Mr. WALKER of Massachusetts. Certainly.

Mr. HULL. This is only, if the gentleman will notice, for promotion to these vacancies in the Engineer Corps.

Mr. BROMWELL. Let me suggest to the gentleman from Iowa, in response to his statement, that the man who goes into the Engineer Corps from civil life is going to stay in the Army. It is not a mere temporary appointment in his behalf, and the civilian who enters that service and remains for a sufficiently long time will in the end be a brigadier-general.

Mr. HULL. But how will you supply the vacancies? That is the question here.

Mr. BROMWELL. I answer the gentleman by saying that the suggestion in the bill will not meet the difficulty. There is no necessity for the change suggested here. The amendment is designed to meet the difficulty.

Mr. WALKER of Massachusetts. Mr. Chairman, I would like to proceed in my own right a little while.

Above all other things, let me say to the committee, the country was shocked during the late war by the appointments made to various positions in the Army from civil life.

Mr. HULL. The gentleman thinks these appointments went too far——

Mr. WALKER of Massachusetts. I do.

Mr. HULL. The appointments in the volunteer forces, the gentleman must remember, were made after a careful examination. This bill has reference to the Regular Army. Every appointment in the Regular Army is made after examination as to moral and mental qualifications and fitness.

Mr. WALKER of Massachusetts. That may be, but I hope that these appointments will be confined to graduates from West Point in the future—to men who have been properly and technically trained, educated, and qualified for the performance of the duties to be assigned to them. There is no difficulty and no danger in making the appointments in that manner.

Mr. HULL. But the gentleman must remember that it would take some time to graduate a sufficient number of men.

Mr. WALKER of Massachusetts. The men graduated at West Point, according to our experience, would be far better suited for these positions in the Regular Army, and we will have no cause to regret their appointment. We can afford to go slow in this matter. Some of the officers appointed from civil life during the civil war vindicated the wisdom of their appointment. Some of the most brilliant Army officers in the service came from civil life, and yet, as a matter of fact, such appointments as a whole cost us millions upon millions of dollars and scores on scores and thousands of lives as compared with other forces commanded by men trained and educated to a military life at West Point.

Mr. TAWNEY. Will the gentleman allow me to interrupt him just for a moment?

Mr. WALKER of Massachusetts. In a moment.

There is no profession, Mr. Chairman, which is so exacting, after all, as the profession of arms. So far as my observation goes, there is more required from military officers than from any other officers under the Government; and there is no other branch of the service of the Government where a technical, scientific education is so important as in the Army. As a matter of fact, the branch of engineers—the engineer arm of the service—is the most important, or if not the most important at least one of the most important, in the Army. It is on the engineer that the commander of the forces relies for information and judgment as to what can be done and what may not be done under the existing conditions.

I hope the amendment suggested by the gentleman from Ohio [Mr. BROMWELL] will prevail. I think we had as well, as we are legislating for a long time to come, adopt the very best propositions that can be submitted to us as a legislative body and give to the Government and the people of the United States the opportunity to secure the very best character of military services.

Mr. MARSH. Mr. Chairman——

The CHAIRMAN. Debate on this amendment is exhausted.

Mr. MARSH. I move to strike out the last word.

The CHAIRMAN. The gentleman from Illinois.

Mr. MARSH. I hope that the amendment offered by the gentleman from Ohio will not prevail. He assumes that the highest elements and qualities of a civil engineer are developed only at West Point, and in that he is wonderfully mistaken. The great engineering geniuses of the country never saw West Point. Take the bridge at St. Louis, constructed under the direction of Mr. Eads, that was pronounced by the members of the Engineer Corps to be a failure until the last tube was laid upon the arch.

Take the improvement of the Mississippi River at the Passes, proposed and carried into execution under Mr. Eads, whose proposition was hooted at and opposed by the Regular Army engineers. And I want to say to my friend from Ohio, notwithstanding that the Engineer Corps of the Army stands high, and justly stands high, I am in favor of allowing this bill to remain as it is, so that there may be injected into the Regular Army and into that corps some of the bright geniuses in civil life who did not have a Congressman willing to send them to West Point. [Applause.]

Mr. LACEY. Mr. Chairman, I hope this amendment will prevail, because it is in the line of sustaining the West Point Academy. That Academy has been an engineers' academy. It is an academy in which mathematics have always taken the highest honors. If a boy fails there in his French or Spanish or any of his other studies, he may have his time extended a year and be put back, but if he fails in mathematics he goes out of the service. That institution has given the closest attention to mathematical studies, and time and again we have had cadets appointed to the Engineer Corps who, after a few years' service in that corps, have resigned their places and gone into civil life because there they could get paid ten times as much as they could be paid in the Regular Army.

Mr. TAWNEY. Will the gentleman allow me?

Mr. LACEY. I have no time. Here is a proposition now that no man shall go into the Engineer Corps from civil life unless he has had six years' experience as an engineer in civil life. In other words, he must first have had six years in which, if he has been unable to practice his profession successfully, unable to make a success of it in civil life, he may apply for shelter in the Engineer Corps of the Army.

Mr. WALKER of Massachusetts. Six years' experience of that kind means six years' sitting around.

Mr. LACEY. If after six years he is successful as a civil engineer, he has a better position than a place in the Engineer Corps. If he is unsuccessful, he should not be placed in the Engineer Corps. Now, we have the whole Regular Army to draw from. There is no reason why the second lieutenants or first lieutenants or captains or various officers in the line of the Regular Army should not be advanced into this corps, which they aspired to while they were cadets at West Point.

Every boy is proud of graduating high enough to be eligible for appointment in the engineers. They are graduated there in proportion to their standing in their classes—first, the engineers; second, artillery; third, cavalry; and fourth, infantry; and when a young man sends word home to his family that he has graduated high enough to get into the engineers, it is a matter of pride to all his friends. Now, we have men, graduating a little lower, who aspire to the same places. They are eligible in this bill to some places, and there is no reason why these few vacancies in the Engineer Corps should not be held by those a little lower down, who have had the opportunities of the finest school in the world of its kind.

Mr. BROMWELL. And exactly the same training as those who did get in.

Mr. LACEY. Exactly the same training; and in addition to that some years of experience in the line. Let us at least keep the Engineer Corps where it now is—the ablest military organization in the world.

[Here the hammer fell.]

Mr. DOCKERY. I only desire to add a word to what has been so well said by the gentleman from Iowa [Mr. LACEY] who has just taken his seat. I believe this amendment is in the right direction, because it will continue to divorce appointments in this corps from mere political influence. By actual experience it has been demonstrated, both in military and naval warfare, that the Government has always secured the best results where the Army and the Navy were wholly unvexed by the intrigues of political partisanship.

I think there is no Representative on this floor who is not proud of the brilliant achievements of our Navy during the recent war with Spain. Mr. Chairman, that great Department is presided over by Secretary Long, formerly a member of this House and personally known to all the old members, a man of large intellect and great executive capacity. He has directed our naval forces with consummate skill, which would have been impossible had he sought to subserve party interests at the expense of naval efficiency.

This amendment is timely, and Congress should continue to keep this Corps of Engineers, so distinguished in the military history of our country, wholly freed from importunities which simply seek the advancement of political favorites at the expense of the efficiency of our splendid Army.

Mr. CANNON. Mr. Speaker, I move to strike out the last word, and will crave the attention of the committee for a very brief time. It will perhaps take ten minutes to say what I want to, but if at the expiration of five minutes the House does not desire to hear me further, I will not proceed.

Mr. HENDERSON. I ask unanimous consent that the gentleman from Illinois have ten minutes.

Mr. HULL. With the understanding that ten minutes will be yielded to the other side.

The CHAIRMAN. The gentleman asks unanimous consent to proceed for ten minutes. Is there objection?

Mr. SIMPSON. I object. Let us treat all sides alike.

Mr. CANNON. Yesterday, Mr. Chairman, the gentleman from New York [Mr. CUMMINGS] gave notice of an amendment, if he could be recognized, and if not he would seek recognition to recommit this bill with the following instructions:

Provided, That no part of the Army constituted or organized under this bill shall be used for or shall do the duty of a posse comitatus, or be employed in putting down strikes or riots or do any police duty whatever in any State in this Union, except upon the application of the governor of such State to the President, stating that he has not sufficient force to maintain or restore order.

This is a new provision that the gentleman from New York has given notice that he will seek upon a motion to recommit or otherwise to write upon the proposed legislation, putting it out of the power, the Constitution to the contrary notwithstanding, of the President to enforce the laws of the United States in the territory of any State of the Union unless the governor of the State shall certify to him that he has not sufficient force to suppress the riot. Now, then, it is well enough to ascertain what the law is, and what the object of the proposed amendment is, and what it would accomplish if it were written on the statute book.

First, I call the attention of the gentleman from New York and the House or committee to what the law now is. After a long contest, in 1879, upon an Army appropriation bill, this provision of the law was enacted, and is the law to-day, and for all time, unless repealed.

Chapter 263, section 15, Supplement of the Revised Statutes, volume 1, page 190, as follows:

From and after the passage of this act, it shall not be lawful to employ any part of the Army of the United States as a posse comitatus or otherwise for the purpose of executing the laws, except in such cases and under such circumstances as such employment of said force may be expressly authorized by the Constitution or by act of Congress.

That is the law to-day, and has been since 1879. Now, what is the express provision of the Constitution?

The President shall take care that the laws be faithfully executed.

There is the constitutional provision; there is the legislation of 1879. Now, what happened heretofore and what may happen again? Take it in my own State of Illinois. A few years ago there was great trouble at Chicago. Railway trains were destroyed, public property and private property were destroyed, riots were organized, the laws of the United States were absolutely defied, all business was discontinued for weeks throughout the whole country.

Mr. DAVENPORT. Postal cars could not get in.

Mr. CANNON. The mails could not go on their way on the post routes of the United States. There was everywhere fear, doubt, demoralization, suspension of business, and loss of life.

The CHAIRMAN. The time of the gentleman has expired.

Mr. CANNON. I hope my ten minutes have not been consumed.

The CHAIRMAN. The gentleman only had five minutes.

Mr. TAWNEY. I ask unanimous consent that the gentleman have five minutes more.

The CHAIRMAN. The gentleman asks unanimous consent

that the gentleman from Illinois have five minutes more. Is there objection? [After a pause.] The Chair hears none.

Mr. CANNON. Now, under that legislation, which I have read, of 1879 the then President of the United States, without the consent of the governor of the State of Illinois, against his protest, used the Army of the United States to enforce the law of the United States, under the clause of the Constitution that he should "see to it that the laws were executed." Gentlemen recollect that occurrence.

The Senate of the United States, as I recollect it, without a dissenting voice, approved of the action of the President. The House of Representatives substantially approved of the action of the President. The whole country said that he had performed his duty in seeing to it that the laws of the United States were faithfully executed. Now, I have given the law, I think, on the subject to protect the citizen, the individual upon the one hand and to enforce the laws of the United States upon the other hand. But what does the gentleman propose to write new in the law? It is as follows. I will read it again:

Provided, That no part of the Army constituted or organized under this bill shall be used for or shall do the duty of a posse comitatus, or be employed in putting down strikes or riots or do any police duty whatever in any State in this Union, except upon the application of the governor of such State to the President, stating that he has not sufficient force to maintain or restore order.

If that had been the law when the late President enforced the laws of the United States in the State of Illinois, he would have had to suspend his constitutional functions until the governor of the State of Illinois, under his hand, certified to him that he had not sufficient force to maintain or restore order, when, in fact, the governor of Illinois did not enforce the laws of the United States, and protested against the President's enforcing the same.

There is no man in the country that will go further than I will to protect the individual citizen in all his rights of person and property, but I for one will not place it in the hands of one man, or 100 men, or 1,000 men, to set at defiance the laws of the United States and say to the President, the Constitution to the contrary notwithstanding, "You shall not enforce the laws of the United States until the governor first tells you to do so under his hand and seal." Within the boundaries of the United States the laws of the United States and its Constitution are supreme as against the action of any State executive or any State law. [Applause.]

Mr. JOHNSON of Indiana. This amendment would be unconstitutional if adopted.

Mr. CANNON. The gentleman says this amendment would be unconstitutional if adopted. That is what I think, too; and that is one reason why it should not be adopted.

I say again, that the States, within their respective jurisdictions, are supreme, but that the National Government, where under its Constitution and laws it has jurisdiction, is the supreme power on earth, within our borders, save alone the power of Almighty God. [Applause.] And I want to say, in conclusion, that when this motion is made to recommit this bill, if it shall be made, I trust that upon both sides of the House the vote will be as it ought to be, "No," because every security is now given that can be given with the safety of the individual and the collective rights of all the people. [Applause.]

[Here the hammer fell.]

Mr. CUMMINGS rose.

Mr. HAY. Mr. Chairman, I ask unanimous consent that the gentleman from New York [Mr. CUMMINGS] be given ten minutes.

There was no objection.

Mr. CUMMINGS. Mr. Chairman, there is no question whatever that organized labor in the United States, through the American Federation of Labor in national convention assembled, and through the Knights of Labor similarly convened, have condemned this effort to increase the standing army of the United States to 100,000 men. And there is no question whatever that the reason for their action is their fear that this standing army of 100,000 men may be used unconstitutionally in the way of oppression.

Mr. BRUCKER. Their fears are well founded, too.

Mr. CUMMINGS. Possibly. Now, if you mean to do it, say so; and if you do not mean to do it, adopt this proviso. You have an opportunity to allay their fears by its adoption, or to increase them by voting it down. I would like to see every man on the floor placed on record by a yea-and-nay vote, and regret that it can not be done in Committee of the Whole. I know that I will not get the opportunity to force the record in the open House, although I shall seek it.

The gentleman from Illinois [Mr. CANNON], who referred to the action of Governor Altgeld, entirely failed to allude to the action of another governor of Illinois, John M. Palmer, who, in words as strong as those used by Governor Altgeld, denounced the action of the President of the United States in sending troops to Chicago without the sanction of the State authorities. A citizen of Illinois was killed by these troops in violation of the law. You had nothing in an army appropriation bill then under which you could excuse such action. The action was taken in violation of the Constitution of the United States. It was clearly shown by the protest of Governor Palmer, in a state document of rare excellence, to which I invite the attention of my distinguished friend from Illinois:

Mr. CANNON. Will the gentleman allow me right there, and I will ask an extension of his time if I take up too much of it? In the case of Governor Palmer the facts were these——

Mr. CUMMINGS. Never mind about the fact. The gentleman can make his statement of the facts in his own time, but not in mine. I have stated them myself in my own time, and my word is as good as his. Governor Palmer's statement can be placed on file.

Mr. CANNON. I ask unanimous consent, if the gentleman will yield at this time.

Mr. CUMMINGS. I will not yield.

Mr. CANNON. The gentleman is afraid to yield for the truth.

Mr. CUMMINGS. Governor Palmer was not afraid to denounce a Republican President for his arbitrary action. Now, one word more in regard to the action of President Cleveland, whom the gentleman from Illinois says was sustained by the Senate of the United States. He says that the House of Representatives sustained his action and that the people sustained it. Well, the people got rid of him as quick as they could [laughter on the Democratic side], and they will not bring him into power again, even with the aid of the gentleman from Illinois. [Laughter on the Democratic side.] The constituted authorities of the State of Illinois denounced his action as arbitrary and revolutionary, and in defiance of the plain letter of the Constitution.

Now, sir, I am no lawyer nor banker, and make no pretensions to abstruse legal phraseology. I am a member of a trades union, and have been one for forty years, and claim to have the common sense characterizing members of New York Typographical Union, No. 6. I am going to apply the test of common sense to the gentleman's remarks.

Mr. SIMPSON. That will beat him. [Laughter.]

Mr. CUMMINGS. Article XIV of the Constitution says:

Congress has the power to make rules for the government and regulation of the land and naval forces.

You have the power, and here is the opportunity to do it, if you pay any attention to the expressed fears of organized labor in the United States.

Now, let us see what power the President has. "He shall take care that the laws be faithfully executed." Congress makes the laws, and it is the duty of the President to see that they are faithfully executed. There is no question whatever concerning the power of Congress to pass this proviso, and there is no question whatever that if the President of the United States refuses to execute its provisions he is in violation of the law and subject to impeachment. Read Article IV, section 4, of the Constitution of the United States, and see where we stand:

The United States shall guarantee to every State in this Union a republican form of government, and shall protect each of them against invasion; and, on application of the legislature or of the executive (when the legislature can not be convened), against domestic violence.

It was this provision that was violated when John M. Palmer was governor of Illinois. The same provision was afterwards violated when John P. Altgeld was governor; and both governors protested. Instead of protecting the State from invasion, the Federal Government itself invaded the State. The proviso which I have the honor to propose to this bill simply affirms the constitutional limit and gives an assurance of no further violations.

The plain facts of the invasion that occurred when John M. Palmer was governor of Illinois were these:

The great fire in Chicago began on October 8, 1871, and was stopped on the afternoon of the 9th. Thousands were homeless. Governor Palmer promptly sent provisions to the hungry and dispatched State troops to aid the police in preserving order. He also called an extra session of the legislature. The mayor of Chicago turned his authority over to General Sheridan without communicating with the governor of the State. Sheridan usurped command of the State military and brought in ten companies of United States troops to sustain his authority. The mayor usurped the authority of the police commissioners, and placed the police force under Sheridan's orders. Sheridan actually raised a regiment of volunteers in Chicago and placed them on duty, without even the knowledge or assent of the governor. One of these volunteers, under general orders, shot dead Col. Thomas W. Grosvenor, a prominent citizen, on the ground that he was a suspicious character and did not give one of Sheridan's countersigns.

Governor Palmer first learned of the mayor's action six days after General Sheridan had usurped authority. The governor was astounded, for he had been in Chicago immediately after the fire and had understood that Sheridan was acting as a private citizen and not as a military officer. The governor wrote the mayor, upbraiding him for not applying to him for military aid, and denounced Sheridan's action as illegal. He urged the mayor

to resume his authority as soon as possible. The mayor did so on October 28. In his message to the legislature Governor Palmer said:

The mayor, the mere executive officer of a city created by the laws of this State, without control over the police, attempted to place the laws of the State under the feet of a citizen, who, forgetful of his own duty to respect, obey, and enforce the laws, in the capacity of an officer of the United States Army, availing himself of the color of authority conferred upon him by the mayor, subjected his fellow-citizens to military rule. No officer of the United States or of the State of Illinois has the constitutional or legal authority to exercise such transcendent powers, for Lieutenant-General Sheridan employed the troops of the United States in a manner not authorized by Federal laws. He raised troops without the consent of Congress and imposed upon them an unlawful oath.

But this was not all. On October 28, the same day that Mayor Mason resumed his authority, Joseph Medill, mayor-elect of Chicago, sent a note to General Sheridan requesting him to station four companies of United States troops in the city, saying that it would "deter evil-disposed persons from organizing a breech of the peace and reassure the public mind in an extraordinary degree." Instead of referring this request back to Governor Palmer, Sheridan telegraphed to the War Department for authority to bring the troops, laying special stress upon the fact that "Mr. Joseph Medill, the incoming new mayor," requested it. He received the following reply from the War Department:

Four companies of the Eighth Infantry are ordered to Chicago to act as police under your letter of the 29th.

General Palmer, in a letter to the President, protested, saying that the authorities of the State were able to maintain peace and order. He asked whether the troops were intended or instructed to obey the call of any of the authorities of the State or city or in any way to assume the protection either of property or the preservation of order in that city. The President replied that no reflections were meant upon the integrity or ability of any State officer or State or city official to perform his whole duty. The governor answered that he was unable to find anything in the President's letter justifying the extraordinary measure of ordering four companies of troops to act as police under Sheridan's orders.

The duty of preserving order rested with the State, and the Government could not interfere except upon the application of the legislature or the governor. Such interference violated the Constitution and the law. No emergency creating a sudden demand upon the powers and resources of a State operates to transfer any of them to the Government of the United States. The duty of the President is to see that the laws of the United States are enforced, and that of the Governor of Illinois is confined to the enforcement of the laws of the State. Neither obstructs the other, nor aids or interferes with his duties. The governor derives none of his powers from the United States, nor are his duties subjected in any respect to the consent or discretion of the President, who can in no way enlarge and prejudice or interrupt them, either by assuming them himself or by intrusting them to others.

In a letter written on April 16, 1872, refusing a Republican renomination for governor, General Palmer said:

I can not defend or justify the opinion acted upon by the President when he ordered four companies of infantry into this State to act as police, and that dictated his approval of the act of General Sheridan in raising troops by his own authority in this State, subjecting Chicago to military rule, whereby a peaceful citizen of the State was unlawfully killed. These lawless and dangerous assumptions of authority can not be defended or apologized for by me while an obligation or oath to support the Constitution and enforce the laws of the State rests upon me. If the powers claimed and acted upon by the President in these instances existed in him, the State of Illinois is but a dependency of the Government at Washington, and the laws and liberties of the people are subject to the will of the President.

Now, Mr. Chairman, let us look at another case. In 1874 the governor of Louisiana applied for Federal troops to quell internal disturbances in that State. On January 4, 1874, by order of the governor these troops dispersed the lower house of the legislature on the ground that it was a mere mob, and the action of the troops was sustained and indorsed by the Administration at Washington. On January 15, 1875, a meeting was held in Faneuil Hall, Boston, to protest against this act of the Federal Government. Among the speakers at this meeting was the Hon. Richard Olney, Attorney-General of the United States when United States troops were sent into Illinois against the protest of Governor Altgeld. In his speech at Faneuil Hall Mr. Olney said:

Apparently the Administration meant to assert that the President might enter a State with troops to suppress disorder and violence at his own discretion, upon his own view of the exigency, and without waiting for the request or consent of the State itself. No more glaring attempt at usurpation can be imagined. If successful, it would revolutionize our whole governmental system and clearly annihilate the right of local self-government by a State.

Now, Mr. Chairman, let us come to the invasion of Illinois while John P. Altgeld was governor. The first trouble was in the coal mines. That trouble was stopped by the State militia, under the orders of the governor. While the coal strike was pending, the Hon. William J. Allen, United States district judge, of Springfield, Ill., finding that his marshal was having trouble to carry out some of the orders of his court, wrote to Attorney-General Olney at Washington upon the subject of receiving assistance from Federal troops. The Attorney-General sent the following dispatch:

WASHINGTON, D. C., *June 16, 1894.*

ALLEN, *United States Judge, Springfield, Ill.:*

I understand the State of Illinois is willing to protect property against lawless violence with military forces, if necessary. Please advise receivers to take proper steps to procure protection by civil authorities of the State. If such protection proves inadequate, the governor should be applied to for military assistance.

OLNEY.

In his speech at Cooper Institute, October 17, 1896, Governor Altgeld said:

This dispatch of Secretary Olney set down the correct doctrine that the local authorities should be applied to first, and in case of their failure then the governor of the State should be applied to for assistance.

Immediately after the date of this telegram, and on several occasions thereafter during the coal strike, as well as on several occasions during the subsequent railroad strike, prior to the serious disturbances in Chicago, the United States marshal for the southern district of Illinois applied to the governor for military aid to enable him and his deputies to execute the processes of the United States courts, and in each instance troops were promptly sent to his assistance.

This shows the attitude of the State administration toward that part of the State lying outside of Chicago, and as troops were always promptly furnished where needed, and in every instance were promptly furnished to the United States marshal when asked for, to assist him in enforcing the orders of the United States court for southern Illinois, and as the State administration stood equally ready to furnish any assistance which the United States marshal at Chicago might require to carry out the orders of the United States court there, and inasmuch as Attorney-General Olney had only a few weeks before telegraphed that the governor should be applied to for troops to assist in carrying out the orders of the United States, it would naturally be expected that if the United States marshal at Chicago should need assistance he would apply for such assistance to the governor of the State. Instead of pursuing this course, just the opposite course was pursued. No application of any sort for troops was made to the governor by the United States marshal or any of the United States authorities at Chicago. Nor was any such application made by any of the local, city, or county officers of Chicago until the 6th of July, and then such application was made on my suggestion.

You may ask why the Federal Administration at Washington did not direct the United States marshal at Chicago to apply to the State for troops in order to enforce the orders of the United States courts there, just as the United States marshal for southern Illinois had applied to the State for troops to enforce the orders of the United States courts at that place. The Federal troops in Chicago were ordered to be in readiness five days in advance of any trouble, and were actually on the ground on the 3d day of July, before there had been any serious disturbance of any kind, and they remained on the ground for weeks.

Here, Mr. Chairman, are the official documents in the case:

EXECUTIVE OFFICE, STATE OF ILLINOIS, *July 5, 1894.*

Hon. GROVER CLEVELAND,
President of the United States, Washington, D. C.

SIR: I am advised that you have ordered Federal troops to go into service in the State of Illinois. Surely the facts have not been correctly presented to you in this case or you would not have taken this step, for it is entirely unnecessary, and, as it seems to me, unjustifiable. Waiving all questions of courtesy, I will say that the State of Illinois is not only able to take care of itself, but it stands ready to furnish the Federal Government any assistance it may need elsewhere.

Our military force is ample, and consists of as good soldiers as can be found in the country. They have been ordered promptly whenever and wherever they were needed. We have stationed in Chicago alone three regiments of infantry, one battery, and one troop of cavalry, and no better soldiers can be found. They have been ready every moment to go on duty, and have been and are now eager to go into service, but they have not been ordered out because nobody in Cook County, whether official or private citizen, asked to have their assistance, or even intimated in any way that their assistance was desired or necessary.

So far as I have been advised, the local officials have been able to handle the situation. But if any assistance were needed, the State stood ready to furnish 100 men for every 1 man required, and stood ready to do so at a moment's notice. Notwithstanding these facts, the Federal Government has been applied to by men who had political and selfish motives for wanting to ignore the State government. We have just gone through a long coal strike, more extensive here than in any other State, because our soft-coal field is larger than that of any other State. We have now had ten days of the railroad strike, and we have promptly furnished military aid wherever the local officials needed it.

In two instances the United States marshal for southern Illinois applied for assistance to enable him to enforce the processes of the United States court, and troops were promptly furnished him and he was assisted in every way he desired. The law has been thoroughly executed, and every man guilty of violating it during the strike has been brought to justice. If the marshal of the northern district of Illinois or the authorities of Cook County needed military assistance they had but to ask for it in order to get it from the State.

At present some of our railroads are paralyzed, not by reason of obstruction, but because they can not get men to operate their trains. For some reason they are anxious to keep this fact from the public, and for this purpose they are making an outcry about obstructions in order to divert attention. Now, I will cite to you two examples which illustrate the situation:

Some days ago I was advised that the business of one of our railroads was obstructed at two railroad centers, and that there was a condition bordering on anarchy there, and I was asked to furnish protection so as to enable the employees of the road to operate the trains. Troops were promptly ordered to both points. Then it transpired that the company had not sufficient men on its line to operate one train. All the old hands were orderly, but refused to go to work. The company had large shops which worked a number of men who did not belong to the railway union and who could run an engine. They were appealed to to run the train, but flatly refused. We were obliged to hunt up soldiers who could run an engine and operate a train.

Again, two days ago, appeals which were almost frantic came from the officials of another road, stating that at an important point on their line trains were forcibly obstructed and that there was a reign of anarchy at that place, and they asked for protection so that they could move their trains. Troops were put on the ground in a few hours' time, when the officer in command telegraphed me that there was no trouble and had been none at that point, but that the road seemed to have no men to run trains, and the sheriff telegraphed that he did not need troops, but would himself move every train if the company would only furnish an engineer. The result was that the troops were there twelve hours before a single train was moved, although there was no attempt at interference by anybody.

It is true that in several instances a road made efforts to work a few green men and a crowd standing around insulted them and tried to drive them away, and in a few other cases they cut off Pullman sleepers from trains. But all these troubles were local in character and could easily be

handled by the State authorities. Illinois has more railroad men than any other State in the Union, but as a rule they are orderly and well behaved. This is shown by the fact that so very little actual violence has been committed. Only a very small percentage of these men have been guilty of infractions of the law. The newspaper accounts have in many cases been pure fabrications, and in others wild exaggerations.

I have gone thus into details to show that it is not soldiers that the railroads need so much as it is men to operate trains, and that the conditions do not exist here which bring the cause within the Federal statutes, a statute that was passed in 1881, and was in reality a war measure. The statute authorized the use of Federal troops in a State whenever it shall be impracticable to enforce the laws of the United States within such States by the ordinary judicial proceedings. Such a condition does not exist in Illinois. There have been a few local disturbances, but nothing that seriously interfered with the administration of justice, or that could not be easily controlled by the local or State authorities, for the Federal troops can do nothing that the State troops can not do.

I repeat, that you have been imposed upon in this matter, but even if by a forced construction it were held that the conditions here came within the letter of the statute, then I submit that local self government is a fundamental principle of our Constitution. Each community shall govern itself so long as it can and is ready and able to enforce the law, and it is in harmony with this fundamental principle that the statute authorizing the President to send troops into States must be construed; especially is this so in matters relating to the exercise of the police power and the preservation of law and order.

To absolutely ignore a local government in matters of this kind, when the local government is ready to furnish assistance needed, and is amply able to enforce the law, not only insults the people of this State by imputing to them an inability to govern themselves, or an unwillingness to enforce the law, but is in violation of a basic principle of our institutions. The question of Federal supremacy is in no way involved. No one disputes it for a moment; but, under our Constitution, Federal supremacy and local self-government must go hand in hand, and to ignore the latter is to do violence to the Constitution.

As governor of the State of Illinois, I protest against this, and ask the immediate withdrawal of the Federal troops from active duty in this State. Should the situation at any time get so serious that we can not control it with the State forces, we will promptly ask for Federal assistance, but until such time I protest, with all due deference, against this uncalled-for reflection upon our people, and again ask the immediate withdrawal of these troops.

I have the honor to be, yours, respectfully,

JOHN P. ALTGELD,
Governor of Illinois.

[President's reply.]

EXECUTIVE MANSION, *Washington, July 5, 1894.*

Hon. JOHN P. ALTGELD,
Governor of Illinois, Springfield, Ill.

SIR: Federal troops were sent to Chicago in strict accordance with the Constitution and laws of the United States, upon the demand of the Post-Office Department that obstruction of the mails should be removed, and upon the representations of the judicial officers of the United States that the process of the Federal courts could not be executed through the ordinary means, and upon competent proof that conspiracies existed against commerce between the States.

To meet these conditions, which are clearly within the province of Federal authority, the presence of Federal troops in the city of Chicago was deemed not only proper, but necessary, and there has been no intention of thereby interfering with the plain duty of the local authorities to preserve the peace of the city.

GROVER CLEVELAND.

[Governor Altgeld's second telegram.]

Hon. GROVER CLEVELAND,
President of the United States, Washington, D. C.

SIR: Your answer to my protest involves some startling conclusions and ignores and evades the question at issue—that is, that the principle of local self-government is just as fundamental in our institutions as is that of Federal supremacy.

First. You calmly assume that the Executive has the legal right to order Federal troops into any community of the United States, in the first instance, whenever there is the slightest disturbance, and that he can do this without any regard to the question as to whether that community is able to and ready to enforce the law itself, and, inasmuch as the Executive is the sole judge of the question as to whether any disturbance exists or not in any part of the country, this assumption means that the Executive can send Federal troops into any community in the United States at his pleasure, and keep them there as long as he chooses.

If this is the law, then the principle of self-government either never did exist in this country or else has been destroyed, for no community can be said to possess local self-government if the Executive can, at his pleasure, send military forces to patrol its streets under pretense of enforcing some law. The kind of local self-government that could exist under these circumstances can be found in any of the monarchies of Europe, and it is not in harmony with the spirit of our institutions.

Second. It is also a fundamental principle in our Government that, except in times of war, the military shall be subordinate to the civil authority. In harmony with this provision, the State troops are ordered out to act under and with the civil authorities. The troops you have ordered to Chicago are not under the civil authorities, and are in no way responsible to them for their conduct. They are not even acting under the United States marshal or any Federal officer of the State, but are acting directly under military orders issued from military headquarters at Washington, and in so far as these troops act at all it is military government.

Third. The statute authorizing Federal troops to be sent into States in certain cases contemplates that the State troops shall be taken first. This provision has been ignored, and it is assumed that the Executive is not bound by it. Federal interference with industrial disturbances in the various States is certainly a new departure, and it opens up so large a field that it will require a very little stretch of authority to absorb to itself all the details of local government.

Fourth. You say that troops were ordered into Illinois upon the demand of the Post-Office Department, and upon representations of the judicial officers of the United States that process of the courts could not be served, and upon proof that conspiracies existed. We will not discuss the facts, but look for a moment at the principle involved in your statement. All of these officers are appointed by the Executive. Most of them can be removed by him at will. They are not only obliged to do his bidding, but they are in fact a part of the Executive.

If several of them can apply for troops, one alone can; so that under the law as you assume it to be an Executive, through any one of his appointees, can apply to himself to have the military sent into any city or number of cities, and base his application on such representations as he sees fit to make. In fact, it will be immaterial whether he makes any showing or not, for the Executive is the sole judge, and nobody else has any right to interfere or even inquire about it.

Then the Executive can pass on his own application—his will being the sole guide—he can hold the application to be sufficient, and order troops to as many places as he wishes and put them in command of any one he chooses, and have them act, not under the civil officers, either Federal or State, but directly under military orders from Washington, and there is not in the Constitution or laws, whether written or unwritten, any limitation or restraint upon his power. His judgment, that is, his will, is the sole guide, and it being purely a matter of discretion, his decision can never be examined or questioned.

This assumption as to the power of the Executive is certainly new, and I respectfully submit that it is not the law of the land. The jurists have told us that this is a Government of law, and not a Government by the caprice of an individual: and, further, instead of being autocratic, it is a Government of limited power. Yet the autocrat of Russia could certainly not possess, or claim to possess, greater power than is possessed by the Executive of the United States, if your assumption is correct.

Fifth. The Executive has the command not only of the regular forces of all the United States, but of the military forces of all the States, and can order them to any place he sees fit; and as there are always more or less local disturbances over the country, it will be an easy matter under your construction of the law for an ambitious Executive to order out the military forces of all of the States and establish at once a military government. The only chance of failure in such a movement could come from rebellion, and with such a vast military power at command this could readily be crushed, for, as a rule, soldiers will obey orders.

As for the situation in Illinois, that is of no consequence now compared with the far-reaching principle involved. True, according to my advices, Federal troops have now been on duty for over two days, and although the men were brave and the officers valiant and able, yet their very presence proved to be an irritant, because it aroused the indignation of a large class of people, who, while upholding law and order, had been taught to believe in local self-government, and therefore resented what they regarded as unwarranted interference.

Inasmuch as the Federal troops can do nothing but what the State troops can do there, and believing that the State is amply able to take care of the situation and to enforce the law, and believing that the ordering out of the Federal troops was unwarranted, I again ask their withdrawal.

JOHN P. ALTGELD.

This correspondence speaks for itself, Mr. Chairman. It details the whole situation as clearly as it was detailed by Governor Palmer over twenty years before. Nothing that I can say can add to it or detract from it. It opened the eyes of the people, and no action taken in this or any other Congress can close them again.

Sir, I honor William McKinley, President of the United States, because he is unlike some of his predecessors. Governor Tanner, of Illinois, refused to order out the State militia to put down the strike at Pana. If Mr. McKinley's predecessor had been President, he would have immediately sent the Army there in defiance of the governor to quell that strike. But William McKinley, with a full sense of his duty and responsibility to the people, left the case in the hands of Governor Tanner, and the people of the United States honor him for it. If Governor Tanner finds himself unable to quell violence hereafter, he may call upon the President of the United States for aid, and William McKinley will furnish the aid.

I might make the same application to the recent riots in Wilmington, N. C. If we may believe newspaper reports, the President was urged to send United States troops into the State and put down the outbreak without reference to the State authorities. He stood, however, within the constitutional guaranty, awaiting the action of the State authorities, presenting a magnificent contrast to the action of former Presidents in Louisiana and Illinois. His course here will add more luster to his fame in the future history of the Republic than the capture of Santiago.

Now, Mr. Chairman, I do not desire to delay the consideration of this bill. I do desire, however, to have the people of the United States, if possible, satisfied with the bill and its provisions. But I tell you now that I never, in my course of service in this body, will vote for a bill of this character unless this proviso has been placed in it. [Applause.]

All that I ask is that there shall be a vote on this proposition, a yea-and-nay vote, where gentlemen can be placed on the record, and let the people know where they stand and for what they want this proposed increase of the Army. If you do not intend to use the Army in the manner indicated, why not say so? What reason is there for avoiding the issue?

The gentleman from Illinois says, "The Federal authority was and should be supreme." I will amend this by saying, "The Federal authority is and should be supreme under the Constitution of the United States." And this is all that my proviso aims to do. We want it understood that the Army is not to be used unconstitutionally, even if the opportunity should arise, and that all the rights of local self government shall be preserved.

I hope that the gentleman from Illinois, like an honest man, will aid me in securing a vote on this proviso. It is his duty to do so; and it is my duty, as I believe him to be honest, to ask him to aid me in an honest endeavor.

Mr. CANNON. Mr. Chairman, I move a formal amendment, to strike out the last two words.

The gentleman from New York [Mr. CUMMINGS] has on this occasion, as before, called attention to the fact that he is a member of a labor organization. He has the right to be. Labor has the right to organize. Nobody disputes that right. American citizens, under the law and obeying the laws in the name of labor

or in the name of anything that is legal and praiseworthy, have the right to organization. The gentleman in saying that he is a member of that organization has no advantage over the balance of us. Labor has trodden no path in this country that most of us have not trodden. Before we are lawyers or doctors or laborers or professional men we are American citizens; and the law of the common country, like the grace of God, covers us all and must be obeyed by all. [Applause.]

Now, what is proposed by the gentleman? To declare that when a law of the United States is trampled under foot, spat upon, derided, and defied—when the business of the whole country may be stopped by one man or one thousand men, headed, not by labor (because labor suffers under such circumstances), but headed by the anarchist and the bad man, who is in defiance of the law of the United States—the gentleman proposes that the execution of that law should remain in abeyance until the particular governor of that State says in black and white, under his hand, to the President that he has not the power to keep the peace. That is what the gentleman proposes.

Mr. CUMMINGS. I propose no such thing.

Mr. CANNON. And then he says that Cleveland was repudiated notwithstanding he enforced the law. We did not elect Cleveland; you did. [Laughter.] But it is the one green spot in his record that when the law was defied, not only by the lawbreaker, but by the anarchist, and when the governor of the State would not enforce the law or call upon the President to do so, Cleveland said, "I must keep my oath under the Constitution and see that the laws are faithfully executed." The gentleman proposes, if it be possible, in this proposed statute to put that out of the power of the President; and he undertakes to speak in the name of labor. He slanders labor. [Applause.] Such cheap demagogy in the name of labor will be spat upon by every honest laborer and citizen throughout the length and breadth of the country. [Applause.]

In the little time I have remaining I want to state one thing in justice to the late Governor Palmer.

The CHAIRMAN. The gentleman has two minutes remaining.

Mr. CANNON. The gentleman tells us that Governor Palmer did get into trouble—really into trouble. What were the circumstances? A great city, Chicago, was being destroyed by fire. The telegraph wires were down. The governor was 150 miles away. He might just as well have been 5,000. There was fear, doubt, no police, demoralization, death everywhere; thieves fattening, the city being destroyed, new fires being set. There happened to be there a company of soldiers. From necessity, in the absence of police, law or no law, in the presence of that overpowering necessity, a line of soldiers was thrown across the street. That is all there is of it. And, as suggested to me, with General Sheridan in command. The gentleman is not happy; the late Governor Palmer was not happy because the honest people of this country recognized in that great emergency that it was right to stop the thieves and to protect property.

Now, that is all I want to say about that. The gentleman would not let me correct him when I sought the opportunity to do so.

Mr. CUMMINGS. The papers will correct you.

Mr. CANNON. He did not pursue his usual courteous course.

Mr. Chairman, I do not know that I desire to add anything further.

Mr. CUMMINGS. Mr. Chairman, words can not make misstatements true; and all the ability of the gentleman from Illinois [Mr. CANNON] in the use of words shall not place me or any other man in the United States in a false light if I can prevent it. I say that the governors and legislatures of the States have their rights; the Executive of the United States and Congress also have their rights. If the Executive of the United States overrides the rights of the governors or State authorities, as the gentleman from Illinois has admitted they did in the case of Governor Palmer, the State authorities have an equal right to override the acts of the Executive. Law is law, and it must be obeyed. The only object in the world that I had in offering this proviso was to see whether this Congress would abide by the clear enactment of the Constitution of the United States. All who are willing to do so will vote for this amendment. If they desire an evasion of the terms of the Constitution, they will vote against it.

One word more and I am through. I honor William McKinley, President of the United States, because he is unlike some of his predecessors. Governor Tanner, of Illinois, refused to order out the State militia to put down the strike at Pana. If Mr. McKinley's predecessor had been President, according to your plain statement, he would have immediately sent the Army there in defiance of the governor to quell that strike. But William McKinley, with a full sense of his duty and responsibility to the people, left the case in the hands of Governor Tanner, and the people of the United States honor him for it. If Governor Tanner finds himself unable to quell the strike, he may call upon the President of the United States for aid, and William McKinley will furnish the aid. I might make the same application to the recent riots in Wilmington, N. C. If we may believe newspaper reports, the President was urged to send United States troops into the State and put down the outbreak without reference to the State authorities. He stood, however, within the constitutional guaranty awaiting the action of the State authorities.

Now, Mr. Chairman, I do not desire to delay the consideration of this bill. I do desire, however, to have the people of the United States, if possible, satisfied with the bill and its provisions. But I tell you now that I never, in my course of service in this body, will vote for a bill of this character unless this proviso has been placed in it. [Applause.]

Mr. GAINES. Mr. Chairman, with the consent of the gentleman from New York, I would like to make a suggestion.

Mr. CUMMINGS. I yield to my friend from Tennessee.

Mr. GAINES. I read from McPherson's Handbook of Politics for 1878:

Be it enacted, etc., That from and after the passage of this act it shall not be lawful to employ any part of the Army of the United States as a posse comitatus, or otherwise, for the purpose of executing the laws, except in such cases and under such circumstances as such employment of said force may be expressly authorized by the Constitution or by act of Congress; and no money appropriated by this act shall be used to pay any of the expenses incurred in the employment of any troops in violation of this section; and any person willfully violating the provisions of this section shall be deemed guilty of a misdemeanor, and on conviction thereof shall be punished by fine not exceeding $10,000 or imprisonment not exceeding two years or by both such fine and imprisonment.

In the House this was carried by a vote of 154 to 48.

And the distinguished gentleman from Illinois [Mr. CANNON] voted for that provision, as this standard authority shows. That was a provision almost identical with the provision in controversy here.

Mr. CANNON. Oh, the gentleman knows that I read that provision of the law myself.

Mr. CUMMINGS. You did not read it all. That is as strong a provision as this, and you voted for it.

Mr. GAINES. That was the reason that I read it. The gentleman did not read the whole of it, and the gentleman's position to-day is not the same evidently as it was when he voted for that act in 1878.

Mr. MARSH. Mr. Chairman, I ask unanimous consent that the amendment proposed by the gentleman from Ohio be again reported.

The amendment proposed by Mr. BROMWELL was again read.

Mr. MARSH. Mr. Chairman, I hope that amendment will not prevail. It ought to be rejected by the committee.

This bill deals very liberally with the engineer force of the Army. This is particularly true with reference to vacancies which will exist when the bill becomes a law. All of these vacancies have been filled heretofore, and subsequent vacancies when they arrive will be filled under the law as it now exists. There is an increase of 43 in the engineer force.

Mr. HULL. And, if my friend will permit me to make a suggestion in that connection, 20 are reserved for future appointment.

Mr. MARSH. Certainly.

Mr. BROMWELL. That is for second lieutenants: Now, I am opposed to putting them in as captains over the heads of other officers——

Mr. HULL. Oh, the gentleman understands, of course, the order in which such appointments will be made.

Mr. MARSH. Mr. Chairman, I must decline to be interrupted for a moment or two.

The CHAIRMAN. The gentleman from Illinois declines further interruption.

Mr. MARSH. Without going more particularly into the clause, I only desire to call the attention of the committee to the fact that the gentleman is undertaking by the proposed amendment to make the Engineer Corps of the whole Army the only one in the service into which a civilian may not be appointed.

Mr. BROMWELL. Why, Mr. Chairman, a civilian is appointed to West Point by each member of Congress every four years.

Mr. MARSH. What a wonderful discovery the gentleman from Ohio has made and has interloped into my remarks! [Laughter.]

The Quartermaster-General's Department, the Ordnance, the Commissary—in fact, every other department of the Army, and all of them, are open to the introduction of new and civilian blood; and yet the gentleman from Ohio would make a restriction in this particular case.

What does his amendment do? It proposes to exclude from this department all such appointments. What relationship does the gentleman from Ohio possess to the Engineer Corps that he should make that a "close corporation" and forever forbid the introduction of civilian blood into the corps, when every other corps is opened, under the law as it exists to-day, to the introduction of properly qualified civilians?

Mr. BROMWELL. Will the gentleman allow me to answer just here?

Mr. MARSH. The gentleman, of course, can answer in his own time. I have but a few moments.

Now, if the proposition of the gentleman from Ohio is enacted into law, the engineers will be confined, at least for a time, to drafts on the graduates of the Military Academy, when all of the other departments of the Army are opened, under proper restrictions and in view of proper qualifications, for the enlistment or appointment of civilian blood. If the gentleman, therefore, will tell in his own time what particular connection he has with the Engineer Corps to induce him to single that corps out and make it a close corporation against the introduction of civilian blood, I will be exceedingly glad to have it done.

Mr. BROMWELL. Mr. Chairman, the gentleman from Illinois asks a personal explanation as to what particular interest I happen to have in the Engineer Corps of the Army to single out that corps for the operation of this particular amendment.

I assume, of course, that the gentleman from Illinois refers to the fact that I have a son in that corps of the Army. If so, I wish to assert, as a matter of fact, for his information and for the information of the House, that there is no provision in the bill and nothing in the amendment suggested by myself that will affect in any manner his position in the service of the Government.

Under the law as it now stands he will receive his next promotion inside of a year, and it will be many years before he gets another, whether this bill passes or does not. So much now for the personal matter that the gentleman alluded to.

I want to say that I am opposed to the introduction of civilians into any arm or branch of this service if there are Regular Army officers to fill the places by promotion.

Now, I want to call attention to this provision of the bill, commencing at the first line, on page 15:

> That the remaining vacancies in the grade of captain shall be filled, subject to such physical and mental examination as may be prescribed by the Chief of Engineers and approved by the Secretary of War, by transfer of officers of the Regular Army of at least five years' service as such—

Now, this is the objectionable clause that I want stricken out—

> or by appointment from civil life, or from the volunteer engineers who have been in the regular practice of their profession as civil engineers for at least six years.

Mr. HULL. Will my friend allow me?

Mr. BROMWELL. Excuse me now. I will answer the gentleman's question when I get through. That proposes to put into the regular Engineer Corps, in the grade of captains, men from civil life, while you have first lieutenants who have served at least four years, or second lieutenants who have been serving in the Regular Army, who are all graduates of West Point, who have had four years' training in the Military Academy, and some of them three years in their special branches, to fit them for this service.

Now, I object to putting into this choice corps, the corps upon which every boy who enters West Point fixes his eye as the goal of success, the corps to which only two or three men of a class are assigned, and they the star pupils of that class, while below them the boys are assigned to the other corps—I object to putting into this corps men from civil life, who have not had this training, to outrank these boys. I say, give these other boys, down to the tenth place, a chance to get into the Engineer Corps.

The gentleman says we are increasing this corps by 43. We do not need that increase all at once. It does not make any difference if we do not make the whole increase for the next ten years.

Mr. HULL. Let us reduce the number, then.

Mr. BROMWELL. We do need the increase, but we do not need 43 men all at once. If we add 20 men to the Engineer Corps this year, they can take charge of public improvements and advance them better than has been done for the last two or three years. An addition of 10 men would be a valuable acquisition to this corps. Now, why the necessity of filling all these 43 places at once and filling them up with civilian officers? As the gentleman from Iowa [Mr. LACEY] very well said, it proposes to fill these places with civilians who have had six years' experience. And what does that mean? That if a young man has made a success as a civil engineer with six years' experience, he has an income that will make an army position no object to him or not very desirable. On the other hand, if he has not made a success, are we going to put him into the Army instead of the boys whom we have trained to do this special work, who have made their life work the study and profession of engineering in the Army?

In the matter of quartermasters and commissaries, no great damage would be done if they did make a mistake occasionally, as they undoubtedly did make mistakes in the appointment of the volunteer officers in the late war, but when it comes to these great engineering works, controlling the courses of great rivers like the Mississippi, the building of fortifications along the seacoast which involve the expenditure of millions of dollars annually, millions of dollars of the people's money, I say to you you can not be too particular as to the men whom you put into this corps.

Now, as to any personal relations to this corps, I want to say that I have just as much interest in the other corps as I have in this, but I did not feel inclined to take the time of the House when the other corps were under discussion to state my objections. I do object to a civilian getting into any branch of the service as long as there is a trained, expert, Regular Army officer to fill that position, and I do especially object to putting into this corps as captains men who are going to outrank the first lieutenants and second lieutenants, your boys and my boys whom we have appointed to West Point, whose high standing and special abilities have fitted them for this very purpose.

[Here the hammer fell.]

Mr. WALKER of Massachusetts. Mr. Chairman, I want, in in the name of my constituents, to protest against the false representations as to labor and the position of labor on the maintenance of good order made by the gentleman from New York [Mr. CUMMINGS]. I have not been a member of any labor organization for forty years, of any name or nature; but I have encouraged legitimate labor organizations in every way in my power for forty years, long before they were recognized in the position which they now hold. I claim the same right to represent labor on this floor as the gentleman from New York has, and I protest against the position in which he puts organized labor, in declaring that it was the laborers and the legitimate strikers who constituted the rioters at Chicago. I deny any such proposition. It was the hoodlums, the rowdies, and the anarchists in that city who took advantage of organized labor at that time.

I would like to ask the gentleman if he desires that those classes who always take advantage of a strike, when a controversy exists between the laboring people and their employers, to create anarchy and riot, and bloodshed and murder, and to set fire should be represented here as the true laborers of this country? Let me say to this House that there is no class in the community that is so much interested——

Mr. CUMMINGS rose.

Mr. WALKER of Massachusetts. Let me have my five minutes.

The CHAIRMAN. The gentleman from Massachusetts declines to be interrupted.

Mr. CUMMINGS. You asked me a question.

Mr. WALKER of Massachusetts. There is no class in the community that is so much interested in having order maintained as the men on strike in a community. There is no class in the community that is so much interested in having rowdies, murderers, and thugs, and anarchists put down by the proper authority—the Army of the United States if need be—when there is a strike as the laborers connected with the strike. You will have all strikes suppressed, you will have the right to strike denied, and labor organizations entirely wiped out if you can not have a force sufficient to keep order when a strike is on. And I want to say to the gentleman from New York that while he may be authorized by his organization to appear here with such an amendment——

Mr. CUMMINGS. The gentleman is not authorized by anybody but his own conscience.

Mr. WALKER of Massachusetts. I want to say to him that even this great Congress has made mistakes, the greatest and wisest bodies of the world have made mistakes, and that any labor organization is making a fatal mistake when it proposes any such amendment as the gentleman proposes to this bill. All the murders, bloodshed, fires, and all the anarchy that occurred in Chicago were created not by the honest men who were then on strike, but by the vicious element of Chicago. In the name of honest labor I repudiate any such position as is proposed, and I repudiate here the idea that such proposition as that correctly represents the great body of wage earners in this country.

Mr. CUMMINGS. The gentleman asked me a question, and I would like to have an opportunity to answer.

Mr. HULL. You can get it in a few minutes, on the next section. I want to close debate on this.

Mr. CUMMINGS. It will only take a quarter of a minute.

Mr. HULL. I only want to say to my friend from Ohio his remarks would form a splendid basis for a reduction of this corps at least 35 more, without in any way doing violence to the whole corps, and having said this much, I now move that all debate on this section and all amendments thereto shall be closed.

Mr. COX. Yield to me for two minutes.

Mr. HULL. You can get in on the next section.

The question was taken; and the motion of Mr. HULL was agreed to.

The CHAIRMAN. The question is on agreeing to the amendment offered by the gentleman from Ohio.

The question was taken; and the Chairman announced that the ayes seemed to have it.

Mr. HULL. Division.

The committee divided; and there were—ayes 99, noes 70.

Mr. HULL. I will simply give notice that I will demand a yea-and-nay vote on this amendment in the House.

Mr. STEELE. Mr. Chairman, I move to strike out after the word "lieutenant," in line 17, the words "and one regiment of

engineers, which, together with the officers serving therewith, shall be a part of the line of the Army."

The Clerk read as follows:

Page 14 strike out in lines 17, 18, and 19 the following: "and one regiment of engineers, which, together with the officers serving therewith, shall be a part of the line of the Army."

The CHAIRMAN. The question is on agreeing to the amendment.

The question was taken; and the Chairman announced that the noes seemed to have it.

Mr. STEELE. Let us have a division, Mr. Chairman.

The committee divided; and there were—ayes 98, noes 1.

Mr. BROMWELL. I would like to call the attention of the chairman of the committee——

The CHAIRMAN. Debate on the section and all amendments thereto is closed.

Mr. BROMWELL. I merely ask to correct the section by reason of striking out the words "or appointment" in lines 17 and 18 on page 15.

Mr. HULL. You can make that motion. Amendments are in order.

Mr. BROMWELL. I move to amend by striking out, in line 17, page 15, the words "or appointment;" so as to make it conform to the action already taken in regard to the amendment of the other part of the section.

The Clerk read as follows:

Page 15, lines 17 and 18, strike out the words "or appointment."

Mr. BROMWELL. And also the same words on line 11 of that page.

The CHAIRMAN. The question is on the amendments.

The question was taken; and the amendments were agreed to.

Mr. MAHON. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

Insert after the word "years," in line 8, page 15, the words: "*Provided*, That no such person shall be appointed from civil life or the volunteer engineers after he shall have reached the age of 40."

Mr. HULL. What is that?

The CHAIRMAN. The Clerk will again report the amendment for the information of the committee, without objection.

The amendment was again read.

Mr. HULL. I raise the point of order against that. We are not legislating for volunteers in this bill. The men put into the volunteer corps are in the Volunteer Army now. They are in the Regular Army. It is not germane.

The CHAIRMAN. Will the gentleman state his point of order?

Mr. HULL. The point of order is that this amendment relates to the volunteer engineers.

Mr. MAHON. I will modify it.

The CHAIRMAN. The Chair can not hear what the gentleman from Iowa says.

Mr. HULL. "The gentleman from Iowa" says that this is proposed to limit the age for volunteer engineers. This is not a volunteer bill, and we are not making any provision for volunteer engineers.

Mr. MAHON. You are taking men from civil life.

Mr. HULL. There can none of them be taken from civil life.

The CHAIRMAN. The Chair understands that the gentleman from Pennsylvania [Mr. MAHON] is proposing to amend a clause that has been stricken out on a motion of the gentleman from Ohio [Mr. BROMWELL].

Mr. MAHON. But the gentleman from Iowa gave notice of a yea-and-nay vote in the House.

The CHAIRMAN. That does not make the gentleman's amendment germane to the bill now.

Mr. MAHON. If the committee's action in the House is sustained, this amendment could be voted down.

The CHAIRMAN. The committee having stricken that out, the gentleman's amendment is not germane to that part of the bill.

Mr. HULL. Mr. Chairman, I want to suggest that the amendment offered by the gentleman from Indiana [Mr. STEELE] should be modified, and I understand he is preparing to alter it and offer it in another place. I think the gentleman struck out the words "one regiment of engineers," which should have been left in the bill. He did not intend to have that stricken out, I know.

Mr. STEELE. Mr. Chairman, I ask unanimous consent that the words "and one regiment of engineers" be left in the bill. That was stricken out by my amendment in line 17, page 14.

Mr. COX. Mr. Chairman, I rise to a point of order. We can not hear.

The CHAIRMAN. The point of order is well taken. All gentlemen will be seated and cease conversation. The gentleman from Indiana asks unanimous consent to amend the amendment just adopted on his motion in accordance with what the Clerk will read.

The Clerk read as follows:

Page 14, line 17, reinsert the words "one regiment of engineers."

The CHAIRMAN. Is there objection to the adoption of this amendment? [After a pause.] The Chair hears none. The Clerk will read the next section.

The Clerk read as follows:

SEC. 14. That the Ordnance Department shall consist of 1 Chief of Ordnance, with the rank of brigadier-general; 5 colonels; 8 lieutenant-colonels; 12 majors; 29 captains; 28 first lieutenants; the ordnance storekeeper now authorized by law, and the enlisted men, including ordnance sergeants, as now authorized by law: *Provided*, That upon the death, retirement, or other separation from active service of the ordnance storekeeper now in service the office of ordnance storekeeper shall cease to exist: *And provided further*, That all vacancies created or caused by this section shall be filled by promotion and appointment as now prescribed by law.

The Clerk read the first committee amendment, as follows:

In line 2 strike out the word "five" and insert "six;" so that it will read "six colonels."

The committee amendment was agreed to.

The Clerk read the next committee amendment, as follows:

In line 3 strike out the word "twelve" and insert "sixteen;" so that it will read "sixteen majors."

The committee amendment was agreed to.

The Clerk read the next committee amendment, as follows:

In line 4 strike out the word "twenty-nine" and insert "twenty-six;" so that it will read "twenty-six captains."

The committee amendment was agreed to.

The Clerk read the next committee amendment, as follows:

In the same line, line 4, strike out the word "twenty-eight" and insert "twenty-six;" so that it will read "twenty-six first lieutenants."

The committee amendment was agreed to.

Mr. HULL. Mr. Chairman, there are no further committee amendments.

Mr. LLOYD. Mr. Chairman, I offer the following amendment, which I send to the Clerk's desk.

The Clerk read as follows:

Strike out, in lines 7, 8, 9, and 10, page 17, the following: "*Provided*, That upon the death, retirement, or other separation from active service of the ordnance storekeeper now in service, the office of ordnance storekeeper shall cease to exist."

[Mr. LLOYD addressed the committee. See Appendix.]

Mr. HULL. Mr. Chairman, the proviso the gentleman seeks to strike out has been the law of the United States for a great many years. The officer that is filling the place filled it during the civil war, was in active discharge of his duties, and is yet performing duties of the Ordnance Department. He is filling a place where he has no promotion. There have been repeated propositions to give him promotion.

Now, the gentleman says you can not discharge men that are once in the United States Army. Why? The law of 1870 mustered out 600 officers when the infantry regiments were reduced from 45 to 25. The effect of striking out this proviso would simply be to continue the office of ordnance storekeeper forever, and would defeat the very object the gentleman claims in his speech to have. It is a limitation under the proviso that when this man dies there shall be no further appointment in that line. Strike it out and you leave the law making an ordnance storekeeper necessary, and the result is you continue the office when you do not need it under the modern organization.

Mr. COX. Mr. Chairman, I wish to call attention to two propositions which I shall address to the sense of this House in respect to the matter of promotions under this bill. Under the bill, as now substantially arranged, promotions will go by seniority. Now, let us get at this matter practically, so that we may understand exactly how this measure is to work. A brigadier-general, we will suppose, is placed upon the retired list. Then there comes promotion to the senior colonel next below him; then to the lieutenant-colonel, the major, the captain, and the lieutenants. Now, consider for a moment the enormous amount of money which this system of promotions is going to involve—a system by which on the retirement of one of your leading officers the salary of every officer in regular line below him is increased.

Think of the expense! Yet the idea is calmly tolerated in this House that upon retirement of a leading officer—I am supposing the retirement of a brigadier-general, for illustration—every officer, proceeding downward in a regular line, receives promotion with an increased salary, until you strike the lowest man, who may be a noncommissioned officer, and to him you give the position of second or third lieutenant. Is that the proper way to conduct our Army in time of peace? Why, Mr. Chairman, with my convictions plain and distinct upon this matter, I do not hesitate to say that in a year or two, by reason of your pension establishment and your large retired list, and your promotions of various officers, taking effect as soon as this bill becomes law, you will have an Army which, with the pension roll, will cost the people of the United States not less than $300,000,000 a year.

I pass from that to another point, and then I am done; for there is not a single thing in this bill that I approve, from top to bottom. It all proceeds on the wrong principle. Let me recur for a moment to the discussion which took place this morning between my friend from New York [Mr. CUMMINGS] and my friend from Illinois [Mr. CANNON]. That discussion developed the fact—and

there is no escape from it—that the President is to have power to decide (overruling the determination of the governor of a State, if necessary) when disorder prevails in that State calling for Executive intervention. That seems to be the policy of gentlemen on the other side. In spite of the fact that the governor may say, "I will maintain peace; I will maintain order; I will take care of my people," the President may step in and say to the governor, "You are not pursuing a course that is satisfactory to me; and I will put the troops of the United States on the soil of your State without your invitation or suggestion."

I do not care whether the man taking part in the disorder is an anarchist, or, as suggested by my friend from Massachusetts [Mr. WALKER], a murderer. That is not the point with me. The point with me is this: The governors of the States are charged with the control of their people; and I object seriously to the Government of the United States putting its hand upon the citizen of a State and taking him into a Federal court when there are the laws of the State to be executed and enforced. I do not want any more central power in this Government by means of the Army or the laws of the United States.

Mr. MAGUIRE. Mr. Chairman, I do not think the pending amendment reaches the purposes that the gentleman who offered it had in view.

Mr. LLOYD. Will the gentleman allow me a moment? In order to accomplish the purpose which I had in view in offering the amendment, I accept the idea advanced by the chairman of the committee, and will modify my amendment so as to insert, after the word "law," in line 6, the words "is hereby abolished;" so that it will provide that the office of ordnance storekeeper as now authorized by law shall be abolished.

The CHAIRMAN. The gentleman from Missouri asks unanimous consent to withdraw his former amendment and substitute that which will be read.

The Clerk read as follows:

Insert after the word "law," in line 6, the words "is hereby abolished."

The CHAIRMAN. The Chair hears no objection to the proposed modification.

[Mr. MAGUIRE addressed the committee. See Appendix.]

Mr. BAKER of Illinois. Mr. Chairman, at a former session of the Committee of the Whole I had occasion to present, in a very brief manner, the general view which I hold in opposition to the bill now before us. I now desire to add some further remarks in opposition to the idea or project of establishing a colonial policy for the United States, and in further opposition to the pending measure, both of which I regard as extremely pernicious, as being in violation of the most salutary principles and policies of our system of government. I feel sure that there is no room in our American institutions for the European plan of colonial government—absolutely no room for a fixed and permanent difference in the political status of our citizens; and I feel equally sure that the present raising of our standing army to 100,000 men would be a very costly, uncalled-for, and dangerous step in the wrong direction.

A sort of opinion has suddenly grown up among us which invites us to imitate the English colonial policy—a policy which in the evolution of civilization is of a lower type than the American policy. The English system rests upon monarchy, inequality, aristocracy, and rank. The American system rests upon democracy and equality, and severely excludes legalized aristocracy and rank. The movement of civilization has been from Asia to Europe and from Europe to America, each step heading toward a larger regard for total humanity in political organization. For substantial classification it may be said that Asia has been the seat of patriarchies and despotisms; that Europe has been the seat of monarchies, aristocracies, aristocratic republics and military republics; whilst the institutions of America have been consecrated to democracy—using this word in its scientific, political sense. Here is an ascending scale, wrought out during the four or five thousand years of recorded history. Now we are invited by some to surrender the higher American ideal for the lower European. This would be one of the most lamentable self-degradations in the history of mankind. But it will not be. The progressive world movement, which has been so true to itself, working from continent to continent for thousands of years, will not be arrested by the insensate, superficial, and mischievous jingoism which now proposes to break the upward career of our Republic, and set its downward pace to a degrading imitation of the lower European ideal, which it has long ago left behind.

The attempt to suddenly sweep us into a colonial policy similar to that of Great Britian—so suddenly that we have scarce time to note where the leap will carry us—is, in my opinion, the most audacious and reckless performance of jingoism that this or any other country has ever witnessed. It is totally without reason to support it and grossly violative of all reason. Our adoption of the British colonizing policy would obviously suppose a fundamental similarity of conditions in Great Britian and the United States. There is no such similarity, but decidedly the reverse. The British constitution conforms to the European type; ours to the American. The individual units under the British constitution are subjects; under ours citizens.

The British constitution is adapted to the conquest and government of colonies; ours clearly not. Great Britain is insular; the United States continental. Great Britain consists of a small group of islands, with only 121,000 square miles of surface and surrounded by an angry sea; the United States covers between three and four million square miles of surface, with the prospect of pacifically doubling it in a period of time measured by decades rather than centuries, if we only remain true to our American ideal. The United States has her vast domain of republican liberty at home; Great Britain has had to go forth over the seas of the world in quest of her empire. She has done so with wonderful ability and success—in Australasia, in India, in Africa, in the Dominion of Canada, and in the islands of the sea scattered here and there all over the globe. She is the modern representative of the ancient Romans improved by two thousand years of time and by the humanizing influence of Christianity. When her great rôle shall have been finished—when Australasia, India, Africa, and Canada shall have gone their respective ways—there can be no doubt that the verdict of history will be that she has made larger compensations for the spoliations and wrongs of conquest than any other conquering nation, ancient or modern. I wish to speak with impartial veracity. I wish to recognize the work of Great Britain at its highest value. She has carried the European ideal to the forefront. But, supported by the reason springing out of the entire progressive movement of civilization, from Asia to America, I affirm that our American ideal is higher than the European—a distinct stage of evolution beyond the European—and that it is our sacred duty, under God and to all humanity, to be loyal to that ideal and to perform a higher rôle than that of Great Britain on the plane of the world's history. This can not be done by a mean surrender of our ideal and an ignoble imitation of that of England.

Our Republic ought to respect that just comity which is as essential to good feeling between nations as between individuals. Rationally looked at, our national estate is already greater than that of any other nation, ancient or modern. It is superior in its appointments to any of the Indo-European empires, whether those that have passed away or those that now exist. The Persian Empire extended at one time from the Indus to the islands of the Ægean Sea and from the Persian Gulf and Indian Ocean well up into the continent of Asia, but was in no sense comparable to the United States. The Roman Empire extended from the British Islands to the Tigris or the Euphrates, and from the cataracts of the Nile to the Rhine, with a land area, as Gibbon estimates, of about 1,600,000 square miles and a population of about 120,000,000. But great and famous as this empire was, it was decidedly inferior to the United States as a physical basis of civilization. The Russian Empire, in point of unbroken geographical extent, is the largest that has ever been dominated by one power, but the inferior quality of 5,000,000 square miles of this vast territory, its boreal location on the globe, and its great rivers flowing to the Arctic Ocean and frozen over during nine months of the year, demonstrate that as a physical basis for a world-modifying civilization it is much inferior to the United States. The British Empire, in the sum of its geographical measurements, is the largest that the world has ever seen, and it controls in various ways, a population of nearly 400,000,000. But this great empire goes straggling in broken fragments all around the globe, and is evidently a comparatively transitory phenomenon. The continental base of the United States is permanent, with the prospect of vast continental extension by peaceful means, and even with present resources sufficient for the support of a half billion of people. With this great heritage already in hand we should certainly pursue a policy of decent comity toward all other nations, and we should certainly not pursue a policy the effect of which would be to alienate the good feeling of our traditional friends—France, Germany, and Russia—in exchange for an informal or actual alliance with Great Britain, whose obvious motive at the present time is to secure the direct or indirect aid of the United States in floating her vast and unstable empire. Great Britain has no considerable allies on the continent of Europe. Any combination of powers that should succeed in beating her at sea would be able to dissolve her empire. Hence her wooing of the United States to become in a sense her copartner by mitating her colonial policy. We should have none of this. We should adhere to our own system, which is greater, higher, and better than that of Britain. We should treat England and all other nations with equal friendliness and justness, thus drawing to us the equal friendliness of all and the enmity of none whilst pursuing our own destiny in our own American way.

Undoubtedly the United States may properly expand by the annexation of additional territories and people that can be assimilated to our system of government; but it is certain that the

United States can not properly expand by the addition of territories and people that can not be so assimilated, especially distant territories inhabited by a numerous people. We have had instances of the first sort in the acquisition of the great Louisiana territory, in the acquisition of Florida, in the annexation of Texas, and in the acquisition of territory from Mexico. We should have a clear instance of the second sort by the acquisition of the Philippine Islands. These islands lie in a tropical sea, not far from China and Japan, in the storm center of Europe's Eastern question, and more than 10,000 miles from this capital. Their inhabitants, numerous enough for a considerable nation, are placed at eight to ten millions in number. They belong to an ancient Asiatic race, and are fossilated in the heredity of thousands of years. No one pretends that they have proper adaptability to republican institutions as we understand them. No one pretends that they should ever be incorporated as States in our Union. The whole theory of annexing these islands proceeds upon the supposition that their inhabitants should be permanently held as an inferior class of American citizens; and this I declare to be in gross violation of the central principle of our Government. Whether the Filipinos desire to occupy such an abnormal position in our system or not, we want no such abnormalities on any terms. But when it is added that all the information we have about them is to the general effect that they do not so desire, the purpose of annexing them would become in the last degree scandalous and un-American. Annexation of the Philippines would be a diseased instead of a healthy expansion of our Republic. It would be the artificial fastening of a big extraneous fungus upon our body politic, diffusing blood poison into the healthy part. All sensible political surgery would aim at excising such a fungus if it were once attached, but it seems that we have political doctors who would do the bad service of fastening it on.

I will conclude by saying that in view of the imperialistic spirit which has so suddenly grown up among us, in view of the enormous increase of the standing army which is urged upon us, and in view of the threatened degradation of our American ideal in imitation of that of England, it is high time that the sober second thought of our people were doing its effectual work in correction of the evil tendencies of the hour.

Mr. HULL. Mr. Chairman, I move that all debate upon the pending section and all amendments thereto be now closed.

The motion was agreed to.

Mr. VINCENT. Mr. Chairman, I offer the amendment which I send to the desk as an amendment to the pending amendment of the committee.

The CHAIRMAN. The amendment proposed by the gentleman from Kansas will be read.

The Clerk read as follows:

In section 14, page 17, strike out all after the word "*Provided*," in line 7, to the word "and," in line 10, and insert therefor these words: "The office of ordnance storekeeper is hereby discontinued."

Mr. HULL. Mr. Chairman, that is not an amendment to the amendment. I make the point of order that it has no relevancy to the pending amendment.

The CHAIRMAN. The Chair thinks the gentleman proposes it as a substitute.

Mr. HULL. The amendment as read does not touch the paragraph in question. It may come in afterwards.

Mr. VINCENT. Very well; let it be withheld for a moment. I will offer it subsequently.

The CHAIRMAN. The question, then, is on the first amendment, which is proposed by the gentleman from Missouri [Mr. LLOYD], and on which debate has been closed.

The amendment was rejected.

The CHAIRMAN. The question is on the amendment proposed by the gentleman from Kansas [Mr. VINCENT].

The amendment was rejected.

The CHAIRMAN. The Clerk will now report the amendments proposed by the Committee on Military Affairs.

The several amendments recommended by the Committee on Military Affairs to the paragraph in question were considered and agreed to, until the amendment in line 8 of the paragraph was reached.

The CHAIRMAN. The Clerk will report the amendment in line 8.

The Clerk read as follows:

Strike out "thirty-five" and insert "fifty."

Mr. MAHON. Mr. Chairman, I move to amend the amendment of the committee by striking out "fifty" and inserting "forty."

The amendment to the amendment was agreed to.

The amendment as amended was agreed to.

The next amendment proposed by the committee was read, considered, and agreed to.

Mr. JOHNSON of North Dakota. Mr. Chairman, now I offer the amendment to which I called attention heretofore, as a separate section, according to the agreement made on yesterday.

The CHAIRMAN. The Clerk will read the amendment proposed by the gentleman from North Dakota.

The Clerk read as follows:

Insert after line 4, page 12, the following:

"*And provided further*, That no officer or private soldier shall be detailed to sell intoxicating drinks, as a bartender or otherwise, in any post exchange or canteen, nor shall any other person be required or allowed to sell such liquors in any encampment or fort or on any premises used for military purposes by the United States."

The CHAIRMAN. Does the Chair understand that the gentleman offers it as a separate section?

Mr. JOHNSON of North Dakota. As a separate section.

The CHAIRMAN. The gentleman from North Dakota.

Mr. JOHNSON of North Dakota. Mr. Chairman, this amendment is the essential feature of what has been known to two sessions of this Congress as the Ellis bill "to prohibit the sale of intoxicating liquors on any reservation or in any building under control of the United States Government," but confines its application simply to military camps, forts, and reservations. That bill has received the unanimous report of the proper committee of this House, the Committee on Alcoholic Liquor Traffic. It comes here on the authority of a committee report, and, in the absence of the chairman of the committee and the gentleman from Oregon [Mr. ELLIS] who introduced the bill I have been requested by both these gentlemen to present this matter to the House.

The principle involved in this bill has been supported by more petitions than any other measure before this Congress.

PROTESTS OF THE PRESS AGAINST THE OUTRAGE.

AN ABOMINATION.

The army canteen attached to regiments is an abomination in the sight of God and all men not either mentally or physically besotted.—*New York Christian Advocate.*

THE CANTEEN A DEMORALIZING THING.

The canteen system, in full blast in many regiments in our various camps is a most demoralizing thing.—*Central Christian Advocate.*

CANTEENS MORE DANGEROUS THAN SPANIARDS.

A more dangerous foe to our brave soldier boys than the Spaniard is the system known as the army canteen, which ruins them morally as well as physically.—*Northern Christian Advocate.*

WHY ALLOW THE CANTEEN TO CONTINUE?

Now that leading officers and men of widest experience who are most interested in the United States Army are practically agreed that the sale of liquor in the canteens weakens the efficiency of the Army and undermines the health of the soldiers, what reason remains for permitting the business to continue?—*The Congregationalist.*

FATTENING THE POCKETS OF DISTILLERS AND BREWERS.

The shame and iniquity of the sale of liquor to soldiers in their camps have been emphasized throughout our land. Every consideration of health and good morals demands that it should come to an end. Of course the whole whisky and beer force of the United States will fight for the privilege of robbing and debauching our soldiers and making them the easy victims of deadly fevers; but we believe that our Army was recruited for a higher purpose than that of fattening the pockets of distillers and brewers.—*Herald and Presbyter.*

WOUNDS AND DEATH NOT THE WORST FATE.

To be wounded or killed is not the worst fate that can befall the volunteer or the worst sorrow that is likely to come to those he left behind, if the sale of liquor is permitted or winked at by those who have the power to prohibit it.—*Inter-Ocean.*

TOO MUCH WHISKY GUZZLING IN ARMY CAMPS.

There is altogether too much whisky guzzling in the army camps anyhow, and there are too many "canteens." They should all be abolished at once. The more canteens there are in the Tropics, the worse for the men's health and morals.—*Chicago Tribune.*

THE WHOLE BUSINESS INEXCUSABLE.

Young men heretofore innocent and free from the temptations of the open saloon, or with sufficient good influences around them at home to save them from the snare, are, in these regimental saloons, brought face to face with the evil, and overcome. The whole business is inexcusable and ought to be stopped.—*Christian Advocate*, Nashville.

THE WORST FOE.

Our soldier in camp and on the field has three chief enemies: First, the foe he goes out to meet in the Spanish forces; second, disease, which lays him low, saps his strength, and stealthily hunts for his precious life, and third, the canteen. By overwhelming testimony the last is in many ways the worst. The others are honorable foes, never known as other than foes, but the last comes as a friend, as a needed helper; is provided by the Government and managed by men wearing the uniform of the nation's defenders.—*City and State.*

This section has the support of every general in our Army who has publicly expressed himself on the question except one, and that is General Eagan. With all due respect to that gentleman, none the less on account of his present humiliation and misfortune, I am permitted, with all due courtesy to him, to say that his opinion and judgment as to what is good for the stomach of a soldier, both as to meat and drink, have less weight and authority than prior to his court-martial.

As against General Eagan, I have here the opinion of Major-General Miles, the opinion of Adjutant-General Corbin, the opinion of Major-General Wheeler, the opinion of Major-General Shafter, and of many other officers of high rank in our Army, all opposed to the sale of intoxicating liquors in the army canteens:

Major-General Miles, in General Orders, No. 87, issued at Washington, July 2, 1898, says: "The history of other armies has demonstrated that in a hot climate abstinence from the use of intoxicating drink is essential to continued health and efficiency.

"Commanding officers of all grades and officers of the medical staff will carefully note the effect of the use of such light beverages—wines and beer—as are permitted to be sold at the post and camp exchanges, and the commanders of all independent commands are enjoined to restrict or to entirely prohibit the sale of such beverages if the welfare of the troops or the interests of the service require such action.

"In this most important hour of the nation's history it is due the Government from all those in its service that they should not only render the most earnest efforts for its honor and welfare, but that their full physical and intellectual force should be given to their public duties, uncontaminated by any indulgences that shall dim, stultify, weaken, or impair their faculties and strength in any particular.

"Officers of every grade, by example as well as by authority, will contribute to the enforcement of the order."

Major-General Shafter, from Santiago, writes:

"I have always been strongly opposed to the canteen system or the sale of intoxicating drinks of any kind on military reservations, and have opposed it until absolutely overruled and required to establish a canteen at my post. I regard it demoralizing to the men, besides impairing seriously their efficiency.

"The plea that it furnishes a large sum, which it does, to improve the table fare of the men is, in my opinion, a very poor one, as the Government of the United States is perfectly able to feed its men without any assistance from the profits of rum selling. I have absolutely prohibited the sale of liquor or the opening of saloons in the city of Santiago, and have refused permission for cargoes of beer to come from the States here."

Adjutant-General Corbin: "A cause of restlessness (in the Army) is traced to the excesses of the exchange, the saloon feature of which is not productive of good and should be done away with without further experiment. The sale of beer, superintended by a commissioned officer and served by noncommissioned officers and soldiers, is not conducive to discipline, nor is it a picture that can be submitted to the people for their approval."

Major-General WHEELER:

"I am a thorough believer in temperance in all things and am utterly opposed to soldiers being sold intoxicating liquors, and I believe that every effort should be exercised to remove the temptation of such dissipation from them."

Bvt. Maj. Gen. O. B. Willcox (retired):

"It is my opinion that the public good, as well as personal character of those concerned, would be enhanced very much by the exclusion of liquor from the rank and file of the Army except under due medical prescription."

Brig. Gen. D. S. Stanley, United States Army:

"It is my deliberate opinion that our Army now entering upon a campaign in a hot climate would be immensely better off if all alcoholic drinks were prohibited."

Brig. Gen. William B. Rochester, United States Army (retired):

"There is no doubt that the drink habit works very great injury to the Army. It has been shown over and over again that those who endure the greatest fatigue and exposure are the men who do not drink."

Winfred T. Durbin, colonel commanding brigade, Panama, Fla.: "As colonel of the One hundred and sixty-first Indiana Volunteer Infantry, I have not permitted a canteen. My observation and information from those who have had them is that they are not approved of, only as money-makers."

THE CANTEEN IN THE REGULAR ARMY.

Adjt. Gen. Henry C. Corbin, United States Army, in his official report in 1892, when he ranked as assistant adjutant-general, said:

"A cause of restlessness [in the Army] is traced to the excesses of the exchange, the saloon feature of which is not productive of good, and should be done away with without further experiment.

"The sale of beer superintended by a commissioned officer and served by noncommissioned officers and soldiers is not conducive to discipline, nor is it a picture that can be submitted to the people for their approval. The men who drink spend the greater portion of their money for beer. The credit system brings them to the pay table with little or no money due. This takes all heart out of them, and makes them quite ready to ask their discharge and try some other calling."

Lieut. A. K. Taylor, then of the Ninth Infantry, in the United Service Magazine for April, 1892, said:

"What is this institution but one of licensed idleness, with the attraction of beer, cards, dice, billiards, and other kindred solicitations to extravagance and dissipation? The young recruit, fresh from the rural districts, of whom we hope much from his enlistment, is met on the threshold of his military life with the invitation to waste his money, become a beer drinker, a card player, a dice thrower, and an idler of his time. We may, and doubtless will, return him to civil life, if we limit him to one enlistment as now proposed, enfeebled in body, weakened in mind, and morals tainted—the end a ruined manhood."

HEADQUARTERS FOURTEENTH REGIMENT,
PENNSYLVANIA VOLUNTEER INFANTRY,
Camp Meade, Middletown, Pa., September 23, 1898.

There are many ways that a soldier can ruin himself, but I think the canteen is the most damnable of all. I have never allowed one in my regiment, and I never will.

W. J. GLENN,
Colonel, Commanding.

HOSPITAL HEADQUARTERS,
Camp Wikoff, Long Island, September 23, 1898.

What the houses of prostitution are to the youth of the city, so are the canteens of our Army to the soldiers.

W. GENELLA,
Regimental Surgeon, Seventh Regular United States Infantry.

It is my opinion that the public good, as well as personal character of those concerned, would be enhanced very much by the exclusion of liquor from the rank and file of the Army, except under due medical prescription.

O. B. WILLCOX,
Brevet Major-General (Retired).

WASHINGTON, D. C.

There is no doubt that the drink habit works very great injury to the Army. It has been shown over and over again that those who endure the greatest fatigue and exposure are the men who do not drink.

WILLIAM B. ROCHESTER,
Brigadier-General, United States Army (Retired).

WASHINGTON, D. C.

ABSTINENCE BEST FOR THE NAVY, TOO.

In my opinion there can be do question that the public good would be greatly enhanced by the exclusion of alcoholic drink as a beverage from both Army and Navy circles. The man who needs the stimulus of alcoholic liquor to enable him to perform his duty is not to be trusted in any capacity.

In my experience of nearly fifty years as an officer in the United States Navy I think I can safely say that 90 per cent of all punishments inflicted on board ship have come under my observation can be traced directly to rum.

I. H. GIBBS, *Commodore, U. S. N.*

ALEXANDRIA, VA.

I should say, as a naval man, that alcoholic liquor could be dispensed with with advantage, except for medical purposes. In the Navy the grog ration has been abolished for years and coffee substituted in the early morning before any work is done. I look upon alcoholic drinks as medicine and should only be used as such.

L. A. KIMBERLY,
Rear-Admiral, U. S. N. (Retired).

The Second Mississippi Regiment of Volunteers has no canteen. The majority of the regimental officers were in favor of it, but when it came to Col. A. A. Montgomery he said: "As a canteen can not be established in this regiment without my signature, you can not get that signature and will have to be content without it."

Colonel Candler, of the Georgia Volunteers, arrested a man for selling liquor in his camp, tried him under military law, and sent him to prison. If we had more Candlers, we should have fewer "canteens."

Col. Theo. Burchfield, of the Fifth Regiment of Pennsylvania Volunteers, when at Camp Thomas, was approached by parties who sought to introduce the canteen in his regiment. His reply was: "No; never can the canteen come into my regiment. My boys are not to be tempted to the use of intoxicating liquor."

Colonel Kreps, of the Fifteenth Pennsylvania Volunteers, when approached by a company of brewers, who wanted to open a canteen in his regiment at Camp Meade, very promptly and emphatically said "No!" When he was thanked by the ladies of the Woman's Christian Temperance Alliance, he said: "I can assure you that the canteen has never been regarded by us as the proper thing for our soldier boys, and we have yet to learn any argument in its favor."

Col. William Jennings Bryan, McKinley's competitor for the Presidency, when pressed by brewers to allow a canteen to be opened in his regiment, the Third Nebraska, emphatically refused and there was no saloon in his camp.

In this roll of honor we place the names of Colonel Gaither, of the Second Kentucky; the colonel of the One hundred and sixtieth Indiana, the colonel of the Twenty-first Kansas, at Camp Thomas; the colonel of the Second Virginia, and the colonel of the First Wisconsin, at Camp Cuba Libre.

General Harries, of this city (as reported in the Post of January 28), said:

In Cuba, the First District Volunteer Regiment, which was the only one which did not establish a canteen, lost but 8 men—less than any other command around Santiago.

NO DELIRIUM TREMENS IN THIS REGIMENT.

We operate a canteen in our regiment, but sell no beer, wine, or any other liquor. Am informed that ours is the only canteen in Manila that sells no beer. We have had but three deaths from disease. Our death rate is lower than any other organization, and the same is true of our sick list.

W. C. TRENMANN,
Lieutenant-Colonel First North Dakota Infantry, U. S. V.,
Commanding the Regiment.

MANILA, PHILIPPINE ISLANDS, *November 29, 1898.*

Milo B. Ward, major and surgeon, United States Volunteers, Kansas City, Mo., September 23, 1898, wrote:

"I have had good opportunity to observe the effects of beer on the health of the men in the Second Division, Third Army Corps, and I am forced to confess that it was one of the features of camp life which caused the medical department much concern. I was some of the time medical officer of the day, and in that capacity I visited and inspected the entire division.

I urged in each report made that the canteens be closed. I found the troops who drank beer suffered from malarial jaundice, and many of them were very ill.

I can not say that a limited quantity of beer would have been injurious, but the quantity can not be controlled if canteens are permitted to be open. Many of the regiments found it necessary to close their canteens.

Capt. R. S. Woodson, Government expert on tropical diseases, in a special report on yellow fever during the recent war, said:

So firmly convinced am I of the predisposing influence of alcoholic indulgences toward the disease that I would strike all such beverages from the dietary of the soldier, and even from the medical supplies of the department.

GENERAL KITCHENER'S VICTORIOUS ABSTAINERS.

The British army has gathered the first experimental evidence bearing upon this military temperance question. Three regiments were selected from each of several brigades for tests at different times, partly during maneuvers. In one every man was forbidden to drink a drop while the test lasted; in the second malt liquor only could be purchased; in the third a sailor's ration of whisky was given to each man.

The experiment was repeated in several instances where forced marches and other hard work was required. The whisky drinkers showed more dash at first, but generally in about four days showed signs of lassitude and abnormal fatigue. Those given malt liquor displayed less dash at first, but their endurance lasted somewhat longer. The abstainers, however, are said to have increased daily in alertness and staying powers.

As a result of this experiment the British war department decided that in the recent Soudan campaign not a single drop of stimulant should be allowed in camp, save for hospital use. The officers, including even the generals, could no longer enjoy their accustomed spirits, wines, and malt liquors at their mess tables. There must have been some wry faces, especially among the Scotch laddies, when the order was published that for all hands, including even camp followers, liquid refreshment was to be limited to tea, oatmeal water, or lime juice and Nile water.

To-day it is a great feather in the headgear of the advocates of military total abstainers that Lord Kitchener's recent victory was won for him by an army of teetotalers, who made phenomenal forced marches through the desert, under a burning sun and in a climate famed for its power to kill or prematurely age the unacclimated. Indeed, 'tis said that never has there been a British campaign occasioning so little sickness and profiting by so much endurance.—*Washington Star.*

Hon. William S. Caine, M. P., of England, at a reception in New York City on October 20 last, stated that Lord Roberts, commander in chief, had said to him that one-third of the British army in India, 24,800 out of 75,000, furnish 2,000 more effective troops than the other two-thirds, who are not abstainers.

In a speech before the English Army Temperance Association, Lord Wolseley said:

There are yet some battles to be fought, some great enemies to be encountered by the United Kingdom, but the most pressing enemy at present is drink. It kills more than all our newest weapons of warfare, and not only destroys the body but the mind and soul also.

Mr. SETTLE. Will the gentleman permit a question?

Mr. JOHNSON of North Dakota. Certainly.

Mr. SETTLE. Does the amendment carry any penalty for its violation?

Mr. JOHNSON of North Dakota. No, sir.

Mr. SETTLE. Then of what avail will it be to adopt it without a penalty attached to it?

Mr. JOHNSON of North Dakota. It would have this avail——

Mr. SETTLE. The moral effect?

Mr. JOHNSON of North Dakota. It is now a regulation controlled by the colonels of the various regiments. A mere suggestion from this high forum that it is the wish of the American people to banish the canteen would instantly banish it from all our regiments. Colonel Bryan refused to allow the canteen in his regiment to sell intoxicating liquors.

There is another feature which must appeal to the sense of justice and to the innate love of liberty among Americans, and that is the proposition in this amendment to relieve volunteers from the duty of becoming bartenders against their wishes, and in many instances not only against the laws of the place where the camp is located, but against the standard of the laws of the State from which they volunteered.

These young men volunteered to fight the battles of their country, not to be compelled to serve as bartenders, to deal out intoxicating liquors. In several instances of this kind where soldiers, from conscientious scruples, have refused to serve as details to sell beer, they have been court-martialed. Such requirements are against the enlightened conscience not only of the country, but of members of this House.

The New York Independent says:

We have been informed by private correspondence from some of our soldiers at the front that they are detailed by their officers to serve behind the counters of the canteens as bartenders, in spite of their protests, in disobedience to their home training and their conscience.

Some of them have been placed in the guardhouse because they choose to obey their conscience rather than the arbitrary authority of their officers, an authority which our laws surely never created and a service for which our Christian boys never enlisted. This sort of thing is an outrage that must be stopped.

I wish to submit not only the opinions of experts in military affairs, but petitions and editorial entreaties from both the secular and the Christian press of the country, from many bishops of different churches, from that great organization, the Woman's Christian Temperance Union, which has pleaded with the committees of this House, pleaded with the officers of the Army, and pleaded with every department of the Government where their voice could be heard for the abolition of this drink traffic in the Army, this compulsory service of our volunteers behind a bar; and with the permission already granted by this House, I will extend my remarks in the RECORD and add this evidence, this testimony from the military, from the Christian, and from the civil economic authorities of the United States:

THE VOICE OF THE PEOPLE AGAINST THE CANTEEN OUTRAGE.

Any attempt to regulate the sale of intoxicants in the Army or elsewhere is wrong and can only lead to wrong. Better the pestilence in the regiment than the saloon.—*Bishop Merrill, Methodist Episcopal Church.*

It endangers the health, the morals, and the efficiency of the soldier, and ought to disappear from our military camps and posts.—*Bishop Andrews, Methodist Episcopal Church.*

As a Christian minister, I beg, in the name of the health and morals of our Army, that the canteen order be revoked without delay.—*Bishop Newman, Methodist Episcopal Church.*

A Christian nation ought not to tolerate the demoralization and destruction of body and soul involved in the army canteen.—*Bishop Mallalieu, Methodist Episcopal Church.*

The establishment of the army canteen is a backward step in Christian civilization. It will be a source of great trouble to us if not abolished.—*Bishop McCabe, Methodist Episcopal Church.*

It seems a cruel thing to place temptations in the way of our noble soldier boys who are away from the kindly and restraining influences of the home and the home church.—*Bishop Ninde, Methodist Episcopal Church.*

Through it many young soldiers have been made drunkards and some have been led to crime. It is damaging to the Army and disgraceful to the country.—*Bishop Bowman, Methodist Episcopal Church.*

I wish to enter my solemn and religious protest against the outrage of this regimental "canteen" system in our army camps. I can not understand why it should be permitted for a day. Dividing the profits of such drink shops with the "regimental treasury" is the harvest of the devil and his imps.—*Bishop T. M. Lenihan, Roman Catholic Church.*

I believe that beer sales at army canteens should be prohibited by the military authorities. Total abstainers from all intoxicants make better soldiers, are more amenable to discipline, and have greater powers of endurance than stimulated men.—*Rev. J. M. Cleary, President Catholic Total Abstinence Union of America.*

[Mr. MUDD addressed the committee. See Appendix.]

Mr. SIMPSON. Mr. Chairman, I wish to occupy the time of the committee for a very few moments. I want to correct what I believe is a misunderstanding in the minds of some of the members in regard to this bill. The impression has been left since the so-called Marsh amendment was adopted that this bill only provides for 50,000 men. If I understand the condition of the bill correctly, this bill provides for 100,000 men, namely, the commissioned force, 3,932, as we find in the report, and enlisted force, 96,933 men, a total of 100,865 men. Now, that is what the bill provides for. The Marsh amendment, if I understand it, provides that the President may in his discretion reduce it to 50,000 men. That is an entirely different proposition from what gentlemen suppose the bill stands for, of 50,000 men. It puts it at 100,000 men, and there is a responsibility on the President of the United States to reduce it to 50,000 men.

Nobody with any sense will suppose that he will ever reduce it to 50,000. What do men in position of trust and power like? What do they hang on to most tenaciously? It is power. This gives the President a new and unheard-of power. Do you think he will break all the records and give up power when once granted to him? There is no instance in history where men have laid down power once given to them.

I want members to understand that they can not fool anybody. I know my genial friend from Iowa [Mr. HENDERSON] apparently was opposed to the bill because it proposed 100,000 men. He, along with the gentleman from Illinois [Mr. CANNON], very ingeniously has suggested and left the impression that this bill only provides for 50,000. Let it be understood that it provides for 100,000 men and that there will be no reduction unless the President sees fit to make the reduction. I hope that when members vote they will vote with that understanding that they will vote for a bill that provides for 100,000 men for the Regular Army.

Mr. COX. Will the gentleman allow me a suggestion?

Mr. SIMPSON. No; I have but a minute. Now, it has been disclosed here this morning indirectly that they want it in part to suppress domestic violence. The gentleman from Iowa [Mr. CURTIS] the other day admitted as much, and the gentleman from Massachusetts [Mr. WALKER] has admitted it several times. That is what they want it for, along with a scheme for colonial empire, and to place on the throne in this country William McKinley, President of the United States, Emperor of the West Indian Islands and of the Philippines, and then get a standing army to enforce the power of this new empire. Empire! Do gentlemen understand the meaning of the word "empire" as applied to a republic? It means that we are taking the first step toward that strong centralized power that will finally result in this Republic being turned into an empire. It is no new disclosure in the history of the world. Step by step, gradually, the strong mailed hand of power is ever reaching out to clutch the power from the hands of the people. This is only one of the first steps you are taking in that direction, and I hope members will vote for this bill to go back into the hands of the committee, so that it can come back providing for an army of only 50,000 men and leave the responsibility in the hands of the President of the United States to raise it to 100,000. Then we would see if he dare do it.

Mr. MARSH. Mr. Chairman, there can not be any difference of opinion as to what this bill provides for when it shall have been completed. When peace shall have been declared, when the treaty shall have been ratified and the proclamation of peace put forth following that treaty, the Regular Army of the United States will consist only of 26,610 enlisted men. My amendment not only authorizes, but directs the President to increase to 50,000 enlisted men in the infantry, cavalry, and artillery—compels him to do it; requires him to do it—and then permits him, in addition thereto and in accordance with his judgment and discretion, in view of emergencies that may come or that may now be upon us, to increase it to about 100,000 enlisted men; and it further authorizes him when he shall have increased it, if he does increase it above 50,000—that he may in his discretion decrease it back to 50,000 again.

There can be no question as to the meaning and effect of this bill when it shall have become a law. Now, Mr. Chairman, a great deal has been said here as to what this army is to do. I speak for myself, when I say this army is to be used to retain possession of the territory of the United States, Porto Rico, and the Philippine Islands. They are ours, they are ours by conquest, and when that treaty shall have been ratified, the title to that territory by conquest will be reenforced, if it need reenforcement, by a quitclaim deed from Spain, who did own the sovereignty of those islands. So far as I am concerned, I want to hold those Philippine Islands, and I want a portion of this army used for the purpose, if it becomes necessary.

Mr. GAINES. Do you want to hold it permanently?

Mr. MARSH. Let the gentlemen of the House understand, and the people of the country understand it, and the people of the country will indorse this Administration and will indorse this Congress if it takes the ground that the islands that we have captured in the Philippines and in the West Indies outside of Cuba shall be retained not as a part of the United States, but as the property and public domain of the United States.

Mr. MAGUIRE. Will the gentleman from Illinois permit a question?

Mr. MARSH. Yes; I will listen to the gentleman's question.

Mr. MAGUIRE. If the islands to which the gentleman has

referred are not to be a part of the United States, but merely its property, what will be the political relations of the President of the United States in governing them and the subjects there?

Mr. MARSH. I will say to the gentleman that the political rights that the people of Porto Rico or of the Philippine Islands may have hereafter depends upon this Congress or the Congresses hereafter to come. Those people have and will have no political rights except such as may be conferred upon them by the legislation of Congress. And what is true in that respect of those islands has been true with all other territory that we have possessed from 1803 down to the present time, excepting that in the acquisition of those other territories there was a provision in the treaties that secured the people of the territories certain rights, while there is no such provision in the recent treaty with Spain. So that, Mr. Chairman, the inhabitants of these islands recently belonging to Spain will be entitled to only such political rights as Congress in its wisdom may from time to time in the future confer upon them.

Mr. HULL. I move that all debate on this amendment be closed in ten minutes.

The motion was agreed to.

Mr. GROUT. Mr. Chairman, I wish to submit a word in support of the pending amendment, which proposes to abolish the canteen, and I will start not with my own words, but by reading from the language of certain military officers high in rank, and first from an order issued by General Miles July 2, 1898, in which he commences by saying:

> The history of other armies has demonstrated that in a hot climate abstinence from the use of intoxicating drink is essential to continued health and efficiency.

Then he goes on with the framework of his order, in which he seeks to suppress the sale of intoxicating drinks.

I will next read from Major-General Shafter:

> I have always been strongly opposed to the canteen system or the sale of intoxicating drinks of any kind on military reservations, and have opposed it until absolutely overruled and required to establish a canteen at my post. I regard it demoralizing to the men, besides impairing seriously their efficiency. The plea that it furnishes a large sum, which it does, to improve the table fare of the men, is, in my opinion, a very poor one, as the Government of the United States is perfectly able to feed its men without any assistance from the profits of rum selling. I have absolutely prohibited the sale of liquor or the opening of saloons in the city of Santiago, and have refused permission for cargoes of beer to come from the States here.

I next read a few words from Adjutant-General Corbin, an officer who has the respect and confidence of all who know him. He says:

> A cause of restlessness [in the Army] is traced to the excesses of the exchange, the saloon feature of which is not productive of good and should be done away with without further experiment. The sale of beer, superintended by a commissioned officer and served by noncommissioned officers and soldiers, is not conducive to discipline, nor is it a picture that can be submitted to the people for their approval.

Major-General WHEELER, still one of our own members, says:

> I am a thorough believer in temperance in all things, and am utterly opposed to soldiers being sold intoxicating liquors, and I believe that every effort should be exercised to remove the temptation of such dissipation from them.

Brig. Gen. William B. Rochester uses this language:

> There is no doubt that the drink habit works very great injury to the Army. It has been shown over and over again that those who endure the greatest fatigue and exposure are the men who do not drink.

General Willcox (retired) says:

> It is my opinion that the public good, as well as personal character of those concerned, would be enhanced very much by the exclusion of liquor from the rank and file of the Army, except under due medical prescription.

Mr. Chairman, "except under due medical prescription" defines the proper limitation to be placed upon the use of alcoholic drinks not only in the Army, but out of the Army.

No one will deny the baneful effects of an excessive use of liquor. No one will deny, either, that when it is of easy access indulgence is likely to follow.

If intoxicants are not on sale in the camp, soldiers will not be as likely to drink as if they are, and on the testimony of these general officers they are better off and the service is better off without rum.

Mr. GAINES. Does the gentleman propose to cut off these canteens, to deprive the soldiers of a little whisky on the battlefield, so useful at times?

Mr. GROUT. No, not if the whisky is prescribed by a physician. If the soldier is in a condition to require it, the physician will prescribe it; and without such a prescription I think it is unsafe for a soldier or anyone else to prescribe for himself. A man is always likely to be willing to prescribe for himself when he thinks he requires whisky; but it is a dangerous practice. Why not treat this poison as we do other poisons? Chemistry tells us that alcohol is a poison springing from vegetable death. Observation and experience tell us the same thing. Enough of it will kill a man. Then why not let the physician deal it out to us as he does other poisons? Especially is this necessary in the Army, where the restraint of home and friends is all withdrawn and but little is left to help the soldier to stand up against temptation. Leave it under control of the Medical Department, where it will be left if this amendment prevails, and stop the indiscriminate sale of intoxicating liquors in camp, and who doubts but that it would be better for the men morally and physically and would make better soldiers of them? Such, at least, is the testimony of the general officers from whom I have just read.

Mr. Chairman, I will not longer detain the House. I hope the amendment will be adopted.

[Mr. LEWIS of Washington addressed the committee. See Appendix.]

The CHAIRMAN. Debate is exhausted, and the question is on agreeing to the amendment of the gentleman from North Dakota.

The question was taken; and the amendment was agreed to.

[Applause.]

The Clerk read as follows:

Insert as section 16 the following:

"SEC. 16. That the Record and Pension Office of the War Department shall consist of a chief, who shall have the rank, pay, and allowances of a brigadier-general, and an assistant chief, who shall have the rank, pay, and allowances of a lieutenant-colonel."

Mr. VANDIVER. Mr. Chairman, only a few days ago the distinguished gentleman from Ohio [Mr. GROSVENOR] undertook to justify the payment of $20,000,000 by this country to the Kingdom of Spain for the relinquishment of its claim upon the Philippine Islands; and I must confess that I was grievously disappointed in the lameness and weakness of his explanation of that clause in the Paris treaty.

I have always enjoyed the exhibition of his talent on this floor. The fertility of his resources, as well as the boldness and audacity of his rejoinders, has often afforded fine entertainment for the members of the House. In fact, sir, the nerve which he has displayed, rather more than the logic of his arguments or justness of his conclusions, has been the wonder and the admiration of all those who have witnessed the agility of his performances without regard to their consistency.

But, sir, notwithstanding that gentleman's readiness in retort and his ample equipment for parliamentary debate, I was astonished to find that he could make no better answer to the gentleman from Arkansas [Mr. TERRY], who asked him why the Administration proposed to pay Spain $20,000,000 for ceding to this country the territory of the Philippine Islands, from which they had already been driven by force of arms. It seems to me, sir, that for the time being he must have relapsed into a condition of childlike simplicity when he answered by asking the gentleman from Arkansas another question, namely, as to why we paid Mexico $15,000,000 for relinquishing her claim upon territory which we had conquered in 1847–48. This, sir, is nothing better than a schoolboy's answer that he did wrong because he thought another boy had done wrong.

Allow me to suggest to the veteran statesman from Ohio that a well-read schoolboy might have helped him out with a better answer, and that even his supplementary explanation that this great Government, in a moment of triumph and great magnanimity, had generously granted to the conquered nation an allowance of $20,000,000 to heal the wounds which it had inflicted upon a conquered foe, comes with rather bad grace from one who has repeatedly on this floor charged his opponents with lending aid and comfort to the enemy, and who has recently in this same speech intimated that the opponents of his pet measure were lending encouragement to the enemy of the United States in opposing the ratification of that treaty; and it comes, too, with but little comfort to the oppressed taxpayer of this country to tell him that for purposes of "humanity and generosity" he must contribute the sum of $20,000,000 to pay the Spaniards for acknowledging that they have been ingloriously defeated in battle and ignominiously driven from the Western Hemisphere and had to abandon their possessions in the Orient.

Aye, sir, a well-read schoolboy might have given a much more plausible explanation; and if the gentleman will allow me the suggestion, I give it to him now, without any extra charge, and authorize him hereafter, when hard pressed in debate, to make use of this more simple and common-sense explanation of that proposed payment of $20,000,000, as well as the historical $15,000,000 that was paid to Mexico. It is this: The accidents or the achievements of war had delivered to us present and actual possession of these foreign possessions, and it needed no purchase to settle the right of title which had been determined by the power of the sword.

But so long as this was our only title, according to the law of nations, it would be subject to revision by a renewal of the conflict and repeated appeals to force, which would continuously subject the territory to the necessity of military defense of our title; but that the payment of the stipulated price, in consideration of which the foreign government forever relinquishes its right, title, and interest in the conquered territory, would forever bar that government from reasserting its claim.

In other words, we paid Mexico $15,000,000 for a perpetual quitclaim title; and if that was a cheaper method than continuing to hold it by military force, and if the territory thus acquired was sufficiently desirable to warrant that expenditure, it was certainly a good investment, as subsequent events have proven to be the case in that instance, and that, further, the Paris treaty now proposes to reimburse Spain to the extent of $20,000,000, in consideration of which Spain agrees to withdraw from the islands and never again to assert her sovereignty over them, or, in short, to give us a perpetual quitclaim title.

The truth of the business is that all of this talk about "magnanimity and generosity" amounts to nothing. It is a business proposition, cold-blooded and clear. If Spain's quitclaim title will make it cheaper for us to hold the islands by that method than to continually hold them by military power, and if the islands are worth holding at that price, the position is justifiable now, not because we once paid some other government $15,000,000 to conclude a treaty of peace, after we had whipped them, but because, in international law, a title thus secured gives us a proper standing in any international court of the world. The justification for the payment of this $20,000,000 must rest, not upon grounds of humanity, magnanimity, or generosity—all high-toned advertisements of hypocrisy—but upon the plain business question: Will it be worth $20,000,000 to us to have permanent and peaceable possession of Spain's title to the Philippine Islands?

Upon this ground, and no other, I suggest to the gentleman from Ohio he must rest his case. If he can prove to the people of this country that the payment of $20,000,000 for the Spanish title to the Philippine Islands will be a profitable investment, then he can rest assured that no sentimental sympathy for old Spain's poverty will be necessary, no vainglorious assertions of magnanimity will be necessary, and no hypocritical announcements of generosity will be expected. Let him answer this question in the full light of facts, already repeated to this House and the country: Will it be a profitable investment for this country to pay $20,000,000 to acquire the title to a territory so uninhabitable by white men that no citizen of this country will wish to occupy it as a free gift; a territory whose climate, whose soil, whose physical conditions are all so inhospitable that an American citizen would feel toward it as one is said to have felt toward a certain other portion of the world, when he said that if he owned that State and hades both, he would rent it out and live in hades?

But does the gentleman rest the case on the other ground, that our trade and commerce with these islands will be so advantageous and profitable to us that it will justify us in paying the vast sum of $20,000,000 for a peaceable and permanent title? If so, then I wish to remind him that the last report of the world's commerce informs us that the entire foreign trade of these islands during the past year was less than $12,000,000, and that of that amount less than one-half of a million came to the United States. Why, sir, they are so far away and so much nearer our commercial competitors that even the supplies for our Army now occupying the islands have to be bought from Australia instead of from our own agricultural producers. And by the very terms of the treaty Spain, 3,000 miles nearer to them than we are, is still to have equal commercial privileges with our own people.

No, sir. It seems to me to be a bad bargain at any price. So far from paying $20,000,000 for those islands, which means about $2 per head for the negroes and Malays now occupying them, it seems to me that they would be dear property at 20 cents a head. In fact, if we owned them, I think it would be a good investment to pay somebody 20 cents a head to take them off our hands. [Applause.] Suppose, sir, that the entire trade of the islands, the entire $12,000,000, should come to the United States, we are to pay $20,000,000 for the title; and then you ask us to enlarge the standing Army of the United States to a hundred thousand men, which means about $150,000,000 a year of additional expense to the taxpayers of this country, when the only possible excuse you can make is that we need these soldiers to govern and control the turbulent population of these islands.

Now, figure it out and see where the profit comes in. Say nothing of the investment of $20,000,000, but consider only this additional expense of $150,000,000 for the standing Army, with an increased export trade of half a million a year, and where would our profits come in? It seems to me they will have to be calculated like Henry Ward Beecher is said to have calculated his profits on hogs. Having paid $2 apiece for the pigs, he fed them $10 worth of corn, and then sold the pigs for $7 a head, and when felicitating himself on the profit he had made in the pig market one of his neighbors twitted him on his speculation, and he replied: "Oh! my friend, you don't——"

[Here the hammer fell.]

[Great laughter.]

Mr. VANDIVER. I ask two or three minutes more. I ask unanimous consent for three minutes.

The CHAIRMAN. The gentleman asks unanimous consent that he may be allowed to proceed for three minutes. Is there objection?

Mr. GIBSON and others. I object.

A MEMBER. What became of the pig? [Laughter.]

Mr. VANDIVER. I would like to know who made the objection.

The CHAIRMAN. All gentlemen will be seated. Business will be suspended until the committee is in order, and gentlemen will take their seats and cease conversation.

Mr. VANDIVER. Mr. Chairman, a parliamentary inquiry.

The CHAIRMAN. The gentleman will state it.

Mr. VANDIVER. Am I to have the privilege of putting that pig in the RECORD? [Laughter.]

Mr. JOHNSON of Indiana rose.

The CHAIRMAN. The gentleman from Indiana [Mr. JOHNSON].

Mr. JOHNSON of Indiana. Mr. Chairman, I only intend to occupy the floor for a moment, simply that I may pave the way to extend my remarks in the RECORD to cover certain phases of the Philippine question which I have heretofore omitted to discuss fully. Nor do I rise, Mr. Chairman, at this late hour in the debate for the purpose of answering the personal attacks that have from time to time been made upon me in this body since the discussion commenced. I knew when I first determined to give expression to my convictions on the pending bill that it would necessarily awaken some antagonism on this side of the Chamber, and I early resolved that I would not permit myself to be dragged into any personal controversy if I could possibly avoid it.

How well I have succeeded in keeping my resolution I leave to the judgment of the House. I have no recollection of having broken silence to reply to a single one of the personal remarks directed at me except on one occasion, and that was last night when the gentleman from Indiana [Mr. LANDIS] made an unexpected and unwarranted attack upon me. I think the Chair will bear me out that even then I did not permit myself to be betrayed into any intemperance of language, but simply confined myself to a plain statement of facts in my own defense.

Mr. Chairman, if my motives have been bad in the position I have taken, if the position I have assumed has itself been unpatriotic or against the true interests of the people, they will have no trouble in discovering that fact. It was not necessary that any gentleman should impugn my motive or accuse me of being cowardly or unpatriotic, or of making an unjustifiable assault upon the President, or of having abandoned my party in order to call popular attention to it. If, upon the other hand, my motives have been honest, and the position which I have taken has been in the true interests of my countrymen, no epithets which can be applied to me will in any wise harm me, either with my own constituents or with the people of this Republic generally.

I have tried to address myself, sir, not so much to the passion and prejudice of the hour as I have to what I conceive to be right, and it is to that cool and sober second thought of the country which is sure to follow this hour of excitement and heated controversy that I make my appeal, confident that it will result in my vindication and even in my approval.

I was a Republican, sir, when this debate commenced, and I am a Republican now. I have not deserted my party, nor do I have any expectation of doing so. I have not hesitated, however, to freely criticise the action of the President, notwithstanding he is a distinguished member of my party. I have done this because I believed his policy to be wrong and fraught with great danger to ourselves and our posterity.

Had I remained silent under such convictions I would have been recreant to my duty as I understand it. I have supported the Chief Executive on the floor on previous occasions and been condemned severely here for doing it. I stand ready to support him again whenever I hear him criticised unjustly, no difference what may be the consequence to myself. If ever I get ready to leave my party—and, as I have already said, I do not anticipate doing so, for I believe in the cardinal principles upon which it is founded, and for this very reason have resisted a policy which I believed to be antagonistic to those principles—I will endeavor to go of my own accord and in an orderly manner. I certainly do not care to be kicked out of the party tabernacle by gentlemen who, I am sure, do not appreciate my motives, nor to have my luggage thrown unceremoniously out of the windows.

But I have perhaps said enough, sir, upon subjects purely personal, and I now desire to invite the attention of the House to consider the effect which the President's policy of Philippine annexation will have with respect to the great labor and agricultural elements of our population if it is accepted by the American people.

Mr. Chairman, the President of the United States has always been a leading protectionist. He has advocated protection in season and out of season, in Congress and on the hustings. No man now living has been more conspicuously identified with this economic principle than he. He has insisted that it was beneficial for all classes of our people—manufacturers, farmers, and laboring men. He has over and over again dwelt on its advantages to the agriculturist, and insisted that it was the laboring man's greatest

bulwark, essential to his happiness and comfort, and protecting him from competition with pauper labor in other climes.

Mr. Chairman, has the President changed his mind on the subject? Has he abandoned the farmer and the laborer? Is he now willing to deny them protection and inflict upon them unrestrained competition with cheap labor from abroad? I confess, sir, that the indications seem to me to point this way. Let us examine the subject for a little while. The annexation of Hawaii was a favorite measure with the President. He negotiated and sent to the Senate a treaty of annexation. The ratification of this treaty was earnestly opposed in the Senate, in the House, and in the country by men who believed that a union with Hawaii would be to the great injury of the country, particularly to the agricultural and laboring elements. But the President threw his powerful influence in favor of ratification. He even sent for the Senators who opposed it and labored earnestly with them to abandon their opposition. When it became apparent that the necessary two-thirds vote could not be obtained for the treaty in the Senate, he insisted that the annexation should be effected by a joint resolution of Congress, and this course having been taken, the union with the Sandwich Islands became an accomplished fact.

Now, Mr. Chairman, the President well knew when he did all this that one of the great products of Hawaii was sugar. He knew, too, that it was produced there by cheap native labor; that our own laborers could not go there and live, and even if they could, that it was not possible for them to work for the wages paid there. He knew, too, that there cheap native laborers were employed and controlled by the great capitalists. For some years we had been admitting this Hawaiian sugar free into this country in consideration of certain treaty rights accorded to us by the Hawaiian Government. But the President well knew also that this treaty could be abrogated in the near future and this product of Hawaiian cheap labor be put upon our dutiable list. With all this knowledge, however, the President urged upon us political union with Hawaii, and thereby made it impossible for us ever to impose a duty upon her sugar, which, under our Federal Constitution, must now forever continue to come into our country entirely free of duty.

Let us, Mr. Chairman, examine the matter a little further. Let us see where the policy of the President is tending, even if he is unaware of it. The Chief Executive knows quite well that the annexation of Cuba is on the programme of those who are powerful in this country to influence political action. He is well aware that we have for years coveted this island because of its rich soil, natural resources, and proximity to our country. It can not possibly have reached his notice that many leading men in public life and in business and commercial circles are openly declaring that Cuba should be annexed. It is true that the President himself declared, when the Spanish war commenced, that it was not to be waged for forcible annexation, and that this by our code of morals would be "criminal aggression." It is also true that Congress proclaimed a war solely for the emancipation of Cuba and disavowed any intention to permanently govern her.

Doubtless many persons, Mr. Chairman, were perfectly sincere when these declarations were made. But there were some who were not so, and who then desired and designed that the war should finally result in Cuba becoming a part of the United States. Many of those who proclaimed for the permanent independence of Cuba, too, have of late changed their opinions and now favor its annexation. It is idle, sir, to deny this. I state only that which is matter of common observation. There are commercial interests in this country that demand annexation, and they will endeavor to have their way. Can we rely upon the President, Mr. Chairman, to defeat this? Is he the kind of a man who will stand against it resolutely when the occasion arises and insist on keeping the national pledge that Cuba shall be free and independent? I fear not, sir. The only element which will demand annexation is the one to which the President is largely indebted for his promotion to power. If the island is not taken by open violence, if only some plausible excuse for annexing it is shown, if it be specially claimed that the Cubans are incapable of self-government, and that it is a high duty we owe to civilization to annex it to our domain, I greatly fear that the President will not stand out against the movement, even if the Cuban people are themselves mostly against it.

But be this as it may, sir, the President knows that Cuba will at an early day probably be annexed, and that when it is, her products, including sugar and tobacco, upon which we have heretofore been able to impose a tariff, will ever afterwards enter our ports free of duty, to the damage of our agricultural and laboring classes.

Yet, Mr. Chairman, notwithstanding all I have stated, the President seeks to continue the policy of acquiring foreign territory, of extending our possessions to islands which, when acquired, will have to be annexed to our domain, and which produce by cheap, tropical labor the very products which are produced upon American farms and by American laborers, products which we have heretofore protected our farmers and laborers from by tariff duties, but which must come in entirely free under our Constitution when annexation once occurs.

Mr. Chairman, am I not right in this? Do I do the President injustice by this statement? Let us see, sir. When the hostilities with Spain ceased, it was not only the right but the duty of the President, under the treaty-making power conferred by the Constitution upon him and the United States Senate, to take the initiative in concluding a treaty of peace. It was for him to negotiate such a treaty and for the Senate to confirm or reject it. Sir, it was in the performance of this duty that the President made his great mistake. He was authorized to name, in the first instance, what should be the terms of this treaty. He could put into the instrument whatever stipulations he desired and omit whatever stipulations he pleased, acting always within his constitutional power and obtaining, of course, the assent of Spain to the stipulations he inserted.

Did he not well know at the time that the ceding and annexation to this country of Porto Rico and of the Philippines would be an immense injury to the American farmer and laborer? That annexation of these islands would, under the Constitution, make impossible a tariff against their sugar, tobacco, hemp, and other products raised by cheap tropical labor, and which had theretofore had to pay tariff under our laws? Undoubtedly, sir, he did. We certainly did not need Porto Rico. In the Philippines a coaling station would have answered all our needs. Indeed, sir, it is charged, and generally believed to be true—has never been authoritatively denied—that the President originally designed only to exact from Spain a coaling station in the Philippines, but that he became impressed on his Western trip with the idea that it would be popular to acquire the islands themselves, and therefore yielded to the importunities of bad advisers, and instructed and permitted our peace commissioners at Paris, who simply were his instruments and obliged to obey his instructions, to demand and procure from Spain the cession of the whole of the Philippines and also the island of Porto Rico. Ah, Mr. Chairman, the President of the United States could have saved us all of the troublesome questions by which we are now perplexed if he had only been wise and firm at this juncture; if he had simply provided in the treaty of peace for the evacuation of Cuba, and a coaling station in the Philippines. The great masses of our people would have been satisfied with this. They were demanding nothing more. Only the selfish and grasping commercial interests which expected to profit by it were insisting upon Philippine annexation. No difference who advised him to the contrary, he should not have yielded to the advice and consented to depart from all of our traditions.

The President of the United States is alone to blame for the unwise terms of this treaty. When the treaty of peace was signed, the Philippine republic was fully established and amply able to resist all efforts which Spain might make to overthrow it. Had he even insisted in the treaty, as he did with respect to Cuba, that Spain should evacuate the Philippines and leave the islanders in possession to govern themselves, our people would have approved of his policy. Why did not the President think of the effect of Philippine annexation upon the American farmer when he negotiated this treaty? Why did he forget the laboring class of the United States at this critical time? What were the influences that induced him to negotiate for the cession of this territory which we did not need?

And now, sir, largely as a result of the President's action and influence, what do we find? What will certainly be our condition in a few years at the very farthest, unless the American people at once intervene? The hemp, sugar, tobacco, and other products of Hawaii, Cuba, Porto Rico, and the Philippines, raised by cheap labor under the management of the great capitalists and wealthy combines, will pour into our ports, duty free, in competition with the American farmer and laborer.

Mr. Chairman, what will be the consequence of this? Upon this point I need not dilate. Every gentleman who hears me knows that it will work immense damage to the producers of sugar from either cane or beets, to the growers of hemp, and of tobacco, and of all other competing products, and to those who labor in those industries. And where is the compensation to the American farmer and laborer for this great loss, sir? What advantage will the possession of these islands be to them? Absolutely none whatever. They can not either live or work there. The labor can be performed only by the natives.

No Americans will make money there, except the possessors of great wealth, who will reap enormous gains from the profits which they will realize from the sale of these products in the free markets of the United States. Not one dollar of these profits will go into the hands of our farmers and laborers to reimburse them for the damage to their business. Upon the other hand, they, in common with all of our people, will have to bear the burden of a heavy increase in taxation for the support of the Army and Navy of the country, which must be greatly enlarged in order to protect and

defend these islands and the great corporations who are doing business there.

Mr. Chairman, does not the President foresee this condition? Did he not foresee it when he insisted upon annexing Hawaii and providing for the cession of Porto Rico and the Philippines in the Paris treaty of peace? If he did not, he certainly ought to have done so. Let us not forget, either, that the President has agreed in this treaty to pay out of the Treasury of the United States the tremendous sum of $20,000,000 to Spain for the opportunity of putting this ruinous policy which I have described into practice, and that the farmers and laborers of this nation must submit to taxation for the payment of this sum. But the President has not even stopped with this, sir. He has absolutely destroyed all prospect of our manufacturers, farmers, and laborers selling any of their products in the Philippines, by giving to Great Britain, Germany, France, Austria, Australia, and other foreign countries the "open door" in the Philippines.

In other words, he has agreed to have no tariff duties there imposed upon the imports of foreign nations into the islands, and to make no discrimination in tariff rates in favor of the manufacturers, farmers, and producers of our own country. While Spain held the Philippines, sir, she gave all foreign nations the same rates of tariff duties—put each foreign nation upon exactly the same footing. The consequence was that England, France, Germany, and Australia sold to the Philippines their merchandise and products, while we sold them practically nothing. This was because of the advantage in location and freight rates which these countries possessed over the United States. Under the open-door policy of the President in the Philippines—owing to his establishing the open-door policy—these advantages will still exist in their favor, and hence, while suffering from competition with the Philippine products, which are brought here free, the American farmer and laborer and manufacturer will be able to sell nothing in the Philippines, as they might have done had the tariff there been framed so as to discriminate in their favor.

Mr. Chairman, do you wonder that I inquire whether the President has changed his mind on the tariff and concluded to abandon the American farmer and laborer? Sir, had William J. Bryan been elected President of the United States, and formulated and endeavored to carry into effect such a policy as this, would there have been a Republican in the land who would not have denounced it in language of indignant remonstrance? Certainly not. Why, then, should we as Republicans fail to protest with the President against his unwise policy? Are the interests of the country not to be carefully guarded and protected? Is not the defeat of the Paris treaty in the Senate and the failure of the President's whole policy of annexation a thing to be greatly desired by those of us who, as Republicans, believe in protection and desire to preserve it?

It will not do, Mr. Chairman, to claim that the President has no policy in the Philippines; that he is only holding them as the Commander in Chief of our Army and Navy pending such disposition as Congress may see fit to make of them. The President, as I have shown, has a Philippine policy. He has outlined it in the treaty which he negotiated and which he sent to the Senate and which he is now urging his supporters in the Senate to ratify. That treaty provides, as I have said, for the absolute cession to the United States of these islands. When that treaty was signed, the Philippine republic was a thoroughly organized government and had possession of all of the Philippine soil except the city of Iloilo, which they were then besieging and which subsequently passed into their hands, and the city of Manila, which was occupied by our own Army by their cooperation. Spain had lost her possession and control and was incapable of recovering them.

The Philippine republic was entitled to its recognition as an independent nation, having wrested its territory from Spain. And yet the President took from Spain an absolute cession of these islands, which she had lost, and, after having sent the treaty to the Senate for confirmation, issued to the Philippines a proclamation. This proclamation the gentleman from Ohio [Mr. GROSVENOR] incorporated in his speech, delivered on this floor a few days ago. If gentlemen will examine it, they will see that in it the President declared to the Filipinos that the victory of our Navy and the surrender of the islands by Spain had suspended Spanish sovereignty in the islands; that her sovereignty had become ours; that the government and control of the islands now belonged to the United States, to whose military government their taxes and dues should thereafter be paid.

The President, it is true, declared in this proclamation that our advent was to protect the Filipinos and bless them with good government, but he also blandly informed them that, while they would be protected if they submitted, they would be coerced if they refused to submit to our authority, and went on to state to them that our mission among them was one of "beneficent assimilation." What more conclusive proof, sir, that the President has a policy and that it is one of forcible coercion of the people of the Philippines than this proclamation affords? Is it not as plain as day that the President is now attempting to graft this policy upon our body politic by inducing the Senate of the United States to accept and ratify it as set forth in the treaty? What, then, do gentlemen mean by talking about the President simply holding the Philippines under the war powers and of his having no policy concerning their future? Ah, sir, it is, I say again, this very policy of the President, so unnecessarily and unwisely adopted, which has brought upon us so much anxiety and difficulty. Can not the President withdraw this treaty from the consideration of the Senate and negotiate a new one? If not, will not the Senate decline to ratify it, and in this way induce the making of a new treaty?

Mr. Chairman, if the people only see the danger in time and insist upon this, we may yet be saved. Heaven grant that they may do so before they are irretrievably committed to a policy which not only assails our great agricultural and laboring classes, by exposing them to competition with cheap labor from the Tropics, but which also menaces the peace and happiness of all classes of our countrymen.

I shall incorporate into the RECORD, sir, with my remarks, the letter of the representative of the Philippine republic now in this country, recently addressed to our Department of State, for the benefit of those who care to be informed as to the position assumed by him as to the rights of his government.

APPENDIX.

Memorandum relative to the right of the Philippine republic to recognition.

[Accompanying letter to the honorable the Secretary of State of date January 11, 1899.]

For almost the entire past one hundred years the natives of the Philippine Islands have striven quite incessantly, by organization and force of arms, to throw off an alien and oppressive yoke. Without reviewing at length the reasons which have induced them to take this course, it may be sufficient to say that ever since the seizure of the Philippine Islands by the Spanish Government, more than three hundred years ago, the natives have been deprived of all right of local self-government, in the face of the "blood treaty" of 1565, granting the Philippines autonomous government, and the liberties guaranteed by the constitution of Cadiz in 1814, and have been denied the privilege of levying and collecting their own taxes or taking any part in the direction of the proceeds of taxation, and have been controlled by governors not in sympathy with them, but, without prior acquaintance, sent to them from a nation foreign in thought to themselves. Unlike even the island of Cuba, they have been denied any shadow of participation in the affairs of government through having a membership in the Spanish Cortes.

In the struggle upon which the Filipinos have been engaged for, as I have said, nearly a hundred years, they have been largely influenced and controlled in their hopes, aspirations, and actions by the Declaration of Independence of the American people, particularly in so far as that document has declared that "all men are created equal; that they are endowed by their Creator with certain inalienable rights; that among these are life, liberty, and the pursuit of happiness." They have further learned from the same document, in their studies of American law and liberty, that "to secure these rights governments are instituted among men, deriving their just powers from the consent of the governed." They understand from it that colonial government is, as the Declaration of Independence says, "destructive of these ends," and that it is therefore the right of the people to "alter or abolish it, and to institute new government, laying its foundation on such principles and organizing its powers in such form as to them shall seem most likely to effect their safety and happiness."

Further studying that instrument, they have found that it indicted the King of England for keeping among the Americans "in time of peace, standing armies, without the consent of (their) legislatures," and because he had "affected to render the military independent of, and superior to, the civil power." They have, therefore, also learned to be jealous of armies of any nationality, the presence of which might curtail their civil liberties, without their consent.

Finding themselves, therefore, subject to all the grievances as to government without representation, unjust taxation, quartering of military among them, subordination of civil to military power, they rose repeatedly in rebellion, and finally on the 18th of June last, being in possession at that time of the larger share of the Philippine Islands, the Spanish Government being recognized even then over a comparatively small area, they formed an independent government. In the formation of this government and the drafting of its constitution they provided for and insured to the independent people of the Philippine Islands the ends contemplated by the Constitution of the United States, establishing justice, insuring domestic tranquillity, providing for the common defense, promoting the general welfare, and securing the blessings of liberty to them and their posterity.

At the time of the formation of this constitution, parallel as it was practically, in connection with their revolution, to the time of the adoption of the American Declaration of Independence, they found themselves superior in position as to their control over their country to that of the Americans when the Declaration of Independence was framed; for the Spaniards possessed only a small portion of the islands, while the Filipinos were in control of nearly all of their large cities, as well as of the country beyond.

Acting under this constitution, they have carried out all of its injunctions, establishing justice, raising armies, maintaining a post-office system, and exercising the further legitimate functions of a government. Their position at the present time is better, I respectfully suggest, so far as general recognition of their national authority is concerned, than was that of the American Republic prior to the ratification of a treaty between America and England; for, as you will recall, British armies were in possession of American ports when the treaty of peace was signed, whereas now the Spanish Government is recognized nowhere in the Philippiae Islands, except part of the island of Mindanao; the Philippine government reigning supreme everywhere, save at the city of Manila and the town of Cavite adjoining it.

The mere fact that Manila is an important port does not, as we are told, affect the jurisdiction of the republic over the islands and the right of the republic to recognition, for, as was said by Mr. Cass, Secretary of State, to Mr. McLane in 1859 to sustain the recognition by the United States of a Mexican government after civil war, it is not necessary that such government should be in possession of the City of Mexico. It is enough if it be "obeyed by a large majority of the country and is likely to continue."

May I further respectfully submit to you, in view of the foregoing, that the Philippine republic, established as it was, exercising the functions it exercises, controlling the territory it has jurisdiction over, has come within the severest definition of the word "nation!" For, says Phillimore's International

Law: "A nation is a people permanently occupying a definite territory, having a common government peculiar to themselves for the administration of justice and the preservation of internal order, and capable of maintaining relations with all other governments," while Kent in his Commentaries says that "Cicero and after him Grotius defines a regular enemy to be a power which hath the elements or constituents of a nation, such as a government, a code of laws, a national treasury, consent and agreement of the citizens, and which pays a regard to treaties of peace and alliance."

Permit me further to respectfully suggest to you that, pursuant to American doctrines with which you are more familiar than the writer can possibly be, there has been no moment of time when the United States could have acquired any title to the Philippine Islands, save by the express consent of their inhabitants, and that, such consent not having been given, and Spain having, as it must be confessed, no practical jurisdiction or control over the Philippine Islands since June 18, 1898, she is without power to pass title to any other nation.

If it be true that at all times since the date named the Philippine republic has been entitled to recognition as a separate national entity, then it must be that ever since such time it has in fact been in strictness a national entity; the recognition being merely the evidence of an existing state of facts and not in itself creating a nation.

I therefore venture to invite your attention, as I do most respectfully, to the precedents established by preceding American Secretaries of State, and in so doing apologize for referring to a subject with which of necessity you are more familiar than the representative of the Philippine Islands can hope to be.

Mr. Adams, Secretary of State, in addressing President Monroe in 1816, said: "There is a stage in such revolutionary contests when the parties struggling for independence have, I conceive, a right to demand its acknowledgment of neutral parties, and when the acknowledgment may be granted without departure from the obligations of neutrality. It is a stage when the independence is established as a matter of fact, so as to leave the chances of the opposing party to recover its dominion utterly desperate."

May I submit to you for your consideration the fact that Spanish recovery of the Philippine Islands has been an utter impossibility at any time since the promulgation of the constitution of the Philippine Republic, and therefore, within the very language of Mr. Adams, the Philippine Republic has for nearly seven months last past been an independent government, and as such entitled to recognition?

At a later period Mr. Adams, Secretary of State, in writing Mr. Anderson, said that "when a sovereign has a reasonable hope of maintaining his authority over insurgents, the acknowledgment of the independence of such insurgents would be an international wrong. It is otherwise when such sovereign is manifestly disabled from maintaining the contest." In the present case the disability was complete. Spain was, when our independence was declared, at war with another nation many times her superior, and has been for months practically ousted from her possession of the Philippine Islands, save one city (Iloilo), which she has now lost.

There having been for nearly seven months but one de facto government prevailing in the Philippine Islands, I further respectfully submit to you the fact that the character of such government, as a de facto government, even if it were not more, does not affect unfavorably the question of its recognition; for, as was stated by Mr. Livingston, Secretary of State, to Sir Charles Vaughan in 1833:

"It has been the principle and the invariable practice of the United States to recognize that as the legal government of another nation which, by its establishment in the actual exercise of political power, might be supposed to have received the express or implied assent of the people."

It was further said by Mr. Buchanan, Secretary of State, in 1848: "In its intercourse with foreign nations the Government of the United States has, from its origin, always recognized de facto governments. We recognize the right of all nations to create and re-form their political institutions according to their own will and pleasure. * * * It is sufficient for us to know that a government exists, capable of maintaining itself, and then its recognition on our part inevitably follows."

That the government of the Philippine republic is amply able to maintain itself has received a practical demonstration.

Nor is it in any wise important that Spain herself has up to the present time failed to recognize the Philippine government, for, as was said by Mr. Webster, Secretary of State, in writing Mr. Hulsemann in December, 1850:

"It is not to be required of neutral powers that they should await the recognition of a new government by a parent state."

It is to be borne in mind that beyond the limits controlled by American armies in Manila, there is no government existing offering any opposition to that of the Philippine republic or in any manner questioning its authority or its right to control the future of the islands.

I refrain from adding more to the long list of similar citations that can be made, but can not pass over without remark a sentence in a letter from Mr. Clay, Secretary of State, to Mr. Middleton in 1825:

"An attempt of the British Parliament to tax without their consent the former British colonies, now these United States, produced the war of our Revolution and led to the establishment of that independence and freedom which we now so highly prize. Moderation and forbearance on the part of Great Britain might have postponed, but could not have prevented our ultimate separation."

If, therefore, the Americans were justified, as undoubtedly they were, in throwing off a foreign yoke for the reason indicated by Mr. Clay, how much more justified were the Filipinos. Their taxation was excessive, it was levied without representation, their services were enforced without compensation, and the relations between themselves and the Government levying the tax, unlike the relations between America and England, were those of distinct peoples, not descendent one from the other, but influenced by different religions and of a different race and civilization.

Is it, therefore, to be supposed that with all these existing differences, alien government, no matter what nation might be the governor, would be more acceptable to the Filipinos than was the government of Great Britain to the Americans?

May I further call your attention to the fact that, although a treaty of peace has been signed between the United States and the Kingdom of Spain, by the terms of which Spain ceded her sovereignty over the Philippine Islands to the United States, in fact Spain had no sovereignty whatever to cede?

As before recited, at the time of such signature an independent government, performing all its functions as a government and entitled to recognition as such by the strictest rules laid down by all the American Secretaries of State, was in possession of all of the islands except the port of Manila, controlled by the Americans, and the port of Iloilo, where the Spanish were besieged; the possession of Manila by the Americans having been obtained by them through the joint action of the American and Philippine armies, the Filipinos having prevented exit from the city on several sides while the Americans attacked on one side.

Spain was unable to deliver actual and peaceable possession of anything to the Americans, nor could she deliver the insignia of title to them in any shape whatever through any treaty of peace, all government buildings and archives having long before passed from her. All that Spain had to give was a claim, incapable of enforcement, save by larger armies and navies than Spain had at her control, and all, therefore, that Spain did give to America, was the naked opportunity to overwhelm the Filipinos, if possible, and establish a form of foreign rule, a thing against which they struggled for a hundred years and had at last succeeded in throwing off.

Of course, if, as before stated, Spain could cede to the United States nothing but an empty and exploded claim, it follows that a ratification of a treaty of peace could confer no greater right upon the United States than its signing; for if the right to own the Philippine Islands and people was incapable of transfer from Spain to the United States, the ratification of a treaty could not give life to such dead claim.

Recognizing, as the Americans have, in their Declaration of Independence, in their Constitution, and in their history of more than one hundred years, the absolute right of all nations to rule themselves, free from the control of alien masters, I submit to you, with entire confidence, the right of the Filipinos to their self-government.

Summarizing the foregoing, permit me to say:

1. American precept and example have influenced my people to desire independent government.

2. Suffering, as did the Americans, from alien rule, they rose and drove out foreign masters.

3. They established, and for seven months have maintained, a form of government resembling the American in that it is based upon the right of the people to rule.

4. This government has, according to doctrines laid down by distinguished American Secretaries of State, become entitled to recognition by the American Republic.

5. The expelled government of Spain having, at the time of the signing of the treaty of peace, possession of only one port, and the remainder of the Philippines, except Manila, being in the possession of the Philippine Republic, and all insignia of sovereignty having passed from Spain, that country could give no title to the United States for the Philippine Islands.

6. Spain having no title to give, her claim can not be rendered better by the ratification of the treaty of peace.

7. From the foregoing it would seem to follow that the present recognition of the first republic of Asia by the greatest Republic of America would be consonant with right, justice, and precedent.

I can not close this memorandum without taking occasion to assure you of the gratitude felt by my countrymen toward the Americans for the assistance rendered them in the attainment of their liberty, and of their strong desire, in every way less than their effacement as a nation, to give practical expression to this gratitude, and further to hope that as self-respecting nations the bonds of friendship between the two may grow stronger with the passage of years.

FELIPE AGONCILLO.

Mr. HULL. Mr. Chairman, I move that all debate on this section be now closed.

Mr. GROSVENOR. I wish the gentleman from Iowa would yield to me for one moment.

Mr. HULL. It will come just as well on the next section, will it not?

Mr. GROSVENOR. Yes, I think so.

The motion of Mr. HULL was agreed to.

The CHAIRMAN. The question is on agreeing to the amendment.

The amendment was agreed to.

Mr. CUMMINGS. Mr. Chairman, I desire to offer my amendment to that section as an additional paragraph. I will say that it is the provision I gave notice that I would offer at the proper time, amended so that I think it ought to meet the approbation of gentlemen on the other side.

The CHAIRMAN. The Clerk will report the amendment.

The Clerk read as follows:

That no part of the Army constituting the organization under this act shall be used for, or shall do the duty of, a posse comitatus, or be employed in putting down strikes or riots, or doing any police duty whatever, in any State in this Union, except upon application of the legislature, or the executive of such State (when the legislature can not be convened), in accordance with section 4, Article IV, of the Constitution of the United States.

Mr. CUMMINGS. I offer this as an additional section, in lieu of my former proposition.

Mr. GROSVENOR. I ask the gentleman from New York if he will yield to me for a minute?

Mr. CUMMINGS. I can not just now. I must say a word in reply to my friend from Massachusetts [Mr. WALKER]. I have been accused here of being a demagogue, of defending anarchy and tramps, and of disgracing my country on the floor here to-day for persisting in offering this amendment to the bill. The most dangerous feature of our Government, Mr. Chairman, is the encroachment of the Executive upon the rights of the people. Next to this, probably, in point of danger are the sneers of men who berate and misrepresent those who are trying to limit the Executive to his constitutional functions and privileges.

Mr. Chairman, I have been charged with arrogating to myself the representation on this floor of the labor organizations of the United States. I claim no such thing and have never made any such claim. I am a laborer myself and a citizen of the United States, and I simply claim the right to uphold local self-government, State rights—the Democratic doctrine of State rights as guaranteed by the Constitution of the United States—and nothing more. [Applause on the Democratic side.] I offer this amendment at this time because I foresee from the movement of the hands of the clock that I am going to be barred out, and not get an opportunity to offer it hereafter where I think it would be more fitting. I hope, Mr. Chairman, that we may have a vote on it now and settle it.

Mr. GROSVENOR. I rise, Mr. Chairman, simply to call the attention of my friend from Missouri [Mr. VANDIVER] to an oversight of his in reference to the debate in which I participated on Friday last. The gentleman has stated that my only answer to the interrogatory put to me by the gentleman from Arkansas

[Mr. TERRY] was to ask him another question. Now, let us see what the RECORD shows upon that subject. Evidently my friend has overlooked it, or he would not have made that statement. On page 1093 of the RECORD, following the interrogatory of the gentleman from Arkansas, this is what I said:

Mr. GROSVENOR. There will be no evasion about it. We were in possession, constructively, of the Philippine Islands. We entered into a treaty stipulation which involved the turning over of certain public works, certain results of a recent expenditure of large sums of public money, and Spain lay crushed. The American people were proud and haughty, and they were generous and benevolent; and in the interest of appealing to the world that we were willing to deal justly, equitably, and generously with the Kingdom of Spain, they gave them $20,000,000.

Mr. VANDIVER. The gentleman will allow me to say, in justice to him, that I had intended to say that he had subsequently added that statement——

Mr. GROSVENOR. Oh, no; not subsequently. And I never amended the report.

Mr. VANDIVER. It was during the gentleman's speech.

Mr. GROSVENOR. I never changed one word or syllable of the report.

Mr. VANDIVER. The gentleman is correct. The statement he has just read was made during the same speech—a little afterwards.

Mr. GROSVENOR. Right at the time.

Mr. VANDIVER. I intended to add that the gentleman from Ohio had made that explanation; and then I desired to ask him whether he was putting the payment of the $20,000,000 on the ground of generosity or on the ground of business. I preferred, and I suppose he would prefer, to rest the justification on the business ground instead of the ground of generosity. I did not suppose he would consider it a matter of generosity.

Mr. GROSVENOR. The gentleman will allow me in my own time to say that my approval of that arrangement now, as always, is upon the ground that the treaty-making power of this country agreed to it through an instrumentality that I most highly respect, and whose statements in regard to it and the reasons for it have all been furnished in the printed report of the discussions upon the treaty by the Peace Commission. The grounds are stated there, and I very fully approve those grounds.

Mr. PARKER of New Jersey. Mr. Chairman, I rise to make a point of order upon the amendment of the gentleman from New York [Mr. CUMMINGS], on the ground that the proposed limitation of the power of the President as Commander in Chief of the Army and Navy of the United States is not germane to a bill proposing to reorganize the Army. But before making that point, I want to say a word as to the amendment itself.

I am a State rights man and for State rights under the Constitution. I understand the gentleman from New York to be no more, because when State rights were invoked against the Constitution, he went out and served, I believe, in the Army of the United States——

Mr. CUMMINGS. And with a Jersey regiment, too.

Mr. PARKER of New Jersey. We know his patriotism. But I desire to point out to the gentleman and to the House that under this amendment the forces of the United States at that time could not have been used in putting down the insurrection against the laws of the United States. It was the power of the President as Commander in Chief, using the armed forces of the United States—Regulars and Volunteers—that enabled him to enforce the laws of the United States against governors and legislatures and all those who used the doctrine of State rights to oppose the Constitution and the laws, which are supreme.

No amendment that we can adopt here, in any general terms, can take away from the constitutional power of the President to enforce those laws. No amendment should undertake to take away from the constitutional discretion and power of the President in the enforcement of the laws—no matter whether people agree, as a matter of policy, as I do, that that power should not be invoked without the request of the governor, except in the last resort. I think that the responsibility for the preservation of order should be thrown upon the special community. I believe that it is better to let the community first feel what mob law means, and not to be too quick to use the military. I believe that it is better for the community to realize and for the country to realize how far and to what extremes they are going before the standing army is used, so that when it shall be used the sympathies of the people may be behind it, as they were after Abraham Lincoln had waited and waited until April, 1861, before he invoked the military power and until the first shot was fired upon Sumter and had united all loyal people.

As a matter of policy, I stand with the spirit of that amendment; but when it is proposed to include in an army bill a provision that the President shall not have full discretion to enforce the Constitution and the laws, I would cut my tongue off before I would vote for such an amendment; and I think the gentleman from New York, when he reflects on the matter, will feel in the same way.

Mr. CUMMINGS. There is nothing in my amendment which conflicts with the position of the gentleman from New Jersey.

Mr. HULL. I move that all debate on this amendment be now closed.

Mr. BAILEY. Before the motion of the gentleman from Iowa [Mr. HULL] is submitted, I want to see whether we can reach an understanding about taking the vote. It is now clear that we shall not even get through the consideration of the bill by sections when the hour already fixed for taking the vote shall arrive. There are at least two gentlemen on the other side who desire to address the House, and several on this side, of whom I frankly say I am one. I wish to see whether we can not reach an agreement to fix the vote for 4 o'clock instead of 3.

The CHAIRMAN. The Chair suggests that that can only be done in the House.

Mr. BAILEY. If an arrangement can be reached by unanimous consent, I will ask that the committee rise in order that such an order may be made by the House.

Mr. HULL. I wish to say, Mr. Chairman, that there is an amendment suggested to me by one of my colleagues from Iowa—an amendment which is not in the bill—which I think should be considered and which I believe will be adopted by the House.

Mr. BAILEY. I will agree, Mr. Chairman, that this amendment shall be offered and be considered as pending when the bill is reported to the House. There is no desire to cut off any amendment. The purpose of my request is merely to secure time for discussion.

Mr. HEPBURN. I have an amendment to the bill in the form of an additional section that I wish to offer——

The CHAIRMAN. The Chair will state that there is an amendment already pending for an additional section. Unless the amendment of the gentleman from Iowa is germane to the proposed additional section, the Chair thinks it would not be now in order.

Mr. HEPBURN. It is not germane to the pending section. It is, however, a proposition that I desire to offer to the House when the proper time comes.

Mr. BAILEY. This arrangement which I have suggested would not interfere, of course, with the right of the gentleman from Iowa. We could agree that at half past 2 o'clock general debate should begin and continue, say, for one hour and a half, and then a vote shall be taken upon the bill in the House.

Mr. DALZELL. I would like to ask the gentleman from Texas how much time he would ask on that side, if the time should be extended?

Mr. BAILEY. I think, Mr. Chairman, that it would be fair to divide it equally. I understand the gentleman from Pennsylvania himself and the gentleman from Illinois [Mr. HOPKINS] desire to speak on that side. I assume that one-half of the hour and a half would be given to this side of the House.

Mr. DOCKERY. I suggest that by unanimous consent we go into the House and see if some arrangement can not be made for the extension of the time.

Mr. BAILEY. Of course, if there is objection, that will not be necessary.

I ask unanimous consent that the committee may rise informally for the purpose of obtaining an order of the House with reference to the general debate to follow after the hour of half past 2 o'clock.

Mr. HULL. Mr. Chairman, I think we can not arrive at any conclusion until we get through with the bill and the various amendments which are pending and to be offered.

Mr. BAILEY. Then I will seek the floor and ask unanimous consent of the House to conclude my remarks upon the general features of the bill.

Mr. STEELE. Well, let us finish the bill first.

Mr. BAILEY. The trouble is, I will have no opportunity afterwards.

Mr. STEELE. Oh, I think the gentleman will have a chance.

Mr. HULL. After the various amendments reported by the committee have been considered, we can no doubt arrange to meet the views of the gentleman from Texas and debate the bill for a reasonable time. But until the amendments of the committee are considered objection will be made by various gentlemen on this side of the House.

I move that all debate on the pending amendment be closed.

The motion was agreed to.

The CHAIRMAN. Debate having been closed, the question is on agreeing to the amendment proposed by the gentleman from New York [Mr. CUMMINGS].

Mr. PARKER of New Jersey. Mr. Chairman, I have made an objection to the amendment, let me state, on the question of order.

The CHAIRMAN. The Chair thinks the objection of the gentleman came too late, the matter having been discussed, and the amendment is before the committee for its determination.

The question was taken; and on a division (demanded by Mr. CUMMINGS) there were—ayes 93, noes 121.

So the amendment was rejected.

Mr. CUMMINGS. I wish to submit a parliamentary inquiry.

The CHAIRMAN. The gentleman will state it.

Mr. CUMMINGS. Would it be in order, and if so I give such notice now, to call for a vote in the House on this amendment?

The CHAIRMAN. The Chair will state that in the opinion of the Chair, the amendment having been lost, it will not be reported to the House, and will not be before the House for consideration in any form.

Mr. HEPBURN. Mr. Chairman, I offer the amendment I send to the desk.

The CHAIRMAN. The amendment will be read.

The Clerk read as follows:

Insert a new paragraph, as follows:

"That the commanding officers of regiments and companies of infantry and cavalry shall strive to secure the greatest possible efficiency in the use of firearms by the enlisted men. To this end there shall be frequent target practice, in which all enlisted men shall participate, and the record of efficiency of every enlisted man shall be preserved, and at the end of each year shall be forwarded to the Secretary of War, who shall present to the enlisted man who has the best record in his regiment for excellence in the use of firearms a gold medal, with appropriate inscription, and a silver medal to the enlisted man who has the best record in his company."

Mr. HAY. Mr. Chairman, I rise to a point of order.

The CHAIRMAN. The gentleman will state it.

Mr. HAY. I make the point of order that that amendment is not germane to the bill.

Mr. JOHNSON of Indiana. I suggest also that it is bimetallism.

The CHAIRMAN. The Chair will hear the gentleman from Virginia on the point of order, if he desires to be heard.

Mr. HAY. It provides for a system of merit, and so forth, which is not contemplated in the bill in any way, and, moreover, target practice is now provided for by law, and this is an amendment, so far as I can understand, which is in contradistinction to the existing law.

The CHAIRMAN. The Chair overrules the point of order.

Mr. HEPBURN. Mr. Chairman, this bill is intended to promote the efficiency of the Army. That army is most efficient which can most harm, in time of war, the adversary opposed to it. That is accomplished by the use of firearms, and that army which is most efficient in the use of its firearms, if the soldiery have other qualities, will be the one that will prevail.

Now, in our Army we make great effort to insure efficiency in drill, precision of movement, and there are days and weeks and months expended in every organization in simply going through those exercises that go to the appearance of the soldier rather than to his real efficiency.

It is the experience of every man who was in the late civil war that much time was expended in acquiring the capacity for evolution that was never used in actual service. Days, weeks, and months were spent in acquiring a knowledge of the positions of the soldier, of drill, of tactics, of all of those matters, when no man in actual service probably ever saw more than four or five of those movements used. Target practice was neglected. Target practice is neglected.

During the Mexican war the American Army expended 70 cartridges to produce a result—to kill or wound an enemy. At the battle of Murfreesboro General Rosecrans's army expended 117 cartridges to produce a result. Every man who has had experience in the late war knows that hundreds of cartridges were expended upon both sides without producing a result.

We speak with pride of the efficiency of our Navy. Why? Because one shot in every twelve hit a target. Eleven shots were lost and only one was effective.

In our own history we have an illustration of what can be done by marksmen. The men who destroyed Pakenham's army at New Orleans numbered only 2,800 in the firing line, the first rank firing three volleys, the second rank two. Yet the results that followed those five volleys were measured by dead and wounded who lay in front of their position in a number equaling the whole of the firing line. For every two and a half shots fired there was a man killed or wounded. That was the result of the efficiency of those hunters who had had practice with the rifle.

Now, I do not care how much time is spent in drill, in securing the appearance of the Army, it will be inefficient without you have success at the target. That ought to be the great objective of every officer and of every enlisted man—to be efficient in the use of his weapons. I offer this amendment to this section for the purpose of stimulating the men to the utmost competition in securing this excellence.

It will not be expensive in comparison with the vast waste of ammunition in battle. A single battle cost the United States in ammunition more than this will cost the United States in fifteen years. Every man will see at a glance that that soldier who can make a "string" of 10, as they call it in target practice, has double the efficiency on the firing line of the man who can make a string of only 5. What we want is to make these men as efficient as possible, and I know of no provision that we can adopt that will go further in that direction than to stimulate men in this competitive exercise.

Mr. BAILEY. Before I begin, I ask unanimous consent to be permitted to conclude what I have to say.

The CHAIRMAN. The gentleman from Texas asks unanimous consent to proceed without limit.

Mr. DALZELL. I have no disposition to object, but if any such arrangement is to be made, it ought to include a similar opportunity on this side.

Mr. BAILEY. I have attempted to make it include the other side.

Mr. HOPKINS. Will the gentleman include with his request that it include this side?

Mr. BAILEY. That would leave but thirty-two minutes, and that would leave but sixteen minutes to a side. I take it that none of us could conclude in that time.

Mr. DALZELL. That would leave only eight minutes apiece to gentlemen on this side.

Mr. BAILEY. If the gentleman from Iowa will move that the committee rise, we could fix that the vote be taken at 4 o'clock.

Mr. HEPBURN. I should like to have a vote on this amendment.

Mr. BAILEY. That is proper.

Mr. HULL. We have but one or two sections of the bill to read, and I am perfectly willing, as soon as that is accomplished, to ask unanimous consent that the vote be taken at 4 o'clock in place of 3.

Mr. BAILEY. But it is apparent there are twenty speeches yet to be made. On every line ground for the speeches will open, and it is perfectly apparent that the hour of 3 o'clock will arrive before you have completed your bill.

Mr. HULL. Well, but we ought to conclude the bill in the next ten minutes.

Mr. BAILEY. You should have concluded it within fifteen minutes after we convened this morning. No amendment has been adopted which signifies much, but gentlemen desire to speak, and have the right to speak so far as the question is open to debate, and no one has the right to complain of them exercising their privilege. Gentlemen also have the right to offer amendments.

Mr. HULL. If it were in order, I would move that all debate be closed on the rest of the bill.

Mr. BAILEY. It is only competent for the House to do that, and I have suggested to the gentleman the second time that he move that the committee rise and get the House to act.

The CHAIRMAN. The Chair would suggest that there seems to be but one committee amendment to the bill.

Mr. BAILEY. But we are not on the committee amendments and have not been for the last fifteen minutes.

The CHAIRMAN. That is very true, but there has been no discrimination in that regard. [A cry of "Regular order!"]

Mr. HULL. I would like to accommodate myself to the gentlemen who want to speak, but I know that my colleagues on this side, many of them, are anxious to reach one or two of these amendments.

Mr. BAILEY. I am frank to say that I do not consider it very important, either to myself or to the country, that I should speak upon it, and I will not embarrass the gentleman. I will withdraw the request.

Mr. HULL. Mr. Chairman, I ask for a vote on the question.

The question was taken; and the amendment was agreed to.

The Clerk read as follows:

SEC. 16. That organizations serving in Cuba, Porto Rico, and the islands of the Pacific may, in the discretion of the President, be recruited in whole or in part from the inhabitants thereof, to whom the legal restrictions upon enlistments in the Army, as regards term of service, age, citizenship, and educational qualifications, shall not apply, and who shall be entitled to such pay and allowances, not exceeding those now authorized, as the President may direct: *Provided*, That all officers and soldiers appointed or enlisted within the present limits of the United States, or who shall be so appointed or enlisted, shall be entitled, while serving in the islands aforesaid, to additional pay at the rate of 25 per cent upon the rates established by law for their several grades: *And provided further*, That the cooks authorized by this act shall have the pay and allowances of a sergeant of infantry.

Mr. WARNER. Mr. Chairman, I offer an amendment to the committee amendment.

The CHAIRMAN. The Clerk will report the committee amendment.

The Clerk read as follows:

Page 19, line 2, after the word "said," insert the words "or in Alaska."

The CHAIRMAN. The gentleman from Illinois offers the following amendment to the amendment.

The Clerk read as follows:

Amend section 17 by striking out all that part thereof after the word "*Provided*," in line 24, page 18, and before the word "That," in line 4, page 19.

Mr. HAY. That is not an amendment to the committee amendment.

The CHAIRMAN. The question is on the amendment of the

committee. The amendment offered by the gentleman from Illinois is an independent proposition.

The question was taken; and the amendment of the committee was agreed to.

The CHAIRMAN. The gentleman from Illinois offers the following amendment.

The Clerk read as follows:

Amend section 17 by striking out all that part thereof after the word "*Provided*," in line 24, page 18, and before the word "That," in line 4, page 19.

The Clerk read the words stricken out, as follows:

That all officers and soldiers appointed or enlisted within the present limits of the United States, or who shall be so appointed or enlisted, shall be entitled, while serving in the islands aforesaid, or in Alaska, to additional pay at the rate of 25 per cent upon the rates established by law for their several grades: *And provided further.*

Mr. WARNER. Now, Mr. Chairman, the section as it stands increases the pay of the Regular Army serving in Porto Rico, Cuba, and the Pacific islands and Alaska 25 per cent.

We are increasing the Regular Army greatly, but I do not think we should unnecessarily increase the per capita expense of the Regular Army. It is the experience of all men who have served in the Army in the field or on the frontier that they can save money while they are so serving; they are at less expense than when they are in or near populous communities, cities like Boston, New York, Philadelphia, Baltimore, and Washington, where it is impossible to save anything, because the demands on the pocketbook are greater. On the frontier or in the field or in the islands the expense will not be anything near what it is in or near these great cities. The officer will get his supplies for his mess from the commissary department, at Government rates, cheaper than he can get them anywhere else, and this increase is totally unnecessary. It will add thousands of dollars each year to the expense of the Army, and we will have difficulty enough in providing the means to pay the expenses of the increased Army without the increase of 25 per cent.

Another thing: It creates classes in the ranks. It provides that men who enlist in the United States shall receive 25 per cent more than men who enlist abroad. Another thing: The old soldier who serves the period of his enlistment, and it expires in Cuba, Porto Rico, Alaska, or the Philippine Islands, and reenlists, will only get the pay of a native who enlists at that place. He would not get the extra 25 per cent; so that an inexperienced man enlisting in the United States receives 25 per cent more than the old soldier who reenlists abroad. I think it is unwise to make, at this time, that discrimination. It is claimed that it will be more expensive for officers who are ordered abroad to maintain their families at home.

I do not think it will, because it will cost no more to maintain them here without the officer at the head of the family than if he were here. For my part, I am opposed to having the Regular Army impeded, hindered, or embarrassed by families.

This amendment, I submit, should be adopted, because instead of injuring it will add to the efficiency of the Army and save the Government and people of the United States many thousands of dollars each year.

Mr. HULL. Mr. Chairman, I move that all debate on this section, with the amendments, be now closed.

The motion was agreed to.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Illinois [Mr. WARNER].

The question was taken; and on a division (demanded by Mr. WARNER) there were—ayes 95, noes 39.

So the amendment was agreed to.

The Clerk read the next section, as follows:

SEC. 18. That the number of officers authorized by the act of Congress approved February 16, 1891, to be placed on the limited retired list is increased to 500.

Mr. HULL. Mr. Chairman, I simply rise for the purpose of putting in the RECORD an answer to the gentleman from Kansas [Mr. SIMPSON] and others who have spoken this morning, that there has been no law passed in our past history reducing the Regular Army, officers as well as enlisted men. I have been handed a statement by General WHEELER, who has made a study of the matter, and I want to put it in my remarks. It shows that Congress has repeatedly acted upon the size of the Army, both increasing and decreasing it. I ask that it be read by the Clerk as a part of my time.

The Clerk read as follows:

Prior to 1861 there were thirty-two laws passed by Congress affecting the strength of the Army. Twenty-seven of these laws increased the Regular Army, and but five decreased it. These decreases were March 14, 1800, and March 16, 1802, when the threatening aspects of war with France ceased to exist. The other decreases were March 3, 1815, and March 2, 1821, following the close of the war of 1812; and that of August 14, 1848, after the close of the Mexican war.

All the other laws, all of which may be said to have been enacted in Democratic Administrations, were laws for the increase of the Regular Army. The law of July 29 and August 23, 1861, increased the Regular Army; the law of July 28, 1866, still further increased it. These are the only laws ever passed while Republicans were in power increasing the Regular Army, with the exception of legislation passed by the present Congress.

On March 3, 1869, July 15, 1870, and January 16 and 23, 1874, March 2, 1875, and June 26, 1876, laws were passed decreasing the Regular Army, and these laws were passed in Republican Administrations.

The law of July 28, 1866, fixed the Regular Army at 51,276 men. This, with a population of 35,000,000, gave an army of 1 soldier to every 682 inhabitants. With our present population, including the Philippines, Porto Rico, and Cuba, the present bill, proposing 96,000 men, would give an army of 1 soldier to every 906 inhabitants. Therefore, we see that the Army of 1866 was relatively half as large again as the Army proposed by the present bill.

Mr. HULL. Mr. Chairman, I move that all debate on this paragraph, with amendments thereto, be closed.

Mr. SIMPSON. If the gentleman from Iowa [Mr. HULL] will pardon me, I want to suggest to him that I referred to the executive and not to the legislative power.

Mr. HULL. The gentleman's remarks will show what he referred to.

Mr. CONNOLLY. Mr. Chairman, I desire to offer an amendment.

Mr. HULL. The gentleman can offer his amendment. I want the debate closed.

The CHAIRMAN. The gentleman from Iowa [Mr. HULL] moves that debate on the pending section and the amendments thereto be closed.

The motion was agreed to.

Mr. CONNOLLY. Mr. Chairman, I offer the following amendment: To strike out section 18, the one providing for the increase in the limited retired list. We have two retired lists for Army officers.

The CHAIRMAN. Debate on this section is closed. The question is on agreeing to the motion of the gentleman from Illinois [Mr. CONNOLLY] to strike out section 18.

Mr. CONNOLLY. I ask unanimous consent to call the attention of the House to the law relative to retired Army officers.

Mr. HULL. Mr. Chairman, I can not consent to that. If I did, consent would have to be given for a reply, and that would extend it indefinitely.

The CHAIRMAN. Objection is made. The question is on the amendment offered by the gentleman from Illinois [Mr. CONNOLLY] to strike out section 18.

The question was taken; and on a division (demanded by Mr. CONNOLLY) there were 86 ayes and 93 noes.

So the amendment was rejected.

Mr. FISCHER. Mr. Chairman, I offer the following amendment.

The Clerk read as follows:

In time of war retired officers of the Army and retired enlisted men physically able, in the discretion of the President, may be employed on active duty other than in command of troops, and when so employed shall receive the full pay and all allowances of their grade.

The CHAIRMAN. The question is on the amendment offered by the gentleman from New York [Mr. FISCHER] to section 18.

Mr. COX. Allow me to call attention——

The CHAIRMAN. All debate on this section is closed by order of the committee.

The question being taken, the amendment of Mr. FISCHER was rejected, there being—ayes 40, noes 92.

The Clerk read the next section of the bill, as follows:

SEC. 18. That hereafter, except as provided in the act of Congress approved July 30, 1892, no person shall be appointed to the position of second lieutenant in the Army after he shall have reached the age of 27 years, and no person shall be so appointed under said act of July 30, 1892, after he shall have reached the age of 30 years; and no person shall be appointed to the position of chaplain in the Army after he shall have reached the age of 40 years, nor until he shall have passed a satisfactory examination as to his physical and educational qualifications.

The amendment of the Committee on Military Affairs was read, as follows:

Strike out the section.

Mr. DALZELL. Mr. Chairman, when the House adjourned yesterday——

Mr. COX. Mr. Chairman——

The CHAIRMAN. The gentleman from Pennsylvania [Mr. DALZELL] has been recognized.

Mr. COX. I thought I had the right to rise to a parliamentary inquiry.

The CHAIRMAN. The gentleman from Tennessee rises to a parliamentary inquiry. He will state it.

Mr. COX. I am going to state it, if you will give me a chance. This is a proposition, as I understand, to dismiss from the service Army chaplains after they have passed a certain age. Is not that the proposition submitted to the Committee of the Whole?

The CHAIRMAN. The present question is on the amendment submitted by the Committee on Military Affairs to strike out section 18, which is in order.

Mr. COX. I know it is in order; but I want to know whether the old ministers are to be stricken out—— [Cries of "Regular order!"]

The CHAIRMAN. That is not a parliamentary inquiry.

Mr. COX. Well, what is it, then? [Laughter.]

The CHAIRMAN. The Chair is not able to answer. [Renewed laughter.]

Mr. COX. With the utmost courtesy to the Chair and the utmost deference for his rulings, I wish to ask whether the proposition now before the House is not to take out of the service ministers of the gospel after they have arrived at the age of 40?

Mr. HAY. No; it is not.

The CHAIRMAN. In the first place, that is not a parliamentary inquiry. The Chair did not attend to the reading of the section; and the judgment of the gentleman from Tennessee on this subject will be fully as good as that of the Chair.

Mr. COX. I have no doubt of that in the least. [Laughter.]

The CHAIRMAN. The Chair is very glad to be in accord with the gentleman from Tennessee. The gentleman from Pennsylvania [Mr. DALZELL] has been recognized, and he will proceed.

Mr. DALZELL. Mr. Chairman, I have listened with great interest to the debate on this bill. I have listened because I was in pursuit of information and because I desired to vote intelligently. Much has been said, and well said, bearing upon its merits, but much also has been said that has no proper relation to the bill and that tends to obscure the issue upon which we are called upon to vote. Questions that are not now before us have been discussed with much heat and passion and in a temper that does not contribute to wise legislation. The future of the Philippines, of Porto Rico, of Cuba, some supposed policy on the part of the President, the conduct of the war, and many other matters of minor interest have furnished material for debate.

Mr. Chairman, it is useless for us to spend time in vain lamentations as to the present situation. Things are not as many of us would like to have them. There are many problems facing us that we would fain have escaped the attempt to solve. But as practical legislators and men of common sense we are bound to face the situation as it exists. Through a series of events that no man at the beginning of the war foresaw, for which no man or men can be held responsible, which are the result of no preconceived human plan or design, it has come about that we are in possession of Porto Rico and the Philippines, and are therefore compelled to deal with their future. It would seem as though the present situation was a step in the evolution of some great plan whereby the progress of the universe is being worked out to final completion.

But, however that may be, we are bound to face the situation. The Republican party is in charge of this Administration and must assume the responsibility of dealing with things as they are. The Republican party can not escape that responsibility, it ought not to seek to escape it, and it will not seek to escape it. It will meet it manfully, courageously, and wisely as may be.

What of duty then, I ask, Mr. Chairman, does the possession of Porto Rico and the Philippines and the relation that we have assumed to Cuba impose upon us? I answer, so far as Cuba is concerned, we are under pledge to drive out the Spaniard and to give to the Cubans a stable government. The Spaniard has been driven out, but it still remains for us to give the Cubans a stable government. So far as the Philippines and Porto Rico are concerned, under the treaty of Paris we have assumed to establish law and order therein, and to protect life and property. The real question, therefore, now before us is, Is the army proposed to be provided for by this bill necessary to enable us to perform these our assumed duties?

Avoiding the question of necessity, some gentlemen object to this bill because a standing army, they say, is a menace to labor. I apprehend that no time need be wasted on that proposition. It is not advanced by any authorized representative of labor, and it finds no justification in anything in our history. My answer to the objection is that American labor need never fear anything from an American army recruited from the American farm and the American home, whose Commander in Chief holds his title by the suffrages, in large part, of American workmen, and which depends for its continued existence upon appropriations made annually by representatives of the American people.

Other gentlemen, Mr. Chairman, object that such a standing army as is made possible by this bill will arouse and encourage a spirit of militarism, which is defined to be "an addiction to war or military practices." There are many easy answers to this proposition. A standing army of 100,000 men is so insignificant compared with a population of 75,000,000 people that its influence will never be felt. It is barely sufficient for defense, and wholly powerless for conquest. But aside from all this, we are essentially a peace-loving people; we are essentially a commercial people, more desirous of pursuing the arts of peace and accumulating wealth than of engaging in strife.

I apprehend that neither of the objections to which I have made reference are entitled to any weight as against the passage of this bill.

Further opposition is made upon the ground that the bill is in aid of an alleged Presidential policy to retain permanent possession of the Philippines.

To that I answer, in the first place, that an increase of the Army is necessary wholly irrespective of the adoption of any particular policy as to these islands. Under the terms of the treaty of Paris we have assumed the duty of maintaining peace and order and protecting life and property therein, and a sufficient and suitable garrison is therefore necessary for that purpose.

In the second place, I deny that the President of the United States, under his constitutional powers, can have any effective policy with respect to the ultimate disposition of the Philippines. I assert that the disposition of these islands belongs to the legislative branch of the Government and that no disposition of them can be made until Congress shall act. The disposition finally to be made of them will be such as Congress in its wisdom shall determine. The time has not yet come for that determination. We do not now have the necessary data upon which to act intelligently. No man can tell to-day what to-morrow will bring forth. I hope we shall not be called upon to act until we have full information as to all matters that ought to affect our judgment.

I hope we shall not be called upon to act until the sober second thought of the people of this country shall have been reached and shall have made its influence felt in Congress.

I further indulge the hope—and upon this I desire to be put upon record—that when we do come to act some policy shall be found which shall permit us honorably to sever all connection with the Philippines, except, perhaps, as to the island of Luzon, and which shall leave them in the enjoyment of a stable government, a free people enjoying all the rights, liberties, and blessings that appertain to a free people.

If I should act upon present knowledge, I should be opposed to the idea of the Philippines ever becoming a part of the United States.

Their distance from us, their relation to European politics, their population by races alien in blood, in habits of life, in modes of thought, in religion, and in conception of government, in my judgment, render their absorption or government by the United States unwise and dangerous.

But, Mr. Chairman, recurring to the subject of a Presidential policy with respect to the Philippines, I affirm, in the third place, that the President has declined to assume any authority save such as is necessary to hold these foreign possessions under military law, so as to preserve order and protect persons and property until Congress shall act.

He has expressly declared time and again that Congress only has power to make final disposition of these acquisitions.

He has not committed himself to any policy as to the future of the Philippines. He has not had the power, nor has he sought to assume it, to commit his party to any such policy. The President has emphasized three things:

First. That the sovereignty assumed pursuant to conquest and treaty is under military law and therefore temporary.

Second. That that sovereignty is to be exercised for the improvement and advantage of the islanders, for the establishment of law and order, and that the laws are to be administered, so far as possible, through the ordinary tribunals.

Third. That the policy ultimately to be adopted with respect to the islands will be such as Congress, not the Executive, shall determine.

I find abundant authority for this statement as to the President's attitude in numerous official papers.

In the President's message to Congress at the beginning of this session he said:

> I do not discuss at this time the government or the future of the new possessions which will come to us as the result of the war with Spain. Such discussion will be appropriate after the treaty of peace shall be ratified. In the meantime and until the Congress has legislated otherwise, it will be my duty to continue the military governments which have existed since our occupation, and give to the people security in life and property and encouragement under a just and beneficent rule.

Here is a distinct recognition of the lack of power upon his part to deal with the future of the new possessions and an equally distinct recognition of the power of Congress to deal with that subject.

The President's recognition of the power of Congress ultimately to deal with the disposition of the Philippines, and his disposition in the meantime to so administer military government as to secure to them, so far as possible, self-government, is witnessed by his instructions to the Secretary of War under date of December 21, 1898.

He therein says:

> The destruction of the Spanish fleet in the harbor of Manila by the United States naval squadron commanded by Rear-Admiral Dewey, followed by the reduction of the city and the surrender of the Spanish forces, practically effected the conquest of the Philippine Islands and the suspension of Spanish sovereignty therein.
>
> With the signature of the treaty of peace between the United States and Spain by their respective plenipotentiaries at Paris on the 10th instant, and as the result of the victories of American arms, the future control, disposition, and government of the Philippine Islands are ceded to the United States. In fulfillment of the rights of sovereignty thus acquired, and the responsible obligations of government thus assumed, the actual occupation and administration of the entire group of the Philippine Islands become immediately necessary, and the military government heretofore maintained by the United

States in the city, harbor, and bay of Manila is to be extended with all possible dispatch to the whole of the ceded territory.

In performing this duty the military commander of the United States is enjoined to make known to the inhabitants of the Philippine Islands that, in succeeding to the sovereignty of Spain, in severing the former political relations of the inhabitants, and in establishing a new political power, the authority of the United States is to be exerted for the security of the persons and property of the people of the islands and for the confirmation of all their private rights and relations. It will be the duty of the commander of the forces of occupation to announce and proclaim in the most public manner that we come, not as invaders or conquerors, but as friends, to protect the natives in their homes, in their employments, and in their personal and religious rights. * * *

Within the absolute domain of military authority, which necessarily is and must remain supreme in the ceded territory until the legislation of the United States shall otherwise provide, the municipal laws of the territory in respect to private rights and property and the repression of crime are to be considered as continuing in force and to be administered by the ordinary tribunals so far as practicable. The operations of civil and municipal government are to be performed by such officers as may accept the supremacy of the United States by taking the oath of allegiance or by officers chosen, as far as may be practicable, from the inhabitants of the islands.

* * * * * * *

Finally, it should be the earnest and paramount aim of the military administration to win the confidence, respect, and affection of the inhabitants of the Philippines by assuring to them in every possible way that full measure of individual rights and liberties which is the heritage of free peoples, and by proving to them that the mission of the United States is one of benevolent assimilation, substituting the mild sway of justice and right for arbitrary rule.

The same sentiments are again expressed in the President's instructions to the commissioners to the Philippines of date January 20, 1899. He says:

The temporary government of the islands is intrusted to the military authorities, as already provided for by my instructions to the Secretary of War of December 21, 1898, and will continue until Congress shall determine otherwise. The commission may render valuable services by examining with special care the legislative needs of the various groups of inhabitants, and by reporting, with recommendations, the measures which should be instituted for the maintenance of order, peace, and public welfare, either as temporary steps to be taken immediately for the perfection of present administration or as suggestions for future legislation.

* * * * * * *

It is my desire that, in all their relations with the inhabitants of the islands, the commissioners exercise due respect for all the ideals, customs, and institutions of the tribes and races which compose the population, emphasizing upon all occasions the just and beneficent intentions of the Government of the United States. It is also my wish and expectation that the commissioners may be received in a manner due to the honored and authorized representatives of the American Republic, duly commissioned on account of their knowledge, skill, and integrity as bearers of the good will, the protection, and the richest blessings of a liberating rather than a conquering nation.

And still again in the President's message to General Otis and Admiral Dewey, on January 8, 1899, he says, speaking of the inhabitants of the Philippines:

They will come to see our benevolent purpose and recognize that before we can give their people good government our sovereignty must be complete and unquestioned.

We accepted the Philippines from high duty in the interest of their inhabitants and for humanity and civilization. Our sacrifices were with this high motive. We want to improve the condition of the inhabitants, securing them peace, liberty, and the pursuit of their highest good.

Surely, Mr. Chairman, it can not be contended, in view of these official utterances, that the President of the United States has undertaken to commit either himself or anyone else to any ultimate policy with respect either to the final retention or to the abandonment of the Philippines. He leaves the question where it belongs, to the future.

Mr. Chairman, having disposed of the objections to the bill, I now recur to the real question at issue. Is it necessary to the performance of our assumed duties that we should pass this bill?

Under the legislation pursuant to which our present Army exists it is made obligatory on the President at the end of the war to reduce the Army to a peace basis as it existed before the war began.

If, then, the treaty of peace now pending in the Senate be ratified, as we have every reason to believe it will be, the Army of the United States, in the absence of legislation, will be reduced to about 27,000 men. All over that number in the Regular Army will be discharged, and the entire volunteer force will be returned to their homes.

This was the strength of the Army when we were at peace with all the world, when we had no interests to guard, no duties to perform in Hawaii, Porto Rico, the Philippines, and Cuba.

It is perfectly manifest, therefore, without any argument, that a reorganization of the Army by an increase of its numbers is now necessary. So much will be conceded by all.

But to what extent is the increase necessary?

The bill under discussion as amended provides for the creation of a regular army to consist of 50,000 men as a minimum, and of 100,000 men, at the discretion of the President, as a maximum.

The possible necessity for an army of 100,000 men is due to two causes:

First. To the number of men required at the various places that we are called upon to garrison—Cuba, Porto Rico, the Philippines, Hawaii, and our own United States.

Second. Because in tropical countries it is absolutely essential to the preservation of the Army and of the lives of its men that there should be relays from time to time. Our soldiers are incapable of withstanding for more than a limited season the dangers incident to life, and especially garrison and camp life, in the Tropics.

It becomes necessary, therefore, that from time to time regiments shall be recalled and others sent to take their places.

The passage of this bill does not necessarily mean an army of 100,000 men.

How many men shall constitute the Army is a matter to be left to the discretion of the President. Who shall object to the exercise of that discretion?

Does anyone, in view of his record, distrust the judgment or the patriotism of our President? I do not stop to eulogize him. He needs no eulogy at my hands. History will vindicate his course throughout all this Spanish war as that of a discreet, courageous, and patriotic Chief Magistrate, who at the beginning sought by all honorable means in his power to avert war, and who when war came prosecuted it with an earnestness of purpose, a vigor, and a success which were worthy of the high office that he holds as Commander in Chief of the Army and Navy of the United States.

In point of fact, the question as to the number of men necessary to constitute our new Army is a question upon which we ourselves, being uninformed, should inform ourselves by the testimony of competent witnesses. I can conceive of no more competent witnesses upon this subject than those in the administration of the Government, who are charged with its responsibilities. They all agree that the Army now necessary should consist of 100,000 men.

The Secretary of War in his report to the President says:

In view of the needs of a military force in the islands occupied by the United States, it is earnestly recommended that the Regular Army be permanently increased to 100,000 men and the requisite officers; that a portion of this Army be recruited from the inhabitants of those islands, to be mustered into the service of the United States and commanded by officers of our Army, discretion, however, to be given the President to make appointments of officers from the force so recruited.

These men are acclimated, understand the language and habits of their countrymen, and their enlistment will not only give them employment but also have a tendency to enable the Government to get into closer touch with their people than it would otherwise be able to do. This would also relieve our own people from serving in those climates to a large extent, and would, moreover, enable the volunteers to be mustered out of the service and return to the avocations of civil life.

The distinction between the regular and the volunteer is very sharply drawn. The regular enters the service because he prefers the life of a soldier. Not so the volunteer. He enlists for an active campaign; when that is over and the enemy has laid down its arms, at once desires to return to civil life.

I desire to emphasize in this connection the distinction made between the volunteer and the regular soldier.

The volunteer soldier is a splendid fighter. He is of little account for garrison duty. If he can not fight for his country, he wants to render it better service in the ordinary walks of life than he can hope to render it by standing on guard and playing the part of a policeman. He ought not to be called upon to render any such unnecessary service.

I quote next the President of the United States. In his last annual message to Congress he says:

The importance of legislation for the permanent increase of the Army is manifest, and the recommendation of the Secretary of War for that purpose has my unqualified approval. There can be no question that at this time, and probably for some time in the future, 100,000 men will be none too many to meet the necessities of the situation. At all events, whether that number shall be required permanently or not, the power should be given to the President to enlist that force if in his discretion it should be necessary; and the further discretion should be given him to recruit for the Army within the above limit from the inhabitants of the islands with the government of which we are charged.

To the testimony of the Secretary of War and the President of the United States I add the testimony of General Miles, the Major-General in Command of the Army; the testimony of General Schofield, late in command of the Army; and the testimony of Adjutant-General Corbin, all of whom agree that the present situation demands an army of 100,000 men.

Mr. Chairman, I do not find any answer to this testimony, and as a legislator in my country's interest I can find no ground upon which to ignore it.

But, Mr. Chairman, laying aside generalities and coming down to details, I have here a statement from the Adjutant-General of the Army showing the distribution of both volunteer and regular regiments in the Army, and their strength, as they appear according to the latest returns received in the Adjutant-General's Office. That statement shows the following disposition of troops:

	United States.	Cuba.	Philippines.	Porto Rico.
Regulars	28,400	12,507	12,706	4,376
Volunteers	23,480	33,382	16,411	2,231
Total	51,880	45,889	29,117	6,607

Volunteers, Honolulu, 341.

It will appear from these figures that if the Army should be reduced to its strength upon a peace basis, in accordance with the law as it existed prior to the beginning of the war, there would not be a single soldier left in either Cuba, Porto Rico, the Philippines, or Hawaii.

If the Regular Army should be reduced to a basis of 50,000 troops, there would be left less than 22,000 regulars to garrison Cuba, Porto Rico, Hawaii, and the Philippines. No one, I apprehend, would contend that such a garrison for our outlying possessions would be in any wise adequate to meet the present emergency.

According to the testimony of our evacuation commission in Cuba, consisting of Generals Wade and Butler and Admiral Sampson, there will be required for the proper protection of our interests in Cuba an army of 50,000 men. General Brooke, who is now in command in Cuba, agrees with the evacuation commission in this statement. General Otis and Admiral Dewey agree that we ought to have in the Philippines an army of 25,000 men. According to the testimony of General Miles and others we ought to have at least 5,000 troops in Porto Rico, and all our generals agree that there is required in the United States an army of at least 29,000 men—15,000 upon the frontier and 14,000 for our coast defenses.

Leaving Hawaii out of consideration altogether, we have thus, according to the testimony of these very competent generals, a necessity for an army of 109,000 men. Of course, estimates vary as they are made by these various generals, looking at the matter from different standpoints, but upon the whole it is fair to conclude that there is little safety, under present conditions, in our depriving ourselves of the power of summoning, in case of emergency, at least 100,000 men.

It is to be borne in mind, as I have already stated, that the necessity for the relief of certain of our troops because of climatic conditions, and the substitution of others in their places, adds to the necessity for making provision for an adequate force to meet any possible emergency. Under these circumstances it does seem to me that the discretion proposed to be given to the President by the bill now under discussion is not only a wise one in the public interest, but one of commanding necessity.

Mr. Chairman, it will not do to underrate the difficulties of our present position. Nor will it do to set them aside upon the pretense that the Army is to be used for any other purpose than that of securely keeping the possessions that we have and preserving order therein and the supremacy of law.

There are in Cuba to-day from twenty-eight to thirty thousand Spanish soldiers. There are 38,000 Cuban troops clamorous for pay, discontented and jealous of American rule. There is a Spanish population and a Cuban population. There are outlaws and beggars, unfortunates of many classes, and all the elements of riot and disorder. Nothing but the strong arm of the law, backed by the strong arm of force, can evolve out of this chaos of misfortune and lawlessness a stable form of government. Nothing but the soldiers called for by our evacuation commission and now called for by General Brooke will enable us to redeem our pledge to give to the Cubans a stable form of government.

There are 18,000 Spanish troops still in the Philippines. There are merchants, bankers, capitalists, planters forming a large part of the population and forming the law-abiding part who need the strong arm of United States authority for their protection. There are insurgents whose history shows them to be adventurers, masquerading as soldiers of freedom when they are only soldiers of fortune. These are the enemies of good government. Permanent good government can never be evolved from the rule of a mob. Governments derive their just powers from the consent of the governed. But to ascertain this two things must concur. There must be such conditions as will make possible the orderly and accurate ascertainment of the consent; and those to be governed must be competent to give an intelligent consent.

Whether it be in Cuba or in the Philippines or elsewhere, a stable government in which the rights of each and all as freemen are recognized can only follow an established reign of law.

To furnish such reign of law is the mission of the United States. To fulfill that mission an army is necessary, not for conquest, not for slaughter, but to keep in awe the unruly, to hold up the arms of justice, and to execute its decrees. For that reason this bill ought to pass.

The CHAIRMAN. The question is on agreeing to the amendment of the Committee on Military Affairs to strike out section 18.

Mr. HULL. I simply want to call attention to the fact that if this amendment of the committee be adopted it will remove all restrictions as to the appointment of chaplains and as to the appointment of second lieutenants in the Army. With this statement I ask for a vote, unless some other gentleman desires to speak on the amendment. [Cries of "Vote!" "Vote!"]

Mr. COX. I should like to be recognized for one minute.

Mr. HAY. Mr. Chairman, I desire to say that it is very important this amendment should be voted down, because it is one of those amendments of the committee which provide for political appointments. I trust, therefore, that members on this side of the House at least will vote against it.

Mr. COX. Now, Mr. Chairman, I want to be recognized for just one minute. As I understood it in the committee, and as I understand it now, the effect of this proposition is to exclude ministers of the gospel who are chaplains in the Army from service as such after they have passed the age of 40 years. Now, sir, the best chaplains I ever saw were, I think, those who were more than 40 years of age. I am in favor of the old fellows staying inside the line.

Mr. HAY. I call the attention of my colleague on the committee, the gentleman from Tennessee, to the fact that if the amendment proposed by the committee be voted down no person who is now a chaplain in the Army will be taken out of the Army.

Mr. COX. That is what I want.

Mr. MEYER of Louisiana. Mr. Chairman, the report made by the Committee on Military Affairs on this bill for the reorganization of the Army of the United States is mainly devoted to an exposition of the reasons which suggest this particular form or method of organization over other plans which have been favored by high authority.

I do not propose in my remarks to go into this field of discussion. I will say, however, that if it be deemed necessary to reorganize the Army, the present moment is not propitious for the operation. Only a few short days, comparatively, of this short session now remain, and these must be largely devoted to the annual appropriation bills, if it be admitted, as it ought to be, that the intelligent judgment of Congress should be applied to these bills, both in the interest of the public service and the heavily burdened taxpayer of the land.

If we are to have an Army reorganization, it should be begun at some long session of Congress, dealt with advisedly, and not patched up hastily, with hardly time for the committee to act upon it, much less for Congress to examine the measure proposed. There were "brave men before Agamemnon," and the work of those great men who planned our present system might well be allowed to stand until we know that we are to get a better one in its place.

A LARGE STANDING ARMY A MENACE TO LIBERTY.

But while these details of Army reorganization may be interesting, and even highly important, they sink into insignificance compared with the question whether our standing army, in time of peace, shall be increased from twenty-seven or twenty-eight thousand men, at which it stood a year ago, to 100,000 men.

It is true that the majority report says that the bill "fixes no maximum strength for the Army," but the committee admit that the bill proceeds on the assumption that the Government will require about 100,000 men for the defense of the frontier, for coast defense, and to maintain our authority in the islands for whose "good order and government," say the committee, "this nation is now responsible." Such is the proposition flippantly embodied, or rather sandwiched, in some eight lines of a technical report of 16 pages.

The question of this vast increase of the standing army is deemed, apparently, by the authors of this report, to be of less consequence than the regimental or battalion organization of the artillery and a proper provision for the rank of horse doctors.

Our fathers, who framed the Constitution under which we are supposed to act, and who called this free Government into being, held a very different opinion. They held a large standing army to be a menace to public liberty. They had before them the lessons of history, ancient and modern. They saw how the possession of a large standing army had, in all ages, encouraged rulers of state to subvert the Government and destroy the rights of the people, and had given these rulers the power to effect their designs.

It was the standing army of Great Britain that was used in the endeavor to crush and subjugate the thirteen revolting colonies. This army was reenforced by a hired force of regulars brought from Hesse, and it was the patriot army of the colonies, drawn from the body of the American people, that won the contest for liberty.

The British people were much divided in respect to this war, and only a regular force could have been wielded as one man by King George for seven long years to destroy the rights which were the colonial heritage of Englishmen and Americans.

I would ask you how has Turkish despotism and cruelty been maintained for a century or more? It has been only by a large regular force. The janizary has been the convenient and effective tool of the Sultan. Go back to the French Revolution. What force was it that stood by Louis XVI and defied the popular uprising for liberty against wrong? It was a regular force.

Look through the modern history of Europe. How is absolutism maintained, tyranny perpetuated or extended, and the just rights of the people denied? How is progress arrested, public opinion stifled, the press silenced, needless wars, with countless suffering, brought about by this or that autocrat? Is it not by great standing armies, augmented from time to time, mere victims

brought by conscription under this car of Juggernaut, mere human beings wrested from useful pursuits and torn from family and home to meet the demands of an assumed military necessity?

These monarchs, these lovers of war and of a great military establishment, would spurn the idea of a volunteer or citizen soldiery, serving for short periods and then returning to the body of the people. Such a force would naturally sympathize with the people from whom they come. They could not be used for a wanton and wicked oppressor of the people. They would probably, even under orders, hesitate to fire upon the people. Just in proportion as the army is separated from the people by long periods of service and augmented to a large force and easily handled, as a mere machine or a Gatling gun would be employed, the usurping and tyrannical ruler is made more secure in his treason to human rights and the people are rendered more helpless under the yoke of militarism until their deliverance becomes almost impossible.

Of course there is a pretense for all this; aye, pretexts more plausible than those employed by our advocates of a large standing army. "Order must be preserved;" and so order reigned in Warsaw amid scenes of blood over a conquered nation.

What is this "order?" Is it the order of virtue and law, based on human rights and divine justice? Or is it the order of violence, of conquest, of obstruction, of repression, of burden, of taxation, of a multitude of officers, of a horde of pensioners upon the body politic; of vampires and universal corruption?

Is it not the "order" that blights human hopes and paralyzes the hand of industry, that writes its decree in blood amidst the tears of the widow and the orphan?

Is it not true that the imposition of slavery upon the people of Europe and other countries has always been accomplished by means of huge standing armies?

Look over the map of Europe to-day in every nook and corner, and what do you find its greatest burdens and curse; the potent cause of poverty, misery, and despair? Is it not the great standing army, steadily, perhaps stealthily, increased from time to time on cunning pretexts, until its terrible proportions darken the whole land?

OUR GOVERNMENT'S EARLY POLICY.

It is to the eternal honor of the founders of our Government and those who have for the most part administered its affairs that they had read the lessons of history aright and were able to foresee the mischiefs and misery which would befall us if we fell into the practice of having large standing armies. It was not a matter that could be regulated by constitutional provision. It was necessary that the power given Congress by the Constitution to raise armies should be ample, in order to meet all possible emergencies, but the power was placed where the representatives of a free people, inspired by patriotism, could regulate the force to be employed and curtail it as the public interest might demand. Thus a policy was fixed in the very beginning of having only a small standing army as a peace establishment. There was a wholesome fear of it which permeated all our people.

It was not a cowardly fear, but the reverse. Had they loved liberty less, they would have felt far less apprehension of fatal consequences. It was partly a proud consciousness of the part the American people had played in two wars—the French war and that with Great Britain from 1775 to 1783—that made them ready to rely mainly on a volunteer force.

Thus the policy of a small standing army was adopted in the early days of this Government. Yet how easy it would have been for certain patriots of this day, had they lived then, to declaim of the necessity for a large regular force to be ready at any hour to meet Great Britain, already strongly posted on our northern boundary, or Spain, or France, bounding us on the south, or the large, fierce, and intractable Indian tribes on borders to the west, conflict with whom seemed to be almost a necessary incident of our progress westward.

OUR SUCCESSES DURING THE WAR OF 1812.

But these plausible considerations did not alter the policy of the great statesmen of the past and present century. Not even when the war of 1812 with Great Britain became necessary was their reliance placed mainly on the Regular Army. This Army had consisted of some 3,000 men prior to 1811, but it was now increased to 35,000 men to meet the most powerful and dangerous enemy that could possibly be arrayed against us, and the President was also authorized to accept the services of 50,000 volunteers. The successes on land during the war of 1812 were about equally balanced, save at New Orleans, where 6,000 volunteer troops under Andrew Jackson defeated double that number of British regulars, veterans of the Peninsular war, conquerors of the mighty Napoleon.

I do not refer merely to the victory of the 8th of January. I include the attack made by Jackson with the volunteers upon the British regulars in their own camp, almost the very first day they had landed near New Orleans. Peace had already been made, although the fact was not known at New Orleans, and the necessary steps were at once taken by Congress to reduce the Army to a small peace establishment. The general plan of national defense of that day was to have a small standing army as a nucleus and a rallying point, but with a corps of well-trained officers ready to command and drill additional troops, and, lastly, to have an efficient navy.

There was no apprehension felt that the Navy could be used against the public liberty, and the question of a navy was simply one of public necessity and the proper limitation of expense.

STATESMANLIKE VIEWS OF JOHN C. CALHOUN AND OTHERS.

There is a report from Mr. Calhoun, Secretary of War, dated January, 1819, which embodies the prevalent views of both the military men and statesmen of that period, which, coming from a man of his eminent genius, is worthy of our attention. Referring to the provisions for military academies, the report says:

So far from graduating the number or extent of our military academies by the want of the Army in time of peace, the opposite principle would probably be more correct; that is, in proportion as our regular military establishment is small, the Government ought to be careful to disseminate, by education, a knowledge of the art of war.

The Army itself is a practical school of this art, which, except in the higher branches, may, when it bears a large proportion to the population of the country, supersede other modes of perpetuating or disseminating this indispensable art. But in a country situated as ours is, with a small standing army, and far removed from any power from which we have much to fear, the important knowledge of the art of defending our shores will, in a long peace, without the particular patronage of the Government, be nearly lost.

The establishment of military academies is the cheapest and safest mode of producing and perpetuating this knowledge. The Government ought to furnish the means to those who are willing to bestow their time to acquire it. The cadets who can not be provided for in the Army will return to private life; but in the event of war, their knowledge will not be lost to the country. The Government may then avail itself of their military science; and though they may not be practically acquainted with all of the details of the duty in the Army, they will acquire it in a much shorter time than those who have not had the advantage of a military education. No truth is better supported by history than that, other circumstances being nearly equal, victory will be on the side of those who have the best instructed officers. The duties of a soldier are few and simple, and with well-instructed officers they can be acquired in a short time, as our own experience and that of other countries has satisfactorily proved. To form competent officers, in the present improved state of art of war, is much more difficult; as an officer, besides a knowledge of the duties belonging to the soldier, has others of a more difficult nature to acquire, and which can only be acquired by a long experience or by regular military education.

Coming down to a much later period, we find such eminent and experienced statesmen as John Quincy Adams, John C. Calhoun, and Thomas H. Benton, though differing widely on some questions, urging and advocating a radical reduction of Army expenses. The cost of our Regular Army per man was then barely one-third of what it is now.

OUR SOLDIERS IN THE MEXICAN WAR.

The war with Mexico, so glorious to our arms, was fought mainly by a volunteer force.

I would not be understood by this to reflect in the slightest degree upon the regulars, who did their full duty on every field where they were engaged; but Congress wisely authorized the President to accept the services of 50,000 volunteers, and more than 300,000 men responded to serve on a foreign soil, in a tropical or semitropical climate.

It was these volunteers who fought the battle of Buena Vista against four times their numbers of Mexicans; and though their flank was turned in the progress of the battle, and the enemy had penetrated to their rear, they continued to fight until victory was accomplished. The volunteers made a large proportion of the force which, under Scott, marched from Vera Cruz to the City of Mexico, fighting one bloody battle after another, until our troops pressed on after storming Chapultepec.

A volunteer force under General Quitman, of Mississippi, was the first to enter the gates of the City of Mexico.

I cite all this as an ample proof that even in a war of invasion, in a tropical clime, but with an object adequate to fire the hearts of the American people, you can fully depend upon a volunteer force to uphold the flag and to make all just and necessary sacrifices.

EFFICIENCY OF VOLUNTEERS DEVELOPED BY OUR CIVIL WAR.

But, Mr. Chairman, if there were any doubt as to the capacity of the American volunteer to do his duty and perform a great part in war, turn to the history of the civil war between the States from 1861 to 1865.

Who were the troops that for two days fought the obstinate and bloody battle of Shiloh, or Pittsburg Landing? They were volunteers on both sides, and they had been only a short time in service.

Take the army that, under Lee, fought McClellan's troops around Richmond. They were largely conscripts, with barely six or eight weeks of training, who had never been in battle before. Yet these men at Gaines's Mill, after being repulsed three times, were rallied to a fourth and successful charge against the enemy's breastworks.

Take the Federal Army which fought so obstinately in all these battles. They were mainly volunteers, better drilled and equipped it may be than their opponents, but volunteers, nevertheless—not regulars.

I single out these two great battles because most of the men engaged in them had never been under fire before. They were new troops.

At a later period, when seasoned and under a volunteer organization, you find the bloody fights of Stone River, Fredericksburg, the second Manassas, Gettysburg, the Wilderness, Spottsylvania Court-House, Cold Harbor, and the rest, with their terrible losses on both sides.

Probably many of the old Army officers went into the civil war with a distrust of the volunteer, but after a fair trial they got bravely over this doubt. It is stated that during the whole civil war the permanent army of the United States never exceeded 25,000 regulars. The Government found by experience that not more were needed. They found that they could rely upon the volunteers.

As for the Confederate government, they did indeed authorized prior to the beginning of hostilities, a regular force of 10,000 men, but only a few hundred of these were actually raised. Their fighting, unsurpassed in history, was done by volunteers or conscripts.

NO REVERSAL OF OUR POLICY NECESSARY.

It is now proposed to reverse all this policy and to augment our standing army in time of peace from 28,000 to 100,000 men. I say in time of peace; I repeat it; the war with Spain is over. No war is going on. Spain is vanquished. Her fleet is annihilated. Her colonies are all lost to her. Most of her troops—nearly all—have left Cuba. All her soldiers have departed from Porto Rico. In the Philippines all her troops have surrendered either to the insurgents or to the United States. There is not the remotest possibility of a renewal of the conflict. You all know this fact. Where, then, is our enemy? What nation threatens us? All the powers of Europe profess warm friendship. Not one of them has an interest in a conflict with the United States.

Not one of them could attack us by land successfully. We are protected by the ocean, by distance, by our vast area, by our large population, by our enormous resources, and the known martial spirit of our people. The only power that could give us any serious trouble is Great Britain, and she most warmly desires our friendship and alliance. In a good understanding with this country she places the highest interest. I need scarcely dwell on so notorious a fact as this. Where, then, is the necessity, real or pretended, of a large increase of our military establishment? The reason for it ought to be frankly stated, or the project should be promptly abandoned.

And, Mr. Chairman, it seems that we are reduced somewhat to speculation touching the possible motives of this extraordinary application for an extraordinary increase of our Regular Army, with an extraordinary expense. Let us explore the ground around us and see if we can find the causes impelling this remarkable demand.

OPPOSING INTERESTS OF CAPITAL AND LABOR.

Sir, it can not be denied that in the last few years there has been an increasing friction and distrust between the opposing interests of capital in all its forms and labor. At times there has been actual conflict. Bloody encounters have ensued. Despite all the pretenses of universal peace and general prosperity indulged in by some persons, it has seemed to be feared that more collisions may occur in the near future.

A few years ago a great railroad magnate proposed publicly to have a permanent standing army of 40,000 men. He undoubtedly desired to keep the discontented laborer in his place; to make him submissive and tractable. Public opinion did not echo the suggestion. This gentleman was much behind the times—I mean our times. Forty thousand men would not content the class of people in the United States who rely on an armed force instead of justice to insure peace and order.

To compose any pending possible conflict between capital and labor, there are better methods than a permanent military force of the United States. A wise and just financial and monetary policy, a reduction of taxation, the abolition of needless expenses, a surrender of unworthy schemes of conquest, a recognition that the producers of this country are entitled to fair consideration, the restraint of the great trusts that oppress our poor and menace our liberties; these are the better and nobler methods to preserve order and harmony among all classes of the American people.

We have no official suggestion that a large standing army would be desirable at home to enforce the policies of capital, but I can not disguise from myself that a number of persons desire to employ the favorite European method for dealing with these questions, and for this reason wish an increase of the standing army to 100,000 men—even more, if they could get them.

It would indeed be extraordinary if the desire of promotion and increased rank, pay, and power contributed nothing to this pressure for a great army. This is only human nature. No one should be surprised to discover it. But it is our duty to study other things besides the mere gratification of personal interests. We have the American taxpayer to consider. He does not surround these Halls or come to our committee rooms; but his is the toil and the industry and the sacrifice that supports the whole machinery of our Government—executive, legislative, and judicial, Army and Navy.

INDIAN WARS A THING OF THE PAST.

Before I pass on I wish to call your attention to the fact that one important service for which we needed our small standing army for a century or more no longer exists. The Indian wars, which involved so much danger to our Western settlers and pioneers, and so much of hardship, courage, and endurance to our Army, are now practically a thing of the past. The extension of our railroads and the wonderful growth of our Western population have settled the problem of Indian wars. Two or three thousand regulars can now do the work, by increased facilities of transportation and communication, that four times that number would have found it difficult to perform thirty or forty years ago. The Indians have been surrounded by civilization and have surrendered to its powerful forces. Gathered into reservations, they are the prisoners of the Government, and they understand full well what folly it would be to resist its power. A small force of regulars, aided by the State militia assembled, can check or punish any possible disorder arising from the Indian. This excuse for a large Army no longer exists.

COAST DEFENSES PROVIDED FOR.

It is hardly necessary to touch upon the provision for coast defenses. We have provided additional forts and high-power guns, and we have provided for artillerists to man them. A small regular force would suffice for this purpose. If it be necessary in case of war to support these batteries by an infantry force, we have it well provided in our National Guard, existing already at all exposed points.

Remember, Mr. Speaker, how easy it would be and how speedy an operation to concentrate troops by rail at any point of attack on our seaboard, and the despised National Guard in such service, as well as any other patriotic duty, can be fully relied upon as a bulwark. But where is the attack to come from? Where is our possible enemy, if we pursue a policy of peace and pacific development?

Recognizing the natural desire of our Army officers for an imposing force and for the additional prestige and promotions that would go with this expansion of the Army; recognizing also that there is a class in this country, small it may be, but influential, and anxious to augment it for service in settling labor controversies, I come to the principal cause of this extraordinary increase of our regular and permanent military force. It is hinted at pretty broadly in one little paragraph of the committee's report. We are to have 100,000 troops "to maintain our authority in the islands for whose good order and government this nation is now responsible."

OUR NEW DEPARTURE REVIEWED.

Here is the whole business. We may have evasion, reserves, quibbles elsewhere without end, but a plain man, a wayfaring man, will not be deceived by them. It is easy to see where we are drifting, and not drifting, but marching by rapid steps that can not be recalled unless we stop right now and call a halt. It is a new departure; let us look at it.

I admit, sir, that we committed ourselves to expel Spanish authority and Spanish soldiers from Cuba and to give the Cuban people the opportunity to form an independent, orderly, and stable government of their own. What number of Federal troops are necessary for this purpose, assuming that we are acting in good faith?

Are they hostile to a free and independent government of their own? No one pretends that. Are they such anarchists, so disorderly, such brigands, so unfit for home rule and self-government, that we must have an army of fifty or twenty thousand men to educate them to the point where they may be turned loose to govern themselves? If this be so, it will be asked by many, why was American blood shed, our treasure expended, and our people taxed in order to give freedom to men whom you can not trust? No, sir; the proposition can not be maintained. The time has come, or will be upon us in another month, after all the Spanish troops have been sent home, when the steps can and ought to be taken to give this people of Cuba a constituent assembly, a government of their own choice, their own laws, rules, police, and system of taxation. Why not?

How long do you propose to stay there? Is military government by aliens a proper education for home rule? How long is the babe to be suckled at the breast? How long is this burden to be imposed upon the American taxpayers, and this, too, under the pretense that we are responsible for good order and government in Cuba? I deny the proposition. We entered into no such bond. There is no such obligation. In three months from to-day the whole affair of turning over the government of Cuba to their own people should be concluded. If it be not promptly done, it will be for some reason that can not be frankly stated to the American people. It is mooted here and there, almost everywhere, that Cuba is not to be given up, and that our pledge to withdraw is to be dishonored. A demand for 20,000 regulars to garrison the island has a strong squint in that direction. But, sir, it will not do to deceive the people of Cuba or of this country.

But we must garrison Porto Rico also. Why so? Was it the object of the Cuban war to capture and hold Porto Rico as a dependency? Are the people friendly to our rule, or not? If they are friendly, you need no garrison. If they want home rule, a government of their own, why not let them have it? In either case you do not need to spend from five to ten millions of dollars per annum to hold that little island.

Ah, sir, but there are the Philippines; we must have 25,000 regulars for that purpose. Did we go to war to free the Philippines? Not at all. We knew but little, if anything, about them; we cared less. When Admiral Dewey sailed from China, it was to strike the Spanish fleet. We had no place in Eastern waters where his fleet could remain. He had been ordered off under the rules that bind neutral powers.

But while he gloriously defeated the Spanish fleet, and was able to stay or not as he pleased, it was not he who after years of effort, years of oppression and suffering, had practically extinguished Spanish rule on these islands, leaving them only the city of Manila and one or two minor points. Nineteen-twentieths, fully, of their territory had been wrested from the Spanish before Dewey's victory. A large part of these islands, it is asserted, was never occupied by Spain. Up to this hour, with a large military force, some 20,000 men, I believe, we have not occupied one square mile in twenty of these islands. The Filipinos hold the remainder.

We hold the city and bay of Manila and very little more. It is evident that the people there do not desire our rule. It may be that they lack the element of good government, and it seems they are not fit for a republic as we conceive it. But they made a better fight for home rule than the Cubans, or else they were more resolute to obtain it.

We can have a naval station in these islands at our pleasure, but if we are to govern these people we shall need more than 25,000 men.

If we do not seek to maintain our authority over them, we will need no army and we will have no war. If we do have a war, it will be one of our own choosing, costly, bloody, tedious, and without glory or honor. Where is the American hero that wants to gain laurels by beating and subjugating these people? And where is the American State in the Union so rich, so prosperous, that the people are eager to pay their share of the one or two hundred millions of the additional taxes per annum that this folly will entail?

Remember that to defend your far colony when you conquer it, and to hold it, you will have to do more than keep down insurgents who may be as hard to get at as were the Seminole Indians in Florida, when four or five thousand savages during a series of campaigns in swamps and morasses defied the whole power of the United States and the skill of their best generals. In the Philippines you will have to follow your foe from island to island, amid tropical swamps, jungles, and thickets, where he is at home and you are not; where he can stand the climate and your gallant men will be rotting like sheep from disease. If your commissary and medical supplies failed you in Cuba, right at your own doors, how will you manage them six or eight thousand miles across the Pacific Ocean? But I speak only of land operations in the Philippines.

Suppose, while you are engaged in putting down these rebels in the Philippines—a wearisome business of years and years perhaps, a task as endless as that of Sisyphus—you have a difficulty with one of the four or five great maritime powers. How will you protect your colony, or what you have of it? How will you guard against a chance superiority of naval force against you? Read over again, if you please, the story of the capture of Cornwallis at Yorktown. Therefore, to guard against such a catastrophe as that, we must at once make ourselves the strongest naval power in the world in the Pacific seas and see to it that we do not fall behind. We must do that or else make a bargain with England, and on her own terms.

If we do not do this, we must build so strong a navy to guard our distant colony as to be able to match any possible combination of unfriendly powers. When we have done all this, whipped in our rebels and awed all covetous rivals, the question will next arise what profit will it bring us? Will it bring us one dollar in revenue or trade where we spend $50 to make our conquest?

COST OF CONQUEST OF THE PHILIPPINES.

Let us estimate the cost of all this. I have seen various estimates of the annual cost of conquering and holding the Philippines. One of these places the—

Pay and transportation of troops at	$75,000,000
The extra naval force	15,300,000
Annual charge for enlarging Navy	12,000,000
Pensions due to wars and diseases	5,000,000
Fortifications and improvements	10,000,000
A civil government (so called)	3,000,000
Total cost	121,300,000

This leaves out any charge for educating the Filipinos so as to become citizens of States or reconciled to being subjects or citizens of this new imperial Government. But it adds largely over a hundred million dollars to our present heavy expenditures, with a large deficit staring us in the face.

But the imperial European system of conquering and holding colonies once begun will not end. We can not stop after we once begin. We must go on with our naval and military armaments. If we are to imitate European governments, we must equal their establishments. To rival the naval establishment of Great Britain and France we must proceed at once to multiply fourfold our present naval appropriations. To have only 100,000 regular troops, thus swelling our expenses for soldiers and pensions to $250,000,000 per annum, would be only a beginning.

The sea forces of the European powers I find to be thus stated:

Russia	860,000
France	605,413
German Empire	585,440
Austria-Hungary	385,697
Italy	231,355
Great Britain	163,567

As respects the peace establishment of Great Britain, I believe it to be largely underestimated in this table. I believe that there can not be less than 150,000 troops in India—European and native troops. I shall not pause to dwell upon this impressive table. It ought to be a beacon and warning to us to avoid the beginning of evil. How much of evil there may lurk in it may be partly gathered from a speech by an eminent Englishman. Said he:

> Out of the life of every German, every Frenchman, every Italian, every Austrian, and every Prussian the respective Governments of those countries take three years for compulsory military service. If they estimated these years at eight hours per day for six days a week, they would find that it came to this: That out of the lives of Europeans in these nations no less than seven thousand five hundred hours were taken for compulsory military service, during which time the individual so deprived was, for purposes of the community, as a whole, by his labor, as idle, as useless, as unprofitable as if he had never been born.

Now, sir, I can add nothing to the impressiveness of this statement. I am willing to make a reasonable, aye, liberal, increase to our Navy. I do not regret or deprecate the addition we have made to our coast defenses. Our great cities, our harbors are all made secure by these defenses, by our monitors, by torpedoes, or can be made so immediately. But when it comes to a great standing army, when it comes to a proposal to increase or keep up our present large expenditures and heavy taxation, I feel that we owe something to the producers and taxpayers of the land, and especially to the suffering and impoverished people of the Southern States. In their name I ask a reduction of taxes. In their name I ask you to preserve the peace, to get up no war in the Philippines or anywhere else, and to reduce your armies as soon as possible.

IMPERIALISM—WHAT IS IT?

We have come to the parting of the ways. You say you do not want an imperial policy. In what does imperialism consist? In the name of Imperator, or in the actual power? In the form or title, or in the substance? It consists in consolidated power here in your President, in an enormous patronage at home and abroad; in a large executive discretion, in a great army and glittering uniforms, the man on horseback at every crossroad and street corner; in subject, distant colonies governed or terrorized by the sword as the South was after the war, in grievous taxation, in blighted industries, in gigantic trusts and monopolies, in making classes poor, humbled, and crushed; in farmers and other producers taxed to death and bankrupted; and thus your boasted liberty becomes a mere glittering generality, a tinkling cymbal, a mere reminiscence that ought to bring the blush of shame to your cheek when you recall how in folly and madness you have wasted a precious inheritance. [Great applause.]

I ask that leave be given to any member to print in the RECORD such remarks as he may wish to make on this bill.

The CHAIRMAN. The gentleman from Louisiana [Mr. MEYER] asks unanimous consent for permission for any member to print remarks in the RECORD in reference to this bill. Is there objection?

Mr. STEELE. I object.

Mr. HULL. I call for a vote on this amendment.

The amendment was rejected.

The next amendment of the committee was read, as follows:

> Insert as a new section the following:
> "SEC. 19. That the provisions as to age prescribed in this act for appointment to the position of judge-advocate, Quartermaster, Commissary, or Pay Department shall not apply to persons who served in the civil war or the late war with Spain: *Provided*, That the age limit, wherever it appears in this act, shall not apply to persons serving in the Regular Army: *And provided further*, That officers of the Regular Army shall be eligible to appointment to any of the staff corps of the Army."

Mr. MAHON. I offer the amendment which I send to the desk, so as to make the different portions of the bill consistent in regard to the age limit.

The Clerk read as follows:

Strike out, in section 19 as proposed by the committee, the following:
"That the provisions as to age prescribed in this act for appointment to the position of judge-advocate, Quartermaster, Commissary, or Pay Department shall not apply to persons who served in the civil war or the late war with Spain: *Provided.*"

Mr. LEWIS of Washington. Mr. Chairman, I wish to offer an amendment to the amendment.

The CHAIRMAN. The Chair would state to the gentleman from Washington that there is an amendment already pending in the second degree. There is an amendment offered to the committee amendment by the gentleman from Pennsylvania [Mr. MAHON], and the question now is on that amendment.

The question was taken; and the Chair announced that the "noes" seemed to prevail.

Mr. MAHON. I ask a division. Now, Mr. Chairman, just a moment——

The CHAIRMAN. Debate is not in order under the order of the committee.

Mr. DALZELL. Does this except those persons from its operation who served in the late war? If so, there will be opposition to that feature.

Mr. MAHON (interrupting). This is simply to make the bill conform in all respects to the amendments heretofore adopted.

The CHAIRMAN. Debate is not in order; and gentlemen will be in order on the floor of the House.

The question is on the amendment to the amendment, which will be again reported.

The amendment to the amendment was again read.

The question was taken; and on a division (demanded by Mr. MAHON) there were—ayes 110, noes 19.

So the amendment to the amendment was agreed to.

The question recurred on the original proposition as amended.

Mr. LEWIS of Washington. I ask now to offer the amendment which I send to the desk.

The Clerk read as follows:

Insert in page 20, line 3, after the word "Regular," the words "and Volunteer;" so as to read "that the officers of the Regular and Volunteer Army shall be eligible," etc.

Mr. LEWIS of Washington. I want this to apply to the Volunteer Army as well as the Regular Army.

The CHAIRMAN. Debate is not in order.

The question was taken; and on a division (demanded by Mr. LEWIS of Washington) there were—ayes 65, noes 100.

Mr. LEWIS of Washington. Mr. Chairman, I demand tellers on this proposition.

The CHAIRMAN. The hour of 3 o'clock having arrived, the committee will now rise, under the order of the House, and report the bill, with the amendments agreed upon, to the House.

The committee accordingly rose; and the Speaker having resumed the chair, Mr. PAYNE reported that the Committee of the Whole House on the state of the Union having had under consideration the bill H. R. 11022, the hour of 3 o'clock having arrived, the committee rose, under the order of the House, and reported the bill back with certain amendments, and with one amendment pending, with the recommendation that the amendments agreed to in Committee of the Whole be adopted, and that the bill as so amended be passed.

Mr. BAILEY. Mr. Speaker, I rise to a parliamentary inquiry.

The SPEAKER. The gentleman will state it.

Mr. BAILEY. I understood the Chairman of the Committee of the Whole House to report the bill back with the statement that an amendment was pending. I desire to know if that amendment is before the House?

The SPEAKER. The Chair did not understand the gentleman to make that report.

Mr. BAILEY. That was the report, the Chair will find. The gentleman so reported, and I do not understand by what rule such a report could be made to the House.

This amendment, I think, is not before the House at all.

Mr. PAYNE. Mr. Speaker, at the time the committee rose an amendment, to be inserted in section 19, was before the committee, which amendment—proposed by the Committee on Military Affairs—had two several and separate amendments offered to it—amendments in the second degree. Both of these had been voted upon, one of them having been adopted by the committee, and a vote was being taken upon the other amendment on a division when the time arrived for reporting the bill to the House. Under these circumstances, not knowing the precise terms of the order made by the House, the Chair thought it proper to report the amendment to the House for such disposition as it might deem proper to make.

Mr. BAILEY. Then I correctly understood the Chairman, and make the point of order that the amendment is not before the House for its consideration.

Mr. HULL. Mr. Speaker——

The SPEAKER. The Chair would say that, inasmuch as the order of the House was to the effect that the vote should be taken at 3 o'clock, and while there is no exact precedent, it seems that in accordance with the practice, as far as the Chair has had an opportunity to examine it, the point made by the gentleman from Texas should be sustained.

Mr. HULL. Mr. Speaker, while in Committee of the Whole I stated that I would ask, after we got into the House, that the time for general debate should be extended from 3 o'clock until 4 o'clock, when the vote should be taken upon the bill and all amendments. In pursuance of that suggestion, I now make that request.

I ask unanimous consent, therefore, that the time be extended for one hour, to be equally divided.

The SPEAKER. The gentleman from Iowa asks unanimous consent that the House shall extend the time at which the vote is to be taken upon the pending bill for one hour. Is there objection?

Mr. HULL. To be divided equally.

The SPEAKER. Is there objection to the request of the gentleman from Iowa to allow general debate for one hour?

Mr. MAHON. Mr. Speaker, before that consent is given—I do not want to be discourteous to gentlemen, but wish to make merely a suggestion. If gentlemen will agree that the amendments can be voted upon in gross I will not object. We can take up the bill then, after the amendments have been adopted, and after debate, act upon it without delay. We can get through by half past 4 or 5 o'clock.

There are a number of members who have come here under great difficulties—some men who have come here from sick rooms and who are detained here by the debate upon the bill, and who wish to take action as speedily as possible upon it. There are others, a large number of them, I suppose—not less than a hundred, perhaps—who have prepared themselves to address the House upon the bill with a view of enlightening the House and the country, and these speeches are sleeping idly now in their desks. If, however, we can secure a vote upon all of the amendments and then let the vote be taken upon the bill at 4 o'clock, I will not object.

Mr. FITZGERALD. You consumed a lot of time on your side, and you ought not to object.

Mr. BAILEY. I would not ask the House to waive its right to consider each of these amendments upon its own merits in order that I might have the privilege of addressing it, and, so far as I am concerned, I release the gentleman from Iowa from his promise.

Mr. HULL. I withdraw my request, Mr. Speaker.

The SPEAKER. The request is withdrawn.

Mr. HULL. I move the previous question on the bill and amendments, to its final passage.

The SPEAKER. The gentleman from Iowa moves the previous question on the bill and amendments to its passage.

The previous question was ordered.

The SPEAKER. The question is on the amendments.

Mr. HAY. I move to recommit the bill——

The SPEAKER. That is not yet in order. The Chair will recognize the gentleman at the proper time. Is a separate vote demanded on any of the amendments? The Chair hears none. The question is on the amendments adopted by the Committee of the Whole.

The amendments adopted by the Committee of the Whole were agreed to.

The SPEAKER. The question is upon the engrossment and third reading of the bill as amended.

The bill as amended was ordered to be engrossed and read a third time; and it was accordingly read the third time.

Mr. HAY. Mr. Speaker, I move to recommit the bill, with instructions to the committee to report the substitute which I sent to the Clerk's desk.

The SPEAKER. The gentleman from Virginia moves to recommit the bill with instructions to the committee to report the substitute, which will be read.

Mr. COX. Mr. Speaker, a parliamentary inquiry.

The SPEAKER. The gentleman will state it.

Mr. COX. Is a motion in order to recommit the bill without instructions.

The SPEAKER. There is a proposition already before the House.

Mr. COX. I know what the proposition is, to recommit the bill with instructions to report the substitute. Now, my proposition is to recommit the bill without instructions.

The SPEAKER. It would be in order to move to strike out the words "with instructions." The question is on agreeing to the motion of the gentleman from Virginia.

The question was taken; and the Speaker announced that the noes seemed to have it.

Mr. BAILEY. I demand a division.

The SPEAKER. One moment. The instructions should first be read.

Mr. BAILEY. I understood the Chair to put the question.

The SPEAKER. The Chair put the question, because he supposed it had been read. The Clerk will read the instructions.

Mr. HULL. I ask unanimous consent that the substitute may be considered as read. I think we have all read it and are familiar with it.

Mr. BAILEY. May I inquire, Mr. Speaker, how many pages there are of it?

The SPEAKER. The Chair is informed that there are 19 pages.

Mr. BAILEY. Well, I think we can dispense with the reading of it.

Mr. JOHNSON of Indiana. Let a brief statement be made of it.

Mr. HAY. I do not care to have the substitute read. I presume everybody understands what it is.

Mr. JOHNSON of Indiana. I suggest that a brief statement of the substitute be made by the gentleman, so as to place the House in full possession of the terms of the substitute.

The SPEAKER. The gentleman from Virginia [Mr. HAY] has the floor.

Mr. HAY. I do not make any objection to the request of the gentleman from Iowa to dispense with the reading of the bill, if I am permitted to make a short statement.

The SPEAKER. That would require unanimous consent of the House, the previous question having been ordered.

Mr. HAY. I ask unanimous consent to make a statement of five minutes as to the changes which have been made in the substitute since they were printed in the minority report.

Mr. PAYNE. Is that to be in lieu of reading the bill?

Mr. HAY. Yes.

Mr. PAYNE. If that is coupled with it, I think there will be no objection.

The SPEAKER. The gentleman from Virginia asks unanimous consent that the reading of the substitute be omitted, and that he be permitted in five minutes to explain to the House the contents of the substitute. Is there objection?

There was no objection.

Mr. HAY. Mr. Speaker, I presume that those who have taken any interest in this debate have looked to the substitute to see what was proposed. The substitute is entirely different and distinct from the bill which has been offered by the majority of the committee. The majority of the committee have reported a bill which provides for 100,000 men as a standing army, and as a permanent standing army, and the minority have reported a bill which only provides for 30,000 men as a standing army, and 50,000 men as volunteers, to be used only in the colonies or in the islands which as yet we have not acquired. These are the clear-cut differences between the bill proposed by the majority of the committee and the bill proposed by the minority.

Now, the substitute also gives this 50,000 men, because they have been demanded by the Executive, by the President of the United States, and the General of the Army as being temporarily necessary to preserve law and order in these colonies which this country has not yet disposed of. These 50,000 men can be enlisted, they can be equipped as cheaply as can the Regular Army, and can be recruited as provided for in the bill of the majority. Moreover, this 50,000 men can go out of service whenever it should be found unnecessary to keep troops in those islands. These are the distinctive features of the bill, one being merely a temporary force and the other a permanent standing army.

Mr. BAILEY. May I inquire of the gentleman from Virginia if it is not true that the substitute also confines these volunteer soldiers to use in those new possessions?

Mr. HAY. Entirely so. Section 20 does that. I do not know that I care to take any further time.

Mr. HULL. I demand the previous question. I beg the gentleman's pardon; I thought he had concluded.

Mr. UNDERWOOD. I desire to ask the gentleman one question. What is the provision as to the term of service of these volunteers?

Mr. HAY. Two years, if not terminated sooner. The enlistment of the Regular Army is three years.

Mr. FITZGERALD. Mr. Speaker, when will it be in order to move an amendment to the effect to recommit?

The SPEAKER. The gentleman from Iowa has moved the previous question, and the gentleman from Tennessee desires to make a parliamentary inquiry.

Mr. COX. The matter of inquiry is this: The substitute proposes to increase the regular standing army, and it puts it at 30,000 men in the discretion of the President. Now my point is this——

Mr. HAY. I suggest to the gentleman from Tennessee that the substitute does not increase the standing army.

Mr. COX. We have increased the regular standing army in the act that was passed before to 62,000 men, and my point is this——

Mr. CLARDY. A parliamentary inquiry.

The SPEAKER. The gentleman from Tennessee is making a parliamentary inquiry.

Mr. COX. I am trying to get along with my friends here the very best I can. Now, Mr. Speaker, this substitute makes a proposition to increase the regular standing army to 32,000 men, in the discretion of the President.

Mr. HAY. Will the gentleman allow me to make a suggestion?

Mr. COX. Certainly.

Mr. HAY. This substitute does not propose to increase the standing army one man beyond that allowed by law before the war with Spain. I have the law, and have read it twice to the House.

Mr. COX. It does not make any difference how many times you have read it.

The SPEAKER. Will the gentleman from Tennessee state his parliamentary inquiry?

Mr. COX. It is that you confer upon the President power to call out 32,000 volunteers in an emergency, when it exists. There is where my contest is. We have conferred authority on the President to call out 62,000 men in the Regular Army. Now, then, I make the contest here, that no power ought to be conferred upon the President to call out a volunteer army of 32,000 men; but if you want to reach the point, it is to hold your Regular Army up to 58,000 men.

The SPEAKER. The Chair thinks that is not a parliamentary inquiry.

Mr. COX. I am very sorry it is not, but it is a very sensible one.

Mr. FITZGERALD. Mr. Speaker, I desire to make a parliamentary inquiry. When will it be in order to move to recommit with instructions?

The SPEAKER. It will be in order if the House rejects the proposition of the gentleman from Iowa that the previous question be considered as ordered.

Mr. CLARDY. Mr. Speaker, I desire to know——

Mr. COX. Let me inquire——

The SPEAKER. The Chair must answer inquiries of other gentlemen. The gentleman from Kentucky makes a parliamentary inquiry.

Mr. COX. I do not know that they have any more rights than I have.

The SPEAKER. But they have equal rights.

Mr. COX. No doubt about that.

The SPEAKER. The gentleman from Kentucky.

Mr. COX. My inquiry was to move to recommit without instructions.

Mr. CLARDY. I desire to know if the substitute is authorized to be reported back by the committee, if it is now subject or will be subject to amendment.

The SPEAKER. If it be reported back at all, it will be reported for consideration.

Mr. CLARDY. Can it now be amended?

The SPEAKER. It can not be amended unless the House rejects the demand for the previous question.

The SPEAKER put the question on ordering the previous question.

Mr. McRAE. Mr. Speaker——

The SPEAKER. Does the gentleman desire to submit a parliamentary inquiry?

Mr. McRAE. I do.

The SPEAKER. The gentleman will state it.

Mr. McRAE. I want to ask the Chair if the motion made by the gentleman from Virginia [Mr. HAY] should prevail and the substitute be brought back to the House, what would be the question?

The SPEAKER. The question would be on the consideration of the substitute reported by the committee.

Mr. McRAE. And the House might adopt it or reject it?

The SPEAKER. The House might adopt it or reject it. The question is on agreeing to the demand of the gentleman from Iowa [Mr. HULL] for the previous question.

The question was taken; and the motion was agreed to, and the previous question was ordered.

The SPEAKER. The question now is on agreeing to the motion of the gentleman from Virginia [Mr. HAY] to recommit.

The question was taken; and the Speaker announced that the noes seemed to have it.

Mr. HAY. Mr. Speaker, I ask for the yeas and nays.

The yeas and nays were ordered.

The question was taken; and there were—yeas 118, nays 170, answered "present" 9, not voting 54; as follows:

YEAS—118.

Adamson,	Bell,	Brucker,	Cowherd,
Allen,	Benton,	Brundidge,	Cox,
Bailey,	Berry,	Burke,	Davis,
Baird,	Bland,	Castle,	De Graffenreid,
Baker, Ill.	Bodine,	Clark, Mo.	Dinsmore,
Ball,	Botkin,	Clayton,	Driggs,
Bankhead,	Brantley,	Cochran, Mo.	Elliott,
Barber,	Brenner, Ohio	Connolly,	Ermentrout,
Barlow,	Brewer,	Cooney,	Fitzgerald,
Bartlett,	Broussard,	Cooper, Tex.	Fleming,

Fowler, N. C.	Lamb,	Meyer, La.	Sparkman,
Gaines,	Lanham,	Moon,	Stark,
Greene, Nebr.	Latimer,	Norton, Ohio	Stephens, Tex
Griffith,	Lentz,	Norton, S. C.	Stokes,
Griggs,	Lester,	Peters,	Strait,
Handy,	Lewis, Ga.	Pierce, Tenn.	Strowd, N. C.
Hartman,	Lewis, Wash.	Rhea,	Sulzer,
Hay,	Little,	Richardson,	Sutherland,
Henry, Miss.	Livingston,	Ridgely,	Talbert,
Henry, Tex.	Lloyd,	Rixey,	Tate,
Hinrichsen,	McAleer,	Robertson, La.	Terry,
Howard, Ala.	McCormick,	Robinson, Ind.	Todd,
Howard, Ga.	McCulloch,	Settle,	Underwood,
Jett,	McDowell,	Shafroth,	Vandiver,
Jones, Va.	McLain,	Shuford,	Vincent,
Jones, Wash.	McRae,	Simpson,	Wheeler, Ky.
Kelley,	Maddox,	Sims,	Williams, Miss.
Kitchin,	Maguire,	Skinner,	Zenor.
Kleberg,	Maxwell,	Slayden,	
Knowles,	Meekison,	Smith, Ky.	

NAYS—170.

Acheson,	Dalzell,	Johnson, Ind.	Reeves,
Adams,	Davenport,	Johnson, N. Dak.	Robbins,
Aldrich,	Dayton,	Kerr,	Royse,
Arnold,	Dick,	Ketcham,	Russell,
Baker, Md.	Dolliver,	Kirkpatrick,	Shannon,
Barham,	Dorr,	Knox,	Shattuc,
Barney,	Dovener,	Lacey,	Shelden,
Barrows,	Eddy,	Landis,	Sherman,
Beach,	Faris,	Linney,	Smith, Ill.
Belford,	Fenton,	Littauer,	Smith, S. W.
Belknap,	Fischer,	Loudenslager,	Smith, Wm. Alden
Bennett,	Fletcher,	Lovering,	Snover,
Bingham,	Foote,	Low,	Southard,
Bishop,	Foss,	Lybrand,	Southwick,
Booze,	Fowler, N. J.	McCleary,	Spalding,
Boutell, Ill.	Gardner,	McClellan,	Sperry,
Boutelle, Me.	Gibson,	McDonald,	Sprague,
Brewster,	Gillet, N. Y.	McEwan,	Steele,
Broderick,	Gillett, Mass.	McIntire,	Stevens, Minn.
Bromwell,	Graff,	Mahon,	Stewart, N. J.
Brosius,	Graham,	Mann,	Stewart, Wis.
Brown,	Greene, Mass.	Marsh,	Stone,
Brownlow	Griffin,	Mercer,	Strode, Nebr.
Brumm,	Grosvenor,	Mesick,	Sturtevant,
Bull,	Grout,	Miller,	Sulloway,
Burleigh,	Grow,	Mills,	Tawney,
Burton,	Hager,	Minor,	Tayler, Ohio
Butler,	Hamilton,	Mitchell,	Thorp,
Cannon,	Hawley,	Moody	Tongue,
Capron,	Heatwole,	Morris,	Updegraff,
Clark, Iowa	Hemenway,	Mudd,	Van Voorhis,
Clarke, N. H.	Henderson,	Olmsted,	Wadsworth,
Cochrane, N. Y.	Henry, Conn.	Otjen,	Walker, Mass.
Codding,	Henry, Ind.	Overstreet,	Wanger,
Connell,	Hepburn,	Packer, Pa.	Warner,
Cooper, Wis.	Hicks,	Parker, N. J.	Weymouth,
Corliss,	Hilborn,	Payne,	White, N. C.
Cousins,	Hill,	Pearce, Mo.	Williams, Pa.
Crump,	Hitt,	Perkins,	Wise,
Crumpacker,	Hopkins,	Prince,	Yost,
Cummings,	Howe,	Pugh.	Young.
Curtis, Iowa	Hull,	Quigg,	
Curtis, Kans.	Jenkins,	Ray,	

ANSWERED "PRESENT"—9.

Alexander,	Clardy,	De Vries,	Otey,
Bradley,	De Armond,	Dockery,	Robb.
Carmack,			

NOT VOTING—54.

Babcock,	Ellis,	Loud,	Spight,
Barrett,	Evans,	McCall,	Stallings,
Bartholdt,	Fitzpatrick,	Mahany,	Swanson,
Belden,	Fox,	Marshall,	Taylor, Ala.
Benner, Pa.	Gunn,	Martin,	Vehslage,
Campbell,	Harmer,	Miers, Ind.	Walker, Va.
Catchings,	Howell,	Newlands,	Ward,
Chickering,	Hunter,	Odell,	Weaver,
Colson,	Hurley,	Ogden,	Wheeler, Ala.
Cranford,	Joy,	Osborne,	White, Ill.
Danford,	King,	Pearson,	Wilber,
Davey,	Kulp,	Powers,	Wilson.
Davidson, Wis.	Lawrence,	Sauerhering,	
Davison, Ky.	Lorimer,	Showalter,	

So the motion to recommit was disagreed to.

The following pairs were announced:

Until further notice:

Mr. LAWRENCE with Mr. MIERS of Indiana.

Mr. PEARSON with Mr. DAVEY.

Mr. EVANS with Mr. CLARDY.

Mr. WARD with Mr. CATCHINGS.

Mr. BELDEN with Mr. HUNTER.

Mr. ODELL with Mr. KING.

Mr. DANFORD with Mr. FITZPATRICK.

Mr. BARTHOLDT with Mr. OGDEN.

Mr. CHICKERING with Mr. OTEY.

Mr. HARMER with Mr. CRANFORD.

Mr. JOY with Mr. CARMACK.

Mr. HOWELL with Mr. WILSON.

Mr. WEAVER with Mr. MARSHALL.

On this question:

Mr. LORIMER with Mr. SWANSON.

Mr. KULP with Mr. BARRETT.

Mr. ELLIS with Mr. MCCALL.

Mr. WHITE of Illinois with Mr. DOCKERY.

Mr. WILBER with Mr. DE ARMOND.

For this day:

Mr. RUSSELL with Mr. BENNER of Pennsylvania.

Mr. POWERS with Mr. FOX.

Mr. ALEXANDER with Mr. VEHSLAGE.

Mr. SHOWALTER with Mr. SPIGHT.

Mr. BABCOCK with Mr. OSBORNE.

Mr. SWANSON. Mr. Speaker, I desire to announce that I am paired with the gentleman from Illinois, Mr. LORIMER, who is detained from the House on account of sickness in his family. If he were present, I would vote "aye."

Mr. DOCKERY. As I am paired on this question, I wish to withdraw my vote and be recorded "present."

Mr. STALLINGS. Mr. Speaker, I desire to have my vote recorded.

The SPEAKER. On what ground?

Mr. STALLINGS. I was in the Hall and failed to hear my name called.

The SPEAKER. Was the gentleman listening at the time when his name should have been called?

Mr. STALLINGS. I was—about that time. I can not say I was listening at the very minute. I was in my seat at the time, though I may have been talking just at the moment.

The SPEAKER. The Chair thinks that the gentleman, upon his statement, is not entitled to record his vote.

Mr. STALLINGS. Very well; then I wish to state that I am paired with the gentleman from New Jersey, Mr. LOUDENSLAGER.

Mr. CLARDY. Mr. Speaker, has my colleague, Mr. EVANS, voted on this question?

The SPEAKER. The Clerk informs the Chair that he has not.

Mr. CLARDY. Then I desire to state that I am paired with him. I withdraw my vote and ask to be recorded "present."

Mr. DE ARMOND. Mr. Speaker, as I am paired, I wish to withdraw my vote and be recorded as "present."

Mr. DALZELL. My colleague, Mr. SHOWALTER, is necessarily absent. If he were here, he would vote "no."

Mr. DE VRIES. I wish to withdraw my vote and be marked "present," as I have a pair with my colleague, Mr. LOUD.

The result of the vote was announced as above stated.

The SPEAKER. The question is now on the passage of the bill.

Mr. HAY and Mr. DOCKERY called for the yeas and nays.

The yeas and nays were ordered.

The question was taken; and there were—yeas 168, nays 126, answered "present" 4, not voting 53; as follows:

YEAS—168.

Acheson,	Dalzell,	Jenkins,	Reeves,
Adams,	Davenport,	Johnson, N. Dak.	Robbins,
Aldrich,	Dayton,	Kerr,	Royse,
Arnold,	Dick,	Ketcham,	Russell,
Baker, Md.	Dolliver,	Kirkpatrick,	Shannon,
Barham,	Dorr,	Knox,	Shattuc,
Barney,	Dovener,	Lacey,	Shelden,
Barrows,	Eddy,	Landis,	Sherman,
Beach,	Faris,	Linney,	Skinner,
Belford,	Fenton,	Loudenslager,	Smith, Ill.
Belknap,	Fischer,	Lovering,	Smith, S. W.
Bennett,	Fletcher,	Low,	Smith, Wm. Alden
Berry,	Foote,	Lybrand,	Snover,
Bingham,	Foss,	McAleer,	Southard,
Bishop,	Fowler, N. J.	McCleary,	Southwick,
Booze,	Gardner,	McClellan,	Spalding,
Boutell, Ill.	Gibson,	McDonald,	Sperry,
Boutelle, Me.	Gillet, N. Y.	McIntire,	Sprague,
Brewster,	Gillett, Mass.	Mahon,	Steele,
Broderick,	Graff,	Mann,	Stevens, Minn.
Bromwell,	Graham,	Marsh,	Stewart, N. J.
Brosius,	Greene, Mass.	Mercer,	Stewart, Wis.
Brown,	Griffin,	Mesick,	Stone,
Brownlow,	Grosvenor,	Miller,	Strode, Nebr.
Bull,	Grout,	Mills,	Sturtevant,
Burleigh,	Grow,	Minor,	Sulloway,
Burton,	Hager,	Mitchell,	Tawney,
Butler,	Hamilton,	Moody,	Tayler, Ohio
Cannon,	Hawley,	Morris,	Taylor, Ala.
Capron,	Heatwole,	Mudd,	Thorp,
Clark, Iowa	Hemenway,	Olmsted,	Tongue,
Clarke, N. H.	Henderson,	Otjen,	Updegraff,
Cochrane, N. Y.	Henry, Conn.	Overstreet,	Van Voorhis,
Codding,	Henry, Ind.	Packer, Pa.	Walker, Mass.
Connell,	Hepburn,	Parker, N. J	Wanger,
Cooper, Wis.	Hicks,	Payne,	Warner,
Corliss,	Hilborn,	Pearce, Mo.	Weymouth,
Cousins,	Hill,	Perkins,	White, N. C.
Crump,	Hitt,	Prince,	Williams, Pa.
Crumpacker,	Hopkins,	Pugh,	Wise,
Curtis, Iowa	Howe,	Quigg,	Yost,
Curtis, Kans.	Hull,	Ray,	Young.

NAYS—126.

Adamson,	Bland,	Clark, Mo.	De Vries,
Allen,	Bodine,	Clayton,	Dinsmore,
Bailey,	Botkin,	Cochran, Mo.	Dockery,
Baird,	Bradley,	Connolly,	Driggs,
Baker, Ill.	Brantley,	Cooney,	Elliott,
Ball,	Brenner, Ohio	Cooper, Tex.	Ermentrout,
Bankhead,	Brewer,	Cowherd,	Fitzgerald,
Barber,	Broussard,	Cox,	Fleming,
Barlow,	Brucker,	Cummings,	Fowler, N. C.
Bartlett,	Brundidge,	Davis,	Gaines,
Bell,	Burke,	De Armond,	Greene, Nebr.
Benton,	Castle,	De Graffenreid,	Griffith,

Griggs,	Lentz,	Norton, S. C.	Stark,
Handy,	Lester,	Osborne,	Stephens, Tex.
Hartman,	Lewis, Ga.	Peters,	Stokes,
Hay,	Lewis, Wash.	Pierce, Tenn.	Strait,
Henry, Miss.	Little,	Rhea,	Strowd, N. C.
Henry, Tex.	Livingston,	Richardson,	Sulzer,
Hinrichsen,	Lloyd,	Ridgely,	Sutherland,
Howard, Ala.	Loud,	Rixey,	Talbert,
Howard, Ga.	McCulloch,	Robb,	Tate,
Jett,	McDowell,	Robertson, La.	Terry,
Johnson, Ind.	McEwan,	Robinson, Ind.	Todd,
Jones, Va.	McLain,	Settle,	Underwood,
Jones, Wash.	McRae,	Shafroth,	Vandiver,
Kelley,	Maddox,	Shuford,	Vincent,
Kitchin,	Maguire,	Simpson,	Wadsworth,
Kleberg,	Maxwell,	Sims,	Wheeler, Ky.
Knowles,	Meekison,	Slayden,	Williams, Miss.
Lamb,	Meyer, La.	Smith, Ky.	Zenor.
Lanham,	Moon,	Sparkman,	
Latimer,	Norton, Ohio	Stallings,	

ANSWERED "PRESENT"—4.

Alexander,	Carmack,	Clardy,	Otey.

NOT VOTING—53.

Babcock,	Davison, Ky.	Littauer,	Showalter,
Barrett,	Ellis,	Lorimer,	Spight,
Bartholdt,	Evans,	McCall,	Swanson,
Belden,	Fitzpatrick,	McCormick,	Vehslage,
Benner, Pa.	Fox,	Mahany,	Walker, Va.
Brumm,	Gunn,	Marshall,	Ward,
Campbell,	Harmer,	Martin,	Weaver,
Catchings,	Howell,	Miers, Ind.	Wheeler, Ala.
Chickering,	Hunter,	Newlands,	White, Ill.
Colson,	Hurley,	Odell,	Wilber,
Cranford,	Joy,	Ogden,	Wilson.
Danford,	King,	Pearson,	
Davey,	Kulp,	Powers,	
Davidson, Wis.	Lawrence,	Sauerhering,	

So the bill was passed.

Mr. CLARDY (having voted in the negative). I desire to withdraw my vote and be recorded "present."

Mr. SWANSON. I am paired with the gentleman from Illinois, Mr. LORIMER. If he were present, I should vote "no."

Mr. STEWART of New Jersey. My colleague, Mr. HOWELL, is absent on account of the death of his brother. If he were present, he would vote "aye."

Mr. CARMACK. I wish to withdraw my vote. I am paired with the gentleman from Missouri, Mr. JOY. If he were here, I should vote "no."

Mr. ALEXANDER. I desire to withdraw my vote. I am paired with the gentleman from New York, Mr. VEHSLAGE, who is sick.

The result of the vote was announced as above stated.

Mr. HULL moved to reconsider the vote by which the bill was passed, and also moved that the motion to reconsider be laid on the table.

The latter motion was agreed to.

DIRECTORS OF COLUMBIA HOSPITAL FOR WOMEN.

The SPEAKER announced the appointment of Mr. LIVINGSTON and Mr. BARROWS as directors on the part of the House of Representatives of the Columbia Hospital for Women.

COLUMBIA INSTITUTION FOR THE DEAF AND DUMB.

The SPEAKER also announced the appointment of Mr. RUSSELL and Mr. LANHAM as directors on the part of the House of the Columbia Institution for the Deaf and Dumb.

REPRINT OF ARMY REORGANIZATION BILL.

Mr. HULL. Mr. Speaker, I ask unanimous consent that a thousand copies of the Army bill as it passed the House be printed and placed in the document room.

The SPEAKER. The gentleman from Iowa asks unanimous consent that a thousand copies of the bill as it passed the House be printed. Is there objection?

Mr. BARTLETT. I wish to ask the gentleman how they are to be distributed?

Mr. HULL. If they are in the document room, members can get them on application.

Mr. BARTLETT. I ask the gentleman to amend his request so that they may be put to the credit of members in the folding room.

Mr. HULL. If they are placed in the folding room, they are put to the credit of members, and probably one-third of the members will not call for any at all, and the bills will remain there permanently.

Mr. HAY. I hope the gentleman will not object to their being distributed through the folding room. If members do not want to call for them, they need not do so.

Mr. HULL. If they are in the folding room, a large increase in the number will be needed, because a great many copies will never be called for, and members who really desire them will lose the benefit of the number which are not called for. If they are placed in the document room, they can be supplied to members who desire them.

Mr. BAILEY. Will the gentleman from Iowa tell me from whence comes any great demand for copies of a bill like this?

Mr. HULL. A great many members have wanted them.

Mr. BAILEY. Then, of course, members can get them if the bills are put to their credit. Is it not true that the demand comes almost entirely from the Army?

Mr. HULL. No, sir; I have only had calls for six copies from the Army.

Mr. BAILEY. Oh, well, Mr. Speaker, if there is no more demand than that, it looks to me as though it would be useless to print the bill.

Mr. HULL. The newspapers all over the country would like copies of the bill. In my district, at least, they want them, and I have no doubt that a great many other newspapers will want copies.

Mr. BAILEY. Perhaps that is largely because of the gentleman's connection with the bill.

Mr. HULL. Possibly.

Mr. BAILEY. Well, I have no objection. I care nothing about it.

The SPEAKER. Is there objection?

Mr. HAY. I do not want to object: but I ask the gentleman if he will not agree that they be distributed through the folding room?

Mr. HULL. If they go to the folding room, the number ought to be increased largely; but I think a thousand will be ample if they are put in the document room, and will be more than will be called for.

Mr. HAY. I ask the gentleman to request 2,000.

Mr. HULL. If the gentleman insists, I will make the request that 2,000 be printed and put in the folding room.

The SPEAKER. Is there objection to the request of the gentleman from Iowa for a print of 2,000 copies of the bill, to be placed in the folding room?

There was no objection.

MESSAGE FROM THE SENATE.

A message from the Senate, by Mr. PLATT, one of its clerks, announced that the Senate had passed bills of the following titles; in which the concurrence of the House was requested:

S. 5206. An act to declare the proper construction of the act of March 3, 1891, entitled "An act to provide for the adjudication and payment of claims arising from Indian depredations;"

S. 5376. An act authorizing the terms of the district court of the United States for the southern district of Mississippi to be held hereafter at Biloxi; and

S. 5363. An act granting extra pay to officers and enlisted men of the temporary force of the Navy.

The message also announced that the Senate had passed with amendment bills of the following titles in which the concurrence of the House was requested:

H. R. 11605. An act for the widening of Nineteenth street NW.;

H. R. 10509. An act to authorize the Missouri and Kansas Telephone Company to construct and maintain lines and offices for general business purposes in the Ponca, Otoe, and Missouria Reservation, in the Territory of Oklahoma; and

H. R. 6718. An act for the relief of Samuel Racey.

The message also announced that the Senate had agreed to the amendment of the House of Representatives to the bill (S. 5191) to authorize the construction of certain bridges over the waters of Lake Champlain.

The message also announced that the Senate had passed without amendment bill of the following title:

H. R. 967. An act to correct the war record of George W. McBride.

The message also announced that the Senate had disagreed to the amendments of the House to the bill (S. 1154) for the relief of George Hughes, of Portland, Oreg., had asked a conference with the House on the disagreeing votes of the two Houses thereon, and had appointed Mr. GALLINGER, Mr. PRITCHARD, and Mr. ROACH as the conferees on the part of the Senate.

The message also announced that the Senate had agreed to the report of the committee of conference on the disagreeing votes of the two Houses on the amendment of the House to the bill (S. 4571) to extend Rhode Island avenue.

The message also announced that the Senate had disagreed to the amendments of the House of Representatives to the bill (S. 2919) granting to Olivia Worden, widow of the late John L. Worden, United States Navy, asked a conference with the House on the disagreeing votes of the two Houses thereon, and had appointed Mr. HANSBROUGH, Mr. CHANDLER, and Mr. MITCHELL as the conferees on the part of the Senate.

The message also announced that the Senate had agreed to the report of the committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H. R. 6901) to prevent the abatement of certain actions.

ENROLLED BILLS SIGNED.

Mr. HAGER, from the Committee on Enrolled Bills, reported that they had examined and found truly enrolled bills of the following titles; when the Speaker signed the same:

H. R. 11157. An act making appropriations for the payment of invalid and other pensions of the United States for the fiscal year ending June 30, 1900, and for other purposes; and

H. R. 2274. An act to remove the charge of desertion from the military record of Daniel Straw, late private, Company F, Twenty-sixth Massachusetts Volunteers.

The SPEAKER announced his signature to enrolled bills and joint resolutions of the following titles:

S. 5047. An act to revive, reenact, and amend "An act to authorize the construction of a bridge across the Missouri River at or near the city of Lexington, Mo.;"

S. 5191. An act to authorize the construction of certain bridges over the waters of Lake Champlain;

S. 290. An act granting a pension to Charlotte Poe;

S. 304. An act granting a pension to Henry Farmer;

S. 717. An act granting an increase of pension to Eva W. Brannan;

S. 1183. An act for the relief of John Green;

S. 2002. An act granting an increase of pension to Byron R. Pierce;

S. 3002. An act to pension William Russell for services in Oregon Indian wars;

S. 4422. An act granting an increase of pension to George W. Gould;

S. 383. An act granting an increase of pension to William W. Tumblin, of Bradford County, Fla.;

S. 943. An act granting a pension to Jane B. Johnson;

S. 1974. An act granting a pension to Charles H. Streeter;

S. 2015. An act granting a pension to Lillian M. Yost;

S. 2729. An act granting a pension to Lydia E. Bowers;

S. 2786. An act granting a pension to Martha E. Huddleston;

S. 3534. An act granting an increase of pension to Annie E. Joseph;

S. 4246. An act granting an increase of pension to Margaret Love Skerrett;

S. 4622. An act granting an increase of pension to John S. Beaty; and

S. 4871. An act granting an increase of pension to Eleazer Smith.

DIPLOMATIC AND CONSULAR APPROPRIATION BILL.

Mr. HITT. Mr. Speaker, I desire to call up the bill (H. R. 11487) making appropriations for the diplomatic and consular service for the fiscal year ending June 30, 1900, and I move to nonconcur in the Senate amendments and ask for a conference.

The SPEAKER. The Clerk will report the Senate amendments.

The Senate amendments were read.

The SPEAKER. The gentleman from Illinois [Mr. HITT] asks unanimous consent to take up the bill and moves to nonconcur in the Senate amendments and ask for a committee of conference. Is there objection?

There was no objection.

The motion of Mr. HITT was agreed to; and the Speaker appointed as conferees on the part of the House Mr. HITT, Mr. QUIGG, and Mr. DINSMORE.

CAPT. ROBERT W. DOWDY.

The SPEAKER laid before the House the bill (H. R. 11036) to restore Capt. Robert W. Dowdy to the active list of the Army, with Senate amendments thereto.

The Senate amendments were read.

Mr. DINSMORE. Mr. Speaker, I move to concur in the Senate amendments.

The motion was agreed to.

Accordingly the Senate amendments were concurred in.

GEORGIE SMILEY.

The SPEAKER also laid before the House the bill (H. R. 10316) for the relief of Georgie Smiley, with Senate amendments thereto.

The Senate amendments were read.

Mr. RAY of New York. Mr. Speaker, I move that the House concur in the Senate amendments.

The motion was agreed to.

Accordingly the Senate amendments were concurred in.

EXTENSION OF RHODE ISLAND AVENUE, DISTRICT OF COLUMBIA.

Mr. CURTIS of Iowa. Mr. Speaker, I desire to present a conference report on the bill (S. 4571) for the extension of Rhode Island avenue.

The conference report was read.

Mr. CANNON. I want to ask the gentleman from Iowa a question.

Mr. DOCKERY. There does not seem to be any statement accompanying the report.

The SPEAKER. Is there any statement by the House conferees?

Mr. DOCKERY. I make the point that there does not seem to be any statement by the managers on the part of the House.

Mr. CURTIS of Iowa. I will say to my friend that the report is precisely as it came from the Senate.

Mr. DOCKERY. But the rules require a statement from the managers on the part of the House.

The SPEAKER. The gentleman from Missouri makes the point of order that there is no statement of the managers on the part of the House.

Mr. DOCKERY. I suggest that the matter go over until to-morrow.

Mr. CURTIS of Iowa. I ask unanimous consent that the matter go over until to-morrow.

The SPEAKER. The gentleman can withdraw it. It is a privileged question and can be presented at any time.

Mr. CURTIS of Iowa. I withdraw it.

BRIDGE ACROSS THE MISSOURI RIVER, BOONVILLE, MO.

Mr. BLAND. Mr. Speaker, I believe there is on the Speaker's table a Senate bill (S. 5224) to extend the time for the construction of a bridge across the Missouri River at or near the city of Boonville, Mo., by the Boonville and Howard County Bridge Company. A similar bill has been reported by the Committee on Interstate and Foreign Commerce, and I should like to have the Senate bill considered.

The SPEAKER. That would require unanimous consent, unless there has been some action on the part of the committee.

Mr. BLAND. The committee have reported it favorably.

The SPEAKER. The committee have not called it up; but the Chair will ask unanimous consent after the bill is read.

The bill was read. It provides that section 8 of the act of May 25, 1896, received by the President May 13, entitled "An act to authorize the construction of a bridge across the Missouri River at or near the city of Boonville, Mo.," be, and the same is hereby, amended so as to permit the construction of said bridge to be commenced within one year from May 25, 1899, and the completion thereof within three years from the same date.

The SPEAKER. Is there objection to the present consideration of the bill?

There was no objection.

The bill was ordered to a third reading; and it was accordingly read the third time, and passed.

On motion of Mr. BLAND, a motion to reconsider the last vote was laid on the table.

MISSOURI AND KANSAS TELEPHONE COMPANY, OKLAHOMA.

The SPEAKER laid before the House the bill (H. R. 10509) to authorize the Missouri and Kansas Telephone Company to construct and maintain lines and offices for general business purposes in the Ponca, Otoe, and Missouria Reservation, in the Territory of Oklahoma, with Senate amendments thereto.

The Senate amendments were read.

Mr. COWHERD. I move that the House concur in the Senate amendments.

The motion was agreed to.

Accordingly the Senate amendments were concurred in.

RIVER AND HARBOR APPROPRIATION BILL.

Mr. BURTON. Mr. Speaker, I desire to call up for consideration the bill (H. R. 11795) making appropriations for the construction, repair, and preservation of certain public works on rivers and harbors, and for other purposes, which bill has been reported from the Committee on Rivers and Harbors. Before making the motion that the House go into Committee of the Whole, I would like to see if we can make an arrangement for the limitation of general debate.

Mr. BAILEY. May I ask the gentleman if he intends to enter upon the general debate this afternoon?

Mr. BURTON. I think not.

Mr. BAILEY. It is now half past 4 o'clock.

Mr. BURTON. I think hardly.

Mr. BAILEY. You think not. Then you will agree with the Democrats on the committee about the division of time?

Mr. BURTON. Now, on the question of the continuance of general debate, I am prepared to agree as to time. I would suggest half an hour. I ask unanimous consent that general debate be limited to half an hour.

The SPEAKER. The gentleman from Ohio asks unanimous consent that general debate on the bill known as the river and harbor bill bill be limited to half an hour. Is there objection?

Mr. PERKINS. I object.

The SPEAKER. Objection is made.

Mr. BURTON. Has the gentleman from Iowa any suggestion as to the continuance of general debate?

Mr. PERKINS. I think there ought to be at least an hour.

Mr. BURTON. The bill will be read by paragraphs, and if there is any desire for debate, there will be opportunity as we reach those paragraphs.

Mr. HENDERSON. I suggest one hour.
Mr. BURTON. I ask unanimous consent that general debate continue for one hour.
Mr. HEPBURN. I would like to ask the gentleman how much is carried by this bill?
Mr. BURTON. In all, about thirty millions.
Mr. HEPBURN. And you ask that general debate be closed in one hour?
Mr. BURTON. Twelve millions, approximately, for the year ending June 30, 1900, and $17,000,000, approximately, for deferred contracts to be hereafter provided for.
Mr. HEPBURN. And how much will be carried on the sundry civil bill?
Mr. BURTON. Seventeen millions one hundred and ten thousand of that is to carried on the sundry civil bill. The $30,000,000 is the aggregate amount, under three heads: First, the amount for the fiscal year ending June 30, 1900, is $12,509,000, and on the deferred contracts authorized to be expended after June 30, 1900, for continuing contracts $17,110,000, and in addition to these two items $770,000 is provided to be expended if certain results are obtained. I now renew the request that general debate be limited to one hour, half an hour on each side.
Mr. HEPBURN. I object.
The SPEAKER. The gentleman from Iowa objects.
Mr. BURTON. What time will the gentleman from Iowa want?
Mr. HEPBURN. I am not prepared to speak for others, but it seems to me that for a bill that disposes of thirty-odd million dollars, containing as many items, some of them new matters, some of them very questionable, it ought to be debated for longer than half an hour on a side.
Mr. BURTON. I would suggest, as I have already stated to the other gentleman from Iowa, that these items will be reached and read one by one, and on a bill of this length it is not necessary to consume any considerable time, as I said, in general discussion. I will make the request that the time be one hour and thirty minutes—forty-five minutes on each side, and I ask unanimous consent for that.
The SPEAKER. The gentleman from Ohio asks unanimous consent that general debate be limited to one hour and a half. Is there objection? [After a pause.] The Chair hears none.
Mr. BURTON. I now move that the House resolve itself into Committee of the Whole House on the state of the Union for the purpose of considering this bill.
Mr. CANNON. I will ask the gentleman if he will not move that the House adjourn now?
The question was put; and the Speaker announced that the ayes seemed to have it.
Several MEMBERS. Division!
Mr. LEWIS of Washington. Did I not understand the gentleman to say that he did not intend to go on with the consideration of the bill to-night?
Mr. HENDERSON. If we adjourn now will it not be the regular order to go into Committee of the Whole?
The SPEAKER. After the House goes into Committee of the Whole the bill, of course, will have to be read.
Mr. BURTON. My only object was that the House should resolve itself into Committee of the Whole and, perhaps, the Chairman be appointed, and then obtain unanimous consent that the first reading of the bill be dispensed with, and after that I should move that the committee rise and that the House adjourn.
The SPEAKER. Does the gentleman insist on the division? [After a pause.] The request for a division is withdrawn; the ayes have it, and the motion to go into Committee of the Whole is agreed to.
The House accordingly resolved itself into the Committee of the Whole House on the state of the Union, Mr. HOPKINS in the chair.
The CHAIRMAN. The House is in Committee of the Whole House on the state of the Union for the purpose of considering the bill H. R. 11795, and the Clerk will report the title of the bill.
The Clerk read as follows:

A bill (H. R. 11795) making appropriations for the construction, repair, and preservation of certain public works on rivers and harbors, and for other purposes.

Mr. BURTON. Mr. Chairman, I ask unanimous consent that the first reading of the bill be dispensed with.
There was no objection; and it was so ordered.
Mr. BURTON. I now move that the committee rise.
The motion was agreed to.
The committee accordingly rose; and the Speaker having resumed the chair, Mr. HOPKINS, Chairman of the Committee of the Whole House on the state of the Union, reported that that committee had had under consideration the bill H. R. 11795, and had come to no resolution thereon.

VIEWS OF MINORITY.

Mr. FITZGERALD. Mr. Speaker, I find it impossible to agree with my colleagues in the minority report on the steamship subsidy bill, and I ask unanimous consent that I may be allowed to present views of my own.
The SPEAKER. In what time?
Mr. FITZGERALD. By Thursday night.
The SPEAKER. Is there objection to the request of the gentleman from Massachusetts? [After a pause.] The Chair hears none.

PORT OF EAST PASCAGOULA, MISS.

Mr. GROSVENOR. Mr. Speaker, I ask unanimous consent for the present consideration of the following bill.
Mr. MCEWAN. I reserve the right to object.
The Clerk read as follows:

A bill (H. R. 11440) to locate the office of the deputy collector of the port of East Pascagoula, Miss., at Scranton, Miss.

Be it enacted etc., That the office of the deputy collector of the port of East Pascagoula, in the Pearl River district of the State of Mississippi, be, and the same is hereby, located at Scranton, Miss.

The SPEAKER. Is there objection to the present consideration of the bill? [After a pause.] The Chair hears none.
Mr. GROSVENOR. Mr. Speaker, the bill was introduced by the gentleman from Mississippi [Mr. MCLAIN]. It simply provides for a change of location in the office of the deputy collector and makes no change in the district itself. It is recommended by the Committee on Ways and Means and also by the Treasury Department.
The bill was ordered to be engrossed for a third reading; and being engrossed, it was accordingly read the third time, and passed.
On motion of Mr. GROSVENOR, a motion to reconsider the vote by which the bill was passed was laid on the table.

WITHDRAWAL OF PAPERS.

By unanimous consent, Mr. SMITH of Kentucky obtained leave to withdraw the papers in the pension case of Z. C. Andrews, accompanying the bill H. R. 3675, there being no adverse report thereon.
Mr. BURTON. I move that the House do now adjourn.
The motion was agreed to.
And accordingly (at 4 o'clock and 47 minutes p. m.) the House adjourned.

EXECUTIVE COMMUNICATIONS, ETC.

Under clause 2 of Rule XXIV, the following executive and other communications were taken from the Speaker's table and referred as follows:

A letter from the Secretary of the Treasury, transmitting estimates of appropriations for collecting the revenue from customs for the fiscal year ending June 30, 1900—to the Committee on Appropriations, and ordered to be printed.

A letter from the Secretary of the Treasury, transmitting a copy of a communication from the Secretary of the Interior submitting estimates of deficiencies in appropriations for Patent Office service—to the Committee on Appropriations, and ordered to be printed.

A letter from the Secretary of the Treasury, transmitting schedules of claims allowed by the several accounting officers of the Treasury under appropriations the balances of which have been exhausted or carried to the surplus fund—to the Committee on Appropriations, and ordered to be printed.

A letter from the assistant clerk of the Court of Claims, transmitting a copy of the findings filed by the court in the case of John Reid against The United States—to the Committee on War Claims, and ordered to be printed.

REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS.

Under clause 2 of Rule XIII, Mr. STONE, from the Committee on Coinage, Weights, and Measures, to which was referred House bill 11411, reported in lieu thereof a bill (H. R. 11917) to define and fix the standard of value and to regulate coinage, and provide for redemption thereunder, and for other purposes, accompanied by a report (No. 1876); which said bill and report were referred to the Committee of the Whole House on the state of the Union.

PUBLIC BILLS, RESOLUTIONS, AND MEMORIALS INTRODUCED.

Under clause 3 of Rule XXII, bills, resolutions, and memorials of the following titles were introduced and severally referred as follows:

By Mr. ALEXANDER: A bill (H. R. 11915) to authorize and encourage the holding of a Pan-American Exposition on the Niagara frontier, within the county of Erie or Niagara, in the State of New York, in the year 1901—to the Committee on Ways and Means.

By Mr. LITTLE: A bill (H. R. 11916) to authorize the Fort Smith and Western Railroad Company to construct and operate a railway through the Choctaw and Creek nations, in the Indian

Territory, and for other purposes—to the Committee on Indian Affairs.

By Mr. STONE, from the Committee on Coinage, Weights, and Measures: A bill (H. R. 11917) to define and fix the standard of value and to regulate coinage, and provide for redemption thereunder, and for other purposes—to the Union Calendar.

By Mr. HITT: A bill (H. R. 11918) relating to postal savings banks in Hawaii—to the Committee on the Post-Office and Post-Roads.

By Mr. LACEY: A bill (H. R. 11919) to construct a public building at Oskaloosa, Iowa, and for other purposes—to the Committee on Public Buildings and Grounds.

PRIVATE BILLS AND RESOLUTIONS INTRODUCED.

Under clause 1 of Rule XXII, private bills and resolutions of the following titles were introduced and severally referred as follows:

By Mr. BRENNER of Ohio: A bill (H. R. 11920) granting pension to George Thompson, late Company E, Twenty-seventh United States Colored Volunteer Infantry—to the Committee on Invalid Pensions.

Also, a bill (H. R. 11921) to pension Thomas Auld, late Company B, Second Ohio Volunteer Infantry—to the Committee on Invalid Pensions.

By Mr. CURTIS of Kansas: A bill (H. R. 11922) granting a pension to William G. Brooks—to the Committee on Invalid Pensions.

By Mr. GRIFFITH: A bill (H. R. 11923) granting a pension to John Brisben, of Columbus, Ind.—to the Committee on Invalid Pensions.

By Mr. JENKINS: A bill (H. R. 11924) to quitclaim all interest of the United States of America in and to lot 4, square 1113, in the city of Washington, D. C., to William H. Dix—to the Committee on the District of Columbia.

By Mr. LEWIS of Georgia: A bill (H. R. 11925) for the relief of George H. Sieg, a citizen of Americus, Sumter County, Ga.—to the Committee on War Claims.

Also, a bill (H. R. 11926) for the relief of J. W. Holmes, a citizen of Americus, Sumter County, Ga.—to the Committee on War Claims.

By Mr. MADDOX: A bill (H. R. 11927) for the relief of J. T. Brown, of Walker County, Ga.—to the Committee on War Claims.

Also, a bill (H. R. 11928) for the relief of G. E. D. Russell and Mrs. R. E. Stroup, of Catoosa County, Ga.—to the Committee on War Claims.

By Mr. MARSH: A bill (H. R. 11929) to grant an increase of pension to John I. Shauman—to the Committee on Invalid Pensions.

By Mr. OVERSTREET: A bill (H. R. 11930) for the relief of Hattie E. Dodge and George Philion—to the Committee on Patents.

By Mr. OTEY: A bill (H. R. 11931) for the relief of James D. Hankins—to the Committee on War Claims.

By Mr. ROBBINS: A bill (H. R. 11932) to restore the name of Julia A. Kinkead to the pension roll—to the Committee on Invalid Pensions.

By Mr. SHERMAN: A bill (H. R. 11933) for the relief of Anna Fernette—to the Committee on Invalid Pensions.

By Mr. MUDD: A bill (H. R. 11934) granting a pension to Mrs. Ellen S. Jones—to the Committee on Invalid Pensions.

Also, a bill (H. R. 11935) granting a pension to Mrs. Elmina Creighton—to the Committee on Pensions.

PETITIONS, ETC.

Under clause 1 of Rule XXII, the following petitions and papers were laid on the Clerk's desk and referred as follows:

By the SPEAKER: Memorial of the Philadelphia board of health, in relation to the care of leprosy—to the Committee on Interstate and Foreign Commerce.

By Mr. ACHESON: Petition of the American Industrial and Shipping League, urging the passage of the Hanna-Payne shipping bill—to the Committee on the Merchant Marine and Fisheries.

Also, resolutions of the Pittsburg Coal Exchange, for necessary appropriation to insure a complete levee system—to the Committee on Rivers and Harbors.

Also, petition of the Woman's Christian Temperance Union, Young People's Society of Christian Endeavor of Westminster Church, Young People's Society of United Brethren Church, and Post 286, Grand Army of the Republic, all of Burgettstown, Pa., to forbid interstate gambling by telegraph or telephone—to the Committee on the Judiciary.

By Mr. ARNOLD: Petition of the Woman's Christian Temperande Union of Marionville, Pa., for the passage of the Ellis bill to prohibit the sale of liquor in Government buildings—to the Committee on Alcoholic Liquor Traffic.

By Mr. BABCOCK: Resolutions of the Washington (D. C.) Central Labor Union, in relation to bill for the construction of a public library in Washington—to the Committee on Public Buildings and Grounds.

By Mr. BARLOW: Papers relating to the claim of Morgan Everts—to the Committee on War Claims.

By Mr. BARNEY: Petition of certain members of the Northwestern National Military Home, Milwaukee, Wis., relating to pensioners at the military homes—to the Committee on Military Affairs.

By Mr. BENNER of Pennsylvania: Petitions of Grace United Brethren Church, W. J. Huck, pastor; the Second Presbyterian Church, George Norcross, pastor, and the Methodist Episcopal Church, United Evangelical Church, and Young Men's Christian Association, all of Carlisle, Pa.; Dickinson Presbyterian Church, of Moordale, and the Young Women's Christian Temperance Union of Arendtsville, Pa., to prohibit the sale of liquor in canteens and in immigrant stations and Government buildings—to the Committee on Alcoholic Liquor Traffic.

By Mr. BOUTELLE of Maine: Protest of the Christian Endeavor Society of Brownville, Me., against the seating of Brigham H. Roberts as a Representative from Utah—to the Committee on Elections No. 1.

By Mr. CLARKE of New Hampshire: Petition of the Woman's Christian Temperance Union of Carroll, N. H., to prohibit interstate gambling by telegraph, telephone, or otherwise—to the Committee on Interstate and Foreign Commerce.

Also, petition of the Woman's Christian Temperance Union of Carroll, N. H., to prohibit the sale of liquor in canteens and in immigrant stations and Government buildings—to the Committee on Alcoholic Liquor Traffic.

Also, petition of the Woman's Christian Temperance Union of Carroll, N. H., to prohibit the reproduction of prize fights in the District of Columbia and the Territories, and the interstate transmission of devices for the same—to the Committee on Interstate and Foreign Commerce.

By Mr. COOPER of Texas: Petition of owners and operatives of sawmills in Orange County, Tex., favoring the passage of Senate bill No. 3354, to amend the "Act to regulate commerce"—to the Committee on Interstate and Foreign Commerce.

By Mr. CRUMP: Petitions of D. O. Barry and 55 citizens of Saline, Mich., for the abolition of the sale of liquors in Government buildings, etc.—to the Committee on Alcoholic Liquor Traffic.

By Mr. COUSINS: Petitions of the Reformed Church, Tipton, and three church congregations of Anamosa, Iowa, to prohibit the sale of liquor in Government buildings, etc.—to the Committee on Alcoholic Liquor Traffic.

Also, petition of the Reformed Church of Tipton, Iowa, to continue the present liquor laws of Alaska—to the Committee on Alcoholic Liquor Traffic.

By Mr. CUMMINGS: Papers to accompany House bill No. 11890, to correct the military record of Reinhard Schneider—to the Committee on Military Affairs.

By Mr. CURTIS of Kansas: Petition of Peter Anderson to accompany House bill No. 5653, increasing his pension—to the Committee on Invalid Pensions.

By Mr. DAVENPORT: Petition of Picking Naval Garrison, No. 8, of Erie, Pa., urging the passage of House bill No. 11556, to promote the efficiency of the clerical service in the Navy of the United States by organizing a clerical corps of the Navy—to the Committee on Naval Affairs.

By Mr. DAYTON: Papers to accompany House bill No. 11907, granting an increase of pension to William R. Hoffman—to the Committee on Invalid Pensions.

By Mr. DE VRIES: Resolution of Sedgwick Post, Department of California and Nevada, Grand Army of the Republic, urging the passage of Senate bill No. 3256, relating to civil-service appointments—to the Committee on Reform in the Civil Service.

By Mr. DINSMORE: Papers relating to the claim of Elijah P. Burgin, of Benton County, Ark.—to the Committee on War Claims.

Also, papers relating to the claim of Sampson Brewer, of Pulaski County, Ark.—to the Committee on War Claims.

By Mr. FARIS: Petition of the Home Missionary Society of Terre Haute, Ind., against the seating of Representative-elect B. H. Roberts, of Utah—to the Committee on Elections No. 1.

Also, petitions of citizens of Plainfield, Henderson Chapel, and Young People's Society of Christian Endeavor of the Christian Church of Plainfield, Ind., to prohibit the sale of liquor in canteens of the Army and Navy, in Soldiers' Homes, and Government buildings—to the Committee on Alcoholic Liquor Traffic.

By Mr. FITZPATRICK: Papers relating to the claim of Nimrod Hall—to the Committee on Military Affairs.

By Mr. GIBSON: Petition of the Mission Home, Woman's Christian Temperance Union, and 24 citizens of Knoxville, Tenn., to prohibit the sale of liquor in canteens, in immigrant stations, and in Government buildings—to the Committee on Alcoholic Liquor Traffic.

Also, petition of the Chamber of Commerce of Knoxville, Tenn., for the continuance of fast-mail service through the South and entire United States—to the Committee on the Post-Office and Post-Roads.

By Mr. GRAHAM: Letter of R. S. Smith, Pittsburg, Pa., urging the passage of the Ellis bill to prohibit the sale of liquor in canteens and in immigrant stations and Government buildings—to the Committee on Alcoholic Liquor Traffic.

Also, resolution of the Chamber of Commerce of Knoxville, Tenn., for the continuance of fast-mail service through the South and entire United States—to the Committee on the Post-Office and Post-Roads.

Also, resolutions of the American Humane Society, favoring the passage of Senate bill No. 1144, for the regulation of vivisection in the District of Columbia—to the Committee on the District of Columbia.

By Mr. GROUT: Petition of Lucie B. Cassidy and the Service Seekers' Circle of the King's Daughters, of St. Albans, Vt., to prohibit the sale of liquor in canteens of the Army and Navy, in Soldiers' Homes, and Government buildings—to the Committee on Alcoholic Liquor Traffic.

Also, petition of George M. Hogan and the Christian Endeavor Society of the First Congregational Church of St. Albans, Vt., to forbid interstate gambling by telegraph or telephone—to the Committee on Interstate and Foreign Commerce.

Also, petitions of W. M. Morrow and 222 citizens of Stannard, Vt., H. H. Miller and 210 citizens of Dummerston, Vt., favoring postal savings banks—to the Committee on the Post-Office and Post-Roads.

By Mr. HAMILTON: Petition of the Methodist Episcopal Church of Parkville, Mich., W. N. Younglove, pastor, to prohibit the sale of liquor in Government buildings—to the Committee on Alcoholic Liquor Traffic.

By Mr. HENDERSON: Petition of 56 citizens of La Porte City, Iowa, to prohibit the sale of liquor in canteens, in immigrant stations, and in Government buildings—to the Committee on Alcoholic Liquor Traffic.

Also, petition of the Chamber of Commerce of San Francisco, Cal., asking the passage of House bill No. 10524, relating to the reorganization of the consular service—to the Committee on Foreign Affairs.

By Mr. HENRY of Mississippi: Petition of C. H. Benton and citizens of Claiborne County, Miss., to prohibit the sale of liquor in canteens and in immigrant stations and Government buildings—to the Committee on Alcoholic Liquor Traffic.

By Mr. HILBORN: Resolution of the Santa Barbara Lemon Growers' Exchange, of the State of California, urging the passage of the Hanna-Payne shipping bill—to the Committee on the Merchant Marine and Fisheries.

Also, resolutions of the Good Government Club, of Berkeley, Cal., in relation to civil-service appointments in the Census Office—to the Committee on Reform in the Civil Service.

Also, petitions of the First Presbyterian Church, Trinity Methodist Episcopal Church, First Congregational Church, Christian Endeavor Society, Young Men's Christian Association of the University of California, Young Woman's Christian Association of the University of California, Grand Division of California Sons of Temperance, Congregational Church, First Baptist Church, and Woman's Christian Temperance Union, all of Berkeley, Cal., to prohibit the sale of liquor in canteens and in immigrant stations and Government buildings—to the Committee on Alcoholic Liquor Traffic.

By Mr. JENKINS: Resolutions of Hammond Grange, No. 158, of the State of Wisconsin, praying for legislation restoring to the United States the ocean carrying trade sailing under the American flag—to the Committee on the Merchant Marine and Fisheries.

By Mr. KERR: Resolution of Townsend Grange, No. 1392, praying for legislation restoring to the United States the ocean carrying trade sailing under the American flag—to the Committee on the Merchant Marine and Fisheries.

Also, protest of the Woman's League of Mansfield, Ohio, against the seating of Brigham H. Roberts as a Representative from Utah—to the Committee on Elections No. 1.

By Mr. LEWIS of Georgia: Papers to accompany House bill relating to the claim of George H. Seig, of Americus, Ga.—to the Committee on War Claims.

Also, papers to accompany House bill relating to the claim of J. W. Holmes, of Americus, Ga.—to the Committee on War Claims.

By Mr. McCALL: Petition of the Chamber of Commerce of Knoxville, Tenn., for the continuance of fast-mail service through the South and entire United States—to the Committee on the Post-Office and Post-Roads.

By Mr. McCLEARY: Letter of Rev. W. E. Bates, of the Presbyterian Church of Winnebago City, Minn., for the passage of the Ellis bill to prohibit the sale of liquor in canteens and in immigrant stations and Government buildings—to the Committee on Alcoholic Liquor Traffic.

By Mr. MOON: Papers relating to the claim of George Shultz, of Springdale, Tenn.—to the Committee on War Claims.

Also, papers relating to the claim of Moses R. Buchanan, of Rutherford County, Tenn.—to the Committee on War Claims.

Also, papers relating to the claim of Samuel P. Ament, of Davidson County, Tenn.—to the Committee on War Claims.

By Mr. PUGH: Papers to accompany House bill No. 7292, for the relief of James McCue—to the Committee on Invalid Pensions.

Also, papers in support of House bill No. 8970, for the relief of William T. Moore—to the Committee on Invalid Pensions.

Also, papers to accompany House bill No. 7679, for the relief of John Blanchard—to the Committee on Invalid Pensions.

By Mr. ROBBINS: Petitions of the First Baptist Church and Young People's Society, of Indiana, Pa., and citizens of New Alexandria, Pa., to prohibit the sale of liquor in canteens and in immigrant stations and Government buildings—to the Committee on Alcoholic Liquor Traffic.

By Mr. ROBINSON of Indiana: Petition of citizens of Lima, Ind., to prohibit the sale of liquor in canteens and in immigrant stations and Government buildings—to the Committee on Alcoholic Liquor Traffic.

By Mr. RUSSELL: Resolutions of the New London County (Conn.) Association of Congregational Ministers, against the seating of a polygamist—to the Committee on Elections No. 1.

By Mr. STARK: Papers to accompany House bill No. 11911, to authorize the Secretary of the Treasury to accept for the United States a post-office building and grounds from citizens of Wymore, Nebr.—to the Committee on the Post-Office and Post-Roads.

By Mr. STEELE: Petition of the Methodist Episcopal Church, Rev. C. E. White, pastor, and the First Baptist Church, Rev. E. G. Shouse, pastor, all of Kokomo, Ind., for the abolition of the sale of liquor in Government buildings, etc.—to the Committee on Alcoholic Liquor Traffic.

Also, petitions of the Methodist Episcopal Church and the First Baptist Church of Kokomo, Ind., to forbid interstate gambling by telegraph or telephone—to the Committee on Interstate and Foreign Commerce.

Also, petition of James K. Goar, adjutant-general of the State of Indiana, for an increase in the appropriation for the maintenance of the National Guard—to the Committee on the Militia.

By Mr. SULLOWAY: Petitions of Lewis G. Gilman and citizens of Manchester, Arthur E. Hoyt and others of Atkinson, Cyrus Blood and others of North Groton, Gilmore Casey and others of Wares Ferry, Arthur K. Menill of Haverhill, Frank Andrews and others of Pike Station, Arthur P. Merran and others of Carroll County, Preston H. A. Claflin and others of Lyme, A. A. Bartlett and others of Hill and Bristol, State of New Hampshire, favoring postal savings banks—to the Committee on the Post-Office and Post-Roads.

By Mr. YOUNG: Petition of the American Shipping and Industrial League of New York City, praying for legislation restoring to the United States the ocean carrying trade sailing under the American flag—to the Committee on the Merchant Marine and Fisheries.

Also, resolution of the Trades League of Philadelphia, favoring the construction of the Nicaragua Canal—to the Committee on Interstate and Foreign Commerce.

Also, resolution of the Board of Trade of Philadelphia, Pa., favoring legislation for the improvement of Philadelphia Harbor and the Delaware and Schuylkill rivers—to the Committee on Rivers and Harbors.

SENATE.

WEDNESDAY, *February 1, 1899.*

Prayer by the Chaplain, Rev. W. H. MILBURN, D. D.

The Secretary proceeded to read the Journal of yesterday's proceedings, when, on motion of Mr. RAWLINS, and by unanimous consent, the further reading was dispensed with.

The PRESIDENT pro tempore. The Journal will stand approved, if there be no objection.

CREDENTIALS.

Mr. WARREN presented the credentials of CLARENCE D. CLARK, chosen by the legislature of Wyoming a Senator from that State for the term beginning March 4, 1899; which were read, and ordered to be filed.

MESSAGE FROM THE HOUSE.

A message from the House of Representatives, by Mr. W. J. BROWNING, its Chief Clerk, announced that the House had agreed to the report of the committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H. R. 6901) to prevent the abatement of certain actions.

The message also announced that the House had agreed to the amendments of the Senate to the following bills:

A bill (H. R. 10316) for the relief of Georgie Smiley;

A bill (H. R. 10509) to authorize the Missouri and Kansas Telephone Company to construct and maintain lines and offices for general business purposes in the Ponca, Otoe, and Missouria Reservation, in the Territory of Oklahoma; and

A bill (H. R. 11036) to restore Capt. Robert W. Dowdy to the active list of the Army.

The message further announced that the House had passed the bill (S. 5224) to extend the time for the construction of a bridge across the Missouri River, at or near the city of Boonville, Mo., by the Boonville and Howard County Bridge Company.

The message also announced that the House had passed the following bills; in which it requested the concurrence of the Senate:

A bill (H. R. 11022) for the reorganization of the Army of the United States, and for other purposes; and

A bill (H. R. 11440) to locate the office of the deputy collector of the port of East Pascagoula, Miss., at Scranton, Miss.

The message further announced that the House had disagreed to the amendments of the Senate to the bill (H. R. 11487) making appropriations for the diplomatic and consular service for the fiscal year ending June 30, 1900, asks a conference with the Senate on the disagreeing votes of the two Houses thereon, and had appointed Mr. HITT, Mr. QUIGG, and Mr. DINSMORE managers at the conference on the part of the House.

ENROLLED BILLS SIGNED.

The message also announced that the Speaker of the House had signed the following enrolled bills; and they were thereupon signed by the President pro tempore:

A bill (S. 290) granting a pension to Charlotte Poe;

A bill (S. 304) granting a pension to Henry Farmer;

A bill (S. 388) granting an increase of pension to William W. Tumblin, of Bradford County, Fla.;

A bill (S. 717) granting an increase of pension to Eva W. Brannon;

A bill (S. 943) granting a pension to James B. Johnson;

A bill (S. 1183) for the relief of John Green;

A bill (S. 1974) granting a pension to Charles H. Streeter;

A bill (S. 2002) granting an increase of pension to Byron R. Pierce;

A bill (S. 2015) granting a pension to Lillian M. Yost;

A bill (S. 2729) granting a pension to Lydia E. Bowers;

A bill (S. 2786) granting a pension to Martha E. Huddleston;

A bill (S. 3002) to pension William Russell for services in Oregon Indian wars;

A bill (S. 3534) granting an increase of pension to Annie E. Joseph;

A bill (S. 4246) granting an increase of pension to Margaret Love Skerrett;

A bill (S. 4422) granting an increase of pension to George W. Gould;

A bill (S. 4622) granting an increase of pension to John S. Beaty;

A bill (S. 4871) granting an increase of pension to Eleazer Smith;

A bill (S. 5047) to revive, reenact, and amend an act to authorize the construction of a bridge across the Missouri River at or near the city of Lexington, Mo.;

A bill (S. 5191) to authorize the construction of certain bridges over the waters of Lake Champlain;

A bill (H. R. 2274) to remove the charge of desertion from the military record of Daniel Straw, late private, Company F, Twenty-sixth Massachusetts Volunteers; and

A bill (H. R. 11157) making appropriations for the payment of invalid and other pensions of the United States for the fiscal year ending June 30, 1900, and for other purposes.

PETITIONS AND MEMORIALS.

Mr. SEWELL presented a petition of Local Union No. 138, Cigar Makers' International Union, of Newark, N. J., praying for the passage of the eight-hour bill; which was referred to the Committee on Education and Labor.

He also presented a petition of the Christian Endeavor Society of the First Presbyterian Church of Hackensack, N. J., praying for the enactment of legislation to prohibit the sale of liquor in canteens of the Army and Navy and of Soldiers' Homes, and in immigrant stations and Government buildings; which was referred to the Committee on Military Affairs.

Mr. PLATT of New York presented the petition of George E. Green, of Binghamton, N. Y., praying that a pension be granted to Richard M. Hussey, of Company B, Second Regiment Maine Cavalry Volunteers; which was ordered to lie on the table.

He also presented a petition of the Merchants and Manufacturers' Board of Trade, of New York City, N. Y., praying for the erection of a new custom-house on the Bowling Green site, in that city; which was referred to the Committee on Public Buildings and Grounds.

He also presented a petition of Grovenors Corners Grange, No. 763, Patrons of Husbandry, of New York, praying for the enactment of legislation to increase American shipping; which was ordered to lie on the table.

He also presented the petition of A. C. Rockefeller and sundry other citizens of New York, and the petition of E. M. M. Schram and sundry other citizens of Niagara, N. Y., praying for the enactment of legislation to prohibit the sale of liquor in canteens of the Army and Navy and of Soldiers' Homes, and in immigrant stations and Government buildings; which were referred to the Committee on Military Affairs.

Mr. SIMON presented the petitions of Linus M. Clark and 193 other citizens of Portland, of R. Reid and 205 other citizens of Lincoln, of John M. Osburn and 76 other citizens of Corvallis, and of J. R. Ladd and 99 other citizens of Sparta, all in the State of Oregon, praying for the establishment of postal savings bank depositories; which were referred to the Committee on Post-Offices and Post-Roads.

Mr. PRITCHARD presented a petition of the Board of Trade of Tarboro, N. C., praying that an appropriation be made for the improvement of Tar River and Fishing Creek in that State; which was referred to the Committee on Commerce.

He also presented a petition of the Board of Trade of Tarboro, N. C., praying for the enactment of legislation to increase American shipping; which was ordered to lie on the table.

He also presented a petition of the Young People's Christian Endeavor Society of the Cavalry Moravian Church, of Winston, N. C., praying for the enactment of legislation to prohibit the transmission by mail or interstate commerce of pictures or descriptions of prize fights; which was referred to the Committee on the Judiciary.

He also presented a petition of the Young People's Christian Endeavor Society of the Cavalry Moravian Church, of Winston, N. C., praying for the maintenance of the prohibition law in Alaska and the Indian Territory, and to extend it to our new half-civilized dependencies; which was referred to the Committee on Territories.

He also presented a petition of the Young People's Christian Endeavor Society of the Calvary Moravian Church, of Winston, N. C., praying for the enactment of legislation to prohibit the sale of liquor in canteens of the Army and Navy and of Soldiers' Homes, and in immigrant stations and Government buildings; which was referred to the Committee on Military Affairs.

He also presented a petition of the Chamber of Commerce of Knoxville, Tenn., praying for a continuance of the appropriation for the fast-mail service between the Northern and Southern cities; which was referred to the Committee on Appropriations.

Mr. PERKINS presented a petition of the Chamber of Commerce of San Francisco, Cal., praying for the imposition of an export bounty on agricultural products; which was referred to the Committee on Commerce.

Mr. COCKRELL presented a petition of the Woman's Christian Temperance Union of Webster Groves, Mo., praying for the enactment of legislation to prohibit the transmission by mail or interstate commerce of pictures or descriptions of prize-fights; which was referred to the Committee on the Judiciary.

He also presented a petition of the Woman's Christian Temperance Union of Webster Groves, Mo., praying for the enactment of legislation to prohibit the sale of liquor in canteens of the Army and Navy and of Soldiers' Homes, and in immigrant stations and Government buildings; which was referred to the Committee on Military Affairs.

He also presented a petition of the Woman's Christian Temperance Union of Webster Groves, Mo., praying for the maintenance of prohibition in Alaska and the Indian Territory, and to extend it to our new, half-civilized dependencies; which was referred to the Committee on Territories.

He also presented a petition of the Woman's Christian Temperance Central Union of St. Louis, Mo., praying for the enactment of legislation to protect State anti-cigarette laws by providing that cigarettes imported in original packages on entering any State shall become subject to its laws; which was referred to the Committee on Interstate Commerce.

Mr. LINDSAY presented the petitions of Marion Dukes and 204 other citizens of Redhill, Ky., praying for the establishment of postal savings bank depositories; which were referred to the Committee on Post-Offices and Post-Roads.

Mr. HOAR presented the memorials of Davis R. Dewey and 2 other citizens, of Freeman H. Lothrop and 19 other citizens, J. E. Toulmin and 5 other citizens, and of H. W. Tyler and 18 other citizens, all in the State of Massachusetts; of Thomas Rankin and 9 other citizens, James F. Carson and 9 other citizens, J. H. Patton and 9 other citizens, W. A. Miller and 9 other citizens, and of L. F. Warner and 9 other citizens, all in the State of Kentucky; of M. L. Harknader and 9 other citizens, R. O. Ellis and 9 other citizens, H. G. Sadler and 9 other citizens, D. B. Huffman and 1 other citizen, and of C. H. Dobbs and 9 other citizens, all in the State of Arkansas; of D. C. Cox and 9 other citizens, and of William Cain and 9 other citizens, all in the State of North Carolina; of R. W. Wagster and 9 other citizens, and of J. T. Quinn and 9 other citizens, all in the State of Tennessee; of Tom Tate Tunstall and 9

other citizens of Alabama; of William Durrin and 29 other citizens of Minnesota; of Russell H. Ramsey, of Pennsylvania; of L. H. Gehman and 25 other citizens of Georgia; of John E. Kenney and 12 other citizens of Michigan, and of William D. Windom, of Connecticut, remonstrating against any extension of the sovereignty of the United States over the Philippine Islands in any event, and over any other foreign territory without the free consent of the people thereof; which were referred to the Committee on Foreign Relations.

Mr. KYLE presented a petition of the congregation of the Firesteel Church, of Badger, S. Dak., praying for the maintenance of the prohibition law in the Territory of Alaska; which was referred to the Committee on Territories.

He also presented a petition of the Woman's Christian Temperance Union of South Dakota, praying for the enactment of legislation to prohibit the transmission by mail or interstate commerce of pictures or descriptions of prize fights; which was referred to the Committee on the Judiciary.

He also presented a petition of the Woman's Christian Temperance Union of South Dakota, praying for the enactment of legislation to prohibit interstate gambling by telegraph, telephone, or otherwise; which was referred to the Committee on the Judiciary.

He also presented a petition of the Woman's Christian Temperance Union of South Dakota, praying for the enactment of legislation to prohibit the sale of liquor in canteens of the Army and Navy and of Soldiers' Homes, and in immigrant stations and Government buildings; which was referred to the Committee on Military Affairs.

Mr. GALLINGER presented a petition of the Woman's Christian Temperance Union of Newport, N. H., and a petition of the Woman's Christian Temperance Union of Seabrook, N. H., praying for the enactment of legislation to prohibit interstate gambling by telegraph, telephone, or otherwise; which were referred to the Committee on the Judiciary.

He also presented a petition of the Woman's Christian Temperance Union of Newport, N. H., and a petition of the Woman's Christian Temperance Union of Seabrook, N. H., praying for the enactment of legislation to prohibit the sale of liquor in canteens of the Army and Navy and of Soldiers' Homes, and in immigrant stations and Government buildings; which were referred to the Committee on Military Affairs.

He also presented a petition of the Woman's Christian Temperance Union of Newport, N. H., and a petition of the Woman's Christian Temperance Union of Seabrook, N. H., praying for the enactment of legislation to prohibit the transmission by mail or interstate commerce of pictures or descriptions of prize fights; which were referred to the Committee on the Judiciary.

He also presented a petition of the Woman's Christian Temperance Union of Newport, N. H., praying for the maintenance of the prohibition laws in Alaska and the Indian Territory, and to extend them to our new, half-civilized dependencies; which was referred to the Committee on Territories.

Mr. FAIRBANKS presented the petitions of O. R. Horn and 28 other citizens of Daleville; O. P. Meredith and 23 other citizens of Plymouth; C. E. Gift and 42 other citizens of South Wabash; W. M. Crais and 73 other citizens of Ossian; Frank Hardesty and 48 other citizens of McNatts; Simon Spaadling and 57 other citizens of La Fontaine; Albert Cottingham and 33 other citizens of Bright; E. M. Gadd and 45 other citizens of Indianapolis; O. P. Nottingham and 29 other citizens of Leach; J. Barton and 53 other citizens of South Bend; W. T. Smith and 28 other citizens of Palmyra; W. W. Turpin and 37 other citizens of Indianapolis; D. B. Reeder and 31 other citizens of North Vernon; J. M. Elliott and 26 other citizens of Ridpath; Frank Boyd and 29 other citizens of Rockville; D. W. Duke and 28 other citizens of Indianapolis; William Hays and 49 other citizens of Worthington; B. De Witt Beck and 26 other citizens of Columbus; Rev. J. C. Wilson and 36 other citizens of Poland; E. P. Leavenworth and 59 other citizens of Leavenworth; C. S. Hutchinson and 25 other citizens of Acton; A. L. Eller and 126 other citizens of Noblesville; E. A. Allen and 38 other citizens of Kokomo; J. R. Morgan and 36 other citizens of Indianapolis; John Howell and 74 other citizens of Cammack; I. J. Barker and 53 other citizens of Eagleton; J. T. Williams and 34 other citizens of Harris; Virgil Johnson and 36 other citizens of Boonegrove; L. J. Heller and 48 other citizens of Jonesboro; Arthur Loch and 25 other citizens of Kokomo; J. W. Rine and 16 other citizens of Bristol; Samuel Amber and 37 other citizens of Paw Paw; N. Pettit and 22 other citizens of Metz; William Small and 55 other citizens of Amboy; Fred Simpson and 42 other citizens of Goshen; Thomas E. Hansen and 54 other citizens of New London; F. M. Hatch and 46 other citizens of South Bend; Henry L. Nave and 38 other citizens of Crawfordsville; R. L. Goddard and 60 other citizens of Terre Haute; A. M. Hootman and 54 other citizens of Union City; C. O. Shirey and 20 other citizens of Aurora; W. H. Harvey and 20 other citizens of Mooresville; O. J. Bowman and 54 other citizens of Marion; A. J. Bruce and 22 other citizens of Kendallsville; Amos Clark and 30 other citizens of York; Nathan Pickett and 60 other citizens of Bloomingdale; Wilber Gannon and 42 other citizens of Maple Grove; G. T. Horn and 93 other citizens of Ridgeville, and J. R. Niel and 64 other citizens of Jonesboro, all in the State of Indiana, praying for the enactment of legislation to prohibit the sale of liquor in canteens of the Army and Navy and of Soldiers' Homes, and in immigrant stations and Government buildings; which were referred to the Committee on Military Affairs.

REPORTS OF COMMITTEES.

Mr. HANSBROUGH, from the Committee on Pensions, to whom was referred the bill (H. R. 5054) granting a pension to Rachel J. Comer, reported it without amendment, and submitted a report thereon.

Mr. PETTUS, from the Committee on Military Affairs, to whom was referred the bill (H. R. 5707) for the removal of the charge of desertion against William Mellicott, alias William Reed, late of Company G, Eighth Regiment Tennessee Cavalry Volunteers, and legalizing his service in Company E, Eleventh Regiment Tennessee Cavalry Volunteers, submitted an adverse report thereon, which was agreed to; and the bill was postponed indefinitely.

Mr. COCKRELL, from the Committee on Military Affairs, to whom was referred the bill (S. 4895) for the correction of the military record of Francis A. E. Briot, reported it with amendments, and submitted a report thereon.

He also, from the same committee, to whom was referred the bill (S. 2022) for the relief of Louis Miller, reported it with an amendment, and submitted a report thereon.

Mr. PETTIGREW, from the Committee on Public Lands, reported an amendment authorizing bona fide settlers upon agricultural lands in the Black Hills Forest Reservation, in the State of South Dakota, who made entry prior to September 19, 1898, to enter upon lands embracing improvements made by them, intended to be proposed to the sundry civil appropriation bill; which, with the accompanying papers, was ordered to be printed, and referred to the Committee on Appropriations.

Mr. SHOUP, from the Committee on Military Affairs, to whom was referred the bill (H. R. 6127) for the relief of Henry C. Rawson, reported it without amendment, and submitted a report thereon.

Mr. PERKINS, from the Committee on Naval Affairs, to whom was referred the joint resolution (S. R. 195) authorizing the Secretary of the Navy to pay certain laborers, workmen, and mechanics at United States navy-yards and naval stations 50 per cent additional for work performed in excess of eight hours per diem, reported it without amendment, and submitted a report thereon.

Mr. SEWELL, from the Committee on Military Affairs, to whom was referred the bill (H. R. 4651) for the relief of Jacob Shela, of Portsmouth, Ohio, reported it without amendment.

He also, from the same committee, to whom was referred the bill (H. R. 4332) to correct the military record of Isaac Alger, reported it without amendment.

Mr. WARREN, from the Committee on Military Affairs, to whom was referred the bill (H. R. 5046) to remove the charge of desertion from the military record of Lawrence Ressler, reported it with an amendment, and submitted a report thereon.

He also, from the same committee, to whom was referred the bill (H. R. 1213) granting an honorable discharge to W. G. Neeley, of Canyon City, Colo., reported it with an amendment, and submitted a report thereon.

Mr. SMITH, from the Committee on Naval Affairs, to whom was referred the bill (S. 3151) for the relief of John G. Rose, reported it without amendment, and submitted a report thereon.

CALENDAR OF MISCELLANEOUS PAPERS IN STATE DEPARTMENT.

Mr. LODGE, from the Committee on Foreign Relations, reported the following concurrent resolution; which, with the accompanying papers, was referred to the Committee on Printing:

Resolved by the Senate (the House of Representatives concurring), That there be printed —— copies of the calendar of miscellaneous papers in the State Department, of which —— shall be for the use of the Senate, —— for the use of the House, and —— for the use of the State Department.

STATISTICS OF BATTLES.

Mr. LODGE, from the Committee on Printing, to whom was referred the concurrent resolution submitted by Mr. HAWLEY January 17, 1898, reported it without amendment; and it was considered by unanimous consent, and agreed to, as follows:

Resolved by the Senate (the House of Representatives concurring), That there be printed 8,000 copies of the chronological list of battles in which troops of the permanent establishment have participated from the organization of the Army in 1789, together with statistics of losses and the names of officers wounded or killed in action; 1,000 copies for the Senate, 2,000 copies for the House, and 5,000 copies for the War Department.

ADDITIONAL CLERK FOR COMMITTEE ON TERRITORIES.

Mr. GALLINGER. I am directed by the Committee to Audit and Control the Contingent Expenses of the Senate to report back the resolution submitted by the Senator from North Dakota [Mr.

HANSBROUGH], and I ask for its immediate consideration. There will be no objection to it, I judge.

The Senate, by unanimous consent, proceeded to consider the resolution; which was read, as follows:

Resolved, That the Committee on Territories be, and it hereby is, authorized to employ an additional clerk for the remainder of the present session of Congress, at the rate of $1,440 per annum, same to be paid out of the contingent fund of the Senate.

Mr. GALLINGER. I wish in behalf of the Committee to Audit and Control the Contingent Expenses of the Senate to state that we are unanimously of the opinion that it is a bad practice to have clerks appointed in this way paid from the contingent fund, but this is a very urgent case. The chairman of the Committee on Territories has submitted a letter setting forth the reasons for this action, which I send to the desk and ask shall be printed in connection with the resolution.

The PRESIDENT pro tempore. Without objection, the letter will be printed as requested. The question is on agreeing to the resolution.

The resolution was agreed to.

BILLS INTRODUCED.

Mr. BERRY introduced a bill (S. 5426) to confer jurisdiction upon the Court of Claims to hear and adjudicate the claim of William Ware; which was read twice by its title, and referred to the Committee on Claims.

Mr. HEITFELD introduced a bill (S. 5427) granting to the Clearwater Short Line Railway Company a right of way through the Nez Perces Indian lands in Idaho; which was read twice by its title, and referred to the Committee on Indian Affairs.

Mr. TURLEY introduced a bill (S. 5428) for the relief of the estate of Thomas E. Robinson, deceased, late of Henderson County, Tenn.; which was read twice by its title, and, with the accompanying papers, referred to the Committee on Claims.

He also introduced a bill (S. 5429) for the relief of the estate of William White, deceased, late of Hawkins County, Tenn.; which was read twice by its title, and, with the accompanying papers, referred to the Committee on Claims.

Mr. MALLORY introduced a joint resolution (S. R. 234) to authorize the President to appoint to the Naval Academy acting naval cadets who served during the war with Spain; which was read by its title, and referred to the Committee on Naval Affairs.

ACQUISITION OF TERRITORY.

Mr. LINDSAY. I introduce a joint resolution and ask that it may be read, printed, and lie on the table.

The joint resolution (S. R. 235) respecting the acquisition of foreign and non-American territory was read the first time by its title and the second time at length, as follows:

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled:

1. That the acquisition by the United States, through conquest, treaty, or otherwise, of territory not adjacent to and geographically part of the continent of North America carries with it no constitutional or moral obligation to admit said territory, or any portion thereof, into the Federal Union as a State or States.

2. That it is against the policy, traditions, and interests of the American people to admit States erected out of such non-American territories, or portions thereof, into our Union of American States, at any time or under any conditions.

3. That the United States accept from Spain the cession of the Philippine Islands with the hope that the people of those islands may demonstrate their capacity to establish and maintain a stable government, capable of enforcing law and order at home and of discharging the international obligations resting on separate and independent states, and with no expectation or desire of permanently holding those islands as colonies or subject provinces, or of compelling their people, against their consent, to submit to the authority of the United States, after they shall demonstrate their capacity for self-government as herein defined, the Government of the United States to be the judge of such capacity.

The PRESIDENT pro tempore. The joint resolution will lie upon the table and be printed.

AMENDMENTS TO APPROPRIATION BILLS.

Mr. LODGE submitted an amendment proposing to appropriate $15,000 to build a stone bulkhead around Great Head, Winthrop, Mass., intended to be proposed by him to the river and harbor appropriation bill; which was referred to the Committee on Commerce, and ordered to be printed.

He also submitted an amendment authorizing the Secretary of War to enter into contracts for materials and work for continuing the improvement of harbor of refuge at Sandy Bay, Cape Ann, Massachusetts, the total cost not to exceed $3,950,000, intended to be proposed by him to the river and harbor appropriation bill; which was referred to the Committee on Commerce, and ordered to be printed.

Mr. MANTLE submitted an amendment proposing to appropriate $75,000 for the purchase of a site for a public building in the city of Butte, Mont., intended to be proposed by him to the sundry civil appropriation bill; which was referred to the Committee on Public Buildings and Grounds, and ordered to be printed.

Mr. PETTIGREW submitted an amendment proposing to appropriate $10,000 for the establishment of a psycho-physical laboratory, intended to be proposed by him to the sundry civil appropriation bill; which was referred to the Committee on Appropriations, and ordered to be printed.

He also submitted an amendment authorizing the Secretary of the Interior to appoint a register of deeds for each of the Five Civilized Tribes in Indian Territory, intended to be proposed by him to the Indian appropriation bill; which was referred to the Committee on Indian Affairs, and ordered to be printed.

Mr. PASCO submitted an amendment proposing to appropriate $36,000 for building and operating a suitable boat to be used in removing from the navigable waters of the State of Florida the water hyacinth, intended to be proposed by him to the river and harbor appropriation bill; which was referred to the Committee on Commerce, and ordered to be printed.

THE PHILIPPINE ISLANDS.

On motion of Mr. HOAR, it was

Ordered, That a series of articles from the Singapore Free Press, relating to the Philippine Islands, be printed as a public document.

OFFICERS IN TEMPORARY SERVICE IN THE NAVY.

Mr. CHANDLER. I submit a resolution for which I ask present consideration.

The resolution was read, as follows:

Resolved, That the Secretary of the Navy be directed to inform the Senate how many officers were commissioned and employed in the Volunteer Navy during the late war, how many served in each grade, and how many in each grade are now in the service; and also to send to the Senate a statement giving the names and residences of such officers as had previously served in the Navy and showing the length and character of such service and the present ages of the officers; and also transmitting copies of any applications at any time made from such officers to be admitted into the Regular Navy, and in every such case informing the Senate whether or not the record of the officer was a creditable one during both periods of service.

The Senate, by unanimous consent, proceeded to consider the resolution.

Mr. HOAR. I should like to inquire of the Senator from New Hampshire if the phrase "the Volunteer Navy" be an appropriate, technical, and descriptive phrase? The resolution speaks of service in the Volunteer Navy.

Mr. CHANDLER. I will substitute for the word "Volunteer" the word "temporary;" so that instead of saying "Volunteer Navy" it will read, "temporary service in the Navy during the war with Spain."

The PRESIDENT pro tempore. Is there objection? The Chair hears none, and the substitution is made.

Mr. HOAR. I should further like to inquire whether the Senator means to have the Secretary of the Navy give, as to an officer against whom no charges are made or in whose case there has been no formal trial, his opinion as to whether his service was or was not creditable?

Mr. CHANDLER. The officers who are named are expected to be applicants for admission to the Regular Navy, and I can not conceive of any reason why the Secretary should not inform us whether their records are creditable. If the Senator thinks there is, I will strike that clause out.

Mr. HOAR. If they are applicants for admission to the Regular Navy, and if they are appointed, their records and such comments as the Secretary of the Navy may choose to make upon it will come to us, I suppose, in the confidence of executive session. My difficulty is——

Mr. CHANDLER. If the Senator will allow me to interrupt him, I will withdraw that part of the request. I am anxious to get the statistical facts before the Senate as soon as possible.

The PRESIDENT pro tempore. The Senator from New Hampshire proposes a further amendment to the resolution. It will be so modified, in the absence of objection.

Mr. HOAR. I will merely complete my sentence, not to detain the Senate any further. My difficulty lies in the question whether it is quite proper. There might be some officer whose service was not creditable by reason of mental infirmity or illness, or something of that sort. Certainly, I should think that by a general universal demand for the Secretary's opinion as to every officer of a certain class it should not be made public and advertised to the country and put on record forever. I am glad that the Senator has modified the resolution.

The PRESIDENT pro tempore. The question is on agreeing to the resolution as amended.

Mr. SMITH. I desire to have the resolution read.

The resolution as amended was read, as follows:

Resolved, That the Secretary of the Navy be directed to inform the Senate how many officers were commissioned and employed for temporary service in the Navy during the late war, how many served in each grade, and how many in each grade are now in the service; and also to send to the Senate a statement giving the names and residences of such officers as had previously served in the Navy and showing the length and character of such service and the present ages of the officers; and also transmitting copies of any applications at any time made from such officers to be admitted into the Regular Navy.

The resolution as amended was agreed to.

ACQUISITION OF TERRITORY.

Mr. RAWLINS. I ask for the reading of the joint resolution introduced by the Senator from Missouri [Mr. VEST].

The PRESIDENT pro tempore. The Chair lays before the Senate joint resolution No. 191, which will be read.

The Secretary read the joint resolution (S. R. 191) declaring that under the Constitution of the United States no power is given to the Federal Government to acquire territory to be held and governed permanently as colonies, as follows:

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That under the Constitution of the United States no power is given to the Federal Government to acquire territory to be held and governed permanently as colonies.

The colonial system of European nations can not be established under our present Constitution, but all territory acquired by the Government, except such small amount as may be necessary for coaling stations, correction of boundaries, and similar governmental purposes, must be acquired and governed with the purpose of ultimately organizing such territory into States suitable for admission into the Union.

Mr. QUAY. I move to substitute for the joint resolution of the Senator from Missouri the joint resolution introduced by the Senator from Georgia [Mr. BACON]. The Senator from Utah can proceed on that joint resolution.

Mr. RAWLINS. Mr. President——

Mr. QUAY. Will the Senator from Utah allow me to interrupt him? What is the exact status of the question before the Senate?

The PRESIDENT pro tempore. The joint resolution introduced by the Senator from Missouri [Mr. VEST], on which the Senator from Utah has given notice that he will address the Senate.

Mr. QUAY. I thought I made a motion to substitute the joint resolution introduced by the Senator from Georgia [Mr. BACON] for the joint resolution introduced by the Senator from Missouri.

The PRESIDENT pro tempore. The Senator from Utah gave notice that he would make a speech to-day, and also gave notice that it would be on the joint resolution introduced by the Senator from Missouri, and the Chair laid that joint resolution before the Senate.

Mr. QUAY. And then the Senator from Pennsylvania moved to substitute the joint resolution introduced by the Senator from Georgia. However, it is not a matter of much consequence.

Mr. COCKRELL. I hope that will not be done. My colleague [Mr. VEST] is not here now.

Mr. QUAY. I withdraw the motion.

Mr. RAWLINS. Mr. President, the atmosphere just now seems to be clouded with perplexing problems. Everyone, I presume, is imbued with a wish while adhering to justice to do the best he can for his country. Heretofore I have not been opposed to expansion. This nation has been one of growth in population from 3,000,000 to 75,000,000 people, and in territory from the shores of the Atlantic across the continent and out into the swelling waters of the Pacific. Millions of homes of our sturdy and patriotic people and magnificent States have been the fruits of our expansion. Some of us can not afford to cut the limb which supports us between ourselves and the trunk of the tree.

Territorial expansion with commensurate extension of constitutional freedom is twice blessed. It blesses them that give and them that receive. No man can set an artificial barrier to the inevitable progress of the American people. So far our progress has been that of freedom and not of tyranny.

Mr. President, when our fathers christened this Republic they gave it a name which they doubtless deemed sufficient to cover all the exigencies and developments of its future career. That name was the United States of America. We might stretch out to the north and to the south until we encompassed the two continents and all the islands of the Caribbean Sea, and still we might appropriately bear the name which our fathers gave us.

Mr. President, the mere idea of expansion, of extending our borders, does not alarm me so much as some of the startling doctrines advanced in its justification. We are to-day confronted with the question as to whether we shall change the name of the Republic; and if so, what shall the new name be, and what shall it symbolize? Shall it be the United States of America and the Kingdom of the Philippines or shall it be the Empire of America and Asia? Already there are spectral visions of this in the political sky.

It is not necessary, in order to uphold the right and power of this Government to acquire territory, to hold territory, and govern its inhabitants, to maintain that it is an absolute monarchy or an imperial despotism. The right to acquire and hold property is an ordinary one. It belongs to every private individual. It is incident to the existence of every corporation, whether public or private, with the implied limitation that it must be to subserve the objects and purposes of the corporation. This nation possesses that power. No one disputes it. But it is a power not existing independent of and apart from the Constitution, but is derivative from the express authority which that instrument confers upon the Federal Government.

This being an implied power, there are, of course, no express limitations upon it, but there is always the implied one that the territory acquired must be to subserve some of the great objects and ends for which the Government itself was created.

If we should concede for the purposes of the argument that the power to acquire and to hold territory was unlimited, it would by no means follow as an implication from that, or as a correlative proposition, that this nation would have absolute and uncontrolled power over the inhabitants which would thereby become subject to our jurisdiction. The arm of this nation, so potent for purposes of aggression or defense against a foreign foe, becomes impotent the moment it is turned to the oppression of any of our people, whether living in a State or in a Territory.

Mr. President, there have been two schools of political thought in this country. Both, I understand, have agreed that the Constitution is the people's grant of power to the Government of the United States. They have differed only as to the latitude of the construction of the grant. Both alike have agreed that all power not granted according to the one rule of interpretation or the other and not prohibited by the Constitution and its amendments to the States is reserved to the States and to the people. But a new school of constitutional hermeneutics seems to have arisen in the person of the distinguished Senator from Connecticut [Mr. PLATT]. I quote his exact language. He says:

I propose to maintain that the United States is a nation; that as a nation it possesses every sovereign power not reserved in its Constitution to the States or the people.

Mr. President, the power to define and punish crime, a part of the sovereign police power, is nowhere in the Constitution reserved to the States. Therefore, according to the logic of the Senator, the States do not possess that power. The sovereign power of eminent domain is nowhere in the Constitution reserved to the States. Therefore the States do not possess it. The power to create corporations, recognized as the exercise of a sovereign power, is nowhere in the Constitution reserved to the States. Therefore the States do not possess it. So the proposition of the Senator reduces to absurdity.

The Senator from Connecticut affirms that this is a nation; that it is possessed of plenary and absolute power, especially as relates to all its international relations and to the territories which may become subject to its jurisdiction.

Mr. President, what is this thing which the Senator calls a nation, which he so idolizes and exalts? It is not the States or the people. They, according to his proposition, constitute no part of it. They possess only such crumbs of power as may be reserved to them expressly in the Constitution itself.

Is it the President, the Executive, who is the autocratic possessor of this uncontrolled and uncontrollable authority; or are we, the individuals who compose the Congress of the United States, the more than Forty Tyrants whose crown is to be placed upon a long pole with the command that the people as they pass by must fall down and worship it?

Mr. President, it is not in the nature or essence of our institutions, and it is an impossible conception, that this Government, in any part of its internal structure and administration, can be a bald absolutism—a demon of omnipotence—to stalk forth anywhere, either in State or Territory, to oppress or destroy.

It is claimed by the Senator from Connecticut and reiterated by the Senator from Massachusetts [Mr. LODGE] that the Constitution is not operative except within the limits or boundaries of the States, and that it can only be made to extend, and only does extend, to the Territories, under and by virtue of an act of Congress. The Senator from Massachusetts [Mr. LODGE] uses this language:

I believe that the power of the United States in any Territory or possession outside the limits of the States themselves is absolute, with the single exception of the limitation placed upon such outside possessions by the thirteenth amendment. Such, at all events, has been the policy of the United States and its course of action in practice.

Secondly, he says:

Without a legislative act the Constitution does not extend to the Territories or other possessions of the United States outside the limits of the States themselves.

I refer to this in order to make examination of it to see whether there is any proper foundation for these assertions. If it were true that the Constitution of the United States is not operative at all beyond the limits of a State, it proves too much for the purpose of those who assert it. If the moment you step outside of a State the Constitution ceases to be, is a nonentity, is not to be referred to, because it is not a vital and living force there, what follows? The 447 individuals who constitute the Congress of the United States, the man who may occupy the Presidential chair, at once cease to be clothed with any official character or possessed of any power whatsoever. No one of the departments of this Government, either the executive, the judicial, or the legislative, can exercise authority anywhere, either in the States or the Territories, except under and by virtue of the Constitution. Strike away the Constitution and they are emasculated of all authority. They can not take any authoritative step. They would be possessed of no more power than that which pertains to every private individual.

Mr. President, it may be that the Constitution in some of its

provisions is not self-executing, but that is no less true in a Territory than in a State. Until Congress has provided for tribunals inferior to the Supreme Court and clothed them with jurisdiction to enforce rights and to redress wrongs, the inhabitants of the State where there has been a violation of any of the fundamental rights secured to them by virtue of the Constitution may be without opportunity or means of redress; it is possible they may be imprisoned often unlawfully, without due process of law, and be without the remedy of the writ of habeas corpus, but in the meantime, until Congress has performed the duty devolved upon it by the Constitution and created such tribunals and clothed them with the necessary jurisdiction, are those rights nonexistent? Certainly not. If they are infringed, it is a violation of right; and if for the time being there is no tribunal competent to grant redress, as soon as such tribunal is created and clothed with the necessary power, the individual whose right is infringed may go into court and seek the form of redress which may then be possible.

Mr. MASON. Will the Senator yield for a question?

The PRESIDENT pro tempore. Does the Senator from Utah yield to the Senator from Illinois?

Mr. RAWLINS. I yield.

Mr. MASON. Has the Senator discussed at all the statute which covers, or evidently was intended to cover, the suggestion he has been making? Section 1977 of the Revised Statutes provides that—

All persons—

It does not say all citizens, but—

All persons within the jurisdiction of the United States shall have the same right in every State and Territory to make and enforce contracts, to sue, be parties, give evidence, and to the full and equal benefit of all laws and proceedings for the security of persons and property as is enjoyed by white citizens, and shall be subject to like punishment, pains, penalties, taxes, licenses, and exactions of every kind, and to no other.

Would not that statute extend all the benefits of the Constitution to all persons who are within the jurisdiction of the United States, even though the machinery for giving the constitutional benefit had not been established?

Mr. RAWLINS. Mr. President, I am not now considering the question of the necessity or the force of a statute of Congress. I am considering the question as to the scope and operation of the Constitution itself. The proposition I make is that in the States some of the provisions of the Constitution may not be self-executing, but that this is no more the case in the Territories than in the States.

Turning now to the condition in a Territory where the territory is acquired from another government, all municipal laws and regulations in force at the time of the acquisition continue to be in force after that time; that is, until they are superseded by competent legislation, subject, however, to this qualification, that they must be so modified as to conform to the fundamental principles established by the constitution of the Government succeeding to the sovereignty and the public policies which grow out of such principles. That was the rule which was applied with respect to the Louisiana purchase and with respect to the acquisition from Mexico.

During the interregnum, and from the moment the territory is acquired, the Constitution of the United States and all the provisions of that instrument, in so far as they are not essentially unsuited and inapplicable to the condition of a territory, become proprio vigore applicable thereto and control all the municipal laws and regulations which may have been in existence and may have controlled the people up to that time.

Mr. President, it is true that Congress may temporarily delay or refuse to perform its duty of providing a form of government and judicial tribunals in a Territory, as it might refuse to perform its constitutional duty in providing for courts inferior to the Supreme Court within the borders of a State. But we are not to indulge in any presumption that Congress will neglect to perform any duty which devolves upon it under and by virtue of the authority conferred by the Constitution.

Let us proceed one step farther in this matter. There are certain provisions of the Constitution which in their nature are not and can not be made applicable to a Territory. The framers of the Constitution contemplated that the United States would acquire and hold territory, and that such territory would be incorporated into the Union as States upon an equal footing with the original States in due course of time. It was presumed that the Territorial situation would in every instance be but temporary.

Allusion has been made to some decisions of the Supreme Court of the United States and the practice of the Government that the Territorial courts provided for by legislative enactment are not constitutional courts; that they are not courts inferior to the Supreme Court; that the judges of those courts, when appointed, do not hold their offices during life or good behavior. That provision is unsuited to the situation in a Territory, because the framers of the Constitution, as a part of the interpretation of that instrument, contemplated that the Territorial condition would in every instance be temporary. The inferior tribunals referred to were designed to be permanent, and therefore the tenure of the office of the judges appointed was to be during life or good behavior. That provision was unsuited to the condition which the framers of the Constitution contemplated would exist in respect to the Territories.

Mr. President, I have asserted the proposition that no authority can be exercised by any branch or department of this Government in the Territories except under and by virtue of the Constitution. Take away the Constitution, and who is it that possesses this absolute control of the Territories? Is it Congress? But we are met at the very threshold with the question: What is Congress? We have no means of ascertaining its identity or characteristics without referring to the Constitution. How shall it manifest or express its legislative will in respect to the Territories in accordance with the methods prescribed in the Constitution or without any regard to them?

Is it necessary in order to give validity to the attempt to exercise legislative authority, to obtain the concurrence of the Executive; and if so, why, except that the Constitution is in force in respect to that act, and defines and limits and qualifies the power of Congress? If the act of Congress is invalid unless it receives the concurrence of the Executive and is passed in accordance with the forms of procedure which that instrument prescribes, must it not also be in conformity with all other limitations upon the exercise of Congressional authority?

There is one case in the Supreme Court, which arose in the District of Columbia, which is an apt illustration of the contention I am now making. The House of Representatives made an order. Kilbourn refused to obey that order. The House of Representatives passed a resolution directing its Sergeant-at-Arms to arrest and detain Kilbourn for a violation of the order. That order was complied with, and Kilbourn appealed to the court. He claimed that no authority had been conferred upon the House of Representatives by the Constitution to make the original order; that the order was invalid; that all the proceedings based upon it were equally invalid, and that his imprisonment was unlawful. He was discharged upon a writ of habeas corpus. Afterwards Kilbourn sued the Sergeant-at-Arms of the House of Representatives and certain members of that body for damages resulting to him by reason of his unlawful imprisonment, and he recovered a verdict for a very large amount, which was carried to the Supreme Court of the United States, and there affirmed. The unanimous opinion which was delivered in that case is an instructive one.

The court said that the House of Representatives is not possessed with the omnipotent powers of the House of Parliament of Great Britain, but possesses only such powers as have been expressly conferred upon it by the Constitution or such as are necessary to carry into effect the powers which have been granted. The court searched the Constitution and found that the authority which the House of Representatives undertook to exercise in that case did not exist. They therefore held that the imprisonment of Kilbourn was unlawful and that not only the Sergeant at-Arms, the officer of the House, but members of the House aiding and abetting in the unlawful imprisonment were liable for the damages which Kilbourn sustained by reason of his imprisonment.

Mr. President, extend that principle to the two Houses of Congress, include, if you please, the Executive, apply the doctrine to him, and make it applicable to the District of Columbia or to any one of the Territories. Suppose that both Houses of Congress passed an act, duly approved by the President according to the method prescribed in the Constitution, directing the imprisonment of some man anywhere within our national domain who owes us allegiance and who is entitled to the reciprocal benefit of the equal and just protection of our laws and the safeguards of our liberty, and he should be imprisoned in accordance with that act, and the case was brought to our highest tribunal and a search made for the authority conferred upon Congress to make that order, to pass that act, and no such authority was found or implied as incidental to the existence of any authority expressly conferred in that instrument, what would follow?

The liability of those causing the imprisonment, according to the decision of the Supreme Court of the United States, for the damages which that person would suffer. There is one step further. Suppose a person were executed by command of the President without authority derivable anywhere or by any means from our Constitution, would not the President, if such act were defined and recognized in the municipal law applicable to the Territory as such a crime, be guilty of murder?

Mr. President, we can not take one step anywhere within the limits of our national domain as affecting the rights of the meanest of any of the inhabitants dwelling therein owing us allegiance except under and by virtue of the Constitution. No matter how many of the departments participate in that act, they stand upon the footing of mere intruders, marauders, and pirates when they infringe upon the right, the liberty, or the property of the inhabitants anywhere within our national domain unless in the exercise of power which has been conferred upon them by the fundamental

law of our land. Therefore I state that to prove that the Constitution is only operative within the States proves too much for the purposes of those who assert it.

Now, as to the proposition that the Constitution can only apply to the Territories if extended there by an act of Congress, that, when we analyze it, presents a most peculiar situation. An act of Congress is an insufficient basis upon which to rest the Constitution. The Constitution can not rest upon an act of Congress, but an act of Congress must rest upon the Constitution, and in every instance must depend for its validity upon the authority which that instrument confers upon Congress to enact it.

What is the proposition, when it is stated in its baldest form, which is presented here to justify the procedure which is proposed in regard to the Philippines by some Senators? The proposition is that the Constitution can not be in force in the Territories except by virtue of an act of Congress. It is equally certain that an act of Congress can not be in force in the Territories except by virtue of the Constitution. In logic that is what is called a vicious circle.

The Senator from Massachusetts [Mr. LODGE], stating the propositions which he did—namely, that the Constitution had no operative force out of the States and that it could only be made applicable by virtue of an act of Congress—said that such had been the course and practice of this Government. No such precedent and no such practice have been presented to us. Every precedent, whether legislative or judicial, is against the Senator's contention. All my life has been spent in a Territory. For twenty-five years I have practiced law there, and never before did I hear it seriously contended that the safeguards of the Constitution were not a vital and living force anywhere in the Territories. Time and again I have searched the Constitution to find safeguards to protect the rights of my clients, citizens of a Territory, and many cases I have carried to the highest judicial tribunal in this land, and have been able successfully to assert and maintain those rights in that august tribunal.

I say that there never has been an opinion delivered by the Supreme Court, there has never been a hint or suggestion by any judge who has ever occupied a place in that august tribunal from the time of its creation until the present hour, which has ever asserted that the Constitution is not proprio vigore applicable to the Territories, and does not as much safeguard, in those provisions relating to civil and individual rights, the citizens of the Territory as the citizens of the State. Let us see. I am indebted to the Senator from Colorado [Mr. TELLER] for one precedent of legislative practice which is, to my mind, exceedingly significant.

The ordinance relating to the Northwest Territory was passed in the year 1787, before the Constitution of the United States was framed and ratified. The Constitution was ratified in 1789. If the Constitution thus adopted and ratified—the prior municipal regulations continuing in force until superseded, according to every principle of public and international law, subject to the qualifications which I have previously stated—if the Constitution of the United States did not become by virtue of its ratification operative in the Northwest Territory, then the ordinance of 1787, although inconsistent with the provisions of that instrument, would have continued in force as it was originally enacted, and there would have been no necessity to change or modify it in order to conform to the limitations and provisions of the Constitution.

On August 7, 1789, the very year in which the Constitution of the United States was ratified, Congress, composed of men who participated in the framing of that instrument, deemed it necessary to pass this act, entitled "An act to provide for the government of the territory northwest of the Ohio River," containing this provision, which I quote:

> Whereas, in order that the ordinance of the United States in Congress assembled for the government of the territory northwest of the river Ohio may continue to have full effect, it is requisite—

Note the words—

> that certain provisions should be made so as to adapt the same to the present Constitution of the United States.—*Statutes at Large*, volume 1, pages 50-53.

No such act solemnly passed as that could have been passed by the men who participated in framing and adopting the Constitution of our country, unless they believed that that instrument and all its provisions not utterly unsuited to the condition of a Territory would be proprio vigore applicable thereto, and it would be necessary to make any legislation previously enacted or subsequently enacted conform to the provisions of that instrument. Whatever may have been done after that is immaterial, especially by those who did not participate in the framing of that instrument. This is a cotemporaneous declaration, an interpretation of the Constitution, and asserting the fact that that instrument was originally intended to apply to the Territories and not to be confined in its operations within the limits of the States. There is nothing in Congressional legislation subsequent to that time which is inconsistent with the interpretation to which I have now alluded.

Turn to the Supreme Court, Mr. President. At this point I may be pardoned if I briefly allude to the decisions from the first, constituting a part of the history of that tribunal and all its declarations from the beginning until now on this question. In 4 Wheaton (Loughborough *vs.* Blake) Chief Justice Marshall, delivering the opinion of the court, said:

> The eighth section of the first article gives to Congress the "power to lay and collect taxes, duties, imposts, and excises" for the purposes thereinafter mentioned. This grant is general, without limitation as to place. It consequently extends to all places over which the Government extends. If this could be doubted, the doubt is removed by the subsequent words, which modify the grant. These words are, "but all duties, imposts, and excises shall be uniform throughout the United States." It will not be contended that the modification of the power extends to places to which the power itself does not extend.
>
> The power, then, to lay and collect duties, imposts, and excises may be exercised, and must be exercised, throughout the United States. Does this term designate the whole or any particular portion of the American empire? Certainly this question can admit of but one answer. It is the name given to our great Republic, which is composed of States and Territories. The District of Columbia or the territory west of the Missouri is not less within the United States than Maryland or Pennsylvania; and it is not less necessary, on the principles of our Constitution, that uniformity in the imposition of imposts, duties, and excises should be observed in the one than the other. Since, then, the power to lay and collect taxes, which includes direct taxes, is obviously coextensive with the power to lay and collect duties, imposts, and excises, and since the latter extends throughout the United States, it follows that the power to impose direct taxes also extends throughout the United States.

I next call attention to the case of Webster *vs.* Reid (11 Howard, page 460), which arose in the Territory of Iowa. The defendant in error, Reid, recovered judgment against Webster for a quarter section of land. The validity of the judgment depended upon the regularity of proceedings under a statute of said Territory. The judgment in favor of Reid was held invalid by the Supreme Court. In this case Justice McLean said:

> By the seventh article of the amendments of the Constitution it is declared: "In suits at common law where the value in controversy shall exceed $20 the right of trial by jury shall be preserved." * * * The [Territorial] act under which the above proceeding was had prohibited the trial by jury in matters of fact in which the suits were founded. In this respect the act was void.

In the case of Reynolds *vs.* The United States (98 U. S., 162), which arose in the Territory of Utah, Reynolds claimed that his religious rights had been infringed in his conviction. In the opinion of the Supreme Court in this case Chief Justice Waite uses this language:

> Congress can not pass a law for the government of the Territories which shall prohibit the free exercise of religion. The first amendment to the Constitution expressly forbids such legislation. Religious freedom is guaranteed everywhere throughout the United States so far as Congressional legislation is concerned.

Mr. GEAR. Is that the Iowa case?

Mr. RAWLINS. No.

Mr. GEAR. I thought the Senator was quoting the Iowa case.

Mr. TELLER. I did not want to interrupt the Senator until he was through with that case, but I now ask if that is not the Utah case?

Mr. RAWLINS. Yes.

Mr. TELLER. I want to call attention to the fact that Congress in 1850, in the act to establish a Territorial government for Utah, used this language:

> That the Constitution and laws of the United States are hereby extended over and declared to be in force in said Territory of Utah so far as the same or any provision thereof may be applicable.

Mr. RAWLINS. I was not unaware of that, Mr. President. There has been in most of the organic acts pertaining to the Territories such a provision. That proves nothing against the contention which I have made. It simply discloses that the Congresses which passed these acts, if there was any doubt upon the question—as there had been some expressions by such men as Daniel Webster and others in Congress, but never by the Supreme Court of the United States—that the Constitution was applicable to a Territory, desired, so far as they had the power to do so, to remove that doubt. It was an indication of the sentiment which had its inception at the time of the adoption of the Constitution and which has continued down to the present, that if there was or could be any doubt upon that ground, Congress intended, so far as possible, to remove that doubt; but that is no argument that it was not in the minds of the framers of the Constitution that the safeguards of that instrument should be equally applicable to the Territories as to the States.

Mr. TELLER. I should like to say to the Senator that if he can cite any debate in Congress previous to 1828 where there was a suggestion that the Constitution of the United States went by its own force into the Territories, I shall be very much obliged to him; but I am sure it can not be found.

Mr. RAWLINS. Mr. President, I have already cited an act passed August 7, 1789.

Mr. TELLER. That was for the purpose of giving to those people the benefit of the Constitution.

Mr. RAWLINS. I interpret that act according to its language. The men who framed the Constitution said it was necessary, in order that that act might be enforced in the Territories, to make it

conform to the Constitution. That was the substance of their declaration.

Mr. TELLER. Yes; but it was to provide that the governor of the Territory, instead of reporting to the Confederation, should report to Congress. That is not an argument in favor of what the Senator suggests, for subsequent to that time, by several statutes, they extended the Constitution into the new Territories.

Mr. RAWLINS. Well, I shall submit the language itself for its own interpretation. I do not think it can be made clearer by anything that either the Senator or I can say about it.

Mr. President, I next refer to the case of Murphy *vs.* Ramsey (114 U. S. Reports, page 44). Justice Matthews, in delivering the opinion of the court in that case, said:

> The personal and civil rights of the inhabitants of the Territories are secured to them, as to other citizens, by the principles of constitutional liberty which restrain all the agencies of Government, State and national. Their political rights are franchises which they hold as prvileges in the legislative discretion of the Congress of the United States.

It is true that the Constitution does not impart political privileges, the franchise of voting, or holding office to the inhabitants of a Territory, not because it is not applicable to the Territory, but because that instrument does not impart such rights anywhere, either in a State or in a Territory, as held by the Supreme Court of the United States in the case of Minor *vs.* Happersett, 21 Wallace.

Mr. President, Ex parte Neilsen (131 U. S.) is an interesting case. Neilsen sought relief by the writ of habeas corpus from second trial and punishment for the same offense of which he had been previously convicted. Mr. Justice Bradley delivered the opinion of the court. I desire to call attention to the fact that this opinion was delivered by Mr. Justice Bradley, because some Senators have asserted that that distinguished judge in another case made an intimation that the Constitution was not in force in or applicable to a Territory. This distinguished judge in this case used this language, page 183:

> In the present case the ground for the habeas corpus was not the invalidity of an act of Congress under which the defendant was indicted, but a second prosecution and trial of the same offense contrary to an express provision of the Constitution. In other words, the constitutional immunity of the defendant was violated by the second trial and judgment.

A similar case is that of Ex parte Snow, reported in 120 U. S., 274, in which the opinion was delivered by Mr. Justice Blatchford.

In the case of the Mormon Church *vs.* United States (136 U. S., 44) Justice Bradley, in delivering the opinion of the court, says:

> Doubtless Congress in legislating for the Territories would be subject to those fundamental limitations in favor of personal rights which are found in the Constitution and amendments, etc.

In Callan *vs.* Wilson (127 U. S., 540), which arose in the District of Columbia, it was held that the people of the District can not be deprived of any of the constitutional guarantees of life, liberty, and property.

> We can not think—

Said the Supreme Court—

> that the people of this District have in that regard less rights than those accorded to the people of the Territories of the United States.

In American Publishing Company *vs.* Fisher (166 U. S., 464) it was held that in the Territory of Utah parties to a suit at common law where the value in controversy shall exceed $20 can not be denied the right of a unanimous verdict of twelve men under the seventh amendment of the Constitution.

In Springville *vs.* Thomas (166 U. S., 707), a later decision than the above, and involving the same question, in which it was elaborately contended by counsel that the provisions of the Constitution were not applicable to the Territories, Chief Justice Fuller in delivering the opinion of the court uses this language, to which I invite the attention of Senators:

> In our opinion the seventh amendment secured unanimity in finding a verdict as an essential feature of a trial by jury in common-law cases, and the act of Congress could not impart the power to change the constitutional rule, and could not be construed as attempting to do so.

Mr. President, if the Constitution applicable to a Territory depends upon the legislative act of Congress, it has not the dignity of the Constitution, but stands upon the level of the act of Congress itself, and is subject to change, modification, or repeal; and the Supreme Court, referring to the numerous cases which had previously been before that tribunal, expressly here declared, in the very latest decision, that Congress can not impart validity to any act which will deprive the inhabitants of a Territory of the right of trial by jury as provided in the Constitution.

In Thompson *vs.* The State of Utah (170 U. S., 346) the question was whether under the provision of the Constitution forbidding Congress to pass any bill of attainder or ex post facto law the right of trial by jury of twelve men to which the defendant was entitled in the Territory of Utah at the time when the offense charged was committed could be subsequently taken away by an act authorizing his trial by a jury composed of only eight men. The Supreme Court held not. Justice Harlan, in delivering the opinion of the court, says:

> That the provisions of the Constitution of the United States relating to the right of trial by jury in suits at common law apply to the Territories of the United States is no longer an open question.

Further, the court say:

> When Thompson's crime was committed (in the Territory) it was his constitutional right to demand that his liberty should not be taken from him except by the joint action of the court and the unanimous verdict of a jury of twelve persons. To hold that a State could deprive him of his liberty by the concurrent action of a court and eight jurors would recognize the power of the State not only to do what the United States in respect of Thompson's crime could not at any time have done by legislation, but to take from the accused a substantial right belonging to him when the offense was committed.

There is a distinct and unequivocal declaration that Congress could not, at any time, take from one charged with crime in a Territory, at any time during the Territorial condition, or deprive him of that constitutional right. Such are the precedents.

Mr. President, there is another phase of this question. If it is possible to establish anything by repeated decisions of the highest tribunal of this land, if it is possible to prove any proposition, which by logic and reasoning amounts to a demonstration, it must follow that the Constitution, in all the provisions of that instrument not unsuited to the condition in a Territory, there safeguards all the rights of all the inhabitants of the Territory owing allegiance to this Government, as much as it safeguards the corresponding rights of the people of the States.

There is another interesting case to which I desire to call the attention of the Senate. It occurred in troublous times, when men were feverish and restive under constitutional restraints, as some of them seem to be to-day. During the trouble between the States Milligan, in the State of Indiana, was arrested and arraigned before a military tribunal, and was denied the right of due process of law or the intervention of a jury before he could be found guilty of the offense with which he was charged. They were proceeding post haste to execute him, illustrative of the fact in contravention of what the Senator from Massachusetts [Mr. LODGE] said the other day, that the American people are under all circumstances too just ever to commit a wrong. They were proceeding to execute him without any authority whatever, and the supreme tribunal was appealed to to prevent that crime from being committed.

The Supreme Court discharged him. They held that as to a State or Territory in which there was no invasion or rebellion and as to a person not a prisoner of war and not in the military or naval service Congress could not clothe a military commission with the power to try and convict and execute him; and as the same provisions which safeguarded Milligan in the State of Indiana [illegible]ly equally everywhere within the limits of our dominion where the jurisdiction of our Government extends, under the limitations and the qualifications of the Constitution, the same principles which were applicable to Milligan and Indiana will be equally applicable under like circumstances to the Philippine Islands if we retain them. But there is some language in this opinion which I desire to quote.

Mr. PLATT of Connecticut. May I interrupt the Senator from Utah?

Mr. RAWLINS. Certainly.

Mr. PLATT of Connecticut. Where, under the Constitution, is it provided that a person who is properly tried before a court-martial is not entitled to a trial by jury? I suppose the reason why a citizen of the United States is not entitled to trial by jury by a court-martial is because the Constitution says that Congress may make laws for the government of the Army and Navy just as it says it may make all needful rules and regulations for the government of territory.

Mr. RAWLINS. If I had plenty of time, I should like to read this opinion by the Supreme Court, delivered by Chief Justice Davis. I refer to the Milligan case, 4 Wallace. It shows why we can not do the one thing as to a person not in the military or naval service in a district or State where there is no invasion and no rebellion and why we can do it under a different set of circumstances as to a person who is a prisoner of war or who is in the military or naval service, and therefore subject to military discipline and military law.

Mr. PLATT of Connecticut. But courts-martial in time of war try persons who are not in the military service; try citizens of the United States who are not soldiers, who have not enlisted, who have not signed the Articles of War, and try them without a jury, and because and only because, as I understand it, the Constitution provides that Congress may make rules for the regulation of the Army and Navy for their government, the same as it provides that Congress may make rules for the government of territory.

Mr. RAWLINS. I can not oppose my own feeble authority against that of the distinguished Senator from Connecticut, but I do feel confidence in interposing the authority of the Supreme Court of the United States. I read what they say upon the subject, quoting from the syllabus.

Mr. PLATT of Connecticut. The Senator from Utah will find——

Mr. RAWLINS. Will the Senator from Connecticut permit me to complete my sentence? The court says:

Military commissions organized during the late civil war in a State not invaded and not engaged in rebellion, in which the Federal courts were open and in the proper and unobstructed exercise of their judicial functions, had no jurisdiction to try, convict, or sentence for any criminal offense a citizen who was neither a resident of a rebellious State, nor a prisoner of war, nor a person in the military or naval service. And Congress can not impart such authority.

That language is free from ambiguity.

Mr. PLATT of Connecticut. The Senator will find, if he reads the opinion, that Justice Davis puts the right to try a citizen of the United States by court-martial without jury upon the clause in the Constitution to which I have referred.

Mr. RAWLINS. Of course, I am aware of that proposition. I quote this language from the opinion:

Time has proven the discernment of our ancestors, for even these provisions—

That is, the safeguards of the Constitution—

expressed in such plain English words, that it would seem the ingenuity of man could not evade them, are now, after the lapse of more than seventy years, sought to be avoided. Those great and good men foresaw that troublous times would arise, when rulers and people would become restive under restraint and seek by sharp and decisive measures to accomplish ends deemed just and proper, and that the principles of constitutional liberty would be in peril unless established by irrepealable law. The history of the world had taught them that what was done in the past might be attempted in the future. The Constitution of the United States is a law for rulers and people, equally in war and in peace, and covers with the shield of its protection all classes of men, at all times and under all circumstances.

Mr. President, it will be an evil day for this country when those principles thus solemnly announced become untrue. That is a sufficient answer to the remarks made by the junior Senator from Massachusetts [Mr. LODGE] and reiterated by the Senator from New York [Mr. PLATT], that whenever the Constitution stands in the way of accomplishing any temporary expedient or purpose which may be thought proper in the frenzy of a temporary majority, the Constitution is to be turned to one side. Ah, if it is not to be turned to one side, perhaps they would change it without going through the tedious and difficult formalities prescribed in that instrument for its own amendment.

The cases to which I have alluded are monuments of the fact that arbitrary power possessed by whomsoever anywhere will be abused. It has been abused in England time and time again by every sovereign who claimed to be clothed with an uncontrollable will with respect to the liberties and properties of his subjects. Time and time again I have seen it abused within the limits of the United States. In the Snow case they tried to convict him time and time again and punish him for one and the same offense, contrary to the provisions that for the same public offense no man shall twice be put in jeopardy, etc. The Reynolds case, the Neilsen case, the Snow case, the Milligan case, and the multitude of cases which have gone to the Supreme Court, carried there by those claiming the safeguards of our Constitution, and which have been reversed by that tribunal for their violation, plainly disclose that it is unsafe ever to break down the barriers to the exercise of arbitrary power.

Mr. President, it would be useless for me to undertake by further reference to authorities to establish the proposition which I started out to maintain: First, that the Constitution proprio vigore applies to the Territories, the remotest Territory within our jurisdiction, and is there a vital and living force, never to be overridden by any edict of any Executive, by any command of any military leader, or by the concurrent action of all the departments of this Government. I think it is clear that an act of Congress which must rest for its validity upon the Constitution can not give the Constitution any force anywhere which it would not otherwise possess.

But let us apply these principles briefly to the situation which now immediately confronts us in the light of some claims which are put forth here by distinguished Senators. One of these is that we will so adjust and make unequal our revenue and tariff laws as that the sugar and hemp, the products of the inhabitants of the Philippine Archipelago, will not be permitted to come into competition with the like products of the American farmer.

If we may do that, we can pass similar legislation in order to prevent the wheat grown in Oklahoma from coming into competition with the wheat grown in Kansas or other States of the American Union. Is it possible that there is vested anywhere in this Government power to make such discrimination as that against inhabitants and citizens owing allegiance to this Government and entitled to the reciprocal benefits of its equal and just laws—such infamous discrimination between a citizen of Oklahoma and one in the State of Kansas or in any other State? Or may we prevent the competition of mineral products of New Mexico and Arizona with the similar products of Colorado and Utah? If so, we are to override the interpretation of the Constitution as made by John Marshall and which has prevailed without question from that moment to this. Therefore we can not, unless we override the barriers of the Constitution, shut out the products of the meanest of our citizens owing allegiance, whoever they may be, whether upon the continent or an island of the sea 10,000 miles from the seat of government.

Mr. President, another contention is made in respect to the dark inhabitants of those distant islands. It is that we, not as a punishment for any crime of which they have been duly convicted in accordance with the safeguards and provisions of the Constitution, may deny them the privilege of coming from their homes into the States or visiting the capital of the country to which they owe allegiance. If it is possible to do that, Mr. President, is it not also possible for us to say to the inhabitants of a State, "You may not emigrate to a Territory?" If we may do that, we may forbid those people from passing from one island to another; and if we may do that, we may forbid them visiting their neighbor's house; and if we can do that, not as a punishment for any crime of which they have been duly convicted, may we not throw them down into that Spanish dungeon described by Senators, there to await the incoming tide to end their troubles and put them beyond the reach of American tyranny?

Mr. President, what do we want the Philippine Islands for? Do we want them to furnish homes for our own people? No. Do we want them to furnish an outlet for our surplus labor? The sturdy American workingman could not live in that climate, competing with the meanest of the Tagalos. Do we want them to add a wholesome element to our population, that our sons may find wives and our daughters husbands? The blighting curse of the Almighty would rest upon such miscegenation. Do we want them in order to practice upon their inhabitants the same arts of philanthropy which, applied to the aboriginal inhabitants of this continent, have led to their extermination? Humanity says no. Do we want them for the sake of their trade and commerce? Already the spokesmen of the dominant Administration are seeking to devise unconstitutional methods for intercepting and preventing such traffic. Do we want them in order to send hither swarms of officeholders, carpetbaggers, to riot among them like slimy worms, eating out their substance? Ah! there is the rub. But for this, this perplexing problem would not to-day be seriously confronting the American people. No, there is no conceivable good which they can bring to us. Their retention bodes nothing but evil. They are made the pretext for emasculating our freedom, for overriding our Constitution and breaking down the safeguards of our liberty.

Mr. President, it is said that we must keep the islands to discharge some humane duty or moral obligation. What is it? Those people rendered us aid, it is said; that Aguinaldo and his chieftains and some of his followers rendered us aid in the capture of Manila. We with our Army and Navy rendered them aid in their warfare against Spain. Suppose we set off our obligations against theirs, balance the account, and let it go at that? That will be satisfactory to them; it ought to be satisfactory to us.

Mr. President, I have had great difficulty in respect to the question which is soon to come before the Senate for a vote—the ratification of the peace treaty. I and the American people want to end this war. There is no reason why it should be protracted another moment.

But some of us are confronted with another suggestion made by the Senator from Montana, hinted at by other Senators, suggested from sources which would seem to be authoritative, deriving their strength as they come emanating from the Executive authority of this nation. What is it? While the armistice with Spain is pending, while the Filipinos owe allegiance to the Spanish Kingdom, we are not in a position where we can discharge our obligations to them with shot and shell, not directed against the Spaniard, but against our former ally; that we must get rid of this treaty and end that situation, so that our guns, once directed toward Spain, may be turned upon them; and what for?

Is the ratification of the treaty to end one war to be the inception of another, the end of which no man can foresee, and against people who are absolutely guiltless in sin as against us, who have expressed their gratitude for the aid which we have rendered them—guilty of no crime under the sun except the desire and aspiration which moved our ancestors, the desire and aspiration to be free? Ah, Mr. President, that is the condition, and it is a serious problem, and I confess that while I should like to end one war, I do not want that to be the inception of another under those circumstances and without any excuse or justification under the sun.

Mr. President, there have been many undulations in the strange and wonderful career of humanity. The glory of Egypt was eclipsed in the progress and development of the barbarous tribes of Greece. The plowshare coursed through the site of ruined Carthage, once the proud mistress of the seas and presiding over the destinies of commerce. The northern barbarian, overrun by the legions of Rome, afterwards wore the purple and occupied the imperial throne. There is a descending as well as a rising scale

in the life of nations. A decadence may set in. No people, however proud or strong, need flatter themselves that they are beyond the reach of vicissitude. Though they be, like the Ethiopians of old, the favorite associates of the gods, they may descend to the abasement and turpitude of slaves. We can not afford to go even halfway down to the Asiatic level in order to proportionately uplift their civilization. We have enacted laws which stand like cherubim with flaming sword at the gateways of the Republic to drive back the hordes of the dark and degenerate races of the East, lest they may enter in to infect and to degrade us.

Whatever may happen, Mr. President, let it be that the fathers who erected this Republic "reared a monument more enduring than brass, higher than the regal structure of pyramids, which may not be destroyed by the corroding storm, the fury of the northern wind, by an innumerable series of years or the flight of time." The Senator from Connecticut [Mr. PLATT] twitted the Senator from Massachusetts [Mr. HOAR] with seeing constitutional obstacles, lions in the pathway leading to the House Beautiful. Would the Senator from Connecticut have us, like Samson of old, destroy the lion at the gate in order that we might enter in to wed the daughter of the Philistine? It behooves us to take warning by that example, lest we, too, by such "benevolent assimilation," have our locks shorn and the strength of our institutions taken away.

Mr. BACON. I move that the Senate take up for consideration and action Senate joint resolution (S. R. 211) relative to the acquisition of foreign territory.

The PRESIDING OFFICER (Mr. MASON in the chair). The Senator from Georgia moves that the Senate take up for action Senate joint resolution No. 211. The question is on agreeing to that motion.

Mr. PLATT of Connecticut. What is the motion?

The PRESIDING OFFICER. That the Senate proceed to the consideration of Senate joint resolution No. 211.

Mr. PLATT of Connecticut. That is all right.

The motion was agreed to; and the Senate, as in Committee of the Whole, resumed the consideration of the joint resolution.

Mr. BACON. Mr. President, I trust it may be——

The PRESIDING OFFICER. The pending question is on the motion of the Senator from New Hampshire [Mr. CHANDLER] to refer the joint resolution to the Committee on Foreign Relations, on which the yeas and nays have been ordered.

Mr. BACON. Mr. President——

Mr. QUAY. I sincerely trust that the Senator from New Hampshire who made the motion to refer the joint resolution to the Committee on Foreign Relations will withdraw that motion and allow the question to come to a direct vote on the joint resolution.

Mr. BACON. Mr. President, I think I am entitled to the floor. I addressed the Chair.

The PRESIDENT pro tempore. The Senator from Georgia was recognized.

Mr. QUAY. I was speaking, I understood, with the indulgence of the Senator from Georgia.

Mr. BACON. The Senator from Georgia was so unfortunate as not to be able to hear the Senator from Pennsylvania.

Mr. QUAY. I was asking the Senator from New Hampshire to withdraw his motion to refer the joint resolution to the Committee on Foreign Relations, and to allow a direct vote on the joint resolution of the Senator from Georgia with an amendment that I suppose will be suggested.

Mr. SULLIVAN. Mr. President——

The PRESIDENT pro tempore. Does the Senator from Georgia yield to the Senator from Mississippi?

Mr. BACON. Certainly.

Mr. QUAY. I desire to call the attention of the Senator from New Hampshire to my suggestion. He seems to be engaged in conversation with the chairman of the Committee on Foreign Relations.

Mr. SULLIVAN. I desire to submit an amendment before a vote is taken upon this question. I wish to make a motion to amend the joint resolution introduced by the Senator from Georgia.

Mr. BACON. The Senator from Mississippi desires to make that motion to amend before I proceed?

Mr. SULLIVAN. No; I do not care to interrupt the Senator now.

Mr. BACON. Mr. President, I trust it may be consistent with the will of the Senate that we may have a vote on the joint resolution. Those of us who favor the joint resolution have but one way in which to manifest that favor, and that is by voting for its passage. Those who oppose the joint resolution have several ways in which they may compass its defeat.

It of course will be recognized by the Senate that the joint resolution, to be of any effect, must be speedily acted upon. Therefore those who favor a postponement and who vote for a postponement are virtually voting against the joint resolution. Those who vote for a reference of it to the Committee on Foreign Relations well know that that will be the practical defeat of the joint resolution. Therefore those who vote in favor of such reference must be understood to mean that they are opposed to the passage of the joint resolution.

I trust that the suggestion of the Senator from Pennsylvania may be recognized as a proper one by the Senator from New Hampshire, that these dilatory motions may be abandoned, and that we may come squarely up to the mark and let those of us who favor the joint resolution vote for it and those who are opposed to it enter their votes in the negative directly against the proposition.

Mr. QUAY. I repeat my suggestion to the Senator from New Hampshire that he withdraw his motion to refer.

Mr. CHANDLER. Mr. President——

The PRESIDENT pro tempore. Does the Senator from Georgia yield to the Senator from New Hampshire?

Mr. BACON. I do, sir.

Mr. CHANDLER. Mr. President, it has been my impression since talking with the Senator from Georgia on yesterday that I had better withdraw the motion to refer in order to allow amendments to be made and voted on. I do not admit, the Senator from Georgia will allow me to say, that this is a dilatory motion. I had felt that if all these resolutions were referred to the Committee on Foreign Relations that committee might meet and make a report immediately. I know they could do so if they chose. I had, therefore, no dilatory purpose nor any desire to delay action upon the joint resolution any longer than was necessary to a proper conduct of the public business.

I will withdraw the motion, Mr. President, but I will say to the Senator from Georgia that I hope he will not ask for a vote at this time. I shall not myself oppose fixing a time when a vote may be taken upon the joint resolution.

Mr. BACON. What time will suit the Senator from New Hampshire?

Mr. CHANDLER. I ask unanimous consent to withdraw the motion to refer.

The PRESIDENT pro tempore. The Senator from New Hampshire asks unanimous consent to withdraw his motion to refer the joint resolution to the Committee on Foreign Relations. Is there objection? The Chair hears none, and the motion is withdrawn.

Mr. BACON. Now, as I understand, the question is upon placing the joint resolution on its passage. The Senator from New Hampshire asks that a vote upon it be not asked for now. I do not know of any good reason (of course I am ready to recognize any which may be suggested) why there should be a postponement. The joint resolution has been before the Senate since the 11th day of January. It has itself been directly discussed, and kindred resolutions and subjects have also been discussed every day from then until now. I presume what I said yesterday is true, that there is no Senator who has not made up his mind how he is going to vote on the joint resolution. Therefore, there can be no reason which occurs to me—there may be some to be suggested—why there should be a postponement. From day to day, Mr. President, I have asked for the consideration of the joint resolution.

Mr. DAVIS. Mr. President——

Mr. BACON. If the Senator from Minnesota will pardon me just a moment—I say from day to day I have asked for the consideration of the joint resolution, and each day, as is well known to the Senate, until the hour of 2, when there could be no action, there has been a consumption of time and the Senate has been prevented from coming to a vote upon it. Now I will hear the Senator from Minnesota.

Mr. DAVIS. So far as I am authorized to speak there is no objection to a vote upon the joint resolution now. There has been no dilatory intention in anything which has been done.

Mr. BACON. I am very much obliged to the Senator from Minnesota; and I trust that we may have a vote upon the joint resolution.

The PRESIDENT pro tempore. The joint resolution (S. R. 211) relative to the acquisition of foreign territory is before the Senate, as in Committee of the Whole, and open to amendment.

Mr. SULLIVAN. I move to strike out all after the resolving clause and to insert what I send to the desk.

The PRESIDENT pro tempore. The Senator from Mississippi moves to strike out all after the resolving clause and to insert what will be read by the Secretary.

The SECRETARY. Strike out all after the resolving clause and insert:

That the ratification of the pending treaty of peace with Spain shall in no wise determine the policy to be pursued by the United States in regard to the Philippines, nor shall it commit this Government to a colonial policy; nor is it intended to embarrass the establishment of a stable, independent government by the people of those islands whenever conditions make such a proceeding hopeful of successful and desirable results.

Mr. GEAR. I ask that the original joint resolution may be read.

The PRESIDENT pro tempore. Senate joint resolution 211 will be read.

The Secretary read the joint resolution, as follows:

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, First. That the Government and people of the United States have not waged the recent war with Spain for conquest and for the acquisition of foreign territory, but solely for the purposes set forth in the resolutions of Congress making the declaration of said war, the acquisition of such small tracts of land or harbors as may be necessary for governmental purposes being not deemed inconsistent with the same.

Second. That in demanding and in receiving the cession of the Philippine Islands it is not the purpose of the Government of the United States to secure and maintain permanent dominion over the same as a part of the territory of the United States, or to incorporate the inhabitants thereof as citizens of the United States, or to hold said inhabitants as vassals or subjects of this Government.

Third. That whereas, at the time of the declaration of war by the United States against Spain, and prior thereto, the inhabitants of the Philippine Islands were actively engaged in a war with Spain to achieve their independence; and whereas said purpose and the military operations thereunder have not been abandoned, but are still being actively prosecuted thereunder, therefore, in recognition of, and in obedience to, the vital principle announced in the great Declaration that governments derive "their just powers from the consent of the governed," the Government of the United States recognizes that the people of the Philippine Islands of a right ought to be free and independent; that with this view, and to give effect to the same, the Government of the United States has required the Government of Spain to relinquish its authority and government in the Philippine Islands and to withdraw its land and naval forces from the Philippine Islands and from the waters thereof.

Fourth. That the United States hereby disclaim any disposition or intention to exercise permanent sovereignty, jurisdiction, or control over said islands, and assert their determination, when a stable and independent government shall have been erected therein entitled to recognition as such, to transfer to said government, upon terms which shall be reasonable and just, all rights secured under the cession by Spain, and to thereupon leave the government and control of the islands to their people.

Mr. BACON. Mr. President, as it is evident that we can not complete the vote before 2 o'clock, I ask that there may be unanimous-consent that the regular order at that hour be laid aside in order that we may complete the vote upon the joint resolution, and the amendments offered thereto.

Mr. PASCO. I ask if that would not be in violation of the other unanimous-consent agreement which was made some time ago?

Mr. BACON. In order to avoid any complication of that kind—I do not wish in any manner to trench upon the unanimous-consent agreement—at the suggestion of Senators I will ask unanimous consent that to-morrow, at 1 o'clock, we may take a vote upon the pending joint resolution, and any amendments now pending or that may then be offered.

Mr. DAVIS. At what hour?

Mr. BACON. At 1 o'clock.

Mr. LODGE. I ask what is the regular order?

The PRESIDENT pro tempore. The pending question is the amendment offered by the Senator from Mississippi [Mr. SULLIVAN].

Mr. ALLISON. Mr. President, I merely wish to suggest to the Senator from Georgia that on to-morrow the Senator from Wisconsin [Mr. SPOONER] desires to make some observations upon all these resolutions, and I would not now, in his absence, like to give unanimous consent to a proposition which would cut him off in the midst of his remarks.

Mr. BACON. I will suggest 12.30 as the time for a vote. Then we will get through in time.

Mr. FAULKNER. I suggest to the Senator from Iowa that under the unanimous-consent agreement with reference to an executive session at 2 o'clock, we could fix it at 12.30 and the Senator from Wisconsin could take the floor after the vote on the joint resolution. Then when the hour of 2 o'clock arrives he has a right, under the original unanimous-consent agreement, to continue to hold the floor until his speech is completed.

Mr. ALLISON. Of course I do not wish to interfere with any understanding that may be reached now, but the Senator from Wisconsin intended to address himself to the pending joint resolution.

Mr. LINDSAY. There are plenty of others pending.

Mr. JONES of Arkansas. The Senator from Wisconsin proposes to discuss Senate joint resolution 191.

Mr. ALLISON. Very well, Mr. President. I only make the statement. If Senators wish to take action now in his absence, I shall not interpose.

Mr. BACON. I will modify my request to this extent: I ask consent that to-morrow, upon the completion of the morning business, the Senate may proceed without further debate to vote upon the joint resolution and pending amendments and other amendments then or theretofore offered.

The PRESIDENT pro tempore. The Senator from Georgia asks unanimous consent that immediately after the completion of the routine business to-morrow morning the pending joint resolution and all amendments already offered and that may be hereafter offered shall be voted upon.

Mr. JONES of Arkansas. Without further debate.

Mr. DAVIS. I suppose it is unanimously understood that the unanimous-consent agreement now asked and that asked to be made a few moments ago, that we should waive the 2 o'clock hour, does not and shall not interfere with the arrangement to go into executive session at 2 o'clock?

Mr. GORMAN. Of course not.

Mr. JONES of Arkansas. There is no proposition to interfere with the unanimous-consent agreement in regard to 2 o'clock.

The PRESIDENT pro tempore. Is there objection to the request of the Senator from Georgia?

Mr. CARTER. I suggest that the Senator from Georgia modify his request so that the vote may be taken immediately after the conclusion of the remarks of the Senator from Wisconsin [Mr. SPOONER], which will be offered in the Senate to-morrow morning in pursuance of the notice heretofore given.

Mr. JONES of Arkansas. That would run past 2 o'clock.

Mr. BACON. It would run past 2 o'clock, and that could not be done without interfering with the unanimous-consent agreement.

Mr. ALLISON. Then I ask unanimous consent further that the Senate convene at 11 o'clock to-morrow. That would give us ample time.

Mr. COCKRELL and others. No, no.

Mr. JONES of Arkansas. There is no occasion for that.

Mr. ALLISON. Very well. I have tried to accommodate Senators.

Mr. CHANDLER. The Senator from Georgia can now ask unanimous consent that if the voting is not completed at 2 o'clock the existing agreement which operates at that hour may be dispensed with for that day.

Mr. JONES of Arkansas. That ought not to be done.

Mr. GORMAN and others. No, no.

Mr. BACON. Mr. President, I ask for the consent agreement as I have indicated it.

The PRESIDENT pro tempore. The Senator from Georgia asks unanimous consent that immediately after the completion of the routine business to-morrow morning the joint resolution and all pending amendments and amendments then offered shall be voted upon without further debate. Is there objection?

Mr. TILLMAN. That is the joint resolution introduced by the Senator from Georgia [Mr. BACON]?

Mr. JONES of Arkansas. It is.

The PRESIDENT pro tempore. Is there objection?

Mr. CARTER. Mr. President, it is not my purpose to prevent a vote by the Senate on the joint resolution if it is the manifest desire of the Senate to vote upon it, but I do think, first, that the present arrangement being made might well be the subject of consideration for twenty-four hours. I think, second, that it is discourteous to the Senator from Wisconsin in his absence to make a unanimous-consent agreement whereby the matter to which he proposes to address his remarks will be swept from the Senate and therefore can no longer be pending for the purpose he announced. Unless some arrangement can be made whereby the Senator from Wisconsin may address himself to the pending joint resolution in its present condition, I shall feel constrained to object, and I hope the Senator from Georgia will modify his request so as to permit this simple act of courtesy to a Senator now absent from the Chamber.

The PRESIDENT pro tempore. The hour of 2 o'clock having arrived, the Chair lays before the Senate the unfinished business, which will be stated.

The SECRETARY. A bill (S. 1575) to amend an act entitled "An act to regulate commerce."

Mr. DAVIS. I ask that the unfinished business be temporarily laid aside.

Mr. QUAY. Mr. President, in respect of what the Senator from Montana [Mr. CARTER] has said, I think there will be no difficulty at all as to the Senate indulging the Senator from Wisconsin, to whom we all listen with great pleasure, to extend the remarks which he desires to make to-morrow. As I understand it, the Senator from Montana bases his objection entirely upon the question of the extension of Senatorial courtesy to the Senator from Wisconsin. I trust he will withdraw his objection.

Mr. CARTER. Not entirely, Mr. President. I expressly stated that in my opinion the space of twenty-four hours would not be an excessive length of time to be allowed for the consideration of this very important question.

Mr. DAVIS. Mr. President——

Mr. CARTER. I make that suggestion, not thereby intending to be understood as being opposed to a vote upon these propositions, if it shall be the desire of the Senate to proceed to a vote at any reasonable time in the future. The proposition is not made nor the suggestions put forth for the purpose of consuming time or preventing a vote.

The PRESIDENT pro tempore. There is objection to the request of the Senator from Georgia.

Mr. DAVIS. I move that the Senate proceed to the consideration of executive business.

The PRESIDENT pro tempore. Will the Senator from Minnesota allow the Chair to clear the table of certain important matters upon it?

Mr. DAVIS. Certainly.

HOUSE BILL REFERRED.

The bill (H. R. 11440) to locate the office of the deputy collector of the port of East Pascagoula, Miss., at Scranton, Miss., was read twice by its title, and referred to the Committee on Commerce.

REORGANIZATION OF THE ARMY.

The bill (H. R. 11022) for the reorganization of the Army of the United States, and for other purposes, was read twice by its title, and referred to the Committee on Military Affairs.

Mr. HAWLEY. I move that 1,000 additional copies of the bill may be printed for the use of the Senate, to be placed in the document room. We have no copies of it.

The motion was agreed to.

REPORT OF METROPOLITAN RAILROAD COMPANY.

The PRESIDENT pro tempore laid before the Senate the annual report of the Metropolitan Railroad Company of the District of Columbia, for the year ended December 31, 1898; which was referred to the Committee on the District of Columbia, and ordered to be printed.

EAST WASHINGTON HEIGHTS TRACTION RAILROAD COMPANY.

The PRESIDENT pro tempore laid before the Senate the report of the East Washington Heights Traction Railroad Company of the District of Columbia, from the date of its incorporation, June 18, 1898, to December 31, 1898; which was referred to the Committee on the District of Columbia, and ordered to be printed.

PRESIDENTIAL APPROVAL.

A message from the President of the United States, by Mr. O. L. PRUDEN, one of his secretaries, announced that the President had on January 31 approved and signed the act (S. 4626) to change the proceedings for admission to the Government Hospital for the Insane in certain cases, and for other purposes.

EXECUTIVE SESSION.

Mr. DAVIS. I renew my motion.

The PRESIDENT pro tempore. The Senator from Minnesota moves that the Senate proceed to the consideration of executive business.

The motion was agreed to; and the Senate proceeded to the consideration of executive business. After three hours and fifteen minutes spent in executive session the doors were reopened, and (at 5 o'clock and 20 minutes p. m.) the Senate adjourned until to-morrow, Thursday, February 2, 1899, at 12 o'clock meridian.

NOMINATION.

Executive nomination received by the Senate February 1, 1899.

SURVEYOR OF CUSTOMS.

Cadet Taylor, of Nebraska, to be surveyor of customs for the port of Omaha, in the State of Nebraska, in place of Champion S. Chase, deceased.

CONFIRMATIONS.

Executive nominations confirmed by the Senate February 1, 1899.

POSTMASTERS.

Charles C. Lincoln, to be postmaster at Marion, in the county of Smyth and State of Virginia.

Andrew J. Robinson, to be postmaster at Liberty, in the county of Clay and State of Missouri.

Frank F. Talley, to be postmaster at New Richmond, in the county of Clermont and State of Ohio.

Mary L. Thompson, to be postmaster at Georgetown, in the county of Brown and State of Ohio.

HOUSE OF REPRESENTATIVES.

WEDNESDAY, *February 1, 1899.*

The House met at 12 o'clock m. Prayer by the Chaplain, Rev. HENRY N. COUDEN.

The Journal of the proceedings of yesterday was read and approved.

RIVER AND HARBOR APPROPRIATION BILL.

Mr. BURTON. Mr. Speaker, I move that the House resolve itself into Committee of the Whole for the further consideration of the river and harbor appropriation bill.

The motion was agreed to; accordingly the House resolved itself into Committee of the Whole on the state of the Union, Mr. HOPKINS in the chair, for the further consideration of the bill (H. R. 11795), making appropriations for the construction, repair, and preservation of certain public works on rivers and harbors, and for other purposes.

Mr. BURTON. Mr. Chairman, I would like to ask, before proceeding with the bill, whether the opponents have united upon any one to control the time of those opposing it?

Mr. BROSIUS. Nobody seems to be ambitious for that function.

Mr. BURTON. If not, I will proceed in the remarks I have to make.

Mr. GROSVENOR. I would suggest to the gentleman from Ohio that the probability is there is no one here that is opposed to the bill, but there may be opposition to certain items in it, and the chairman can recognize such members.

Mr. BURTON. Mr. Chairman, this country is entering upon an era of commercial expansion. The vast amount of our exports, as well as their excess over our imports, is a marvel to the commercial world. To take advantage of this situation, to reap its full benefits, nothing is more urgent than the improvement of our rivers and harbors so that the products of the farm, the forest, the mine, and the factory may be carried to the sea, and then loaded into ships in deep-water harbors to be taken to other portions of the world. The question arises how shall this work be done, for we must realize that not to go forward is to go backward.

As I pointed out in some remarks made in this House in April, 1896, two distinct methods have been employed for the improvement of rivers and harbors. The first is to leave their improvement to the municipalities most interested and to private enterprise. The second is to have the General Government undertake this task. The best illustrations of these different methods will be found in the lines of policy adopted by Great Britain and by France. In Great Britain the first method is employed. Enormous improvements have been made on the Tyne, the Mersey, the Clyde, and the Thames, that on the Tyne alone costing $20,000,000, and the others much more, the money being supplied by private companies and by municipalities. In the scope of these enterprises is included not only improvements in channels, but also the construction of wharves and docks.

The other method is that employed in France. The General Government undertakes the improvement of rivers and harbors. From the year 1814 until the present time France has expended $300,000,000 in the improvement of harbors and rivers and the construction of canals—two and a half times as much as the total amount expended in this country for similar purposes, the amount expended in this country being about $320,000,000. This is true, notwithstanding the fact that the Republic of France is not equal in area to a single State of this Union—the State of Texas. Between these two methods we must choose; between these two methods we have chosen. For three-quarters of a century the General Government has undertaken the improvement of rivers and harbors, and I make bold to say that no appropriations made by the United States Government have conferred so general a benefit upon the people of the United States.

The committee in the consideration of this bill have had presented to them recommendations for projects for the improvement of rivers and harbors aggregating $200,000,000; yet the amount carried in this bill is a little in excess of $30,000,000. The appropriations for different years are briefly explained in the report filed with the bill. In view of the great disparity between the amount appropriated ($30,000,000) and the total amount recommended ($200,000,000) it will appear that our task has been one of selection. We have rejected five-sixths and appropriated for one-sixth. In framing the bill the committee have endeavored to follow certain principles. The committee have sought to make provision for increased improvements where commerce now exists rather than to undertake new projects where the benefit conferred would be problematical or where the expense would be out of proportion to the probable benefit.

Second. We have thought it best, so far as possible, to push projects to completion and to avoid piecemeal appropriations. Even if there were a number of projects before us of equal importance, it seems best to select one and complete that, rather than make dribbling appropriations, the results of which would not be beneficial and the amounts for which would not be expended economically.

We have also omitted from the bill provisions for improvements, whether now under way or recently proposed, where it did not seem to us that the benefits conferred would be in due proportion to the amount required. I will cite several illustrations. The local engineer recommended for the Upper Missouri River, for the 1,660 miles above the lower limits of Sioux City, $717,000. We have omitted entirely to make appropriation for this portion of the river in accordance with this recommendation, making only an appropriation of $50,000 for snagging purposes. This river is divided into four reaches, and the total commerce does not exceed, according to official statistics, 20,000 tons.

The greatest demand for appropriation is for so-called harbors at different points on this river. The committee have been unable to see the propriety of expending large amounts for harbors where navigation does not exist.

The committee have omitted provision for the lower portions of the Coosa River, from the East Tennessee, Virginia and Georgia Railroad bridge to the mouth. The total amount required to complete this improvement would be $4,683,000, calling for the construction of 23 locks and dams. The engineer reports that it is

useless to proceed with this improvement unless large amounts are furnished for immediate use, and we are unable to see that the amount required would result in corresponding benefit.

The local engineer recommended for the Tennessee River $2,065,000 for the ensuing year. We have appropriated $165,000—$100,000 for that portion of the river between Riverton, Ala., and the mouth, a distance of 226 miles, and $30,000 for that portion between Chattanooga and Knoxville, 188 miles, on which there is some independent commerce; and we have provided $35,000 for a resurvey of that portion between Chattanooga and Riverton, a distance of 259 miles.

Mr. COX. Do I understand that for the part of the Tennessee River between Riverton and the mouth of the river the committee recommend an appropriation of $100,000?

Mr. BURTON. Yes, sir.

Mr. COX. And the distinct purpose is that the amount to be applied between Riverton and the mouth of the river shall be $100,000?

Mr. BURTON. That is the provision.

Mr. COX. That seems to me perfectly satisfactory.

Mr. BURTON. We have divided the river into three portions—the portion just referred to by the gentleman, between Riverton and the mouth of the river, for which we propose to appropriate $100,000; next the 259 miles from Riverton to Chattanooga, for which we propose an appropriation of $35,000 for surveys and for essential maintenance, and for the upper 188 miles, from Chattanooga to Knoxville, we propose to appropriate $30,000.

In regard to the middle portion, from Chattanooga to Riverton, I will state that according to the estimate $5,000,000 will be required for the completion of that improvement. The commerce—and boats can float upon it now for the major part of the year—was barely 200,000 tons during the last year for which reports have been made. The local engineer in a communication to the committee states that $5,000,000 will not, in his judgment, be sufficient to complete the improvement; that $1,130,000 additional, making over $6,000,000, will be required for the locks and dams and other improvements necessary to make this part of the river navigable the year round.

At the Muscle Shoals Canal 5,119 tons of freight were carried through, having a value of $88,000, at an expense to the Government of $68,000 for care and maintenance, it thus appearing that an amount equal to three-fourths of the value of the freight carried through was required for care and maintenance.

Mr. HEPBURN. Will the gentleman state how much we have expended upon that improvement in past years?

Mr. BURTON. I am unable to state the amount precisely. It is between three and four million dollars, as I recollect.

Mr. HEPBURN. And what did the gentleman say the commerce amounted to?

Mr. BURTON. Something over 200,000 tons in that portion of the river.

The committee thought it best to have a resurvey of this portion of the river, it appearing, I may say, that for a part of it—that portion between Bridgeport and Decatur—no survey has ever been made. It appears further that this river has been, until within a few years, under the control of three different engineers, so that no plan involving the improvement of the whole river has ever been made by one engineer. When that survey is made, with a report of the probable cost of the improvement, Congress can then more intelligently decide what to do with the central portion of the river.

We have appropriated for the Cumberland River $200,000; $100,000 to be used at the Harpeth Shoals, below Nashville, and the other $100,000 in the completion of locks and dams now under way, which might be destroyed but for the additional expenditure for their entire or partial completion.

Mr. COX. I beg the gentleman's pardon for interrupting him, but I wish to call his attention to the particular improvement of which he has just been speaking with reference to these rivers, both of them being in my district, one on either side of it.

Mr. BURTON. I yield to the gentleman from Tennessee with pleasure.

Mr. COX. What do I understand the gentleman to state as the amount of the appropriation for Harpeth Shoals?

Mr. BURTON. One hundred thousand dollars.

Mr. COX. And what was it during the preceding year?

Mr. BURTON. I am not able to state at this time.

Mr. CATCHINGS. If the gentleman will permit me——

Mr. BURTON (continuing). But the upper portion of the river was improved under a continuing contract, providing for the construction of several locks and dams. I am informed now, however, in response to the inquiry of the gentleman from Tennessee, that the last bill carried $80,000 for its improvement; that is, the bill of 1896.

Mr. CATCHINGS. I was just about to make that statement to the gentleman.

Mr. COX. And the appropriation of $80,000 was expended on the Harpeth Shoals?

Mr. BURTON. All of it, or nearly all. Substantially the whole amount.

Between Nashville and the head of the Cumberland River—nearly 357 miles—about $7,000,000, or in the neighborhood of that sum, will be required for the construction of 29 dams, and other improvements to the river to complete the improvement, under the plan proposed. The committee recommend an appropriation of $100,000, deeming that to be the whole amount that we were justified in making at the present time, in view of the amounts carried by the bill, and, on the other hand, they believed this appropriation should be made, because of the amount necessary for the uncompleted locks and dams already in course of construction.

The committee thought it best to pursue a general policy with reference to all of these improvements, the necessity for which has been illustrated in the case of these two rivers especially, namely, to make the improvements beginning at the mouth of the streams and continuing gradually upward to the source. As a legacy coming to us from preceding Congresses we find that on the Cumberland River appropriations have been made for entirely different portions of the stream not connected at all with each other; but as many appropriations appear to have been made as there were Congressional districts bordering upon the stream itself.

We did not think that policy should be pursued, and have not recommended it in the pending bill. We think it better to adopt the other policy, and improve first the mouth of the river under ordinary circumstances, except where there may appear reasonable grounds for pursuing an exceptional course, such, for instance, as exceptional commerce on the upper part of the river and very little at its mouth, or for the sake of securing a greater depth of water on the upper part, so as to afford through navigation on all, as is illustrated in one of the appropriations made by this bill; or, again, where there are quarries of stone or other material on the upper waters of the river, that can be utilized for construction of locks and dams, or otherwise in a continuous improvement of the whole stream.

As has been stated already, the amount appropriated in the bill available for the 1st day of July, 1900, is $12,509,000. Seven hundred and seventy thousand dollars is appropriated to be expended in the event that certain results are accomplished. A large portion of this will not become payable or a burden upon the Treasury until after June 30, 1900. The committee have under consideration a proposition to strike out $320,000 of the $770,000 to which I have just referred. There is also an authorization for appropriations in the future, under the continuing-contract system, of $17,110,000.

The committee have made provision for but one continuing contract, in which the amount to be expended hereafter exceeds $1,000,000, and that is for the improvement of New York Harbor from the Narrows to the open sea. A project has been recommended for a continuous channel of 10 miles in length that requires dredging for about 6¼ miles to a depth of 35 feet and a width of 2,000 feet.

The only apparent exception to the system adopted by the committee—and it is only an apparent exception—is that we provide for two dams on the Ohio River, each carrying an expenditure of $850,000, $50,000 of which is to be appropriated this year and $800,000 provided hereafter. It should be said, however, in this connection, that these are nearly 100 miles apart on the river, though both of them are part of the general improvement of the stream.

I wish to state, Mr. Chairman, that we have endeavored to consult all interests in the make-up of this bill. We have endeavored to extend to the different portions of the country precisely the same treatment, without partiality, and to follow the same principles in dealing with all of these improvements. At the same time we have endeavored to decide upon each of these projects on its own merits. We could in a bill of this character have included improvements which would have involved an expenditure of $60,000,000 or more.

But after careful and thorough consideration of all the questions and of all of the interests involved we have limited the bill to the amount named. And I wish to ask the House not to insist on making amendments or additions to this measure, which is symmetrical so far as it goes. If further amounts are placed upon it, they will interfere with its harmony, and there would be injustice to the localities now included if their appropriations were not proportionally increased.

I do not say that it is free from imperfections. The committee, however, in the limited time given to them, and in view of the great amount of details brought before them, have tried to bring in the best possible bill, and we submit it to the House for its favorable consideration. [Applause.]

I reserve the balance of my time.

Mr. PERKINS. Will the gentleman yield to me?

Mr. BURTON. From what I understand, I suppose the time occupied by the gentleman from Iowa should be taken from the time of those opposed to the bill or criticising it.

Mr. HEPBURN. If my friend [Mr. PERKINS] may be recognized in his own time, then he can use so much of it as he chooses and yield the remainder to others.

The CHAIRMAN. The Chair desires to state that an hour and a half has been agreed upon for general debate, to be equally divided.

Mr. PERKINS. I think no arrangement was made with reference to the division of the time. So far as I am personally concerned——

Mr. BURTON. I think we should have an arrangement in regard to that. It is possible those who favor the bill may not occupy all their time.

Mr. PERKINS. So far as I am personally concerned, I am willing that the gentleman from Ohio [Mr. BURTON] in charge of the bill should control all the time.

Mr. BURTON. Then I ask that the gentleman from Iowa have a portion of the forty-five minutes given to those opposing the bill or criticising it. How much time does the gentleman desire?

Mr. PERKINS. Not over ten or fifteen minutes.

Mr. BURTON. Will ten minutes answer?

Mr. PERKINS. Yes.

The CHAIRMAN. Does the gentleman from Ohio yield to the gentleman from Iowa?

Mr. BURTON. I yield ten minutes to the gentleman from Iowa, to be counted from the forty-five minutes allowed to those opposed to the bill.

Mr. PERKINS. Mr. Chairman, the request has already been made by the gentleman from Ohio [Mr. BURTON] in charge of this measure that no amendments other than those offered by the Committee on Rivers and Harbors be considered by the House. Nevertheless I desire to submit a criticism to this bill, and to appeal to the House for its correction in the particular that I shall undertake to point out.

As the gentleman has already stated, no provision is made in this bill for any appropriation for what we know as the Upper Missouri River, except the appropriation for $50,000 for snagging. He has stated as his reason for denying appropriations for this portion of the river that it is without commerce. And yet on a river without commerce we have the recommendation of the committee for an appropriation of $50,000 for snagging. If the position of the committee is consistent, it hardly seems to me proper to appropriate $50,000 for snagging on a stream on which there is no commerce.

Mr. Chairman, the Missouri River is, in connection with the Mississippi, the longest river in the world. For many years it was the only means of connection with that vast northern territory, before the days of the construction of railways. I admit that now the commerce on the river has been materially reduced by reason of railroad competition, and yet the river is a constant check upon railroad rates. I have before me the report of the Board of Engineers, and it seems that only the year before this report was made, a boat constructed at Sioux City was put on the river to operate between that city and Wheeler County, S. Dak., to give the farmers of that section an outlet for their crops, against the exactions of the railway companies.

A MEMBER. How far is that?

Mr. PERKINS. About 200 miles.

Now, Mr. Chairman, it has been the policy of Congress for many years to improve the Missouri River. The reach of the river from the mouth of it to the lower limits of Sioux City is under the jurisdiction of the Missouri River Commission. From the lower limits of Sioux City to Stubbs Ferry, Montana, is under the jurisdiction of the War Department, and has been cared for from year to year by the engineers detailed from that Department. In my city is located the office of the engineer in charge of this part of the river. The ice harbor, containing the boats of the Government operating upon the river, is located there.

I find that about six pages of this report are devoted to the work on the Missouri River, and the Board of Engineers make this recommendation:

At South Sioux City.—The Nebraska bank of the Missouri River in front of South Sioux City had been protected for about 4,000 feet upstream from the lower bridge and for about 5,400 feet upstream from the upper bridge, by revetments constructed by the owners of the respective bridges. Between these two revetments about 4,270 linear feet of bank was unprotected and was being rapidly eroded. The present project, adopted July 24, 1896, contemplates the expenditure of the funds provided by the river and harbor act of June 3, 1896, in revetting this unprotected bank, in repaving the upper bank for 300 feet farther upstream, and in protecting the head of the work by a short pile dike. The project contemplated the expenditure of $50,000, but as it was believed that the work could be done for the $40,000 allotted, no modification of the project was made. The work forms part of a general plan, described under the next heading, for the improvement of the river in this vicinity.

To June 30, 1897, there had been expended $35,674.36. The work had been completed. Its results had been the stopping of the erosion on the formerly unprotected portion of the town front.

The expenditures during the year have been $4,080.48. A combined pile driver and hydraulic grader and four skiffs have been constructed, and a towboat purchased, part of its cost being paid from the allotment for work at Yankton. The plant is intended for use in the lower part of the district as may be required.

The work at South Sioux City remains in good condition, and has protected the front.

At Sioux City.—The river above Sioux City was extremely unstable, several cut-offs had occurred in recent years, causing radical changes in channel, increased slope, and a large amount of erosion on banks opposite Sioux City. For the purpose of checking this erosion, work was begun in 1878 and continued in each succeeding year until 1882. The works constructed were of an experimental type, and have since been destroyed or abandoned by the river.

In 1889 a group of 9 dikes was built at the center of the Sioux City front to check a dangerous erosion and fair out the bank line. In 1895, 2 dikes were built just above this group and 2 dikes of the group strengthened. In the same year, under a project for the expenditure of $40,000 appropriated by the sundry civil act of March 2, 1895, a group of 10 short dikes had been built near the upper limits of the city to protect the bank there. This latter work formed part of a general plan submitted at the same time for the rectification of the river from about 2½ miles above the mouth of the Big Sioux River to near the lower limits of the city, at an estimated cost for the portion below the Big Sioux River only, of $400,000.

The present project, adopted June 10, 1897, for the expenditure of the $40,000 allotted from the appropriation of June 3, 1896, provides for protecting the lower portion of the city front (below the Floyd River), for making necessary repairs to existing dikes, and for applying the balance to such work as may afterwards be found necessary. The project is a modification of one adopted February 10, 1897, the change having been rendered necessary by marked changes of channel in the spring of 1897. A project providing for the expenditure of $50,000, adopted July 24, 1896, had been superseded by the latter.

To June 30, 1897, $202,250.97 had been expended in this locality.

Under the projects of July 24, 1896, and February 10, 1897, four barges had been built, the dikes near the upper limits of the city had been partially repaired, considerable construction material purchased, and two surveys of the reach made.

The expenditures during the year have been $18,698.97. The Iowa bank has been protected by revetment for 824 feet next below the Floyd River, below which 20 short dikes have been built, and shore protection and foot mattress for 3 other dikes constructed. The mattress for 1 of the latter is an extension of the revetment. It is thought from present conditions that their completion may prove unnecessary, the mattress laid being a sufficient protection to the bank. By the revetment and dikes the front has been protected for about 7,400 linear feet. The works are in good condition and have thus far fulfilled their purpose.

Ice harbors.—Few good natural ice harbors exist on that portion of the Missouri River known as the "Sandy River," between Carroll, Mont., and Sioux City. The adopted project provides for the construction of two ice harbors, which were afterwards located at Rockhaven, near Mandan, N. Dak., and on the Big Sioux River (upper limits of Sioux City) near its confluence with the Missouri.

The total expenditures to June 30, 1897, were $42,694.19, by which the two ice harbors had been completed.

The expenditures during the year have been $68.50. A well has been driven at the Sioux Ice Harbor for the use of the watchmen and of the force employed on plant repairs. The ice harbors are in good condition as regards shore work, but the removal of bars in their front and at the mouth of the Big Sioux River is frequently necessary to make them accessible.

River survey.—Prior to the adoption of the present project a survey of the entire river, comprising secondary triangulation, levels, topography, and hydrography, had been begun by the Missouri River Commission. Between Fort Benton, Mont., and Sioux City the triangulation had been completed, the primary levels run from Fort Benton to Trover Point, Mont., 232 miles, and topography and hydrography completed from Fort Benton to Coal Banks, Mont., 41 miles.

The present project, adopted December 20, 1890, provides for completion of the survey between Fort Benton and Sioux City, with the publication of maps. The expenditures on the project to June 30, 1897, were $139,250.58. The survey had been completed and mapped, and a set of lithographed detail maps, covering the river valley from Fort Benton to Sioux City, had been published.

The expenditures during the year have been $106.20, mostly for freight liabilities of former years. Examinations were made at Fort Benton, Mont., and Judith, Mont., and the water gauges at Wolf Point, Mont., and Fort Buford, N. Dak., the reading of which had been discontinued, were stored.

The total expenditures on the Missouri River between Stubbs Ferry and Sioux City to June 30, 1897, except for snagging, were about $1,204,685.32. In addition, about $10,000 was expended on the general river survey above Stubbs Ferry.

It is understood to be the intention of Congress to continue improvements at Bismarck, Pierre (both sides), Yankton, Elkpoint, and Sioux City (both sides); and for the purpose of economical work at those localities an estimate of $250,000 is submitted, with recommendation that the allotment of this amount be left to the discretion of the Secretary of War.

* * * * * * *

New lines of transportation were established during the fiscal year 1897. The gasoline boat *Iowa*, of 48 tons, was launched at Sioux City in the fall of 1897, and has since been engaged in the trade between Sioux City and Wheeler, S. Dak., 188 miles.

The steamer *Capitola Butt*, of 57 tons, formerly engaged in ferriage at Sioux City, was sold in the summer of 1897, and has since plied between Chamberlain, S. Dak., and Lower Brule Agency, S. Dak., 5 miles.

Now, I want to say that no recommendation in the Engineer's report before the Rivers and Harbors Committee was in more distinct recognition of an improvement than this. I think that work was begun as far back as 1872, though no material work was done until 1889, and in each river and harbor bill since I have been here, beginning with the administration of my friend from Mississippi, General CATCHINGS, in the Fifty-second Congress, at least a small appropriation has been made for the protection of the river at these vital points.

At Sioux City, a city of 40,000 population, under the policy of Congress, great improvements have been made down to the bank of the Missouri River. Relying upon the continuation of the policy of Congress to control that stream, we have two great bridges across the river at that point, costing a million and a quarter and a million and a half. A railroad system runs along this levee. We have our warehouses, going down to the bank of the river. Vast interests are involved in the protection of the stream at this point. This bill, as I understand, is framed for the protection of commerce.

Is the commerce passing back and forth from Iowa to Nebraska not to be considered? Is the commerce along the bank of that stream not to be considered? They say it is for the protection of private property. What is a sloop upon the lakes but private property? What is a boat upon one of these rivers but private property? And why not for the protection of the commerce of such a city as I represent, for that at Yankton, for that at Pierre, and for that at Bismarck? Here is this great artery running from the extreme of our northern boundary to the Gulf of Mexico, always available to commerce, always available as a check against the rapacity of railroad corporations. Is nothing to be done to keep this artery open? I can see no distinction involved here, and it has been the policy of Congress to continue this work.

The CHAIRMAN. The time of the gentleman has expired.

Mr. PERKINS. Now, Mr. Chairman, without asking an extension of my time, I do request that I may have the privilege of extending my remarks in the RECORD by quoting from the report of the Board of Engineers; and I simply want to add that at the proper time, if I can be recognized, I want to submit the following amendment:

Amend, after line 20, page 67, by inserting the following:
"To continue improvements at Bismarck, Pierre (both sides), Yankton, Elk Point, and Sioux City (both sides), $300,000, the allotment of this amount to be left to the discretion of the Secretary of War."

That is a modest appropriation for this great reach of the river of more than 1,600 miles, and it will be as modest a request as any presented in this bill or that will be presented on the floor. Will the Chairman please submit my request?

The CHAIRMAN. Without objection, the request of the gentleman from Iowa will be granted. [After a pause.] The Chair hears no objection.

Mr. BURTON. I yield ten minutes to the gentleman from Tennessee [Mr. MOON], to come out of the time of the opponents of the bill.

Mr. HEPBURN. I would like to ask whether the gentleman in favor of the bill can hold the floor on all the discussion of the bill? It seems to me that this is a modest procedure, but one that I have not known of before.

The CHAIRMAN. The Chair will state to the gentleman from Iowa that the division of time thus far has gone on the understanding that it was by general consent. The rule adopted is that the time shall be equally divided; and there being no provision for the control of the time, it is within the province of the Chair to control that time. And the Chair will state that if there is no gentleman who proposes to control the time in opposition, irrespective of the gentleman in charge of the bill, the Chair will, without objection, recognize the gentleman in charge of the bill to control one-half of the time.

Mr. HEPBURN. I would be glad to be recognized by the Chair for a few moments in opposition to the bill.

Mr. BURTON. Mr. Chairman, it was not an arrangement of my own seeking. I have twice asked the committee if those opposed to the bill could agree as to who should control the time, but no one uttered a word; and I understood it to be acquiesced in that the time shall be controlled by me on both sides. I will say to the gentleman from Iowa that I will yield to him any reasonable time, even if necessary to be taken from the time of those who favor the bill.

Mr. SHAFROTH. If nobody wants to take the control of the time in opposition to the bill, I ask unanimous consent that the gentleman from Iowa be permitted to control the time against it.

Mr. HEPBURN. I do not know who wants to oppose the bill. There is no such concert and harmony of action of interest and purpose on the part of those who oppose the bill as there is in those in favor of the bill, and therefore we can not get together so quickly, and I am not prepared to say who is opposed to the bill.

Mr. SHAFROTH. Mr. Chairman, I should like my request submitted.

Mr. BURTON. I would ask that the gentleman from Tennessee be given the ten minutes that I yielded to him.

The CHAIRMAN. The Chair will recognize the gentleman from Tennessee for ten minutes, and will then recognize the gentleman from Iowa.

Mr. BANKHEAD. I think we had better have some definite understanding as to how this time is to be controlled. As I understand the Chair, he proposes to recognize the gentleman from Iowa in his own time. In that case, I desire to ask if the gentleman from Iowa, being recognized in his own time, would not be entitled to control an hour?

The CHAIRMAN. He could not control an hour, because there is not an hour's time at the disposition of the committee.

Mr. MOON. Mr. Chairman, it is not my purpose to enter into a general discussion of the subject of internal improvement, neither am I seeking to discuss the merits of the whole subject-matter of this bill, nor the disparity of appropriations granted, but to direct the attention of the House to that portion of the bill which deals with one division of the improvements on the Tennessee River. At the proper time I shall offer to the House an amendment which provides for the making of plans and estimates for the construction of locks and dams and works between Chattanooga and Shellmound, through that portion of the river known as the Suck, or mountain section, and also a survey of the Hiawassee River.

The Committee on Rivers and Harbors has kindly consented to recognize these amendments as committee amendments, and with perhaps some slight amendment to the amendment by the chairman of the committee, who will offer the same. There is only a meager appropriation for the river between Chattanooga and Riverton. At the proper time I shall propose an amendment to increase the same. I presume it is hardly necessary to call the attention of the House of Representatives to the fact that the Tennessee River has been recognized by the Congress of the United States as a great waterway entitled to the aid of Congress for a period now of more than seventy years.

Nor is it necessary that we go into details of the value of the commerce to the people of the several States of the Union interested in the improvement of this river. But in view of the statements made on the floor as to the reason why the appropriations were not made, it may not be improper that I call the attention of the House to a few of the reasons why this river is entitled to recognition and liberal appropriation on the part of Congress. The Tennessee River is a navigable river for several months during the year for a distance of about 1,400 miles for steamboats, and has an additional navigation for barges of 1,050 miles. It has 30 tributaries, with 1,382½ miles of navigable water for steamboats and barges.

In 1896 there were 64 steamers on the river, with a net tonnage of 10,000; 240 barges, with a carrying capacity of 80,000 tons; passengers carried, 115,574; tons of freight, 1,908,042; value of freight, $22,493,000. This was the commerce of the river with the obstructions in it, which, if removed, would be increased tenfold. I make this general and incomplete statement in reference to the river not for the purpose of inducing a change in the report of the Committee on Rivers and Harbors as to the whole of the river, because I recognize the fact that in view of the revenue condition of the country it was proper that small appropriations should be made all over the country for rivers and harbors; and I am prepared to concede, so far as the river between Knoxville and Chattanooga is concerned, that in accordance with the views of the engineers the provision made by that committee for that particular section is not unfair, although I personally regard it as unjust. I am prepared to concede further that the appropriation for the section between Riverton and the mouth of the river is not unjust in view of the present condition.

In consideration of the statements made by the engineer in charge, that a million and a half dollars might be saved by changing the plans at the shoals, I can not disapprove the action of the committee in declining to make appropriation for that improvement at this particular time, for it will take more than $2,000,000 to complete the work.

Mr. COX. Where is that?

Mr. MOON. At the Colbert and Muscle Shoals. The committee in making this report to the House reached its conclusions alone upon the report of the engineers. The engineers recommended some $300,000 between Chattanooga and Riverton.

I am not now insisting that this report should be changed from $35,000, allowed in the bill for that section of the river, to $300,000; but looking to the position assumed by the committee, that they should and would follow the direction of the engineers, reducing the estimates in proportion to the necessity of the work, and conceding, for argument only, that the appropriation for other portions of the river between Knoxville and Chattanooga and Riverton and the mouth of the river are correct and justified by the engineers' advice upon the same doctrine, this committee is estopped from denying and refusing to follow the engineers' advice as to that portion of the river between Chattanooga and Riverton in determining the amount of the appropriation. Their views should be controlled by the engineers' report, as the engineers alone are possessed of proper knowledge of the work and estimates. The United States engineers in charge inform us that $300,000 is needed now, and that $100,000 is absolutely necessary in this particular section to protect the work, the plant, machinery, etc., of the United States used in improvements between Chattanooga and Riverton.

The engineer insists that $35,000 is not sufficient for that purpose and that we should have, in order to keep up the plant and the work, at least $100,000, and that an appropriation of a smaller sum would practically be a loss to the Government. Therefore, I shall move to amend by raising this sum to $100,000, in accordance with the views of the engineers, and in accordance with the policy adopted by the committee in making this report, which they ought not now to repudiate.

Mr. COX. Will my colleague yield for a moment?

Mr. MOON. I can not just now. I desire, Mr. Chairman, to

read the statement of the engineer in charge. He enters into general discussion of the river improvement, the necessity for this great work, and concedes that the bill is fair in many of its parts, and that the appropriation, while not that which is desired, is perhaps just, in view of the other appropriations in the bill. The engineer says:

TENNESSEE RIVER IMPROVEMENT,
ENGINEER OFFICE, U. S. ARMY,
Chattanooga, Tenn., January 23, 1899.

MY DEAR SIR: * * * A copy of the river and harbor bill as reported is now before me, and, while the total amount appropriated is disappointingly small, yet when we compare the appropriations for the Tennessee with those granted elsewhere, it would seem that all portions of the river and the tributaries were fairly treated except that portion between Chattanooga and Riverton. This portion is about 226 miles in length.

The section immediately below Chattanooga is known as the mountain section and, although it has been surveyed in the past, no complete and satisfactory project for its improvement has ever been prepared. It has been my desire, and I think it is the desire of the people of Chattanooga generally, that this portion of the river should be improved by a lock and dam placed near the outlet from the mountains. As this plan has never been considered by Congress, we could hardly hope for an appropriation to carry it into execution. About the best we could expect was an authority to resurvey it and to prepare a project. This the present bill allows and is, I think, so far satisfactory.

From the outlet of the mountains down to a few miles below Decatur the river has never been surveyed at all, and while no obstacles of great magnitude exist, yet there are a large number of small ones which seriously interfere with low-water navigation. The bill provides for a survey of this portion of the river, and when it is accomplished we shall know what improvements are necessary and how much they will cost. This is also satisfactory.

From the head of Browns Island, a few miles below Decatur, down to Florence is a stretch of river which has been sufficiently surveyed and extensively improved, for it includes the Elk River and the Big Muscle Shoals. It also includes the Little Muscle Shoals, which have not yet received the proposed improvement. A plan exists and has received the sanction of Congress for improving these shoals by a canal and two locks at an estimated cost of a million and a half dollars. No money has yet been applied to this improvement, because it was thought best not to begin the improvement until the work at Colbert Shoals, which is lower down on the river, had been completed, but if for any reason it is thought best to suspend for a time the work at Colbert Shoals, there is no reason why we should not proceed with the improvement of Little Muscle Shoals, and any amount up to a million dollars which Congress might see fit to appropriate could advantageously be employed this year in this improvement.

From Florence to Riverton is a stretch of river which includes the Colbert and Big Tree shoals; these two are always taken together and regarded as a single obstacle. Since the improvement of Muscle Shoals they form the worst obstruction on the river between Chattanooga and the mouth, perhaps even the worst between Knoxville and the mouth. Congress attempted as early as 1829 to secure the improvement of these shoals, but without success. Subsequently between sixty and seventy thousand dollars was expended on the shoals in the construction of spur dams and training walls, small works of low relief, designed to contract the channel and deepen the water. The limit of possible improvement by works of this kind was soon reached, and the result was not satisfactory.

About ten years ago a board of engineer officers, duly appointed, prepared a plan for overcoming this obstacle by a lateral canal with two locks; that is to say, a canal which should leave the river above the falls, be excavated along in the south bank parallel and near to the river, and should return to it at deep water below the shoals. The water in the canal was to be maintained and vessels passed by means of locks, one at each end of the canal. It was estimated that this work would cost two and a half million dollars. The plan received the sanction of Congress and two appropriations have been made toward carrying it out. About $650,000 have actually been applied to the improvement, and this has sufficed to build the lower lock and to practically complete the approach to it.

The plan was hardly adopted, however, before the officer in charge of the work pointed out that the estimate was too small, and he thought that it would have to be increased at least $750,000. But little work was done until I took charge of the district about three years ago. Since then my assistants and myself have given most careful and exhaustive study to the whole subject of the improvement of these shoals. We were forced to the conclusion that the amount estimated by the board was too small, and that, not including the amount already expended, it would require, we think, $3,000,000 to complete the project. We also came to the conclusion that by abandoning the proposed lateral canal and using two locks and two dams across the river that we could secure an equally satisfactory improvement and could save a million and a half dollars by the change.

Congress alone has the authority to authorize the change of plan. It seemed to me that a saving of a million and a half dollars upon a single improvement on a river like the Tennessee was a matter of great importance and ought to be a source of much satisfaction to Congress and to the taxpayers. The work already done would apply equally well to the lateral canal or the lock and dam project, but it would not be possible to do very much more work without committing ourselves to one plan or the other. It therefore seemed to me to be my duty to describe to the River and Harbor Committee this proposed change of plan and to ask their authority to make it. This I did at the time of my hearing, and this I have done in my correspondence since that time.

No extensive or elaborate survey is necessary either to demonstrate the feasibility of the proposed change or to carry it into execution. A few measurements have to be made to determine the velocity of the current of the river at different stages and the quantity of water that it discharges, and a few soundings and borings have to be made to determine the best location for the dams and for the second lock. Some of this work has already been done, and the rest will be done before the money appropriated will be available for use.

It is my opinion that the proposed change of plan will greatly hasten the time of the completion of the improvement. If money is appropriated no faster in the future than it has been in the past it would shorten the work eight or ten years, and the money that we should save would be sufficient to complete the improvement of Little Muscle Shoals, or, if applied elsewhere, to remove all, or nearly all, of the minor obstacles from the river from Chattanooga to the mouth.

We do not need any time and we do not need any money for making a survey at Colbert Shoals. We can go forward with the old improvement if Congress thinks best to adhere to it, or we can change to the new plan and proceed with the work as soon as the money is available.

If Congress should see fit to authorize the Secretary of War to continue the improvement by a lateral canal or by locks and dams, whichever plan was the most economical and best, then the matter would have ample consideration and no time need be lost; but if Congress thinks that it is necessary to suspend judgment upon the matter for a year, we might still expend at least $100,000 most economically and advantageously in quarrying, cutting, and preparing the stone which will be needed in either case for the construction of the lock. This will enable us to take care of the expensive machinery and other plant which we have assembled for this work and to hold together our skilled force of engineers, mechanics, and laborers, which we have collected after much trouble and expense and which will be scattered and lost if we are unable to give them any employment for a year.

* * * * * * *

I am, sir, very respectfully,

DAN C. KINGMAN,
Major of Engineers.

Hon. JOHN A. MOON, M. C.,
Washington, D. C.

Mr. Chairman, I am aware that the committee received communications from the Engineer Corps, and I am aware that in the multiplicity of their work they could not give that accurate and minute attention to this matter (after having once passed upon it under a misapprehension of the facts) which they would have liked to give. The correspondence with the engineer supports the position which I assume, that for the protection of the interests of the Government there should be an increase of this appropriation. I hope that the committee, in view of their misconstruction of the engineer communication——

[Here the hammer fell.]

Mr. HEPBURN. Mr. Chairman, the first river and harbor bill of which I have had any individual knowledge was passed only seventeen years ago. That was before the days of combinations in the passage of these measures. That bill carried about $7,000,000. We have gone on under the new method that shortly afterwards was inaugurated until now, this year, we shall have an expenditure, or will authorize an expenditure, of $42,000,000. Twelve million dollars—nearly $13,000,000—of expenditures this year are not recognized or to be found in this bill. The friends of this class of extravagant expenditure adopted a few years ago the ingenious method of covering up some portion of the expenditures by dividing the amount and putting a part in the sundry civil bill, where the grand aggregate could not so readily be recognized.

I want to say at the very outset, as I have said before, that I shall make no opposition to the legitimate and proper expenditure of the public money for the purpose of improving rivers and harbors that will contribute to facilitating the commerce of this country. The great rivers, the great harbors, ought to be the objects of the solicitude of the Government and ought to be improved. What I object to is the ulterior purposes that are always covered in greater or less degree in the river and harbor bill of later days.

Simply to illustrate—and yet I am talking about a very old story—I remember that a President of the United States, commenting upon this character of expenditure, said a few years ago that we had expended $26,000,000 for the improvement of the navigation of the Mississippi River and had secured upon two reaches where the great portion of the money had been expended 5 inches greater depth of water. A large part of $26,000,000 to secure upon those two reaches an increased depth of 5 inches!

Now, I know this line of remark will excite at once the wrath of my friend from Mississippi [Mr. CATCHINGS]. That improvement has been his child. He has fostered it wonderfully, and has succeeded in what I believe to have been his original purpose of erecting such barriers to the encroachments of the river upon plantations that the prosperity of his State has largely advanced.

I undertake to say, Mr. Chairman, that no reputable man will contend that with all the expenditures upon the Mississippi River there has been any considerable increased navigability given to that river. I make the statement boldly that each year the commerce of that river has decreased instead of increasing. Yet we have spent millions of dollars upon it; and after we have thus expended millions upon an elaborate system, I charge that that system has been substantially abandoned by its friends, and they have gone back to the old, primitive method of dredging, notwithstanding all the advances that have been made in hydraulic engineering in the last twenty years, and that now, wherever there is an effort to improve the navigation of the river, it is done by removing the sand bars by the old method of dredging.

I am not prepared to charge culpability upon any gentleman in connection with the appropriations in this bill; yet I do notice, and no one can avoid noticing, that in the improvement of the waterways especially affecting the State of the chairman of the committee more than four millions of appropriations are carried. If they wanted to improve the great waterways, the great harbors, I would not object; yet I am told that it is a custom with some gentlemen to locate themselves at an insignificant place, to build there a plant, and then come to Congress and insist that their property shall be made valuable by making it accessible. And I will ask the gentleman to say in his time whether he can not point out one or more places of that character.

I notice one instance in the State of Texas where an appropriation of $250,000 is proposed to improve a channel from Galveston to Texas City. Does anybody know where Texas City is? I am

told there is one business establishment there. Some Ohio gentlemen, intent upon missionary work, went down to that place, located themselves at Texas City—or perhaps Texas City came after they located themselves [laughter]—and built a compress for the purpose of compressing cotton. There are two stores, I am told, in that "city," both owned by that Ohio capital. And now they come to Congress and ask for $250,000, which is several times the aggregate of the assessed wealth of the whole "city," to dig a trench in the sand in the bottom of the bay, across the movement of the waters—perpendicular to it—so that it can be annually filled and require an annual appropriation—in order to reach Texas City.

At Buffalo Bayou—I am sorry if I seem to imply that all these particularly odorous schemes are in Texas—at Buffalo Bayou, I think, is an engineering enterprise with some hydraulic peculiarities by which it is proposed to get from the Gulf up to Houston. I heard a gentleman describing not long ago his efforts to navigate that stream. He said that when he got upstream he had to back 15 miles before he could turn around; that the stream was so tortuous that in trying to turn some of the bends he would have tons of earth scraped from the bank on the bow of his boat and other tons on the opposite side on the stern of his boat. Yet I understand that $4,000,000 of the money of the people of the United States is, according to the contemplation of this bill, to be expended to improve that "great waterway," "that great artery of commerce," and to build up, or, rather, to accommodate, the commerce of the city of Houston.

Now, Mr. Chairman, it is expenditures of this character that make this bill an unsavory one to the people of the United States. More than one-half of the appropriations carried by this bill are for the improvement of places where, for the purposes of description, geographical names have to be used that are not known to the people of the United States, except to those in the immediate locality of the places named. [Laughter.]

I say again, that I want to see the waterways of this country properly improved. I do not know that I entirely sympathize with my colleague from Iowa [Mr. PERKINS], and yet I can see how entirely natural it is that my colleague should insist on having his "share of the pork."

What are the facts in connection with the pending bill? The Missouri River gets $50,000 for 3,000 miles of alleged navigable waters. It borders my own district on the west. If a steamboat has ever passed up that portion of the stream adjacent to my district, if there has been one in the last ten years, I have never heard of it, and do not believe such an incident exists.

Mr. PERKINS. My colleague must remember that that portion of the river is under the commission——

Mr. HEPBURN. I was going to speak of that——

Mr. PERKINS. It is under the control of the Missouri River Commission, for which the gentleman will perceive that a large appropriation is made.

Mr. HEPBURN (continuing). I was going to speak of that. There is a portion of the appropriation for that purpose. There is a portion of the river, from the city of Sioux City northward, that is navigable for a small boat, and is used by small boats. But there is a stretch of hundreds of miles of the river under the jurisdiction of the commission that has not had a single steamboat upon it in ten years within my own knowledge and in my belief. I certainly have never heard of one, Mr. Chairman, in that time.

Why, sir, the idea of controlling the navigation of that river is the greatest of absurdities, especially the lower stretches of it.

That is an independent stream. It goes where it pleases. The town of Hamburg, in my district, which was once "a port" or "harbor," to which all of the people of my country had to resort in the olden days of steamboat navigation, is an illustration. One day the Missouri River broke loose, and to-day our "port of entry," our "harbor," is 8 miles away from the Missouri River. [Laughter.]

I remember one year that we appropriated $375,000 for the improvement of the navigation of the Missouri River—an appropriation carried in the river and harbor bill. The improvement was to begin at the mouth of the river and be continuously carried on up the stream, under the plans and specifications of the Missouri River Commission. And they limited it, of course. It was tied up. But there was a proviso embodied that such portions of the appropriation as might be necessary to improve the harbors of eleven towns specified might be utilized.

I took the trouble to hunt the matter down, and found that these eleven "harbors" and towns consisted of the piers of eleven railway bridges which crossed the river, and every one was "improved" to the extent of strengthening these piers. [Laughter.] And that was where that expenditure or appropriation, under the plans of the commission, went.

A little while ago the Mississippi River Commission began a system of improvements by confining the waters with levies conveniently located to prevent the overflow of the plantations and to secure a uniform width of 4,000 feet. This required the building of artificial banks—often in the middle of the river—protecting them by spur dams to the shore and by other engineering processes. It was necessary to protect the banks with mattresses of willows, or wires, interwoven. A network of wires was necessary, and we proceeded in that manner to carry out the object or purpose which was contemplated in the system of "improvement." They proceeded for a little time in that manner, at a cost of about $49 per linear foot. They spent millions of dollars in their attempts to do the work.

At one time I was able to show to the House that the Mississippi River Commission owned and operated, or at least controlled, a larger number of boats—aye, more than twice as many—in the improvement which they were supposed to be making in the river than was to be found in the entire Navy of the United States. [Laughter.] More than 800 one report showed them to be the owners of, yet they found what it seems to me everybody ought to have known at the very beginning, that these mattresses or artificial constructions, made of the soft woods of that country, and subjected to alternate drought and moisture, rotted away within two or three years, and that the protection of the banks, and the false banks made by the commission, consisted simply of the strings of wire perpendicularly laid or strung from one post to another; and the result was that they abandoned that system of improvements and went back to the old methods which had been theretofore contemplated and suggested.

But I see that this bill carries a large appropriation for the improvement of the river and harbor of New Orleans. I do not know just what that means, Mr. Chairman; I can not well understand. I have been told that from bank to bank, opposite the city of New Orleans, there is a depth of 90 feet in high water.

I do know that there is some danger, at times at least, of the encroachment of the river upon the city, growing out of the fact that when you are back on the business streets of the city, if you want to look at a steamboat you must look up at an angle of 45 degrees, because the bottom of the boat is much above your head.

It may be that it is a wise and proper expenditure to meet the constant necessity for increasing the height of that bank that this money should be paid. But if that is it, I submit to the committee whether it is a legitimate expenditure to come from the Treasury of the United States.

The truth is, all of those gentlemen have an entirely different idea of improving the navigation of the Mississippi River from that of the man who lives above. When the river suits us, when it is at flood, then there is danger of overflowing below; then these gentlemen below want it improved, so that it will not overflow their plantations. When it is in good navigable condition for them, we want it improved by the removing of the sand bars and the obstructions to the passage of boats.

This difficulty of understanding what navigation means makes it almost impossible for my friends from Mississippi and myself ever to agree as to what ought to be done with the Mississippi River.

But now we are going to store vast quantities of the waters of the Mississippi River away up at the head in order to regulate the flow. Mr. Chairman, that regulation begins away above the point where the affluents of the Mississippi River meet it; above the Red River, above the Arkansas, above the White, above the Ohio, above the Missouri, above the Illinois, above the Des Moines, above all the tributaries that bear the floods, and away up at the head, in the vicinity of Lake Itasca, they propose to spend millions for the purpose of storing waters that never come there. There are no great floods there. They go above the great confluents of these rivers that bear the floods. And now they are going to improve the Mississippi River in that way.

I know how fruitless it is to talk about this. I know that the votes are now arranged for the passage of this bill. I know that there has been that measure of consultation that has secured the influence and the number of votes which are necessary. Appropriations have been judiciously made for that end.

The gentleman told us of the difficulties of selection, $200,000,000 being asked when only $30,000,000 could be provided for. They were afraid of making the bill too large. And now the harmony that the gentleman finds in this bill, the harmony that is so beautiful to him, means simply that distribution over States which brings the measure of support that will make the bill an undoubted success. [Laughter.] And the disturbance of that harmony which he fears is the discord that will come when, by another amendment, some fellow may get more than his share, or that, if his appropriation is stricken out, he might sulk in his tent.

Mr. SHATTUC. May I ask my friend a question?

Mr. HEPBURN. You may ask the question.

Mr. SHATTUC. Is your State left out of the bill?

Mr. HEPBURN. My State has not got a thing in it.

Mr. SHATTUC. I thought so. [Laughter.]

Mr. HEPBURN. I state that there is not a navigable stream in my district, or one that could be made so, and yet there are within it rivers that are magnificent in breadth and depth and

read the statement of the engineer in charge. He enters into general discussion of the river improvement, the necessity for this great work, and concedes that the bill is fair in many of its parts, and that the appropriation, while not that which is desired, is perhaps just, in view of the other appropriations in the bill. The engineer says:

TENNESSEE RIVER IMPROVEMENT,
ENGINEER OFFICE, U. S. ARMY,
Chattanooga, Tenn., January 28, 1899.

MY DEAR SIR: * * * A copy of the river and harbor bill as reported is now before me, and, while the total amount appropriated is disappointingly small, yet when we compare the appropriations for the Tennessee with those granted elsewhere, it would seem that all portions of the river and the tributaries were fairly treated except that portion between Chattanooga and Riverton. This portion is about 226 miles in length.

The section immediately below Chattanooga is known as the mountain section and, although it has been surveyed in the past, no complete and satisfactory project for its improvement has ever been prepared. It has been my desire, and I think it is the desire of the people of Chattanooga generally, that this portion of the river should be improved by a lock and dam placed near the outlet from the mountains. As this plan has never been considered by Congress, we could hardly hope for an appropriation to carry it into execution. About the best we could expect was an authority to resurvey it and to prepare a project. This the present bill allows and is, I think, so far satisfactory.

From the outlet of the mountains down to a few miles below Decatur the river has never been surveyed at all, and while no obstacles of great magnitude exist, yet there are a large number of small ones which seriously interfere with low-water navigation. The bill provides for a survey of this portion of the river, and when it is accomplished we shall know what improvements are necessary and how much they will cost. This is also satisfactory.

From the head of Browns Island, a few miles below Decatur, down to Florence is a stretch of river which has been sufficiently surveyed and extensively improved, for it includes the Elk River and the Big Muscle Shoals. It also includes the Little Muscle Shoals, which have not yet received the proposed improvement. A plan exists and has received the sanction of Congress for improving these shoals by a canal and two locks at an estimated cost of a million and a half dollars. No money has yet been applied to this improvement, because it was thought best not to begin the improvement until the work at Colbert Shoals, which is lower down on the river, had been completed, but if for any reason it is thought best to suspend for a time the work at Colbert Shoals, there is no reason why we should not proceed with the improvement of Little Muscle Shoals, and any amount up to a million dollars which Congress might see fit to appropriate could advantageously be employed this year in this improvement.

From Florence to Riverton is a stretch of river which includes the Colbert and Big Tree shoals; these two are always taken together and regarded as a single obstacle. Since the improvement of Muscle Shoals they form the worst obstruction on the river between Chattanooga and the mouth, perhaps even the worst between Knoxville and the mouth. Congress attempted as early as 1829 to secure the improvement of these shoals, but without success. Subsequently between sixty and seventy thousand dollars was expended on the shoals in the construction of spur dams and training walls, small works of low relief, designed to contract the channel and deepen the water. The limit of possible improvement by works of this kind was soon reached, and the result was not satisfactory.

About ten years ago a board of engineer officers, duly appointed, prepared a plan for overcoming this obstacle by a lateral canal with two locks; that is to say, a canal which should leave the river above the falls, be excavated along in the south bank parallel and near to the river, and should return to it at deep water below the shoals. The water in the canal was to be maintained and vessels passed by means of locks, one at each end of the canal. It was estimated that this work would cost two and a half million dollars. The plan received the sanction of Congress and two appropriations have been made toward carrying it out. About $650,000 have actually been applied to the improvement, and this has sufficed to build the lower lock and to practically complete the approach to it.

The plan was hardly adopted, however, before the officer in charge of the work pointed out that the estimate was too small, and he thought that it would have to be increased at least $750,000. But little work was done until I took charge of the district about three years ago. Since then my assistants and myself have given most careful and exhaustive study to the whole subject of the improvement of these shoals. We were forced to the conclusion that the amount estimated by the board was too small, and that, not including the amount already expended, it would require, we think, $3,000,000 to complete the project. We also came to the conclusion that by abandoning the proposed lateral canal and using two locks and two dams across the river that we could secure an equally satisfactory improvement and could save a million and a half dollars by the change.

Congress alone has the authority to authorize the change of plan. It seemed to me that a saving of a million and a half dollars upon a single improvement on a river like the Tennessee was a matter of great importance and ought to be a source of much satisfaction to Congress and to the taxpayers. The work already done would apply equally well to the lateral canal or the lock and dam project, but it would not be possible to do very much more work without committing ourselves to one plan or the other. It therefore seemed to me to be my duty to describe to the River and Harbor Committee this proposed change of plan and to ask their authority to make it. This I did at the time of my hearing, and this I have done in my correspondence since that time.

No extensive or elaborate survey is necessary either to demonstrate the feasibility of the proposed change or to carry it into execution. A few measurements have to be made to determine the velocity of the current of the river at different stages and the quantity of water that it discharges, and a few soundings and borings have to be made to determine the best location for the dams and for the second lock. Some of this work has already been done, and the rest will be done before the money appropriated will be available for use.

It is my opinion that the proposed change of plan will greatly hasten the time of the completion of the improvement. If money is appropriated no faster in the future than it has been in the past it would shorten the work eight or ten years, and the money that we should save would be sufficient to complete the improvement of Little Muscle Shoals, or, if applied elsewhere, to remove all, or nearly all, of the minor obstacles from the river from Chattanooga to the mouth.

We do not need any time and we do not need any money for making a survey at Colbert Shoals. We can go forward with the old improvement if Congress thinks best to adhere to it, or we can change to the new plan and proceed with the work as soon as the money is available.

If Congress should see fit to authorize the Secretary of War to continue the improvement by a lateral canal or by locks and dams, whichever plan was the most economical and best, then the matter would have ample consideration and no time need be lost; but if Congress thinks that it is necessary to suspend judgment upon the matter for a year, we might still expend at least $100,000 most economically and advantageously in quarrying, cutting, and preparing the stone which will be needed in either case for the construction of the lock. This will enable us to take care of the expensive machinery and other plant which we have assembled for this work and to hold together our skilled force of engineers, mechanics, and laborers, which we have collected after much trouble and expense and which will be scattered and lost if we are unable to give them any employment for a year.

* * * * * * *

I am, sir, very respectfully,

DAN C. KINGMAN,
Major of Engineers.

Hon. JOHN A. MOON, M. C.,
Washington, D. C.

Mr. Chairman, I am aware that the committee received communications from the Engineer Corps, and I am aware that in the multiplicity of their work they could not give that accurate and minute attention to this matter (after having once passed upon it under a misapprehension of the facts) which they would have liked to give. The correspondence with the engineer supports the position which I assume, that for the protection of the interests of the Government there should be an increase of this appropriation. I hope that the committee, in view of their misconstruction of the engineer communication——

[Here the hammer fell.]

Mr. HEPBURN. Mr. Chairman, the first river and harbor bill of which I have had any individual knowledge was passed only seventeen years ago. That was before the days of combinations in the passage of these measures. That bill carried about $7,000,000. We have gone on under the new method that shortly afterwards was inaugurated until now, this year, we shall have an expenditure, or will authorize an expenditure, of $42,000,000. Twelve million dollars—nearly $13,000,000—of expenditures this year are not recognized or to be found in this bill. The friends of this class of extravagant expenditure adopted a few years ago the ingenious method of covering up some portion of the expenditures by dividing the amount and putting a part in the sundry civil bill, where the grand aggregate could not so readily be recognized.

I want to say at the very outset, as I have said before, that I shall make no opposition to the legitimate and proper expenditure of the public money for the purpose of improving rivers and harbors that will contribute to facilitating the commerce of this country. The great rivers, the great harbors, ought to be the objects of the solicitude of the Government and ought to be improved. What I object to is the ulterior purposes that are always covered in greater or less degree in the river and harbor bill of later days.

Simply to illustrate—and yet I am talking about a very old story—I remember that a President of the United States, commenting upon this character of expenditure, said a few years ago that we had expended $26,000,000 for the improvement of the navigation of the Mississippi River and had secured upon two reaches where the great portion of the money had been expended 5 inches greater depth of water. A large part of $26,000,000 to secure upon those two reaches an increased depth of 5 inches!

Now, I know this line of remark will excite at once the wrath of my friend from Mississippi [Mr. CATCHINGS]. That improvement has been his child. He has fostered it wonderfully, and has succeeded in what I believe to have been his original purpose of erecting such barriers to the encroachments of the river upon plantations that the prosperity of his State has largely advanced.

I undertake to say, Mr. Chairman, that no reputable man will contend that with all the expenditures upon the Mississippi River there has been any considerable increased navigability given to that river. I make the statement boldly that each year the commerce of that river has decreased instead of increasing. Yet we have spent millions of dollars upon it; and after we have thus expended millions upon an elaborate system, I charge that that system has been substantially abandoned by its friends, and they have gone back to the old, primitive method of dredging, notwithstanding all the advances that have been made in hydraulic engineering in the last twenty years, and that now, wherever there is an effort to improve the navigation of the river, it is done by removing the sand bars by the old method of dredging.

I am not prepared to charge culpability upon any gentleman in connection with the appropriations in this bill; yet I do notice, and no one can avoid noticing, that in the improvement of the waterways especially affecting the State of the chairman of the committee more than four millions of appropriations are carried. If they wanted to improve the great waterways, the great harbors, I would not object; yet I am told that it is a custom with some gentlemen to locate themselves at an insignificant place, to build there a plant, and then come to Congress and insist that their property shall be made valuable by making it accessible. And I will ask the gentleman to say in his time whether he can not point out one or more places of that character.

I notice one instance in the State of Texas where an appropriation of $350,000 is proposed to improve a channel from Galveston to Texas City. Does anybody know where Texas City is? I am

told there is one business establishment there. Some Ohio gentlemen, intent upon missionary work, went down to that place, located themselves at Texas City—or perhaps Texas City came after they located themselves [laughter]—and built a compress for the purpose of compressing cotton. There are two stores, I am told, in that "city," both owned by that Ohio capital. And now they come to Congress and ask for $250,000, which is several times the aggregate of the assessed wealth of the whole "city," to dig a trench in the sand in the bottom of the bay, across the movement of the waters—perpendicular to it—so that it can be annually filled and require an annual appropriation—in order to reach Texas City.

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What are the facts in connection with the pending bill? The Missouri River gets $50,000 for 3,000 miles of alleged navigable waters. It borders my own district on the west. If a steamboat has ever passed up that portion of the stream adjacent to my district, if there has been one in the last ten years, I have never heard of it, and do not believe such an incident exists.

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Mr. HEPBURN (continuing). I was going to speak of that. There is a portion of the appropriation for that purpose. There is a portion of the river, from the city of Sioux City northward, that is navigable for a small boat, and is used by small boats. But there is a stretch of hundreds of miles of the river under the jurisdiction of the commission that has not had a single steamboat upon it in ten years within my own knowledge and in my belief. I certainly have never heard of one, Mr. Chairman, in that time.

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But now we are going to store vast quantities of the waters of the Mississippi River away up at the head in order to regulate the flow. Mr. Chairman, that regulation begins away above the point where the affluents of the Mississippi River meet it; above the Red River, above the Arkansas, above the White, above the Ohio, above the Missouri, above the Illinois, above the Des Moines, above all the tributaries that bear the floods, and away up at the head, in the vicinity of Lake Itasca, they propose to spend millions for the purpose of storing waters that never come there. There are no great floods there. They go above the great confluents of these rivers that bear the floods. And now they are going to improve the Mississippi River in that way.

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Mr. SHATTUC. May I ask my friend a question?

Mr. HEPBURN. You may ask the question.

Mr. SHATTUC. Is your State left out of the bill?

Mr. HEPBURN. My State has not got a thing in it.

Mr. SHATTUC. I thought so. [Laughter.]

Mr. HEPBURN. I state that there is not a navigable stream in my district, or one that could be made so, and yet there are within it rivers that are magnificent in breadth and depth and

length in comparison with some of those that are "improved" in this bill. [Laughter.]

Mr. GROSVENOR. Mr. Chairman, I should like to make a single suggestion to the gentleman. I know he would not do an injustice to any State in this Union. Ohio has sins enough of her own to bear without being charged up with anything that belongs to another State.

A MEMBER. That is so. [Laughter.]

Mr. GROSVENOR. Now, I am told there is not a dollar of the investment at Texas City which comes from the State of Ohio, but that it does come exclusively from the State of Minnesota. I hope the gentleman will allow that statement to be made under the circumstances.

Mr. HEPBURN. I made the statement as it came to me, and I am perfectly willing to make the correction, or to allow it to be made, for I agree with the gentleman that Ohio has enough to answer for already. [Laughter.] But whether it was Ohio that was the original offender or not, I would ask my friend if it was not a Cleveland man who came before the committee as the agent and attorney of the corporation and that begged with tears in his eyes for the appropriation?

[Here the hammer fell.]

Mr. CATCHINGS. Mr. Chairman, I am suffering so much from hoarseness that I fear I shall not be able to make myself understood; but I do desire to speak a few words, Mr. Chairman, in respect to what has been said by my honored and distinguished friend from Iowa. It is an old story between him and me. It may be new, as doubtless it is, to those of our colleagues who have not been present when a river and harbor bill has been under consideration. All that he has had to say about the Mississippi River, which is his bête noir, above all things, he has said many times, and precisely in the same language that he has used to-day. He has announced so often, Mr. Chairman, that he is in favor of what he calls a proper river and harbor bill that I am inclined to think that he really believes that he is; but he is the only person on the face of the earth he has ever succeeded in fooling.

Now, he attempted to make little of Buffalo Bayou. That is not in my State and does not concern me or my constituency at all; yet Buffalo Bayou during the last fiscal year carried out from the city of Houston thirty millions of commerce, including more than 500,000 bales of cotton. There are few streams of this whole United States which are more useful arteries than this bayou which he has attempted to ridicule.

So far as the Mississippi River is concerned, I think my friend a little regrets that this bill carries not a dollar for its improvement. It is a supreme pleasure to him, from some cause, to attempt to belittle that great work, in which the Government for so many years has been engaged, of improving the greatest river on the globe.

I had in my hand only yesterday, Mr. Chairman, a report submitted by the Senate Committee on Commerce, which in the spring of last year inquired into all the work which the Government has done, and among other things stated by them was the fact that $47,000,000 had been expended in the construction of levees on the banks to save the riparian owners from its desolating floods, and that of that $47,000,000, nearly $35,000,000 had been expended by the people themselves. Is not it a story calculated to arouse the sympathies of every man on this floor? My own Congressional district, embracing but a small part of the valley which is subject to overflow, has not only taxed itself as no other Congressional district in the United States has done, but it has issued its bonds for $4,000,000 and sold them, and their proceeds have gone into these earthen walls, in their effort to secure for themselves safety and protection.

The gentleman is entirely mistaken when he says that the construction of these levees affords no relief for the maintenance of that river as an artery of commerce. It has been almost the unanimous judgment of all engineers who have investigated or inquired into it that there can be no improvement of a permanent character of that great stream which does not take into consideration the control of these vast and desolating floods. He complains that we have spent many millions of dollars in an attempt to narrow the channel by dikes and in the effort to protect the banks from erosion by revetment. What he says is true; but, Mr. Chairman, it was because when the work was begun and carried on by the Mississippi River Commission there was no man in the United States of engineering skill who did not believe that by those methods the desired results could be secured.

But the gentleman says they have reverted to the old system of dredging. It is not true. It has only been in the last few years that the mechanical skill of engineers has constructed a dredge that can be used for this purpose. I allude, Mr. Chairman, to the hydraulic dredge, sometimes called the suction dredge. It was only invented in 1854, and then was rejected for some cause by the engineers; but it was experimented with from year to year, until about seven or eight years ago it was developed into the most astonishing machine which is known to-day to mechanics. As soon as it was discovered that a machine had been constructed in such manner that its great powers might be used to dredge out the river, the Mississippi River Commission, as it should have done, promptly stated in reports to Congress that the works that had been done and were being done by these slow and costly processes should be supplemented by the use of hydraulic dredges. There was no extravagance about it. They had done the best they could with the amount at their command and all known engineering devices, and to-day they are doing the best they can by the free use of these dredges.

Why, Mr. Chairman, one of these splendid hydraulic dredges, recently constructed, has removed as much as 5,700 cubic yards of earth in an hour, almost incredible, almost beyond the power of the human mind to compute. They are doing splendid work; and when they have constructed ten or twelve of them, I have no doubt that low-water navigation will have been secured; and when we can have reached a point where the high waters shall be confined by the construction of levees, we will have a great river such as no continent of the world can boast. And see what incidental benefits will result from it, Mr. Chairman! Thirty-two thousand square miles of magnificent land will have been protected from overflow. A distinguished writer has said that the Mississippi Valley is like a jug of cream; that the richest soil from the Western States has been washed down by the river and used in building up this magnificent empire; and it is true. It is scarcely yet touched by the husbandman.

Go to my district, and I will show you primeval forests, magnificent, gigantic, and splendid to behold, which remain to be felled to make room for the farmer of this country. I undertake to say that the small pittance of $13,000,000 donated by the Government has given more hope to more American hearts and has rendered more actual and immediate benefit to the people of this country than any other sum which it has expended anywhere for any other purpose. [Applause.] I know that my friend, with all his satire, and scorn, and his bitter tongue, will never be able to stay the progress of that great work. I know it will go on and on and on until this Government, acting in cooperation with the people of that valley, will see that these splendid levees are built, so that behind them these people can sow their crops and harvest them in peace and safety.

I have never been able to quite understand why it is that the distinguished and able Representative should pervert his talents in this regard as he seems to love to do. I hope that the time will come when his eloquence may be availed of in behalf of these people who have striven with superhuman efforts to protect themselves. They are not mendicants; they are magnificent, heroic American citizens, who are not only willing to do their part, Mr. Chairman, but who have done many times more than any people have done in connection with government work. I wish I could take my friend from Iowa [Mr. HEPBURN] and let him see what an overflow means; let him pass over these splendid plantations, which add so much to the commerce of this country, and see the watermarks, 10, 15, and 20 feet high on their houses and on the trees.

Why, at times there is a sea of water 70 or 80 miles wide; no roads, no telegraph facilities, no mails, no communication with the outer world; people accumulated in ginhouses and on the roofs of houses or on a little bit of unbroken levee, with their cattle, hogs, and horses. Why, sir, it is a spectacle that would make the hardest-hearted man weep in sympathy; and yet, because the Government has doled out its pittance from its magnificent wealth, my friend grows angry and never lets an opportunity go by to misrepresent and pervert the facts in regard to this work.

I do not know, Mr. Chairman, that I need to say more. My throat is in such condition that I had not intended to speak at all, and I will leave it to my honorable friend from Ohio to make a fitting reply to such other criticisms as may be made of the bill. But before taking my seat, I will say that this bill has been prepared with a care and conservatism and untiring spirit of inquiry that I have never before seen in a committee room. I venture to make the assertion that in all its parts it is honest, clean, wise, and just. In view of the limited sum which we felt at liberty to expend, I do not believe any committee from any body of men on the globe could have taken it and distributed it more justly, more wisely, having in view the welfare of this country. [Applause.]

Mr. BURTON. Mr. Chairman, how much time is there remaining?

The CHAIRMAN. Fourteen minutes.

Mr. BURTON. I will yield five minutes to the gentleman from Texas [Mr. BALL].

Mr. BALL. Mr. Chairman, those of us who are serving on the Rivers and Harbors Committee may perhaps, in our zeal to produce water competition and thereby regulate railroad transportation, sometimes make mistakes and give appropriations where they ought not to go or where they are not altogether desirable. In this we are unlike the gentleman from Iowa [Mr. HEPBURN],

whose State contains no navigable river, whose interests are all with the corporations which the rivers and harbors competition is designed to regulate. It is to be expected that he should imbibe something of the prejudice of the transportation companies (which always have his careful attention and regard) against river and harbor improvement.

Mr. PERKINS. Will the gentleman allow me?

Mr. BALL. I have but a few minutes.

Mr. PERKINS. The State of Iowa is bounded on one side by the Mississippi River and on the other by the Missouri River.

Mr. BALL. I am not speaking of the gentleman from Iowa, Mr. PERKINS, but the gentleman from Iowa, Mr. HEPBURN, who said there were no navigable rivers in his district. Now, Mr. Chairman, the gentleman is as unfortunate in the selection of some of his subjects of criticism as was the distinguished Kentuckian who injured his political career when he condemned and ridiculed the prospective city of Duluth; he is as unfortunate as was the gentleman who assaulted a river and harbor bill by selecting Buttermilk Channel, on account of its name, as a subject for ridicule, not knowing it to be in the great harbor of New York.

When he speaks with derision of the great enterprise which is presented in this bill from the district I have the honor to represent, he is unfortunate in his statements, and he ought not, without consultation with members who have the honor to represent constituencies on this floor, to retail scandalous statements that come from those either inclined to disregard truth under all circumstances or to indulge in mere idle pleasantries. The Buffalo Bayou and Galveston Ship Channel, I will say to the gentleman from Iowa, transported last year in the neighborhood of $30,000,000, including more than 500,000 bales of cotton, and the city of Houston, at the head of that tide-water stream, received within four months of the present season more than 2,000,000 bales of cotton.

The reports of the Government engineers show that to the farmers of the West—the farmers of Kansas, Nebraska, and other States—this proposed improvement will save more than $600,000 per annum. And when the gentleman attacks appropriations of this kind—because the House has become accustomed to listen to the gentleman from Iowa, who is always eloquent in debate—he should at least, in justice to the appropriations which he attacks and in justice to himself, before exercising his great influence and wonderful powers of debate, seek to inform himself as to the facts. [Applause.]

Mr. HAWLEY rose.

The CHAIRMAN. There are only nine minutes remaining. Does the gentleman from Ohio [Mr. BURTON] yield to the gentleman from Texas [Mr. HAWLEY]?

Mr. HAWLEY. I ask but a few minutes.

Mr. HEPBURN. Did the Chair address me?

The CHAIRMAN. The Chair will state that the gentleman from Iowa occupied twenty-five minutes, consuming all the time left in opposition to the bill. The gentleman from Ohio [Mr. BURTON] has consumed all the time in favor of the bill except nine minutes.

Mr. HAWLEY. Before I proceed——

The CHAIRMAN. One moment. The Chair has not recognized the gentleman.

Mr. BURTON. If the gentleman from Texas will be satisfied with five minutes, I will yield to him. I would like to have a few minutes to close the debate.

Mr. HAWLEY. Very well; I will accept five minutes.

Mr. BURTON. I take the liberty of asking the gentleman whether he is for or against the bill.

Mr. HAWLEY. I do not wish to antagonize the bill as a whole. I intend to speak in opposition to one item.

Mr. BURTON. Very well. I yield the gentleman four minutes.

Mr. HAWLEY. Mr. Chairman, it is with some reluctance that I rise to speak in opposition to any part of this bill; and my reluctance can be appreciated when I say that that part relates to an improvement at my own home. In thus opposing this appropriation I wish to say I am not in any way opposed to the work of development there; but it is because of the simple and at once apprehended fact that there is no basis for undertaking at this time the work provided for in this particular item of the bill. Contrary to the views just expressed in opposition to this bill, I think it is, in the main, one of the great features of the economic and industrial development of our national life.

I believe that the improvement of the great rivers and harbors—and some of the lesser rivers and lesser harbors, if you will—has contributed to that enormous increase in foreign business as much as any other element in the progress and development of all the business that we now control in foreign lands. But a measure of this kind should be undertaken advisedly. It should be done upon the recommendation and under the control and with the approbation of that branch of our Government to which we have always been expected to look for guidance and direction in every proposition for developing our rivers and harbors.

The United States engineers—an able corps, upon which Congress has always relied for whatever it desired to know and to do in the development of our rivers and harbors—have been appealed to with respect to the particular measure to which I shall offer an amendment when it is appropriate to do so. But without their recommendation, without their statement that the work is advisable, that the commerce there needs it, or that it is practicable as an engineering proposition, this item has been inserted in the bill.

It is true, as stated by the gentleman from Iowa, that an eloquent and persuasive gentleman from Cleveland was here in advocacy of this measure. But it is also true that his statements were the only or the chief evidence at the time of his presentation of the case by which the committee could be informed or advised as to the feasibility of the work or its effect upon the channel through which it is to be carried out. In accordance, as I understand, with the usage here the engineer officers of the Army are usually appealed to through an authorization in Congress to state what is advisable, what is feasible in respect to any given work, and what is the estimated cost.

This information is obtained before the improvement is passed upon by the River and Harbor Committee. If that is not done, the proposition is without parliamentary basis. In this case, as the committee understand perfectly well, there was a great deal of discussion during the sitting of the committee as to what constituted a parliamentary basis.

The CHAIRMAN. The time of the gentleman from Texas has expired.

Mr. HAWLEY. I beg to say that I shall at the appropriate time, when I offer my amendment to the item which I have undertaken in this brief moment to discuss, continue my remarks.

Mr. BURTON rose.

Mr. HEPBURN. Before the gentleman from Ohio proceeds, I should like to ask him whether there have ever been surveys and estimates made for the improvement for which appropriations are proposed on page 12 of this bill.

Mr. BURTON. What is the item?

Mr. HEPBURN. Improving the outer bar at Brunswick, Ga.

Mr. BURTON. I will answer that question if I have time. If not now, I will do so when the item is reached.

Mr. Chairman, I wish the opponents of this bill would caucus and decide on some line of policy. I make this suggestion particularly to the gentlemen from Iowa. The member representing the interests at Sioux City criticises the bill severely because it does not provide for preserving the banks there, where there is no commerce. The other members from Iowa criticise it because it makes too much provision for commerce throughout the country. So the bill is in the position of poor King Lear's fool. One member of the family whipped him because he lied, and another member whipped him because he told the truth.

We have endeavored, as far as possible, to make all the items in this bill of value. In regard to the claim of the gentleman representing the interests at Sioux City, while I do not pretend to answer the question as to whether those banks should be protected by the General Government, I do say it is incongruous and out of place to bring into a river and harbor bill a provision for the preservation of the banks of a river where there is no commerce whatever, or but a very trivial amount.

In regard to the arguments that railway freights are regulated by commerce on that river, I do not believe that 20,000 tons in 1,660 miles can have very much influence in regulating the freight rate on the railways. A good many sins have been committed in this river and harbor bill in years past under that specious argument. The argument that the exactions of the railways should be prevented by river and harbor improvements is worthy of consideration; but we should not overlook the fact that transportation by water and freight carrying by railway occupy two different fields.

Neither can intrude upon the province of the other without loss. I am very much surprised, I must confess, at the remarks of the gentleman from Texas [Mr. HAWLEY] in reference to the improvement proposed and the channel which is sought to be improved to Texas City in view of the fact that the bill was offered——

Mr. HAWLEY. I will explain in my own time.

Mr. BURTON (continuing). Inasmuch as he himself called for the estimates and the recommendations of the engineers on the subject. The estimates submitted by the engineers were presented, and the committee found, on an examination, that some $8,000,000 had been expended to improve the harbor of Galveston.

Mr. Chairman, there are some points which should be considered in connection with the matter. Very limited wharf room or dock room exists at that point. That which does exist is under the control, or monopoly, of the Galveston Wharf and Dock Company, which charges a high tariff on all vessels loading or unloading there. I might illustrate by saying that they have one regulation that when a boat comes from the neighborhood which is partly loaded it will be charged not only for the cargo put on at

the Galveston wharf, but for the entire cargo which has been loaded on elsewhere——

A MEMBER. One thousand eight hundred cars were detained at Galveston at one time because they were unable to discharge their cargo.

Mr. BURTON (continuing). An estimate was made that for $500,000 this channel could be carried to Texas City, across the harbor, where there was an abundance of high ground and satisfactory railroad facilities to enable this business to be properly carried on; and the committee thought it the best solution of the problem, and recommended the appropriation provided in the bill for that purpose.

Now, if the Texas delegation is opposed to it, of course there is no objection on the part of the committee, as far as I am aware, to make such amendments as they may suggest or to strike this out.

Mr. HAWLEY. If the gentleman will permit me, the Texas interests have not been consulted. The question does not seem to have been clearly understood.

Let me ask the gentleman in this connection, since he speaks of the possibility of constructing this new channel, what evidence has he that this channel is practicable, or that it can be permanently maintained if you succeed in constructing it?

Mr. BURTON. We have the statement of the engineers on the subject——

Mr. HAWLEY. There are other points that the gentleman should consider in that connection.

Mr. BURTON (continuing). And I am surprised that the gentleman says that the Texas interests are not favorable to this improvement, when he himself introduced the resolution calling for the survey and the estimates of the engineers.

Mr. HAWLEY. I think I will be able to explain to the House with reference to the matter to which the gentleman refers.

Mr. BURTON. It has been shown that the channel can be maintained to 14 feet depth.

But distinctly, now, let me state to the gentleman from Texas, and to those who entertain like views, that if he does not want the appropriation it goes right out of the bill. [Applause.]

Mr. HAWLEY. But the gentleman does not answer the suggestion I have made——

Mr. BURTON. I have shown the gentleman the grounds on which the committee acted.

Mr. HAWLEY (continuing). And I think I can show to the members on this floor, especially those from Ohio——

Mr. BURTON. Let me say to the gentleman that no lawyer from Ohio has any special standing before the River and Harbor Committee.

Mr. HAWLEY. What information, let me ask the gentleman, had the committee to go on in reference to this matter?

Mr. BURTON. The committee, I will state, had some discussion on this subject. We had the engineer's report before us. A difference of opinion existed.

The rule adopted in reference to these matters was that when the figures were before the committee we could insert the provisions for a project where, in the judgment of the committee, there seemed to be propriety in making such provision. Consequently in this case that action was taken.

The CHAIRMAN. The time for general debate has expired under the order of the House, and the Clerk will report the bill by sections for amendment and debate under the five-minute rule.

The Clerk, proceeding with the reading of the bill, read as follows:

Improving harbor at Hyannis, Mass.: Completing improvement, $2,162.

Mr. TONGUE. I move to strike out the last word.

Mr. Chairman, I am not prepared to say that the appropriation for this harbor is not proper. I merely wish to call attention to the fact that there has already been expended upon this harbor the sum of $133,592.92, and that to complete the project contemplated will require an expenditure of $376,000 more; that the total commerce of the harbor, according to the report of the engineer, was in 1894, 7,975 tons, and in 1897, 14,823 tons. There are in this bill some twenty different items of appropriation for the same State, aggregating something over $1,000,000.

While not prepared to say that these appropriations are not correct, I am prepared to say that the treatment accorded to Massachusetts, which has a member upon that committee, and the treatment accorded to the State of Oregon, which has not a member on that committee, do not measure out equal or exact justice.

Mr. CATCHINGS. Will my friend allow me?

Mr. TONGUE. I have but five minutes. The district which I have the honor to represent has a seacoast of about 300 miles. There are upon that coast some 10 different harbors. This bill proposes to appropriate for those the magnificent sum of $42,000, and repeals projects now in existence appropriating $512,000; so that this bill, distributing about $30,000,000 to the different States, contributes nothing to the State of Oregon, or at least to the Congressional district which I represent, but, on the other hand, takes from it nearly half a million of dollars.

In repealing one of these provisions where authority has been granted to make a contract, the objection is made that the commerce is not sufficient. Even in its present neglected condition the commerce exceeds that of the harbor just under consideration. They propose to repeal the law authorizing a contract, that was passed in 1896, that has been approved by two Secretaries of War, that has the formal approval of two Chiefs of Engineers, under two separate Administrations. The contract has been advertised, and has been let at one-half the estimated price. The contract and bond have been signed, and are now in the hands of the Engineering Department. There is connecting with that harbor about 150 miles of railroad. The owners of it are preparing to extend that line some two or three hundred miles farther. They are simply lacking facilities for shipping the products that may pass over that road.

Now, while we are receiving this treatment, here is a harbor where it is proposed in past and future appropriations to expend somewhere near half a million dollars and which has a commerce of 14,000 tons.

I have made a somewhat hasty, but I think a substantial, computation of the several amounts appropriated by this bill directly and on contracts to be authorized to be expended upon improvements within the several States. According to that, they are as follows:

For improvements within States represented upon the Committee on Rivers and Harbors.

State.	Amount.	State.	Amount.
Ohio	$2,586,500.00	Kentucky	$368,173.20
Wisconsin	529,320.00	Florida	1,209,199.80
Massachusetts	1,005,840.36	Texas	799,000.00
Illinois	1,659,656.00	For reservoir at the head of the Mississippi River	210,000.00
Michigan	2,559,075.00		
Pennsylvania	736,218.00		
Minnesota	1,311,259.33	Improving the Ohio River from head to mouth, various sums aggregating	2,075,000.00
New York	5,488,613.00		
Mississippi	361,199.80		
Georgia	1,003,000.00		
Alabama	1,571,000.00		
Arkansas	429,815.00	Total	24,062,869.49

Appropriations for other States.

State.	Amount.	State.	Amount.
Indiana	$7,500.00	Louisiana	$878,115.75
Rhode Island	305,827.00	California	1,011,620.00
Connecticut	425,100.00	Oregon (which includes improvement for the Columbia River, forming the boundary line between Oregon and Washington)	188,000.00
New Hampshire	32,000.00		
Vermont	21,000.00		
New Jersey	141,500.00		
Delaware	239,780.00		
Maryland	316,000.00		
Virginia	493,950.00	Washington	66,000.00
District of Columbia	50,000.00	Idaho	10,000.00
South Carolina	203,000.00		
North Carolina	189,000.00	Total	4,578,302.75

If these figures are correct, one-third of the States which are represented by members upon this committee receive three-fourths of the amount appropriated and authorized to be contracted for by this bill.

Mr. Chairman, I ask to withdraw the formal motion.

Mr. BURTON. I wish to say a few words on that. I should have preferred that the gentleman from Oregon had waited until the provisions pertaining to his State had been reached before making this argument. If he is equally inaccurate in his statements in reference to Oregon as in his statements in reference to the port of Hyannis, Mass., the House will hardly be influenced very much by what he has to say. He makes the statement that $376,000 is to be hereafter expended upon this harbor. Not one additional cent besides the $2,116 provided in this bill is contemplated to be expended upon it.

The port of Hyannis is an important harbor of refuge. It is true it had a commerce of only 25,020 tons last year, but 2,700 boats used it as a harbor of refuge. It is the only harbor of refuge for a considerable stretch on the Massachusetts coast, and the object of this appropriation of $2,162 is to complete the space for anchorage on the interior, giving more room for boats, and to prevent crowding.

Mr. TONGUE. Will the gentleman yield for a question?

Mr. BURTON. Yes.

Mr. TONGUE. The gentleman has questioned the accuracy of my statement, and I will ask him if there is not an existing project providing for the improvement of the harbor of Hyannis, and estimating the amount at $376,000? And I refer to page 905 of the report of the Board of Engineers.

Mr. BURTON. That has nothing whatever to do with this appropriation. There is not the least probability of its ever being made. I trust the gentleman from Oregon, in giving figures by States, will not overlook the fact that in the appropriations last made for rivers and harbors the State of Oregon received approximately $3.50 for each inhabitant of the State, while the State of New York received only 25 cents. I ask him to examine along that line of statistics, and trust he may not omit that from the remarks he may print on the subject.

The Clerk read as follows:

Improving New Haven Harbor, Connecticut, in accordance with the project submitted by Maj. Smith S. Leach, dated June 23, 1897, and printed as House Document No. 82, Fifty-fifth Congress, second session, $50,000: *Provided*, That the Secretary of War may enter into a contract or contracts for materials and work necessary to complete so much of said project as includes a channel 20 feet deep through Long Island Sound from Tomlinson's Bridge, including three interior basins affording separate anchorages with depths of 20, 16, and 12 feet, respectively, and connected by adequate channels, to be paid for as appropriations may from time to time be made by law, not to exceed in the aggregate $295,000, exclusive of the amount herein and heretofore appropriated.

Mr. BURTON. Mr. Chairman, there is an error in one word in line 12. I move to strike out the word "second" and insert the word "first."

The Clerk read as follows:

Page 6, line 12, strike out the word "second" and insert the word "first."

The amendment was agreed to.

The Clerk read as follows:

Improving New York Harbor, New York: For maintenance, $100,000. For improving said harbor by a deep channel, 2,000 feet wide and 35 feet deep from the Narrows, by the so-called East Channel across Sandy Hook Bar to the open sea, in accordance with the recommendations contained in House Document No. 159, Fifty-fifth Congress, third session, $1,000,000: *Provided*, That the Secretary of War may enter into a contract or contracts for such materials and work as may be necessary for the completion of said project, to be paid for as appropriations may, from time to time, be made by law, not to exceed in the aggregate $1,510,000, exclusive of the amount herein and heretofore appropriated.

Mr. CUMMINGS. Mr. Chairman, I move to strike out the last word.

Mr. Chairman, in February last I introduced a resolution into the House taking preliminary steps for the digging of a channel from Governors Island to deep water, said channel to be a thousand feet wide and 40 feet deep. On February 24 I received the following letter from a distinguished citizen of New York:

NEW YORK, N. Y., *February 24, 1898.*

MY DEAR CONGRESSMAN: During the year 1897 the commercial showing of the port of New York was relatively bad.

In no respect did it bear to the sum total the proportion that it should have borne.

These facts give great concern to all interested in the prosperity of New York.

Our natural advantages of location, of harbor, and of accessibility from all points are complete.

But these natural advantages must be supplemented by art, by judicious effort, and well-directed enterprise. In these directions the citizens must move at once and with united vigor.

The demands of ocean commerce constantly augment the size of vessels.

But New York does not adequately respond to them, either in the improvement of her sea approaches or in the enlargement of her docking and other harbor facilities.

In these vital particulars it is not too much to say that New York is trying to accommodate the commerce of to-day with the facilities of ten years ago.

In other words, New York has not kept pace with the growth of her own commerce, and at this moment gives no palpable promise of adequate effort either to catch up or to keep pace with it in the future.

The approaches by sea are of course controlled by the United States. Year by year they become less and less adequate to easy or even safe navigation by vessels of the constantly increasing dimensions which the commerce of New York demands and creates.

Every grounding of a vessel in these approaches is a reproach to New York, a blow at her prestige as a port, and a menace to her commercial supremacy.

It is not enough that New York's approaches and harbor facilities should be equal to those of rival ports. They must be superior.

Just in proportion as they are superior will her ascendency as the emporium and metropolis of the Western Hemisphere be assured. And in proportion as rival ports approach equality with New York, in such ratio must New York's supremacy decline.

Other cities are making the most strenuous efforts to reach equality with New York in such conditions. Is New York putting forth commensurate endeavor? No.

Such a state of things must exist no longer.

It is not an affair of politics or parties; not a concern of classes or factions.

It is not merely the common concern of every person who depends on the prosperity of New York for occupation and bread.

It is more than that. It is the common concern of the general public of the United States, habituated to regard New York as the natural emporium of the nation, by every law of geography and climate, by every rule of convenience and economy.

The sea approaches to New York Harbor must be placed in a condition that will dismiss the question of tides from the problem of navigation.

Our organization, no less by tradition than by platform, is pledged to every possible effort for the material aggrandizement of New York, and this obligation has been vastly enlarged in weight and scope by the new municipal conditions.

Let me impress upon you that at this moment not all other public questions combined are more important to the Representatives of New York than the subject of this letter.

Yours, truly, RICHARD CROKER.

Mr. Chairman, there is the case in a nutshell. It is a clear, clean, and concise statement, an initial step toward securing deep water for New York Harbor. Since then commercial associations have taken the matter up, and we are on the eve of a realization of the work. Six days before the receipt of this letter I had the honor to introduce the bill to which I have referred. The chairman of the River and Harbor Committee at that time (the Hon. Warren B. Hooker) told me that if I would kindly refrain from pressing it then he would use his best endeavors to incorporate the plan in the next river and harbor bill.

The CHAIRMAN. The time of the gentleman has expired.

Mr. CUMMINGS. I ask that my time be extended five minutes.

Mr. BENNETT. I move that the time of the gentleman be extended five minutes.

The CHAIRMAN. The gentleman asks unanimous consent that the time of his colleague be extended five minutes. The Chair hears no objection.

Mr. CUMMINGS. I appeared before the present Committee on Rivers and Harbors and advocated my proposition. I have no doubt that the new chairman, the gentleman from Ohio [Mr. BURTON], has come as close to giving me what I wanted as he could in prudence. I have no fault to find with him. I accept what he has offered in the bill with thanks; but at the same time I give notice that as soon as we have 35 feet of water I shall endeavor to secure an appropriation for 40 feet of water. The 35 feet of water now provided for only refers to the East Channel. It does not come this side of the Narrows. It seems to me that my original proposition was much better—that this channel should have been dug from the mouth of the East River to the sea. I am more than ever convinced that I was right since the disaster to the battle ship *Massachusetts*. That vessel, Mr. Chairman, ran upon the rocks near Governors Island, and had the bottom almost torn out of her. It may cost the Government from $100,000 to $150,000 to repair her; and I must confess that I am surprised to see that there is no appropriation here for the removal of Diamond Reef.

Mr. BERRY. I would like to ask the gentleman from New York a question, if he will yield?

Mr. CUMMINGS. Certainly.

Mr. BERRY. Does not the gentleman think it would be better to have some merchant marine of our own before we make any larger expenditures of that kind?

Mr. CUMMINGS. Well, give us plenty of water, and our merchant marine will develop without issuing American registers to foreign-built vessels. I shall do what I can toward restoring our merchant marine to its former glory.

Mr. BENNETT. I desire to state to the gentleman from New York that there is a provision in the bill for the removal of Diamond Reef.

Mr. CUMMINGS. Very well, Mr. Chairman, I take back what I said, and give the gentleman from Ohio full credit.

Mr. BENNETT. As well as Coenties Slip.

Mr. CUMMINGS. I find in the Criterion an article written by E. H. Mullin, an old friend, which amply supplements the letter from Mr. Croker. He says in effect that upon the favorable answer of Congress rests the development of trans-Atlantic steamships to a size, strength, and speed now without any parallel. During the past ten years the length of these great steamships has increased from 520 feet—the length of the *Etruria*—to 704 feet, the length of the new *Oceanic*, just launched at Belfast. The indicated horsepower, during the same period, has risen from 14,500 with a single screw to 30,000 with twin screws. The sea speed has gone up from 19 to 22 knots per hour.

These are great advances, but the limit seems to have been reached unless provision is made by Congress so that vessels of 40-foot draft can enter or leave the harbor at all states of the tide. Aside from this, it is the only port in the world whose trade offers sufficient inducement to capitalists to build bigger and deeper steamships. Any other harbor channel on our Atlantic coast might be deepened to 100 feet and made as straight as an arrow without attracting a single vessel the size of a *Lucania*. Nearly 70 per cent of the imports which the United States consume is shipped from Europe to New York warehouses and handled by New York merchants, and half of the exports go out by the same channel.

We hear a great deal about the Peninsular and Oriental and other famous lines to the East Indies and Australia, but their largest steamships are only half the size of the *Lucania*, with about one-fourth the horsepower, while the average is very much lower. There is thus a steamship for every day of the week leaving New York which is twice as large in its European port as any other steamship bound for anywhere else. The present limit of draft in the largest passenger steamships entering New York Harbor is 29 feet, which barely allows them to go through the 30-foot channel at low spring tides.

But the average proportion of draft to breadth of the *St. Louis*, *Lucania*, *Kaiser Wilhelm der Grosse*, and *Teutonic* now averages only 44 per cent, instead of 50 per cent, as it would be if the channel were 40 feet deep at low spring tides, instead of 30 as it is now. And the loss will be even more serious with the new *Oceanic*,

because, with a length of 704 feet, she should have a draft of 35 feet instead of 32 at the most, the difference between mean high and low water in New York Harbor being only 4½ feet. Mr. Mullin says:

If we can imagine a steamship with a maximum draft of 42 feet on the average lines of the four vessels to which we have already referred, we shall be able more easily to understand the advantages of a deep channel. Such a vessel would be 820 feet in length, 93 feet 4 inches in breadth, and 61 feet in depth. Its displacement would be approximately 60,000 tons, equal to three times that of the *Lucania* or four times that of the largest British warship afloat. Though three times the displacement of the *Lucania*, which has 30,000 indicated horsepower, this vessel could steam at the same rate—22 knots—with about only double the indicated horsepower.

If the horsepower were increased in proportion to the displacement, it would be 90,000, or 1½ horsepower for each ton, and it is quite probable that with engines of this monstrous size she could cross the Atlantic in four days and a half at a speed of a fraction over 25 knots an hour. She could furnish cabin accommodation of the present kind for 1,500 first-cabin passengers, or could give real bedrooms and sitting rooms for 500 moderately rich persons. The new *Oceanic* will have a gross tonnage of 17,000, which means that she will have a displacement of about 32,000 tons, or three-fifths larger again than the *Lucania*. Thus she will be heavier than the *Great Eastern* as well as being 20 feet longer. If the *Lucania* is thus put in the shade in five years, what may not happen to the *Oceanic* before 1910?

The new channel, generally called the East Channel, would leave the present main channel opposite Nortons Point, just below the Narrows, and go straight out to 7-fathom soundings by keeping SE. ¼ E. magnetic. It would be 4½ miles long, through sand and broken shells, and 1½ miles of this length is already 23 feet deep. Not only would it allow large steamships to come up night or day at all states of the tide, but it would give them a chance of coming up safely in heavy fogs, which is impossible with the present crooked main channel. It would also reduce the length of the channel to deep water from 15⅞ to 10½ miles, and thus make a gain of nearly an hour at the channel rate of speed.

Mr. Chairman, when we have a harbor with sufficient water to allow vessels that want to enter the harbor to come in at any time, the commerce of the United States will be increased and the city of New York not only be benefited, but the interest of the whole country subserved. I have said all I desire to say, and will not take up the time of the committee any longer.

Mr. BURTON. One moment. I think the gentleman from New York has made no distinct proposition or offered any amendment. The subject was considered along the same line by the committee. The committee had before it three projects, one to dig out a channel 1,500 feet wide, 35 feet deep; another, 2,000 feet wide and 35 feet deep, and one for a channel of 2,000 feet wide and 40 feet deep, and we selected the second. The reasons are very briefly given in the report, if the gentleman will read it:

The reason for this conclusion is based on two facts: First, the engineers who are to take charge of the work aver that in any event they would complete a channel 35 feet in depth before seeking to obtain a further depth of 5 feet; second, the aggregate expense of first obtaining 35 feet and then independently obtaining 5 feet more would not be greater than that of obtaining 40 feet in one project. With due regard to economy, and with the aim to secure the best results with the least expense, it has seemed best to recommend that for the present only 35 feet be obtained. Incidentally it may be said that in the hearings before us it was stated that to complete this improvement would require ten years.

I think as a business proposition there is no answer to that.

Mr. CUMMINGS. I have no fault to find with the committee.

Mr. FISCHER. Mr. Chairman, I offer the amendment which I send to the Clerk's desk.

The Clerk read as follows:

Insert in line 11, page 8, after the word "dollars," the following:

"*Provided*, That the material to be excavated in making said channel shall be used in reclaiming the shoal dividing the channels of the east and main ship channel, and known as Romer Shoal, for the purpose of making a fortification and improving said entrance."

Mr. FISCHER. Mr. Chairman, the purpose of offering this amendment, I imagine, can be readily seen from the amendment. We are about to expend an enormous sum of money for a very necessary work, and the day is not far distant when Romer Shoal, which is a sand bar dividing the two main channels at the entrance of New York Harbor, will be used as a fortification. I have many times endeavored to make the House believe that it ought to have been done before this, and there was a time during the last session of Congress when I had a fair hope that it would then be done; but the chairman of the committee discovered that it was not germane and it was ruled out. I offered it then as an amendment to the Army fortification bill. The project for fortification of Romer Shoal has been passed upon by engineers of the War Department, and if I may be permitted, I will read a few words from the report of Lieutenant-Colonel Ludlow (now a general in the Army), who was in charge of the harbor of New York, upon that scheme. He says:

The East Channel lies about midway between Coney Island and Sandy Hook, and is therefore, on the average, about 3½ miles distant from either—range fully within reach of modern ordnance, but somewhat greater than has been regarded desirable in connection with torpedo defense and the protection of the torpedo fields from interference. But this objection can be met by special means, and it is quite likely in any case that the Romer may be occupied hereafter by a suitable armament, when the objection would be entirely relieved. Furthermore, as a general proposition, since hostilities are abnormal and exceptional and commerce is habitual and constant, it seems evident that in an instance such as the most important and valuable harbor in the country, the maintenance of whose commerce is vital, the dispositions as to the channels of entrance and exit should be such as to facilitate to the utmost the movements and security of shipping, even if some disadvantage should accrue to the details of a military defense.

We are about to expend an enormous sum of money to remove the material to make this channel, and unless an amendment of this kind should prevail the ordinary course would be pursued, and the material that is excavated will be taken 12 miles to sea and there dumped in a place indicated by the War Department as a dumping ground.

Now, it is the intention of the War Department, within a very short period of time, to make this fortification, and to erect on it two turrets of the German pattern, which shall contain two 16-inch guns, which, it is estimated, will be equivalent to the largest fleet that could be assembled in New York Harbor, making it impossible for any hostile naval fleet to enter therein.

The maintenance of the two turrets would be infinitesimal. There would be no firemen needed, no coal supply, no officers in charge of the vessels, no subalterns or crew, but simply an ordinary guard detailed from the forts in that harbor in a time of peace, not a sinkable floating arrangement as is provided for in vessels, and there will be no dry docking necessary for it. Why take this material to sea and dump it there, possibly to return some day with the returning tide, when with less expense it might be dumped on this bar and made use of at once? The crib work that would be erected to retain it would in itself make a breakwater or abutment around which the tide would wash, which would assist in keeping the channel open and possibly make it unnecessary to re-dig it.

Mr. CUMMINGS. Would it make the fishing good? [Laughter.]

Mr. FISCHER. Not having indulged in that pastime at that place, I can not say. It is absolutely necessary that the work should be done aside from the fortifications, to keep the channel open, as was the work which was done at the mouth of the Mississippi River. This crib work, this abutment, will do the work that was there found to be so efficacious.

[Here the hammer fell.]

Mr. MITCHELL. I ask that the gentleman's time be extended five minutes.

The CHAIRMAN. Without objection, the request will be granted.

There was no objection.

Mr. FISCHER. On this arrangement I wish to speak of the light-house which might be erected on it at a very small cost, a light tower or framework, which shall contain a light for the purpose of warning seamen who enter and make their way out of that channel. There could also be maintained there, it is claimed, a fog signal to warn vessels in time of bad weather. Last year, a few days after this proposition was before the House, there were four partial shipwrecks on Romer Shoal; and if this system of light-house and fog signal had been erected and maintained, possibly neither of these groundings would have occurred. The system of fog horn and lights at Sandy Hook are only used as ranges, and serve no other purpose. Were a light-house and fog signal on the edge of the channel it would do much more good and would provide every safeguard to navigation in time of storm, and I hope the House, in the interest of economy, will save this material, which would otherwise be wasted, and aid this necessary improvement, which must be done sooner or later.

Mr. McCLELLAN. Would it not be much cheaper to dispose of the material by placing it on Romer Shoal instead of taking it out to sea? Would that not save time as well as expense?

Mr. FISCHER. I think there is very little doubt that at least 3 cents per cubic yard would be saved to the Government if the material were dumped there rather than being carried out to sea. Towing and scowage would be saved.

Mr. FOOTE. About what would be the saving? It would be quite a large amount, would it not?

Mr. FISCHER. There would be a saving to the Government of at least $200,000.

Mr. CUMMINGS. They could dump at least six loads where now they dump one.

Mr. BURTON. Mr. Chairman, it seems to me very inappropriate that in a bill making appropriations for the improvement of rivers and harbors and, among other things, providing for digging channels, we should be asked to designate specifically where the dredged material shall be placed. That is a matter which should be left absolutely to the discretion of the Engineer Department. We can not control it here.

I do not think we ought to undertake to bind the discretion of the engineers as to where they shall put their material. I ask gentlemen to observe what this proposition would mean. Here is a channel about 10 miles long, and under such a provision as this the engineers might be compelled to carry the sand, or whatever other material may be taken from the bottom of the channel, 10 miles, when otherwise they would be obliged to carry it only a quarter of a mile and dump it into the open sea.

But the main objection to the proposition is that it is absolutely out of place for us to undertake to control the discretion of the Executive Department in a matter of this kind. Let the Military Committee take up this question if they wish to do so.

Allow me to add that in suggesting this improvement the Engineering Department having in charge the deepening of this channel has consulted carefully those having in charge the fortifications of the harbor, and I have no doubt that without any attempted direction on our part they will do what is best.

Mr. FISCHER. I desire to modify the amendment so as to provide that the War Department may use the whole or any portion of this material in their discretion.

Mr. BURTON. I do not think we ought to interfere at all with the exercise of their discretion. They will use the whole if they ought to do so. The gentleman, if he thinks it necessary, had better go to the War Department about this matter. Whatever is proper under the circumstances I have no doubt the Engineering Department will do.

The question being taken on the amendment of Mr. FISCHER as modified, it was rejected; there being—ayes 29, noes 85.

Mr. GARDNER. I move to amend by inserting the paragraph which I send to the Clerk.

The Clerk read as follows:

Improving Absecon Inlet, New Jersey, according to the plan submitted by the Board of Engineers January 21, 1898, $10,000: *Provided*, That a contract or contracts may be entered into by the Secretary of War for such material and work as may be necessary for the completion of the improvement according to said plan, to be paid as appropriations may from time to time be made by law, not to exceed in the aggregate $500,000, including the amount hereby appropriated.

Mr. BURTON. Mr. Chairman, I hope there is no danger of this provision passing. This matter was carefully considered by the committee when the delegation concerned was present, and I may state it was unanimously voted down.

The amendment was not agreed to.

The Clerk read as follows:

Improving harbor at Gowanus Creek Channel, New York: Continuing improvement, $25,000.

Mr. FISCHER. I offer the amendment which I send to the desk.

The Clerk read as follows:

After the word "dollars" in the paragraph just read insert:
"Improving Bay Ridge and Red Hook and Buttermilk channels, New York: Continuing improvement, $100,000.

Mr. FISCHER. Mr. Chairman, this improvement was provided for to a very slight extent in the last river and harbor bill; but I find that in this bill the Committee on Rivers and Harbors has failed to provide for it at all. These are very important channels, taking in all the east side of the harbor of New York from Bay Ridge, or Owls Head, to the Battery. The work thus far completed makes a channel 800 feet wide and 26 feet deep up to and including Red Hook Point, and beyond that the channel is 400 feet wide and 26 feet deep.

Only the day before yesterday a steamer, having loaded at one of the docks in Brooklyn, proceeded on its passage for Europe; but reaching as far as Buttermilk Channel it grounded and remained there for two days, until the wind shifted from the north to the south and allowed sufficient water to come in on the next flood tide to float the vessel off. Without the improvement of these channels almost the entire dockage front along the Brooklyn shore from Owls Head to the foot of Hamilton avenue becomes valueless.

The committee, I understand, agree that these channels are important, but have come to the conclusion that because they are recommending so much for the main entrance to New York Harbor all the inner portions of the harbor should wait for their improvement until "the sweet by and by," if you please. I hope the amendment will be adopted.

Mr. BURTON. Mr. Chairman, I think a point of order lies upon this amendment. There is no estimate for it. By the river and harbor act of 1896 we made a very generous provision——

Mr. FISCHER. I contend that the point of order comes too late.

The CHAIRMAN. The Chair will state to the gentleman from Ohio that under the rules a point of order, to be entertained, must be made immediately after the amendment has been read, and before the debate commences.

Mr. BURTON. Very well; then let us take this amendment up on its merits. By the river and harbor act of 1896 very generous provision was made to broaden this channel. I read from that act:

Improving Bay Ridge Channel, the triangular area between Bay Ridge and Red Hook channels and Red Hook and Buttermilk channels, in the harbor of New York, N. Y.: Continuing improvement, $200,000: *Provided*, That the work shall be begun at the southerly end of Bay Ridge Channel and continue through it and the others, in the order named, until each, as the work advances northerly, is completed in turn, so that each shall have a uniform mean low-water depth of 26 feet and width as recommended for each: *And provided*, That out of said sum $5,000 shall be expended in dredging Gowanus Channel from Percival street to Hamilton Avenue Bridge: *And provided further*, That contracts may be entered into by the Secretary of War for the completion of the whole of said work, to be paid for as appropriations may be made from time to time by law, not exceeding in the aggregate $637,300, exclusive of the amount herein and heretofore appropriated.

So, Mr. Chairman, it appears that about $837,300 has been appropriated since 1896 for this work. Further than that, from an extended examination of the report, it appears that a balance was available on the 1st day of July, 1898, for the improvement of this channel, of $159,911.50.

I do not think, except in very unusual cases, which rarely occur, that we ought to make provision in two successive river and harbor bills for continuing contracts. We have done so in but one single instance in the bill, to which I have already referred, and where the circumstances made it absolutely essential.

In addition to that, I suggest to the gentleman from New York that in the great harbor of that city the most important provision, the most important feature, is to finish the main channel and get that work done first.

If there was a business man whose attention was called to the matter and was asked to consider it, he would say, beyond all reasonable question, let us first complete the work on the main channel. That is the important work. After that we can take up these other matters.

Mr. FISCHER. Let me ask the gentleman from Ohio if his opinion would be changed if this were a meritorious work?

Mr. BURTON. Oh, I do not doubt that this is a meritorious work. But the question is whether we shall not, in the first place, perform the more important work, and afterwards take up work of this kind.

Mr. FISCHER. Does the gentleman know the present depth of the channel up to New York?

Mr. BURTON. I do.

Mr. FISCHER. Why not make it uniform up to the wharves of the city? Under the present arrangement, through the channel to which I refer, the steamers beyond a certain draft can not enter at all.

The CHAIRMAN. The time of the gentleman has expired.

Mr. DRIGGS. Mr. Chairman, I move to strike out the last word for the purpose of making a single remark on this question.

I most heartily indorse the amendment proposed by my colleague from New York [Mr. FISCHER]. I think it is very much more important, as a question relating to the commerce of that city, than the mere expenditure of the sum of $100,000 as proposed. There has been a provision in the river and harbor bill for an estimate as to the cost of removing two reefs which are a menace to navigation. I mean the Diamond Reef, and the Coenties Reef. These are still in existence, and the work of their removal is of supreme importance. We know that it will be almost impossible to get an appropriation to remove them in the present bill. And so it seems absolutely essential that this Buttermilk Channel, by which they may be avoided, should be improved in accordance with the amendment of my colleague.

The importance of the matter is shown by the fact that vessels coming down East River from the Brooklyn Navy-Yard pass these obstructions. They must go around Governors Island and come in close proximity to the reefs to which I have referred, and their dangerous proximity is illustrated by the fact that a very short time ago the battle ship *Massachusetts*, coming down East River, struck on the Diamond Reef, with a result that is well known to the members of this body. This obstruction can only be avoided by digging out and improving Buttermilk Channel and making further improvements in that direction.

I therefore favor the amendment and hope that it will be adopted.

The question being taken on the amendment of Mr. FISCHER, it was rejected.

The CHAIRMAN. The Clerk will proceed with the reading of the bill.

Mr. BURTON. Mr. Chairman, I desire to ask unanimous consent that, beginning on page 12, line 5, and extending to page 14, in line 13, we may pass over that portion of the bill until we have concluded section 1. The committee will have some amendments to offer.

The CHAIRMAN. Is there objection to the request of the gentleman from Ohio?

There was no objection.

The Clerk proceeded with the reading of the bill, and read as follows:

Improving Galveston Ship Channel and Buffalo Bayou, Texas: For improvement of the Galveston Ship Channel and Buffalo Bayou, by dredging or otherwise, from the jetties at Galveston, Tex., up through the present ship channel and Buffalo Bayou to the proposed harbor site at Houston, Tex., to be provided by the citizens of Houston, $250,000: *Provided*, That out of said sum a suitable dredge may be constructed for said work.

Mr. HEPBURN. Mr. Chairman, I move to strike out the last word. It is very much to be regretted that any gentleman who refuses his approbation to certain provisions of the bill and expresses his disapproval to the House finds himself in the position of being condemned by those who favor the bill. Certain gentlemen seem to feel it incumbent upon them to charge him with ignorance, with no knowledge of the subject, and constantly

make misstatements in reference to his position on a particular subject.

I stated a little while since, in connection with the pending provision, that a gentleman did undertake a few years ago to navigate what is known as this "highway of commerce," Buffalo Bayou, and ran his boat into a bank, while the opposite end—the stern—stuck in the opposite bank of the stream, when trying to get around some of these circuitous points in this great highway of commerce. At once the statement was challenged. A gentleman told me—who I think is a member of the committee—that he had himself navigated the stream and knew what he was talking about. I think it entirely probable, because I read in the report of the engineers that in order to make this stream navigable for boats 162 feet long they have been compelled "to cut away two points that projected into the current of the stream."

Now, Mr. Chairman, the longest boat that last year navigated this river, according to the report of the engineers, is 162 feet long. There are 112 boats on that stream. They vary in length from 20 to 162 feet, and in tonnage from 2½ to 358. The total number of trips made by these vessels was 3,525, and if the report is true that 160,000 tons were borne upon that stream, they carried an average tonnage of 48 tons each. That is the class of vessels navigating that river. They have 10 feet of water now, and yet, according to this report, no boat has been there that draws more than 6½ feet of water. Yet here is a project to expend on that stream, which is a little over 50 miles long, $4,000,000. Already the sum of $210,000 has been expended upon it.

Now, Mr. Chairman, 160,000 tons have been borne on this great highway of commerce annually. The average cost of moving freight by rail in the United States is a little less than eight-tenths of a cent per mile. The whole cost of moving all this freight from Houston to Galveston would have been $128,000 a year. The money that has already been expended there, with the $4,000,000 at 4 per cent interest, would yield $168,000 a year. The total cost of moving that freight, as shown by the report, would be $132,000.

Mr. WALKER of Massachusetts. One hundred and sixty-eight thousand dollars a year?

Mr. HEPBURN. Yes. The Government could have moved gratuitously all this freight, every pound of it, and saved more than $40,000 a year, rather than go into this project, if its money is worth 4 per cent per annum. Then, in addition to that, the engineers report that it will cost $100,000 annually for maintenance, so that instead of going into this improvement, it is better for the Government to move all the freights that are reported, every pound free, for the people who use this river, and thereby save $140,000 a year.

Mr. KELLEY. For how many years?

Mr. HEPBURN. Every year.

Mr. KELLEY. How long will it hold good?

Mr. HEPBURN. I do not know. I am basing my estimates on what appears to be the commerce of to-day. I assume that the commerce will not grow any greater, because the water that they have to-day is not used. They only use vessels drawing 6 feet 5 inches, while they have 10 feet of water there. They could have very much larger vessels if there was a commerce demanding their presence.

I assume that the 160,000 tons reported here is the maximum of the commerce of that place that will seek an outlet.

Now, here are some facts and figures that appear. I am not ignorant about this matter, unless the engineers are ignorant. I am basing what I have said upon what they have said, and upon calculations that are simple and that each gentleman can make for himself.

[Here the hammer fell.]

The Clerk, proceeding with the reading of the bill, read as follows:

Channel from Galveston Harbor to Texas City, Tex.: The Secretary of War is hereby authorized to enter into a contract or contracts with A. B. Wolvin, or any other persons or corporations agreeing to do the work, to dredge a channel 100 feet wide at the bottom and 25 feet deep between the points above named, at a cost not to exceed $250,000, of which amount $100,000 shall be paid whenever an engineer, to be designated by the Secretary of War for that purpose, shall report that said channel, with a depth of 21 feet and of the width named above, has been obtained, and the remainder of the contract price shall be paid when the whole work is completed as herein authorized, upon a further report from an engineer to be designated for that purpose.

Mr. BURTON. The committee have an amendment to that section, which I will ask to have read at the desk.

The Clerk read as follows:

Insert in line 25, page 19, after the word "purpose," the following: "*Provided*, That nothing shall be done in pursuance of this project without a further examination of the advisability thereof and a further report thereon, and as to the maintenance of said channel when finished, at a reasonable cost."

Mr. HAWLEY. I desire to offer an amendment, proposing that the entire section be stricken out, and this substituted.

The CHAIRMAN. Does the gentleman offer it as an amendment to the amendment?

Mr. HAWLEY. I offer it as a substitute for the entire paragraph.

The CHAIRMAN. Then the Chair will state to the gentleman that that would not be in order until the paragraph is perfected. The question is on the amendment offered by the gentleman from Ohio [Mr. BURTON].

The amendment was agreed to.

The CHAIRMAN. The Clerk will now read the substitute offered by the gentleman from Texas.

The Clerk read as follows:

The Secretary of War is hereby directed to cause an examination and such survey as may be necessary to be made to determine the feasibility and cost of dredging a channel from Galveston Harbor to Texas City, Tex., the same to be 100 feet wide at the bottom and 25 feet deep between the points above named, the advisability of said improvement, and report the same to Congress as soon as practicable.

Mr. HAWLEY. Mr. Chairman, the amendment which the gentleman from Ohio proposes is, in effect, that which has been offered as a substitute. In other words, if the amendment which he offers is correct, it should have been embodied in this bill instead of the paragraph which they have ingrafted in the bill. The gentleman in reply to me, at the close of the general debate, said that if I wanted this out of the bill it should be taken out. He also said that an engineer had told him that this was a practical proposition.

I notice that he says in the close of his report that "under the existing law a report must first be made as to the feasibility of the improvement." I do not intend that he shall say to this House that if I want this out it shall go out until he has answered, under what parliamentary status—under which he might say much respecting another proposition affecting the life and development of the commerce in Texas, that this has never had one single line of recommendation, and there is not in the River and Harbor Committee to-day one single word in favor of this project, under the very law which he cites here, as being the reason before an examination of a board of engineers shall be undertaken and made by the engineers. I would like for him to answer this in particular.

Mr. SHAFROTH. Will the gentleman allow me to ask him a question for information?

Mr. HAWLEY. Yes, sir.

Mr. SHAFROTH. Are both of these points in your Congressional district?

Mr. HAWLEY. Both of which points?

Mr. SHAFROTH. Both of the points named in the paragraph, namely, Galveston and Texas City.

Mr. HAWLEY. They are both in my district. And notwithstanding the fact, Mr. Chairman, that they are in my district, and notwithstanding the further fact that the engineer in charge of that district and the Secretary of War have never been asked authoritatively to say one word upon this question, neither have I ever been asked to say whether this was practicable, whether it was right, whether the commerce there needed it or not. I have been completely ignored, and that may be the practice now and the practice hereafter of the River and Harbor Committee, and I waive that.

It is not material to me that they should not have consulted my wishes or my judgment on this question, but it is material to know that, either under the advice or judgment of the Engineer Corps of the United States Army, which would give a dispassionate judgment in this case, and how it would affect the great harbor of Galveston, on which the gentleman has said $8,000,000 has been expended, to increase the commerce with the great West and our entire country may be influenced and unfavorably affected by its construction.

I want him to say to this House what he knows about what disposition will be made of the 3,000,000 cubic yards of earth which will come out of the channel to be dug, and if he knows whether it will wash into Galveston Harbor and there increase enormously the expense of this Government in keeping that harbor clear for the use of the commerce of this country. I want him to tell us what it will cost to maintain this channel, and if, in fact, he knows anything about the question except what was said to him by a persuasive gentleman from Cleveland, Ohio, one of the beneficiaries in this case.

It seems to me that it would have been fair at least to the Treasury of the United States for him, in his high place, to have inquired what the Engineer Corps of the United States think about the practicability of this proposition. I disagree with my distinguished friend from Iowa [Mr. HEPBURN] in that part of his speech referring to another item of this bill. There is a provision in this bill that proposes to dig a channel to the city of Houston.

How practicable it may be, how effective it may be for caring for the commerce of that great city I refer him to the engineers of the United States Army. They have reported favorably on it. They have said what it would cost. It is said that the whole commerce carried could be transported to Galveston for $132,000 of expense. They receive more cotton there than at any interior point in the United States, and in the shipment of cotton alone the freight is more than half a million dollars.

Yet the same sum has been allotted to this enterprise that has been appropriated for Texas City Channel without one single word

from the Engineer Corps of our country commending the work as practicable or advisable. I ask the House to know, before it appropriates this money, what the engineers say about it.

Mr. GROSVENOR. Mr. Chairman, if the amendment put on this provision is a proper one—and I assume it must be, coming from the committee—then this entire paragraph ought to be stricken out of this bill. What is the propriety of proceeding to appropriate $250,000 or any other sum of money upon a project that has not yet received the sanction of the War Department and the very initial information we are now seeking for? Let us see what the practical effect of that sort of legislation will be. Without knowing what the project is to cost, or knowing whether or not it can be maintained, we put into the bill and make provision for the expenditure of the money, and then stop and wait for a report and investigation, and in that way get rid of the jurisdiction of Congress to say whether the work shall proceed or not. In other words, you make your appropriation first, in plain violation of the entire practice of Congress, and then you say, "Now, we will get this information before it shall proceed."

Now, who is to determine whether that information justifies the procedure or not? The information that comes may show that it is an unworthy project and ought not to be appropriated for. Who is to determine it? If it is to be left to Congress, strike out the paragraph and get your information and then come to Congress with the information.

Mr. SHAFROTH. Mr. Chairman, I asked the gentleman from Texas [Mr. HAWLEY] whether or not these two points were in his Congressional district for the purpose of satisfying my own mind whether or not there was any discrimination on his part against any other district; but when I found that both these points are in his own district, and his district is to be benefited by the appropriation, if at all, it seems to me, when he says he does not desire it, that that almost ought to be conclusive upon this Congress.

Mr. BURTON. Mr. Chairman, since the gentleman from Texas has seen fit to make a sort of personal attack on me, I desire to say a few words. He complains that he has been ignored. He has not been ignored, for he introduced himself the resolution asking for a report upon the expense of making this improvement, and in that resolution asked for no report upon the advisability thereof. I take it for granted that when a member of this House takes advantage of his privilege as a member to introduce a bill he means what that act imports, and I do not take the time, nor do members of the committee take the time, to go around and ask him, "Did you mean it, or was there something evasive in what you did?"

I understand he was requested to introduce the resolution partly by persons of his own district and partly by persons outside. Now, as I stated to the House when the matter was brought up and the question was raised by the gentleman from Missouri [Mr. DOCKERY], I noticed that there was no provision for a report on the advisability, but the committee knew something of that project. What we knew of it already was this: That the city of Galveston had inefficient means for handling the freight that accumulated there; that whatever freight accumulated was subject to payment of enormous wharfage charges.

The Government had expended $8,000,000, the benefit of which was only partially obtained. The whole committee thought this a good solution of that question, and I want to say to the gentleman from Iowa [Mr. HEPBURN] that $250,000 for the channel to Houston does not commit the House, or this committee, to the expenditure of $4,000,000 there. Something must be done to utilize the large expenditure of money in that locality, and in the line of the question asked by the gentleman from Colorado [Mr. SHAFROTH], I want to say that it is not a question for Galveston or the Congressional district. It is a question for the numerous States and thousands of miles of railway tributary to that locality seeking an outlet at the Gulf.

Several gentlemen of the committee had a conversation with engineers or obtained other information, and we found there had been a channel dug there to a depth of 14 or 15 feet, and it had done no injury to the jetties at Galveston. There was no indication that any injury would be done in that way. This came up in this manner: There was then a doubt in the committee as to whether we could in such cases make appropriation. The question arose, in the first instance, on Sabine Pass, on page 21 of the bill. Some members of the committee, and I among the others, having no estimate before us, thought we could not make any provision for it. The majority of the committee thought otherwise, and took the ground that whenever we had a specific estimate before us we could make an appropriation in this bill, that it was a part of our prerogative.

What we need in order to bring anything into the bill is to know as to the expense; we do not need a recommendation from the engineer, but we do need knowledge as to the probable cost. Several of the older members of the committee took the ground that, having knowledge as to the amount required at Sabine Pass, we were authorized to make the appropriation, although it was only in the form of a letter from the local engineer to the Chief Engineer. The status of the appropriation for the channel to Texas City is precisely the same as that for Sabine Pass.

I wish to say, however, in view of the discussion that has arisen here, that while I question whether the opposition to this project does not arise from a desire to benefit Galveston and Brazos City rather than to diminish the commercial facilities of that part of the country, I am unwilling this clause should stay in the bill if the gentleman from the district immediately concerned thinks that it should be stricken out. It is a question which he must settle with his own constituents, not a question for me. I therefore make the motion that this whole clause be stricken out. [Applause.]

The CHAIRMAN. The question is on the substitute offered by the gentleman from Texas [Mr. HAWLEY]. The vote on that comes before the vote on the motion of the gentleman in charge of the bill to strike out the entire paragraph.

Mr. GROSVENOR. I rise to a parliamentary inquiry. Will not the adoption of the motion of the gentleman from Texas have the same effect as the amendment suggested by the gentleman from Ohio? The motion of the gentleman from Texas is to strike out the paragraph and insert another calling for some information.

The CHAIRMAN. The substitute is offered, as the Chair understands, to perfect the paragraph.

Mr. BURTON. It seems to me, Mr. Chairman, that the provision embraced in the proposed substitute would come in more properly at the end of the bill, in the section with regard to surveys. I do not think this provision should come in here.

The CHAIRMAN. The Chair will say to the gentleman in charge of the bill that this substitute has been offered to perfect the pending paragraph of the bill. No point of order was made against it when it was read, and debate has been had upon it. The only way it can be disposed of now is by a vote.

Mr. DOCKERY. We can vote it down.

The CHAIRMAN. That is the privilege of the gentleman if he can secure a sufficient number of members to aid him. [Laughter.]

The question being taken on the motion of Mr. HAWLEY, it was rejected.

The CHAIRMAN. The question is now on the motion of the gentleman in charge of the bill, that the pending paragraph be stricken out.

The motion was agreed to.

Mr. HAWLEY. I desire to give notice that I shall offer my proposed substitute as an amendment to be inserted in the closing part of the bill.

The Clerk read as follows:

Sabine Pass, Texas and Louisiana: For straightening, widening, and otherwise improving the main ship channel, Sabine Pass, Texas and Louisiana, by the removal of the oyster reefs, mud flats, and other material between a point 1,000 feet north of the United States life-saving station and a point opposite the United States light-house, $50,000.

Mr. GROSVENOR. I wish to ask the chairman of the committee [Mr. BURTON] upon what point in the Pass this limitation operates?

Mr. BURTON. The upper part, above that which is improved under continuing appropriations in accordance with projects already existing.

Mr. GROSVENOR. It extends the channel higher up?

Mr. BURTON. Yes, sir.

The Clerk read as follows:

Improving outer harbor at Michigan City, Ind.: The unexpended balance on hand may, in the discretion of the Secretary of War, be expended in improving said harbor according to the latest approved project.

Mr. CRUMPACKER. I offer the amendment which I send to the desk.

The Clerk read as follows:

Strike out all of lines 18, 19, 20, and 21, on page 23, and insert the following: "Improving outer harbor at Michigan City, Ind.: The Secretary of War may, in his discretion, modify the existing project in accordance with the recommendations contained in the report of the board of engineers under date of March 6, 1897, and expend the balance on hand from previous appropriations to the improvement of said harbor according to the project so modified."

Mr. BURTON. As I understand, this amendment is designed to make the paragraph more specific by including certain modifications made by the Board of Engineers in the previous plan.

Mr. CRUMPACKER. That is the purpose of the amendment—to make the provision a little more specific—to remove a possible obscurity. The text of the paragraph provides that the balance on hand may be expended in improving the harbor "according to the latest approved project."

Now, it is doubtful whether, strictly speaking, it can be said that the project has been approved. The Secretary of War appointed a board of engineers to investigate the conditions at Michigan City, and the board reported certain modifications of the plan. The appropriations standing to the credit of that improvement

were not expended because the officers in charge awaited the action of Congress authorizing the Secretary of the Treasury to expend the money on the improvement according to the modified plan.

The project has not yet been approved; and I desire that the Secretary of War be authorized to approve the modified plan, so that the balance standing to the credit of the improvement may be expended in carrying out the work according to the plan as modified. This amendment makes no change in the text except to make it more specific. It particularizes more than the original provision, which, I have had some fear, might be so ambiguous that the Secretary of War would hardly be able to know what he should do under it. That is the only purpose of the amendment.

Mr. BURTON. I think there is no ambiguity in the provision as it stands in the bill. The language is, "the latest approved project," which means, of course, the one submitted to the War Department and approved by it. Still I see no objection to the adoption of the amendment.

The question being taken, the amendment of Mr. CRUMPACKER was adopted.

The Clerk read as follows:

Improving harbor at Milwaukee, Wis.: For maintenance, $14,000.

Mr. OTJEN. Mr. Chairman, I desire to offer the amendment which I send to the desk.

The CHAIRMAN. The amendment will be read.

The Clerk read as follows:

After the word "dollars," in line 16, page 29, insert "improving the harbor of South Milwaukee, Wis., $10,000."

Mr. BURTON. I make the point of order on that amendment.

Mr. OTJEN. What point does the gentleman make?

The CHAIRMAN. Will the gentleman from Ohio state his question of order?

Mr. BURTON. There is no estimate for the appropriation at all, as far as I am aware, Mr. Chairman.

Mr. OTJEN. Mr. Chairman, the engineer in charge says the estimated amount to complete the harbor is $133,000. Five thousand dollars was appropriated to be expended on the continuation of the work two years ago, and this is an amendment intended to continue that work.

South Milwaukee is 7 miles distant from the city of Milwaukee. South Milwaukee contains a population of between four and five thousand people; it has 17 factories, and has only one railroad upon which to depend for its transportation. Last year the imports and the exports of the city amounted to 126,000 tons, nearly, valued at $2,250,000.

These people are intensely interested in the question of this harbor improvement. They have been asking for it for a long time, because it is a matter of urgent importance, a matter of vital necessity, in fact, to them. It would be of immense benefit to the city, and of great convenience to the people there, if they could have lake facilities as well as the rail transportation which is now afforded. And I hope that this small amount of $10,000 which is asked for in this amendment will be accepted by the committee and that the chairman of the committee will not object to the consideration, at least, of the proposition and let the House pass upon its merits.

Mr. BURTON. Mr. Chairman, I find there was an estimate in 1896, but it is entirely omitted from the memorandum book which is now before us; and, further than that, I would state that the gentleman never called my attention or the attention of the committee, so far as I know, to the necessity of making this appropriation at a time when we could have considered the propriety of inserting it in the bill.

We have dealt liberally, let me say, however, with Milwaukee and with the State of Wisconsin generally. A very large amount of the appropriation already made has been unexpended, and it is not desirable to make any further addition to the amount already available at that point. This is particularly true because of the fact that the gentleman has not seen fit to call the attention of the committee to the necessity for the appropriation he now submits his amendment for.

Mr. OTJEN. Mr. Chairman, the gentleman is entirely mistaken. I appeared before the committee and urged strenuously that this appropriation should be made.

Mr. BURTON. Before the committee?

Mr. OTJEN. Yes, before the Committee on Rivers and Harbors. I especially mentioned the harbor at South Milwaukee, and my colleague from Wisconsin, a member of the committee, asked the question whether this city had any other facility except that afforded by the one railroad. You will no doubt remember that?

Mr. BURTON. I do not remember whether I was present at the meeting the gentleman refers to or not. The members of the House, however, were asked generally to present their claims and the necessity for the improvements in their various sections, and in this case I certainly have no recollection that the gentleman did so.

Mr. OTJEN. The matter was presented before the committee.

Mr. COOPER of Wisconsin. Mr. Chairman, I will state the reason why there was no appropriation made for the harbor at South Milwaukee. It was because we find in the Book of Estimates that the engineers make no estimate or no recommendation for the work, and the committee made no appropriation because of that fact.

I have not the Book of Estimates before me, but I think, if my recollection is accurate, that this was the condition with reference to that harbor. There is a lengthy report upon the subject, however.

I think myself that there is a sufficient amount of commerce at the harbor in question to justify an appropriation. I know the committee did not put it into the bill or allow the appropriation because of the fact that the engineers did not ask for it. That is all there is of it. But during the progress of the hearings this statement from the Chief of Engineers was read:

REMARKS.

In its present condition the harbor of South Milwaukee is of no benefit to general commerce. That any material and lasting benefit may be derived it is necessary that both piers be extended to the length called for by the present project and a channel dredged between them.

The estimated cost of completion of present project (see report of Chief of Engineers, 1895, page 2043) is $133,000.

But yet in our Book of Estimates the engineer, as I said before, did not ask for any. I think myself, Mr. Chairman, that the gentleman from Milwaukee [Mr. OTJEN] is justified, however, in making this motion. If I had been in the Engineer Department I should have recommended an appropriation for this harbor.

Mr. OTJEN. I presume that the reason why the engineers did not make a specific estimate is that they indicated to the committee that it would require $133,000 to complete this harbor. The committee could then judge how much money they saw fit to give toward the improvement of this harbor. As these harbors are improved from time to time in piecemeal, it seems to me that this small sum of $10,000 ought to be allowed toward the improvement of this project.

The CHAIRMAN. The Chair desires to state to the gentleman in charge of the bill [Mr. BURTON] that, in the opinion of the Chair, the point made that it is not germane is not well taken, and the Chair will overrule that; and if there is no further debate, the Chair will put the motion.

Mr. BURTON. One further point, Mr. Chairman. I find further in the report for 1897 this statement:

The present piers, built by private parties, are of such inferior construction as to be unfit to form any portion of the permanent improvement.

Now, this is of a piece with a great many requests brought before us, and its refusal is in the line of what the committee has been doing. The War Department substantially say that unless $133,000 is appropriated there no permanent benefit will result. What is the use of giving $10,000 there?

I want to say that in past bills—and I will not name any one—we have had too much of that sort of thing, and I trust that, as far as possible, the House will depart from that old idea of appropriating a little, enabling the Government to build a little piece of a pier or a little piece of a breakwater, and then, before another appropriation is made, letting the waves wash it away, although somebody in the district gets recognition and it is thought to be a good thing to do.

Mr. OTJEN. In reply to that, Mr. Chairman——

Mr. FARIS. I should like to ask the chairman of the committee [Mr. BURTON] a question relative to this. I understood the gentleman from Wisconsin, when he was on the floor a few minutes ago, to say that after this estimate of $133,000 was made by certain engineers there was appropriated toward the improvement the sum of $5,000, which has been expended.

Mr. OTJEN. That is correct. Two years ago the Government entered upon the prosecution of this work.

Mr. FARIS. From the fact that this money has not been asked for, it seems to be developed that there is a misunderstanding relative to this appropriation. The chairman of the committee says he thinks we ought to be cautious about it, and another gentleman on the committee, familiar with the facts, says that if the engineers had asked for it, he would have recommended the appropriation for the continuation of this improvement. I certainly think the gentleman from Wisconsin should not be taken advantage of by reason of the fact that there has been a misunderstanding among the members of the committee in regard to this proposition.

Mr. BARNEY. I should like to ask the gentleman from Milwaukee [Mr. OTJEN] what was done with that $5,000? That is, if it was used for the beginning of that project, the cost of which was estimated to be something over $100,000.

Mr. OTJEN. That was expended in extending one of the piers. The entire amount has been expended in extending one of the piers of this harbor.

Mr. BARNEY. If that is true, then the criticism of the chairman of the committee that there is nothing there to work upon would not be true, for they have already started out with the expenditure of $5,000.

Mr. OTJEN. They built about 200 feet of pier with that $5,000, and in answer to what the chairman of the committee [Mr. BURTON] has said regarding a part of the pier built by private citizens, that cuts no figure, because the Government engineer estimated that that work would have to be done over again, and is included in their general estimate of costs of this harbor. In reply to the statement that it would take $133,000 to complete this, I will say that I should be very glad to have the full amount; but I have only asked this $10,000 so as to continue this work and eventually get this harbor for these people. They certainly are extremely anxious to have it.

Mr. REEVES. Mr. Chairman, by reference to the Report of the Chief of Engineers, part 1, for 1898, speaking of this harbor, the following statement will be found:

During the past fiscal year the north pier has been extended 185 feet. The improvement of this harbor is not yet far enough advanced to make it of any value for purposes of navigation and commerce.

Now, there is no question, Mr. Chairman, but what the status of this project is such that an appropriation can lawfully be made if we want to do it; but the truth is, that the Engineer Department do not recognize it as of sufficient value to recommend it. The custom of the engineers in these reports is that where a project of this character or any other character is before them, and they state the amount necessary to complete it, if it is deemed advisable to go on with it, they also state how much can be profitably used during the next ensuing year.

But if in their judgment it ought not to be gone on with, they omit that statement. They have done it in this case. Now, the truth is, this harbor stands upon the same footing as perhaps a hundred others for which the Corps of Engineers are unwilling to recommend that we go on with appropriation.

Mr. OTJEN. Mr. Chairman, if I understand the gentlemen means to say that the engineers do not consider that a proper harbor can be constructed there, then he is certainly mistaken. I admit that this $10,000 will not complete this harbor so as to make it useful for commerce, because it will require more, but whenever that amount is expended by the engineers there will be quite a serviceable harbor there. There is no question about that fact. [Cries of "Vote!"]

The question was taken; and the amendment was rejected.

The Clerk read as follows:

Improving harbor at Humboldt, Cal.: Continuing improvement, by dredging in the inner harbor, $35,000.

Mr. BARLOW. Mr. Chairman, I want to offer an amendment.

The Clerk read as follows:

Insert, after line 5, the following:

"Improving Wilmington Harbor, California, in accordance with project submitted February 17, 1895, $50,000: *Provided*, That contracts may be entered into by the Secretary of War for such material and work as may be necessary to complete such project, to be paid for as appropriations may from time to time be made by law, not to exceed in the aggregate $342,000, exclusive of the amount herein appropriated."

Mr. BARLOW. Mr. Chairman, the improvement of Wilmington Harbor was commenced in 1871 by the Government. They have expended on it up to date $952,853.43. Although nothing has been done there since 1894, in the river and harbor act of 1896 this very same provision that I have now offered was passed; but in another paragraph of the act there was a provision that in the location of the deep-water harbor out there, in the contingency that a certain location was chosen, then this other paragraph should be stricken out. The selection of San Pedro site wiped out this improvement for the inner harbor of Wilmington.

The Board of Engineers report that in view of the wiping out of that provision they could not recommend further appropriation for the inner harbor at Wilmington without legislation similar to that in the river and harbor act of 1896. Without improving the inner harbor the great benefits to be derived from the $1,300,000 expended in the outer harbor or harbor of refuge can not be made use of by the shipping interests of the coast to its entire and full extent. I hope that the act of 1896 as it was passed will be now inserted, so that the work can go on there and that the shipping on the coast may get the full benefit of the improvement of a deep-water harbor.

Mr. BURTON. Mr. Chairman, I want to raise the point of order that there is no survey or estimate.

Mr. BARLOW. Oh, yes; there is.

Mr. BURTON. There was a provision in the river and harbor act of 1896.

Mr. DOCKERY. Well, will the gentleman allow me just here at this point, not in reference to the point of order raised here, but I understand, Mr. Chairman, and I think I am correctly advised—and I do not intend anything I may say as having any relation to the point of order pending—the river and harbor bill is not a general appropriation bill, and it is not subject to the points of order that apply to general appropriation bills, because in the very nature of things a river and harbor bill is legislation itself.

The CHAIRMAN. It has been so held repeatedly by previous Chairmen.

Mr. DOCKERY. I am interested in that, because there is a repealing clause that comes later, and I do not want it to go out on a point of order.

Mr. BARLOW. I do not think that a point of order could apply here, now that the Government has already expended $950,000 on this improvement, and this is a recommendation of $392,000 more, simply as a continuation of that plan upon which over $950,000 has already been expended.

Mr. BURTON. This is entirely new to me, because it has not been presented.

The CHAIRMAN. Before the gentleman proceeds, the Chair desires to say that as to the point of order, even if it were well taken, it came too late, because after the amendment was read, without any objection from the gentleman in charge of the bill, the gentleman from California proceeded to discuss his amendment; and a point of order, to be well taken under the rules, must be made as soon as the amendment is read by the Clerk and placed before the committee and before any discussion commences.

Mr. GROSVENOR. And, in addition to what the Chair has said, and in which I quite agree, no point of order can be made to a paragraph of this bill because of some defect in the manner in which the item has come here.

The CHAIRMAN. The Chair stated in answer to a question put by the gentleman from Missouri that, for the last sixteen years at least, it has been held in the consideration of these river and harbor bills that they are not general appropriation bills, and that the rule that applies to an appropriation bill does not apply when we have under consideration a river and harbor bill.

Mr. GROSVENOR. I understand that. In addition to that, there seems to be an opinion here that a point of order made against a paragraph raises the question of the report of the engineers.

The CHAIRMAN. Ah!

Mr. GROSVENOR. Certainly that can not be done. It is a ground for the committee to withdraw it or to strike it out, or anything of that sort.

Mr. BURTON. I would like to ask the gentleman from California [Mr. BARLOW] why it was that they inserted a provision for a survey? There appears to have been a survey provided for, and if the project was under way, why was there such a provision?

Mr. BARLOW. The recommendation of the engineer for $392,000 provides for the deepening of the water from 18 feet to 22 feet, and the further recommendation for a survey was as to the cost or estimate for a depth of 25 to 30 feet.

Mr. BURTON. Mr. Chairman, I trust the House will not consider this amendment favorably. We are somewhat familiar with the controversy between the two harbors on the Pacific coast, Santa Monica and San Pedro, which has raised a good deal of dust abont fighting a monopoly for either harbor and rejecting the other. What I think this House ought to have done was to have omitted any provision for either. Let them settle their unseemly scrapping and let it first become manifest that there is a need of a deep-water harbor at an expense of $3,000,000.

Here was a place where provision has been made for $100,000 for the outer harbor and a further amount not to exceed $2,900,000, making $3,000,000. There is no commerce there, and is not likely to be at present. That outer harbor will not be finished for years to come. When that $3,000,000 is expended, as I suppose it will be, whether a blemish on the river and harbor legislation or not, then we will talk about the inside harbor.

Mr. BARLOW. Mr. Chairman, I want to correct a statement of the gentleman from Ohio [Mr. BURTON].

The CHAIRMAN. The Chair desires to state that debate is closed on this amendment.

Mr. BURTON. I desire that the gentleman be heard.

Mr. KELLEY. Mr. Chairman, I ask unanimous consent that the gentleman be permitted to speak for five minutes.

There was no objection.

Mr. BARLOW. The statement that $3,000,000 is expended out there is not borne out by the facts.

Mr. BURTON. I did not say it had been expended; I said it would be expended.

Mr. BARLOW. Well, is to be expended. The cost of the entire contract for the outer harbor is let for $1,303,000 for the entire breakwater. A proviso was placed in the law that there should not be expended more than $2,900,000 for the entire improvement of the outer harbor, but under the contracts now let the entire expense of improvement will only cost $1,303,000. So in that view of it there is over $1,600,000 that may yet be expended there. But they are not asking that. This contract of $393,000 was authorized, and is simply a continuation of expenditure of $950,000 that has already been expended there, which has deepened the water from 2 feet on the bar to 18 feet.

The chairman of the committee says there is no commerce at that port. Does the gentleman know that that port is a port of entry for the greatest city in the Southwestern part of the United States, Los Angeles, where three transcontinental railways enter? It is in the direct line of commerce for this new trade that we are reaching out for—the trade of the Philippines. Let me tell you

that when that outer harbor is complete, with the necessary accompaniment of the inner harbor, giving 25 or 30 feet for deep-water vessels, you will find Los Angeles will be, inside of ten years, the largest city on the Pacific coast. It has a commerce to-day worthy of respect.

In 1871 there was but little commerce there, and to-day the report shows an immense increase. In 1871 it was 50,000 tons; in 1897 it was 233,000 tons. In 1871 Los Angeles only had a few thousand inhabitants, and to-day it has over 125,000 inhabitants, and in the county of Los Angeles there are 250,000 inhabitants. There is no portion of this country growing like southern California.

That question of the location of the harbor has been fought out; and, thank God, it has been fought out and settled on the side of the people, and it is the first time in the history of California for many years that the people have beaten the corporations. I regret to see, Mr. Chairman, that this old question is dragged in again. I hope members will provide for this improvement of the inner harbor, as provided for in the plan submitted by Col. W. H. H. Benyaurd, of the Engineer Corps, to a depth of 25 feet, as recommended by the Engineer Corps, and as provided for by the act of 1896. It is one of the best measures that can possibly be inserted in the bill.

Mr. BANKHEAD. Mr. Chairman, I would like to inquire of the gentleman from California why $50,000 of the appropriation made for this work remains unexpended—I mean of the appropriation made in 1896?

Mr. BARLOW. As I understand it, if the gentleman wants a direct answer, it is because the Secretary of War has been opposed to it. That is the answer.

The CHAIRMAN. The question is on agreeing to the amendment offered by the gentleman from California [Mr. BARLOW].

The question was taken, and the amendment was rejected.

The Clerk read as follows:

Improving Mystic River, Massachusetts, at the mouth, $50,000, according to approved project.

Mr. BARRETT. I offer the amendment which I send to the desk.

The Clerk read as follows:

Strike out the words "at the mouth" and insert "below the mouth of Island End River."

Mr. BURTON. I see no objection to that amendment.

The amendment was agreed to.

The Clerk read as follows:

Improving Delaware River from Trenton to its mouth, Pennsylvania and New Jersey: Completing improvement, $300,000.

Mr. BINGHAM. I desire to move an amendment to strike out "three" and insert "five" in the paragraph just read, so as to appropriate $500,000 instead of $300,000.

Mr. BURTON. I desire to reserve a point of order on that amendment.

Mr. BINGHAM. I ask the gentleman from Ohio whether he is willing to accept this proposed amendment?

Mr. BURTON. No. Five hundred thousand dollars is a larger appropriation than we ought to make.

Mr. BINGHAM. Mr. Chairman, the improvement of the Delaware River has been going on for about fifteen years, under appropriations by Congress and the surveys of the Engineer Department, in order that a channel of 26 feet depth might be obtained on that great highway of commerce from its mouth to the port of Philadelphia, a distance of almost 100 miles. About $3,000,000 have been expended upon the river. The city of Philadelphia, in order to facilitate the improvement so as to remove as soon as possible what has been a great bar to our commerce, has appropriated during the last three years $685,000. It was the duty of the General Government to make this appropriation, but in order to expedite the work of improvement the municipality of Philadelphia appropriated this amount. The work is now almost completed. This appropriation, if increased to $500,000, will complete for this great work all that is estimated for under the 26-foot channel surveys.

The Chief Engineer of the Army, in submitting an estimate of $300,000 for completion, predicated his estimate, as I will show, upon the supposition that the city of Philadelphia would aid by further contributions this work of the Government. Lieutenant-Colonel Raymond, in charge of the Delaware River improvement, submits in his report, page 5:

In view of the work thus provided for by the city, and the low prices for dredging obtained in the recent contracts, the estimated cost of completing the improvement from Marcushook ice piers to deep water in Delaware Bay, in accordance with the approved project, has been reduced from $305,000 to $300,000, this estimate being based on the assumption that the city of Philadelphia will complete the channel from the city to the Marcushook ice piers.

If the city of Philadelphia had not made contribution of $685,000, Congress would have been called upon to make a corresponding increase in the appropriation; and Congress would have done it, for it has appropriated for this work as a continuing project for the last fifteen years. If the Chief Engineer had made his estimate $500,000, I believe, so strongly does the merit of this project appeal, that the gentleman in charge of this bill would have approved the estimate and embodied in the bill a paragraph covering that amount.

While I recognize the fact that we can not, without a concurrent resolution of Congress, call upon the Chief Engineer of the Army to revise his estimate and resubmit, the chairman of this committee, in view of the necessity for this legislation, will not, I trust, interpose objection to the acceptance of the amendment, or at least will not so antagonize it that the House can not have full liberty, in view of the statement I have made, to pass judgment upon this proposition. It will be two years before another river and harbor bill comes before us; and unless this amendment be adopted, the channel of that river will remain to a certain extent obstructed, and it will not have the 26 feet of water which the project when completed contemplates.

We have voted this morning to make a 35-foot channel for New York Harbor. I have no objection. I think the harbor of New York needs such a channel. And the surveys submitted to Congress in the report of the Engineer show the necessity for a 30-foot channel for the River Delaware up to the harbor of Philadelphia. So, too, at Boston a similar deepening of the channel; and in view of the growing commerce of Baltimore, such an improvement is also needed there. The great ocean carriers to-day (and I have before me a statement of 33 of the great carrying vessels entering the port of New York) require, every one of them, a depth of water from twenty-eight feet and some inches up to 32 feet.

In other words, for economy of transportation the great carrying vessels demand a greater depth of water. But for what we call our tidal benefit in the Delaware River none of these vessels could enter our port. They enter it now because many of them can take advantage of two tides, the tide rise being 6 feet, giving us a greater depth in the channel of the river than the simple 26 feet. Gentlemen can understand what delay and expense the waiting for two tides inflicts upon the cost of transportation.

I trust, as this bill embraces this paragraph for "the completion" of this great work on the Delaware River, it may be made consistent in its declarations and that the $500,000 necessary for completing the work may be appropriated; for unless this be done the estimate of the engineers will not stand correct.

Mr. BURTON. Mr. Chairman, this project is one of many. The question is not what the committee would like to do, but what we can do if we are to keep our appropriations within reasonable limits. This is undoubtedly a meritorious project; but if this appropriation be increased from $300,000 to $500,000, there is an appropriation on the next page that will also have to be increased from $300,000 to $500,000. There is one also for the mouth of the Mississippi that ought to be increased. At Baltimore they have a 30-foot channel, so narrow that they can not safely utilize it. At New Orleans, at the outlet of the Mississippi, they have a precarious 26 feet.

Now, the history of this appropriation has been given by the gentleman from Pennsylvania [Mr. BINGHAM]. It was expected that the $300,000 appropriated would finish the work. But $125,000 additional will be required because of the shoaling of the river at a point below Philadelphia, known as "Dan Bakers Shoal" I think, and $75,000 at a point known as "Marcus Hook," near Philadelphia.

Mr. BINGHAM. That is correct.

Mr. BURTON. This amount—the latter sum of $75,000—for the improvement of Marcus Hook was not counted in the Government estimates for the reason that it was expected the city of Philadelphia was to do that work and would appropriate the amount necessary.

Mr. BINGHAM. But it must be remembered that more than $685,000 has been expended by the city in the improvement of the river.

Mr. BURTON. That is true, I have no doubt. But permission was twice asked by the city of Philadelphia for leave to make this improvement, and it was expected that the work would be done under the supervision of the Government engineers. I ought to say, however, in all fairness, in this connection, that the city of Philadelphia has been extremely public spirited in making appropriations for such improvements. They have done a great deal of a class of work usually done by the United States Government.

But should the amendment suggested by the gentleman from Pennsylvania be adopted, it would simply destroy the harmony of the bill, and there would be no reason why the committee should object to similar amendments in other places.

I hope, therefore, that the amendment will not be insisted upon.

Mr. Chairman, there is also a parliamentary question as to whether we can appropriate more than the amount fixed in the bill. That is a point that we must consider. This is the present limit as fixed by the law.

There is a survey also, let me state, with reference to the improvement of the river at Philadelphia, which will be found on page 156 of the report, which provides for a deeper channel and is estimated to cost the sum of $5,935,000 if the improvement is

carried out. Now, I fear that the modification of the appropriation, as made in the bill under the amendment of the gentleman from Pennsylvania, might be construed as committing us to the prosecution of that additional work, which I do not think the House ought to undertake or would be willing to undertake.

Mr. BINGHAM. Mr. Chairman, I desire to ask the consent of the committee to be permitted to insert in the RECORD the memorial to the Congress of the United States by the trade, commercial, and maritime interests of Philadelphia, who came here and urged the necessity for this appropriation. This committee had a hearing before the Committee on Rivers and Harbors, and I make this request in order that when the bill comes back we may have this statement in some available form for the use of the members of the House. It is not very lengthy.

The CHAIRMAN. Is there objection to the request of the gentleman from Pennsylvania?

There was no objection.

The memorial referred to by Mr. BINGHAM is as follows:

MEMORIAL.

To the honorable the Senate and House of Representatives of the United States in Congress assembled:

The trade, commercial, and maritime interests of the city of Philadelphia respectfully petition your honorable bodies for such legislative action as will permit the early formation of a 30-foot channel in the Delaware River between the city of Philadelphia and deep water of Delaware Bay; and in justification of such a request your memorialists submit the following statements:

THE DEPENDENCE OF THE VALUES OF PRODUCTION ON TRANSPORTATION.

The problem of transportation stands next to that of production, which more than any other element has contributed to our unparalleled wealth as a nation. The value of production is so intimately dependent upon transportation that that which cheapens the latter adds to the market value of the former; and the ability to realize from our national sources of wealth becomes dependent upon the best conditions of transportation.

From the wonderful productive power of our country a current of trade flows from our shores which astonishes the world, and the wealth and welfare of each community will become proportionate to its ability to freely and economically contribute to and move in that current of trade. Every reduction in the cost of transportation broadens the extent of our markets.

While abundant pr duction coupled with the best conditions of transportation is a blessing, abundant production joined with trammeled transportation is a misfortune, since thereby the excess of production is thrown back upon the community by excessive charges for transportation, causing lower prices, and consequent loss to the producers.

COMMERCE TRIBUTARY TO THE DELAWARE RIVER.

The Delaware River is the maritime outlet of the States of Pennsylvania, Delaware, and a large part of New Jersey, comprising an area of over 54,000 square miles, with a population of nearly 7,000,000 people. The State of Pennsylvania is the center of the oil, coal, and iron products of the Atlantic slope, while the city of Philadelphia is its leading manufacturing and commercial center.

In the year 1890 Pennsylvania supplied the following percentages of the entire product of the United States for the items named: Pig iron, 49 per cent; manufactured steel, 62 per cent; manufactured iron and steel, 52 per cent; petroleum products, 60 per cent; bituminous coal, 37 per cent; anthracite coal, 100 per cent. The value of the manufactured products of the city of Philadelphia alone in 1890 was $577,000,000.

Upon the conditions of transportation between this center of production and the outside markets of the world depend the values realized from these products. The Delaware River is the extension of the Atlantic Ocean to our wharves, and thereby our access, by water transportation, with the world; and upon the proper adjustment of this arm of the sea to modern commercial demands must depend, in a large measure, our prosperity.

CHANNEL AND HARBOR DEPTHS REQUIRED BY MODERN STEAMSHIPS.

The harbors of Boston, New York, Philadelphia, Baltimore, and Norfolk cover the principal seaports of the North Atlantic coast. Thirty years ago the channels of approach to these harbors carried a natural depth of from 17 to 19 feet, except New York Harbor, which had a depth of 23 feet. At that time the dimensions of ocean carriers did not require channel and harbor depths exceeding 18 feet.

At the present time provision has been made for a 27-foot channel for Boston Harbor; New York has a 30-foot channel, which it is proposed to deepen to 35 feet; Baltimore has a 30-foot channel, and Norfolk has just completed a 29-foot channel. The channel of approach to Philadelphia Harbor through the Delaware River has a less depth than 24 feet. In other words, the Delaware River carries to-day channel depths that the other North Atlantic ports outgrew years ago and discarded as indequate for the requirements of modern ocean commerce.

If reiteration is required of the statement that modern ocean carriers demand increased channel depths, the following table of the actual draft of steamships entering New York Harbor gives emphasis to the facts previously stated:

Steamer.	Draft.	Steamer.	Draft.
	Ft. in.		*Ft. in.*
Kaiser Wilhelm der Grosse	28 1	Idaho	29 0
Kaiser Friederick	28 2	Minnewaska	29 0
Fürst Bismarck	28 2	Normannia	29 0
Paris	28 3	Campania	29 1
Friesland	28 4	Cevic	29 3
Bovic	28 4	Georgic	29 3
St. Paul	28 5	Phœnicia	29 3
New York	28 5	Lucania	29 6
Umbria	28 5	Cymric	30 0
Tauric	28 5	Patria	30 0
Auguste Victoria	28 5	Kensington	30 1
Etruria	28 7	Southwark	30 2
Victoria	28 8	Palatia	30 6
Alexander	28 8	Pretoria	31 6
St. Louis	28 11	Pennsylvania	32 0
America	29 0	Bulgaria	32 0
Aurania	29 0		

Experience has demonstrated that the larger ships are the cheapest carriers; but it follows as a natural consequence that the larger ships have the greatest draft, and therefore their advantages can only be realized by such harbors as have sufficient depth to permit their entrance.

The competitors of the port of Philadelphia are New York on the north and Baltimore on the south. Each of these seaports has a channel of approach carrying 30 feet at low water, and they are thereby enabled to realize all the advantages arising from freight transportation in deep-draft ocean carriers.

The conditions which surrounded transportation and commerce a few years ago have become obsolete, and in their place new conditions have arisen which imperatively govern the hour. If these changed conditions can be adopted, we have a standing place in the competition for business; otherwise we are pushed aside by better equipped competitors. The principles involved in the management of the business of a seaport differ in no essential from those demanded of the individual in the conduct of his business affairs; and success in either is founded upon such a recognition of and obedience to the laws of trade as will permit the requirements of the times to be fully met. If as competitors we do not or can not comply with these demands, we are forced out of the market.

RIVER AND HARBOR IMPROVEMENTS CONSIDERED AS AN INVESTMENT.

If the appropriations made by Congress for the improvement of national waterways be considered in the light of an investment, the Government has received the following returns from the appropriations made for the improvement of the Delaware River:

In 1897 the value of the foreign commerce of the port of Philadelphia, as determined by the customs returns, was $95,406,000; the revenue collected was $13,923,000. The entire amount appropriated by the Government, from the earliest date, for the improvement of the channel of the Delaware River has been $2,972,000. From this it is seen that for each dollar appropriated for the improvement of the Delaware River by the Government over $32 in value of foreign freights passed through these channels in the single year of 1897, and that for each dollar that has been expended on its improvement the Government collected in revenues in the single year 1897 $4.70.

A similar calculation applied to the last ten years shows that the value of these foreign freights has been 312 times the total appropriations for the improvement of the river, and that the revenue collected from customs has been during the same interval of ten years over fifty-one times the total amount appropriated by the Government for the improvement of the river during the last twenty-six years.

IMPORTANCE OF DEEP-WATER CHANNEL BETWEEN THE SEA AND LEAGUE ISLAND NAVY-YARD.

Within the southern boundary of Philadelphia and at the confluence of the Schuylkill and Delaware rivers is located League Island Navy-Yard. This naval station has a frontage of over 2 miles upon the Delaware River and nearly three-fourths of a mile upon the Schuylkill, and contains within its limits about 800 acres of land.

This property was purchased by the city of Philadelphia and donated to the Government for a navy-yard. Its river frontage carries a depth of water more than sufficient to float the largest battle ships of our Navy. It is less than 4 miles distant from the business center of Philadelphia and is connected therewith by a trolley line; and a very limited extension of existing railroad tracks would place the station in connection with the railroad systems of the United States.

It is in close proximity to the great supply and labor center of Philadelphia; to the coal, iron, and steel industries of the State; to the gun and shell foundries of the vicinity, and to the largest powder factories of the United States. All these needed facilities are nowhere else found so closely grouped around any naval station in the United States, and they place the resources of League Island Navy-Yard beyond question. The station has construction and repair shops, and dry docks have been provided for with capacity to receive any battle ship of our Navy.

In addition to the advantages named, League Island Navy-Yard is the only fresh-water naval station in the United States. The importance of this is the fact that vessels in ordinary could be held in the fresh water of the station for any length or time and could then depart with clean bottoms. Besides this, there would be no corrosion or deterioration of their hulls during indefinite storage in this fresh water. Provision is now being made at the station for the storage of vessels while out of active service by the construction, at the rear of the yard, of a large reserve basin carrying a depth of 30 feet.

A further advantage of League Island Navy-Yard is its impregnability to naval attack. The station is located 30 miles in the rear of the heavy defensive works upon the river at Fort Delaware and vicinity, and therefore meets the fundamental requirement for a navy-yard, viz, "that it should be secure from an attack by land or sea; which should result from the natural advantages of the position, and the vicinity of a dense population, rather than from extensive fortifications and the employment of regular troops at the immediate location."

The value of League Island as a naval station has been strongly emphasized by the duties assigned to it during the recent war with Spain, and by the satisfactory manner in which those duties were discharged.

Under the plan of development which is understood to have been adopted for this naval station, a 30-foot channel of approach, through the Delaware River, is absolutely necessary to permit our battle ships to easily and safely reach the League Island Navy-Yard.

IMPORTANCE OF DEEP-WATER CHANNEL BETWEEN THE SEA AND DELAWARE RIVER SHIPYARDS.

The revival and development of the American merchant marine is one of the most pressing questions of the hour, and none other carries with it issues of greater importance to our future commercial prosperity. The shipyards of the Delaware River at Wilmington, Chester, Camden, and Philadelphia are equipped with the most modern and approved mechanical appliances, and have behind them the additional advantages arising from abundant labor and close proximity to the largest coal, iron, and steel center of the United States. These possibilities only await such encouragement as it is believed our National Government can and will give to make the Delaware River the Clyde of America.

Experience justifies the conclusion that private shipyards can best be relied upon for the rapid, efficient, and economical construction of the ships of our Navy; and that to the Government yards should be delegated the duty of their equipment, maintenance, and possibly repair. To permit private shipyards to undertake the building of vessels required for our Navy, it is desirable that they be located where they can command the best resources, and are surrounded by the most favorable conditions which are possible. Such resources and conditions now surround the shipyards of the Delaware River, with the single exception of an inadequate depth at a few points in the river channel, which would be entirely removed by the formation of the proposed 30-foot channel.

WHAT PHILADELPHIA HAS DONE TOWARD PROVIDING IMPROVED WATER TRANSPORTATION.

If there is merit in energetically helping ourselves before appealing to others for help, it may not be inappropriate to invite attention to the fact

that, while urging Congress to further improve the Delaware River as a national highway to the sea, the State of Pennsylvania and city of Philadelphia have shown their faith in the necessity for the improvement by supplementing the appropriations of Congress, during the past eight years, by the very considerable appropriations shown in the following statement:

State appropriation for purchase of islands, 1890	$208,652.82
City appropriation for purchase of islands, 1890	200,000.00
City appropriation for improvement Schuylkill, 1894	40,000.00
City appropriation for improvement Delaware River, 1895	185,000.00
City appropriation for improvement Schuylkill River, 1895	50,000.00
City appropriation for improvement Delaware River, 1896	500,000.00
City appropriation for improvement Schuylkill River, 1896	40,000.00
City appropriation for extending water front, 1896	1,500,000.00
City trusts appropriation for extending water front, 1896	650,000.00
City appropriation for improvement Schuylkill, 1898	90,000.00
Aggregate	3,463,652.82

By the completed improvement of Philadelphia Harbor we have a frontage of about 5 miles upon the Delaware River carrying a low-water depth of over 30 feet and provided with a sufficient number of recently completed wharves and docks, designed to adequately meet the demands of the largest and most modern ocean steamships. Along 1 mile of this frontage the avenue from which these new wharves have been extended has been widened to 150 feet, to provide for all needed facilities for the quick and economical handling of steamship cargoes.

With the harbor improvements, and facilities for transportation already completed and those in progress, Philadelphia Harbor will rank next to the port of New York in the extent and character of the provision which has been made for deep-draft ocean commerce.

With the present inadequate channel depths between the port of Philadelphia and the sea, these harbor improvements can not be utilized to their full value, but must await realization until the completion of the 30-foot channel; and until such a channel is obtained the harbor improvements already made are premature.

PROJECT FOR THE DESIRED IMPROVEMENT.

The river and harbor act of June 3, 1896, provided for a "survey of, and report upon, the Delaware River with a view to obtaining a channel 600 feet wide and 30 feet deep from a point at or near the city of Philadelphia to the deep water of Delaware Bay." In accordance with this provision Col. C. W. Raymond, Corps of Engineers, United States Army, submitted to the War Department, under date of January 5, 1898, his report upon the improvement referred to, which was printed as House Document No. 219, Fifty-fifth Congress, second session.

Colonel Raymond estimates that to secure a channel between Philadelphia and deep water in Delaware Bay 600 feet wide and 30 feet deep at low water 32,375,000 cubic yards of earth and 12,100 cubic yards of rock will have to be removed, at an aggregate cost of $5,935,000. Colonel Raymond, in transmitting this report to the Chief of Engineers, United States Army, states "that in his opinion the proposed improvement is worthy of execution and justified by the needs of the commerce involved."

Colonel Raymond further states in his report as follows: "Under the most favorable conditions the execution of the project will require about six years. To conduct the work successfully and economically it should be done under a continuous contract. The above estimate of cost is based upon the assumption that the improvement is to be executed by this method." The method of executing large river and harbor improvements under the continuous-contract system has, in recent years, been adopted upon a number of the prominent improvements of our navigable waterways, and in all cases the results have commended the system for its success and economy.

We believe that the foregoing statement establishes the reasons for increased channel depth in the Delaware River between Philadelphia and the sea. It is required in the interest of cheaper transportation; it is justified by the amount of products tributary to the commerce of the Delaware River; it is required by the greater draft of modern steamships; it is justified as an investment by the National Government; it is required for the development and utilization of League Island Navy-Yard; it is required for the utilization of the shipyards on the Delaware River; and it is justified by the large appropriations recently made by the State of Pennsylvania and city of Philadelphia toward providing improved harbor and increased channel facilities.

In view of these facts, and as representatives of the trade, commercial, and maritime interests of the port of Philadelphia, we most respectfully urge upon Congress the adoption of the project for the formation of a 30-foot channel in the Delaware River between the city of Philadelphia and deep water of Delaware Bay, as set forth in House Document No. 219, Fifty-fifth Congress, through such legislation in the pending river and harbor bill as will provide an initial appropriation for the work; with the further provision "that contracts may be entered into by the Secretary of War for such materials and work as may be necessary to carry into effect the said project; to be paid for as appropriations may from time to time be made by law, not exceeding in the aggregate $5,935,000."

JOEL COOK, *Chairman.*

WILLIAM R. TUCKER, *Secretary.*

Special committee: William D. Winsor, L. Y. Schermerhorn, Frank L. Neall, E. R. Sharwood, William R. Tucker.

PHILADELPHIA, *December 20, 1898.*

Mr. BINGHAM. Mr. Chairman, I call for a vote on my proposition to change, in line 2, on page 38, the words "three hundred thousand dollars" to "five hundred thousand dollars."

The question was taken; and the amendment was rejected.

Mr. BINGHAM. Mr. Chairman, I think the gentleman in charge of the bill will consent that the word "completing," in line 1, on page 38, may be stricken out and the word "continuing" inserted, for the reason that the amount of $300,000 will not complete the improvement; that is to say, to give a 26-foot channel, as has been proposed and heretofore appropriated for.

Mr. BURTON. The only objection, of course, is a technical one. That is the proper term to apply when the appropriation is made of the whole amount limited or recommended.

I think, however, we can afford, in this case, to vary from the ordinary rule, and therefore I shall not object to the motion of the gentleman from Pennsylvania.

The CHAIRMAN. The gentleman moves to substitute the word "continuing" for the word "completing," in line 1 on page 38. If there is no objection the amendment will be considered as adopted.

There was no objection.

The CHAIRMAN. The Clerk will proceed with the reading of the bill.

The Clerk read as follows:

Improving Nanticoke River, Delaware and Maryland: Continuing improvement, $3,000.

Mr. HANDY. Mr. Chairman, I offer the amendment which I send to the desk.

The Clerk read as follows:

Insert, after line 4, page 39, as an additional item, the following:

"Improving inland waterway from Chincoteague Bay, Virginia, to Delaware Bay at or near Lewes, Del.: Continuing improvement, $50,000: *Provided*, That the money herein appropriated shall be expended between Delaware Bay and Indian River Bay."

Mr. HANDY. Mr. Chairman, this amendment, if adopted, would place a provision on the pending bill for continuing the work which the Government of the United States has been carrying on for the past fourteen years in the construction of an inland waterway between Chincoteague Bay in Virginia and Delaware Bay at or near Lewes, Del.

Gentlemen of course are aware that along the Atlantic coast there is a series of small bays or inlets running along the coast from Rehoboth Bay and Indian River Bay, in Delaware, to Chincoteague Bay, in Virginia, and even extending farther down in Virginia to what is known as the Broad Water. This series of little bays is separated from the ocean by narrow strips of land, forming a series of small islands. According to the proposed Government improvement these bays will be connected by a channel or canal, which will give inland water communication all the way from Philadelphia to a point only a little to the north of Cape Charles.

This work was undertaken, according to a Government survey, in 1884. Every river and harbor bill from that period to this has carried an appropriation for continuing improvement of this inland waterway. The first appropriation, in 1886, was for the sum of $18,750. In 1888 the appropriation was $50,000. In 1890 an appropriation of $50,000 was also made. In 1892, in 1894, and in 1896 the appropriation each year was $25,000.

The Government of the United States has up to the present time appropriated in the various river and harbor bills $193,750 to continue work on this canal, connecting these different bays. Of that $193,000, the sum of $160,600 has been expended, and $26,500 is now on hand, unexpended. The Chief of Engineers recommends a continuation of this work. In his report for 1898 he estimates the amount that can profitably be expended in the fiscal year ending June 30, 1900, at $50,000, which is the amount named in the amendment submitted. The amount estimated as required for completion of the existing project is $156,250.

Now, Mr. Chairman, the situation of the Government in regard to this amendment is about as follows: The Government undertook to build a canal. The Government has appropriated $193,000 for the building of that canal. The Government has not yet completed the canal. The whole $193,000 thus far expended is dependent upon the completion of that canal to be of any use in the world. Having appropriated $193,000 in order to dig a canal connecting these bays, shall the Government stop now, when it only requires $156,000 to complete the improvement? Shall this Congress say: "We will waste the $193,000 spent by the six Congresses which have preceded us? It only requires a small sum now to complete the work. It only requires $156,000 to make this canal available, but we will waste all that has been spent, and we will stop now." And why, Mr. Chairman, stop now?

The CHAIRMAN. The time of the gentleman has expired.

Mr. BURTON. Mr. Chairman, to the question asked by the gentleman from Delaware [Mr. HANDY] I have no difficulty in returning an answer. He says, "When we have appropriated $193,750 for a project and it requires $156,250 to complete it, shall we stop?" I say yes, most decidedly, if the improvement is not one which commends itself to us on its merits. If there has been waste thus far, let us not hesitate to prevent further waste.

There is an additional reason in this case. There is the sum of $25,500 on hand. The Government became engaged in a controversy about the right of way and all proceedings are tied up. The provision in the act of 1896 was that no part of this appropriation should be expended until the right of way is secured without cost to the United States, etc. That right of way has not been secured.

Mr. HANDY. I move to strike out the last word. The statement which the gentleman from Ohio has made with regard to the trouble about the right of way furnishes, I think, a complete demonstration that he is mistaken in regard to the utility of this inland waterway. That complication about the right of way arises from the fact that a railroad company secured an injunction against the Government of the United States to prevent the digging of this canal.

Now, I take it that the common sense of this House will realize at once that when a railroad company thinks a proposed river and

harbor improvement is of sufficient advantage to the people to make it worth the railroad's while to interfere by an injunction, the improvement in question must be one of real merit. If this canal were not to be of use to the commerce of the people, the Pennsylvania Railroad Company, which taps that section of the country, would never have gone to the expense of stopping it by injunction. The canal threatens to compete with the railroad. It is just exactly because this canal is of use, it is just exactly because this money we have spent will be of avail to the commerce of that section of the country that this interference has occurred. Instead of this interference being a reason why the Government of the United States should abandon its expenditure of $193,000, it furnishes abundant reason why the Government of the United States should persevere. There need be no difficulty in wiping away that injunction. According to the Engineer's report, proceedings have been properly begun to get the right of way. The difficulty may easily be removed long before the time comes to spend this money.

What is the situation, Mr. Chairman? The Government of the United States starts a canal. It expends $193,000 on that canal. A railroad company puts an injunction in the way, and this House, stopping in front of a railroad's injunction, says: "We will quit; we will give up the $193,000 we have spent; we will stop in the face of an injunction, and lie down and appropriate no more money. We will abandon this hole in the ground; we will quit this ditch; we will give up this canal, forsooth, because a railroad company puts an injunction in front of the United States Government."

Why, Mr. Chairman, there is every reason in the world for going on with this matter. The gentleman from Ohio [Mr. BURTON] says that we have here $26,000 unexpended. That will be wasted, too, if we stop here. If this item drops out of the present bill, I fear the canal will be an abandoned project. It may not appear, perchance, two years hence in the Engineer's report. I ask, Mr. Chairman, for mere continuity of purpose, if for no other reason, an appropriation to carry on a work seriously begun and seriously followed for fourteen years. The Congress of the United States can not afford to change its mind about projects half completed. In this case the Government long since "put its hand to the plow." Let it not now falter or look back. [Cries of "Vote!"]

Mr. BURTON. Mr. Chairman, all I have to say is that it is not the fault of the Government that the railroad is in the way. I trust gentlemen will not be deceived. The arm of the law is sufficient to condemn that right of way; but, as I take it from the documents, it appears that those interested in the waterway promised to secure the right of way and pay for it. They have not secured it.

Mr. HANDY. It is not a question of dollars and cents.

The question was taken; and the amendment was rejected.

The Clerk read as follows:

Improving Lower Machodoc Creek, Virginia: Continuing improvement, $1,500.

Mr. JONES of Virginia. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

Insert after line 6, page 41:
"Improving Nandua Creek, Virginia: Completing improvement in accordance with the approved project, $3,000."

Mr. JONES of Virginia. Mr. Chairman, I think that the gentleman in charge of this bill will not object to this amendment. The act of June 3, 1896, appropriated $3,000 for the improvement of Nandua Creek. The Chief of Engineers estimated that it would require $6,000 to complete this project. Of that $6,000, as I have said, $3,000 was appropriated under the act of 1896. But the Chief of Engineers did not deem it proper to expend that amount, because, as he has said in a letter to me, which I shall be glad to read to the committee, the amount was too small to accomplish the work projected and desired. The letter is as follows.

OFFICE OF THE CHIEF OF ENGINEERS,
UNITED STATES ARMY,
Washington, D. C., January 25, 1899.

MY DEAR SIR: Referring to our conversation of to-day, I have to say that the appropriation of June 3, 1896, for Nandua Creek was not expended, because it was too small to accomplish the work projected and desired.

Three thousand dollars in addition will be required. When this appropriation is available the work will be promptly commenced.

Yours, very respectfully,

JOHN M. WILSON,
Brigadier-General, Chief of Engineers, U. S. A.

Hon. WILLIAM A. JONES,
House of Representatives.

Now, Mr. Chairman, it appears that the whole amount necessary to do this work is $6,000, of which $3,000 has already been appropriated but as yet is unexpended for the reason stated in the letter just read by me. I am quite sure that the Committee on Rivers and Harbors would have favored this appropriation had their attention been called to the fact that the project had been approved and that the Government had actually entered upon the improvement, which was merely postponed in order to secure sufficient money to enable the work to be done economically.

The $3,000 which I now ask will complete the work, a work which is an exceedingly important and meritorious one, and I trust that the gentleman in charge of the bill will not object to the small appropriation contained in this amendment, and which is simply intended to carry out a project recommended by the Engineering Department, and for which $3,000 had already been appropriated, although unexpended.

That the project is a meritorious one is shown by the fact that Congress has approved it and appropriated for it. Nothing has transpired since this project was approved to cause Congress to withhold the money estimated to complete it. The amount is too small to be objected to, and I trust this House will not hesitate to appropriate it.

Mr. BURTON. Mr. Chairman, I can not consent to this amendment, partly as a matter of precedent and partly on its merits. I want to say to the gentleman that this was not called for.

Mr. JONES of Virginia. It was not specifically asked for. That may have been an oversight on my part, but I naturally concluded that the committee intended to follow the recommendations of the Chief of Engineers, and that the appropriation asked for would have been made. My attention was not called to this palpable oversight until the bill was reported.

Mr. BURTON. It appears by the reports for 1897 that the commerce of this creek was 3,436 tons. It is stated to be a decrease of 2,689 tons when compared with the amount of the report for 1896. It appears also that there is a depth of 5 feet at mean low water over the bar; also that there is on hand $2,988.08, or was at the close of the last fiscal year.

In the proportion in which we have been making provision for creeks and rivers of this kind certainly that is as much as this creek or river, whatever you may call it, should ask. There are others having ten times as much commerce for which we have made little or no appropriation whatever.

The question was taken; and the amendment was rejected.

The Clerk read as follows:

Improving Fishing Creek, North Carolina: For maintenance, $2,000.

Mr. WHITE of North Carolina. Mr. Chairman, I desire to offer an amendment.

The Clerk read as follows:

At the end of line 14, on page 42, add:
"And $7,750 for continuing improvements."

Mr. WHITE of North Carolina. Mr. Chairman, I had hoped that I would have the cooperation of the chairman of this committee, or at least his consent to the insertion of this amendment. This creek, Fishing Creek, North Carolina, through its confluence with the river, is 94 miles above Pamlico Sound, and at that part crossed by the Wilmington and Weldon Railroad Fishing Creek is 35 feet deep and 150 feet wide. The channel depth on its bar is only 3 feet. There has been an appropriation made, and there has been considerable work done on this creek, which is fully detailed in the report of the engineers of the War Department. To make available and to make profitable the money which has already been expended the amount I have suggested is exactly the figures recommended by the Corps of Engineers as an absolute necessity.

They say that $10,000 can properly be expended during the next fiscal year. I am asking only the minimum amount recommended by the engineers. I approached the committee and asked it that this amount be inserted. The only answer I got was that my request came too late. I trust that even now the committee will reverse itself and allow this small request to go in. I have invariably voted with you gentlemen and helped you to get millions upon top of millions. This is the first time I have asked you for one cent, and I trust you will not take it lightly and laughingly vote it down. It is a necessity for the farmers along that river, which ramifies my district from one end to the other, and it would be a great benefit if this amount were allowed, and would make profitable the amount of money which has already been appropriated and expended.

Mr. FISCHER. How much do you want?

Mr. WHITE of North Carolina. Only $7,750, and I am afraid you are going to vote it down.

Now, Mr. Chairman, I do not wish to antagonize the committee, and I hope the committee will not antagonize my little request. I ask it on the ground of justice—yes, on the ground of necessity. [Applause.]

Mr. SIMPSON. Mr. Chairman, I want to ask the gentleman from North Carolina a question. I see this is Fish Creek.

Mr. WHITE of North Carolina. Fishing Creek.

Mr. SIMPSON. I want to inquire if the water on the bar is of sufficient depth for the fish to get up over the bar without lightering? [Laughter.]

Mr. WHITE of North Carolina. Yes; and when the gentleman gets through with his cattle on the prairie, if he will come down there, I will show him that it is. [Laughter.]

Mr. BURTON. Mr. Chairman, the Committee on Rivers and Harbors are not recognizing any politics or any other distinctions

in this bill. It does not seem to me that the project merits a larger appropriation.

Mr. WHITE of North Carolina. You have not given me anything yet.

Mr. BURTON. Yes; we have.

Mr. WHITE of North Carolina. It is only for maintenance and not one dollar for continuing the work.

Mr. BURTON. Well, there are a great many members here that are thankful to get an appropriation for maintenance. A good many have not anything even for maintenance. The commerce of this river for the last year was 2,460 tons. It is classified as 2,400 tons of timber—I do not know whether it floated down in logs or was sawed lumber—and 60 tons of fertilizer.

One hopeful thing about it is that it shows an increase of 460 tons over the year before. There were no transportation lines established last year. It appears by the Engineer's report that $1,500 will be required for the maintenance of the improvement during the fiscal year ending June 30, 1900. It appears that there was on hand July 1, 1898, an available balance of $2,566.

I will say to the gentleman from North Carolina that he can justify himself to his constituents by saying that this stream has been very much better considered than the average one in this bill.

The question was taken; and the amendment was rejected.

The Clerk proceeded with the reading of the bill.

Mr. BURTON. Mr. Chairman, the hour of 5 o'clock having arrived, and we having got to the end of page 50 of the bill, I move that the committee now rise.

The motion was agreed to.

Accordingly the committee rose; and the Speaker having resumed the chair, Mr. HOPKINS, Chairman of the Committee of the Whole House on the state of the Union, reported that that committee had had under consideration the bill (H. R. 11795) making appropriations for the construction, repair, and preservation of certain public works on rivers and harbors, and for other purposes, and had come to no resolution thereon.

MESSAGE FROM THE SENATE.

A message from the Senate, by Mr. PLATT, one of its clerks, announced that the Senate had passed the following resolution; in which the concurrence of the House was requested:

Resolved by the Senate (the House of Representatives concurring), That there be printed 8,000 copies of the chronological list of battles in which troops of the permanent establishment have participated from the organization of the Army in 1789, together with statistics of losses and the names of officers wounded or killed in action; 1,000 copies for the Senate, 2,000 copies for the House, and 5,000 copies for the War Department.

The message also announced that the Senate had passed with amendments joint resolution (H. Res. 344) granting authority to the Republic of Venezuela to send a cadet to West Point Military Academy.

SENATE BILLS REFERRED.

Under clause 2 of Rule XXIV, Senate bills of the following titles were taken from the Speaker's table and referred to their appropriate committees as indicated below:

S. 5363. An act granting extra pay to officers and enlisted men of the temporary force of the Navy—to the Committee on Naval Affairs.

S. 5376. An act authorizing the terms of the district court of the United States for the southern district of Mississippi to be held hereafter at Biloxi—to the Committee on the Judiciary.

S. 5206. An act to declare the proper construction of the act of March 3, 1891, entitled "An act to provide for the adjudication and payment of claims arising from Indian depredations"—to the Committee on Indian Affairs.

ENROLLED BILLS SIGNED.

Mr. HAGER, from the Committee on Enrolled Bills, reported that they had examined and found truly enrolled bills of the following titles; when the Speaker signed the same:

H. R. 967. An act to correct the war record of George W. McBride;

H. R. 11036. An act to restore Capt. Robert W. Dowdy to the active list of the Army;

H. R. 6901. An act to prevent the abatement of certain actions;

H. R. 10509. An act to authorize the Missouri and Kansas Telephone Company to construct and maintain lines and offices for general business in Ponca, Otoe, and Missouria Reservation, in the Territory of Oklahoma; and

H. R. 10316. An act granting a pension to Georgie Smiley.

WITHDRAWAL OF PAPERS.

Mr. PUGH requested unanimous consent to withdraw papers accompanying the bill (H. R. 1435) to grant an increase of pension to W. J. Worthington, no adverse report having been made thereon.

The SPEAKER. Without objection, the request will be granted.

There was no objection.

Mr. BURTON. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; and accordingly (at 5 o'clock and 5 minutes p. m.) the House adjourned until to-morrow at 12 o'clock meridian.

EXECUTIVE COMMUNICATIONS, ETC.

Under clause 2 of Rule XXIV, the following executive and other communications were taken from the Speaker's table and referred as follows:

A letter from the Secretary of the Treasury, transmitting a list of judgments rendered by the Court of Claims—to the Committee on Appropriations, and ordered to be printed.

A letter from the president of the Board of Commissioners of the District of Columbia, transmitting the annual report of the Baltimore and Washington Transit Company for 1898—to the Committee on the District of Columbia, and ordered to be printed.

A letter from the secretary of the East Washington Heights Traction Railway Company, transmitting its report for the period from its incorporation to December 31, 1898—to the Committee on the District of Columbia, and ordered to be printed.

A letter from the president of the Washington and Great Falls Electric Railway Company, submitting the annual report for 1898—to the Committee on the District of Columbia, and ordered to be printed.

A letter from the president of the Metropolitan Railroad Company, transmitting a statement of receipts and disbursements, a list of stockholders, and a statement as to accidents for the year 1898—to the Committee on the District of Columbia, and ordered to be printed.

REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS.

Under clause 2 of Rule XIII, Mr. VAN VOORHIS, from the Committee on Banking and Currency, to which was referred the bill of the House (H. R. 7879) to increase the circulation of national banks, reported the same with amendment, accompanied by a report (No. 1883); which said bill and report were referred to the Committee of the Whole House on the state of the Union.

REPORTS OF COMMITTEES ON PRIVATE BILLS AND RESOLUTIONS.

Under clause 2 of Rule XIII, private bills and resolutions of the following titles were severally reported from committees, delivered to the Clerk, and referred to the Committee of the Whole House, as follows:

Mr. CARMACK, from the Committee on Claims, to which was referred the bill of the House (H. R. 1785) for the relief of Joseph H. Thompson, reported the same with amendment, accompanied by a report (No. 1877); which said bill and report were referred to the Private Calendar.

Mr. RIXEY, from the Committee on Claims, to which was referred the bill of the House (H. R. 11785) for relief of certain tobacconists of Lynchburg, Va., reported the same without amendment, accompanied by a report (No. 1878); which said bill and report were referred to the Private Calendar.

Mr. MINOR, from the Committee on Claims, to which was referred the bill of the House (H. R. 9422) for the relief of the city of Racine, reported the same without amendment, accompanied by a report (No. 1879); which said bill and report were referred to the Private Calendar.

Mr. YOST, from the Committee on Claims, to which was referred the bill of the House (H. R. 10225) for the relief of Clare M. Ashby, widow of W. W. Ashby, late United States consul at Colon, reported the same with amendment, accompanied by a report (No. 1880); which said bill and report were referred to the Private Calendar.

Mr. STURTEVANT, from the Committee on Claims, to which was referred the bill of the House (H. R. 8075) for the relief of Robert A. Ragan, reported the same without amendment, accompanied by a report (No. 1881); which said bill and report were referred to the Private Calendar.

He also, from the same Committee, to which was referred the bill of the House (H. R. 245) for the relief of Charles W. Russey, reported the same without amendment, accompanied by a report (No. 1882); which said bill and report were referred to the Private Calendar.

Mr. SIMS, from the Committee on Pensions, to which was referred the bill of the House (H. R. 11899) granting a pension to Judith Doherty, reported the same without amendment, accompanied by a report (No. 1884); which said bill and report were referred to the Private Calendar.

Mr. BROMWELL, from the Committee on Pensions, to which was referred the bill of the House (H. R. 7902) granting a pension

to Albert Putnam, Company E, Twenty-first United States Infantry, reported the same with amendment, accompanied by a report (No. 1885); which said bill and report were referred to the Private Calendar.

Mr. STALLINGS, from the Committee on Pensions, to which was referred the bill of the House (H. R. 8329) to increase the pension of Lieut. John E. Gullett, reported the same with amendment, accompanied by a report (No. 1886); which said bill and report were referred to the Private Calendar.

Mr. SHELDEN, from the Committee on Pensions, to which was referred the bill of the Senate (S. 4775) granting a pension to Flora Stanton Kalk, reported the same with an amendment, accompanied by a report (No. 1887); which said bill and report were referred to the Private Calendar.

Mr. BROMWELL, from the Committee on Pensions, to which was referred the bill of the Senate (S. 831) to increase the pension of Thomas J. Haughey, reported the same without amendment, accompanied by a report (No. 1888); which said bill and report were referred to the Private Calendar.

Mr. LOUDENSLAGER, from the Committee on Pensions, to which was referred the bill of the Senate (S. 1831) granting an increase of pension to Jane V. Davidson, reported the same without amendment, accompanied by a report (No. 1889); which said bill and report were referred to the Private Calendar.

CHANGE OF REFERENCE.

Under clause 2 of Rule XXII, committees were discharged from the consideration of bills of the following titles; which were thereupon referred as follows:

A bill (H. R. 11532) to redeem certain outstanding certificates issued by the board of audit of the board of public works of the District of Columbia—Committee on Claims discharged, and referred to the Committee on the District of Columbia.

A bill (H. R. 11340) for the relief of David Tweed—Committee on War Claims discharged, and referred to the Committee on Claims.

PUBLIC BILLS, RESOLUTIONS, AND MEMORIALS INTRODUCED.

Under clause 3 of Rule XXII, bills, resolutions, and memorials of the following titles were introduced and severally referred as follows:

By Mr. CURTIS of Iowa: A bill (H. R. 11936) regulating the exemption of church and school property in the District of Columbia, and for other purposes—to the Committee on the District of Columbia.

Also, a bill (H. R. 11937) to amend section 5 of an act entitled "An act to provide for the opening of alleys in the District of Columbia," approved July 22, 1892—to the Committee on the District of Columbia.

By Mr. STEVENS of Minnesota: A bill (H. R. 11938) to amend an act entitled "An act for the relief of settlers on public lands," approved May 14, 1880—to the Committee on the Public Lands.

By Mr. LITTLE (by request): A bill (H. R. 11939) changing place for holding court in the central division of the Indian Territory from Cameron to Poteau, and for other purposes—to the Committee on the Judiciary.

By Mr. BENNETT: A bill (H. R. 11940) to authorize the Secretary of the Navy to cede a portion of cob dock navy-yard, Brooklyn, N. Y., to the State of New York—to the Committee on Naval Affairs.

By Mr. GAINES: A bill (H. R. 11941) to provide a snag boat for the Cumberland River—to the Committee on Rivers and Harbors.

By Mr. HEPBURN: A bill (H. R. 11953) to promote the efficiency of the Revenue-Cutter Service—to the Committee on Interstate and Foreign Commerce.

By Mr. ROBERTSON of Louisiana: A bill (H. R. 11954) to provide for a public building at Crowley, La.—to the Committee on Public Buildings and Grounds.

By Mr. LINNEY: A joint resolution (H. Res. 347) construing the act approved June 27, 1890, entitled "An act granting pensions to soldiers and sailors who are incapacitated for the performance of manual labor, and providing for pensions to widows, minor children, and dependent parents"—to the Committee on Invalid Pensions.

By Mr. KNOX: A resolution (House Res. No. 383) that on Friday, February 3, immediately after reading of the Journal, the consideration of H. R. 10990 and amendments will be in order—to the Committee on Rules.

PRIVATE BILLS AND RESOLUTIONS INTRODUCED.

Under clause 1 of Rule XXII, private bills and resolutions of the following titles were introduced and severally referred as follows:

By Mr. BRUMM: A bill (H. R. 11942) for the relief of Sadie Thomé, widow of S. W. Thomé, late United States consul at Asuncion, Paraguay, South America—to the Committee on Claims.

By Mr. BARTLETT: A bill (H. R. 11943) to grant a pension to Julia E. Fletcher, widow of James M. Fletcher, a soldier of the Creek Indian war—to the Committee on Pensions.

By Mr. MADDOX: A bill (H. R. 11944) for the relief of Fielding Foster, of Rossville, Ga.—to the Committee on War Claims.

By Mr. McCORMICK: A bill (H. R. 11945) granting a pension to John Costello—to the Committee on Invalid Pensions.

Also, a bill (H. R. 11946) granting a pension to John Johnson—to the Committee on Invalid Pensions.

By Mr. ROBERTSON of Louisiana: A bill (H. R. 11947) for the relief of the legal representatives of Alfred Duplantier, deceased—to the Committee on War Claims.

By Mr. STEPHENS of Texas: A bill (H. R. 11948) to grant a pension to W. C. Montgomery, a veteran of the Mexican war—to the Committee on Pensions.

By Mr. HEPBURN: A bill (H. R. 11949) granting a pension to Abbie L. Godfrey—to the Committe on Invalid Pensions.

Also, a bill (H. R. 11950) granting a pension to Elizabeth Rickey—to the Committee on Invalid Pensions.

Also, a bill (H. R. 11951) granting a pension to Maggie D. Chapman—to the Committee on Invalid Pensions.

By Mr. BENTON: A bill (H. R. 11952) to place Daniel M. Page, late first lieutenant, Thirty-eighth United States Infantry, on the retired list of the United States Army—to the Committee on Military Affairs.

PETITIONS, ETC.

Under clause 1 of Rule XXII, the following petitions and papers were laid on the Clerk's desk and referred as follows:

By Mr. ACHESON: Petition of citizens of McKeesport, Pa., urging the enactment of the Brosius bill to prevent the adulteration of food—to the Committee on Interstate and Foreign Commerce.

Also, resolution of the Central Presbyterian Church of Cannonsburg, Pa., to prohibit sale of intoxicating liquors in canteens, in immigrant stations, and in Government buildings—to the Committee on Alcoholic Liquor Traffic.

By Mr. ARNOLD: Petition of the Epworth League of Manorville, Pa., to abolish the sale of liquors in Government buildings—to the Committee on Alcoholic Liquor Traffic.

By Mr. BARBER: Petition of J. T. Payne and 116 citizens of Shawsville, Md., urging the establishment of postal savings banks—to the Committee on the Post-Office and Post-Roads.

By Mr. BELFORD: Petition of fourth-class postmasters of Queens County, N. Y., in favor of House bills No. 4930 and 4931, relating to the compensation of fourth-class postmasters—to the Committee on the Post-Office and Post-Roads.

Also, petitions of the First Presbyterian Church of Greenlawn and the First Presbyterian Church of Northport, N. Y., to prohibit the sale of liquor in canteens and immigrant stations and Government buildings—to the Committee on Alcoholic Liquor Traffic.

By Mr. CHICKERING: Petition of the Methodist Episcopal Church and citizens of Point Peninsula, N. Y., to prohibit the sale of liquor in canteens and in immigrant stations and Government buildings—to the Committee on Alcoholic Liquor Traffic.

Also, petition of the Methodist Episcopal Church and citizens of Point Peninsula, N. Y., for the passage of the Hepburn bill prohibiting the transmission by mail or interstate commerce of pictures and descriptions of prize fights—to the Committee on Interstate and Foreign Commerce.

By Mr. ERMENTROUT: Petition of Bethany United Evangelical Church, of Allentown, Pa., to prohibit the sale of liquor in canteens and in immigrant stations and Government buildings—to the Committee on Alcoholic Liquor Traffic.

By Mr. FITZGERALD: Resolution of the Massachusetts State Board of Trade, urging a revision of the postal laws—to the Committee on the Post-Office and Post-Roads.

Also, resolution of the Massachusetts State Board of Trade, urging measures to promote the ocean carrying trade in vessels under the American flag—to the Committee on the Merchant Marine and Fisheries.

Also, resolution of the Massachusetts State Board of Trade, asking for the continuance and extension of the pneumatic-tube service in Boston—to the Committee on the Post-Office and Post-Roads.

Also, petition of the American Shipping and Industrial League of New York City, praying for legislation restoring to the United States the ocean carrying trade sailing under the American flag—to the Committee on the Merchant Marine and Fisheries.

Also, petition of the Chamber of Commerce of Knoxville, Tenn., for the continuance of fast-mail service through the South and entire United States—to the Committee on the Post-Office and Post-Roads.

Also, petitions of Seymore H. Stone and 100 citizens of Boston, Mass., favoring postal savings banks—to the Committee on the Post-Office and Post-Roads.

By Mr. GRAHAM: Resolutions of the Woman's Club of Pittsburg, Pa., Alice E. Huff, secretary, in favor of the passage of a bill to prevent the desecration of the American flag—to the Committee on the Judiciary.

By Mr. GRIFFITH: Petitions of W. Harner and 201 citizens of Crothersville, Ind., and R. M. Phillips and 199 citizens of Beck, Ind., in favor of the establishment of postal savings banks—to the Committee on the Post-Office and Post-Roads.

By Mr. HAGER: Petitions of the Congregational Church; Epworth League, Methodist Episcopal Church; Young People's Society of Christian Endeavor of the Presbyterian, Congregational, Church of Christ, and United Presbyterian churches; Danish Baptist Church, Church of Christ, and Baptist Young People's Union, all of Atlantic, Iowa, to prohibit the sale of liquor in canteens and in immigrant stations and Government buildings—to the Committee on Alcoholic Liquor Traffic.

By Mr. HEPBURN: Papers to accompany House bill granting a pension to Maggie Chapman—to the Committee on Invalid Pensions.

Also, papers to accompany House bill for the relief of Abbie L. Godfrey—to the Committee on Invalid Pensions.

By Mr. McCALL: Memorial of citizens of New York City, commending Senators HALE, HOAR, MASON, and WELLINGTON for their attitude against territorial expansion—to the Committee on Foreign Affairs.

By Mr. MAXWELL: Resolution of the Burt County Farmers' Institute, at Takannah, Nebr., against the seating of Brigham H. Roberts as a Representative from Utah—to the Committee on Elections No. 1.

By Mr. MEEKISON: Petition of the Presbyterian Church of Holgate, Ohio, for the continuance of the prohibitory law in Alaska, to prohibit the sale of liquors in Government buildings, and to prohibit the transmission by mail or interstate commerce of pictures or descriptions of prize fights—to the Committee on Interstate and Foreign Commerce.

Also, petitions of Zion United Brethren Church, Delta, Ohio, and Chapel United Brethren Church, Henry County, Ohio, to prohibit the sale of liquor in canteens, in immigrant stations, and in Government buildings—to the Committee on Alcoholic Liquor Traffic.

By Mr. MERCER: Petition of the German Methodist Episcopal Church of Arlington, Nebr., to prohibit the sale of liquor in canteens and in immigrant stations and Government buildings—to the Committee on Alcoholic Liquor Traffic.

By Mr. MOON (by request): Petition of the Woman's Christian Temperance Union of Chattanooga, Tenn., to prohibit the sale of liquor in canteens, in immigrant stations, and in Government buildings—to the Committee on Alcoholic Liquor Traffic.

Also (by request), petition of the Woman's Christian Temperance Union of Chattanooga, Tenn., to prohibit the transmission by mail or interstate commerce of pictures or descriptions of prize fights—to the Committee on Interstate and Foreign Commerce.

Also (by request), petitions of R. S. Montgomery and 203 citizens of Palmetto, Tenn.; Lila Moore and 214 citizens of Whitehouse, Tenn., and L. B. Vinson and 205 citizens of Edwina, Tenn., in favor of the establishment of postal savings banks—to the Committee on the Post-Office and Post-Roads.

By Mr. PUGH: Petitions of J. M. Moss and 202 citizens of Catawba, and M. Mackley and 205 citizens of Foster, Ky., favoring postal savings banks—to the Committee on the Post-Office and Post-Roads.

By Mr. ROBINSON of Indiana: Petition of Dr. William F. Myers, of Fort Wayne, Ind., in favor of giving veterinarians the rank of second lieutenant in the reorganization of the Army—to the Committee on Military Affairs.

By Mr. SMITH of Kentucky: Petitions of Jonas D. Wilson and 204 citizens of Cloverport, and T. D. Rudd and 160 citizens of Caseyville, Ky., favoring postal savings banks—to the Committee on the Post-Office and Post-Roads.

By Mr. STONE: Petitions of the Woman's Christian Temperance unions and churches of Garland, Cable Hollow, and North Glade, Pa., praying for the abolition of the sale of liquor in the United States Army, Government buildings, etc.—to the Committee on Alcoholic Liquor Traffic.

By Mr. TONGUE: Petitions of U. G. Berry and 200 citizens of Peoria, Wily J. Chandler and 201 citizens of Chandler, and A. W. Airey and 198 citizens of Gravelford, all in the State of Oregon, in favor of the establishment of postal savings banks—to the Committee on the Post-Office and Post-Roads.

By Mr. WANGER: Petition of the Woman's Christian Temperance Union of New Hope, Bucks County, Pa., to prohibit the sale of liquor in canteens and in immigrant stations and Government buildings—to the Committee on Alcoholic Liquor Traffic.

SENATE.

THURSDAY, *February 2, 1899.*

Prayer by the Chaplain, Rev. W. H. MILBURN, D. D.

The VICE-PRESIDENT resumed the chair.

The Secretary proceeded to read the Journal of yesterday's proceedings, when, on motion of Mr. TILLMAN, and by unanimous consent, the further reading was dispensed with.

NAVY PAY TABLE.

The VICE-PRESIDENT laid before the Senate a communication from the Secretary of the Navy, transmitting, in response to a resolution of the 27th ultimo, a statement showing the present pay of the Navy in the grades of rear-admiral, commodore, captain, commander, lieutenant-commander, lieutenant, lieutenant (junior grade), and ensign, with the pay received by officers of the corresponding grade in the Army, etc.; which, with the accompanying paper, was referred to the Committee on Naval Affairs, and ordered to be printed.

WASHINGTON AND GREAT FALLS ELECTRIC RAILWAY COMPANY.

The VICE-PRESIDENT laid before the Senate the annual report of the Washington and Great Falls Electric Railway Company, of the District of Columbia, for the year ended December 31, 1898; which was referred to the Committee on the District of Columbia, and ordered to be printed.

ENROLLED BILLS SIGNED.

A message from the House of Representatives, by Mr. W. J. BROWNING, its Chief Clerk, announced that the Speaker of the House had signed the following enrolled bills; and they were thereupon signed by the Vice-President:

A bill (H. R. 967) to correct the war record of George W. McBride;

A bill (H. R. 6901) to prevent the abatement of certain actions;

A bill (H. R. 10316) granting a pension to Georgie Smiley;

A bill (H. R. 10509) to authorize the Missouri and Kansas Telephone Company to construct and maintain lines and offices for general business purposes in the Ponca, Otoe, and Missouria Reservation, in the Territory of Oklahoma; and

A bill (H. R. 11036) to restore Capt. Robert W. Dowdy to the active list of the Army.

CREDENTIALS.

Mr. ELKINS presented the credentials of Nathan B. Scott, chosen by the legislature of West Virginia a Senator from that State for the term of six years beginning March 4, 1899; which were read, and ordered to be filed.

Mr. CHILTON presented the credentials of Charles A. Culberson, chosen by the legislature of Texas a Senator from that State for the term beginning March 4, 1899; which were read, and ordered to be filed.

PETITIONS AND MEMORIALS.

Mr. GALLINGER presented petitions of the Woman's Christian unions of Sandwich, Meriden, and Candia, all in the State of New Hampshire, praying for the enactment of legislation to prohibit interstate gambling by telegraph, telephone, or otherwise; which were referred to the Committee on the Judiciary.

He also presented petitions of the Woman's Christian Temperance unions of Sandwich, Meriden, and Candia, all in the State of New Hampshire, praying for the enactment of legislation to prohibit the transmission by mail or interstate commerce of pictures or descriptions of prize fights; which were referred to the Committee on the Judiciary.

He also presented petitions of the Woman's Christian Temperance unions of Sandwich, Meriden, and Candia, all in the State of New Hampshire, praying for the maintenance of the prohibition law in Alaska and the Indian Territory, and to extend it to our new, half-civilized dependencies; which were referred to the Committee on Territories.

He also presented petitions of the Woman's Christian Temperance unions of Sandwich, Meriden, and Candia, all in the State of New Hampshire, praying for the enactment of legislation to prohibit the sale of liquor in canteens of the Army and Navy and of Soldiers' Homes, and in immigrant stations and Government buildings; which were referred to the Committee on Military Affairs.

Mr. HOAR presented memorials of Leroy A. Ames and 9 other citizens; of J. T. Wilson and 8 other citizens; of F. E. Howard and 9 other citizens; James Huxtable and 8 other citizens; of William Everett, A. A. Vaughn, and 3 other citizens; Henry S. Mackintosh and 9 other citizens; Edwin J. Parlett, Moses P. White, and 5 other citizens, and of Charles H. Stevens and 2 other citizens, all in the State of Massachusetts; of E. J. Baugh and 9 other citizens and of L. K. Burt and 9 other citizens, all in the State of Colorado; of L. J. Dumstead and 9 other citizens, of the District of Columbia; of John F. Frese and 9 other citizens and of John F. Race and 40 other citizens, all in the State of Florida; of

William Brookshire and 9 other citizens; Andrew Moore and 9 other citizens; Thomas A. Geraghty and 9 other citizens; Elihu Price and 9 other citizens; C. A. Woods and 9 other citizens; Alonzo Sharp and 9 other citizens, and of James Jones and 9 other citizens, all in the State of Indiana; of A. J. Leach and 4 other citizens, John J. McGaffigan, J. S. Fraser and 9 other citizens, Eugene Arnold and 9 other citizens, and of R. D. Francis and 8 other citizens, all in the State of Illinois; of H. T. Eppers and 9 other citizens and of Henry Van Lent and 9 other citizens, all in the State of Iowa; of Jesse J. Campbell and 1 other citizen, E. Lyston and 9 other citizens, R. R. Houp and 9 other citizens, and of A. A. Snodderley and 9 other citizens, all in the State of Kansas; of Frank Collins and 9 other citizens and of I. J. Rankin and 9 other citizens, all in the State of Kentucky; of Louis Burke and 9 other citizens and of J. Q. Gowland and 9 other citizens, all in the State of Louisiana; of Alexander McLamon and 9 other citizens of Virginia; of George B. Wilson and 8 other citizens of Minnesota; of James L. Blair, of Maryland; of O. L. Neauvert and 9 other citizens, R. A. Blackburn and 9 other citizens, J. J. Nelson and 9 other citizens, M. H. Kimbrough and 9 other citizens, J. S. Bowles and 9 other citizens, E. N. Wood and 9 other citizens, and of R. B. Hughes, sr., and 9 other citizens, all in the State of Virginia; of John L. Barstow, of Vermont; of W. E. O'Neill and 9 other citizens of Wisconsin; of Conrad Tobber and 9 other citizens and of Zachary T. Lindsey and 9 other citizens, all in the State of Nebraska; of A. G. Dawkins and 9 other citizens, Milton Brower and 9 other citizens, Henry Shuffield and 9 other citizens, Alfred McNeill and 9 other citizens, G. W. Teague and 9 other citizens, Chesly Williamson and 9 other citizens, T. L. Jones and 9 other citizens, G. W. Watkins and 9 other citizens, Goodridge Wilson and 9 other citizens, Stephen Johnson and 9 other citizens, Tom Russell and 9 other citizens, John Rowland and 9 other citizens, M. S. Minor and 9 other citizens, Will Street and 9 other citizens, Anderson Hester and 9 other citizens, J. R. Carter and 9 other citizens, P. Morris and 9 other citizens, Jim Daniel and 9 other citizens, Thomas Horner and 9 other citizens, Tom Sueed and 9 other citizens, Peter Currin and 9 other citizens, Tom Green and 9 other citizens, T. H. Ridgeway and 9 other citizens, Thomas Trollingar and 9 other citizens, C. D. Hester and 9 other citizens, P. T. Jones and 9 other citizens, Jessie Hambright and 9 other citizens, R. J. Corbett and 9 other citizens, and of M. Dorsey and 9 other citizens, all in the State of North Carolina; of Victor E. King and 14 other citizens of New Hampshire; of Loring Hulbert and 9 other citizens, W. F. Mittendorf and 7 other citizens, and of H. Kreuter and 18 other citizens, all in the State of New York; of Dick Engbrecht and 9 other citizens of North Dakota; of A. S. Cormac and 9 other citizens, Herman Houk and 9 other citizens, Thomas Hiscox and 9 other citizens, G. P. Roberts and 9 other citizens, Okie McCoy and 9 other citizens, and of John Mischler and 22 other citizens, all in the State of Ohio; of Charles F. Randall and 9 other citizens of Oklahoma; of J. B. Mananey and 9 other citizens, C. F. Taylor and 9 other citizens, and of W. W. Foust and 9 other citizens, all in the State of Pennsylvania; of S. V. Arnold and 9 other citizens of South Dakota; of John D. Wilkerson and 8 other citizens, H. M. Collier and 9 other citizens, H. W. Meyer and 10 other citizens, and of W. H. Thrall, all in the United States, remonstrating against any extension of the sovereignty of the United States over the Philippine Islands in any event, and over any other foreign territory without the free consent of the people thereof; which were referred to the Committee on Foreign Relations.

Mr. BAKER presented a petition of sundry American citizens residing in the Hawaiian Islands, praying Congress to extend the immigration laws to those islands; which was referred to the Committee on Immigration.

He also presented sundry papers in support of the bill (S. 2985) granting a pension to Rosa M. Couch, of Leavenworth, Kans.; which were referred to the Committee on Pensions.

Mr. PLATT of New York. I present the following resolution adopted by the legislature of the State of New York:

Resolved (if the senate concur), That the legislature of the State of New York hereby respectfully and earnestly urges upon the honorable the Senate of the United States in Congress a speedy ratification of the treaty now pending before said Senate terminating war with Spain, as a patriotic duty demanded by the highest and best interests of the nation.

I move that the resolution lie on the table.

The motion was agreed to.

Mr. CHANDLER. My colleague [Mr. GALLINGER] two or three days ago presented resolutions of the New Hampshire legislature. They requested that their Senators would bring the views contained in the resolutions to the attention of their fellow-Senators, which I do now. The resolutions were unanimously adopted, and declare in favor of the immediate ratification of the treaty.

Mr. PLATT of New York presented the petition of George C. Smith, of Company A, Eighty-first New York Volunteer Infantry, praying that he be granted a pension at the rate allowed captains in the Army; which was referred to the Committee on Pensions.

He also presented a petition of the congregation of the Norwegian Lutheran Trinity Church, of Brooklyn, N. Y., praying for the enactment of legislation to prohibit the sale of liquor in canteens of the Army and Navy and of Soldiers' Homes, and in immigrant stations and Government buildings; and also to prohibit the importation and traffic in alcoholic liquors in Cuba, Porto Rico, and the Philippines; which was referred to the Committee on Foreign Relations.

He also presented a petition of Local Union No. 78, Brotherhood of Carpenters and Joiners, of Troy, N. Y., and a petition of Local Branch, No. 598, Amalgamated Society of Engineers, of Schenectady, N. Y., praying for the passage of the eight-hour bill; which were referred to the Committee on Education and Labor.

He also presented a petition of the Bottlers and Manufacturers' Association of New York City, N. Y., praying for the enactment of legislation to increase American shipping; which was ordered to lie on the table.

He also presented a petition of the Woman's Christian Temperance Union of Rochester, N. Y., praying for the enactment of legislation to provide that no polygamist shall be elected to the Congress of the United States; which was ordered to lie on the table.

He also presented a petition of the congregation of the Friends' Church of Plattekill, N. Y., praying for the enactment of legislation to prohibit the sale of liquor in canteens of the Army and Navy and of Soldiers' Homes, and in immigrant stations and Government buildings; to prohibit the transmission by mail or interstate commerce of pictures or descriptions of prize fights; for the maintenance of prohibition in Alaska and the Indian Territory, and to extend it to our new half-civilized dependencies; and remonstrating against the seating of Congressman-elect Roberts, of Utah; which was referred to the Committee on Territories.

He also presented petitions of the Woman's Christian Temperance Union of Aquebogue, of the Young Men's Christian Association and the Woman's Christian Temperance Union and sundry clergymen of Port Leyden, of the Woman's Christian Temperance Union and the Christian Endeavor Society of Wrights Corners, and of E. R. Creed and sundry other citizens, all in the State of New York, praying for the enactment of legislation to prohibit the sale of liquor in canteens of the Army and Navy and of Soldiers' Homes, and in immigrant stations and Government buildings; which were referred to the Committee on Military Affairs.

Mr. CHANDLER presented a petition of the Woman's Christian Temperance Union, the Mothers' Club, the Society of King's Daughters, the Epworth League, and the Young People's Society of Christian Endeavor, all of Newport, in the State of New Hampshire, and a petition of the Woman's Christian Temperance Union of Seabrook, N. H., praying for the enactment of legislation to prohibit the sale of liquor in canteens of the Army and Navy and of Soldiers' Homes, and in immigrant stations and Government buildings; which were referred to the Committee on Military Affairs.

He also presented a petition of the Woman's Christian Temperance Union, the Mothers' Club, the Society of King's Daughters, the Epworth League, and the Young People's Society of Christian Endeavor, all of Newport, in the State of New Hampshire, and a petition of the Woman's Christian Temperance Union of Seabrook, N. H., praying for the enactment of legislation to prohibit the transmission by mail or interstate commerce of pictures or descriptions of prize fights; which were referred to the Committee on the Judiciary.

He also presented a petition of the Woman's Christian Temperance Union, the Mothers' Club, the Society of King's Daughters, the Epworth League, and the Young People's Society of Christian Endeavor, all of Newport, in the State of New Hampshire, and a petition of the Woman's Christian Temperance Union of Seabrook, N. H., praying for the enactment of legislation to prohibit interstate gambling by telegraph, telephone, or otherwise; which were referred to the Committee on the Judiciary.

Mr. MITCHELL presented a petition of the Retail Clerks' Association of Sheboygan, Wis., praying for the passage of the eight-hour bill; which was referred to the Committee on Education and Labor.

Mr. NELSON presented a petition of the Minnesota Association of National Veterans, of Minneapolis, Minn., praying for the passage of the Navy personnel bill; which was ordered to lie on the table.

He also presented a petition of International Union, No. 14, Machine and Wood Workers' Association, of Minneapolis, Minn., praying for the passage of the eight-hour bill; which was referred to the Committee on Education and Labor.

Mr. FRYE presented a petition of the Hallowell Branch of the Granite Cutters' National Association, of Hallowell, Me., praying for the passage of the eight-hour bill; which was referred to the Committee on Education and Labor.

Mr. CULLOM presented petitions of the Sandwich Manufacturing Company, of Sandwich; of the National Association of Manufacturers, of Chicago, and of Hibbard, Bartlett, Spencer & Co., of Chicago, all in the State of Illinois, praying that an increase be made in the appropriation for the display of American manufactures at the world's fair in Paris in 1900; which were referred to the Committee on Appropriations.

He also presented a petition of the International Packing Company, of Chicago, Ill., praying that the rank of second lieutenant be granted to veterinary surgeons in the Army; which was referred to the Committee on Military Affairs.

He also presented a petition of the Old Tippecanoe Club, of Chicago, Ill., praying for the ratification of the treaty of peace; which was ordered to lie on the table.

He also presented memorials of Local Union No. 274, Cigar Makers' International Union, of Pekin; of Local Union No. 41, Cigar Makers' International Union, of Aurora, and of Local Union No. 71, Cigar Makers' International Union, of Elgin, all in the State of Illinois, remonstrating against the annexation of the Philippine Islands; which was referred to the Committee on Foreign Relations.

He also presented the petition of H. H. Windsor, of Chicago, Ill., and the petition of T. C. Chamberlin, editor of the Journal of Geology, of Chicago, Ill., praying for the establishment of a division of mines and mining in the United States Geological Survey; which were ordered to lie on the table.

He also presented the petition of R. Mathewson, of Vermont, Ill., praying for the enactment of legislation to prohibit the sale of liquor in canteens of the Army and Navy and of Soldiers' Homes, and in immigrant stations and Government buildings; to prohibit the transmission by mail or interstate commerce of pictures or descriptions of prize fights; for the maintenance of prohibition in Alaska; for the exclusion of polygamists from Congress, and to prohibit interstate gambling by telegraph, telephone, or otherwise; which was referred to the Committee on Military Affairs.

He also presented a memorial of the North Chicago Wirths Verein of Chicago, of the Menard County Liquor Dealers' Protective Association of Petersburg, of the Liquor Dealers' State Protective Association, the Liquor Dealers' Association of Oregon, and the South Side Liquor Dealers' Association of Chicago, all in the State of Illinois, remonstrating against additional restrictions being placed on the retail liquor dealer having distilled liquor in jugs, bottles, etc.; which were referred to the Committee on Finance.

He also presented a petition of the Citizens' Association of Chicago, praying that the civil-service law be applied to appointments in the proposed census office; which was referred to the Committee on the Census.

He also presented a memorial of the Illinois Commercial Men's Association of Chicago, Ill., remonstrating against the passage of the anti-scalping ticket bill; which was ordered to lie on the table.

He also presented petitions of the Omaha Packing Company, of Chicago; of Local Union No. 176, Iron Molders' Union, of Peoria, and of the Chapman & Smith Company, of Chicago, all in the State of Illinois, praying for the passage of the so-called Loud bill, relating to second-class mail matter; which were referred to the Committee on Post-Offices and Post-Roads.

He also presented a petition of the Christian Endeavor Society of the Presbyterian Church of Clinton, Ill., praying for the maintenance of prohibition in the Territory of Alaska, and also to prohibit the sale of intoxicating liquors in canteens of the Army and Navy and of Soldiers' Homes, and in immigrant stations and Government buildings; which was referred to the Committee on Military Affairs.

He also presented petitions of the Chicago Third Branch, No. 662, Amalgamated Society of Carpenters and Joiners, of Chicago; of Bellamy Lodge, No. 208, International Association of Machinists, of Bellamy, and of sundry citizens of Canton, all in the State of Illinois, praying for the passage of the eight-hour bill; which were referred to the Committee on Education and Labor.

Mr. ALDRICH. I present a petition of the National Business Men's League, signed by prominent citizens and business firms of Boston, Providence, and St. Louis, recommending the acquisition and retention of the territory formerly belonging to Spain, other than that of Cuba, until such a time as Congress may determine their final disposition. I move that the petition lie on the table.

The motion was agreed to.

Mr. FAIRBANKS. On behalf of my colleague [Mr. TURPIE], who is detained from the Senate by illness, I present sundry petitions and memorials for appropriate reference.

The petitions were referred as follows:

A petition of the Indianapolis Brewing Company, of Indianapolis, Ind., praying for the passage of the so-called Loud bill, relating to second-class mail matter—to the Committee on Post-Offices and Post-Roads.

A memorial of Local Union No. 62, Cigar Makers International Union, of Richmond, Ind., remonstrating against any extension of the sovereignty of the United States over the Philippine Islands in any event, etc.—to the Committee on Foreign Relations.

A petition of Eureka Lodge, No. 14, Brotherhood of Locomotive Firemen, of Indianapolis, Ind., and a petition of Local Union No. 244, United Mine Workers of America, of Brazil, Ind., and of Federal Labor Union, No. 7145, American Federation of Labor, of Brazil, Ind., praying for the passage of the eight-hour bill—to the Committee on Education and Labor.

Petitions of sundry citizens of Plummer, Kokomo, and Irvington, all in the State of Indiana, praying for the enactment of legislation to prohibit the sale of liquor in canteens of the Army and Navy and of Soldiers' Homes, and in immigrant stations and Government buildings—to the Committee on Military Affairs.

Mr. FAIRBANKS presented a petition of Eureka Lodge, No. 14, Brotherhood of Locomotive Firemen, of Indianapolis, Ind., and of Indianapolis Division, No. 11, Brotherhood of Locomotive Engineers, of Indianapolis, Ind., praying for the passage of the eight-hour bill; which was referred to the Committee on Education and Labor.

He also presented the petitions of Isaac Simmons and 34 other citizens of South Whitley, S. M. Robbins and 27 other citizens of Cayuga, John Thomas and 28 other citizens of Azalia, George Girten and 46 other citizens of Millersburg, W. H. Fullenwider and 29 other citizens of Montezuma, R. B. Miller and 37 other citizens of Thorntown, V. N. Jones and 73 other citizens of Pinetop, W. C. Brothers and 34 other citizens of Anderson, Charles Davis and 47 other citizens of Marion, John W. Burdus and 45 other citizens of Marion, James Wyatt and 30 other citizens of Decatur, A. J. Rhodes and 44 other citizens of Fairfield, Otto May and 99 other citizens of Bloomington, R. E. Burns and 43 other citizens of Lebanon, Willis Cammack and 34 other citizens of Grant County, A. T. Farmer and 62 other citizens of Monroe City, Charles Harrison and 45 other citizens of Shelbyville, George T. Ragsdale and 43 other citizens of Birch Grove, Frank Scholes and 18 other citizens of St. Joe, J. C. Cox and 38 other citizens of Muncie, Ernest Carpenter and 22 other citizens of Millgrove, John H. Camp and 19 other citizens of Seymour, Oliver S. Dale and 12 other citizens of Marion, Ira McKenny and 58 other citizens of Delaware County, J. D. Brousy and 78 other citizens of Auburn, C. O. Butler and 27 other citizens of Honeycreek, W. C. Hall and 39 other citizens of Indianapolis, Dewitt C. Rodman and sundry citizens of Dana, R. M. Blackwood and 58 other citizens of Bloomington, I. C. Wolfe and 28 other citizens of Oaktown, W. H. Sanders and 38 other citizens of Rensselaer, T. J. Shively and 35 other citizens of Vincennes, F. E. Robinson and 52 other citizens of Paris Crossing, Isom Scott and 48 other citizens of Valley Mills, J. A. Grover and 19 other citizens of Frankfort, W. McK. Blake and 65 other citizens of Evansville, W. H. Ashley and 52 other citizens of Ladoga, Edgar Dick and 17 other citizens of Terre Haute, Samuel Anderson and sundry other citizens of Roann, William McCoy and 24 other citizens of Lagrange, M. L. Fisher and 14 other citizens of Bluffton, and of R. B. Drake and 41 other citizens of Indianapolis, all in the State of Indiana, praying for the enactment of legislation to prohibit the sale of liquor in canteens of the Army and Navy and of Soldiers' Homes, and in immigrant stations and Government buildings; which were referred to the Committee on Military Affairs.

Mr. BUTLER presented the petitions of E. C. Jones and 200 other citizens of Laurel, N. C., praying for the establishment of postal savings bank depositories; which were referred to the Committee on Post-Offices and Post-Roads.

Mr. HALE presented a petition of the Woman's Suffrage Association of Maine, praying for the adoption of an amendment to the Constitution of the United States conferring upon women the right of suffrage; which was referred to the Committee on Woman Suffrage.

He also presented a petition of the Women's Maine Indian Association, of Portland, Me., praying for the repeal of the act of January 14, 1889, in so far as it authorized the appointment of the Chippewa Commission; which was referred to the Committee on Indian Affairs.

Mr. COCKRELL presented a petition of sundry citizens of Chariton and Howard counties, Mo., praying that an additional appropriation of not less than $50,000 be made for the continuance and completion of the work on the Missouri River between the head of Harrisons Island and the foot of Bowling Green Bend; which was referred to the Committee on Commerce.

RICHARD M. HUSSEY.

Mr. GALLINGER. A day or two ago I reported from the Committee on Pensions the bill (H. R. 8955) granting an increase of pension to Richard M. Hussey. I desire to submit an affidavit to accompany the papers in connection with that bill.

The VICE-PRESIDENT. The paper will lie on the table.

REPORTS OF COMMITTEES.

Mr. GALLINGER, from the Committee on Pensions, to whom was referred the bill (H. R. 5712) granting a pension to Sarah A. Luke, reported it with an amendment, and submitted a report thereon.

Mr. SEWELL, from the Committee on Military Affairs, to whom

was referred the bill (H. R. 987) to correct the military record of Corydon Winkler, late private, Eighth Company, First Battalion, First Ohio Sharpshooters, reported it without amendment.

Mr. PETTUS, from the Committee on Military Affairs, to whom was referred the bill (H. R. 6327) appropriating $100 to John M. Turner, of Butler, Pa., late of Company E, Seventy-eighth Regiment Pennsylvania Volunteer Infantry, reported it without amendment, and submitted a report thereon.

He also, from the same committee, to whom was referred the bill (H. R. 4607) granting an honorable discharge to Charles Miller, reported it without amendment, and submitted a report thereon.

Mr. CARTER, from the Committee on Military Affairs, to whom was referred the bill (H. R. 6649) to remove the charge of desertion against James J. Fluke, reported it without amendment, and submitted a report thereon.

Mr. SHOUP, from the Committee on Territories, to whom was referred the bill (S. 5424) to amend an act entitled "An act to authorize the Denison and Northern Railway Company to construct and operate a railway through Indian Territory, and for other purposes, asked to be discharged from its further consideration, and that it be referred to the Committee on Indian Affairs; which was agreed to.

Mr. JONES of Arkansas, from the Committee on Indian Affairs, to whom was referred the bill (S. 5388) granting the right of way through Indian reservations to the Choctaw, Oklahoma, and Gulf Railroad Company, reported it without amendment.

Mr. BAKER, from the Committee on Pensions, to whom was referred the bill (S. 3543) to pension Mary E. Trimble, widow of Montague N. Trimble, of the Mexican war, submitted an adverse report thereon, which was agreed to; and the bill was postponed indefinitely.

Mr. PASCO, from the Committee on Military Affairs, to whom was referred the bill (H. R. 1794) to remove the charge of desertion now standing against George Alcott on the rolls of the War Department, reported it without amendment, and submitted a report thereon.

He also, from the same committee, to whom was referred the bill (H. R. 8607) to correct the military record of Sylvester F. Hildebrand, reported it with an amendment, and submitted a report thereon.

Mr. PETTIGREW, from the Committee on Indian Affairs, to whom was referred the bill (S. 3671) to authorize the Secretary of the Interior to fulfill certain treaty stipulations with the Chippewa Indians of the Mississippi and of Lake Superior, and making appropriation for the same, reported it without amendment.

Mr. NELSON, from the Committee on Commerce, to whom was referred the joint resolution (S. R. 229) recognizing the able and gallant services of Capt. Francis Tuttle, Revenue-Cutter Service, his officers and men of the *Bear;* also the heroic services of Lieuts. David H. Jarvis, Ellsworth P. Bertholf, and Dr. Samuel J. Call, composing the overland expedition to Point Barrow, Arctic Ocean, for the relief of imperiled whalers, reported it without amendment, and submitted a report thereon.

EXTENSION OF SHIPPING LAWS TO HAWAIIAN ISLANDS.

Mr. NELSON. I am directed by the Committee on Commerce, to whom was referred the bill (H. R. 11186) to extend the laws relating to commerce, navigation, and merchant seamen over the Hawaiian Islands ceded to the United States, to report it with amendments, and I ask for its immediate consideration.

The VICE-PRESIDENT. Is there objection to the present consideration of the bill?

Mr. GORMAN. Let it be read for information, that we may see what it is.

The Secretary read the bill and amendments.

The amendments of the Committee on Commerce were, in section 2, page 1, line 12, after the word "the," to strike out the words "islands ceded as aforesaid" and insert the words "United States;" and after the word "the," where it first appears in line 13, to strike out the words "7th day of July, 1898," and to insert "1st day of January, A. D. 1899;" so as to make the bill read:

Be it enacted, etc., That the laws of the United States relating to commerce, navigation, and merchant seamen are hereby extended to and over the island of Hawaii and all adjacent islands and waters of the islands ceded to the United States by the Government of Hawaii and accepted by joint resolution of Congress approved July 7, 1898, so far as such laws may be applicable.

SEC. 2. That the Commissioner of Navigation may make such regulations as he may deem expedient for the nationalization of all vessels owned by citizens of the United States on the 1st day of January, A. D. 1899, and which continued to be so owned up to the date of such nationalization and which had Hawaiian register, temporary or permanent.

SEC. 3. That the coasting trade between the islands aforesaid and any other portion of the United States shall be regulated in accordance with the provisions of law applicable to such trade between any two great coasting districts.

Mr. PETTIGREW. Is the request made to have this bill considered now?

The VICE-PRESIDENT. That is the request of the Senator from Minnesota.

Mr. PETTIGREW. I shall object to its consideration at the present time. I do not know that I shall continue my objection, but I should like to examine the report of the committee with regard to it.

The VICE-PRESIDENT. Objection is made; and the bill will be placed on the Calendar.

EMPLOYMENT OF STENOGRAPHER.

Mr. GALLINGER. I am directed by the Committee to Audit and Control the Contingent Expenses of the Senate, to whom was referred the resolution submitted by the Senator from Iowa [Mr. GEAR] on the 30th ultimo, to report it with an amendment, and I ask for its immediate consideration.

The Senate, by unanimous consent, proceeded to consider the resolution.

The amendment was, in line 2, after the word "twenty-sixth," to strike out "instant" and insert "ultimo;" so as to make the resolution read:

Resolved, That the stenographer employed to report a hearing on the 26th ultimo, before the subcommittee of the Committee on Agriculture and Forestry, relative to the establishment of a bureau of domestic science in the Department of Agriculture, be paid from the contingent fund of the Senate.

The amendment was agreed to.

The resolution as amended was agreed to.

BILLS INTRODUCED.

Mr. GORMAN (by request) introduced a bill (S. 5430) to abolish the office of justice of the peace within and for the District of Columbia, and for other purposes; which was read twice by its title, and referred to the Committee on the District of Columbia.

Mr. HANSBROUGH introduced a bill (S. 5431) granting the south half of northwest quarter of section 30, township 162 north, range 72 west, to the Lake Schutte Cemetery Corporation, of Dunseith, N. Dak., for cemetery purposes; which was read twice by its title, and referred to the Committee on Public Lands.

Mr. SULLIVAN introduced a bill (S. 5432) for the relief of Maria A. White; which was read twice by its title, and referred to the Committee on Claims.

He also introduced a bill (S. 5433) for the relief of the estate of James Roach, deceased, late of Hinds County, Miss.; which was read twice by its title, and referred to the Committee on Claims.

Mr. THURSTON (by request) introduced a bill (S. 5434) to authorize a trial of the outlet system of lowering the flood line and improving the low-water navigation of the Mississippi River and its tributaries, on the plan of "No cure, no pay;" which was read twice by its title, and referred to the Committee on Commerce.

Mr. GALLINGER introduced a bill (S. 5435) granting a pension to Emma J. McIntire; which was read twice by its title, and referred to the Committee on Pensions.

Mr. GEAR introduced a bill (S. 5436) granting a pension to Lucinda Corkhill; which was read twice by its title, and referred to the Committee on Pensions.

AMENDMENTS TO APPROPRIATION BILLS.

Mr. SEWELL submitted an amendment relative to the improvement of Arthur Kill Channel, New Jersey, intended to be proposed by him to the river and harbor appropriation bill; which was referred to the Committee on Commerce, and ordered to be printed.

He also submitted an amendment relative to the improvement of the channel between South Amboy and Great Beds Light, New Jersey, intended to be proposed by him to the river and harbor appropriation bill; which was referred to the Committee on Commerce, and ordered to be printed.

Mr. TURLEY submitted an amendment proposing an appropriation for the survey of Richland River from its mouth to Dayton, intended to be proposed by him to the river and harbor appropriation bill; which was referred to the Committee on Commerce, and ordered to be printed.

Mr. TILLMAN submitted an amendment authorizing the Secretary of the Treasury to pay to the governor of any State or Territory, or his duly authorized agents, the cost of transportation of all men enrolled or enlisted in the Volunteer Army, etc., intended to be proposed by him to the Army appropriation bill; which was referred to the Committee on Appropriations, and ordered to be printed.

PERSONNEL OF NAVY AND MARINE CORPS.

Mr. FRYE. I submit an amendment to the bill (H. R. 10403) to reorganize and increase the efficiency of the personnel of the Navy and Marine Corps of the United States. I move that it be printed, together with the accompanying table, and referred to the Committee on Naval Affairs.

The motion was agreed to.

Mr. TILLMAN submitted an amendment intended to be proposed by him to the bill (H. R. 10403) to reorganize and increase the efficiency of the personnel of the Navy and Marine Corps of the United States; which was referred to the Committee on Naval Affairs, and ordered to be printed.

REDUCTION IN NUMBER OF OFFICERS OF NAVY.

Mr. CHANDLER submitted the following resolution; which was considered by unanimous consent, and agreed to:

Resolved, That the Secretary of the Navy be directed to inform the Senate what reduction in the number of the officers of the Navy was effected under the operation of the act of August 5, 1882, including in his statement the number of the reduction in each branch of the service, the method by which the reduction was accomplished, and the date at which the reduction was completed in each branch of the service.

FRANCHISES IN CUBA AND PORTO RICO.

Mr. TILLMAN submitted the following resolution; which was considered by unanimous consent, and agreed to:

Resolved, That the President be requested, if not incompatible with the public interest, to inform the Senate whether any franchises or concessions of any character are being or have been granted by any municipality in Cuba and Porto Rico since the military occupation thereof by the United States; if so, what they are, for what length of time, and the authority by which they have been granted.

DIPLOMATIC AND CONSULAR APPROPRIATION BILL.

Mr. HALE. I ask the Chair to lay before the Senate the action of the House of Representatives upon House bill 11487.

The VICE-PRESIDENT laid before the Senate the action of the House of Representatives disagreeing to the amendments of the Senate to the bill (H. R. 11487) making appropriations for the diplomatic and consular service for the fiscal year ending June 30, 1900, and requesting a conference on the disagreeing votes of the two Houses thereon.

Mr. HALE. I move that the Senate insist upon its amendments and agree to the conference asked by the House of Representatives.

The motion was agreed to.

By unanimous consent, the Vice-President was authorized to appoint the conferees on the part of the Senate; and Mr. HALE, Mr. PERKINS, and Mr. FAULKNER were appointed.

SAMUEL S. M'DONALD.

Mr. GALLINGER. I ask for the immediate consideration of the bill (S. 5386) restoring to the pension roll the name of Samuel S. McDonald.

There being no objection, the Senate, as in Committee of the Whole, proceeded to consider the bill, which had been reported from the Committee on Pensions with an amendment, in line 7, before the words "Heavy Artillery," to insert "Volunteer"; so as to make the bill read:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to restore to the pension roll, subject to the provisions and limitations of the pension laws, the name of Samuel S. McDonald, late of Company I, First Regiment New Hampshire Volunteer Heavy Artillery, and pay him a pension at the rate of $50 per month.

The amendment was agreed to.

The bill was reported to the Senate as amended, and the amendment was concurred in.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

ACQUISITION OF TERRITORY.

Mr. SPOONER. I ask that the joint resolution introduced by the Senator from Missouri [Mr. VEST] be laid before the Senate.

The VICE-PRESIDENT. The Chair lays Senate joint resolution No. 191 before the Senate, which the Secretary will read.

The Secretary read the joint resolution (S. R. 191) declaring that under the Constitution of the United States no power is given to the Federal Government to acquire territory to be held and governed permanently as colonies, as follows:

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That under the Constitution of the United States no power is given to the Federal Government to acquire territory to be held and governed permanently as colonies.

The colonial system of European nations can not be established under our present Constitution, but all territory acquired by the Government, except such small amount as may be necessary for coaling stations, correction of boundaries, and similar governmental purposes, must be acquired and governed with the purpose of ultimately organizing such territory into States suitable for admission into the Union.

Mr. SPOONER. Mr. President, however it may seem to my brother Senators, I have always a reluctance to take the time of the Senate, which it is difficult to overcome, and I would not ask indulgence this morning if it were not for the fact that the questions presented by this and kindred resolutions are of grave importance and interest, and also for the fact that the position which duty, as I view it, constrains me to take upon this treaty (which has been made public) might seem, without explanation of my views upon it, to be inconsistent with the attitude which I felt obliged to take upon the annexation of the Hawaiian Islands. I have not in the slightest degree changed my mind as to that measure, either in relation to the general policy underlying it or as to the manner in which it was accomplished.

Constitutional objections are presented here, beginning with that suggested by the resolution now before the Senate, which are of course important. The debate upon them has been a notable one. The Senators from Connecticut [Mr. PLATT], from Colorado [Mr. TELLER], from Ohio [Mr. FORAKER], and from Minnesota [Mr. NELSON] have very ably presented the views upon that subject which generally I entertain. I find no objection to this treaty upon constitutional grounds. I shall take little time, however, in debate upon these questions.

If I thought the resolution called the "Vest resolution" to be based upon a sound construction of the Constitution, and that the United States has no power to acquire territory except with a view to "statehood," I could not vote to accept any cession for any purpose, for any time, of the Philippine Archipelago, for I am frank to say I can conceive of no circumstances under which I could ever give my consent to the admission of the Philippine Archipelago as a State or as States into the Union.

This Philippine proposition is one of the fruits of the war. To me it is one of the bitter fruits of the war. I wish with all my heart we were honorably quit of it. The doctrine of the "Vest resolution" is based upon the opinion of Chief Justice Taney in the Dred Scott case (19 Howard, 393).

If the opinion of Judge Taney were right in its major premise his conclusion would almost inevitably follow. In that case Chief Justice Taney said:

There is certainly no power given by the Constitution to the Federal Government to establish or maintain colonies bordering on the United States or at a distance, to be ruled and governed at its own pleasure, *nor to enlarge its territorial limits in any way except by the admission of new States.* That power is plainly given; and if a new State is admitted it needs no further legislation by Congress, because the Constitution itself defines the relative rights and powers and duties of the State and the citizens of the State and the Federal Government. But no power is given to acquire a territory to be held and governed permanently in that character.

That is, in the character of a Territory.

Now, if the only power under which the United States could acquire territory is the power to admit new States, which is vested in Congress, it would seem inevitably to follow that territory acquired in the exercise of that implied power must be acquired "with a view to statehood." It is difficult for me to see how, under the power given to Congress to admit new States, *Congress* could acquire territory. Congress can not negotiate for the acquisition of territory. It never has attempted to do it so far as I know until perhaps the annexation of the Hawaiian Islands.

Mr. HOAR. And in the case of Texas?

Mr. SPOONER. Texas, Congress admitted *as a State*. It never acquired it *as a Territory*. *Congress* has never before attempted to acquire territory. By the treaty-making power territory may be acquired. It is not acquired, however, by Congress. It is acquired by the President, with the requisite ratification of the Senate. The Congress may appropriate money required to effectuate such a treaty or it may refuse, but nothing Congress can do can add the territory to the United States.

The Congress may declare war. The President carries it on. Congress declares war, but Congress can not make peace. It can not dictate the terms of peace. That is for the President and the Senate. So I have not thought of a situation in which *Congress*, in the exercise of the implied power drawn by Chief Justice Taney from this power to admit "new States," can acquire territory.

Mr. BACON. We acquired Hawaii in that way.

Mr. SPOONER. I have referred to that. I regarded that as without the constitutional authority of Congress, and I never have heard, nor do I expect to hear, a satisfactory answer to the argument submitted by the Senator from Georgia [Mr. BACON] upon the constitutionality of that proposition.

The contention of Chief Justice Taney, that the United States can acquire territory only with a view to statehood, is necessarily based upon the assumption that it can acquire territory only from the power implied in the words, "New States may be admitted by the Congress into the Union." If this assumption be not true, the foundation of Chief Justice Taney's conclusion falls. It is really altogether too late in the history of this Government to consider debatable the question whether power exists in the United States, outside of that clause of the Constitution upon which Chief Justice Taney's opinion was based, to acquire territory. It has been settled otherwise by the action of the Government from the beginning, in the acquisition of territory, and by repeated decisions of the Supreme Court of the United States.

Territory may be acquired under the treaty-making power. If anything is settled, that is settled. It began with the acquisition of Louisiana, and ended with the acquisition of Alaska.

The power to make treaties is, under the Constitution, absolutely without limit, except, of course, certain inherent limitations. Certainly a treaty may not be made which would violate the Constitution, attempt to dismember a State, or to destroy our form of government.

Judge Duer, in his work upon the Constitution, well states the limitations thus:

More general and extensive terms also are used in vesting the power with respect to treaties than in conferring that relative to laws.

This is accurate and significant. He continues:

The power must, indeed, be construed in subordination to the Constitution; and however, in its operation, it may qualify, it can not supersede or interfere with any other of its fundamental provisions, nor can it ever be so interpreted as to destroy other powers granted by that instrument. A treaty to change the organization of the Government, or annihilate its sovereignty, or overturn its republican form, or to deprive it of any of its constitutional powers, would be void; because it would defeat the will of the people, which it was designed to fulfill. (Duer's Constitutional Jurisprudence, page 228.)

It was said by the Supreme Court in De Geofroy *vs.* Riggs (133 U. S., 258), as to the treaty-making power and its limitations, as follows:

The treaty power, as expressed in the Constitution, is in terms unlimited except by those restraints which are found in that instrument against the action of the Government or of its departments, and those arising from the nature of the Government itself and of that of the States. It would not be contended that it extends so far as to authorize what the Constitution forbids, or a change in the character of the Government or in that of one of the States, or a cession of any portion of the territory of the latter without its consent. (Fort Leavenworth R. Co. *vs.* Lowe, 114 U. S., 525, 541.) But, with these exceptions, it is not perceived that there is any limit to the questions which can be adjusted touching any matter which is properly the subject of negotiation with a foreign country. (Ware *vs.* Hylton, 3 U. S., 3 Dall., 199; Chirac *vs.* Chirac, 15 U. S., 2 Wheat., 259; Huenstein *vs.* Lynhan, 100 U. S., 483; Droit d'Aubaine, 8 Ops. Atty. Gen., 417.)

Nor is the treaty-making power the only power by which under the Constitution the United States can acquire territory. It necessarily follows from the war power. To Congress is given the power to declare war. This involves the power, of course, to make or carry on war. The power in a government to declare and make or carry on war involves, *ex necessitate rei*, the power to make peace and to dictate, if a victor, the terms of peace. There is no purpose to be found in the Constitution to limit the power of the National Government, war having been declared and carried on, as to the terms of peace. This Government has the power, therefore, at the end of a war, to exact anything as a part of the terms of settlement which any other government has the power to exact.

No one would contend, I apprehend, that war being declared and carried on, this Government has not the power to demand, as a condition of peace, indemnity to its citizens for violated treaties, to itself for reimbursement of war expenses, and even more than that. No one, I think, will say that when the United States declares and engages in war, offensive or defensive, it may not justly claim the right and power, if successful, which the rules of war and international law give to other nations succeeding in war. If this is true, the Government of the United States has, under the war power, the right to acquire territory, either by conquest or, what is substantially the same thing, exacted indemnity.

If the government with which the war is waged be bankrupt, and therefore has ability only to respond by cession of territory, it is difficult to conceive of any reason why the United States, the victor in a war, may not demand, by right of conquest or as indemnity, the cession of territory. If, indeed, the nation vanquished be the most opulent of nations and able to respond by way of money indemnity, no reason can easily be perceived why, if territory is to the conquering government, by reason of its strategic situation or otherwise, of greater value from the national standpoint than money, it may not demand territory. In other words, I can find nothing in the Constitution warranting the contention that the United States, involved in successful war, is not as unfettered in its conditions of peace as any government upon the earth would be.

The right to acquire territory either under the treaty-making power or under the war-making power not only clearly exists, from the language of the Constitution itself, but has been many times declared by the Supreme Court of the United States, as it has been exercised by the Government in its history.

Chief Justice Marshall, who was a contemporary of the men who framed the Constitution, and who will always be recognized, I think, as its greatest and most accurate expounder, said, in American Insurance Company *vs.* Canter (1 Peters, 511):

The Constitution confers *absolutely* on the Government of the Union the powers of making war and of making treaties; consequently that Government possesses the power of acquiring territory, either by conquest or by treaty.

In Fleming *vs.* Page (9 Howard, 614) the Supreme Court, through Mr. Chief Justice Taney, said:

The United States, it is true, may extend its boundaries by conquest or treaty and may demand the cession of territory as a condition of peace, in order to indemnify its citizens for the injuries they have suffered or to reimburse the Government for the expenses of the war; but this can be done only by the treaty-making power or legislative authority, and is not a part of the power conferred upon the President by the declaration of war.

I confess I do not quite understand what is meant by the words "legislative authority."

The power also to acquire territory by conquest is clearly affirmed in Cross *vs.* Harrison (16 How., 189). It has also been affirmed repeatedly by the Supreme Court in other cases, to which I shall briefly refer upon another branch of my argument.

I repeat that it can not be successfully denied that the United States may by the treaty-making power acquire territory. The acquisition under the treaty-making power, independent of its function in settling a war, would be either a purchase, an interchange, or a settlement of some boundary controversy.

Again, I think that the position, with very great ability elaborated by the Senator from Connecticut, is well sustained that if the Constitution were silent as to the treaty-making power and the power to declare war, the United States would, nevertheless, be empowered under the Constitution to acquire territory, as an inherent element of sovereignty.

That by the Constitution the States created a nation can not well be disputed. It has been admitted by other governments from its foundation, has been many times declared by the Supreme Court of the United States, and determined by an irreversible decree of the God of battles.

Under the Confederation the States possessed the power to wage war, to deal with other governments, and to acquire and dispose of territory. All of this power by the Constitution they surrendered to the Federal Government, and by that instrument they vested all sovereignty in that Government for national purposes which they did not reserve to the States or to the people. The powers referred to are reserved to neither. Therefore, they were vested in the Government of the United States.

It inheres in sovereignty to contract with other nations, to wage war, either of conquest or defense, to acquire territory, and to dispose of it. I think if the power to declare war was not expressly given in the Constitution to Congress it would, nevertheless, have existed, and would have been vested in the President as one of the executive functions given by the Constitution to him. I say this because, as I remember, at the adoption of the Constitution the power to declare war was in all governments an executive function, subject, of course, in many to the parliament or law-making power to regulate that power by its control of the purse. This is quite well recognized by the Supreme Court of the United States, but I can not take the time to cite the cases in this connection.

Hall, in his work on International Law, section 9, pages 47–50, says:

The rights of a state with respect to property consist in the power to acquire territory, * * * in being entitled to peaceable possession and enjoyment of that which it has duly obtained, and in the faculty of using its property as it chooses and alienating it at will.

Pomeroy, in his lectures on International Law, edited by Woolsey, page 198, says:

A state being regarded in our law as a body politic or distinct moral being, naturally sovereign and independent, it is considered capable of the same rights, duties, and obligations, with respect to other individuals. Among the most important of these natural rights, is that of acquiring, possessing, and enjoying property. * * * A sovereign has the same absolute right to dispose of its territorial, or rather public, property as it has to acquire such property.

It was the obvious intention of the framers of the Constitution, and of the States which ratified it, to create by that instrument a national sovereignty which should have all powers not reserved to the States or the people, or limited by the instrument itself. The authorities cited by the distinguished Senator from Connecticut upon this point are entirely adequate.

I am not at liberty, with the pressure upon me as to time and otherwise, to stop to comment upon them, or to cite others. I utterly deny that it was the purpose of the framers of the Constitution to confer upon the National Government the power to make treaties with other limitations than those to which I have referred, or to declare war, and to deny the power possessed by other sovereignties in closing war.

And so, in my view, it is established that the assumption of Chief Justice Taney in the Dred Scott case, that the power of the Government to acquire territory is exclusively implied from the power given to Congress to admit new States into the Union, is without warrant in the Constitution, and that with the successful impeachment of his premises his conclusion falls, and that, therefore, the resolution of the Senator from Missouri, predicated mainly upon the opinion of Chief Justice Taney in the Dred Scott case, is without foundation.

That was a great political case, Mr. President. I was taught from the time it was made to look with aversion upon it. In maturer years I am not so certain that all of the criticisms made upon it were justified, but, upon the whole, so far at least as the opinion relates to the subject under debate, it may fairly be said that the argument of the great Chief Justice was such an one as an able, learned, subtle, and ingenious lawyer would have made who held a brief for African slavery. It is impossible to obscure the fact that running through the entire opinion, concealed in many places, was the motive, and I say this without imputation upon his patriotism or integrity, to safeguard the interests of African slavery, to overturn the Missouri compromise, and to establish the right of the slaveholder to carry his human property into the Territories as freely as he could carry any other property, protected by the Constitution, and beyond obstruction by Congress or Territorial enactment.

But the opinion ceased long ago to be regarded as the law of the

land or a correct interpretation of the Constitution in the respect of which I am speaking. I have marveled, in view of the accuracy of his reasoning, and the wealth of learning displayed by him in other opinions, that he was willing in this great case to limit the Government in the acquisition of territory to a mere implication from the power to admit new States.

Conceding, Mr. President, the power, by treaty of purchase or as a condition of peace, or in the exercise of an inherent sovereignty surrendered by the States to the Government of the United States, to acquire territory, I have not been able to find (some Senators may be able to do so) any limitation in the Constitution as to its locality, any warrant for the contention that it must be contiguous to the continent upon which we live. It may be, or it may not be, good policy to acquire distant territory "over seas," but, so far as the matter of power is concerned, I have not been able to find any restriction geographical in its character.

I have done, Mr. President, with all discussion as to the power of the Government of the United States to acquire territory. I pause for a moment to discuss its power to govern territory. It would seem not needful that there should be judicial determination to establish the existence of this power. In the very nature of things, the power to acquire territory and to hold it involves the power to govern it. To say that the United States may acquire territory, but may not govern it, would be an obvious absurdity. But the Constitution is not silent upon this subject. It says:

The Congress shall have power to dispose of and make all needful rules and regulations respecting the territory or other property belonging to the United States.

That the power to acquirp by treaty or by war necessarily implies the power to govern was asserted by Chief Justice Marshall in Sere and Laralde *vs.* Pitot and others (6 Cranch., 337). He says:

The power of governing and of legislating for a Territory is the inevitable consequence of the right to acquire and to hold territory. Could this position be contested, the Constitution of the United States declares that "Congress shall have power to dispose of and make all needful rules and regulations respecting the territory or other property belonging to the United States." Accordingly, we find Congress possessing and exercising the *absolute* and *undisputed* power of governing and legislating for the Territory of Orleans. Congress has given them a legislative, an executive, and a judiciary, with such powers as it has been their will to assign to those departments respectively.

The suggestion that we can acquire territory which we can not govern would be rejected by anyone. Chancellor Kent says (1 Commentaries, page 385):

It would seem, from these various Congressional regulations of the Territories belonging to the United States, that Congress have supreme power in the government of them, depending on the exercise of their sound discretion. That discretion has hitherto been exercised in wisdom and good faith, and with anxious regard for the security of the rights and privileges of the inhabitants, as defined and declared in the ordinance of July, 1787, and in the Constitution of the United States. "All admit," said Chief Justice Marshall (4 Wheaton, 422), "the constitutionality of a Territorial government."

The Supreme Court of the United States has said, Mr. Justice Bradley speaking for the court, in the case of the Late Corporation of Latter-Day Saints *vs.* United States (136 U. S., 1):

The power of Congress over the Territories of the United States is general and plenary, arising from and incidental to the right to acquire the territory itself, and from the power given by the Constitution to make all needful rules and regulations respecting the territory or other property belonging to the United States. It would be absurd to hold that the United States has power to acquire territory and no power to govern it when acquired. The power to acquire territory other than the territory northwest of the Ohio River (which belonged to the United States at the adoption of the Constitution) is derived from the treaty-making power and the power to declare and carry on war. The incidents of these powers are those of national sovereignty and belong to all independent governments. The power to make acquisitions of territory by conquest, by treaty, and by cession is an incident of national sovereignty.

The Territory of Louisiana, when acquired from France, and the Territories west of the Rocky Mountains, when acquired from Mexico, became the absolute property and domain of the United States, subject to such conditions as the Government, in its diplomatic negotiations, had seen fit to accept relating to the rights of the people then inhabiting those Territories. Having rightfully acquired said Territories, the United States Government was the only one which could impose laws upon them, and its sovereignty over them was complete. No State of the Union had any such right of sovereignty over them; no other country or government had any such right. These propositions are so elementary and so necessarily follow from the condition of things arising upon the acquisition of new territory that they need no argument to support them. They are self-evident.

Chief Justice Marshall, in the case of the American and Ohio Insurance Companies *vs.* 356 Bales of Cotton (26 U. S., 1 Pet., 511, 542), well said: "Perhaps the power of governing a Territory belonging to the United States, which has not, by becoming a State, acquired the means of self-government, may result necessarily from the facts that it is not within the jurisdiction of any particular State, and is within the power and jurisdiction of the United States. The right to govern may be the inevitable consequence of the right to acquire territory. Whichever may be the source whence the power is derived, the possession of it is unquestioned."

And Mr. Justice Nelson, delivering the opinion of the court in Benner *vs.* Porter (50 U. S., 9 How., 235, 242), speaking of the Territorial governments established by Congress, says: "They are legislative governments, and their courts legislative courts, Congress, in the exercise of its powers in the organization and government of the Territories, combining the powers of both the Federal and State authorities."

Chief Justice Waite, in the case of First National Bank *vs.* Yankton County (101 U. S., 129, 133), said: "In the organic act of Dakota there was not an express reservation of power in Congress to amend the acts of the Territorial legislature, nor was it necessary. Such a power is an incident of sovereignty, and continues until granted away. Congress may not only abrogate laws of the Territorial legislatures, but it may itself legislate directly for the local government. It may make a void act of the Territorial legislature valid, and a valid act void. In other words, it has full and complete legislative authority over the people of the Territories and all the departments of the Territorial governments. It may do for the Territories what the people, under the Constitution of the United States, may do for the States."

In a still more recent case, and one relating to the legislation of Congress over the Territory of Utah itself, Murphy *vs.* Ramsey (114 U. S., 15, 44), Mr. Justice Matthews said: "The counsel for the appellants in argument seemed to question the constitutional power of Congress to pass the act of March 22, 1882, so far as it abridges the rights of electors in the Territory under previous laws. But that question is, we think, no longer open to discussion. It has passed beyond the stage of controversy into final judgment. The people of the United States, as sovereign owners of the national Territories, have supreme power over them and their inhabitants. In the exercise of this sovereign dominion they are represented by the Government of the United States, to whom all the powers of government over that subject have been delegated, subject only to such restrictions as are expressed in the Constitution or are necessarily implied in its terms."

The Supreme Court say, in Murphy *vs.* Ramsey (114 U. S.):

The people of the United States, as sovereign owners of the national Territories, have supreme power over them and their inhabitants. In the exercise of this sovereign dominion they are represented by the Government of the United States, to whom all the powers of government over that subject have been delegated, subject only to such restrictions as are expressed in the Constitution, or are necessarily implied in its terms, or in the purposes and objects of the power itself; for it may well be admitted in respect to this, as to every power of society over its members, that it is not absolute and unlimited. But in ordaining government for the Territories and the people who inhabit them, all the discretion which belongs to legislative power is vested in Congress; and that extends, beyond all controversy, to determining by law from time to time the form of the local government in a particular Territory and the qualifications of those who shall administer it.

It rests with Congress to say whether, in a given case, any of the people resident in the Territory shall participate in the election of its officers or the making of its laws; and it may, therefore, take from them any right of suffrage it may previously have conferred, or at any time modify or abridge it, as it may deem expedient. The right of local self-government, as known to our system as a constitutional franchise, belongs, under the Constitution, to the States and to the people thereof, by whom that Constitution was ordained, and to whom by its terms all power not conferred by it upon the Government of the United States was expressly reserved. The personal and civil rights of the inhabitants of the Territories are secured to them, as to other citizens, by the principles of constitutional liberty which restrain all the agencies of government, State and national; their political rights are franchises which they hold as privileges in the legislative discretion of the Congress of the United States.

I do not take the time to cite other cases.

Chief Justice Taney sought to emasculate the constitutional provision which gives to Congress the power to dispose of and make all needful rules and regulations respecting the territory or other property belonging to the United States by holding—

That the power given by this language, whatever it may be, is confined, and was intended to be confined, to the territory which at that time belonged to or was claimed by the United States and was within their boundaries as settled by the treaty with Great Britain, and can have no influence upon a Territory afterwards acquired from a foreign government.

This remarkable proposition he supported by ingenious reasoning. It is repudiated by the Supreme Court in many cases and in the constant practice of Congress in the government of the Territories. I think it may safely be said it never has received the approval of the profession. It is difficult to understand how such a construction should ever have received the sanction of so great a name.

The framers of the Constitution were not making the Constitution to operate for a limited time. They were wise men; they were building a government which they hoped would last forever; they were careful in framing the instrument to use general language. As has been said by a great Chief Justice, it is not an instrument of definitions. The framers knew, as I have had occasion once before to remark to the Senate, the danger of detail, and they used language elastic in its nature and clearly expressing the power conferred in general terms and leaving full play for necessary implied powers; and it is the glory of their work that the instrument which they made for the government of a few States is as well adapted to-day for the government of forty-five States, and would be for a government of a hundred States.

Mr. BACON. If the Senator does not object, I desire to occupy just a moment of his time, in order that there may be a correction of what I think is a mistaken statement on his part.

Mr. SPOONER. I yield to the Senator.

Mr. BACON. The Senator says that the doctrine as to the unconstitutionality of annexing territory originated with Judge Taney in the celebrated Dred Scott case, and that it was promulgated for the purpose indicated by him, for the maintenance of African slavery. I desire, Mr. President, without unduly occupying his time, to call the attention of the Senator to the fact that precisely the same contention was made on the floor of Congress in the year 1811 by Mr. Quincy, of Massachusetts, the grandfather, I believe, of the present mayor of Boston, in which he took the position, not, certainly, in the interest of the maintenance of African slavery, that the acquisition of foreign territory by the United States Government was not only unconstitutional, but that such acquisition would be a sufficient reason why New England should withdraw from the Federal Union. That was in the year of 1811, forty years and more before the pronouncement of the Dred Scott decision.

Mr. SPOONER. Oh, Mr. President, I did not have in mind propositions that had been made on the floor of Congress. I was speaking of judicial decisions.

Mr. BACON. These are generally political questions.

Mr. SPOONER. I know of no judicial declaration of this kind except in the Dred Scott decision.

Mr. BACON. It had never been before the court.

Mr. SPOONER. Judicial decisions are what I had in my mind.

Now, what conceivable reason could there be for limiting the power of the Government, under this language, to territory then acquired and excluding from its operation territory thereafter to be acquired?

> The Congress shall have power to dispose of and make all needful rules and regulations respecting the territory or other property belonging to the United States.

The language is general. It was prospective in its operation. There was no possible reason for restricting it. It never could have entered the minds of the framers of the Constitution that no territory would ever be acquired except that which had been acquired at the time of the adoption of this instrument, and there would be as much reason in limiting the power to dispose of "other property" and to make needful rules and regulations for the disposal of "other property" as of territory. It is impossible to restrict this power of Congress as to the territory and not say at the same time that it was intended to be restricted as to "property," the word which follows "territory;" and can any man imagine a reason why the framers of the Constitution should have desired to restrict the power of Congress "to dispose of and make all needful rules and regulations respecting the territory or other property" to property then owned by the United States?

I mention that, Mr. President, to show once more how utterly unreasonable and without foundation is this decision, so far as it respects the question I am discussing; how impossible it is in the very nature of things that it could be a permanent construction of our Constitution, and as further warrant also for the opinion that it had its origin in the purpose which I have mentioned.

I do not wish to take much time to discuss the question further as to how we may govern territory. I do not care to debate the question whether *ex proprio vigore* the Constitution is over the Territories. I have no doubt myself—and I think the authorities clearly sustain it—that the Constitution, so far as it relates to government, was intended for the States. It was made by the States.

The Supreme Court says, in Murphy *vs.* Ramsey, supra:

> The right of local self-government, as known to our system as a constitutional franchise, belongs, under the Constitution, to the States and to the people thereof, by whom that Constitution was ordained, and to whom by its terms all power not conferred by it upon the Government of the United States was expressly reserved.

The Territories are not and never have been consulted, nor can they be in the government of the States; they have no voice in the election of President; they can not be represented in the Halls of Congress; they can not elect or appoint Senators of the United States—only the States can do that; they have no voice in amending the Constitution of the United States—the States alone can do that.

The Territorial courts are not courts of the United States. They are courts created by Congress. The judges in the Territories, although appointed by the President and confirmed by the Senate, are not judges of the United States. They derive their jurisdiction from the legislation of Congress. As is said by Chief Justice Marshall, in Insurance Company *vs.* Canter:

> These courts, then, are not constitutional courts, in which the judicial power conferred by the Constitution on the General Government can be deposited. They are incapable of receiving it. They are legislative courts, created in virtue of the general right of sovereignty which exists with the Government or in virtue of that clause which enables Congress to make all needful rules and regulations respecting the territory belonging to the United States. The jurisdiction with which they are invested is not a part of that judicial power which is defined in the third article of the Constitution, but is conferred by Congress in the execution of those general powers which that body possesses over the Territories of the United States.

The United States as a sovereignty derives its power from the States, and consists of the States. The Territories are not a part of the United States. They are not members of the Federal Union.

The Government created and maintained for and by the States and the people of the States governs the Territories under the power given in the Constitution to Congress to govern the Territories; and, Mr. President, in my judgment—and I think the contention is entirely in harmony with the Constitution and with the decisions—Congress may govern the Territories as it chooses so far as civil government is concerned. I do not now speak of the limitations upon Congressional power growing out of the bill of rights. I do not contend here that Congress, legislating for the Territories, can deprive persons therein of the right of trial by jury, of the benefit of the writ of habeas corpus, of religious liberty, or that Congress could pass a law taking the property of A and giving it to B in a Territory.

> The personal and civil rights of the inhabitants of the Territories are secured to them, as to other citizens, by the principles of constitutional liberty which restrain all the agencies of government, State and national. Their political rights are franchises which they hold as privileges in the legislative discretion of the Congress of the United States. (Murphy *v.* Ramsey, *supra.*)

The power of Congress seems to be quite supreme as to the government which it shall provide for a Territory. I am speaking of civil government, not personal rights.

The guaranty in the Constitution of republican government is to the "State," not to any Territory. Congress may govern Territories through a governor. It has often provided for laws to be enforced in the Territories made by a governor and a council. It may give to the people of the Territories self-government or it may withhold it. It may give them the privilege to vote or it may withhold it, or, having given it, it may modify that privilege or it may take it away, as the Supreme Court decided in the Mormon Church case. It may abrogate any law enacted in the Territory.

This power of Congress over the Territories, as broadly as I claim it, has not only been declared by the Supreme Court more than once, but, as was shown by the Senator from Colorado [Mr. TELLER], has been exercised by Congress from the beginning. The legislation as to the Territories has been varied. It has been so enacted as to adapt itself to the needs of the different communities. That is the language and the spirit of the Constitution. It was intended that great latitude should be left to Congress. It was not supposed that the same laws and the same system of government would be adapted to every people in every Territory which in the course of time might be acquired by the United States. So Congress is given the power "to make all *needful* rules and regulations."

That word "needful" in this connection is a large word. It was meant to be a large word. There was a wise purpose in using it, and that was to give to Congress the power to adapt its legislation as to government and otherwise within the limitations I suggested to the wants of different communities. What might suit the situation in the Territory of Orleans might not suit the situation in some other Territory acquired by the United States.

There is another thing here, Mr. President, in this language which sustains the view that the Constitution in the governmental sense was not made for the Territories, but was made really for the Government of the United States. The Territories are considered *property* of the United States. They are referred to in the Constitution as "belonging" to the United States. The power is given here to dispose of territory. There can be no greater evidence or exercise of dominion than that. What restriction is there upon the power of Congress, when we have acquired territory, to govern it and to govern its people by such form of government as it deems needful, bearing in mind always—that I will not contend against—that when we have organized a Territory, and are making laws for the Territory, those personal rights guaranteed by the Constitution are to be observed?

Senators do not like the word "colony." I do not like it. It is certainly not accurate as applied to the Philippines. It has been well said, "The meaning of it is too well fixed to admit of ambiguous sense even in a popular harangue, much less in a judicial decision. It always means a body of cultivators transplanted by the Government to a distant possession and governed and protected there by the mother country, of which it is to be always the dependent, never the equal. * * * Distance, governmental transplantation, perpetual inferiority is their inexorable characteristic." I should think better of the Philippines if they were within this definition a "colony." The word "territory" is the word for us to use, however, because it is the word adopted by the framers of the Constitution. But I know of no reason why, under the Constitution, a Territory and its people may not be forever governed by Congress, if that shall be determined to be the true policy of the country, absolutely safeguarding every one of those great personal rights, concerning which so much has been said here, that no person shall be subject for the same offense to be twice put in jeopardy of life or limb, that no man shall be deprived of his property without due process of law, that no man shall be deprived of his religious liberty, that no man shall be deprived of the right of trial by jury. I take it that in the Territory of Alaska, where there is no self-government, those rights are all safeguarded.

Mr. TILLMAN. Will the Senator allow me to ask him a question?

Mr. SPOONER. Yes.

Mr. TILLMAN. Do those rights, which the Senator has just given us a list of, include the right to move from one part of this country to another?

Mr. SPOONER. I think so.

Mr. TILLMAN. From the Territories into the States?

Mr. SPOONER. I think so.

Mr. TILLMAN. In other words, the annexation of the Philippines would carry with it the right, under the law and the Constitution, for any one of those people to come here?

Mr. SPOONER. I think so. I do not care to discuss that now, but for the purposes of what I have to say I am disposed to admit it.

Mr. PLATT of Connecticut. They have that right now.

Mr. SPOONER. We could exclude them now, and possibly we could then. Until they are excluded by law, every one has a right to come here. Whether we could prevent the people of a Territory from leaving the Territory, or prevent them from going into one of our States, I do not care to discuss. The Senator from Connecticut [Mr. PLATT] thinks we could. I have grave doubts about it.

This thing, I think, is true, Mr. President, that the status of persons whose allegiance to another power is changed by a transfer of territory to us is fixed by the treaty primarily. Congress may change it. Ordinarily a treaty is a mere compact between nations. A treaty under our Constitution is more than that; it is the supreme law of the land; it is a law made only by the President and a part of this body; but it is just as much the law of the land, defining and securing rights under it, as an act of Congress passed under the Constitution.

Mr. MALLORY. Subject to the Constitution, however.

Mr. SPOONER Subject to the Constitution, certainly.

Mr. TILLMAN. Will the Senator allow me now? I do not want to interrupt him.

Mr. SPOONER. I have no objection to being interrupted, except that I want to get through. But what is the Senator's question?

Mr. TILLMAN. It is this: Under the treaty, if we ratify it, everybody will concede, I believe, that those people would owe allegiance to this Government and obedience to its laws?

Mr. SPOONER. Until the treaty is ratified?

Mr. TILLMAN. After its ratification. Does anybody deny that?

Mr. SPOONER. Well; admit it.

Mr. TILLMAN. You admitted the other, and I would not have interrupted you if the Senator from Connecticut had not.

Mr. SPOONER. Admit it.

Mr. TILLMAN. You admit that the right which we obtain over the lives and property of those people must carry with it the corollary right of those people to be protected by our laws to the extent of going where they please in this country?

Mr. SPOONER. That rather begs the question.

Now, take the case of Hawaii. There had been a government which we had recognized as a government; the other nations of the world had recognized it as an independent government; Congress acquired it by joint resolution; but it was not thought that the Constitution and the laws of the United States *ex proprio vigore* extended over it. Congress put this provision in the act, and it is found in substance in almost all similar acts:

> Until Congress shall provide for the government of such islands all the civil, judicial, and military powers exercised by the officers of the existing government in said islands shall be vested in such person or persons and shall be exercised in such manner as the President of the United States shall direct, and the President shall have power to remove said officers and fill the vacancies so occasioned.

I am reading from a part of the Hawaiian annexation resolution.

Mr. TILLMAN. I thought the Senator had acknowledged that he believed the annexation of Hawaii by resolution was unconstitutional.

Mr. SPOONER. What of it? It is a political act not reviewable by the courts.

Mr. TILLMAN. I understood you a moment ago to say that you had never heard the argument of the Senator from Georgia [Mr. BACON] answered.

Mr. SPOONER. What has that to do with what I have just read?

Mr. TILLMAN. Did you not read a part of the resolution under which Hawaii was annexed?

Mr. SPOONER. I did.

Mr. TILLMAN. And you declared that that resolution was unconstitutional?

Mr. SPOONER. I have not overturned the Government by declaring that. [Laughter.]

Mr. TILLMAN. If the Senator is disposed to grow splenetic and cross because I am trying to get some light, being a mere layman without any especial knowledge of law except what I can absorb by contact with my learned brethren here, of course I will not trouble him any further.

Mr. SPOONER. Congress thought the act constitutional, and a great many very distinguished gentlemen think so now, and in the view that it was constitutional and within the constitutional capacity of Congress, they passed it.

Mr. TILLMAN. And against the protest of the Senator from Wisconsin.

Mr. SPOONER. I am not interested in that question now. This is not a personal matter.

Mr. TILLMAN. Of course not.

Mr. SPOONER. And they included in that joint resolution this provision for the government of Hawaii until Congress shall provide a government which is in harmony with all similar acts from the beginning of the Government down to now, except that this is broader.

Mr. TILLMAN. Will the Senator please enlighten me further as to whether in any previous act of Congress there has ever been any effort made to limit the power of a citizen of a Territory to go wherever he pleased under the jurisdiction of the flag; in other words, to go from one part of the United States to another?

Mr. SPOONER. Well, I would rather take the contract of arguing these questions than of enlightening, or trying to enlighten, my friend from South Carolina on matters which are not relevant.

Mr. TILLMAN. If the Senator will permit me further, I will say that my individual objection, and the most strenuous I have, to annexing these people by treaty, is the very fact that here are 10,000,000 Asiatics who will have the right, as soon as the pending treaty is ratified, to get on the first ship that they can reach and come here and compete in the labor market of the United States, if they see fit, or if capitalists see fit to import them.

Mr. SPOONER. Mr. President, I have no doubt whatever of the power of the Government of the United States to accept this cession; I have no doubt whatever of the power of the Congress to govern the Philippine Archipelago, as it has governed other territory of the United States, at its own will, so far as local government is concerned. There is no doubt of the power of the President—and I think perhaps an act should be passed as in the case of Louisiana and Florida—to govern there until Congress shall provide a form of government; and at the same time I see nothing in this contention inconsistent at all with the carrying to the people of that archipelago and the enforcement there of all these great personal rights guaranteed by the Constitution—the right of *habeas corpus*, the right of trial by jury, and the like.

Now, if we take this cession, upon what theory do we take it? In my view we take it as a conquest.

Mr. DANIEL. Will the honorable Senator from Wisconsin allow me to ask him a question? I am very much interested in his remarks. Does the Senator think that the tax laws of the United States in respect to uniformity would stretch *eo instanti* over those islands?

Mr. SPOONER. I do not. The Supreme Court of the United States, I think, settled that question in the case of Fleming *vs.* Page and in the case of Cross *vs.* Harrison. In both those cases it was settled. Whether after Congress has passed an act for the government of that territory it having become a part of the United States this clause of the Constitution which requires duties, imposts, and excises to be uniform would preclude us from passing a tariff as against importations from the archipelago seems to me to be a close question.

It might very well be decided either way. On the strength of the opinion of Chief Justice Marshall in Loughborough *vs.* Blake (5 Wheat., 317), it would be without our power; but I think, in view of later decisions, in view of the use of the word "State" in the Constitution in that connection, in all probability it is the law that the Congress would have the power to protect the labor of this country and subserve the interest of the people of this country by imposing duties upon importations from those islands. How the court would decide it I do not know, and that doubt is one element of anxiety and trouble to me in this whole proposition.

I was saying, when interrupted, that we take this by this cession as a conquest. We have, it is true, occupied very little in a military way of the Philippine Archipelago—only Manila Bay, the harbor and the city of Manila. That, of course, was the capital of the country. That is the great commercial city of the archipelago. It is the entrepôt and the distributing point. It is where the government was, and whether a broad view expressed here at one time that by capturing the capital we have in contemplation of international law captured the archipelago, I do not care to discuss now.

The word "conquest," as I understand it, is not used in the narrow sense expressed by the doctrine *uti possidetis*. Under international law, if a treaty of peace is made, territory occupied by the enemy's troops, the treaty being silent upon the subject, goes to the occupying enemy under the doctrine of *uti possidetis*. But that is not at all the limit of conquest. At the end of the Mexican war we acquired by cession from Mexico a very large tract of country, now States in the Union, and of the wealthiest, most prosperous, and intelligent in the Union. Under the doctrine of *uti possidetis* we would have acquired comparatively little of that territory. But in the treaty of cession it was ceded to us as a conquest.

The doctrine of conquest applies not simply to territory exacted or seized by military force, but it extends also to territory acquired by moral force.

Webster defines the word conquest:

> The act or process of conquering, or acquiring by force; the act of overcoming or subduing opposition by force, whether physical or moral; subjection; subjugation; victory. 2. That which is conquered; possession gained by force, physical or moral.

Mexico lay at our feet. Mexico did not voluntarily transfer to the United States that vast domain. We paid some millions for it, but it was not a sale. Mexico ceded it because it was exacted

of her by a victor, and it was and has been referred to in the decisions of the Supreme Court, in the Fleming case and in the case of Cross *vs.* Harrison, as a ceded conquest. So while we occupy very little of the Philippine Archipelago, the acquisition of this territory is, under the treaty, by right of conquest. Spain did not yield it to us willingly. Spain, the published proceedings show, sought to retain it. It comes to us because Spain was the vanquished and we were the victor and in position to demand indemnity. It comes to us as indemnity. A territory exacted from a conquered enemy as indemnity and passed by cession is just as much acquired by conquest as if it had been in fact occupied by the military forces.

It has been said here in open debate that Spain has no right to cede to us. I deny it. For three hundred and eighty years Spain had been the owner of the Philippine Archipelago, in possession of it, governing it. As long ago as 1801 we established a consulate at Manila, and from that day until the declaration of war we had a consul at Manila representing the United States and holding his *exequatur* from the Kingdom of Spain. We established consular agencies at Cebu, Iloilo, and at one other point in the island. Spain, during her tenure in the Philippines and her sovereignty there, has not been without attack. She was attacked by the Dutch. She was attacked by Great Britain. Manila was captured and Manila was looted—a dreadful record—and the whole archipelago was surrendered to the British authorities.

Mr. CAFFERY. Will the Senator from Wisconsin permit me to interrupt him for a moment?

Mr. SPOONER. Certainly.

Mr. CAFFERY. Although the paper title is in Spain, although she is the titular sovereign, do not the published statements show that Spain never has conquered more than half those islands?

Mr. SPOONER. I do not think so. I know that Spain, when Manila was captured, surrendered the entire archipelago to Great Britain, and that in a little time, under another treaty of Paris, the entire archipelago was surrendered by Great Britain back to Spain.

Mr. CAFFERY. That may be true. But if the Senator will permit me, that does not show at all that Spain had the whole sovereignty over the islands. I ask the Senator whether the published statement does not show that not more than one-half of those people have ever been conquered by the Spanish.

Mr. SPOONER. I do not so understand it. I understand, and the world has so understood it, and the world has so treated it, that the archipelago covered by the treaty of cession has for three hundred years, barring the interval I have mentioned, belonged to Spain and has been under the sovereignty of Spain. There may be islands there inhabited by cannibals, for all I know; inhabited by men who have a little government of their own; wild men, half civilized or uncivilized people; but that does not go at all, I think, to dispute the proposition I make, that up to the day when Dewey broke the power of Spain in the Philippines she was acknowledged the whole world over as the titular sovereign of that archipelago. I do not know of anyone who can claim a better title. There have been rebellions there. I have a list of them here, but I shall not take the time to read them. Tribe after tribe, during the last three hundred years, has rebelled against the power of Spain in those islands.

Mr. CAFFERY. Will the Senator from Wisconsin permit me to interrupt him again?

Mr. SPOONER. Certainly.

Mr. CAFFERY. The Senator from Wisconsin has stated that Dewey broke the power of Spain in those islands. But did he not break the power of Spain in those islands by the assistance of the Filipinos, who claim that Spain never has conquered them?

Mr. SPOONER. I will get to that point in a few moments. Every revolt against Spain which has been made in those islands has been put down by military force—every one, except perhaps the revolt of 1896. And when the great naval battle occurred in Manila Bay, Spain was the governing power in the Philippine Archipelago. There was no organized rebellion there, so far as I can learn. Aguinaldo, against whom I have nothing to say, and many of his chieftains, around whom some of the people had rallied, had taken themselves away, some have said under promise of pay. I have a book here by Dean C. Worcester, in which the statement is made that that rebellion or revolt was overcome in large part by bribing the leaders and by promises of reform, and only a portion of the money was paid and only a few of the reforms carried forward. But it seems to be perfectly clear, and that is the point of my suggestion, that when the battle of Manila Bay occurred there was no revolt in the archipelago; there was no pretended government, either, in the archipelago.

There is such a thing in international law, in its relation to national titles, as prescription. It is very much the same as the doctrine of prescription applied to individual title. I do not wish to take the time to read them, for I must hasten, but I have authorities here upon the subject. David Dudley Field suggested that fifty years ought to be agreed upon by nations as the period of prescription. It has been held one way and another, but it never has been thought that a government holding sway over a territory, the only sovereign nation there, governing, tyrannically as even Spain has, for three hundred years, or for a hundred years, or for fifty years, could have anything less than a solid prescriptive right to the title and to the sovereignty.

Mr. CAFFERY. Then the longer the tyranny the stronger the title?

Mr. SPOONER. I do not say that, and the Senator from Louisiana knows that I do not mean that. Unsuccessful resistance to tyranny, the Senator knows, does not displace a sovereignty or interfere with prescription. A successful rebellion, which is revolution, will do it—it interrupts the possession. But a resistance, revolt after revolt, which is not successful, does not do it, and never but by the English during the time of Spain's sovereignty in those islands has that sovereignty been displaced.

Mr. TILLMAN. Will the Senator from Wisconsin allow me?

Mr. SPOONER. I speak under embarrassment, because I do not like to take the time of the Senate.

Mr. TILLMAN. I dislike very much to obtrude myself on the Senator, but we have a rule here, by common consent, that if a Senator has not completed his speech when the hour of 2 o'clock arrives, he has unanimous consent to go on, and there will be no objection to listening to the eloquent Senator from Wisconsin. But he just now made a statement——

The VICE-PRESIDENT. Does the Senator from Wisconsin yield to the Senator from South Carolina?

Mr. SPOONER. Certainly.

Mr. TILLMAN. The Senator just now made a statement which if he had been in the Senate yesterday he would not have made. I read, from the documents sent us with the treaty, a letter from Mr. Williams, the consul of the United States at Manila, under date of February 22:

> Peace was proclaimed, and since my coming festivities therefor were held; but there is no peace, and has been none for about two years. Conditions here and in Cuba are practically alike. War exists, battles are of almost daily occurrence, ambulances bring in many wounded, and hospitals are full.

Then, under date of March 19, the same consul says:

> Insurrection is rampant; many killed, wounded, and made prisoners on both sides.

And so on, in half a dozen places in different letters during the month of March, six weeks before Dewey entered Manila Bay, we have evidence from our own consul that there was an insurrection of large proportions and a larger number of insurgents together in one body than ever were found together in Cuba.

Mr. SPOONER. Mr. President, I think I have no occasion to qualify my statement, and that without reflecting upon Mr. Williams.

Mr. TILLMAN. The consul; not me.

Mr. SPOONER. I did not say the Senator from South Carolina. Of course I was not reflecting upon the Senator from South Carolina.

Mr. TILLMAN. I beg pardon. I thought the Senator said the Senator from South Carolina.

Mr. SPOONER. Mr. President, Aguinaldo, a great leader in all this business——

Mr. TILLMAN. If the Senator from Wisconsin had been in the Senate yesterday he would also have had that whole subject ventilated, with the official documents going to prove that Aguinaldo had left, carrying with him a certain fund in trust for the Filipinos conditional upon the Spaniards granting concessions and relieving the Filipinos of some of that tyranny; that he returned under Dewey's invitation, and that as soon as he reached Manila and landed there, furnished, as our ally, with arms by Dewey, the insurrection assumed such proportions that the island of Luzon slipped from the grasp of the Spaniards at once, and a government was formed, and it is in existence to-day.

Mr. SPOONER. Is not the Senator from South Carolina telling something that happened in executive session? [Laughter.]

Mr. TILLMAN. Yes, sir, I am; but it comes, if the Senator will allow me, from the official documents, which are published and which I could reproduce here without any charge of bad faith with my brethren.

Mr. SPOONER. I am sorry I have to tell the Senator that that was a joke.

Mr. President, the fact remains, as shown by the Senator from South Carolina, that the leader of the Philippine revolt was not there up to the time of Dewey's arrival.

Mr. TILLMAN. The present leader.

Mr. SPOONER. Yes; the present leader, the great leader, the man who had been conducting the revolt, the man with whom the Governor-General had made the terms of pacification, the man who was intrusted with the fund, the fruits of that negotiation. He was not at the head of the troops. He was not leading a revolt. He and his chieftains, as stated by Dean C. Worcester, an entirely

reliable and, I think, accurate man, had gone away from the archipelago. Speaking of that, he says:

> Their early successes, their retreat to the mountains, the fearful mortality caused by the climate among the Spanish troops sent against them, "their pacification" by promises of reform and by the bribing of their leaders, as well as the failure of the Governor-General to carry out his promises to them, are all matters of common knowledge.

Mr. TILLMAN. Mr. President——

Mr. SPOONER. Oh!

Mr. TILLMAN. Of course I will not proceed if the Senator objects.

Mr. SPOONER. I have no objection, but——

Mr. TILLMAN. Unless the Senator withdraws any imputation upon the patriotism and honesty and good faith of Aguinaldo, I will be constrained to read what is stated about him here to disprove what he has charged in the RECORD.

Mr. SPOONER. What have I charged in the RECORD? I stated that I had nothing whatever to say against Aguinaldo. What I have read here does not mention Aguinaldo.

Mr. TILLMAN. The Senator's first mention of him was in a belittling and sneering way.

Mr. SPOONER. I do not know of any reason——

Mr. TILLMAN. If the Senator will just endure me one more minute——

Mr. SPOONER. If the Senator from Aguinaldo [laughter] will permit me to go on and finish my remarks, I will be obliged to him.

The VICE-PRESIDENT. The Senator from Wisconsin is entitled to the floor.

Mr. SPOONER. I can not stop to have an issue made with me upon the question whether I referred in terms of adequate respect to Aguinaldo. That is outside the question. The Senator, of course, will be at liberty to make such reply to me in that respect as he chooses. I was ill all day yesterday; I have never hesitated about interruptions, and I am only anxious now to go on with my remarks both on account of the time of the Senate, which it requires, and because of my own condition.

Mr. TILLMAN. Under those circumstances I will even endure without reply the sneer of being a Senator from Aguinaldo.

Mr. SPOONER. I withdraw that remark. The Senator seemed to be very much aroused in behalf of the dignity of Aguinaldo, and I used the phrase which I ought not to have used and which I withdraw.

Mr. President, if I may be permitted to proceed, I have no doubt myself that Spain, when this treaty was made, was fairly to be considered as the titular sovereign of the Philippine Archipelago. Certainly until the battle of Manila Bay Spain was there with her troops, there at her capital, there with her Governor-General, there with her administration, and not only there, but in other cities in the archipelago; and the mere fact that afterwards in a war with Spain, even with the assistance of Aguinaldo and some of his followers, we destroyed the Spanish fleet and took possession of the capital city does not, in my judgment, constitute the attempt by Aguinaldo and some of his followers to set up a tin-horn government there as having any effect upon the status so far as the title of Spain is concerned in her dealing with this Government.

Whom Aguinaldo represents I do not know. There are 8,000,000 people there, it is said. What his alleged government is nobody knows. What its character is nobody knows. It was set up at a time when we were taking care of Spain and when there was no occasion for revolt. How far it represents the people of that island I do not know, nor does the Senator. It is stated in the testimony given before the commissioners at Paris that Aguinaldo and his followers, I think, represent less than 1 per cent of the people who are to be subjected to any government established in the archipelago.

It is not enough to "set up" a government. It is not enough to "whistle" followers around it. It must be a government capable of discharging its obligations, domestic and international, and there is no such government there, and never has been any such government there except the Government of Spain. I think the people of the United States by this cession and by the grant by Spain of the title and sovereignty to the archipelago acquire a title to it and a right of sovereignty over it which among nations is good.

A great point is made against the ratification of the treaty upon the theory that it violates the Declaration of Independence, particularly that phrase in the Declaration which asserts that "all government derives its just powers from the consent of the governed." No one, I presume, will deny the philosophical truth of that declaration. I am not here to deny it. It has always seemed to me that the assertion, with one or two others conjoined with it, were intended to be the basis of the doctrine a little later announced in the Declaration of the right of revolution.

One who reads that instrument carefully can not, I think, fail to see that it is stated as one of the foundations upon which the right of revolution is based; and as a whole it means that no people are obliged by any rule to submit forever to tyranny, and that the time comes when, in the exercise of rights which come not from constitutions, which come not from men, but which come from God, a people may rise in their might and disrupt the relations which theretofore had existed between them and the Government which has oppressed them.

It is like the declaration "All men are born equal." Philosophically and in a subtle and abstract sense that is true. In the world, in the practical life of the world, it is not true, and it never has been true. The Senator from Alabama [Mr. MORGAN], who always chooses exquisite and accurate phrase to express his thought, I remember, during the debate on the Cuban resolution, spoke of the Declaration of Independence as a high political declaration. That is the language, as I remember it. But, Mr. President, it happens that "in the corrupted currents of this world" it is impossible for men or for nations in all their conduct to be governed by strict abstract right.

Never since the foundation of this Government have we in the acquisition of territory paid the slightest attention to the "consent of the governed." Thomas Jefferson, who, as the author of that great Declaration, won undying fame, was the first man under our Government to violate it by the acquisition of Louisiana. No one asked the consent of the inhabitants there to a transfer of their allegiance or a transfer of the territory.

The same thing was true of Florida. The same thing was true at the end of the Mexican war when we acquired California, Utah, and the territory west of the Missouri. Who ever asked the consent of those people?

There have been many instances in our history, not related entirely to territory, either, in which as a matter of practical affairs that abstraction could not be regarded. I can not stop to mention them, nor do I care to. It never can be until the millennium comes. It never can be while government is intrusted to men and holds sway over men. It never can be until perfection comes into life, and until the weaknesses, the passions, the violence, the faults, and the foibles of our common humanity are eliminated.

Take the case of Hawaii. I was not in favor, as I have said, of the annexation of Hawaii. It was done by a joint resolution of Congress. Did anyone pay any attention to the consent of the governed? A protest by the inhabitants of those islands, numbering, I think, 14,000 or thereabouts, was presented by the senior Senator from Massachusetts [Mr. HOAR] against annexation. They loved their own country; they wanted their own little independent republic out on those islands in the Pacific sea; they sought no annexation to the United States. But, Mr. President, without regard to this Declaration of Independence, our people annexed those islands and transferred their allegiance to us. More than that. The Senator from Georgia [Mr. BACON] offered an amendment to the annexation resolutions, which reads as follows:

> That this resolution shall not be operative and of binding effect upon either the United States of America or the Republic of Hawaii until the same shall have been consented to and approved by the majority of the voters voting at an election to be held in the Hawaiian Islands, at which election all male natives of said islands of the age of 21 years, and all naturalized male persons in said islands of the age of 21 years, shall be duly qualified voters. The said election shall be held at a time and in the manner and under regulations to be prescribed by the President of the United States.

That was voted down. I was not at liberty to vote, but I announced that if not paired I should vote for it. The senior Senator from Massachusetts [Mr. HOAR] is recorded as voting against it. I do not call attention to that to reflect upon any Senator or any Member of Congress. I call attention to it only as warrant for my proposition, that never has this Government in the acquisition of territory paid the slightest attention to "the consent of the governed."

But there is another thing about it. The doctrine that no territory shall be acquired without the consent of the governed never has been and never can be admitted into international law. It never has been, and so long as the law of conquest exists, it never can be permitted a place in peace negotiation or treaty. It is said by Hall:

> The rights of a State with respect to property consist of the right to acquire territory, in being entitled to peaceable possession and enjoyment of that which it has duly obtained, and in the faculty of using its property as it chooses and alienating it at will. * * * The principle that the wishes of the population are to be consulted when the territory which they inhabit is ceded has not yet been adopted into international law, and can not be adopted into it until title by conquest has disappeared.

Suppose at the end of the Mexican war, when we were exacting territory from Mexico as indemnity or by conquest, whichever you please, we had been obliged to put it to a vote in the territory proposed to be ceded whether we should be permitted to take it or not? Upon that doctrine no government ever could acquire territory by conquest or territorial indemnity at the end of a war.

Suppose at the end of our great war, when we all thought that we had *casus belli* against Great Britain, happily now at peace with us, not simply as to the two Governments, but as to the two peoples, a peace and friendship which I hope will last forever, which

in the interest of each ought to last forever, and which our people and their people never should permit to be broken or weakened—suppose at the end of our war that instead of disbanding the Federal Army, instead of sending our Navy out of commission, we had chosen to call England to account, and had engaged in war with her, marched our troops across the line which divides the British possessions from the United States, occupied a portion of it by our troops, carried on the war until a peace had been agreed upon, and in that treaty of peace Canada and the British possessions had been ceded to the United States, partly as indemnity and partly for money, who would have thought that that could not become effective under the Constitution read in the light of the Declaration of Independence without submitting to a vote of the people of Canada the question whether we should take that territory as indemnity or not?

And if you must submit it, to whom must you submit it? The Senator from Connecticut [Mr. PLATT] the other day, in his speech, when asked whether government derives its just powers from the consent of the governed, said, "From some of the governed;" and he was called to account for that—I was about to say lampooned—not once, but many times. I dare to assert here to-day that the Senator's answer was absolutely accurate. It is some of the governed who consent to government everywhere. There is only one place in the world I know of where the exercise of power depends upon the unanimous consent of the governed, and that is the Senate of the United States. [Laughter.]

Mr. CAFFERY. In the case supposed by the Senator, would we take Canada without the consent of any of the governed?

Mr. SPOONER. Yes, sir; we would have taken Canada without the consent of any of the governed. If we could not take territory as indemnity at the end of a war, if we could not take territory as a conquest without asking the consent of some of the governed, we could not take it at all; and at this day, while we all desire war to be averted, I apprehend no one, even the citizens of this peace-loving Republic, would be willing to have announced and adopted as a policy of ours a limitation in the event if we are forced into a war which applies to no other government.

We must not shackle ourselves. War is wicked. War is brutal. Some one has said it is "organized brutality." It is pitiless. But nations sometimes must engage in it. This Republic was obliged to engage in it, in the opinion of Congress, since sustained, I think, by the public opinion of the United States. When it is waged we, as other nations, must be free to deal with the conditions of peace as best protects our interests.

This is true, too, Mr. President, after all, that as wicked and wasteful and desolating as it is, it has many times happened, and will happen many times again, that only out of the soil made rich by the blood and the ashes of war can the beautiful flowers of liberty blossom.

And so, not looking at it from the philosophical standpoint, not dealing with it as a mere abstraction, dealing with it as practical men, the servants of a practical people, with a momentous duty imposed upon us, I say that in this case the doctrine invoked from the Declaration of Independence has no place.

Mr. BACON. Will the Senator from Wisconsin permit me to ask him a question?

Mr. SPOONER. Yes, sir.

Mr. BACON. I desire to ask the Senator a question with refence to the supposed case of Canada. Suppose that at the time indicated by him Canada had been in rebellion against the mother country, and had set up a de facto government and had been engaged with us in a common war against Great Britain, and at the conclusion of that war announced to the world its desire to be free and to have an independent government; if upon the conclusion of the war with Great Britian, which the Senator has supposed, we had entered into a treaty by which we took a cession of Canada, under those circumstances and against her will, would the Senator from Wisconsin say that that was or was not in contravention of the principle announced in the Declaration of Independence, that the consent of the governed is necessary?

Mr. SPOONER. I would not say it was.

The PRESIDING OFFICER (Mr. PENROSE in the chair). The hour of 2 o'clock having arrived, the Chair lays before the Senate the unfinished business, which will be stated.

The SECRETARY. A bill (S. 1575) to amend an act entitled "An act to regulate commerce."

Mr. CAFFERY. I ask unanimous consent that the Senator from Wisconsin be permitted to finish his remarks.

Mr. FAULKNER. I desire to correct that by simply saying that by the unanimous consent already given the Senator from Wisconsin has a right to continue until the close of his speech.

Mr. BACON. Yes; that is right.

The PRESIDING OFFICER. The Senator from Wisconsin will proceed.

Mr. SPOONER. Mr. President, what I mean by saying that is this: Nations are selfish. They must be selfish or they can not live. I do not mean grasping and overweening of necessity, but they must look to their own interests and the interests of their own people. I think if we had in a war with Great Britain, notwithstanding rebellion upon the part of Canada, acquired that territory by cession, our people would not have felt that there should be another independent government so near to us on this continent, and all abstractions would have been disregarded.

Mr. BACON. That would be another reason, then.

Mr. SPOONER. No; that would be reason for making that an exception. But it is not a parallel case at all. There is no similarity even between the case put by the Senator from Georgia and the situation in the Philippine Archipelago, as I understand the facts.

But, Mr. President, how does it happen that distinguished Senators who have so much to say about the "consent of the governed" in its relation to our constitutional and moral right to take this cession have nothing to say about it as to Porto Rico; offer no amendments declaring the purpose of this Government concerning Porto Rico; raise no question of constitutionality as to our right to acquire and permanently hold Porto Rico? Does the constitutional power depend upon the number of marine leagues a territory may be from the mainland? Does the declaration that "government derives its just powers from the consent of the governed" not apply to a million people as well as to ten million?

Mr. CAFFERY. I will ask the Senator, if he will permit me, whether it is not a fact that the Porto Ricans welcomed our army with banners flying and with every manifestation of consent to our Government.

Mr. SPOONER. Mr. President, it has seemed to me a very strange thing that in all this debate no man has had one word to say against our acquisition of Porto Rico under this treaty and the annexation of it to the United States, so far as the treaty does it, and the government of it by the United States.

Mr. MASON. Mr. President, will the Senator from Wisconsin pardon me?

Mr. SPOONER. The Senator's resolution would cover Porto Rico.

Mr. PLATT of Connecticut. But he has not said it.

Mr. SPOONER. He did not mention it, but his general proposition would apply to it. Now, Mr. President——

Mr. BACON. Mr. President——

Mr. SPOONER. Pardon me. The Senator from Louisiana [Mr. CAFFERY] asked me whether it is true or not that our troops in Porto Rico were welcomed with hospitable hands and flying banners and all that. Possibly so. I think any people in the world who knew anything would welcome an American army after living under Spain.

Mr. CAFFERY. They do not know enough.

Mr. SPOONER. If they do not know enough they will soon learn.

It almost always happens—it happened many times in the South during the war, when the lines were changing, that the people received with hospitality and without apparent enmity the army which they considered an invading army. They did it under an impulse which is as natural as it is to breathe, that they should give no offense, that they should conciliate an overweening force, that they should safeguard their property if possible and their families and their interest. In the same way, very likely, Mr. President, the Porto Ricans welcomed the Army of the United States. But if they welcomed our invading army with shouts and with flags, did they abdicate their right to have a voice in the government of their own country? Does that take them out from this doctrine of the Declaration of Independence? No, Mr. President; it is proposed to take this cession of Porto Rico without asking the Porto Ricans whether they consent or not.

Mr. HOAR. Oh, no.

Mr. SPOONER. How is that?

Mr. HOAR. Mr. President, I took the liberty of saying "Oh, no." I have never myself supposed there was the slightest distinction in principle between Porto Rico and the Philippines.

Mr. SPOONER. Of course there is not, so far as our Declaration of Independence is concerned.

Mr. HOAR. The only reason why we have not dealt with Porto Rico is because we took the one conspicuous example, the worst one for our people; but the doctrine which has been argued applies to the whole, unquestionably.

Mr. SPOONER. Certainly.

Mr. HOAR. Anyone who believes in the application of the doctrine to the Philippines I suppose believes in the application of it to Porto Rico. I do certainly.

Mr. GALLINGER. Why not Hawaii?

Mr. SPOONER. Mr. President, we did not ask them. It has not been proposed here to eliminate from this treaty the cession of Porto Rico.

Mr. HOAR. It will be, when we get to it.

Mr. SPOONER. The resolution introduced by the Senator from

Massachusetts [MR. HOAR] is limited to the Philippines. It is a declaration of the policy of the United States only as to the Philippines. It is as silent as the grave as to Porto Rico.

Mr. BACON. Will the Senator from Wisconsin pardon me? I dislike very much to interrupt him, and will endeavor not to do so again; but as what the Senator says about Porto Rico is in some measure a reply to the inquiry propounded by me, I desire to say a word in response to his suggestion that we are inconsistent in making no effort as to Porto Rico. I think, Mr. President, that the attitude of the United States in that particular is entirely justified upon the ground that the continued possession by Spain of any West India island is recognized as inimical to the interests and to the peace of this country, and for that reason, on the ground of the safety of this country and the future peace of this country, not only has the Government of the United States made that demand as to Porto Rico, but as to all the other West India possessions of Spain.

Mr. SPOONER. Mr. President, I thank the Senator from Georgia. He has in a single sentence made a more powerful argument in support of my contention than I could ever hope to make. He says that the Declaration of Independence is suspended in the West Indies. Why? Because it is for the interest of the United States.

Mr. BACON. No.

Mr. SPOONER. Yes.

Mr. BACON. I beg the Senator's pardon; not the interest.

Mr. SPOONER. Yes.

Mr. BACON. To the public safety, which goes beyond interest.

Mr. SPOONER. Oh, the United States, Mr. President, is interested in its public safety. [Laughter.]

Mr. BACON. There are a great many things, however, that are to the interest of the country which are not essential to its safety.

Mr. SPOONER. But this is the particular thing that we are talking about, Mr. President; not a great many other things.

The Senator justifies the taking of Porto Rico, as he must, without asking the consent of the inhabitants. Otherwise we could not probably take it at all. He bases his justification upon the fact, for it is a fact, that we require it in our business; in other words, that we regard it——

Mr. BACON. The Senator must take my words, and not use other words. I say necessary, not for our interest, not for our business, but essential to our safety. Now, if the Senator will use that word, I will stand by it; and I will say further that I go fully with him to the extent——

Mr. SPOONER. Spain occupied it for one hundred and twenty years and we were safe.

Mr. BACON. To the extent that the acquisition of territory necessary to our safety is perfectly justifiable under the Declaration of Independence and our Constitution.

Mr. SPOONER. The Senator has surrendered.

Mr. BACON. Safety, not interest.

Mr. SPOONER. I accept his surrender.

Mr. BACON. No.

Mr. SPOONER. Mr. President, there is no escape from it. That is the principle upon which nations transact business.

Mr. BACON. If the Senator can show that the Philippines are essential to our safety, I am with him.

Mr. SPOONER. Wait a moment. It is the same sort of selfishness which leads a man to prefer the interest of his own children to the interest of the public. It is the same sort of selfishness that leads a man to safeguard his own home. It is the foundation of all society. It is the one thing that we ought never to lose sight of. We ought to legislate and we ought to deal, where we can, with reference primarily to the interests of our people, not to the interest of any other people, not to please any other Government.

But where do you find in the Declaration of Independence anything to warrant this modification suggested as to Porto Rico? We may take Porto Rico; we ought to take it; we have taken it, and we propose to keep it. But for the life of me, from the standpoint of the citizens of Porto Rico, and from the standpoint of men who claim rights which it is asserted here are God-given, even if we need Porto Rico, I can not see how we can take it without their consent. You must apply this doctrine all around or not at all. If it has no place in the practical affairs of life, governmental and otherwise, say so. The right asserted in the Declaration of Independence can not be suspended in the West Indies and potential in the Philippines. If it is a right which in the sight of God must be always respected by nations, no nation can honorably disregard it for any selfish purpose, whether it be for safety or something else. It can not be a vital, living principle in the Pacific and a discarded abstraction in the Atlantic.

Now, Mr. President, it is said that we commit a breach of faith by taking a cession of the Philippine Archipelago.

Mr. HALE. Before the Senator passes from that part of his speech, let me see if he will not agree with me that there is a very great and marked distinction between assuming the possession and control of Porto Rico and the Philippine Archipelago.

Mr. SPOONER. Yes.

Mr. HALE. I do not put it on constitutional grounds; I do not put it upon the ground of the doctrine of the Declaration of Independence; but it seems to me that possibly the island of Porto Rico may be fairly considered as an indemnity in war.

That is of some possible good to us; of some possible value; not in any way connected with grave complications and dangers in the future which would make it worse than valueless to us; while upon the great question of policy, not discussing these other questions, in my belief the Philippines not only would be no indemnity, not only would be no basis in value for the $20,000,000 paid by us, but would be an ever-blighting curse and woe to us. All the complications that would arise by the possession on our part of Oriental islands, of the danger of constant war there, of our being led into a war of subjugation against the inhabitants of the Philippine Islands make the gravest distinction, not upon the question of the Constitution or the Declaration of Independence, but as a matter of wise policy for the future. In view of all that, does not the Senator see that there is a very marked distinction between taking Porto Rico and taking the Philippine Archipelago?

Mr. SPOONER. I could have answered the question at the end of the Senator's speech in half a second.

Mr. HALE. Answer it now.

Mr. SPOONER. I do.

Mr. HALE. The Senator sees the grave distinction?

Mr. SPOONER. I do.

Mr. HALE. That is all.

Mr. SPOONER. I will speak of that briefly a little later on.

Mr. HOAR. The Senator has been interrupted. I do not wish to further interrupt his argument, but I wish, if he will permit me, to state my personal position in one sentence, as he has alluded to me.

Mr. SPOONER. Very well.

Mr. HOAR. I think that the same doctrine precisely is applicable to Porto Rico as to the Philippine Islands, and I expect to resist everywhere the acquiring of a people to be held without their consent, or to be held permanently as colonies or dependencies, not to be incorporated into the Union.

The reason my resolution was confined to the Philippine Islands was this: I wished to bring into sharp contrast with the doctrines of the Declaration of Independence an attempt by the United States to subjugate an unwilling people in arms, and therefore, there being other resolutions like those of the Senator from Georgia [MR. BACON] that covered other phases of the question, I introduced a resolution aimed at what I regard as a proposition and purpose to make war on the people of the Philippine Islands for their subjugation, and to bring that extreme into sharp contrast with what I suppose to be the opinion of the people of the United States in respect to these doctrines of the Declaration of Independence. But I did not leave out the people of Porto Rico from that resolution with any thought that we were justified in doing as to Porto Rico what we are not justified in doing as to the Philippines. On the contrary, I do not agree that the safety of the United States is in the least dependent on a little island down in the West Indies.

Mr. SPOONER. Nor, I suppose, does the Senator believe that upon the safety of the United States depends the right of the people to be consulted as to their government, as the Senator from Georgia seems to think?

Mr. HOAR. No; not the least in the world. I only wanted to put myself right, if the Senator will excuse me for interrupting him.

Mr. SPOONER. Certainly. After all, Mr. President, if there is an absolute right residing in people to be always consulted as to their government, it is a personal right, which belongs to them, and one which no government could honorably take away from them for any selfish purpose, whether it involves its safety or involves the promotion of its business success. The truth is, and there is no way out of it, that at the end of a war in the acquisition of territory taken as indemnity and conquest we must take it without consulting the people, or not take it at all, and this doctrine is inadmissible from the national standpoint. The same thing must be true as to acquisition by purchase. It is very doubtful if we could have acquired either Louisiana or Florida if first required to obtain the consent of the inhabitants.

Porto Rico has become, with the development of our country, of great importance to us. It stands as an important outpost. Its relation to the Caribbean Sea and to the great waterway connecting the two oceans, which this nation is determined to have, is such that we ought to possess it and defend it and take care of it, giving to the people there as much of self-government as is possible. It is not very far away.

It is said, and believed by a great many, that to accept a cession of the Philippine Islands—and if that be true as to the Philippine Islands, it is equally true as to Porto Rico—is to break the solemn pledge of the United States and thereby to dishonor its name. It is asserted that we went into the war declaring by resolution to all the world that our purpose was a holy purpose only;

that it was not a war for conquest; that its sole object was to bring freedom to the people of Cuba. That statement is partly true; but in my view it is too broad to be entirely true in its relation to this subject.

Here is the resolution drawn and offered by the Senator from Colorado [Mr. TELLER], and he deserves the thanks of the people of this country for drawing it, and for drawing it just as he did:

Fourth. That the United States hereby disclaims any disposition or intention to exercise sovereignty, jurisdiction, or control over said island—

The island of Cuba—

except for the pacification thereof, and asserts its determination, when that is accomplished, to leave the government and control of the island to its people.

Why was that declaration made by the Congress of the United States? It was made to put this country right in the eyes of the world before entering upon the war. There were a great many, including my friend from Ohio [Mr. FORAKER], who believed we had just cause for war against Spain on our own account; there were many people in the United States who felt that because of the destruction of the *Maine* we, without regard to Cuba, were justified in engaging Spain in war. There were others who felt that with all the horrors of that explosion, without any doubt that it was external, without any doubt that Spaniards were responsible for it, nevertheless there was not evidence of complicity upon the part of Spain to warrant a dignified nation in assuming a fact not established and basing a declaration of war upon it.

Mr. PETTUS. Mr. President, I ask leave to ask the Senator from Wisconsin a question.

The PRESIDING OFFICER. Does the Senator from Wisconsin yield?

Mr. SPOONER. Certainly.

Mr. PETTUS. Has the Senator forgotten that we had positive proof before the Teller resolution or any other resolution of that character was passed that the soldiers of Spain in Havana, where there was no war going on, had murdered very many of our citizens?

Mr. SPOONER. I had forgotten that, but that would not be cause of war in itself if reparation were made for it upon due demand.

But what I wish to say is this: That by common consent—and I think it was wise—it was determined not to enter upon a war based upon some cause existing in our behalf against Spain, but to intervene—to intervene, Mr. President, without regard to any cause we might have for war; to intervene on high ground, because every writer on international law makes it plain that intervention in the affairs of another nation, especially between it and a revolting people, must, to be justified before the world, be as clearly as the sunlight, free from ulterior purpose, free from selfishness; and so this resolution was adopted, to make it clear to the world that in our demand as to Cuba and in the war which we proposed to wage against Spain if our demand were not granted, our purpose was only to secure liberty for Cuba and to drive out the Spanish tyranny which for so long had been not only destructive to the Cubans, but absolutely humiliating and sickening and damaging to us, and that we did not seek to acquire that island. Did it occur to anyone that by making that declaration it was intended that the war with Spain should close and leave Spain forever to be in the government of Porto Rico?

Some one has said that if Porto Rico had been added to that resolution it would have met with universal concurrence. I only speak for myself when I say it would not have met with mine. I think it would not have met with the concurrence of the American people, for I believe they would not have been satisfied to have the war brought to a close leaving a vestige of Spanish sovereignty on our eastern coast. Nor, Mr. President, was it inserted for the purpose of tying the hands of the Government of the United States when peace came, of preventing us from seeking for our citizens and for ourselves from a bankrupt Government such territorial indemnity as would fairly make good, if it could be done, the expenses of a war waged for liberty.

I am not in the slightest degree impressed by the argument that if we take a cession of Porto Rico as indemnity from Spain and a cession of the Philippine Archipelago as indemnity from Spain we violate the letter or even the spirit of this declaration. The war once entered upon, although with the highest possible purpose, was a war to the death, with all the powers and all the incidents of public war from the beginning of it to the ending of it, including the right of conquest and the right of indemnity.

Of course we can not take Cuba. I hope, for the honor of America, no man would think of such a thing. We promised the world to make Cuba free and to enforce law and order in that island until the people there could form a government. When that is done our pledge will have been splendidly redeemed.

Mr. President, some gentlemen waltz up to this proposition of territorial expansion as gaily as "the troubadour touched his guitar." I can not do it. I have not been able to persuade myself that the best interests of this country in the long run—and we ought to study its interests for the long run—are to be subserved by a policy of territorial expansion, permanent dominion over far distant lands and peoples. I do not think Porto Rico within this principle.

I am a commercial expansionist. I believe in building up the trade of the United States. I am in favor of an interoceanic canal, not only for the purposes of national defense, but for its benefit to the trade of the future. I am in favor of acquiring naval stations all over the world where the interests of this Government would be subserved thereby—resting places for our commerce. I am in favor of lines of cable connection in every conceivable direction where they would promote the interests of the United States.

I am in favor of an adequate Navy. I am in favor of all of the Army that the needs of our country from time to time require. I am in favor of upbuilding our merchant marine by the best possible means. It must be upbuilded. We can not permit any longer the vessels of other nations to control the transportation on the sea of the products of the United States. I am willing to help do it by voting for subsidies or for differential or discriminating duties—whatever is the surest and the best means to secure its accomplishment.

But, Mr. President, I shrink from the notion that the interests of this country will be subserved by making permanently a part our land territory thousands of miles away, inhabited by peoples alien to us, not of our blood, not of our way of thinking, foreign to all our associations, living in a tropical climate, where the white man can not work, under labor conditions of necessity which we would not permit to exist in the United States.

Every argument which has been made in support of this doctrine of territorial expansion—and by "territorial expansion" I mean permanent territorial expansion—seems to me to be superficial, some of them sentimental, and some of them fantastic.

The jingle of words which we read every day about "hauling down the flag" does not in the least either thrill me or impress me. Our flag has been hauled down before, Mr. President. It will be hauled down again. Where we raise it we will permit no other power on earth to haul it down, but with us it may be as honorable to haul it down as it was to raise it. It was hauled down in Mexico when hostilities ended there. If we had sent our fleet across the sea to the peninsula of Spain and captured Barcelona, raising our flag above it, it would not have been there to stay; we would have hauled it down. To-day it floats in Cuba; the Spanish flag has gone forever, but our flag is not there to stay. It floats there in sight of the poor, wrecked *Maine* at Havana, but there will come a day, Mr. President—and I hope it will not be long—when we will take down our flag, raised there in the cause of liberty, and leave behind it liberty and an independent government, won and established under its folds. I hope that, too, about the Philippines, and that is not at all inconsistent in my view with the ratification of the pending treaty.

It is insisted that we must have permanent territorial expansion in order to extend our trade. Mr. President, I do not think so. I have been strongly inclined to think that in the long run, with all the embarrassments and complications and dangers it will bring upon our people, it will retard rather than develop the foreign trade of the United States. We have been growing rapidly in our trade without territorial expansion. To acquire distant, nonassimilable peoples in order, through permanent dominion, to force our trade upon them seems to me to be the poorest imaginable national policy. How far will that be carried? We want the trade of the world, and we intend to have our share of it. Are we, therefore, to obtain it by carrying this doctrine of expansion to the uttermost parts of the earth? If territorial expansion means national trade, if it be necessary to national trade, where are we to stop?

I think, Mr. President, the trade of the world will go where its interest leads it in the long run, and the best avant-courier of civilization is a merchant ship, carrying the products of civilization and teaching the wants of civilization.

Permanent dominion over the Philippines by the United States as a part of this country means to me an endless and vast burden upon the industries of our people. We would be as sacredly bound to protect that distant people living under our flag in a part of our territory as we would the people living on the coast of Maine or the people living around Boston Harbor.

In the event of war the most distant outpost where our flag could be found would be the point of first attack, and we would be obliged, in my judgment, to maintain a navy adequate to protect the millions of people in the Philippines 7,000 miles away, Hawaii, and our Atlantic and Pacific coasts. If our Navy were not adequate to all that, our ships being sent far away, our home coast would be unprotected. This would involve an awful increase of taxation.

There is another thing that sometimes we lose sight of. The Senator from Rhode Island [Mr. ALDRICH] in a speech which he made here on the tariff bill asserted, and I have often thought of it, that many of our industries are coming—I think developed under the system of protection; other gentlemen think for other reasons—

to that condition where we will be able to compete with the manufacturers of the other nations of the world. Our export trade is increasing day by day, and it is not confined to the products of the farm. The products of the factory and the rolling mill are increasing likewise in export.

The nation which exports largely of a given product will not derive much revenue from the duties on imports of that product; and so as the years go by, as it seems to me, we must rely less and less upon revenue derived from customs duties, and more and more upon revenue derived from internal and other taxation; and the day will come, I think, when this burden will rest heavily upon our people.

I have heard it said we must expand territorially in order to become a world power. I read it in the newspapers; I hear it in conversation. Are we, in order to be a world power, to extend our territorial limits permanently to the uttermost parts of the earth?

Mr. President, we are a world power. We have grown to be the richest nation under the sky. We are proud to feel that, taken all in all, there is no government anywhere like this. We are proud to believe that it is God's best representative of law and order and justice upon the earth. We are isolated. Other nations envy us for that. There is a tendency in this day to sneer at it and to treat it as a disadvantage. Our isolation, Mr. President, is one factor which has aided us in devoting our energies to the development of our resources only just begun; that has obliterated the frontier and made prosperous Commonwealths from ocean to ocean.

It may be, Mr. President, that the governments and peoples over the sea had begun to feel that we, in the pursuit of gain, in our devotion to the development of our industries, had lost the willingness to fight, perhaps the ability to fight. It may be they had ceased to regard us, if they ever had so regarded us, as a world power in that sense. But, Mr. President, on that glorious May morning in the far-distant Pacific, Dewey and the men behind his guns sent around the world to all governments and all peoples the never-to-be-forgotten message, "the United States is a world power." It was repeated by Sampson and Schley at Santiago, and it was again proclaimed by the thin blue line of American soldiers who sturdily climbed the hill of San Juan and who captured the heights of El Caney.

No one can well doubt that with our illimitable resources, with the pride and sense of honor characteristic of our people, with our willingness and ability to protect American interests, in the council of nations the voice of the United States will for all time have its full share of potency.

I have not been able to see that it is necessary, in order to secure a safeguarding of our national interests in our relations with the outside world, that we should forever burden our people to cover the seas with costly armadas.

We have had no participation in the struggles of the Old World nations over the balance of power. We have sympathized with them in their struggles; we have sympathized with their peoples in the terrible burdens put upon them to maintain great standing armies and great navies. But their quarrels have not been our quarrels; their policies have not been our policies. While they have fought we have fed them and manufactured products for their use.

It may not be sentimental or romantic, but it is true we have grown rich by staying at home and attending to our own business.

I have not been able to find persuasive the suggestion that we can benefit the United States by a policy which will make us in any larger sense than we are a political factor among the governments of the world—I mean in world matters—and I look with apprehension upon a policy which may place the United States in a position where by force of environment or neighborship we can be made a compulsory participant in the struggles of the Old World nations over the balance of power in the Orient. Nor can I contemplate with equanimity, Mr. President, the adoption of any policy which may bring into perpetual competition with our people, with the men who raise tobacco on our farms, with the men who labor in our factories, the products of a labor which in the very nature of things must be cheaper than ours, because of radical and unchangeable differences, for climatic and other reasons, in the standard of living, and in the wage of labor.

But I can not elaborate, Mr. President. I have but imperfectly outlined some of the causes which lead me to dread and to fear the policy of territorial expansion. I may be wrong about it. I do not forget that some of the objections which have forced themselves upon me were urged by much abler men long ago, against the acquisition of every Territory which the Government of the United States has acquired, and the wisdom of the acquisition of which time has overwhelmingly vindicated. As the Senator from Colorado [Mr. TELLER] not long ago said here, if we had not acquired Louisiana, we would, nearly a century ago, in all human probability have had a British sovereignty to the southward of us, controlling the Mississippi, as well as to the northward of us.

But I think I can see a valid distinction between the acquisition of territory contiguous to our own country, in our own climate, land to which we can march our troops, land into which we can build our railroads, land into which we can send our newspapers, land to which our people can emigrate and in which they can live and thrive, land easily reached by our public opinion, and territory and peoples of another race, alien to our associations and our blood, living under a tropical sky, and laboring under different conditions. I can not say, in view of the history of the country, that time may not change my views, but I must say that, as I now feel, if the ratification of this treaty involved permanent dominion by the United States over the archipelago and its people as a Territory of the United States, irrevocably committed us to the policy of territorial expansion, I could not give it my vote.

Mr. President, a few words more and I have done. Interruptions have impeded me. We are all anxious to do, I must assume, that thing which is for the best interest of our country. I have not been and am not able, with all the anxious thought which I have given to this subject, to see any safe resting place or middle ground between an absolute abandonment by the United States of the Philippine Archipelago and an acceptance of the cession made by this treaty. I am not able to forget that it is a treaty of peace, and that its ratification is to bring peace between the United States and the Kingdom of Spain. A rejection of it continues the status of war. Senators say that Spain is exhausted, and that active hostilities would not be renewed. Possibly this is true. Doubtless I am warranted in saying that probably this is true. Possibly it is not true. One can never safely prophesy what complications will come from a long-continued status of war. It is quite certain that we would be obliged to march out of Manila. We captured it (which shows our power there) in violation of an armistice.

The fact of the armistice and its terms it had been impossible to communicate to our officers and troops so far away. By the rules of war, therefore, they are relieved from responsibility for capturing the city of Manila in violation of its terms. But by the rules of war, based upon obvious justice, and essential to civilized warfare, as a nation we are in honor bound, if this treaty falls, to restore the status quo. International-law writers leave no doubt upon this proposition. We would be obliged to march our troops out of Manila, to release the 15,000, or thereabouts, Spanish prisoners captured there, to restore to them their arms, and permit them to again occupy the city which our forces captured. The treaty rejected, they are still our enemies. Would we then, still being at war with Spain, withdraw our forces under protection of Dewey's guns from the face of the enemy and sail away? To do so would be a novelty in war and a humiliation to our people.

If the status of war is to continue we could not well reduce our expenses to the basis of peace. We would be obliged, inevitably, to maintain our country and our expenditures upon the basis of war, and the cost would be great and in the end probably useless.

The situation, Mr. President, could not fail to be filled with unpleasant possibilities, indefinite public burdens, uncertainties, and trouble.

I have tried to consider the alternatives which confronted the President and the commissioners in concluding a treaty of peace. They could have made this treaty, of course, omitting all reference to the Philippines. Such a treaty would have left, in my view, the Philippine Archipelago and its people under the sovereignty and control of Spain. The President and commissioners could have done that. I do not hesitate to say here to-day such a treaty would have shocked the sense of justice and humanity of the American people. It is in the power of the Senate to so amend the treaty as to do that thing. Does any Senator propose to do it?

I have talked with a great many people upon the subject in Wisconsin. I have put to them this question: "Do we want the Philippine Archipelago?" Almost every one of them has said to me, "No; but do not give the islands back to Spain."

Mr. PETTIGREW. We could not if we wanted to.

Mr. SPOONER. Why?

Mr. PETTIGREW. Because the Filipinos would not allow it.

Mr. SPOONER. Let us examine that. I have said that I believe it to be true that it would shock the sentiment of our people if by this treaty of peace with Spain we left the people of the Philippine Archipelago subject to her tyranny. We could not very well go to war to liberate the people of Cuba, in the West, from the horrible tyranny of Spain, and, when that war for liberty ended by agreement, sail away and leave the people in the East under the tyranny of Spain. As an original proposition, we would not go there to liberate them, but we are there. We did not go to war in the interest of the Filipinos, it is true; but, Mr. President, duties come to men suddenly, without plan or expectation oftentimes.

If walking along the city street at night one comes across a sturdy brute beating a woman or a child into insensibility, a man

would attack him, drag him away, disable him. Having done this, a man would not walk away and leave the woman or the child bleeding and helpless upon the street in the midnight to die, to freeze in the cold of winter, to starve, or perhaps again to be the subject of maltreatment. The same impulse which led one to defend would command to further protect.

Situations, Mr. President, create duties. This is as true of nations as it is of men.

It is true that some thousands of Filipinos aided in the capture of Manila. That is an element in this situation which can not be honorably disregarded. Whether they had done so or not, I believe it to be the general sentiment of our people, and I know of no one here who has proprosed anything against it, that we should not make a treaty which leaves that people subject forever to the loot and the lust and the brutality and the savagery which characterized the Government of Spain, under which they lived. So a treaty of that sort would not do.

No President would dare to make such a treaty, under the circumstances. The present President of the United States, an eminently humane man, who has fought for liberty, and who loves liberty, whose conduct in all this business has been upon a high plane, in the interest of humanity and in harmony with the dignity of such a Government and such a people, would not dare to make such a treaty. He has transferred in that respect the responsibility to the Senate. The Senate has power to so amend it.

This alternative being rejected, what next could be done? It has been asked here, Why did you not have Spain in this treaty relinquish the Philippines and leave the situation at that? I do not know what Spain might have been willing to do in that regard, but I doubt very much if she would have been willing to surrender her sovereignty over the Philippine Archipelago and her title of three hundred years upon our demand, disconnected with the claim of it as indemnity. I very much doubt if Spain would have listened to a contention upon our part that, as we went to war for the liberty of Cuba, we should close the war by a demand of her surrender of sovereignty in the Philippine Archipelago, all thought of indemnity being eliminated.

But it has been asked, Why did not the treaty deal with the Philippines as it does with Cuba? and my understanding is that if such were the form of the treaty it would be generally unobjectionable. What would have been in that event the situation? In my judgment it would have put the Government of the United States in an impossible situation. Let us analyze it for a moment. By this treaty Spain relinquishes her sovereignty over Cuba and her title to Cuba, with the statement, hardly an agreement, that we are to occupy the island, and an agreement that while we occupy it we shall discharge the duties imposed by international law upon a military occupant. Note that Spain relinquishes sovereignty and title not to any particular grantee.

The President and our commissioners would not accept the cession of Cuba to the United States, for obvious reasons. Upon our theory of government it must be true that the sovereignty and title thus relinquished by Spain vest in the people of Cuba. Certainly if they do not vest in the people of Cuba they remain in the kingdom of Spain. They can not be *in nubibus*. They must be somewhere. I assume that the title being abandoned by Spain, and the sovereignty relinquished by Spain, they are not relinquished to the world, but are relinquished to the people vitally interested in them. Suppose the same provision were incorporated in the treaty as to the Philippines.

What would be the situation? The Filipinos, except the individuals who aided us, have been our enemies in contemplation of law, because the subjects of a power with which we were at war, and the moment a treaty was signed and ratified, relinquishing the title and sovereignty to the Philippine Archipelago, that sovereignty and title, upon my contention, would vest, if it passed from Spain, in the people of the archipelago. That moment, ceasing to be the subjects of Spain, they would, of course, cease to be the enemies of the United States. In fact, the ratification of that treaty would bring peace between Spain and the United States, and, therefore, in law, peace with Spain and her subjects everywhere.

In this condition how would we obtain the right for one moment in law to do what our people feel should be done to save the Filipinos, to maintain order among them, to help them to establish a government, to protect them from anarchy among themselves and spoliation by other governments, and, in addition, what should not be forgotten, the right to take care in the long run the commercial and other interests of the United States in the archipelago? I can see in that event but one thing that we could rightfully do unless the people acquiesced in our plans, and that would be to withdraw our troops and sail away from the archipelago and leave that people abandoned. Leave them to anarchy. War is bad enough, God knows. It is pitiless enough, but, after all, it is conducted on rules based on justice and framed in the interest of civilization. Anarchy is unspeakably worse than war. Anarchy gives full play to all the passions and bloodthirstiness of men unrestrained by law. War is cruel and bitter, but anarchy is hell let loose upon the earth.

We do not yet know, nor does anyone yet know, I think, what we will deem it wise to do in the Philippine Archipelago. No one can well doubt that the purpose of the United States in accepting this cession is one of benevolence and good will to that people.

The Senator from South Dakota [Mr. PETTIGREW] said that if by the treaty we left these islands in the hands or under the control of Spain, Spain's sovereignty would be gone and that the Filipinos would be free from Spain. I doubt it. Spain, I think, would retake the Philippines. It must not be forgotten that Spain would no longer be concerned with Cuba. Care for that island would no longer exhaust her resources or diminish her power.

Spain would no longer be concerned in the care of Porto Rico. But that is not the end of the case. It must be remembered that we have sent back to Spain, at our own cost—and it was not only humane, but politic—125,000 men, with their arms. We would release, in addition, 15,000 prisoners at Manila and restore to them their arms. Can one well doubt that that proud nation—for it is a proud nation, and it is not only a proud nation, but it is a brave nation, a nation mourning over its loss of prestige—would send necessary reenforcements to the Philippine Islands, and, with the soldiers already there, retake and hold its cities and its sovereignty and bring that people again under subjection?

Senators say that to-day Spain is not financially able to do that. This I do not know. One can not very well say what a nation in stress is financially able to do. One can not know the hidden treasure which national pride would unlock and pour out. And, Mr. President, it is impossible certainly to say that none of the governments which have from the beginning of this transaction to the end of it sympathized with Spain, would furnish her money upon pledges growing out of her sovereignty over the Philippines adequate to capture and bring under dominion again the archipelago, moved, doubtless, to that end by the ulterior purpose of great commercial privileges, naval stations, and the like.

Desiring, Mr. President, to care, as a powerful nation ought to care in the circumstances, for the well-being of that people, wishing to treat them because we are there as we treat the people of Cuba, it has seemed to me that there is but one thing to do, and that is to accept the cession of the archipelago as provided in the treaty, and thereby to succeed to the title and sovereignty of Spain, and, having succeeded to that title and sovereignty, to go forward. Then, and only by that means, have we solid ground upon which to stand. By any other form of treaty, even dealing with the Philippines as the treaty deals with Cuba, we would have all of the embarrassments, all of the cost, all of the complications, all of the troubles, with a foundation of shifting sand upon which to stand.

Ah, Mr. President, we must retreat or go forward. There is no middle ground. We are at the parting of the ways in respect of the Philippines. We must go incontinently out of the archipelago, or succeed by a ratification of this treaty to the title and sovereignty of Spain, and with that as our foundation go forward to work out for that people what we will work out for the people of Cuba, and secure for ourselves as a Government such foothold there as will safeguard our interests and our trade in the Orient.

The Filipinos do not understand us to-day. It is not strange that they should be suspicious. They have never known good government. They have never lived under a government except one of brute force and violence and lust. I notice that all the rebellions among the tribes there have been justified rebellions. They seem to be a docile people. They have rebelled twice because of violation of the honor of their homes, of excessive and outrageous taxation, of oppression by the monks. They do not know us. They do not understand our purposes. They could not be expected to know how different are our sentiments, our aspirations, and civilization from those which have characterized the government they have known.

It is not wise either for them or for us that they should be given to understand that we have no right there, and I repeat, and this is the crucial point of my argument, that the only way in which we can rightfully secure a foothold there in order to accomplish anything—I speak not of permanent dominion in the archipelago—by accepting the cession contained in this treaty.

What is the difference between Cuba and the Philippines in this regard? Does it seem to Senators that there is none? To me it has seemed obvious and vast. Cuba, to begin with, is within a short distance of us. It is at our door. The Philippines are 7,000 miles away. A large number of Americans are interested in Cuba, and have been for many years. The Cuban people have dealt with our people during a long period. Many of them have been educated in our colleges and schools. Many of them have acquired their professions in the United States. Many of them became long ago citizens of the United States, and returned thence to their native land. They understand us and we understand them measurably. This is in no respect true as to the Filipinos.

The Cubans are within easy reach of our public opinion. They know what is published in our newspapers. They have studied our institutions. Not so with the Filipinos. Cuba, too, has not been the subject of possible foreign seizure. No nation has dared even to think, I believe, of obtaining a foothold upon the island of Cuba. No one would deny that it is absolutely within the sphere of American influence. This is not true as to the Philippine Archipelago. That archipelago has been the subject of intrigue upon the part of other governments, not governments either which from our standpoint govern very well, not governments which care much for the writ of habeas corpus, for religious liberty, or for the Declaration of Independence.

Mr. ALDRICH. Or the consent of the governed?

Mr. SPOONER. No, or the consent of the governed. They are Governments which rule with a strong and iron hand for their own purposes, and, Mr. President, we can not in honor leave the Philippine Archipelago and its people, all things considered, a derelict, abandoned in the Pacific seas to become the spoil of other nations.

There is another thing worth considering in respect to the difference between Cuba and her people and the archipelago and its people. As the Senator from Illinois [Mr. MASON], I think it was, said in his eloquent speech here the other day, it is a great and glorious thing for a nation or a people to win their own liberty and independence in war. But it is a far greater and more glorious thing for our nation to go into war in order to win liberty for another people.

We have sacrificed much, Mr. President, for Cuba. The graves of our boys in Cuba and here at home testify that. The sunken wreck in Havana Harbor, the coffin of our sailor lads, bears witness to that. We have poured out our treasure for Cuba. We have desolated our homes for Cuba. All this in achieving the object of the war. The Cubans know this, understand this, and I hope appreciate this. There is no such relation to the Filipinos. Our advent there was an incident to war for the liberty of Cuba. But I repeat, we are there. What is more, Mr. President, we completely occupy Cuba by our forces. We do not under the protocol probably completely occupy the Philippine Islands.

If I may be permitted to repeat, if we take this title we are there as a sovereign. We have the will and the power to enforce law. We will enforce order there. We will establish government there. We will not violate the Declaration of Independence. This treaty will be an emancipation proclamation to the Filipinos, securing in that island all of the great rights which we so prize, and which have been here so much discussed. That we will give them every possible opportunity for self-government I do not allow myself to doubt. I hope the day may soon come when they may have a government of their own. But we can create that, Mr. President, in no way except by the ratification of this treaty.

It must not be forgotten either that if we stay there under a treaty containing the provision as to the Philippines which this one contains as to Cuba, notwithstanding all of the differences to which I have alluded between the two situations, spend our money there, lose our men there by casualty and disease, religiously watch and nourish the interests of that people, and develop their power of self-government until under our auspices they have erected a government which under the principles of international law we can recognize as independent, we are without power to protect our own interests there, unless that government after it is recognized shall consent. We could not obtain a coaling station there if that government declined. Through foreign intrigue it might decline. We would be powerless, except by the strong hand of force, to reimburse ourselves within fair and just limits the outlay and trouble and sacrifice which we shall have endured for their sake.

There is another thing about it, Mr. President. Under this treaty we can give them, when the time comes, the sovereignty and title of Spain. They will have then the possessory right and the title, because, this treaty being ratified, we will possess it; we will have it to cede. We may cede it upon conditions such as at the time shall seem to us best for them and best for us. We may cede it upon condition that their constitution shall contain irrevocable guaranties essential to freedom, to popular education, to religious liberty, to the right of habeas corpus, the protection of life and property; indeed all the guaranties which American communities under the Declaration of Independence demand. We can cede it upon condition of the grant to us of adequate naval stations, supply stations, and commercial advantages. And if we have doubt as to the permanent stability and power of their government to stand alone, if we then feel we can not safely sail away and leave them to their destiny, we can, in their interest as well as in ours, maintain a protectorate over them with comparative safety, because we can make it a condition of cession of this title and sovereignty to such government as they shall establish that they shall enter into no treaty obligation with other governments without our consent. Without this power we can with safety maintain no protectorate of a government 7,000 miles away, over whose treaty-making power and over whose international transactions we have no control.

Again, Mr. President, the whole matter will be within our own hands. If we find we can not get on with the Filipinos; if, after studying the conditions over there, our people find we can not without strife and intolerable burdens do them any good, we can then cede the sovereignty to them and sail away. We will not be then running away from a responsibility at first sight. We will not subject ourselves to possibly the just charge of cowardice by other nations. We will have left them then after having made every honest effort in our power, upon the solid foundation of Spain's sovereignty and title, to help them to benefits which they would not have. We will have attempted to shower upon them blessings which long-continued tyranny has deprived them of the power to appreciate.

No; there is no middle ground. The treaty should be ratified, and ratified promptly. But, Mr. President, an acceptance of this cession does not determine at all, in my view, the future policy of the United States as to the Philippines. I am not in favor of the resolution of the Senator from Georgia, not because I differ from the sentiment expressed in the last one, but I am not in favor of tying the hands of this Government as to the future. It is our business to make laws, not to fulminate policies.

If this territory be acquired and its sovereignty becomes ours, it is for the people of the United States to say what shall be done with it; and without regard to the merits of the declarations contained in his resolutions, I am convinced, in view of the entire situation, the distance of the islands, the unfamiliarity of their people with us, their suspicion of all comers, that if this resolution or any other of the kind is passed it will be fruitless of anything of use, and fruitful only of mischief, friction, and trouble hereafter.

Let us ratify this treaty and bring peace to the country. Let us take this sovereignty and title, and then do with it what is right, leaving to the people to determine hereafter what the permanent policy of this Government with reference to it is to be.

Mr. President, I believe in the people. It seems something of demagogy for one dependent for his position upon the people to say that in a public way, but I believe in the people. Sometimes at the first they are wrong; sometimes they are unfair in their judgment of measures and unjust in their judgment of men. Sometimes they give ear to the demagogue, and sometimes for the hour the popular judgment is overturned by some clamor or some prejudice, but the sober second thought of the American people, the judgment at which they arrive at last, is likely to be quite infallible. Anyhow, we are their servants and they are our masters.

The irrevocable policy of the American people is to be determined by the American people, not by their uninstructed temporary servants. When they have had time to consider this subject, not when the flags are fluttering and the bands are playing and the troops are marching, but in the calm of their firesides, in the light of debate upon the rostrum, they will render a judgment which must be controlling. If it comports with ours, it will be for those of us who are still here to carry it out. If it does not comport with ours, it will be for those of us who are still here, in my judgment, just the same to carry it out, or to quit and allow them to send agents here who will do their will.

One who is not willing, Mr. President, to rely upon the sober second thought of our people upon this question, and all questions, impeaches the success of republican government. I have no fear that the people who went to war to give liberty to Cuba will in the end arrive at a conclusion which will oppress the Filipinos, or which will violate the Declaration of Independence in the Philippine Archipelago. The ideals upon which this Government is founded are the ideals of the American people. We have not the power to commit them to an unchangeable policy. We have neither right nor reason to doubt that their conclusion will religiously maintain the best ideals of the Republic, and will be in harmony with justice, generosity, and the highest civilization.

Mr. TILLMAN. Mr. President, I rise to a question of personal privilege.

The PRESIDING OFFICER (Mr. CARTER in the chair). The Senator from South Carolina will state his question of personal privilege.

Mr. TILLMAN. Under the consent agreement reached by the Senate in regard to the discussion of the treaty it was decided that any Senator who wished to discuss it for the RECORD or for the public should do so before 2 o'clock, with the privilege, if he had not completed his remarks when 2 o'clock arrived, that he should have the right to go on and finish. The Senator from Wisconsin knew this perfectly well, and while I realize and understand that he was anxious not to trespass upon the time of the Senate, and while he has said as an excuse that he was unwell, I submit that the interruption which I made was pertinent and applicable to

the discussion which he was making, and my only object was to prevent misstatements, which I know he was making inadvertently, going to the country under the sanction of the one Senator here who perhaps has as much influence as any other man in this body.

In his anxiety to hurry on he saw proper to use discourteous language to me which he has withdrawn, and I therefore have nothing to say on that point. I know the Senator too well and respect him too highly, and indeed love him in a sense, to feel that he would knowingly or willingly wound the feelings of any of his colleagues.

Mr. SPOONER. If the Senator will permit me, of course I would not wound the Senator's feelings, and I made as prompt and courteous a response——

Mr. TILLMAN. I understand that, and I have not the slightest malice toward the Senator, and his words have left no sting. I am simply doing outside of the limitation what the Senator would not permit me to do at a time so it could go in the body of his speech, and that is to put before the people in the same RECORD which will carry the Senator's speech to the country some statements which will contradict what he has said.

Mr. SPOONER. I am perfectly willing that it shall go into my speech as coming from the Senator. My only——

Mr. TILLMAN. If the Senator will allow these statements to go in the body of his speech at the point where I tried to get them in——

Mr. SPOONER. Certainly.

Mr. TILLMAN. I will be satisfied. The only point with me is that I want to read them right now.

Mr. SPOONER. That is all right.

Mr. TILLMAN. They are very brief and will consume only a minute or two.

Under date of Manila, Philippine Islands, August 29, there appears in this document which accompanied the treaty when sent to us by the President a letter headed "Office of Military Information," and signed by Maj. J. F. Bell, of the Engineer Corps. Major Bell had been in Manila as an agent of this Government, seeking information in regard to the condition there, and under instruction from General Merritt had proceeded in a great many directions in the island of Luzon under safe conduct from Aguinaldo. He speaks of Aguinaldo. The Senator from Wisconsin called me "the Senator from Aguinaldo," and it seems that in one sense I am his representative here, as I am simply trying to prevent him from being misrepresented. Major Bell says that Aguinaldo is—

> Honest, sincere, and poor; not well educated, but a natural leader of men, with considerable shrewdness and ability; has the power of creating among the people confidence in himself, and is undoubtedly a very popular man, highly respected by all.

In another part of the same letter he says:

> Aguinaldo has in Hongkong about $300,000 and in Bakor about $220,000 of public funds.

I presume this money was that which he had received from the Spanish Government, and which he held in trust. He goes on:

> He has commissioned an agent to purchase all the nitrate of soda to be found in Manila and a lot more in China and Japan. He has a cartridge factory at Imus capable of working 400 people. He proposes soon to move his headquarters to Malolos, on the railroad north of Manila and only about thirty minutes' ride from the city.

Now, here is what I wish to direct the attention of the Senator from Wisconsin to, if he will do me the honor to listen, and it is the one essential fact which seems to be ignored and forgotten here by those Senators in this body who propose to ratify the treaty and let the consequences follow. Major Bell says:

> There is not a particle of doubt but what Aguinaldo and his leaders will resist any attempt of any government to reorganize a colonial government here. They are especially bitter toward the Spaniards, but equally determined not to submit any longer to being a colony of any other government. What they would like best of all would be a Filipino republic with an American protectorate, for none realize their inability more clearly than they to maintain a republic without protection of some stronger power.

In the same letter appears a statement as to the condition of preparation in which those people are for war. The statement is made that they have 40,000 stands of arms. Now, we know this man is an ambitious man, imbued, no doubt, with great and fervid patriotism and also with great self-esteem. He is there with that army of 30,000 or 40,000 men, armed and ready to resist, and his agent in this capital has notified you that he will not submit to being bought and sold, or to his people being bought and sold, like slaves or cattle.

Mr. HOAR. I should like to ask the Senator from South Carolina a question.

Mr. TILLMAN. I shall be glad to answer it, sir, if I can.

Mr. HOAR. Does not Aguinaldo at this moment hold in peace and order fifty times as much of the territory of the Philippine Islands as we do?

Mr. TILLMAN. According to the best information that I can get, sir, he holds the entire Philippine archipelago except a small territory around Cavite and the city of Manila.

All I desire at this time, Mr. President—for I could not under the circumstances attempt, if I were able or willing to undertake it, to answer the able and eloquent sophistries of my friend from Wisconsin—will be to say that coming, not as a "Senator from Aguinaldo," but as a Senator from Africa, if you please, South Carolina, with 750,000 colored population and only 500,000 whites, I realize what you are doing, while you do not; and I would save this country from the injection into it of another race question which can only breed bloodshed and a costly war and the loss of the lives of our brave soldiers. I would save the country the disgrace of having our flag float over a battlefield drenched with the blood of patriots fighting for liberty and self-government shed by American soldiers.

EXECUTIVE SESSION.

Mr. DAVIS. I move that the Senate proceed to the consideration of executive business.

The motion was agreed to; and the Senate proceeded to the consideration of executive business. After two hours and ten minutes spent in executive session the doors were reopened.

COMMITTEE SERVICE.

Mr. ALLISON. Mr. President, I move that during the remainder of the Fifty-fifth Congress the Committee on Finance be constituted as follows: NELSON W. ALDRICH (chairman), WILLIAM B. ALLISON, ORVILLE H. PLATT, EDWARD O. WOLCOTT, JULIUS C. BURROWS, THOMAS C. PLATT, JOHN P. JONES, GEORGE G. VEST, JAMES K. JONES, STEPHEN M. WHITE, DAVID TURPIE, JOHN W. DANIEL, HORACE CHILTON.

That the Committee on Rules be constituted as follows; one vacancy: JOHN C. SPOONER (chairman), NELSON W. ALDRICH, GEORGE F. HOAR, ARTHUR P. GORMAN, HENRY M. TELLER, SAMUEL PASCO.

That the Committee on Relations with Canada be constituted as follows: MARCUS A. HANNA (chairman), GEORGE F. HOAR, EUGENE HALE, EDWARD MURPHY, Jr., JOHN L. MITCHELL, RICHARD F. PETTIGREW, BENJAMIN R. TILLMAN, JOHN P. JONES, WILLIAM N. ROACH.

That Mr. ROSS be assigned to committees as follows: Territories, Engrossed Bills, Additional Accommodations for the Library of Congress, Transportation Routes to the Seaboard, to Examine the Several Branches of the Civil Service.

That Mr. SIMON be assigned to membership upon the Committee on Public Buildings and Grounds.

That Mr. BAKER be assigned to membership upon the Committee on Civil Service and Retrenchment, and be excused from service on the Committee on Engrossed Bills.

That Mr. PLATT of New York be excused from service upon the Committee on Territories.

That Mr. ALDRICH be excused from service upon the Committee on Transportation Routes to the Seaboard.

That Mr. GALLINGER be excused from service on the Committee to Examine the Several Branches of the Civil Service.

The motion was agreed to.

Mr. CULLOM. I move that the Senate adjourn.

The motion was agreed to; and (at 5 o'clock and 40 minutes p. m.) the Senate adjourned until to-morrow, Friday, February 3, 1899, at 12 o'clock m.

NOMINATIONS.

Executive nominations received by the Senate February 2, 1899.

PROMOTIONS IN THE ARMY.

MEDICAL DEPARTMENT.

Capt. Henry P. Birmingham, assistant surgeon, to be surgeon, with the rank of major, December 15, 1898, vice De Witt, promoted.

CORPS OF ENGINEERS.

To be first lieutenants.

Second Lieut. William D. Conner, July 5, 1898, vice Flagler, promoted.

Second Lieut. John C. Oakes, July 5, 1898, vice Harding, promoted.

CAVALRY ARM.

Second Lieut. Alexander M. Davis, Eighth Cavalry, to be first lieutenant, January 20, 1899, vice Slavens, Fourth Cavalry, appointed regimental quartermaster.

INFANTRY ARM.

Lieut. Col. James W. Powell, Fifteenth Infantry, to be colonel, January 16, 1899, vice Wherry, Seventeenth Infantry, appointed brigadier-general.

Maj. Constant Williams, Nineteenth Infantry, to be lieutenant-colonel, January 16, 1899, vice Powell, Fifteenth Infantry, promoted.

Capt. Frederick H. E. Ebstein, Twenty-first Infantry, to be major, January 16, 1899, vice Williams, Nineteenth Infantry, promoted.

First Lieut. Abraham P. Buffington, Thirteenth Infantry, to be captain, January 7, 1899, vice Brant, First Infantry, retired from active service.

Second Lieut. Arthur R. Kerwin, Twenty-fourth Infantry, to be first lieutenant, January 7, 1899, vice Buffington, Thirteenth Infantry, promoted.

Second Lieut. George S. Goodale, Twenty-third Infantry, to be first lieutenant, January 7, 1899, vice Ramsey, Ninth Infantry, appointed regimental quartermaster.

Second Lieut. Benjamin M. Hartshorne, jr., Tenth Infantry, to be first lieutenant, January 7, 1899, vice Heavey, Eleventh Infantry, appointed regimental quartermaster.

APPOINTMENTS IN THE ARMY.

MEDICAL DEPARTMENT.

To be assistant surgeons with the rank of first lieutenant.

Thomas Jeptha Calvert, of Kentucky, January 30, 1899, vice Birmingham, promoted.

Louis Thales Hess, of Pennsylvania, January 30, 1899, vice an officer to be promoted after examination.

Clarence Beacom Millhoff, of Pennsylvania, January 30, 1899, vice McVay, deceased.

Christopher Clark Collins, of Virginia, January 30, 1899, vice Munday, wholly retired from the service.

THIRD REGIMENT VOLUNTEER ENGINEERS.

Second Lieut. Samuel Dibble, jr., to be first lieutenant, vice Brady, appointed battalion quartermaster.

Sergt. Henry Gordon Strong, Company M, to be second lieutenant, vice Dibble, promoted.

SECOND REGIMENT VOLUNTEER INFANTRY.

To be second lieutenant.

Bradner D. Slaughter, of Nebraska, vice Lobdell, deceased.

SEVENTH REGIMENT VOLUNTEER INFANTRY.

To be first lieutenants.

Sergt. John Fred James, Company A, Third Virginia Volunteers, to fill an original vacancy, July 19, 1898.

William H. Butler, of Missouri, to fill an original vacancy, July 13, 1898.

James G. Horton, of Missouri, to fill an original vacancy, July 26, 1898.

James B. Coleman, of Missouri, to fill an original vacancy, July 26, 1898.

John E. Perry, of Missouri, to fill an original vacancy, July 26, 1898.

Leon Jordan, of Missouri, to fill an original vacancy, July 26, 1898.

Thomas Campbell, of Missouri, to fill an original vacancy, July 26, 1898.

Edward G. McAfee, of Iowa, to fill an original vacancy, July 26, 1898.

James H. Sykes of Arkansas, to fill an original vacancy, July 26, 1898.

William O. Emory, of Arkansas, to fill an original vacancy, July 26, 1898.

Charles H. Morgan, of Missouri, to fill an original vacancy (since honorably discharged), July 26, 1898.

Raphael T. Brown, of Tennessee, to fill an original vacancy (since resigned), July 26, 1898.

To be second lieutenant.

Stephen T. Guy, of Tennessee, to fill an original vacancy (since resigned), July 26, 1898.

SECOND REGIMENT VOLUNTEER CAVALRY.

To be chaplain.

Henry G. Golden, of Wyoming, to fill an original vacancy (since mustered out), June 19, 1898.

THIRD REGIMENT VOLUNTEER ENGINEERS.

To be captains.

Lyle F. Bellinger, of Georgia, to fill an original vacancy, July 13, 1898.

Frank L. Averill, of the District of Columbia, to fill an original vacancy, July 13, 1898.

William B. Thomas, of Georgia, to fill an original vacancy, July 13, 1898.

Carleton W. Sturtevant, of Missouri, to fill an original vacancy, July 13, 1898.

George F. Stickney, of Kentucky, to fill an original vacancy, July 13, 1898.

John Henry Westerfield, of Kentucky, to fill an original vacancy, July 13, 1898.

William J. Hardee, of Louisiana, to fill an original vacancy (since resigned), July 13, 1898.

APPOINTMENTS BY BREVET IN THE ARMY.

To be lieutenant-colonel by brevet.

Maj. Henry H. Humphreys, Twelfth Infantry, for gallantry in battle, El Caney, Cuba, July 1, 1898.

To be captains by brevet.

First Lieut. Mark L. Hersey, Twelfth Infantry, for gallantry in battle, Santiago de Cuba, July 2, 1898.

First Lieut. Frank S. Cochen, Twelfth Infantry, for gallantry in battle, El Caney, Cuba, July 1, 1898.

First Lieut. William G. Elliot, Twelfth Infantry (since deceased), for gallantry in battle, El Caney, Cuba, July 1, 1898.

First Lieut. Frederick S. Wild, Twelfth Infantry, for gallantry in battle, El Caney, Cuba, July 1, 1898.

First Lieut. Edward Taylor, Twelfth Infantry, for gallantry in battle, El Caney, Cuba, July 1, 1898.

First Lieut. William M. Wood, Twelfth Infantry (since deceased), for gallantry in battle, El Caney, Cuba, July 1, 1898.

First Lieut. David J. Baker, jr., Twelfth Infantry, for gallantry in battle, El Caney, Cuba, July 1, 1898.

First Lieut. Robert E. L. Spence, Sixteenth Infantry, for gallantry in battle, Santiago de Cuba, July 1, 1898.

To be first lieutenants by brevet.

Second Lieut. Alfred T. Smith, Twelfth Infantry, for gallantry in battle, El Caney, Cuba, July 1, 1898.

Second Lieut. Fine W. Smith, Twelfth Infantry, for gallantry in battle, El Caney, Cuba, July 1, 1898.

Second Lieut. Glenn H. Davis, Twelfth Infantry, for gallantry in battle, El Caney, Cuba, July 1, 1898.

Second Lieut. Charles Churchman, Twelfth Infantry, for gallantry in battle, El Caney, Cuba, July 1, 1898.

To be brigadier-general by brevet.

Col. Charles A. Wikoff, Twenty-second Infantry (killed in action), for gallantry in battle, Santiago de Cuba, July 1, 1898.

To be lieutenant-colonels by brevet.

Maj. William H. Boyle, Ninth Infantry, for gallantry in battle, Santiago de Cuba, July 1, 1898.

Maj. Philip H. Ellis, Thirteenth Infantry, for gallantry in battle, Santiago de Cuba, July 1, 1898.

Maj. Marshall W. Wood, surgeon, United States Army, for meritorious service in attending wounded under fire, Santiago de Cuba, July 1, 1898.

Capt. John J. O'Connell, First Infantry, for meritorious service in presence of the enemy, Santiago de Cuba, July 1, 1898. (Nominated for brevet major, to rank from May 12, 1898.)

Capt. Nat P. Phister, First Infantry, for meritorious service in presence of the enemy, Santiago de Cuba, July 1, 1898. (Nominated for brevet major, to rank from May 12, 1898.)

Maj. Casper H. Conrad, Eighth Infantry, for gallantry in battle, Santiago de Cuba, July 1, 1898. (Since deceased.)

Maj. Valery Havard, surgeon, United States Army, for meritorious service in attending wounded under fire, Santiago de Cuba, July 1, 1898.

Maj. Leopold O. Parker, Twenty-second Infantry, for meritorious service in presence of the enemy, Santiago de Cuba, July 1, 1898.

To be majors by brevet.

Capt. John B. Guthrie, Thirteenth Infantry, for gallantry in battle, Santiago de Cuba, July 1, 1898.

Capt. Harry G. Cavenaugh, Thirteenth Infantry, for gallantry in battle, Santiago de Cuba, July 1, 1898.

Capt. James Fornance, Thirteenth Infantry (since deceased), for gallantry in battle, Santiago de Cuba, July 1, 1898.

Capt. James B. Goe, Thirteenth Infantry, for gallantry in battle, Santiago de Cuba, July 1, 1898.

Capt. Benjamin H. Gilman, Thirteenth Infantry (since deceased), for meritorious service in presence of the enemy, Santiago de Cuba, July 2, 1898.

Capt. Nat P. Phister, First Infantry, for gallantry in action at Point Arbolitus, Cuba, May 12, 1898.

Capt. John J. O'Connell, First Infantry, for gallantry in action at Point Arbolitus, Cuba, May 12, 1898.

Capt. Charles M. Gandy, assistant surgeon, United States Army, for meritorious service in presence of the enemy, Point Arbolitus, Cuba, May 12, 1898.

Capt. Charles B. Vogdes, First Infantry, for meritorious service in presence of the enemy, Santiago de Cuba, July 1, 1898.

First Lieut. Francis E. Lacey, jr., First Infantry, for meritorious service in presence of the enemy, Santiago de Cuba, July 1,

1898. (Nominated for brevet captain, to rank from May 12, 1898.)

First Lieut. William M. Crofton, First Infantry, for meritorious service in presence of the enemy, Santiago de Cuba, July 1, 1898. (Nominated for brevet captain, to rank from May 12, 1898.)

Capt. Thomas C. Woodbury, Sixteenth Infantry, for gallantry in battle, Santiago de Cuba, July 1, 1898.

Capt. Samuel R. Whitall, Sixteenth Infantry, for gallantry in battle, Santiago de Cuba, July 1, 1898.

Capt. Rudolph G. Ebert, assistant surgeon, United States Army, for meritorious service in attending wounded under fire, Santiago de Cuba, July 1, 1898.

Capt. John Drum, Tenth Infantry (killed in action), for gallantry in battle, Santiago de Cuba, July 1, 1898.

Capt. Walter M. Dickinson, Seventeenth Infantry (since deceased), for gallantry in battle, Santiago de Cuba, July 1, 1898.

To be captains by brevet.

First Lieut. Peter C. Harris, Thirteenth Infantry, for gallantry in battle, Santiago de Cuba, July 1, 1898.

First Lieut. Munroe McFarland, Thirteenth Infantry, for gallantry in battle, Santiago de Cuba, July 1, 1898.

First Lieut. Henry T. Ferguson, Thirteenth Infantry, for gallantry in battle, Santiago de Cuba, July 1, 1898.

First Lieut. William A. Sater, Eighteenth Infantry, for gallantry in battle, Santiago de Cuba, July 1, 1898.

First Lieut. John W. Heard, Third Cavalry, for gallantry in action at Pinar del Rio, Cuba, July 23, 1898.

First Lieut. Guy C. M. Godfrey, assistant surgeon, United States Army, for meritorious service in attending wounded under fire, Santiago de Cuba, July 1, 1898.

First Lieut. Francis E. Lacey, jr., First Infantry, for gallantry in action at Point Arbolitus, Cuba, May 12, 1898.

First Lieut. Everett E. Benjamin, First Infantry, for meritorious service in presence of the enemy, Santiago de Cuba, July 1, 1898.

First Lieut. George A. Detchmendy, First Infantry, for meritorious service in presence of the enemy, Santiago de Cuba, July 1, 1898.

First Lieut. Hiram McL. Powell, First Infantry, for meritorious service in presence of the enemy, Santiago de Cuba, July 1, 1898.

First Lieut. William M. Crofton, First Infantry, for gallantry in action at Point Arbolitus, Cuba, May 12, 1898.

First Lieut. Amos H. Martin, First Infantry, for meritorious service in presence of the enemy, Santiago de Cuba, July 1, 1898.

First Lieut. Dana W. Kilburn, Third Infantry, for meritorious service in presence of the enemy, Santiago de Cuba, July 1, 1898.

First Lieut. Dwight E. Holley, Fourth Infantry, for meritorious service in presence of the enemy, Santiago de Cuba, July 1, 1898.

First Lieut. Charles S. Farnsworth, Seventh Infantry, for meritorious service in presence of the enemy, Santiago de Cuba, July 1, 1898.

First Lieut. Thomas J. Kirkpatrick, assistant surgeon, United States Army, for meritorious service in attending wounded under fire, Santiago de Cuba, July 1, 1898.

First Lieut. Charles L. Bent, Seventh Infantry, for meritorious service in presence of the enemy, Santiago de Cuba, July 1, 1898.

To be first lieutenants by brevet.

Second Lieut. Louis H. Bash, Thirteenth Infantry, for gallantry in battle, Santiago de Cuba, July 1, 1898.

Second Lieut. Dennis E. Nolan, First Infantry, for gallantry in action at Point Arbolitus, Cuba, May 12, 1898.

Second Lieut. James N. Pickering, First Infantry, for meritorious service in presence of the enemy, Santiago de Cuba, July 1, 1898.

Second Lieut. Edgar Ridenour, Sixteenth Infantry, for gallantry in battle, Santiago de Cuba, July 1, 1898.

Second Lieut. Dwight E. Aultman, Second Artillery, for gallantry in battle, Santiago de Cuba, July 1, 1898.

Second Lieut. Walter C. Short, Sixth Cavalry, for gallantry in battle, Santiago de Cuba, July 1, 1898.

Second Lieut. Harvey W. Miller, Thirteenth Infantry, for gallantry in battle, Santiago de Cuba, July 1, 1898.

APPOINTMENTS BY BREVET IN THE VOLUNTEER ARMY.

To be lieutenant-colonels by brevet.

Maj. Richard W. Johnson, brigade surgeon, United States Volunteers, for meritorious service in attending wounded under fire, Santiago de Cuba, July 1, 1898.

Maj. William C. Daniels, assistant adjutant-general, United States Volunteers, for meritorious service in presence of the enemy, Santiago de Cuba, July 10, 1898.

Maj. Joseph E. Maxfield, United States Volunteer Signal Corps, for meritorious service in presence of the enemy, Santiago de Cuba, July 1, 1898.

To be majors by brevet.

First Lieut. George B. Wilcox, First Volunteer Cavalry, for gallantry in battle, Santiago de Cuba, July 1, 1898. (Nominated for brevet captain, to rank from June 24, 1898.)

Capt. Robert H. Huston, First Volunteer Cavalry, for gallantry in battle, Santiago de Cuba, July 1, 1898.

First Lieut. Joseph A. Carr, First Volunteer Cavalry, for gallantry in battle, Santiago de Cuba, July 1, 1898. (Nominated for brevet captain, to rank from June 24, 1898.)

Capt. George S. Cartwright, assistant quartermaster, United States Volunteers, for gallantry in battle, Santiago de Cuba, July 1, 1898.

To be captain by brevet.

First Lieut. George B. Wilcox, First Volunteer Cavalry, for gallantry in battle, La Guasima, Cuba, June 24, 1898.

CONFIRMATIONS.

Executive nominations confirmed by the Senate February 2, 1899.

CONSUL.

Elias H. Cheney, of New Hampshire, to be consul of the United States at Curaçao, West Indies.

APPOINTMENTS IN THE VOLUNTEER ARMY.

To be chief surgeons with the rank of major.

Maj. John L. Phillips, brigade surgeon, United States Volunteers.

Maj. Jefferson R. Kean, brigade surgeon, United States Volunteers.

Maj. Paul Clendenin, brigade surgeon, United States Volunteers.

To be brigade surgeon with the rank of major.

Capt. Julian M. Cabell, United States Army, retired.

Frederick J. Combe, acting assistant surgeon, United States Army.

Ninth Regiment, Volunteer Infantry.

First Lieut. James Mitchell, assistant surgeon, to be surgeon with the rank of major.

APPOINTMENT IN THE ARMY.

INFANTRY ARM.

James S. Young, jr., of Pennsylvania, to be second lieutenant.

PROMOTIONS IN THE ARMY.

INFANTRY ARM.

To be captains.

First Lieut. Benjamin M. Pursell, Nineteenth Infantry, August 22, 1898.

First Lieut. Fielder M. M. Beall, Eighteenth Infantry, August 30, 1898.

First Lieut. Maury Nichols, Seventh Infantry, September 8, 1898.

First Lieut. Zebulon B. Vance, quartermaster, Eleventh Infantry, September 8, 1898.

First Lieut. Joseph P. O'Neil, Twenty-fifth Infantry, September 16, 1898.

First Lieut. Wendell L. Simpson, Fourteenth Infantry, September 17, 1898.

First Lieut. Frederick L. Palmer, Twenty-first Infantry, September 17, 1898.

First Lieut. Clarence E. Dentler, Eleventh Infantry, September 21, 1898.

First Lieut. James K. Thompson, Twenty-third Infantry, September 28, 1898.

First Lieut. Henry D. Styer, Thirteenth Infantry, October 4, 1898.

First Lieut. Waldo E. Ayer, Twelfth Infantry, October 5, 1898.

First Lieut. Robert H. Noble, First Infantry, October 12, 1898.

First Lieut. Benjamin C. Morse, Twenty-third Infantry, November 1, 1898.

First Lieut. John P. Finley, quartermaster, Ninth Infantry, November 1, 1898.

First Lieut. Frederick R. Day, quartermaster, Twentieth Infantry, November 1, 1898.

First Lieut. Carl Reichmann, Ninth Infantry, December 13, 1898.

First Lieut. Alfred S. Frost, Twenty-fifth Infantry, December 14, 1898.

First Lieut. George W. Ruthers, Eighth Infantry, December 15, 1898.

First Lieut. Leon S. Roudiez, First Infantry, December 20, 1898.

First Lieut. William C. Wren, Seventeenth Infantry, December 23, 1898.

To be first lieutenants.

Second Lieut. Walter S. McBroom, Eighteenth Infantry, July 12, 1898.

Second Lieut. David S. Stanley, Twenty-second Infantry, July 23, 1898.

Second Lieut. Benjamin T. Simmons, Sixteenth Infantry, July 26, 1898.

Second Lieut. Girard Sturtevant, Twenty-fifth Infantry, July 30, 1898.

Second Lieut. Louis H. Bash, Thirteenth Infantry, August 4, 1898.

Second Lieut. Anton Springer, Twenty-first Infantry, August 6, 1898.

Second Lieut. Frank B. Watson, Nineteenth Infantry, August 7, 1898.

Second Lieut. Oscar J. Charles, Tenth Infantry, August 8, 1898.

Second Lieut. Thomas A. Pearce, Seventh Infantry, August 11, 1898.

Second Lieut. Lawrence B. Simonds, Eighth Infantry, August 11, 1898.

Second Lieut. Robert H. Allen, Fourteenth Infantry, August 11, 1898.

Second Lieut. Dwight W. Ryther, Sixth Infantry, August 11, 1898.

Second Lieut. William F. Creary, Second Infantry, August 12, 1898.

Second Lieut. Edward T. Hartmann, Fifteenth Infantry, August 15, 1898.

Second Lieut. Howard W. French, Twenty-fifth Infantry, August 15, 1898.

Second Lieut. Frederick B. Shaw, Fifth Infantry, August 22, 1898.

Second Lieut. William B. Cochran, Twenty-fifth Infantry, August 30, 1898.

Second Lieut. Harry F. Rethers, Ninth Infantry, September 8, 1898.

Second Lieut. Alga P. Berry, Tenth Infantry, September 16, 1898.

Second Lieut. Haydon Y. Grubbs, Eighteenth Infantry, September 16, 1898.

Second Lieut. Celwyn E. Hampton, Twenty-third Infantry, September 17, 1898.

Second Lieut. Herschel Tupes, Fifteenth Infantry, September 17, 1898.

Second Lieut. George H. Shelton, Eleventh Infantry, September 18, 1898.

Second Lieut. Isaac Newell, Twenty-second Infantry, September 21, 1898.

Second Lieut. Robert M. Brookfield, Second Infantry, September 28, 1898.

Second Lieut. Frank H. Whitman, Second Infantry, October 4, 1898.

Second Lieut. Clarence N. Purdy, Sixth Infantry, October 5, 1898.

Second Lieut. Merch B. Stewart, Eighth Infantry, October 12, 1898.

Second Lieut. Frederick W. Lewis, Twenty-second Infantry, November 1, 1898.

Second Lieut. Charles E. Russell, Seventh Infantry, December 13, 1898.

Second Lieut. Dennis E. Nolan, First Infantry, December 14, 1898.

Second Lieut. James N. Pickering, First Infantry, December 15, 1898.

Second Lieut. William A. Burnside, Fourteenth Infantry, December 15, 1898.

Second Lieut. Reynolds J. Burt, Twenty-fifth Infantry, December 20, 1898.

Second Lieut. Russell C. Langdon, Eighth Infantry, December 20, 1898.

Second Lieut. Harry H. Tebbetts, Tenth Infantry, December 23, 1898.

Second Lieut. Houston V. Evans, Sixth Infantry, December 28, 1898.

PROMOTIONS IN THE NAVY.

Lieut. Martin E. Hall, to be a lieutenant-commander in the Navy, from the 25th day of December, 1898.

Lieut. (Junior Grade) Theodore C. Fenton, to be a lieutenant in the Navy, from the 25th day of December, 1898.

Ensign Louis A. Kaiser, to be a lieutenant (junior grade) in the Navy, from the 25th day of December, 1898.

POSTMASTERS.

John H. Cook, to be postmaster at Ellisville, in the county of Jones and State of Mississippi.

Jesse C. Wilson, to be postmaster at Bessemer, in the county of Jefferson and State of Alabama.

HOUSE OF REPRESENTATIVES.

THURSDAY, *February 2, 1899.*

The House met at 12 o'clock m. Prayer by the Chaplain, Rev. HENRY N. COUDEN.

The Journal of the proceedings of yesterday was read and approved.

JULIUS A. KAISER.

Mr. BUTLER. Mr. Speaker, I ask unanimous consent for the present consideration of the bill (H. R. 1579) for the relief of Julius A. Kaiser.

The bill was read, as follows:

Be it enacted, etc., That the President of the United States be, and he is hereby, authorized to nominate and, by and with the advice and consent of the Senate, to appoint Julius A. Kaiser upon the retired list of the Navy, in the grade of passed assistant engineer, as of the date he was entitled by law or navy regulations to examination for promotion from assistant engineer to said grade.

Mr. BAILEY. This is a bill to retire a man who is not now in the service, is it?

Mr. BUTLER. Will the gentleman withhold his statement until he hears the statement of facts?

Mr. BAILEY. Reserving the right to object, I will. The first question, however, I wish to ask is, Is this a proposition to retire a man not now in the service?

Mr. BUTLER. No; he is now on the retired list.

Mr. BAILEY. And this is a proposition to promote him?

Mr. BUTLER. It is.

Mr. BAILEY. Then I object.

Mr. LOUDENSLAGER. Will the gentleman waive his objection until he hears a statement of facts?

Mr. BAILEY. Out of courtesy to gentlemen I will, but nothing you can say will change my opinion.

Mr. LOUDENSLAGER. The man was in the Asiatic Squadron, and was injured, and was unable to be examined.

Mr. BAILEY. Then give him a pension. If he was injured in the service I am willing to give him a pension.

Mr. BUTLER. Do I understand that no facts that can be stated will induce the gentleman from Texas to change his objection?

Mr. BAILEY. Absolutely none to promote a retired officer.

The SPEAKER. Objection is made.

CITY OF ALBUQUERQUE, N. MEX.

Mr. FERGUSSON. Mr. Speaker, I ask unanimous consent for the consideration of the bill (H. R. 8694) to enable the city of Albuquerque, N. Mex., to create certain indebtedness, and for other purposes.

The Clerk proceeded with the reading of the bill.

Mr. BUTLER. Mr. Speaker, I object.

The SPEAKER. Objection is made.

SAMUEL RACEY.

Mr. CLARK of Iowa. I ask unanimous consent that the bill (H. R. 6718) for the relief of Samuel Racey be taken from the Speaker's table in order that the amendments of the Senate may be concurred in.

There being no objection, the Senate amendments were read, and concurred in.

WIDENING OF NINETEENTH STREET NORTHWEST, DISTRICT OF COLUMBIA.

The SPEAKER laid before the House the amendment of the Senate to the bill (H. R. 11605) for the widening of Nineteenth street NW.

The amendment of the Senate was read, as follows:

After the word "highway," in line 9, page 3, insert—

"When the use of a part only of any piece or parcel of ground shall be condemned, the jury, in determining its value, shall not take into consideration any benefits that may accrue to the remainder thereof from the opening of said avenue, but such benefits shall be considered in determining what assessment shall be made on or against that part of such lot as is not taken, as is hereinbefore provided."

Mr. CURTIS of Iowa. I move that the House nonconcur in the amendment of the Senate and ask a conference.

Mr. DOCKERY. Pending that motion, will the gentleman allow an inquiry? What is the essential change made by the Senate amendment?

Mr. CURTIS of Iowa. My colleague on the committee, the gentleman from Tennessee [Mr. RICHARDSON], can, I presume, explain the matter better than I can.

Mr. RICHARDSON. I have not had time to examine this amendment. I am in favor of nonconcurring in it, in order that it may be examined. It appears to be a very material amendment, and I am not willing it should be concurred in until it has been at least examined.

Mr. DOCKERY. Nor am I willing it should be concurred in without examination or explanation. It occurs to me that the committee should examine it before asking the House to nonconcur, because we know it frequently happens that when bills go

into conference differences are compromised, and when the question comes back to the House we have to vote on the conference report as a whole. I hope the committee will at least do the House the honor of examining the Senate amendment before asking us to take any action upon it. It seems to me that it is a change of the whole theory of assessing damages in such cases.

Mr. RICHARDSON. I will ask to have the Senate amendment read again, if there be no objection. I did not distinctly catch its purport on the first reading.

The amendment was again read.

Mr. DOCKERY. Mr. Speaker, that amendment, it seems to me, involves a very radical departure, and I hope the committee will at least give the House the benefit of their judgment before asking us to nonconcur.

Mr. RICHARDSON. So far as I am concerned, I will not interpose any objection to that request.

Mr. DOCKERY. I ask unanimous consent that the matter lie on the Speaker's table for the present.

Mr. RICHARDSON. It can go to the committee, if the gentleman prefers it.

Mr. DOCKERY. No; I do not ask that. Let it lie on the Speaker's table until the committee can examine it.

Mr. CURTIS of Iowa. There is no objection to that whatever.

The SPEAKER. Without objection, the bill and amendment will lie on the Speaker's table.

VENEZUELAN CADET AT WEST POINT.

The SPEAKER also laid before the House the amendments of the Senate to the joint resolution (H. Res. 344) granting authority to the Republic of Venezuela to send a cadet to the West Point Military Academy.

The amendments were read, and concurred in.

GEN. JOHN R. BROOKE.

Mr. SHAFROTH. I ask unanimous consent for the present consideration of the bill (H. R. 7860) to amend an act entitled "An act for the relief of Brig. Gen. John R. Brooke, United States Army," approved March 30, 1894.

The bill was read, as follows:

Whereas the legal representatives of John Smith failed to accept the provisions of an act entitled "An act for the relief of Brig. Gen. John R. Brooke, United States Army," approved March 30, 1894, within three months from the passage thereof, for the reason that neither the legal representatives nor the heirs of said John Smith had notice or knowledge of the passage of said act, and were first informed thereof during the month of February, 1897: Therefore,

Be it enacted, etc., That an act entitled "An act for the relief of Brig. Gen. John R. Brooke, United States Army," approved March 30, 1894, be, and the same is hereby, amended to read as follows:

"That the Secretary of the Treasury of the United States be authorized and directed to pay to the legal representatives of John Smith, late of New Mexico, the sum of $1,000, being in full satisfaction of the judgment obtained by said John Smith in the district court of the First judicial district of the Territory of New Mexico, at the August term, 1869, against Lieut. Col. John R. Brooke, Third Infantry, United States Army, now brigadier-general, United States Army, for alleged trespass and false imprisonment: *Provided*, That the provisions of this act shall be accepted by the legal representatives of said John Smith as a settlement in full of all claims against John R. Brooke, of the United States Army, within three months from the passage thereof. And the said sum of $1,000 is hereby appropriated for said purpose, out of any money in the Treasury not otherwise appropriated, to be paid and received in full discharge and satisfaction of all claims arising out of said judgment."

Mr. SHAFROTH. Mr. Speaker, I wish to make a brief statement concerning the facts connected with this bill.

In 1869 Major-General Brooke, who is now in Cuba, was a lieutenant-colonel, located in New Mexico. While there he ordered the arrest of two persons, citizens of that Territory, for violation of the rules of the Army concerning the selling of liquor. Those persons were arrested and placed in the guardhouse, but were afterwards released without any prosecution having been had against them. They each sued General Brooke for $10,000 damages for false imprisonment. He turned the matter over to the War Department that it might conduct his defense.

An appearance was made in the case and a demurrer filed. But afterwards the attorney for the United States died, and the result was that when the case was called for trial no one appeared in behalf of the Government, and a judgment was taken against General Brooke for $10,000 damages in favor of each of the plaintiffs. Those judgments have been in force in the Territory of New Mexico; but General Brooke has not been stationed there since. In 1894 Congress passed a bill relieving General Brooke from those two judgments. One of the parties drew the money under the bill for the relief of General Brooke, granting to each of them $1,000. But the other of the plaintiffs had died in the meantime, and his heirs did not know of the passage of the act of Congress, which limited the time within which the parties could draw the money from the Government to three months.

Some time after the three months' limitation had expired they applied for the money, but the War Department held that this limit fixed by the law having expired, they were not entitled to the money unless Congress should see proper to extend the time.

This bill simply extends the time so that the heirs of John Smith may be enabled to claim the $1,000 within three months from the passage of this act and satisfy the judgment against Lieutenant-Colonel Brooke.

This, Mr. Speaker, is identically the same bill as that passed in 1894, except that its provisions are limited to the heirs of John Smith. But, as I have already stated, it failed as to John Smith because of the fact that the claimant did not know of the existence of the act or of the limit fixed in the law, and did not make application for the money in time.

I might state in this connection that General Brooke is anxious that the judgment should be wiped out. He feels that it might be presented against his estate and embarrass the settlement of the same after his death.

Mr. HOPKINS. Let me ask the gentleman what there is in this proceeding to wipe out a judgment in a matter of this kind in New Mexico?

Mr. SHAFROTH. This bill authorizes the payment of $1,000 in satisfaction of the judgment, and unless the judgment is satisfied the money can not be paid.

Mr. HOPKINS. So that these parties would be required to satisfy the judgment against the estate and settle the matter in that way?

Mr. SHAFROTH. Yes; precisely.

And the judgment, let me say, in behalf of Andrew Cameron, the other party who was arrested, has been already satisfied by the acceptance of the same amount from the Government by Cameron.

Mr. HULL. Mr. Speaker, this is a bill for the settlement of a suit against an officer of the Government who is not at all to blame and should not be held responsible for the claim. He was ordered away before the matter was determined, and had no opportunity of making the defense that he could have made.

A civil suit was brought against him and nobody appeared for him, and judgment was therefore rendered by default. It never should have been rendered and could not and ought not to be collected. But it stands against him and against his estate, and the object of this bill is to wipe out this judgment and free the estate from the claim.

Mr. SHAFROTH. That is correct; that is the case as it stands now.

Mr. HULL (continuing). And the heirs are willing to take the thousand dollars and satisfy the judgment. I think the act should be passed by Congress.

The SPEAKER. Is there objection to the present consideration of the bill?

There was no objection.

Mr. SHAFROTH. Mr. Speaker, since the introduction of the bill General Brooke has been promoted from brigadier-general to a major-general, and an amendment ought to be made, so that the bill may be made to conform to his present rank.

Mr. BAILEY. I suggest, if the gentleman will allow me, that if the rank of General Brooke appears in the papers at all he will appear as brigadier-general, and perhaps it is better to let the bill conform to the judgment.

Mr. HOPKINS. The bill recites the fact that General Brooke was a lieutenant-colonel at the time the judgment was entered against him, and being only a colonel at the time the judgment was rendered, the bill should conform to the facts as they then existed.

Mr. SHAFROTH. That is correct. The fact that he was a lieutenant-colonel at the time the judgment was rendered is recited in the bill.

Mr. HOPKINS. And the subsequent promotion would not affect the judgment.

Mr. SHAFROTH. Not at all; and the only purpose of the amendment is to make the bill conform to his present rank.

The SPEAKER. The amendment proposed by the gentleman will be read.

The Clerk read as follows:

On page 2, line 9, before the word "general" strike out the word "brigadier" and insert the word "major."

The amendment was agreed to.

The bill as amended was ordered to be engrossed and read a third time; and it was accordingly read the third time, and passed.

On motion of Mr. SHAFROTH, a motion to reconsider the last vote was laid on the table.

ST. LOUIS, OKLAHOMA AND SOUTHERN RAILWAY COMPANY.

Mr. CURTIS of Kansas. Mr. Speaker, I ask unanimous consent for the present consideration of the bill (S. 4070) to amend an act granting to the St. Louis, Oklahoma and Southern Railway Company a right of way through the Indian Territory and Oklahoma Territory, and for other purposes.

The SPEAKER. The bill will be read, subject to the right of objection.

The bill was read, as follows:

Be it enacted, etc., That the act granting to the St. Louis, Oklahoma and Southern Railway Company a right of way through the Indian Territory

and Oklahoma Territory, and for other purposes, which took effect on March 28, 1890, be, and the same is hereby, amended as follows:

"The time for completing the survey of the entire line of said road and filing a map of the same with the Secretary of the Interior and constructing the first 50 miles, and the completion of the remaining sections thereof, shall be, and is hereby, extended two years from the dates specified in said act."

The SPEAKER. Is there objection to the present consideration of the bill?

There being no objection, the bill was considered, and was ordered to a third reading; and it was accordingly read the third time, and passed.

On motion of Mr. CURTIS of Kansas, a motion to reconsider the last vote was laid on the table.

RIVER AND HARBOR APPROPRIATION BILL.

Mr. BURTON. Mr. Speaker, I move that the House resolve itself into Committee of the Whole House on the state of the Union for the further consideration of the river and harbor appropriation bill.

The motion was agreed to.

The House accordingly resolved itself into Committee of the Whole House on the state of the Union, Mr. HOPKINS in the chair.

The CHAIRMAN. The Clerk will proceed with the reading of the bill.

The Clerk read as follows:

Improving Upper White River, Arkansas: For the construction of Lock and Dam No. 1, on Upper White River, above Batesville, according to the project, plans, and specifications reported and recommended by Capt. William L. Sibert, in House Document No. 73, Fifty-fourth Congress, second session, to complete said lock and dam, $160,000.

Mr. BURTON. Mr. Chairman, there is an amendment to that section of the bill, which I now send to the desk.

The Clerk read as follows:

Amend on page 54, in line 5, after the word "river," by striking out the word "above" and inserting the words "at or near."

Mr. BURTON. I am informed that there is some little question as to the exact limits of the town of Batesville, and that the amendment will make the provision more specific.

The amendment was considered, and agreed to.

The Clerk read as follows:

Improving French Broad and Little Pigeon rivers, Tennessee: Continuing improvement, $5,000.

Mr. GIBSON. In line 14, page 55, I move to strike out the word "five" and insert in lieu thereof the word "ten;" so that $10,000 may be appropriated to the improvement of the French Broad and Little Pigeon, instead of $5,000.

In support of my motion, I wish to state that $10,000 is the amount recommended by the War Department as the sum that can profitably be expended in the year for which the bill makes appropriation.

This river, the French Broad, in connection with the Little Pigeon, is one of the most important rivers in the State of Tennessee for its length. It runs through a section of country that has no railroad, but is extremely fertile.

According to the report of the Engineer Department, the value of the freight on that river in the year 1897, carried on steamboats and barges, was $617,255.80, and I think that the amount now carried on that river in a year aggregates over a million dollars in value. There are a few shoals that need deepening. The Government has gone to the expense of providing a plant, a steamboat with dredges and barges, and men who are specially fitted to do this work. The Engineer Department has recommended the sum of $10,000 for the further improvement of this river. This improvement is of very great value to my people, and I hope that the committee will agree with me in increasing this amount from $5,000 to $10,000, and thus enable my people to have a river that can be navigated by steamboats all the year round.

Mr. BURTON. Mr. Chairman, this is of a piece with all the requests that we have had. The committee pay close attention to the recommendations of the War Department in these appropriations, but we have more to do than merely to act as clerks and write down in the bill what they recommended. We had to take into account all the projects, aggregating $15,580,000 for the next year, and numerous others besides. It was necessary to make a cut on an average of about one-third, and in some cases a little more. I take it this river, the French Broad, is now on the map, and after the remarks of the gentleman from Tennessee about it, that it will receive consideration in the future and be properly cared for. I have no doubt it is important, but there is nothing exceptional in this case at all.

The amendment of Mr. GIBSON was rejected.

The Clerk read as follows:

Improving Tennessee River between Chattanooga and Riverton, $35,000; of which amount so much as may be necessary shall be applied in the survey of that portion between Bridgeport and Decatur and a resurvey of the remaining portions of said river between the points named: *Provided*, That so much as may be necessary may be used for a survey of the Clinch and French Broad rivers.

Mr. MOON. Mr. Chairman, in pursuance of the notice of amendments to this section, I desire to offer two amendments, the first of which I send to the Clerk's desk to be read.

The Clerk read as follows:

Insert in line 22, page 55, after the word "named," the following: "And in making plans and estimates for the construction of locks and dams and other work between Chattanooga and Shellmound to make navigation easy and safe through that portion of the river commonly called 'the Suck,' or mountain section;' also estimates of the cost of the construction of a canal across Moccasin Bend, below Chattanooga, if in the opinion of the engineers such canal be deemed necessary."

Mr. MOON. Mr. Chairman, this is merely a direction to the engineer force, which the corps desired to have come from Congress, for the preparation of the plan and the making of estimates. I deem it to be unnecessary for me to discuss the necessity of the same since the Committee on Rivers and Harbors have agreed, with a slight amendment, to adopt this as the amendment of the committee or offer a similar amendment as a substitute.

Mr. BURTON. Mr. Chairman, the phraseology of that amendment does not seem exactly in accordance with that used in other portions of the bill, and I have a substitute which I think the gentleman from Tennessee will find to fully satisfy his wish in that matter. I take it the Corps of Engineers, in making the survey, would at any rate make the investigation called for, but I see no objection to giving specific direction that they may do so. I send the committee substitute to the Clerk's desk.

The Clerk read as follows:

Insert, in line 22, page 55, after the word "named," the following:

"And in making the survey between Chattanooga and Shellmounds, through that portion of the river commonly called the 'Suck,' an examination shall be made with a view to the construction of locks and dams suitable for convenient and safe navigation. Also, if on examination it shall be thought desirable, an estimate shall be made of the cost of constructing a canal across Moccasin Bend, below Chattanooga."

Mr. MOON. Mr. Chairman, the substitute covers the whole question, and is entirely satisfactory to us.

The CHAIRMAN. Does the gentleman withdraw his amendment?

Mr. MOON. I withdraw the amendment and ask for the passage of the substitute.

The amendment of Mr. BURTON was agreed to.

Mr. MOON. Now, Mr. Chairman, I offer as an amendment to this section as amended the following:

Strike out the word "thirty-five," in line 18, and insert "one hundred;" so that it will read, "one hundred thousand dollars."

The amendment was read by the Clerk.

Mr. MOON. Mr. Chairman, I regret that I have not on this amendment the hearty approval and consent of the chairman of the Committee on Rivers and Harbors. There is but little that I desire to add to the remarks made in the few moments I had in the general debate upon this particular subject. The necessity for the increase is altogether apparent from the correspondence between the committee and the Engineer Corps.

It will be remembered that the committee, in making their estimates for the improvement of the Tennessee River, followed as far as possible the direction of the engineers. It is true they did not give the amount requested by the engineers, but they cut down the appropriations on each of the subdivisions of the river improvements in proportion; that is, that part of the river between Knoxville and Chattanooga the estimate of the engineer was reduced to meet the necessities of the Government; the committee not being willing to appropriate the full amount for that section, the engineer expressed a willingness to submit to the amount indicated by the committee.

Between Riverton and the mouth of the river the appropriation was not what the engineer desired. The committee, in the spirit of economy, cut it down in proportion to the other appropriations. The engineers thought that just. The committee declined to give any appropriation for the shoals, in view of the statement of the engineers. No complaint was made of that. But they appropriate only $35,000 for surveys and improvement of the river between Chattanooga and Riverton, a distance of 226 miles. Now, the improvements there needed would cost $3,000,000. It is perfectly apparent, then, that this appropriation was intended merely to keep the work moving, not to effect any permanent good in that section by way of improvements.

Now, why should the engineers' advice not be taken in that section of the river and be taken on the other portion of the river? The engineers inform us that the Government has upon this section and work a plant, machinery, forces of men, and an engineer corps all collected that it is absolutely necessary to keep together, and that the appropriation of $35,000 is not sufficient to protect the Government property or the interest of the work already begun in that section. They ask $300,000 for this purpose. The use of $100,000 is absolutely necessary to protect the Government interests and not lose the benefit in part of what has been done, and so as not to scatter the force and cause a destruction of the machinery belonging to the Government.

Not having made a full appropriation—the increase to $100,000—the item of $35,000 is necessary and recommended by the engineer

force. For protecting the work already done, keeping together the force, and protecting the public interests this increase is desired. The committee in considering this question refused the appropriation between the points mentioned because of the statement that new plans and specifications were necessary at the shoals. We are asking nothing for the shoals. We concur that if a million dollars could be saved at that point, it ought to be done, by delay and new plans; but the committee reached the conclusion from this statement of the engineer that it was necessary to keep the work going between Riverton and Chattanooga, which conclusion was clearly erroneous. The correspondence with the engineer subsequent to that misconstruction of his position by the committee is before the House. I hope that the chairman of the committee and the House, for the purpose of protecting the public interests in that section, will vote for the amendment.

Mr. GROSVENOR. Mr. Chairman, I would not occupy the attention of the committee but for the fact that during the confusion, which has been so great, the gentleman from Tennessee was not heard on this side of the House. This is a matter with which I am somewhat familiar. It will be remembered that in the course of general debate it was explained by the gentleman from Tennessee [Mr. MOON] that the committee had refused an appropriation for the improvement of Colbert Shoals on the Tennessee River, because of a suggestion from the engineer that he could improve the plans so as to make a great saving. I have in my hand a letter of the engineer, in which he says, very briefly, he very much regrets that he made that suggestion, because he says that even $250,000 would have been appropriately and economically expended on that work during the current year even though the change in plan should have been made.

Now, the fact about it is that we have expended a vast amount of money on the Tennessee River, and not a dollar too much. It is a mighty channel of commerce with its enormous tributaries, and the country at large scarcely understands the value and importance of that river. Contracts could be made to-day for the transportation of iron from the Tennessee River to the markets of Europe, where it is now going in large quantities, for 75 cents a ton cheaper than it is now being transported if the work on the Tennessee River was completed. Well, in its wisdom—and I do not combat the propriety of it—the committee have declined to prosecute that work, although we took out one enormous shoal, Muscle Shoals, leaving a block of obstruction in the river and rendering the work on which we have spent so much money comparatively valueless.

Now, here is an appropriation of $35,000 only which is to be used from Chattanooga to Riverton; and then such an amount out of that $35,000 as may be necessary to make new surveys between Bridgeport and Decatur; and then a provision that so much as necessary may be used for the survey of Clinch and French Broad rivers. Now, by the time these surveys are made I do not suppose that any man will hope that there would be one dollar left for the general purpose of repairs to the present works, which are very valuable, and for the prosecution of the same. Therefore, it seems to me, although I do not like to support an amendment to this bill, that the $35,000 is totally inadequate for the purpose intended.

Mr. BURTON. Mr. Chairman, I could not hear, unfortunately, all that was said by the gentleman from Tennessee [Mr. MOON], but I take it that he desires that the $35,000 should be raised to $100,000 in order to keep the skilled force at work. In other words, the Government should appropriate $100,000 to keep a set of laborers going and keep them at work until we decide what to do. Now, this is the situation. The amount required for the completion of the proposed improvement there is $5,362,939, as estimated. The engineer in charge came before the committee and stated that he was satisfied it would cost some $1,130,000 more than that, making $6,500,000 for the improvement. But he also stated that at one place he thought a change could be made from parallel locks and dams to two dams in the river, which would save a million or more. I say, Mr. Chairman, it would be criminal extravagance for this House to make an appropriation looking toward the completion of that improvement costing $6,500,000 until we know more about it.

Mr. MOON. Will the gentleman permit an interruption?

Mr. BURTON. Certainly.

Mr. MOON. I regret, Mr. Chairman, that the gentleman was unable to hear fully what I had to say. I fully agree with the committee in their position not to appropriate now a million of dollars. The only point I make for the amendment is this: The committee has followed the advice of the engineers on other divisions of the river, and has made this report upon it. Now, the engineer says that the appropriation of $35,000 for this division of the river is not sufficient to protect the public property and interests there. The increase in the appropriation is not intended to benefit the river so much by the continuance of the improvement, for that will take a million dollars or more, as to protect work done and public property. I call the gentleman's attention to this section of a letter which the committee received from the engineer. I will read the whole section if the gentleman will give me the time.

Mr. BURTON. I will; but perhaps I shall desire some extension of time.

Mr. MOON. I will read it.

We do not need any time and we do not need any money for making a survey at Colbert Shoals. We can go forward with the old improvement if Congress thinks best to adhere to it, or we can change to the new plan and proceed with the work as soon as the money is available.

If Congress should see fit to authorize the Secretary of War to continue the improvement by a lateral canal or by locks and dams, whichever plan was the most economical and best, then the matter would have ample consideration and no time need be lost; but if Congress thinks that it is necessary to suspend judgment upon the matter for a year, we might still expend at least $100,000 most economically and advantageously in quarrying, cutting, and preparing the stone which will be needed in either case for the construction of the lock. This will enable us to take care of the expensive machinery and other plant which we have assembled for this work and to hold together our skilled force of engineers, mechanics, and laborers, which we have collected after much trouble and expense and which will be scattered and lost if we are unable to give them any employment for a year.

Now, it was upon that statement of the engineer that we insist that the committee has been in error and hope it will put itself right.

Mr. BURTON. Mr. Chairman, I want to say that the committee fully understood that situation and considered it carefully, and regarded $85,000 or $100,000 too high a price for keeping together the skilled mechanics and other workmen in anticipation of something we may do in the future. To do so would be a virtual committal of the Government to the expenditure of $6,500,000 when we are uncertain where we shall land, and I think the House ought to support the Committee on Rivers and Harbors in this position.

Now, in regard to my colleague from Ohio [Mr. GROSVENOR], he is in error in regard to there being no provision for the maintenance of these canals. These come under the act of 1884 and are provided for without appropriation. At the Muscle Shoals the locks and canals carried 5,119 tons of freight last year, worth $88,000, and it cost the Government $68,000, paid out of the Treasury under the act of 1884, to maintain these public works and keep them in repair. I do not think it can be said that we have not been generous to this section of the Tennessee River. I want to call attention to the fact that the appropriation in 1896 was only $50,000 for the river from Chattanooga to the mouth, and this year we are appropriating $135,000.

Mr. MOON. May I ask the gentleman if the fact that the Fifty-fourth Congress did a great error and injustice to the people of that section authorizes this Congress to pursue that course?

Mr. BURTON. Of course that does not govern our action, but I wish to say, and I think the House will understand it, that the Fifty-fourth Congress had a much clearer way in making appropriations for rivers and harbors, for we have thirty millions of deferred contracts on continuing-contract work which must hereafter be appropriated for. They could be much more generous; and when we equal their appropriations for this work, I think we have done our full duty. The substance of the whole matter is, here is an improvement proposed at an enormous expense, and we can not afford to go ahead and commit ourselves to it until we know more of the situation. As I stated yesterday, surveys have been made under the supervision of three different officers, and we do not know where we are. We want one plan perfected by one engineer.

Mr. GROSVENOR. Mr. Chairman, I will not go any further with the main argument of the proposition, but I will point out to the gentleman from Ohio, the chairman of the committee [Mr. BURTON], why it is that the Tennessee River has borne so small a proportion of traffic. I read from the official report of the engineer. He states:

The question of completing the Colbert Shoals Canal is one of money only, and Major Kingman in his official report states that the work can be done in two years or less time if the money required is forthcoming. The immense work which the Government has done on the Tennessee River at a cost of some $5,000,000 is of no practical value until the work on the Colbert Shoals is completed. The Tennessee River improvement is a question of greater importance than any other river and harbor work, except that of the Mississippi and Ohio. The bed of the Tennessee River is composed of rock and other hard substance, so as to be free from drifting sand bars.

All the work is firm and lasting, which is not the case with many of the other rivers upon which large expenditures have been and are being made. At the Muscle Shoals, some 25 miles above Colbert Shoals, the river falls 85 feet in a distance of 16 miles. This is passed by one canal of two locks and another of nine locks. This work is already complete, but is of no use unless the work below is also completed, so that boats can pass the obstruction known as Colbert Shoals. One lock is already complete at the Colbert Shoals at a cost of about one-half million dollars, but is thoroughly useless without the other work contemplated by the appropriation asked for. It is just like cutting a tunnel and when almost done to stop the work and let it drag along when the proper expenditure of a sum less than the interest on what has already been expended would finish the tunnel and make the entire work available.

Unless an appropriation is made this session the work will practically be suspended for a year, and the legal interest at 8 per cent upon the money already expended upon this work would be $595,161. Therefore, to make this appropriation would cost the Government nothing; it would really save the Government, because in addition to saving interest we would save the loss and deterioration caused by delay.

That is the sort of river and harbor work we are having. The engineers go to work and improve Muscle Shoals at a cost of $5,000,000. Now they can not get over Muscle Shoals from below without crossing Colbert Shoals. So they spend half a million dollars on Colbert Shoals and then leave the work to wash away and say they are waiting for some new plan.

Mr. BURTON. Is the gentleman in favor of going ahead with a project on which we are asked to expend six and a half million dollars when there is no sufficient survey and an uncertainty amounting to a million dollars as to the cost, besides an uncertainty as to the best plan to be pursued?

Mr. GROSVENOR. I will answer the gentleman.

Mr. BURTON. Let me say that all those letters have been before our committee and have been considered very fully.

Mr. GROSVENOR. And now I am getting them before this Committee of the Whole to justify its interposition.

It appears that an unfortunate remark, as the gentleman who made it calls it, was made before the Committee on Rivers and Harbors, and this seems to have caused the attitude which the committee has taken on this subject. I read a letter dated January 18, 1899—only a few days ago—from Dan C. Kingman, major of engineers, and addressed to the chairman of the River and Harbor Committee:

ENGINEER OFFICE, UNITED STATES ARMY,
Nashville, Tenn., January 18, 1899.

MY DEAR SIR: I have met to-day in Nashville a number of gentlemen who fear that my well-meant effort to reduce the cost of the improvement of Colbert Shoals, on the Tennessee River, would lead to a total failure of the appropriation, and the consequent detriment to commercial interests, and the disintegration and loss of the valuable force of trained laborers and mechanics which have been finally gotten together for the work.

I truly hope that this may not be so. Such a result would almost make me wish that I had stifled my conscience and permitted the work to go on upon the more expensive plan. If my approval of the proposed change and that of Col. Henry M. Robert, division engineer, are not thought sufficient, I can have all of the detailed plans and estimates ready by June 30, 1899 (the time when the money would be available), to be submitted to a board of engineers or to any experts that the Secretary of War might select. In any event, I could use two or three hundred thousand dollars to the best advantage this year in getting out stone and collecting other material, which must be had whichever plan is finally adopted.

The Colbert Shoals improvement has been very unfortunate in the matter of appropriations, and the work has gone on with exasperating slowness. We only got $50,000 in 1896 for the Tennessee below Chattanooga; so that our last appropriation practically was in 1894. The friends of the improvement are becoming discouraged. The best thing for the work would be a moderate appropriation for this year, with authority to resort to the continuous-contract method to the extent of not to exceed $1,500,000.

Very respectfully, your obedient servant,

DAN C. KINGMAN,
Major of Engineers.

Hon. THEO. BURTON, M. C.,
Chairman Committee on Rivers and Harbors,
House of Representatives.

Copy respectfully forwarded to Maj. W. A. Wills for his information.

D. C. K.

I call attention to this matter, not with any hope that the Committee on Rivers and Harbors will reconsider its action, but to show that I am not myself misled when I insist that the action of the committee was a most unfortunate abandonment of one of the most important public works of the United States, when such an abandonment for two more years, as is here proposed, will cost the Government, in the destruction of machinery and the erosion of the plant already constructed, more than five times the amount of the interest on the appropriation.

Mr. BURTON. Mr. Chairman, the gentleman is entirely in error in his last statement. All that the engineer claims is that the appropriation asked will enable him to take care of the expensive machinery and other plants which have been assembled for the work, and to hold together a skilled force of engineers, mechanics, and laborers. He sent a communication to the committee in which he stated that he wanted to retain them and pay them their wages for the year to come; in other words, he wanted us to go on and pay $65,000 to $100,000 just to keep that force of men together. Why, sir, he got along on $50,000 for the whole reach from Chattanooga to the mouth of the river during the two or three years following 1896. Why must he now have $100,000? I earnestly hope the House will not be misled on this question.

Mr. CATCHINGS. Mr. Chairman, I move to amend by striking out the last word. I wish to say a few words in regard to the action of the committee in this particular.

Everyone who has kept up with river and harbor improvements knows that I have been personally very friendly to this Tennessee River improvement. Hence what I may say now comes not from one who is at all hostile.

I am afraid that this Committee of the Whole may have formed the impression from what my distinguished friend from Ohio [Mr. GROSVENOR] has said that the failure to complete this improvement by which these shoals may be passed over will prevent absolutely any use whatever of that section of the Tennessee River. If such an impression has been created, I wish to say that it is entirely erroneous.

There is full, free, and ample navigation on that section of the river for quite seven months in the year. There is no difficulty whatever in the passing of steamboats up or down, from one end of that section to the other—that is to say, from Chattanooga to Florence, Ala., during that period of time in each year. And as a matter of fact the records show that they did transport in 1897, from Chattanooga to Florence, commerce which is estimated at a value of something over $1,000,000. That is an indication of the fact that commerce is not restricted on that reach of the river.

Now, Mr. Chairman, when this work of improvement is done, as I trust it will be done in time, it will not be of any special advantage to the commerce of the river except for the remaining five months in each year. Whether it will result in increasing the aggregate of commerce, of course no man can tell. I do not know. There is nothing before us to indicate or to enable us to form a satisfactory conclusion upon that point. Still I hope the improvement will be made.

But it should not be forgotten that this work calls for an enormous expenditure of money. In view of the uncertainty of the plans, as they were uncertain by reason of the statement of the engineer, the committee thought that there was no such emergency existing as would authorize the embarkation upon the work until a survey and suitable plan had been made and fully determined upon.

I think, therefore, that on reflection all fair-minded men who consider the matter impartially will justify the action of the committee. It was not suggested by any hostility on the part of the committee to the improvement in question. On the contrary, the committee have favored it, as the records will show. It is estimated that an expenditure of some five or six millions of dollars will be ultimately required to overcome the obstructions, and we do not feel justified in appropriating so large a sum; but we do appropriate a reasonable amount to carry the work forward gradually to its completion. It would not be necessary to make the entire appropriation, because it could not be available.

As I have already stated, there is free and unobstructed navigation on the river for over seven months every year, which is very much more, Mr. Chairman, than the navigation of the Ohio River, a much more important stream, on which there is a very much larger commerce, and where there is very much more necessity for continuous navigation. And yet the Ohio River has not been neglected.

We have been intending to improve that river so that it would be navigable for twelve months in the year by the construction of certain locks and dams where they are necessary, but no one, as far as I have been able to ascertain, claims that we should make an appropriation for the entire completion of that work in one year. No one has even made such a suggestion as that. They are content to take an appropriation for the construction of one or two of the dams at a time, and in this manner gradually secure the completion of the whole improvement. These expenditures, as a rule, involve, as gentlemen must know, many millions of dollars. The work must be done gradually, and it would be an absurd thing to suggest that the Treasury of the Government should be taxed, except gradually, to complete these works.

In addition to that, sir, I desire to state that the committee has been liberal in its estimates in this bill. An examination of previous bills will show we have been particularly liberal to the Tennessee River. Below Florence, Ala., where there are few obstructions on the river, there is a large commerce all the time. Above Chattanooga the same may be said to a certain extent. And the improvements upon the river generally are going along as rapidly as in the judgments of the engineers the work can be safely accomplished.

It is scarcely necessary that I should say on this floor that I have long been an advocate of these improvements of our rivers and harbors. Gentlemen know that as far as the improvement of the Tennessee River is concerned, I have been one of its most constant and strenuous advocates—persistently supporting the improvement of that river—ever since I have been a member of this body. And therefore, Mr. Chairman, I feel justified in claiming that the committee should be sustained in its action in this matter.

Mr. MOON. Mr. Chairman, I desire to say a word only in reply to the gentleman from Ohio [Mr. BURTON] and my friend from Mississippi [Mr. CATCHINGS].

I regret very much to hear the gentleman from Mississippi express the sentiment he has expressed of hostility to the motion or amendment I have made. He has been regarded as the very best friend of the Mississippi River in all of the country. And we thought that, in his devotion to the waterways of the country, he might give some consideration to the Tennessee River. But when Mississippi is involved Tennessee is not regarded by the gentlemen in appropriations.

Now, I do not regard the amendment that I have offered as a reflection in any sense on the action of the Committee on Rivers and Harbors, but simply as bringing to the attention of that committee and the House matters which may have escaped their observation.

That committee, Mr. Chairman, is not infallible. Its members

are not infallible. It is always the duty of members of the House plainly, fully, and in accordance with law to bring up for consideration on such occasions as this those matters which may have escaped the observation or attention of its committees.

It is not a reflection on the committee to suggest an amendment to their work when every fact in the record indicates that they are wrong.

I know, of course, that the committee must necessarily stand close together and support each other, lest the bill might go to pieces when it came to an equalization of appropriations for localities, and when the amounts received by the gentleman from Mississippi, the gentleman from Ohio, and other gentlemen on the committee, which they have gotten for their districts, are compared with those of us who are not fortunate enough to be on the committee or to control the influences that reach that committee.

The position taken by the gentleman from Ohio is not a sound one. I think he reflects unjustly upon the engineer in charge of this work. The engineer does not seek the appropriation "to hold together the laborers and preserve the working materials" on hand. But the statement is made expressly that the appropriation is necessary "to protect the machinery and save the Government from loss" in connection with the improvement. He says the work "is absolutely necessary" to be done, and that it will be done if the appropriation asked for is given; and that the appropriation can be used in the adoption of such other plan as may be determined upon with reference to the improvement at Colbert Shoals.

We are not insisting that the committee were in error in refusing to appropriate for that work at Colbert Shoals so long as there is a difference of opinion as to the propriety of the plan to be adopted. But we do insist that the inference of the committee that no work is needed between Chattanooga and Riverton is erroneous. We do insist that a misinterpretation has been put by the committee on the letter of the engineer. I know that that committee has no means of ascertaining the truth of the facts except from the engineers. They have no more capacity to determine those questions of engineering and public improvement as individual members of that committee than you or I have. They must of necessity go to the record made by the engineers for the facts; and appealing to that record, I say this committee are wrong and this amendment is just, not only to that section, but just to this Government, whose property and interests are sought to be protected by it.

Mr. REEVES. In reply to what the gentleman from Tennessee has said concerning the committee, let me suggest that we claim no patent upon the information furnished us by the engineers. But this whole question resolves itself fairly and squarely into this proposition: A project costing between five and six million dollars is before us. It is an uncertain one, and the engineer in charge of that river states to us as a committee that he believes he can propose a project that will save the Government more than a million dollars of this money. He further says, however, that if he could have this sum of a hundred thousand dollars he could keep his force of men together and could put them at work in the stone quarries, getting out stone that might be used either in the present project or one that he may propose hereafter. Now, the prime object of this enlarged appropriation asked for at this time, as stated by the engineer, is to keep this body of men at work getting out stone, which will commit us at least to an improvement of that river costing from four to six million dollars, when we do not know whether it ought to be done or whether it ought not.

Mr. MOON. May I ask the gentleman a question?

Mr. REEVES. In just a moment. Let me finish, please, and then I will yield. In that condition of this river, we feel that it is unfair to other commercial interests of the country about which there is no uncertainty, and which are demanding appropriations quite as urgently as this—we feel it unfair toward those commercial interests to adopt this project without knowing what we are doing. Now I will yield to the gentleman.

Mr. MOON. May I ask the gentleman a question now?

Mr. REEVES. Yes.

Mr. MOON. Does the gentleman propose to intimate by his remarks that the committee intend to abandon work on the Tennessee River, work already done, amounting to four or five million dollars?

Mr. REEVES. Not by any manner of means, but we do not propose to go any further while a part of this river has not been surveyed at any time and when the engineer in charge tells us that he thinks and believes he can give us a proposal which will save the Government a million dollars and accomplish the same end.

Mr. MOON. I agree with the gentleman exactly upon that proposition, that that appropriation, so large as a million dollars or any other considerable sum, for that particular point ought not to be made at this time. There is no difference in our contention there. I have tried to make the House understand that, but the gentleman from Ohio [Mr. BURTON], as well as the gentleman who has just spoken, seems to avoid the exact issue that is here made and come to the language of this engineer. I deny that the statement the gentleman has made covers the whole proposition. I read from the report. The statement is correct as far as you have gone, but the whole statement should have been made.

> If Congress should see fit to authorize the Secretary of War to continue the improvement by a lateral canal or by locks and dams, whichever plan was the most economical and best, then the matter would have ample consideration and no time need be lost; but if Congress thinks that it is necessary to suspend judgment upon the matter for a year, we might still expend at least $100,000 most economically and advantageously in quarrying, cutting, and preparing the stone which will be needed in either case for the construction of the lock. This will enable us to take care of the expensive machinery and other plant which we have assembled for this work and to hold together our skilled force of engineers, mechanics, and laborers, which we have collected after much trouble and expense and which will be scattered and lost if we are unable to give them any employment for a year.

Now, he says that the work is necessary that we speak of, that it is desired; but in addition to that here is an immense plant, an immense amount of machinery, boats, dredges, tools, implements, and property of all sorts belonging to the Government which need protection. To protect and care for them, to carry on any sort of improvement, to make these surveys requires, he says, more money than you have given. I think the committee ought not to contend with us over that question. It is a small amount; it is just. It is requested by the engineers, and I hope there will be no objection to it.

The CHAIRMAN. The time of the gentleman from Illinois [Mr. REEVES] has expired.

Mr. REEVES. Inasmuch as the gentleman from Tennessee has been speaking in my time, I ask for just a minute in which to answer him.

Mr. MOON. I ask that the gentleman have five minutes, as I occupied a portion of his time.

Mr. REEVES. I only want a moment.

The CHAIRMAN. If there be no objection, the gentleman's time will be considered as extended five minutes.

Mr. REEVES. The gentleman from Tennessee persists in saying to the committee here that this sum of money is needed to take care of this plant or this machinery. I do not so understand the engineer.

We have appropriated or attempted to appropriate in this bill—at least we have made the proposal of $35,000, which is surely ample, and more than ample, for the purpose which he suggests. Now, the statement has been made by the engineer that money beyond this amount—now, I do not quote him verbatim, but in substance—can be used to keep this force at work in stone quarries, getting out stone which could be used in this new project. We did not believe that to be fair to the balance of the commercial interests, and therefore refused it, so far as the committee is concerned.

Mr. COX. Before the gentleman takes his seat, I want to get at the bottom of these facts. [Cries of "Vote!"]

The question was taken; and the Chairman announced that the noes seemed to have it.

Mr. MOON. Mr. Chairman, I do not want to be too persistent, but I want a division on this question.

The committee divided; and there were—ayes 37, noes 81.

So the amendment was rejected.

The Clerk read as follows:

> Improving Tennessee River above Chattanooga: Continuing improvement, $30,000.

Mr. GIBSON. Mr. Chairman, I offer an amendment to that paragraph.

The Clerk read as follows:

> Insert in line 25, page 55, after the word "dollars," the following:
> "*Provided*, That out of said sum $5,000 shall be expended for the further improvement of the French Broad and Little Pigeon rivers, in addition to the $5,000 hereinbefore appropriated."

Mr. GIBSON. Mr. Chairman, that amendment does not call for any further appropriation. It only specifies in what manner the appropriation shall be expended, and I ask that no objection shall be made, inasmuch as it will be of more advantage to my people to have it expended in the manner provided in the amendment than in that provided in the bill. I do not see how the committee can object to it, as it does not cost the Government any more, but only provides the manner in which it shall be expended. I ask that the amendment be adopted.

Mr. BURTON. I want to say, Mr. Chairman, that a request was made to the committee, and the reply was made that if the members from that locality would concur in the proposed amendment, the committee would have no objection. I understood, however, that there was a division of opinion between them in regard to it. If there is not a difference of opinion, and the members from that section will agree to it, there is no objection.

Mr. COX. What section?

Mr. BURTON. East Tennessee.

Mr. GIBSON. It is not in your district at all.

Mr. COX. Well, I have a little interest in Tennessee, whether it is in my own district or not.

The question was taken; and the Chairman announced that the noes seemed to have it.

Mr. GIBSON. Division.

The committee divided; and there were—ayes 17, noes 34.

Mr. GIBSON. I call for tellers, Mr. Chairman.

The CHAIRMAN. Six gentlemen have arisen—not a sufficient number; tellers are refused. The noes have it, and the amendment is rejected.

The Clerk read as follows:

Improving Obion River, Tennessee: For maintenance, $2,500.

Mr. HEPBURN. I move to strike out the last word. Mr. Chairman, a newspaper this morning made the statement that Mr. HEPBURN yesterday made his usual annual speech against the river and harbor bill. [Laughter.] Another newspaper said that seventeen years ago Mr. HEPBURN made a speech against the river and harbor bill and repeated it on yesterday. [Renewed laughter.] That is a mistake, Mr. Chairman; he did not repeat all of it, at least, yesterday. [Renewed laughter.]

The gentleman from Ohio [Mr. GROSVENOR] will remember that on one occasion, about twelve years ago, the State of Ohio, being the owner of a worn-out and worthless improvement on one of its rivers, the Muskingum, sought to unload it upon the Government of the United States.

There were some water rights owned by citizens of Ohio, I think in perpetuity, for which they paid a slight rental, and the State of Ohio, in order to preserve these water rights, was required to make a much larger annual expenditure. There was no commerce on the river to speak of, and in order to avoid this annual expenditure the gentleman from Ohio, with that great persuasiveness that always characterizes him, and that sometimes is banefully used, at least on river and harbor bills, persuaded the Government to assume the ownership and control of the work. Ohio gave it to the Government! [Laughter.] I took the liberty of saying at that time that the improvement was worthless, that the dams were in ruins, that the locks were rotting, that there was but little commerce, and that in a little while the gentleman from Ohio would come to Congress demanding large appropriations for the improvement of the waterway.

I can remember the virtuous indignation with which the gentleman repelled that assault. I "was mistaken about it!" I "had no information upon the subject!" In fact, yesterday, when I listened to the gentleman from Texas [Mr. BALL] discussing my ignorance, I thought he was plagiarizing from the gentleman from Ohio.

Now, Mr. Chairman, we have some information on this question. The United States up to nearly two years ago had expended upon this great artery of commerce $1,173,339.66.

Mr. BURTON. I beg the pardon of the gentleman from Iowa, but I did not hear what improvement he is speaking of.

Mr. HEPBURN. It is not in this bill at all.

Mr. BURTON. Is it the Muskingum River?

Mr. HEPBURN. The Muskingum River. In the year 1897 the Government expended $96,879 in maintenance, or, perhaps, in improvements. This last year the Government has expended $41,000. The total tonnage of all the freight moved on that river, as shown by this report, was 65,000 tons, less than 3,000 carloads of freight, and yet we have expended more than one million and a quarter of dollars in the last twelve years upon that "great improvement." I refer to this, Mr. Chairman, not that I can effect anything, because these expenditures are now paid out of a lump appropriation under the act of 1884.

[Here the hammer fell.]

Mr. HEPBURN. Mr. Chairman, I would like a minute or two more to conclude what I have to say before I get my punishment from the gentleman from Ohio. [Laughter.]

A MEMBER. I ask that the gentleman have five minutes more.

The CHAIRMAN. Without objection, the request will be granted.

There was no objection.

Mr. COX. Now, Mr. Chairman——

Mr. HEPBURN. I do not desire to be interrupted, if my friend will excuse me. I refer to this for the purpose of showing how inconsiderate gentlemen of the committee are in putting appropriations of this character upon the bill and making possible these outrages. I do not charge my friend from Ohio [Mr. GROSVENOR] with intentional misstatement in the prophecies he indulged in twelve years ago in regard to this improvement. We only hold him to the extremest accuracy when he is prophesying in regard to political future events [laughter] and not when he is talking about expenditures of money, at least when they affect the State of Ohio. [Laughter.]

I think I have a right to call attention to this matter for the purpose of challenging other improvements that are in this bill now. We can not to-day tell just what they are in their enormity, just as we could not tell the measure of the wrong that was done to the United States when the charitable gift from the State of Ohio was accepted twelve years ago. I can not recall all that the gentleman from Ohio said on that occasion, because it happened twelve years ago, but I do remember that we were then told that this was a necessity to commerce; we were then told that great good would come to the people of a populous region; we were then told that this was to be a corrective of railway freights and would put down extortion and annihilate trusts, and would accomplish all these virtuous results that gentlemen talk about and have in their mind's eye apparently when they are putting their hands into the Treasury to help a particular locality. This much of my annual speech I did not make yesterday. [Laughter.]

Mr. GROSVENOR. Mr. Chairman,

The sheeted dead did squeak and gibber in the Roman streets.

If my friend were engaged in the business of resurrecting from the past all his disappointments and misfortunes in attacking the river and harbor bill, he would find plenty of field of operation for months to come. He accuses the gentleman from Texas of having charged him with ignorance and, in doing so, making a draft on a former speech of mine. The gentleman ought to know that the common stock of knowledge on that subject is much more available than any speech I may have made on any former occasion, and I presume the gentleman from Texas simply drew on the common stock we already have when the question of this river and harbor is under discussion.

Let us see how plain a tale will put to flight the gentleman's—I will not call it attack on me, but his illustration of himself. [Laughter.] Long before I was a member of Congress the legislature of Ohio passed an act ceding to the General Government the improvement of the Muskingum River. I had nothing to do with it any more than the gentleman has with the enactments of the Iowa legislature. Long prior to my coming to Congress this House and Congress had appropriated over $400,000 to the improvement of the Muskingum River in building an ice harbor at the mouth, prior to the cession by the State legislature and prior to my entry into Congress, made under an appropriation bill, when Mr. Van Vorhes, of Athens, and General Warner, of Marietta, were Representatives of that Congressional district.

When I came here I was charged with the duty of carrying out the plan of the State government in its tender of these works, and I did what any other member of Congress would have done. I introduced an amendment to the river and harbor appropriation bill accepting the cession by the State. The gentleman is entirely at fault in regard to these water rights, and surely he does not draw upon any speech of mine for that information. There were certain perpetual rights in the surplus water of the river, just as there are rights in the surplus water of the canals of the various States. These rights—one of them at Zanesville—grew out of the fact that the land upon either shore was ceded, if I recollect, for the purpose of enabling the State government to build a dam and lock; and in consideration of that he was given the right to use the surplus water in perpetuity; and there were perhaps one or two other cases of the same character. The bill accepting the cession to the General Government of course recognized those vested and perpetual rights, but as to all the other water rights, which are very numerous—mills at Marietta and various manufacturing establishments along the river—they had their rights under leases made with the board of public works from one year to another; and those leases were all handed over by the State to the Federal Government, which either collected the water rents, or renewed the leases, or put an end to them, just as the engineers in charge saw fit. In other words, the Government of the United States took exactly the place of the State of Ohio in respect to every one of those interests.

Now, then, I may say that at that time I knew very little more about the works on the river—the locks and the dams—than did the gentleman from Iowa. I will frankly say now that if I had known the character of those works at that time I should not have been quite as zealous as I was in securing the action of Congress. But we had to rely upon the reports of the engineers—both the State engineer and the Government engineers——

The CHAIRMAN. The time of the gentleman from Ohio has expired.

Mr. GROSVENOR. I should like to have five minutes more.

Mr. CLARK of Missouri. I ask unanimous consent that the gentleman be allowed five minutes to conclude his remarks. His statement is very interesting.

The CHAIRMAN. If there be no objection, the gentleman will continue his remarks for five minutes.

There was no objection.

Mr. GROSVENOR. As I was saying, we had to rely upon the reports of the engineers, the State engineer, who had made the survey of the works, as well as the Government engineers.

Now, when the river was accepted by the General Government and the engineers took possession of it they, of course, criticised the old works which had belonged to the State. They did exactly

what the General Government has done in the case of the Green River and the Kentucky River and some works up in Michigan and everywhere where the march of engineering improvement has required additional and different sort of construction. So that from time to time, under the revised plans of the Government, new works have been put in there, new locks and new dams, and from Marietta to Zanesville there is now 6 feet of water all the year around, one of the best pieces of navigable water in all that section of the Union.

Since that time a railroad has paralleled the public work, right along the river bank, all the way from Zanesville to Marietta, and of course that has detracted in a large degree from the traffic of the river. But I say that is one of the most perfect works in the United States, standing in one of the richest valleys of the world, in the midst of a splendid population, connecting three or four great lines of railroad, and furnishing to the people along the river bank one of the best improvements in this country.

Now, while it has cost a great deal of money (and that cost in a large degree—to the extent of nearly half of the amount which the gentleman has referred to—was the expenditure of money in an ice harbor at the mouth of the Muskingum River, to which I have already referred and which took place before I had anything whatever to do with the matter), while the expenditure has been large, the value is there, and this House and this committee would not think of such a thing as abandoning that work if members could go there and look at it to-day.

Mr. SIMPSON. I hope the gentleman will tell us whether the statement of the gentleman from Iowa is correct, about the small amount of commerce over that river.

Mr. GROSVENOR. I have already spoken of that. I have not the figures. I am bound to suppose that the gentleman has given them correctly. As I have stated, the paralleling of the river right along its bank from Marietta to Zanesville by the railroad has had a great deal to do with lessening the tonnage on that river.

Mr. McCULLOCH. The gentleman will allow me to ask him whether the improvement of the river has not controlled the rates on that railroad?

Mr. GROSVENOR. Everybody understands that that is so. I thank my friend for his suggestion. The rates of railroad transportation are absolutely controlled by the presence of that river with its improved navigation. Some people talk about this as a myth, as a small matter; but, sir, there is no better illustration of the wonderful value of water transportation in competing with the railroads, and thereby controlling their exactions, than the Muskingum River from Zanesville to Marietta, 65 miles, through a great producing country.

Mr. BURTON. I move that all debate on the pending paragraph be now closed.

The motion was agreed to.

The Clerk read as follows:

Improving Forked Deer River, Tennessee: For maintenance, $3,000.

Mr. HEPBURN. Mr. Chairman, I move to strike out the last word. I am very grateful to the gentleman from Ohio for the frank and candid manner in which he has corroborated nearly all that I said. I would have been glad if in the spirit of truthfulness——

Mr. BURTON. I must make a point of order that this discussion is not at all upon this bill. I am very much interested in the discussion, but it pertains to something entirely outside, and I trust that my colleague from Ohio [Mr. GROSVENOR] and the gentleman from Iowa [Mr. HEPBURN] will find some other and more convenient season for their controversy, rather than when this bill is under consideration.

Mr. HEPBURN. Mr. Chairman, the improvement of the Deep River involves some resort to prophesy when we attempt to discuss its advantages. It may be that Deep River by being improved——

Mr. BURTON. The paragraph under consideration relates to Forked Deer River.

Mr. HEPBURN. I thank the gentleman for his suggestion. I take it that the benefit to be derived——

Mr. BURTON. Mr. Chairman, I really must insist on the point of order. I think we ought to discuss this bill.

Mr. HEPBURN. Is not the bill being discussed?

The CHAIRMAN. The gentleman from Iowa is familiar with the rule that during the five-minute debate remarks must be germane to the pending proposition.

Mr. HEPBURN. "The gentleman from Iowa" has heard that suggestion before, both from the Chair and from gentlemen on the floor, and he will, as nearly as he can, conform to the letter and the spirit of the rule. I say that no man can tell whether advantage will come to the United States by the improvement of Deep River——

Several MEMBERS. Deer River.

Mr. HEPBURN. Very well; Deer River.

I want to suggest also to the gentleman that the mere fact of the appropriation finding a place here, in a bill of this character, does not prove that the improvement is going to be of the slightest value to the public. And in support of that assertion, Mr Chairman, I wish to call the attention of the committee to what was said a long time ago—twelve years ago or more—about the improvement of the Muskingum River. [Laughter.] You can not make this a "great artery of commerce" by putting it in an appropriation bill any more than you could have made the Muskingum River an artery of commerce by the same process [laughter]; and in support of that assertion I call upon the gentleman from Ohio [Mr. GROSVENOR] himself and his concessions in that respect, because his plea for the support of the appropriation was nearly all of it a confession and an avoidance; and in that confession he has admitted that the same character of charge that was made by himself and by others against the proposition then under consideration might have been made against the improvement of that river. [Laughter.] I mean, of course, Mr. Chairman, the suggestion that has been made to-day as well as the suggestion that was then made with reference to that improvement.

Here has been a large expenditure of public money on an alleged improvement on that river. Here is an expenditure of many hundreds of thousands of dollars, appropriated and to be used in the great State of Ohio. Here we must assume a large expenditure is to follow the expenditure we are now seeking to make. Here is a concession also of the absence of commerce, and the absence of a necessity for the improvement——

The CHAIRMAN. The Chair will have to state to the gentleman from Iowa, in view of the fact that the point of order has been made, that in conformity with the uniform rule the gentleman from Iowa should confine himself to the matter under consideration.

Mr. HEPBURN. Do you mean to "strike out the last word?" [Laughter.]

The CHAIRMAN. To the amendment the gentleman has proposed.

Mr. HEPBURN. Is it necesary to confine myself to the "last word?" I have been trying, if possible, to have the last word. [Laughter.]

The CHAIRMAN. The Chair thinks the gentleman himself has occupied the chair in Committee of the Whole often enough to know what the rule is when attention has been specifically called to it.

Mr. HEPBURN. I think the Chair is entirely correct if the gentleman in charge of the bill insists on the point of order, and therefore I will desist. [Laughter and applause.]

The CHAIRMAN. The Clerk will proceed with the reading of the bill.

The Clerk read as follows:

Improving Big Sandy River, Kentucky and West Virginia: Continuing improvement, $52,500: *Provided*, That a contract or contracts may be entered into by the Secretary of War for such materials and work as may be necessary to complete one lock and dam in the Big Sandy River between Louisa and the mouth of the Big Sandy River, in accordance with the report of Major Bixby, April 27, 1898, to be paid for as appropriations may from time to time be made by law, not to exceed in the aggregate $220,000, exclusive of the amount herein and heretofore appropriated: *Provided further*, That of the amount authorized to be expended, $1,000 may be expended for maintenance on Leviza Fork, and $1,500 on Tug Fork, and $20,000, or so much thereof as may be necessary, for a detailed survey of the Big Sandy River and Leviza and Tug forks of the same in Kentucky and West Virginia.

Mr. BURTON. Mr. Chairman, I move an amendment at this point, and I am frank to say that I do not think it necessary, but it has been believed better to insert it so as to make the provision more specific.

The CHAIRMAN. The amendment will be read.

The Clerk read as follows:

Amend by inserting after the word "Virginia," in line 24, on page 50, the words:

"*Provided*, That the rest of the amount may be used for the local survey, acquisition of site, and commencement of construction of the above-named lock and dam."

The amendment was agreed to.

The Clerk read as follows:

Improving Saginaw River, Michigan: Continuing improvement, $40,000.

Mr. BRUCKER. Mr. Chairman, I move a pro forma amendment for the purpose of making a suggestion.

I notice in the river and harbor bills passed heretofore, appropriating money for the improvement of the Saginaw River, there has always been a limitation in the shape of an apportionment of the appropriation, dividing it between the different points of the river. Providing, for instance, that a portion shall be expended above and a portion below points named in the river. I notice in the pending bill, however, that no such provision is made, and that there is no limitation with reference to the point where expenditure should be made. The language reads as follows:

Improving Saginaw River, Michigan: Continuing improvement, $40,000.

I would like to ask the chairman of the Committee on Rivers and Harbors whether or not, by the use of the language as it appears in the bill, it is the intention of the committee to leave the

expenditure to the discretion of the local engineer as to where the amount should be expended in the improvement of the river.

Mr. BURTON. I yield to the gentleman from Michigan, who will answer.

Mr. BISHOP. Mr. Chairman, in reference to the question of my friend from Michigan, I will state that I drew the language of this provision myself. After a conference with the engineer in charge of the work, he thought, if the appropriation were left in this manner, to his discretion, he could divide it better, as far as the improvement of the river is concerned, than to make the appropriation in the ordinary form heretofore used.

Mr. BRUCKER. By reference to the "engineer in charge" my friend refers to Colonel Lydecker, of Detroit?

Mr. BISHOP. Yes; I refer to the engineer in charge.

Mr. BURTON. Permit me to say in this connection that the committee have been reluctant to impose limitations on the expenditure of these amounts, except where in their judgment it was found to be necessary.

Mr. BRUCKER. Permit me to say, Mr. Chairman, knowing the qualifications and the capacity of the gentleman referred to, the engineer in charge, I am perfectly satisfied that the expenditure of this money could not be placed in better hands. It is much better to leave it, in my judgment, to the local engineer in charge of the improvement than to undertake to limit him by any language which might be employed in the bill itself.

I withdraw the pro forma amendment.

The CHAIRMAN. The Clerk will proceed with the reading of the bill.

The Clerk read as follows:

Improving Missouri River: For the removal of obstructions in the Missouri River above Sioux City, Iowa, $50,000.

Mr. PERKINS. Mr. Chairman, I offer the amendment which I send to the Clerk's desk.

The amendment was read, as follows:

Amend, after line 20, page 67, by inserting the following:
"To continue improvements at Bismarck, Pierre (both sides), Yankton, Elk Point, and Sioux City (both sides), $200,000; the allotment of this amount to be left to the discretion of the Secretary of War."

Mr. PERKINS. Mr. Chairman, it is probably unnecessary for me to add to what I said yesterday in support of this proposed amendment. I have drafted the amendment in accordance with the language used by the Board of Engineers, which I quoted in the remarks which I submitted yesterday. That recommendation is in this language:

It is understood to be the intention of Congress to continue improvements at Bismarck, Pierre (both sides), Yankton, Elkpoint, and Sioux City (both sides); and for the purpose of economical work at those localities an estimate of $250,000 is submitted, with recommendation that the allotment of this amount be left to the discretion of the Secretary of War.

Desiring, so far as possible, to conform to the position of the Committee on Rivers and Harbors, in reducing the estimates, I have cut the amount down from $250,000 to $200,000. It seems to me, and I think also to the other gentlemen on this floor who are interested in this appropriation, that it is unjust to abandon the improvements that have been inaugurated at the points named.

While it is true that on the Lower Missouri River, under the care of the Missouri River Commission, a very large amount is carried under the continuing-contract system, which I understand it is not the purpose of the committee to change or abandon, yet I submit to this committee as to whether this implied contract made by the Government of the United States is not entitled to consideration in the same light that a written contract is.

I undertook yesterday to name some of the considerations why I thought this small appropriation should be made. It is probably useless for me to repeat those observations or to enlarge upon them. It is a simple, direct proposition, and it seems to me that it would be unwise for the Government to withdraw from the work already begun when comparatively a small amount will perpetuate and continue and make permanent that work.

It seems to me unwise to abandon the Upper Missouri River altogether, unwise in the judgment of the Committee on Rivers and Harbors themselves, for in this bill they have continued the appropriation of $50,000 for the purpose of removing obstructions in that portion of the river. I hope very earnestly that this amendment, submitted not only in the interest of my own locality, but in the interest of northeastern Nebraska, South Dakota, North Dakota, and Montana, that the policy that Congress may now declare will not be in the line of the recommendation of the committee, to abandon this great river, so far as the improvements hereafter to be authorized are concerned.

[Here the hammer fell.]

Mr. JOHNSON of North Dakota. Mr. Chairman, I trust that the House will consider carefully what the gentleman from Iowa has said. We from the Northwest have, for all these years, cheerfully supported these great river and harbor bills, not because the expenditures were made inside of the borders of our districts or States. We have taken a broader view than that. The bulk of this money is expended in New York Harbor, along the lakes, along the Gulf shore, and we get our share of those benefits. By removing the obstructions in those great harbors you make easy our access to the sea for our staple products, and in that way we get our benefit as integral parts of the great nation. But there are other items in the bill of a more or less local nature. Even these, through all these years, we have cheerfully supported.

Take, for instance, "Porcupine Island," $10,000; "Cape Porpoise," $70,000; "Woods Hole Channel," $20,000; "Salt Pond," $25,000, "Sand Beach," $50,000. These are points along the New England coast not accessible to through traffic from our part of the country. We of the Northwest know very little of the necessity for these expenditures, but we trust to the judgment of the Committee on Rivers and Harbors, and we sustain them cheerfully.

Then along the South Atlantic and Gulf coast take the "Mystic River," $50,000. How many of you can tell where the "Mystic River" is? Yet there is as much appropriated in this bill for the "Mystic River" as for the Missouri River above Sioux City, with its 1,600 miles of navigable water. "Deep Creek," $25,000; "Ocmulgee River," $20,000; "Suwanee River," $5,000. Well, now, there is a sentiment, there is a melody and a music and a romantic tradition about the "Suwanee River" which would disarm any criticism. We cheerfully support that item without any regard for its commercial relations to us.

But here is the St. Johns River, only a short stretch of river in Florida, which carries an appropriation of $40,000, almost as much as you give for nearly 2,000 miles of river on the Upper Missouri, the longest river in the world, longer than the Amazon, longer than the Mississippi.

"The Tombigbee River!" Whoever heard of the Tombigbee River? It is a local stream, and it carries in this appropriation $66,000, which is $16,000 more than you give to the upper 1,600 miles of the Missouri River, a river that is known wherever the English language is known.

We have rather a sparse population in that part of the country, but we have great natural resources to be developed. The gentleman from Montana, for instance, and I represent contiguous districts, and yet, neighbors as we are at home, there is intervening between my house and his 850 miles of territory. We have no north and south railroads; we have only east and west roads.

The Missouri River is not paralleled by railroads, like the short Muskingum River in Ohio, spoken of a few minutes ago. We must depend, therefore, entirely for north and south transportation on wagons and steamboats. We have the Canadian Pacific, the Great Northern, the Northern Pacific, and the Union Pacific, all great transcontinental railroads, with very few branches, but none of them north and south roads. Here I hold in my hand an amateur photograph taken last summer near Bismarck, the capital of North Dakota. There you see photographed a vein of lignite coal 7½ feet thick, a mile and half long, cropping out of the clay banks of the river; and yet, easily accessible as that coal is in winter, when the farmers can drive their sledges on the ice of the Missouri River right under it and shoot coal down to their sleds, it could be made accessible in summer also with a small expenditure for harbors. We have 20,000 square miles——

The CHAIRMAN. The time of the gentleman has expired.

Mr. JOHNSON of North Dakota. I will ask the House to give me five minutes more.

There was no objection.

Mr. JOHNSON of North Dakota. We have 20,000 square miles of land underlaid with such coal up and down both sides of the river near Bismarck. In some places the vein is 15 feet thick. It is inaccessible. It is worthless now on account of lack of transportation facilities. We ask of you not to abandon these works that have been undertaken by the Government for the improvement of the navigation of that stream. It is not a small stream. Why, even its tributaries are great. You seldom think of its navigable tributaries above Bismarck. And yet this Government on one very historic and momentous occasion employed a thousand miles of the tributary waters above Bismarck to carry its wounded to a place of shelter and hospital service.

Twenty-two years ago last summer, when the Custer massacre occurred, unfortunately there were no wounded that needed any attention of the seven companies under Custer; but of the five companies of the Seventh Cavalry, under the command of Major Reno, there was a large percentage of wounded to be cared for. The surgeon had been killed, and all the assistant surgeons but one young man had been killed in the massacre. Dr. Porter had charge of these poor fellows, and had them carried on improvised litters, made of blankets and poplar poles, 25 miles, where they were put on a steamboat, during the June freshet, and there, for a thousand miles over the navigable waters of the Little Big Horn and the Yellowstone and the Missouri, for fifty-five hours they ran at the tremendous speed of 18 miles an hour, and the steamer *Far West* carried these poor wounded fellows to the nearest place where they could find pillows and medicines and shelter for these men.

That gives you something of an idea of the distances in the interior of our country, when we have to carry the wounded a thousand miles to find hospital care. This great stretch of territory, meandered by great and historic waters, is comparatively without railroad facilities. We have great natural resources, and we are not asking for millions. We are not asking for something that has not been estimated for by the Board of Engineers. We are simply asking that you will continue in the bill $200,000 of the $250,000 that the engineer said was absolutely necessary to preserve the Government works which have been undertaken and which are now in process of erection along that stream. It is a very modest request. It is a reasonable request, and I ask that this House stand by the amendment offered by the gentleman from Iowa.

Mr. MAXWELL. Mr. Chairman, the Missouri River is one of the great rivers of the world. The Mississippi and Missouri rivers are navigable from New Orleans to Sioux City by the large boats that traverse the river from St. Louis to New Orleans. In a full sense it is a navigable river, the boats passing not as frequently as formerly, but still they are occasionally passing up and down the river, and have been for many years. The Government recognizes the fact that this is a navigable river, and every license for a bridge that is constructed across the river has a provision that it shall be elevated high enough so that boats can pass beneath it or shall have a draw in it. Now, the fact that there are but few boats running at the present time is no argument against the river itself. Improvements have been made there.

A large amount has been expended by the Government to protect the banks of the river, and it is demonstrated that they can be made stationary by what is called riprapping. At Sioux City and opposite and above for some distance the banks are protected in this manner, and it is necessary that they should be repaired and kept in good order, so that the river when it rises, as it does every spring, will not overflow the riprapping. These improvements have been made there to protect the banks, and the riprap must be of sufficient height to be above high water; otherwise the overflow would cut the earth out from behind the riprapping and injure or destroy it.

My friend from southwestern Iowa stated that $375,000 had been appropriated for certain purposes on the river and had been misapplied. If that had been applied in the manner intended, I think he would have had no cause to complain that the city of Hamburg, Iowa, was in danger of being injured or destroyed by the river. The Government has made improvements at various points on the river by riprapping, and there is great danger, unless these improvements are protected, that they will be more or less injured by the high water.

The sum asked and recommended by the engineers, as I understand, is $250,000. Shall we make appropriations for little streams at various points and neglect this great river, a river of such a volume of water that the Yellowstone and the Platte rivers do not appear to increase the volume? A dozen such rivers as the Connecticut might flow into it and scarcely appreciably increase the volume of water. It is one of the great rivers of the world, and to say that you will not protect the banks of that stream, and still make improvements on little rivulets, seems to me a neglect of duty on the part of the House, if it should pass a bill of that kind, as I think it will not do.

It seems to me the appropriation asked for is absolutely essential. It is claimed that the railroads transact the business that was formerly transacted on the river. The river is in better condition now than it was twenty years ago. The timber has been cut off the banks, and there are fewer snags than formerly. The effect of riprapping has been to make a channel that clears its own way and protects the river from overflowing, and there is no question whatever but in a few years steamboats will again be running on the river for the transportation of merchandise which is now carried on the railroads.

[Here the hammer fell.]

Mr. KELLEY. Mr. Chairman, I move to strike out the last word. I have a word to say to the members of this committee upon the proposition now before the House. I am absolutely astonished that the Committee on Rivers and Harbors brought in such a bill as is here presented to this body. I shall ask for some member of the committee or the chairman of the committee to give some satisfactory explanation to this body why certain omissions were made, noticeably in the West, a section of this country which, if it is secondary in population, certainly is not in other respects; and I believe all sections of this country are entitled to just and equal treatment. I believe that in the appropriation and the expenditure of public money equal and exact justice should be the underlying principle governing the action of this body; but I say that justice has not been dealt out, so far as the provisions of this bill are concerned.

And I want to say that whoever undertakes to defend this bill as it stands at present should not undertake to shield themselves behind the flimsy barrier erected here, that no money is appropriated by this bill except for navigable streams. Though even upon that score we claim the justice of this amendment. But if we were to waive that, we find from the speech of the gentleman from Mississippi [Mr. CATCHINGS] yesterday, in reply to the criticisms of the gentleman from Iowa [Mr. HEPBURN], that millions and millions of dollars have been appropriated and carried in this and former bills, not for the purposes of navigation, if you please, but for the protection of the people living along the Mississippi River. I will read a part of the gentleman's remarks:

> Thirty-two thousand square miles of magnificent land will have been protected from overflow. A distinguished writer has said that the Mississippi Valley is like a jug of cream; that the richest soil from the Western States has been washed down by the river and used in building up this magnificent empire; and it is true. It is scarcely yet touched by the husbandman.
>
> Go to my district, and I will show you primeval forests, magnificent, gigantic, and splendid to behold, which remain to be felled to make room for the farmer of this country. I undertake to say that the small pittance of $13,000,000 donated by the Government has given more hope to more American hearts and has rendered more actual and immediate benefit to the people of this country than any other sum which it has expended anywhere for any other purpose. [Applause.]

Now, I say, Mr. Chairman, what is right and just for the people living along the banks of the Mississippi River is no less right when applied to the people of the great West living along the banks of the Missouri River. The Missouri River is not known as Goose Creek or some other euphonious name to which we have listened to-day, unknown to commerce and geography alike, and rescued from oblivion only by the magnanimity of the Committee on Rivers and Harbors in allowing them to share in the large appropriations carried in this bill. It is only when you refer to the Mississippi River in conjunction with the Missouri River that you can point to the great father of waters in the American continent. Yet, except immediately above Sioux City, Iowa, not a single dollar is given for the protection of the people residing adjacent to the banks of that stream and no assistance whatever for navigation.

[Here the hammer fell.]

Mr. KELLEY. Mr. Chairman, I would like five minutes more.

Mr. BISHOP. I object.

The CHAIRMAN. Objection is made.

Mr. BURTON. I should be willing that the gentleman from South Dakota should have five minutes more, but I trust the discussion will be immediately closed. I want to say a word upon this question, however. I desire to say that I am in favor of liberal river and harbor improvements, and I should like to see a bill in this House that would carry an appropriation of fifty millions. I am satisfied it would be of great benefit to the country, but I doubt if the House would pass any such bill, and the public sentiment of the country would not sustain it. It is first necessary for us to relieve these river and harbor bills from some of the excrescences upon them, and to avoid some of the waste which has been incident to our appropriations for these purposes in the past.

Among these items of waste, these excrescences, if I may call them such, I think this under consideration is one of the worst. In the first place, it is an absurdity. This is a river and harbor bill, making appropriations for the improvement of rivers and harbors; and confessedly these amounts are to be expended in the protection of the banks of a river where it is not claimed that any appreciable commerce exists to-day.

Now, I want to call attention to a second feature of the absurdity of this proposition. This amendment professes to make provision for harbors along that river before the river itself is improved and before there is any commerce on it or any chance for commerce.

Mr. KELLEY. Will the gentleman permit an interruption?

Mr. BURTON. Certainly.

Mr. KELLEY. Is not the gentleman aware that there is commerce on the Missouri River above Sioux City?

Mr. BURTON. I will come to that point in a minute. I will read statistics for the satisfaction of the gentleman.

Mr. KELLEY. I think we have a right to expect the chairman of the committee not to make such a statement as we have just listened to.

Mr. BURTON. I believe I said "trivial" commerce, or words to that effect. Here are the statistics:

	Tons.
Coal and wood	4,045
Grain, hay, and straw	4,728
Lumber	1,143
Sand, lime, and cement	1,953
General merchandise and miscellaneous	4,901

A good deal less than 20,000 tons a year.

Mr. JOHNSON of North Dakota. At what point is that?

Mr. BURTON. It is for the whole river. I refer to page 1848 of the reports of the engineers.

Mr. KELLEY. Will the gentleman permit a further interruption?

Mr. BURTON. I will, but I hope the gentleman will be brief.

Mr. KELLEY. Is it not a fact, and is it not apparent to the chairman of the committee, that one reason why this appropriation is asked is that the river may be made more navigable than

at present, so that we may increase commerce there, where we have small railroad facilities?

Mr. BURTON. How is the commerce to be improved by expending thirty or forty thousand dollars at Pierre, at Elkpoint, at Yankton, and other places of that kind?

Mr. KELLEY. By causing the current to flow in one channel. At present the current shifts. We want to force the river to remain in one channel, so that a pilot going down the river to-day may, when he comes back in a week or two, know where the channel is. There is sufficient flow of water; the difficulty is that the channel changes. That is all the trouble with the Missouri River.

Mr. BURTON. In other words, the proposition is that this ungovernable stream, 1,600 miles long, shall be improved at points two and three hundred miles apart so as to make it navigable. That is the kind of argument with which this proposition is supported. Before we enter into an improvement of this nature we ought to know where we are going to land.

Mr. KELLEY. That stream is navigable——

Mr. BURTON. I must decline to yield further. I think I have stated the case fairly. I have given the tonnage for a series of years. I will repeat the figures for the benefit of the House.

Mr. PERKINS. That is not necessary.

Mr. BURTON. Here are the figures:

Amount of freight carried on the Missouri River above Sioux City.

Calendar year.	Tons.	Calendar year.	Tons.
1887	13,961	1893	19,481
1888	12,895	1894	37,936
1889	16,723	1895	21,264
1890	14,072	1896	10,368
1891	14,211	1897	17,105
1892	17,209		

In a commercial community we do not call that amount of transportation commerce. There are fifteen or twenty ports in the United States in urgent need of appropriations that have more commerce between noon and night of a single day than the whole Missouri River for 1,660 miles. We are compelled to turn down requests for an increase in the size of channels in numerous harbors on the Atlantic coast and the Gulf and on the Great Lakes, where, as I said, they have more commerce in a single day than this river has in a whole year.

They have been seeking to build what they call ice harbors over the whole length of the river at an enormous cost. Let us see the total number of boats on the whole stream:

The number of boats engaged in carrying freight and passengers is 11, with a total tonnage of 1,275 tons.

Why, gentlemen, we had better buy every one of those eleven boats and burn them, rather than to try to provide in the several towns on this river ice harbors to take care of them.

Mr. PERKINS. There are only one or two ice harbors.

[Here the hammer fell.]

Mr. PERKINS. The gentleman from Ohio [Mr. BURTON] does not wish to convey the impression that this is a new work?

Mr. BURTON. I admit that it is an old work; but, as I said yesterday in response to a question of the gentleman from Delaware [Mr. HANDY], the fact that we have wasted public money in the past does not seem to me any reason why we should waste it in the future.

It has been urged here that there is a pressing necessity that this work be done at this time. In reply to that I wish only to read briefly from the last Report of the Chief of Engineers. Let us see whether there is any necessity for this work.

We will first take the Bismarck Harbor, with reference to which the engineers say:

The works constructed and completed during the year have protected the left bank, just below the bridge, and have given a more favorable direction to the channel above the bridge.

Not a word about the necessity of further expenditure in that direction.

Now let us take Pierre and Fort Pierre. They say:

The expenditures during the fiscal year have been $13,551.95. The incomplete 1895 dike at Pierre has been completed, and the lower end of Marion Island has been protected by two dikes and a revetment 1,230 feet long below them, the dikes extending out to the proposed rectification line. Minor repairs to the Marion Island dikes and revetment and to the dikes in front of Fort Pierre have been made during the present spring. The works have nearly stopped the erosion below the Pierre steamboat landing, having formed a large accretion, and have protected that part of Marion Island covered by them. A marked improvement in the crossing between Pierre and Fort Pierre has also been effected.

I call the gentleman's attention to that statement of the engineers.

Now let us take the Yankton appropriation:

The plant needed for beginning the work has been procured. Six of the proposed right-bank dikes have been begun and will be carried out as far as available funds will permit. The erosion of the right bank in the vicinity of the dikes, which was formerly rapid, has been checked, but the dikes have not yet been extended sufficiently to produce any decided change in the position of the channel.

That is the report, as far as the protection of property is concerned in that locality.

At South Sioux City—

I read from the report—

At South Sioux City.—The Nebraska bank of the Missouri River in front of South Sioux City had been protected for about 4,000 feet upstream from the lower bridge and for about 5,400 feet upstream from the upper bridge, by revetments constructed by the owners of the respective bridges. Between these two revetments about 4,270 linear feet of bank was unprotected and was being rapidly eroded. The present project, adopted July 24, 1896, contemplates the expenditure of the funds provided by the river and harbor act of June 3, 1896, in revetting this unprotected bank, in repaving the upper bank for 300 feet farther upstream, and in protecting the head of the work by a short pile dike. The project contemplated the expenditure of $50,000, but as it was believed that the work could be done for the $40,000 allotted, no modification of the project was made. The work forms part of a general plan, described under the next heading, for the improvement of the river in this vicinity.

To June 30, 1897, there had been expended $35,674.36. The work had been completed. Its results had been the stopping of the erosion on the formerly unprotected portion of the town front.

The expenditures during the year have been $4,080.48. A combined pile driver and hydraulic grader and four skiffs have been constructed, and a towboat purchased, a part of its cost being paid from the allotment for work at Yankton. The plant is intended for use in the lower part of the district as may be required.

The work at South Sioux City remains in good condition, and has protected the front.

Mr. PERKINS. But will the gentleman come to the conclusion contained in the recommendation of the engineer, in which he sums up all that has been done and what is required?

Mr. BURTON. Of course I propose to do that. I will read the extract:

The expenditures during the year have been $18,098.97. The Iowa bank has been protected by revetment for 824 feet next below the Floyd River, below which 20 short dikes have been built, and shore protection and foot mattress for 3 other dikes constructed. The mattress for one of the latter is an extension of the revetment. It is thought from present conditions that their completion may prove unnecessary, the mattress laid being a sufficient protection to the bank. By the revetment and dikes the front has been protected for about 7,400 linear feet. The works are in good condition and have thus far fulfilled their purpose.

It is understood to be the intention of Congress to continue improvements at Bismarck, Pierre (both sides), Yankton, Elkpoint, and Sioux City (both sides); and for the purpose of economical work at those localities an estimate of $250,000 is submitted, with recommendation that the allotment of this amount be left to the discretion of the Secretary of War.

I take it this body has as much to do in determining what is the intention of Congress as the engineers.

So it will be seen that there is no special urgency there.

Mr. MAXWELL. But, Mr. Chairman, if the gentleman will permit me, I ask, why not make the appropriation, in view of the fact that the necessity for it is recognized on all hands——

Mr. BURTON. But it will be seen that it would be regarded as mandatory, practically. Now, I wish to say to the gentleman that it will be well to read further. I read from page 2182 of the Report of the Engineers for 1897:

In the value thus obtained was included that of so much of the farm land between Elkpoint and the river, of the town property, and of the railroad property as lay within a curve of fairly probable erosion.

The results of the survey have shown that to properly improve the reach, giving to the works as full security as is ordinarily obtainable on the Missouri, it would be necessary to begin the work at the bluff contact, 5½ miles above Elkpoint, and to extend it progressively down stream.

Again:

As there is no present or prospective river commerce at Elkpoint, as such changes in the channel may occur before the general permanent improvement of the river is undertaken as to render the proposed works useless as a part of that plan, as the works will not in any case benefit navigation until included in an improvement of a long reach of river at least the distance between two important ports, and as the carrying out of a general plan for improvement in the interest of navigation can be far more economically and advantageously done if done continuously rather than by constructing isolated works and afterwards connecting them, it would appear that in instances of this kind such appropriations made for the protection of certain localities are not advisable and interfere with the general scheme for the improvement of the Missouri River in the interest of navigation.

* * * * * * *

The estimated cost of such an improvement extending downstream so far as to fully protect the town is $377,700, which is regarded as a greater expense than the ascertained value of property endangered would justify.

Mr. MAXWELL. I would like to ask the gentleman a question, with his consent?

Mr. BURTON. Certainly.

Mr. MAXWELL. Is it not a fact that near this town there is a slough which extends for a long distance from the river——

Mr. BURTON (interrupting). I am not thoroughly familiar with the geographical situation there.

Mr. MAXWELL. I was only endeavoring to show to the gentleman that this is not a parallel case with Sioux City.

The gentleman must remember that these towns, Sioux City and South Sioux City, are below the Big Sioux River, which forms a current striking the bank at that point, and is now doing serious damage to property adjacent to the towns, and unless steps are taken promptly there is no knowing what the result will be at any time within the near future.

Mr. BURTON. I should like to yield to the gentleman, but my time is so limited that I think I must decline to yield further. I am not arguing about any specific place; but here, in a river and harbor act, we are asked to protect these different towns. Why, if this is for the protection of commerce, I would suggest that it go to some other committee or to some commission. The gentleman from Iowa [Mr. PERKINS] might introduce a resolution and have it referred to the Committee on Interstate and Foreign Commerce. The chairman of that committee is his colleague from Iowa [Mr. HEPBURN], and if referred there, he no doubt would be in the hands of his friends. But when it comes to making appropriations here, and calling them river and harbor appropriations, where there is no commerce practically—less than 20,000 tons; where you are engaged in an impracticable scheme, when you seek to pick out for improvement places here and there on a great reach of 1,660 miles, I must enter my decided opposition to it. I trust this bill will receive the support of members of this House who believe in river and harbor appropriations, but who believe in making them effective for the purposes intended.

Mr. KELLEY. I ask unanimous consent for three minutes time.

The CHAIRMAN. The gentleman from South Dakota asks unanimous consent——

Mr. MAHANY. I should like to ask the gentleman from Ohio a question.

Mr. BURTON. I yield to the gentleman from New York for a question.

Mr. MAHANY. The gentleman speaks of a plan for the general improvement of the river. Can he forecast in any degree or approximate the time when this plan will probably go into operation?

Mr. BURTON. It will take many years and many millions; that is all, I think, anyone can say.

Mr. MAHANY. Then do you not think the temporary improvement would be valuable, and that it would not interfere with the general plan?

Mr. BURTON. The temporary improvement, as far as snagging is concerned, is provided for, but the point is, why pick out these places and make a harbor before you have any commerce?

Mr. Chairman, I move that debate on the pending paragraph be now closed.

Mr. KELLEY. I asked unanimous consent for three minutes, or two minutes, and my request is before the House.

The CHAIRMAN. The gentleman from Ohio [Mr. BURTON] moves that debate on the paragragh and pending amendment be closed.

Mr. KELLEY. Mr. Chairman, my request was announced to the House.

Mr. BURTON. I had not yielded the floor.

The CHAIRMAN. The gentleman from South Dakota submitted his request at a time when the gentleman from Ohio was still in possession of the floor, and before yielding the floor he made the motion which the Chair has submitted.

Mr. BURTON. If I may make my motion at the end of the gentleman's remarks, I am willing to yield to him three minutes——

Mr. KELLEY. Two minutes are all I ask for.

Mr. BURTON. But I think I should have the right to close the discussion.

The CHAIRMAN. Does the gentleman from Ohio yield to the gentleman from South Dakota?

Mr. BURTON. I ask unanimous consent that the gentleman from South Dakota may have three minutes, and at the close of that time I ask the Chair to recognize my motion.

The CHAIRMAN. Is there objection to the request?

There was no objection.

Mr. KELLEY. I simply want to state to the members of the committee that the very courteous chairman of the Committee on Rivers and Harbors has overlooked certain things in presenting this case. Work has already been commenced in three different places on the Missouri River, and above $40,000 has already been expended at the city of Pierre in building dikes to deflect the water and hold it in a certain channel. Over $40,000 has already been expended by the Government at the city of Yankton, and money has already been expended for the improvement of the river at the city of Elk Point. Now, the engineer who has this work in charge tells us that if more money is not appropriated to complete the work, the money already expended will be entirely lost; the dikes that have been built will be washed away and be absolutely of no value.

Further, I want to call the attention of members of the committee to the fact that in the first session of the Fifty-fifth Congress I myself introduced a bill in this House, and it passed by unanimous consent, for the purpose of quieting the title to certain lands situated on the Missouri River, where the action of the river had cut away a large portion of land and left a section of country in the State of South Dakota that was formerly in Nebraska.

I think we are entitled to some consideration at the hands of Congress as well as the people living in other sections of the country. It is to stimulate the commerce of the great Middle West as much as for the protection of the people who live along the banks of the Missouri River that we ask for this small appropriation in a bill that carries $30,000,000.

In spite of this large sum the committee do not seem to be able to find it in their hearts to grant to this great Middle West $300,000, while there is carried in this bill $24,000,000 for twelve States of the Union. The gentleman from Michigan [Mr. BISHOP], who interposed his objection a few minutes ago to my having five minutes, himself gets for his State $2,500,000 in this bill. Let us be just and fair with one another. We are all American citizens, and we appeal to your honor and your sense of fairness and justice. We ask you to take this measure fairly under advisement and as we are asking for nothing but what is right, we are sure you will grant it if you will only give the matter proper consideration.

The question being taken, the Chairman announced that the noes appeared to have it.

Mr. KELLEY demanded a division.

The committee divided; and there were—ayes 29, noes 78.

So the amendment was rejected.

The Clerk read as follows:

Improving Sacramento River, California, from the city of Sacramento to the mouth: Continuing improvement, $30,000: *Provided*, That a contract or contracts may be entered into by the Secretary of War for such materials and work as may be necessary to carry out the revised project as recommended in House Document No. 186, Fifty-fifth Congress, second session, and House Document No. 44, Fifty-fifth Congress, third session, to be paid for as appropriations may from time to time be made by law, not to exceed in the aggregate the sum of $184,000, exclusive of amount herein and heretofore appropriated.

Mr. BURTON. Mr. Chairman, I desire to offer an amendment, to correct a verbal error that has crept into the bill.

The Clerk read as follows:

Strike out in line 3, page 68, the words "Forty-four" and insert in lieu thereof "Forty-eight."

The CHAIRMAN. Without objection, the amendment will be adopted.

There was no objection.

The Clerk read as follows:

Improving San Joaquin River, California: Continuing improvement, $20,000.

Mr. BURTON. Mr. Chairman, in that paragraph in regard to San Joaquin River an amendment is needed, to make it more clear where the dredging and other work is to be done.

The Clerk read as follows:

Insert in line 9, page 68, after the word "dollars," the following:
"To be expended in dredging, making cut-offs, or otherwise improving said river and Stockton and Morgan channels to the city limits of the city of Stockton."

The amendment was agreed to.

The Clerk read as follows:

Improving Upper Coquille River, between Coquille City and Myrtlepoint, Oreg.: Continuing improvement, $5,000.

Mr. TONGUE. Mr. Chairman, I move to strike out the last word.

In the remarks made by the chairman of the committee on yesterday he made this statement:

I trust the gentleman from Oregon, in giving figures by States, will not overlook the fact that in the appropriations last made for rivers and harbors the State of Oregon received approximately $3.50 for each inhabitant of the State, while the State of New York received only 25 cents.

Now, Mr. Chairman, if the State of Oregon received that amount of money two years ago, while now half a million more is being taken away than is appropriated, it would indicate the difference in treatment proposed appropriations receive when the State interested is represented on the Committee on Rivers and Harbors and when it is not. It is hardly fair to assume that Oregon was entitled to that much appropriation at that time, and entitled to have the same appropriations taken from it now.

But this statement, Mr. Chairman, requires considerable explanation, and I shall be glad to see the gentleman give an extended statement as to just what these appropriations consist of. I have tried to look over the law of 1896, and have done the best I could to see how large appropriations were made, and find the appropriations on rivers and harbors by the bill of 1896 for Oregon alone was $225,000. There was an appropriation for Columbia River, which is on the boundary line between Oregon and Washington and extends also toward Idaho. It is not fair that the State of Oregon should be charged for more than half of that. Then, charging half of it to Oregon, there were appropriated $302 500.

There was authority to give contracts, it is true, but of these contracts only $60,000 have been approved and are in operation, making a total of $362,500 of the appropriations available under that bill. As there are about 500,000 inhabitants in Oregon, it is an appropriation of about 70 cents per capita, and the appropriation as compared with New York would be nearly or about the same. It is true that there were some appropriations for contracts;

but this bill proposes to repeal those appropriations and repeal those contracts, so that instead of being charged with $3.50 we should only be charged with about 70 cents per capita.

But, Mr. Chairman, I want rather to insist that the appropriation ought not to be distributed in a certain per capita way. If so, there are States that receive nothing. These appropriations should be made something in proportion to the needs of the localities. New States have to build new public buildings. They have to build new schoolhouses, new court-houses, and new public buildings of every kind, and new roads, and have to appropriate the money for opening up their own channels of commerce. You can not build up a new State for nothing, and a new State should not be treated in the same manner in appropriations as the old States. They are expenditures for opening up commerce, and it can be done best in the new States.

The gentleman raised the comparison with New York. I do not want to raise any criticism of any appropriation for anything in New York, but when you compare the question of expenditure of public money in New York and the Western States there is no comparison. We pay our taxes as they do. We pay internal-revenue taxes of about a million dollars, beside taxes on imports, and we can not, therefore, act on percentages, as a rule, in appropriating money for the improvements of rivers and harbors. There are no great public buildings there; there are no great contracts there; there are no people getting great contracts for supplies to the Government there, and money is not expended except when the Government improves a river or harbor.

Now, of the millions of dollars that Oregon will pay into the public Treasury but little will come back. There is $140,000 in this bill, practically. Then there are some appropriations for the Indians, but the lands sold by the Government will recoup that. The Government is selling land constantly and putting the money in the Treasury, and that does not come back to Oregon. The people who gave Oregon to the United States and enabled it to sell these lands have no benefit of it. The men who took their packs upon their backs and saddled up their horses and took their rifles and shotguns and drove out the public enemies from that Territory have not received the benefit of it. They have been begging here for years for small pensions, and, notwithstanding they are getting to the age of 70 or 80 years, they have received nothing. It does not seem to me that the State of Oregon has been a charge upon the public Government, and it is entitled to consideration as one of the States of the Union.

Mr. BURTON. I do not intend to take up the time of the committee long with these figures. The figures I gave to the House yesterday were correct. In making the computation, I followed the quasi-official estimate book made up at the War Department. In the column of last appropriations, according to the titles given in this book, Oregon received in the last appropriation $1,281,167.

Mr. TONGUE. Read the items.

Mr. BURTON. I do not think I ought to take the time of the House, but I will read a few of them:

Coos Bay	$95,000
Yaquina Bay	25,000
Tellamook Bay	17,000
Harbor at Coos Bay	14,300
Columbia River at Three-Mile Rapids and boat railway from The Dalles Rapids to Celilo Falls	150,000
Coos River	5,000
Alsea River	3,000
Nestugga River	6,000
Columbia River at the Cascades	179,597
Mouth of Columbia River	338,180
Lower Willamette and Columbia rivers	100,000
Willamette River above Portland	160,000

And so forth.

Now, it is true some of these are on the boundary line between Oregon and Washington, but they are regarded as distinctly Oregon improvements and are so classified in the official estimates.

Mr. TONGUE. What is the total amount?

Mr. BURTON. One million two hundred and eighty-one thousand one hundred and sixty-seven dollars, as against $1,895,910.56 for the State of New York. The average for the State of Oregon is $3.57 per inhabitant. I said approximately $3.50. The computation is according to the population of 1890, which was 313,767. For the State of New York it was 31.6 cents per inhabitant. The actual amounts appropriated in 1896 for expenditure during the following year show that Oregon received $839,726 in that bill, or $2.64 per inhabitant, while New York received $934,650, or 16.6 cents. I think the gentleman will find, on verification of these figures, that they are exactly correct.

Mr. TONGUE. Mr. Chairman, I move to strike out the last two words. The gentleman has read the figures and makes a total of $1,281,167, charging to Oregon all of the Columbia River. Now, he has forgotten to tell you that this bill proposes to repeal $1,170,000 of that, leaving practically what I said was to be expended—about 70 cents per capita.

Mr. BURTON. I know the gentleman from Oregon does not wish to make a misstatement. Allow me to call his attention to the fact that the $1,000,000 repealed is not included in the totals that I gave. That was authorized under continuing contract and may be regarded as a reserve fund additional to the $1,287,000.

Mr. TONGUE. Then the gentleman or I can not figure. The appropriations will not make one-half of the amount. I have examined the statutes, and I say to the House that the appropriations will not make one-half of the figures given by the gentleman from Ohio. I want to say further that the figures for New York are as inaccurate as those for Oregon. The appropriations for New York actually carried in that bill for rivers and harbors amounted to $1,182,000, while the contracts authorized were $2,649,558, or a total of $3,831,558. I do not begrudge New York one cent of it. Mr. Chairman, I withdraw my formal amendment.

The Clerk, proceeding with the reading of the bill, read as follows:

Appropriations made for the respective works herein named, or so much thereof as may be necessary, may, in the discretion of the Secretary of War, be used for the repair and restoration of said works whenever from any cause they have become seriously impaired, as well as for the further improvement of said works.

Mr. BURTON. Mr. Chairman, at the completion of the reading of section 1, I ask unanimous consent to return to the item on page 12 pertaining to Brunswick, Ga., as I desire to offer an amendment, which I send to the Clerk's desk.

The Clerk read as follows:

Strike out, beginning with line 5, on page 12, all to and including line 13, page 14, and insert the following:

"Improving the outer bar, Brunswick, Ga.: C. P. Goodyear, the contractor with the Government of the United States to deepen the outer bar of Brunswick, Ga., under the river and harbor acts of 1894 and 1896, shall be entitled to receive the sums appropriated by said acts for obtaining a channel 24 feet deep and 200 feet wide and a channel 25 feet deep and 100 feet wide, provided the same are obtained on or before June 3, 1900; and said acts are hereby amended accordingly. After the expiration of the time herein stated within which said work of improvement must be obtained, the Secretary of War shall cause a survey of the same to be made and report a plan, with estimate of the cost thereof, with a view to obtaining a depth of 26 feet at mean high tide with a width of 200 feet; and the sum of $5,000, or so much thereof as may be necessary, is hereby appropriated to defray the cost of making said survey and estimate based thereon.

"Improving inner harbor at Brunswick, Ga.: For maintenance, $10,000."

Mr. BURTON. Mr. Chairman, a word of explanation. Some years ago the Government engineer made an estimate that it would require to obtain 26 feet over the bar here $2,700,000. Mr. C. P. Goodyear, a New England man, thought that by the use of dynamite he could obtain a channel at a place different from the one selected by the Government engineers at a less cost, and in the acts of 1894 and 1896 provision was made that he should receive certain compensation provided he obtained a channel of certain depths and widths. He has earned the compensation promised him except $90,000, the opportunity to earn which is by the provisions of this bill extended one year. The remaining $320,000, which by the terms of this bill he was to receive, provided certain results should be obtained, is stricken out.

The committee felt somewhat doubtful, notwithstanding the great economy in securing the results accomplished by Mr. Goodyear, whether the dredging which he had done could not be done as economically, or more economically, by the Government. His claim has been that by the use of dynamite a channel was secured which would be more permanent than one made by dredging in the ordinary way. Some question existed in the minds of members of the committee who had considered the subject whether this claim is a valid one; and in order that we may be absolutely on the safe side, it seemed best for us merely to modify the existing appropriations by giving an additional year.

It is but just to Mr. Goodyear that this should be done, because he asserts that he has already secured the depth which would entitle him to $90,000; and in every case where a measurement has been made he has been compelled to wait a long time for a report. There was once a bitter controversy between him and the Government engineers as to what was the correct measurement; and we regard it as due to him that he should have this additional time. But the remaining provisions for further appropriation are absolutely eliminated from the bill, but there is added a clause providing that when the depth already provided for is secured by him—24 by 200 feet and 25 by 100—a survey shall be made with a view to obtaining a depth of 26 feet across the bar, and an estimate of the cost is to be made.

I can not close without saying that this port is one of those whose growth and importance have impressed us; and we regard it as one that is certainly deserving of improvement as proposed.

The question being taken, the amendment was agreed to.

The Clerk read as follows:

SEC. 3. That the provisions of the river and harbor act of 1894 for a boat railway from the foot of The Dalles Rapids to the head of Celilo Falls, Oregon and Washington, and the provisions of the river and harbor act of 1896 providing for the improvement of Yaquina Bay, Oregon, and all acts for the prosecution of either of said projects are hereby repealed, and any amounts heretofore appropriated for either of the same now remaining unexpended shall be paid into the Treasury of the United States.

Mr. LEWIS of Washington. I should like to have the attention of the chairman of the committee for a moment.

Mr. BURTON. What is the gentleman's point?

Mr. LEWIS of Washington. I wish to ask the gentleman whether he will be kind enough to state the reasons of the committee for reporting in this section a clause repealing the provision heretofore made for a boat railway from the foot of The Dalles Rapids to the head of Celilo Falls, Oregon and Washington?

Mr. BURTON. The committee regarded this project, I may say, as very doubtful, if not absolutely impracticable, from an engineering standpoint. Besides, it would require, if constructed, at least $100,000 a year to maintain it. The expense of maintenance would be very largely increased by the drifting of sand across the track. I have no doubt the gentleman from Washington understands what the plan is—that it is to take a boat out of water and carry it on a railway up a considerable grade to a point some miles above—that is, from The Dalles Rapids to the head of Celilo Falls.

Mr. LEWIS of Washington. To make a ship railway.

Mr. BURTON. Yes; to make a ship railway. This project has never been recommended by the engineers; they do not believe in it now. The proposed plan has given rise to a great deal of discussion in engineering journals here and in Europe. Engineering authorities would like to see the project tried, but most of them do not think it would succeed; and the cost of this work would be about two million and a half of dollars. The committee thought that too large a sum to spend upon an experiment.

Mr. LEWIS of Washington. Mr. Chairman, I appreciate the kindness of the chairman of the committee in giving us this very intelligent explanation. I would for some reasons have been desirous for the continuance of this appropriation; but I realize that we must display some deference to the recommendations of some of the Departments; and as the War Department after investigation has not thought proper to concur with the views of those interested, I do not think I should be justified in urging this appropriation further, although some of my constituents request that I should do so. I have only risen in my place to demonstrate publicly the interest that I feel in the matter and to say that the information of the honorable chairman verifies what has been stated to me at the Department.

I have serious doubts as to the practicability of the scheme and some doubt as to the virtue of the project, notwithstanding the good intentions of some of those behind it. While I would like to favor a certain class of my constituents who ask me to advocate this project, yet with the scruples which I have I can not ask the committee to do other than what it has done in this bill. I wish to make myself perfectly plain. While personally I would like that the class of my constituents interested in this adventure should be personally benefited and profited, I do not think I should be justified in asking the House to combat the position of the committee, in view of what has been stated by the honorable chairman.

The Clerk read as follows:

SEC. 8. That the Secretary of War is hereby directed to cause preliminary examinations or surveys to be made at the localities named in this section as hereinafter provided. In all cases a preliminary examination shall first be made, which shall embrace information concerning the commercial importance, present and prospective, of the river or harbor mentioned, and a report as to the advisability of its improvement. Whenever such preliminary examination has been made, in case such improvement is not deemed advisable, no further action shall be taken thereon without the direction of Congress; but in case the report has been or shall be to the effect that such river or harbor is worthy of improvement, the Secretary of War is hereby directed, at his discretion, to cause surveys to be made and the cost of improving such river or harbor to be estimated and to be reported to Congress, to wit:

CALIFORNIA.

Napa River.
Sonoma Creek.
Suisun Creek.
Crescent Bay.

Mr. BARLOW. I offer the amendment which I send to the desk.

The Clerk read as follows:

Insert between lines 21 and 22, page 75, after the words "Crescent Bay," the following:

"Wilmington Harbor, California, with a view of increasing the depth of said harbor to 25 and 30 feet at mean low water over the area proposed to be improved in the project set forth in the report of Lieut. Col. W. H. H. Benyaurd of June 8, 1894, and contained in Senate Executive Document No 61, Fifty-third Congress, third session, and over an additional area extending to Smith Island, and of adequate width to allow the turning of vessels."

Mr. BARLOW. Mr. Chairman, this is simply the exact provision contained in the river and harbor appropriation bill for 1896. It provides for the survey of this harbor, so that when the Government of the United States in its wisdom sees fit to improve—as, no doubt, it will in time—the inner harbor in connection with the outer harbor we will have the data on which to proceed.

I hope no objection will be made.

This bill provides a number of surveys at four or five other points in California which, if I may be permitted to say so, are of comparatively small importance in connection with this harbor. I only ask that the survey shall be made, so that the data may be on hand when the work is undertaken.

Mr. BURTON. Mr. Chairman, I do not feel like vigorously opposing the proposition of my friend from California, yet I do not think it is necessary at this time to make this survey. We have made provision in the bill for all of the surveys that we deemed were necessary; and to enlarge the number will certainly require a much larger force of engineers than the United States has at present in its employ. If the work is placed upon the present force, they will be largely overtaxed.

I hope the amendment will not be adopted, therefore.

Another point why it should not be adopted is, I would suggest, that it will be some three years yet before the outer harbor is completed, and there will be ample time to make provision for the inner harbor when that work is done. I therefore suggest that, while I do not like to make opposition to the amendment, I hope it will not be agreed to by the committee, because it is not necessary at the present time.

The question was taken; and on a division (demanded by Mr. BURTON) there were—ayes 28, noes 66.

So the amendment was rejected.

The Clerk read as follows:

Channel between the straits of Carquinez and the Golden Gate, off Point Pinol, Point Wilson, and Lone Tree Point, with a view to obtaining a channel 300 feet in width, of a depth of 30 feet.

Mr. BURTON. Mr. Chairman, I desire to offer an amendment at this point.

The Clerk read as follows:

Insert after line 25, page 75, a new paragraph, as follows:
"Connecticut—Milliford Harbor."

The amendment was considered and agreed to.

The Clerk read as follows:

MARYLAND.

Claibourne Harbor.
Queenstown Harbor.

Mr. BURTON. Mr. Chairman, I wish at this point to offer an amendment on behalf of the committee.

The CHAIRMAN. The Clerk will read the amendment.

The Clerk read as follows:

Insert after line 20, page 78, following the word "harbor," the words:
"Patuxent River at Bristol Bar, Brittons Bay, on the Potomac River."

The amendment was agreed to.

The Clerk read as follows:

MASSACHUSETTS.

Chatham Harbor: With the view of ascertaining what further expenditure is necessary to complete existing project of removing the bar which obstructs navigation up to the New Bedford and Fairhaven Bridge.

Mr. BURTON. I offer the following amendment, Mr. Chairman:

The Clerk read as follows:

Strike out lines 23, 24, and 25, on page 78, and insert:
"New Bedford Harbor: To remove the bar between the present channel and the northerly terminus of the proposed channel on the northerly side of the New Bedford and Fairhaven Bridge."

The amendment was agreed to.

The Clerk read as follows:

Winthrop Harbor: To provide channels of a width of 75 and 100 feet, respectively, and a depth of 12 feet.

Mr. FITZGERALD. Mr. Chairman, I move the following amendment.

The Clerk read as follows:

Insert in line 8, page 79, after the word "feet," the words "and 15 feet."

Mr. BURTON. Mr. Chairman, I see no objection to the amendment and shall make no opposition to it.

The amendment was considered and agreed to.

The Clerk read as follows:

Channel of Assonet River.
Beverly Harbor.
Cottage City.
Westport Point Harbor.
Sandwich Harbor.
Bass River Harbor.
Cotuit Harbor.
Harbor at Hyannisport.

Mr. BURTON. I move to amend by striking out, in line 16, page 79, the words "Harbor at Hyannisport" and insert in lieu thereof the word "Hyannis."

The amendment was considered and agreed to.

The Clerk read as follows:

Channel from Lake Michigan to Stoney Lake, Oceana County.

Mr. BURTON. Mr. Chairman, another committee amendment.

The amendment was read, as follows:

In line 23, page 79, after the word "County," insert the following:
"Cheboygan Harbor: To obtain a depth of 18 feet from the entrance of said harbor to the first bridge."

The amendment was agreed to.

The Clerk read as follows:

St. Croix River, from Stillwater Harbor to Taylors Falls, Minn., with a view to making said river accessible to steamboats and other craft navigating said river.

Mr. BURTON. I desire to offer an amendment to that paragraph.

The amendment was read, as follows:

Insert in line 10, page 80, after the word "river," the following:
"Minnesota River, with a view to protecting the banks thereof at and near St. Peter, in Nicollet County."

The amendment was agreed to.

The Clerk read as follows:

Missouri River: With a view to prevent the erosion of the north bank thereof at and near Huntsdale, in Boone County, Mo.

Mr. COWHERD. I wish to offer an amendment.

The amendment was read, as follows:

Insert after line 21, page 80, after the word "Missouri," the following:
"With a view to prevent the erosion of the south bank thereof and the cutting of a new channel at or near the city of Napoleon, in Lafayette County, Mo."

Mr. BURTON. I should like to have that amendment explained. Does this enlarge the territory over which the examination is to be made?

Mr. COWHERD. No, sir; this is a request for a survey at a point in Lafayette County, Mo., near the little town of Napoleon. I will explain that there is a bend in the river at that point, and that about 6,000 acres of very fertile land are connected with the mainland by a small neck. The river is cutting in at this neck, and there is a lake in there—I do not know how many acres in extent, but quite a large body of water—a shallow lake. The danger is that unless the erosion is stopped, when the water reaches that lake, it will cut through and form a new channel. I do not ask for any appropriation. I understand that a large part of the appropriation for the Missouri has been diverted, or possibly will be; but I wish this put in the bill to call the attention of the Missouri River Commission to the danger at that point, in order that if, upon examination, they find it necessary, they will make the repair out of the continuing improvement fund in their hands. It will cost practically nothing, I suppose.

Mr. BURTON. I see no objection to this being inserted, but I do want to say for myself, not assuming to speak for the remainder of the committee, that I am decidedly opposed to this custom which has prevailed for so many years, of providing for the protection of private property, or public property either, on navigable streams, and calling it river and harbor improvement. As to whether that shall be undertaken by the General Government or not, I do not pretend to say; but as to the propriety of bringing it in here on a river where there is no navigation, and asking us to prevent the banks from being washed away or lands overflowed, I have decided views. If this were a new proposition, I should feel in duty bound to oppose it. However, as there are other similar items in the bill, I do not see that we can justly object.

The amendment was agreed to.

The Clerk read as follows:

NEW JERSEY.

Raccoon Creek.
Woodbridge Creek.
Kill van Kull.

Mr. BURTON. I desire to offer an amendment as a substitute there.

The amendment was read, as follows:

Strike out the words "Kill van Kull" in line 25, page 80, and insert the following:
"Arthur Kill, or Staten Island Sound, from Kill van Kull to Raritan Bay, with a view to obtaining of a 21-foot channel by way of Staten Island Sound from New York Bay to Raritan Bay."

The amendement was agreed to.

The Clerk read as follows:

Passaic River: With the view of ascertaining the cost and feasibility of extending a 10-foot channel of suitable width from Center street bridge to the Montclair Railway Bridge, and also as to the feasibility and cost of affording a channel 12 feet in depth from Center street bridge to Staten Island Sound. Also an examination of said river from Montclair Railway Bridge to the city of Paterson.

Mr. McEWAN. Mr. Chairman, without wanting to antagonize the section referring to the Passaic River, it seems to me proper at this time to put in the RECORD the fact that Jersey City and other municipalities in Hudson County have a right to use the water of that river for domestic and other purposes. I say this in order that the engineers, in considering the feasibility of making that stream navigable, shall have the information that these municipalities have contracts whereby they are entitled to a water supply from the Passaic River for the use of these cities. These rights were granted by charter by the legislature of the State of New Jersey, are valuable, and if their value is in any way impaired of course compensation would be asked. The engineers ought to consider this in making any estimates of the cost of rendering the river navigable.

MESSAGE FROM THE SENATE.

The committee informally rose; and Mr. LOUDENSLAGER having taken the chair as Speaker pro tempore, a message from the Senate, by Mr. PLATT, one of its clerks, announced that that body had insisted upon its amendments to the bill (H. R. 11487) making appropriations for the diplomatic and consular service for the fiscal year ending June 30, 1900, disagreed to by the House of Representatives, had agreed to the conference asked by the House on the disagreeing votes of the two Houses thereon, and had appointed Mr. HALE, Mr. PERKINS, and Mr. FAULKNER as the conferees on the part of the Senate.

RIVER AND HARBOR APPROPRIATION BILL.

The committee resumed its session.

The Clerk read as follows:

The canal and locks situated on the west side of the Willamette River, at Willamette Falls, in Clackamas County: With a view to ascertaining the desirability of their condemnation and purchase by the United States.

Mr. ROBBINS. Mr. Chairman, I desire to offer the following amendment.

The Clerk read as follows:

Insert in line 12, page 72, after the word "United States," the following:

"PENNSYLVANIA.

"Youghiogheny River, with a view to the improvement of said river by locks and dams from West Newton to the mouth of said river, at McKeesport, Pa."

Mr. ROBBINS. Mr. Chairman, this involves the Youghiogheny improvement for a distance of 20 miles on that river which was navigated for a period of twenty-five years prior to 1866, rendered so by a system of locks and dams built by the Youghiogheny Navigation Company. These dams were taken away in 1866 and not since rebuilt. Now, since the Ohio and the Monongahela improvement has been made public, owned by the United States and made free, it is only contemplated to survey this river and ascertain under this bill whether it is necessary and proper to improve this river, to replace improvements which were very profitable from the beginning when in the hands of a private corporation. This amendment commits the Government to no expense.

The matter was considered by the Committee on Rivers and Harbors. I have spoken to the chairman, and I understand there is no objection to having a preliminary examination made. This is a most meritorious case, and I urge its adoption most earnestly. The whole matter was so fully explained by me before the River and Harbor Committee that it is unnecessary now to longer consume the time of the committee.

Mr. BURTON. I will say, Mr. Chairman, that I have no objection to the insertion of the amendment, and I ask that the gentleman from Pennsylvania may be recognized.

Mr. GRAHAM. Mr. Chairman, some criticism has been made as to the large amount appropriated in this bill for the improvement of the Monongahela, Allegheny, and Ohio rivers, including this improvement suggested by the amendment of my colleague, it being considered rather out of proportion to the amount appropriated for other sections of the country. Having the honor to represent a portion of the district affected, a section of Allegheny county adjacent to Pittsburg, I desire to call the attention of the House to the importance of this portion of our great country, and I state, without fear of successful contradiction, that this is the center of the greatest hive of human industry on the face of the earth, as I will demonstrate by the following statistics collated from State and national bureaus. To impress these facts more forcibly, I have put them into comparative form.

Pittsburg is the center of greatest population in the United States outside of New York and Philadelphia. Within a radius of 60 miles around Pittsburg reside, according to the last census, 1,608,964 people, a greater population than Chicago and a similar radius.

The capital, surplus, and deposits of the banks, national, State, and savings, of this one county exceed the combined banking capital, surplus, and deposits of eight Southern States.

The tax valuation of property in the county is $490,000,000. Real estate exempted from taxation, sixty-four millions.

Of the following products made in the United States Allegheny county produces:

	Per cent.		Per cent.
Steel	47	Harness leather	50
Steel rails	56	Bituminous coal mined	25
Plate glass	75	Paper sacks	33
Pig iron	27	Wrought iron and steel pipe	75
Window glass	40	Nails and spikes	25
Table glassware	50		

Has 2,483 mills and manufacturing establishments, with a capital of over $200,000,000; value of annual products, $244,535,875; paying out in wages over $60,000,000 annually.

Has 63 blast furnaces and rolling mills, employing 82,000 workers. Also over 250 miles electric street railway, with combined capital of $54,000,000. One thousand miles of iron pipe is used in conveying natural gas to the manufactories and dwellings.

Pittsburg stands sixth among the cities of the United States in comparative volume of bank exchanges.

Pittsburg coke district produces 65 per cent of the entire output of coke in the United States; Pittsburg oil district produces 60 per cent of the entire output of oil in the United States.

The daily output of coke, if loaded on one train, would be 10 miles long, and yet, notwithstanding this immense product, surveys show 75,000 acres of coking coal yet untouched in this section.

The above figures only show a few of the leading industries that far surpass those of other sections, but in addition there are hundreds of other lines of manufacture which I have not the time to dwell upon.

While Pittsburg is famous the world over as the manufacturer of the most unyielding products of man's labor, namely, iron and steel, yet it stands first in the manufacture of glass, that most brittle and perishable article of trade.

Pittsburg can present annually to every man, woman, and child in this country a glass bottle. [Laughter.] It leaves to them to decide whether it shall be filled with milk or something stronger. [Laughter.]

The CHAIRMAN. The time of the gentleman has expired.

Mr. GRAHAM. I would like to ask for a few moments more.

Mr. BROSIUS. I ask unanimous consent that my colleague have five minutes more.

Mr. GRAHAM. Three minutes will be sufficient.

The CHAIRMAN. Is there objection to the request of the gentleman from Pennsylvania that his colleague be allowed five minutes more? [After a pause.] The Chair hears none.

Mr. GRAHAM. I can give you a pointer that she sends out with the bottles 20,000,000 glass tumblers annually. And while I do not claim that Pittsburg leads the country in the manufacture of rye whisky and beer, she makes enough of both beer and whisky to fill all the tumblers she sends out, her most recent product being a $25,000,000 beer syndicate.

Now, to provide for other cravings of the stomach she has the "Heinz" firm, which sends out pickles enough to present every human being on the face of the earth with one. Of course, she manufactures corks enough to safely preserve the contents of all her bottles. [Laughter.]

One point which I wish to bring out is the fact that the tonnage, river and rail, of Pittsburg exceeds the river and rail tonnage of any other city in the known world. The river and rail tonnage of Pittsburg will amount to one-half as much as the combined commerce of the Atlantic and Pacific coasts. Now, that is a startling statement, but is true nevertheless. If you take the entire commerce of New York, Baltimore, Boston, and the Pacific coast, the tonnage of all the vessels entering and leaving those ports will only exceed the tonnage of Pittsburg by one-half.

She has a railroad and river tonnage greater than any other city in the world. Her railroad tonnage is three times that of New York or Chicago, twice that of London, and four times that of Paris. [Applause.] Imagine a railroad tonnage in excess of the combined rail tonnage of New York, Chicago, and Boston. Two hundred and fifty passenger trains enter and depart daily from Pittsburg. Five thousand loaded railroad cars enter and depart daily. Including the Connellsville coke region, over 2,000,000 railroad cars are loaded annually.

Mr. BRUCKER. What town is that?

Mr. GRAHAM. It needs some gentleman on the floor of this House to ask that question, for it is known throughout the world. [Laughter and applause.] I want to say to the gentleman from the South——

Mr. GRIGGS. I object to that. The gentleman from Michigan [Mr. BRUCKER] lives farther north than the gentleman from Pennsylvania. [Laughter.]

Mr. GRAHAM (continuing). That the trade of a single firm in that city in iron ore, limestone, fuel, and finished product amounts to a greater tonnage than the combined cotton product of the entire Southern States. [Laughter and applause.]

Allegheny County consumes during the winter months over 1,000,000 cubic feet of natural gas per day. This is a greater consumption than at any previous time since the discovery of natural gas, and certainly does not indicate that the supply is becoming exhausted.

It reads like a paradox, that Pittsburg, known as the iron city, and making more iron than any other city on the globe, has no iron ore mined within 250 miles of its borders, the rough material being transported mainly from northern Michigan, it being found cheaper to transport the ore to the fuel than to bring the fuel to the ore.

Now, here is something that will perhaps interest gentlemen as to the revenue received by the United States from this section. The report of the Commissioner of Internal Revenue shows that of the 114 revenue districts in the United States there are only 7 which exceed this, the twenty-third district of Pennsylvania, in gross receipts, the returns for the last six months being $4,209,233.95, indicating an annual income of $10,000,000 from this district. [Applause.]

Now, for comparison with the world. Pittsburg contains the largest Bessemer steel plant in the world. It contains the largest crucible steel plant in the world. It contains the largest plate-glass plant in the world. It includes the largest chimney-glass plant in the world. She manufactures enough glass chimneys to break three or four in every family every day. It includes the largest table glassware plant in the world. It includes the largest air-brake plant in the world. It includes the largest steel-rail plant in the world. It includes the largest pickle works in the world. [Laughter and applause.] It includes the largest cork works in the world. It includes the largest tube and pipe works in the world. It includes the largest steel freight-car works in the world, and includes the largest coffee-roasting establishment in the world. Gentlemen, if I had time I could tell you hundreds of other things that Pittsburg contains. [Laughter and applause.]

The CHAIRMAN. The question is on the amendment offered by the gentleman from Pennsylvania.

The question was taken; and on a division (demanded by Mr. ROBBINS) there were—ayes 106, noes 1.

So the amendment was agreed to.

Mr. KELLEY. I am well pleased that the combination is broken.

Mr. GROSVENOR. Mr. Chairman, it must be apparent to the House that the gentleman from Pennsylvania [Mr. GRAHAM] had but just entered upon the strong points of Pittsburg, and that he did not anywhere near complete his statement on account of the confusion in the House, and I ask unanimous consent that he may be allowed to extend his remarks in the RECORD, so as to do justice to that city. [Laughter.]

Mr. JOHNSON of Indiana. I suggest that the gentleman from Pennsylvania [Mr. DALZELL] may want to be heard on that subject. [Laughter.]

Mr. BURTON and Mr. MOON rose.

Mr. BURTON. I desire to offer an amendment; perhaps it is the same for which the gentleman from Tennessee [Mr. MOON] is seeking the floor. Does the gentleman from Tennessee propose to offer an amendment for the survey of the Hiawassee River from its mouth to the mouth of the Okoee?

Mr. MOON. Yes, sir; that is the amendment I desired to offer.

Mr. BURTON. That is the amendment I am about to present on behalf of the committee and which I now send to the desk.

The Clerk read as follows:

Insert, in line 22, page 83, after the word "ford," the following:
"Hiawassee River: For its survey from its mouth to the mouth of the Okoee."

The amendment was agreed to.

Mr. LEWIS of Washington. Mr. Chairman, I rise to a parliamentary inquiry.

The CHAIRMAN. The gentleman will state it.

Mr. LEWIS of Washington. I wish to ask whether it has been ruled by the Chair that unanimous consent is required in order to enable us to go back to a part of the bill that has been already passed.

The CHAIRMAN. It is the rule that where a paragraph has been reached in regular order and passed, it can not be gone back to except by unanimous consent.

Mr. LEWIS of Washington. Then, with the indulgence of the Chair, I wish while on my feet to propound an inquiry to the chairman of the committee [Mr. BURTON]. I have just received a telegram about the project known as the Seattle waterway, or ship canal——

Mr. BURTON. Between Lake Union and Lake Washington?

Mr. LEWIS of Washington. Yes, sir. I should be very grateful if the chairman of the committee in his own time would state to the House, so that it may go on record, why the Committee on Rivers and Harbors did not see proper at this time to report an appropriation for that purpose. That statement of those reasons has been made to me in private conversation, but I would like to have a public statement, so as to relieve me of the necessity of bringing the proposition to the attention of the House.

Mr. BURTON. By the consent of the Committee of the Whole, I will say to the gentleman that the Committee on Rivers and Harbors did not regard that project as of sufficient importance to navigation to warrant us in including it in this bill. We regarded such an improvement as is proposed here as possibly desirable for the use of the Navy, but we did not think it should find a place in the pending measure. We regarded the project as one to be adopted not by us, but by the Committee on Naval Affairs. Arguments both for and against the project were presented to us, and those against it seemed to have the greater weight.

Mr. LEWIS of Washington. Allow me to ask my friend whether it was the general opinion of the committee that the project, if available or expedient, should fall under the jurisdiction of the Naval Committee rather than the Committee on Rivers and Harbors?

Mr. BURTON. Yes; if any such improvement is to be made at all.

The Clerk read as follows:

TEXAS.

Harbor at Alligator Head, in Matagorda Bay, and the harbor at Brazos Santiago, off Point Isabel, Texas, with plans and estimates for the removal of the bars at said harbors to furnish an inlet to each of said harbors to permit ocean-going vessels to enter said harbors with necessary depths of channel.

Mr. BURTON. I offer the amendment which I send to the desk.

The Clerk read as follows:

After the paragraph just read insert the following:
"From Galveston jetties to Texas City, with a view to obtaining a depth of 25 feet and a bottom width of 100 feet."

Mr. HAWLEY. To this amendment I desire to offer an amendment which seems to me more comprehensive. I ask the Clerk to read it.

The Clerk read as follows:

The Secretary of War is hereby directed to cause an examination and such survey as may be necessary to be made to determine the feasibility and cost of dredging a channel from Galveston Harbor to Texas City, Tex., the same to be 100 feet wide at the bottom and 25 feet deep between the points above named, and advisability of said improvement, and report the same to Congress as soon as practicable.

Mr. BURTON. The gentleman from Texas [Mr. HAWLEY] will allow me to say to him that a general provision at the beginning of section 8 covers all matters of this kind. We have not repeated the verbiage in connection with each separate project, harbor, or channel. I refer the gentleman to page 75 of the bill.

Mr. HAWLEY. I withdraw my amendment, because it is covered under section 8, to which the gentleman from Ohio has referred.

The Clerk read as follows:

To remove bar at the mouth of Jacksons Creek, in Middlesex County.

Mr. BURTON. I offer the amendment which I send to the desk.

The Clerk read as follows:

Add after the paragraph just read the following:
"James River, with a view of ascertaining what expenditure will be necessary to continue improvement to the head of navigation at the Docks."

The amendment was agreed to.

The Clerk read as follows:

Harbor at Port Washington: With a view of obtaining a channel 15 feet in depth, by extending piers 300 feet and of protecting the same by a breakwater, or otherwise.

Mr. BURTON. I move to amend by striking out the word "by," in line 8, and inserting the words "and of;" so as to read:

With a view of obtaining a channel 15 feet in depth, and of extending piers, etc.

The amendment was agreed to.

Mr. BURTON. My attention has been called to the necessity of a verbal amendment on page 81. I ask unanimous consent that we return to the item embraced in lines 15 and 16 of that page.

There was no objection.

Mr. BURTON. I move to amend by striking out after the word "Dunkirk" the words "preliminary examination as to necessity for" and inserting "survey for easterly;" so as to read:

Dunkirk: Survey for easterly breakwater.

The amendment was agreed to.

The Clerk resumed and concluded the reading of the bill.

Mr. BURTON. Mr. Chairman, I move that the committee now rise and report the bill to the House with the amendments adopted.

The motion was agreed to.

The committee accordingly rose; and the Speaker having resumed the chair, Mr. HOPKINS reported that the Committee of the Whole House on the state of the Union, having had under consideration the river and harbor bill, had directed him to report the same to the House with sundry amendments, and as so amended that the bill do pass.

The amendments recommended by the committee were considered, and agreed to.

The bill as amended was ordered to be engrossed and read a third time; and it was accordingly read the third time.

The question recurred on the passage of the bill.

Mr. MAXWELL. Mr. Speaker, on that question I demand the yeas and nays.

The yeas and nays were not ordered.

The question was taken on the passage of the bill; and on a division (demanded by Mr. HEPBURN) there were—ayes 160, noes 7.

So the bill was passed.

On motion of Mr. BURTON, a motion to reconsider the last vote was laid on the table.

EULOGIES ON THE LATE REPRESENTATIVE DINGLEY.

Mr. BOUTELLE of Maine. Mr. Speaker, I ask unanimous consent for the present consideration of the resolution I send to the desk.

The SPEAKER. The resolution will be read, after which the Chair will ask if there be objection.

The resolution was read, as follows:

Resolved, That Saturday, February 11, 1899, be set apart for the purpose of paying tribute to the memory of Hon. NELSON DINGLEY, late a member of the House of Representatives from the State of Maine.

The SPEAKER. Is there objection to the present consideration of the resolution?

There being no objection, the resolution was considered, and agreed to.

EXTENSION OF RHODE ISLAND AVENUE.

Mr. CURTIS of Iowa. Mr. Speaker, I desire to submit at this time for consideration a conference report.

In view of the fact that this report has been before the House and already read, I ask unanimous consent that its reading now be dispensed with and that the statement of the conferees be read instead.

The SPEAKER. Is there objection to the request of the gentleman from Iowa?

There was no objection.

The statement of the House conferees was read, as follows:

The bill as it passed the Senate carried an appropriation of $75,000 for extending Rhode Island avenue; half of which sum was payable out of the Treasury of the United States and half out of the revenues of the District of Columbia.

The House struck out the appropriation and provided for condemnation proceedings, with a thousand dollars to pay the cost of such proceedings.

The conference reports in favor of dividing the cost of the land to be acquired for extending Rhode Island avenue between the persons whose property was to be benefited by the extension and the revenues of the District of Columbia.

This is in accordance with the position that the House has taken for the past five years in relation to extension of streets in the District of Columbia beyond the city of Washington.

G. M. CURTIS,
W. S. COWHERD,
Conferees on the part of the House.

Mr. CURTIS of Iowa. I move the adoption of the conference report.

The report was considered, and agreed to.

GAUGING, ETC., OF SPIRITS.

Mr. PAYNE. Mr. Speaker, I ask unanimous consent for the present consideration in the House of the bill (H. R. 10997) to amend section 3287 of the Revised Statutes of the United States, concerning the drawing off, gauging, marking, and removal of spirits.

I ask that the Committee of the Whole be discharged and that the bill be now taken up for consideration.

The SPEAKER. The bill will be read, subject to the right of objection.

The bill was read, as follows:

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That section 3287 of the Revised Statutes of the United States, as amended by section 6 of the act approved May 28, 1880, entitled "An act to amend the laws in relation to internal revenue," be amended by adding at the end thereof the following:

"*Provided, however*, That the Commissioner of Internal Revenue be authorized, upon application of the distiller, to allow any package or cases, or packages encasing not less than two tins. Said packages or cases, or packages encasing tins to be of not less capacity than 10 gallons, wine measure, to be filled with distilled spirits from the receiving cisterns in such manner as said Commissioner may by regulation prescribe for the purpose of exportation from the United States. And there shall be charged for each of said packages or cases for the expense of providing and affixing stamps, 5 cents instead of 10 cents as now required by law."

The Committee on Ways and Means recommended the adoption of the following amendments:

Strike out lines 9, 10, 11, 12, and 13 on page 1, and lines 1, 2, and 3 on page 2, and insert in lieu thereof the following:

"*Provided, however*, That upon the application of the distiller, and under such regulations as the Commissioner of Internal Revenue, with the approval of the Secretary of the Treasury, may prescribe, distilled spirits may be drawn into wooden packages, each containing two or more metallic cans, which cans shall have each a capacity of not less than 5 gallons, wine measure, such packages to be filled and used only for exportation from the United States."

The SPEAKER. Is there objection to the present consideration of the bill?

There was no objection.

The amendment recommended by the committee was agreed to.

The bill as amended was ordered to be engrossed and read a third time; and it was accordingly read the third time, and passed.

On motion of Mr. PAYNE, a motion to reconsider the last vote was laid on the table.

WILLIAM H. HUGO.

Mr. HAY. Mr. Speaker, I ask unanimous consent for the present consideration of the bill (S. 1032) for the relief of William H. Hugo.

The SPEAKER. The bill will be read, subject to the right of objection.

The bill was read, as follows:

Be it enacted, etc., That the laws regulating appointments in the Army of the United States be, and they are hereby, suspended for the purposes of this bill, and that, in view of his services to his country, the President is

hereby authorized to nominate and, by and with the advice and consent of the Senate, to appoint William H. Hugo, now of Fort Bayard, N. Mex., a first lieutenant of cavalry in the Army of the United States, and thereupon to place him on the retired list of the Army with the pay and emoluments of a retired officer with the rank of a first lieutenant, without regard and in addition to the retired list now authorized by law.

The SPEAKER. Is there objection to the present consideration of the bill?

Mr. McEWAN. Mr. Speaker, I reserve the right to object until this bill has been explained.

Mr. HAY. I ask that the report be read, Mr. Speaker, which fully sets forth the purposes of the bill.

Mr. BAILEY. Is this party in the service now?

Mr. HAY. He is not.

Mr. BAILEY. Then I do not think——

Mr. HAY. I hope the gentleman will wait and allow the report to be read.

Mr. BAILEY. Certainly.

The SPEAKER. The report will be read.

The report (by Mr. McDONALD) was read, as follows:

The Committee on Military Affairs, to which Senate bill No. 1093 was referred, the same having passed the Senate January 23, 1898, return the same with the recommendation that the bill do pass, incorporating as part of their report the report of the Senate, as follows:

[Senate Report No. 477, Fifty-fifth Congress, second session.]

The Committee on Military Affairs, having considered the bill (S. 1093) for the relief of William H. Hugo, respectfully recommend that the bill do pass.

A report in favor of this bill was made in the House of Representatives on the 28th day of March, 1892, and reports were twice made in the Senate in favor of this bill—first July 12, 1894, and again on February 11, 1897. Each one of these reports contains an elaborate statement of the facts, with copies of records and papers.

These records and papers have been carefully considered. They show that William H. Hugo was a captain of volunteers in the Army of the United States in June, 1861. He served faithfully and gallantly until the end of the war. He was severely wounded, and on another occasion he lost entirely the use of one ear. His record in that war was without a single blemish. He was twice promoted for gallant conduct in that war.

When the Volunteer Army was disbanded Mr. Hugo was made a lieutenant in the Regular Army. In this new position Mr. Hugo, in the Indian wars, saw much hard service and maintained a high character as a faithful, brave soldier, and Colonel Bliss, his commander, writes, "He is a perfecly honorable and upright man."

On the 21st of June, 1881, he was drunk at retreat roll call. For this alone he was tried by court-martial and dismissed from the Army. He is old and in want, and unable to work.

The members of the court-martial, the post of the Grand Army of the Republic at Albuquerque, N. Mex., where he lives, and many of his comrades pray for his relief from a judgment which was a terrible punishment of such a man for such offense.

Mr. HAY. I desire to say, further, that this is a unanimous report, and there were other facts not stated in the report which urged the committee to make the favorable recommendation which it has made.

Mr. BAILEY. Mr. Speaker, this is an effort to place on the retired list a man who is not now in the service, and although I dislike to do it, I must object.

The SPEAKER. Objection is made.

SALE OF AUXILIARY NAVAL VESSELS.

Mr. HILBORN. Mr. Speaker, I ask unanimous consent for the present consideration of House joint resolution 318, authorizing the sale of auxiliary vessels.

The joint resolution was read, as follows:

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Navy be, and he is hereby, authorized to cause to be appraised by competent boards of officers of the Navy, to be designated by him for that duty, and to sell at public auction, after due advertisement, such of the vessels purchased since the 21st day of April, 1898, for auxiliary service in connection with the Navy as are no longer needed: *Provided, however*, That no such vessel shall be sold for less than its appraised value unless the President shall otherwise direct in writing: *And provided further*, That the net proceeds arising from the sales of vessels as herein authorized shall be paid into the Treasury.

Mr. HILBORN. Mr. Speaker, I ask for the reading of the report, which I think is the best statement that can be made.

Mr. BAILEY. I reserve the right to object.

The SPEAKER. The Clerk will read the report.

The report (by Mr. HILBORN) was read, as follows:

The Committee on Naval Affairs have had under consideration a proposed joint resolution (H. Res. 318) authorizing the sale of auxiliary vessels of the Navy, and report the same to the House with a recommendation that it pass.

The proposed authorization relates only to such auxiliary naval vessels as were purchased for temporary service during the late war and can now be disposed of without detriment to the service. In a letter to the committee the Secretary of the Navy says:

"While it is considered that the language of section 1541 of the Revised Statutes, in conjunction with the acts of August 5, 1882 (22 Stat., 296), and March 3, 1883 (22 Stat., 599), might perhaps be so construed as to sanction the sale of the vessels referred to, such interpretation, if adopted, would likewise warrant the sale, at executive discretion, of any vessel of the Navy. I am not satisfied, after considering together the several statutory provisions on the subject, that they confer authority to sell public vessels that are in good repair and are entirely serviceable and the sale of which is desirable merely because the exigencies under which they are acquired have passed. It seems preferable, therefore, before action is taken in the matter, that the special authorization of Congress to make necessary sales be secured, and the inclosed draft is accordingly submitted, with the recommendation that it may receive favorable consideration by the committee."

The resolution herewith reported by the committee is substantially as recommended by the Secretary of the Navy.

Mr. BAILEY. I should like to ask the gentleman from California if he was not able to accompany this report with a list of those vessels which have been bought?

Mr. HILBORN. The report of the Secretary of the Navy and the reports of the heads of the bureau contain all of these lists, and also the prices paid for all of them.

Mr. BAILEY. And the parties from whom they were purchased?

Mr. HILBORN. Yes.

Mr. BAILEY. I think myself that it is desirable to dispose of them as soon as possible, because the longer we keep them the less we will get for them.

Mr. HILBORN. Certainly.

Mr. BAILEY. I want to ask the gentleman if the resolution provides for the proper advertising in advance of the sale?

Mr. HILBORN. Oh, yes.

Mr. MOODY. I should like to ask the gentleman from California a question. Is there anything in the bill which would authorize the Secretary of the Navy to transfer these vessels to other Departments of the Government?

Mr. HILBORN. There is not.

Mr. MOODY. I should like to ask the gentleman if he has considered the question whether it would be desirable to so transfer any of the vessels?

Mr. HILBORN. We have considered it.

Mr. MOODY. There is a very great call for vessels in all departments of the service, is there not? I should like to ask the gentleman whether the committee have considered the advisability of transferring any of these vessels to the Treasury Department, the War Department, or some other Department of the Government?

Mr. BOUTELLE of Maine. Will my friend from California permit me to answer briefly?

Mr. HILBORN. Certainly.

Mr. MOODY. I should be glad to receive the information.

Mr. BOUTELLE of Maine. A proposition of that nature has been made, but the Committee on Naval Affairs have not felt authorized to incorporate a provision of that kind in the bill now before the House, for the very obvious reason that that would authorize the Secretary of the Navy to transfer to the different Departments of the Government vessels the use of which had never been granted to those Departments by the Congress of the United States. For instance, if the Secretary of the Navy had the opinion that the transfer of some ship of the Navy to the Army would greatly facilitate the operations of that Department, the fact would remain that the Congress of the United States had not authorized the War Department to have the use of such a vessel.

Mr. BAILEY. That could be done in this very resolution; and if it be true that there is any need for these vessels, this very resolution could authorize the Secretary of the Navy to transfer such as it is desirable to transfer, and to sell the others.

Mr. BOUTELLE of Maine. The objection would still remain that we have had no action of Congress to determine that that Department should be granted the use of such a vessel.

Mr. BAILEY. I understand we have not, but we would have, immediately upon the passage of the resolution. I know nothing of the state of facts indicated by the gentleman from Massachusetts. I have supposed that in the excitement of the war we bought many more such craft than we need in time of peace.

Mr. BOUTELLE of Maine. That is undoubtedly the fact.

Mr. BAILEY. I would suppose it to be wise to dispose of them as soon as possible, and thus get as much out of them as possible.

Mr. BOUTELLE of Maine. But the Committee on Naval Affairs had not before it any evidence that other Departments needed vessels, and it did not seem to us, on the face of it, desirable to put upon the Secretary of the Navy the responsibility of deciding what facilities of transportation should be given to the Army or what addition of ships should be made to the Coast Survey or the Revenue Marine.

Mr. BAILEY. Can the gentleman from Maine tell me if these vessels to be disposed of include the yachts and such like that were bought up at that time?

Mr. BOUTELLE of Maine. It means the disposal of all vessels bought under the exigencies of war which it is not necessary to retain.

Mr. BAILEY. Would that include the vessels we bought in Great Britain, which were constructed under contract for the Government of Brazil?

Mr. BOUTELLE of Maine. It would not; for the resolution itself provides that it shall apply only to those vessels which are not desirable to be retained permanently in the Navy.

I want to state further, to make it perfectly clear, that there is a law on the statute books for the disposition of vessels of the Navy that are condemned by proper authority, and authorizes the Department to sell them at auction to the highest bidder. But the Secretary of the Navy, in his recommendation of this measure to us, stated—and the committee regard it as a very proper statement—that he did not feel sure that that legislation was broad

enough to authorize the Department to sell ships that were in good order.

The statute related to vessels that were desired to be disposed of, because their term of usefulness had passed, and that they should be condemned; but this is to dispose of the ownership of United States vessels not necessary in the usual operations of the Navy Department and that were bought for an exigency, for a specific service, and it is not now desirable to retain them in the service.

Mr. BAILEY. And now the Secretary of the Navy can either hold or sell these other vessels?

Mr. BOUTELLE of Maine. He can dispose of those vessels that have been condemned and can retain these others if the best interests of the Government require their use.

Mr. BAILEY. It is not absolutely required that he shall sell them all.

Mr. BOUTELLE of Maine. No; not to sell any ships of the United States that are properly adapted for the regular use of the Navy.

Mr. PAYNE. I want to suggest to the gentleman from Maine whether——

Mr. TERRY. In the further unfolding of the present undeveloped policy may we not have to buy these ships back again? [Laughter.]

Mr. BOUTELLE of Maine. That would depend very much upon the coolness or the ardor of those who wanted to go to war.

A MEMBER. I object.

The SPEAKER. Is there objection to the present consideration of the bill?

Mr. HEPBURN. I object, Mr. Speaker.

Mr. MAGUIRE. I want to ask the gentleman from California a question?

Mr. HILBORN. Certainly.

Mr. MAGUIRE. Would it not be better in the present state of the case to authorize the Secretary of the Navy to transfer to other Departments such of these vessels as are required by them and not needed by the Navy Department, and provide afterwards for selling those that no other Department of the Government needs?

Mr. HILBORN. Up to this time Congress has always determined whether the other Departments of the Government, like the Treasury or the War Department, need vessels. After finding the fact that a Department does need them, it authorizes their purchase or building. If the suggestion of the gentleman were adopted, Congress would abdicate and give the right to the Secretary of the Navy to determine whether the War Department needed one or a dozen vessels and whether the Treasury Department needed one or a dozen vessels.

Mr. BAILEY. I was of the impression at first that it might be well that the Departments that could use these vessels should be permitted to use them; but, on reflection, I agree now that they ought to come to Congress and let it judge whether they should have vessels or not.

Mr. SHAFROTH. We generally act upon the recommendations of those Departments anyhow.

The SPEAKER. The gentleman from Missouri and several other gentlemen have objected.

Mr. MOODY. I desire to ask the gentleman from California a question.

The SPEAKER. Does the gentleman from California yield to the gentleman from Massachusetts?

Mr. HILBORN. Certainly.

Mr. MOODY. Some inquiry has been made as to the number and character of the vessels to which this bill would refer. I have in my hand a list of vessels that are not to be retained in the service, furnished to the Committee on Appropriations by the Secretary of the Navy, and it might be of some use to have the Clerk read it. Or I should like to have it inserted in the RECORD. It is as follows:

Vessels which are not recommended for retention in the naval service.

Name.	Character.	Cost.	Approximate tonnage.
			Tons.
Governor Russell	Ferryboat	$71,000	750
East Boston	do	57,500	732
Scipio	Steamer	*17,500	
Hawk	Yacht	50,000	270
Oneida	do	55,000	118.9
Restless	do	29,000	105
Siren	do	40,000	110
Seminole	Tug	25,000	122
Chickasaw	do	15,000	142
Cheyenne	do	20,000	140
Enquirer	Yacht	80,000	136
Viking	do	30,000	141

*Pounds sterling.

The SPEAKER. Is there objection?

Mr. BAILEY. I have no desire to interfere, but I understand an objection was raised by the gentleman from Iowa.

The SPEAKER. Has any objection been made?

Mr. HEPBURN. I have been trying to make one.

The SPEAKER. The gentleman from Iowa objects.

CANAL, ETC., AT MUSCLE SHOALS, ALABAMA.

Mr. BANKHEAD. Mr. Speaker, I ask unanimous consent for the present consideration of the bill which I send to the desk.

The Clerk read as follows:

A bill (H. R. 9335) granting to the Muscle Shoals Power Company right to erect and construct canal and power stations at Muscle Shoals, Alabama.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the consent of Congress is hereby given to the Muscle Shoals Power Company, a corporation created and organized under a charter granted by the legislature of the State of Alabama, its successors or assigns, to erect, construct, operate, and maintain inlet and outlet races or canals and a power station or stations at a point or points at or near the Muscle Shoals in Tennessee River, that are, and always have been, unsuitable and unused for the purposes of navigation, and to make such other improvements as may be necessary within said limits for the development of water power and transmission of the same: *Provided*, That the constructions hereby authorized do not in any way interfere with the Muscle Shoals Canal, or with navigation of said river: *Provided further*, That until the plans and location of the works herein authorized, so far as they affect the interests of navigation, have been approved by the Secretary of War, the improvements shall not be commenced or built.

Mr. COX. Mr. Speaker, I want to reserve the right to object to that matter until an explanation is made by the gentleman.

Mr. BANKHEAD. Mr. Speaker, I ask the Clerk to read the report. It is very short.

The SPEAKER. Pending objection, the Clerk will read the report.

The report (by Mr. BURTON) was read, as follows:

The Committee on Rivers and Harbors, to whom was referred the bill (H. R. 9335) granting right to construct canal, etc., at Muscle Shoals, Alabama, respectfully report:

Your committee recommend, first, that the bill be amended by striking out, in lines 9 and 10, the words "that are and always have been unsuitable and unused for the purpose of navigation," because we regard such an expression of opinion as out of place in a bill of this kind; and second, by adding after line 5, page 2, the words "and the Secretary of War is authorized and directed to fix reasonable charges for use of said power." We regard it as proper that compensation should be made for the privileges granted.

The bill seems to provide all necessary safeguards to prevent injury to the works owned by the Government, and, when amended as above stated, the committee recommend that the same do pass.

The SPEAKER. Is there objection?

Mr. COX. Mr. Speaker, I do not want to object, but I want to understand how that corporation is running that machine down there on the shoals.

Mr. GROSVENOR. Mr. Speaker, what committee reports this bill?

The SPEAKER. The Committee on Rivers and Harbors.

Mr. BANKHEAD. The corporation referred to is not running any machine at this time. They simply ask permission to operate on the Muscle Shoals a power company and use the water there that is not used in the canal, and such water as is not needed for the canal. The bill provides that their work shall not be begun or constructed until the Secretary of War authorizes it. The bill also provides that the Secretary of War shall fix a reasonable compensation for the use of water—that is, in case any compensation is required and just.

Mr. COX. Will the gentleman yield to me for a question?

Mr. BANKHEAD. Certainly.

Mr. COX. We have been discussing all through the river and harbor bill the improvement of these shoals.

Mr. BANKHEAD. This is a different shoal altogether. This is Muscle Shoal.

Mr. COX. Well, you have got to go through both shoals to get up the river. Now, here is a company proposing to use the water which will impede the navigation over the shoals.

Mr. BANKHEAD. No; this is an electric light company.

Mr. COX. And it does not affect the navigation?

Mr. ERMENTROUT. No; it gives you more light. [Laughter.]

Mr. GROSVENOR. I object.

The SPEAKER. Objection is made.

SENATE RESOLUTION REFERRED.

Under clause 2 of Rule XXIV, the following resolution was taken from the Speaker's table and referred to its appropriate committee as indicated below:

Resolved by the Senate (the House of Representatives concurring), That there be printed 8,000 copies of the chronological list of battles in which troops of the permanent establishment have participated from the organization of the Army in 1789, together with statistics of losses and the names of officers wounded or killed in action; 1,000 copies for the Senate, 2,000 copies for the House, and 5,000 copies for the War Department—

To the Committee on Printing.

ENROLLED BILL SIGNED.

Mr. HAGER, from the Committee on Enrolled Bills, reported that they had examined and found truly enrolled joint resolution of the following title; when the Speaker signed the same:

H. Res. 344. Joint resolution granting authority to the Republic of Venezuela to send a cadet to West Point Military Academy.

The SPEAKER announced his signature to enrolled bill of the following title:

S. 5224. An act to extend the time for the construction of a bridge across the Missouri River, at or near the city of Boonville, Mo., by the Boonville and Howard County Bridge Company.

MARY R. FROST.

Mr. WEYMOUTH. Mr. Speaker, I ask unanimous consent for the present consideration of the bill (H. R. 2871) for the relief of Mary R. Frost.

The bill was read, as follows:

Be it enacted, etc., That the Secretary of the Treasury be, and he is hereby, authorized and instructed to redeem, in favor of Mary R. Frost, United States 4½ per cent registered bonds issued under the acts of July 14, 1870, and January 20, 1871, No. 2235, for $50; No. 13657, for $100; No. 7392, for $500, inscribed in name of Mary R. Frost, with interest accrued and unpaid to the date of their maturity, said bonds having been lost in the mails after having been assigned in blank by the said payee: *Provided*, That the said Mary R. Frost shall first file in the Treasury a bond, in a penal sum equal to the amount of said missing bonds, and interest due on the same, with two good and sufficient sureties, residents of the United States, to be approved by the Secretary of the Treasury with condition to indemnify and save harmless the United States from any claim because of the lost bonds.

With the following amendment recommended by the committee:

In line 16 strike out the words "equal to" and insert in lieu thereof the words "in double;" so it shall read, "file in the Treasury a bond in a penal sum in double the amount of said missing bonds."

Mr. BRUMM. Mr. Speaker, reserving the right to object to that for a moment, I would like to hear the report.

Mr. WEYMOUTH. Mr. Speaker, I will say to the gentleman from Pennsylvania that this is a favorable report from the Committee on Claims—a favorable report from the gentleman's own committee.

Mr. BRUMM. All right; I withdraw any objection.

The SPEAKER. Is there objection to the present consideration of the bill? [After a pause.] The Chair hears none.

The committee amendment was considered and agreed to.

The bill was ordered to be engrossed and read a third time; and accordingly it was read the third time, and passed.

ARREARAGES OF TAXES IN THE DISTRICT OF COLUMBIA.

Mr. JENKINS. Mr. Speaker, I present a conference report on the disagreeing votes of the two Houses on the amendment of the House to the bill (S. 4700) to receive arrearages of taxes due the District of Columbia to July 1, 1896, at 6 per cent interest per annum, in lieu of penalties and costs.

The Clerk read the conference report, as follows:

The committee of conference on the disagreeing votes of the two Houses on the amendments of the House to the bill (S. 4700) entitled "A bill to receive arrearages of taxes due the District of Columbia to July 1, 1896, at 6 per cent interest per annum, in lieu of penalties and costs," having met, after full and free conference have agreed to recommend and do recommend to their respective Houses as follows:

That the Senate recede from its disagreement to the first amendment of the House and agree to the same amended as follows: In lieu of "ninety-eight" read "ninety-seven;" and the Senate agree to the same.

That the Senate recede from its disagreement to the second amendment of the House and agree to the same amended as follows: Instead of the date "January, 1900," read "July, 1899;" and the Senate agree to the same.

That the Senate recede from its disagreement to the amendment of the House relative to the title and agree to the same amended so as to read: "A bill to receive arrearages of taxes due the District of Columbia to July 1, 1897, at 6 per cent per annum, in lieu of penalties and costs;" and the Senate agree to the same.

JOHN J. JENKINS,
CHARLES F. SPRAGUE,
JAMES D. RICHARDSON,
Managers on the part of the House.
JAMES McMILLAN,
CHARLES J. FAULKNER,
Managers on the part of the Senate.

STATEMENT.

The bill as it passed the Senate reduced the rate of interest from 12 to 6 per cent on arrearages of taxes paid prior to July 1, 1896, provided such arrearages were paid before January 1, 1899.

The House extended the provisions for 6 per cent interest to 1898, and extended the time of payment to January, 1900.

The conference reports in favor of extending the time to July 1, 1897, and the time for payment to July 1, 1899.

This is in accordance with the recommendations of the Commissioners of the District of Columbia, who say that the amendments of the House will confuse all tax matters for the reason that the list of property for sale for taxes in arrears for the year ending June 30, 1898, is now in preparation.

Mr. JENKINS. Mr. Speaker, I move the adoption of the conference report.

The motion was agreed to; and the conference report was adopted.

ORDER OF BUSINESS.

Mr. CANNON. Mr. Speaker, I move that when the House adjourn to-day, it adjourn to meet at noon on Saturday next, which will give us a day to catch up with the work.

Mr. BRUMM. Mr. Speaker, I offer an amendment to that, that when the House adjourns, we adjourn until 12.05 o'clock to-morrow.

The SPEAKER. That would not be in order.

Mr. BRUMM. Why, Mr. Speaker, it is not the regular hour.

The SPEAKER. That is one of the difficulties about it. Under the rules of the House, the House is required to meet at 12 o'clock.

Mr. BRUMM. Then, Mr. Speaker, I move that the House do now adjourn.

The question was taken; and on a division (demanded by Mr. BRUMM) there were—ayes 37, noes 52.

Mr. CLARDY. Mr. Speaker, I ask for the yeas and nays.

The question was taken on ordering the yeas and nays.

The SPEAKER. Two gentlemen only rising—not a sufficient number. The noes have it, and the House refuses to adjourn. The question now is on the motion of the gentleman from Illinois that when the House adjourn it adjourn until Saturday noon.

The question was taken; and on a division (demanded by Mr. BRUMM) there were—ayes 69, noes 16.

Mr. BRUMM. No quorum, Mr. Speaker.

The SPEAKER (after having counted the House). One hundred and eight gentlemen present—not a quorum. Under the rules of the House a call of the House will be considered as ordered; the yeas and nays are also ordered, and the Clerk will call the roll.

Mr. CANNON. Mr. Speaker, there is evidently no quorum in the Capitol. I do not desire to punish members on the one hand nor myself on the other to stay here an hour or two to get a quorum, and I move that the House do now adjourn.

The motion of Mr. CANNON was agreed to; and accordingly (at 4 o'clock and 55 minutes p. m.) the House adjourned until to-morrow at 12 o'clock noon.

EXECUTIVE COMMUNICATIONS, ETC.

Under clause 2 of Rule XXIV, a letter from the president of the Brightwood Railway Company, transmitting the annual report for 1898, was taken from the Speaker's table, referred to the Committee on the District of Columbia, and ordered to be printed.

REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS.

Under clause 2 of Rule XIII, bills and resolutions of the following titles were severally reported from committees, delivered to the Clerk, and referred to the several Calendars therein named, as follows:

Mr. LITTLE, from the Committee on Indian Affairs, to which was referred the bill of the House (H. R. 11916) to authorize the Fort Smith and Western Railroad Company to construct and operate a railway through the Choctaw and Creek nations, in the Indian Territory, and for other purposes, reported the same without amendment, accompanied by a report (No. 1890); which said bill and report were referred to the House Calendar.

Mr. CURTIS of Kansas, from the Committee on Indian Affairs, to which was referred the bill of the House (H. R. 11868) to provide for the acquiring of rights of way by railroad companies through Indian reservations, Indian lands, and Indian allotments, and for other purposes, reported the same with amendment, accompanied by a report (No. 1896); which said bill and report were referred to the House Calendar.

REPORTS OF COMMITTEES ON PRIVATE BILLS AND RESOLUTIONS.

Under clause 2 of Rule XIII, private bills and resolutions of the following titles were severally reported from committees, delivered to the Clerk, and referred to the Committee of the Whole House, as follows:

Mr. STALLINGS, from the Committee on Pensions, to which was referred the bill of the Senate (S. 4854) granting a pension to Isom Gibson, reported the same with amendment, accompanied by a report (No. 1891); which said bill and report were referred to the Private Calendar.

Mr. STRODE of Nebraska, from the Committee on Pensions, to which was referred the bill of the Senate (S. 108) granting an increase of pension to W. P. Snowden, reported the same without amendment, accompanied by a report (No. 1892); which said bill and report were referred to the Private Calendar.

He also, from the same committee, to which was referred the bill of the Senate (S. 730) granting an increase of pension to John N. Corgan, of McPherson, Kans., reported the same without amendment, accompanied by a report (No. 1893); which said bill and report were referred to the Private Calendar.

Mr. DE GRAFFENREID, from the Committee on Pensions, to which was referred the bill of the House (H. R. 10716) to pension John S. Draper, reported the same with amendment, accompanied by a report (No. 1894); which said bill and report were referred to the Private Calendar.

ADVERSE REPORTS.

Under clause 2 of Rule XIII, Mr. MAHON, from the Committee on War Claims, to which was referred the bill of the Senate (S. 2495) for the relief of the heirs of Margaret Kennedy, reported the same adversely, accompanied by a report (No. 1895); which said bill and report were ordered to lie on the table.

PUBLIC BILLS, RESOLUTIONS, AND MEMORIALS INTRODUCED.

Under clause 3 of Rule XXII, bills, resolutions, and memorials of the following titles were introduced and severally referred as follows:

By Mr. GAINES: A bill (H. R. 11955) to amend sections 820 and 821 of the Revised Statutes of the United States—to the Committee on the Judiciary.

By Mr. BROWNLOW: A bill (H. R. 11956) to establish a military post in or near Knoxville, Knox County, Tenn.—to the Committee on Military Affairs.

By Mr. BROMWELL: A bill (H. R. 11957) providing for the execution of new bonds and release of sureties—to the Committee on the Judiciary.

By Mr. WISE: A bill (H. R. 11958) to establish a lighted buoy at Hog Island, in James River, Virginia—to the Committee on Interstate and Foreign Commerce.

Also, a bill (H. R. 11959) to establish a lighted buoy at Goose Hill Shoal, in James River, Virginia—to the Committee on Interstate and Foreign Commerce.

Also, a bill (H. R. 11960) to establish a lighted buoy at Epps Island Shoals, in James River, Virginia—to the Committee on Interstate and Foreign Commerce.

Also, a bill (H. R. 11961) to establish a lighted buoy at Glovers Bluff, in James River, Virginia—to the Committee on Interstate and Foreign Commerce.

Also, a bill (H. R. 11962) to establish a lighted buoy at Harrisons Bar, in James River, Virginia—to the Committee on Interstate and Foreign Commerce.

Also, a bill (H. R. 11963) to establish a lighted buoy at Bailey Creek Flats, in James River, Virginia—to the Committee on Interstate and Foreign Commerce.

Also, a bill (H. R. 11964) to establish a lighted buoy at Dancing Point, in James River, Virginia—to the Committee on Interstate and Foreign Commerce.

By Mr. CURTIS of Iowa: A bill (H. R. 11965) to provide for the purchase of a site and the erection of a public building thereon at Clinton, in the State of Iowa—to the Committee on Public Buildings and Grounds.

By Mr. TAWNEY: A joint resolution (H. Res. 348) to display flags at half-mast on Government buildings—to the Committee on Naval Affairs.

By Mr. RICHARDSON: A resolution (House Res. No. 384) to print the regular edition of the Digest and Rules—to the Committee on Printing.

By Mr. BRODERICK: A memorial from the senate of the State of Kansas, favoring liberal appropriations for merchant marine—to the Committee on the Merchant Marine and Fisheries.

PRIVATE BILLS AND RESOLUTIONS INTRODUCED.

Under clause 1 of Rule XXII, private bills and resolutions of the following titles were introduced and severally referred as follows:

By Mr. HAMILTON: A bill (H. R. 11966) granting a pension to Mary A. Randall—to the Committee on Invalid Pensions.

By Mr. STALLINGS: A bill (H. R. 11967) for the relief of the estate of William Booth—to the Committee on War Claims.

By Mr. WARD: A bill (H. R. 11968) to pension Eliza R. Field—to the Committee on Pensions.

By Mr. ROBBINS: A bill (H. R. 11969) to correct the military record of Samuel Steinman of Scottdale, Pa.—to the Committee on Military Affairs.

PETITIONS, ETC.

Under clause 1 of Rule XXII, the following petitions and papers were laid on the Clerk's desk and referred as follows:

By Mr. ACHESON: Petition of the Young Woman's Christian Temperance Union of Pleasant View, Pa., for the passage of the Ellis bill to prohibit the sale of liquor in Government buildings—to the Committee on Alcoholic Liquor Traffic.

By Mr. ARNOLD: Petition of the Lutheran Church of Philipsburg, Pa., for the abolition of the sale of liquors in Government buildings, etc.—to the Committee on Alcoholic Liquor Traffic.

By Mr. BABCOCK: Petitions of J. J. Wright and 198 citizens of Oxford, J. Odell and 200 citizens of North Freedom, and citizens of Seneca and Richland Center, Wis., urging the establishment of postal savings banks—to the Committee on the Post-Office and Post-Roads.

By Mr. BAKER: Papers relating to the claim of C. C. Spaulding—to the Committee on War Claims.

By Mr. BARTLETT: Resolutions of the Board of Trade of Augusta, Ga., protesting against the striking out the appropriation for the fast Southern mail—to the Committee on the Post-Office and Post-Roads.

By Mr. BROMWELL: Resolution of the Thirty-second Encampment, Grand Army of the Republic, Department of Ohio, concerning a national military park—to the Committee on Military Affairs.

By Mr. BULL: Papers to accompany Senate bill No. 3525 and House bill No. 8773, for the erection of a public building at Providence, R. I.—to the Committee on Public Buildings and Grounds.

By Mr. COCHRANE of New York: Protest of the local union of Christian Endeavor of Troy, N. Y., against the seating of Brigham H. Roberts as a Representative from Utah—to the Committee on Elections No. 1.

By Mr. CRUMPACKER: Petition of Rev. John L. Brandt and 800 citizens of Valparaiso, Ind., against the seating of Representative-elect B. H. Roberts, of Utah—to the Committee on Elections No. 1.

By Mr. DOLLIVER: Petitions of fourth-class postmasters of Humboldt County, Carroll County, and Palo Alto County, State of Iowa, in favor of House bills Nos. 4930 and 4931, relating to the compensation of fourth-class postmasters—to the Committee on the Post-Office and Post-Roads.

By Mr. GRIFFIN: Petition of a union meeting of Congregational, Methodist, Episcopal, Baptist, and Advent Christian churches, of Sparta, Wis., for the passage of House bill No. 7937, to prohibit the sale of liquor in canteens and in immigrant stations and Government buildings—to the Committee on Alcoholic Liquor Traffic.

By Mr. HAY: Petitions of numerous citizens of the State of Virginia, in favor of the establishment of postal savings banks—to the Committee on the Post-Office and Post-Roads.

By Mr. HENRY of Indiana: Communication of James K. Gore, of Indianapolis, Ind., relating to the National Guard—to the Committee on the Militia.

Also, communication of A. D. Welker, of Curryville, Ind., favoring the Ellis bill to prohibit the sale of liquor in Government buildings, etc.—to the Committee on Alcoholic Liquor Traffic.

By Mr. HITT: Petition of 83 citizens of Rockford, Ill., against the seating of Brigham H. Roberts as a Representative from Utah—to the Committee on Elections No. 1.

Also, memorial of Farmers' Institute of Winnebago County, Ill., favoring the Ellis bill to prohibit the sale of liquor in canteens and immigrant stations and Government buildings—to the Committee on Alcoholic Liquor Traffic.

By Mr. HOWE: Petition of the American Shipping and Industrial League of New York City, praying for legislation restoring to the United States the ocean carrying trade sailing under the American flag—to the Committee on the Merchant Marine and Fisheries.

By Mr. JENKINS: Petitions of J. H. Shipman and 195 citizens of Tillinghast, Wis., and Charles Miles and 203 citizens of Prescott, Wis., in favor of the establishment of postal saving banks—to the Committee on the Post-Office and Post-Roads.

By Mr. LANDIS: Petitions of Taylor Morrison and 196 citizens of Garfield, Ind., and Elizabeth A. Smith and 198 citizens of Milroy, Ind., in favor of the establishment of postal savings banks—to the Committee on the Post-Office and Post-Roads.

By Mr. McRAE: Petitions of Josiah T. Middleton and 20 citizens of Index, J. D. Cook and 40 citizens of Chancel, P. H. Ward and 20 citizens of Edmondson, W. J. Niemyer and 39 citizens of Butterfield, Paul Knod and 19 citizens of Antimony, L. H. Perry and 18 citizens of Boss, R. E. Brewer and 12 citizens of Delight, H. M. McGaughey and 78 citizens of Rogers, S. A. Barnes and 19 citizens of Alco, Hugh Davis and 8 citizens of Grayson, Mrs. N. C. Woods and 8 citizens of Coldspring, John B. Watson and 20 citizens of Jersey, R. C. Bertrand and 33 citizens of Greeley, H. G. Reed and 59 citizens of Claremore, Robert F. Sollers and 71 citizens of Douglas and vicinity, all in the State of Arkansas, favoring the establishment of postal savings banks—to the Committee on the Post-Office and Post-Roads.

By Mr. MADDOX: Resolutions of the Exchange and Board of Trade of Augusta, Ga., protesting against the striking out the appropriation for the fast Southern mail—to the Committee on the Post-Office and Post-Roads.

By Mr. OTEY: Petitions of William L. Dorley and 199 citizens of Crystal, Va.; N. M. Owens and 206 citizens of Warren, Va., favoring postal savings banks—to the Committee on the Post-Office and Post-Roads.

By Mr. PERKINS: Petition of 7 fourth-class postmasters of the Eleventh Congressional district of Iowa, urging the passage of House bills Nos. 4930 and 4931, relating to the compensation of fourth-class postmasters—to the Committee on the Post-Office and Post-Roads.

By Mr. ROBBINS: Petitions of the First Baptist Church and Woman's Christian Temperance Union, of West Newton; two Lutheran churches of Worthington and vicinity; James D. Donnell Post, No 281, and Methodist Episcopal Church, of Kellersburg; Methodist Episcopal churches of Putneyville and Duncansville; the Christian Union, United Presbyterian Church, and Woman's Christian Temperance Union of Stewart Station; certain churches and societies of Brockwayville and Parker City, all in the State of Pennsylvania, in favor of the Ellis bill to prohibit the sale of liquor in canteens and in immigrant stations and Government buildings—to the Committee on Alcoholic Liquor Traffic.

By Mr. RUSSELL: Protest of New London County (Conn.) Baptist Young People's Union, against the seating of a polygamist in Congress—to the Committee on Elections No. 1.

By Mr. STEWART of Wisconsin: Petition of the Cigar Makers' Union of Marinette, Wis., remonstrating against any extension of the sovereignty of the United States over the Philippine Islands—to the Committee on Foreign Affairs.

By Mr. VANDIVER: Petition of M. D. Bruner and others, for the relief of Daniel McCarty—to the Committee on Claims.

Also, papers to accompany House bill granting a pension to Peter Jennings—to the Committee on Invalid Pensions.

Also, papers to accompany House bill granting a pension to John A. Lyon—to the Committee on Invalid Pensions.

By Mr. WANGER: Petition of the Woman's Christian Temperance Union of Newtown, Bucks County, Pa., to prohibit the sale of liquor in canteens and in immigrant stations and Government buildings—to the Committee on Alcoholic Liquor Traffic.

By Mr. WISE: Petitions of H. Montgomery and 240 citizens of Oklahoma and George W. Gibson and 201 citizens of Rescue, Va., favoring postal savings banks—to the Committee on the Post-Office and Post-Roads.

Also, resolution of the Board of Trade and Business Men's Association of Norfolk, Va., praying for the enactment of legislation to promote our ocean carrying trade—to the Committee on Interstate and Foreign Commerce.

SENATE.

FRIDAY, *February 3, 1899.*

Prayer by the Chaplain, Rev. W. H. MILBURN, D. D.

The Vice-President being absent, the President pro tempore took the chair.

The Secretary proceeded to read the Journal of yesterday's proceedings, when, on motion of Mr. WOLCOTT, and by unanimous consent, the further reading was dispensed with.

The PRESIDENT pro tempore. The Journal stands approved, without objection.

ACQUISITION OF TERRITORY.

Mr. WOLCOTT. Mr. President, I see by the Calendar that the Senator from Mississippi [Mr. MONEY] and the Senator from Virginia [Mr. DANIEL] have given notice of an intention to address the Senate this morning upon the Vest resolution and other resolutions which have been offered and may be proposed as amendments to that resolution. Under the unanimous-consent rule we go into executive session at 2 o'clock, and I take it without question that those two Senators will naturally occupy the time of the Senate during the morning hour and until 2 o'clock.

Therefore I ask consent to address the Senate to-morrow, when that order shall be reached, upon the question of these resolutions. I desire to say that I have no wish to do other than hasten action upon the resolution, and that the time I shall occupy in the few remarks I have to make will not be, probably, over fifteen minutes or so.

Mr. GALLINGER. The Senator from Texas [Mr. CHILTON] has given notice likewise for to-morrow.

Mr. WOLCOTT. I understand that the Senator from Texas [Mr. CHILTON] has likewise given notice for to-morrow.

Mr. PASCO. I was going to call the Senator's attention to that notice and ask if his notice would not interfere with it.

Mr. WOLCOTT. Not at all. Then I will follow the Senator from Texas at the conclusion of his remarks to-morrow, if there shall be time.

PAYMENTS BY THE CHEROKEE NATION.

The PRESIDENT pro tempore laid before the Senate a communication from the Secretary of the Interior, transmitting, in response to a resolution of June 27, 1898, a letter from the Commissioner of Indian Affairs, also two reports and inclosures from United States Indian Inspector McConnell, relative to the payment of $400,000 by the Cherokee Nation on account of the Cherokee freedmen, etc.; which, with the accompanying papers, was referred to the Committee on Indian Affairs, and ordered to be printed.

NAVAL ACADEMY STATISTICS.

The PRESIDENT pro tempore laid before the Senate a communication from the Secretary of the Navy, transmitting, in response to a resolution of the 25th ultimo, a statement prepared by the Bureau of Navigation, showing the number of cadets who entered the United States Naval Academy in each class since 1866, etc.; which, with the accompanying paper, was referred to the Committee on Naval Affairs, and ordered to be printed.

BUREAU OF ENGRAVING AND PRINTING.

The PRESIDENT pro tempore laid before the Senate a communication from the Secretary of the Treasury, transmitting, in response to a resolution of the 28th ultimo, the report of the committee appointed to investigate the Bureau of Engraving and Printing, together with the testimony taken in the investigation, and also the comments of the Director of the Bureau on the committee's report, and a brief rejoinder by the committee; which was read.

The PRESIDENT pro tempore. The communication is accompanied by two volumes of typewritten testimony taken. In the absence of the Senator who offered the resolution, the communication and accompanying papers will lie on the table for the present.

HEALTH OF SOLDIERS IN THE PHILIPPINE ISLANDS.

The PRESIDENT pro tempore laid before the Senate the following communication from the Secretary of War; which was read, referred to the Committee on Military Affairs, and ordered to be printed:

WAR DEPARTMENT, *Washington, February 2 1899.*

SIR: In answer to the Senate resolution, dated January 30, 1899, inquiring as to the number of sick, the number of deaths, and the health of our troops in the Philippines, I have the honor to quote the following dispatch, just received from Major-General Otis:

MANILA, *February 2, 1899.*

SECRETARY OF WAR, *Washington:*

Deaths among troops in Philippines since arrival to February 1, seven months, 220; of which 40 due to wounds and accidents; of remaining 179, 65 died of typhoid, 43 smallpox, 22 dysentery, 8 malarial fever; remaining deaths due to many various diseases. Smallpox causes apprehension. Entire command vaccinated several times. Twelve physicians engaged several weeks vaccinating natives. More sickly season during hot months—March, April, May—when fevers, smallpox, and dysentery more prevalent. Nine per cent of command now reported sick; great majority cases slight ailments.

* * * * * * *

OTIS.

The troops at Manila at the end of the several months of the past year were as follows: June, 2,491; July, 10,924; August, 15,689; September, 15,689; October, 15,689; November, 18,590, and December, 21,521.

I have the honor to be, very respectfully, yours,

R. A. ALGER, *Secretary of War.*

Hon. GARRET A. HOBART,
President of the Senate.

REPORT OF BRIGHTWOOD RAILWAY COMPANY.

The PRESIDENT pro tempore laid before the Senate the annual report of the Brightwood Railway Company, of the District of Columbia, for the year ended December 31, 1898; which was referred to the Committee on the District of Columbia, and ordered to be printed.

REPORT OF COLUMBIA RAILWAY COMPANY.

The PRESIDENT pro tempore laid before the Senate the annual report of the Columbia Railway Company, of the District of Columbia, for the year ended December 31, 1898; which was referred to the Committee on the District of Columbia, and ordered to be printed.

REPORT OF CAPITAL TRACTION COMPANY.

Mr. GALLINGER. I ask that Document No. 89, being the annual report of the Capital Traction Railway Company, containing a list of the stockholders, be reprinted with certain corrections that are indicated in the print I hold in my hand. There are some very palpable errors in it. For instance, one stockholder is credited with 15,705 shares, and it ought to have been 1,575. I ask that the document be reprinted with the corrections, and that the former print be destroyed.

The PRESIDENT pro tempore. The Senator from New Hampshire requests the reprint of the report to which he has referred, that certain corrections which he has indicated be made, and that the former document be destroyed. Is there objection? The Chair hears none, and the order is made.

MESSAGE FROM THE HOUSE.

A message from the House of Representatives, by Mr. W. J. BROWNING, its Chief Clerk, announced that the House had passed the bill (S. 4070) to amend an act granting to the St. Louis, Oklahoma and Southern Railway Company a right of way through the Indian Territory and Oklahoma Territory, and for other purposes.

The message also announced that the House had agreed to the

amendments of the Senate to the following bill and joint resolution:

A bill (H. R. 6718) for the relief of Samuel Racey; and

A joint resolution (H. Res. 344) granting authority to the Republic of Venezuela to send a cadet to West Point Military Academy.

The message further announced that the House had agreed to the report of the committee of conference on the disagreeing votes of the two Houses on the amendments of the House to the bill (S. 4571) to extend Rhode Island avenue.

The message also announced that the House had agreed to the report of the committee of conference on the disagreeing votes of the two Houses on the amendments of the House to the bill (S. 4700) to receive arrearages of taxes due the District of Columbia to July 1, 1896, at 6 per cent interest per annum, in lieu of penalties and costs.

The message further announced that the House had passed the following bills; in which it requested the concurrence of the Senate:

A bill (H. R. 2871) for the relief of Mary R. Frost;

A bill (H. R. 7860) to amend an act entitled "An act for the relief of Brig. Gen. John R. Brooke, United States Army," approved March 13, 1894;

A bill (H. R. 10997) to amend section 3287 of the Revised Statutes of the United States, concerning the drawing off, gauging, marking, and removal of spirits; and

A bill (H. R. 11795) making appropriations for the construction, repair, and preservation of certain public works on rivers and harbors, and for other purposes.

ENROLLED BILLS SIGNED.

The message also announced that the Speaker of the House had signed the following enrolled bill and joint resolution; and they were thereupon signed by the President pro tempore:

A bill (S. 5224) to extend the time for the construction of a bridge across the Missouri River at or near the city of Boonville, Mo., by the Boonville and Howard County Bridge Company; and

A joint resolution (H. Res. 344) granting authority to the Republic of Venezuela to send a cadet to West Point Military Academy.

PETITIONS AND MEMORIALS.

The PRESIDENT pro tempore. The Chair presents a resolution, addressed to the Vice-President, adopted by the Chamber of Commerce of New York, urging the speedy ratification of the treaty of peace with Spain. The resolution will lie on the table.

Mr. CULLOM presented a memorial of the delegates to the Cigar Makers' International Union of America, remonstrating against the annexation of the Philippine Islands; which was referred to the Committee on Foreign Relations.

He also presented a memorial of the Liquor Dealers' Association of Bloomington, Ill., remonstrating against additional restrictions being placed on the retail liquor dealer having distilled liquors in jugs, bottles, etc.; which was referred to the Committee on Finance.

He also presented a petition of the International Association of Machinists, of Chicago, Ill., and a petition of Chicago Mailers' Union, No. 2, of Chicago, Ill., praying for the passage of the eight-hour bill; which were referred to the Committee on Education and Labor.

He also presented a petition of the Woman's Christian Temperance Union and 100 citizens of Iroquois, Ill., and a petition of the Will County Farmers' Institute, of Lockport, Ill., praying for the enactment of legislation to prohibit the sale of liquor in canteens of the Army and Navy and of Soldiers' Homes, and in immigrant stations and Government buildings; which were referred to the Committee on Military Affairs.

He also presented a petition of the Remington-Sholes Typewriter Company, of Chicago, Ill., and a petition of Deere & Co., of Moline, Ill., praying that a liberal increase be made in the appropriation for the display of American manufactures at the Paris Exposition in 1900; which were referred to the Committee on Appropriations.

Mr. LODGE presented a petition of the Fall River Branch of the Granite Cutters' National Union, of Fall River, Mass., and a petition of the Central Labor Union, of Milford, Mass., praying for the passage of the eight-hour bill; which were referred to the Committee on Education and Labor.

Mr. PLATT of Connecticut presented a petition of Hope Grange, No. 20, Patrons of Husbandry, of Torrington, Conn., praying for the enactment of legislation to increase American shipping; which was ordered to lie on the table.

He also presented a petition of the Baptist Young People's Union of New London County, Conn., praying for the enactment of legislation to prohibit the sale of liquor in canteens of the Army and Navy and of Soldiers' Homes, and in immigrant stations and Government buildings; which was referred to the Committee on Military Affairs.

Mr. HOAR presented the petition of Alfred H. Love, president of the Universal Peace Union, of Philadelphia, Pa., praying that the civilizing and nonsectarian influences of our country be extended to Cuba, Porto Rico, and the Philippines, etc.; which was referred to the Committee on Foreign Relations.

He also presented the memorials of G. B. Cash and 9 other citizens, of S. W. Minor and 9 other citizens, E. Jones and 9 other citizens, T. T. Hicks, Henry Thompson and 9 other citizens, J. A. Rose and 9 other citizens, J. Wilson and 9 other citizens, T. H. Williams and 9 other citizens, W. T. Whitten and 9 other citizens, G. B. Harris and 9 other citizens, Henry Wright and 9 other citizens, William Harris and 9 other citizens, E. L. Smith and 9 other citizens, R. M. Jones and 9 other citizens, E. W. Spencer and 9 other citizens, W. V. Walters and 9 other citizens, R. W. Day and 9 other citizens, A. D. Petterfoot and 9 other citizens, T. D. Waller and 9 other citizens, L. E. Wright and 9 other citizens, T. W. Jackson and 9 other citizens, Joseph Morton and 9 other citizens, L. F. Day and 9 other citizens, Charles Barr and 9 other citizens, and of E. D. White and 9 other citizens, all in the State of North Carolina, remonstrating against any extension of the sovereignty of the United States over the Philippine Islands in any event, and over any other foreign territory without the free consent of the people thereof; which were referred to the Committee on Foreign Relations.

Mr. GALLINGER presented a petition of the Woman's Christian Temperance Union of Colebrook, N. H., praying for the enactment of legislation to prohibit the sale of liquor in canteens of the Army and Navy and of Soldiers' Homes, and in immigrant stations and Government buildings; which was referred to the Committee on Military Affairs.

He also presented a petition of the Woman's Christian Temperance Union of Colebrook, N. H., praying for the enactment of legislation to prohibit the transmission by mail or interstate commerce of pictures or descriptions of prize fights; which was referred to the Committee on the Judiciary.

He also presented a petition of the Woman's Christian Temperance Union of Colebrook, N. H., praying for the enactment of legislation to prohibit interstate gambling by telegraph, telephone, or otherwise; which was referred to the Committee on the Judiciary.

Mr. HANSBROUGH. I present a concurrent resolution of the legislature of the State of North Dakota in the nature of a petition, praying that an appropriation be made authorizing a contract for preventing the overflow and for improving the navigation of the Red River of the North. As the document is quite lengthy, I will not ask that it be read at the desk, but I do ask that it be printed as a document and referred to the Committee on Commerce.

The motion was agreed to.

Mr. DAVIS. I present a counterpart of the same petition, praying that an appropriation be made to prevent the overflow and to improve the navigation of the Red River of the North and the Red Lake River, it being a subject in which my State is interested. I ask that the petition lie on the table.

The PRESIDENT pro tempore. It will be referred to the Committee on Commerce in the absence of objection.

Mr. DAVIS. Very well.

The PRESIDENT pro tempore. It will be so referred.

Mr. DAVIS presented a petition of the Board of Trade of Minneapolis, Minn., praying for the speedy ratification of the treaty of peace; which was ordered to lie on the table.

He also presented a petition of the Journeymen Stonecutters' Association of St. Paul, Minn., and a petition of Local Union No. 88, Amalgamated Wood Workers' Union, of Minneapolis, Minn., praying for the passage of the eight-hour bill; which were referred to the Committee on Education and Labor.

Mr. PENROSE presented a petition of the Board of Trade of Philadelphia, Pa., praying for the enactment of legislation to increase American shipping; which was ordered to lie on the table.

He also presented a petition of the Board of Trade of Philadelphia, Pa., praying for the enactment of legislation to increase the efficiency of the foreign service of the United States, and also to provide for the reorganization of the consular service; which was referred to the Committee on Foreign Relations.

He also presented a petition of the executive board of the Woman's National Indian Association, praying for the repeal of the act of Congress approved January 14, 1889, in so far as it authorized the appointment of the Chippewa Commission; which was referred to the Committee on Indian Affairs.

He also presented petitions of the congregation of St. Paul's Lutheran Church, of Allentown; of sundry Lutheran churches of Worthington, the Methodist Episcopal Church of Duncanville, the Methodist Church of Kelleraburg, of the Union Church of Columbia Cross Roads, of the Central Union of Allentown, and of the Woman's Christian Temperance Union of Columbia Cross Roads, all in the State of Pennsylvania, praying for the enactment of legislation to prohibit the sale of liquor in canteens of the Army and Navy and of Soldiers' Homes, and in immigrant stations and

Government buildings; which were referred to the Committee on Military Affairs.

He also presented petitions of sundry citizens of Scranton, Pa., praying for the passage of House bill No. 7389, limiting the hours of daily service of laborers, workmen, and mechanics employed on the public works of, or done for, the United States or any Territory or the District of Columbia; which were referred to the Committee on Education and Labor.

REPORTS OF COMMITTEES.

Mr. PLATT of Connecticut. I am directed by the Committee on Patents, to whom was referred the bill (H. R. 7346) to amend section 4896 of the Revised Statutes, to report it with amendments, and with it I submit a letter of the Commissioner of Patents. I do not know that it is necessary to print it.

The PRESIDENT pro tempore. The bill will be placed on the Calendar.

Mr. GORMAN. On the 27th of January I reported without amendment from the Committee on the District of Columbia the bill (H. R. 8626) to punish the impersonation of weighmasters in the District of Columbia, and for other purposes. I now report two amendments to that bill, and ask that the bill with the amendments may be reprinted.

The PRESIDENT pro tempore. That order will be made, if there be no objection.

Mr. GORMAN, from the Committee on the District of Columbia, to whom was referred the bill (H. R. 11358) for a roadway in the District of Columbia from Brightwood avenue across Rock Creek Park, reported it without amendment, and submitted a report thereon.

DIPLOMATIC AND CONSULAR APPROPRIATION BILL.

Mr. HALE submitted the following report:

The committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H. R. 11487) making appropriations for the diplomatic and consular service for the fiscal year ending June 30, 1900, having met, after full and free conference have agreed to recommend and do recommend to their respective Houses as follows:

That the Senate recede from its amendments numbered 7, 13, and 17.

That the House recede from its disagreements to the amendments of the Senate numbered 1, 2, 3, 6, 9, 11, 12, 14, 15, 16, and 18; and agree to the same.

That the House recede from its disagreement to the amendment of the Senate numbered 4, and agree to the same with an amendment as follows: In lieu of the matter inserted by said amendment insert the following: "Third secretaries of embassies to Great Britain, France, and Germany, at $1,200 each, $3,600;" and the Senate agree to the same.

That the House recede from its disagreement to the amendment of the Senate numbered 5, and agree to the same with an amendment as follows: In lieu of the sum proposed insert "$63,400;" and the Senate agree to the same.

That the House recede from its disagreement to the amendment of the Senate numbered 8, and agree to the same with an amendment as follows: In lieu of the sum proposed insert "$429,500;" and the Senate agree to the same.

That the House recede from its disagreement to the amendment of the Senate numbered 10, and agree to the same with an amendment as follows: Strike out the matter inserted by said amendment, and strike out line 2, page 17 of the bill, and insert in lieu of said line 2 the following:

"Consuls at Palermo and Naples."

And the Senate agree to the same.

That the House recede from its disagreement to the amendment of the Senate numbered 19, and agree to the same with an amendment as follows: In lieu of the sum proposed insert "$2,600;" and the Senate agree to the same.

That the House recede from its disagreement to the amendment of the Senate numbered 20, and agree to the same with an amendment as follows: In lieu of the sum proposed insert "$105,170;" and the Senate agree to the same.

EUGENE HALE,
CHARLES J. FAULKNER,
Managers on the part of the Senate.
ROBERT R. HITT,
LEMUEL E. QUIGG,
HUGH A. DINSMORE,
Managers on the part of the House.

The PRESIDENT pro tempore. The Senator from Maine asks for the present consideration of the report. Is there objection? The Chair hears none, and the question is on agreeing to the report.

Mr. GALLINGER. I notice that certain amendments were agreed to and certain amendments receded from, which are numbered, as is usual in conference reports, and of course the numbers convey no information to Senators who are not on the committee.

I was instrumental, when this measure was under discussion in the Senate, in getting the salaries of the consuls at La Guaira, Venezuela, and Pernambuco, Brazil, somewhat increased—increased to the point that had been recommended by the State Department. I trust that the conferees on the part of the Senate, representing the opinion of this body, were very insistent upon keeping those amendments in the bill, and I rise for the purpose of asking the Senator from Maine who has charge of this matter whether they succeeded in doing that very desirable thing.

Mr. HALE. We did the best we could. We got the increase for the consul at Pernambuco, but could not get it for the consul at La Guaira. As to the other amendments, in some cases the House conferees receded, and in some cases the increase of salaries put on by the Senate, as in the case of Naples, was adjusted by agreeing to a part of the increase.

Mr. GALLINGER. It is gratifying to me to know that there was partial success on the part of the conferees of the Senate.

If this should reach those two gentlemen, I presume I would be criticised if I should say what I am going to venture to say, that I think the case of La Guaira was stronger than that of Pernambuco. But, nevertheless, the gentleman at Pernambuco is the son of a former distinguished United States Senator who for a long time was President pro tempore of this body, and it is a gratification to me to have the son of that distinguished New Hampshire man recognized in this way. I sincerely wish we might have had the little increase that was asked for La Guaira, where an educated and enterprising man is serving for $1,500 a year in a climate that is about as bad as any on the face of the earth. He is really spending more than he is receiving, and he is a poor man at that. However, I am gratified to know that we have accomplished something for Pernambuco this year, and I will endeavor to look after La Guaira in the consular bill of next year.

The report was agreed to.

MONUMENT AT HAVANA.

Mr. HALE. From the Committee on Naval Affairs I report back favorably without amendment the joint resolution (S. R. 187) authorizing the Secretary of the Navy to have a monument erected at Havana, Cuba, to the memory of the sailors and marines who lost their lives by the explosion of the U. S. S. *Maine* and are there buried, and I should like to have it passed at the present time if there is no objection.

There being no objection, the Senate, as in Committee of the Whole, proceeded to consider the joint resolution, which was read as follows:

Resolved by the Senate and House of Representatives, etc., That the Secretary of the Navy is hereby authorized to have erected in the Colon Cemetery, at Havana, Cuba, a suitable granite monument to the memory of the sailors and marines who lost their lives by the explosion of the U. S. S. *Maine* in the harbor of Havana on the 15th day of February, 1898, and whose remains are buried in that cemetery, and to suitably inscribe and inclose such monument; and the sum of $10,000, or so much thereof as may be necessary, is hereby appropriated for this purpose out of any money in the Treasury not otherwise appropriated.

The joint resolution was reported to the Senate without amendment, ordered to be engrossed for a third reading, read the third time, and passed.

REPORT OF DIRECTOR OF THE MINT.

Mr. LODGE, from the Committee on Printing, to whom was referred the following concurrent resolution of the House of Representatives, reported it without amendment; and it was considered by unanimous consent, and agreed to:

Resolved by the House of Representatives (the Senate concurring), That there be printed and bound in cloth 6,000 additional copies of the Report of the Director of the Mint for the fiscal year ended June 30, 1898; 1,000 for the use of the Senate, 2,000 for the use of the House of Representatives, and 3,000 for the use of the Director of the Mint.

REPORT OF LIBRARIAN OF CONGRESS.

Mr. LODGE, from the Committee on Printing, to whom was referred the resolution submitted by Mr. HANSBROUGH on the 25th ultimo, reported it without amendment, and it was considered by unanimous consent and agreed to, as follows:

Resolved, That there be printed for the use of the Senate 1,500 bound copies of the Report of the Librarian of Congress for 1898, 500 for the use of the Senate and 1,000 for distribution by the Librarian of Congress.

BILLS INTRODUCED.

Mr. BAKER introduced a bill (S. 5437) changing place for holding court in the central district of the Indian Territory from Cameron to Poteau, and for other purposes; which was read twice by its title, and, with the accompanying papers, referred to the Committee on the Judiciary.

Mr. DEBOE introduced a bill (S. 5438) granting a pension to Margaret Davis; which was read twice by its title, and, with the accompanying papers, referred to the Committee on Pensions.

He also introduced a bill (S. 5439) granting a pension to Anna M. Wehe; which was read twice by its title, and, with the accompanying papers, referred to the Committee on Pensions.

He also introduced a bill (S. 5440) for the relief of John Caldwell Browder; which was read twice by its title, and referred to the Committee on Military Affairs.

Mr. BACON introduced a bill (S. 5441) for the relief of Phillip E. McDaniel; which was read twice by its title, and referred to the Committee on Claims.

Mr. MARTIN introduced a bill (S. 5442) for the relief of Kate Winter; which was read twice by its title, and referred to the Committee on Claims.

Mr. GORMAN introduced a bill (S. 5443) for the extension of Seventeenth street NW.; which was read twice by its title, and referred to the Committee on the District of Columbia.

Mr. HANNA introduced a bill (S. 5444) to confer jurisdiction upon the Court of Claims to hear and adjudicate the claim of the personal representatives of William Kiskadden, deceased; which was read twice by its title, and referred to the Committee on Claims.

Mr. CAFFERY introduced a bill (S. 5445) for the relief of the estate of Henry Lawrence, deceased; which was read twice by its title, and referred to the Committee on Claims.

ACQUISITION OF TERRITORY.

Mr. LINDSAY. I ask unanimous consent to withdraw the joint resolution introduced by me day before yesterday, being S. R. 235, respecting the acquisition of foreign and non-American territory, which has never been considered by the Senate, and to substitute in its place a new joint resolution; which I ask may lie on the table.

The joint resolution (S. R. 236) respecting the acquisition of foreign and non-American territory was read twice by its title, and ordered to lie on the table.

AMENDMENTS TO APPROPRIATION BILLS.

Mr. ROACH submitted an amendment proposing to give two years' pay to the widow and children of Joseph W. Etheridge, late superintendent of the Sixth life-saving district, who died from pneumonia contracted in the line of duty, intended to be proposed by him to the sundry civil appropriation bill; which was referred to the Committee on Commerce, and ordered to be printed.

Mr. KYLE submitted an amendment proposing to appropriate $200,000 to continue improvements at Pierre (both sides), Yankton, Elk Points, etc., intended to be proposed by him to the river and harbor appropriation bill; which was referred to the Committee on Commerce, and ordered to be printed.

Mr. PASCO submitted an amendment proposing to appropriate $500,000 for improving the harbor of Miami, on Biscayne Bay, Florida, etc., intended to be proposed by him to the river and harbor appropriation bill; which was referred to the Committee on Commerce, and ordered to be printed.

REORGANIZATION OF THE ARMY.

Mr. LODGE submitted an amendment intended to be proposed by him to the bill (H. R. 11023) for the reorganization of the Army of the United States, and for other purposes; which was referred to the Committee on Military Affairs, and ordered to be printed.

PERSONNEL OF THE NAVY AND MARINE CORPS.

Mr. TILLMAN submitted an amendment intended to be proposed by him to the bill (H. R. 10403) to reorganize and increase the efficiency of the personnel of the Navy and Marine Corps of the United States; which was referred to the Committee on Naval Affairs, and ordered to be printed.

POLICY REGARDING THE PHILIPPINE ISLANDS.

Mr. HARRIS submitted the following resolution; which was read:

Resolved by the Senate of the United States of America, That the United States hereby disclaim any disposition or intention to exercise permanent sovereignty, jurisdiction, or control over the Philippine Islands, and assert their determination, when a stable and independent government shall have been erected therein entitled to recognition as such, to transfer to said government, upon terms which shall be reasonable and just, all rights secured under the cession by Spain, and to thereupon leave the government and control of the islands to their people.

Mr. HARRIS. I ask that the resolution be printed and lie on the table.

The PRESIDENT pro tempore. The resolution will be printed, and it will lie on the table, at the request of the Senator from Kansas.

HOUSE BILLS REFERRED.

The following bills were severally read twice by their titles, and referred to the Committee on Finance:

A bill (H. R. 2871) for the relief of Mary R. Frost; and

A bill (H. R. 10997) to amend section 3287 of the Revised Statutes of the United States concerning the drawing off, gauging, marking, and removal of spirits.

The bill (H. R. 7860) to amend an act entitled "An act for the relief of Brig. Gen. John R. Brooke, United States Army," approved March 13, 1894, was read twice by its title, and referred to the Committee on Claims.

The bill (H. R. 11795) making appropriations for the construction, repair, and preservation of certain public works on rivers and harbors, and for other purposes, was read twice by its title, and referred to the Committee on Commerce.

MESSAGE FROM THE HOUSE.

A message from the House of Representatives, by Mr. W. J. BROWNING, its Chief Clerk, announced that the House had passed a concurrent resolution requesting the President to return to the House of Representatives House joint resolution numbered 298, now in his hands; in which it requested the concurrence of the Senate.

OUTRAGES ON AMERICAN CITIZENS IN CHINA.

The PRESIDENT pro tempore laid before the Senate the following concurrent resolution of the House of Representatives; which, on motion of Mr. HOAR, was considered by unanimous consent, and agreed to:

IN THE HOUSE OF REPRESENTATIVES, *February 3, 1899.*

Resolved by the House of Representatives (the Senate concurring), That the President be respectfully requested to return to the House of Representatives House joint resolution numbered 298, now in his hands.

ACQUISITION OF TERRITORY.

The PRESIDENT pro tempore. If there are no further resolutions, the morning business is closed.

Mr. MONEY. I ask the Chair to lay Senate joint resolution No. 191 before the Senate.

The PRESIDENT pro tempore. The joint resolution will be read by title.

The SECRETARY. A joint resolution (S. R. 191) declaring that under the Constitution of the United States no power is given to the Federal Government to acquire territory to be held and governed permanently as colonies.

Mr. MONEY. Mr. President, preliminary to the remarks which I shall have the honor to briefly submit to the Senate by its indulgence I desire to say that if I shall make any statement of facts——

Mr. MASON. Will the Senator from Mississippi yield just one moment? I merely want to ask the Senator who now has the floor if he is advised as to what time we are to vote upon what is known as the Bacon and Sullivan resolutions. Has any hour been fixed or agreed upon?

Mr. MONEY. I am not in charge of any of these resolutions, nor am I able to indicate whether we shall vote upon those or any others.

The PRESIDENT pro tempore. The Chair will inform the Senator from Illinois that no hour has been fixed.

Mr. MONEY. I am unable to answer the question. I have no intimation whatever that the Senate ever intends to vote at all upon any resolution.

Mr. MASON. I did not know.

Mr. MONEY. Mr. President, as I was just saying, if I shall make any statement of fact incorrectly in discussing the several resolutions before the Senate, or the questions cognate thereto, which may be permissibly debated in the open session of the Senate, I desire to be promptly corrected. It will not be considered an interruption, but a favor to myself, for I do not wish to be in the attitude, by sufferance or courtesy, of misstating anything that may tend to the elucidation of this very knotty problem which we are undertaking to solve.

No Senator who has occupied the floor upon this question has failed to remark upon the gravity of the question, of its great importance, not only to the Filipinos but to the Americans themselves, and I realize perhaps as fully as any other how very momentous it is, not concerning myself so much about the welfare of other peoples as I am concerned for the destiny of the great people whom in part I here represent.

In the history of the Roman republic there were times of great public exigency and of national peril, when the senate called from his place some great man and put into his hands the supreme authority of the republic. They said to him, "We suspend all laws, all courts, all civil processes, and we invest you with absolute power. But before you assume this great and exclusive authority we place one last command upon you, 'See that the republic shall suffer no detriment.'"

I feel, Mr. President, that the American people, triumphant in the grandest experiment ever made upon this planet for self-government, have imposed upon each one of us who sits here in judgment that solemn injunction, "See that the Republic suffers no detriment."

In the debate upon this question a great many men of straw have been constructed and have been ridden down and demolished with skill and valor, and the knights have retired from the field of their achievement with the air of conquerors. Now, I do not want to have any of these straw men in my way to-day, and therefore I shall make certain concessions. I want to say that I will state the case of my opponents, as I understand it, just as fairly as they would state it for themselves.

In the first place, I want to say that I concede fully the right of the United States of America to acquire territory by conquest, by purchase, by peaceful and voluntary annexation, and in the other ways competent to the sovereignties of the world.

I will undertake also to acknowledge that the treaty-making power has the right to negotiate by all the advantages of the situation, so far as Spain is affected, to secure the rewards of victory—"the spoil of our bow and of our spear." But I shall also argue, after Jefferson, Calhoun, and other men who respected the Constitution, that the treaty-making power, of which to-day we are a part, can only act within the limitations of the Federal Constitution, and that its actions and results must be in accord with the theory, structure, and objects of our Government.

It has been contended that the Constitution of the United States, the organic law of the land, the creator of the Senate and of the

Executive, can not run in its full force in the whole domain of the United States; that it must be carried to Territories and dependencies by the law of the Congress; in other words, that the creature of the Constitution is more fully endowed with force and authority than its creator.

I deny that proposition, Mr. President. I care nothing for the quotations made here of decisions and of statutes, in every one of which the circumstances have not been detailed which led to the dictum or the judgment. They do not shake my conviction that wherever the flag of the United States floats, whether on sea or land, all of that domain which it brings within our jurisdiction is under and subject to the provisions of the Constitution of the United States.

When we acquire territory, by whatever manner, ipso facto over that acquisition exists the Constitution. Without that Constitution our bonds are dissolved and we are no longer a nation. By agreement with that instrument the laws of Congress have force and effect everywhere—in Territories, organized or unorganized, as well as in the States. Everywhere the test of life of the law is obedience to the Constitution. The Constitution is around and over the domain of the United States, as the atmosphere that envelopes the globe. It has the force, continuous and uninterrupted, of gravity itself, and though it may not manifest itself, it will do so whenever its creatures, the Congress and the President or the judiciary, shall do something which is repugnant to or inconsistent with its provisions.

The Constitution declares of itself that "this Constitution and the laws of the United States which shall be made in pursuance thereof, and all treaties made or which shall be made under the authority of the United States, shall be the supreme law of the land." Of what land? Is it that land which is inclosed within the borders of the States and organized Territories, or is it the land wherever the jurisdiction of the United States is asserted? What authority has the United States itself anywhere but in and under this Constitution? By what device can a part be greater than the whole, or a part of an instrument go further than the instrument itself? Can it be an act of Congress can deny to any person the bill of rights given by the Constitution? How absurd the claim that a law of Congress can have a wider range than that Constitution, by whose consent the law may live. Where this Constitution is not, there can not be a law of Congress, nor jurisdiction of the Government of the United States, nor the United States themselves.

Mr. President, Senators who favor the ratification of the treaty have taken two positions regarding the inhabitants of the archipelago. They are concerned for the welfare of the Filipinos. It is asserted that they are unfit for self-government, and therefore it is unwise to put in this treaty anything which leaves them to themselves to organize their own government which will meet their peculiar needs. On the other hand, others assert that they are sufficiently civilized to enter into a half citizenship, and in that doubtful character will be a valuable acquisition to the population of the United States. Others speak of them as savages, to be dealt with according to our sovereign pleasure, as were our Indians. They are or they are not capable of becoming citizens, and between these dangerous Symplegades I do not see how those gentlemen are to steer their boat. If the Filipinos are not fit for self-government, then they are not fit for citizens of the United States. If they are fit for self-government or independent government, then it is our duty to let them take care of themselves in the way best suited to their intellectual, their moral, and material development. "The glorious privilege of independence" is as much their right as ours, as sweet to the lower as to the higher capacity, as dear to half-civilized as to enlightened nations, and the free people who deny liberty to those who have aspired, struggled, and died for it shall not be justified by the material gains they may hope to secure.

It is insisted that the commercial needs of the United States demand the possession of trading posts within the Orient, and I confess that the prospect of increasing trade has made a considerable impression upon my mind. There is in this proposition more of the accessory than of the necessary quality. I can say with the utmost frankness that this phase of the question is one of the most difficult that ever I have been called upon to decide. I have labored to a conclusion, endeavoring honestly to see whether it was better that the treaty should be ratified as it stands or that it should be amended. I felt that glow of enthusiasm which seemed to sweep like a wave over the country when the ensign of this Republic waved in supremacy in the Asiatic world. I felt the thrill of exultation that this Republic had at once become a potent factor in solving the world-wide questions. I felt in every ruddy drop that visited my heart a tingling of joyous pride when the great exploits of our sailors and soldiers astonished the world. The amazement of all Europe at the sudden, unexpected, and complete victory of our arms delighted me. In these things as an American citizen I have shared as fully as any man who advocates the treaty.

I know that there is much to be said on both sides of this question, else this debate would not have been prosecuted with such zeal and with such ability. I realize the advantage of the possession of an archipelago that for 1,200 miles extends along the whole front of China, a vast empire whose shell has been crushed, and that has granted concessions for railroads leading from its interior mountains, full of resources, down through the river valleys to the China Sea, bringing the commerce of millions of people, and I know the immense advantage of that situation. Perhaps Manila, as a free port, under American rule, would become the greatest emporium in the whole Orient in the progress of time, probably in a few decades. I know that our commerce would have a foothold, a coign of vantage there that would be to our profit; but while these advantages would help, they are not indispensable, and our commerce advances apace lacking them.

But are conquests and subjugation necessary to the spread of American products, either manufactured or raw? Have we depended heretofore upon those aids so much vaunted in this debate?

Mr. President, it happens that this country, which some gentlemen on this floor have called isolated (but which is in communication by telegraph and by steamer with every country on the face of the globe), has in its isolation, so called, during the last seven years increased its exports 18 per cent, while Great Britain, colonizing almost the whole of the earth held by the inferior races, has suffered a decrease of 5 per cent in the same period?

If England, with colonies that reach around the globe and which occupy an area of more than three times the whole of the United States, can not hold her markets by colonization, and if we encroach upon her in the markets which have hitherto been hers, what is the force of this commercial argument upon the Senate?

France also extended her dominion to extend her trade. She is the second in area of the great colonizing powers of the earth, yet we are informed that a few days ago M. Pelletan, the French minister, discussing the budget in the Chamber of Deputies, attacked the colonial system, declaring that France spent $16,000,000 annually on her colonies and obtained nothing except an increase in exports, in which there was a profit, perhaps, of $4,000,000. There was, in fact, no French colonization at all, but only military occupation. He entirely disbelieved, while the army cost $200,000,000 and the debt another $200,000,000, in the wisdom of spending $16,000,000 for the pleasure of ruling foreign populations. And what has been her loss in drain upon her manhood, energy, and brains, in blood more precious than her treasures?

Mr. HALE. Will the Senator permit me to ask him a question?

The PRESIDENT pro tempore. Does the Senator from Mississippi yield to the Senator from Maine?

Mr. MONEY. Yes, sir.

Mr. HALE. Directly in the line of what the Senator is saying—I do not want to anticipate anything he is about to say—but has the Senator looked at the figures showing the amount of the trade of Great Britain with her largest and most colossal colony, India, with 250,000,000 people?

Mr. MONEY. Yes, sir.

Mr. HALE. Does the Senator know that the entire trade of Great Britain with that immense colony, containing 250,000,000 people, is only 7 per cent of her trade?

Mr. MONEY. Yes; I am aware of that, Mr. President; and I am obliged to the Senator for reminding me of it. I did not intend, however, to go particularly into details upon this point, but I will make this general remark, that England herself now sees the futility of this vast colony holding in promoting her foreign trade, and we have the expression deliberately made by the British administration that England no more desires to colonize and gain territory; that she only seeks trade; that she only asks open ports. While Germany, France, and Russia are disputing for possession of the territory of China, England in her struggle for open ports invokes our assistance. Yet Lord Salisbury, at the Lord Mayor's banquet the other night, declared that while the assistance which the United States would render when she becomes a factor in the oriental problem would be vastly beneficial to England, yet he doubted if it would conduce to peace. Yet Senators here advance the argument that we can not turn loose the Philippines unless we precipitate a war between the great European powers for the distribution of those islands among themselves. If such war comes, we will not be a party to it. If we seize and hold the islands for the benevolent purpose of preventing other nations from quarreling over them, we will inaugurate a war with the Malays of which I can not see the cost nor the end.

Mr. President, while I would do anything that would be proper to advance the commerce of the United States, yet it has not been proved that the extension of our commerce is dependent upon our possession of the Philippines, but, on the contrary, we are outstripping our competitors. The commerce of the United States, fortunately for this great Republic, has been founded more wisely upon the superior skill of its artisans; and in this, as in the public defense, it is the workingman who is the solid foundation of our prosperity and greatness. Superior excellence has carried our wares into the shops in all the cities of Europe, and in this day,

when transportation is rapid and communication is instantaneous, there has been a reversal of the old feeling. It is Europe that fears America in industrial competition, and instead of depending upon the aid proposed here for fostering commerce, that Europe is alarmed, and the Austrian premier has suggested the idea to the chancelleries of the Old World that there must be a union of European powers against the trade of America. We find the protectionist system turned against us, and instead of walling ourselves in, we are about to be walled out by the manufacturing and agricultural interests whose "pauper labor" has been the bogie man for some and an exhaustless mine of wealth for others.

Even if we could do something in this regard to advance commerce, there is a greater consideration due to those who produce, when we recollect that the increased cost of a larger standing army, of a military and civil administration in the Philippines, and of an increased Navy will be made necessary, and that the taxation for this burden comes, not from the middleman, not from the carrier, but from the creator of wealth, from him who tills the ground, from him who takes the raw material to the shop and turns out the finished product that is to-day to be found in all the markets of the globe.

That which carries American commerce abroad is not the protection of this Government; it is not that the flag of the fighting Navy of the United States is found on every sea and in every port; it is the superior skill of the American workingman, who demands a larger wage, a better living, a larger reward, as his share of the fruits of his industry, than any other workingman on this globe. Everywhere you will find that commerce depends, not upon these adventitious aids we propose to give, but it depends upon the skill, the industry, and the superior workmanship of the artisans who toil at the forge, in the shop, and at the looms, and in the fields of the country.

Nevertheless, Mr. President, this is an enticing topic, and I can understand how a man from a great commercial city will yield to the importunities of boards of trade and chambers of commerce, and will conclude to give his vote, neglectful of the general best interests of the country. The men who plow, who sow, who reap, who harvest, who create, are at last the foundation of this nation's prosperity, and they make the threat of a wall being raised against our exports idle and ineffectual. We can afford to laugh to scorn any threat of that sort.

But, Mr. President, there is a consideration of a moral character which should have its effect upon every man in this body whose vote is decisive for weal or woe, in my humble opinion, of the future of this Republic. This is a critical moment, and we are the people who are on trial, not the Filipinos. We, the Senate of the United States, are on trial; and for what we shall do on next Monday we will stand before the bar of public judgment. This is a critical moment, when a turn of the wrist will send the wheel to the right and carry the ship home and safe into harbor, or a turn to the left will lay her upon the rocks; and whether the turn shall be dexter or sinister, the future shall give judgment. It is a serious thought that we are about to do something for which our posterity may blush; that in the very exuberance of our strength we are about to exercise it without judgment or mercy; that we esteem but lightly the rights, the liberties, the sacrifices of a people who for one hundred years have groaned under the tyranny of aliens. Are all these 10,000,000 people—nobody knows how many—unworthy of any consideration in this vast international transaction?

It is said that we have not treated with these people as allies or as auxiliaries. Mr. President, let us not deceive ourselves, for we shall not deceive anybody else. Senators fear that we will lose prestige if we recede from the advanced step which they say we have taken, and we have heard a lot of rant and fustian that would do credit to a lot of barn-storming tragedians about hauling down the flag. We all know that no hand but the hand of an American will ever do that. Of this we are perfectly satisfied. When we lower the colors, it will be because national honor and good faith demand it, and not otherwise.

Mr. President, it may be true that the Filipinos were not our allies or auxiliaries, yet it is perfectly evident that they believed that they sustained that relation to us; that they were persuaded into that belief by the acts and representations of the American officials, both civil and military, in that quarter; that as allies they did render the aid asked of them, cooperating with us in perfect confidence that we would keep faith with them—the faith plighted by the accredited agents of this Republic. It is true that the State Department had advised our consul at Singapore that "this Government has known the Philippine insurgents only as discontented and rebellious subjects of Spain." These instructions were never communicated to the Filipinos; and they still continued their cooperation with us, and had already rendered us most valuable and efficient service. Let us review the history of this transaction.

After Dewey's glorious victory in Manila Bay our consul, corresponding with him, asked if Aguinaldo could be of any service. Aguinaldo, as you recollect, is a man who in some quarters has been described as a sort of blackguard insurgent and a traitor against the United States. He never yet owed allegiance to us, and we have not had possession of his country. He has been proclaimed from time to time an adventurer, a traitor, and a bandit, and insulted by other opprobrious epithets. Mr. President, the records submitted to us for our guidance and information in this matter, from which I presume our able and efficient commissioners derived their information, show that this man has had a most honorable career, that he is a brave, honest, sincere, and able man, and that with all his opportunities he is poor.

Mr. MASON. And that he never did sell his cause for money.

Mr. MONEY. He never sold anything for money. There had been a long and bloody struggle between Spain and her revolted subjects in the islands, both parties had suffered and were weary of the struggle, and to secure peace a treaty "or agreement" was entered into. Spain agreed to correct abuses in the civil administration and introduce many reforms, and to pay a large sum of money for the widows and orphans of the insurgents who had fallen in battle. On their side the Tagals were to cease hostilities, and as a guarantee of tranquillity Aguinaldo and about fifty of his principal followers were to expatriate themselves. Four hundred thousand dollars was paid in cash to Aguinaldo, who, with his fellow exiles, went to Hongkong. No part of the balance of the stipulated sum was ever paid. One of Aguinaldo's officers sued for a division of the money. The dispute was settled by a payment out of court of $5,000 to the claimant. Aguinaldo was living modestly at Hongkong, declaring that the money was a trust fund and could not be put to a private use, and as the Spanish had failed to keep their promise of reform, it should be devoted to the purposes of another rebellion, and it was expended in the purchase of the munitions of war.

It has been denied here that there was an insurrection there previous to the arrival of Dewey; yet this book, first submitted confidentially for our use and then made public by order of the Senate, shows that there was all the time no pacification there whatever, but insurrection unceasing; that in the months of January, February, March, and April the insurgents were in arms, and that they were within 5 miles of Manila; that there were daily battles; that the hospitals were continually filled with wounded; that the dead were brought in every day, and news came of one battle after another all over the island of Luzon, and that the Spanish garrisons were besieged or had surrendered in many provinces. That is the testimony of our consul at Manila, who was a witness of the things he spoke of and who is corroborated by many circumstances.

These people were under arms to do what? To acquire their liberty, to conquer their liberty—these people, who had groaned for a hundred years under exactions and tyranny in comparison with which those which drove our forefathers into rebellion in 1776 were trivial—these people, not discouraged by repeated failures nor by bloody punishment, were making another effort, as they had been doing again and again for a hundred years. Then Aguinaldo was sent for, not to excite insurrection against Spain, but to control these forces already organized in rebellion in the interests of the American attack upon the Spanish forces in Manila and the islands of the Philippines. This is evidenced by the proclamation of the junta at Hongkong, by the proclamation of the junta at Singapore, by the correspondence of our consul, Mr. Pratt, at Singapore, of Mr. Wildman, at Hongkong, and of Mr. Williams, in the city of Manila.

Aguinaldo, on his part, promised that he would conduct the war with humanity; that he would control the forces that were operating against the Spanish at that time around Manila, and he was only put on board ship at Singapore when Commodore Dewey telegraphed, "Send Aguinaldo at once." He went to Hongkong and there he put himself into the hands of another American consul, Mr. Wildman, who, in the secrecy of night, to prevent any interference, himself put Aguinaldo and 17 of his officers on board the U. S. S. *McCulloch* and sent them to Manila. There he was put ashore and taken to the arsenal at Cavite and was furnished by the Americans with the arms which he required.

The chiefs who were carrying on this revolution throughout the different provinces rallied around him and made him their leader. They came promptly in and gave their adhesion to him. Then the correspondence continued between General Anderson, commanding the American forces, and General Aguinaldo, commanding the insurrectionary forces of the Philippines. He was asked to give passes to our officers to go through his lines and was requested to furnish us with the material of war. He did give us carts, bullocks, horses, firewood, and everything else we demanded of him. In these communications he is called our ally; in others he is called our auxiliary; but in every instance, unaware of the instruction of our State Department, he trusted to the open declarations of our civil and military officers that he was our ally and auxiliary. It makes no difference what our mental reservations were, Aguinaldo acted in good faith, and we are compelled

to make those people understand that we are not to repudiate the understanding which we gave of our relation to them.

True hearts are more than coronets,
And simple faith than Norman blood.

Mr. President, are these people capable of independent government? The question is not of self-government. There are but two self-governing peoples on this globe, and one of them maintains its existence because neutrality is guaranteed by the great powers of Europe. Others have the form of a republic, but not the genius and spirit. They are good enough republics on paper, but in practice they fall short of the principles which they declare. The Asiatic mind, in my opinion, never will conceive the idea of self-government as we understand and as we practice it.

Take France for an example. That nation while a monarchy was for more than a hundred years in the very fore front of civilization. She gave to the world art, science, literature, and manners—everything that adds to the politeness and refinement of the human race. But self-government finds difficulties, not insurmountable, perhaps, which seem to inhere in the genius of her people and menaces the stability of their government. I, for one, do not believe that there is in the Latin nations that capacity for self-government which the Teutonic and Anglo-Saxon mind conceives and has put in successful operation.

But that is not the question, Mr. President. A people may be great, they may be happy, they may be successful, they may be enlightened, they may be cultured, refined, and advanced to the very highest pitch of civilization, and yet not fitted to maintain the institutions which we enjoy. I say it is impossible for those people with any amount of cultivation and education to ever become a self-governing republic; but they must take that which fits them. And why should the Senate here be solicitous about a people 9,000 miles away, whether they take the American form of government or not?

Whatever government they may adopt, it will be infinitely better for them than the one under which they have groaned for three hundred and fifty years.

Whatever form of government any people have is exactly the government which they need. It is the result, and has been everywhere, of an outgrowth and development; it is the evolution of the moral, spiritual, and intellectual nature of man, and it can not be anything else. If he wanted or needed anything to make him better and happier, he would have it, but he would have it by the very law which gave him that which he has; and it is useless for you to attempt to fit this Government upon them. You might take one of our forest oaks and strip the bark off from the slender topmost bough down to the deepest root and attempt to put that bark upon a banana plant in the island of Luzon with just as much success as you could take our institutions and fit them upon the inhabitants of that island.

Mr. CAFFERY. Will the Senator yield for a question?

The PRESIDENT pro tempore. Does the Senator from Mississippi yield to the Senator from Louisiana?

Mr. MONEY. Certainly.

Mr. CAFFERY. I wish only to suggest to him that the advocates of the treaty appear to be certain of but one thing, and that is the taking of the islands. They are absolutely uncertain as to how long they are going to keep them or what sort of a government they think they will be capable of; in fact, they grope in a region of uncertainty.

Mr. MONEY. Very much so.

Mr. CAFFERY. In the line of the Senator's argument as to the incapacity of those people to govern themselves, I would suggest to him an inquiry as to what is proposed to be done with them after that incapacity shall have been ascertained.

Mr. MONEY. Well, Mr. President, there is a great deal to be said on this subject, but it is too varied in its phases to be exhausted or even touched upon in a speech in the time which will be allowed to me. But I wish to say that these people have a share of intelligence. The illiteracy in Luzon is not one-third of what it is in the peninsula of Spain. They have at least been well taught by the monastic orders, which now are to be driven out of the country, or are about to proceed from it on their own motion, and they have had a great deal to do in shaping the national character. I have sometimes thought that the superior capacity of the Mexican for progress in government over the other Spanish-American people had been determined by the fact that the Franciscans and Dominicans had control absolutely, to the exclusion of the other Catholic orders in that country. The Dominicans, the white friars, have taught the people how to think, and the Franciscans, or the black friars, have taught them how to behave. In other words, the teachers of faith and the teachers of practice have done more toward making those people capable of government than any of the other South American or Spanish-American people.

But this government which is now organized and of which Aguinaldo is the head has been denounced as a dictatorship. Aguinaldo did that thing which is the common thing and the proper thing and the only thing to do in the history of insurrections. He did what we did, what every South American country did, what Greece did, what every insurrectionary country that seeks to relieve itself from tyranny has done. First they went to war in scattered bands, with little organization; then they came together without a head; then there was a dictatorship, as George Washington was appointed dictator, as Simon Bolivar was appointed dictator. After that was done, which was simply a tentative and provisional form of government, when "peace comes and broods over a country with its white wings like a dove," "when war's wild blast has blown," the people organized the real government; and these are only preparatory steps leading up to that conclusion.

What kind of men is it that compose the Filipino Congress? The latest writer, Mr. Roberson, who visited the Congress while in session, gives a very favorable account of their character and ability. Of the 83 members sitting 17 were graduates of European universities, and the president, Pedro Paterno, took his degree as D. D. in the University of Madrid, and afterwards received his degree of LL. D. from the University of Salamanca. He is an author of such reputation that his books have been translated into German.

Major Bell, the chief of our secret service at Manila, under passes from Aguinaldo, visited many of the Philippine bands and became personally acquainted with many of their leaders. He speaks of them as brave, honest, and patriotic. Only two are called dishonest, and the adjutants he esteems bright, educated, and patriotic.

These are the men whom it is now proposed to sacrifice in order that we may have certain commercial advantages in the Orient. I ask you, Senators, does that commend itself to your consciences as representatives of the American people, as the custodians of their honor, their dignity, their majesty? I ask you, is that consistent with your sense of justice? Those people have labored under the impression that we went there to attack Spain at a vulnerable point and with the ultimate purpose, judging from our high-sounding declaration, that we would not interfere with the rights of the Cubans to govern themselves, and believed that the same declaration would apply to all other people struggling, as were the Cubans, for liberty.

These people have an organized army. Nobody denies that. Mr. Robinson, who has been to the capital, says that Aguinaldo has to-day 65,000 men, well trained, well armed; that the provinces contain 2,000,000 people who acknowledge allegiance to this provisional government, and that a greater supply of men can be had when they are wanted. Those are the people we are to disfranchise; those are the people we are to declare incapable of taking care of themselves; those are the people we are to subdue by arms. Whenever we shall ratify this treaty and the President shall issue his proclamation to the people of Manila, he should pin on the door of the national palace, with a sword, the declaration that we have not gone forth to conquer, but we have gone forth to defend the right. What a terrible commentary upon the honesty of the American Congress if in a war we said we had begun because humanity no longer could hear the cries and groans of those who suffered at our doorsteps, that we would not be passive a moment longer while these people were suffering and struggling and fighting for liberty in Cuba, when we declared that we were engaged in the holiest business that could occupy the minds of men—if in the case of the Philippines we should now repudiate that declaration.

"The sweetest libation that liberty draws is from the hearts that break and bleed in her cause." Is that true as to the West Indies and untrue as to the East Indies? Is a Cuban to be cherished and to be the subject of anxious solicitude, for whom we pour out our blood and our treasure, and the Malay, at the other end of the world, under the same circumstances, with increased aggravation to incite rebellion, not only not to receive our sympathy but to be subjugated to our power? Have we gone into the business of buying men?

Now, I know very well that it will be said that the people go with the land, and that if we take the cession of territory under the treaty they go with it. That is true.

But I wish to ask if it was not the extremity of Spain that gave us the islands under such circumstances? In old times, when there was little law, international or otherwise, in the termination of conflicts the law of uti possidetis always prevailed; that is, every man kept what he had. It was—

The good old rule,
* * * the simple plan,
That they should take who have the power,
And they should keep who can.

That was the practice of nations. As we increased in civilization and respect for law, then we began to engage in exchanges, and at last, after struggle and travail, we began to consider human rights, to consider the men going with the land; and for that reason I say that the very moment this treaty is ratified by the Cortes of

Spain and becomes a part of the municipal law of this land, as it does under the Constitution, every living soul in the islands becomes a citizen of the United States of America, a citizen amenable to its laws and privileged and endowed with all the muniments of title to liberty by the Constitution of the United States. That is true not only of every child born there but of every man there.

Further, that it was so considered in the forming of this treaty, else there would be no point in the provision made there that every resident of the islands should have the privilege within a stated time of going before an officer and recording his intention of retaining his allegiance to Spain. The allegiance passes with the possession, and these people are citizens whenever this treaty is ratified. Not citizens with the right to vote, because that is a privilege which only the States can confer. They will be citizens, however, in the sense that they are under the ægis of the Constitution, and I defy Congress or the Executive to do one single act that would impair the rights of a citizen of Alaska or the Indian Territory or the territory we propose to take now by purchase or subjugation.

Under the law of uti possidetis, by the arbitrament of arms, what would we take if we settled upon that ancient custom? We would have the sandy point of Cavite, and that would be all. The attack upon Manila was made the day the protocol was signed, and was made through ignorance of our officers, of course, and under the laws of nations it would have been our duty to immediately put back into the hands of the Spaniards what we had taken. The law of nations requires that upon a change of situation of that sort, made without knowledge of the truce, the offending party shall place things in statu quo as far as possible.

We hold it, then, not by conquest, as asserted here, but because of the protocol. We hold it because the protocol said that pending the discussion and negotiation of a treaty of peace the possession of Manila, the city, bay, and harbor, should be in the United States. How long? Pending these negotiations, and no longer; and these negotiations have stretched far beyond the mind of the men who signed the protocol. We did not seem to know what we wanted, and our wants grew with the anticipation of what we could get. We could have gotten a great deal more if we had gone on with firmness, because we were dealing with an enemy that had fallen beneath our stroke and was at our mercy.

Now of the rights of the Filipinos in this matter: They are capable of independent government as good as any which they have ever enjoyed, for they could not to save their lives form a government that would be so iniquitous and so oppressive as that of the monastic order that held sway in the islands and disposed of governors, general officers, and people as they saw fit. There can be no worse government than that.

Another thing. This cession of territory which we have acquired some say is by conquest, but we all know it was by purchase, unless "conquest" means that we have so reduced the strength of our enemy to resist, so reduced his ability to cope with us, that he is prostrate at our feet. In that sense we have made a conquest. In that sense we could take territory from the Pyrenees to the Mediterranean. The whole peninsula was subject to us. It was conquest in that sense. But if it means occupation, then I deny that we occupied the Philippines at all, if the protocol was of any effect; and nobody can deny that.

Now, Mr. President, some gentlemen say that these people are not fit for citizenship in the United States, and I would be glad if some one, before this discussion closes, would define a policy for the information of those who do not trust the treaty, and tell us in plain language what you mean to do. Nobody has vouchsafed any information on this point. No man has said, "I will have them come in as citizens at some time. I will hold them in a territorial condition for a while and then give statehood." We can accept the cession with no other ultimate point in view. Nor have they said that they will hold them as mere subjects under a military occupation, or a sort of civil and military administration, the most obnoxious form of government that can be devised.

I do not believe there is a man here who dares to say that he would take the Filipinos as citizens of the United States. If so, these islands come in with their representatives in the Senate and in the House. Does any man in the Senate say that he is willing that the Filipinos shall determine who shall be the next President of the United States? Is he willing that the Filipinos shall determine the foreign and domestic policy of the United States? Is he willing that they shall say by their votes in this Chamber and the other that we shall declare war in order to conquer the island of Formosa, or any of the other islands of the Orient which would be agreeable to them, to enhance their power in these two Chambers? Immediately the Filipinos will be seeking auxiliaries. They would want accession to their power in this and the other House, and they would demand that we should make war from one end of the Orient to the other, that they might sit here, the supreme arbiters of the destinies of the American people. We want no possibility of that sort. While the future may be dark and gloomy, yet shadows come out of the mist and present themselves not only as possibilities but probabilities of this case, and we can not fail to take them into account.

On the other hand, unwilling to take these men as citizens like ourselves enjoying statehood, with power equal to that enjoyed by the American, who occupied and developed this great country, what will you do with them? Is it the understanding of the advocates of this treaty that those people shall occupy the relation to this country of conquered subjects? Are we to send them governors and proconsuls?

I have been told here that I had no faith in the American people. I have faith in them. I believe they will do right, but it does not rest with the American people. It rests with the American Senate; and I want to say, with all respect for my honorable colleagues, that I have not half as much faith in them as I have in the American people. I have seen laws made here which I could not approve, and which the American people condemned. I know that humanity everywhere is tarred with the same stick. Every nation, no matter how great or powerful or honorable, is touched with a common infirmity. We know that the Anglo-Saxons are long enduring, constant, of sustained purpose, of dogged courage and fixed resolution, which make them capable of the greatest achievements in government, but we also know that our history shows that they have been a land-grabbing people from the beginning.

I ask, then, what would you do with these people 9,000 miles away? Why was Warren Hastings, after he had been Governor-General of India, impeached before the House of Lords by the most brilliant array of orators that figured in British history? When Lord Clive, whose genius shed imperishable luster upon British arms, came back loaded with laurels, and, unfortunately, with money also, to enjoy his honors in England, notwithstanding the glamour of the great victory at Plassey, he was investigated by a committee. He said, "Gentlemen, when you accuse me of these things and I consider my opportunities, I am astonished at my own moderation." And other generals will be astonished at their moderation, as Lord Clive was after he had stripped rajahs, begums, and nabobs of their treasures. The world is the same. These tendencies are worse in some people than in others, but at last all share the same weakness. Opportunities sometimes develop that in a man which nobody ever recognized before. The opportunity to do mischief is something I do not care to afford to anybody.

What may be done to the Filipinos is one thing which has not been determined, it seems, in anybody's mind. Yet it does seem, before we fix irrevocably this law, which is to be the supreme law of the land, that somebody ought to formulate a policy. Who is going to do it? I have been told that they are waiting for Congress to adjourn, that the President and his Cabinet may get up a form of government for the Filipinos. That is pretty cool, when we consider the fact that the Constitution devolves that power upon Congress and not upon the Executive; that it is not the business of the President—and I speak with great respect of him personally and for his high office. I say it is none of his business about the form of government. That is a matter which concerns this body and the House of Representatives. It is not only their prerogative, but is a duty which the Constitution imposes, and which they can not shirk or avoid.

It has been considered almost a crime here to oppose the Executive. That is another danger. The subserviency of the Senate to the Executive is one of the dangers of this situation. Let this coordinate branch of the Government maintain its dignity and power, such power as is granted to it by the Constitution.

Some newspapers demanded that we should vote upon this treaty before it had been presented to us by the Committee on Foreign Relations. Those who did not agree to it in form without amendment were denounced as obstructionists before the slightest effort was made at progress, and at last, in their importunate eagerness for us to do something without deliberation, to discharge a momentous duty without due consideration, some part of the press lapsed into a condition of fretful and feverish mendacity which reflected on every man who opposed the treaty unamended, who did not agree to vote for the treaty.

This representation of obstruction was put out daily in the press, and it was said that the debate on the Maritime Canal Company was a part of the scheme of obstruction, when no effort had been made to bring forth the treaty, and when a little inquiry would have shown that this side of the Senate was ready to debate or to vote whenever they were invited to do so.

We can bear calmly these criticisms; they have had no effect, we trust, to the sober judgment of the American people, and if we can not do that, we can do our duty and retire, and let other people come here in our places. We are not necessary to the business and the welfare of the country. There are thousands of men in the United States who can sit in these places and who will conduct the Government successfully. All we have to do is to do our duty as we conceive it.

I do not say that gentlemen on the other side are not so sincere

and not so earnest in their opinion about the rightfulness of their position as I am about mine. Something depends upon environment; and it may be that the "fierce light that beats about the throne" has spread a little of its luster upon people here who in their hearts are opposed to the annexation business or the possessing business or the sale and purchase business, or whatever name with which the future historian may dignify it.

What is going to be the result of this action, if it shall be taken, upon the American people? And they are the ones we are to consider. It is due to us to say that we would not break faith with anybody on earth. Those people who feel that this country would lose something of its prestige if we retired from the advanced step taken in the flush of victory, if the flag were taken down, are totally without justification for their anxiety.

Would this country suffer in the moral esteem of the universe if, after having exacted this much from an overthrown adversary, we should recede from that large demand; if we should say, "We have concluded that we will not take the sovereignty of the Philippines; that we will not be a factor in oriental complications; that we will not be a world power in the sense that we are to interfere and have a say in every discussion as to partition of territory and trade in the East; that we will not conquer and subjugate the Filipinos; but will be moderate; we will be generous; we will be magnanimous in our treatment of these people;" and we will say to Spain, "Here, take the third article back. You have ceded your sovereignty to us; we do not wish sovereignty there. Say now that you will relinquish your sovereignty in the Philippine Islands, and we will say on our part to the Filipinos, who have relied upon us, to some extent at least, 'Take your country and do with it what you will?'"

I do not mean an immediate evacuation, whose horrors have been portrayed upon this floor, but evacuation as the necessity of the case will permit; the withdrawal of American troops from Manila as from the island of Cuba; a protectorate sufficient to maintain public order; a protectorate sufficient for this government in embryo to organize itself formally and perfectly, to set itself in operation, to put its hand upon public affairs, and to begin the administration of them. Then we should retire. Would we suffer in the esteem of Spain? Would we suffer in the esteem and friendship of the Filipinos? Would we suffer in the esteem and respect of Europe generally? No, Mr. President; but the great Republic would immensely add to her reputation for honor, for magnanimity, for generosity, for love of freedom, if we made this concession.

But in the flush of victory we think only of our advantages. This is a time when, in my opinion, we ought to be cool; we ought to be collected. There never was a moment in the history of this Republic that we could more solemnly join that invocation of the "Recessional"—

> Lord God of Hosts, be with us yet,
> Lest we forget, lest we forget.

In the hot flush of triumph protect us from ourselves. Let us not with our own hands stain the immaculate shield of the American arms. Let us not with our own hands degrade the banner of our authority in any land.

Mr. President, leaving out of calculation the taxes that will be exacted from the working people and the producers of this country, leaving out all these things that tend to a larger establishment of Army and Navy, we have to consider this further fact. It may be immaterial to some. It may seem inconsequential to some, but to my mind it is the most serious in all this most serious controversy. What effect will the military occupation of the islands, 9,000 miles away, comprising 10,000,000 people, have upon the American character? This Government is founded upon a presupposition of the ability and capacity of the man, individually speaking, to understand liberty and his rights, and his courage to maintain them. The permanence of our free institutions depends altogether upon whether we can maintain this high type of manhood in this country. I will ask you whether there will not be attacks made upon its foundation when we begin military occupation of the Philippines with this ulterior design?

When we have thrown upon the American people the consideration of a great army, when we have induced them to consider the presence of a great military establishment, then we pave the way for the use of these same soldiers, of this great military talent, in our own land. We put into the hands of a class or a party or a man, when the time may be ripe for such a man, a great force with which our people have become familiarized, which they now dread, which they now fear, and the result will be that the introduction here will be easy of that which is now considered impossible. If any one thing can be done that will change the American type, if there is one single fact which will incapacitate them for self-government—in other words, which will destroy their individuality, destroy their demand for participation in governmental affairs, that will impair their jealousy of military power—that thing should not be done. These things may come to plague us in years to come. They are not impossible, they are not improbable; but, on the contrary, in my humble opinion, there will not be many decades before the policy that is now applied to the Philippines will be brought upon the American citizen himself.

I am not a pessimist; I have a distaste for the doctrine of Schopenhauer; I do not like the philosophy of disenchantment; I am naturally hopeful and sanguine, and am unwilling to play the part of Cassandra in predicting trouble and danger; yet to my mind we are called upon to inaugurate a new policy which neutralizes the Monroe doctrine, disregards the warnings of Washington, materially changes the character of our Government, and leads us into complications and entanglements full of disastrous consequences.

Another thing. We are told that we want peace; that we want to get the volunteers home. We all do. Everybody wants peace. I want the volunteers brought home. They have that right. They did not enlist for garrison duty. They did not enlist for a subjugating war. They enlisted for freedom. The struggle is over, the cause won, the banner flies triumphant, and they have a right to come home and be dismissed from the military service. They are not professionals pursuing a vocation; they are the citizen soldiery, who have other business.

Does any man say we are going to have peace by ratifying this treaty? Yes; we will have peace with Spain, but we will begin war with the Filipinos. We had a war with Spain that lasted three months. I stood right here and predicted on the 28th of March that we were about to engage in a war that would last sixty days, which would be a naval engagement, and that the ships of Spain would be swept from the sea. I am not a prophet, but I believed what I then said, and it has been justified by events. Now I say, standing here, that, in my opinion, if we ratify the treaty with no declaration in it that we disclaim any right to enslave these people, or to hold them in subjection, or use language which does not mean giving them their liberty, we have already embarked in a war that will not release the volunteers, but which will call for fresh volunteers, and thousands of the best American youth will lay their bones upon the plains and in the jungle of Luzon and in other parts of the Philippines.

We treat these people as though they were a homogeneous people, like those of Cuba or Porto Rico, when as a matter of fact there are four hostile races, totally different, speaking different dialects, perfectly dissociated in every respect.

We have claimed sovereignty, and we are to receive sovereignty from Spain over the third largest island in the group, to which Spain herself has no right of sovereignty, for after the war had ended with the treaty of 1876 a protocol was signed, to which Germany and England were signatories, in which the Sooloo, Mohammedan, and Malay acknowledged the suzerainty of Spain, and not sovereignty; and yet, under the terms of the treaty, we acquire sovereignty over them. In other words, we take a people who have been independent, who were at the beginning and at the ending of the war independent, and we make them our subjects without ever having a controversy with them about anything on earth, without any cause or warrant, without any justification for it but the lust for territory. We take into our subjection, under the cession of sovereignty from Spain, a people who acknowledged no sovereignty in Spain and were not her subjects, an independent people, just as the Egyptians are to-day while acknowledging the suzerainty of the Sultan of Turkey. There may be trouble upon that score.

In other words, as we discuss this question it opens up so many ramifications for evil, so many avenues for the mind to explore and to see the possibilities of the war that is yet to begin, that it is impossible to exhaust them in a day or a week or a month of discussion. Then the treasure that must flow, the taxes under which we are already a little bit dissatisfied, for I get letters every day protesting against the further continuance of the war tax, the stamp tax, and other taxes of that sort. We are about to engage in war, and how are we to avoid it if we sign the treaty as written?

I wish to ask Senators, why do you object to putting in the third article the words "that Spain shall relinquish her sovereignty and evacuate the islands?" What objection is there to that? Will Spain object? No. Will the Filipinos object? No. Will Europe object? No. Who objects? The people who want to extend the power of the Republic, as they say; to extend its boundaries, its commerce, at the sacrifice of principle and of plighted faith.

Here is a way out of the difficulty. In my opinion, and I can speak only for myself, with the Vest amendment, which would be adopted just as soon as it reached the Spanish Cortes, for it will certainly be gratifying to them, it will receive every vote in this Chamber in favor of the treaty. There may be some who will not vote for it at all.

Mr. President, there are several resolutions for the consideration of the Senate supposed to bear on the treaty. These resolutions are simply declarations of opinion. That is all they amount to. I am now declaring my opinion, and my vote upon one of these resolutions is not worth more than the declaration I am making to-day. Some of the resolutions are strong and some of

them are weak. I do not characterize them in any spirit of criticism, but simply in their relation to this grave matter. They have no effect upon the decision of the controversy which we are about to engage in with the Filipinos, and that is the matter we are to consider now.

If we pass any of these resolutions, of what avail is it? Does that determine our relations with the Filipinos? Does that induce them to come in and make terms with us? Does that disband the Army? These resolutions are simply the text for discussion in open sessions of the Senate, and they are worth that and little more. As a solemn declaration of the opinion of the Senate they may move some future legislation by their persuasive influence, and not otherwise. If it were a joint resolution, a new Congress could be convened to repeal it in less than six weeks. So we who object to the condition as it has been under the phraseology of the present treaty must declare our opposition to it unless it is modified in the way indicated by the resolution of the Senator from Missouri [Mr. VEST]; and that, I think, would make it acceptable to every man on this side of the Senate, at least.

Mr. President, I do not suppose that any Senator is in any sense determined in his conduct in this or any other great matter except by the convictions of his own mind and that he is prepared to face the consequences. The American people will exercise a revisory judgment over the action that will be taken here. When the bills come in for the war with the Philippines, when one demand after another is made for volunteers, when the sick are brought home to get well and to die, when they perish in that tropical climate, so inimical to Europeans that after three hundred years of occupation the Spanish have only 16,000 residents upon the island, when these misfortunes come upon us, and when we have been stigmatized by the lovers of freedom as being false to the promise made, at least to the hope if not to the ear, when we have suffered in consequence in our own self-respect, then I believe that the American people will pass such judgment upon this action as will deter anything similar in the future.

Every man here holds his conscience in his own keeping; he is responsible for his own act, and I for one will feel recreant to myself, recreant to my high office, recreant to my duty to humanity, recreant to my duty to human liberty everywhere, if I fail to give my negative to a treaty that sold away the liberty of 10,000,000 human beings who, after a struggle of one hundred years, demonstrated through blood and suffering and sacrifice their worthiness for a better fate than is proposed. These men have struggled under every disadvantage. The Malay character has been developed in the ordeal of fire and blood to an excellence not attained by their kindred in any other part of the world. A hundred years through painful steps they have moved along a road which they have macadamized with their bones and cemented with their blood. The noblest aspirations that can fire the human heart have actuated these men, resistance to tyranny. This great Republic has reached its arm across the waste of water and helped these people to their feet, given them the opportunity to organize a government and to run the race for freedom according to their capacity.

Instead of that, Mr. President, shall we be the ministers of injustice, shall we be the deterrent forces to discourage the uprising for freedom elsewhere on the globe? Is the flag no longer to be the beacon that invites the people of an oppressed race everywhere to our shores, or is it to be the "balefire on the rock warning the world that approach is danger and contact is death?"

Are we to be the great exemplars of human liberty, or are we to join the ranks of the monarchs of the world in the lust for territory, the greed for conquest, for aggrandizement, and depart from that simplicity of liberty, of freedom, of the rights of man as set forth in our Declaration of Independence, as guaranteed by our Constitution? The fate of millions of people in the Philippines, of untold millions in America, rests upon the decision of the Senate.

Mr. President, I am admonished that I have occupied more time than I had intended. I had intended to say more upon the different phases of this question, for it is almost inexhaustible, but my friend the Senator from Virginia [Mr. DANIEL] desires the floor, and I therefore yield to him.

Mr. DANIEL. Mr. President——

Mr. HOAR. If the Senator from Virginia will pardon me, it lacks now only ten minutes of the close of the morning hour. In order that the Senator from Virginia may proceed without interruption, I ask unanimous consent that the unfinished business be now laid before the Senate as if it were 2 o'clock, and that it then be informally laid aside until he concludes his remarks.

The PRESIDING OFFICER (Mr. MASON in the chair). The Senator from Massachusetts asks that the unfinished business be now laid before the Senate. Is there objection? The Chair hears none. The Chair lays before the Senate the unfinished business.

The SECRETARY. A bill (S. 1575) to amend an act entitled "An act to regulate commerce."

Mr. HOAR. I ask consent that it be informally laid aside and that the Senator from Virginia be permitted to proceed.

The PRESIDING OFFICER. The Senator from Massachusetts asks unanimous consent that the unfinished business be informally laid aside. Is there objection? The Chair hears none. The Senator from Virginia will proceed.

Mr. DANIEL. Mr. President, it is the first step that costs. To-day we are the United States of America. To-morrow, if a treaty now pending in the Senate is ratified, we will be the United States of America and Asia. Our name, like a hoop upon a barrel, marks the boundary of our national projection and ambition. It is proposed to embody into the American commonwealth as an integral part thereof a large and miscellaneous assortment of Asiatic islands, estimated in number at from 1,200 to 2,000, and to make citizens of the United States, with all the rights of citizenship which attach to the inhabitants of an American Territory, a large and miscellaneous and diversified assortment of people.

We are told by a number of Senators who have addressed us that of these islands and of this people we know but little. Our ignorance of them is a self-evident fact. The documents of our Government, in which have been collected such information as encyclopedias and books of travel would furnish, commence their imperfect account by telling us that both as to the islands and as to the people who inhabit them little that is accurate can be ascertained. We are invoked to do the gravest the most serious, and solemn act that can ever be done in the movement of mankind, an act in its nature implying permanence. It is to establish and to assert the sovereignty of the American people over these islands and over this people. For my part, Mr. President, I deem it inexpedient, unwise, and unjust that we should do so.

We are just emerging from a war of humanity, of liberty, and of national honor. In the beginning of that war, and in calling upon volunteers to follow our flag, both the Congress of the United States and the President of the United States declared our national purpose. Congress disclaimed in the joint resolution which led to war any intention of conquest. The President declared that forcible annexation was criminal aggression.

The war has been a glorious success. Our Navy has startled the world by the brilliancy of its achievements. Our Army has added new laurels to the chaplet of its veteran glories. Our people have been united as no people ever were united in supporting a National Administration.

Victory came on eagle's wings to our standard, and on the 1st day of January of the present year the last of the empire of Charles V vanished from the American continent and the dream of Spain for universal empire turned to dust and ashes.

In war, Mr. President, it is the unexpected that happens. So in every great and new adventure of peace. We are asked now to sally forth 7,000 miles from our native seat to grasp, against their will, a million of unwilling people—to seize upon them, to take them by force of arms and deposit them, land and people, within the lines of the Constitution under the American flag, to make them an integral part of this American Republic.

I do not believe that the great body of the American people understand the significance of this treaty. I do not believe, at least if I may judge from their utterances, that many Senators who are saying, "Vote for the treaty now and fix your policy to-morrow," understand what that treaty does irretrievably. That treaty fixes our policy. The rest of our policy is a mere matter of clerkly detail. The treaty is the thoroughfare, and through and over that thoroughfare a million of Filipinos march into the open doorway of the American Republic. More than that, 70,000,000 Americans march into the Philippine Islands as the Filipinos march here.

It is a marriage of nations. This twain become one flesh. They become bone of our bone and flesh of our flesh. Henceforth and forever, according to the terminology of this treaty, the Filipinos and Americans are one. I trust yet, Mr. President, that before this marriage is consummated the spirit of American constitutional liberty will arise and forbid the bans.

Mr. President, there is one characteristic of the speeches which have been delivered on this subject by those who favor the treaty and of the essays and editorials which doubtless has not escaped your observation. The issue joined in the debate has been too much joined upon a mere question of power. Who has told us what we are going to the Philippine Islands for? Who has told us what moral or legal compulsion we are under to go there?

Who has said what we are going to add to the general welfare, to the national defense, to the establishment of justice, or to the insurance of domestic tranquillity, or how or in what way we will attain by going there any of the great ends for which our Government was founded and our Constitution ordained? Upon these subjects there has been a general if not an absolute silence.

I shall speak, Mr. President, on this question solely from the standpoint of an American, a republican American, if you please, believing in republican doctrines and in republican institutions; a democratic American, if you please, believing in the right of this people and the right of all people to govern themselves. No obligation to any other nation, nay, no obligation to the Filipinos, however fanciful or however solid, should for a single instant disturb us from standing firmly and fixedly on this standpoint.

It is the American people who have got the first mortgage upon

our diligent attention and loyalty to their interests, to their Constitution, to their principles; it is the American people who have got the preferred in anything that we may do or project concerning our national polity. We may have some obligations to others. They are secondary. But we have none which is not perfectly consistent with such amendment to this treaty as will preserve our national character and consummate perfectly the purposes for which the war was begun.

It is said that we can not leave the Filipinos in the hands of Spain. I agree to that. Our obligation is one of equity and is one of honor. But why leave the Filipinos in the hands of Spain? What have we to do with them and what is their relation to us that we should sally forth knightlike, with lance in hand, to do anything for or about them? It is a fact that the Filipinos helped us in our war with Spain. They became our comrades in the line of battle. The blood of the brown people of the Philippine Archipelago and the blood of the paleface from the great Northern Republic flowed in a common stream to cast off the odious and intolerable yoke of Spain.

The obligation that we owe to the Filipinos is the obligation of comradeship. It is the obligation of fraternity. It is not pecuniary; it is honorary. It comes under that class of obligations which has as its touchstone and its watchword noblesse oblige. Having accepted comradeship—call it ally, coadjutor, cooperator, or what not—having accepted the fact of friendship and clasped hands on the perilous edge of battle, we can not renounce the hand that we there clasped and treat the man or the men who gave us those hands otherwise than as friends. That is noblesse oblige.

What is it, Mr. President, if you strike the gun out of the hand in which you put the gun and aim the gun at the breast which touched elbow with your elbow when you went down to battle? What is that? I name it not, but it is not noblesse oblige. We can not leave the Filipinos in the hands of Spain. No, no, no. Americans can not so treat those who were their comrades.

What next? Recognize their independence as a nation? I say, "No." They have not yet made themselves an independent nation. We do not know whether they can or whether they will make themselves such a nation as can assume international obligations and maintain themselves in the great family of states. Recognize them and come away from the islands? No; we can not now come away from the islands. We need only look skyward to see that the birds of prey are circling around the Philippine Islands. We can neither leave them in the hands of Spain nor leave them to become the prey of the first vulture that sweeps upon them.

What next? The face of the treaty tells us how to treat them. Exactly as we have treated Cuba. We are now in military occupation of the Philippine Islands. Let us stay in military occupation of the Philippine Islands until such time as we know more about them than we do, until we have assisted them with our kind offices and with our national prestige and with our force of arms into such destiny as may fitly and justly await them, into such destiny as they have projected for themselves.

What is the difference between doing that, Mr. President, and ratifying this treaty? It is the difference between planting an empire there and maintaining the temporary ascendency of American power there.

The one thing, such as we have proposed and are doing in Cuba, is essentially transitory; it is ambulatory; it admits of a moment's change. The President of the United States, as the Commander in Chief of our armies, can withdraw in honor, in propriety, in justice the troops from Cuba whenever good sense and sound policy dictate. Why not leave him to do the same thing as to the Philippine Islands? With far more reason may we do that as to the Philippine Islands than with respect to Cuba.

Cuba is a natural part of the American continent. It has been, ever since we ourselves have been a nation, within the range and under the sphere of influence of the American Republic. As the Hon. Thomas Francis Bayard said when he was Secretary of State in the first Administration of Mr. Cleveland, we have established a protectorate over the Western World. It has always been and it is to-day under the wing of the people of the United States out of the necessity of our geographical situation. The Philippine Islands have never been and naturally can never so be. Why not, then, leave them in that situation in which we may determine our policy at leisure, studiously, sedately, with full comprehension of all those facts and conditions of which we now claim to know and of which we do know so little?

Mr. President, before we launch forth upon this great adventure I beg to call attention to the fact that as we stand to-day we are not only the most favored nation of the world, but occupy a position more favored by Providence than any nation that ever did exist in the history of the world since time began. Our situation is absolutely ideal; it is a natural fortification. Our coast is washed east and west by the everlasting seas, which have put up an impenetrable barrier against the aggression of any other nation. As Abraham Lincoln said in one of his speeches, we are so situated that all the armies of the universe, with Napoleon Bonaparte as their general, could never manage to take a drink of water out of the Ohio River.

We are in a natural and impregnable fortress which the God of nature has put around us. North of us are our own kin, a people who in their situation, so far from menacing us, constitute a bond to keep the peace unto themselves, and also make an additional bond to keep the peace with the great mother of nations from which they and we ourselves sprung. South of us are the Central and South American Republics. Of all of them we were the prototype and exemplar. They are the intellectual and moral children of the American brain; they are all friendly to us; they can not be otherwise.

Mr. President, we are about to build the Nicaragua Canal. I did not vote for the particular measure, not because I did not want the canal, for I believe in it, but in one way or another that canal is about to be built. It will chain together the armor of our national defense. After that canal shall have been built, we will not be like Achilles, we will be impregnable from the crown of our head to the sole of our feet, including the heel.

Every annexation we have ever made to the American commonwealth has been an annexation in contemplation of our Constitution and in symmetrical outline with the projections of nature—rivers, mountains, and seas, which are the great lawgivers to peoples.

They tell us that Jefferson was a great annexationist. So he was; but, expansionist as he was, he drew the line on expansion. He interpreted the oracles of nature, if indeed they needed interpretation, for their language is not oracular in the olden oracular sense. Cuba we want, he said, for it is an outpost of the Gulf of Mexico and the Caribbean Sea, but we want no annexation that will require a navy to defend it.

If we look introspectively, Mr. President, we find that this nation, having now established its ascendency on the wings of the republic in the Sandwich Islands and in Cuba and in Porto Rico, is a perfect, symmetrical body, becoming homogeneous in all its parts, dedicated to the principles of human liberty, which goes forth like a bridegroom from his chamber, rejoicing as a strong man to run a race. Annex the Philippine Islands to this country, and what is it then? Something beyond the boundaries indicated in its Constitution, something beyond any ideal that ever entered the dreams of our fathers, something that is cumbrous and unnatural, something that is heterogeneous and surprising, something that is amphibious, something that is half man and half fish, something that never would have been born in the natural course of human projection, something that is the haphazard chance of war, which we are asked to change into a permanent establishment.

Mr. President, when we contemplate the one hundred and twenty-five years of the history of the American Republic and the anterior years in which it was forming in these forests of America, we discern that there has been but one impediment to our national harmony and to our national growth. For that impediment the generation that founded this Republic and its successors were not responsible. They were the unwilling heirs of unwilling and protesting ancestors. The Dutch ship that landed at Jamestown bringing here another race brought also Pandora's box. The interjection of a race nonassimilable with the American people has been the fly in the ointment of American institutions, of American peace, of American history.

That interjection came from war and came from distant colonial establishments. The untutored black man in his native haunts was seized upon by war, was torn from the habitat for which nature had intended him, was put on board an alien ship by an alien people, and was brought here and sold. There is no tragedy in human history, Mr. President, so pitiable, and none, if it be justly contemplated, that is so instructive. There lies across the border of yonder stream an old Commonwealth upon which that tragedy inflicted its most terrific curse.

Twenty-seven times did the people of that Commonwealth protest through their legislative assemblies against the intrusion of this foreign and this alien mixture into their Commonwealth; but trade, the commercial spirit overriding the great liberty-loving principles of the British race, foisted them upon us with bayonets. The rest of the story I need not tell; but that one ingredient in the American commonwealth turned brother against brother, sowed the seeds of discord into that which otherwise would have been a perfect Union. Without that we were a homogeneous people.

Go into Maine or Louisiana; go into Tennessee or Massachusetts; go into Virginia or Ohio or Illinois, and the American people are like unto themselves, with the same ideas of government, with the same devoted and undying love of liberty, with the same sense of justice and of equity and of honor. This one thing poured "the sweet milk of concord into hell."

We are happily beginning, Mr. President, to adjust ourselves to the conditions and complications and infinite troubles that this one ancient crime brought down upon us. We are happily at peace with ourselves to-day throughout all this American nation,

and I thank God I have lived to see this day. It matters not on which side a man fought in the civil war; he is devoted to-day to the flag of his country and to everything that that flag stands for. He honors and esteems the President of the United States not only with the naked loyalty that belongs to the dignity of his great office, but with that grateful esteem and with that open and honest admiration for great wisdom and public virtue and broad and enlightened patriotism and for sweet and gracious and friendly ways.

Now, Mr. President, at this moment, perfect in every defense, at peace with all the nations of the world, blessed with everything, and with more than everything, that any other nation was ever blessed with, we are challenged to go forth upon a great expedition, 7,000 miles away from our home, to lay the heavy hand of our sovereign power upon 8,000,000 people and introduce again into the American commonwealth the fatal and insidious element which came near being the cause of its destruction.

Mr. President, there is one thing that neither time nor education can change. You may change the leopard's spots, but you will never change the different qualities of the races which God has created in order that they may fulfill separate and distinct missions in the cultivation and civilization of the world. The Indian of one hundred and twenty-five years ago is the Indian of to-day—ameliorated, to a certain extent civilized, and yet the wisdom of our forefathers, when, in the Constitution, they set them apart as one people, separate and distinct from the great dominant race which had come to take this land and to inhabit it, is indicated in what we are still doing and must forever do with them so long as they maintain their tribal relations and so long as they are Indians. Racial differences, differences of religion, differences in mode of thought, differences in psychology, the subtle analyses of man have put them asunder.

Mr. President, apart from that, there are many objections to the treaty as it stands. It is objectionable from a military and strategic standpoint. It destroys the solidarity of this nation. It throws out an American salient far beyond any line of our natural or projected development. That salient will be the first point of attack in any plan of battle against this nation. We can no longer hug our native shores and bid the world defiance; we have flung our glove far down into the arena of the nations, and the first day that war is declared between this American Republic and any other great nation of the world the prow of the battle ship, with its mighty guns, will be turned toward the Philippine Islands.

What then? Anticipating that if we take the Philippines to-day we must commence to fortify them to-morrow. There are from 1,200 to 2,000 of those islands. The fortification of one island may not defend another. Siege guns have got to be put upon every harbor and around their cities, at an expense of millions upon millions of dollars. A separate navy has got to watch them and be ready to defend them.

Naturally enough, Mr. President, "birds of a feather flock together." The Philippine treaty and a great standing army walk into the halls of Congress hand in hand, one behind and close upon the heels of the other. In a military and strategic point of view no nation ever challenged fate by so unwise and unnecessary a step as to fling out an American salient upon the Asiatic coast and say, "Here is the place where we are willing to establish our sovereignty, and, if need be, to defend it against the world in arms." It means militarism to follow—its essential corollary, its necessary and its inevitable consequence.

The men who favor the standing army to-day have read in the lines of that treaty the bugle call "To arms! To arms!" They have seen with that treaty you can no more rely permanently and fixedly upon the American volunteer, the pride of the nation, the citizen soldier, ever ready to take his gun and go down to the shore to defend his native land; that you must have, if you are going there to maintain your sovereignty, a regular army; you must introduce the regular soldier into American life, and when he comes he will come with all the necessary consequences.

The American who has heretofore visited Europe has come back making a contrast between European nations and his own country which was infinitely reassuring and delightful. In no public place in Europe are you ever out of sight of a regular soldier. You will see the redcoat on every court green in Britain, at every theater, at every shop, on every highway—the man with a gun, ever ready to fight; the soldier of the nation whose gates in the temple of Janus are never closed, the nation which makes its living by war.

If you go to France, you see, with all her power of recovery after the invasion of Germany, she there has the regular soldier on the workman's bench, and the swish of the horsehair plume will be heard with the rustle of every dress. The French grenadier is a social and familiar picture in every domestic scene of life. We are apt to picture the great scenic phases of a nation, to point to their triumphs for their national character. The American would point to Manila Bay, or to Gettysburg Heights, or to Malvern Hill, or to Marye's Hill, or to some other place where American armies marched to death without flinching, and say, "Behold! there is what the American is!"

The greatest triumph, Mr. President, of the American nation was a silent and inconspicuous triumph. It was a triumph that was not heralded with the blast of the bugle nor decorated with the ornamental flag. It was the triumph of the American people when they laid down their arms in 1866 and dispersed, each man quietly to his workshop and to his fireside. North and South participated in that triumph.

Even men as wise as Grant and Sherman had said that when you disperse these Southern armies they will break up into bands; one band will infest a mountain fastness, another band will roam the plains, another band will go to the prairies, and for years after the civil war you will have rumors of strife and disagreeable incidents, and you will have to keep a standing army to meet with those incidental troubles that come in the aftermath of battle. There was no such trouble. The people of our race when they fight mean war, and when they surrender they surrender as flatly and as decisively and as utterly as any people who mean what they say and who believe that it is the truth which makes men free and not falsehood and not trifling with great concerns.

So the American people shook hands upon the battlefield, which both sides had illustrated with its splendid prowess and with its noble sacrifice. As General Grant fitly says in his Memoirs, "They shook hands as old friends who had been long parted, neither showing resentment." Why should they have shown resentment? War is not personal; it is a matter of principle; it is a matter of duty. There is no reason why the man who does the right as he sees the right may not look the world in the eye and grasp the honest hand of another man, however much he may have differed with him.

Now, Mr. President, I want to see that triumph repeated here. The war is done, in all its projected ideals and with all its natural and just consequences. Spain has vanished from the American continent. Cuba has been set free. It was a proud day for the American citizen; it was a day which made our hearts thrill with exceeding pride and joy when the American flag shot forth into the sky over the dungeon walls of Morro Castle, and the stars heard the message that a people had come who founded their domain not upon the sword, but upon human rights.

This is the only great Government in the world that laid a corner stone before it put up the foundation of the building. Other nations have been formed from the various circumstances which made men connect together for their mutual defense and interest and safety. They have grown through the long processes of time from various motives and incidents, but our birth was signalized by a peculiar thing, and that germ which we planted in the beginning of our institutions has grown and waxed and is to-day strong and mighty.

We founded a government upon the recognition of human rights—that is our distinction—the right of men to be free, the right of men to govern themselves; and no man in this Government to-day but feels that he has an immediate, an intimate, a close and undying tie between the highest of its officers, between the most solemn of its constitutions, between its judges, its legislators, and himself. It is his legislature; it is his Senate; it is his House of Representatives; it is his Constitution; it is his Declaration of Independence; it is his country, and he has his rights in that country, and that country gets back in return his allegiance and his love.

Mr. President, let us ask ourselves why we should annex the Philippine Islands. I spoke of the debt of equity and honor which we owed the Filipinos. It was a debt of friendship. Is the annexation of them against their will friendship? La Fontaine has a fable of which I am reminded by the proposition. There was a master once, he says, who had a favorite dog, and the dog was accustomed to bring the master his dinner in a basket. One day upon the street with the basket in his mouth going to his master's workshop he was beset by hungry curs. The basket was knocked out of his mouth and the victuals were spilled upon the ground, whereupon the dog, before he addressed himself to the hungry curs who were after him, commenced to gulp down the dinner. Just then the master appeared upon the scene and reproached the dog. He gave a most excellent excuse. "Why, my dear master," he says, "I was taking the dinner faithfully to you when these hungry curs jumped upon me, and as the dinner was spilled, I knew you would rather have your faithful dog to consume it than to fill up the mouths of these hungry curs."

Having been once friendly to the Filipinos, and seeing that, according to the way the world wags, some vulture is after them, we have concluded that since they have to be eaten up, they would rather have their good old American friend undertake the benevolent assimilation than to have any other persons undertake it. Mr. President, that was an exceedingly smart and philosophical dog. For dog logic I do not think he has ever been excelled; but

upon my word, sir, I do not feel that, as smart as he was, I can yet agree to put him up instead of the American eagle, and accept the moral of his tale in place of the teachings of Thomas Jefferson and Daniel Webster and Abraham Lincoln, and all the great men who have guided the American people in their hours of emergency.

What do we want to go to the Philippines for, and what are we after, and where will we be any better or stronger or nobler or richer after we have gone? What is the temptation to us? Having told one fable, I find myself tempted to tell another. In the old times when there was transmigration of souls between the different types of animated nature, it is said that a cat found herself suddenly transformed into a beautiful lady. Nothing could have exceeded the charms of her person and nothing the propriety of her behavior. But one day, as she sat the picture of demure and enchanted beauty, a mouse chanced to run across the floor. She did not shriek, as perhaps some of her prototypes would have done, but she instantly jumped upon and devoured the mouse. The feline instinct was still there.

The American Republic set itself upon a different plan from the anterior nations. It said that all men are equal. There was the one word set like a diamond in the Declaration of Independence. It said, furthermore, all just governments derive their powers from the consent of the governed. It made a Constitution in which it put up bars of defense for the rights of man and for the rights of the community. It robed itself in the robes of liberty. It set the Goddess of Liberty over its Capitol. Nothing could exceed the beauty of its nobility or the wisdom of its design, and everything has gone well with us until this Philippine mouse has happened to run across the floor, and the old native instinct of taking something has broken loose in us again.

I think I heard a Senator say one day that all of our ancestors were pirates. I take no issue with him. The great prepotent family that has molded American institutions and has hewed out this massive and eternal stone of human liberty were descendants of the great northern races that put freedom in Great Britain, as far as it went, but it once rode the northern seas under the raven flag. But when they got here in this beautiful land, when they felt the pinch of ancient and distant tyranny controlling their affairs, they turned over a new leaf and adopted a set of good resolutions, and Providence aided them in the fulfillment of them as it had blessed no other people since time began.

But there is a chance to take somebody, there is a chance to get some more land, there is a chance to expand in mere material and numerical strength, to seem to be mightier, and the old instinct has jumped up again and the old appetite has broken out again, and a short-sighted policy is attempted to be placed upon us to override all that we have hitherto accomplished.

Mr. President, we are already beginning to get the Asiatic flavor in our American utterances. The people talk of destiny after the manner of the Orient, after the way of those who bow themselves to fate. We have also got a little of Spanish accent and vogue into our American manners. When we say settle this question now in your treaty, it is mañana, mañana; to-morrow, to-morrow.

More than this, I do not think any nation of the earth or the monarchical essays and pessimists of the world have ever run down the Declaration of Independence or the Constitution of the United States as much as I have heard it run down, belittled, and minified in the last few weeks under the influence of this debate. It seems now that it was not much of a Declaration after all. It seems now that it was not much of a Constitution after all. It seems now that there is no provision of it and no sentiment in it and no principle of it that can not be cheesepared away and can not have some nice sharp quillet of the law in a diplomatic way to let it down easily and dismiss it from our further consideration.

I never expected, Mr. President, to be called on to defend the Declaration of Independence in this Hall. I never expected to hear its phrases used as if they were airy nothings, rhetorical flourishes, empty vaporings of a revolutionary assemblage. I think that Abraham Lincoln has correctly expounded the Declaration of Independence, and I think in the great debate which he held with Judge Douglas when they were candidates for the Senate from Illinois that he met every phase of the argument which has here been adduced against it.

I think he defined it and interpreted it just as its immortal author meant it—Thomas Jefferson, the pioneer, the founder, the enunciator of a principle which has done more to mold American institutions, to swing them back into the right groove when they got wrong, than any other. He did not mean that men were equal in all respects, neither in stature nor in intellect, nor in moral character, nor in possession. What he meant was that they were equally entitled to liberty. When he spoke of all governments deriving their just powers from the consent of the governed, he meant that the government of a people must derive its just powers from the consent of the people over whom the government was stretched and to which it applied.

It is literally true that it means the consent of some of the governed, not all. But according o republican and democratic institutions, a majority have a right to express the views of the community, and the consent of all is expressed in the sense of a majority of that government of whom they are the people. It does not imply that because a man is free he may necessarily vote. Our Constitution has dealt with that question. It has left it to the States, and in the nature of things the States must determine who shall vote.

The woman is as free as the man, but she does not vote. The boy 20 years of age is as free and may be wiser and stronger and better than the boy of 23, but one votes and the other does not. In the nature of things the sovereign body of the whole people, who are the majority acting for the entire commonwealth, must determine the degrees of ability—mental, moral, and physical—which are worthy of the deposit of that portion of the political power.

But whether or not the power to vote is possessed or dispossessed by reason of mental or moral weakness or sex or age or condition, all the citizens of a commonwealth that is free are themselves free, and all of them are equal in the enjoyment of their lives. Each of them has the same defense; all the liberty. Each of them has the same protection and in the pursuit of happiness under just and equal laws, which is the possession of each and every one. That is what the Declaration of Independence means. That is the manner in which every State in this Union has interpreted it. That is the way in which it is accepted in Territory and State alike.

But it is said, Mr. President, that with respect to Porto Rico we have one idea and with respect to the Philippine Islands another. Gentlemen who are opposed to the propositions which I am maintaining say that you went to Porto Rico by force of arms. You dispossessed the sovereignty of Spain. You accepted sovereignty from Spain. You have established yourselves upon that island without asking the consent of the governed and without any regard to your Declaration of Independence.

I make two answers to their proposition. In the first place, I say that naturally the two places are different. Porto Rico is an outpost of the American commonwealth. It is under the jurisdiction of our Monroe law, which is as much a law as if it were in our written Constitution. It is essential to our defense and self-defense. The first law of nature is the inherent attribute of a free State as much as of any other.

Furthermore, I say that the people of Porto Rico have made no objection to our sovereignty. They have not established another government, as the Filipinos have done. They have not raised another revolution, as the Filipinos have done. They have not asked us not to annex them, as the Filipinos have done. While the matter does not rest in the evidence of documents, yet according to our general and public information they welcomed the American flag. They accepted us with outstretched arms. But be that as it may, all rules have some exceptions. Political truths, however clear, however pure, however well defined, can not move with the accuracy of a mathematical equation nor with the symmetry of the starry motions above. Mr. Lincoln answered this objection, made in another case, to the Declaration of Independence:

> It may be argued that there are certain conditions that make necessities and impose them upon us, and to the extent that a necessity is imposed upon a man he must submit to it. I think that was the condition in which we found ourselves when we established this Government. We had slaves amongst us. We could not get our Constitution unless we permitted them to remain in slavery. We could not secure the good we did secure if we grasped for more; and having of necessity submitted to that much, it does not destroy the principle that is the charter of our liberties. Let that charter stand as our standard.

So I say with respect to Porto Rico. While the logic may not be justified by the facts, assume that it was the fact that the Porto Ricans did not want us. It is a necessity of the American Republic. We can not help ourselves. The God of nature, who put that island upon our shore, made it a natural outpost of our own defense.

A captain of artillery that carries his battery over a field or demolishes a house in order to get at the enemy does not destroy the private property that he occupies for the emergency in contempt of any of the rights of man. He does it not because he wants to, not that it may not wound his feelings, not that it may not be against his natural instincts and principle, but because the necessity of defense is upon him, and he must.

Mr. President, it is often in the path of the most noble and gracious nations, those of the highest conception, that they must sometimes break their models. They can not help it. They live in a world of trouble. They are surrounded by the difficult circumstances and situations and complexions of war, pestilence, famine, and invasion. They must do not the best that is conceivable, not the best that some dreamer in his closet might bring up to himself in some sweet imagination, but the best that that case and those conditions admit of.

This we have done with respect to Porto Rico. We can not let another nation take her. That is as old as the Monroe doctrine. We were obliged to drive the Spanish out of her in order to consummate a righteous war. In the nature of things, the sovereignty was devolved upon us by the law of nature and of nations.

But how is it as to the Filipinos? Is there any necessity there? Is there any necessity for our taking the Philippine Islands? It is a necessity which no man has mentioned. If there is any sound policy and wise judgment in establishing our sovereignty there in contradistinction to our temporary occupancy, no man has disclosed that policy or made known his confidential views.

Aye, Mr. President, through many of the speeches of those who say "Ratify the treaty" there runs a sense of distrust of what they are doing; there runs a sense of preference for what we propose to do. They say, "Ratify the treaty now; come and we will talk about policy to-morrow."

The policy is wrapped up in the treaty. The policy is determined by the treaty. The policy that will follow is a mere minor detail. If you have military occupancy there, as you have in Cuba, you may fold your tents like the Arab and quietly steal away, or sail away, or march away, or get away any night or morning that you please.

It is not a question of hauling down the flag. The flag now is a mere casual visitor there. It is no more fixed there than it is fixed in Pennsylvania avenue when it sweeps down at the head of a regiment. It merely waves there over a ship and where it is carried by an American soldier. But once fix sovereignty there and its roots go down to the center of the earth like a fee-simple deed, and its stars go upward until they mingle with those in space. It is sovereignty, the most permanent act of human life, the most fixed and immovable thing that ever nation did or could do.

And what excuse is there for it? I wish to quote with accuracy some of the gentlemen who have so earnestly advocated this treaty. We are told that we are bound up in certain alternatives; that this is the least injurious alternative; not that they want it; they deprecate it; but they submit to it, so to speak, against their judgment and against their will as a thing per se, and hope to-morrow we will rectify any trouble or any wrong or any mischief which we may make.

Peace, it is said, is in this treaty; peace—a pleasing name to conjure with. "Blessed are the peacemakers." Are our friends upon the other side sure that this treaty means peace? Are they sure that the spoken word will be substantiated by subsequent facts? Undoubtedly it means peace with Spain. There is nothing else in the future but peace with Spain. There is no contingency that can revive war with Spain. There is nothing that we would do with this treaty that can affect Spain.

Ah, but amend it, they say, and you delay. We are acting for all time, Mr. President. We are acting for immortality, not for a few days or a few weeks or a few months. Aye, would a few years be a long vestibule to that infinite stretch of time that goes with sovereignty?

But this treaty is easily amended. You have only to substitute in respect to the Philippine Islands what you have done as to Cuba, and it is done. If there are votes here to do that, it can be done next Monday. Do you think Spain will not consent? Why do you think so? There is nothing in the nature of things from which any man can fancy that Spain would not readily assent. She has done so in one case with respect to Cuba, and she did it there simply because we asked it. Aye, Mr. President, she did it in Cuba against her wishes. She wanted us to annex Cuba on account of her Spanish citizens there, for she thought that the Spaniards there and the Spanish soldiers there and the Spanish property there would all be safer and better under the permanent sovereignty of the United States than in the chance medley of military occupation with Cuban independence hovering over it. But against the wishes of Spain we said, "No; we prefer only a military occupation here."

Now, Mr. President, if Spain assented to our wishes in that regard, why not us to the other? If she assented to our wishes with respect to a state lying upon our shores, with which we have a natural affinity, a manifest and inevitable destiny of close communion, why would she not also have assented to our suggestion with respect to the Philippine Islands?

But suppose she does not like it. We did not go into this war for the pleasure and satisfaction of Spain. We went into it much against her liking, and we should not cease this war until we have registered our will, and not the Spanish will, upon the subject-matters with which we have to deal. She could have no sensible, reasonable, justifiable, or even plausible objection.

Some gentlemen have said that there is the same thing in the relinquishment of sovereignty and in the cession of territory. Mr. President, there is as much difference between them as there is between a hawk and a handsaw. The cession of sovereignty is a contract and a grant between two parties. The ceding sovereign is the grantor; the grantee sovereign accepts it, and there is a mutual and interchangeable obligation and fixity of relation between them. A relinquishment is a one-sided affair, that is to say, with respect to the obligations it creates, not with respect to the obligations which it exerts and fulfills.

It is mere letting go upon the one side without the undertaking of any peculiar relation or obligation upon the other except what it sees fit to undertake, and that this was perfectly understood is illustrated in the note of our American commissioners at Paris, who, addressing the Spanish commissioners, set forth to them that perfect understanding of the difference between relinquishment and a cession, with a quotation of learned authorities finding the distinctions between them. But, Mr. President, the most ordinary mind can comprehend them.

If Spain relinquishes her authority to us it leaves us free-handed and unbound to do as we please with respect to the Philippine Islands. It does not bind us and obligate us to her to put our sovereignty there to stay. It leaves our generals and our troops there; it leaves the President of the United States here, and, as in other cases of annexation, in Florida, in Mexico, and in numerous instances which are familiar in all the writings of our international and constitutional writers, a relinquishment would leave us as master of the situation, with no one to dictate to us, with no one to be bound to, but with America to work out her own will according to the pleasure of the Senate and of the House of Representatives hereafter.

Now, Mr. President, I think that some of our learned friends upon the other side have misconceived and have misstated this case. I think the journals of the country have misconceived and have misstated it. I will read a paragraph from a very intelligent editorial in the Hartford Courant, where it sums up this case to its readers:

There are some things—

Says this writer—

There are some things the ratification of the treaty will not do. It will not make the Philippines a part of the United States. It will not extend the Constitution of the United States over those islands. It will not make the Filipinos American citizens and electors. It will give them no opportunity which they did not enjoy just as fully this time last year to compete with American workingmen in the labor market, nor will it let in their products free of duty to compete with American products. The ratification of the treaty will leave them outside the Constitution, outside the tariff, outside the immigration laws. It will not enable them to scramble over or crawl under. We may add, for the more effectual reassurement of some excessively alarmed orators, that it will not in the least affect the difference between the Philippine climate and the American climate, nor shorten by a single marine league the distance from Manila to New York.

It will not, Mr. President; I admit that, and that is one reason why I am opposed to the treaty. The climate is one which Americans can never colonize. We speak of establishing a Philippine colony. We will do more in the Philippines than Great Britain in more than a hundred years has been able to do in India. There is no British colony there except in the most paltry and insignificant sense of the word. Not 3 per cent yet are British people. You can not establish any American colony in the Philippine Islands. The colony would perish.

You can not carry the American people to the Philippine Islands. The people who live there can not have the qualities, physical, moral, or intellectual, that Americans possess. It is not a colony that we propose to establish; it is a dependency, a perpetual dependency, an eternal serfdom, a species of national and international slavery modeled after the Russian pattern, in which the slave goes with the land.

Mr. President, this writer is mistaken in every one of his legal propositions, according to the Constitution of the United States, to the opinion of our jurists and publicists that have written thereon, to the decisions of the United States Supreme Court that have adjudicated thereon, to the natural and inborn principles of American liberty which we all possess.

The Philippine Islands will become a part of the United States the moment that the treaty is ratified. The Constitution of the United States will extend over them the moment that it is ratified. It will make the Filipinos American citizens, though not electors—I admit the electoral proposition—as soon as it is ratified. It will give them an opportunity immediate, instant, that they did not enjoy this time last year or any year before, to compete with American workingmen in the labor market. It will let in their products free of duty to compete with American products just as soon as Congress has performed its constitutional mandate and its sworn duty to extend the actual application of the laws to them.

The ratification of the treaty will not leave them outside of the Constitution. It will enable them to scramble over or crawl under or get in, any way that they please to come in. It will nullify our immigration laws against alien labor. It will nullify our immigration laws against all the races of the East who are at present prohibited from coming here. It will put the goods and manufactures and products of the Philippine Islands and all of its workmen into competition with those of the American workmen.

Now, Mr. President, why do I say this? It is because the American Constitution is a free Constitution. It is because it has constantly been getting freer and freer. It is because our decisions have fully interpreted and because our statutes have enacted legislation in behalf of all who may come in our jurisdiction. It stands at the gate waiting and ready to present them with these rights and privileges as soon as the treaty puts them in. It will not require a special act of Congress, because Congress has enacted by anticipation for all who come within our jurisdiction.

I will read three sections, page 347, of the Revised Statutes of the United States, sections 1977, 1978, and 1979. But before I read them I wish to make one observation.

Suppose that the ratification of this treaty did leave the Philippine Islanders in this degraded and extra-constitutional condition. Suppose it left them with no rights that an American Senator was bound to respect and applied to them in the most contemptuous manner that sentence which the Senator from Connecticut [Mr. PLATT] told us the other day was such a scar upon American jurisprudence; do we want any such people in the American commonwealth? There was no sentence which was uttered about our civil war which probed down deeper into the nature of things or more illuminated our then unhappy condition than the sentence which Abraham Lincoln uttered in his New York speech, when he said that this Republic could not remain half free and half slave.

Mr. President, this Republic can not remain, nor by my will can it be created, half free and half dependent. In the nature of things, the Philippine Islands will never be fitted to become American States. Their race forbids it; their climate forbids it; their conditions in all respects forbid it. Therefore, if the gentlemen who deny them constitutional rights can have their way, it is for the creation of a perpetual dependency, of an absolute despotism annexed to a Republic, that they are seeking.

I know not in what attitude the presentation of the Philippine argument is most repulsive. I know not which form of presentation of it is more obnoxious to our people and our institutions. If they are unfitted for liberty and you propose to deny to them the right to a free constitution and to be a free people, you have to raise in your midst a lot of Egyptian taskmasters and satraps, proconsuls, governors-general, intendentes; and you march forth with this treaty not only to take the Spanish shoe as the master of the Philippine Islands, but to adopt the Spanish policy for their government.

I know, Mr. President, from the superior character and experience of the American people, that they are a humane people. I know that they are noble and high-minded, and that in no situation on the earth will they ever become so cruel, so corrupt, or so disregardful of the rights of man as their Spanish prototypes. But I know this also: That they turn their faces the downward way.

I know also, Mr. President, if the history of the world has left any lessons for our guidance, that when you raise great standing armies, when you have vast commerce, when you appoint governors-general, when you make profitable employments for men whom you set as taskmasters over others, in the nature of things, by the inevitable tendencies and inclinations of human nature, you set up a great establishment in which there is every incitement of ambition and wealth for its perpetuity, and that those who share in its honors, in its emoluments, in its profits, however honorably, will be disposed to a continuance of a condition of things which is to their profit. It may be that we will do better than any other nation has ever done; I know we will do better than Spain; but at its best it is a most perilous relation; it is a most injurious relation; it is a relation that all should pray against who have ever felt the power of that prayer, "Lead us not into temptation."

Mr. President, I want to read an authority from our Supreme Court to which, I believe, attention has not yet been called. It is with respect to our Territories. A Territory of the United States is just as much a part of it as any foot of soil in it. A citizen or inhabitant of a Territory, with permanent residence therein, is just as much a citizen of the United States as the President of the United States or any Senator here. It is true, the limit of his prerogatives may be curtailed by the conditions of his environment, but the Territory is a part of the Union and the man is a citizen of the Union.

Nay, Mr. President, in international transactions and to the outer world a Territory or district of the United States is undistinguishable from a State. This was decided by our Supreme Court in the case of De Geofroy *vs.* Riggs. The decision is to be found in 133 United States Reports, page 642. It was a discussion of our treaty with France of 1800, in which we had accorded to French citizens certain rights in the United States. The question arose whether or not a Territory of the United States was a State within the contemplation of that treaty. The Supreme Court said that it was. Judge Field, giving the opinion, said respecting the particular articles of the treaty which he was considering:

> This article is not happily drawn. It leaves in doubt what is meant by "States of the Union." Ordinarily these terms would be held to apply to those political communities exercising various attributes of sovereignty which compose the United States, as distinguished from the organized municipalities known as Territories and the District of Columbia. And yet separate communities, with an independent local government, are often described as States, though the extent of their political sovereignty be limited by relations to a more general government or to other countries. (Halleck on International Law, chapter 3, sections 5, 6, 7.)
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> The term is used in general jurisprudence and by writers on public law as denoting organized political societies with an established government. Within this definition the District of Columbia, under the Government of the United States, is as much a State as any of those political communities which compose the United States. Were there no other territory under the Government of the United States, it would not be questioned that the District of Columbia would be a State within the meaning of international law; and it is not perceived that it is any less a State within that meaning because other States and other territory are also under the same Government.

Mr. President, by this treaty there occurs what the international law writers call a collective naturalization of all the inhabitants of the Philippine Islands as American citizens, and to them attach instantly all those personal rights and immunities which belong to American citizens. What are those rights, privileges, and immunities? I have collected, Mr. President, our constitutional provisions respecting citizenship. It will be seen, and clearly seen, from their perusal and interpretation that instantly the Filipinos are made American citizens. Our constitutional provisions on the subject of citizenship are as follows:

First, section 2, Article IV:

> The citizens of each State shall be entitled to all privileges and immunities of citizens in the several States.

That applies to the citizens of the Territories as well as to the citizens of those communities which are technically called States in our Constitution. The right to vote is not a privilege and immunity of American citizenship. This was decided in the case of Minor *vs.* Happersett, in 21 Wallace, which showed that the right to vote was a matter which rested within the prerogative of the State; but the other rights, all the rights of commerce, of transportation, of property, of buying and selling, exchanging, apply as well to a citizen of a Territory as to a citizen of a State under the decision which I have just read from the Supreme Court with respect to a Territory being considered as a State for certain purposes and in certain effects and intents.

Then comes this provision in section 3, Article IV:

> The Congress shall have power to dispose of and make all needful rules and regulations respecting the territory or other property belonging to the United States.

Territory in that sense seems to have referred to the actual, physical territory which the United States owns, not only by eminent domain, but by immediate, actual fee-simple title. Certainly it did not apply to enabling the United States to take away any of the muniments and privileges of American citizens, but only applied to those rules and regulations respecting the actual property of the United States, and by extension of interpretation with respect to the government of that property, over that territory of which the United States was the immediate sovereign.

Then, Mr. President, we have Article XIV, section 1:

> All persons born or naturalized in the United States—

Certainly, Mr. President, all persons born under annexation would come within the immediate language of this clause—

> All persons born or naturalized in the United States, and subject to the jurisdiction thereof, are citizens of the United States and of the State wherein they reside. No State shall make or enforce any law which shall abridge the privileges or immunities of citizens of the United States; nor shall any State deprive any person of life, liberty, or property without due process of law; nor deny to any person within its jurisdiction the equal protection of the laws.

Then comes Article XV:

> The right of citizens of the United States to vote shall not be denied or abridged by the United States or by any State on account of race, color, or previous condition of servitude.

Without the amendment of that clause in the Constitution, Article XV, if the Congress of the United States hereafter should choose, after annexing the Philippine Islands, to give the right to vote to a portion of its intelligent population, it is obliged to make no distinction on account of race or color, and the Tagalos, the Negritos, and all the various inferior tribes of that country have got to be considered with respect to race and color on the same basis and to the same intent and purpose as a white-born American citizen.

So much for the language of the Constitution. There is a principle of international law which applies to its construction. It is true that Congress may enact a uniform system of naturalization for foreigners, but there is no method of naturalizing one who owes allegiance to the country, and who by a priori act has been made a citizen. By international law, well known, interpreted by our courts, fixed and settled, the annexation of the territory is

what is called a collective naturalization of its people. It puts them within the jurisdiction of the United States.

I will read on that subject the opinion of a distinguished jurist whose legal opinions have always been greatly respected not only in this Hall, but throughout the country. He was once chairman of the Judiciary Committee of this body—the Hon. George F. Edmunds, of Vermont. He states that—

All the people of these islands who were the subjects of Spain will become citizens of the United States by the mere act of cession unless the treaty of cession should provide that those who wished could remain subjects of Spain and aliens as to the United States. This has been a necessary rule of international law for hundreds of years; and the rule is founded upon the obvious fact that the people of every country, or of any part of it, must owe allegiance to and be subject to the government of some sovereign power, be it a tribe, or emperor, or king, or republic, and must, unless they are slaves or serfs, have the rights of such.

But a republic can have no subjects. Its people must be either citizens, slaves, or aliens.

If aliens, they are the subjects or citizens of some other power which is bound to protect them. The transfer, therefore, of the sovereignty of Spain over the Philippines to the United States makes all her subjects at once citizens of the United States.

If citizens of the United States, they have all the rights that belong to other citizens in the Territories, whether on the mainland or on islands of the sea. Neither geography nor distance has anything to do with it.

Nay, Mr. President, looking beyond this deliberate and learned opinion of an able constitutional jurist, we will see that the treaty itself acquiesces in this interpretation of international law. It assumes that the great body of the Philippine people are created by its passage as American citizens, and it provides for those who do not wish to become so maintaining their allegiance to the Spanish Government under certain conditions which it prescribes.

I read a little from the case of Pollard *vs.* Hagan, in 3 Howard, page 312:

It can not be admitted that the King of Spain could, by treaty or otherwise, impart to the United States any of his royal prerogatives; and much less can it be admitted that they have capacity to receive or power to exercise them. Every nation acquiring territory, by treaty or otherwise, must hold it subject to the constitution and laws of its own government.

Again, I read from the case of the United States *vs.* Wong Kim Ark (169 U. S. Reports, 705):

Congress has no authority "to restrict the effect of birth, declared by the Constitution to constitute a sufficient and complete right to citizenship."

Again, I read from Crandall *vs.* Nevada (6 Wallace, 35):

All citizens of the United States have the right to enter its seaports, to pass freely from one part of its territory to another, and to reside in any State.

The whole Philippine population, if they wish to, can come freely to any part of the United States and locate anywhere in the United States. They can bring their goods with them, and they are unamenable to any tax law of the United States, unless it be the temporary order of military authority in its course of being supervened by the civil power of the United States.

By the annexation of territory—

Says Chief Justice Marshall—

the relations of the inhabitants with their former sovereign are dissolved, and new relations are created between them and the government which has acquired their territory. The same act which transfers the territory transfers the allegiance of those who remain in it. (American Ins. Co. *vs.* Canter, 1 Peters, 542.)

Mr. President, it has been intimated that we can make any sort of tariff for these people. It has been time and again decided by the Supreme Court of the United States that as allegiance is created in the citizen to the Government, and the protection of the Government is extended to the citizen by the act which creates sovereignty, that then and there he becomes entitled to be governed by the same uniform laws with respect to taxation and everything else as any other citizen.

I do not lose sight of the fact that there may be an intervening stage in which civil authority may be withheld until military authority has passed, but that military occupancy is essentially transient. The moment the cession is made the decree of its cessation has been pronounced.

The moment of cession is the moment of constitutional accession, and with constitutional accession it becomes the solemn and sworn duty of Congress to provide equal laws to extend these equal immunities, to secure these equal privileges; and there can be no construction favorable to any idea which has been maintained by gentlemen who declare that the people of these territories will not succeed to the rights of American citizens except in the supposition that Congress will act in fraud of their sworn duty; that they will refuse to obey the instrument which they have sworn to support; that they will make a mockery and scorn of American institutions, and, by mere arbitrary power, sit in their seats and withhold the law which they have sworn to create, and refuse the protection and immunity which it is their duty to extend.

This, Mr. President, is what gentlemen mean who are learned and skilled in knowledge of the Constitution when they say that the Constitution does not immediately extend all rights, privileges, and immunities. The Constitution presumes a physical instrument to execute it; it presumes an honorable, honest, and conscientious instrument; and their construction is only justifiable and warrantable upon the assumption that Congress will turn its back upon the Constitution and refuse to execute its sworn duty.

In two cases, Mr. President, before the Supreme Court of the United States this question has been decided. One of these cases is the case of Loughborough *vs.* Blake, to be found in 5 Wheaton, which was a tax case. It involved direct taxation by the United States, and the question arose whether or not a district of the United States was a State in that sense and in the Union in that sense that the direct-tax provision of the Constitution applied to it. Chief Justice Marshall said that it was held that uniformity of tax law applying as to other States applied to the District of Columbia, and that the state of the District of Columbia or the Territories west of the Missouri River were just as much a part of the United States in the sense of the Constitution as any State in the Union.

Another was the case in 16 Howard. It is the case of Cross et al. *vs.* Harrison, in which the question of tariff laws as applicable to California arose. In that case the Supreme Court showed the difference between military occupancy and sovereignty. It showed that during the military occupancy the military commander, under the President of the United States, might prescribe such duties as he saw fit. That was under the right of the strong hand, a de facto government, the only government that was there; but the moment that civil power supervened and cession took place, it became the duty of Congress to establish a collection district in California, and the moment that it established the agency for the collection of revenue, uniform and equal laws attached as to every other port and every other place in the United States.

Let us not deceive ourselves, Mr. President, about this treaty. Let us not try to deceive any portion of the American people about this treaty. If we are going to take the Philippine Islands, and if a treaty is to be enacted, let us contemplate beforehand exactly what it means, and assume and honorably bear its inevitable consequences. It means the utter destruction of all tariff laws if Congress shall do its duty between the Filipinos and us; it means the utter abrogation of all immigration laws between the Filipinos and us, and the Chinese, the Japanese, the Tagalos, the Negritos, and all the curious and nondescript tribes of the Philippines, with all that they produce in those islands, and with all that their cheap labor may manufacture in those islands, established by greed and foreordained by this treaty to come into the market places and the marts of the United States on exactly the same basis, under the same protection, and with all the benefits which accrue to all American workmen of any race, of any State, or of any Territory.

I would add, Mr. President, to the decisions which I have read a few more, which I deem it scarce necessary to read, but I will add to the authorities which I have quoted one from Cooley on the Constitution, a decision of Judge Washington in 4 Washington Circuit Court Reports, which is generally accepted and taken by text writers and jurists as an exposition of what is meant by the privileges and immunities of citizens of the United States. He says:

They may all be comprehended under the following general heads: Protection of the Government; the enjoying of life and liberty; the right to acquire and possess property of every kind and to pursue and obtain happiness in safety, subject nevertheless to such restraints as the Government may justly prescribe for the general good of the whole; the right of the citizen of one State to pass through or to reside in another State for the purposes of trade, agriculture, professional pursuits, or otherwise; to claim the benefit of the writ of habeas corpus; to institute and maintain actions of every kind in the courts of the States; to take, hold, and dispose of property, either real or personal; an exemption from higher taxes or imposts than are paid by the citizens of the other States may be mentioned as some of the particular privileges and immunities of citizens which are clearly expressed by the general description of privileges deemed to be fundamental.

It is true, Mr. President, that this treaty reserves the right of Congress to declare the civil rights and political status of these people; but it is also true that Congress in declaring those civil rights and that political status is bound by the Constitution to recognize these fundamental rights, immunities, and privileges, and it can make no definition of civil rights, it can make no declaration of political status, that is not within the lines of that Constitution and of these limitations as they have been recognized and expounded.

Mr. President, to recur now to the statute, Congress has already legislated upon this subject. It has provided in anticipation what shall be the rights and what are the rights of the occupants and inhabitants of our territory; and I read these sections:

SEC. 1977. All persons within the jurisdiction of the United States shall have the same right in every State and Territory to make and enforce contracts, to sue, be parties, give evidence, and to the full and equal benefit of

all laws and proceedings for the security of persons and property as is enjoyed by white citizens, and shall be subject to like punishment, pains, penalties, taxes, licenses, and exactions of every kind, and to no other.

There is one section applicable to personal rights. Now the next section:

SEC. 1978. All citizens of the United States shall have the same right, in every State and Territory, as is enjoyed by white citizens thereof to inherit, purchase, lease, sell, hold, and convey real and personal property.

Then there is still another section:

SEC. 1979. Every person who, under color of any statute, ordinance, regulation, custom, or usage, of any State or Territory, subjects, or causes to be subjected, any citizen of the United States or other person within the jurisdiction thereof to the deprivation of any rights, privileges, or immunities secured by the Constitution and laws, shall be liable to the party injured in an action at law, suit in equity, or other proper proceeding for redress.

Here, then, Mr. President, Congress has already by anticipation fixed its policy as to citizens. It has already put the Filipino upon the plane of any other American citizen. It has already interpreted the clauses of the Constitution which operate upon it, and the very moment that the assent of the Senate of the United States goes to the treaty, the moment the bars are down, the gates are opened and the Filipino walks under the protection of that statute and can say, if he will, as proudly as any of us, "I, too, am an American citizen, and claim the right of the road and the freedom of the mart and all the privileges, rights, and immunities which attach to me as such."

Now, Mr. President, if we are to have these people, let us have a little understanding of whom they are. We do not know much. I know, probably, as little as any, but I have tried to find out by hasty perusal of encyclopedias, magazines, newspaper articles, and so forth——

Mr. MASON. If the Senator is going to leave this branch of the question, I wish to call his attention to a point.

The statute which the Senator has cited clearly gives the right to any person within the jurisdiction of the United States to come into any State or Territory. In answer to my suggestion some of the Senators have said that it was a mere statute and could be repealed by the treaty. Is there anything in the treaty that attempts to repeal that statute?

Mr. DANIEL. Not a thing, or an intimation of it.

Mr. MASON. Then, in order to repeal the statute which the Senator has just cited there must be, in addition to the treaty, an act of Congress, or otherwise the inhabitants of the islands come in not only by the Senator's construction of the Constitution, but by the statute itself.

Mr. DANIEL. I so understand.

Mr. President, if that statute did not exist ready-made, applying to the Filipinos eo instanti, we would be obliged by the Constitution immediately to make it. Instead of acquiring by the treaty any suggestion or right to repeal it, we would come under the most solemn adjuration that man can live under to enact it.

Mr. President, would any benefit of trade compensate us for this great change in our national life and this organic change in our institutions? If there be any underlying incentive that has not been fully exploited with respect to this treaty, it must be that we are going to get some trade benefit from it. We will get a place to build railroads, perhaps, though there are a great many good openings for railroads yet remaining in this country. We will have an enlarged market for our wares, it may be suggested. On this line I beg to read a line from a pamphlet called "The Colonial Systems of the World," which has just been issued by our own Government, compiled by Mr. O. P. Austin:

Commerce between the successful colonies and their mother countries is in nearly all cases placed upon practically the same basis as that with other countries, goods from the home countries receiving in the vast majority of cases no advantages over those from other countries in import duties or other exactions of this character affecting commerce. In the more prosperous and progressive colonies, the percentage of importations from the mother countries grows somewhat less as the business and prosperity increase.

The chief British colonies in North America (Canada and Newfoundland), which in 1871 took 50 per cent of their importations from the home country, took in 1896 less than 30 per cent from the United Kingdom; those of South Africa (Cape Colony and Natal), which in 1871 took 83 per cent from the home country, took but 71 per cent in 1896; those of Australia and the adjacent islands, which in 1876 took 48 per cent from the home country, in 1896 took but 40 per cent. The French colonies now take from the home country about 42 per cent of their total imports, while the British colonies obtain about 40 per cent of their total imports from the home country.

This shows, Mr. President, that the exploitation of colonies for the purpose of monopolizing trade is a vanishing quantity in the civilization of the world; and in the last two or three decades even, in the colonies of Great Britain and France, which those great nations have cultivated and tried to build up as subsidiary to their home markets, the proportion of goods that they have bought from the mother country has been a constantly diminishing quantity. So I say, under the conditions which we at present find the colonizing exploitation schemes of the world's aggressive aggrandizement, they are not in that attitude to tempt us to go there for the purposes of trade.

There is another fact with respect to our own trade which is equally significant as indicative of what should be our true policy. It is not necessary to own a man in order to sell something to him. It may be very convenient to catch a fellow and tie him down, to build a tariff fortification on one side and an internal-revenue fortification on the other, and then say, "Buy this and give me that." It is a scheme which is outworked in the world's progress. It is no longer necessary to buy a man and tie him and hold him and compel him to trade with you. Neither is it necessary to exercise suzerainty after Turkish or Spanish or English or any other fashion in order to trade with people.

With whom to-day is our largest and most profitable trade? From whom do we derive the largest balance that goes into our coffers? From whom do we receive the largest sums for our agricultural products or for our many articles of manufacture which are now possessing the earth, not by colonization, not by the sovereignty of our Government, but which are now conquering the earth and subduing nations to pay tribute to us through the excellence of American workingmen and the cheapness of American products, brought forth by skilled labor, challenging the world to competition? It is Great Britain. She is our first benefactor in the way of trade.

Yet, strange to say, we have not a single strategic island at the mouth of Liverpool Harbor. We have not built a single American castle, after the pattern of Morro, upon the bank of the Thames. At Portsmouth and Southampton and Dover, and at all the other ports of England, our flag comes and goes, and the merchantmen deliver our goods and bring back what we want, and there is no American soldier there, there is no American gun there, there is no Philippine island there, there is no Hawaiian island there, there is nothing there except the superiority of American goods and the Englishman with his money who wants to buy them.

The time has passed in the history of the world when you have to blow your way to trade by dynamite. The time has passed in the history of the world, even in China, when you can build Chinese walls around nations. They say we want to go to the Philippines to open the door of the East. That is progress. Yet others say that when we get in the Philippines to open the door of the East they want to trim down the Declaration of Independence.

They want to viscerate the Constitution of the United States; they want to revise and correct the judicial decisions of Marshall and Taney; they want to upset the Supreme Court, and they want to repeal the free statutes of an American Congress, so as to shut the door behind the Philippines and build an inner wall to keep them from communicating and trading with us. To this complexion we have come at last, so incongruous, so heterogeneous, so contradictory of all we have been and all that we ought to be. We are breaking down our history, repudiating and belittling our principles, and seeking to subvert the whole theory and settled tenure of American progress and of American rule, just to get and embody in our commonwealth some scattered, barbarous, or savage islands and peoples of a mixed and nondescript race.

Mr. President, I desire to insert here from the Democratic Magazine for January, 1899, a summary of who these new Americans are. It is a compilation summarized from the books and papers which have recently been written upon the subject. In the first place, we are to have 25,000 Negritos, aborigines. They have no fixed occupation. They are American citizens, or will be, out of a job, but ready for one. They are dwarfish as a rule, 4 feet 8 inches in average height; negroid features, hair, and color; tattooed; nearly naked. Their religion is pagan.

In the next place, we have 3,000,000 Tagals and 2,500,000 Visayos. They are Catholic. They are field hands, day laborers, servants, agriculturists, small traders. They are tall and well formed, round head, flat nose, low brow, large dark eyes.

Then we have the Moros, of whom there are 300,000. They are Mohammedans. They are agriculturists, hunters, and fishers, and our noble cod is in danger, for they will fish and fish and their fish will come here in competition with our fish. They are tall and strong, scantily clothed, rather savage-featured.

Then come the Igorrotes. They are pagan. There are 500,000 of them. They live in the mountainous districts. They are dirty and repulsive in appearance, industrious, monogamists, distinct from Malays and Negritos. They are probably of Japanese origin. Then come scattered tribes, 2,000,000, mixed (pagan, Catholic, Mohammedan) altogether. They are found throughout the archipelago. They are hunters, fishers, small agriculturists; varying, some closely resembling Negritos, others equal to Tagals.

Then we have the Spanish, 10,000. Three hundred years of colonization and only 10,000 Spaniards there! How long would it be before there are 10,000 Americans there? There are only a handful now. There are only 200 Englishmen in the city of Manila. The people of our race only touch at the Philippine Islands, and it is touch and go. They stop to have a transaction or to direct a transaction, and as one of our Eastern States was said to be a most excellent State to emigrate from, the Philippine Islands are considered by all civilized nations whose people have ever been

there as a most excellent place to get away from, and as quickly as possible, and they have all got away from there. Even to-day, after three hundred years of occupation, only 10,000 Spaniards have located there.

Then come the Spanish Mestizos, descendants of Spanish fathers and native mothers, 50,000, Catholic. Then come the Chinese, 200,000, Buddhists. They are in every city and town. John Chinaman is everywhere, with his cheap laundry and his cheap transactions in various things. In every city and town he is located. They are merchants, tradesmen, laborers. Every community of any size has its Chinese quota. They are hated by Spaniards and heavily taxed, but they are industrious and prosperous.

Then come the Chinese Mestizos, or mixed breed, 400,000; double the number of the pure and genuine article. They are Buddhists and Catholics. They are in all important communities. There are merchants, tradesmen, dock hands, and laborers.

Then come other nationalities. Under the colonization of Spain, in three hundred years all the other nationalities of these islands, containing some eight or ten million people, amount to only 5,000.

The statement referred to is as follows:

[From the Democratic Magazine for January, 1899.]

Inhabitants of the Philippines; the many and mixed races occupying our new possessions in the East.

NATIVES.

Negritos (Aetas) aborigines.	25,000	Pagan	Scattered throughout archipelago.	No fixed occupation	Dwarfish (4 ft. 8 in. av.). Negroid features, hair, and color; tattooed; nearly naked.	Roving bands, subsisting on honey, wild fruits, and roots. Driven to the more inaccessible regions by invading Malays.
Malays: Indonesians—Tagals	3,000,000	Catholic	Northern and central islands of archipelago.	Field hands, day laborers, servants, agriculturists.	Tall and well-formed; round head, flat nose, low brow; large, dark eyes.	By preference inhabit the lowlands, many living in pile-built dwellings; easily civilized, musical, lazy, and superstitious.
Visayos	2,500,000	do	Southern islands, save Sulu and Mindanao.	Agriculturists, laborers, servants, and small traders.	Well developed; regular but somewhat Negroid features.	Peaceful, very lazy, vain, fond of fine clothes, cigarettes, and beetle nuts; tractable.
Moros	300,000	Mohammedan	Inland portions of large islands.	Agriculturists, hunters, and fishers.	Tall and strong; scantily clothed; rather savage-featured.	This class embraces all Malays not civilized and converted to Christianity. Similar to Tagals.
Igorrotes (Igoloten).	500,000	Pagan	Mountainous districts, mostly in Luzon.	Agriculturists, miners, and metal workers.	Dirty and repulsive in appearance.	Most industrious and moral of the native tribes, monogamists; known to be distinct from Malays and Negritos. Probably of Japanese origin.
Scattered tribes	2,000,000	Mixed (pagan, Catholic, Mohammedan).	Throughout archipelago.	Hunters, fishers, and small agriculturists.	Varying, some closely resembling Negritos, others equal to Tagals.	Over 60 dialects among natives. Over thirty languages officially recognized. About 200 tribes in archipelago.

NON-NATIVES.

Spanish	10,000	Catholic	Mostly in large cities	State, church, and military officials, army and navy.		There are few Spaniards in the island outside of army, navy, and church.
Spanish-Mestizos	50,000	do	do	Merchants, petty officials.		Descendants of Spanish fathers and native mothers.
Chinese	200,000	Buddhist	In every city and town.	Merchants, tradesmen, and laborers.		Every community of any size has its Chinese quota. They are hated by Spaniards and heavily taxed. Industrious, prosperous.
Chinese-Mestizos	400,000	Buddhist and Catholic.	In all important communities.	Merchants, tradesmen, dock hands, and laborers.		Descendants from Chinese fathers and native mothers. Make good business men.
Other nationalities.	5,000		In cities of Manila, Iloilo, and Cebu.	Wholesale merchants and traders.		Mostly English, German, French, and American. They monopolize wholesale trade.

We are asked to annex to the United States a witch's caldron—

Black spirits and white, red spirits and gray,
Mingle, mingle, mingle, you that mingle may.

We are not only asked to annex the caldron and make it a part of our great, broad, Christian, Anglo-Saxon, American land, but we are asked also to annex the contents and take this brew—mixed races, Chinese, Japanese, Malay Negritos—anybody who has come along in three hundred years, in all of their concatenations and colors; and the travelers who have been there tell us and have written in the books that they are not only of all hues and colors, but there are spotted people there, and, what I have never heard of in any other country, there are striped people there with zebra signs upon them.

This mess of Asiatic pottage, 7,000 miles from the United States, in a land that we can not colonize and can not inhabit, we are told to-day by the fortune of a righteous war waged for liberty, for the ascendency of the Declaration of Independence, for the gift of freedom to an adjoining State, we must take up and annex and combine with our own blood and with our own people, and consecrate them with the oil of American citizenship.

Mr. President, there has never been since time began such a fatuous notion in the breast of a nation. There has never been such condescension from a high ideal and from a noble and manifest destiny. Not only is it a degradation of this American land and of this American race, but the scholars and thinkers of this country, the mighty men who ponder institutions and courses of events, look upon our adoption of these people and our forcible annexation of them as giving the lie to the whole current of American history and repudiating all the great principles of constitutional freedom which we proclaimed at our beginning and which have tended to make us great.

Mr. President, I have no criticism to pronounce upon my colleagues who differ with me. I have no reproaches for those who see their duty differently. I believe the gentlemen who represented our country in Paris acted honestly and conscientiously. I believe the honorable gentlemen on the other side of the Chamber mean only their country's good; but I am amazed, I am startled, I am thrown away from my ordinary bearings and conception of things to think that such gentlemen and such a body should contemplate the adoption of a treaty that utterly scorns and repudiates our position; that is essentially at war with our institutions; that embodies a country which is no part of the American continent and can not be made so, and that must inevitably take up and work into the destiny of the American people these alien races, or must make us get down from the throne of freedom which we have occupied for one hundred and twenty-five years and condescend with the scrambling nations of the world to get what we can, where we can, and how we can, to the repudiation of our national character and of our settled doctrines and principles.

Mr. President, I wish to read a few words from Professor Sumner. That he is learned and able no man will deny. That he is profound and thoughtful all men know. This is the light in which he regards the treaty:

The question of imperialism, then, is the question whether we are going to give the lie to the origin of our own national existence by establishing a colonial system of the old Spanish type, even if we have to sacrifice our existing civil and political system to do it. I submit that it is a strange incongruity to utter grand platitudes about the blessings of liberty, etc., which we are going to impart to these people and to begin by refusing to extend the Constitution over them, and still more by throwing the Constitution into the gutter here at home. If you take away the Constitution, what is the American liberty and all the rest? Nothing but a lot of phrases.

And this indeed, Mr. President, we have been plainly told here, when the great doctrines of our freedom were quoted, was a lot of phrases, and gentlemen are going to hew out a new path and make new principles upon the mimicry and policy of Great Britain and find their path where they may according to the chance medley of things. There is yet another sentence or two from Professor Sumner which I wish to read:

The cold and unnecessary cruelty of the Spaniards to the aborigines is appalling, even when compared with the treatment of the aborigines by other Europeans. A modern economist stands aghast at the economic measures

adopted by Spain, as well in regard to her domestic policy as to her colonies. It seems as if those measures could only have been inspired by some demon of folly, they were so destructive to her prosperity. She possesses a large literature from the last three centuries, in which her publicists discuss with amazement the question whether it was a blessing or a curse to get the Indies, and why, with all the supposed conditions of prosperity in her hands, she was declining all the time.

We now hear it argued that she is well rid of her colonies, and that, if she will devote her energies to her internal development, and rid her politics of the corruption of colonial officials and interests, she may be regenerated. That is a rational opinion. It is the best diagnosis of her condition, and the best prescription of a remedy which the occasion has called forth. But what, then, will happen to the State which has taken over her colonies? I can see no answer except that that nation, with them, has taken over the disease, and that it now is to be corrupted by exploiting dependent communities just as she has been. That it stands exposed to this danger is undeniable.

Mr. President, it was the wisest of men who said, "The thing that hath been, it is that which shall be * * * and there is no new thing under the sun." But, sir, not until the hour that this treaty was debated in this Chamber did the idea come to my mind that it was the destiny of this great American Republic to put on the old clothes and to take those shining feet which have walked across the heights of freedom and put on them the worn-out shoes of Spain. We have dispossessed her here by our shores of the land which she despised and destroyed, and which she did not lift up, but which pulled her down to its low level. We can not make American citizens of the Filipinos with such conceptions of citizenship as we possess.

Not in a hundred years, nay, not in a thousand years, can we lift the Philippine Islands and the mixed races that there inhabit to the level of civilization which this land, God-blessed, possesses. It is easier to let down and to go down than to rise up. We have risen up through the bloody sweat and turmoil of a thousand years of battle and through bitter experiences which have chastened us. Facilis descensus Averno. The moment that this treaty is ratified, in some future age, if such shall be the case, the historian will say at that moment commenced the decline of American institutions and of the great career which America had set forth to herself to lead upon this earth.

Any way you go, this Republic will stand; this people will live for hundreds and a thousand of years to come; but I wish that the longevity of this nation might transcend to anything that ever had happened before in all the story of time. I would wish that the Declaration of Independence, instead of being belittled, might be carried nearer and closer home to every hearth and hearthstone in all this land; that it might go to the lowly and humble of whatever skin or complexion with the outstretched hand of friendship and with a message of God's love.

I would wish that all might be exalted. But whatever happens, let us not go down. We stand to-day by the bank of a broader and a deeper Rubicon than ever Cæsar meditated beside. At our feet we hear the swash of the great Pacific Ocean, and beyond lies the expansionists' dream—Cæsar's Rome. Cæsar never did wrong without just cause. That is the imperialistic plea. America will not do wrong without a great temptation. That to-day is the emancipationists' plea. For my country I hope that she will ne'er do wrong.

Let no glittering temptation of trade, let no gold from the gorgeous East tempt her eye or her hand. She stands to-day the foremost nation of the world. She stands to-day the foremost nation that ever the world has seen. Let her tread with secure and steady steps along her own highways, respecting nations and respecting men, putting into the dream of every child that goes to school that vision of liberty of which the Declaration is the great figure and of which the Constitution is the rock-bound foundation. Let her to the tempter of expansion to-day say, as He said who stood upon the mount when the glories of the earth were stretched before Him, "Get thee behind me, Satan."

Mr. President, peace! Peace! This treaty is not a treaty of peace except in formal ceremony with Spain. It is a declaration of war against the Philippine people, not by Congress, but in necessary and logical effect. We know that the Filipinos are in arms. We know that they have an army of from 12,000 to 30,000. We know that they are seeking to work out their own destiny. The moment that this treaty is adopted the Filipinos are made citizens, and the moment they are made citizens, if they do not instantly lay down their arms they become rebels. The tie of allegiance is created with this Government, and when the President or Commander in Chief says, "Our sovereignty is here; lay down your arms," they bear them no longer, under the penalty of death.

Mr. President, my country—may she ever be right; but my country, right or wrong. That is my doctrine. If the treaty is passed, I believe it is constitutional and authoritative. I do not deny the legal or constitutional right. I accept the fate and the decree of my country, and I stand with my people and my kind. At the same time I know what it means. I would that this cup might pass from us. There is a line of battle in the Philippine Islands of a dusky race, who have reared a flag and who have asked that they might be free. The moment this treaty passes, if they do not lay down their arms, it is the duty of the American President to order it, and it is the duty of the American soldier to shoot them to death and to make them lay down their arms under the penalty of execution in battle.

I hope that may not happen. I pray it may not happen. But, oh, if it should happen, what a conclusion is that of a holy and a righteous war begun for humanity and for liberty, and what justification has this nation before God and man?

The peace of the world! Mr. President, is it going to conduce to the permanent peace of the world to have the forefinger of America dipped into Asiatic politics? I much question it. Lord Salisbury, in that recent memorable speech, which all Senators have noted, declared that it was his opinion that it would help England, but as to the peace of the world, he could not see that it was any assurance of that.

We know, Mr. President, that China is in many respects a dying nation. We know that Japan, Russia, France, Germany, and Great Britain, every great nation of the world, is watching China and is trying to get certain advantages there.

Mr. President, if we take the Philippine Islands we put ourselves right there by the gate of war. We announce by taking it that we intend to take the line up there—to follow the flag. The line is far distant. It can not march there; it has got to sail there. It has got to sail 7,000 miles there over tropical seas, around the world in one direction or another. But if it must go, it will go and it will stay. But will that conduce to the world's peace?

The next thing in order to maintain ourselves we must have an ally. We will feel lonesome out there, perhaps, by ourselves. An alliance with some great nation is the next inevitable consequence of this treaty. That nation may be Great Britain.

I rejoice, Mr. President, that there have been two great moral effects of our war with Spain. In the first place, more than over any other result do I rejoice that it has made all Americans brethren in verity. If there were wrongs committed, if there were mistakes made, if there were errors for whom our fathers or ourselves were accountable thirty or forty years ago, thank God it has been wiped out in the blood of our sons. Northern and Southern men, Eastern and Western men, have baptized this nation anew with their blood under the flag.

Next to that, I rejoice that the whole English-speaking race has been brought in closer affinity. I am glad that our motherland and the people of the United States have been brought together in the manner that they ought to be brought together, by their natural relations, by the affinity of blood, and that congenial and friendly feelings exist. But no bond of alliance has been made between them. We have tied ourselves up in no legal or constitutional engagement. Friendship has grown, as it must ever grow, without sealing wax and without parchment.

But, Mr. President, if we maintain our position in the East, an alliance is necessary. It will soon come. The first rumor of war that startles our business men and that wakes America to anxiety will throw us into the arms of an alliance of some sort or another with somebody. What does that alliance with one person mean? It means the rest of the world against us. There will be alliances against the alliance. The moment that an alliance is made, then instead of having one chance for war we have two.

If we expect our ally to fight for us, we stand ready at a moment's warning to fight for it. It takes two to make a bargain. Each must be faithful to it. Then perhaps we will put a third in the alliance. Then three must stand together or fall together, and around that maelstrom just beginning to eddy on the Asiatic shore; having first pulled American sovereignty out of its natural socket between the Atlantic and the Pacific oceans, floating in the eddying waters of the tropical seas, it will bring an alliance there and an alliance against it; and around that standpoint some day will be fought a great battle for some nation in which America and her institutions will be imperiled.

It is the unexpected that happens in such adventures, as it is the unexpected that happens in war. In this way or in some other way such is the tendency of things; some collision of some sort at some time is inevitable.

Now, Mr. President, what are our alternatives? The Senator from Massachusetts [Mr. LODGE] said a few days ago that we have the alternative of ratifying the treaty or rejecting it. He portrayed great difficulties from its rejection. If it is ratified, he said, we will look out for our policies afterwards.

The Senator from Ohio [Mr. FORAKER] on the 11th of January gave considerable consideration to our alternative, and I will read what he said, because I wish to quote more accurately:

I know whereof I speak—

He said—

when I say that of the four things we had the choice of doing—giving the islands back to Spain, giving them to other countries, leaving them to anarchy, or taking them ourselves—the President acted most wisely when he concluded that we should take them ourselves.

The honorable Senator's analysis of the situation and statement of the alternatives presented to us was complete with a single striking and important exception. He omitted a fifth alternative,

or rather a differentiation of the fourth. We might take them to ourselves as a sovereign accepting the perpetual sovereignty of them, and thus incorporating them eo instanti as a part of us—as we did with Porto Rico, or we might simply have required Spain to relinquish her sovereignty, and have continued our military occupation, which is a mere temporary assertion of the strong hand, and left the question of sovereignty and final disposition for future determination.

It is this fifth alternation, an easy and safe and ready and expedient course, which I do most cordially commend. The speech of the Senator from Ohio furnishes itself the reasons why this alternative, as it seems to me, is the wisest one to be pursued. He says:

I do not know of anybody who wants to take possession of the Philippine Islands and govern the people of those islands indefinitely by force of arms.

Secondly:

I say I do not know of anybody from the President of the United States down to his humblest follower in this matter who is proposing by force and violence to take and hold these islands for all time to come.

Then, Mr. President, if we are not ready by force and violence to take them if they resist, if we are not ready to follow our sovereignty by the necessary and inevitable corollary of sovereignty, why do that thing which commits us to it? Why accept or assert "sovereignty" there which in its nature contemplates all time to come, and which predicates of itself indefinite, aye, infinite extension?

Why, he says, "there are complications." He justly refrained from motives of prudence and delicacy, which I respect and follow, from stating them. But I will add, however, that my motives have the additional one of ignorance.

But whatever those complications may be, there is none imaginable that could not be dealt with from the standpoint of military occupation, which is transient, momentary, and ambulatory sovereignty without committal as to its prolongation, as by an acceptance of title and sovereignty which is the lordship of the land and of its population forever.

It is for that proposition, Mr. President, that I stand. We have the formula of it in the treaty itself. That it is acceptable to Spain when we ask it is shown by the fact that where we asked it she adopted it. There is no difficulty in the meantime.

The honorable Senator from Wisconsin [Mr. SPOONER], who addressed us so ably and candidly on yesterday, said there was no difficulty about our protocol and about our having captured Manila. I have read that protocol. It solves instead of suggesting difficulty, for it by its own terms provides that until by treaty we have settled this matter we are to remain in possession of the stronghold of the situation. So we will stay there as an intruder. We stay there by consent of Spain, and she herself has provided in that protocol the very situation which we would most desire and most comfortably occupy for a waiting period.

So, then, I say, Mr. President, from the standpoint of that protocol, by Spanish consent occupying the bay and harbor of Manila, exercising our good offices as far as we may to get her prisoners released from the insurgent Filipinos, going on and fulfilling all the details of the protocol with Spain in sending her soldiers back to their native land, there awaits her but one thing, to leave America free from Filipino annexation, in occupation of the theater of the war and in such a condition that honorably, reasonably, she may do henceforth without embarrassment that which seemeth unto her good as a free people.

Mr. President, there are two great leaders of political parties in the United States whose names will never be forgotten, and who, however great may be those who will take their places hereafter, will never be transcended in the hold that they have upon the affections of the common people of this country. It is fortunate for the country and fortunate for both parties that it is so.

One of those men was Thomas Jefferson, the author of the Declaration of Independence, the great annexationist of American territory, the man who from the beginning repudiated all annexations of territory ultra mare. The other one of those great leaders was Abraham Lincoln; and, singularly enough and fortunately enough in the contemplation of the great subject which we have before us to-day, Thomas Jefferson and Abraham Lincoln stand for the same doctrine, and the two parties are made into one stream flowing into the great constitutional channel of American liberty.

Mr. President, both of these men, more than any men of their day and generation, had confidence in and trusted the common people. Each of them believed that every individual had rights which all men were bound to respect; and if Thomas Jefferson was the author of the Declaration, Abraham Lincoln carried that Declaration severely, exactly, and strictly to its logical and essential consequences. We have just got through that work with the loss of much blood and treasure, and to each gentleman who to-day may hesitate upon this subject, be he a Democrat, I would say: "My friend, follow the teaching and the inspiration of Jefferson;" and, if he be a Republican, "I invoke the spirit and teaching of Abraham Lincoln."

Mr. President, there be those who see an American scepter in the eastern sky. It may be that that scepter is there; but if that scepter be there, it is not a scepter that sparkles by the side of the star that shone over the manger of Bethlehem when the shepherds watched their flocks at night and when the wise men, looking for the Messiah, came.

No, Mr. President; I would rather invoke to-day that star which hovered over old Independence Hall on the morning of that 4th of July, 1776, when the world waited the deliverance of a mighty message; I would point to that star, the star of the great northern Republic, founded by the great white race of the northern nations; I would say we go on no war of conquest; I would say that we respect the weakest and the most helpless of mankind; I would say to the men who are fighting for their freedom, be they many or be they few, be they in Cuba or be they in the Philippine Islands, that to them the great American Republic gives the salute of honor and dares not condescend to put her foot upon their necks.

I would point again, Mr. President, to that bright star that beamed over Independence Hall in the bright morning of our birthright, and I would hope that ever hereafter we might say of it that of its—

* * * true-fix'd and resting quality
There is no fellow in the firmament.

[Applause in the galleries.]

EXECUTIVE SESSION.

Mr. DAVIS. I move that the Senate proceed to the consideration of executive business.

The motion was agreed to; and the Senate proceeded to the consideration of executive business. After one hour and twenty minutes spent in executive session the doors were reopened, and (at 6 o'clock and 30 minutes p. m.) the Senate adjourned until to-morrow, Saturday, February 4, 1899, at 12 o'clock meridian.

NOMINATIONS.

Executive nominations received by the Senate February 3, 1899.

UNITED STATES MARSHAL.

Charles K. Darling, of Massachusetts, to be marshal of the United States for the district of Massachusetts, vice Henry W. Swift, whose term expired December 22, 1898.

ASSISTANT TREASURER.

George A. Marden, of Massachusetts, to be assistant treasurer of the United States at Boston, Mass., to succeed Joseph H. O'Neil, whose term of office will expire by limitation February 28, 1899.

APPOINTMENTS IN THE ARMY.

To be brigadier-general.

Col. John H. Patterson, Twentieth Infantry, January 18, 1899, vice Wherry, retired from active service.

CAVALRY ARM.

To be second lieutenant.

James Fuller McKinley, late private, Company I, Eighth Ohio Volunteers.

APPOINTMENTS IN THE VOLUNTEER ARMY.

SECOND REGIMENT VOLUNTEER ENGINEERS.

Second Lieut. Charles Kern, to be first lieutenant, vice Johnson, resigned.

Sergt. Robert M. Fulweiler, Company B, to be second lieutenant, vice Kern, promoted.

FIFTH REGIMENT VOLUNTEER INFANTRY.

First Lieut. Philip H. Stern, to be captain, vice Whitaker, resigned.

Second Lieut. Thomas L. Anglin, to be first lieutenant, vice Stern, promoted.

Sergt. Maj. John J. Lipop, to be second lieutenant, vice Anglin, promoted.

TENTH REGIMENT VOLUNTEER INFANTRY.

To be second lieutenants.

Thomas Grant, of Georgia, to fill an original vacancy, July 21, 1898.

Lucien H. White, of Georgia, to fill an original vacancy, July 21, 1898.

CONFIRMATIONS.

Executive nominations confirmed by the Senate February 3, 1899.

APPOINTMENT IN THE ARMY.

James Fuller McKinley, to be second lieutenant of cavalry, United States Army.

PROMOTION IN THE ARMY.

Col. John H. Patterson, Twentieth Infantry, to be brigadier-general, United States Army.

HOUSE OF REPRESENTATIVES.

FRIDAY, *February 3, 1899.*

The House met at 12 o'clock m. Prayer by the Chaplain, Rev. HENRY N. COUDEN.

The Journal of yesterday's proceedings was read and approved.

CORRECTION.

Mr. BURTON. Mr. Speaker, I rise to a correction of the RECORD, involving also a question of personal privilege.

The SPEAKER. The House will be in order, and gentlemen will take their seats. [A pause.] The gentleman from Ohio [Mr. BURTON] will proceed.

Mr. BURTON. Mr. Speaker, I find on pages 1524 and 1525 of to-day's RECORD certain remarks published as having been delivered by the gentleman from Texas [Mr. HAWLEY].

Mr. GROSVENOR. I hope my colleague [Mr. BURTON] will recognize the fact that the gentleman from Texas is not now present.

Mr. BURTON. I am coming to that.

Mr. Speaker, I have no recollection whatever of these remarks having been made on the floor of the House; and they contain insinuations and inferences which make it my duty as a matter of personal privilege to answer them. I am informed that the gentleman from Texas, who is, of course, interested in this matter, is not present on the floor of the House; but I make the motion that the so-called speech of the gentleman from Texas as printed on the pages I have named be stricken out and that there be substituted what was actually said by the gentleman at the time.

Mr. BAILEY. Does the gentleman intend to leave that motion pending until the gentleman from Texas is in the House?

Mr. BURTON. I understand that the gentleman from Texas is now present; and if permitted by the Chair, I will conclude what I have to say.

I wish to say, in the first place, that I have no recollection of any such remarks as those printed on these pages having been made in the House. In two places in the RECORD of yesterday the minute is made, "Mr. HAWLEY withholds his remarks for revision." Had the statements set forth here been made on the floor of the House I should certainly have answered them. Briefly speaking, they contain insinuations against the Committee on Rivers and Harbors and against me of too much interest in regard to an appropriation included in the bill of $250,000 for a channel from the Galveston jetties to Texas City, and a claim that the provision had no parliamentary status before the House. It is due to the committee and to myself that this matter be fully explained.

Statements were made before us that the appropriation of $8,000,000 for the harbor at Galveston, the largest appropriation made for any harbor in the United States, and the works constructed with that appropriation, were ineffective to accomplish what was intended, because of limited wharf and dock facilities at Galveston. The statement was made that at one time 1,800 cars were waiting there to be unloaded, part of them loaded with perishable freight. The claim was made more strenuously, I may say, than anything before the committee that in order to relieve this congestion it was necessary to construct a canal and to canalize a bayou 58½ miles to Houston, at an expense of $4,000,000. Certain members of the committee, when on a visit to that place in 1897, noticed this location at Texas City.

Certain persons interested appeared before the committee—two of them, I believe, from Minnesota and one from Texas, supported by a lawyer from Ohio—making an argument for this improvement. We suggested to them the difficulty of making appropriation for it, in view of the fact that we had no estimate before us. But it seemed to us of the utmost importance, in view of the fact that $8,000,000 had been appropriated there and that the benefit of it largely accrued to the Galveston Wharf and Dock Company, a corporation which charged enormous rates for wharfage and which could not furnish sufficient facilities for the growing traffic of that port, that something be done. It seemed to us that this expenditure for Texas City was the best way out of this troublesome question.

As I am informed, on the request of these gentlemen, one from Texas and one or two from Minnesota, the member from Texas [Mr. HAWLEY] introduced a resolution asking for a survey and estimate, giving the cost of this supposed improvement. So far as I know, from the day he introduced that resolution to this he never said to any member of the committee—certainly not to me—anything that looked like an objection to that improvement. I take it to be the inference, whenever a man introduces a resolution of this kind, that he is friendly to it and that he is committed to it. I have never known, as a member of the River and Harbor Committee, a case where a man, after introducing a resolution calling for a survey or estimate, has had the courage, I may say, to come afterwards before the committee or the House and say that he did not favor the improvement.

The committee supposed that this was not only a project which would relieve the situation, but one that had the cordial support of the member from that district. And I must suggest to him that it would have been more fair toward the committee, more honest and, I may say, more manly, if he had come before the committee and told them the objections to that project, rather than to print in some remarks published in the RECORD that there were divers objections to it.

Mr. HAWLEY. I hope the gentleman will allow me a moment.

Mr. BURTON. Certainly.

Mr. HAWLEY. What opportunity had I to come before your committee and to know that this appropriation was to be made at this time?

Mr. BURTON. There were seventeen members of the Committee on Rivers and Harbors; and any one of that membership the member from Texas could have seen, and he would have been listened to by him.

Mr. HAWLEY. Certainly, if I had known that it was in contemplation by the committee to make an appropriation of this character.

Mr. BURTON. The member from Texas must have known of the fact.

Mr. HAWLEY. But he denies the fact that he knew that the committee contemplated making any such appropriation as that.

Mr. BURTON. He must have known the fact from the member from his own State, at all events, who was on the committee. The matter was not done in private.

I understand the gentleman makes complaint also that he did not receive due and full consideration from the chairman of the committee. In regard to that, Mr. Speaker, just let me say a single word. As a matter of fact, the chairman of the committee gave to the member from Texas more time and consideration than to any other member of the House who was not a member of the Committee on Rivers and Harbors. I listened to all that he had to say, heard him in reference to any suggestions he had to make, read all of his pamphlets and papers, examined all of the maps and charts that he produced, and gave him a patient hearing in all respects.

On one occasion, on a day when many Members of the House and several Senators from the other end of the Capitol were waiting to interview me with reference to matters to be embodied in the bill, I understood the member from Texas to make this remark, substantially, "I am scarcely admitted even to the room of the Committee on Rivers and Harbors, and am not permitted to speak to the chairman of that committee."

Now, Mr. Speaker, in view of the fact that at any time, and on every day, when that bill was under consideration up to midnight, the member could have had access to the committee room or to the chairman of the committee, and when there was no possible restriction placed on any hearing which he even suggested he desired to have before the committee, it did seem, as a matter of justice to the chairman of the committee and to the members of the committee, that this remark was entirely uncalled for, and I called him down for it. And I may be permitted to say here that there is no one—whether a member of this House or elsewhere—who is prominent enough, in case he made such a remark as that, to escape being called down for it immediately.

It is not a very pleasant thing to "stand off" the different members of the House who are seeking appropriations in their various sections to an amount aggregating $250,000,000 or $260,000,000. But there is no member who can say that he was not treated with due courtesy and consideration by the committee.

I had some controversies, of course, with various members of the House in respect to appropriations for various localities in which they were interested, but if there is any member of this House, aside from the member from Texas, who can say that either I or any member of the Committee on Rivers and Harbors did not treat him with due courtesy and consideration, let him stand up on this floor and so declare.

In endeavoring to secure economy in this bill and the best results, the committee have tried to do their duty to the country and to the House.

Now, it has been said that there was no parliamentary status for this bill. A difference of opinion existed with reference to that in the committee, but it was first raised and passed upon in another case, that of Sabine Pass, where there was nothing whatever but an estimate of cost of $50,000, and no recommendation. On full discussion, on a vote of the committee—and I may say my own vote was not in favor of it—that item was included. The committee then adhered to the rule that if we had an official estimate we could incorporate items of this kind, and in three cases without a formal survey did include such items, and I think they are among the most important in the bill.

We had an estimate from the engineer's office to the effect that $500,000 would do this work. Private parties came forward and said they would do it for $250,000; and to make the work already

done at Galveston useful and effective, and to save that $8,000,000, more than half of which may be said to have been for the benefit of a single monopoly in Galveston, we thought the best course to pursue was to insert this $250,000.

If I have offended the gentleman's sense of dignity, if I have wounded his vanity (sometimes these two things being more important with men than the orderly and decent transaction of business), I am sorry; but I thought I did my duty to this House and to the country, and I want to say to him that if anyone had come in with the same offensive remark about me or the committee, he would have been met with my protest and with a remark which would have been equally curt.

Mr. HAWLEY. I wish you would state explicitly again to the House what that offensive remark was.

Mr. BURTON. The offensive remark was this: "I am hardly allowed in the committee room, and not permitted to speak to the chairman."

Mr. HAWLEY. To whom did I say that?

Mr. BURTON. To me.

Mr. HAWLEY. To you?

Mr. BURTON. Yes.

Mr. HAWLEY. Let me ask if you will bear with me for a moment to recite just what did occur on that occasion?

Mr. BURTON. I certainly understood you to make that remark, and to that I responded in these words: "My dear sir, do you expect me to see one hundred men in the course of a day and give each a half an hour?"

On the preceding day you had requested for a half hour's interview, and that after I had given to the member from Texas more time than to any other member of the House not a member of this committee.

I want to say that the record of the Committee on Rivers and Harbors is clear in this matter. We consulted the engineers; we found it to be a fact that 14 feet existed there without injuring the jetties or other public work, and it was a place to which the leading cotton factors of the great Southwest have already moved a part of their plant. It was a place at which there was unlimited room for docks and wharves. It was a place near to the end of those jetties, and I repeat again, that if the member from Texas had any objection or knew anything he should have come before this committee and contradicted his solemn act in introducing this resolution, or let the committee know what he wanted about it and what he meant about it. It was his duty to let us know if there was any objection to this measure, and not to come in here, and even then not on the floor of the House, but later in the RECORD, to insert an accusation and insinuation that we were particularly interested in some particular locality.

I even now, gentlemen of the House, say that I question whether a mistake was not made in striking out that item; but as this degree of criticism has been raised about it, I want to say that this river and harbor bill, so far as the committee is concerned, is going to be like Cæsar's wife—above suspicion. If there is any man who makes any criticism on this provision from that locality, I do not care even if the suspicion arises that he does it in the interest of another port, even if it is in the interest of a wharf and dock company which is imposing upon the people of the whole Southwest, this committee are going to, and we did ourselves propose to, throw it out, saying, as I did the other day, that the gentleman from Texas must settle that with his own constituents.

But when he goes further and accuses the Committee on Rivers and Harbors of a special interest and makes an attack backed, I understand, by vicious newspaper attacks, I say he is making an insinuation against the committee whose sole labor was to do its duty in bringing in a river and harbor bill which would meet the approval of this House and which would meet the approval of the whole country. [Applause.]

Mr. HAWLEY. Mr. Speaker——

The SPEAKER. The Chair understands that the gentleman from Ohio moves that the remarks be stricken out, and that there be substituted what was actually said, as shown by the reporters' notes. That is the question before the House.

Mr. HAWLEY. I desire to say at the outset that I accept the gentleman's declaration of good faith. I shall discuss this question as I saw it then and as I see it now. There was before the River and Harbor Committee a bill proposed by me for an improvement of the harbor at the mouth of the Brazos. The committee heard me on that question and considered it, and not until the hearings were closed, as I understood it, was I informed by the chairman that this particular bill, or this proposal, was without parliamentary status. The engineers had been there, appointed as a special commission, to examine that stream. They had made a report in conformity with the resolution which sent them there. They had stated that it was an enterprise that could be developed in the interest of commerce.

The one thing which they omitted to say, that they did not say, was what the estimated cost would be to complete it; but in all other points they covered the proposition, which gave it, as I supposed, a parliamentary status. Finally, when this bill was approaching its completion, a member of the River and Harbor Committee came to me and asked for the introduction of a bill or resolution which asked that a survey be made in Galveston Bay between Galveston Harbor and Texas City. As a matter of courtesy to him I introduced this resolution. I did not know for several days thereafter that this resolution had not passed the House. I understood afterwards that it had been objected to and a survey had never been authorized by Congress.

Now, I would like to inquire whether that affected a proposition or not; whether it was a question that Congress should have authorized this survey before, or whether the River and Harbor Committee on the one hand should proceed to determine the parliamentary status of a commission which had been assigned to a given point, and which made a full and complete report in all respects—before they could have any other authorization, in a subsequent measure, they could proceed to legislate on the simple statement of interested parties. It was hardly to be supposed that they would make this appropriation of $250,000 without the fullest information in respect to the surroundings at Texas City and Galveston Harbor.

What I objected to, and most seriously, was that the committee could not have been fully acquainted with all the circumstances and conditions that existed in and about Galveston Bay which would be affected by the construction of this channel. I was certainly not opposed to any improvement in the bay. I was not opposed to this project itself. But I could foresee, as every man acquainted with the waters of Galveston Bay could, that there was great danger in digging a channel without providing in the most explicit way for the manner in which it should be dug, for the diposition of the material to come from it, and for the manner in which it should be maintained thereafter.

It may be, also, that I felt incensed that the committee should declare that there was no parliamentary status to a measure that had proceeded as far as the Brazos survey had, and that there was parliamentary status in another which had not proceeded through Congress at all. These were the considerations that moved me to inquire why—and in the nature of the things why—the River and Harbor Committee had refused distinctly to report a case wherein there was parliamentary status on the one side and made an appropriation of $350,000 for another project that had never had the authorization of Congress to even have a survey made of that project.

I knew, and I said to this House, that an able, eloquent, and persuasive gentleman from the home of the chairman of the River and Harbor Committee had stated this case before the River and Harbor Committee, and I complained of it because his pleading was heard, and because the persuasions of interested parties influenced the committee to come to a conclusion when the presentation of the Representative from that district had not been heard at all in respect to the matter. But greater than that, and above that, and as I believe I said here, as to the parliamentary status of legislation, the engineers were not heard from in an official way. I do not know what information was secured except that, as I am generally informed, the War Department asked the local engineer at Galveston what it would cost to dig this channel. His reply was that it could be dug for $500,000.

Mr. BURTON. Will the gentleman allow me to ask him a question?

Mr. HAWLEY. Certainly.

Mr. BURTON. I see the gentleman from Minnesota [Mr. MORRIS], a member of the committee, is not present. I will ask you to state whether it is true you had several conversations with the gentleman from Minnesota—it is not a matter within my own knowledge—that you called upon with a gentleman from Texas, and both of you expressed your unqualified good will to this project.

Mr. HAWLEY. You have asked if he called with the gentleman from Texas. He did not; he called with friends of his from Duluth, Minn.; and in the presence of these gentlemen I suggested the character of the resolution that would be introduced here.

Mr. BURTON. The gentleman does not deny that he introduced the resolution here in that form?

Mr. HAWLEY. It is not necessary for the gentleman to put his question in that way; no one expects me to deny it here, and I do not think the gentleman does. If he does, I am mistaken in him. This resolution was introduced in explicit terms at the request of the gentleman from Minnesota, a member of the River and Harbor Committee, that a survey might be made.

The resolution never passed the House, and I do not know now how it came about that without that authorization the River and Harbor Committee were informed of the sum that would be required to dig this channel, upon which they could base an estimate and make an appropriation. They were not told by the

engineer, either, that it was a commendable and advisable thing to do. The gentleman did not evidently inform himself as to what the consequences might be, and, in my judgment, under this bill, would be, in its effect on that splendid harbor, which was created under the beneficent action of this Government and which accommodates to-day more than one hundred millions of commerce and a large and rapidly increasing tonnage every season.

I wonder what the gentleman's reflections would have been if, under this authorization, this channel had been dug and it had been found under its influence that Galveston Channel was continually being shoaled by the earth which was thrown up from this channel to the amount of three or four millions of cubic yards. This is simply to the merits of the question, and it is to show that the committee was not informed, and the chairman himself could not have been informed with respect to this matter or this bill never would have been passed through the committee, as it did not pass through the House.

Now, with respect to my remarks, I do not know, except in one instance, of a single thought that is in this RECORD that I did not speak here on the floor. It is true that a part of the language that is here was not employed by me in terms, perhaps, and I omitted to request that my remarks might be extended in the RECORD, having never had occasion to do so before. There is one part to which I call attention in arguing this matter, that I omitted to say on the floor, and that was with respect to the contractor who was directed, or whom the Secretary of War was authorized to employ, to dig this channel. I do not know of any other part of my remarks that did not find expression here in some form in my request that this part of the measure be stricken from the bill.

Now, with respect to the gentleman's motion, I would like to know if it is not the custom, and if the gentleman, on the occasion of this discussion, himself did not make such revision of his remarks as he thought proper?

Mr. BURTON. Does the gentleman intend that as a question?

Mr. HAWLEY. The gentleman can answer it as such if he pleases.

Mr. BURTON. Decidedly no, so that it shows an attack on a member not made in debate.

Mr. HAWLEY. I say, Mr. Speaker, there is no portion of this speech embraced in the RECORD that was not in form expressed on this floor except that part which relates to the contractor. Now, in regard to the gentleman's motion, it is not necessary, Mr. Speaker, that it be put. I shall myself ask, if the gentleman, or the committee, or any one of them, find such grave offense in what I have stated—I shall ask to remove it from the RECORD in such a way as I can, and, with such revision only as is the daily custom in this House, incorporate in the RECORD the remarks that were delivered on the floor day before yesterday.

Mr. CATCHINGS. Mr. Speaker, in view of the character of the attack which is found printed in the RECORD, I think it is due to the committee, of which I have long been a member, that I should say something. It has always been a rule of that committee that no project of any sort, great or small, should be incorporated in a bill unless we had before us the estimate of the Engineer Department in some form, giving us something upon which we could base an opinion as to what would be the ultimate cost of the proposed work. Usually that information has come to us in pursuance of a resolution previously passed by Congress directing that a survey should be made under the supervision of the Secretary of War for the purpose of ascertaining those facts.

Mr. STEELE. I rise to a point of order. The gentleman from Ohio has made his statement, and the gentleman from Texas has signified his desire to have whatever was offensive removed from the RECORD. I submit that there is no question of privilege now before the House.

Mr. CATCHINGS. I am not addressing myself to a question of privilege.

The SPEAKER. The Chair thinks the question before the House is the motion of the gentleman from Ohio to strike out the published speech of the gentleman from Texas and to substitute the speech as written from the reporters' notes.

Mr. STEELE. I understood it was a question of privilege, but if I do not understand the question——

The SPEAKER. The gentleman from Ohio did rise to a question of privilege, but the matter seems to have terminated in a proposition to correct the RECORD.

Mr. CATCHINGS. I supposed that I was speaking with the consent of the House.

The SPEAKER. The Chair has permitted the discussion to proceed on that basis. But a point of order being made, he must rule that remarks should be confined to the proposition before the House.

Mr. CATCHINGS. Well, Mr. Speaker, I ask unanimous consent that I be allowed a few minutes to make some statements with reference to the methods of the River and Harbor Committee.

The SPEAKER. For what length of time?

Mr. CATCHINGS. I shall occupy a very few minutes. I am not in the habit of occupying the time of the House very long.

Mr. DOCKERY. I ask that the gentleman from Mississippi be allowed fifteen minutes.

There was no objection.

Mr. CATCHINGS. Mr. Speaker, as I was stating, it oftentimes has happened that when we have directed a survey to be made it has been reported to Congress by the Chief of Engineers that a survey was unnecessary, because he had sufficient information upon which to make the estimate without incurring the expense and trouble of a survey.

The gentleman's idea of what constitutes a parliamentary status is a little confused, no doubt because of the fact that he has not been familiar with the methods which have prevailed with reference to this kind of legislation. So far as concerns the projected improvement at the mouth of the Brazos River, we clearly could not have been justified in recommending the Government to undertake that work, because there was not a syllable in the reports of the engineers giving the slightest idea as to what would be the cost of that work.

When this Texas City project was presented it impressed me more than anything else which was called to our attention. I believed then, and I believe now, that the excavation of that channel would give immense relief to commerce and would do no harm to the harbor of Galveston or to any human being, unless it might be those persons who are concerned in the ownership of this Galveston wharfage monopoly.

But the matter did have a parliamentary status because we did get an estimate from the engineer as to what would be the cost of this work. It is true it did not come to us in response to a formal demand for a survey, but that is not essential. There is no limitation in the rule of this House which undertakes to define the jurisdiction of the Committee on Rivers and Harbors. We are vested with the sole and absolute discretion as to how we shall deal with matters of this sort, subject, of course, to the final action of this House. Such rules, other than this, as have been laid down for us are of our own making and have no existence in any rule of this House or statute law. But we have felt always that we would not be justified in suggesting any proposition unless we were able to say to this House that we had first obtained an estimate from the engineers as to what the cost of the work would be.

Gentlemen will see the distinction I am making. So far as the work at Brazos River was concerned we had no estimate or statement of any sort from any engineer, either the Chief of Engineers or any subordinate, as to what that work would cost; but as to the work at Texas City we did have an estimate, and an offer was made to the committee to do this work for just one-half the amount estimated as the cost by the engineers; and believing this to be a valuable work, we accepted the proposition. So far as I am concerned, I greatly regret the action of the House in striking out the provision which was inserted in the bill, and I sincerely trust that the Senators from the State of Texas, when this bill reaches the other side of this Capitol, will see that such a provision is inserted, in the interest of all those persons who are compelled to transact their business through the great harbor of Galveston.

In confirmation of what the chairman of our committee has said, I want to say that there never was an intimation, so far as I know, from my friend from Texas or from anybody else, that this was not both a worthy and a desirable work. I voted for it believing that it would be acceptable to the distinguished gentleman from the Galveston district. If I had had occasion to have any suspicions upon that point, I certainly would have inquired of him personally as to what his opinion was on the subject.

The suggestion that the spoil excavated from this channel might operate as an obstruction to the harbor is utterly without merit, as my friend will see when he comes to inquire into the methods by which the excavation of rivers and harbors is carried on by the Engineer Department. Those officers are always particular to see that the spoil arising from any excavation is so placed that it can not return to the channel or harbor as an obstruction. If there is one thing more than another which these officers have pressed upon our attention it has been the necessity of an establishment of harbor lines for the special purpose of seeing that no dump or waste of any sort is allowed to accumulate to the obstruction of the harbors.

Mr. HAWLEY. Will the gentleman permit me?

Mr. CATCHINGS. Certainly.

Mr. HAWLEY. You are doubtless aware of the fact that there is not a word in this measure, as proposed, that directs the contractor whom the Secretary of War is authorized to employ to make provision as to the disposition of this material or provide for the preservation and protection of the harbor.

Mr. CATCHINGS. Why, there is no necessity for the incorporation of such a provision as that, as the gentleman of course must understand. This bill gives to the Secretary of War authority to make the contract. But the Secretary of War is charged with the supervision and care of all of the rivers and harbors of the country, and it is a part of his duty to see that no harm is done to them by any work of river and harbor improvement. The contract must be made under the supervision and with the consent of the Secretary of War, and he is charged by the law with the preservation of all of the harbors of the country. And the gentleman can depend upon the fact that if the proposed contract had been made, adequate provision would have been inserted in it for the protection of the harbor.

It is not necessary nor is it proper for the House to repeat to him his duty in that regard on all occasions. It is a well-settled purpose on his part, and has been recognized by him and repeated by him over and over again in the reports on works of various kinds throughout the country which he has submitted to Congress, to protect improvements as far as possible from deterioration.

My friend must understand also that this contract was not required to be made at all. The provision was inserted upon the condition that it was to be done under the supervision of the Secretary of War.

Mr. HAWLEY. I beg pardon of the gentleman for interrupting him, but I do not understand the bill to make any such provision as that.

Mr. CATCHINGS. The gentleman is in error; it does so state specifically. The general provisions of the bill cover just such a point, and it is the duty of the Secretary of War to scrutinize carefully, by his subordinates, all conditions which arise in the execution of any authorized contracts. There is no danger on that point. The preservation of the harbor, as far as possible, is a duty which is impliedly imposed upon the Secretary.

I do not believe, Mr. Speaker, that it is essential that anything more need be said upon this question. I have made this brief statement simply for the reason that I am exceedingly anxious that the Committee on Rivers and Harbors shall retain the confidence of our colleagues on the floor of the House.

I know, speaking for myself and for my associates on the committee, that we have labored unceasingly not only for the purpose of meeting the requirements of all sections of the country, but with a keen spirit of inquiry, with a view to patiently investigate every suggestion which has been made to us by members from all parts of the country in reference to improvements in their various districts. And I challenge any man on the floor of the House to take up this bill and go through its provisions in conjunction with the reports of the engineers and put his finger upon a single provision of the bill or a single appropriation authorized by the bill that would not, in his judgment, be entirely a proper one in view of the reports and the data before the committee. There is not one. I will venture to assert, that would not meet the approval of any thoughtful man who investigated the matter for himself.

The SPEAKER. The question is on agreeing to the motion of the gentleman from Ohio, to strike out certain portions of the RECORD.

The question was taken; and on a division (demanded by Mr. DOCKERY) there were—ayes 78, noes 0.

Mr. DOCKERY. Mr. Speaker, I suggest that there is no quorum.

The SPEAKER. The gentleman suggests that there is no quorum present.

Mr. RICHARDSON. The gentleman does not suggest that there is no quorum present, but that there is no quorum voting. Which does he mean?

The SPEAKER. Well, the gentleman must take the orthodox way. [Laughter.] Does the gentleman from Missouri make the point that there is no quorum present?

Mr. DOCKERY. I make the point that there is no quorum present, and that there is no quorum voting.

The SPEAKER. The Chair will count and ascertain if there is a quorum present.

After counting the House, the Speaker announced that 149 members were present—not a quorum.

Several MEMBERS. Regular order!

The SPEAKER. Under the rule, a call of the House will be ordered, the yeas and nays will be taken on the pending question, the doors will be closed, and those members who are present and do not desire to be recorded, either for or against the proposition, will record themselves as present.

The question was taken; and there were—yeas 111, nays 10, answered present 102, not voting 128; as follows:

YEAS—111.

Alexander,	Bankhead,	Bennett,	Boutell, Ill.
Allen,	Barney,	Berry,	Bradley,
Baker, Ill.	Bartlett,	Bland,	Brenner, Ohio
Brewer,	Driggs,	Lewis, Ga.	Simpson,
Bromwell,	Faris,	Linney,	Sims,
Brown,	Fleming,	McCulloch,	Skinner,
Brucker,	Fletcher,	McDowell,	Smith, Ill.
Brumm,	Gaines,	McLain,	Smith, Ky.
Brundidge,	Gibson,	McRae,	Smith, Wm. Alden
Burleigh,	Graff,	Maguire,	Southard,
Burton,	Graham,	Meekison,	Spalding,
Capron,	Greene, Mass.	Mesick,	Sparkman,
Catchings,	Greene, Nebr.	Norton, S. C.	Stark,
Clardy,	Griffith,	Otjen,	Steele,
Clark, Mo.	Handy,	Parker, N. J.	Stevens, Minn.
Clayton,	Harmer,	Payne,	Stone,
Cochrane, N. Y.	Hemenway,	Perkins,	Sturtevant,
Cooper, Wis.	Henry, Miss.	Powers,	Sulloway,
Cowherd,	Hill,	Prince,	Talbert,
Cox,	Hinrichsen,	Pugh,	Tayler, Ohio
Crump,	Hitt,	Ray,	Taylor, Ala.
Crumpacker,	Howell,	Reeves,	Terry,
Davenport,	Jenkins,	Rhea,	Van Voorhis,
Davidson, Wis.	Kitchin,	Ridgely,	Weymouth,
De Vries,	Knox,	Robbins,	Wheeler, Ky.
Dinsmore,	Kulp,	Robinson, Ind.	Williams, Miss.
Dockery,	Lacey,	Royse,	Zenor.
Dorr,	Lester,	Shafroth,	

NAYS—10.

De Graffenreid,	Hepburn,	Settle,	Wise.
Grow,	Landis,	Sherman,	
Heatwole,	Livingston,	Tawney,	

ANSWERED "PRESENT"—102.

Adamson,	Gillet, N. Y.	Lovering,	Robb,
Aldrich,	Gillett, Mass.	Low,	Shattuc,
Baird,	Griggs,	Lybrand,	Shelden,
Ball,	Grosvenor,	McCall,	Showalter,
Barham,	Hager,	McCleary,	Shuford,
Belden,	Hamilton,	McClellan,	Slayden,
Belford,	Hartman,	McEwan,	Smith, S. W.
Belknap,	Hay,	Maddox,	Snover,
Bingham,	Henderson,	Mahon,	Sperry,
Broderick,	Henry, Conn.	Mann,	Stallings,
Butler,	Henry, Ind.	Maxwell,	Stephens, Tex.
Carmack,	Henry, Tex.	Mercer,	Stewart, N. J.
Clarke, N. H.	Hicks,	Meyer, La.	Strait,
Cochran, Mo.	Hilborn,	Miller,	Sulzer,
Connolly,	Hopkins,	Moody,	Tate,
Cooper, Tex.	Howard, Ga.	Moon,	Thorp,
Curtis, Iowa	Johnson, N. Dak.	Mudd,	Todd,
Curtis, Kans.	Jones, Wash.	Olmsted,	Tongue,
Dayton,	Kirkpatrick,	Osborne,	Updegraff,
De Armond,	Kleberg,	Otey,	Wanger,
Eddy,	Knowles,	Overstreet,	White, N. C.
Elliott,	Lamb,	Packer, Pa.	Williams, Pa.
Ermentrout,	Lanham,	Pierce, Tenn.	Wilson,
Evans,	Little,	Quigg,	Yost.
Fischer,	Loud,	Richardson,	
Foss,	Loudenslager,	Rixey,	

NOT VOTING—128.

Acheson,	Codding,	Hunter,	Odell,
Adams,	Colson,	Hurley,	Ogden,
Arnold,	Connell,	Jett,	Pearce, Mo.
Babcock,	Cooney,	Johnson, Ind.	Pearson,
Bailey,	Corliss,	Jones, Va.	Peters,
Baker, Md.	Cousins,	Joy,	Robertson, La.
Barber,	Cranford,	Kelley,	Russell.
Barlow,	Cummings,	Kerr,	Sauerhering,
Barrett,	Dalzell,	Ketcham,	Shannon,
Barrows,	Danford,	King,	Southwick,
Bartholdt,	Davey,	Latimer,	Spight,
Beach,	Davis,	Lawrence,	Sprague,
Bell,	Davison, Ky.	Lentz,	Stewart, Wis.
Benner, Pa.	Dick,	Lewis, Wash.	Stokes,
Benton,	Dolliver,	Littauer,	Strode, Nebr.
Bishop,	Dovener,	Lloyd,	Strowd, N. C.
Bodine,	Ellis,	Lorimer,	Sutherland,
Booze,	Fenton,	McAleer,	Swanson.
Botkin,	Fitzgerald,	McCormick,	Underwood,
Boutelle, Me.	Fitzpatrick,	McDonald,	Vandiver,
Brantley,	Foote.	McIntire,	Vehslage,
Brewster,	Fowler, N. C.	Mahany,	Vincent,
Brosius,	Fowler, N. J.	Marsh,	Wadsworth,
Broussard,	Fox,	Marshall,	Walker, Mass.
Brownlow,	Gardner,	Martin,	Walker, Va.
Bull,	Griffin,	Miers, Ind.	Ward,
Burke,	Grout,	Mills,	Warner,
Campbell,	Gunn,	Minor,	Weaver,
Cannon,	Hawley,	Mitchell,	Wheeler, Ala.
Castle,	Heward, Ala.	Morris,	White, Ill.
Chickering,	Howe,	Newlands,	Wilber,
Clark, Iowa	Hull,	Norton, Ohio	Young.

So the motion was agreed to.

The following pairs were announced:

Until further notice:

Mr. DORR with Mr. DRIGGS.

Mr. LORIMER with Mr. SWANSON.

Mr. MCEWAN with Mr. VEHSLAGE.

Mr. LITTAUER with Mr. NORTON of Ohio.

Mr. CHICKERING with Mr. PIERCE of Tennessee.

Mr. WANGER with Mr. ADAMSON.

Mr. KETCHAM with Mr. BENNER of Pennsylvania.

Mr. ODELL with Mr. KING.

Mr. BEACH with Mr. JETT.

Mr. BARRETT with Mr. FOX.

Mr. LAWRENCE with Mr. MIERS of Indiana.

Mr. PEARSON with Mr. DAVEY.
Mr. BELDEN with Mr. HUNTER.
Mr. DANFORD with Mr. FITZPATRICK.
Mr. BARTHOLDT with Mr. OGDEN.
Mr. WEAVER with Mr. MARSHALL.
Mr. WARD with Mr. LATIMER.
Mr. CONNELL with Mr. UNDERWOOD.
Mr. ADAMS with Mr. BERRY.
Mr. DALZELL with Mr. RICHARDSON.
Mr. BARRETT with Mr. CRANFORD.
Mr. BROWNLOW with Mr. DAVIS.
Mr. RUSSELL with Mr. MCCLELLAN.
For this day:
Mr. WHITE of Illinois with Mr. VANDIVER.
Mr. WADSWORTH with Mr. SPIGHT.
Mr. WALKER of Virginia with Mr. STOKES.
Mr. YOUNG with Mr. BENTON.
Mr. ACHESON with Mr. BODINE.
Mr. BARNEY with Mr. BROUSSARD.
Mr. BELKNAP with Mr. COONEY.
Mr. DAYTON with Mr. CUMMINGS.
Mr. MUDD with Mr. JONES of Washington.
Mr. DOVENER with Mr. HOWARD of Georgia.
Mr. ELLIS with Mr. FITZGERALD.
Mr. HURLEY with Mr. JONES of Virginia.
Mr. JOHNSON of North Dakota with Mr. LESTER.
Mr. PEARCE of Missouri with Mr. LLOYD.
Mr. SHANNON with Mr. MEYER of Louisiana.
Mr. SOUTHWICK with Mr. ROBERTSON of Louisiana.

Mr. HAWLEY. Mr. Speaker, I beg to make a parliamentary inquiry. I understand the status of this matter now to be that my remarks, as made on the floor of the House, are to be incorporated in the RECORD.

The SPEAKER. The vote has not yet been decided. The gentleman will have to ask that later.

The result of the vote was then announced as above recorded.

Mr. BRUMM. I notice there are a number of persons here present who have not voted.

The SPEAKER. There has been an announcement of the vote. It is too late. They could have voted had they made the suggestion. The gentleman from Texas desires to make a parliamentary inquiry.

Mr. SIMPSON. Mr. Speaker——

The SPEAKER. The gentleman from Texas [Mr. HAWLEY] desires to make a parliamentary inquiry.

Mr. HAWLEY. I desire to learn, Mr. Speaker, the present status of this matter and to say that I understand it to be that the remarks which were published in yesterday's RECORD are to be substituted for the remarks that are in the hands of the reporters.

The SPEAKER. The reverse of that.

Mr. HAWLEY. I intended to state that the remarks which are in the RECORD are to be substituted by the remarks in the hands of the reporters. I wish to say, if I may, as a question of privilege, Mr. Speaker, that I understand the gentleman from Ohio [Mr. BURTON], who insisted upon this vote after my statement, has complained to this House that the language used makes an attack upon him in a manner that was not used on the floor of this House. The RECORD, which will convey and contain the language which was used, will show that in that respect the language not only has not been increased in its offensive matter or added to in any way, except, perhaps, to change or modify the form of expression somewhat, but that the offensive matter, as he designates it, that is in to-day's RECORD will be found in that of to-morrow, and, much as I regret it, a regret which I expressed on this floor to this House and to him, I wish to say now that I want it to be in the RECORD, every word of it, and I stand by it, here and anywhere that I may be asked to answer for it.

Mr. SIMPSON. Mr. Speaker——

The SPEAKER. For what purpose does the gentleman rise?

Mr. SIMPSON. I wish to move to reconsider the vote just taken.

Mr. BRUMM. Too late.

Mr. PERKINS. Mr. Speaker, a privileged report.

Mr. SIMPSON. Why, Mr. Speaker, I was on the floor and yielded to the gentleman from Texas.

The SPEAKER. Did the gentleman from Kansas vote in the affirmative?

Mr. SIMPSON. I voted in the affirmative.

The SPEAKER. The gentleman from Kansas moves to reconsider the vote just taken.

Mr. BRUMM. Upon that I rise to a point of order, Mr. Speaker. That motion comes too late. Other matter had intervened between the announcement of the vote and the motion to reconsider.

The SPEAKER. The rule of the House provides that it may be made on the same or the succeeding day.

Mr. SIMPSON. For the information of the gentleman from Pennsylvania——

The SPEAKER. The question is on the motion to reconsider.

The question was taken; and on a division there were—ayes 61, noes 42.

Mr. SIMPSON. No quorum.

The SPEAKER. The Chair thinks a quorum is present.

Mr. SIMPSON. I ask for the yeas and nays.

The yeas and nays were ordered.

Mr. BAILEY. Mr. Speaker, I move that the House do now adjourn. It is perfectly apparent that there can be no transaction of business to-day.

The question being taken on the motion of Mr. BAILEY that the House do now adjourn, on a division (demanded by Mr. GIBSON) there were—ayes 99, noes 64.

Mr. BRUMM. The yeas and nays.

The yeas and nays were ordered.

The question was taken; and there were—yeas 96, nays 110 answered "present" 5, not voting 140; as follows:

YEAS—96.

Adamson,	Cox,	Jones, Va.	Settle,
Allen,	Curtis, Iowa	Jones, Wash.	Shafroth,
Bailey,	Davidson, Wis.	Kleberg,	Shuford,
Baird,	De Graffenreid,	Lanham,	Simpson,
Baker, Ill.	Dockery,	Lewis, Ga.	Skinner,
Ball,	Dorr,	Lewis, Wash.	Slayden,
Barney,	Driggs,	Little,	Smith, Ill.
Barrett,	Elliott,	Lloyd,	Smith, Ky.
Bartlett,	Fleming,	McCulloch,	Spalding,
Bell,	Fowler, N. C.	McLain,	Stark,
Bennett,	Gillett, Mass.	McRae,	Stephens, Tex.
Benton,	Griffith,	Maddox,	Stewart, N. J.
Berry,	Hager,	Maguire,	Strait,
Bland,	Handy,	Maxwell,	Sulzer,
Bodine,	Hartman,	Meekison,	Sutherland,
Brantley,	Hay,	Mercer,	Talbert,
Brenner, Ohio	Henry, Miss.	Norton, S. C.	Tate,
Brewer,	Henry, Tex.	Osborne,	Taylor, Ala.
Brundidge,	Hinrichsen,	Otey,	Terry,
Clark, Mo.	Hopkins,	Perkins,	Todd,
Clayton,	Howard, Ga.	Pierce, Tenn.	Vandiver,
Cochran, Mo.	Howell,	Rhea,	Wheeler, Ky.
Cooper, Wis.	Jenkins,	Ridgely,	Williams, Miss.
Cowherd,	Jett,	Robinson, Ind.	Zenor.

NAYS—110.

Aldrich,	Dovener,	Joy,	Ray,
Alexander,	Ellis,	Kerr,	Reeves,
Baker, Md.	Ermentrout,	Kirkpatrick,	Rixey,
Bankhead,	Evans,	Kulp,	Robb,
Belford,	Faris,	Lacey,	Robbins,
Bingham,	Fischer,	Lamb,	Shattuc,
Booze,	Foss,	Landis,	Showalter,
Boutell, Ill.	Gaines,	Lentz,	Smith, S. W.
Brewster,	Gibson,	Linney,	Snover,
Bromwell,	Graham,	Livingston,	Southard,
Brown,	Greene, Mass.	Loud,	Stallings,
Brucker,	Greene, Nebr.	Loudenslager,	Steele,
Brumm,	Griffin,	Low,	Stone,
Bull,	Grosvenor,	McDonald,	Sturtevant,
Burleigh,	Grow,	Mahon,	Sulloway,
Burton,	Hamilton,	Mann,	Tayler, Ohio
Butler,	Harmer,	Miller,	Thorp,
Capron,	Hawley,	Moon,	Tongue,
Carmack,	Henderson,	Morris,	Updegraff,
Clardy,	Henry, Conn.	Mudd,	Vincent,
Clarke, N. H.	Henry, Ind.	Olmsted,	Wanger,
Cochrane, N. Y.	Hicks,	Otjen,	Weymouth,
Connolly,	Hilborn,	Overstreet,	White, N. C.
Cousins,	Hill,	Packer, Pa.	Williams, Pa.
Crump,	Hitt,	Pearce, Mo.	Wise,
Crumpacker,	Howard, Ala.	Prince,	Yost.
Curtis, Kans.	Howe,	Pugh,	
Davenport,	Johnson, N. Dak.	Quigg,	

ANSWERED "PRESENT"—5.

De Vries,	Kitchin,	McEwan,	Sims.
Griggs,			

NOT VOTING—140.

Acheson,	Catchings,	Fletcher,	Lorimer,
Adams,	Chickering,	Foote,	Lovering,
Arnold,	Clark, Iowa	Fowler, N. J.	Lybrand,
Babcock,	Codding,	Fox,	McAleer,
Barber,	Colson,	Gardner,	McCall,
Barham,	Connell,	Gillet, N. Y.	McCleary,
Barlow,	Cooney,	Graff,	McClellan,
Barrows,	Cooper, Tex.	Grout,	McCormick,
Bartholdt,	Corliss,	Gunn,	McDowell,
Beach,	Cranford,	Heatwole,	McIntire,
Belden,	Cummings,	Hemenway,	Mahany,
Belknap,	Dalzell,	Hepburn,	Marsh,
Benner, Pa.	Danford,	Hull,	Marshall,
Bishop,	Davey,	Hunter,	Martin,
Botkin,	Davis,	Hurley,	Mesick,
Boutelle, Me.	Davison, Ky.	Johnson, Ind.	Meyer, La.
Bradley,	Dayton,	Kelley,	Miers, Ind.
Broderick,	De Armond,	Ketcham,	Mills,
Brosius,	Dick,	King,	Minor,
Broussard,	Dinsmore,	Knowles,	Mitchell,
Brownlow,	Dolliver,	Knox,	Moody,
Burke,	Eddy,	Latimer,	Newlands,
Campbell,	Fenton,	Lawrence,	Norton, Ohio
Cannon,	Fitzgerald,	Lester,	Odell,
Castle,	Fitzpatrick,	Littauer,	Ogden,

Parker, N. J	Shannon,	Stewart, Wis.	Walker, Mass.
Payne,	Shelden,	Stokes,	Walker, Va.
Pearson,	Sherman,	Strode, Nebr.	Ward,
Peters,	Smith, Wm. Alden	Strowd, N. C.	Warner,
Powers,	Southwick,	Swanson,	Weaver,
Richardson,	Sparkman,	Tawney,	Wheeler, Ala.
Robertson, La.	Sperry,	Underwood,	White, Ill.
Royse,	Spight,	Van Voorhis,	Wilber,
Russell,	Sprague,	Vehslage,	Wilson,
Sauerhering,	Stevens, Minn.	Wadsworth,	Young.

So the House refused to adjourn.

The following additional pair was announced:

Mr. SHERMAN with Mr. WILSON, for this day.

Mr. MCCLELLAN. Mr. Speaker, I ask to be recorded as "present."

Mr. BURKE. Mr. Speaker, I was in my seat, came in just as my name was reached on the second roll call, but I did not hear it. I did not hear my name called.

The SPEAKER. The gentleman does not come within the rule.

Mr. BURKE. I was present and listening at the time, but did not hear my name called.

The SPEAKER. Was the gentleman listening at the time his name should have been called and failed to hear it?

Mr. BURKE. I was on the last roll. I was in my seat and present, and had just come into the House.

The SPEAKER. Does the gentleman think his name was not called?

Mr. BURKE. If it was I did not detect it. I have always been pretty prompt in answering the roll call.

The SPEAKER. The Chair thinks the gentleman does not bring himself within the rule.

Mr. BURKE. That is with the Chair.

The result of the vote was then announced as above recorded.

The SPEAKER. The question is on the motion to reconsider, on which the yeas and nays have been ordered.

The question was taken; and there were—yeas 66, nays 85, answered "present" 29, not voting 171; as follows:

YEAS—66.

Allen,	Driggs,	Lamb,	Settle,
Bailey,	Evans,	Lanham,	Simpson,
Baker, Ill.	Fowler, N. C.	Lentz,	Stark,
Bell,	Grow,	Livingston,	Stephens, Tex.
Benton,	Handy,	Lloyd,	Stewart, N. J.
Bodine,	Hemenway,	McLain,	Stewart, Wis.
Boutell, Ill.	Henry, Conn.	Maddox,	Strait,
Brantley,	Henry, Miss.	Maxwell,	Talbert,
Brenner, Ohio	Henry, Tex.	Meekison,	Tate,
Brundidge,	Hilborn,	Moon,	Terry,
Burke,	Hopkins,	Mudd,	Thorp,
Cooper, Wis.	Howard, Ala.	Norton, S. C.	Vandiver,
Corliss,	Jones, Va.	Otey,	Vincent,
Cowherd,	Kirkpatrick,	Pierce, Tenn.	Wheeler, Ky.
Cox,	Kitchin,	Rhea,	Zenor.
De Graffenreid,	Kleberg,	Ridgely,	
Dockery,	Knowles,	Robbins,	

NAYS—85.

Aldrich,	Davidson, Wis.	Hull,	Pugh,
Alexander,	Dolliver,	Jenkins,	Ray,
Bankhead,	Dovener,	Johnson, N. Dak.	Reeves,
Barney,	Elliott,	Joy,	Rixey,
Bartlett,	Ermentrout,	Knox,	Robb,
Belford,	Faris,	Lacey,	Robinson, Ind.
Berry,	Fenton,	Lewis, Wash.	Shafroth,
Bingham,	Fischer,	Linney,	Showalter,
Bromwell,	Fleming,	Loud,	Smith, Ill.
Brown,	Foss,	McCulloch,	Snover,
Brucker,	Gibson,	McDonald.	Spalding,
Brumm,	Graham,	Mahon,	Sparkman,
Burleigh,	Greene, Mass.	Mann,	Steele,
Burton,	Greene, Nebr.	Miller,	Sturtevant,
Carmack,	Griffin,	Mills,	Tayler, Ohio
Clardy,	Griffith,	Olmsted,	Taylor, Ala.
Clark, Mo.	Hamilton,	Otjen,	Weymouth,
Cochrane, N. Y.	Harmer,	Overstreet,	Williams, Miss.
Codding,	Hicks,	Packer, Pa.	Yost.
Crump,	Hitt,	Payne,	
Crumpacker,	Howe,	Perkins,	
Davenport,	Howell,	Prince,	

ANSWERED "PRESENT"—29.

Ball,	Dinsmore,	McAleer,	Smith, S. W.
Barham,	Gaines,	McClellan,	Stallings,
Clarke, N. H.	Gillett, Mass.	McDowell,	Sulzer,
Clayton,	Griggs,	Maguire,	Walker, Mass.
Curtis, Iowa	Grosvenor,	Osborne,	Wanger.
Curtis, Kans.	Henry, Ind.	Quigg,	
Dayton,	Landis,	Shuford,	
De Vries,	Lewis, Ga.	Sims,	

NOT VOTING—171.

Acheson,	Belknap,	Brownlow,	Cooney,
Adams,	Benner, Pa.	Bull,	Cooper, Tex.
Adamson,	Bennett,	Butler,	Cousins,
Arnold,	Bishop,	Campbell,	Cranford,
Babcock,	Bland,	Cannon,	Cummings,
Baird,	Boose,	Capron,	Dalzell,
Baker, Md.	Botkin,	Castle,	Danford,
Barber,	Boutelle, Me.	Catchings,	Davey,
Barlow,	Bradley,	Chickering,	Davis,
Barrett,	Brewer,	Clark, Iowa	Davison, Ky.
Barrows,	Brewster,	Cochran, Mo.	De Armond,
Bartholdt,	Broderick,	Colson,	Dick,
Beach,	Brosius,	Connell,	Dorr,
Belden,	Broussard,	Connolly,	Eddy,
Ellis,	Ketcham,	Moody,	Stevens, Minn.
Fitzgerald,	King,	Morris,	Stokes,
Fitzpatrick,	Kulp,	Newlands,	Stone,
Fletcher,	Latimer,	Norton, Ohio	Strode, Nebr.
Foote,	Lawrence,	Odell,	Strowd, N. C.
Fowler, N. J.	Lester,	Ogden,	Sulloway
Fox,	Littauer,	Parker, N. J.	Sutherland,
Gardner,	Little,	Pearce, Mo.	Swanson,
Gillet, N. Y.	Lorimer,	Pearson,	Tawney,
Graff,	Loudenslager,	Peters,	Todd,
Grout,	Lovering,	Powers,	Tongue,
Gunn,	Low,	Richardson,	Underwood,
Hager,	Lybrand,	Robertson, La.	Updegraff,
Hartman,	McCall,	Royse,	Van Voorhis,
Hawley,	McCleary,	Russell,	Vehslage,
Hay,	McCormick,	Sauerhering,	Wadsworth,
Heatwole,	McEwan,	Shannon,	Walker, Va.
Henderson,	McIntire,	Shattuc,	Ward,
Hepburn,	McRae,	Shelden,	Warner,
Hill,	Mahany,	Sherman,	Weaver,
Hinrichsen,	Marsh,	Skinner,	Wheeler, Ala.
Howard, Ga.	Marshall,	Slayden,	White, Ill.
Hunter,	Martin,	Smith, Ky.	White, N. C.
Hurley,	Mercer,	Smith, Wm. Alden	Wilber.
Jett,	Mesick,	Southard,	Williams, Pa.
Johnson, Ind.	Meyer, La.	Southwick,	Wilson,
Jones, Wash.	Miers, Ind.	Sperry,	Wise,
Kelley,	Minor,	Spight,	Young.
Kerr,	Mitchell,	Sprague,	

The following additional pairs were announced:

Until further notice:

Mr. SAUERHERING with Mr. BALL.

Mr. BUTLER with Mr. SLAYDEN.

For this day:

Mr. VAN VOORHIS with Mr. MCDOWELL.

Mr. KERR with Mr. CLAYTON.

Mr. SHELDEN with Mr. MCRAE.

Mr. COX. Mr. Speaker, I rise to a point of order.

The SPEAKER pro tempore. The gentleman will state it.

Mr. COX. I want to understand what is going on.

The SPEAKER pro tempore. The point of order is well taken.

Mr. COX. The Chair is surrounded by intelligent gentlemen who ought to be in their seats.

The SPEAKER pro tempore. Gentlemen will take their seats.

Mr. COX. Let them sit down, and see what we are doing. [After a pause.] There is not a man in this House as far back as I am that can tell what is going on. I ask for order, so that we may know.

The SPEAKER pro tempore. Gentlemen will please take their seats.

Mr. COX. Oh, well, Mr. Speaker, if you are running the machine up there, that is all right. [Laughter.]

The SPEAKER pro tempore. On this question the yeas are 65, the nays 84, present 29. The nays have it; and the motion is not agreed to.

Mr. BAILEY. Mr. Speaker, does not the rule require that the names of those marked "present" shall be recorded? Is it sufficient for the Chair to announce so many present?

The SPEAKER pro tempore. Those answering "present" are recorded on the roll.

Mr. BAILEY. Answering "present;" the Chair did not state that.

The SPEAKER pro tempore. There were present and not voting, and not answering, Mr. WANGER of Pennsylvania, Mr. LANDIS of Indiana, Mr. MCALEER of Pennsylvania, and Mr. KERR of Ohio.

Mr. BRUMM. I call for the regular order.

Mr. DOCKERY. Did a quorum respond?

Mr. WANGER. I was present and voted, and withdrew my vote and asked to be recorded as "present."

The SPEAKER pro tempore. That was improperly stated by the Chair. The gentleman did answer "present." The regular order is demanded.

Mr. BROMWELL. I hope the gentleman will withdraw the call for the regular order for the present.

Mr. BRUMM. I will withdraw the demand for the regular order.

Mr. BROMWELL. Mr. Speaker, I ask unanimous consent for the present consideration of the resolution which I send to the Clerk's desk.

The Clerk read as follows:

Concurrent resolution asking for the recall of House resolution 296.

Resolved by the House of Representatives of the United States (the Senate of the United States concurring), That the President be respectfully requested to return to the House of Representatives House joint resolution No. 296, now in his hands.

Mr. BROMWELL. Mr. Speaker, in explanation of the concurrent resolution I will say that two or three weeks ago this House passed a joint resolution, which was sent to the Senate and also passed by that body, and was sent to the President, calling for information from the Secretary of State concerning certain outrages perpetrated on American citizens in China. The President has called my attention to the fact that the resolution calling for information was joint in form and, if signed by the President,

might be used as a precedent that one House alone had not the right to call for such information; and he suggested to me that, as the ten days would be up to-morrow and it might be impossible for him to approve this bill, it might be well to pass a concurrent resolution in the two Houses asking for a recall of the papers, after which, if that is done, I shall ask permission of the House to present a resolution from the House itself, rather than a joint resolution. This is the concurrent resolution asking the President for the return to the House of the joint resolution which was improperly passed. I ask for a vote.

The SPEAKER pro tempore (Mr. GROSVENOR). Is there objection to the present consideration of the resolution? [After a pause.] The Chair hears none.

The resolution was agreed to.

On motion of Mr. BROMWELL, a motion to reconsider the vote whereby the resolution was agreed to was laid on the table.

MESSAGE FROM THE SENATE.

A message from the Senate, by Mr. PLATT, one of its clerks, announced that the Senate had agreed to the report of the committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H. R. 11487) making appropriations for the diplomatic and consular service for the fiscal year ending June 30, 1900.

The message also announced that the Senate had passed the bill (S. 5386) restoring to the pension roll the name of Samuel S. McDonald.

The message also announced that the Senate had passed without amendment the following resolution:

Resolved by the House of Representatives (the Senate concurring). That there be printed and bound in cloth 6,000 additional copies of the Report of the Director of the Mint for the fiscal year ended June 30, 1898: 1,000 for the use of the Senate, 2,000 for the use of the House of Representatives, and 3,000 for the use of the Director of the Mint.

SENATE BILL REFERRED.

Under clause 2 of Rule XXIV, Senate bill of the following title was taken from the Speaker's table and referred to its appropriate committee as indicated below:

S. 5386. An act restoring to the pension roll the name of Samuel S. McDonald—to the Committee on Invalid Pensions.

ENROLLED BILL SIGNED.

Mr. HAGER, from the Committee on Enrolled Bills, reported that they had examined and found truly enrolled bill of the following title; when the Speaker signed the same:

H. R. 6718. An act for the relief of Samuel Racey.

RUTH MARCH.

Mr. WEYMOUTH. Mr. Speaker, I ask unanimous consent for the present consideration of the bill (H. R. 2374) authorizing the Secretary of the Treasury to issue a duplicate bond to Benjamin H. March, guardian of Ruth March.

The Clerk read the bill, as follows:

Be it enacted, etc., That the Secretary of the Treasury be, and he is hereby, authorized and instructed to issue a duplicate bond in the name of Benjamin H. March, guardian of Ruth March, an insane person, in lieu of a United States 4 per cent registered bond issued under the acts of July 14, 1870, and January 28, 1871, No. 68830, for $1,000, inscribed in the name of Ruth March, and alleged to have been lost or destroyed: *Provided*, That the said Benjamin H. March shall first file in the Treasury a bond in a penal sum equal to the amount of the said missing bond and the interest which would accrue thereon until the principal thereof becomes due and payable, with two good and sufficient sureties, residents of the United States, to be approved by the Secretary of the Treasury, with condition to indemnify and save harmless the United States from any claim because of the lost or destroyed bond.

With the following amendment recommended by the committee:

Amend by striking out the words "equal to" and inserting the words "in double;" so that it will read "a bond in a penal sum in double the amount."

Mr. PAYNE. Mr. Speaker, I would like to hear a little explanation of this.

Mr. WEYMOUTH. This is simply a bill to issue a duplicate bond to the executor of Ruth March, and it is surrounded by all the usual safeguards. Mr. Speaker, I offer the amendment which I send to the Clerk's desk.

The Clerk read as follows:

Amend said bill (H. R. 2374) by striking out, in lines 5 and 6, the following words, "guardian of Ruth March, an insane person," and insert in lieu thereof the following: "executor of the last will and testament of Ruth March, deceased."

Also, to amend the title to said bill by striking out the words "guardian of Ruth March" and insert in lieu thereof the following: "executor of the last will and testament of Ruth March, deceased."

The SPEAKER. Is there objection to the present consideration of the bill? [After a pause.] The Chair hears none.

Mr. DOCKERY. I would like to have the report read.

Mr. COX. Mr. Speaker, I rise to a point of order. I am as anxious as anyone to hear what is going on; and if this confusion is to go on, we are voting in the dark.

The SPEAKER. The gentleman from Tennessee makes the point of order that the House is in disorder, which point is well taken. If all gentlemen would refrain from conversation, there would not be any. The Clerk will proceed.

The Clerk read the report (by Mr. GRAFF), as follows:

The Committee on Claims, having under consideration the bill (H. R. 2374) authorizing the Secretary of the Treasury to issue a duplicate bond to Benjamin March, as guardian of Ruth March, an insane person, find the following facts from the sworn proofs in the case:

That Ruth March lives in Ashby, a small town in Massachusetts, and has resided there for many years; that she is 84 years of age and has become insane. She owned a United States registered bond, issued under the acts of July 14, 1870, and January 20, 1871, for the sum of $1,000, and collected the interest on the said bond from time to time down to and including the interest due July 1, 1895.

Benjamin H. March, of Ashby, Mass., her nephew, was duly appointed guardian of said Ruth March on July 17, 1895. A thorough search through all her papers and effects has been made for said bond, and it has not been found. It was shown that she shortly before burned some of her papers. It is not known whether or not said bond was then burned.

The affidavits by her neighbors and those with whom she came in contact rebut the presumption that the bond has been assigned, but tend to prove and prove, in the opinion of the committee, that said bond is lost or destroyed, although the evidence is circumstantial on that point. The woman is in such a condition mentally as not to be able to furnish any information on the subject.

The committee recommend that the bill be amended by striking out the words "equal to," in the thirteenth line of said bill, and inserting in lieu thereof the words "in double," and as thus amended the bill do pass.

The Comptroller of the Treasury, upon a hearing before that Department, recommended that no duplicate issue, for the reason that no one except Ruth March is known to have knowledge as to whether she assigned the bond when she was mentally competent to do so.

The SPEAKER. The question is on agreeing to the amendments.

The question was taken; and the Speaker announced that the amendments were agreed to.

Mr. BAILEY. Mr. Speaker, I demand the yeas and nays on the amendments.

Mr. PAYNE. I will say to the gentleman from Texas that when this bill is disposed of, and one or two other matters, I will make a motion to adjourn.

Mr. BAILEY. Matters of unanimous consent?

Mr. PAYNE. Yes.

Mr. BAILEY. If the gentleman from New York will make a motion to adjourn, I will withdraw my demand for the yeas and nays. I have no desire to embarrass the passage of this bill, and I withdraw the demand for the yeas and nays.

The SPEAKER. The gentleman from Texas withdraws the demand for the yeas and nays, and the amendments are agreed to.

Mr. BRUMM. Mr. Speaker, I call for the regular order.

The SPEAKER. The question is on the engrossment and third reading of the bill.

The bill was ordered to be engrossed and read a third time; and it was accordingly read the third time, and passed.

The SPEAKER. Without objection, the title will be amended.

There was no objection.

On motion of Mr. WEYMOUTH, a motion to reconsider the vote whereby the bill was passed was laid on the table.

Mr. BRUMM. Mr. Speaker, I call for the regular order.

DIPLOMATIC APPROPRIATION BILL.

Mr. HITT. Mr. Speaker, I have a conference report to present on the diplomatic appropriation bill.

The Clerk read the conference report, as follows:

The committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H. R. 11487) making appropriations for the diplomatic and consular service for the fiscal year ending June 30, 1900, having met, after full and free conference have agreed to recommend and do recommend to their respective Houses as follows:

That the Senate recede from its amendments numbered 7, 13, and 17.

That the House recede from its disagreement to the amendments of the Senate numbered 1, 2, 3, 6, 9, 11, 12, 14, 15, 16, and 18, and agree to the same.

Amendment numbered 4: That the House recede from its disagreement to the amendment of the Senate numbered 4, and agree to the same with an amendment as follows: In lieu of the matter inserted by said amendment insert the following: "Third secretaries of embassies to Great Britain, France, and Germany, at $1,200 each, $3,600;" and the Senate agree to the same.

Amendment numbered 5: That the House recede from its disagreement to the amendment of the Senate numbered 5, and agree to the same with an amendment as follows: In lieu of the sum proposed insert "$63,400;" and the Senate agree to the same.

Amendment numbered 8: That the House recede from its disagreement to the amendment of the Senate numbered 8, and agree to the same with an amendment as follows: In lieu of the sum proposed insert "$429,500;" and the Senate agree to the same.

Amendment numbered 10: That the House recede from its disagreement to the amendment of the Senate numbered 10, and agree to the same with an amendment as follows: Strike out the matter inserted by said amendment, and strike out line 2, page 17 of the bill, and insert in lieu of said line 2 the following: "Consuls at Palermo and Naples;" and the Senate agree to the same.

Amendment numbered 19: That the House recede from its disagreement to the amendment of the Senate numbered 19, and agree to the same with an amendment as follows: In lieu of the sum proposed insert "$2,600;" and the Senate agree to the same.

Amendment numbered 20: That the House recede from its disagreement to the amendment of the Senate numbered 20, and agree to the same with an amendment as follows: In lieu of the sum proposed insert "$105,170;" and the Senate agree to the same.

ROBERT R. HITT,
LEMUEL E. QUIGG,
HUGH A. DINSMORE,
Managers on the part of the House.

EUGENE HALE,
CHARLES J. FAULKNER,
Managers on the part of the Senate.

The statement is as follows:

Amount as passed House	$1,705,533.76
Increase by Senate	16,800.00
Amount as passed Senate	1,722,333.76
Reduction in conference	7,800.00
Amount as agreed to in conference	1,714,533.76

Mr. HITT. Mr. Speaker, if there be explanation desired of the very clear report of the committee of conference, I will state that the conferees, adhering as far as they could to the action of the House, have obtained a reduction from the changes made by the Senate (which amounted to about $16,000 increase) to about half that sum; and the items are these, to make a simple, plain story of the changes to which we have assented: Three secretaries of legation in South America—at the Argentine Republic, Venezuela, and Peru—are changed from $1,500 to $1,800 per annum, or $300 each. The reasons are probably manifest to anyone who knows those countries. Three third secretaries of embassies—one to London, one to Paris, and one to Berlin—are provided at salaries of $1,200 each. As the Senate had passed the bill these salaries were $1,600. We thought that $1,200, the amount which the Secretary of State had recommended in the estimates, would be sufficient, at least for the first time that we try these officers. There seems to be urgent pressure by these embassies for this assistance.

Mr. BAILEY. Does the gentleman mean to have the House understand that each of these embassies has already two secretaries and this is a provision for a third?

Mr. HITT. This provides a third secretary for each of those three embassies.

Mr. BAILEY. And they have just as much use for them as I have for a third arm.

Mr. HITT. The chairman of the Committee on Foreign Relations of the Senate, who has just returned from the Paris conference, stated to the conferees this morning that there was need at each of them for another man, and more force at the consulate.

Mr. BAILEY. I think I know enough about the foreign service of other governments in this country to know that their officers spend about two-thirds of their time in social affairs, and I feel sure that there is no need for this third secretary in these legations.

Mr. HITT. Well, I will not controvert the gentleman's knowledge of foreign legations and embassies in this city, as he is undoubtedly much more familiar with the social world and its duties than I am. [Laughter.] But concerning our embassies abroad I have some personal knowledge, as I served for nearly seven years as secretary of legation at Paris, and I know that we were sometimes obliged to work until 11 o'clock at night.

The duties of these embassies are really serious and considerable. A matter which I might bring to the gentleman's attention, because he is not perhaps aware of it, is this: There frequently arise in the business of those three embassies questions of personal liberty and personal right touching naturalized and other American citizens, and in dealing with such questions our officials have no limitation of business hours.

The whole country would be indignant in case of a neglect of the rights of an American citizen falsely imprisoned or in any way suffering injury in a foreign country. We have millions of foreign-born citizens in the United States. They go constantly in considerable numbers to revisit their native countries, as they have the right to go. They are frequently claimed for military service. Their rights are often infringed, and many times we had to come to the aid of American citizens—poor, humble men who needed advice and could not employ counsel—men who were imprisoned or were seized under some ancient law, and I have aided in extricating them. And I believe it is just as much the duty of our representatives abroad to take care of such people as of those who have great fortunes.

Mr. BAILEY. No one would controvert the statement just made by the gentleman from Illinois; and I will say I believe he is perfectly sincere in what he says. But, in the first place, the secretaries are not the men to take care of the personal liberties of those people; that is the duty of the men commissioned to represent the United States.

The gentleman has attempted to be a little ironical about my knowledge of social affairs, about which I confess I know nothing, and about which I acknowledge he knows everything, because he takes part in those affairs twenty times where I never do at all. I was never at one of these social entertainments, where he is always a welcome visitor.

Mr. HITT. "The lady doth protest too much."

Mr. BAILEY. I repeat, I was never at one of those entertainments at which the gentleman is always welcome. But it is left even to the plain people of this country to read the newspapers; and if the newspapers report the matter aright, there is hardly an evening when these gentlemen who are sent here to represent foreign governments do not perform their duties at some social function. Now, that may be a part of their duties—I do not assume to know. The gentleman has been of that class, and he doubtless does know. He knows how far it is the duty of a diplomat to serve his country by the social conventionalities.

I have never understood that. I do not know that to be true; but I do know it is true, if the newspapers report the matter aright, that nearly every evening of the time we are here these gentlemen either invite somebody to their houses or are invited to the houses of somebody else. And if that is true, it is utterly impossible that any of those embassies should need three secretaries to attend to their business, unless the secretaries attend to the whole business of the legation. How many secretaries does the gentleman from Illinois use? How many can he use? I find no more than time enough to use one, and very frequently I have to make him come two or three times before I am ready to use his services. I undertake to say that any gentleman in this House who is performing his duty as a member of Congress conscientiously and constantly has not time to attend social affairs and then use three secretaries besides.

And, Mr. Speaker, I am morally certain that this is simply an addition to the staff of these ambassadors that will afford some clever young gentlemen, familiar with the etiquette of courts and with social connections, new and desirable positions.

But I presume, of course, that a plain, old-fashioned American Democrat, who knows nothing of such things, has no right to question a proposition of this kind. [Laughter.]

Mr. HITT. If the gentleman from Texas will permit me, his remarks relate entirely to the embassies of foreign countries which are located in this city——

Mr. BAILEY. But I am sure the gentleman from Illinois would not be so undiplomatic as to say, or even intimate, that the representatives of this Government in foreign countries were more conscientious than the representatives of foreign governments in this city.

Mr. HITT. Mr. Speaker, I will not trench on the question suggested by the gentleman. I hardly think it is a proper one to comment upon. I make no criticism as to how the representatives at Washington of other countries serve their governments. I am dealing with a question relating to our own foreign service.

I know something of the duties of our servants abroad—those who are engaged in the diplomatic service of this country in other lands. Their duties are serious, perplexing, and often exceedingly exacting. And the gentleman from Texas is mistaken when he allows himself to be misled by the use of the title "secretary" in assuming that the secretary is merely employed as a sort of scribe for the minister. He often has very different duties to perform. It is the secretary who is sent to get a man out of prison. It is the secretary who is sent to the different departments of the foreign governments to look after the rights of our citizens who are often in positions of great trouble, and usually the trouble is greater with those who are the poorest and least able to help themselves.

I found in my own experience that the duties of secretary were of a grave, perplexing, and intricate nature. The minister with whom I served when I went abroad, Mr. Washburne, had been so long a member of this body that he became "the father of the House," and was called "the watchdog of the Treasury." This title and his falling mantle were subsequently borne by the gentleman from Indiana, Mr. Holman, so long recognized as the "watchdog" of the Treasury.

He was a careful, conscientious, painstaking man, and his recommendations in regard to such matters are worthy of consideration. I served under him for several years as secretary of legation. His first duty, his first care, was always to look after the rights and interests of the people of the United States. The dinner parties and receptions to which the gentleman has referred occupied but a small portion of his time——

Mr. BAILEY (interrupting). Will the gentleman from Illinois allow me to ask in this connection how many secretaries that wise man had?

Mr. HITT. He had two allowed him by law, and often another for whose services he provided himself, out of his own pocket.

Mr. BAILEY. That is to say he had three in all?

Mr. HITT. Yes, and needed them all in the performance of his duties.

Mr. BAILEY. Then, if the gentleman will permit me, I will be much more civil with him than he was with me. [Laughter.] On that statement I think he was right and I was wrong, and I withdraw the objection. [Applause.]

Mr. HITT. I spoke only of what I knew to be a fact in connection with the duties performed.

Mr. BAILEY. And I accept your statement.

Mr. HITT. The Secretary of State—the present Secretary—has returned but recently from duties as ambassador at London and says that this increase is urgently needed for the performance of the work there.

I will only say further to the gentleman from Texas that this is really a practical question; that hundreds of American citizens, especially naturalized citizens, are liable to get into trouble and

often do, and need the protection afforded by our representatives abroad.

Mr. BAILEY (interrupting). Troubles which they might largely have avoided if they had stayed closer at home.

Mr. HITT. Oh, well, they were not born in Texas. They were born over there and wanted to see their old country again. If they had been born in Texas it would have been different.

Mr. BAILEY. Their misfortune is that they were not born in Texas. [Laughter.]

Mr. HITT. They showed their good taste when they became American citizens.

Mr. BAILEY. I want to say to the gentleman from Illinois that I stand ready, as much as any man here or elsewhere, to provide, without reference to the expense, all the men and all the means that may be necessary to protect the humblest American citizen in any country on this globe.

Mr. HITT. That is a good doctrine. Vote for it.

The SPEAKER. The question is on agreeing to the conference report.

Mr. HITT. I have not finished this luminous explanation, but I am ready for a vote. [Laughter.]

The conference report was agreed to.

On motion of Mr. HITT, a motion to reconsider the last vote was laid on the table.

ORDER OF BUSINESS.

Mr. PAYNE. Mr. Speaker——

The SPEAKER. The gentleman from New York.

Mr. BRUMM. I call for the regular order.

Mr. PAYNE. I move that the House do now adjourn.

Mr. BRUMM. One moment, Mr. Speaker; a parliamentary inquiry. I was recognized by the Chair when I called for the regular order, and while I was on my feet I was taken off the floor by the conference report. I now ask whether I am not in order in making my motion?

The SPEAKER. In the order of precedence the motion to adjourn would have to be put first.

Mr. BRUMM. Am I not in order to make a motion which I have not yet completed?

The SPEAKER. The gentleman called for the regular order.

Mr. BRUMM. I called for the regular order, and had partly moved that we go into Committee of the Whole.

The SPEAKER. If the gentleman had even made that motion, the motion to adjourn would be in order.

Mr. BRUMM. If the Chair so decides——

Mr. PAYNE. I have no objection to considering the motion of the gentleman from Pennsylvania as pending.

Mr. DOCKERY. I have an objection.

Mr. BRUMM. If the Chair decides that I can be taken off my feet——

The SPEAKER. It is not a question of the gentleman being taken off his feet. It is a question of priority of motion, and the motion to adjourn would be in order even if the gentleman from Pennsylvania had made his motion and the Chair had submitted it to the House, instead of which the gentleman simply called for the regular order. The gentleman from New York [Mr. PAYNE] moves that the House do now adjourn.

The question being taken, on a division (demanded by Mr. GIBSON) there were—ayes 105, noes 19.

Mr. GIBSON. I ask for the yeas and nays.

The question being taken on ordering the yeas and nays, seven members, not a sufficient number, voted in favor thereof.

Accordingly the yeas and nays were refused.

REPRINT OF A REPORT.

Pending the announcement of the result, by unanimous consent, on motion of Mr. STONE, a reprint was ordered of Report No. 1876 on the substitute for the bill (H. R. 11917) to define and fix the standard of value and to regulate coinage and to provide for redemption thereunder, and for other purposes.

LEAVE OF ABSENCE.

By unanimous consent, leave of absence was granted as follows:

To Mr. CONNELL, for ten days, on account of important business.

To Mr. BROSIUS, for two days, on account of important business.

The motion of Mr. PAYNE was agreed to.

Accordingly (at 2 o'clock and 55 minutes p. m.) the House adjourned.

EXECUTIVE COMMUNICATIONS, ETC.

Under clause 2 of Rule XXIV, the following executive and other communications were taken from the Speaker's table and referred as follows:

A letter from the Secretary of the Treasury, recommending an amendment of the estimate of appropriation for "custody of dies, rolls, and plates," on page 261 of the Book of Estimates for the fiscal year ending June 30, 1900—to the Committee on Appropriations, and ordered to be printed.

A letter from the Secretary of the Treasury, transmitting a copy of a communication from the Secretary of State submitting certain estimates of deficiencies of appropriations—to the Committee on Appropriations, and ordered to be printed.

A letter from the president of the Columbia Railway Company, transmitting the annual report for 1898—to the Committee on the District of Columbia, and ordered to be printed.

REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS.

Under clause 2 of Rule XIII, bills and resolutions of the following titles were severally reported from committees, delivered to the Clerk, and referred to the several Calendars therein named, as follows:

Mr. LACEY, from the Committee on the Public Lands, to which was referred the bill of the House (H. R. 11834) to extend the time for the completion of the classification of lands within the land-grant and indemnity land-grant limits of the Northern Pacific Railroad Company, as authorized by the act of Congress approved February 26, 1895, reported the same without amendment, accompanied by a report (No. 1898); which said bill and report were referred to the Committee of the Whole House on the state of the Union.

Mr. MERCER, from the Committee on Public Buildings and Grounds, to which was referred the bill of the House (H. R. 11712) to provide a site for a building for the Washington Public Library, reported the same with amendment, accompanied by a report (No. 1899); which said bill and report were referred to the Committee of the Whole House on the state of the Union.

Mr. CURTIS of Kansas, from the Committee on Indian Affairs, to which was referred the bill of the House (H. R. 11713) to put in force in the Indian Territory certain provisions of the laws of Arkansas relating to corporations, and to make said provisions applicable to said Territory, reported the same without amendment, accompanied by a report (No. 1901); which said bill and report were referred to the House Calendar.

Mr. BARNEY, from the Committee on the Public Lands, to which was referred the bill of the House (H. R. 11142) granting to the city of Victor, in the county of El Paso and State of Colorado, certain lands therein described for water reservoirs, reported the same with an amendment, accompanied by a report (No. 1903); which said bill and report were referred to the Committee of the Whole House on the state of the Union.

REPORTS OF COMMITTEES ON PRIVATE BILLS AND RESOLUTIONS.

Under clause 2 of Rule XIII, private bills and resolutions of the following titles were severally reported from committees, delivered to the Clerk, and referred to the Committee of the Whole House, as follows:

Mr. CLARDY, from the Committee on Claims, to which was referred the bill of the House (H. R. 7509) for the relief of William M. Bird, James F. Redding, Henry F. Welch, and others, reported the same with amendment, accompanied by a report (No. 1897); which said bill and report were referred to the Private Calendar.

Mr. OSBORNE, from the Committee on Claims, to which was referred the bill of the Senate (S. 2013) for the relief of Hattie A. Phillips, reported the same without amendment, accompanied by a report (No. 1900); which said bill and report were referred to the Private Calendar.

Mr. McEWAN, from the Committee on Claims, to which was referred the bill of the Senate (S. 1357) for the relief of the legal representatives of Edwin De Leon, deceased, late consul-general of the United States in Egypt, reported the same without amendment, accompanied by a report (No. 1902); which said bill and report were referred to the Private Calendar.

CHANGE OF REFERENCE.

Under clause 2 of Rule XXII, committees were discharged from the consideration of bills of the following titles; which were thereupon referred as follows:

A bill (H. R. 11875) for the relief of Wickham Hoffman, services as chargé d'affaires ad interim at St. Petersburg, between July 1, 1878, and June 30, 1880—Committee on Foreign Affairs discharged, and referred to the Committee on Claims.

A bill (H. R. 11914) granting a pension to W. W. Jewett—Committee on Pensions discharged, and referred to the Committee on Invalid Pensions.

PUBLIC BILLS, RESOLUTIONS, AND MEMORIALS INTRODUCED.

Under clause 3 of Rule XXII, bills, resolutions, and memorials of the following titles were introduced and severally referred as follows:

By Mr. TAYLER of Ohio: A bill (H. R. 11970) to equalize the

pay of letter carriers—to the Committee on the Post-Office and Post-Roads.

By Mr. LACEY: A bill (H. R. 11971) to authorize the Commissioner of the General Land Office to cause public lands to be surveyed in certain cases—to the Committee on the Public Lands.

By Mr. RICHARDSON: A bill (H. R. 11972) to extend New York avenue—to the Committee on the District of Columbia.

By Mr. DOVENER: A bill (H. R. 11980) to provide for enlarging, improving, and repairing the United States Government building at Wheeling, W. Va., and to appropriate $25,000 therefor—to the Committee on Public Buildings and Grounds.

By Mr. FISCHER: A joint resolution (H. Res. 349) to provide for the purchase of the painting entitled "Eighteen hundred and sixty-four, or, Grant and his generals," by Hanson Balling—to the Committee on the Library.

By Mr. GROSVENOR: A joint resolution (H. Res. 350) providing for the printing of the reports of Robert P. Porter, special commissioner of the United States, on the industrial and commercial conditions of Cuba and Porto Rico—to the Committee on Printing.

By Mr. STONE: A resolution (House Res. No. 386) for special order for consideration of H. R. 11917—to the Committee on Rules.

PRIVATE BILLS AND RESOLUTIONS INTRODUCED.

Under clause 1 of Rule XXII, private bills and resolutions of the following titles were introduced and severally referred as follows:

By Mr. FENTON: A bill (H. R. 11973) granting a pension to Maria V. Sperry—to the Committee on Invalid Pensions.

By Mr. HAMILTON: A bill (H. R. 11974) granting a pension to A. Norwood—to the Committee on Invalid Pensions.

Also, a bill (H. R. 11975) granting a pension to James A. Young—to the Committee on Invalid Pensions.

Also, a bill (H. R. 11976) for the relief of Ellsworth Kennedy—to the Committee on Military Affairs.

Also, a bill (H. R. 11977) for the relief of Soloman Lusk—to the Committee on War Claims.

By Mr. LOW: A bill (H. R. 11978) to increase the pension of William A. Forbes—to the Committee on Invalid Pensions.

By Mr. LACEY: A bill (H. R. 11979) to increase the pension of William H. Morgan—to the Committee on Invalid Pensions.

PETITIONS, ETC.

Under clause 1 of Rule XXII, the following petitions and papers were laid on the Clerk's desk and referred as follows:

By Mr. ADAMS: Petition of the Philadelphia (Pa.) Oil Trade Association, in favor of the Hanna-Payne bill to increase American shipping—to the Committee on the Merchant Marine and Fisheries.

By Mr. ALDRICH: Petition of the Universal Peace Union, in relation to disarmament—to the Committee on Foreign Affairs.

By Mr. BELL: Petitions of C. D. Hunter and 200 citizens of Macon, J. J. Allen and 197 citizens of Grand Junction, John R. Hall and 200 citizens of Vulcan, Colo., in favor of the establishment of postal savings banks—to the Committee on the Post-Office and Post-Roads.

By Mr. BROSIUS: Resolutions of the Presbytery of Lancaster, Pa., against the seating of Brigham H. Roberts as a Representative from Utah—to the Committee on Elections No. 1.

By Mr. ERMENTROUT: Petition of Immanuel Evangelical Congregation and St. Paul's Lutheran Church, of Allentown, Pa., for the passage of the Ellis bill to prohibit the sale of liquor in canteens and in immigrant stations and Government buildings—to the Committee on Alcoholic Liquor Traffic.

By Mr. FENTON: Petition of E. G. Curtis and other fourth-class postmasters of Lawrence County, Ohio, asking for the passage of House bills Nos. 4930 and 4931, increasing the compensation of fourth-class postmasters—to the Committee on the Post-Office and Post-Roads.

By Mr. GARDNER: Petitions of Isaiah Hildabrandt and 201 citizens of Glen Gardener, D. T. Stamford and 204 citizens of Bay Head, citizens of Bloomingdale, Park Ridge, Port Oram, Locktown, Richland, Woodbine, West Berlin, Jamesburg, Egg Harbor City, Risley, and Vineland, State of New Jersey, in favor of the establishment of postal savings banks—to the Committee on the Post-Office and Post-Roads.

Also, petitions of the Methodist Episcopal Church of New Egypt; Simeon R. Reed, of Hamilton Square; Rev. Charles B. Ogden, of Barnegat, and Eugene S. Petty, of Florence, N. J., for the passage of the Ellis bill to prohibit the sale of liquor in Government buildings—to the Committee on Alcoholic Liquor Traffic.

By Mr. GREENE of Nebraska: Petitions of G. S. Gates and 169 citizens of Atkinson, Nebr.; John T. Neary and 206 citizens of North Platte, Nebr., favoring postal savings banks—to the Committee on the Post-Office and Post-Roads.

Also, petition of Lorenzo Snow and 10 other fourth-class postmasters of Dawes and Sioux counties, Nebr., urging the passage of House bills Nos. 4930 and 4931, for increase of compensation—to the Committee on the Post-Office and Post-Roads.

By Mr. GRIFFITH: Petition of William Kamping and 49 citizens of Dillsboro, Ind., to prohibit the sale of liquor in canteens and in immigrant stations and Government buildings—to the Committee on Alcoholic Liquor Traffic.

By Mr. GROUT: Petition of Congregational Society, A. C. Cowles, president, and Woman's Christian Temperance Union, Mrs. E. I. Spaulding, presiding, of Derby Line, Vt., to prohibit the sale of liquor in canteens and in immigrant stations and Government buildings—to the Committee on Alcoholic Liquor Traffic.

By Mr. HAMILTON: Papers to accompany House bill to correct the military record of John Reed, alias Michael Flanagan—to the Committee on Military Affairs.

By Mr. HENRY of Connecticut: Petition of the Woman's Christian Temperance Union of Suffield, Conn., to prohibit sale of intoxicating liquors in canteens, in immigrant stations, and in Government buildings—to the Committee on Alcoholic Liquor Traffic.

Also, petition of Mrs. Winthrop Cowdin and a committee of women, for the employment of graduate women nurses in the hospital service of the United States—to the Committee on Military Affairs.

By Mr. HENRY of Indiana: Petition of citizens of Zanesville, Ind., to prohibit the sale of liquor in canteens and in immigrant stations and Government buildings—to the Committee on Alcoholic Liquor Traffic.

By Mr. HILL: Petition of the Methodist Episcopal Church of South Norwalk, Conn., to prohibit the sale of liquor in canteens of the Army and Navy, in Soldiers' Homes, and Government buildings—to the Committee on Public Buildings and Grounds.

By Mr. KERR: Petition of fourth-class postmasters of Huron County, Ohio, for the passage of House bills Nos. 4930 and 4931, relating to increasing the compensation of fourth-class postmasters—to the Committee on the Post-Office and Post-Roads.

By Mr. KULP: Memorial of Mrs. Winthrop Cowdin and many other women, committee, favoring the employment of graduate women nurses in the hospital service of the United States Army—to the Committee on Military Affairs.

Also, resolutions of the American Humane Society, favoring the passage of Senate bill No. 1144, for the regulation of vivisection in the District of Columbia—to the Committee on the District of Columbia.

Also, resolution of the American Shipping and Industrial League of New York, in reference to restoring the ocean carrying trade in vessels sailing under the American flag—to the Committee on the Merchant Marine and Fisheries.

Also, protest of sundry missionary societies, against the reopening of the sectarian school question—to the Committee on Indian Affairs.

Also, resolution of the Chamber of Commerce of Knoxville, Tenn., for the continuance of fast-mail service through the South and entire United States—to the Committee on the Post-Office and Post-Roads.

By Mr. LACEY: Petition of fourth-class postmasters of Wapello County, Iowa, urging the passage of House bills Nos. 4930 and 4931, for increase of compensation—to the Committee on the Post-Office and Post-Roads.

Also, petition of William H. Morgan, to accompany House bill increasing his pension—to the Committee on Invalid Pensions.

By Mr. LENTZ: Petition of Sarah V. Cope and others, of the State of Ohio, against the seating of Brigham H. Roberts as a Representative from Utah—to the Committee on Elections No. 1.

By Mr. LOVERING: Petitions of the Young People's Christian Union, Corner Stone Lodge, Independent Order of Good Templars, Epworth League, and Neal Dow Prohibition Club, all of Hingham, Mass., for the passage of the Hepburn bill prohibiting the transmission by mail or interstate commerce of pictures and descriptions of prize fights—to the Committee on the Judiciary.

Also, petitions of various societies of Hingham, Mass., to maintain prohibition in Alaska and Indian Territory, and prohibit sale of intoxicating liquors in immigrant stations and in Government buildings—to the Committee on Alcoholic Liquor Traffic.

By Mr. McCALL: Resolution of the Massachusetts State Grange, Patrons of Husbandry, Worcester, Mass., relating to the government and industries of the islands released from the power of Spain—to the Committee on Foreign Affairs.

By Mr. OSBORNE: Petition of John P. Shaver and 20 prominent citizens of Wyoming, asking for the passage of a bill to equalize the pay of letter carriers—to the Committee on the Post-Office and Post-Roads.

By Mr. PAYNE: Petition of the Woman's Club of Penn Yan, N. Y., asking for equal suffrage rights for women in Hawaii—to the Committee on the Territories.

By Mr. RAY of New York: Petition of citizens of the Twenty-sixth Congressional district of the State of New York, for the abolition of the sale of liquors in Government buildings, etc.—to the Committee on Alcoholic Liquor Traffic.

By Mr. ROBINSON of Indiana: Petition of citizens of Steuben County, Ind., to prohibit the sale of liquor in canteens and in immigrant stations and Government buildings—to the Committee on Alcoholic Liquor Traffic.

By Mr. SHOWALTER: Petition of Winfield Grange, No. 1105, of Butler County, Pa., urging the passage of the Hanna-Payne shipping bill—to the Committee on the Merchant Marine and Fisheries.

Also, petition of the United Presbyterian congregation of Rocky Springs, Pa., to prohibit the sale of liquor in canteens, in immigrant stations, and in Government buildings—to the Committee on Alcoholic Liquor Traffic.

By Mr. SULLOWAY: Petition of the Woman's Christian Temperance Union and Methodist Church of Center Sandwich, N. H., to forbid interstate gambling by telegraph or telephone—to the Committee on the Judiciary.

By Mr. SWANSON: Petition of the heirs of Meshack Griffith, deceased, late of Franklin County, Va., praying reference of his war claim to the Court of Claims—to the Committee on War Claims.

By Mr. TAYLER of Ohio: Petition of the Presbyterian Church of Lisbon, Ohio, to prohibit the sale of liquor in Government buildings—to the Committee on Alcoholic Liquor Traffic.

Also, petition of fourth-class postmasters of Mahoning County, Ohio, in behalf of House bills Nos. 4930 and 4931, to increase the compensation of fourth-class postmasters—to the Committee on the Post-Office and Post-Roads.

By Mr. TAYLOR of Alabama: Petition of Frank A. Lumsden, John A. Dorgan, and other master pilots of Mobile, Ala., to give to steamboat men the right of trial by jury for infringement of the articles of inspection and navigation laws of the United States—to the Committee on the Merchant Marine and Fisheries.

By Mr. VANDIVER: Petitions of Thomas Mix and 221 citizens of Oak Mound, Mo., and J. D. Ousley and 198 citizens of Pomona, Mo., favoring postal savings banks—to the Committee on the Post-Office and Post-Roads.

SENATE.

SATURDAY, *February 4, 1899.*

Prayer by the Chaplain, Rev. W. H. MILBURN, D. D.

The Secretary proceeded to read the Journal of yesterday's proceedings, when, on motion of Mr. ALLEN, and by unanimous consent, the further reading was dispensed with.

The PRESIDENT pro tempore. The Journal will stand approved, if there be no objection. It is approved.

REDUCTION IN NUMBER OF OFFICERS IN NAVY.

The PRESIDENT pro tempore laid before the Senate a communication from the Secretary of the Navy, transmitting, in response to a resolution of the 2d instant, a table showing the reductions in the number of officers of the Navy under the operation of the act of August 5, 1882; also the reduction in each branch of the naval service, the method by which the reduction was accomplished, etc.; which was referred to the Committee on Naval Affairs, and ordered to be printed.

MESSAGE FROM THE HOUSE.

A message from the House of Representatives, by Mr. W. J. BROWNING, its Chief Clerk, announced that the House had agreed to the report of the committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H. R. 11487) making appropriations for the diplomatic and consular service for the fiscal year ending June 30, 1900.

The message also announced that the House had passed a bill (H. R. 2374) authorizing the Secretary of the Treasury to issue a duplicate bond to Benjamin H. March, executor of the last will and testament of Ruth March, deceased; in which it requested the concurrence of the Senate.

ENROLLED BILL SIGNED.

The message further announced that the Speaker of the House had signed the enrolled bill (H. R. 6718) for the relief of Samuel Racey; and it was thereupon signed by the President pro tempore.

PETITIONS AND MEMORIALS.

The PRESIDENT pro tempore presented a petition of sundry citizens of the United States, praying for the enactment of legislation to prohibit the sale of liquor in canteens in the Army and Navy and of Soldiers' Homes, and in immigrant stations and Government buildings; which was referred to the Committee on Military Affairs.

He also presented the petition of Mrs. Ellen N. Cushman and sundry other members of the National American Woman's Suffrage Association, praying that the right of suffrage be granted the women of Hawaii; which was referred to the Select Committee on Woman Suffrage.

He also presented a memorial of the executive board of the National Live Stock Exchange, remonstrating against the unjust statements reported to be made by officials high in authority relative to the live-stock industry; which was referred to the Committee on Agriculture and Forestry.

Mr. HOAR presented the memorial of Charles Francis Adams, of Boston, Mass., and 22 other prominent citizens of the United States, remonstrating against the ratification of the treaty of peace without amendment; which was referred to the Committee on Foreign Relations.

He also presented the memorials of F. J. Kinney and 61 other citizens, and of Herbert F. Binney and 9 other citizens, all in the State of Massachusetts; of R. C. David and 46 other citizens, Charles McClusky and 19 other citizens, James H. Kidder, E. Seely Bartlett and 29 other citizens, and of Alexander Law and 2 other citizens, all in the State of New York; of H. E. Thayer and 10 other citizens, Morrison I. Swift and 33 other citizens, and of A. C. Heimbach and 59 other citizens, all in the State of California; of William Hall and 49 other citizens, F. Mentzel and 66 other citizens, and of E. S. Lynn and 64 other citizens, all in the State of Colorado; of O. L. Kent and 19 other citizens, and of E. M. White and 3 other citizens, all in the State of Virginia; of Miles F. Porter and 28 other citizens, and of S. T. Bitters and 22 other citizens, all in the State of Indiana; of E. M. Pope and of F. C. Gibbs and 23 other citizens, all in the State of Minnesota; of W. S. Barrett and 9 other citizens and of C. C. Pearce and 22 other citizens, all in the State of Georgia; of W. H. Arbuckle and 37 other citizens of Pennsylvania; of Samuel H. Smith and 21 other citizens of Kansas; of Henry B. Mueggenborg and 9 other citizens of Iowa; of C. M. Lewis and 59 other citizens of Kentucky; of S. C. Beck and 29 other citizens of Connecticut; of James A. Victor and 69 other citizens of Ohio; of Patrick Garvin and 19 other citizens of Illinois; of C. P. Overby and 9 other citizens of North Dakota; of G. J. Pierson and 9 other citizens of Michigan; of N. D. Baker and 39 other citizens of West Virginia; of Frank K. Ryan and 47 other citizens of Missouri; of M. Marshall and 19 other citizens of Vermont; of Robert Haldeman and 29 other citizens of Nebraska; of Smith M. Lord and 29 other citizens of Maine; of Alexander Nicholas and 9 other citizens of Alabama; of Henry W. Fletcher and 9 other citizens of New Hampshire; of W. M. Jones and 9 other citizens of Arkansas, and of P. B. Watrus and 9 other citizens of Oklahoma, remonstrating against any extension of the sovereignty of the United States over the Philippine Islands in any event, and over any other foreign territory without the free consent of the people thereof; which were referred to the Committee on Foreign Relations.

Mr. MITCHELL presented a memorial of Local Union No. 61, Cigar Makers' International Union, of La Crosse, Wis., remonstrating against any extension of the sovereignty of the United States over the Philippine Islands in any event, and over any other foreign territory without the free consent of the people thereof; which was referred to the Committee on Foreign Relations.

Mr. ALLEN presented a petition of the Woman's Suffrage Association of Tablerock, Nebr., praying that the right of suffrage be granted the women of Hawaii; which was referred to the Select Committee on Woman Suffrage.

He also presented a petition of sundry citizens of Minden, Nebr., praying that the rank of second lieutenant be given to veterinary surgeons in the Army; which was referred to the Committee on Military Affairs.

He also presented a petition of Local Union No. 1, International Union of Bicycle Workers and Allied Mechanics, of Toledo, Ohio, praying for the passage of the eight-hour bill; which was referred to the Committee on Education and Labor.

He also presented the petition of T. A. Wiese and 81 other citizens of Central City, Nebr., praying for the maintenance of the prohibition law in the Territory of Alaska; which was referred to the Committee on Territories.

Mr. GALLINGER presented a petition of the Woman's Christian Temperance Union of Somersworth, N. H., and a petition of the Woman's Christian Temperance Union of Grantham and North Grantham, N. H., praying for the enactment of legislation to prohibit the sale of liquor in canteens of the Army and Navy and of Soldiers' Homes, and in immigrant stations and Government buildings; which were referred to the Committee on Military Affairs.

He also presented a petition of the Woman's Christian Temperance Union of Somersworth, N. H., praying for the enactment of legislation to prohibit the transmission by mail or interstate commerce of pictures or descriptions of prize fights; which was referred to the Committee on the Judiciary.

He also presented a petition of the Woman's Christian Temperance Union of Somersworth, N. H., praying for the enactment of legislation to prohibit interstate gambling by telegraph, telephone, or otherwise; which was referred to the Committee on the Judiciary.

Mr. PENROSE presented petitions of the congregations of the

Lutheran Church of Phillipsburg and the Bethany United Evangelical Church of Allentown; of the Woman's Christian Temperance unions of East Smithfield, Garland, Sanford, Cable Hollow, Warren County, Warren, Bucks County, and Richboro; of the Glade Woman's Christian Temperance Union, of Warren County; of the Epworth League, the Christian Endeavor Society, and the Young Men's Christian Association of Warren, and of the New Hope Union of Bucks County, all in the State of Pennsylvania, praying for the enactment of legislation to prohibit the sale of liquor in canteens of the Army and Navy and of Soldiers' Homes, and in immigrant stations and Government buildings; which were referred to the Committee on Military Affairs.

Mr. HALE presented a petition of the Granite Cutters' Union of Vinalhaven, Me., praying for the passage of the eight-hour bill; which was referred to the Committee on Education and Labor.

Mr. McMILLAN presented the petitions of Byron Symonds and 195 other citizens of Amboy, of Clinton M. Douglass and 211 other citizens of Spring Arbor, and of Timothy Q. Leary and 200 other citizens of Oregon, all in the State of Michigan, praying for the establishment of postal savings bank depositories; which were referred to the Committee on Post-Offices and Post-Roads.

He also presented a petition of Labor Protective Union No. 7015, of Bay City, Mich., praying for the passage of the eight-hour bill; which was referred to the Committee on Education and Labor.

He also presented a petition of sundry citizens of Ann Arbor, Mich., praying for the enactment of legislation to prohibit the sale of liquor in canteens of the Army and Navy and of Soldiers' Homes, and in immigrant stations and Government buildings; which was referred to the Committee on Military Affairs.

Mr. NELSON presented a petition of the legislature of Minnesota, praying for the adoption of an amendment to the Constitution of the United States providing for the election of United States Senators by a direct vote of the people; which was referred to the Committee on Privileges and Elections.

He also presented a petition of the Board of Trade of Minneapolis, Minn., praying for the speedy ratification of the treaty of peace; which was ordered to lie on the table.

He also presented a petition of the St. Paul branch of the Journeyman Stonecutters' Association, of St. Paul, Minn., and a petition of Local Union No. 83, Amalgamated Woodworkers' Association, of Minneapolis, Minn., praying for the passage of the eight-hour bill; which were referred to the Committee on Education and Labor.

Mr. BUTLER presented the petition of John Sneed and 197 other citizens of Macedonia, N. C., and a petition of sundry citizens of Ostwalt, N. C., praying for the establishment of postal savings bank depositories; which were referred to the Committee on Post-Offices and Post-Roads.

Mr. PRITCHARD presented the petition of W. F. Huckaber and sundry other citizens of Albemarle, N. C., praying for the maintenance of the prohibition law in the Territory of Alaska; which was referred to the Committee on Territories.

He also presented a petition of the Chamber of Commerce of Chattanooga, Tenn., praying for the passage of the anti-scalping ticket bill; which was ordered to lie on the table.

Mr. QUAY presented petitions of the congregations of the Lutheran churches of Worthington, and the Union Church of Columbia Crossroads; of the Woman's Christian Temperance unions of Columbia Crossroads, Warren, Garland, Cable Hollow, Sanford, and Smithfield; of the United Presbyterian Congregation of Rocky Springs; of the East Branch unions of Warren County; of the Epworth League, the Christian Endeavor Society, and the Young Men's Christian Association of Warren; of the New Hope Union of Bucks County, and of the Glade Union of Warren County, all in the State of Pennsylvania, praying for the enactment of legislation to prohibit the sale of liquor in canteens of the Army and Navy and of Soldiers' Homes, and in immigrant stations and Government buildings; which were referred to the Committee on Military Affairs.

REPORTS OF COMMITTEES.

Mr. ALLEN, from the Committee on Claims, to whom was referred the bill (S. 3381) to quiet the title of certain lands in the State of Mississippi, and for the relief of Eli Ayres or his legal representatives, etc., reported it with an amendment, and submitted a report thereon.

Mr. GALLINGER, from the Committee on the District of Columbia, to whom was referred the bill (S. 5096) to refund certain taxes to Minnie J. Hunt, reported it without amendment, and submitted a report thereon.

Mr. QUAY, from the Committee on Public Buildings and Grounds, to whom was referred the bill (S. 2675) authorizing the exchange of lot 6, of square 10, known as the old custom-house lot, in the city of St. Augustine, Fla., for lands adjoining that part of the United States military reservation in said city designated as the powder-house lot, reported it with an amendment, and submitted a report thereon.

Mr. WARREN, from the Committee on Military Affairs, to whom was referred the bill (S. 3331) to correct the military record of Joseph T. Vincent, reported it with amendments, and submitted a report thereon.

Mr. HANSBROUGH, from the Committee on the District of Columbia, to whom was referred the bill (S. 5328) to prohibit the sale of intoxicating liquors on Sunday in the District of Columbia, reported it with amendments, and submitted a report thereon.

BILLS INTRODUCED.

Mr. MASON (for Mr. WHITE) introduced a bill (S. 5446) to grant to the Pasadena and Mount Wilson Railway Company right of way and certain lands for railroad purposes through the San Gabriel Forest Reserve; which was read twice by its title, and referred to the Committee on Public Lands.

Mr. McMILLAN introduced a bill (S. 5447) regulating the exemption of church and school property in the District of Columbia, and for other purposes; which was read twice by its title, and, with the accompanying papers, referred to the Committee on the District of Columbia.

He also introduced a bill (S. 5448) to amend section 5 of the act to provide for the opening of alleys in the District of Columbia, approved July 23, 1892; which was read twice by its title, and, with the accompanying paper, referred to the Committee on the District of Columbia.

Mr. NELSON introduced a bill (S. 5449) granting a pension to William Brown; which was read twice by its title, and referred to the Committee on Pensions.

Mr. SULLIVAN introduced a bill (S. 5450) to attach Claiborne County, Miss., to the western division of the southern judicial district of Mississippi; which was read twice by its title, and referred to the Committee on the Judiciary.

Mr. McMILLAN introduced a joint resolution (S. R. 237) authorizing the Secretary of the Navy to have a monument erected in the Arlington National Cemetery to the memory of Capt. Charles Vernon Gridley; which was read twice by its title, and referred to the Committee on Naval Affairs.

Mr. PETTUS introduced a joint resolution (S. R. 238) authorizing the Secretary of War to audit, adjust, and pay to each State all necessary expenses incurred in transporting volunteer soldiers during the war with Spain; which was read twice by its title, and referred to the Committee on Military Affairs.

Mr. ELKINS introduced a joint resolution (S. R. 239) authorizing the Director of the Geological Survey to prepare a map of Alaska, showing all known topographic and geologic features, and so forth; which was read twice by its title, and, with the accompanying paper, referred to the Committee on Printing.

AMENDMENTS TO APPROPRIATION BILLS.

Mr. KYLE submitted an amendment proposing to appropriate $5,000 for the construction and equipment of a telephone line from Chamberlain, S. Dak., to Crow Creek Indian Agency, Lower Brule Indian Agency, and Grace Mission, etc., intended to be proposed by him to the Indian appropriation bill; which was referred to the Committee on Indian Affairs, and ordered to be printed.

Mr. PENROSE submitted an amendment relative to the claim of the William Cramp & Sons' Ship and Engine Building Company for damages and losses sustained by it by reason of the failure of the United States to promptly and properly furnish the armor and armament or plans and specifications for the ships constructed by that company for the United States, etc., intended to be proposed by him to the general deficiency appropriation bill; which was referred to the Committee on Claims, and ordered to be printed.

Mr. MITCHELL submitted an amendment proposing to appropriate $12,000 for deepening the channel at the entrance to the harbor at Milwaukee, Wis., and $10,000 for the improvement of the harbor at South Milwaukee, Wis., intended to be proposed by him to the river and harbor appropriation bill; which was referred to the Committee on Commerce, and ordered to be printed.

Mr. PERKINS submitted an amendment proposing to appropriate $342,000 for the improvement of the harbor at Wilmington, Cal., intended to be proposed by him to the river and harbor appropriation bill; which was referred to the Committee on Commerce, and ordered to be printed.

He also submitted an amendment proposing to appropriate $200,000 to examine and locate a proper site for the establishment of a naval coaling repair station in California, south of San Francisco, intended to be proposed by him to the river and harbor appropriation bill; which was referred to the Committee on Commerce, and ordered to be printed.

He also submitted an amendment proposing to appropriate $32,823 to remit to the Union Iron Works, of San Francisco, Cal., the horsepower penalty imposed under the contract for the armored coast-defense vessel *Monterey*, intended to be proposed by him to the naval appropriation bill; which was referred to the Committee on Naval Affairs, and ordered to be printed.

He also submitted an amendment providing for the establishment at or near Point Arguello, about 12 miles northwest of

Point Conception, California, of a light-house and fog signal, intended to be proposed by him to the sundry civil appropriation bill; which was referred to the Committee on Commerce, and ordered to be printed.

Mr. CARTER submitted an amendment proposing to appropriate $5,000,000 for continuing improvement of reservoirs and canals to conduct water thereto from streams in the respective arid-land States and Territories, intended to be proposed by him to the river and harbor appropriation bill; which was referred to the Committee on Commerce, and ordered to be printed.

Mr. WARREN submitted an amendment proposing to appropriate $100,000 for construction along Piney Creek, Wyo., of three reservoirs, and $150,000 for the construction of a reservoir on the South Platte River in Colorado, etc., intended to be proposed by him to the river and harbor appropriation bill; which was referred to the Committee on Irrigation and Reclamation of Arid Lands, and ordered to be printed.

Mr. CAFFERY submitted an amendment proposing to appropriate $25,000 for the construction of a boat suitable for operating on the navigable streams of the State of Louisiana in removing therefrom the aquatic plant known as the water hyacinth, etc., intended to be proposed by him to the river and harbor appropriation bill; which was referred to the Committee on Commerce, and ordered to be printed.

He also submitted an amendment proposing to appropriate $1,000,000 for improving the Southwest Pass of the Mississippi River, intended to be proposed by him to the river and harbor appropriation bill; which was referred to the Committee on Commerce, and ordered to be printed.

Mr. PRITCHARD submitted an amendment proposing to appropriate $7,500 for continuing improvement of Fishing Creek, North Carolina, intended to be proposed by him to the river and harbor appropriation bill; which was referred to the Committee on Commerce, and ordered to be printed.

Mr. TURNER submitted an amendment proposing to appropriate $15,000 for the improvement of Pend Oreille River, Washington, intended to be proposed by him to the river and harbor appropriation bill; which was referred to the Committee on Commerce, and ordered to be printed.

He also submitted an amendment proposing to appropriate $25,000 for the improvement of Bellingham Bay, Washington, intended to be proposed by him to the river and harbor appropriation bill; which was referred to the Committee on Commerce, and ordered to be printed.

He also submitted an amendment proposing to appropriate $20,000 for the improvement of the Lewis River, Washington, from its mouth to La Center, intended to be proposed by him to the river and harbor appropriation bill; which was referred to the Committee on Commerce, and ordered to be printed.

He also submitted an amendment proposing to appropriate $500,000 for dredging Salmon Bay and the improvement of the waterway connecting the waters of Puget Sound at Salmon Bay with Lakes Union and Washington, etc., intended to be proposed by him to the river and harbor appropriation bill; which was referred to the Committee on Commerce, and ordered to be printed.

He also submitted an amendment proposing to appropriate $5,000 for continuing the improvement of Upper Columbia and Snake rivers, from Celilo, Oreg., to Asotin, Wash., intended to be proposed by him to the river and harbor appropriation bill; which was referred to the Committee on Commerce, and ordered to be printed.

He also submitted an amendment relative to a survey of Neale Bay, Washington, with a view to its improvement as a harbor of refuge, intended to be proposed by him to the river and harbor appropriation bill; which was referred to the Committee on Commerce, and ordered to be printed.

He also submitted an amendment relative to an appropriation to more thoroughly clear a channel through the North River jam, intended to be proposed by him to the river and harbor appropriation bill; which was referred to the Committee on Commerce, and ordered to be printed.

RELATIONS WITH PORTO RICO AND THE PHILIPPINES.

Mr. ALLEN. I submit a resolution, which I ask may be read.

The resolution was read, as follows:

Resolved, That the Senate of the United States, in ratifying and confirming the treaty of Paris, does not commit itself or the Government to the doctrine that the islands acquired by virtue of the war with Spain are to be annexed to or become a part of the United States, and that the difference in the language of said treaty as respects the island of Cuba and its inhabitants and the island of Porto Rico and Philippine Islands and their inhabitants shall not be construed or be held to be a difference in effect, but that it is the intention and purpose of the Senate in ratifying said treaty to place the inhabitants of the Philippine Islands and Porto Rico in exactly the same position as respects their relations to the United States as are the inhabitants of Cuba.

Mr. ALLEN. Mr. President, just a word.

Mr. CHANDLER. I must object to debate.

Mr. ALLEN. I do not ask to have the resolution considered this morning. I simply desire to make a brief statement, and then I will yield the floor.

Mr. CHANDLER. Very well, if the Senator does not intend to debate the resolution.

Mr. ALLEN. Not at all; not now.

The PRESIDENT pro tempore. The Senator from Nebraska will proceed.

Mr. ALLEN. I merely desire to say that I should like to have the resolution passed over until Monday morning, when I trust the Senate will convene sufficiently early to give me an opportunity to submit some remarks in its support. Understanding that this morning the Senator from Texas [Mr. CHILTON] and the Senator from Colorado [Mr. WOLCOTT] desire to speak, I have yielded the right that I would otherwise have to have the resolution considered, and I give notice that on Monday morning, at the convening of the Senate, I shall submit some remarks in support of the resolution.

The PRESIDENT pro tempore. The resolution will go over.

POLICY REGARDING THE PHILIPPINE ISLANDS.

Mr. BACON. Mr. President, I desire to give notice that at the first moment when the Senate is in legislative session and the floor is not occupied, by the courtesy of the Senate, I shall ask the Senate to take up and consider the joint resolution which I have introduced relative to the policy of the Government in the Philippine Islands.

HOUSE BILL REFERRED.

The bill (H. R. 2374) authorizing the Secretary of the Treasury to issue a duplicate bond to Benjamin H. March, executor of the last will and testament of Ruth March, deceased, was read twice by its title, and referred to the Committee on Finance.

ACQUISITION OF TERRITORY.

Mr. CHANDLER. I ask that Senate joint resolution 191 may be taken up in order that the Senator from Texas may proceed with his remarks.

The PRESIDENT pro tempore. The Chair lays before the Senate the joint resolution.

The SECRETARY. A joint resolution (S. R. 191) declaring that under the Constitution of the United States no power is given to the Federal Government to acquire territory to be held and governed permanently as colonies.

Mr. CHILTON. Mr. President, the pending treaty of peace between the United States and Spain, which has been made public by order of the Senate, contains three main articles. By Article I Spain relinquishes all claim of title to Cuba. By Article II Spain cedes to the United States the island of Porto Rico and other islands under Spanish sovereignty in the West Indies and the island of Guam in the Ladrones. By Article III Spain makes cession of the archipelago known as the Philippine Islands and the United States agree to pay Spain $20,000,000.

There are other dependent articles, the most important of which is, probably, Article VII, by which the two Governments relinquish all claim for indemnity on the part of either Government or its citizens against the other Government arising out of the troubles in Cuba, and in which the United States agree to settle such claims on the part of our citizens against Spain. This may develop into an obligation of many millions against our Government. The amount has not been estimated with any approximate accuracy.

Mr. President, the first two articles of the treaty present no difficulties. We are satisfied with a relinquishment of Cuba to its own people. Few Senators object to taking a cession of Porto Rico, which lies in the Western Hemisphere. The island of Guam, in the Ladrones, is not more than two or three times as large as the District of Columbia, and contains a population of only four or five thousand. It is a convenient size for a coaling and naval station, and we would have no perplexities of government for future settlement.

The article relating to the Philippines is the one upon which our differences of opinion turn.

Mr. President, I am not an anti-expansionist. I believe that it is the duty and the interest of this country to widen its boundaries as time goes on. But I would not do this indiscriminately. In case of doubt, I would adhere closely to the policy of the forefathers.

In my judgment the taking of the Philippines will bring peril both to the interests and the institutions of the American people. It is not an acquisition which will add to the comfort and glory of the Republic like that of Louisiana, or Florida, or Texas, or New Mexico and California.

It seems to me a matter of astonishment that such a radical far-reaching responsibility should be courted upon the scantiness of the information which we possess in regard to the subject-matter of our acquisition.

Perhaps no Senator upon this floor ever set foot upon the Philippine Islands, and few will claim that they possess that grasp upon the case which they would feel necessary in an important private transaction.

We know in a general way that there are from 1,200 to 1,800 islands in the Philippine group, that four or five hundred of them

are inhabited, and that the remainder are so barren that they contain not a single soul. We know that there are from 7,000,000 to 12,000,000 people upon them. My own opinion is that there are nearer 7,000,000 than 12,000,000, because we know how customary it is to exaggerate the population of the Eastern nations.

There is no homogeneity among those people. Some have never been under the actual sovereignty of Spain. The natives represent all grades of society from rank savages to the semicivilized children of Spanish and Chinese fathers and native Malay mothers. A large number of full-blooded Chinamen and a mere handful of Germans, English, and Spaniards are there.

Now, the first thing to be done after the United States went into the Philippines would be to bring the islands under settled rule. We would have to do what Spain, after two hundred years of trial, with all the instrumentalities of tyranny at her command, has been unable to do.

If we will confine our operations to Porto Rico and Cuba, no additions to our present Regular Army will be necessary. We need but few soldiers inside the present borders of the United States, and our existing military force can be spared largely for Porto Rico and Cuba. Porto Rico is small in area and at peace. That island can be policed by two or three companies of good soldiers. Nor is there great danger in Cuba.

The fact of the proximity of the United States to the West Indies, that our great power hangs over the islands like a mountain side, the hopelessness of making headway against this Government, will deter those in Porto Rico and Cuba who might otherwise be factors in disturbance from doing anything in opposition to our just plans.

But, sir, when we go to the Philippine Islands a different problem is thrust upon us. We will need a standing army of European proportions, and with that standing army will come vast consequences of present and future expense. We will have retired lists for Army and Navy officers expanding faster than our boundaries expand; we will have pensions piled on pensions to the latest generation; we will have our minds constantly fixed upon visions of war and conquest rather than peace and industrial advancement, and for years the Pacific cables will bring bloody news to the homes of America.

After we have subjected those islands under great stress and great expense to the Government of our country, what a complexity of social and political problems is brought to our doors? Take, for example, the labor problem?

There are two distinct dangers which it is hardly possible to avert. Those dangers are, first, the competition of the pauper laborers of the Philippine Islands who may come to our shores. The second is the danger of the competition of the pauper-made products sent out from the Philippine Islands to flood and disparage American markets.

It is hardly material to the consideration of this question whether the Filipinos become citizens or not when they are admitted into the bounds of our Republic. All persons who are within the jurisdiction of this country have the free right of locomotion from one part of our dominion to another. Would it be within the power of Congress to say that an alien peacefully resident here should not go from one of our Territories to another?

We can keep aliens from coming here. That is a function of our sovereignty. We can expel aliens after they come here. That is a function of our sovereignty. But we have no power to interfere with the personal liberty of an alien as long as he remains within our borders.

Mr. HOAR. Mr. President, I would remind my honorable friend that even the assertion of the constitutional power to expel an alien was regarded as so hostile to the spirit of American institutions that it revolutionized the Government, it overthrew an administration.

Mr. CHILTON. True.

I will not speak at length of the question whether the sons and daughters of the Filipinos would become citizens of this country. The Supreme Court of the United States, in a case as late as the one hundred and sixty-ninth volume, had occasion to consider the status of a child born of Chinese parents living in the United States.

It was said that no matter what the condition of the father may have been, the very fact of birth inside the jurisdiction of the United States gave the boy the right to free admission into our territory. The only exceptions to that rule are the cases of alien enemies in time of war and ambassadors and ministers here on official business. In that case, after discussing other propositions, the court refers to an earlier case. I read from 169 United States, 700:

> In Lem Moon Sing *vs.* United States the same principles were reaffirmed, and were applied to a Chinese person, born in China, who had acquired a commercial domicile in the United States, and who, having voluntarily left the country on a temporary visit to China, and with the intention of returning to and continuing his residence in this country, claimed the right under a statute or treaty to reenter it; and the distinction between the right of an alien to the protection of the Constitution and laws of the United States for his person and property while within the jurisdiction thereof, and his claim of a right to reenter the United States, after a visit to his native land, was expressed by the court as follows:
>
> "He is none the less an alien because of his having a commercial domicile in this country. While he lawfully remains here, he is entitled to the benefit of the guarantees of life, liberty, and property, secured by the Constitution to all persons, of whatever race, within the jurisdiction of the United States. His personal rights"—

That is, the alien's—

> "when he is in this country, and such of his property as is here during his absence, are as fully protected by the supreme law of the land as if he were a native or naturalized citizen of the United States."

Blackstone lays down that great principle of Anglo-Saxon progress that one of the first attributes of personal liberty is the right of locomotion from one part of the domain to another. And upon original principles, as well as American authority, it is fairly deducible that whenever we take the Filipinos under our jurisdiction the Supreme Court will hold that it is beyond the power of Congress to prevent them from passing between different parts of the territory of the United States. That has been the common construction of our Constitution for the last one hundred years.

But suppose that danger could be safeguarded by legislation. Where under our Constitution would you find the authority to keep the productions of the Filipinos, manufactured in their own homes, from coming unimpeded to the ports of the United States? In Loughborough *vs.* Blake (5 Wheat., 317), Chief Justice Marshall, speaking for the court, said:

> The eighth section of the first article [of the Constitution] gives to Congress the "power to lay and collect taxes, duties, imposts, and excises," for the purposes thereinafter mentioned. This grant is general, without limitation as to place. It consequently extends to all places over which the Government extends.

That is strong enough.

> The power, then, to lay and collect duties, imposts, and excises, may be exercised, and must be exercised throughout the United States. Does this term designate the whole, or any particular portion of the American empire?

He then goes on to answer the question:

> It [the United States] is the name given to our great Republic, which is composed of States and Territories. The District of Columbia or the territory west of the Missouri is not less within the United States than Maryland or Pennsylvania; and it is not less necessary, on the principles of our Constitution, that uniformity in the imposition of imposts, duties, and excises should be observed in the one than in the other.

The idea was advanced here a few days ago that Congress possessed a higher power over unorganized territory than that which it had over organized Territories; but when this decision was rendered the greater part of the territory west of the Missouri River, to which Chief Justice Marshall referred, was unorganized territory. This language applies to all the territory, as he says, which belongs to the United States.

The same principle is practically outlined in the case of Cross *vs.* Harrison, 16 Howard. From a consideration of these opinions and the nature of our Government and institutions, it would seem clear that whenever any territory is brought within this American "empire," so called, it becomes subject to the same constitutional principles which limit Congress in regard to that which we now possess.

I can not believe that it will be within the power of Congress to prescribe a rate of duty on foreign goods brought into the Philippine Islands differing from the duty on same goods when brought into Texas, Maine, or California, nor can national legislation fix a tariff on importations which pass from the Philippine Islands to other parts of this country higher than the tax on importations which pass from the Territory of Arizona or the District of Columbia into any existing State or Territory.

Mr. President, the laboring people of this country have caught the alarm. They understand the nature of this grave and radical departure.

Mr. FORAKER. Will the Senator from Texas allow me to interrupt him and ask him a question?

Mr. CHILTON. Certainly.

Mr. FORAKER. Do I understand the Senator to contend that the constitutional provision requiring uniformity in the levying of impost duties would apply to importations from the Philippines into other States and Territories of the United States?

Mr. CHILTON. Undoubtedly, reasoning from the decisions of the Supreme Court.

Mr. FORAKER. I call the Senator's attention to the fact that the term "duties upon imports and exports," as used in the Constitution of the United States, has been held by the Supreme Court to apply only to imports and exports from and to foreign countries, and not to imports and exports from one State to another or from one Territory to another of the United States. Therefore that rule of the Constitution would have no application at all to exports into this country from the Philippine Islands if they should be made a part of the United States, and no application whatever to transactions between the United States and the Philippine

Islands; and it would be competent for any State of the Union, if it saw fit to do so, to protect itself in any way it might see fit by the levying of import duties upon importations from the Philippine Islands.

If the Senator will allow me, I will call his attention to a case reported in 8 Wallace. The Senator may have overlooked it. It is the case of Woodruff *vs.* Parham, where it was held by the Supreme Court, reading only from the syllabus:

The term "import," as used in that clause of the Constitution which says that "no State shall levy any imposts or duties on imports or exports," does not refer to articles imported from one State into another, but only to articles imported from foreign countries into the United States.

And the court, in this opinion, went on to say that wherever the term "imports or exports" is used in the Constitution relation is had to foreign importations and exportations and not to transactions between the States or Territories of the United States. Therefore, imports from the Philippines that would be prejudicial to labor would not be beyond the reach of Congress to regulate.

Mr. CHILTON. I differ with the Senator in regard to that proposition.

Mr. FORAKER. I am only stating what the Supreme Court has held.

Mr. CHILTON. I can not concede that the case referred to decided the question here involved. It arose under the clause of the Constitution limiting the levying of duties by States. Even in that aspect it has been superseded by later decisions holding that taxes by one State on importations from another are void because they constitute a regulation of interstate commerce.

We are now speaking of the powers of Congress. Is it within the power of the Congress of the United States to declare that goods which come from Arizona to the District of Columbia shall pay a certain rate of duty or a certain rate of tax—I do not care what you call it—and that goods which come from Texas to the District of Columbia shall pay another rate? Certainly not.

I will quote part of section 8, Article I, of the Constitution:

* * * but all duties, imposts, and excises shall be uniform throughout the United States.

Now, if a tax should be laid on goods brought from Manila to San Francisco or New York, even if not a duty or impost, it would fall within the definition of the word "excise," and would be invalid if higher than like excises on goods from other ports of our country to New York or San Francisco.

But I was about to show the views of our labor organizations in regard to this question. I received lately a protest from one of these bodies, which I will read in part:

The undersigned delegates desire to present briefly the reasons why the Cigar Makers' International Union of America, an organization composed of 31,500 members, located in 357 cities and towns, is opposed to the annexation of the Philippine Islands by the United States.

I. Because the bulk of the cigars manufactured in the Philippine Islands are sold at a price of $5 to $10 per thousand in United States currency. This statement is verified by Edward W. Harden, special commissioner, in his report on the financial and industrial conditions of said country (page 23).

II. Because the exportation of cigars in 1896 from Manila amounted to 194,136,000, which, within a few years, under American energy and direction, would increase to the extent of endangering our home industry.

III. Because the cheap labor of the islands, subsisting mostly on rice and vegetables, would enable a few manufacturers to flood the United States with this product, thus tending to paralyze our home market.

IV. Because the development of the industry in the archipelago would throw thousands of Americans employed at making cigars out of work and reduce the standard of wages to the Asiatic level, which averages from 15 cents to 25 cents per day.

V. Because all barriers that now limit competition between these producing forces would be swept aside, and new conditions created most disastrous to the moral, social, and material welfare of the American working people.

VI. Because the annexation of the Philippine Islands will not change the Asiatic habits and customs of the laboring population, but will, in course of time, reduce the American standard of living to a level bordering on pauperism.

VII. Because the welfare of 150,000 employees and small manufacturers and their families, depending upon this industry for a living in the United States, is of vastly more importance to the nation than the increase of commerce expected by a few commercial centers.

VIII. Because it would nullify, in substance, the Chinese exclusion act, the alien contract labor law, and immigration laws, for which organized labor has contended for the last twenty-five years.

Mr. PLATT of Connecticut. Mr. President, I do not want to interrupt the Senator or delay him, but I do wish just at this point to say that after a very careful study of the situation I am firmly of the belief that none of the natives can come from the Philippine Islands into the United States unless Congress gives permission, nor can any free goods come from there into the United States unless Congress provides for it.

Mr. CHILTON. Mr. President, the Senator from Connecticut can not speak for the Supreme Court of the United States. The laboring people of this country will hardly have a sufficient guaranty in his emphatic contention on this subject. So long as the Philippine people are held in allegiance to the Government of the United States you can not deny them the rights which belong to other persons who owe allegiance to our Government. Congress has no power to make discriminations between the people who owe a common obligation to a common Federal sovereignty. This Government was founded upon the proposition that all who served the Republic should have equality of right.

And why are we asked to take up these puzzles? Why are we asked to run the risk of admitting large numbers of Chinese and crossbreeds of Chinese and Mestizos into this Republic, to say nothing of the vast Malay millions which stand behind them? In the Philippine Islands to-day are more than 500,000 Chinese and descendants of Chinese. They mainly inhabit the city of Manila and other towns.

Those people are laborers, merchants, and traders, and when we open the doors by the annexation of these islands we will bring into competition with our home people more alien pauper laborers than would come here in a hundred years under the ordinary operation of our immigration laws. And for what? For islands which, in my judgment, have been vastly exaggerated in fertility and value. The sensational journals of this country have saturated the public mind with the idea that if we give up the Philippine Islands we will give up a mine of wealth and an opportunity never to return again.

My investigations do not confirm these highly colored estimates. The commerce of the Philippines would no doubt improve under the touch of American energy, but at best it would make but a small figure in our national resources. The imports and exports of the United States are now more in a day than the imports and exports of the Philippines are in a year.

Men may deceive themselves by daydreams about securing a great trade in China and Japan from the standpoint of the Philippines. But I have seen town-lot booms before. I have seen sober men intoxicate themselves with visions of railroads whose charters alone tell the story of their existence and of great cities which the census taker never found.

A widening commerce with those far-off lands should ever be an object of our care. The gallant Perry, in old Democratic days, was the first man to unlock the doors of Japan to American trade.

But to propel that commerce it is not necessary to assume the responsibility of governmental administration.

I would not have this Government surrender all the advantages which come from our glorious Eastern victory. I would ask one or more coaling and naval stations in the Philippines, so that hereafter, if we had unwilling trouble upon the sea, we might have a base of operations in that quarter of the world.

But I would rather have a treaty which gave free entry to American productions—yes, ten thousand times rather have it—than a profitless and never quiet sovereignty of the ignorant and mixed millions of the Philippines.

Mr. CAFFERY. Will the Senator permit me?

The PRESIDING OFFICER (Mr. GALLINGER in the chair). Does the Senator from Texas yield to the Senator from Louisiana?

Mr. CHILTON. Yes, sir.

Mr. CAFFERY. If the contention of the Senator from Connecticut [Mr. PLATT] be correct, and the Philippines come absolutely under the sovereignty of Congress, and are not citizens of the United States, what kind of political status have they? Have they any rights?

Mr. PLATT of Connecticut. Just what Congress pleases to give them under the treaty.

Mr. CAFFERY. I would, then, ask the Senator whether, if that be true in regard to the Philippines, it is not true with regard to the inhabitants of New Mexico or any other Territory of the United States?

Mr. PLATT of Connecticut. I do not wish to interfere with the Senator from Texas [Mr. CHILTON], but I will say with regard to the inhabitants of the Territories of New Mexico and Arizona, we have by public statute made the Constitution and laws of the United States applicable there. That makes the distinction.

Mr. CHILTON. Mr. President, I have looked into that question carefully. According to that theory, all we have to do to withdraw the protection of the Constitution from the people of Arizona and New Mexico is to repeal that statute; and I do not believe for one moment that the personal rights of the people who inhabit the Territories of this country depend upon any such slender foundation.

Mr. NELSON. May I ask the Senator a question?

Mr. CHILTON. Certainly.

The PRESIDING OFFICER. Senators desiring to interrupt a Senator on the floor will please get consent from the Chair.

Mr. NELSON. I desire to ask the Senator from Texas a practical question, not for the purpose of interrupting him. When we annexed Alaska did all the Indians and natives of that country become citizens of the United States, or what was the condition of the natives of that country after they were annexed?

Mr. CHILTON. Mr. President, under our Constitution the Indians occupy a peculiar situation, and no decision and no argument founded upon the relation of the American Indian to the people of this country and to our Constitution is worth anything whatever.

Mr. President, I have spoken of the internal difficulties which

will present themselves. In my judgment, they form but the smallest part of the gravity of this situation. Whenever we go over into the Philippine Islands great external problems will loom up. What becomes of our Monroe doctrine? What is that Monroe doctrine? It is a beautiful principle, which blends the interests of all the people of the American republics to the south of us with the interests of this great nation.

Under that Monroe doctrine, to which this country has been pledged in every conceivable way, and which took its place in the international law when President Cleveland issued his celebrated warning to England which brought that great Empire to agree to an arbitration with the Venezuelan Republic upon the question of boundary—we say to the world that the Western Hemisphere shall constitute a section of the earth with which the mighty powers of Europe shall have no concern. In the interest of peace the United States will not dislodge European colonies already established, but their boundaries are fixed. Neither by war, purchase, voluntary cession, vote of the people, nor in any conceivable way shall a single foot of new territory upon this hemisphere be added to European dominion.

In some respects this is a hard doctrine, but it is a doctrine of virtue and necessity. To say to all the great powers of Europe that they will never be permitted to take in territory anywhere in North, South, or Central America is something to touch the pride of kings and emperors across the water.

Suppose that Germany should have a conflict with Brazil, and her war ships should lay siege to and capture Rio Janeiro, as Manila was captured by us.

If then the Brazilian Government, in order to make a peace, were to propose to cede Rio Janeiro to Germany as a part of the settlement. Could she do it? No. At that moment the great, strong voice of the American Republic would speak to the German Government, "Stay thy hand, for we are sworn that no government of the Old World shall ever hereafter acquire another foot of soil upon the domain of the New."

Mr. PETTUS. By force?

Mr. CHILTON. No, sir; not by force alone. The Monroe doctrine goes further. The principal is universal in its sweep and interdicts every species of acquisition by European powers.

It would be hard to find a citizen of the Union who would give up that Monroe doctrine.

We will say to the powers of the Old World, "We will not allow you to acquire further possessions in the Western Hemisphere. Yet we will take Ptoro Rico, and we reserve the right to take Haiti or Brazil or Cuba or any other part of North or South America when we think proper to do so."

But after saying this, after reserving that liberty, will we go across into Asia and enter into a wolfish rivalry for land, and will we take and keep all that we feel disposed to take and keep? Mr. President, all the moral power of the Monroe doctrine will disappear whenever we are brought to that extremity.

There is a corollary from the Monroe doctrine which is stated by President Monroe himself and the other great statesmen of America. That deduction is that, while we will not allow the governments of the Old World to add any further territory to their present colonies on this side of the water, neither will we take a hand in the affairs of the Old World, and when we abandon that position and go over into the Eastern Hemisphere we will discredit the Monroe doctrine during all time. The principle will have been extracted; its truth and loftiness will have been lost, and it will become simply a doctrine of brute force on the part of the United States.

Again, Mr. President, when we go over into the Philippines we have thrown ourselves upon the red-hot stove of international politics in the Eastern Hemisphere. When we go we find, in the first place, that governments over there do not settle matters, each for itself. You find over there what is known as the "Concert of Europe." A short time ago Greece had a war with Turkey. Turkey overran Greece; and had it in her power to force terms upon the Grecian monarchy.

But the powers of Europe took a hand. Russia, Germany, England, France, Austria, and Italy, forming the concert of Europe, intervened, and they said, "We are going to have something to say about how this treaty of peace shall be made." They demanded that the treaty of peace be settled according to certain principles; "the balance of power must be conserved;" and so Turkey, after she had won a conclusive victory over Greece, was obliged to submit to a treaty which was dictated by the six great powers of Europe.

So after the war between Russia and Turkey a few years ago, Russia was victorious and began to outline the terms of peace, but a dark figure loomed up—the concert of Europe—England, Germany, France, Austria, and Italy. A congress was called at Berlin, a famous congress in the diplomatic history of the world. Beaconsfield and Bismarck and other great statesmen representing the countries of Europe were there, and though Russia had overpowered Turkey in actual battle, the treaty of peace was made upon compromise terms acceptable to the other great powers.

Now, when we go into the Philippine Islands we become close neighbors to Russia, Germany, England, and France, and we will no more be satisfied with what we have than they are. Some American statesman will rise up and say we are as much entitled to a share of China as they are, and we will have the power to take what we want. Then we will be invited to a conference with the powers of Europe.

Mr. President, do you suppose the people of this country would submit to that? No. We never would agree to submit the result of our victories in war to the arbitration of other nations, and our position would be certain to lead to hostile contests between the United States and the powers of the Old World. We would be on the rim of difficulty all the time.

When we go to the Philippine Islands, we take our place on the Sea of China. France is there, England is there, Russia is there, Germany is there. Trouble will be certain to ensue, and it will not be long in coming. In my judgment twenty years will not elapse until we will be driven into hostile conflict with one or all the great European nations.

What will be the main theater of the war? Where will the fighting take place? Inevitably in Chinese waters or upon Chinese territory.

Now, I have great faith in the energy, in the ability, and in the strength of the American people. I know our resources are tremendous. But we must never lose sight of the important fact that one of the reasons why the other nations of the earth have heretofore been unwilling and unable to measure arms with the United States is because of the fact that we have stood here in a great continental area and serenity, and the countries of the Old World could not find a place to strike us. They dared not seek to invade us, and hence they shrank from encountering the dangers of a war with this Republic.

But whenever we take the Philippine Islands we have furnished to the world a place to strike us. It will be our one weak point. If we enter into an alliance with England, as is proposed here by some, we will have to take part in the division of China or take side against the partition of China. In either case we will be obliged to go across the sea and fight our future battles with the powers of the Old World at a place which they and not we will select.

In such a contest we will be at great disadvantage. A Russian Government railroad will soon be finished from St. Petersburg to the Pacific Ocean and Sea of China. It will be within the power of the Russian Empire to send train load after train load of soldiers from St. Petersburg—its capital—to its remotest limits, and debark them close to the Philippines or upon the soil of China. We can not transport our soldiers by railroad. We will load ships at San Francisco or at some other American port, and send our soldiers across the Pacific Ocean, make a landing, and then measure arms with the continental powers of the Eastern Hemisphere. The difference of facilities would be against us in proportions so tremendous that I shrink from such an undertaking.

Mr. President, we should take some observations from experience. I remember in reading history one very remarkable instance of the utter folly of enabling your adversary to select the theater of war. After Napoleon Bonaparte invaded Russia and left his army bleeding upon her plains of snow, no power in Europe dared to undertake another Russian invasion. For a half century Russia was deemed impregnable. But in an evil hour she set up certain rights upon the Black Sea. Then England and France saw their opportunity.

When Russia set up these rights upon the Black Sea, as a matter of course she had to enforce them. England and France found it in their power to select the place where the fighting should occur, and when the Crimean war ended Russia was forced to agree to a peace that cost her more prestige than any other event in her history.

It has been boldly avowed upon this floor that we should go into an alliance with England and fight Russia or Germany or any combination of European powers which should seek to partition the Chinese Empire. What does all that mean? It means war, indescribable, unending war. Why should we cast the American destiny upon a sea which is bound to bring our people into bloody conflict with the powers of the Old World? It is a dreadful responsibility to propose at this hour of our history.

The last civil war has already cost the people of the United States over $10,000,000,000; the wars of Europe during the present century have cost the people of Europe over $100,000,000,000, and the end is not yet. Shall we gather nothing from this experience? Shall we go headlong into a policy which has brought the European masses into a state almost equivalent to despair?

So dreadful has this burden grown that not long ago the Czar of Russia proposed a conference to consider plans for a general disarmament. We all know that no disarmament will take place. The powers of Europe must keep up great standing armies to watch each other. Why watch each other? Because they are in close neighborhood and every neighbor striving to gain advantage

in territorial acquisition. What brought on the war between the United States and Spain? It was because of the neighborhood of Cuba to this country. If Cuba had been 7,000 miles away, we would never have had war with Spain, and no crisis such as that which now faces us would exist.

Now, whenever we go to the Philippine Islands we become neighbors to France, to Russia, and to Germany, and the very fact of our neighborhood will keep us perpetually in danger of conflict. But it is said, If all this be true, why is it that England, France, Germany, and other countries are engaged in a mad race for colonial territory? The reasons are many; some of them partly sound and others purely the result of imitation.

England and Germany have for a long time been vexed with the problem of a superabundant population. England has gone so far, at different times, as to actually assist immigration to the United States and other parts of the world.

France has been led into the same policy on the theory of finding new markets, but those who have studied the problem maturely believe that France has not gained and will not gain anything of solid value from her experiment.

Besides, these countries are not self-sustaining. They do not have, like the United States, such a variety of soil and climate that within their own borders one industry can exchange its products for that of the other and a comfortable living be made practicable for all without calling into requisition foreign trade.

England and Germany could not live without the wheat which comes from other countries. They could not thrive without the cotton which grows in other countries. The dependence of European nations upon the United States for these great staples of agricultural production has long been the subject of discontent among the thinkers who rule Eng ish and German affairs.

But why should England, Germany, and France be held up to the United States as objects of our imitation?

Are laborers paid better in England and Germany than they are in the United States? Are the masses of Europe more comfortable than the masses of this Republic?

If in the short period of our history we have reached a height of power far above that held by other civilized nations, why should we now take up their policies?

Where has the world ever witnessed such another record as that made by this Union under the fostering principles we are now about to abandon?

But, Mr. President, the question is asked with an air of confidence, as if it presented a difficulty which could not be overcome, "What are you going to do with the Philippines?" It is even claimed in debate that we possess only a choice of alternatives; on the one hand, to take the Philippines as a part of our territory, or, on the other, to leave them to the dominion of Spain. This is mere assumption. We should do neither one thing nor the other. If we were under no specific obligations to the present insurgent forces in the Philippines it would be our duty, in view of the principles so long and proudly held by the American Union, to provide for independent government by the people concerned and leave them to their just destiny.

But the case is still stronger. The evidence published in connection with the treaty shows conclusively that Aguinaldo and his forces were of steady, valuable support to the American commanders. The same evidence shows that these people looked upon themselves as the allies of the United States and believed faithfully that they were to be the beneficiaries of a joint success. I know not how it may impress others, but there seems to me something shameful in now turning to the Filipinos and saying to them, "You were not our allies: you were our tools; you were the victims of our diplomacy. We were merely using you, and our consuls and commanders were instructed privately not to commit this Government in a way which would deny us the privilege of ordering the fate of the Philippines without regard to your wishes."

Men talk about our moral duties to the world, about what we owe to England and to China and the peace of mankind, but it seems to me that a great nation of intelligence and power owes to a weak and trustful people like the Filipinos the duty of respecting our engagement with them in the same sense in which they understood it. There is no danger either to the peace of the world or the prestige of our Republic in taking this course.

It has been said upon this floor that if we aided the Philippine people to establish an independent government Germany, France, Russia, or England would seize these islands. But the truth is that this difficulty is entirely unreal.

It would be easy for us to treat the Philippine Islands as we treat Liberia. That Republic is not on the Western Hemisphere. We do not claim that it falls under the influence of the Monroe doctrine. It is located on the coast of Africa, where Germany, England, and France are pushing forward for new territory.

We never have undertaken to exercise the slightest sovereignty over Liberia. Yet we have had occasion to define a policy in regard to it. I read from Wharton's Digest of International Law, section 66, from a letter dated April 21, 1880, written by Mr. Evarts, while Secretary of State, to Mr. Hoppin:

> The United States are not averse to having the great powers know that they publicly recognize the peculiar relations between them and Liberia, and that they are prepared to take every proper step to maintain them. To this end it is not inexpedient that you, and Mr. Lowell also, on his return to his post from his present leave, should evince a lively interest in the movements of both Great Britain and France in the neighborhood of Liberia.

While Wharton does not publish the entire letter, I find, on examining the files of the State Department, a further expression in the same letter which may be usefully quoted here:

> The attitude of the European powers which may have established themselves in the vicinity of Liberia becomes of interest to the United States whenever it may assume a tendency to disparage the asserted rights of native self-control.

In 1884 a letter was written on the same general subject by Mr. Frelinghuysen, Secretary of State, to Mr. Roustan, the French minister. Wharton quotes a part of that letter also, as follows:

> Liberia, although not a colony of the United States—
>
> We claimed no jurisdiction over it whatever—
>
> began its independent career as an offshoot of this country, which bears to it a quasi-parental relationship, which authorizes the United States to interpose its good offices in any contest between Liberia and a foreign state, and a refusal to give the United States an opportunity to be heard for this purpose would make "an unfavorable impression in the minds of the Government and the people of the United States."

In the same letter it is said:

> It seems, however, proper that I should in the name of this Government advise you provisionally that the United States would consider a French claim to territory in the Mannah River as threatening the integrity and tranquillity of Liberia. I should, however, be most happy to learn that the report of French occupation of Kents Island is unfounded.

On another occasion, in 1880, Mr. Evarts, while Secretary of State, wrote a letter to Mr. Noyes, in which he called attention to the information which had been received here that the French Government had designs of establishing a protectorate over the Liberian Republic.

Mr. Noyes, the American minister to France, replied that on making inquiry he had discovered that there was no intention on the part of the French Government to institute a protectorate over Liberia. That letter was published in the volume of "Foreign Relations of the United States" for 1879, and Mr. Noyes, having ascertained in advance that it would be published, suggested that it was unnecessary to put the correspondence in print. But our Government declined to heed his suggestion, and it was said:

> It is therefore quite suitable that the great powers should know that the United States publicly recognize those relations which we bear to Liberia, and is prepared to take every proper step to maintain them.

Mr. President, our entire interest in Liberia has been put on the ground that it was settled by Africans who left this country, and a hint from us has never failed to arrest all designs cherished by European nations against this little Republic.

Now, if we go into the Philippine Islands and give those people their just inheritance of independence, our Government can say rightfully to the world that the people of the Philippine Islands established their liberty by aid of our arms; they sustained us in the war against Spain, and we shall therefore always regard them as objects of our parental care. Not one of the powers of Europe would dare to make the slightest aggression upon the independent government of the Philippines at the hazard of our displeasure.

The claim that we must either take the treaty as it is or subject ourselves to tremendous consequences of difficulty with Spain is another unreal conception in connection with this situation. Spain has no money, no navy, no hopes; and whenever the United States say, "You must make the same relinquishment in regard to the Philippine Islands that you have made in regard to Cuba," she will instantly yield to our pleasure and close up a war which has advertised alike her folly and weakness.

But Senators say we can attend to all these questions after we have ratified the treaty.

Mr. President, he is but a poor student of human nature who depends too much upon his own firmness of purpose in dealing with great and constant questions in a great and constant way. The people of the United States never have given up a foot of territory. The smallest acquisition becomes a matter of pride after it once becomes a part of the Republic. When two or five years from now it is proposed to give up the Philippines the Senator from Colorado [Mr. TELLER], or some other Senator, will rise to say that if you give them up Germany will take them, or England will take them, or Russia will take them, and you will always have this scarecrow of foreign interference in the affairs of the Philippine Islands to deter us from acting in the way our better judgment might suggest.

But if you will adopt a resolution or amendment to the treaty which explicitly defines our relation to those people, then you will

have a fulcrum upon which the moral sentiment of this country can work. Even the boldest adventurer of expansion will feel abashed when reminded that we ought to give the Filipinos independent government because we solemnly promised to do so when we made the treaty with Spain.

Mr. SULLIVAN. Mr. President——

Mr. CHILTON. I want to get through so as to give the Senator from Colorado an opportunity to speak.

Mr. SULLIVAN. I wish merely to ask a question. How can you do that thing when objection is made to the consideration of a resolution?

Mr. CHILTON. That has all been explained. A resolution which shall be effective is now out of the question. We can amend the treaty; and if we do amend it, ratification will be certain.

Let us make no pretexts. Let us not trample upon the aspirations of the Philippine people to imitate the character of this Republic.

It is a stirring thing to read of great generals and heroic admirals, of sieges, battles, and victories, but after the music and the march have passed by, after the dance of delirium has worn us out, there will come a time of reckoning and mourning. I can but think of what will fall to our people in future years. After we have vindicated, by great sacrifice of the treasure and blood of America, our ability to measure arms with the powers of Europe in their schemes of colonization upon the Eastern Hemisphere, I feel that the good folks at home are going to be the sufferers for all time—sufferers in purse, sufferers in morals, sufferers in institutions.

I am one of those who believe in a Providence which cares for the destiny of collective millions. I feel that our toilers have outstripped all others and grown greater in a century than nations that have lived a thousand years, not alone because we have more energy and more brain than those who dwell in other lands, but because we have been the justest nation of all history. In this great crisis let us show to all hearts and all time that the American Republic still furnishes the world's best example of righteous rulers and a free people.

Mr. WOLCOTT. Mr. President——

Mr. LODGE. I ask unanimous consent that when the hour of 2 o'clock arrives the unfinished business may be considered as temporarily laid aside.

Mr. CHILTON. That follows without any consent. It follows as a matter of course.

Mr. LODGE. If the Senator will allow me, I make the request so that the Senator from Colorado may make his speech uninterrupted when the hour of 2 o'clock comes.

Mr. CHILTON. That follows, though, under the agreement made.

The PRESIDING OFFICER (Mr. GALLINGER in the chair). The Chair will take the liberty to lay before the Senate the unfinished business, and then it can be temporarily laid aside. It will be stated.

The SECRETARY. A bill (S. 1575) to amend an act entitled "An act to regulate commerce."

The PRESIDING OFFICER. Is there objection to temporarily laying aside the unfinished business? The Chair hears none, and it is so ordered. The Senator from Colorado will proceed.

Mr. WOLCOTT. Mr. President, until a day or two ago I had no idea of addressing the Senate on the matters pertaining to this treaty, which should, in my opinion, be properly considered only in executive session. It was not until it has become apparent that the manipulations and complications surrounding certain of the resolutions which have been introduced into this body were to serve solely as a cloak to an organized effort to bring about the defeat of the treaty that I felt impelled to say a few words respecting these resolutions.

Mr. President, in the months preceding the opening of hostilities the prospect of war with Spain had no charms for me, and now, in common with millions of the American people, I move with reluctant feet along the path which our national duty seems to point, not because I do not recognize the necessity of following it, but because it is new and untried.

If the commissioners appointed by the President of the United States had brought us a treaty by the terms of which we were to relinquish all the Spanish islands in the Pacific, I should have voted to ratify it. If they had brought here a treaty which reserved us a coaling station and gave up the rest of the islands, I should have joined in a vote to approve their action. In their wisdom they have agreed upon a treaty which retains all those islands, and I see before me but one duty, and that is to stand by my Government and by the action of these commissioners.

Who would have dreamed last June that within six months there would be presented in the Senate the spectacle which we have witnessed here for the last two or three weeks? Within two months after the declaration of hostilities the providence of God and the prowess of our soldiers and our sailors brought us overwhelming victory. Then came the protocol, and following that the President, within the limits of his constitutional duty, appointed commissioners to meet on neutral soil with commissioners from the Kingdom of Spain to negotiate a treaty.

The commissioners appointed by the President were all men eminent for character, attainments, and ability. We may judge something of them by the three members of this Chamber, representing both political parties, who were chosen to serve upon that commission. There is not a member of the Senate who would not trust those gentlemen with the most intricate and delicate matters pertaining to his own personal welfare or who does not recognize their eminent fitness for the negotiations with which they were intrusted.

Month after month those commissioners sat, but little of the story of their labors is told in the printed book before us, and they agreed finally with the commissioners of Spain and brought back here a treaty approved by the President and now laid upon our desks, by the terms of which we are of course left free to deal with the Philippines as we shall see fit hereafter, and by which we reserve the power to give them such legal status as Congress shall wisely determine.

And yet, Mr. President, we stand here wrangling day after day before the gaze of the whole world, seeking to belittle the action of these commissioners, and by resolutions in open Senate we seek to strip the treaty of much of its force and effect, and give such counsel and aid as we may to those people in the Philippines who might be inclined to question our authority.

There are, Mr. President, no questions raised by these resolutions or their amendments that could not be equally well and satisfactorily dealt with after the treaty shall have been ratified. And I notice that many of the Senators who a few months ago were so certain that the insurgents of Cuba possessed all the qualities necessary to self-government—had a congress and cabinets and the power to levy taxes and collect revenues and all the paraphernalia of a state—are to-day equally certain and equally sure that the inhabitants of the Philippines are likewise fitted for wise and intelligent self-government.

The Constitution of the United States empowers the President to make treaties, subject to the concurrence of a vote of two-thirds of the Senate. This provision was inserted because our fathers believed that, however much we might differ on questions of internal policy, however much in the affairs of our own country we might dispute and argue, when we came to face a foreign foe or our relations with other countries we would stand as a unit together, sinking and obliterating party and party lines.

For my own guidance, Mr. President, I recognize a vast difference in the moral obligation I owe my country when I come to deal in the Senate with a commercial treaty, when this country is at peace, and the attitude I owe our Government when I am called upon to pass on a treaty of peace solemnly negotiated for the purpose of closing actual hostilities with a nation with which we are at war.

Never in the history of our country was it so important as now that the Senate of the United States should present an unbroken front. We owe a debt to our kin across the sea that perhaps we may some day partially pay. When the war clouds lowered and the air was full of hate, our brothers in race, language, and destiny, in quiet English fashion, took their place beside us, elbow touching elbow, and back of us were the services of their trained diplomacy and their genuine and unqualified friendship; and had it not been for the moral support which Great Britain gave us during this conflict we would not have emerged from it without an international contest of larger or smaller dimensions.

Bar England, there is not a country in Europe that is not hostile to us. During all this war they stood in sullen hate, hoping for our defeat and that disaster might come to us; and to-day they wait with eager and rapacious gaze, hoping that some event may yet prevent our reaping the fruits of the treaty which has been agreed upon by the commissioners of the two countries. Yet, while this critical condition of affairs exists, it has become evident within the last few days that certain political leaders in this Chamber believe that a new issue should be brought before the American people to be determined at the next Presidential election. They intend that the American people shall be called to pass on the questions arising out of the war, and that this shall be the issue of the next campaign.

For one I believe that issue a fair one, and I am ready, as all good citizens ought to be, to meet the views of the whole American people upon the question of the conduct of the war, of its achievements, and of the policy this country should pursue at its close. But it is deplorable, Mr. President, that in formulating such an issue and in pursuit of such a policy those leaders should find it necessary to seek to dishonor this Government and the Administration which has guided us so wisely through the troubled sea of international complications and brought us to the threshold of an honorable peace; that they should seek to degrade us in the face of the nations of the world; and that they should attempt to

bring about some fancied political advantage by an effort to defeat the ratification of a treaty which, if unratified, must bring back a condition of war as it existed before the report of the commissioners, passive it may be, Mr. President, but full of uncertainty and full of disaster to the interests and the welfare of our country.

For my part, I do not believe these tactics can win. There are on both sides of this Chamber enough men animated with high patriotism, ready to obliterate party lines and to stand shoulder to shoulder together and with the Government, not because it is a republican Government, but because it is an American Government, and they will agree to fight out hereafter the questions that may arise as to the conduct and disposal of the Philippines when the treaty shall have been ratified.

Mr. President, no matter what any man may say, this war was a war solely of humanity. It can not be too often reiterated that it had its inception in unselfishness and it finds its conclusion in equal unselfishness. The course of events, unexpected and necessarily unforeseen, leave us at the conclusion of this war charged with a duty toward 9,000,000 people in far-off, distant seas. We found them cruelly oppressed by Spain. No man with bowels of compassion would want to turn them back to that country. We know but little about them. We have reached only the very fringes of our knowledge of that country, its topography, its people, their character, and their possibilities. But it is believed by men at least as wise as we that there exists there a condition which if left to itself would result in internecine strife, perhaps extending over a generation, with its accompaniment of bloodshed and murder and rapine; and that the people there are as yet apparently unfitted for self-government.

More than this, they realize that if we to-day abandon those islands as a derelict upon the face of the waters we leave them open to the land-hunger and the greed of the countries of Europe that are now seeking to colonize land the wide world over, with the probability that our action would plunge the world in war.

Mr. President, for one I am not unwilling to face the responsibilities of this treaty with all that its terms imply. We shall not put our hands upon that people except to bless them. American institutions mean liberty and not despotism, and our dealings with those islanders, be they brief or be they for all time, can only serve to lift them up nearer into the light of civilization and of Christianity.

We have been told during this discussion that our occupancy of the Philippines would have a tendency to injure our own people and engender corruption among our own officers sent to govern them. Mr. President, such a statement is humiliating, and, I believe, untrue. In the large cities of this country municipal government is woefully bad, and it is bad solely because the people living in those cities are negligent and unwilling to bear their share in local administration. But outside those cities the civic virtues of the people of the United States are of the highest character. Our relations with those islands would be honorable and fair and just. We live in the light of publicity. We might make mistakes—we probably shall—but out of our government of those islands those people, by our example and under our control, will find themselves made more secure in their lives, their happiness, and the protection of their property.

Mr. President, it has also been frequently said in the progress of this discussion that our continued occupancy of those islands is contrary to the spirit of American institutions. Who shall say this? This Republic represents the first and only experiment in absolute self-government by the Anglo-Saxon race, intermingled and reenforced by the industrious of all the countries of the Old World. For more than a hundred years we have endured, and every decade has brought us increasing strength and prosperity, and, it may be, an increasing tendency to greater bitterness in our consideration of questions of internal policy. Who is to say that in the evolution of such a Republic as this the time has not come when the immense development of our internal resources and the marvelous growth of our domestic and foreign commerce and a realization of our virile strength have not stimulated that Anglo-Saxon restlessness which beats with the blood of the race into an activity which will not be quenched until we have finally planted our standard in that far-off archipelago which inevitable destiny has intrusted to our hands?

It may well be that this people have found, through the outlet which the results of the war with Spain compelled us to take, the one course which shall lead to the perpetuity of our institutions and the safety and stability of the Republic.

Time alone can determine and make clear the duty we owe ourselves and the people of the Philippines. To-day we face the question of rejecting or emasculating the conclusions solemnly reached by the commissioners of Spain and the United States or of standing loyally by our Government. For myself there is but one path; to my vision that way alone lies honor.

[Applause in the galleries.]

The PRESIDING OFFICER. The Chair will caution the occupants of the galleries that expressions of approbation or disapprobation are not allowed under the rules of the Senate.

Mr. ALLEN. Mr. President——

Mr. LODGE. I move that the Senate proceed to the consideration of executive business.

Mr. ALLEN. I hope the Senator will withdraw that motion.

Mr. LODGE. I beg the Senator's pardon. I did not see that he had risen, and I withhold the motion.

Mr. ALLEN. I was simply going to request the Senator to withdraw his motion for a time, but I am told on this side of the Chamber that his motion is according to the unanimous-consent agreement, and I suppose I shall have to submit to it.

EXECUTIVE SESSION.

Mr. LODGE. I renew my motion that the Senate proceed to the consideration of executive business.

The motion was agreed to; and the Senate proceeded to the consideration of executive business. After three hours spent in executive session the doors were reopened, and (at 5 o'clock and 15 minutes p. m.) the Senate adjourned until Monday, February 6, 1899, at 12 o'clock meridian.

NOMINATIONS.

Executive nominations received by the Senate February 4, 1899.

COINER.

Mayer Cohen, of Louisiana, to be coiner of the mint of the United States at New Orleans, La., to succeed H. Gibbs Morgan, removed.

COLLECTOR OF CUSTOMS.

John W. Mix, of Connecticut, to be collector of customs for the district of New Haven, in the State of Connecticut, to succeed Henry W. Babcock, whose term of office will expire by limitation February 22, 1899.

PROMOTIONS IN THE NAVY.

Lieut. (Junior Grade) Volney O. Chase, to be a lieutenant in the Navy, from the 13th day of January, 1899 (subject to the examinations required by law), vice Lieut. George T. Emmons, retired.

Ensign William C. Cole, to be a lieutenant (junior grade) in the Navy, from the 13th day of January, 1899, vice Lieut. Volney O. Chase, promoted.

Asst. Surg. Moulton K. Johnson, to be a passed assistant surgeon in the Navy, from the 12th day of November, 1898, to fill a vacancy existing in that grade.

HOUSE OF REPRESENTATIVES.

SATURDAY, *February 4, 1899.*

The House met at 12 o'clock m. Prayer by the Chaplain, Rev. HENRY N. COUDEN.

The Journal of yesterday's proceedings was read and approved.

DIGEST AND MANUAL.

Mr. PERKINS. Mr. Speaker, I present a privileged report.

The Clerk read as follows:

Resolved, That there be printed 2,000 copies of the Digest and Manual of the Rules and Practice of the House of Representatives for the third session of the Fifty-fifth Congress, the same to be bound and distributed under the direction of the Speaker and Clerk of the House.

Mr. BAILEY. I should like to hear the last part of that resolution.

The resolution was again reported.

Mr. BAILEY. Well, is that the usual resolution?

Mr. PERKINS. That is the usual form, I will say to the gentleman from Texas.

Mr. BAILEY. Are these copies of the book not placed to the credit of members?

Mr. PERKINS. They are always distributed through the Clerk's office.

Mr. BAILEY. If that is the usual course——

Mr. RICHARDSON. I will state, Mr. Speaker, that that is the exact form in which this resolution has always been passed. These documents go to the Clerk's room, and they are distributed upon application of members.

Mr. BAILEY. My particular interest was from the fact that in my own State, and in many States of the Union, the legislatures are now in session, and there is an unusually large demand for the publication.

Mr. RICHARDSON. I wanted to say, Mr. Speaker, that I never did understand why this document was not distributed through the folding room the same as any other document, so that a member would get his pro rata; but it never has been done. It has always been the case that it went into the Clerk's office, and was distributed in that way.

Mr. SIMPSON. I would like to ask the gentleman a question.

Mr. PERKINS. Mr. Speaker, I would like to state, in response to what the gentleman has said as to the advisability of distributing these documents through the folding room instead of the Clerk's office, that one purpose to be served is to supply new members. New members, of course, members-elect to the next Congress, can not be reached through the folding room, and every new member is anxious at as early a date as possible to receive a copy of the Digest and Rules, and the Clerk, having them at his disposal, can supply them. That occurs to me as one reason why they should be distributed through the Clerk's office, as heretofore.

Mr. RICHARDSON. I think the reason suggested by my colleague is a very good one; but it does not insure that the new members would get them; because if any member desires to go there and get a dozen copies, he would get them, or probably two dozen copies. There is no limit upon what members may get when they go to the Clerk's office. If they went to the folding room, they would be distributed pro rata. I make no objection. This is the usual form, a form pursued for many years, and to change this resolution would fail to change the law, as this is a House resolution; and the distribution, if I am not mistaken, is in accordance with the act of January, 1895, known as the printing law, which simply followed existing law, and a law which had been on the statute book for many years. I think there is no question but that this, being a simple House resolution, would not change the existing law.

Mr. STEELE. I think, as a matter of fact, the Clerk does apportion these documents to members.

Mr. BAILEY. I think that is true, and I have had no trouble in connection with the distribution through the Clerk's office.

Mr. STEELE. Nor have I.

Mr. BAILEY. It just struck me as unusual.

Mr. RICHARDSON. It is unusual. It is not like any other document.

Mr. PERKINS. I think the gentleman from Kansas wanted to ask me a question.

Mr. SIMPSON. I would like to ask the gentleman—there was some confusion, and I did not catch what rules these are that are proposed to be printed.

Mr. PERKINS. The gentleman has a copy in his desk.

Mr. SIMPSON. The rules of the Fifty-fifth Congress?

Mr. PERKINS. The rules of the Fifty-fourth Congress.

Mr. SIMPSON. The rules of the Fifty-fourth Congress. Then you print the rules of the Fifty-fourth Congress for the Fifty-fifth Congress?

Mr. PERKINS. They have been extended to this Congress; they are the rules under which the House is now working.

Mr. SIMPSON. Then when are the new rules to be adopted?

Mr. DALZELL. At the next Congress.

Mr. SIMPSON. I would like to ask the gentleman from Iowa——

Mr. PERKINS. The gentleman understands that "the gentleman from Iowa" is not a member of the Committee on Rules, and his question is not pertinent.

Mr. SIMPSON. You might have heard the question first.

Mr. PERKINS. I heard it.

Mr. SIMPSON. The gentleman merely anticipated my question. It is now nearly the close of the last session of this Congress, and we were promised in the extra session that we were to have the rules for this Congress within thirty days.

Mr. PERKINS. Mr. Speaker, I am unwilling to go into a discussion of that matter.

Mr. SIMPSON. We have got those old rules in the book, and we are without new rules, and you are going to give that dose to the new members of the Fifty-sixth Congress.

Mr. PERKINS. I do not mean to yield further, and demand the previous question.

The resolution was agreed to.

On motion of Mr. PERKINS, a motion to reconsider the vote by which the resolution was agreed to was laid on the table.

MESSAGE FROM THE SENATE.

A message from the Senate, by Mr. PLATT, one of its clerks, announced that the Senate had passed joint resolution of the following title; in which the concurrence of the House was requested:

S. R. 187. Joint resolution authorizing the Secretary of the Navy to have a monument erected in Havana, Cuba, to the memory of the sailors and marines who lost their lives by the explosion of the U. S. S. *Maine* and are there buried.

The message also announced that the Senate had passed without amendment the following resolution:

Resolved by the House of Representatives (the Senate concurring), That the President be respectfully requested to return to the House of Representatives House joint resolution No. 226, now in his hands.

MESSAGE FROM THE PRESIDENT.

A message in writing from the President of the United States was communicated to the House of Representatives by Mr. PRUDEN, one of his secretaries, who also informed the House that the President had approved and signed bills and joint resolutions of the following titles:

On January 28, 1899:

H. R. 2157. An act granting a pension to Herman Dellit;

H. R. 2981. An act granting an increase of pension to James W. Jackson;

H. R. 795. An act granting an increase of pension to William Henry Smith;

H. R. 5798. An act granting an increase of pension to Samuel S. Patterson;

H. R. 5463. An act granting an honorable discharge to Prentice Holmes;

H. R. 1046. An act to correct the military record of James P. McGee;

H. R. 2890. An act for the relief of R. E. Vaughn;

H. R. 11716. An act making appropriations to supply urgent deficiencies in the appropriations for the fiscal year ending June 30, 1899; and

H. R. 6013. An act for the relief of J. R. Eggleston, of Hinds County, Miss.

NOTE.—This bill was presented to the President on the 18th of January, 1899, and not having been returned by him to the House of Congress in which it originated within the ten days prescribed by the Constitution, it has become a law without his approval.

The following bills were approved February 2, 1899:

H. R. 10459. An act to amend section 5 of the act approved June 10, 1880, governing the immediate transportation of dutiable goods without appraisement;

H. R. 8883. An act for the reestablishment and reconstruction of a light-house at or near mouth of Salem Creek, New Jersey.

H. R. 581. An act for the relief of Oliver C. Bosbyshell, late superintendent United States mint at Philadelphia, Pa.;

H. R. 11019. An act to authorize the construction of a bridge across the Savannah River from the mainland of Chatham County, Ga., to Hutchinsons Island, in said county;

H. R. 11029. An act to change and fix the time for holding the district and circuit courts of the United States for the northern division of the eastern district of Tennessee;

H. R. 9955. An act to transfer the county of Menard, in the State of Texas, from the western district of Texas to the northern district of Texas, and for other purposes; and

H. R. 5887. An act for the prevention of smoke in the District of Columbia, and for other purposes.

SENATE JOINT RESOLUTION REFERRED.

Under clause 2 of Rule XXIV Senate joint resolution of the following title was taken from the Speaker's table and referred to its appropriate committee as indicated below:

S. R. 187. Joint resolution authorizing the Secretary of the Navy to have a monument erected in Havana, Cuba, to the memory of the sailors and marines who lost their lives by the explosion of the U. S. S. *Maine* and are there buried—to the Committee on the Library.

ADDITIONAL CLERKS TO COMMITTEE ON ENROLLED BILLS.

Mr. LOUD. Mr. Speaker, I ask unanimous consent for the present consideration of House resolution 375.

The Clerk read the resolution, as follows:

Resolved, That the chairman of the Committee on Enrolled Bills be, and he hereby is, authorized to appoint two additional clerks to said committee for the remainder of the session, said appointments to date from January 20, 1899.

Mr. HULL. Why is the date of January 20 fixed?

Mr. LOUD. That is the date fixed by the Committee on Accounts.

Mr. HULL. Is that the date they were actually employed?

Mr. LOUD. It is.

Mr. BAILEY. The clerks have been employed since that date?

Mr. LOUD. They have, since the 20th of January.

Mr. MERCER. I would like to inquire if this is a report by the Committee on Accounts?

Mr. LOUD. It is; it was reported with a batch of other resolutions, and it is actually an important and necessary matter.

Mr. MERCER. The gentleman from California objected to some similar resolution the other day, but I will waive any objection I may have.

The SPEAKER. Is there objection to the present consideration of the resolution? [After a pause.] The Chair hears none.

The resolution was agreed to.

OUTRAGES UPON AMERICAN CITIZENS IN CHINA.

Mr. BROMWELL. Mr. Speaker, I ask unanimous consent for the present consideration of House resolution of inquiry concerning outrages on American citizens in China.

The Clerk read the resolution, as follows:

Resolved, That the Secretary of State be, and he is hereby, requested to communicate to the House of Representatives of the United States, so far as the same may be done without detriment to public interests, all the information in his possession concerning certain alleged outrages committed upon the person of Bishop Earl Cranston and other American citizens in the city

of Pekin, China, by the subjects of the Emperor of China, and what steps, if any, have been taken by the State Department in the matter of demanding suitable redress and indemnity therefor.

Mr. DOCKERY. Is this reported by any committee?

Mr. BROMWELL. It is exactly the same resolution that was reported by a committee and passed the two Houses in the form of a joint resolution. It is the one that we asked to withdraw yesterday. The President has this morning returned the joint resolution, and we now follow it with a simple House resolution.

The SPEAKER. In that connection the Chair will submit the following message from the President of the United States.

The Clerk read as follows:

To the House of Representatives:

In compliance with a resolution of the House of Representatives (the Senate concurring), I return herewith H. Res. No. 298, entitled "Joint resolution of inquiry concerning outrages on American citizens in China."

WILLIAM McKINLEY.

EXECUTIVE MANSION, *February 4, 1899.*

The joint resolution (H. Res. 298) is as follows:

That the President be, and he is hereby, requested to communicate to Congress, so far as the same may be done without detriment to public interests, all the information in his possession concerning certain alleged outrages committed upon the person of Bishop Earl Cranston and other American citizens in the city of Pekin, China, by subjects of the Emperor of China, and what steps, if any, have been taken by the State Department in the matter of demanding suitable redress and indemnity therefor.

The SPEAKER. Without objection, the joint resolution which has been returned by the President will lie on the table.

There was no objection.

The resolution offered by Mr. BROMWELL was then agreed to.

GRANTING CERTAIN LANDS TO CITY OF VICTOR, COLO.

Mr. BELL. Mr. Speaker, I ask unanimous consent for the present consideration of the bill (H. R. 11142) granting to the city of Victor, in the county of El Paso and State of Colorado, certain lands therein described, for water reservoirs.

The Clerk read the bill, as follows:

Be it enacted, etc., That the following-described tracts of land, situate in the county of El Paso and State of Colorado, namely: The NE. ¼ of the NE. ¼ of the SE. ¼ of section 3; the E. ½ of the SE. ¼ of the NE. ¼ of section 3; the NW. ¼ of the NW. ¼ of the SW. ¼ of section 2; the SW. ¼ of the NW. ¼ of section 2; the W. ½ of the SE. ¼ of the NW. ¼ of section 2; the NE. ¼ of the SE. ¼ of the NW. ¼ of section 2; the SE. ¼ of the NE. ¼ of the NW. ¼ of section 2; the NW. ¼ of the NE. ¼ of section 2, all in township 15 south, range 69 west of the Sixth principal meridian, and containing 160 acres of land, more or less, be and the same are hereby, granted and conveyed to the said city of Victor, in the county of El Paso and State of Colorado, to have and to hold said lands to its use and behoof forever for purposes of water storage and supply of its waterworks. And for said purposes said city shall forever have the right, in its discretion, to control and use any and all parts of the premises herein conveyed, in the construction of reservoirs, laying of such pipes and mains, and in making such improvements as may be necessary to utilize the waters contained in any natural or constructed reservoirs upon the said premises.

SEC. 2. That if the city of Victor shall at any time after the construction of reservoirs on the land described in section 1 of this act abandon the same, or cease to use the same for water storage, the land herein described shall revert to the Government of the United States of America. The survey of the lands so granted shall be made under the direction and approval of the War Department.

The amendments reported by the committee were as follows:

Strike out all after the word "two," in line 13, on page 1, and all of line 1 and down to and including the word "section," in line 2, on page 2, and insert in lieu thereof the following: "southeast quarter lot 3, section 2, and lot 2 in section 2."

Strike out the word "sixty," in line 4, page 2, and insert in lieu thereof "fifty-seven and twenty-seven one-hundredths."

Strike out all of said bill beginning with and after the word "be," in line 5, page 2, and insert in lieu thereof the following: "may be entered by the mayor of said city, subject to the legal rights of others, if any, upon paying $1.25 per acre and the usual fees therefor, and a patent shall issue therefor as in other cases."

The SPEAKER. Is there objection to the present consideration of this bill?

Mr. STEELE. I would like to ask the gentleman from Colorado [Mr. BELL] what is the value of the land in question and whether the Secretary of the Interior consents to this transfer?

Mr. BELL. He does. The land is about 11,000 feet above sea level, being a gorge of Beaver Creek, where the city of Victor, at an expense of about $18,000, has built a dam for the purpose of supplying the city with water. The water is now obtained from there for the city, but the people of the city are fearful that in the mining excitement in that region, although this particular tract is outside of the mining country, some one may come in and locate a claim there which will interfere with the dam and the water supply of the city.

The Department recommended the bill as originally introduced, providing that the city should have perpetual use of this body of land while used to accommodate this water supply. In that form the Department said there was no objection whatever to the measure. But the Committee on Public Lands has reported the bill in a form requiring the city to purchase the land, just as a person would be required to do and under similar circumstances, and we are willing to comply with this requirement and pay $1.25 per acre for the land and expenses of entry.

Mr. SHAFROTH. As a member of the Committee on Public Lands, I wish to say that the committee, after consideration, decided to enforce in this case the rule which has been uniformly enforced by the committee, that the reservoir or water right should be purchased outright from the Government. Now, the bill as reported provides that the city of Victor shall purchase this land at $1.25 an acre. I will state further that the reason that city could not take up this land under the general law is that the land is embraced in what was the Pikes Peak Military Reservation, a body of land about 10 miles square, and the general law does not allow land embraced in military reservations to be taken up in the ordinary way. There is, however, no objection to the bill as now presented, which has the unanimous approval of our committee.

Mr. LACEY. There should be a verbal amendment in the latter part of the bill. I have already suggested it to the gentleman from Colorado. It would simply correct a clerical error.

Mr. BELL. In accordance with the gentleman's suggestion, I offer the amendment which I send to the desk.

The Clerk read as follows:

Amend the amendment of the committee by inserting after the word "of," in line 2, page 3, the words "the city of Victor, El Paso County, Colo., for the use of said city."

The amendment to the amendment was agreed to.

The amendments as amended were adopted.

The bill as amended was ordered to be engrossed and read a third time; and it was accordingly read the third time, and passed.

Mr. BELL. I move to amend the title so as to read: "A bill granting to the mayor of the city of Victor, in the county of El Paso, State of Colorado, the right to enter certain lands."

The amendment was agreed to.

On motion of Mr. BELL, a motion to reconsider the vote by which the bill was passed was laid on the table.

ORDER OF BUSINESS.

Mr. MARSH. I move that the House resolve itself into Committee of the Whole on the state of the Union for the purpose of considering the bill (H. R. 11717) making appropriations for the support of the Military Academy for the fiscal year ending June 30, 1900. Before that motion is put, I ask that general debate in Committee of the Whole be limited to ten minutes.

Mr. HAY. There is no objection to that request, I understand, on the part of the minority of the committee.

Mr. COX. This bill, with some immaterial amendments, has been unanimously reported by the committee, and I make no objection to the request of the gentleman from Illinois [Mr. MARSH]; but I hope that in the Committee of the Whole he will give the House a succinct statement of the provisions of the bill. That will be satisfactory to me, and, I think, to all the minority members of the committee.

Mr. BLAND. Mr. Speaker, I ask unanimous consent that if this bill should be completed by half past 2 o'clock the ceremonies connected with the reception of the statues of Benton and Blair from the State of Missouri shall begin at that time.

The SPEAKER. Is there objection to the request that general debate in Committee of the Whole be limited to ten minutes?

There was no objection.

The SPEAKER. The gentleman from Missouri asks that if this bill should be completed by half past 2 o'clock the services under the special order for to-day may then begin. Is there objection? The Chair hears none.

MILITARY ACADEMY APPROPRIATION BILL.

The motion of Mr. MARSH was then agreed to; and the House accordingly resolved itself into Committee of the Whole on the state of the Union (Mr. HEPBURN in the chair) and proceeded to the consideration of the bill (H. R. 11717) making appropriations for the support of the Military Academy for the fiscal year ending June 30, 1900.

Mr. MARSH. I ask unanimous consent that the first reading of the bill be dispensed with.

There was no objection.

Mr. MARSH. Mr. Chairman, this bill carries $301,817.01 for the expenses of the Military Academy for the next fiscal year. If gentlemen will refer to the report accompanying the bill they will find that this appropriation is larger than any appropriation made for the same purpose during the last four years.

It is about $122,000 larger than the bill which was passed in 1898. This increase is largely, and almost wholly, I may say, made up of three separate items; one, an item of $70,000 for a library building, for renovating the building by reconstructing the entire present building and converting it into a modernly equipped library building. This is necessary, and the appropriation was deemed to be a proper one by the committee. The other item is $25,000 for the purpose of furnishing the new memorial hall building.

This new memorial hall building has just been completed. It is the result of a gift from the late General McCollom, some fourteen or fifteen years ago, and cost about $250,000 for its construction. The Government has had possession of that sum of money—$250,000—for some twelve or fourteen years, and the building has

just now been completed, but can not be occupied until provision is made for light and furnishing, which is proposed to be provided by the proposition in this bill. The committee think that the appropriation should unhesitatingly be made, especially as the building itself is in fact a gift to the Government. The amount of money given by General McCollom for this purpose was expended by the Government in the construction of the building.

Then there is another appropriation of between eight and nine thousand dollars for a refrigerator plant, for ice-making purposes in the cadets' mess hall. It will be noted that the estimates for this work are $100; but that estimate applies exclusively to the repair of this refrigerator. On a careful and full investigation of the facts by your committee they felt warranted in reporting to the House that it was better to tear out the old one, and put in a new machine that would embrace not only the refrigerator plant, but also the ice-making machinery as well. By means of this pure water can be furnished to the cadets.

These three items, Mr. Chairman, make up pretty much all the difference between the amount carried by the present bill and that appropriated in the bill for 1898; and as these various items are reached in the consideration of the bill by paragraphs, such information as the committee is able to give to the members will be cheerfully given if desired.

I ask for the reading of the bill.

Mr. COX. Will my friend yield to me for a moment?

Mr. MARSH. How much time have I remaining?

The CHAIRMAN. The gentleman has five minutes.

Mr. COX. I only want two minutes.

Mr. MARSH. I yield four minutes to my friend from Tennessee.

Mr. COX. I do not want that much time. I only wish to make a single remark.

In the examination of this bill as it went through the committee, I do not think that any more care could possibly have been bestowed on a bill of any kind and under any circumstances. Not that the bill is a very great one or involved any unusual study, but every item was carefully examined and thoroughly and fully considered by the members of the committee, and I feel prepared to say to the House, so far as my judgment is concerned, that we could not have done better than we did in the preparation and report of the bill to the House. I believe the House can rely upon the committee in this regard, and adopt the provisions of the bill without question.

There were of course criticisms of some items in the committee. That necessarily and always arises. And there was some consumption of time in the committee on various items.

I think I may say, as a member of the committee reporting the bill, that it is the best bill which has been reported, as far as my information goes. The minority of the committee, I am glad to say, attended every session and gave full and careful consideration to all of the items of the bill.

That is all I desired to say.

The Clerk read as follows:

For pay of one adjutant in addition to pay as second lieutenant, not mounted, $300.

Mr. DOCKERY. Mr. Chairman, I move to strike out the last word for the purpose of inquiring as to the necessity for this appropriation. It seems to be an entirely new item. I suppose, of course, there is some reason for it.

Mr. MARSH. I suppose the gentleman refers to this item of $600?

Mr. DOCKERY. Yes; is that not an increase of salary?

Mr. MARSH. It is an increase of pay. And the committee think it a very proper increase.

Mr. DOCKERY. Well, I do not undertake to question the gentleman's judgment, but I would like to have some explanation of it.

Mr. MARSH. If the gentleman will turn to page 2 of the hearings before the committee, he will find that Colonel Mills testifies that the law fixes the pay of the adjutant of the Army as that of a captain, and last year the position was filled by a captain, so that at that time, of course, it made no difference, and there was no necessity for the appropriation. But this year the place is filled by a second lieutenant, and this increases the pay as provided by the law. He is performing the duty of a captain, in other words.

Mr. HULL. That is to say, it is not an increase in the pay, but makes the pay conform to the law?

Mr. MARSH. That is correct.

The Clerk read as follows:

or pay of the Military Academy band, field musicians, general army service, cavalry detachment, and enlisted men on detached service, and extra pay for enlisted men on special duty.

Mr. STEELE. There is a letter left out in the first line of that paragraph, and I move that it be inserted.

The CHAIRMAN. Without objection, the letter "F" will be inserted.

The Clerk read as follows:

Interest on retained pay due enlisted men, $300.

Mr. LLOYD. I should like to ask the chairman of the committee, for the information of myself and others, what is meant by that paragraph—interest on retained pay due enlisted men.

Mr. MARSH. The law provides that a soldier can allow his pay to remain in the hands of the Government, and he draws interest upon it under regulations and restrictions prescribed by law. This is the estimate to cover the amount that it is thought will be necessary.

Mr. LLOYD. To cover the interest to be paid on retained pay?

Mr. MARSH. Yes. It is merely an estimate to cover that, and ordinarily it is about correct.

The Clerk read as follows:

Traveling allowances to enlisted men on discharge, $300.

Mr. DOCKERY. This bill seems to be a substantial reproduction of existing law, but the item just read is a new one. I should be glad to have the gentleman in charge of the bill explain it.

Mr. MARSH. Traveling allowances to enlisted men on discharge?

Mr. DOCKERY. Yes. As I understand it, that seems to be a new item.

Mr. MARSH. I think that is a very old item. Soldiers who are discharged are always allowed traveling expenses home.

Mr. DOCKERY. The item may have appeared in bills prior to the current law, but the item is not in the current law.

Mr. MARSH. I will tell you why it may not be there, because there may have been no one to be discharged in the last fiscal year. This is an estimate to defray this expense on account of those soldiers who will be entitled to discharge next year.

Mr. DOCKERY. I thank the gentleman for the information.

Mr. COX. I should like to ask one question.

The CHAIRMAN. The gentleman from Tennessee.

Mr. COX. Is the discussion here for the purpose of informing the gentleman from Missouri, my friend [Mr. DOCKERY], whether or not the committee understood what they were doing?

Mr. MARSH. I will say to my friend——

Mr. COX. Oh, do not answer it. Let it go.

Mr. MARSH. I think my friend from Missouri was perfectly right in asking the question, because that provision was not in the bill last year.

Mr. COX. But the gentleman from Missouri seems to supervise every bill that comes into this House.

Mr. DOCKERY. But not the gentleman from Tennessee. I should dislike to undertake that.

Mr. COX. You will not supervise me, and I do my duty on the committee as well as you do yours, and I know what this bill is. Of course, I do not object, but I have sat here for six years, and every time a bill comes in here from the committee the gentleman asks a great many questions about it. I think a gentleman as intelligent and honest as he is should stop his criticisms, when the minority of this committee have not made a single objection to this bill, except what they fought out of the bill, knocking down the appropriation nearly a hundred thousand dollars. I do not like this sort of indirect criticism, and I would not tolerate it from anybody but my friend from Missouri, who always knows everything.

Mr. DOCKERY. Mr. Chairman, I believe it is my province, and the duty of every member of the House, to seek information as best he can. Certainly it is the duty of the gentleman in charge of a bill to furnish it, and the gentleman from Illinois [Mr. MARSH] in charge of the bill has very courteously responded to all requests for information.

Mr. COX. Just one word. There is no doubt about that. Every member of the committee will treat you the same way, but I do suggest to you that when you ask a question, as you did ask just a moment ago, do you presume that nobody on the committee understands it but yourself?

The CHAIRMAN. The Clerk will read.

The Clerk read as follows:

For extra pay of one enlisted man employed as watchman, at 35 cents per day, $175.57;

For extra pay of one enlisted man employed as trumpeter at the cadet barracks, at 35 cents per day, $127.75.

Mr. HAY. I desire to call the attention of the gentleman from Illinois to two items on page 6, one of which reads:

For extra pay of one enlisted man employed as watchman, at 35 cents per day, $175.57.

Right below it is another item which reads:

For extra pay of one enlisted man employed as trumpeter at the cadet barracks, at 35 cents per day, $127.75.

That ought to be $175.57, instead of $127.75. I therefore move to amend the bill in order to make the figures agree.

Mr. STEELE. In lines 21 and 22, it should be $127.25, instead of $175.

Mr. HAY. At 35 cents a day it ought to be one or the other.

Mr. STEELE. At 35 cents a day it would be $127.25, instead of $175. That gives him pay for every day in the year—three hundred and sixty-five days.

Mr. MARSH. Mr. Chairman——

The CHAIRMAN. The gentleman from Virginia has the floor.

Mr. HAY. I yield to the gentleman from Illinois.

Mr. MARSH. On line 21, page 6, if the committee will allow us to go back, I would suggest, in lines 21 and 22, that $175.57 be stricken out and $127.75 inserted.

The CHAIRMAN. The Clerk will report the amendment.

The Clerk read as follows:

Lines 21 and 22, page 6, strike out "$175.57" and insert "$127.75."

The amendment was agreed to.

The Clerk read as follows:

Taking out old drying room in cadet laundry, putting in new metal drying room with outer casing of heavy galvanized corrugated iron, inner frame of heavy galvanized channel, angle, and T-iron, securely bolted and fastened, inside packing to be of asbestos, with all the latest improvements in racks, panels, etc., complete in all respects, to be immediately available $1,150.

Mr. FOOTE. Mr. Chairman, I would like to ask the committee in regard to this laundry. I see that they have for the laundry $2,740, and it is only a part of the laundry then; and here there are several propositions that these things shall be obtained without advertising. I would like to know about that. It is on page 20, Mr. Chairman.

Mr. MARSH. As far as the laundry is concerned, the evidence before the committee is that the present laundry is in very bad repair, and on the hearing before the committee, the committee were unanimously in favor of making these provisions on the ground of economy and on the ground of expedition. In the summer time these boys wear white clothes, and the amount of washing and laundry work there is very heavy.

Mr. FOOTE. I want to know particularly what they mean by "without advertising."

Mr. MARSH. That is not in this paragraph.

Mr. FOOTE. It is all through here, page 20, in line 21 and line 24.

Mr. MARSH. We have not got to line 21.

Mr. FOOTE. It is also in line 12, page 22.

Mr. MARSH. In line 12?

Mr. FOOTE. Line 12, on the next page.

Mr. MARSH. We have not reached that. When we come to it I will be glad to answer.

Mr. FOOTE. Would it not take less time to answer now?

Mr. MARSH. On what page? Line 21, you say.

For one tumbler for mangle, connected and in working order, to be immediately available and to be expended without advertising, $135.

That is a fixture of the machine.

Mr. FOOTE. I understand that exactly.

Mr. MARSH (continuing). And there is only one concern that can supply this repair. It is like a mowing machine. If you have a McCormick machine, nobody but McCormick can furnish the repair.

Mr. HULL. I will say that so far as these items are concerned the sums are so small that no harm can result.

Mr. HAY. It will cost about as much to advertise as it will to buy the repair.

Mr. FOOTE. That is what I wanted to know.

Mr. MARSH. These repairs can not be furnished by anybody but one concern that made this machine.

Mr. HULL. Now, on this item "for two 28-inch solid curb extractors, $340." It is the same with that. These are all for very small sums, where the advertising would be a very considerable expense.

Mr. MARSH. That is right.

The Clerk read as follows:

Buildings and grounds, Military Academy: Repairing roads and paths, including roads and bridges on reservation.

Mr. MARSH. Mr. Chairman, in the printing of the bill, in lines 19 and 20, the amount appropriated was left out; and I move to insert, after the word "reservation," in line 20, the words "one thousand dollars."

The CHAIRMAN. The Clerk will report the amendment.

The Clerk read as follows:

On page 21, line 20, after the word "reservation," insert "$1,000."

Mr. COX. Mr. Chairman, I desire to ask the gentleman a question in regard to this matter.

Mr. MARSH. I will say to my colleague that the estimate is $2,000, but the minutes of our committee meeting show that $1,000 was appropriated. The $1,000 in the print has dropped out somehow.

Mr. COX. All right.

The amendment was agreed to.

The Clerk read as follows:

Continuing construction of breast-high wall in dangerous places.

Mr. DOCKERY. Mr. Chairman——

Mr. HAY. I notice the amount is not in the bill.

Mr. MARSH. In lines 21 and 22, for continuing construction of breast-high wall in dangerous places, immediately after "places," I move to insert the words "five hundred dollars." That was agreed upon by the committee, but does not appear in the bill.

The CHAIRMAN. The Clerk will report the amendment.

The Clerk read as follows:

After the word "places," in line 22, insert the words "five hundred dollars."

The amendment was agreed to.

Mr. HULL. Mr. Chairman, I think the Board of Visitors was opposed to this appropriation. It is one that has been asked for a great many times. They have an operating room there that is way beyond the average operating room. They want an especially fine one, but I think, with the number of operations they have at West Point, what they have there is ample. I made special inquiries when I was on the Board of Visitors, and I think my friend from Illinois [Mr. BELKNAP] was on the board the year before, and it is rather a rare thing for them to have an operation at all. If it is a broken leg or anything of that kind, they have an operating room that is ample.

If it is even an operation for appendicitis, which is about the only thing that can happen there outside of a broken leg, the operating room is ample, and I do not believe it is necessary to expend this money in fitting up an operating room simply for operating purposes. While I am in hearty sympathy with my committee on all things, I was not present at the hearing, and I would like to hear from my colleague, who was acting chairman of the committee, what were the actual facts at the hearing, and if there were any new facts developed for its necessity. This appropriation has been asked for for eight years, and invariably it has been stricken out by the committee.

Mr. MARSH. Mr. Chairman, this is an appropriation that pertains to the health of the inmates of that school, and the attendants and employees there. I will read the testimony at the hearing before the committee in favor of this amendment of this clause in the bill:

Mr. COX. What is that for?

Colonel MILLS. There is no operating room there now, and one is necessary.

Now, that was stated before the committee without any contradiction from anybody, and my colleague from Illinois [Mr. BELKNAP] was present at the time.

Mr. BELKNAP. I think the gentleman is mistaken. I think he will find that I asked questions later on which developed the true situation.

Mr. MARSH. I will read on further:

Mr. HAY. How many operations per year do you have?

Colonel MILLS. The operations are few; but only the other day there was a cadet operated upon by the surgeons for hernia. You know that that is a critical operation; and while those cases will not occur often they are liable to occur at any time, and there should be a proper place for the treatment of such cases.

Mr. BELKNAP. You have what is called an operating room now?

Colonel MILLS. Yes, sir; but it is simply a large ward.

Mr. BELKNAP. I remember that in one corner of the hospital there was an operating table or couch.

Colonel MILLS. Yes, sir.

Mr. BELKNAP. Since we are going to have items here which are absolutely essential, from my personal investigation of that room I think you can get along with what you have.

Colonel MILLS. There is no proper operating room there now. There has been a change in the surgeons since you have been there.

Mr. GRIFFIN. We have said that same thing about this item before, and have been putting it off. There is this to be said: That the medical profession at large, in their private offices, have procured these modern instruments and appliances; and during all this time the Military Academy has been obliged to confine itself to old appliances, and it can not keep abreast of the medical profession generally.

Mr. HAY. This item does not specify what they are going to put up. Is it for surgical instruments?

Colonel MILLS. No, sir. They are all supplied; but it will be for fitting up an operating room with the most modern appliances, so that there will be no danger from contamination, and one that can be made free of any possible germs, with proper facilities at hand for the cleaning of instruments, etc.

Mr. HAY. You have the room now?

Colonel MILLS. Yes, sir; there is a room for the purpose, but a mighty poor and inconvenient one.

Mr. HAY. Who made this estimate?

Colonel MILLS. This is Dr. Bannister's estimate.

The CHAIRMAN. The country has been very much alive in the last few months to the treatment of the sick and wounded, and I believe that public sentiment will uphold this committee and Congress in providing at the Military Academy the finest equipment for the treatment of surgical cases, and therefore I think this item had better remain in the bill.

Now, Mr. Chairman, I think, as I thought before, that we ought not to be niggardly in the appropriation of sufficient money to supply first-class hospital services at West Point, where the young men from every Congressional district in this country are confined for four years. The parents at home intrust these sons, among the brightest young men of the district, to the hands of the military authorities at that school, and your committee thought that the very first-class hospital services should be provided for the school, where the very first-class hospital and medical attendance would be given; and it seems to our committee that after this inves-

tigation they ought to have a first-class operating room. There has been a great advance in recent years in surgery, and the prevention of germs, the cleaning of the room, the cleansing of instruments which this will provide for is an advance step in that direction.

Not only does it provide for the surgical operating room, but it provides an additional room adjacent to it in which the patient who has been operated upon may be placed so as not to bring him wounded, as he is, in contact with other patients in the hospital. I believe, Mr. Chairman and gentlemen, that this provision ought to remain in this bill.

Mr. FOOTE. I would like to ask the gentleman how many operations have been performed there the last year.

Mr. MARSH. That question was asked Colonel Mills. He said not many, but he said they had one only last week, an operation for hernia. Now, an operation to cure hernia is of recent practice, and is one of the most delicate operations known to surgery.

Mr. FOOTE. Do they have to have a particular room for it?

Mr. MARSH. No man knows when a young man from his district may have a broken leg or some other trouble that will make it necessary that an operation shall be performed upon him. I say that if there is any institution in the country, public or private, maintained by the public Treasury or by private corporation that ought to be first class, it is the institution at West Point, where we send from every Congressional district in this country for four years the picked young men of the nation.

Mr. HULL. Mr. Chairman, I heartily agree with all my colleague has said as to maintaining a splendid hospital at West Point, and I think we have it. The proposed appropriation here has nothing to do with the care of the health of the cadet, except the building of an additional operating room. I am sorry my colleague did not go to West Point last June. I wanted him to go, for he was chairman of the subcommittee that is in charge of the West Point Military Academy, and I believe if he had gone there he would not have been in favor of this appropriation. They have a good operating room there, better than the average operating room attached to the medical colleges out West.

It is now fitted up with tables, with electric lights, with water appliances, with antiseptic arrangements, with everything necessary to prevent the very evils of which my friend speaks. And there has never been a Board of Visitors to West Point, within my knowledge, that have not reported against this appropriation. When I visited the Academy, I asked specifically how many operations they had had, and the only one, I think, that they had had for three years was the setting of a broken leg, or something of that kind.

Now, that room is, in my judgment, ample for the needs of the institution. So far as the appliances are concerned, they are all modern. What the officers want there is a handsomer room, practically a new building. This entire appropriation, if you make it, will be expended, not in improved appliances, but in building a room adjoining the room they now have—in the rear of it—and fitting it up with tile floors. The present room has not such flooring; it has a hard-wood floor. But everything is scrupulously clean and admirably kept.

So far as concerns the supposed necessity of having a room in which persons subjected to surgical operations may be kept separate from the other cadets, they have such room now. Immediately after a man is operated on, he can be taken into one of the rooms and kept apart from the other cadets.

I am not criticising this appropriation. I know that the superintendent of the Academy has for years been in favor of it, because it will add to the beauty of the buildings on the grounds and will give a more elaborate operating room.

Mr. DOCKERY. Does the gentleman from Iowa [Mr. HULL] propose to strike out the appropriation?

Mr. MARSH. I think a remark dropped by my friend from Iowa is calculated to create a false impression. The gentleman said that this appropriation contemplates the erection of an additional building.

Mr. HULL. That is my recollection of what the officers stated to me when I was there.

Mr. MARSH. It does not.

Mr. HULL. It contemplates an additional room adjoining the present one.

Mr. MARSH. It does not contemplate the building of an additional room, but the fixing up of two rooms in the existing building.

Mr. HULL. I appeal to my friend from Illinois whether it is not contemplated to erect an additional room?

Mr. MARSH. No.

Mr. HULL. That is the way it was explained to me.

Mr. MARSH. That is not the way it was explained before the committee.

Mr. HULL. I suggest to my friend that, as he will be a member of the next Congress, he should be one of the Board of Visitors to West Point; and no harm can come from letting this matter go over now; and then if he should visit the institution and will state on his judgment that this appropriation is necessary, I shall be heartily in favor of it. But I think we should not make the appropriation until we have the judgment of some Board of Visitors that it is necessary. I think that without such recommendation the appropriation should be struck out; but I shall not submit that motion. I content myself with having called attention to the matter.

Mr. HAY. Mr. Chairman, I hope that this provision will not be stricken from the bill. I do not like to disagree with the chairman of our committee, but it does seem to me that in all matters of health these cadets and the soldiers stationed at this post should be carefully guarded. If there is anything that we know to be true, it is that in surgical operations it is of most essential importance that no disease germs should come near the patient operated on. The testimony on the hearings before the committee was that the room now used as an operating room is wholly incapable of meeting the health conditions of which the chairman has spoken.

This is merely and entirely a provision for the health of those students. I do not care how many operations there may be there during a year. If you have only one operation during that period, and by reason of the fact that a proper operating room is not provided, the operation should prove unsuccessful and the cadet should die for want of the provision now sought to be made, the failure of Congress to appropriate this pittance of $2,400 to protect the health of those boys could not be excused; when no longer ago than last Thursday you appropriated $29,000,000 for rivers and harbors and creeks—half of which, I venture to say, will never be of any use to the country at all. I hope, therefore, that this provision, which looks to the health of the cadets, will be kept in the bill.

I trust that my friend from Illinois [Mr. BELKNAP], a member of the Board of Visitors, who was present in the committee room at the time this matter came up, will state to the House the fact that he thought this provision ought to be incorporated in the bill.

Mr. BELKNAP. Responding to the remarks of my friend from Virginia [Mr. HAY], my colleague on the committee, I beg to say that if he will refer to the printed reports of the hearings he will find that I stated to Colonel Mills—I quote from the report of the hearings—

> Since we are going to have items here which are absolutely essential, from my personal investigation of that room I think you can get along with what you have.

The committee voted for the appropriation. Personally I was opposed to it; but naturally, being outvoted, I submitted.

Mr. HAY. Was there a vote taken?

Mr. BELKNAP. I think not; the matter was passed without a formal vote. As a member of the Board of Visitors, I remember distinctly having made a close investigation in regard to this operating room in company with the surgeon in charge.

It has been well stated that this appropriation has been sought for many years by some of the officials at the West Point Academy. But when the gentleman asks me what I think of the matter, I conclude, from my best judgment and observation, that the establishment now provided for there is sufficient to meet all present wants. I am informed that it affords all of the facilities that may be necessary for West Point.

Now, Mr. Chairman, I want the needs of our splendid national Military Academy fully and wisely provided for. This bill is larger than usual, as has already been stated. We have made appropriations for certain purposes that we think are absolutely necessary; but I do not think, as far as I can see, that it would interfere at all with the health of the young men at the Academy or that there will be a lack of facilities for the performance of the necessary surgical operations at the Academy if this proposed appropriation is stricken out. I wish to make that remark without the slightest criticism, of course, on the gentlemen of the committee who have favored it. I speak only from my own judgment and observation. I was present when it was put into the bill, but the records show to the House that I expressed my opposition at the time, feeling that it was not necessary.

Mr. GAINES. Now, Mr. Chairman, I would like to ask the gentleman if he will yield to me for one or two questions?

Mr. BELKNAP. Certainly.

Mr. GAINES. I understand the gentleman to say that he went to West Point and made a personal investigation of this matter, and concluded that it was not necessary to make this appropriation?

Mr. BELKNAP. That is correct.

Mr. GAINES (continuing). And that the gentleman has been there repeatedly?

Mr. BELKNAP. Yes.

Mr. GAINES. Did you ever hear a complaint of the insufficiency of the accommodations for surgical operations?

Mr. BELKNAP. I have not.

Mr. GAINES. And you went to this particular room, with the surgeon in charge, as I understand you, and that room, in your judgment, is sufficient to meet the present wants of the hospital there?

Mr. BELKNAP. I think it is. The average sickness, of course, is about the same as in most other establishments where so many persons are congregated.

Mr. GAINES. About how large is the room?

Mr. BELKNAP. Thirty feet square, I should say.

Mr. HAY. If I am not mistaken, Colonel Mills said that it was large enough only for the operations to be performed, and that afterwards the patients had to be taken out into a separate room.

Mr. HULL. That is true of all operating rooms in hospitals. The patients are operated upon, but they are not kept in that room. They are removed elsewhere.

Mr. GAINES. From my own observation and experience in hospitals, I will state that the operating room is an entirely separate room from the surgical ward. The operation is performed in an operating room, and the patient is afterwards removed from that room to the other.

Mr. HAY. To the surgical ward.

Mr. GAINES. Yes; to the surgical ward. And this provision, as I understand it, is to be an entirely new room, fitted up with hard-wood floors, and all sorts of "banjo work" about it, and does not seem, as far as we are able now to ascertain, at all necessary. Has any other member of the committee been to West Point and examined the conditions there?

Mr. BELKNAP. The chairman of the committee was there.

Mr. GAINES. Did you visit the particular room?

Mr. MARSH. I said so.

A MEMBER. But the Board of Visitors, it seems, were opposed to the appropriations?

Mr. BELKNAP. Mr. Chairman, I wish to be perfectly frank with gentlemen present. I received the impression—and I do not think it is unreasonable—on the part of the surgeon that he wanted this additional room. But, as I have stated, I did not see the necessity for it at present.

Mr. GAINES. And in that I think the gentleman is right.

Mr. HAY. Before the gentleman from Illinois takes his seat, I would like to ask him one question.

Do you not think when an operation is performed or when the physicians are ready to perform it that they should have some sort of a place where they could operate with some degree of certainty?

Mr. GAINES. But they have a place for operating now.

Mr. HAY. But this appropriation is also to provide for necessary surgical instruments.

Mr. GAINES. Oh, the very best surgical operations in the world have been performed on the field of battle with very plain instruments.

Mr. BELKNAP. According to my observation, I think they have facilities now.

Mr. DOCKERY. The gentleman has been connected for a long time with the Military Committee, and four of the members visited the Military Academy. As I understand him, two of them who visited West Point do not think this appropriation is necessary, while the other two favor it?

Mr. BELKNAP. That is correct.

Mr. DOCKERY. Then the question is, whose judgment shall we take?

Mr. QUIGG. Mr. Chairman——

The CHAIRMAN. The gentleman from New York.

Mr. COX. Mr. Chairman, what is the proposition of the gentleman from Missouri?

The CHAIRMAN. The gentleman from New York is now recognized.

Mr. COX. I understand that; but I want to know what proposition has been made by the gentleman from Missouri. There is not a man here who could hear or understand what he proposed.

Mr. QUIGG. I will guarantee to my friend from Tennessee that he shall hear what I have to say, if he will just allow me to proceed.

Mr. COX. I have no doubt of that. I am speaking now of what the gentleman from Missouri said. There is not a member on this side of the House who knows what it was.

The CHAIRMAN. The question is on the motion made by the gentleman from Iowa.

Mr. HULL. I made no motion. I only wanted to call the attention of my colleague to the fact that unless he is willing to have it go out I shall make no motion.

The CHAIRMAN. Then there is nothing before the House.

Mr. QUIGG. I move to strike out the last word.

The CHAIRMAN. The gentleman from New York.

Mr. QUIGG. Mr. Chairman, of course I am impressed, as other members of the House must be, by the statement of two gentlemen that they have examined this room. So have I, and I apprehend that my information of a medical and surgical character will compare with theirs.

Mr. BELKNAP. We agree to that.

Mr. QUIGG. I do not think that their testimony nor mine is the testimony on which the House ought to act, but that the testimony on which it ought to act is the testimony of the surgeon at West Point. He is presumed to know his business, and he may be safely presumed also to have at heart the good of the service. He wants an operating room that is just as good as any other operating room in a hospital, and surely that is what he is entitled to.

Now, accidents of a very severe character do occur at West Point. I do not think they are frequent. On the contrary, I believe them to be very rare; but the cavalry drill there invites a good many accidents, and they do occur, and on the very day when my attention happened to be directed to this room, and as a reason why it was directed, I saw a young man taken from the cavalry-practice room—I do not know what they call it, the stable, perhaps—into the operating room, there to have a very severe and serious operation performed. Now, I do not know whether this room is what it ought to be or not. I can not bear testimony to that; but I do bear testimony to the fact that the surgeon in charge says that the opening of a human body in that room is a serious danger.

Mr. HULL. It is in any room.

Mr. QUIGG. Yes, it is in any room.

Mr. GAINES. Will the gentleman state why?

Mr. QUIGG. The gentleman from Iowa says it is a serious danger in any room, but the surgeon there informs us that the health conditions of the room are not good. Now, I do not know anything about it, but that is the testimony of your surgeon in charge of the room, and surely his testimony is the best you can have. Now, a gentleman on the committee says that there is danger in any room. So there is; but surely, gentlemen, it is our business to reduce the danger to a minimum. I am very glad that the committee have recommended this item.

Mr. CLARDY. I should like to ask the gentleman how this room is finished?

Mr. QUIGG. It is a hard-wood finish.

Mr. CLARDY. All of it?

Mr. QUIGG. Yes.

Mr. CLARDY. Then how can it be dangerous?

Mr. QUIGG. Why, it ought to be a tile finish.

Mr. CLARDY. That might be some better. But I should like to know how many capital operations are usually performed at West Point during a year.

Mr. QUIGG. I have no idea.

Mr. CLARDY. Is there one, on an average?

Mr. QUIGG. If there is one during a century, we ought to provide for the safety of that one.

Mr. CLARDY. That is true, but the gentleman has already stated that that room is finished in hard wood, and consequently it ought to be reasonably safe.

Mr. GAINES. Will the gentleman yield to me?

Mr. QUIGG. I will in a minute. It ought to be as nearly absolutely safe as we can make it. The gentleman can not dispute that.

Mr. CLARDY. I am trying to ascertain what is the real condition of affairs up there.

Mr. GAINES. Now will the gentleman from New York allow me?

Mr. QUIGG. Yes.

Mr. GAINES. A few days ago I was in the city of New York to advise with a very distinguished physician about a member of my family who is sick. He is probably the most distinguished physician in New York. I went into his office, and his apartments were all hard wood. There was not a bit of tiling about it, and none of this gingerbread work you are talking about.

Mr. QUIGG. The gentleman, with the information which he offers us about doctors and things, ought to know that they do not operate in their offices, and they very rarely operate in any private room, and never do when they can avoid it. They operate in a room that is prepared for that purpose.

Mr. GAINES. Well, I was through several of his rooms. He showed me through his apartments, and there was no such thing as tiling, but all hard wood.

Mr. QUIGG. I withdraw my pro forma amendment.

Mr. GAINES. I want to be heard for a moment. There are two members of this committee who have visited this room, and they say it is sufficient. One of them states that it is about 30 feet square.

Mr. QUIGG. Oh, no; it is not.

Mr. GAINES. I will state that this is the largest operating room I ever saw, and I have seen a great many. I have had some experience, not as a surgeon, but as an observer of surgery and operations. I asked one of these gentlemen who was there with one of the surgeons about this particular room, and he says the room is large enough; that he heard no complaint in

reference to the size, that it was sufficiently equipped, and that therefore he opposes this measure. They say that the sanitary conditions are not good, but the gentleman from Illinois [Mr. BELKNAP] says he heard of no unusual amount of illness there.

Mr. COX. Will my colleague yield to me for one moment?

Mr. GAINES. Yes.

Mr. COX. I want to know who that man was.

Mr. GAINES. The gentleman from Illinois [Mr. BELKNAP] was there, the gentleman from Iowa [Mr. HULL] was there, and they were all opposed to this.

Mr. COX. Pardon me one moment——

Mr. GAINES. Now, Mr. Chairman, I would like to yield to my colleague, but——

Mr. COX. I hope my colleague will not object to my asking him this question.

The CHAIRMAN. The gentleman from Tennessee declines to yield.

Mr. GAINES. I withdraw the objection.

Mr. COX. I want to know what member of the committee—the gentleman from Illinois [Mr. BELKNAP] or any other gentleman—has been there and stated to him that the operating room is sufficient. I want to know of my colleague the gentleman from Illinois [Mr. BELKNAP] if he ever said anything of that sort?

Mr. BELKNAP rose.

Mr. GAINES. I move to strike out the last word.

Mr. COX. You will have to move to strike out about fourteen of these words.

The CHAIRMAN. The gentleman's time has expired.

Mr. COX. I hope my colleague will let us get down to the point.

The CHAIRMAN. The committee will be in order.

Mr. GAINES. I hope that my colleague will see the point when we do get to it. I do not want to be interrupted, and I hope that I may be indulged uninterruptedly for one moment or so to state this. It is said that its hygienic conditions are not good. That does not mean that that tiling must be put down, that a piano must be brought in, and all this banjo work that New York or Philadelphia or even Nashville surgeons might want. If we want to yield to the wants of these experts throughout this country, all the demands they make on the Treasury of the United States to equip all these quarters with all that sort of unnecessary paraphernalia, we would have a larger deficit in the public Treasury than we now have. I say that it is not necessary; but I shall not discuss this point further.

I ask the House to hear me for a moment on another matter that pertains to almost the same thing. There is no place to-day in Washington where a poor soldier of the Cuban war who is honorably discharged can lay his head in rest. There is not a place here to treat one single soldier. I have been keeping, out of my pocket, for nearly a week an honorably discharged victim of that war, who was rendered a cripple for life in the line of duty. He lay for three weeks unattended, and there was not a single, solitary person to help him except a private soldier, who got cold water and poured it on his dislocated hip and battered head.

Mr. GREENE of Nebraska. Do you mean a Cuban soldier?

Mr. GAINES. I mean a soldier that left the city of Montgomery, Ala., several months ago. As soon as the call of his country was made, he laid down his sledge hammer, joined the Fifth Immune Regiment of Alabama, and went on board ship bound for Santiago, and when in line of duty he fell 18 feet down a defective hatchway and dislocated his leg, and remained senseless for twenty-four or forty-eight hours and was taken then to a regimental hospital after they landed and allowed to remain there for fifteen days without any surgical attention, and is to-day by reason of that accident and that neglect a cripple for life.

Mr. QUIGG. I want to say——

The CHAIRMAN. The time of the gentleman has expired.

Mr. GAINES. I hope that I may be given five minutes more, Mr. Chairman.

The CHAIRMAN. The gentleman from Illinois is recognized.

Mr. GAINES. Does not the gentleman yield for such information as this?

Mr. MARSH. I want to submit——

Mr. GAINES. I want a few minutes more, Mr. Chairman.

The CHAIRMAN. The gentleman from Illinois is recognized.

Mr. GAINES. Does the gentleman from Illinois [Mr. MARSH] refuse to yield to me?

The CHAIRMAN. The gentleman from Illinois has the floor.

Mr. GAINES. Do you refuse to allow me to continue?

Mr. MARSH. I have no control of your time.

Mr. GAINES. Mr. Chairman——

Mr. MARSH. The Chair has stated your time has expired.

Mr. RIDGELY. I ask unanimous consent that the gentleman have five minutes more.

Mr. GAINES. I ask unanimous consent to continue my remarks for five minutes.

The CHAIRMAN. The gentleman from Illinois has the floor.

Mr. MARSH. I want to submit from the Book of Estimates on this subject:

It is proposed to convert one of the rooms in the hospital into an operating room and in its construction to make it conform to all the requirements of modern surgical technology in the treatment of diseases and injuries, as there is not now in this hospital a place suitable for the performance of surgical work under strict aseptic and antiseptic conditions and in accordance with the high standard of excellence which surgeons now strive to attain in the repair of injuries and operation wounds.

Now, in addition to that, there appeared in the hearings before the committee the following:

This operating room—

And I call the attention of the gentleman from Iowa [Mr. HULL] to this, who thinks it is proposed to build a new addition—

This operating room is very necessary, and this appropriation is necessary to secure for this hospital a proper place for performing operations in accordance with the teachings of modern surgical science. Whereas operations on cadets are not of daily or very frequent occurrence, yet important operations are required here. There should be a proper place for their performance.

This is a statement of the surgeon there in charge.

To-day—

He says—

I have had to perform a very important operation on a cadet, namely, the Bassini operation for the radical cure of inguinal hernia. The room that we are now required to use is far too large, having been constructed originally for a squad room for enlisted men of the Hospital Corps. It is proposed to convert a room of just the proper size in the third story into an operating room, and to return the men of the Hospital Corps to the present operating room, as originally intended for their squad room, and to use the room adjoining the proposed operating room, at present occupied by them, for a surgical ward. Surgical patients after operation should be kept separate from the general wards.

That is all I care to submit, Mr. Chairman.

Mr. GAINES. Mr. Chairman, I move to strike out the last word. When my time expired I was about to state that this soldier was taken to a regimental hospital, and there he was unattended for three weeks; not a single physician came near him, and finally, when General Wood was making his fortunate military pilgrimages around to see whether these lazy whelps had omitted to do their duty, he found this unfortunate soldier in this condition, and immediately ordered his discharge, and he bears with him to-day an honorable discharge. He is in Washington without money, without friends save such as he has made since he came here. I never saw to know him before he came to me for advice and assistance, although his home is in Nashville, Tenn.

He went in company with me to see the Pension Commissioner and applied for a pension. The Commissioner kindly aided us all he could. Mr. Evans gave him a ticket to what is known as the "Freeman's Home," down here on Missouri avenue, and there he was turned out into the snow and into the rain and the wind, without any protection whatever, with these honorable discharge papers in his pocket, forsooth, because they had made a rule that no pensioner, no soldier, no matter how honorably discharged nor where he came from, should have an abiding place there unless he fought in the late civil war, a war which occurred thirty years ago.

Mr. Chairman, such a rule, as here applied at least, was harsh, shocking, and repulsive, and I do say that it is time for us to stop trying to appease the ambitions of some New York physician, or some Philadelphia physician, or some Washington physician, or any physician wherever he may come from, that they may more scientifically treat West Point students who are going to, who may be, some future day, patriots, and go into our Treasury and take care of the men who have already shown themselves to be patriotic, and who bear the wounds and scars of conflict, and who carry in their pockets honorable discharges, as this poor lame, limb-broken, head-crushed, crutch-ridden soldier does to-day.

Mr. GRIFFIN. Will the gentleman yield for a question?

Mr. GAINES. With pleasure.

Mr. GRIFFIN. Will the gentleman furnish and have inserted in the RECORD the name of this soldier, his company and regiment, and the hospital in which he was a patient?

Mr. GAINES. I have his affidavit relating it all in detail, but not with me, and I am satisfied that the gentleman will have as heavy a heart about it, yes, I am satisfied, if possible, he will have a heavier heart about it than I have when he learns the facts in this case, and learns that this poor fellow was turned out in the snow and the rain without a place to lay his head, by an institution kept up by Congressional appropriations.

Mr. GRIFFIN. Will the gentleman furnish us with the name of the surgeon?

Mr. GAINES. I am going to furnish the whole thing. I am just beginning, and I intend to go to the bottom of it, if my life is spared.

Mr. GRIFFIN. I will say that if he will furnish the information we will aid him in his search.

Mr. GAINES. Michael J. McGuire is this soldier's name; and he will be at my office to-morrow, 1338 H street NW. He has been hobbling around the corridors of this House on crutches for three

or four days in the agony of hell, with his splendid frame giving way from the disease that has been brought about by his misfortunes and by the outrageous military carpentership of these makeshift physicians at Santiago.

Mr. STEELE. How long does the gentleman from Tennessee say he has had charge of this man?

Mr. GAINES. Ever since Monday morning.

Mr. STEELE. And he has not gone to the War Department to report that inhuman surgeon?

Mr. GAINES. What would have been the use? That is not the point just now.

Mr. STEELE. Charges would have been preferred against the surgeon and he would have been dishonorably dismissed from the service, as he ought to be.

Mr. GAINES. I am trying now to keep the poor fellow from freezing to death in a land of plenty, with an overflowing Treasury with a Government failing to take care of him; but instead, he was turned out on the frozen pavements, into the storm, the wind, and the rain, a few days ago, like, Mr. Chairman, he was a traitor and not worthy of the recognition that it seems to me any man in this country would have given him, regardless of where he came from or where he fought. He has got a splendid record. He was a splendid blacksmith, and he left his home and friends to fight for the independence of Cuba, and is now totally dependent.

[Here the hammer fell.]

Mr. GROSVENOR. Mr. Chairman, I sympathize with the gentleman from Tennessee in the matter of the trouble he has had in regard to this discharged soldier, but I think, as such an appeal is likely to go to the public ear, one or two facts ought to be given which will somewhat change the situation as the gentleman from Tennessee has left it.

Mr. GAINES. I want to say that the gentleman from Ohio has done everything he could to help me in this matter. He has never failed to listen to the appeals of charity when I have appealed to him, and I thank him for it in behalf of this man.

Mr. GROSVENOR. I did not get up here, Mr. Chairman, to get an encomium from my friend from Tennessee.

Mr. GAINES. You are entitled to it.

Mr. GROSVENOR. Well, I will take one-tenth of what he says to be true. There is one fact I was trying to state, if I understand it correctly, which puts a modifying aspect upon this transaction, bad as it is.

This soldier, Mr. Chairman, fell into the same mistake that has been made by so many others of thinking that he can come to Washington and present himself with his wounds, as the gentleman from Tennessee describes, and get action of the Pension Department promptly—you might say instantly—on his claim.

Now, when the gentleman from Tennessee had asked my cooperation in this respect, I went at once to the telephone and got the Commissioner of Pensions at the other end of the line, and I discovered, on inquiry, after a few moments, that this soldier doubtless was hurt in the service of the Government—that is his own allegation, and I assume it to be true. But he had been discharged from the Army, so that he was no longer a soldier, but simply a citizen of the State of Tennessee.

He selected somebody who for him was to present his claim to the Pension Department——

Mr. GAINES. No; if the gentleman will permit me, he came in person and made his own application. Somebody gave him a railroad pass: an act of charity. I never saw him before, and really know nothing whatever of him, excepting what I have seen in the last few days. I know nothing and care nothing of his politics.

Mr. GROSVENOR. Somebody gave him a pass, I was just about to say. So much the better for the gentleman from Tennessee. It was, however, a mistaken kindness to give him a pass. It has been done in hundreds of cases, and the same result followed. He came here on the pass so furnished to him and made his application, as has been explained by the gentleman from Tennessee.

At the request of the gentleman from Tennessee [Mr. GAINES], I asked the Commissioner of Pensions if he could act instantly on a claim of that character. He told me that he could if certain things were complied with, to wit, first, that the soldier must have his record as a soldier and his regimental history. It is true that he held an honorable discharge, but that is not sufficient, as you all know. Then he said he ought to have evidence as to how the injury occurred. It is true the applicant in this case said that he was injured in the line of duty. But he did not show the incurrence of the injury, how it was acquired or in what manner.

Mr. GAINES. If my friend will permit me, he is entirely mistaken. His discharge is an honorable one, and shows that the injury was received while in the line of his duty.

Mr. GROSVENOR. That is true; but the details are not given. The gentleman knows that the matter is one of inquiry on the part of the Department.

And so, Mr. Chairman, in view of all the facts, the Pension Department found itself entirely incapacitated to give the pension without having these records before it; and we all know how important it is that they shall be presented to secure action.

Now, this boarding house to which the gentleman has referred is owned by the Grand Army of the Republic.

Mr. GAINES. And the Government of the United States keeps it up.

Mr. GROSVENOR. The Government of the United States certainly makes contributions to it. I do not controvert that statement. But if that organization knowingly turned a soldier out of the hospital under the circumstances detailed by the gentleman, then the organization, not the Government, is censurable for lack of humanity and Christian charity.

Now, another step in corroboration, in part, of what the gentleman from Tennessee has said. I think it astonishing, as a matter of fact, that in this city—a great city, the capital of the country—there is not some place where a man, under such circumstances, could go and obtain relief. But it seems that we have no such place. I suppose somebody is afraid, if we contribute for such purposes, if we give a few dollars to such a charity, that some church will reap the reputation and benefit of it. And if the statement of the gentleman from Tennessee is true, here we are preaching the doctrine of the Good Samaritan every Sunday, but giving no dollars to carry on the work, because we are afraid that somebody who does not belong to our church will get the benefit of the dollars that we bestow in charity!

Mr. GAINES. Now, a single word, Mr. Chairman. Will my friend from Ohio help me to get a resolution passed to provide for the honorable protection of the Spanish war soldiers and to give them the same privileges that the ex-Federal soldiers are getting under the administration of the Grand Army?

Mr. GROSVENOR. Mr. Chairman, I will not go—and it is not necessary that I should go—into details or limitations. I will do anything a man can do, anything in my power, for any discharged soldier, even a rebel soldier, and I use the term in no disparagement and in no partisan sense, for "the arms of love that compass me" will all suffering soldiers embrace. [Applause.]

The Clerk read as follows:

Continuing the construction and repair of the roads between the old south guardhouse and the southern boundary line of reservation, and for continuing the laying of a stone walk along same, $1,000.

Mr. GAINES. Mr. Chairman, I move to strike out the last word.

I ask unanimous consent to place in the RECORD, as has been well suggested by my friend from Maryland, the affidavit of the party to whom I have referred, so that everybody may see exactly the details and the facts in connection with the matter.

The CHAIRMAN. Is there objection to the request of the gentleman from Tennessee?

There was no objection.

The matter referred to by Mr. GAINES is as follows:

Deposition of Mike J. McGuire.

DISTRICT OF COLUMBIA,
United States of America, ss:

In the matter of the claim for pension of Mike J. McGuire.

Mike J. McGuire, being first duly sworn according to law, makes oath to the following statements:

1. My name is Mike J. McGuire; I am 33 years of age, and was born in Nashville, Tenn., my home.

2. I enlisted on the 2d day of July, 1898, in Company D, Fifth United States Volunteer Infantry, immunes, at Camp Walthall, Columbus, Miss. I was working at that place, in the shops of the Yazoo and Mississippi Valley Railroad, as a blacksmith, having gone there from Nashville, Tenn.

3. Upon the call for volunteers, I enlisted in the above regiment. Col. H. H. Sargent was the commanding officer. I left Camp Walthall with my regiment about the 3d day of August, 1898, and sailed from Savannah, Ga., for Santiago de Cuba, on the *Rio Grande*. Shortly before reaching Santiago de Cuba, and while on guard and in the line of duty, I fell through a hatchway a distance of 17 or 18 feet. This occurred between 7 and 8 o'clock in the evening, and it was quite dark at the time, and the place was dimly lighted. The door of the hatchway was broken off and completely gone.

I was unconscious from the fall until next morning. There was a long cut in the back of my head, and the head of the left femur was dislocated. My military record, as shown on the back of my discharge, reads: "Battles, engagements, skirmishes, expeditions (in print). Sick in hospital since August 10, 1898 (in writing). Wounds received in service (in print): None (in writing). Remarks (in print): Discharged on surgeon's certificate of disability. Dislocation of head of left femur. Occurred in line of duty. Record since enlistment has been excellent. Byron Dozier, first lieutenant, Fifth United States Volunteer Infantry, commanding Company D (in writing)."

4. Nothing was done for injuries for two days by the surgeons on board except to put cold water on my hip, and the blood was not even washed off my head. On the second evening after the accident I was taken ashore at Santiago de Cuba and placed in the regimental hospital, where I remained about three weeks. During all this time I received no treatment except cold water applied to my injured hip, and the rubbing of the hip with wet cloths caused blisters, which became very sore.

5. Shortly before I was taken away—that is, three weeks after accident—from the regimental hospital I was examined by Surgeon-Major Woodson and Drs. Pollard, Beard, and Anderson, regimental physicians, who stated that I was suffering from dislocation of the head of the left femur, and then they proposed to operate on me. They kept me two days without breakfast or supper preparing for the operation, but failed to perform any operation, without giving any reasons therefor. They did not even try to pull my limb into place. Just before the examination by the surgeons the soldiers had washed the blood from the wounds in my head. In the examination made by the surgeons they simply stood me on my feet, felt the place of injury, and measured both of my legs, finding the left leg 2¼ inches shorter than the right one.

I was then sent to the Spanish hospital in Cuba, and was there examined by surgeons, Majors Robertson, Quinten, and Carr, and Surgeon McHenry of the United States Army. These surgeons, with others, examined me about four times, standing me on my feet and measuring my legs, but never trying to pull the injured one into place—in fact, did nothing for me, except the cold-water applications, and even refused to give me any liniment to rub my leg with when I requested it. I remained at the Spanish hospital until the 5th day of November, 1898, having had to wait a week after my discharge for the transport ship, and during all the time I remained in the Spanish hospital I never received any treatment for my injuries, but was given a little quinine to prevent fever.

6. I made repeated requests of Major-Surgeon Robertson and Major-Surgeon Carr for my discharge, but no attention was paid to them until General Wood, about three weeks before my discharge, made an inspection of the hospital, when he inquired into my case. Upon learning the facts he reprimanded the surgeons and declared that I had been shamefully neglected and that I ought to sue the surgeons for $20,000 damages, and ordered my immediate discharge.

7. After my discharge I went to New York on the transport *Berlin*, a pair of crutches having been given to me at this hospital just before I left Santiago de Cuba. General Wood sent Sergeant Hennigan, of my company, to New York with me, where he left me. I was given free transportation to New York, but had to pay my fare from New York to Nashville, Tenn., and, in the condition I was at the time, it was necessary for me to take a sleeping car, which I was unable to leave, even for my meals, until I arrived at Nashville.

8. Upon my arrival at Nashville I went to see two distinguished surgeons—Dr. Briggs and Dr. Brower, of that place. After these physicians had examined me a number of times, they finally declared they could do nothing for me, for the reason that "the case had been neglected too long." They advised me to come to Washington for treatment.

9. I came on to Washington Sunday, a week since, and tried to get into the Marine Hospital, without success, but finally was taken into the Providence Hospital on Sunday morning, January 22, and remained until Thursday, January 26. On Wednesday, January 25, I was examined by Dr. Louis A. Walker and three other doctors, who declared they could not do anything for me; that I would be a cripple for life; that the injury was originally only an ordinary joint dislocation, but the case had been neglected so long that nothing could be done for me, as an operation would very likely result in losing my life.

10. Upon leaving the hospital I was without means, and called upon Mr. GAINES, Congressman from Nashville, Tenn., who went with me to the Pension Office and made out my pension claim, which is now on file there. Commissioner Evans ordered a ticket to be given me for admission to the Freeman's Hospital, on Missouri avenue, in the city of Washington, to remain there until my pension case is passed upon. Upon calling at the Freeman's Hospital I presented my ticket. The superintendent informed me that that hospital was exclusively for the use of ex-Federal soldiers who fought in the late civil war, and I was refused admission, although rain and snow were falling fast and weather cold.

11. I am without any means except such as I receive through the kindness of friends. I have inquired diligently, and so has Mr. GAINES, of the various hospitals in Washington and find that I have no right of admission to any of them, there being, it seems, no provision made for hospital care of soldiers who served in the war with Spain.

12. My left leg is now, according to Dr. Walker's measurements, 3 inches shorter than the right one, and the left thigh is getting smaller. I can not bear my weight on my left leg at all and can not walk at all without crutches. Before enlisting in the Army I was strong and in the best of health.

Interlineations made before signing and oath.

February 3, 1899.

MIKE J. McGUIRE.

Subscribed and sworn to this 4th day of February, 1899.

[SEAL.] C. C. STOUFFER, *Notary Public.*

The Clerk resumed and concluded the reading of the bill.

Mr. HAY. Mr. Chairman, as there was but a short time consumed in general debate on this bill, I ask unanimous consent that the gentleman from Georgia [Mr. GRIGGS] be allowed to speak until half past 2 o'clock, the hour fixed, I believe, for the ceremonies in connection with receiving the statues from the State of Missouri.

The CHAIRMAN. The gentleman from Virginia [Mr. HAY] asks unanimous consent that the gentleman from Georgia [Mr. GRIGGS] be permitted to address the Committee of the Whole until half past 2 o'clock. Is there objection? The Chair hears none.

Mr. GRIGGS. Mr. Chairman, I thank the chairman of the committee [Mr. HAY] for his request that I be allowed to address the committee at this time, and the committee itself for its courteous consent. In Atlanta, Ga., on December 14, President McKinley said:

> In the evolution of sentiment and feeling, under the providence of God, in the spirit of fraternity, we should share with you in the care for the Confederate dead.

Mr. Chairman, I have never been disloyal to this Union in act or thought. I come from a State the large majority of whose citizens have never known or felt hostility to the flag which floats from the Dome of this Capitol. This being true, I hope I may be permitted to offer a few remarks on recent happenings without fear of misconstruction. If it shall be necessary to call your attention to a few facts in our country's history which are familiar to us all, and which may be called by some ancient rather than recent occurrences, my excuse is the apparent necessity for the same.

The conclusion of the great internecine struggle known as the "war between the States" was made notable by a campaign in the extreme South, closing with what is known in history as a "march through Georgia, from Atlanta to the sea." In its trail was desolation. Ashes and smoke and blackened ruins marked the terrible course of that fearful march through the heart of one of the fairest and richest regions of earth.

But that was war, and it is superfluous for me to add that "war is hell." Appomattox followed fast, the end came, and henceforth the Confederacy was but a memory.

Thirty-five years have rolled by in their ceaseless round since Sherman's "march to the sea." A generation has come upon the stage of action and been gathered to their fathers since the great soldier-President wrote, "Let us have peace." From that day to this good hour reconciliation has followed reconciliation, until it would seem that "one doth tread upon another's heels, so fast they follow."

Twenty-five years ago, nine years after the close of hostilities, the Democratic party, dominated by Southern men (Confederate brigadiers, if you please), was given control of this House. Dire were the forebodings, but vain were the prophecies of evil. The Union lived.

Two years later Rutherford B. Hayes, seated by a declared majority of 1 in the electoral college, 15 of his votes coming from the ex-Confederate States of South Carolina, Louisiana, and Florida, invited an ex-Confederate to a seat in his Cabinet. This same ex-Confederate went from the office of Postmaster-General to a seat on the bench of the courts of the United States, and retired full of years and honors earned in his country's service. Soldiers hitherto alleged to be necessary to restrain lawlessness in the South were withdrawn. All the States of the Union were once more recognized as equal, and harmony prevailed.

A few years later, when Chester A. Arthur, in his annual message to Congress, wisely forgot to treat of the Southern States as provinces and of the Southern people as separate and apart from their fellow-citizens of the Union, loud was the applause, great was the acclaim. Forgiveness had been followed by forgetfulness. There was to be henceforth one flag and one country, and from Maine to Texas "Peace on earth, good will to men" animated every heart.

In 1884 the Democratic party, still dominated by Southern men and controlled by Southern influences, for the first time in thirty-two years, carried the country and captured the Presidency. Grover Cleveland's appointments of ex-Confederates and Southern men to the highest and most responsible offices in the land is recent history, and I shall not weary your patience with a recital of their loyal services to the country.

Well do I remember, Mr. Speaker, a day in the autumn of 1887 when I found myself one of an immense throng gathered in Georgia's capital city to welcome him whose election was claimed to have reconciled and reunited a long-divided country. And when he proposed to return the captured Confederate battle flags, reconciliation, with a few individual and irreconcilable exceptions, was thought complete.

In 1896, when I came into this House, I found ex-Confederates comfortably seated on the Republican side, and, indeed, the only Confederate brigadier in the House, acting under the appointment of a Republican Speaker, was prosecuting election cases for the Republican party and passing on the election and qualifications of Representatives on this floor.

I need not say that I refer to the distinguished gentleman and brave soldier from Virginia, General WALKER. More than this, Mr. Speaker, I found seated over there a brilliant son of a Confederate father, actually representing a Grand Army constituency in this House—I refer to the gentleman from Minnesota [Mr. MORRIS]—while on this side I saw soldiers and sons of soldiers in the Army of the Union, working, voting, and fraternizing with alleged fire eaters from Arkansas, Mississippi, Carolina, Alabama, and Georgia. I look through this directory and I find that a majority of the members here were too young in 1861 to know the cause or comprehend the results of the civil war. Knowing all this, Mr. Speaker, and I have barely touched the subject, I thought I was justified in believing that the sections had been harmonized long before I came upon the stage of action here. I hear it declared, however, almost every day, that I was mistaken; that another war, with all its attendant sacrifices of blood and treasure, has been necessary to completely harmonize the North and South; that another "march through Georgia, from Atlanta to the sea," was necessary to completely blot out sectional bitterness and hate.

Unlike its predecessor and precursor, this second march to the sea, I am proud to say, left no trail of blackened ruins. Almost as spectacular, but without the fireworks, it was attended with great enthusiasm on all sides. Indeed, I am told that the second "march through Georgia" was but a succession of "nods and becks and wreathed smiles" and speeches of "linked sweetness long drawn out" at every stopping place from Atlanta to Savannah.

The great heart of the South did not pulsate in unison with the recent demand for war that came from some sections of the Union. Indeed, our people opposed the war with Spain. They could see but disaster to themselves and no good from war to any of their fellow-citizens of the Union, and if anything could have made them cold and indifferent to their imperiled country, this unnecessary war would have driven them to it.

The war came, and it is now being declared all over the country that there were no better, braver, truer, or more patriotic soldiers

in all our Army than the boys who volunteered from the States of the old Confederacy. Some affect great surprise at the loyal devotion to the flag displayed by our people of the Southern States. Many would overwhelm us with thanks for our part in that struggle. There is no need for surprise or thanks, sir.

Every member of this House from the Southern States who could get the opportunity so to do declared on this floor a year ago that in case of war the sons of the men who had built up the civilization of the old South, the sons of the men who had fought under the Stars and Bars from '61 to '65, would be found standing shoulder to shoulder with the sons of the men who during that soul-trying time had defended the Stars and Stripes, all fighting for the honor and glory of that sunburst flag of liberty and light. [Applause.]

Every act of the people of the South, from Appomattox to Santiago, has been a declaration of devotion and a loyal sacrifice to the Union, and nothing but the "blindness of unbelief" has prevented its acknowledgment long ago. Surprise, distrust, and thanks go hand in hand here, Mr. Speaker, and the people of the South neither deserve the one nor expect the other. Georgia but did her duty, as did Massachusetts, as both will always perform it regardless of consequences, once they have determined where duty leads.

I have never been at war with my fellow-citizens, and it brings a feeling akin to pain to hear iterated and reiterated that my fellow-countrymen are now reconciled to me.

I have always been an American, and the bonds which certain well-intentioned gentlemen are continually weaving with which to rebind me to the Union are galling to the flesh. More than half of us have never been unreconciled, and we weary of eternal welcomes to the place we have always known as home. [Applause.] We have never left our father's house, and while the principles for which they fought and the memory of their sacrifices are dear to us still, it is impossible for us to enjoy the hilarious feast and the fatted calf of the prodigal's return. I have no authority to speak for others, Mr. Speaker, but it would seem to me equally if not more difficult for the man who laid down his arms in '65, and with the oath of allegiance fresh from his lips and heart, turned his energies to the rehabilitation of his home and the reestablishment of the Union, to enjoy a prodigal's feast every day in the week and every week in the year, at so many of which he is made to play the part of host and supply the fatted calf as well as the prodigal. [Applause.]

I have heard it charged against a few people in my time that they "didn't know the war was over," but these have always been considered among the ablest exponents of ignorance in Georgia. The intelligent among us have known that the "war was over" for thirty-four years, Mr. Speaker, and we have not recognized sectional hate for almost a generation.

The ambition of the President is a noble one. To live in history as the restorer of peace to long-contending sections, to go down to latest posterity as the destroyer of sectional animosities is a proud eminence fit to stir "fierce ambition in a Cæsar's mind." Far be it from me to question his words or motives. That he earnestly desires the peace for which he so eloquently spoke in Georgia's capital, I shall not question here. I but declare the simple patent truth. There was already peace between the North and South. There was already harmony and fraternal love. Sectional hate was already dead. Neither the testament of bleeding war nor the pomp and glitter of the President's march brought harmony to the people of the Union. If perchance through either the blind were made to see and the deaf to hear the truth which has been clear to all who would see and hear for nearly a quarter of a century, then has great good been accomplished; but it would seem to me that if there are those here and there on either side who are yet unreconciled, then hate—the growth of forty years—is too deeply rooted to yield to the blowing of ram's horns and the shouting of the multitude. [Applause.]

If my neighbor is my friend, we do not daily rush into each other's arms with protestations of eternal friendship and declarations of undying love. Honest friendship needs not such. If we have been enemies in the past and now are friends, we do not discuss our differences or our dead. The first we buried with the honest handshake that closed the chasm. The last are sacred.

The President's march through Georgia was a splendid pageant. Georgians, always loyal and true, vied with each other in extending hospitality to the nation's Chief Executive. "They threw their caps as they would hang them on the horns of the moon, shouting their approbation;" but, Mr. Speaker, the sons who threw their caps in '98 are no more loyal than the fathers were from the day they grounded their arms in '65 and renewed their broken allegiance to the Union. "The holy faith that warmed their sires" inspired the sons in '98. [Loud applause.] Then let us have done with these constantly recurring reconciliations of the sections. [Renewed applause.]

Speaking for myself, the son of a Confederate soldier, and one who loves the memories of the old South, while I thank the President for the honor he would now do our martyred dead, and while I shall not be found blindly opposing the consummation of his purpose, I dare declare the truth—the people of the South do not ask it. The unknown dead which sleep amid the high mountains of Virginia, and in the green valleys of Tennessee and Kentucky, whose graves are washed by the turbulent waters of the Mississippi, and whose last requiem is whispered by the meandering Chickamauga, the rippling Rappahannock, and the historic James, are a heritage of eternal glory to the people of the South.

On fame's eternal camping ground
Their silent tents are spread.

They are ours; they sleep well as they are, and God forbid that their bones should ever be made the football of party politics, to be kicked from side to side of this Chamber as occasion may demand. We accept the words of the President in good faith, Mr. Speaker, but we insist that this shall be the last reconciliation of the sections. Let this be the final ratification of the treaty of peace between the North and South. [Applause.]

Too much harmony palls upon the taste. Too many reconciliations bespeak too many differences.

"The time has come in the evolution of sentiment and feeling, under the providence of God, when in the spirit of fraternity," we should to the last man shake off this horrid nightmare of sectional hate, from whose paralyzing grasp our fitful and hysterical awakenings for twenty-five years have made the angels weep and the nations smile. [Loud applause.]

Let this last march through Georgia end forever the differences of half a century. Let it obliterate all traces of that other march, whose blackened trail marked the close of actual war. Let the hegira of 1861 be forever swallowed up in the pilgrimage of 1898. Let us turn our faces to the morning, you of the North cherishing your memories as we shall ever cherish ours, all pressing forward in unison to a realization of the patriot's hope and the poet's dream of—

Columbia, gem of the ocean,
The home of the brave and the free,
The shrine of each patriot's devotion,
A world offers homage to thee.

[Loud applause.]

The CHAIRMAN. The time of the gentleman has expired.

Mr. MARSH. I move that the committee rise and report the bill and amendments to the House.

The motion was agreed to.

The committee accordingly rose; and the Speaker having resumed the chair, Mr. HEPBURN, chairman of the Committee of the Whole House on the state of the Union, reported that that committee had had under consideration the bill H. R. 11717, and had directed him to report the same to the House with sundry amendments, and that, as amended, the bill do pass.

The SPEAKER. The question is on agreeing to the amendments.

The question was taken; and the amendments were agreed to.

The bill as amended was ordered to be engrossed for a third reading; and being engrossed, it was accordingly read the third time, and passed.

On motion of Mr. MARSH, a motion to reconsider the vote by which the bill was passed was laid on the table.

RECEPTION OF STATUES OF BENTON AND BLAIR.

The SPEAKER. The Clerk will read the special order.

The Clerk read as follows:

Resolved, That the exercises appropriate to the reception and acceptance from the State of Missouri of the statues of Thomas H. Benton and Francis P. Blair, erected in the old Hall of the House of Representatives, be made the special order for Saturday, February 4, at 3 o'clock.

Mr. BLAND. Mr. Speaker, I will ask the Clerk to read the following letter from the executive of the State of Missouri.

The Clerk read as follows:

To the Senate and House of Representatives
of the United States, Washington, D. C.

GENTLEMEN: In the year 1805, the general assembly of the State of Missouri passed an act making an appropriation to have statues made of Thomas H. Benton and Francis P. Blair, to be placed in Statuary Hall, in the Capitol, at Washington. In the act referred to, William J. Stone, Odin Guitar, Peter L. Foy, B. B. Cahoon, O. H. Spencer, and James H. Birch were constituted a commission to have the statues made and properly placed. I am now informed by the commissioners that the statues are completed and ready to be presented to Congress.

I have the honor, therefore, as governor of Missouri, to present to the Government of the United States through the Congress, the statues of the distinguished statesmen named and to ask that they may be assigned a place in the hall dedicated to such uses at the Capitol.

Very respectfully,

LON V. STEPHENS, *Governor.*

Mr. BLAND. Mr. Speaker, I offer the following resolution.

The SPEAKER. The gentleman from Missouri offers the following resolution, which will be read by the Clerk.

The Clerk read as follows:

Resolved by the House of Representatives (the Senate concurring), That the thanks of Congress be presented to the State of Missouri for providing and furnishing statues of Thomas Hart Benton, a deceased person, who has been

a citizen thereof and illustrious for his historic renown and for distinguished civic services, and of Francis Preston Blair, a deceased person, who has been a citizen thereof, and illustrious for his historic renown and for distinguished civic and military services.

Resolved, That the statues be accepted and placed in the National Statuary Hall in the Capitol, and that a copy of these resolutions duly authenticated be transmitted to the governor of the State of Missouri.

Mr. BLAND. Mr. Speaker, there are some gentlemen present, and others absent, who wish to print remarks in the RECORD on the subject of the resolution, and I therefore ask unanimous consent of the House that they have leave to do so.

The SPEAKER. The gentleman from Missouri asks unanimous consent that members may be allowed to print in the RECORD remarks on the subject of the resolution. Is there objection? [After a pause.] The Chair hears none.

Mr. DOCKERY. Mr. Speaker, Congress having by the act of July 2, 1864, invited each of the States to present statues, not exceeding two in number, in marble or bronze, of deceased persons who have been distinguished citizens, and who, on account of civil or military services, are deemed worthy of national commemoration in Statuary Hall in the National Capitol, the State of Missouri, in the fullness of time, has availed herself of the invitation, and has presented the two marble statues which we to-day formally accept on behalf of the Federal Government.

Various other States of the Union have already presented, from time to time, statues of their distinguished departed sons: Virginia, one, of George Washington; Massachusetts, two, of Samuel Adams and John Winthrop; Connecticut, of Roger Sherman and Jonathan Trumbull; Rhode Island, of Nathanael Greene and Roger Williams; Vermont, of Ethan Allen and Jacob Collamer; New Hampshire, of Daniel Webster and John Stark; Maine, of William King; New York, of George Clinton and Robert R. Livingston; Pennsylvania, of John P. Mulhenburg and Robert Fulton; New Jersey, of Richard Stockton and Philip Kearny; Ohio, of James A. Garfield and William Allen; Illinois, of James Shields; Michigan, of Lewis Cass, and Wisconsin, of Père James Marquette.

By the act of the legislature of Missouri, approved April 8, 1895, a fund was appropriated and a commission constituted, comprising Governor William J. Stone, chairman; Peter L. Foy, esq., of the city of St. Louis; Gen. Odon Guitar, of Boone County; Judge O. M. Spencer, of Buchanan; Hon. B. B. Cahoon, of St. François, and Col. James H. Birch, of Clinton, who were directed to have executed statues of Thomas H. Benton and Francis P. Blair. That commission discharged their functions with care and complete success, and under their painstaking supervision models were selected and the sculptures executed in marble by the artist, Mr. Alexander Doyle, of New York City.

Mr. Speaker, it is with special pride that Missouri contributes to our national pantheon these memorials of two of her most illustrious sons, Benton and Blair. Their names and their deeds not only have wrought especial blessing and reflected lasting renown upon their own imperial Commonwealth, but they are the heritage of the whole country as well; and as such, their marble images worthily find a place in yonder hall, side by side with those of others of the nation's noblest children—pioneers, warriors, statesman, inventors, benefactors—heroes all.

Both Benton and Blair rendered most distinguished service in the National Legislature—Benton for five terms in the Senate and one term in the House, and Blair for parts of four terms in the House and part of a term in the Senate; so that with peculiar fitness their sculptured images will stand yonder and be viewed by generations to come, hard by the scenes of their legislative struggles and triumphs.

In Benton we behold the mightiest son of the early West—the most colossal figure in the march of trans-Mississippi development, striding onward head and shoulders above all his contemporaries. It was not my good fortune to have known him, or my privilege ever to have seen him; but his grand, manly character, his splendid achievements in public life, and his princely qualities as a private citizen, as I have learned them from the lips of others and as I find them chronicled in our history, command my unstinted admiration. Himself a pioneer, I take him to have been the recognized exponent of the great pioneer class, hardy, enterprising, irresistible; the ablest expounder of their views, and the most typical representative of their aspirations. In his day and generation he was the greatest champion of the West and its interests, and the most zealous advocate of every movement for the extension of the western boundaries of the Republic, beholding with clearer vision than most of his fellows, through the mist of coming years, something of the later grandeur and glory which the nation has attained.

And yet, despite the strength of his local and sectional predispositions, his aggressive patriotism was national and all-embracing; the love of his great heart comprehended alike the North, the South, the East, and the West. He gloried in the American Union, and his marvelous endowments were always freely offered to the service of his whole country. His teachings, in their effect upon the people of his own State, did perhaps as much as any other agency to keep Missouri still within the sisterhood of the Union when her Southern neighbors left it: they formed the groundwork upon which Blair afterwards so brilliantly operated to hold the State fast to her old moorings.

There were giants in those days, and Benton was one of them, towering amid the greatest of his colleagues—Webster, Clay, and Calhoun. When it is remembered that, from the time of Monroe down to the time of Buchanan, he exercised a controlling sway over Western politics such as few statesmen ever did, it is not surprising that he should have left behind him such ineffaceable and monumental marks of his greatness. During his service in the Senate that body was admittedly the most influential legislative body in the world: the nation's greatest political chiefs were members of it; and in it, from the time of Jackson, Benton stood forth continuously a commanding figure and the most eminent representative of Jacksonian Democracy.

The Republic has never produced a statesman more valiantly loyal and true to his convictions than Benton. His faculties always responded to the call of a great emergency. His metal on such an occasion always rang true and clear. He grew steadily wiser as he proceeded in his career. With his developing maturity he became better equipped for the performance of yeoman service to the public, and it has been said of him that, during the last period of his life—the heroic period—he rendered greater service to the nation than any of his fellow-Senators.

In addition to his herculean achievements in statecraft, his attainments in other directions attested his amazing industry, versatility, and liberal culture. Daniel Webster once remarked that Benton knew more political facts than any other man he ever met, and possessed a wonderful fund of general knowledge. He not only left his powerful impress upon the events in which he was an actor during his thirty-two years' service in Congress, but he left to posterity two veritable monuments attesting his ceaseless activity and study—his two great literary productions, the Thirty Years' View and his Abridgment of the Debates of Congress from 1789 to 1850—both of them acknowledged to be indispensable to the student of American political and governmental history.

Most happily has the sculptor modeled forth his physical lineaments and suggested the qualities that characterized the man. From a study of the artist's handiwork we can the better understand what good sturdy stuff Benton was made of—his magnificent physique, his tireless energy, his masterful intellect, his indomitable will. From a contemplation of that marble figure we can fancy his aggressive courage, his stern sincerity, his earnestness, tenacity, and uprightness; we can picture in our minds what a proud, resolute, fearless, self-reliant hero he must have been in life, and we can join in humbly doing him honor for the immeasurable good he wrought for his country, in his own generation and for all the generations after him.

Mr. Speaker, in a most remarkable way the life work of Benton and of Blair merged together, to the incalculable benefit of our common State: the achievements of the younger of the two linked themselves with and supplemented those of the elder. When Benton died in 1858, the tide of Southern sentiment was rising like a flood, and but for the living influence of the veteran statesman then still in death, Missouri would probably have been overwhelmed by that tide. And notwithstanding that potent influence, it would yet have been overwhelmed, had not Blair, courageous and preternaturally energetic, intervened at the right moment and with the sagacity of genius to direct and utilize that influence. His lofty patriotism, spirit, and capacity saved the State to the Union, and left her free at the close of the civil strife to march onward without interruption in the paths of progress.

To have accomplished this was in itself an extraordinary achievement for any man. But Blair rested not there. He plunged with knightly ardor into the Titanic struggle then beginning, and ere long became a major-general of volunteers and a corps commander of high efficiency. He was the most illustrious soldier that Missouri gave to the Union; indeed, he was regarded as one of the most successful of all the chiefs of the volunteer army.

Meanwhile he served also with distinction in Congress; and in the Thirty-seventh Congress, as chairman of the House Committee on Military Affairs, he reported and pressed those essential measures that equipped and maintained the Union armies in the field.

He was a hero in council, in the camp, and on the field of battle. And after the war, voluntarily renouncing the grateful political rewards that would have freely come to him from his own political party, he devoted his energies to the heroic and magnanimous but unpopular task of protecting his late enemies from injustice at the hands of his own triumphant and intolerant partisans. In that work of self-abnegation, viewed calmly after this lapse of time, the moral grandeur of the hero shines forth with dazzling luster. A hero in the tribulations of war, he became ten times a hero in the tribulations of returning peace. In the face of frenzied calumny, furious partisanship, and mob violence, his manly heart demanded justice for his beaten foes; and with undaunted

personal courage, with coolness and bravery almost unexampled, he espoused the cause of the weak, the disfranchised, the taxridden, and the downtrodden, and sought by practical means to bind up and heal the wounds of the recent strife.

Like others of the proscribed class who witnessed his intrepid conduct in behalf of my oppressed people on the most trying occasions, I may say that, in adding this humble tribute to his fame, it is not prompted by a mere formal or perfunctory impulse, but by a sentiment of sincere personal affection. The political and civic honors that would have come to him immediately following the war, but which he denied to himself, and the later political success which he would doubtless have attained had his life been spared, are more than compensated by the fervent love which all the people of Missouri cherish for his memory. [Loud applause.]

Mr. Speaker, I desire to append to my remarks and to incorporate in the RECORD a beautiful tribute to the memory of Benton and Blair, written by Hon. J. H. Birch, of Plattsburg, Mo., one of the State commissioners, and transmitted to me for that purpose. It reads:

"It is deemed proper that the only native-born Missourian on the commission, who knew both of these distinguished citizens during their lives, should be heard on this interesting occasion. I shall speak, therefore, from personal knowledge. Sixty years ago Colonel Benton and my father were friendly associates. Our home, in the village where we lived, was occasionally honored by his visits. Sitting and listening to his conversation, I wondered that I was permitted to exist in such a presence. In after years, when grown to manhood, and bitter personal enmity had arisen between them, I recognized the fact that Baneton—for it was thus he pronounced his name—was the most powerful political factor in the great West.

"No one favored him in appearance, manners, or personal characteristics, and but few ever reached his level in intellectual power, information, or influence. His was an isolated personality. He had but few, if any, confidants. He recognized but two conditions in public life between men—leadership and followers. He knew his own fitness to rule, and demanded that others obey. He sought no advice, and permitted no dissent; and criticism of his political infallibility resulted in personal and political ostracism. If he ever forgot or forgave an intended injury, only his Creator knew it. If he ever had an emotion in connection with his ambition, it was kept as hidden as the thoughts of a Hindoo's god. Had he lived in the days of the Cæsars, there would have been another Brutus. Had he commanded the Roman armies when Palmyra fell, he might have spared Zenobia in recognition of her great prowess and character, but she would never have been carried through the streets of Rome, attached to his triumphal car, for in such a pageantry Benton deemed the presence of no one necessary—if Benton was there.

"His courage was equal to every emergency, and was always under the most perfect control; but it was as cold and as merciless as the heart of a matadore. In its use he made but one mistake, when by it he forced his enemies to conspire to kill him, that they might live. To accomplish his political destruction they contrived to have passed through the general assembly of Missouri during the winter of 1848-49 the celebrated Jackson resolutions, instructing him how to vote on the great question of that day then pending in the Senate—the resolutions of Mr. Calhoun. They knew he would not obey them, because, first, of the disunion doctrine contained in them, and, second, of personal resentment at the audacity of attempting to instruct Benton on such a subject.

"As was expected, Benton defied the general assembly of Missouri, charging it with misrepresenting the people of the State; and, issuing his appeal to the people, came home in May, 1849, and opened a campaign in person, which never closed until he was defeated for governor in 1856. Although quite 75 years of age, yet he canvassed the State until election day in a carriage, making speeches every day. If he ever suffered mental anguish at the waning of his political fortunes, he hid it beneath that iron face with the stoicism of a martyr. Old as he was, he carried with him on the stump that imperial presence which, in his younger days, had awed multitudes into silence, and neither discomfort nor pain brought complaint from his lips.

"If anybody doubts the accuracy of the photograph thus drawn, let him look at that statue. The sculptor, as if by inspiration, caught the secret force of his individuality and drew it in its strongest lines, representing him in the strength of his matured manhood, at the zenith of his political power, and clothing him with that air of arrogance which, like the waves of the sea breaking upon the rock-bound shore, forbade the approach of those who sought to cower at his feet.

"Had the sculptor failed in this respect, the spirit of Benton would have haunted him forever; for it can be said of Benton that his life was as devoid of hypocrisy and of pretense as it was of love-making to gain popular favor. Like Cromwell, his wish was to be painted as he was—to be seen and known among men as a man of indomitable will, of great force of character, with a steady and strong purpose in life, guided by a brain and aided by an intellect which enabled him to scale the highest peaks in the great range of human possibilities.

"During the last years of his life, secluded from the world, he took the most ample revenge upon his enemies, for he left behind him the greatest political history of the century, his Thirty Years' View.

"And now, nearly fifty years after the people of Missouri had driven him from his seat in the highest councils of the nation, which for thirty years he had adorned with his great character, with fidelity to his State and his country, they order, without a single dissenting voice, that his name and his memory be forever perpetuated in marble, in the Capitol of his country, in the very building where he won his enduring fame.

"Gen. Francis Preston Blair, who is associated with Colonel Benton in this memorial dedication, was his great friend and youthful associate. At his feet he learned those lessons which guided his political conduct in after life. In personal characteristics, action, and manners they were as different as they were in appearance. I knew General Blair well. He was my elder, but our ages enabled us to fraternize with ease. In early life, he being a follower of Benton, we naturally separated; but, as the years advanced, the great political controversies which overwhelmed the country brought us close together, and, becoming the warmest of friends, our lines of life ran close together.

"We were comrades during the war with Mexico. He was a private, and I was a corporal. We were comrades during the 'war between the States.' He was a major-general, and I a simple colonel. In the great political struggle which swept over Missouri in 1870—the sole issue being the reenfranchisement of the people, and which led to the overthrow of the Republicans in the State—we were comrades again, and that winter found us both members of the general assembly of Missouri.

"In the Senatorial caucus which followed a most exciting and bitterly-contested ballot, I moved and carried the proposition to make his nomination unanimous. Before the vote was counted and announced, and in the joint session of the two houses, my name coming first on the Senate roll, I had the honor of casting the first vote for him for United States Senator.

By a singular coincidence, being in Jefferson City three years ago, the distinguished chairman of the committee on ways and means, now representing his country as consul-general at Montreal, honored me with the request that I draft the bill which he introduced and passed through the general assembly, and under the commands whereof these statues were executed. Being named as one of the commissioners, I am proud of the privilege which enables me thus to garland Blair's statue with a wreath, which at least is embalmed with the perfume of personal friendship.

"General Blair needs no eulogy. That statue is the embodiment of the will of the people of Missouri, and is the most perfect representation of a man I ever saw in marble. He was a Cœur de Léon in courage and knightly manner. No one in his presence ever acknowledged a wrong done him but it was accepted with a princely graciousness that instantly dissolved the self-abasement that was in the act. His courage was part of his soul, and, filling his body, came at his call like an electric spirit, borne on the great blood-waves of his heart; and the necessity for its use having passed, it went back with his blood, leaving no rankling thorns behind.

"Such a spirit naturally drew around him as bold and as determined a following as ever marched beneath a Highland banner, and, as a consequence, a host of enemies equally bold and resolute; and as a result, the political battlefields of Missouri after the war rivaled in many respects, except the clash of arms, the real battlefields which preceded them. Blair was the master spirit in those campaigns, and victory came as the result of his leadership. Yet so bravely did he lead that the fierce spirit of personal antagonism passed away with the settlement of the question. His selection for the honors of this day was equally unanimous with Benton's.

"It was not in consequence of the absence of great men in Missouri that Blair was thus honored. There has been no time when her voice has been silent during the progress of the great controversies which have arisen since her admission into the Union. There sleep within her borders many men who had but few peers, whether on the battlefield or in the halls of Congress, any one of whom Missouri would proudly honor; but it was the life and later services of Blair which evoked such a combination of public sentiment that all other claims were merged in his; and to-day Missouri presents the statues of two of her citizens who laid down the duties of this life only in obedience to the bugle call from the other shore.

"It was a grand and patriotic conception which led to the dedication of that hall as the pantheon of so many American heroes. It had been hallowed by the presence of the great spirits who cemented the foundations of American liberty, and it is proper that the unborn generations who shall tread its sacred floor may read the history of the past in the silent statues gathered there. No other spot would have been so appropriate, and no less a tribute to its historic memories would have been proper.

"And now we leave these statues there, to remain forever, sheltered by that historic roof, and protected by that flag which has grown to be the emblem of the power of the greatest people of the earth."

[Mr. CARMACK addressed the House. See Appendix.]

Mr. CLARK of Missouri. Mr. Speaker, when Governor B. Gratz Brown, one of the most brilliant of all Missouri statesmen, on a historic occasion said, "Missouri is a grand State and deserves to be grandly governed," he uttered an immortal truth. He might have added with equal veracity: "She deserves to be grandly represented in the Congress of the United States," and she has been in the main, particularly in the Senate, where paucity of members and length of tenure more surely fix a man in the public eye than service in the House.

First and last, Missouri has commissioned twenty-one different men to represent her at the other end of the Capitol, in the less numerous branch of the National Legislature, in the Chamber of the Conscript Fathers, in "the upper House of Congress," improperly so called, or, as Senator MORGAN of Alabama would have it, as "ambassadors of a sovereign State" to the Federal Government. Beginning with David Barton and Thomas Hart Benton, her pioneer Senators, who at once attracted general attention and challenged universal admiration by reason of their commanding talents, down to this very hour, when in the persons of FRANCIS MARION COCKRELL and GEORGE GRAHAM VEST she holds such an enviable position in that conspicuous arena, Missouri has taken second place to none of her sister States.

These twenty-one Senators naturally divide themselves into two classes—the Barton line and the Benton line, fifteen in the former and only six in the latter.

In the Barton line are Barton himself, Alexander Buckner, Lewis F. Linn, David R. Atchison, James S. Green, Waldo P. Johnson, Robert Wilson, B. Gratz Brown, Charles D. Drake, Daniel F. Jewett, Frank P. Blair, Lewis V. Bogy, David H. Armstrong, James Shields, and GEORGE G. VEST.

In the Benton line are Benton himself, Henry S. Geyer, Trusten Polk, John B. Henderson, Carl Schurz, and FRANCIS MARION COCKRELL.

Lucky the man who gets into Barton's seat; luckier, far luckier, the man who secures that of Thomas H. Benton, as the precedents indicate a longer public life for him.

An examination of the dates at which Missourians entered and left the Senate will disclose two curious facts in Missouri history. She is the only State that ever elected two men for five full consecutive terms to the Senate of the United States—"six Roman lustrums," as Benton was wont to boast in his pompous way. These were Benton and COCKRELL. She was the first State that had only one Senator for any considerable length of time through failure to elect another. By reason of the unrelenting warfare between the Bentonites and the anti-Bentonites the legislature chosen in 1854 never could and never did elect a Senator, as it was in duty bound to do, so that for two entire years Henry S. Geyer was Missouri's sole Senator.

What is more, the governor did not appoint or attempt to appoint anyone to fill the vacancy, nobody then dreaming that the governor had such power. But in these later days several States have followed Missouri's example in failing to elect Senators, and, strange to say, divers governors have insisted on the right to fill vacancies by appointment under similar circumstances, until finally the Senate, after lengthy and ponderous debate, solemnly vindicated the wisdom and knowledge of constitutional law possessed by the governor of Missouri in 1855 and 1856, Sterling Price, by declaring that a governor has no right to make such ad interim appointment.

Of Missouri's 21 Senators there were 14 Democrats, 1 Whig, and 6 Republicans. Of 156 years of Senatorial representation to which she has been entitled, 2 were not used, 6 fell to Whigs, 32 to Republicans, and 126 to Democrats.

This roster of Missouri Senators is an array of names of which the nation, no less than the State, may well be proud. There are many great men—scarcely a small one—in the list.

Missouri is proud of her immensurable physical resources, which will one day make her facile princeps among her sisters; but there is something else of which she is prouder still, and that is her splendid citizenship, consisting at this day of nearly 4,000,000 industrious, intelligent, patriotic, progressive, law-abiding, God-fearing people.

When questioned as to her riches she could with propriety imitate the example and quote the words of Cornelia, the mother of the heroic Gracchi, and, pointing to her children, say truthfully and pridefully, "These are my jewels."

In sending Thomas Hart Benton and the younger Francis Preston Blair to forever represent her in the great American Valhalla, where the effigies of a nation's immortal worthies do congregate, Missouri made a most happy and a most fitting selection from among a host of her distinguished sons. These two men complement each other to an extraordinary degree. Really their lives formed but one career—a great career—a career of vast import to the State and nation. Both were Southerners by birth; both were soldiers of the Republic; both members of this House; both Senators of the United States; both added largely to American renown; both left spotless reputations as a heritage to their countrymen.

The dominant passion of these two Missouri Titans was an absorbing love of the Union. To its preservation they devoted their great energies of mind and heart and body. To that end they were not only theoretically willing to spend and be spent, but were actually and literally spent. In that warfare they sacrificed all those things which most men hold dear. In that cause Benton went to his political death, and Frank Blair rendered himself a physical wreck. In their vocabulary there were no such word as "concession" or as "compromise." In very truth, they took their lives in their hands and fought the battle to the bitter end.

Under the law each State has the right to place the statues of two—and only two—illustrious American citizens in Statuary Hall; but in this regard Missouri has been more fortunate than most of her sister States, for, while she can place only two there herself, three of her soldier-statesmen stand there in bronze and marble as perpetual reminders of her glory. In addition to Benton and Blair, through the action of Illinois there stands Gen. James Shields, that illustrious Irish-American, a hero of two wars, and the only man that ever did, or in all human probability ever will, represent three States of the Union in the Senate of the United States.

Upon the base of his statue in yonder hall are blazoned the coats of arms of Illinois, Minnesota, and Missouri, in whose service he spent his life; but as he wrought for the whole country in the Senate and in the field, his fame belongs to the whole country, in whose cause he freely shed his blood.

Either Benton or Blair is a sufficient, a noble theme for any orator.

I shall confine my remarks, in the main, to the latter, with only incidental reference to the former, leaving the great contemporary of Webster, Clay, and Calhoun to my colleagues.

In this era of good feeling it may seem ungracious to talk much about the civil war and may appear like "sweet bells jangled, out of tune;" but this is a historic occasion, Frank Blair is a historic personage, and the truth should be told about him. All his deeds with which history will concern itself are those which he performed in matters pertaining to that unhappy period—either before, during, or after. A speech about him and without mention of these things would be like the play of Hamlet with the Prince of Denmark left out.

HIS BIRTHPLACE.

Born in the lovely blue grass region of Kentucky, reared in Washington City, in the excitement and swirl of national politics, spending his manhood's days in St. Louis, the great city of the Iron Crown, his opportunities for growth were of the best, and he developed according to the expectations of his most sanguine friends.

Within a radius of 75 miles of Lexington, Ky., where Frank Blair first looked forth upon this glorious world, more orators of renown were born or have exercised their lungs and tongues than upon any other plat of rural ground of the same size upon the habitable globe.

Whether the inspiring cause is the climate, the soil, the water, the limestone, or the whisky, I do not know, but the fact remains.

Within that circle are the counties of Franklin, Woodford, Scott, Fayette, Mercer, Bourbon, Nelson, Washington, Anderson, Owen, Shelby, Marion, Madison, Jessamine, Montgomery, Clark, and Boyle.

Henry Clay, John J. Crittenden, the Marshalls, the Breckinridges, the Prestons, the Shelbys, the McAfees, the Browns, the Blairs, the Buckners, the Deshas, the Houstons, Old Bob Letcher, the Harlans, the Wickliffs, Old Ben Hardin, Leslie Coombs, John Rowan, the Thompsons, the Davises, the Turners, Richard H. Menifee, the Goodloes, the Hansons, Henry Bascom, John Pope, the Johnstons, Chief Justice Robertson, Cassius M. Clay, and his brother Brutus Junius, Joe Blackburn, George Graham Vest, Henry Watterson, J. Proctor Knott, Jim McKenzie, and a host of choice spirits have roused the multitude and made the welkin ring. If such a delineator of character as William Makepeace Thackeray could have known the men who first and last have been around Lexington, and given us his impressions of them, or such a biographer as James Boswell could have followed lovingly at their heels to record their sayings, we would have the most entrancing book that human eye ever gazed upon.

Philosophers may say what they please, but man is largely a creature of environment, and with his surroundings from infancy, it was inevitable that Frank Blair would devote his life to politics.

RISE OF THE BLAIRS.

The rise of the Blairs, father and sons, to great political eminence and power forms a most curious and interesting chapter in our history.

The foundation of their career was laid by an anonymous article written by Francis P. Blair, sr., for mental recreation purely, and printed in the Frankfort (Ky.) Argus, in the incipient stage of the war of extermination waged by Andrew Jackson against the old Bank of the United States, which article luckily fell under Jackson's eagle eye and attracted his attention. It may be doubted whether any other anonymous communication to any newspaper in any country since Guttenberg invented movable types was ever productive of so many and such far-reaching consequences.

In that elder day, while the American newspaper was still in its infancy, every Administration had an "organ" at the seat of government, supported in the main by public pap and by subscriptions from Federal officials. Subscribe, resign, or be kicked out were the alternatives presented to all holders of governmental positions, from Secretary of State down to the spittoon cleaners. So that to edit the organ was, in the popular parlance of this day, to have a decidedly soft snap.

Until his quarrel with John C. Calhoun, a quarrel which wrecked more lives and was more prolific of calamities than the Trojan war, Jackson's organ was the United States Telegraph, owned and edited by Gen. Duff Green. As long as he was faithful to his irascible and exacting chief, he lived in tall clover.

But early in that historic feud Duff began to show signs of ratting to Calhoun, whereupon Jackson, with characteristic promptitude, began looking for another organist, and he found him accidently, in the most unlikely person and most unexpected place—certainly the greatest, the fiercest, the most courageous, the most loyal to his chief, the most puissant organist President ever had, Francis Preston Blair, sr., author of the anonymous article aforesaid, clerk of a court at Frankfort, Ky., the neighbor, relative, and quondam supporter of Henry Clay, "the great commoner." To lay on and spare not the enemies of Andrew Jackson, personal or political, to smite them hip and thigh, to draw, quarter, and break them on the wheel, to scalp and tomahawk them, to flay them alive inch by inch, to roast them at the stake, to gibbet them before high heaven was a labor of love to that brave, brainy, but modest Kentuckian.

Recreant Democrats were the pet aversions—the bêtes noir—of this man whose pen was dipped in aqua fortis. For them he had no bowels of compassion; toward them he was absolutely merciless. According to his logic, desertion of Jackson was high treason to the country. For all such the penalty was death without benefit of clergy. When even so illustrious a personage as Col. William R. King, of Alabama, subsequently Vice-President, once begged him to soften a savage attack upon an erring Democrat, Blair sternly replied: "No; let it tear his heart out!"

Blair was essentially and incorrigibly a hero worshiper; but it must be confessed that he had a hero worthy of the passionate love of all friends of human liberty, the matchless soldier who at New Orleans, with a handful of raw militia, in one glorious, rapturous hour slaughtered 2,600 Englishmen, defeated the picked veterans of the Peninsula who had snatched the iron crown of Charlemagne from the brazen brow of Napoleon and lowered to the dust the towering pride of that mighty monarchy upon whose dominion the sun never sets and whose morning drumbeat encircles the globe.

No such popularity as Andrew Jackson's has been vouchsafed to an American President since George Washington was laid to rest on the banks of the Potomac, a popularity which abides to this day and which will continue until our race has run its course and until the wide firmament is gathered up as a scroll.

For twenty years all of the most serious and learned arguments of Whig statesmen were triumphantly and successfully answered by "Hurrah for Jackson!" and assuredly since the morning stars first sang together no man has better deserved being hurrahed for than Old Hickory. The intense love which his followers bore him has always reminded me of the pathetic enthusiasm of the French soldier, sorely wounded, who, as Napoleon swept by at the head of the Old Guard, tore his shattered arm from his shoulder and waving it above his head shouted "Vive l'Empereur!"

Blair completely won the generous heart of Andrew Jackson, which in itself was a greater honor than could have been conferred by any patent of nobility. The insignia of the Order of the Thistle or of the Star and Garter, or of any other order or of all others ever devised by the ingenuity of man or bestowed by the hand of any king, emperor, prince, czar, or potentate, it seems to me, would not give an American as much pride and pleasure as to be able to say truthfully, "I was beloved of Andrew Jackson." If Blair loved Jackson, the iron soldier repaid that love in Scripture measure, heaped up, pressed down, and running over. Almost the last letter he ever wrote was to Blair, at a time when the Polk Administration was endeavoring to force him to sell them the Globe under the penalty of their starting an opposition paper. I here quote part of it, so highly honorable to both the writer and the recipient and so characteristic of the former. Even at this distant day one can scarcely read the closing sentence with dry eyes.

How loathsome—

Wrote Jackson—

It is to me to see an old friend laid aside, principles of justice and friendship forgotten, and all for the sake of policy, and the great Democratic party divided or endangered for policy. I can not reflect upon it with any calmness. Every point of it, upon scrutiny, turns to harm and disunion, and not one beneficial result can be expected from it. I will be anxious to know the result. If harmony is restored, and the Globe the organ, I will rejoice; if sold, to whom, and for what? Have, if you sell, the purchase money well secured. This may be the last letter I may be able to write you, but, live or die, I am your friend (and never deserted one from policy), and leave my papers and reputation in your keeping.

The parenthesis in that sentence explains the secret of Jackson's wondrous power over the minds and hearts of men. "Never deserted a friend from policy"—those be golden words. He might with exactest truth have enlarged the statement so as to read: "I never deserted either a friend or a principle from policy or for any other reason whatsoever."

The original of that letter is carefully preserved in a glass case in the Congressional Library and should be regarded as one of the precious treasures of the archives of the Republic.

But this man, who swooped down upon Jackson's enemies with cruel beak and bloody talons to rend and tear them—this man, who in his capacity of editor was so masterful, inexorable, and so dreaded, who killed off a Senator, a Cabinet officer, a minister plenipotentiary and envoy extraordinary, or even an aspirant for the Presidency as ruthlessly as he would have impaled a fly—was in private life bashful in deportment, a fond husband, a doting father, a kindly and obliging friend.

SOLDIER.

Frank Blair was a soldier of two wars. He received his "baptism of fire" during our brief but glorious conflict with Mexico, being a lieutenant in that small, heroic band of Missourians who, under Col. Alexander W. Doniphan, made the astounding march to Santa Fe, Chihuahua, Sacramento, and Monterey—an achievement which added an empire to the Union and which threw into the shade that far-famed performance of Xenophon and his ten thousand which has been acclaimed by the historians of twenty centuries.

In the civil war he began as a colonel, fought his way to a major-generalcy, and was pronounced by General Grant to be one of the two best volunteer officers in the service, John A. Logan, "the Black Eagle of Illinois," who married a Missouri wife, being the other. In Sherman's famous march to the sea Blair commanded a corps, and was considered the Marshal Ney of that army.

THE FIGHT FOR MISSOURI.

Early impressions are never effaced; and it may be, who knows? that the fact that when a child he sat upon the knee of Andrew Jackson, received the kiss of hereditary friendship from his lips, and heard words of patriotism fall burning from his tongue determined his course in the awful days of '61, for Jackson himself, could he have returned to earth in the prime of life, could not have acted a sterner or more heroic part than did his foster son.

The fact that Andrew Jackson, Thomas Hart Benton, and the elder Francis Preston Blair were sworn friends most probably caused young Frank to settle in St. Louis, a performance which, though little noted at the time, in all human probability kept Missouri in the Union and thereby defeated the efforts of the Southern people for independence; for had it not been for Blair's cool courage, clear head, unquailing spirit, indefatigable industry, commanding influence, and rare foresight, the Southern sympathizers in Missouri would have succeeded in taking her into the Confederacy.

There never was in this world a struggle in which time was more the essence of things than in the fight for Missouri. The people were divided into something like three equal parts—one for the Union, another for secession, while the minds of the third were not made up, but were in a plastic condition. This halting, wavering third became decisive of the contest. To control it Blair and his opponents waged a battle royal. If, in the beginning, Blair could have aroused the Federal Government to a realization of the vast strategic importance of Missouri and to the necessity for early action, his task would have been easy. If, in the beginning, his antagonists could have aroused the Missouri legislature to a comprehension of the situation and could have induced the State authorities to seize the United States arsenal at St. Louis before Gen. Nathaniel Lyon was placed in command, their task would have been easy; but when Lyon appeared upon the scene, their one golden opportunity was gone.

It was a colossal stake for which this master spirit played; nevertheless, understanding clearly the gravity of the game, he played it to the end with superb audacity and with nerves of steel—no hesitation, no equivocation, no mental reservation, no repining, no doubting, no backward glance on his part.

Without leave or license from anybody he organized and drilled in secret four regiments, mostly Germans, arming them with

guns which he purchased with money begged by him from Unionists in the North, so that when Governor Jackson peremptorily declined to furnish the four regiments which constituted Missouri's quota under President Lincoln's first call for 75,000 volunteers, Blair promptly tendered by telegraph his four regiments which he had been for months secretly recruiting in St. Louis and had them mustered into the service. Not only that, but he tendered six more regiments, which were also accepted.

The Government offered him a brigadier's commission as commander of that brigade, which he gracefully and firmly declined in favor of Lyon—an act of generosity and self-abnegation unusual among men.

Time fought for Blair in this strange contest for possession of a State, for the preservation of the Republic.

Those who most effectually tied the hands of the secessionists and who unwittingly but most largely played into Blair's were the advocates of "armed neutrality"—certainly the most preposterous theory ever hatched in the brain of man. Who was its father can not now be definitely ascertained, as nobody is anxious to claim the dubious honor of its paternity. What it really meant may be shown by an incident that happened in the great historic county of Pike, where I now reside—a county which furnished 1 brigadier-general and 5 colonels to the Union Army and 3 colonels to the Confederate, with a full complement of officers and men.

Early in 1861 a great "neutrality meeting" was held at Bowling Green, the county seat. Hon. William L. Gatewood, a prominent lawyer, a Virginian or Kentuckian by birth, an ardent Southern sympathizer, subsequently a State senator, was elected chairman. The Pike County orators were out in full force, but chief among them was Hon. George W. Anderson, also a prominent lawyer, an East Tennesseean by nativity, afterwards a colonel in the Union Army, State senator, and for four years a member of Congress. Eloquence was on tap and flowed freely. Men of all shades of opinion fraternized; they passed strong and ringing resolutions in favor of "armed neutrality," and "all went merry as a marriage bell."

Chairman Gatewood was somewhat mystified and not altogether satisfied by the harmonious proceedings; so, after adjournment sine die, he took Anderson out under a convenient tree and in his shrill tenor nervously inquired, "George, what does 'armed neutrality' mean, anyhow?" Anderson, in his deep bass, growled, "It means guns for the Union men and none for the rebels!"—the truth and wisdom of which remark are now perfectly apparent. [Laughter.] So it was, verily. Anderson had hit the bull's-eye, and no mistake. If he had orated for an entire month, he could not have stated the case more luminously or more comprehensively. He had exhausted the subject. Before the moon had waxed and waned again the leaders of that "neutrality" love feast were hurrying to and fro, beating up for volunteers in every nook and corner of the county—some for service in the Union, others for service in the Confederate, army.

But it is proverbial that "hindsight is better than foresight." Men must be judged by their own knowledge at the time they acted, not by ours; by the circumstances with which they were surrounded, and not by those which environ us. What may appear unfathomable problems to the wise men of one generation may be clear as crystal to even the dullest of the succeeding generation. However ridiculous "armed neutrality," judged by the hard logic of events, may appear in the retrospect, however untenable we now know it to have been, the fact nevertheless remains that it was honestly believed in and enthusiastically advocated by thousands of capable, brave, and honest men all over Kentucky and Missouri, many of whom afterwards won laurels on the battlefield and laid down their lives in one army or the other in defense of what they deemed right.

When we consider the men who were against Blair it is astounding that he succeeded. To say nothing of scores, then unknown to fame, who were conspicuous soldiers in the Confederate army and who have since held high political position, arrayed against him were the governor of the State, Claiborne F. Jackson; the lieutenant-governor, Thomas C. Reynolds; ex-United States Senator and ex-Vice-President David R. Atchison; United States Senators Trusten Polk and James S. Green, the latter of whom had no superior in intellect or as a debater upon this continent; Waldo P. Johnson, elected to succeed Green in March, 1861, and the well-beloved ex-governor and ex-brigadier-general in the Mexican war, Sterling Price, by long odds the most popular man in the State.

No man between the two oceans drew his sword with more reluctance or used it with more valor than "Old Pap Price." The statement is not too extravagant or fanciful for belief that had he been the sole and absolute commander of the Confederates who won the battle of Wilson's Creek, he would have rescued Missouri from the Unionists.

The thing that enabled Blair to succeed was his settled conviction from the first that there would be war—a war of coercion. While others were hoping against hope that war could be averted or, at least, that Missouri could be kept out of it, even if it did come—while others were making constitutional arguments, while others were temporizing and dallying—he acted. Believing that the questions at issue could be settled only by the sword, and also believing in Napoleon's maxim that "God fights on the side of the heaviest battalions," he grimly made ready for the part which he intended to play in the bloody drama.

"THE ARDUOUS GREATNESS OF THINGS DONE."

Blair was 5 feet 11 in height, straight as an Indian, of slender, wiry frame, hazel eyes, auburn hair, ruddy complexion, and aquiline nose. He was of what the phrenologists denominate the sanguine-nervous temperament. He was an optimist by nature and had unbounded confidence in himself and in Missourians, with whose capabilities, characteristics, sentiments, and prejudices he was as well acquainted as any man that ever lived.

On the 30th of May, 1861, in urging the President to authorize the enlistment of a large number of Missourians, he wrote these words, which, in the light of what happened in the succeeding four years, appear amazing:

> We are well able—
>
> He said—
>
> to take care of ourselves in this State, without assistance from elsewhere, if authorized to raise a sufficient force within the State; and after that work is done we can take care of the secessionists from the Arkansas line to the Gulf, along the west shore of the Mississippi.

The most spectacular feature of the great Chicago national Republican convention of 1880 was Conkling's speech nominating Grant. That masterful oration will be read with rapture by millions yet unborn. It contained a single sentence which alone made it worthy of remembrance. In describing Grant, Conkling said:

> His fame was born not alone of things written and said, but of the arduous greatness of things done.

The phrase "the arduous greatness of things done" was original with the brilliant New Yorker, and constitutes a rich and permanent addition to our literature. It sticks to the memory like a burr. It fills a long-felt want. It applies to Frank Blair as well as to the great captain in whose presence the whole world uncovered, for Blair's fame rests also largely on "the arduous greatness of things done."

Col. Thomas L. Snead, who was Price's chief of ordnance as well as adjutant-general of the State Guard, who wrote The Fight for Missouri, one of the very best books about the civil war, in speaking of the battle of Boonville, pays this splendid and ungrudging tribute to Blair:

> Insignificant as was this engagement in a military aspect, it was in fact a stunning blow to the Southern-rights people of the State, and one which did incalculable and unending injury to the Confederates. It was indeed the consummation of Blair's statesmanlike scheme to make it impossible for Missouri to secede or out of her great resources to contribute abundantly of men and material to the Southern cause, as she would surely have done had her people been left free to do as they pleased.
>
> It was also the crowning achievement of Lyon's well-conceived campaign. The capture of Camp Jackson had disarmed the State and compelled the loyalty of St. Louis and all the adjacent counties. The advance upon Jefferson City had put the State government to flight and taken away from it that prestige which gives force to established authority. The dispersion of the volunteers who had rushed to Boonville to fight under Price for Missouri and the South extended Lyon's conquest over all that country lying between the Missouri and the State of Iowa, closed all the avenues by which the Southern men of that part of Missouri could make their way to Price, made the Missouri an unobstructed Federal highway from its source to its mouth, and rendered it impossible for Price to hold the rich, populous, and friendly counties in the vicinity of Lexington. Price had indeed no alternative now but to retreat in all haste to the southwestern corner of the State, there to organize his army under the protection of the force which the Confederate government was mustering in northwestern Arkansas under General McCulloch for the protection of that State and the Indian Territory.

Again, in summing up the achievements of Gen. Nathaniel Lyon, who was Blair's sworn friend and ally, carrying out Blair's general plan, Colonel Snead says:

> By capturing the State militia at Camp Jackson and driving the governor from the capital and all his troops into the uttermost corner of the State, and by holding Price and McCulloch at bay, he had given the Union men of Missouri time, opportunity, and courage to bring their State convention together again, and had given the convention an excuse and the power to depose Governor Jackson and Lieutenant-Governor Reynolds, to vacate the seats of the members of the general assembly, and to establish a State government which was loyal to the Union and which would use the whole organized power of the State, its treasury, its credit, its militia, and all its great resources, to sustain the Union and crush the South.

A few incidents out of a multitude which might be cited will show the character of political warfare in Missouri in the days when Blair was on the boards.

Before the war he went to Hannibal to make an emancipation speech. A mob gathered to break up the meeting. While he was speaking some one hit him squarely in the forehead with an egg. He wiped it off with his finger, flipped it on the ground, and imperturbably proceeded, making not the slightest allusion to the incident. His marvelous nerve charmed his audience, hostile though it was, and those who had come to stone him remained to applaud.

In the outskirts of Louisiana, Mo., stand four immense sugar

trees, which, if the Druidical religion were in vogue in the Mississippi Valley, would be set aside as objects of worship by Democrats. They form the corners of a rectangle about large enough for a speaker's platform. Beneath their grateful shadow, with the Father of Waters behind him, the eternal hills in front of him, the blue sky above his head, in the presence of a great and curious concourse of people, Frank Blair made the first Democratic speech delivered in Missouri after the close of the civil war. Excitement was intense. Armed men of all shades of opinion abounded on every hand. When Blair arose to speak he unbuckled his pistol belt and coolly laid two navy revolvers on the table. He prefaced his remarks as follows:

Fellow citizens, I understand that I am to be killed here to-day. I have just come out of four years of that sort of business. If there is to be any of it here, it had better be attended to before the speaking begins.

That calm but pregnant exordium has perhaps no counterpart in the entire range of oratory.

There was silence deep as death;
And the boldest held his breath
For a time.

He then proceeded with his speech, but had not been going more than five minutes until a man of gigantic proportions started toward him, shaking his huge fist and shouting, "He's an arrant rebel! Take him out! Take him out!" Blair stopped, looked the man in the face, crooked his finger at him, and said, "You come and take me out!" which put an end to that episode, for the man who was yelling "Take him out!" suddenly realized that Blair's index finger which was beckoning him on would soon be pressing the trigger of one of those pistols if he did go on, and he prudently declined Blair's cordial invitation.

He got through that day without bloodshed; but when he spoke at Warrensburg, a little later, he had not proceeded a quarter of an hour before a prominent citizen sitting on the speaker's stand started toward Blair, with a pistol in his hand and with a mighty oath, yelling: "That statement is a lie!" which instantly precipitated a free fight, in which one man was killed and several severely wounded. Blair went on with his speech amid ceaseless interruptions. I know a venerable, mild-mannered, Christian statesman, now in this very Capitol, who for two mortal hours of that pandemonium stood with his hand upon his revolver ready to shoot down any man that assaulted Blair.

Afterwards Blair was advertised to speak at Marshall, in Saline County. On the day of his arrival an armed mob was organized to prevent him from speaking, and an armed body of Democrats swore he should. A collision occurred, resulting in a regular pitched battle, in which several men lost their lives and others were badly injured. But Blair made his speech.

One night he was speaking in Lucas Market Place, in St. Louis, when a man in the crowd, not 20 feet from the stand, pointed a revolver directly at him. Friendly hands interposed to turn the aim skyward. "Let him shoot, if he dares," said Blair, gazing coolly at his would-be murderer; "if I am wrong, I ought to be shot, but this man is not the proper executioner." The fellow was hustled from the audience.

Amid such scenes he toured the State from the Des Moines River to the Arkansas line and from the Mississippi to the mouth of the raging Kaw. The man who did that had a lion's heart in his breast.

A LEADER.

The old Latin dictum runs: "Poeta nascitur, non fit." The same is true of the leader of men—he is born, not made.

What constitutes the quality of leadership, Mr. Speaker? You do not know. I do not know. None of us knows. No man can tell.

Talent, genius, learning, courage, eloquence, greatness in many fields we may define with something approximating exactness; but who can inform us as to the constituent elements of leadership? We all recognize the leader the moment we behold him, but what entitles him to that distinction is and perhaps must forever remain one of the unsolved mysteries of psychology.

Talent, even genius, does not make a man a leader, for some men of the profoundest talents, others of the most dazzling genius, have been servile followers and have debased their rich gifts from God to the flattery of despots. Most notable among those was Lord Bacon, the father of the inductive philosophy, who possessed the most exquisite intellect ever housed in a human skull, and whose spirit was so abject and so groveling that he was not unjustly described in that blistering, scornful couplet by Alexander Pope:

If parts allure thee, think how Bacon shin'd,
The wisest, brightest, meanest of mankind!

Courage is not synonymous with the quality of leadership, though necessary to it, for some of the bravest soldiers that ever met Death upon the battlefield and defied him to his face were amazingly lacking in that regard.

Learning does not render a man a leader, for some of the greatest scholars of whom history tells were wholly without influence over their fellow-men. Eloquence does not make a leader, for some of the world's greatest orators, among them Cicero, have been the veriest cravens; and no craven can lead men.

Indeed, learning, eloquence, courage, talents, and genius altogether do not make a leader.

But whatever the quality is, people recognize it instinctively, and inevitably follow the man who possesses it.

Frank Blair was a natural leader.

Yet during his career there were finer scholars in Missouri than he, though he was an excellent scholar, a graduate from Princeton; there were more splendid orators, though he ranked with the most convincing and persuasive; there were profounder lawyers, though he stood high at the bar; there were better mixers, though he was of cordial and winning manners; there were men, perhaps, of stronger mental force, though he was amply endowed with brains, so good a judge of human nature as Abraham Lincoln saying of him, "He has abundant talents;" there were men as brave, though he was of the bravest; but as a leader he overtopped them all.

Believing sincerely that human slavery was wrong per se and that it was of most evil to the States where it existed, he fought it tooth and nail, not from sympathy for the negroes so much as from affection for the whites, and created the Republican party in Missouri before the civil war—a most hazardous performance in that day and latitude. At its close, when, in his judgment, his party associates had become the oppressors of the people and the enemies of liberty, he left them, and lifting in his mighty arms the Democracy, which lay bleeding and swooning in the dust, he breathed into its nostrils the breath of life—another performance of extraordinary hazard.

This man was of the stuff out of which martyrs are made, and he would have gone grimly, undauntedly, unflinchingly, and defiantly to the block, the scaffold, or the stake in defense of any cause which he considered just. Though he was imperious, tempestuous, dogmatic, and impetuous, though no danger could swerve him from the path of duty, though he gave tremendous blows to his antagonists and received many of the same kind, he had infinite compassion for the helpless and the weak, and to the end his heart remained tender as a little child's.

When he came out of the Army, with his splendid military and civil record, it may be doubted whether there was any official position however exalted beyond his reach if he had remained with the Republicans. I have always believed, and do now believe, that by severing his connection with them he probably threw away the Vice-Presidency—possibly the Presidency itself—a position for which most statesmen pant even as the hart panteth for the water brook. During his long, stormy, and vicissitudinous career he always unhesitatingly did what he thought was right for right's sake, leaving the consequences to take care of themselves. That he was ambitious of political preferment there can be no question; but office had no charms for him if it involved sacrifice of principle or compromise of conscience.

This great man, for great he was beyond even the shadow of a doubt, enjoyed the distinction unique among statesmen of being hated and loved in turn by all Missourians, of changing his political affiliations violently twice long after he had passed the formative and effervescent period of youth, and, while spending nearly his entir life in the hurly-burly of politics, of dying at last mourned by every man and woman in the State whose good opinion was worth possessing. In that respect his career is without a parallel. Born a Democrat, he served in this House as a Republican, in the Senate as a Democrat, and died, finally, in the political faith of his fathers.

Change of party affiliations by a man of mature age is nearly always a painful performance—generally injurious to his fame; but Blair's two complete changes of base appear to have increased the respect in which men held him, and the secret of this anomaly is that in each instance he quit a triumphant and arrogant majority with which he was a prime favorite to link his fortunes with a feeble and hopeless minority—proof conclusive of his rectitude of purpose, whereas if he had abandoned a minority to join a majority his honesty of motive might have well been impugned.

Benton's scorn of his opponents was so lofty and so galling, the excoriations he inflicted—aye, lavished—upon them bred such rancor in their hearts, the lash with which he scourged them left such festering wounds, that they never forgave him until they knew he was dead—dead as Julius Cæsar—dead beyond all cavil. Then they put on sackcloth and ashes and gave him the most magnificent funeral ever seen west of the Mississippi. [Laughter and applause.]

Blair's was a happier fate than that of his illustrious prototype and exemplar. While from the day of his return from the Mexican war to the hour of his retirement from the Senate he was in the forefront of every political battle in Missouri—and nowhere on earth were political wars waged with more ungovernable fury—such were his endearing qualities that the closing years of his life were placid as a summer evening, and he died amid the lamentations of a mighty people. Republicans seemed to remember only the good he had done them, forgetting the injuries,

while Democrats forgot the injuries he had inflicted upon them and remembered only the invaluable service he had rendered. Union veterans named a Grand Army post for him; Confederates proudly call their boys Frank Blair, and his fellow-citizens, without regard to creed or party, erected his statue of heroic size in Forest Park to perpetuate his fame to coming generations.

THE BORDER STATES DURING THE WAR.

Gen. William Tecumseh Sherman once said, "War is hell!" Those who lived in "the border States" during our civil war and who are old enough to remember the tragic events of that bloody but heroic epoch in our annals will with one accord indorse his idea, if not his sulphurous language.

It was easy to be a Union man in Massachusetts. It was not profitable to be anything else. It was easy to be a Confederate in South Carolina. It was not safe to be anything else. But in Kentucky, Missouri, and the other border States, it was perilous to be the one thing or the other. Indeed, it was dangerous to be neither and to sit on the fence. [Laughter.]

I was a child when Sumter was fired on, living in Washington County, Kentucky. I remember an old fellow from whom the Union raiders took one horse and the Confederate raiders another. So when a third party of soldiers met him in the road and inquired whether he were a Union man or a rebel, being dubious as to their army affiliations, he answered diplomatically: "I am neither one nor the other and very little of that," and thereby lost his third and last horse to Confederates disguised in blue uniforms. [Laughter and applause.]

The Kentuckians are a peculiar people—the most hospitable, the most emotional, the kindest hearted under the sun; but they are born warriors. A genuine son of "the Dark and Bloody Ground" is in his normal condition only when fighting. It seems to me that somebody must have sown that rich land with dragon's teeth in the early days. To use a sentence indigenous to the soil: "A Kentuckian will fight at the drop of a hat and drop it himself." So the war was his golden opportunity. He went to death as to a festival. Nearly every able-bodied man in the State—and a great many not able-bodied—not only of military age but of any age, young enough or old enough to squeeze in, took up arms on one side or the other and sometimes on both.

Neighbor against neighbor, father against son, brother against brother, slave against master, and frequently wife against husband; the fierce contention entered even into theology, rent congregations in twain, severed the ties of blood, and blotted out the friendships of a lifetime.

Men who were born and reared on adjoining farms, who had attended the same schools, played the same games, courted the same girls, danced in the same sets, belonged to the same lodges, and worshiped in the same churches, suddenly went gunning for each other as remorselessly as red Indians—only they had a clearer vision and a surer aim. From the mouth of the Big Sandy to the mouth of the Tennessee, there was not a square mile in which some awful act of violence did not take place.

Kentucky has always been celebrated for and cursed by its bloody feuds—feuds which cause the Italian vendetta to appear a holiday performance in comparison. Of course the war was the evening-up time, and many a man became a violent Unionist because the ancient enemies of his house were Southern sympathizers, and vice versa. Some of them could have given pointers to Fra Diavolo himself.

As all the evil passions of men were aroused and all restraints of propriety as well as all fear of law were removed, every latent tendency toward crime was warmed into life. The land swarmed with cutthroats, robbers, thieves, firebugs, and malefactors of every degree and kind, who preyed upon the old, the infirm, the helpless, and committed thousands of brutal and heinous crimes—in the name of the Union or the Southern Confederacy.

Missouri, prior to the war, was more a Kentucky colony than anything else, with the Kentucky characteristics, feuds and all, reproduced in stronger and larger form in her amazingly fertile soil. So all that goes before applies to Missouri as well as to Kentucky.

From the first Missouri has been the stormy petrel of American politics. The richest, the most imperial Commonwealth in the Union, her geographical location always placed her in the thick of the fight. She was a slave peninsula jutting out into a free-soil sea.

The first serious trouble on the slavery question came with her admission into the Union, and the second over the admission of California—a Missouri colony. Most people date hostilities from Sumter, April, 1861. As a matter of fact, Missouri and Kansas had been carrying on a civil war on their own hook for five or six years before the first gun was fired in Charleston Harbor.

If Sir Walter Scott had lived in that day he could have found enough material for fifty novels descriptive of border warfare in the forays and exploits of the Missourians and Kansans before the first soldier was legally mustered into the service of either army.

Out on a Kansas prairie stands a monument to old John Brown, reciting the fact, inter alia, that he commanded "at the battle of Ossawatomie on the 30th day of August, 1856."

Whether the opposing commander has a monument I do not know.

I witnessed only one battle during the civil war. A line in Gen. Basil W. Duke's entertaining book, Morgan and His Men, is all that is vouchsafed to it in the literature of the war; but surely it was the most astounding martial caper ever cut since Nimrod invented the military art, and it fully illustrates the Kentuckian's inherent and ineradicable love of fighting.

I saw seven home guards charge the whole of Morgan's cavalry—the very flower of Kentucky chivalry.

I was working as a farm hand for one John Call, who was the proud owner of several fine horses of the famous "copper-bottom" breed.

Morgan had, perhaps, as good an eye for a "saddler" as was ever set in a human head, and during those troublous days his mind was sadly mixed on the meum and tuum when it came to equines—a remark applicable to many others besides Morgan, on both sides at that.

Call, hearing that Morgan was coming, and knowing his penchant for the noblest of quadrupeds, ordered me to mount "in hot haste" and "take the horses to the woods."

Just as I had climbed upon a magnificent chestnut sorrel, fit for a king's charger, and was rounding up the others, I looked up and in the level rays of the setting summer sun saw Morgan's cavalry in "all the pride, pomp, and circumstance of glorious war" riding up the broad gravel road on the backbone of a long, high ridge, half a mile to the south. Fascinated by the glittering array, boylike, I forgot Call and the peril of his horses and watched the gay cavalcade.

Suddenly I saw seven horsemen emerge from the little village of Mackville and ride furiously down the turnpike to within easy pistol range of the Confederates and open fire. I could hear the crack of the revolvers and see the flash and smoke, and when Morgan's advance guard fell back on the main body, I observed that one riderless horse went back with them and that only six home guards rode back to Mackville in lieu of the seven who had ridden forth to battle.

Morgan's command halted, deployed in battle line, and rode slowly up the hill, while I rode a great deal faster to the woods.

The home guards had shot one man out of his saddle and captured him, and Morgan had captured one of them. Next morning the home guards, from their forest fastness, sent in a flag of truce and regularly negotiated an exchange of prisoners according to the rules in such cases made and provided.

Of course Morgan would have paid no attention to the seven men, but he supposed that even his own native Kentucky never nurtured seven dare-devils so reckless as to do a thing like that unless they had an army back of them.

I have often thought of that matchless deed of daring, and can say in the language of the Frenchman who witnessed the charge of the Light Brigade at Balaklava: "It is magnificent, but not war."

Years afterwards one of the seven was sending his children to school to me. After I became well acquainted with him, one day I said to him, "Gibson, I have always wanted to know what made you seven fellows charge Morgan." "Oh," he replied, "we were all full of fighting whisky"—an explanation which explained not only that fight, but thousands more. [Laughter.]

If that splendid feat of arms had been performed in New England by New Englanders, the world could scarcely contain the books which would have been written about it. It would have been chronicled in history and chanted in song as an inexhaustible theme.

It is generally assumed by the wiseacres who write the histories that in the border States the old, wealthy, prominent slave-holding families all adhered to the Confederacy, and that only the poor, the obscure natives and the immigrants from the North stood by the old flag. This is a serious mistake. The great historic dominant family connections divided, thereby making confusion worse confounded. Prominent people wore the Confederate gray. Others just as prominent wore the Union blue.

Dr. Robert J. Breckinridge, the great theologian, with a decided and incurable bias for politics, who presided over the Republican national convention of 1864, which nominated Abraham Lincoln and Andrew Johnson, was a stanch Union man. Two of his sons achieved high rank in the Confederate armies and two others in the Union armies.

His illustrious cousin, John C. Breckinridge, resigned his seat in the United States Senate to become a lieutenant-general in the Southern army, while James S. Jackson, Representative from the Green River district, resigned his seat in the House to become a brigadier in the Union Army and died a hero's death, leading his division on the hard-fought field of Perryville.

Rodger Hanson, the eloquent, became a Confederate general

and fell on the field of his glory at Stone River, while his brother won distinction on the other side as general of brigade.

John J. Crittenden—the best beloved of Kentucky statesmen—unflinchingly stood by the Union, while one of his sons wore the double stars of a Union major-general, another achieving similar rank in the Confederate army.

The Henry Clay branch of the great Clay family espoused the Confederate cause, while the Cassius M. Clay branch fought with the traditional courage of their race for the solidarity of the Union.

John Marshall Harlan—now Mr. Justice Harlan, of the Supreme Court—with a pedigree running back to the cavaliers of Jamestown—won renown on many a bloody field, fighting under "Old Pap" Thomas—"the Rock of Chickamauga."

In the same army were Lovell H. Rousseau, the ideal soldier and princely gentleman, and Benjamin H. Bristow, who missed the Presidency only by a scratch and through lack of organization of his forces.

I had two schoolmates, older than myself, named Dickinson, beardless boys and brothers, one of whom enlisted with Morgan as a private and the other in the same capacity in brave old Frank Wolford's famous First Kentucky Union Cavalry. The strange fortunes of civil war brought these brothers face to face in the great Indiana-Ohio raid—the greatest ride ever taken since horses were first broken to bit and rein—and when Morgan was captured, the Confederate Dickinson surrendered to his Union brother.

In Missouri, Thomas Hart Benton, "the great Senator," a North Carolinian by birth and a Tennesseean by training, lost his curule chair in 1851 on the slavery question, and so long as he lived his vast influence was for the Union; and it was his political pupil—Frank P. Blair, a Kentuckian and a slaveholder—who more than any other held Missouri to the Union, while his cousin, Gen. Jo Shelby, was the beau sabreur of the trans-Mississippi Confederates.

To the same class belonged James O. Broadhead, John B. Henderson, Edward Bates, Hamilton R. Gamble, Willard P. Hall, John D. Stevenson, Thomas C. Fletcher, Thomas T. Crittenden, Samuel T. Glover, John F. Phillips, B. Gratz Brown, John D. S. Dryden, James S. Rollins—the most brilliant orator and one of the largest slave owners in the State—and a large minority, if not a positive majority, of the leading Unionists of Missouri.

So far as I know, only one Virginian of the first rank fought for the Union—Gen. George H. Thomas—but he was a host within himself, the greatest soldier on the Federal side, for that will be the verdict of posterity after the sleight-of-hand performers have done juggling the facts of history for political effect.

Indeed, it is safe to say that had none of the aristocratic families—wrongfully so called—none of the great families, none of the slaveholders stood for the Union, Kentucky, Missouri, and Maryland would have seceded, and if they had gone with the South unanimously the Confederacy would have achieved its independence; but if those States had been solidly for the Union; if the house had not been hopelessly divided against itself in all that region, the war would not have lasted half so long and William H. Seward's optimistic prophecy of a "ninety days' picnic" would have been fulfilled.

This brings me to the central idea of this speech—the main fact—of which I never think without anger and resentment, for I believe that justice should be done, even in writing history, though the heavens fall, and it is this:

Population considered, Kentucky and Missouri sent more soldiers to the civil war than any other State and receive less credit for it.

They were splendid soldiers, too. Theodore Roosevelt says that by actual measurement the Kentucky Union soldiers were the finest specimens of physical manhood who were in the Federal armies; and when Jefferson Davis, himself a renowned soldier, reviewed the army at Corinth, he declared Cockrell's Missouri brigade to be the most magnificent soldiers his trained military eye had ever gazed upon.

Nevertheless it is difficult to induce extreme Southerners to admit that the Kentucky and Missouri Confederates were good Confederates, though the Kentuckians and Missourians made a four years' war possible. It is even more difficult to induce extreme Northerners, whose skins and homes and property were all safe during the war, to admit that the Unionists of Kentucky and Missouri deserve any credit, when as a matter of fact they prevented secession from succeeding.

If Lovell H. Rousseau had never recruited his Louisville Legion; if old Frank Wolford and Thomas E. Bramlette had never established Camp Dick Robinson, Kentucky would have seceded and the Ohio River would have been an impassable barrier to the invading armies.

If Frank Blair had never captured Camp Jackson—for it was Blair who conceived and carried out that great strategic movement, and not Gen. Nathaniel Lyon, of New England, as the Northern war books say—Missouri would have joined the Confederacy under the lead of Governor Claiborne F. Jackson and Gen. Sterling Price, the peerless soldier, and with her vast resources to command, Lee's soldiers would not have been starved and frozen into a surrender.

If the Government built monuments to soldiers in proportion to what they really accomplished for the Union cause, Frank Blair's would tower proudly among the loftiest. Camp Jackson is slurred over with an occasional paragraph in the history books, but it was the turning point in the war west of the Mississippi, and it was the work of Frank Blair, the Kentuckian, the Missourian, the slave owner, the patrician, the leonine soldier, the patriotic statesman.

Some day a Tacitus, Sismondi, or Macaulay will write a truthful history of our civil war—the bloodiest chapter in the book of time—and when it is written the Kentucky and Missouri heroes, both Union and Confederate, will be enrobed in immortal glory.

It is said that figures will not lie, and here they are: To the Union armies Missouri contributed 109,111 soldiers; Kentucky, 75,760; Maryland, 46,638; Tennessee, 31,092, and West Virginia, 32,068—making a grand total of 294,669.

Now, suppose a case. Suppose that as the sun was setting on the gory field of Shiloh, when Albert Sidney Johnston died, all the Kentuckians, Missourians, and Tennesseeans had been suddenly subtracted from the Union Army and transferred to the Confederate side. Can any sane man doubt what would have happened? As certain as fate Ulysses Simpson Grant and the remnants of his army would have been captured or driven into the Tennessee and Beauregard would have fattened his famished soldiers on the fertile prairies of Illinois and Indiana. All the Buells and Nelsons in Christendom could not have saved the silent soldier had it not been for the Kentuckians, Missourians, and Tennesseeans fighting for their country there; and without Grant's bulldog tenacity the history of Vicksburg, Missionary Ridge, Cold Harbor, the Wilderness, and Appomattox never would have been written, for the all-sufficient reason that there would not have been any to write.

Suppose another case. Suppose that George H. Thomas had gone with his State, as all his brothers in arms from Virginia did, and that when Pickett made his spectacular charge at Gettysburg, Thomas had in the nick of time reenforced him with the 294,669 veteran Kentuckians, Missourians, Marylanders, West Virginians, and Tennesseeans then fighting in the Union armies, can any human being fail to understand what would have been the result? Meade's grand army would have been ground to powder, Philadelphia, Baltimore, Harrisburg, Washington, New York would have been taken, the nations of Europe would have run races with each other to recognize the independence of the Confederacy, and more aid than he needed would have been freely tendered Jefferson Davis to enable him to realize the aspirations of the South for a separate government.

In taking a retrospect of the conduct of the border States during the war and of how the slaveholders therein fought valiantly for their own undoing, I am forced to the conclusion that when Abraham Lincoln said in his first inaugural address—

> I have no purpose, directly or indirectly, to interfere with the institution of slavery in the States where it exists. I believe I have no lawful right to do so, and I have no inclination to do so—

he did more for the preservation of the Union than was done by all the speeches, great and small, delivered since the confusion of tongues at the Tower of Babel, for that one declaration held hundreds of thousands in the border States faithful to the Union who otherwise and naturally would have gone with the South. The Kentuckians and Missourians belong to that class who, having put their hands to the plow, do not look back, and they fought on after the emancipation proclamation as bravely and doggedly as before.

It may be that the fact that Abraham Lincoln and Jefferson Davis were both Kentuckians, born within a few miles of each other, added fuel to the flames throughout Kentucky and Missouri and wherever the Kentuckians had settled in large numbers. The accident of their birth in the same vicinity contributed to the awful tragedy the element of feud, inherent in the Kentucky character.

At any rate, Lincoln understood the Kentuckians and Missourians better than any other Republican President, and to the day of his death they had a warm place in his sympathetic heart.

More than all this, the border State men fought, whatever their rank.

The only instance on record during the entire war of one field officer killing another in battle was at Mill Spring, when Gen. Speed Smith Fry, of Kentucky, a Union soldier, shot and killed General Zollicoffer, commanding a brigade of Tennessee Confederates. The only parallel to this sanguinary performance in all our military annals was the killing of Tecumseh, at the battle of the river Thames, by Col. Richard M. Johnson, another Kentuckian, popularly called "Old Dick."

Ed Porter Thompson, of Kentucky, a Confederate captain, hobbled into the battle of Murfreesboro on his crutches, and for

two days fought side by side with those possessing the soundest and most stalwart legs, thereby rivaling the far-resounding feats of Charles XII of Sweden at Pultowa and Gen. Joseph Wheeler at Santiago of being carried into battle upon a stretcher.

One of my own constituents, P. Wells, is the only soldier, living or dead, so far as history tells, that ever had a wooden leg shot off in battle, for the reason, perhaps, that he is the only soldier that ever went into battle with a wooden leg. He survived his wound to become a wealthy and enthusiastic Populist.

In Missouri the war was waged with unspeakable bitterness, sometimes with inhuman cruelty. It was fought by men in single combat, in squads, in companies, in regiments, in great armies, in the open, in fortified towns, and in ambush, under the Stars and Stripes, under the Stars and Bars, and under the black flag. The arch fiend himself seems to have been on the field in person, inspiring, directing, commanding. Up in north Missouri Gen. John McNeil took 12 innocent men out and shot them in cold blood, because it was supposed that some bushwhacker had killed a Union man. That is known in local history as "the Palmyra massacre," and has "damned" John McNeil "to everlasting fame." It turned out afterwards that the Union man was still alive, and so the 12 men had died in vain—even according to the hard rule of lex talionis.

At Centralia one day a Wabash train containing more than 30 Union soldiers was captured by Bill Anderson, a guerrilla chief, who had sustained some grievous personal injury at the hands of the Unionists, and whose blood some subtle mental alchemy had converted into gall. He deliberately took them out and shot them every one, as though they had been so many wolves.

Having completed that gory job, he marched out to a skirt of timber, about a mile from town, and camped at the foot of a long, gentle prairie slope. Shortly after a certain Colonel Johnson, with a body of Union cavalry, followed him and took position on the ridge of the prairie. The sight of them made Anderson wild with delight and whetted his appetite for blood; so he mounted his 80 men, the most superb horsemen in the world, who, with bridle reins between their teeth and a navy revolver in each hand, rode up on Johnson's 160 men, whom he had foolishly dismounted, and, firing to right and left, killed 143 of them, and would have killed the other 17 if they could have been caught. Only 1 man was taken alive, and he badly wounded, the legend in the neighborhood being that he saved himself by giving the Masonic sign of distress.

Such are samples of the civil war in Missouri and Kentucky.

The survivors of those cruel days, Union and Confederate, are now living side by side, cultivating assiduously the arts of peace in the imperial Commonwealth of Missouri—the most delectable place for human habitation beneath the stars.

A PIONEER PEACEMAKER.

Lately we have heard a vast deal of eloquence about a reunited country. Thirty-two years after Appomattox men are accounted orators, statesmen, and philanthropists because they grandiloquently declare that at last the time has arrived to bury the animosities of the civil war in a grave upon whose headstone shall be inscribed, "No resurrection." I would not detract even in the estimation of a hair from the fame of these eleventh-hour pacificators. I humbly and fervently thank Almighty God that the country is reunited.

When I look into the faces of my little children, my heart swells with ineffable pride to think that they are citizens of this great Republic, one and indivisible, which is destined not for a day, but for all time, and which will be the crowning glory and dominating influence of all the centuries yet to be. But if we applaud these ex post facto peacemakers and shed tears of joy over their belated pathos, what shall be our meed of praise, the measure of our gratitude, the manifestation of our admiration, the expression of our love for Frank Blair, the magnificent Missourian, the splendid American, who, with his military laurels fresh upon him, within a few days after Lee surrendered, returned to his State, which had been ravaged by fire and sword, holding aloft the olive branch, proclaiming to the world that there were no rebels any more, that his fellow-citizens who had fought for the South were entitled to equal respect and equal rights with other citizens, and that real peace must "tinkle on the shepherd's bells and sing among the reapers" of Missouri? He took the ragged and defeated Confederates by the hand and, in the words of Abraham to Lot, said, "We be brethren."

The truly brave,
When they behold the brave oppressed with odds,
Are touched with a desire to shield and save.

[Applause.]

It seems to me that the very angels in heaven, looking down with approving eyes upon his magnanimous conduct, must have sung, in full chorus, the song of nineteen hundred years ago, "On earth, peace; good will toward men."

King Solomon says:

To every thing there is a season and a time to every purpose under heaven: A time to kill, and a time to heal.

In the time for killing, Frank Blair was one of the most persistent fighters. When the time for healing came, he was one of the first to pour the balm of consolation into bruised hearts and to bind up the nation's wounds.

In the Army he was one of the favorite lieutenants of Ulysses Simpson Grant, who with knightly honor resolutely and courageously kept his plighted faith to Lee, thereby preventing an aftermath of death at the very thought of which the world grows pale.

In the fierce and all-pervading light of history, which beats not upon thrones alone, but upon all high places as well, Blair will stand side by side with the invincible soldier who said, "Let us have peace"—the noblest words that ever fell from martial lips. [Loud applause.]

Mr. LLOYD. Mr. Speaker, Missouri presents to-day to the Congress of the United States statues of two of her honored dead and asks that they may be received and placed in Statuary Hall, in this Capitol, as a permanent memorial not only of her devotion to their memory, but in recognition of the fact that few men have accomplished more for this nation than they have done.

The cold marble, fashioned through skill and energy to represent the body of the living or the dead, is one of the wonderful achievements of the ages. Two excellent evidences of perfection in this art are presented here to-day. It was never my privilege to see either of the extraordinary characters thus shown in statuary form, but the names of Benton and Blair are household words in Missouri, and are recognized anywhere as the names of prominent characters in national history.

It is claimed by those who should know that these statues are lifelike; but, sir, these inanimate representations, perfect as they may be, have not the vital force of the living being, and but serve to show the weakness of man in his efforts to reproduce that from which the providence of God has withdrawn the breath of life.

Among the great men of this nation who have had part in its achievements, who have secured place in the hearts of their countrymen, and who have left indelible impress for good, few have ever been entitled to greater honor and respect than Thomas H. Benton and Francis P. Blair, jr.

Missouri does not present these emblems in stone simply as matter of form—that it may have the honor of representation in yonder Statuary Hall, once the National House of Representatives—but that it may discharge a duty in showing appreciation of its honored dead. It would teach its youth to cherish the memory of those who have built up its institutions and given the State such high place. It would remind them to look with admiration upon the good deeds of its great men, and to ever show respect to the dead whose lives were spent in successful achievement for their country's honor and development.

It is not my purpose to contrast the characters of Blair and Benton. I have not one word to say in disparagement of either, but it is understood that my remarks shall be directed mainly to the statue of Colonel Benton, as others will pay the tribute to General Blair which his distinguished services and personal character so richly deserve.

Thomas Hart Benton was born in the last year of that eventful period in national history, the Revolutionary war, within two months of the birth of Daniel Webster. His birthplace was near Hillsboro, in Orange County, N. C. His ancestors were among the leaders of the Revolution of 1775, and contributed largely in every way to the service of their country. Col. Jesse Benton, his father, was a gentleman of excellent character and a lawyer of recognized ability. His mother was Ann Gooch, of the Gooch family of Virginia. A lady of strong and resolute character, she possessed unusual mental endowment, and her literary acquirements were good for the period. At the age of 8 years it was Mr. Benton's misfortune to lose his father, he being the eldest of several children left in the care of the mother. While he obtained his education, in the most part, in private schools, he also spent some time at the University of North Carolina, at Chapel Hill, though he did not graduate from the institution.

But few years elapsed after his father's death until his mother, with her children, moved to Tennessee and lived upon a large landed estate which had been left by her husband. She succeeded well in the development of the estate and in the acquisition of property, considering the fact that they were on the frontier, or nearly so, of civilization. He studied law, but in the meantime taught in a small school on Duck Creek, near Franklin, in that State. He was admitted to the bar at Franklin, the home of the present distinguished Representative from that district [Mr. COX], and there began the practice of his profession. Shortly afterwards he was elected to the legislature of that State and distinguished himself in his efforts to secure the passage of two bills, one for the reform of the judicial system and the other in which the same right of trial by jury was given to slaves as to white men.

At the close of this service he moved to Nashville, the beautiful capital of that State, near the attractive home of his friend and admirer, Gen. Andrew Jackson, afterwards President Jackson. This home, known as the Hermitage, is carefully preserved up to

the present time and is about 12 miles distant from Nashville. General Jackson took an active interest in Mr. Benton and assisted him very greatly in securing position at the bar.

From Foote's Bench and Bar of the South and Southwest we learn that Mr. Benton formed a partnership for the practice of the law at Nashville with the late O. B. Hayes, a native of Massachusetts, of liberal education and more than ordinary ability.

In the war of 1812 young Benton was General Jackson's aid-de-camp for a short time. He also raised a regiment of volunteers, but had no opportunity to engage in actual warfare. But no one doubts his courage or his ability, if opportunity had come to him, to meet an enemy on the field of battle. In 1813 he was appointed a lieutenant-colonel in the United States Army by President Madison. He at once started to Canada, but on his way learned that peace had been declared, and returning, he resigned his commission. Thus ended a short but willing service, for no man of his day was more patriotic, and none braver could be found. The laurels which come from victorious conflict could not be claimed for him, but his devotion to his country is fully shown by his voluntary offer to assist it.

In 1815 he took up his residence in St. Louis and began the practice of law. On account of his integrity, legal knowledge, energy, and devotion to the cause of his clients, he soon built up a good practice. He became connected during that time with a newspaper at St. Louis, which gave him opportunity to reach the people. He advocated vigorously such matters as he believed were for the interests of the growing West. He made a strong fight in favor of the admission of Missouri to the Union notwithstanding her slavery constitution. The stand taken in this matter had more to do t an any one thing, perhaps, in giving him the prominence which secured him the distinguished honor of being one of the first two Senators elected by that State in the year 1820.

Sir, we now approach the greater work of Colonel Benton—that broad field of labor in which he wrought so mightily for mankind. The results achieved here will live in American history long after the enduring statue shall have become clouded with age. I have not the time to elaborate on his great service as a public servant, and can only, in a very general way, refer to his labors and to a few of the vital questions which engaged his attention. He went into the Senate as a representative of the West and Western sentiment. He could hardly be classed as belonging to either the North or the South at any period in his history, for while he was himself a slave owner he was an ardent Union man, and was chiefly concerned that the flag of his country should ever wave over a united people. He condemned the Hartford convention in its disunion sentiment, and ever regarded his country as more important than any part of it.

Colonel Benton was fully imbued with the political teachings of Thomas Jefferson, the founder of the Democratic school of statesmanship, and was the very impersonation of the genius of the West, where these theories had taken their deepest root. He knew better than any one who preceded him its needs, its capabilities, and its destinies. He devoted himself with all of his unusual powers of body and mind to the important duty of supplying these wants, showing its capabilities, and in preparing the way for its future development. He sought to expose to public gaze the vicious legislation that so hampered its growth and chained its giant energies.

This unfortunate condition resulted in part from ignorance and largely from that local, selfish class interest which fixes itself upon every object from which it may draw strength. He insisted that the prosperity of the West would be shared by every other section. He demanded the repeal of those laws by which her lands were withheld from cultivation and settlement that they might be purchased and controlled by speculators; by which her mines and saline lands were leased out to rich syndicates without gain to anyone, and by which the necessaries of life were taxed to pay bounties to some losing trade in another section. He believed in the fundamental doctrine of equality before the law. He resolved to attack and overthrow these monsters of evil because they were in opposition to that basic principle of the Republic.

The cultivation of the soil is the source of all national prosperity; it gives comfort and independence to the people, and is that upon which the nation must draw for its revenue, strength, and stability. At the time of Colonel Benton's entry into politics the minimum price for public lands was $2 per acre; but none could be bought at that sum until it had first been exposed at public sales to the highest bidder and rejected. The result naturally was that speculators bought the best lands and held them up for higher prices, and none but refuse lands could be bought by the actual settlers at the minimum Government price.

No one could go on public lands before sale, for he was then treated as a trespasser and was likely to be ejected by military authority. The mineral and saline lands were held by monopolists, so that the poor and struggling pioneer had but little chance in the race of life. No scheme could have been devised better calculated to keep the growth of the country in check or to prevent the settlement and cultivation of it.

Colonel Benton, the first great statesman of the West—the only one of his time west of the Mississippi River—who was classed with Webster, Clay, and Calhoun, championed early in his eventful career the cause of the people, and sought the enactment of such laws as would secure the development of the country whose oppression he deplored and whose interests were his own. He believed that preemption, graduation, and homestead would cause this neglected portion of the vast domain to be dotted over with homes of useful, industrious, and happy people, who would bring to the bar of their country's wealth the fruits of the possibilities of that matchless region, and that soon after its adoption the whole nation would be astonished at its rapid development, and would rejoice in its unexpected achievement.

He accordingly introduced a bill which provided for the right of preemption to the actual settler at the minimum price, the reduction of the price of the land, the graduation of the prices of refuse lands in proportion to the time they had been in the market, and the donation of homesteads to impoverished but industrious persons who would cultivate the land for a given period. He began this battle for the emancipation of the farmer and laborer of that section almost alone. He renewed his bills for these purposes with each succeeding Congress, and developed the whole subject by throwing upon it the calcium light of truth with that unequaled industry and energy for which he was distinguished above all public men.

He reproduced these speeches in the newspaper and upon the rostrum, calling the people's attention to the importance of the proposed legislation and hoping that they would compel Congress to adopt his measures. The contest was long and arduous; it was met with the most determined opposition. His plans were thwarted from time to time by schemes for the distribution of the lands or the proceeds of their sale among the States, which held out a glittering argument of greed and gain as a pecuniary incentive to deny these great measures of justice to the undeveloped West. But defeat and delay left him undaunted, and with greater determination and earnestness he pressed the battle, gaining strength for his cause with each successive engagement. A single quotation from one of his speeches will serve to show the scope of his reasoning:

> The example of all nations, ancient and modern, republican and monarchical, is in favor of giving lands in parcels suitable to their wants to meritorious cultivators. There is not an instance upon earth, except that of our own Federal Government, which made merchandise of land to its own citizens, exacted the highest price it could obtain, and refused to suffer the country to be settled until it was paid for. The promised land was divided among the children of Israel. All the Atlantic States, when British colonies, were settled upon gratuitous donations or nominal sales.
>
> Kentucky and Tennessee were chiefly settled in the same way. The two Floridas and Upper and Lower Louisiana were gratuitously distributed by the Kings of Spain to settlers, in quantities adapted to their means of cultivation, and with the whole vacant domain to select from, according to their pleasure. Mr. Burke, in his great argument in the British Parliament upon the sale of the Crown lands, said he considered the revenue derived from the sale of such lands as a trifle of no account compared to the amount of revenue derivable from the same lands through their settlement and cultivation.

Colonel Benton's advanced and statesmanlike views finally took hold upon the country. They were adopted by other public men, who took up the cause and assisted in its work, while the people rallied to his support. General Jackson and Mr. Van Buren, in their messages to Congress on these questions, embodied his ideas in recommendations. Many of the States embraced his measures, and in many ways public interest was aroused until their passage was secured. The great West, in its development of this age, is the monument to the enactment of that and other beneficent measures in which he took prominent part. He who holds his farm by preemption right to-day, or through the graduation laws, or has been enabled to make a happy home for himself and family through the homestead enactments, should accord to Colonel Benton the meed of praise for securing these legal rights. It is no exaggerated eulogy to attribute to him the first place among those who wrought so well as to make possible the development of the West and to show its colossal greatness.

Conspicuous among these efforts at reform and legislation for the masses was the overthrow of the salt tax. This article, so vital to our well-being, almost as necessary as the water we drink, was enormously taxed in order to pay a bounty to an unimportant interest in New England. When once these class interests have secured footing their tenacity is so great that it becomes almost impossible to make them release their hold. This tax was onerous and distressing to the whole country, but especially so to the West. Colonel Benton made war upon it. It was a monopoly, seizing an object of universal necessity and taxing it for the benefit of the few. As such, he hated it; he wrote and spoke against it until the whole country was aroused. He portrayed what would be the result of class legislation in an alarming manner; but little, however, did he realize, with all his gifted forethought, what influence monopoly, trusts, and classes would have upon the

vital energies of the country he loved so well at the close of the nineteenth century.

His power in speech was now universally recognized. In Bungay's Offhand Takings of Noticeable Men of Our Age he said of Colonel Benton:

> As a speaker he is more argumentative than eloquent, more philosophical than poetical; Webster, Clay, Calhoun, Benton, and Cass were to the United States Senate what the five senses are to the human system.

In Bateman's Biographies of Distinguished National Men it is said:

> Mr. Benton was distinguished by great learning, an iron will, practical mind, and strong memory. His speeches when written were firmly fixed in his mind, so that he could repeat them accurately in public without the manuscript. He was industrious, determined, and unyielding, with pockets overflowing with statistics, and his head full of historical lore.

In biographical sketches found in the United States Democratic Review for the year 1858 one of Colonel Benton's associates in the Senate relates an incident which shows the effects of his speeches in a very forceful way.

A subject of some interest had been under discussion for several days. At the commencement of the debate Mr. Clay had spoken against the measure. Prior to the taking of the vote Mr. Benton got the floor and spoke with unusual effect for more than an hour, his argument being mainly a reply to the speech of Mr. Clay. To the surprise of the whole Senate, when the vote was taken Mr. Clay voted for the bill, and thus secured its passage. Mr. Clay explained the reason of this apparent inconsistency between his speech and vote by saying that he "could not help it;" that Colonel Benton had convinced him that the view he had taken was wrong, not so much from his reasoning as from something connected with his speech, but what that something was he could not explain. It is said that Mr. Clay did not stand alone in this singularity, for Mr. Webster had made a like remark as to the effect of Benton's speeches upon himself.

His efforts to overthrow bank paper was the climax, perhaps, of his energy and ability. The speeches he made on that subject were the best and strongest he ever made. He was President Jackson's support in that great contest which liberated the Government of the people from the thraldom of the bank. He was the mouthpiece of the people and the Administration. Pitted against him were Webster and Clay, whose eloquence always swayed the Senate and the nation. Accordingly the success of Colonel Benton's cause, when we consider the charm of their oratory and the beauty and power of expression which characterized all that fell from the lips of these illustrious men, can hardly be accounted for except through his own power of speech and the righteousness of the cause which he so clearly demonstrated and so ably upheld.

Colonel Benton was impressed with the idea that the possessions of the Government should extend from the Atlantic to the Pacific Ocean. He gloried in the genius of Jefferson in securing the acquisition of what was known as the Louisiana purchase. When Texas was exchanged for Florida by the treaty of 1819 and the joint occupation of Oregon was conceded to Great Britain in 1820, Colonel Benton raised his voice against it, and though others could not see the necessity for these regions, Colonel Benton's prophetic vision already saw them peopled with vast cities, marking the highway of the world's commerce. He condemned the statesmen who were thus willing to set a limit to the boundaries of the country because they could not foresee the future which would fill them with a teeming population, and in that connection used these remarkable words:

> The magnificent valley of the Mississippi is ours, with all its fountain springs and floods, and woe to the statesman who shall undertake to surrender one drop of its water or one inch of its soil to any foreign power.

He renounced the treaty for the joint occupation of Oregon with the British and urged the policy of planting it with an American colony. He made himself familiar with all that country lying between the Mississippi and the Pacific Ocean. The hunters and trappers, fur traders, Indian agents, Army officers, and others who visited the great West made their headquarters and place of outfit at St. Louis. He talked with all these, entertained them at his home, and was their friend. He knew more of the country than those who had spent years in it, because he sought to know everything that was known by all who had been there.

He and his colleague, Dr. Linn, constantly urged the planting of an American colony in the place of that founded by John Jacob Astor. They sought to induce colonists, by donations of land and military protection on the route and in the Territory, to settle in the then far-off land. These measures finally rewarded their efforts; the colony was planted, the joint occupation by the British terminated by treaty, the route to the distant Oregon explored by scientific officers, and the results have been promulgated. Lieutenant Frémont, at that time an officer of engineers in the United States Army, a son-in-law of Colonel Benton, had much to do with these explorations and in the additions made to science and geographical knowledge. Lieutenant Frémont for years traveled over the West, and the intimate relation existing between him and Colonel Benton was such that the early settlers of all the Western country learned to feel that their chief advocate at the national capital was Colonel Benton.

There are a number of other matters in Colonel Benton's official career to which I should refer did not limited time prevent. I wish, however, to call attention to his views on the slavery question. It was his belief that there was a settled plan and determination on the part of certain eminent leaders to bring about a separation of the States. He repeatedly expressed this belief, and in the contest in 1850, when he was a candidate for the sixth time for the position which he had filled with so much credit, his views on the slavery question was an element in the campaign, and was the cause, as most persons believe, of his defeat. The bitter experience of that deadly strife, of which his rejection for the Senate was one of the opening scenes, may well remind us of the warning he uttered in vain, and of the sacrifices he made of himself to save his State and country.

Even those to whom his fiery zeal in defense of the endangered Union gave offense will not now fail to honor the noble magnanimity and lofty patriotism which prompted him to make the contest. Personal feeling ran high at that time in Missouri. After his defeat the people of his adopted city elected him to the House of Representatives, and when some of his friends were rejoicing over his victory in this contest he used these words, "Exaltation, my friend, is natural, but moderation is the ornament of victory." There never was a time when he was not devoted to his country. He was anxious that futurity should find it united and the States harmoniously living for the development of their common interests.

He served but one term in the House of Representatives; he was defeated for reelection. In 1856 he was a candidate for governor. On account of division in his own party he was defeated. From the time he went out of Congress until his death he devoted himself to literary work, preparing a very valuable publication known as "Thirty Years in Congress," which covered the period from 1820 to 1850. He presented in this work a connected narrative of the time from Adams to Pierce, and dealt largely with the secret political history of that period. He then undertook the task of abridging the debates of Congress from the foundation of the Government. This work he was just completing when death came to him. It has since been published, and is a very valuable compilation of about fifteen volumes.

While Colonel Benton was a man of exalted patriotism, he was a man of great passion as well. Indeed, his animosities showed him unrelenting, though later in life he became forgiving. Mr. Webster is reported in Harvey's Reminiscences and Anecdotes to have said that Colonel Benton and he never spoke to each other for several years, but that he came to him one day and told him, with tears in his eyes, of being on board the *Princeton* in the very best position to see the experiment of discharging her guns.

Some one in the midst of the great throng touched him and caused him to move his position. Shortly after the explosion came, and the man was killed who stood where he had. Colonel Benton said that it seemed to him that the touch was the hand of the Almighty stretched down to draw him away from the place of instantaneous death. This circumstance changed the whole current of his life. He was now a different man and wanted to be at peace with everyone, and for that purpose he visited Webster. He said, "Let us bury the hatchet." Webster accepted the offer, and they were ever afterwards the best of friends.

Mr. Webster relates another incident, which is found in the same book, peculiarly interesting and illustrative of Colonel Benton's relenting spirit. John Wilson, of St. Louis, came to see Mr. Webster on a matter of business at his home in Washington. Mr. Wilson was a lawyer of extensive practice and of good talent, a man of violent prejudices and temper, who was ever in open opposition to the course of Colonel Benton. It was notorious in St. Louis that when Colonel Benton went on the stump John Wilson would be there to meet him and to abuse him in the strongest terms; Mr. Benton would return the fire.

Mr. Webster had not seen Mr. Wilson for many years, but he came to him now prematurely old, with fortune wrecked, and told him of his desire to emigrate to California for his family's sake. As far as he was concerned, poverty mattered not, but on account of those dear to him he wished to try and mend his fortunes. He therefore desired a letter to some one in California which would say that Webster knew him to be a respectable person worthy of confidence. Webster said he knew no one in California.

Mr. Wilson insisted that this would make no difference, as everybody would know him and that therefore a certificate from him would be the most valuable testimonial he could have. Webster said he would write one with pleasure, but suggested that Colonel Benton, who almost owns California, could give a letter to Frémont and others that would be of great benefit to him. Wilson looked at Webster in astonishment and said he would not speak to Benton; "no, not if it were to save the life of every member of my family;" that the thought of it made him shudder; that

he felt indignant at its mention since Webster knew that they were unfriendly. Mr. Webster replied that he understood the situation and, turning to his desk, wrote the following note to Mr. Benton:

DEAR SIR: I am well aware of the disputes personal and political which have taken place between yourself and the bearer of this note, Mr. John Wilson. But he is now old, and is going to California and needs a letter of recommendation. You know everybody, and a letter from you would do him good. I have assured Mr. Wilson that it would give you more pleasure to forget what has passed between you and him and to give him a letter that will do him good than it will him to receive it. I am going to persuade him to carry you this note.

Webster then read the note to Wilson, who promptly refused to carry it. After long and determined persistence on Webster's part, Wilson softened down and agreed to leave the letter at the door. He told Webster afterwards that he took the note and delivered it, with his card, to Benton's servant at the door, and rushed to his apartments. To his great astonishment, in a very few moments a note arrived from Colonel Benton acknowledging the receipt of the card and note, and stating that Mrs. Benton and he would have much pleasure in receiving Mr. Wilson at breakfast at 9 o'clock next morning. They would wait breakfast for him and no answer was expected. Wilson told Webster afterwards that it so worried him that he lay awake that night thinking of it, and in the morning felt as a man with sentence of death passed upon him, who had been called by the turnkey to his last breakfast.

Making his toilet, with great hesitation he went to Colonel Benton's house. He rang the doorbell, but instead of the servant the Colonel himself came to the door. Taking Wilson cordially by both hands, he said: "Wilson, I am delighted to see you; this is the happiest meeting I have had for twenty years. Webster has done the kindest thing he ever did in his life." Proceeding at once to the dining room, he was presented to Mrs. Benton, and after a few kind words, Benton remarked: "You and I, Wilson, have been quarreling on the stump for twenty-five years. We have been calling each other hard names, but really with no want of mutual respect and confidence. It has been a foolish political fight and let's wipe it out of m nd. Everything that I have said about you I ask pardon for." Wilson said they both cried, he asked Benton's pardon, and they were good friends. Colonel Benton had meantime prepared a number of letters to persons whom he knew in California, in which he commanded them to show Mr. Wilson every favor within their power.

It is not my purpose to refer to acts which the friends of Colonel Benton would blot from memory nor to deeds which could bring the tinge of remorse. I would cover his imperfections with the mantle of charity, but would imprint in burning letters, if I could, his patriotism, energy, industry, honesty, and devotion to the right as qualities worthy of emulation. Nor would my remarks be complete did I not refer to that greatest of his virtues, which showed itself in the devotion and affection he exhibited toward his family.

In 1844 his wife suffered a stroke of paralysis, from which she never fully recovered. From that time Colonel Benton was never known to go to any place of festivity or amusement, but devoted his leisure hours to trying to make comfortable, pleasant, and happy the loved one so sorely afflicted. No man, it is said, ever regarded his family with more tender solicitude than did he. In this are evinced, perhaps, the true qualities of the man as much as in anything occurring in the days of his eventful history. Mrs. Benton, in the language of another, "was the pride and glory of his young ambition, the sweet ornament of his mature fame, and the best love of his ripened age." These are the completing qualities which enable us to know him who was—

Lofty and sour to them that loved him not,
But to those men that sought him sweet as summer.

Colonel Benton died April 10, 1858, leaving as his last audible words "I am comfortable and content." On the day of his burial all business in St. Louis was suspended, every court adjourned, and it is said that 40,000 people were present and sought to pay their last tribute of respect. Before the adjournment of the United States circuit court for the district of Missouri on that day, at the announcement of the burial of Colonel Benton, Judge Wells, of that court, said:

I have heard with great sensibility of the death of Colonel Benton, one of the oldest members of this bar. He was a man who devoted nearly all his life to the service of this State. Colonel Benton and myself became acquainted about forty years ago, and through all that time there was an undeviating friendship between us. It is a great mistake to suppose that a difference of opinion would disturb the friendship entered into by Colonel Benton. It was only when he supposed that he received a personal affront, or that such was intended, that he ever deviated from it.

He was a man of great talents, great energy, and indomitable will. He devoted all those great qualities not to his own interest, but to the interest of the Union and to this State. I have it from the highest authority that, to remain in this State and to devote his services to her interests, he refused the highest gifts in the power of the United States Government to bestow. He refused the office of Chief Justice of the United States; he refused being put in nomination for Vice-President and other high offices, all through a desire to serve this State. As a father, as a husband, and in all the domestic relations, he was a model. This I know personally, as I was intimate in his family for several months. His private and domestic ties were only second to his public duties. He was devoted to the prosperity of this State and to the glory and perpetuity of our Union.

The following eloquent tribute to Colonel Benton is taken from the issue of one of the St. Louis papers on the day of the interment:

Greatness is ended,
An unsubstantial pageant all;
Droop o'er the scene the funeral pall.

Weave the cypress for the bier of the departed; gather the burial cortege to lay his body within its final home; summon fitting words of eulogy to voice the sorrow of those who knew him in life and mourn him in death.

For this day, amid the drooping of banners, the low wail of martial music, and the multitudinous concourse of our citizens, the solemn words "dust to dust, and ashes to ashes" will be spoken over the remains of Thomas H. Benton, a statesman without peer, a patriot without price. Let us deal gently with his errors, remember his labor, and embalm his virtues. In his public services and in his private attachments, in his arduous labor and in his majestic death, he had earned an abiding place in the memory of the American people, whilst his name will be emblazoned more in the future than in the present as one of the most illustrious of those who gave so much of renown to the deliberations of our National Council.

Missouri is proud of her honored dead. She rejoices in the achievements of her sons. Many of her names are written high on the mount of fame. These two are not alone the object of her admiration. In statesmanship many others are registered near the top of the scroll of honor; in legal attainment she ranks well in the sisterhood of States; in educational advantages she is seldom surpassed, and in natural resources is without a peer.

Aside from these advantages, the chief glory of the Missourian is in the honor and integrity of his citizenship. Charged with being border ruffian by those who do not understand the character of her people, with being outlaws by those who have no knowledge of their morality, with being uncouth and illiterate by those who have not learned of the education and refinement of her sons and daughters, she stands without a superior in the galaxy of States in the rectitude of her intentions. This great State brings to you to-day all that she has the power to do in honoring the dead and humbly asks that these chiseled emblems, representing her sons, shall find suitable place in that apartment fixed by law for that purpose, that, as the years roll on, it will be observed that she is not forgetful in cherishing the memory of those who have wrought so nobly for her welfare. [Loud applause.]

Mr. BLAND. Mr. Speaker, I ask for the adoption of the resolution.

The SPEAKER pro tempore (Mr. CONNOLLY). The question is on agreeing to the resolution offered by the gentleman from Missouri [Mr. BLAND].

The resolution was agreed to.

Mr. BLAND. Mr. Speaker, I move that the House do now adjourn.

ENROLLED BILLS SIGNED.

Pending the motion, the Speaker announced his signature to enrolled bill of the following title:

S. 4070. An act to amend an act granting to the St. Louis, Oklahoma and Southern Railway Company a right of way through the Indian Territory and Oklahoma, and for other purposes.

CHANGE OF REFERENCE.

The Clerk read the following recommendation for change of reference of House Document No. 110, a letter from the Secretary of War on the report of progress on deep waterways board:

Respectfully returned with the recommendation of the Committee on Railways and Canals that so much of House Document No. 110 as refers to an appropriation for completing the works under the charge of the board of engineers on deep waterways be referred to the Committee on Appropriations, and that the Committee on Railways and Canals be discharged from the consideration of said portion of document named.

Respectfully,
HUGH R. BELKNAP,
For the Committee on Railways and Canals.

LEAVE OF ABSENCE.

By unanimous consent, leave of absence was granted to Mr. STOKES for ten days, on account of important business.

The motion of Mr. BLAND was then agreed to; and accordingly (at 4 o'clock and 46 minutes p. m.) the House adjourned until Monday, February 6, at 12 o'clock noon.

EXECUTIVE COMMUNICATIONS, ETC.

Under clause 2 of Rule XXIV, the following executive communications were taken from the Speaker's table and referred as follows:

A letter from the Assistant Secretary of War, transmitting a communication from the disbursing clerk of the War Department relating to certain suspensions of accounts in that Department—to the Committee on Appropriations, and ordered to be printed.

A letter from the Secretary of the Treasury, transmitting a copy of a communication from the Commissioners of the District of Columbia submitting an estimate of deficiency in the appropriation for Board of Children's Guardians, District of Columbia—to the Committee on Appropriations, and ordered to be printed.

A letter from the Secretary of the Treasury, transmitting a copy

of a communication from the Treasurer of the United States in relation to providing certain clerks for the remainder of the current fiscal year—to the Committee on Appropriations, and ordered to be printed.

A letter from the Secretary of the Treasury, transmitting an estimate of appropriation submitted by the Chief of the Bureau of Printing and Engraving for rental—to the Committee on Appropriations, and ordered to be printed.

REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS.

Under clause 2 of Rule XIII, bills and resolutions of the following titles were severally reported from committees, delivered to the Clerk, and referred to the several Calendars therein named, as follows:

Mr. GRIFFIN, from the Committee on Military Affairs, to which was referred the bill of the House (H. R. 11715) to authorize the reimbursement of officers and men of the Army and Navy for medical expenses incurred during leave or furlough, reported the same without amendment, accompanied by a report (No. 1904); which said bill and report were referred to the Committee of the Whole House on the state of the Union.

He also, from the same committee, to which was referred the bill of the House (H. R. 11770) to provide for the employment of women nurses in military hospitals of the Army, reported the same with amendment, accompanied by a report (No. 1905); which said bill and report were referred to the Committee of the Whole House on the state of the Union.

Mr. SHAFROTH, from the Committee on the Public Lands, to which was referred the bill of the House (H. R. 11455) granting to the city of Boulder, in the State of Colorado, certain lands for park purposes and for the preservation of the native trees on said lands, reported the same with amendment, accompanied by a report (No. 1914); which said bill and report were referred to the Committee of the Whole House on the state of the Union.

Mr. MILLS, from the Committee on the Public Lands, to which was referred the bill of the Senate (S. 4690) for the relief of certain homestead settlers in Florida, reported the same with amendment, accompanied by a report (No. 1917); which said bill and report were referred to the Committee of the Whole House on the state of the Union.

REPORTS OF COMMITTEES ON PRIVATE BILLS AND RESOLUTIONS.

Under clause 2 of Rule XIII, private bills and resolutions of the following titles were severally reported from committees, delivered to the Clerk, and referred to the Committee of the Whole House, as follows:

Mr. SULLOWAY, from the Committee on Invalid Pensions, to which was referred the bill of the Senate (S. 4575) granting an increase of pension to John McVicar, reported the same without amendment, accompanied by a report (No. 1906); which said bill and report were referred to the Private Calendar.

He also, from the same committee, to which was referred the bill of the Senate (S. 2101) granting a pension to John C. Emery, reported the same with amendment, accompanied by a report (No. 1907); which said bill and report were referred to the Private Calendar.

Mr. WARNER, from the Committee on Invalid Pensions, to which was referred the bill of the House (H. R. 10738) granting an increase of pension to Beeri Serviss, reported the same with amendment, accompanied by a report (No. 1908); which said bill and report were referred to the Private Calendar.

Mr. HENRY of Connecticut, from the Committee on Invalid Pensions, to which was referred the bill of the House (H. R. 11794) granting a pension to Robert Hunt, reported the same with amendment, accompanied by a report (No. 1909); which said bill and report were referred to the Private Calendar.

Mr. RAY of New York, from the Committee on Invalid Pensions, to which was referred the bill of the Senate (S. 5342) granting a pension to John M. Palmer, reported the same with amendment, accompanied by a report (No. 1910); which said bill and report were referred to the Private Calendar.

Mr. WARNER, from the Committee on Invalid Pensions, to which was referred the bill of the Senate (S. 2616) granting a pension to Harriette F. Hovey, reported the same without amendment, accompanied by a report (No. 1911); which said bill and report were referred to the Private Calendar.

Mr. DRIGGS, from the Committee on Invalid Pensions, to which was referred the bill of the House (H. R. 2293) granting a pension to Andrew J. Snowden, of Nebraska, reported the same with amendment, accompanied by a report (No. 1912); which said bill and report were referred to the Private Calendar.

Mr. SAMUEL W. SMITH, from the Committee on Invalid Pensions, to which was referred the bill of the House (H. R. 8214) to increase the pension of Francis Scott, late a private of Company B, Twenty-third Regiment of Wisconsin Infantry Volunteers, reported the same with amendment, accompanied by a report (No. 1913); which said bill and report were referred to the Private Calendar.

Mr. BREWSTER, from the Committee on Invalid Pensions, to which was referred the bill of the House (H. R. 10355) to pension Catharine C. Goodrich according to the military rank of her husband, reported the same with amendment, accompanied by a report (No. 1915); which said bill and report were referred to the Private Calendar.

Mr. GIBSON, from the Committee on Invalid Pensions, to which was referred the bill of the Senate (S. 4701) granting an increase of pension to Charles W. Tilton, reported the same without amendment, accompanied by a report (No. 1916); which said bill and report were referred to the Private Calendar.

Mr. DAYTON, from the Committee on Naval Affairs, to which was referred the bill of the House (H. R. 5997) to relieve Alfred Burgess from the charge of desertion, reported the same without amendment, accompanied by a report (No. 1918); which said bill and report were referred to the Private Calendar.

PUBLIC BILLS, RESOLUTIONS, AND MEMORIALS INTRODUCED.

Under clause 3 of Rule XXII, bills, resolutions, and memorials of the following titles were introduced and severally referred as follows:

By Mr. LACEY: A bill (H. R. 11981) to regulate the sale of timber in forest reservations—to the Committee on the Public Lands.

By Mr. CRUMPACKER: A bill (H. R. 11982) requiring the Director of the Census to furnish Congress with statistical information to be used as a basis for representation under the Twelfth Census—to the Committee on Census.

By Mr. MAXWELL: A bill (H. R. 11983) to require common carriers to allow any act passed by a State legislature regulating the duties or rates of carriage or freight of common carriers to be actually put in fair operation for a reasonable time, which shall not be less than six months, before any injunction shall issue out of a United States court to enjoin the operation of such law, and no injuction shall issue except upon facts shown by the petitioner in his or its bill, based upon the actual operation of the law—to the Committee on Interstate and Foreign Commerce.

By Mr. COOPER of Texas: A bill (H. R. 11984) to supply rural districts and other localities with revenue stamps—to the Committee on Ways and Means.

By Mr. STALLINGS (for Mr. WHEELER of Alabama): A bill (H. R. 11985) to establish a permanent military post in the vicinity of Huntsville, Ala.—to the Committee on Military Affairs.

By Mr. HENRY of Mississippi: A bill (H. R. 11999) to attach Claiborne County, Miss., to the western division of the southern judicial district of Mississippi—to the Committee on the Judiciary.

By Mr. LOUD: A bill (H. R. 12000) to amend section 4041 of the Revised Statutes—to the Committee on the Post-Office and Post-Roads.

Also, a bill (H. R. 12001) to amend section 3830 of the Revised Statutes—to the Committee on the Post-Office and Post-Roads.

Also, a bill (H. R. 12002) authorizing the Postmaster-General to maintain a key-deposit fund, and for other purposes—to the Committee on the Post-Office and Post-Roads.

Also, a bill (H. R. 12003) authorizing the Postmaster-General to fix in certain cases compensation of postmasters of the fourth class, and for other purposes—to the Committee on the Post-Office and Post-Roads.

Also, a bill (H. R. 12004) to amend section 3929 of the Revised Statutes—to the Committee on the Post-Office and Post-Roads.

By Mr. BANKHEAD: A joint resolution (H. Res. 351) to authorize and direct the Secretary of War to audit and pay certain expenses incurred by the States in the prosecution of the late war with Spain—to the Committee on Military Affairs.

By Mr. BULL: A concurrent resolution (House Con. Res. No. 67) to print 20,000 copies of the appendix to the report of the Chief of the Bureau of Navigation, Navy Department, for the year 1898—to the Committee on Printing.

By Mr. CURTIS of Kansas: A memorial from the senate of Kansas, for the encouragement of the merchant marine of the United States—to the Committee on the Merchant Marine and Fisheries.

PRIVATE BILLS AND RESOLUTIONS INTRODUCED.

Under clause 1 of Rule XXII, private bills and resolutions of the following titles were introduced and severally referred as follows:

By Mr. BARRETT: A bill (H. R. 11986) to remove the charge of desertion now standing against the name of W. B. Davis—to the Committee on Naval Affairs.

By Mr. BELFORD: A bill (H. R. 11987) for the relief of George W. Young—to the Committee on Claims.

By Mr. ERMENTROUT: A bill (H. R. 11988) for the relief of Levi L. Reed—to the Committee on Military Affairs.

By Mr. GRIFFITH: A bill (H. R. 11989) to pay Henry Charlton, of Switzerland County, Ind., the sum of $120 for one horse purchased for the Government by Capt. J. W. Ross, United States Army—to the Committee on War Claims.

By Mr. GAINES: A bill (H. R. 11990) for the relief of Walter Scott—to the Committee on Pensions.

By Mr. HUNTER: A bill (H. R. 11991) to pension Riley Shrigley—to the Committee on Invalid Pensions.

Also, a bill (H. R. 11992) to pension John R. Johnson at the rate of $30 per month—to the Committee on Invalid Pensions.

By Mr. MUDD (by request): A bill (H. R. 11993) for the relief of Charles H. Janney, administrator de bonis non of the estate of Joseph H. Maddox, deceased—to the Committee on War Claims.

By Mr. ROBBINS: A bill (H. R. 11994) granting an increase of pension to John A. M. Leitz—to the Committee on Invalid Pensions.

Also, a bill (H. R. 11995) granting an increase of pension to Franklin Crise—to the Committee on Invalid Pensions.

By Mr. SPRAGUE: A bill (H. R. 11996) granting a pension to David Smith—to the Committee on Invalid Pensions.

By Mr. STALLINGS (for Mr. WHEELER of Alabama): A bill (H. R. 11997) to increase the pension of Agnes K. Capron—to the Committee on Pensions.

Also (for Mr. WHEELER of Alabama): A bill (H. R. 11998) to increase the pension of Lillian Capron—to the Committee on Pensions.

PETITIONS, ETC.

Under clause 1 of Rule XXII, the following petitions and papers were laid on the Clerk's desk and referred as follows:

By Mr. BELFORD: Petition of St. Paul's Methodist Episcopal Church of Northport, N. Y., favoring the Ellis bill to prohibit the sale of liquor in Government buildings—to the Committee on Alcoholic Liquor Traffic.

Also, resolution of the Chamber of Commerce of Knoxville, Tenn., for the continuance of fast mail service through the South and entire United States—to the Committee on the Post-Office and Post-Roads.

Also, petition of the Woman's Christian Temperance Union of Aquebogue, N. Y., in favor of the passage of the Ellis bill, Hepburn bill, Gillet bill, and to continue the present liquor laws of Alaska—to the Committee on Alcoholic Liquor Traffic.

Also, resolutions of the Merchants' Association of New York, in regard to freedom of private property on the sea from capture during war—to the Committee on Foreign Affairs.

By Mr. BLAND: Petition of citizens of Louisburg, Ridgewood, and Macedonia, Mo., urging the establishment of postal savings banks—to the Committee on the Post-Office and Post-Roads.

By Mr. BODINE (by request): Petition of S. Laing and 76 citizens of Browning, Mo., in favor of the establishment of postal savings banks—to the Committee on the Post-Office and Post-Roads.

By Mr. BOUTELLE of Maine: Petition of Rev. George H. Woodward and 111 citizens of Princeton, Isaac Coombs and 100 citizens of Camden, D. H. Trafton and 105 citizens of Lambert Lake, State of Maine, in favor of the establishment of postal savings banks—to the Committee on the Post-Office and Post-Roads.

Also, petition of Lucius Smith and other citizens of Westfield, Me., for free mail delivery—to the Committee on the Post-Office and Post-Roads.

By Mr. BURTON: Petitions of Woodland Avenue Methodist Episcopal Church, of Cleveland, Ohio, in regard to liquor laws in Alaska and to prohibit the sale of liquor in Government buildings—to the Committee on Alcoholic Liquor Traffic.

By Mr. CANNON: Petition of citizens of Iroquois, Ill., favoring the Ellis bill to prohibit the sale of liquor in Government buildings, etc.—to the Committee on Alcoholic Liquor Traffic.

By Mr. CLARKE of New Hampshire: Petition of the Woman's Christian Temperance unions of Colebrook, Grantham, and North Grantham, N. H., to prohibit the sale of liquor in canteens and in immigrant stations and Government buildings—to the Committee on Alcoholic Liquor Traffic.

Also, petition of the Woman's Christian Temperance Union of Colebrook, N. H., for the passage of the Hepburn bill prohibiting the transmission by mail or interstate commerce of pictures and descriptions of prize fights—to the Committee on Interstate and Foreign Commerce.

Also, petition of the Woman's Christian Temperance Union of Colebrook, N. H., to forbid the transmission of lottery messages and other gambling matter by telegraph—to the Committee on Interstate and Foreign Commerce.

By Mr. COOPER of Texas: Petition of B. F. Hill and other fourth-class postmasters of Houston County, Tex., asking for the passage of House bills Nos. 4930 and 4931, increasing the compensation of fourth-class postmasters—to the Committee on the Post-Office and Post-Roads.

By Mr. DALZELL: Resolutions of the Merchants' Association of New York, in regard to freedom of private property on the sea from capture in time of war—to the Committee on Foreign Affairs.

By Mr. DE ARMOND (by request): Petition of H. B. Smith and 199 citizens of Monteserrat, Mo., and of Thomas Day and 34 citizens of Lewis Station, Mo., in favor of the establishment of postal savings banks—to the Committee on the Post-Office and Post-Roads.

By Mr. DOVENER: Petitions of S. B. Woodburn and 202 citizens of Booker, W. Va.; C. H. Beall and 205 citizens of Aspinwall, W. Va.; H. J. Hughes and others of Boreman; E. Rihlett, Hiram Snyder, W. C. Robertson, Mitchell McCoy, and other citizens of West Virginia, in favor of the establishment of postal savings banks—to the Committee on the Post-Office and Post-Roads.

By Mr. ERMENTROUT: Paper to accompany House bill for the relief of Levi L. Reed—to the Committee on Military Affairs.

By Mr. FARIS: Petition of Horace P. McIntosh, for reinstatement in the naval service—to the Committee on Naval Affairs.

By Mr. FLETCHER: Resolution of the Minneapolis Board of Trade in favor of the bill for the construction of a submarine cable from San Francisco to Honolulu, Japan, and Philippine Islands, and that the cable used in its construction shall be made in the United States—to the Committee on Interstate and Foreign Commerce.

By Mr. GRAHAM: Petition of the Chamber of Commerce of Pittsburg, Pa., George H. Anderson, secretary, urging measures to promote the ocean carrying trade in vessels under the American flag—to the Committee on the Merchant Marine and Fisheries.

Also, resolutions of the Merchants' Association of New York, relating to the freedom of private property on the sea from capture during war—to the Committee on Foreign Affairs.

By Mr. GROUT: Petition of P. N. Granger, pastor, and the Methodist Episcopal and Congregational churches of Irasburg, Vt., to prohibit interstate gambling by telegraph, telephone, or otherwise—to the Committee on Interstate and Foreign Commerce.

Also, petition of L. Dodd, pastor, and the congregation of the Congregational and Methodist Episcopal churches of Irasburg, Vt., to prohibit the sale of liquor in Government buildings, etc.—to the Committee on Alcoholic Liquor Traffic.

By Mr. KETCHAM: Petition of Rev. Charles L. Carhart and 150 citizens of Marlboro, N. Y., against the seating of Brigham H. Roberts as a Representative from Utah—to the Committee on Elections No. 1.

Also, petitions of the Society of Friends and Woman's Christian Temperance Union of Millbrook, N. Y., to prohibit sale of intoxicating liquors in canteens, in immigrant stations, and in Government buildings—to the Committee on Alcoholic Liquor Traffic.

Also, petitions of the Society of Friends and Woman's Christian Temperance Union of Millbrook, N. Y., to prohibit the transmission by mail or interstate commerce of pictures or descriptions of prize fights—to the Committee on Interstate and Foreign Commerce.

Also, petitions of the Woman's Christian Temperance Union and Society of Friends of Millbrook, N. Y., for the continuance of the prohibitory law in Alaska—to the Committee on Alcoholic Liquor Traffic.

By Mr. McCLELLAN: Resolutions of the Merchants' Association of New York, in reference to freedom of private property on the sea from capture during war—to the Committee on Foreign Affairs.

By Mr. MAXWELL: Petition of F. H. Patitz and 202 citizens of Davenport, Nebr., favoring postal savings banks—to the Committee on the Post-Office and Post-Roads.

By Mr. OTJEN: Letter from the Wisconsin State board of health, recommending the appointment of Dr. C. L. Wilbur, of Lansing, Mich., for the position of vital statistician of the Twelfth Census—to the Select Committee on Census.

By Mr. OVERSTREET: Petition of Calvin Bray and 26 citizens of Fairfield, Ind., favoring the Ellis bill to prohibit the sale of liquor in canteens and immigrant stations and Government buildings—to the Committee on Alcoholic Liquor Traffic.

By Mr. PRINCE: Petitions of the Methodist Episcopal churches of Zuma, Fairfield, and Hillsdale, Ohio, and Progress Club, of Milford, Ohio, to prohibit interstate gambling by telegraph, telephone, or otherwise—to the Committee on Interstate and Foreign Commerce.

Also, petitions of the Progress Club, of Milford, Ohio, and Methodist Episcopal churches of Zuma, Fairfield, and Hillsdale, Ohio, to prohibit the sale of liquor in Government buildings, etc.—to the Committee on Alcoholic Liquor Traffic.

By Mr. RAY of New York: petition of Paul Blunt for amendment to general pension laws—to the Committee on Invalid Pensions.

By Mr. ROBBINS: Petition of Post 237, Grand Army of the Republic, of Cookport, Pa., to prohibit the sale of liquor in canteens and in immigrant stations and Government buildings—to the Committee on Alcoholic Liquor Traffic.

By Mr. SHATTUC: Resolution of Local Union No. 1 of the International Union of Bicycle Workers and Allied Mechanics, of Toledo, Ohio, favoring the passage of House bill No. 7689, relating to limiting the hours of daily service in Government works—to the Committee on Labor.

By Mr. SAMUEL W. SMITH: Petitions of W. N. Diamond, M. D., and 198 citizens of Haslett, and A. W. Haydon and 203 citizens of Decatur, Mich., favoring postal savings banks—to the Committee on the Post-Office and Post-Roads.

By Mr. SULLOWAY: Petition of the Woman's Christian Temperance Union of Somersworth, N. H., favoring the Ellis bill to prohibit the sale of liquor in canteens and immigrant stations and Government buildings—to the Committee on Alcoholic Liquor Traffic.

Also, petition of the Woman's Christian Temperance Union of Somersworth, N. H., to prohibit the transmission by mail or interstate commerce of pictures or descriptions of prize fights—to the Committee on Interstate and Foreign Commerce.

Also, petition of the Woman's Christian Temperance Union of Somersworth, N. H., to forbid interstate gambling by telegraph or telephone—to the Committee on Interstate and Foreign Commerce.

By Mr. TODD: Petition of the Comstock Manufacturing Company, of Comstock, Mich., recommending liberal appropriations for American exhibits at the Paris Exposition—to the Committee on Appropriations.

By Mr. WANGER: Petition of the Woman's Christian Temperance unions of Richboro and Langhorne, Bucks County, Pa., to prohibit the sale of liquor in Government buildings, etc.—to the Committee on Alcoholic Liquor Traffic.

Also, petition of W. S. Schlichter and 39 fourth-class postmasters in Bucks County, Pa., urging the passage of House bills Nos. 4930 and 4931, relating to the compensation of fourth-class postmasters—to the Committee on the Post-Office and Post-Roads.

By Mr. WEYMOUTH: Petition of E. B. Parker, of Little Common, Mass., and 24 other fourth-class postmasters residing in the Fourth Congressional district of Massachusetts, in favor of House bills Nos. 4930 and 4931, relating to the compensation of fourth-class postmasters—to the Committee on the Post-Office and Post-Roads.

SENATE.

MONDAY, *February 6, 1899.*

Prayer by the Chaplain, Rev. W. H. MILBURN, D. D.

The Vice-President resumed the chair.

The Secretary proceeded to read the Journal of the proceedings of Saturday last, when, on motion of Mr. GRAY, and by unanimous consent, the further reading was dispensed with.

REPORT OF THE COMMISSIONER OF PATENTS.

The VICE-PRESIDENT laid before the Senate the Annual Report of the Commissioner of Patents for the year ended December 31, 1898; which was referred to the Committee on Patents, and ordered to be printed.

CREDENTIALS.

Mr. JONES of Nevada presented the credentials of WILLIAM M. STEWART, chosen by the legislature of Nevada a Senator from that State for the term beginning March 4, 1899; which were read, and ordered to be filed.

CLARINDA S. HILLMAN.

Mr. GALLINGER. I move that the House of Representatives be requested to return to the Senate the bill (S. 569) granting an increase of pension to Clarinda S. Hillman.

The motion was agreed to.

PETITIONS AND MEMORIALS.

The VICE-PRESIDENT presented a petition of the legislature of the Territory of New Mexico, praying for the enactment of legislation to authorize the issuance of $60,000 of Territorial bonds to complete and furnish the capitol at Santa Fe, N. Mex.; which was referred to the Committee on Territories.

He also presented a petition of sundry Methodist ministers of Philadelphia, Pa., praying for the immediate ratification of the treaty of peace; which was ordered to lie on the table.

Mr. MITCHELL presented a memorial of sundry citizens of Dodgeville, Wis., remonstrating against the annexation of the Philippine Islands, and praying for the establishment of a United States protectorate over those islands; which was referred to the Committee on Foreign Relations.

Mr. COCKRELL presented a petition of the congregation of the Lucas Avenue Cumberland Presbyterian Church, of St. Louis, Mo., praying for the maintenance of the prohibition law in Alaska and the Indian Territory, and to extend it to our new, half-civilized dependencies; which was referred to the Committee on Territories.

He also presented a petition of the congregation of the Lucas Avenue Cumberland Presbyterian Church, of St. Louis, Mo., praying for the enactment of legislation to prohibit the transmission by mail or interstate commerce of descriptions of prize fights; which was referred to the Committee on the Judiciary.

He also presented a petition of the congregation of the Lucas Avenue Cumberland Presbyterian Church, of St. Louis, Mo., praying for the enactment of legislation to prohibit the sale of liquor in canteens of the Army and Navy and of Soldiers' Homes, and in immigrant stations and Government buildings; which was referred to the Committee on Military Affairs.

Mr. MONEY presented a petition of the congregations of sundry churches of Rocky Springs and Humphreys, Miss., praying for the enactment of legislation to prohibit the sale of liquor in canteens of the Army and Navy and of Soldiers' Homes, and in immigrant stations and Government buildings; which was referred to the Committee on Military Affairs.

Mr. FRYE presented the petition of Mary S. Anthony and sundry other citizens of Rochester, N. Y., praying that women be granted the right of suffrage in Hawaii; which was referred to the Select Committee on Woman Suffrage.

Mr. GALLINGER presented a petition of the Woman's Christian Temperance Union and the congregations of the Methodist Episcopal Church, the Free Baptist Church, and the Advent Church, all of Whitefield, in the State of New Hampshire, praying for the maintenance of prohibition in Alaska and the Indian Territory and to extend it to our new, half-civilized dependencies; which was referred to the Committee on Territories.

He also presented a petition of the Woman's Christian Temperance Union of Haverhill, N. H., and a petition of the Woman's Christian Temperance Union and the congregations of the Methodist Episcopal, the Free Baptist, and the Advent churches, all of Whitefield, N. H., praying for the enactment of legislation to prohibit the sale of liquor in canteens of the Army and Navy and of Soldiers' Homes, and in immigrant stations and Government buildings; which were referred to the Committee on Military Affairs.

He also presented a petition of the Woman's Christian Temperance Union of Haverhill, N. H., and a petition of the Woman's Christian Temperance Union and the congregations of the Methodist Episcopal, the Free Baptist, and the Advent churches, all of Whitefield, N. H., praying for the enactment of legislation to prohibit interstate gambling by telegraph, telephone, or otherwise; which were referred to the Committee on the Judiciary.

Mr. PETTIGREW presented the petition of D. M. Dickerson and 204 other citizens of Richland, S. Dak., and the petition of Samuel Dickey and 205 other citizens of Sioux Falls, S. Dak., praying for the establishment of postal savings bank depositories; which were referred to the Committee on Post-Offices and Post-Roads.

Mr. LODGE presented a petition of the Farmers and Mechanics' Association of Needham, Mass., praying for the speedy ratification of the treaty of peace; which was ordered to lie on the table.

He also presented a petition of the Chamber of Commerce of Boston, Mass., praying for the enactment of legislation to increase American shipping; which was ordered to lie on the table.

He also presented a petition of Corner Stone Lodge, No. 13, Independent Order of Good Templars; of the Epworth League of the Methodist Episcopal Church; of the Neal Dow Prohibition Club, and of the Young People's Christian Union of the Universalist Church, all of Hingham, in the State of Massachusetts, praying for the enactment of legislation to prohibit the transmission by mail or interstate commerce of pictures or descriptions of prize fights; which was referred to the Committee on the Judiciary.

He also presented a petition of Corner Stone Lodge, No. 13, Independent Order of Good Templars; of the Epworth League of the Methodist Episcopal Church; of the Neal Dow Prohibition Club, and of the Young People's Christian Union of the Universalist Church, all of Hingham, in the State of Massachusetts, praying for the maintenance of prohibition in Alaska and the Indian Territory, and to extend it to our new, half-civilized dependencies; which was referred to the Committee on Territories.

He also presented a petition of Corner Stone Lodge, No. 13, Independent Order of Good Templars; of the Epworth League of the Methodist Episcopal Church; of the Neal Dow Prohibition Club, and of the Young People's Christian Union of the Universalist Church, all of Hingham, in the State of Massachusetts, praying for the enactment of legislation to prohibit the sale of liquor in canteens of the Army and Navy and of Soldiers' Homes, and in immigrant stations and Government buildings; which was referred to the Committee on Military Affairs.

Mr. HANNA presented a petition of the State board of health of Ohio, praying for the establishment of a national bureau of

health, and for the enactment of legislation providing for the appointment of a commission of bacteriological experts to ascertain the cause of yellow fever; which was referred to the Committee on Public Health and National Quarantine.

He also presented the petition of J. A. Lee, of Belleville, Ohio, praying that the rank of second lieutenant be given to veterinarian surgeons of the Army; which was referred to the Committee on Military Affairs.

He also presented a petition of the congregation of the First Methodist Episcopal Church of Ashtabula, Ohio, praying for the maintenance of the prohibition law in the Territory of Alaska; which was referred to the Committee on Territories.

He also presented the petition of H. B. Kingley, adjutant-general of the State of Ohio, praying that an increase in the appropriation be made for the support of the National Guard; which was referred to the Committee on Military Affairs.

He also presented a petition of the National Nonpartisan Woman's Christian Temperance Union, praying for the enactment of legislation to prohibit the sale of liquor in canteens of the Army and Navy and of Soldiers' Homes, and in immigrant stations and Government buildings; which was referred to the Committee on Military Affairs.

He also presented petitions of Olive Branch Grange, No. 116, Patrons of Husbandry, of Edinburg, Ohio; of Townsend Grange, No. 1392, Patrons of Husbandry, of Townsend, Ohio, and of the executive board of the American Shipping and Industrial League, of New York, praying for the enactment of legislation to increase American shipping; which were ordered to lie on the table.

He also presented the petitions of H. A. Stevens, of Toledo; of W. J. Hayes & Sons, of Cleveland; of the Globe Oil Company, of Cleveland; of the National Maleable Castings Company, of Cleveland; of the Cleveland Machine Screw Company, of Cleveland, and of Aultman, Miller & Co., of Akron, all in the State of Ohio, praying for the passage of the so-called Loud bill relating to second-class mail matter; which were referred to the Committee on Post-Offices and Post-Roads.

He also presented petitions of the Central Trades and Labor Council of Zanesville; the Carpenters and Joiners' Union of Columbus; of Cuyahoga Lodge, No. 83, International Association of Machinists, of Cleveland; of Local Union No. 69, Cigar Makers' International Union, of Sandusky; of Buckeye Lodge, No. 55, International Association of Machinists, of Columbus; of Local Union No. 26, American Flint Glass Workers' Union, of Bellaire; of Local Union No. 20, Core Makers' International Union, of Hamilton; of the Central Trades Council of Dayton; of the Hollingsworth Division, No. 100, Order of Railway Conductors, of Columbus; and of Sol Southeimer, of Cleveland, all in the State of Ohio, praying for the passage of the eight-hour bill; which were referred to the Committee on Education and Labor.

Mr. SIMON presented a petition of the legislature of Oregon, praying that an appropriation be made to continue the improvements to Yaquina Bay Harbor, in that State; which was referred to the Committee on Commerce, and ordered to be printed in the RECORD, as follows:

Senate joint memorial No. 2.

Resolved by the senate (the house of representatives of the legislative assembly of Oregon concurring).

To the Congress of the United States:

We, your memorialists, respectfully represent that—

Whereas we learn with a sense of great disappointment and deep regret that no appropriation is provided in the appropriation bill as reported by the committee for the continuance of improvements to Yaquina Bay Harbor, or for the carrying out of the terms of the contract which has been duly let for such improvements as have been outlined and recommended by the Board of United States Engineers; and

Whereas we realize that it is of vital importance to the State of Oregon that such improvements be continued and that such contract be carried out: Therefore,

The legislature of the State of Oregon memorializes and pray the Congress of the United States to provide an appropriation for the continuance of such improvements to said Yaquina Bay Harbor and the carrying out of said contract;

And for this purpose your memorialists will ever pray; and be it

Further resolved, That the secretary of state be instructed to forward a copy of this memorial to our Senators and Representatives in Congress, with the request that they use every honorable means to secure the appropriation herein asked.

Adopted by the senate January 26, 1899.

T. C. TAYLOR,
President of the Senate.

Concurred in by the house January 26, 1899.

E. V. CARTER,
Speaker of the House.

Senate joint memorial No. 2.
Filed January 31, 1899.

S. L. MOORHEAD, *Chief Clerk.*
F. I. DUNBAR, *Secretary of State.*

UNITED STATES OF AMERICA, STATE OF OREGON,
OFFICE OF THE SECRETARY OF STATE,
Salem, Oreg., January 31, 1899.

I, F. I. Dunbar, do hereby certify that I am the secretary of state of the State of Oregon and custodian of the seal of said State; that the foregoing transcript of senate joint memorial No. 2, urging Congress to provide an appropriation for the continuance of improvements to Yaquina Bay Harbor, etc., has been by me compared with the original copy of the said senate joint memorial No. 2, now on file in this office, and that it is a true and correct transcript thereof, and the whole of said original as appears on file in my office and custody.

In testimony whereof I have hereunto set my hand and affixed hereto the seal of the State of Oregon.

Done at the capitol, at Salem, Oreg., this 31st day of January, A. D. 1899.

F. I DUNBAR, *Secretary of State.*

Mr. SIMON presented a petition of sundry citizens of Oakville, Oreg., praying for the adoption of an amendment to the Constitution of the United States defining legal marriage and providing for the enactment of uniform laws throughout the country on the subjects of marriage and divorce, and also for the enactment of legislation prohibiting the sale of intoxicating liquors in Government buildings; which was referred to the Committee on the Judiciary.

Mr. FAIRBANKS. Mr. President, I submit for the information of the Senate a resolution adopted by the general assembly of the State of Indiana, instructing the Senators from that State to use their influence and to vote for the ratification of the peace treaty.

I do not stop to comment upon the question as how far, if at all, a State legislature may go in instructing its Senators with respect to their votes upon this floor. I will only say that the instructions of the legislature of my State are quite in harmony with my own purpose and my own desire.

I ask that the resolution be printed in the RECORD and laid on the table.

The resolution was ordered to lie on the table and to be printed in the RECORD, as follows:

Senate concurrent resolution No. 2.

Whereas the United States has lately been engaged in war with Spain; and

Whereas a treaty of peace has been signed by the representatives of the Government of Spain at Paris is now before the Senate of the United States for ratification: Therefore, be it

Resolved by the general assembly of the State of Indiana, That we instruct the Hon. DAVID TURPIE and the Hon. CHARLES W. FAIRBANKS to use their influence and to vote for the ratification of said treaty.

Resolved, That a copy of these resolutions be forwarded to the said Hon. DAVID TURPIE and the Hon. CHARLES W. FAIRBANKS.

We, the undersigned, secretary of the senate and principal clerk of the house of representatives of the Sixty-first General Assembly of the State of Indiana, now in session, do hereby certify that the foregoing is a true and complete copy of concurrent senate resolution No. 2, duly adopted by said general assembly on the 20th day of January, 1899.

Attest:

WILL C. CONVERSE,
Secretary of the Senate.
FRED KIMBLEY,
Principal Clerk of the House of Representatives.

Mr. BUTLER presented the petition of C. H. Ridenhour and 202 other citizens of Copalgrove, N. C., praying for the establishment of postal savings bank depositories; which was referred to the Committee on Post-Offices and Post-Roads.

Mr. SPOONER presented the petition of William Piper and 187 other citizens of Palmyra, Wis., and the petition of R. Bright and 199 other citizens of Pinehill, Wis., praying for the establishment of postal savings bank depositories; which were referred to the Committee on Post-Offices and Post-Roads.

He also presented a memorial of Local Union No. 61, Cigar Makers' International Union, of La Crosse, Wis., remonstrating against the ratification of the treaty of peace; which was ordered to lie on the table.

He also presented a petition of the Retail Clerks' Association of Sheboygan, Wis., and a petition of the Central Labor Union of Sheboygan, Wis., praying for the passage of the eight-hour bill; which were referred to the Committee on Education and Labor.

He also presented the memorial of W. J. Hayden and 16 other members of the Cigar Makers' Union of Marinette, Wis., and a memorial of Local Union No. 182, Cigar Makers' International Union, of Madison, Wis., remonstrating against any extension of the sovereignty of the United States over the Philippine Islands in any event, or other foreign territory without the free consent of the people thereof; which were referred to the Committee on Foreign Relations.

He also presented petitions of Henry Faville and sundry other citizens; of the congregations of the Congregational Church of Mazomanie, the Moravian and Methodist Episcopal churches of London, and of the Congregational, the Methodist Episcopal, the Baptist, and the Advent Christian churches of Sparta, all in the State of Wisconsin, praying for the enactment of legislation to prohibit the sale of liquor in canteens of the Army and Navy and of Soldiers' Homes, and in immigrant stations and Government buildings; which were referred to the Committe on Military Affairs.

Mr. HOAR presented the memorials of Simon Werner and 9 other citizens, of Sarah L. Merrill and 27 other citizens, John T. F. MacDonnell and 29 other citizens, C. A. Cashdollar and 9 other citizens, W. G. Parsons and 3 other citizens, P. J. Daly and 9 other citizens, Herbert B. Lyman and 2 other citizens, Edwin Baker and 6 other citizens, James Halligan and 9 other citizens, and of F. E. Allen and 9 other citizens, all in the State of Massachusetts; of D. W. Denney and 9 other citizens, F. J. Le Moyne

and 9 other citizens, F. Fink and 9 other citizens, A. C. Lange and 9 other citizens, James Pollock and 9 other citizens, and of R. F. Musser and 9 other citizens, all in the State of Illinois; of James Houston and 1 other citizen, M. L. D'Ooge and 9 other citizens, W. H. Bradshaw and 9 other citizens, John J. Peacock and 9 other citizens, Jason E. Peacock and 9 other citizens, Milo W. Fish and 9 other citizens, C. E. Reeves and 9 other citizens, and of James H. Hopkins and 9 other citizens, all in the State of Michigan; of W. H. Briggs and 9 other citizens, Henry J. Ewing and 9 other citizens, George Simpson and 9 other citizens, W. O. Strong and 9 other citizens, Ernest H. Crosby and 8 other citizens, and of John J. Clark and 9 other citizens, all in the State of New York; of Willie Wilson and 9 other citizens, S. H. Harrison and 9 other citizens, Joseph P. Stewart and 9 other citizens, W. P. Davis and 9 other citizens, S. T. Pitchford and 9 other citizens, J. M. Johnson and 9 other citizens, Thomas G. Taylor and 9 other citizens, and of O. R. Owens and 9 other citizens, all in the State of North Carolina; of A. McGaugh and 9 other citizens, Henry B. Hayden and 9 other citizens, and of J. C. Carroll and 9 other citizens, all in the State of Colorado; of C. H. Bishop, sr., and 9 other citizens, Milton Wilkin and 55 other citizens, and of Joseph A. Bauer and 9 other citizens, all in the State of Ohio; of Peter Schaus and 27 other citizens, R. G. W. Collins and 9 other citizens, W. A. Cutler and 20 other citizens, and of John Forman and 14 other citizens, all in the State of Wisconsin; of G. D. Hickerwell and 9 other citizens, of John S. McCoy and 9 other citizens, and of W. C. Griffin and 9 other citizens, all in the State of Pennsylvania; of G. W. Barnes and 9 other citizens, of Joseph Sullivan and 9 other citizens, Lester L. Lowney and 7 other citizens, Albert S. Cook and 4 other citizens, and of Henry R. Way and 9 other citizens, all in the State of Connecticut; of J. J. Russell and 9 other citizens, Richard Eisele and 9 other citizens, and of P. P. Wynn and 9 other citizens, all in the State of Arkansas; of C. W. Potter and 9 other citizens, and of B. B. Mastick and 9 other citizens, all in the State of Nebraska; of B. F. Roseman and 17 other citizens, and of R. C. Braden and 9 other citizens, all in the State of Texas; of A. B. Treanor and 2 other citizens, and of F. E. Babcock and 8 other citizens, all in the State of California; of Theodore Melching and 15 other citizens, and of John Hearn and 19 other citizens, all in the State of Indiana; of D. McConnehey and 9 other citizens of Oklahoma Territory; of J. H. Steffee and 9 other citizens of Georgia; of J. C. Sumner and 9 other citizens of Kentucky; of O. B. Messinger and 9 other citizens of Oregon; of John A. Barnard and 13 other citizens of Missouri; of Howard Turner and 9 other citizens of Maine; of Josephus Daniels, of South Carolina, and of John C. Elder and 6 other citizens, all in the United States, remonstrating against any extension of the sovereignty of the United States over the Philippine Islands in any event, and over any other foreign territory without the free consent of the people thereof; which were referred to the Committee on Foreign Relations.

Mr. WARREN presented the petition of I. C. Whipple and 53 other citizens of Cheyenne, Wyo., praying for the enactment of legislation to equalize the pay of letter carriers; which was referred to the Committee on Post-Offices and Post-Roads.

He also presented petitions of Local Lodge No. 89, International Association of Machinists, of Cheyenne, Wyo.; of Black Hills Lodge, No. 86, Brotherhood of Locomotive Firemen, of Laramie, Wyo., and of the Hard and Soft Wheel Grinders and Strappers Union, No. 1, International Union of Bicycle Workers, of Toledo, Ohio, praying for the passage of the eight-hour bill; which were referred to the Committee on Education and Labor.

Mr. ALLEN. I present a resolution adopted by the house of representatives of Nebraska, favoring the ratification of the treaty of peace, which I ask may be read and lie on the table.

There being no objection, the resolution was read, and ordered to lie on the table, as follows:

HOUSE OF REPRESENTATIVES, TWENTY-SIXTH SESSION,
Lincoln, Nebr., February 3, 1899.

Mr. Speaker, I offer the following resolution:

Whereas the Government of the United Sitates and the Government of Spain have, after long and careful negotiatons, agreed upon a treaty of peace, and the terms of that treaty are, in all of its substantial features, in accord with the terms proposed by the United States; and

Whereas a failure to ratify the treaty by the Senate of the United States would place the Government of the United States in a ridiculous position before the world in failing to ratify what it had itself proposed; and

Whereas the ratification of the treaty in no manner commits this Government to the so-called policy of expansion or imperialism, but simply puts an end to the war and permits the nation to assume and perform the duties imposed upon it by the results of the Spanish-American war: Therefore,

Resolved, That the house of representatives hereby respectfully requests Senators ALLEN and THURSTON to vote for the ratification of said treaty of peace.

J. H. EVANS.

I hereby certify that the above is a true and correct copy of a resolution introduced and passed by the house of representatives on this the 3d day of February, A. D. 1899.

JOHN WALL,
Chief Clerk of the House of Representatives.
PAUL F. CLARK,
Speaker of the House of Representatives.

Mr. GEAR presented a petition of sundry citizens of Shelby County, Iowa, and a petition of sundry citizens of Jefferson County, Iowa, praying that women be granted the right of suffrage in Hawaii; which were referred to the Select Committee on Woman Suffrage.

He also presented a petition of the Ladies' Library Association of Iowa, praying for the adoption of an amendment to the Agricultural appropriation bill proposing to appropriate $10,000 to be expended for investigation and reports on the best methods and appliances for the preparation of food, with a view to advancing the interests of domestic science; which was referred to the Committee on Appropriations.

Mr. ROSS presented a petition of the Woman's Christian Temperance Union of Derby Line, Vt., praying for the enactment of legislation to prohibit the sale of intoxicating liquors in Government buildings; which was referred to the Committee on Public Buildings and Grounds.

He also presented petitions of the Congregational Society and Woman's Christian Temperance Union of Derby Line and of the Young People's Society of Christian Endeavor of the First Congregational Church of St. Albans, all in the State of Vermont, praying for the enactment of legislation to prohibit the interstate transmission of lottery messages and other gambling matter by telegraph; which were referred to the Committee on the Judiciary.

Mr. HANSBROUGH. I present a concurrent resolution of the legislature of North Dakota, praying for the ratification of the treaty of Paris, which I ask may be read and lie on the table.

There being no objection, the concurrent resolution was read, and ordered to lie on the table, as follows:

Concurrent resolution.

Be it resolved by the house of representatives of the State of North Dakota (the senate concurring therein), That the war between the United States and the Kingdom of Spain having terminated, and commissioners representing each of the Governments having concluded a treaty of peace renouncing the sovereignty of the Kingdom of Spain over the island of Cuba and ceding to the Government of the United States the islands of Porto Rico and the group of islands known as the Philippines, and it being necessary before said treaty can take effect that it be ratified by the United States Senate; and the legislative assembly of this State being in favor of the ratification of the treaty of peace aforesaid and of the Government of the United States assuming control and exercising sovereignty over the territory ceded by the treaty of peace: Therefore, to that end be it

Resolved, That the Hon. HENRY C. HANSBROUGH and WILLIAM N. ROACH, United States Senators from North Dakota, be, and they are hereby, respectfully petitioned and requested to vote in favor of the ratification of the treaty of peace now pending in the United States Senate.

Resolved, That an engrossed copy of this resolution be forwarded to each of the Senators above named.

THOMAS BAKER,
Speaker of the House.
J. M. DEVINE,
President of the Senate.

Attest:
J. G. HAMILTON, *Chief Clerk.*
Attest:
L. K. ESTABROOK, *Acting Secretary of the Senate.*

REPORTS OF COMMITTEES.

Mr. CULLOM, from the Committee on Appropriations, to whom was referred the bill (H. R. 11266) making appropriations for the Department of Agriculture for the fiscal year ending June 30, 1900, reported it with amendments, and submitted a report thereon.

Mr. THURSTON, from the Committee on the Judiciary, to whom was referred the bill (H. R. 11178) to amend section 941 of the Revised Statutes, reported it without amendment.

Mr. McMILLAN, from the Committeee on the District of Columbia, to whom was referred the bill (H. R. 11629) for the extension of Pennsylvania avenue SE. to the District line, reported it with amendments, and submitted a report thereon.

Mr. GORMAN, from the Committee on the District of Columbia, to whom was referred the bill (H. R. 11597) to extend S street, in the District of Columbia, and for other purposes, reported it with amendments, and submitted a report thereon.

Mr. MASON, from the Committee on Post-Offices and Post-Roads, to whom was referred the amendment submitted by Mr. CARTER January 21, 1899, relative to the transportation of mail by pneumatic tube or other similar devices, intended to be proposed to the Post-Office appropriation bill, reported it with an amendment, and moved that it be referred to the Committee on Appropriations and printed; which was agreed to.

Mr. WOLCOTT, from the Committee on Post-Offices and Post-Roads, to whom was referred the amendment submitted by Mr. KYLE January 30, 1899, relative to an additional appropriation for clerk hire in third and fourth class post-offices, intended to be proposed to the Post-Office appropriation bill, reported favorably thereon, and moved that it be referred to the Committee on Appropriations and printed; which was agreed to.

He also, from the same committee, reported an amendment relative to the compensation of clerks in charge of substations for the issue of postal money orders, and authorizing the Postmaster-General to prescribe the conditions, fees, and forms for the issue of money orders, intended to be proposed to the Post-Office appropriation bill, and moved that it be referred to the Committee on Appropriations and printed; which was agreed to.

He also, from the same committee, to whom the subject was

referred, reported a bill (S. 5451) authorizing the Postmaster-General to maintain a "key-deposit fund," and for other purposes; which was read twice by its title.

He also, from the same committee, to whom was referred the bill (S. 3283) regulating the postage on letters written by the blind, reported it without amendment.

Mr. PETTIGREW, from the Committee on Indian Affairs, to whom was referred the bill (S. 5427) granting to the Clearwater Short Line Railway Company a right of way through the Nez Perces Indian lands in Idaho, reported it without amendment.

BILLS INTRODUCED.

Mr. HAWLEY introduced a bill (S. 5452) to amend an act entitled "An act to suspend the operation of certain provisions of law relating to the War Department, and for other purposes;" which was read twice by its title, and, with the accompanying paper, referred to the Committee on Military Affairs.

Mr. PETTIGREW introduced a bill (S. 5453) for the relief of the certain Indians in the Indian Territory who desire to sell their lands and improvements and emigrate elsewhere; which was read twice by its title, and referred to the Committee on Indian Affairs.

Mr. SPOONER introduced a bill (S. 5454) for the relief of William P. Cockey; which was read twice by its title, and referred to the Committee on Claims.

He also introduced a bill (S. 5455) granting an increase of pension to Harvey Graham; which was read twice by its title, and, with the accompanying papers, referred to the Committee on Pensions.

Mr. HANNA introduced a bill (S. 5456) granting a pension to Catharine Harris; which was read twice by its title, and, with the accompanying papers, referred to the Committee on Pensions.

Mr. CULLOM introduced a bill (S. 5457) for the erection of a public building in the city of Elgin, Ill.; which was read twice by its title, and referred to the Committee on Public Buildings and Grounds.

AMENDMENTS TO APPROPRIATION BILLS.

Mr. PETTIGREW submitted an amendment proposing to appropriate $25,000 for the improvement of the Missouri River at or near Chamberlain, S. Dak., intended to be proposed by him to the river and harbor appropriation bill; which was referred to the Committee on Commerce, and ordered to be printed.

He also submitted an amendment proposing to appropriate $60,000 for improvements already begun on the Missouri River at or near Pierre and Fort Pierre, S. Dak., intended to be proposed by him to the river and harbor appropriation bill; which was referred to the Committee on Commerce, and ordered to be printed.

He also submitted an amendment proposing to appropriate $25,000 for improvements already begun on the Missouri River at or near Elk Point, S. Dak., intended to be proposed by him to the river and harbor appropriation bill; which was referred to the Committee on Commerce, and ordered to be printed.

Mr. SPOONER submitted an amendment proposing to pay $238.75 to Michael Conlan, being the difference between the compensation of a laborer and that of a messenger from December 2, 1898, to March 31, 1899, intended to be proposed by him to the general deficiency appropriation bill; which was referred to the Committee on Appropriations, and ordered to be printed.

Mr. LODGE submitted an amendment proposing to appropriate $10,000 for the purchase of the Le Clear portrait of Ulysses S. Grant, now in the Executive Mansion, intended to be proposed by him to the sundry civil appropriation bill; which was referred to the Committee on the Library, and ordered to be printed.

He also submitted an amendment proposing to appropriate $20,000 for continuing the improvement of the harbor at Lynn, Mass., intended to be proposed by him to the river and harbor appropriation bill; which was referred to the Committee on Commerce, and ordered to be printed.

MONUMENT TO GEORGE HENRY ELLIS.

Mr. CHANDLER. I submit an amendment intended to be proposed by me to the naval appropriation bill, which I ask may be read in full and referred to the Committee on Naval Affairs.

The amendment was read, referred to the Committee on Naval Affairs, and ordered to be printed, as follows:

To enable the Secretary of the Navy to erect at some suitable place on public grounds, or in the cemetery, a monument to George Henry Ellis, yeoman, killed on the United States cruiser *Brooklyn* in the battle off Santiago, on July 3, 1898, he being the only person killed in battle in the naval engagements which resulted in the total destruction of the two principal Spanish fleets in Manila Bay and off Santiago de Cuba, $5,000.

PERSONNEL OF NAVY AND MARINE CORPS.

Mr. GALLINGER submitted an amendment intended to be proposed by him to the bill (H. R. 10403) to reorganize and increase the efficiency of the personnel of the Navy and Marine Corps of the United States; which was referred to the Committee on Naval Affairs, and ordered to be printed.

POLICY REGARDING THE PHILIPPINE ISLANDS.

Mr. McENERY. I offer a resolution and ask that it be read, and that an hour be fixed before 3 o'clock when the vote shall be taken on it.

The VICE-PRESIDENT. The resolution will be read.

The Secretary read as follows:

Resolved, That by the ratification of the pending treaty of peace with Spain it is not intended to incorporate the inhabitants of said islands into citizenship of the United States; nor is it intended to permanently annex said islands as an integral part of the territory of the United States; but it is the intention of the United States to establish on said islands a government suitable to the wants and conditions of the inhabitants of said islands, to prepare them for local self-government, and in due time to make such disposition of said islands as will best promote the interests of the citizens of the United States and the inhabitants of said islands.

Mr. McENERY. I ask that a vote be taken on this resolution to-day prior to going into executive session.

The VICE-PRESIDENT. The Chair understands the request of the Senator from Louisiana to be for unanimous consent that there may be a vote taken to-day on his resolution prior to the vote to be taken on the treaty of Paris.

Mr. BACON. I could not gather from the reading of the resolution whether it is a joint or a Senate resolution.

The VICE-PRESIDENT. The Chair supposes it to be a simple Senate resolution or a concurrent resolution.

Mr. BACON. The Secretary did not read a resolving clause which would indicate it to be a concurrent resolution.

Mr. GALLINGER. Let it be read again in full.

The Secretary again read the resolution.

The VICE-PRESIDENT. The Chair is requested to state by the introducer of the resolution that he introduced it as a simple Senate resolution, but he wishes to change it into a joint resolution.

Mr. FRYE. And he asks unanimous consent that a vote may be taken on it to-day.

The VICE-PRESIDENT. The resolution now before the Senate, introduced by the Senator from Louisiana, is intended to be a joint resolution. It will be read by title.

The joint resolution (S. R. 240) declaring the purpose of the United States toward the Philippine Islands was read twice by its title.

The VICE-PRESIDENT. The Senator from Louisiana asks that a vote be taken upon the joint resolution this afternoon. Is there objection.

Mr. ALLEN. I object.

The VICE-PRESIDENT. Objection is made.

MESSAGE FROM THE HOUSE.

A message from the House of Representatives, by Mr. W. J. BROWNING, its Chief Clerk, announced that the House had agreed to the concurrent resolution of the Senate requesting the President of the United States to return to the Senate the bill (S. 569) to increase the pension of Clarinda S. Hillman.

The message also announced that the House had passed the following bills; in which it requested the concurrence of the Senate:

A bill (H. R. 11142) granting to the mayor of the city of Victor, in the county of El Paso and State of Colorado, the right to enter certain lands therein described for city purposes; and

A bill (H. R. 11717) making appropriations for the support of the Military Academy for the fiscal year ending June 30, 1900.

The message also announced that the House had passed a concurrent resolution extending the thanks of Congress to the State of Missouri for providing and furnishing statues of Thomas Hart Benton and Francis Preston Blair, and accepting the same, to be placed in Statuary Hall, in the Capitol; in which it requested the concurrence of the Senate.

ENROLLED BILL SIGNED.

The message further announced that the Speaker of the House had signed the enrolled bill (S. 4070) to amend an act granting to the St. Louis, Oklahoma and Southern Railway Company a right of way through the Indian Territory and Oklahoma Territory, and for other purposes; and it was thereupon signed by the Vice-President.

ARREARAGES OF TAXES.

Mr. McMILLAN submitted the following report:

The committee of conference on the disagreeing votes of the two Houses on the amendments of the House to the bill (S. 4700) entitled "A bill to receive arrearages of taxes due the District of Columbia to July 1, 1896, at 6 per cent interest per annum, in lieu of penalties and costs," having met, after full and free conference have agreed to recommend and do recommend to their respective Houses as follows:

That the Senate recede from its disagreement to the first amendment of the House, and agree to the same amended as follows: In lieu of "ninety-eight" read "ninety-seven;" and the Senate agree to the same.

That the Senate recede from its disagreement to the second amendment of the House, and agree to the same amended as follows: Instead of the date "January, 1900," read "July, 1899;" and the Senate agree to the same.

That the Senate recede from its disagreement to the amendment of the House relative to the title, and agree to the same amended so as to read: "A bill to receive arrearages of taxes due the District of Columbia to July 1,

1897, at 6 per cent per annum, in lieu of penalties and costs;" and the Senate agree to the same.

JAMES McMILLAN,
CHARLES J. FAULKNER.
Managers on the part of the Senate.

JOHN J. JENKINS,
CHARLES F. SPRAGUE.
JAMES D. RICHARDSON.
Managers on the part of the House.

The report was agreed to.

HOUSE BILLS REFERRED.

The bill (H. R. 11142) granting to the mayor of the city of Victor, in the county of El Paso and State of Colorado, the right to enter certain lands, therein described, for city purposes was read twice by its title, and referred to the Committee on Public Lands.

The bill (H. R. 11717) making appropriations for the support of the Military Academy for the fiscal year ending June 30, 1900, was read twice by its title, and referred to the Committee on Appropriations.

RELATIONS WITH PORTO RICO AND THE PHILIPPINES.

The VICE-PRESIDENT. The Chair lays before the Senate the resolution submitted by the Senator from Nebraska [Mr. ALLEN], which comes over from a previous day. It will be read.

The resolution submitted on the 4th instant by Mr. ALLEN was read, as follows:

Resolved, That the Senate of the United States, in ratifying and confirming the treaty of Paris, does not commit itself or the Government to the doctrine that the islands acquired by virtue of the war with Spain are to be annexed to or become a part of the United States, and that the difference in the language of said treaty as respects the island of Cuba and its inhabitants and the island of Porto Rico and Philippine Islands and their inhabitants shall not be construed or be held to be a difference in effect, but that it is the intention and purpose of the Senate in ratifying said treaty to place the inhabitants of the Philippine Islands and Porto Rico in exactly the same position as respects their relations to the United States as are the inhabitants of Cuba.

Mr. ALLEN. Let the resolution be passed over.

The VICE-PRESIDENT. The resolution will be passed over.

ACQUISITION OF TERRITORY.

Mr. ALLEN. I ask that the joint resolution introduced by the Senator from Missouri [Mr. VEST] be laid before the Senate and read.

The VICE-PRESIDENT. The Chair lays the joint resolution before the Senate.

The Secretary read as follows:

A joint resolution (S. R. 191) declaring that under the Constitution of the United States no power is given to the Federal Government to acquire territory to be held and governed permanently as colonies.

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That under the Constitution of the United States no power is given to the Federal Government to acquire territory to be held and governed permanently as colonies.

The colonial system of European nations can not be established under our present Constitution, but all territory acquired by the Government, except such small amount as may be necessary for coaling stations, correction of boundaries, and similar governmental purposes, must be acquired and governed with the purpose of ultimately organizing such territory into States suitable for admission into the Union.

Mr. ALLEN. I also ask that the resolution just introduced by the Senator from Louisiana [Mr. MCENERY] be laid before the Senate and read.

The VICE-PRESIDENT. The Chair lays the joint resolution before the Senate.

A joint resolution (S. R. 240) declaring the purpose of the United States toward the Philippine Islands.

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That by the ratification of the pending treaty of peace with Spain it is not intended to incorporate the inhabitants of said islands into citizenship of the United States, nor is it intended to permanently annex said islands as an integral part of the territory of the United States. But it is the intention of the United States to establish on said islands a government suitable to the wants and conditions of the inhabitants of said islands, to prepare them for local self-government, and in due time to make such disposition of said islands as will best promote the interests of the citizens of the United States and the inhabitants of said islands.

Mr. ALLEN. Mr. President, no attempt will be made by me this morning to discuss the question of national expansion at any length. I will confine myself to referring to that subject in general language, but before I conclude I shall attempt to distinguish between necessary and natural territorial expansion and what may be called Napoleonic imperialism.

I shall, at another time and when my friends on this side of the Chamber are not so pressed for time that they are compelled to refuse ordinary Senatorial courtesy in extending the hours of a session to enable a full and complete discussion of the question, endeavor to point out to the Senate and the country the evils and dangers of imperialism as they appear to me.

I shall vote to ratify the treaty of peace with Spain, and in doing so I must not be regarded as representing the views of anyone but those of my constituents and myself. I have necessarily been absent from the Chamber for some days, and I have not had the full benefit of all the speeches that have been made during that time, but I have read sufficiently on the subject to satisfy my mind as to what course I should pursue. I think, however, that I ought now to set at rest, as far as I am capable of doing so, a suggestion of the Sunday morning Washington Times, in which it is said:

If Senator ALLEN makes good his promise to enlighten the Senate and the country as to the motives that control Senator GORMAN in committing his party in the Senate to a cause directly opposite to that recommended by William J. Bryan, * * * and if all other things happen that it was said yesterday would happen, then the three hours of the Senate's session preceding the vote on the peace treaty will indeed be dramatic and exciting.

Mr. President, if there is anything I dislike, it is to be patted on the back and coddled and nursed like an infant by a newspaper. I have the greatest respect for that kind of journalism that is cast on a high plane and takes a lofty view of public questions, but I have not the slightest regard for that kind that would deal with the prejudices of men or that would appeal to any real or supposed vanity that I might possess to influence my conduct regarding a public question. The statement of that paper is gratuitous. It is wholly inexcusable, for I have at no time "promised to enlighten the Senate and the country as to the motives that control the action of Senator GORMAN." Nor do I know what his motives are or what he intends doing, nor am I concerned in knowing.

The distinguished senior Senator from Maryland [Mr. GORMAN] and I are friends. Our relations have never been clouded by a doubt or suspicion as to the sincerity of purpose of either, so far as I know; certainly they have not on my part. I regard the Senator as a patriotic and sincere statesman, as all the world knows him to be an able, clear-headed, and courageous man. Mr. President, I entertain views of public questions which that Senator repudiates and he entertains views of a public nature that I could never be induced to accept, and much as I respect him and believe in his sincerity and patriotism, and cheerfully as I pay tribute to his great ability and statesmanship, there are no circumstances under which I could be induced to follow his leadership on public questions, the adoption of which would, in my judgment, bring in their train nothing but want and misery and distress to my country.

Mr. President, I am not the keeper of the conscience or of the opinions of Colonel Bryan. I know no more of his wishes or opinions than I gather from his public utterances, a means of information open to all. I do not presume to represent him here or elsewhere, and assertions frequently made that I am doing so are utterly unfounded, sinister, and insincere. I am proud to admit that I at least regard myself as the personal, as I trust I am also his political friend, and I may be permitted to say, Mr. President, in this presence, without intending to reflect in the slightest degree on any other gentleman in public life, that I regard him as easily the superior in point of knowledge and capacity for public duty of any living American statesman, and I do this not because I am his debtor for political or other favors, as he is not my debtor. Whatever may betide him, I am clearly of the opinion that the impartial historian who may write in the calm of another age will rank him with Webster and Clay and that he will be regarded by future generations as one of the greatest statesmen our country has produced. I look upon him as a comet that has appeared in the political heavens, as those great statesmen appeared, that is seen upon the political horizon of our country once in a generation only.

Mr. President, if there is a man in this world who is absolutely sincere in the doctrines he advocates, that man is Mr. Bryan. He is not a demagogue, as the groundlings and tumblebugs of politics would have the world believe. The sincerity of his political convictions no man who knows him can question. They partake more of religion to him than anything else. To him his duty and pathway are clear. He is not seeking personal advantage, and his convictions on public questions are dearer than the office of President of the United States.

In another article in the Washington Sunday Times it is said:

The same gossips who have associated Senator QUAY's name with a possible bolt on the treaty are also referring to Senator ALLEN of Nebraska as one desiring some favors of the Administration. It seems to be a fairly well-established fact that in the early part of the debate on the treaty Senator ALLEN announced himself in favor of its ratification, and before going to Nebraska, about three weeks ago, he was paired with a Senator who would vote in opposition. After Senator ALLEN returned from Nebraska he was quick to announce that he was going to vote against the treaty, and shortly after the Senate convened yesterday he offered a resolution more sweeping in its provisions than any of those now pending introduced by Senator VEST, Senator BACON, and Senator SULLIVAN. Mr. ALLEN goes further than the others. He is not willing to accept Porto Rico as one of the spoils of war, but wants to give the people of that island, as well as the Filipinos, an independent government, the same as is promised for Cuba.

It has been intimated that Senator ALLEN would not object if the Administration would so exercise its influence on the Nebraska legislature as to have the Republicans join with the Populists and reelect him for another term. It is not known that Senator ALLEN would change his position on the treaty if this were done, but it is argued in political circles that this might not be bad politics from an Administration point of view.

It is very difficult, Mr. President, to meet and refute a gratuitous and unwarranted assertion of this kind. No man has ever had

the slightest occasion to doubt where I stood in respect to the ratification of the treaty. I have never occupied doubtful ground. From the time the treaty came to this Chamber and was laid before us, aye, at a time when I knew through the press what its provisions were, important as they are and as divergent as they are from my own views, I announced my purpose to vote for its ratification.

I am not seeking favors at the hands of this Administration. There is no favor President McKinley could confer upon me that would change my opinion in the slightest degree. I am an American citizen, having all the convictions and intensity of purpose of an American citizen. I am not prepared to surrender my views for favors to be shown. I would rather take my station among the humblest of my kind than to surrender an honest conviction, that is always dear to a self-respecting man.

Mr. President, there has been no purpose upon the part of this Administration, so far as I know, of extending to me any favor. Indeed, I do not know what favor could be extended to me; nor has there been the slightest intention on my part to invite the Republicans to assist me to a reelection. I do not want a reelection that badly. I would not now, if the Republican party of this great nation would tender me their services in the struggle going on in the legislature of Nebraska, accept it.

I have not seen nor talked with the correspondent of a newspaper since my return to this city from my home in Nebraska, and no man has a right to attribute, and if he was a self-respecting man he would not attribute to me opinions and purposes and motives I have not entertained.

Now, Mr. President, because I shall vote for the treaty it does not follow that I am in favor of annexation. I do it for the simple reason that in my judgment the Government of the United States can not afford to open up negotiations with the Spanish dynasty again. We have the whole question within our jurisdiction and within our power, and here and by us alone it should be settled. If by amending the treaty we send it back for further consideration by the commissioners, or to new commissioners to be appointed; if we open up the subject-matter of the treaty, we will, in my judgment, especially in the light of very recent events, incur the danger of European interference and European complications.

Sir, it is because we will have the power, when the treaty is ratified, of determining the form of government to be set up in the Philippine Islands and in the other possessions that have come to us as a result of the war, without incurring any danger from abroad, that I shall vote for the ratification of the treaty.

If I had been a member of the commission I would not have assented to many of its provisions. I would have insisted that the same provision which applies to Cuba should apply to the Philippines and to Porto Rico. Otherwise I would not have been brought to sign the treaty or the report favorably recommending it. But, sir, the treaty is here, and it must be disposed of by the American Senate without further delay.

I am not in favor and I shall not vote for the joint resolution of the senior Senator from Georgia [Mr. BACON]. If passed by Congress and signed by the President, it would simply become a statute that may be repealed by another Congress. It is not expressive of the conviction of this body, which is the constitutional tribunal that must pass upon the treaty and construe and give it force. It would not, in my judgment, possess the force of an ordinary Senate resolution expressing the views of the Senate.

Nor, Mr. President, will I vote for any amendment, not that I would not do so under ordinary circumstances, not that I do not believe the treaty would be better for the amendment offered by the Senator from Missouri [Mr. VEST], but because to vote for it and amend it would open the whole controversy to further negotiations and invite the danger which I fear would come.

Mr. President, it has been asserted in this Chamber by a number of Senators that the Constitution of the United States does not ex proprio vigore extend to newly acquired territory. I desire in my own way to combat that proposition. I am surprised to hear any Senator announce that the Constitution, so far as the privileges and immunities of citizenship are concerned, does not of its own force extend to all territory within our jurisdiction and to the inhabitants thereof.

I have devoted some time to searching the history for precedents and in endeavoring to come to a point where my own judgment would be safely anchored on the question whether the Constitution extends to newly acquired territory at the time of its acquisition and whether the rights of the inhabitants of such territory are protected by its provisions, or whether they possess only such rights as Congress may see fit to give them or as may be exercised by a practically unrestrained military government.

History, so far as it throws any light on this subject, has been fully presented by Senators who have spoken, and there is little to be said that has not already been quoted and analyzed. Executive and Congressional precedents have been fully exposed, and every deduction that could be made therefrom has been fully and exhaustively presented. Senators have vied with one another in calling attention to the acquisition of territory, beginning with that of Louisiana in 1803 and ending with the Hawaiian Islands in 1898. Expressions of learned judges made by way of arguendo, because the courts must recognize the political boundaries and sovereignty of the nation as marked by the political branch of the Government, have been repeatedly referred to, but they are none the less interesting from the fact that they do not have the force of law, as they necessarily have deep significance to one searching for the solid ground of truth.

The field of learning seems to have been entirely covered so far as the history of the case is concerned, and also so far as reasonable deductions can be made therefrom. There have been in the entire history of our Government, from the formation of the Constitution and the distribution of its respective powers, two schools of constitutional thought; the one holding tenaciously to the doctrine that the Government possesses and can exercise authority, so far as its foreign policy is concerned, consistent only with the primary purpose of maintaining a government for certain well-defined territories and well-defined inhabitants thereof and their posterity. This school is known as strict constructionists. They hold that the Government is one of delegated powers alone, and that a power does not exist unless expressly granted or necessarily or at least conveniently implied to carry out a granted power.

The other school is perhaps best known as the Hamiltonian theorists, that have from time to time held that the Constitution created a government national in character and possessing, as respects its external relations, not only an express but an implied authority necessary to be exercised with foreign countries as completely and as fully as any nation of the world. Arguments have been brought forth from time to time by these different schools in advocacy of their respective views, and conflicts of a very sharp and important nature have been the result.

Every constitutional expression, clause, and sentence has been examined with a resolute purpose of ascertaining its true meaning, not only in the light of original discussion and as presenting a question of first instance and greatest importance, but also in the light of history and of the spirit and atmosphere of the period of constitutional formation. The temper, habits, and thought, as well as the known intention, of the framers and their unswerving desire of erecting a government that should exist for all time, under whose flag and sovereignty the mightiest nation of the earth would be carried forward to a dreamless and endless destiny, have been considered.

Mr. President, I have been impressed, since the acquisition of this new territory as a result of the war with Spain, with the overshadowing necessity of considering the question with faultless accuracy. What we may do is not to be the work of an hour, nor can it be undone by subsequent legislation or executive order, but it is to stand for all time and involves for final weal or woe the present inhabitants of the United States and those of the new territory, as well as those of countless generations to succeed. If, unfortunately, we shall authoritatively express a conclusion that would cause our country to be overrun by a horde of alien peoples in no manner capable of using or enjoying the blessings and privileges of self-government, or of maintaining them when won by others, whose presence and influence would deteriorate or injure the nation, ultimately wrecking the Constitution and destroying our political institutions, a horde of people unassimilable by reason of turbid and passionate natures, the consequences would be fearful to the happiness and progress of the world, and we would be justly chargeable with inexcusable incompetency to deal with the question.

The Government of the United States was erected for all ages. It was established through the agitation, struggle, and bloodshed of those who had been seeking for generations the formation of political institutions where individual independence, action, and thought would have the largest field of operation. The doctrine of the divine right of kings to rule was for the first time in the history of the world ignored and set aside, after a revolution lasting over seven years and prosecuted under discouraging circumstances, but which, aided by Divine Providence, eventually resulted in the dismemberment of that people from the mother country and from her political institutions. For the first time in all history the right of every human being, by virtue of his birth, to govern himself and indirectly exercise sovereignty in the conduct of the affairs of his Government, helping to shape its policies and to mold its institutions, was announced.

Europe, horrified at this declaration, expressed free and frequent opinions that a government by the people could not long exist, and that, amid warring factions, turbulent multitudes, and the incompetency of those intrusted with the immediate exercise of sovereignty, it would fall and be succeeded by an aristocracy, an oligarchy, or even monarchy itself. Mr. President, it has been the pride of every American citizen that the political institutions erected by the fathers of the Republic for the benefit of themselves and their posterity have survived, and that by the exercise of a

high degree of intelligence and deliberation, caution, patriotism, and moderation, it will be within the power of the people to reorganize the authority of the Republic on higher and broader principles and place it in a position where the least restraint shall be exercised over the people consistent with public peace, good order, and safety.

We should not, in discussing the questions presented by these resolutions, forget these facts, and nothing should be done that would in the slightest degree militate against or imperil our institutions.

But the first question presented for consideration is one of naked constitutional power of acquiring territory and the extension thereover of the provisions of the Constitution to the inhabitants at the moment of its acquisition. Mr. President, I must admit, although familiar in a general way with the history of the formation and great purpose of the Constitution, that when I first began examining this question and the policy and course of the Government I found myself, as I supposed, unalterably arrayed against it.

I had held, as I think all will agree, that this being a government of enumerated powers, written and implied, the doctrine of limitation extends to our foreign relations as well as to our domestic institutions, and that a power not classified with one or the other of these does not exist, and I am inclined to think that this was the earlier opinion of those who participated directly in laying the foundation of the Republic. But I am now convinced that I was wrong in so far as the exercise of constitutional power with foreign nations, or in the acquisition of additional territory is concerned. Whether or not the great lawyers, patriots, and statesmen who drafted and adopted the Declaration of Independence, and those who submitted the Constitution of the United States, as well as many of its amendments to the people, clearly understood the power that was being granted to the nation, so far as its foreign relations are concerned, it must, I think, be admitted that express grants were made that gave the United States as full and perfect sovereignty in our relations with foreign countries and foreign people as would or could be possessed or exercised by the most absolute kingdom or monarchy of earth.

Doubtless it was not believed by many in the early history of the Government and during the period covered by the promulgation of the Declaration of Independence, the formation of the Articles of Confederation, and the Constitution, that we would ever extend our jurisdiction over the entire Temperate Zone of America, and few dreamed that a powerful and compact nation with limitless commerce and agriculture and with complex industries would eventually extend from the Atlantic to the Pacific Ocean.

There may have been those who hoped for that time, and therefore it is consonant with the truth to say that it may have been anticipated, if such an event should happen, that Congress should have power to admit new States "into this Union," and "dispose of, and make all needful rules and regulations respecting the territory and all other property belonging to the United States."

Mr. President, it seems to me that it can not, in the light of the amendments to the Constitution, be denied that the United States possesses this power. There was a time in the history of this Government when the status of an American citizen was uncertain; there was a time when the question was mooted whether there could be a citizen of the United States separate and distinct from his citizenship of a State. I say the question was at least unsettled. There were jurists of national reputation, high in authority, who held that every man acquired his citizenship of the United States by and through the fact that he was a citizen of some State, while, on the other hand, there were those equally high in authority, and whose opinions were of equal weight, who held that the Constitution, regardless of the amendments, created the distinct character of a citizen of the United States independently of the State or Territory in which the individual resided.

Mr. President, in the light of amendments to the Constitution, I think there can be no longer any question respecting the status of a citizen; but I desire to refer to and read section 3, Article IV, of the Constitution, which says:

> New States may be admitted by the Congress into this Union; but no new State shall be formed or erected within the jurisdiction of any other State; nor any State be formed by the junction of two or more States, or parts of States, without the consent of the legislatures of the States concerned as well as of the Congress.

The words of that section are general. "New States," so it says, "may be admitted by the Congress into this Union;" and then the section immediately limits the general language employed, providing "but no new State shall be formed or erected within the jurisdiction of any other State; nor any State be formed by the junction or two or more States, or parts of States, without the consent of the legislatures of the States concerned as well as of the Congress."

From what territory, Mr. President, was it anticipated that new States should be formed? The colonies had certain possessions at the time of the formation of the Constitution. If new States could not be erected out of the States already in existence or by the consolidation of States or parts of States without their consent, and without the consent of Congress, where was the Government to look for the territory it could admit as new States into the Union? I can not and do not believe it was in the minds of the great men who framed this great charter of our liberty that the territorial dominion and jurisdiction of this Government should be limited to the thirteen States east of the Allegheny Mountains. Sir, I believe that Washington and his compatriots looked west of the Alleghenies and across this continent to the Pacific Ocean, and that the great men who penned this immortal instrument had it in their minds that this Government would grow to a point where it would be necessary and proper to annex new territory and to admit new States.

If I am to be called a latitudinarian because I believe this, I must submit to the classification. And yet all my life I have given my unhesitating devotion to the doctrine that the Constitution called into existence a government which did not exist before; that that government is one of delegated or enumerated powers, and that it does not possess a power not granted or not necessarily, or at least conveniently, implied to carry into execution some granted power. I give my adhesion to that doctrine now. Sir, I have no more doubt that such was the belief of those who framed, promulgated, and adopted the Constitution than I have of my own existence; and yet I can understand quite well how, with all the caution exercised by the fathers of the Republic and the members of the Constitutional Convention, powers may be discovered couched in the Constitution that they themselves were not fully cognizant of at the time.

Then, Mr. President, I turn briefly to paragraph 2 of this same section of the Constitution:

> The Congress shall have power to dispose of and make all needful rules and regulations respecting the territory or other property belonging to the United States.

What territory was meant by this provision of the Constitution? Was it intended that Congress should have power to make rules and regulations for governing the territory embraced in the States? Certainly not. Each of the States had a perfect government of its own, exercising every conceivable power an independent government could exercise, except in those cases where the States granted power to the General Government, and where by the adoption of the Constitution they had restrained themselves from the exercise of power; in other words, when the Government of the United States was created, the thirteen original States carved out of their otherwise unrestricted sovereignty certain powers which they conferred on the General Government, and restrained themselves from the exercise of certain other powers, and with those exceptions each State to-day can exercise all the power of the most independent and absolute government of earth.

And who is bold enough to deny that the inhabitants of newly acquired territory fall within the language and purpose of the fourteenth amendment of the Constitution, which declares that "All persons born or naturalized in the United States, and subject to the jurisdiction thereof, are citizens of the United States and of the State wherein they reside?" If the Philippine Islands are to be annexed to the United States, would not their inhabitants "be subject to the jurisdiction thereof" and consequently "citizens of the United States," and as such entitled to all "the privileges and immunities thereof?"

Mr. President, the hour when the Senate under its unanimous-consent agreement is to pass into executive session to vote on the treaty is rapidly drawing near. Other Senators desire to speak upon this question before that hour, and I must necessarily be brief in the remarks I am to make; but I can not resist the temptation of calling attention to a remarkable statement of the senior Senator from Ohio [Mr. FORAKER] in his speech the other day, when he declared that the Declaration of Independence was simply a bill of complaint, or a bill enumerating certain grievances against the British Crown.

Mr. President, I am not too old to learn; I learn daily; and I hope during the years that may be allotted to me on earth I may never grow so old and inattentive to duty as not to learn hour by hour; and yet I have supposed throughout all the years of my life that the Declaration of Independence is the first great charter of American liberty. It was not the beginning of government; it was the first crystallization in the form of a written document of certain well-known and generally accepted doctrines held in this country in colonial days; it was the first defiance that was hurled in the face of England and Continental Europe by the colonists who inhabited this country. It was not and is not simply a bill of complaint against the English Government. Let me read a paragraph from it. Said the Continental Congress:

> We hold these truths to be self-evident, that all men are created equal, that they are endowed by their Creator with certain unalienable rights, that among these are life, liberty, and the pursuit of happiness. That to secure these rights governments are instituted among men, deriving their just powers from the consent of the governed. That whenever any form of government becomes destructive of these ends, it is the right of the people to alter or to abolish it, and to institute new government, laying its foundations

on such principles and organizing its powers in such form as to them shall seem most likely to effect their safety and happiness.

Mr. President, that does not sound like a mere bill of complaint against the English Government. It was the announcement of principles that are as deathless as the sun and as eternal as the rock-ribbed earth. I say in this splendid presence this day that I hold to the doctrine that every human being is born with the right to rule and control himself, if capable. I can not understand how, through the ages that have passed, any man could be found of such indifferent or weak intellect that he could have reached a different belief.

Mr. President, it is as much the right of a Filipino to govern himself, if he is capable of doing so, as it is the right of an American citizen to do so. This doctrine is not confined to the people of the United States. It extends, according to the language, to all men, wherever found; yet the Senator from Ohio would have this great document mean no more than a mere bill of complaint against the English Crown!

Nor, sir, can I agree with the distinguished Senator from Connecticut [Mr. PLATT], who announced the startling doctrine in this Chamber that it was the right of "some of the governed" to participate in the government. I do not quote his exact language, but the substance of what he said. That, too, is a novel and startling proposition. Where is the line of demarkation to be drawn? Our ancesters said it was the inalienable right of all men to participate in their government. Sir, there was no restriction, no limitation. All, so they said, were entitled to this blessing; and yet in the Senate of the United States the monstrous doctrine is advanced that a few men alone are entitled to participate in the government. Where, I ask again, is the line of demarkation to be drawn? Is it to be placed on religious, on political, on personal, or on educational ground? No, Mr. President, the doctrine was monstrous in its conception and it would be disastrous in its consequences if applied.

Mr. President, I desire to call attention to a remark of the distinguished senior Senator from Virginia [Mr. DANIEL], made on Saturday last, presenting an argument with which I can not agree and in which I do not concur. That Senator said that the power to acquire territory exists as incident to the war-making power, which is correct, and then he said territory could be acquired by treaty and by cession. There are but two ways to acquire territory under the Constitution—one as an incident of the war-making power and the other by virtue of the treaty-making power. What is a cession but a treaty? It is, as the law books say, a treaty of cession, just as we speak of a treaty of commerce or a treaty of amity and peace. There is no way known among men, under a Government like ours, of acquiring territory except as an incident of the power to make war and by virtue of the power to make treaties with foreign nations.

The distinguished Senator said the difference between a treaty and a cession was this: That a treaty carried with it certain interdependent obligations binding upon both parties, while a cession was no more than a deed of quittance or a release to the party receiving it. Sir, that is like the impossible distinction made by some law writers between a bilateral and a unilateral contract. You can scarcely open a law book that treats on the subject of contracts that you will not find refinements and distinctions between a bilateral and a unilateral contract; and yet, in my judgment, there is not the slightest distinction between such contracts, for every contract, whether it be signed, every contract, whether it be partly in writing or rests partly in parole, is a contract that carries with it obligations and duties on the part of the respective parties. So, Mr. President, I assert again that the sole power possessed by this Government to acquire territory is by virtue of the war-making power and the treaty-making power.

I have no doubt, Mr. President, as declared by the resolutions under consideration, that in permanently acquiring territory we would do so with the view of incorporating its inhabitants into our population as citizens. All through the history of our acquisition of territory, beginning with Louisiana in 1803 and ending with the Hawaiian Islands, our ancestors have understood, and we, too, that we hold the acquired territory in trust for statehood. So our law writers and so our jurists have declared from time to time. We have no power, in my judgment, to hold the Filipinos as vassals. We have no right to deprive them, whatever they may be, of the right of self-government if they desire it. It would be ruinous, in my judgment, if we sought to do so.

Sir, we are confronted to-day in our own country with a great race problem, that must be solved soon if it is not to bring us trouble. We have conditions existing in certain sections of the Union that can not always continue. It will be the part of wise and conservative statesmanship for the American statesmen to deal with this problem in a few years. Are we now prepared, under these circumstances, to take within our population 12,000,000 people alien in race, alien in language and in purposes to a great popular government like ours? I challenge any gentleman on this floor on either side of the Chamber, I care not who he may be, to point out the authority this Government would have, when the Philippines are annexed to the United States, to restrict the expatriation of those people and their immigration here. Sir, there is no power to prevent it. The moment we permanently annex those islands to this country and they become a district or a Territory of the United States; that moment we extend our jurisdiction over them and over the people, and those people will have as much right to come into the District of Columbia or to settle in any State of this Union as I have to pass from Nebraska to Iowa or any other part of our common country.

It may be, sir, that there is a sinister motive in this; it may be that there are those who contemplate the rapid approach of the time when this debased population can be brought here and thrown in deadly contact with the laboring men of our country. I ask the Republicans of this Chamber what will become of your tariff laws under such circumstances? You have said to the laboring man of this country for more than a quarter of a century that a protective tariff is a blessing to him. You have made many of them believe it. Of course it was never intended to benefit the manufacturer, according to your argument. The manufacturer, the man who reaps the benefit from a protective tariff, has been sedulously excluded from the argument; but the tariff was to reach its strong arms around the laboring men and protect them and their families.

You said to them in 1896 that you wanted this country protected from the pauper laborer of Europe and the manufactured articles of pauper labor, and yet by annexation you will open wide the door to an endless horde of nondescript population that can come to your very doors in spite of all you can do, in deadly contact with the laborer of this country, debasing the civilization of himself and his family. You will simply move the factory from the United States to Manila and the Hawaiian Islands. And what, too, will become of the Chinese-exclusion acts? They will be swept away and a resistless tide of cheap labor admitted.

Mr. President, there has never been a moment in my life since I have been old enough to understand anything about the political institutions of this nation that I have not been devoted to the welfare of my country. There will never come a time in my life when this country will not have whatever strength and influence I can give it. I may not approve of some of its policies, as I do not. I may disagree with the distinguished gentleman who is at the head of this Government at the present time, as I do. But, sir, I do it honestly, because I believe many of his policies are wrong. I am not to be driven from my position because some portion of my constituency may not approve of my views. I would rather take my station in the obscurest community of my State and devote the remainder of my life to eking out an existence by the most onerous manual labor than to surrender to any man, high or low, or to any organization or party, an honest, conscientious conviction of duty.

But, Mr. President, we must not shut our eyes to the dangers that confront us. Let it be once understood that we are to abandon the domestic policy that has been ours throughout the years of our national existence and embark on the uncertain sea of imperialism, to become "a power," whatever that may be, of the world, and our institutions that have been held dear for more than a century and a quarter, our flag that has floated in triumph over every foot of our common country and that has ridden the storms of the sea in triumph and in glory will be hauled down not only in Manila, but in this country as well. Can we afford to take the risk? Can we afford to incur the danger?

Sir, I hold that the foreign policy to be pursued by this Government must inevitably be a policy incident to and in aid of a strong domestic government. Such was the declaration of Hamilton himself. It was said in one of his articles in the Federalist that in the very nature of things a republic can never have an aggressive foreign policy. He said its safety was to be found in its isolation and in its compactness, for, said that great man further, in a Republic like the United States, where the Administration is changing every four years, a policy that is aggressive, that believes in the forcible colonization of other lands, may, by the election of a Chief Magistrate holding different views, be overturned and changed.

Mr. President, the news has come to us within the last few hours of a conflict between the American Army and Navy and the Filipinos. To my own State has fallen much of the loss of life and limb. Ten out of twenty of the young men who lost their lives in the battle that has been fought in the last forty-eight hours were members of the First Nebraska Infantry. There is mourning in Nebraska to-day; there will be weeping at the hearthstone of many a Nebraska home to-night. Mr. President, this ought to be a warning to us. I can not condemn too severely the assault, the treacherous assault, made on our troops. We were dealing with savages as bloodthirsty and incapable of being reconciled as the Ogallala Sioux. They precipitated this conflict of their own volition.

I uphold the general and the commander of the Navy in repelling the attack. We are in the Philippine Islands as a conquering

military power. We hold them to-day by virtue of the power to make war, and in no other sense, and there those islands and those people must remain respecting the law, respecting the dignity and the sovereignty and the flag of this nation until their status among the nations of the earth shall be defined by Congress, the sole power to deal with the question. They must be taught as long as we deal with them that submission to the constituted authority is the first duty of the citizen and the inhabitant. But, sir, if we are to hold them, if in time they are to come completely within our jurisdiction, we must not refuse them the ordinary privileges and immunities of an American citizen.

If prayer be a sincere desire of the human heart, I fervently pray that this great danger may be averted and this complex question may be solved in justice and in honor to our nation and in justice and in honor to the conquered. Those islands and those people must not be surrendered to Spain. Spain has lost her jurisdiction over them and over the islands of the Western Hemisphere forever. God grant the day may speedily come when Spain, unless she changes her civilization, shall be blotted from the map of nations. God grant the day when the Filipinos and the inhabitants of Porto Rico and Cuba may rise to a true conception of the duties and obligations of citizenship; when they too, with the encouragement of this great and powerful Republic, shall take their station among the civilized republics and peoples of the earth.

Mr. CLAY. Mr. President, I shall not occupy more than seven or eight minutes of the time of the Senate.

At 3 o'clock this evening each Senator will be called upon to cast his vote for or against the ratification of this treaty. I deem it just to myself and my constituency to briefly explain the reasons that lead me to the course I shall pursue when that hour arrives. Before I proceed to do this, I will say when a boy I linked my fortunes with the Democratic party. I have followed the standard bearers of that party in defeat and victory with a loyalty and devotion that no one has ever questioned.

It is always pleasant to me to agree with a majority of my colleagues on this side of the Chamber. I do not question the motives, Democracy, or patriotism of those who do not agree with me. I owe it to my State and my country to have and express an opinion of my own. That opinion has been formed after the most mature reflection and my duty to my country I will pursue, as I see it, regardless of the consequences.

It is well to confer and reason together, but I would despise myself if I were governed by the influence of friends and associates against my conscience and judgment.

At the last session of Congress I cast my vote against the annexation of the Hawaiian Islands. I am now unalterably opposed to the annexation and permanent retention of the Philippine Islands. I hold in my hand the resolution of the senior Senator from Massachusetts [Mr. HOAR], also the resolution of my colleague [Mr. BACON], also the resolution of the junior Senator from Kansas [Mr. HARRIS], and the senior Senator from Kentucky [Mr. LINDSAY], also the amendment to the treaty offered by the senior Senator from Missouri. For each of these I shall cast my vote if given an opportunity. I prefer, first, the resolution of the Senator from Massachusetts; next, the resolution of my colleague; and if these are voted down then I will vote for either of the other resolutions. I will never cast my vote in favor of the Sullivan resolution, for in my opinion it is a mere shadow without any substance. These resolutions provide for an independent government for the people of those islands. I ask that each be inserted as a part of my remarks.

The resolutions referred to are as follows:

[Senate resolution No. 464, Fifty-fifth Congress, third session.]

In the Senate of the United States. January 14, 1899, ordered to be printed. Mr. HOAR submitted the following resolution:

Resolved, That the people of the Philippine Islands of right ought to be free and independent; that they are absolved from all allegiance to the Spanish Crown, and that all political connection between them and Spain is and ought to be totally dissolved, and that they have, therefore, full power to do all acts and things which independent states may of right do; that it is their right to institute a new government for themselves, laying its foundation on such principles and organizing its powers in such form as to them shall seem most likely to effect their safety and happiness; and that with these rights the people of the United States do not propose to interfere.

[Senate resolution 211, Fifty-fifth Congress, third session.]

In the Senate of the United States. January 11, 1899. Mr. BACON introduced the following joint resolution; which was read twice, and ordered to lie on the table. January, 18, 1899, amended. January 30, 1899, modified and ordered to be reprinted as modified.

Joint resolution relative to the acquisition of foreign territory.

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, First. That the Government and people of the United States have not waged the recent war with Spain for conquest and for the acquisition of foreign territory, but solely for the purposes set forth in the resolutions of Congress making the declaration of said war, the acquisition of such small tracts of land or harbors as may be necessary for governmental purposes being not deemed inconsistent with the same.

Second. That in demanding and in receiving the cession of the Philippine Islands it is not the purpose of the Government of the United States to secure and maintain permanent dominion over the same as a part of the territory of the United States, or to incorporate the inhabitants thereof as citizens of the United States, or to hold said inhabitants as vassals or subjects of this Government.

Third. That whereas, at the time of the declaration of war by the United States against Spain, and prior thereto, the inhabitants of the Philippine Islands were actively engaged in a war with Spain to achieve their independence; and whereas said purpose and the military operations thereunder have not been abandoned, but are still being actively prosecuted thereunder, therefore, in recognition of and in obedience to the vital principle announced in the great Declaration that governments derive "their just powers from the consent of the governed," the Government of the United States recognizes that the people of the Philippine Islands of a right ought to be free and independent; that with this view, and to give effect to the same, the Government of the United States has required the Government of Spain to relinquish its authority and government in the Philippine Islands and to withdraw its land and naval forces from the Philippine Islands and from the waters thereof.

Fourth. That the United States hereby disclaim any disposition or intention to exercise permanent sovereignty, jurisdiction, or control over said islands, and assert their determination, when a stable and independent government shall have been erected therein entitled to recognition as such, to transfer to said government, upon terms which shall be reasonable and just, all rights secured under the cession by Spain, and to thereupon leave the government and control of the islands to their people.

[Senate resolution No. 495, Fifty-fifth Congress, third session.]

In the Senate of the United States. February 3, 1899, ordered to lie on the table. Mr. HARRIS submitted the following resolution:

Resolved by the Senate of the United States of America, That the United States hereby disclaim any disposition or intention to exercise permanent sovereignty, jurisdiction, or control over the Philippine Islands, and assert their determination, when a stable and independent government shall have been erected therein entitled to recognition as such, to transfer to said government, upon terms which shall be reasonable and just, all rights secured under the cession by Spain, and to thereupon leave the government and control of the islands to their people.

[Senate resolution 236, Fifty-fifth Congress, third session.]

In the Senate of the United States, February 3, 1899. Mr. LINDSAY introduced the following joint resolution; which was ordered to lie on the table and be printed:

Joint resolution respecting the acquisition of foreign and non-American territory.

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That the acquisition by the United States, through conquest, treaty, or otherwise, of territory carries with it no constitutional obligation to admit said territory, or any portion thereof, into the Federal Union as a State or States.

SEC. 2. That it is against the policy, traditions, and interests of the American people to admit States erected out of other than North American territory into our Union of American States.

SEC. 3. That the United States accept from Spain the cession of the Philippine Islands with the hope that the people of those islands will demonstrate their capacity to establish and maintain a stable government, capable of enforcing law and order at home and of discharging the international obligations resting on separate and independent States, and with no expectation of permanently holding those islands as colonies or provinces after they shall demonstrate their capacity for self-government, the United States to be the judge of such capacity.

[Senate resolution No. 481, Fifty-fifth Congress, third session.]

In the Senate of the United States, January 27, 1899. Ordered to lie on the table and be printed. Mr. SULLIVAN submitted the following resolution:

Resolved, That the ratification of the pending treaty of peace with Spain shall in no wise determine the policy to be pursued by the United States in regard to the Philippines, nor shall it commit this Government to a colonial policy; nor is it intended to embarrass the establishment of a stable, independent government by the people of those islands whenever conditions make such a proceeding hopeful of successful and desirable results.

Mr. CLAY. I shall vote now and at all other times hereafter when I have an opportunity against the permanent retention of those islands and against our Government undertaking to establish a colonial government against the will of the people of those islands. But I say now, duty to myself, to my State and country, as I see it, will not permit me to go further and cast my vote against the ratification of the peace treaty. If I thought my country would be benefited by such action, how I would rejoice to agree with a majority of my party associates.

I have sometimes wished that reflection would lead me to agree with them, but no process of reasoning or logic has led me to reach any such results. When Schley sank the Spanish fleet at Santiago, Spain, realizing her prostrate and helpless condition, immediately sued for peace. The American people rejoiced that American arms had been successful and that the war was over. Peace commissioners were appointed by the two nations to negotiate terms of peace. The two nations, through their representatives, have agreed upon terms of peace, and we are now called upon to ratify or reject this peace agreement.

What does the ratification of the treaty mean? It would at once unconditionally end the war. It would end at once the sovereignty of Spain over the Philippine Islands, and the great problems growing out of the war can be settled much more satisfactorily after peace is agreed upon than we can by continuing war. I prefer now a declaration of policy against the permanent retention of the Philippine Islands, but if I can not get it I will not go backward. Where does the rejection of the peace treaty leave us? Just exactly where we were when negotiations began. Spain could say, We agreed to your terms of peace and you rejected them: further negotiations must be had or the war must continue. No man can tell what complications might arise. We would have to treat further with Spain or hostilities would necessarily be renewed, and no one can tell what serious results might follow. It is a great and difficult task to settle differences between two nations engaged in war, and when such settlement is brought about

it should not be disturbed, unless we can hope for good results from such disturbance.

It has been said that if we reject this treaty an extra session of Congress can be called, and that then the ratification will take place; but during this time the unsettled condition of affairs, in my judgment, will not benefit the business interests of the country. I do not believe any possible good can grow out of the temporary rejection of the treaty. I think the sooner the war is ended, the terms of peace definitely fixed, the better it will be for the country. I feel that when I give my vote and voice in favor of a declaration of policy looking to the independence and self-government of those people I have discharged my duty, and the responsibility for their future government will rest with the Republican party, now in charge of all three branches of this Government.

The great Democratic party, to which I belong, I do not believe will cease its labors to establish a stable and independent government in those islands, one that will give to the people their freedom and independence and that will finally relieve this Government from any responsibility there. Should the Republican party, in charge of all three branches of the Government, pursue a different policy and undertake to force upon those people, through our Army and Navy, a government against their will, and undertake to govern them as an American province, the great Democratic party will go to the American people on such an issue, and the patriotism, wisdom, and intelligence of the people will drive from power the political party that attempts to fasten upon the American people this new departure.

But, Mr. President, I insist that those of us who have stood here opposed to such a policy and have endeavored to obtain a declaration setting forth plainly and unmistakably the course to be pursued by our Government have discharged our duty and have cast the responsibility for the future action of our country upon the political party in charge of the Government. I believe that the resolutions that have been introduced ought to be voted on. Objections to a vote on them ought to be withdrawn and let every Senator have a right to go to the country on the record he makes on this all-important occasion. The American Senate is the tribunal to pass upon this treaty, and each American Senator should be allowed to vote on the issues made as his conscience and best thought lead him to believe is right.

Another word before I conclude. While I favor the ultimate independence of both Cuba and the Philippine Islands, I repudiate the idea that this Government must pay Spain $20,000,000 for the Philippine Islands and then give to them an independent government without this sum being paid back to us. I repudiate the idea that we shall give to the people of the island of Cuba independence and self-government and pay the enormous expenses of the war out of the pockets of the taxpayers of this country. When we grant to the Filipinos their independence, arrangements should be made for them to pay to us every dollar we shall have paid to Spain for the purchase of those islands, both principal and interest.

When we grant to the Cubans the same condition of affairs as we have promised them, why should not the Cuban people be required to gradually pay to our Government the expenses of the war fought to free them from Spanish rule. Would it be just and right to sell four hundred millions of bonds and to pass war-revenue measures to raise funds to pay our soldiers to fight the battles of these people? If we are just to the American people, while we are giving liberty and independence to the people of these islands we will see to it that justice is done our own citizens. I can not conscientiously vote to reject the treaty, because I know and realize that these great problems must sooner or later be settled by the action of an American Congress. I believe to reject the treaty would be to make the complications more serious, the responsibilities greater; and the sooner we reach that condition of affairs where peace is definitely agreed upon between the two nations, the problems growing out of the war can be more satisfactorily solved.

With these problems staring me in the face, I can see no good to come to my country by casting my vote against the ratification of the treaty. I wish that reflection had led me to do otherwise, but to be faithful to my judgment, faithful to my conscience in the discharge of the duty that I owe to my State and to my country, I am bound to vote in favor of its ratification.

Mr. GORMAN. Mr. President, I have not consumed much of the time of the Senate in the discussion of the pending resolutions. I have had no intention of doing so, and would not now but for the occurrences of the last two days in this Chamber. The remarks of the distinguished Senator from Nebraska [Mr. ALLEN], who addressed the Senate this morning in connection with the remarks made by the distinguished Senator from Colorado [Mr. WOLCOTT], seem to make it necessary that I should say one word before we shall have entered upon the real consideration of the treaty in secret session.

It has grown to be an unfortunate custom, Mr. President, that the newspaper criticisms of public men find ready conduits in this body, so that their utterances may be recorded here upon our records. No matter how severe the criticism, how unjust the comment, it seems that at times they are to find their way into this body and to be repeated by honorable members of the Senate.

My attitude upon this treaty was well defined in a public utterance before the treaty was negotiated so far as it refers to the acquisition of the Philippine Islands. My opinion upon that question was known and freely expressed by me to one of the commissioners who negotiated the treaty before he left this country for Paris. I have had no cause to change the opinions then expressed publicly and privately. They were opinions formed after mature deliberation; opinions that I believed were in the best interests of my country; opinions to be maintained by me, no matter what the influence may be upon the other side.

In my course in public life, Mr. President, Presidents of the United States and their Cabinets have had no terrors for me. I have opposed them when they were of my own political faith, when I believed that the measures presented were too extreme and would put in jeopardy the business interests of the American people. I oppose this treaty in the form in which it comes to us, and under which we are to acquire the sovereignty of the Philippine Archipelago, filled with people who never can assimilate with us, because I believe its adoption and the acquisition of the territory would be more disastrous to my country than any other measure which has come before the Congress of the United States or the Senate of the United States from the formation of the Government to this hour.

But, Mr. President, when a question as grave as this, which divides statesmen without regard to their political opinions, comes here for consideration and for final action, what do we find? I say final action, because it depends upon the Senate to-day at 3 o'clock whether we are to enter upon this new scheme which I think is fraught with so much disaster to the American people, for I care not for the Filipinos. I speak as I understand it in the interest of the American people alone When that great question is to be determined we find that it is sought to influence the votes upon the question by small personalities.

I thank the Senator from Nebraska for naming me. It is a manly and a courageous thing for him to do. It is more manly to do it in that way than to do it by insinuation, as has been done heretofore. I thank him for stating, also, that his and my views upon public questions are as far apart as the poles. I belong to the conservative Democracy, that can never entertain an opinion or advocate an action which will destroy the industries of my country by legislation affecting the country itself, and I will always stand against a measure that I believe would involve my country in untold woes for any number of years to come. He and I differ, widely differ. I respect his manhood; I respect his views; I acknowledge that he has the right, as I have, to express them in a manly fashion.

But, Mr. President, this question will not be settled, and it ought not to be dwarfed, by personal considerations. Who in this country cares for myself or for any other man in the Democratic party or for any man in the Republican party if his aspirations and his interests are against the welfare of the common country?

Yet the Senator from Colorado [Mr. WOLCOTT], in his carefully prepared speech, as I take it, after having described the conditions attending the consideration of the treaty, said (CONGRESSIONAL RECORD, February 4):

> Bar England, there is not a country in Europe that is not hostile to us. During all this war they stood in sullen hate, hoping for our defeat and that disaster might come to us; and to-day they wait with eager and rapacious gaze, hoping that some event may yet prevent our reaping the fruits of the treaty which has been agreed upon by the commissioners of the two countries. *Yet, while this critical condition of affairs exists, it has become evident within the last few days that certain political leaders in this Chamber believe that a new issue should be brought before the American people to be determined at the next Presidential election. They intend that the American people shall be called to pass on the questions arising out of the war, and that this shall be the issue of the next campaign.*
>
> *For one I believe that issue a fair one, and I am ready, as all good citizens ought to be, to meet the views of the whole American people upon the question of the conduct of the war, of its achievements, and of the policy this country should pursue at its close. But it is deplorable, Mr. President, that in formulating such an issue and in pursuit of such a policy those leaders should find it necessary to seek to dishonor this Government and the Administration which has guided us so wisely through the troubled sea of international complications and brought us to the threshold of an honorable peace; that they should seek to degrade us in the face of the nations of the world; and that they should attempt to bring about some fancied political advantage by an effort to defeat the ratification of a treaty which, if unratified, must bring back a condition of war as it existed before the report of the commissioners, passive it may be, Mr. President, but full of uncertainty and full of disaster to the interests and the welfare of our country.*

I suppose that a fair judgment and a charitable judgment would enable me to say that the Senator from Colorado alone, of all the Senators in this body, is the only one capable of such an utterance when we are considering such a great question.

Mr. President, aspirations of public men amount to but little. That the political desire for preferment of any man would control his vote upon this treaty is inconceivable to me, and he who en-

tertains such an idea is on a very low plane in the consideration of a measure so grave.

I, Mr. President, believe in parties. I believe in my party, because I believe that the interests of the people will be best served in the end by its promotion to power and its control of governmental affairs. I adhered to it when some of its doctrines were very far from meeting with my approval, because I have believed that in the main the interests of the country would be better subserved through it.

I have known gentlemen who float between parties, who have been strong advocates of public questions and yet support a party antagonistic to them. I have seen statesmen who were wild with the thought of the free coinage of silver, and yet who on every occasion found strength and a resting place in the Republican party, which believes in a single standard of another metal.

But I want to disabuse the Senator's mind, and those who have followed him, of their false impressions.

Mr. President, on the 3d day of March next, if I shall be spared so long, I will have served on this floor eighteen years. During that whole term I do not believe that I have ever uttered a word that wounded the feelings of a brother Senator. I do not believe that I could have been capable at any time of attempting to affect public questions by criticism of the personal conduct or views of any Senator who has occupied a seat upon this floor. I think I am incapable of doing so now; and hence the moderation of the language I have used in response to that which has been uttered.

One thing more, Mr. President. Now is the best and the only opportunity, probably, I shall ever have for stating it in a way that no man may misunderstand me. I have never had but one aspiration, and that measure has been filled by the people of Maryland, among whom I was born and bred, by honoring me with three terms in this body. That has been, and that is, the height of my ambition, and I leave this Chamber by their decree, and another who differs with me in political sentiment will succeed me on March 4. It is not in the mouth of any man truthfully to say that I have sought to obtain any other or higher favors by any act of mine. Had I desired alone political promotion, had I desired to advance myself against the interests of my country, I could have followed the example of others and bent—

> The pregnant hinges of the knee
> Where thrift may follow fawning—

when my party was in power. I did not do it.

The VICE-PRESIDENT. The Chair calls the attention of the Senate to the fact that the hour of 2 o'clock has arrived, and it is his duty to lay before the Senate the unfinished business.

Mr. ALLISON. I ask unanimous consent that the Senator from Maryland may proceed.

Mr. FAULKNER. It was the unanimous-consent agreement which was given originally that when a Senator had the floor at 2 o'clock he should continue to complete his speech.

The VICE-PRESIDENT. Is there any objection to the request of the Senator from Iowa? The Chair hears none, and the Senator from Maryland will proceed.

Mr. GORMAN. I shall detain the Senate only a few moments longer.

The VICE-PRESIDENT. The unfinished business, being Senate bill 1575, will be temporarily laid aside.

Mr. GORMAN. Mr. President, away beyond office, away beyond personal desire of promotion of any sort, stands the great question we are facing. On yesterday, Sunday, the cable flashed the news that because of the attitude of the American Republic in their determination, in their effort, in their threat to take possession of a people who did not desire to become a part of the nation the blood of American citizens had flowed. Those natives, fighting for their liberty as they understand it, made an attack upon the American Army.

Who, Mr. President, believes for a moment that if there was a provision in the pending treaty like the one relating to Cuba that our occupation would be only temporary, that it is only intended to aid them to form a better government to control their own affairs, that there would have been a single life lost? They would have submitted as Gomez has submitted, and turned their army as allies and supporters of the American flag, which would, under that condition, give them liberty and freedom.

Mr. President, I believe that if the pending treaty is ratified and we obtain a cession of the sovereignty of those islands, it will be only the beginning of a war that will cost us hundreds, yes, thousands, of lives of our splendid specimens of intelligent young manhood and millions and millions of money, and that when we shall have, as we will, driven them at the point of the bayonet to submit to the authority of the American nation, with all the accompanying destruction of property and lives, the whole archipelago will then be a pest to the American Union. I believe that it will open the door for a flow from the Chinese Empire and from the islands themselves of a host of men, untold in numbers, who will not assimilate with, but will tend to degrade, the American people.

Do you remember, Mr. President—I do—that it was but ten years ago that this great American nation, with all its power, when two great political parties were lining up in the Presidential battle of 1888, was compelled by the working people, the men who are engaged in trades, the men who are engaged in labor, to abrogate a treaty with China which permitted the Chinese to come in? Only a few hundred thousand had come in on the Pacific coast, yet the feeling against them was so intense that both political parties were forced to declare against their further entry. I think it the most remarkable chapter in the history of the country and the only instance of the abrogation of a treaty by statute. While we were negotiating with China, a friendly nation, with which we were at peace, for a modification of the treaty negotiated by Mr. Seward in 1868, both parties were absolutely driven, so powerful was the feeling of the laboring people of the country, to pass an act of Congress which abrogated the treaty without giving the friendly nation an opportunity for consideration.

We made that restriction and destroyed our trade with China. They submitted to it as no other nation on the earth would have submitted to it. Our trade, however, melted away until it has run down to almost nothing as compared with that of Great Britain, France, and Germany. And now ten years after that act we propose to take islands that are in front of the China Sea. No nation on earth can guard them. No power is strong enough to prevent the Chinese from going over and obtaining a lodgment; and then it is a stepping-stone by which they will come to the United States, because when the islands are annexed the inhabitants become American citizens. You can not keep the Chinese out to-day with all the police power of the Government. You can not prevent their entry from Canada and from Mexico. It will not, in my judgment, be four years, if this treaty is ratified, before the American people will act as they did in 1888. I am not an alarmist, nor have I a desire to throw out a suggestion of disorder, but, judging from the past, our people will resent it.

I assume it is believed by the authors of this measure that the people will resent it; and hence you propose to provide for it by increasing the Army to be kept at home a hundred thousand men, at a cost of $100,000,000 a year, not alone to take care of our affairs in those distant islands, but as a police force to help to control the American people.

Mr. President, this is possibly the last time I may address the Senate upon this subject, and I now enter my solemn protest against it. I want to see this great Government march on for all time, as it has in the past, relying upon the good will and good sense of the American people to support and protect their Government without the aid of armies.

Mr. President, I fear armies at home. I witnessed the great struggle of the war between the States which closed in 1865. Since its close I have seen a great army used in part to control the sovereign States of the Union. I also witnessed the patriotic and manly efforts of the great captain of our armies, General Grant, and of that fearless volunteer soldier, Gen. John A. Logan, of Illinois, and of Benjamin F. Butler, of Massachusetts, both members of the House, who raised their voices, as all statesmen had done in the past, and favored the reduction of the Army to 30,000 men, when their own country, one-third of it, was in a state of unrest. I want to follow in their lead—a lead which makes it impossible to govern the American people by bayonets.

The spectacle has just been presented of the President of the United States, kindly, manly, partisan as he has always been, in his tour through the Southern country, preaching good will and kindness to all who inhabit that section of our common land, giving them full credit for their patriotism in this war, as he ought to have done, and making the kindly suggestion that the time had passed when there should be any distinction between the care of the graves of the Confederate dead and those of the Union soldiers. His sentiments are noble and magnanimous. But when you couple with them his other insistence, both public and private, that we must have 100,000 soldiers and a navy as large as France or Germany, how can his suggestion—honestly made, I admit—to the Southern people that the Government take care of the graves of their ancestors be otherwise interpreted than also meaning, "You must give me 100,000 men to keep in order their descendants who are living?"

Mr. President, from the whole transaction I shrink; from the whole transaction, in the interest of the people of the American Union, as I see their interests, I protest; for, I repeat, I believe the absorption of the inhabitants of these islands would be more disastrous than the war from 1861 to 1865 so far as the material interests of the country are concerned. I think it would be more disastrous than the picture drawn by the distinguished Senator from Virginia [Mr. DANIEL] of the great misfortune which came to us by the injection into our body politic of the slave, against the

protest of Virginia, and because of which the whole land was deluged in blood and brother turned against brother.

To Virginia, Mr. President, this country owes a debt of gratitude. From the days of Patrick Henry until the speech of the distinguished Senator from Virginia on my left, Virginia has always voiced the true American sentiment, which, if adhered to, will bring prosperity and glory to our common country.

EXECUTIVE SESSION.

Mr. DAVIS. I move that the Senate proceed to the consideration of executive business.

Mr. WOLCOTT. Mr. President, I ask unanimous consent that I may have five minutes to answer some personal allusions to myself made by the Senator from Maryland [Mr. GORMAN].

Mr. DAVIS. I am very sorry, but under the unanimous-consent rule adopted I feel constrained to object to the request made by the Senator from Colorado.

Mr. WOLCOTT. I hope the Senator will allow me.

Mr. DAVIS. I can not.

Mr. WOLCOTT. I only ask for five minutes, Mr. President.

Mr. GEAR. I ask unanimous consent that the Senator from Colorado may be permitted to proceed.

Mr. DAVIS. I am constrained to object, Mr. President.

The VICE-PRESIDENT. Objection is made to the request made by the Senator from Colorado [Mr. WOLCOTT]. The question is on the motion of the Senator from Minnesota [Mr. DAVIS], that the Senate proceed to the consideration of executive business.

The motion was agreed to; and the Senate proceeded to the consideration of executive business. After one hour and ten minutes spent in executive session, the doors were reopened.

PRESIDENTIAL APPROVALS.

A message from the President of the United States, by Mr. O. L. PRUDEN, one of his secretaries, announced that the President had on the 4th instant approved and signed the following acts:

S. 508. An act granting an increase of pension to John H. Sanborn;

S. 1453. An act granting an increase of pension to Henry Wilson;

S. 1454. An act granting an increase of pension to Mary Sprague;

S. 1537. An act granting a pension to John D. Coulie;

S. 2555. An act granting a pension to Hattie E. Gusler;

S. 2886. An act to increase the pension of Thaddeus M. Joy;

S. 2944. An act providing for the construction of a light-ship to be located near Cape Elizabeth, Me.;

S. 3330. An act granting an increase of pension to Napoleon B. Armstrong;

S. 3693. An act granting an increase of pension to Leah L. Price;

S. 3705. An act granting a pension to Catherine Childers;

S. 4147. An act granting an increase of pension to Robert W. Haywood;

S. 4394. An act granting an increase of pension to Alexander Keen;

S. 4399. An act granting a pension to Sarah Jordan;

S. 4547. An act granting a pension to Eli M. Couch;

S. 4584. An act granting a pension to Adda F. Thompson;

S. 4661. An act granting a pension to Hayne Agnew; and

S. 5191. An act to authorize the construction of certain bridges over the waters of Lake Champlain.

CLARINDA S. HILLMAN.

The VICE-PRESIDENT laid before the Senate the following message from the President of the United States; which was read:

To the Senate of the United States:

In compliance with a resolution of the Senate (the House concurring), I return herewith Senate bill No. 569, entitled "An act granting an increase of pension to Clarinda S. Hillman."

WILLIAM MCKINLEY.

EXECUTIVE MANSION, *February 6, 1899.*

Mr. GALLINGER. I move that the bill and accompanying message be referred to the Committee on Pensions.

The VICE-PRESIDENT. It will be so ordered.

POLICY REGARDING THE PHILIPPINE ISLANDS.

Mr. ALDRICH. I move that the Senate proceed to the consideration of the joint resolution introduced this morning by the Senator from Louisiana [Mr. MCENERY].

The VICE-PRESIDENT. The Senator from Rhode Island moves that the Senate proceed to the consideration of the joint resolution (S. R. 240) declaring the purpose of the United States toward the Philippine Islands, introduced by the Senator from Louisiana [Mr. MCENERY] this morning.

Mr. PLATT of Connecticut. Let the joint resolution be read.

The VICE-PRESIDENT. The joint resolution will be read for information before the motion is put.

The Secretary read as follows:

A joint resolution (S. R. 240) declaring the purpose of the United States toward the Philippine Islands.

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That by the ratification of the pending treaty of peace with Spain it is not intended to incorporate the inhabitants of said islands into citizenship of the United States, nor is it intended to permanently annex said islands as an integral part of the territory of the United States. But it is the intention of the United States to establish on said islands a government suitable to the wants and conditions of the inhabitants of said islands, to prepare them for local self-government, and in due time to make such disposition of said islands as will best promote the interests of the citizens of the United States and the inhabitants of said islands.

The VICE-PRESIDENT. Is there objection to the motion?

Mr. PETTUS. I move to amend the joint resolution by striking out the word "pending" before "treaty."

The VICE-PRESIDENT. The joint resolution is not yet before the Senate. The question is on agreeing to the motion of the Senator from Rhode Island.

The motion was agreed to; and the Senate, as in Committee of the Whole, proceeded to the consideration of the joint resolution (S. R. 240) declaring the purpose of the United States toward the Philippine Islands.

Mr. FRYE. It is necessary to make two or three amendments to the joint resolution.

Mr. COCKRELL. Let the joint resolution be read, and then amendments can be offered to it.

The joint resolution was again read.

Mr. HOAR. I move to amend the joint resolution by inserting, after the words "the inhabitants of said islands," the words "with the consent of the people thereof."

The VICE-PRESIDENT. The question is on the amendment offered by the Senator from Massachusetts.

Mr. COCKRELL. Let the joint resolution be read, so as to show where the amendment is to be inserted. Let us see how it will read as proposed to be amended.

The VICE-PRESIDENT. The Secretary will read the joint resolution as it will be read when amended.

The SECRETARY. Insert after the word "islands" the words "with the consent of the people thereof;" so as to read, if amended:

That by the ratification of the pending treaty of peace with Spain it is not intended to incorporate the inhabitants of said islands, with the consent of the people thereof——

Mr. GRAY. That is not the place where the amendment should be inserted.

Mr. HOAR. No; it is to establish a government with the consent of the people thereof.

The Secretary read as follows:

That by the ratification of the pending treaty of peace with Spain it is not intended to incorporate the inhabitants of said islands into citizenship of the United States, nor is it intended to permanently annex said islands——

Mr. HOAR. The words "said islands," where I move my amendment, occur in the sixth line from the bottom, so as to read "in said islands with the consent of the people thereof."

Mr. ALDRICH. I move to lay the amendment upon the table.

Mr. COCKRELL. The amendment has not yet been read. Let it be pending.

Mr. ALDRICH. Of course; I will let it be pending.

The SECRETARY. It is proposed to amend the joint resolution so as to read——

Mr. TELLER. I should like to hear what the amendment is. I do not want to vote for any declaration that we want to annex the islands, even with their consent.

Mr. CHILTON. That is my case. I think myself that the amendment will weaken the force of the joint resolution.

Mr. TELLER. I think so, too. I do not want to annex those people, even if they want to come in.

Mr. HOAR. The place where the Secretary paused is not the point where the amendment comes in. It is where it is declared that it is the purpose of the United States to establish upon said islands a government. I wish to have the attention of the Senator from Georgia [Mr. BACON]. I move to amend by inserting "with the consent of the people thereof," so that the government which we intend to establish shall be a government with the consent of the people thereof.

The VICE-PRESIDENT. The Secretary will now read the amendment as proposed in connection with the text.

The SECRETARY. If amended, the joint resolution will read:

Resolved by the Senate and House of Representatives, etc., That by the ratification of the pending treaty of peace with Spain it is not intended to incorporate the inhabitants of said islands into citizenship of the United States, nor is it intended to permanently annex said islands as an integral part of the territory of the United States. But it is the intention of the United States to establish on said islands, with the consent of the people thereof, a government suitable to the wants and conditions of the inhabitants of said islands, to prepare them for local self-government, and in due time to make such disposition of said islands as will best promote the interests of the citizens of the United States and the inhabitants of said islands.

Mr. HOAR. Mr. President——

Mr. ALDRICH. I renew my motion to lay the amendment on the table.

Mr. HOAR. Am I not entitled, under the custom of the Senate, to the floor on my amendment?

Mr. ALDRICH. I was recognized once and made the motion.

Mr. HOAR. I addressed the Chair on the amendment.

The VICE-PRESIDENT. The Senator from Massachusetts offered the amendment.

Mr. HOAR. And I desire to take the floor upon it.

Mr. ALDRICH. Then thereafter I was recognized by the Chair and made the motion. The suggestion was made that the amendment must be pending before it could be laid on the table.

Mr. CHANDLER. I hope the Senator from Rhode Island will withdraw the motion and allow the Senator from Massachusetts to proceed.

Mr. HOAR. The Senator from Rhode Island can take his own course about the matter.

Mr. ALDRICH. I have no objection to the Senator from Massachusetts explaining his amendment.

The VICE-PRESIDENT. The Senator from Rhode Island withdraws his motion to lay on the table, and the Senator from Massachusetts is recognized.

Mr. HOAR. Mr. President, I congratulate the Senate and I congratulate myself upon the changes of mind which have taken place. A good many Senators who have urged that we ought not to state in advance any purpose or policy of the people of the United States or of the Congress of the United States for the future have changed their minds, and they agree with me and with those who have opposed the treaty that this is a fitting occasion for a legislative declaration. If they had come to that conclusion a week ago, or three days ago, it would have saved much bloodshed and many precious lives. If it had been announced that it was not the purpose of the United States for its advantage to force upon those people a government against their will, but that in our dealing with them we stood upon our time-honored policy of self-government for every people everywhere, the deplorable occurrences of yesterday and the day before would, in my judgment, have been prevented. But better late than never.

If the joint resolution can now make a clear, unquestioned, unhesitating affirmation of the great American doctrine of self-government and the doctrine that no people are bound to submit or ought to submit to a government depending upon other men's understanding of their interests and not upon their own, certainly this transaction will not be attended with unmitigated evil, and it will be disarmed largely of the dangers which so many of us think it is full of for the Republic and for the future.

I hope that the amendment will be adopted, and on it I demand the yeas and nays. The amendment comes in where it is said that it is the intention of the United States to establish a government there at some time in the future. I desire to have the joint resolution declare that it is a government to be established by the consent of the governed.

Mr. ALDRICH. Mr. President, it is a sufficient answer to the statement made by the Senator from Massachusetts to say that if it had not been for objections on the part of the opponents of the treaty this resolution, or some resolution of equal terms, would have been adopted by the Senate three days ago. I now renew my motion to lay the amendment on the table.

The VICE-PRESIDENT. The Senator from Rhode Island [Mr. ALDRICH] moves to lay the amendment of the Senator from Massachusetts [Mr. HOAR] on the table.

Mr. HOAR. I call for the yeas and nays.

The yeas and nays were ordered; and the Secretary proceeded to call the roll.

Mr. BACON (when his name was called). I have a general pair with the junior Senator from Rhode Island [Mr. WETMORE], which I transfer to the senior Senator from Indiana [Mr. TURPIE], and vote "nay."

Mr. MALLORY (when his name was called). I have a general pair with the senior Senator from Vermont [Mr. PROCTOR]. If he were present, I should vote "nay."

Mr. PASCO (when his name was called). I am paired with the Senator from Washington [Mr. WILSON]. If he were present, I should vote "nay."

Mr. SHOUP (when his name was called). I am paired with the senior Senator from California [Mr. WHITE]. I transfer that pair to the Senator from Utah [Mr. CANNON] and vote "yea."

The roll call having been concluded, the result was announced—yeas 45, nays 34; as follows:

YEAS—45.

Aldrich,	Foraker,	McEnery,	Sewell,
Allison,	Frye,	McMillan,	Shoup,
Baker,	Gallinger,	Mantle,	Simon,
Burrows,	Gear,	Morgan,	Spooner,
Carter,	Gray,	Nelson,	Stewart,
Chandler,	Hanna,	Penrose,	Teller,
Clark,	Hansbrough,	Pettus,	Thurston,
Cullom,	Hawley,	Platt, Conn.	Warren,
Davis,	Kenney,	Platt, N. Y.	Wolcott.
Deboe,	Lindsay,	Pritchard,	
Elkins,	Lodge,	Quay,	
Fairbanks,	McBride,	Ross,	

NAYS—34.

Allen,	Daniel,	Martin,	Roach,
Bacon,	Gorman,	Mason,	Smith,
Bate,	Hale,	Mills,	Tillman,
Berry,	Harris,	Mitchell,	Turley,
Butler,	Heitfeld,	Money,	Turner,
Caffery,	Hoar,	Murphy,	Vest,
Chilton,	Jones, Ark.	Perkins,	Wellington.
Clay,	Jones, Nev.	Pettigrew,	
Cockrell,	McLaurin,	Rawlins,	

NOT VOTING—11.

Cannon,	Mallory,	Sullivan,	White,
Faulkner,	Pasco,	Turpie,	Wilson.
Kyle,	Proctor,	Wetmore,	

So the motion to lay Mr. HOAR's amendment on the table was agreed to.

Mr. HOAR. I move to amend the resolution by inserting after the words "United States" the words "or to force a government upon them against their will."

Mr. ALDRICH, Mr. SPOONER, and others. That is the same thing.

Mr. CHANDLER. Will the Chair have the amendment stated from the desk?

Mr. ALDRICH. I move to lay the amendment of the Senator from Massachusetts on the table.

Mr. COCKRELL. I make the point of order that the amendment is not yet pending. Let it be stated from the desk.

The VICE-PRESIDENT. The amendment proposed by the Senator from Massachusetts [Mr. HOAR] will be stated.

The SECRETARY. It is proposed, after the words "United States," where they occur the second time in the joint resolution, to insert "or to force a government upon them against their will;" so as to read:

Resolved, etc., That by the ratification of the pending treaty of peace with Spain it is not intended to incorporate the inhabitants of said islands into citizenship of the United States, nor is it intended to permanently annex said islands as an integral part of the territory of the United States or to force a government upon them against their will, etc.

Mr. ALDRICH. I move to lay the amendment of the Senator from Massachusetts on the table.

Mr. HOAR. On that motion I demand the yeas and nays.

The yeas and nays were ordered.

Mr. CLAY. I hope the Senator from Rhode Island will not insist on his motion to lay upon the table, but will let Senators vote directly on the amendment.

Mr. FRYE (to Mr. CLAY). Then you will have us here all evening.

Mr. ALDRICH. We will have a discussion which will go on forever.

The VICE-PRESIDENT. The yeas and nays have been ordered on the motion to lay the amendment on the table, and the Secretary will call the roll.

The Secretary proceeded to call the roll.

Mr. MALLORY (when his name was called). I again announce a general pair with the senior Senator from Vermont [Mr. PROCTOR]. If he were present, I should vote "nay."

Mr. PASCO (when his name was called). I again announce my pair with the Senator from Washington [Mr. WILSON]. If he were present, I should vote "nay."

The roll call was concluded.

Mr. BACON. I simply again announce the transfer of my pair from the Senator from Rhode Island [Mr. WETMORE] to the Senator from Indiana [Mr. TURPIE], and I vote "nay."

The result was announced—yeas 46, nays 30; as follows:

YEAS—46.

Aldrich,	Elkins,	Lodge,	Quay,
Allen,	Fairbanks,	McBride,	Ross,
Allison,	Foraker,	McEnery,	Sewell,
Baker,	Frye,	McMillan,	Simon,
Burrows,	Gallinger,	Mantle,	Spooner,
Butler,	Gear,	Morgan,	Stewart,
Carter,	Gray,	Nelson,	Teller,
Chandler,	Hanna,	Penrose,	Thurston,
Clark,	Hansbrough,	Pettus,	Warren,
Cullom,	Hawley,	Platt, Conn.	Wolcott.
Davis,	Kenney,	Platt, N. Y.	
Deboe,	Lindsay,	Pritchard,	

NAYS—30.

Bacon,	Harris,	Mills,	Smith,
Bate,	Heitfeld,	Mitchell,	Tillman,
Berry,	Hoar,	Money,	Turley,
Caffery,	Jones, Ark.	Murphy,	Turner,
Clay,	Jones, Nev.	Perkins,	Vest,
Cockrell,	McLaurin,	Pettigrew,	Wellington.
Gorman,	Martin,	Rawlins,	
Hale,	Mason,	Roach,	

NOT VOTING—14.

Cannon,	Kyle,	Shoup,	White,
Chilton,	Mallory,	Sullivan,	Wilson.
Daniel,	Pasco,	Turpie,	
Faulkner,	Proctor,	Wetmore,	

So the motion to lay Mr. HOAR's amendment on the table was agreed to.

Mr. ALDRICH. I move to amend the joint resolution by inserting the words "the Philippine" in place of the word "said" in the third line.

The VICE-PRESIDENT. The amendment will be stated.

The SECRETARY. It is proposed to amend in line 3 by striking out the word "said" before "islands" and inserting "the Philippine."

The VICE-PRESIDENT. Is there any objection to the amendment?

Mr. COCKRELL. Let us see how the resolution would then read.

The Secretary read as follows:

Resolved, etc., That by the ratification of the pending treaty of peace with Spain it is not intended to incorporate the inhabitants of the Philippine Islands into citizenship of the United States, etc.

The VICE-PRESIDENT. Is there any objection to the amendment?

Mr. PETTIGREW. Yes, Mr. President, I object to the amendment. If it included also Porto Rico I should have no objection to it; but I object to the annexation of either of these islands or any of them, and therefore I object to the amendment and ask for a vote upon it.

The VICE-PRESIDENT. The question is on the amendment submitted by the Senator from Rhode Island [Mr. ALDRICH].

The amendment was agreed to.

Mr. ALDRICH. I move to further amend by striking out the word "pending," in line 1, before the word "treaty."

Mr. GRAY and Mr. COCKRELL. How will it read then?

The SECRETARY. If amended as proposed, the joint resolution will read:

That by ratification of the treaty of peace with Spain it is not intended to incorporate the inhabitants of the Philippine Islands into citizenship of the United States, etc.

The VICE-PRESIDENT. The question is on the amendment submitted by the Senator from Rhode Island [Mr. ALDRICH].

The amendment was agreed to.

Mr. BACON. I offer an amendment to the resolution, and ask that it be read by the Secretary, the amendment which I propose to come in as an additional resolve. I desire before the Senator from Rhode Island [Mr. ALDRICH] has the opportunity to move to lay the amendment on the table to be heard upon it after it shall have been read.

The VICE-PRESIDENT. The Senator from Georgia has the floor, and the amendment submitted by him will be stated.

The SECRETARY. It is proposed to add to the joint resolution the following:

Resolved further, That the United States hereby disclaim any disposition or intention to exercise permanent sovereignty, jurisdiction, or control over said islands, and assert their determination, when a stable and independent government shall have been erected therein entitled, in the judgment of the Government of the United States, to recognition as such, to transfer to said government, upon terms which shall be reasonable and just, all rights secured under the cession by Spain, and to thereupon leave the government and control of the islands to their people.

Mr. BACON. Mr. President, the great issue here may be stated under two heads: In the first place, that we do not intend unnecessarily to complicate ourselves with this distant territory either by way of annexation or by permanent control of any kind; the second proposition is, that we do not intend in anything which we do to deny those people the right of self-government.

I do not think, Mr. President, that the resolutions as they stand before the Senate with the amendments which have been offered by the Senator from Rhode Island [Mr. ALDRICH], accomplish either of those desired results. There is a statement that we do not intend to incorporate those islands as a part of the integral territory of the United States. That might be accepted as a satisfaction of a portion of the proposition, but it goes on to expressly provide, in an indefinite way, for the continued control of the islands for an indefinite time, and for the use of the power of this Government to erect a government which shall be suitable to the United States in those islands, regardless of the wish of the people of those islands.

The amendment offered by the Senator from Massachusetts [Mr. HOAR], which to a certain extent would have cured that defect, has been, by the motion of the Senator from Rhode Island to lay upon the table and by the action of the Senate thereupon, practically defeated.

I think the time has come, Mr. President, when Senators who have spoken to us within the past three weeks of what they were willing to do when this treaty was ratified should speak in no uncertain terms. This is not a moment which calls for indefinite language or which will be satisfied by uncertain terms. Senators upon the other side who have supported this treaty have in the weeks of debate which have passed asseverated most solemnly that they were opposed to annexation; that they were opposed to the continued control of those islands by the United States Government. Mr. President, I call upon them now to make those words good, and not by an indefinite and uncertain declaration, but by one which can not be misunderstood.

I am glad to see even a partial advance in this direction by some Senators who have not heretofore made this explicit declaration; but I am not satisfied with Senators who have stood here and said they were opposed to this policy and that after the treaty of peace was ratified they would join with us to see to it not only that there should be no permanent annexation of those islands, but that the affairs of this country should not be disturbed, that we should not be put to unnecessary expense of money, that we should not have to incur great loss of life by reason of an unnecessary and protracted connection between this Government and the complications in the Philippine Islands. I desire to have from those Senators now a more explicit declaration than is contained in this resolution.

Mr. President, I want to ask the Senate this question: If it be true that it is the purpose of this Government not to exercise permanent dominion in the Philippine Islands, ought we not to say so in the plainest of language? I want to ask the Senate this further question: If it be true that it is not the purpose of this Government to deny to the inhabitants of the Philippine Islands the right of self-government, ought we not to say so, and ought we, in ambiguous language, to leave this matter in uncertainty?

There is more reason than one why we should speak definitely to-day. The reasons which have existed in the past were sufficient to my mind in order that those of us who were called upon to vote on this treaty might know the particular ground upon which we would stand, but we are fronting a condition to-day across the sea which calls for language of no uncertain sound.

Mr. President, do we wish further effusion of blood? Is there a Senator here who doubts the fact that, now that this treaty is ratified, there will be a further effusion of blood in the Philippine Islands unless we solemnly declare in language which can not be misunderstood that we do not intend to enforce a government by arms upon an unwilling people?

There is nothing in this amendment which I have offered except that simple declaration, and if there is an absence of plainness in it I shall be glad for Senators to offer any amendment they wish which will correct it. All I want is that this declaration shall carry to our own people and to the Philippine Islands the assertion in language which can not be misunderstood, the assertion in language which will not call for construction, but in language so plain that it will construe itself, that we do not intend to permanently annex those islands and that we do not intend to deny to those people the right of self-government.

If there is anything in those resolutions excepting those two ideas, I am willing for the suggestion to be made for them to be modified so that they will be confined simply to those two elements. I wish simply that we shall declare two things—one, that we will not exercise permanent dominion in those islands, and the other that in the disposition or control of a temporary character which we shall make we do not propose to deny to those people practically the right of self-government.

Mr. President, I know, of course, that when I have finished the Senator from Rhode Island [Mr. ALDRICH] is going to move to lay the amendment upon the table. I presume, at least, from the course which has been pursued, that he will do so. I think the appeal of my colleague [Mr. CLAY] is a reasonable one. He has voted with the Senator from Rhode Island, and he desires to express himself, and I say he and others who stand in the same position desire to express themselves upon those resolutions, not by a vote to lay upon the table, but upon the merits directly, yes or no.

Of course, it would be bootless now to discuss the question as to what has been the cause of the effusion of blood which has already been had in the Philippine Islands. It is not bootless that we should attempt to-day to make such an utterance that there will not be further conflict in those islands. Does any man doubt, Mr. President, that if we were to adopt the resolution which is contained in this amendment, if we say to those people that we do not intend to retain them permanently, and if we say to them in the direction which shall be hereafter given there shall be an acknowledgment of their right to be heard, to be consulted, and that we will not deny to them the right of self-government, there would be an absolute cessation of hostilities in those islands?

It is for these reasons that I have offered the amendment, which I trust the Senate will adopt.

Mr. GRAY. Mr. President, since the matter of these resolutions in relation to the ratification of the treaty with Spain has been mooted I have always been willing to vote for resolutions such as those framed by the Senator from Louisiana [Mr. MCENERY] and offered a while ago by the Senator from Rhode Island [Mr. ALDRICH]. I may be at some time in the future, if it come within my term in the Senate of the United States, willing to vote for a more explicit declaration, but I conceive that at the present time and in the present unhappy condition existing in those islands, as it comes to us across the sea in the news of yesterday and to-day, we have done our whole duty and have been true to ourselves, to the traditions of American liberty, and to all those

great maxims of American government which should animate and control the Senate of the United States and the Congress of the United States. The resolution as it now stands is as follows. Allow me to read it again:

Resolved, That by the ratification of the treaty of peace with Spain it is not intended to incorporate the inhabitants of the Philippine Islands into citizenship of the United States, nor is it intended to permanently annex said islands as an integral part of the territory of the United States, but it is the intention of the United States to establish on said islands a government suitable to the wants and conditions of the inhabitants of said islands and prepare them for local self-government, and in due time to make such disposition of said islands as will best promote the interest of the citizens of the United States and the inhabitants of said islands.

Mr. President, it seems to me that in the language just read we have accomplished everything that the Senator from Georgia could wish to accomplish without complicating the United States or committing the United States or its Government at this important juncture of affairs in those islands to a policy or to a course of conduct which might embarrass us and not profit them.

Mr. VEST. May I ask my friend the Senator from Delaware a question?

Mr. GRAY. Certainly.

Mr. VEST. Does not the resolution exclude the idea that all governments derive their just powers from the consent of the governed? Does it not assert that the people of the United States are to determine when the people of the Philippines are capable of self-government, and does not that destroy the idea that each people for themselves shall determine upon their own government?

Mr. GRAY. Mr. President, we went to war with Spain upon a declaration so well known that it need not be repeated. By the fortunes of war those distant islands have fallen into our hands. It is admitted on all sides and by nearly everyone who has been opposed to the ratification of the treaty that we must drive Spain out of the control of those islands, and necessarily we must take that control for the time being upon ourselves. An insurrection in those islands which had died down, which had almost entirely subsided, was again fanned into a flame by the presence of Admiral Dewey's fleet in Manila Bay in May last, and the valor of our sailors and our armies has made it possible for the first time in all the centuries that those islands have been known to the civilized world for their inhabitants to look hopefully forward to some measure of free, enlightened, and decent government.

We are now rightfully there. The treaty of peace with Spain has just been ratified, by which we are put in a position of actually helping those people to attain a degree of prosperity, order, and good government which a few months ago was not within the horoscope of the most enlightened people of those islands. Yet we are asked to go further than this resolution, so consistent with American ideas, so generous, so magnanimous, and to make a specific promise to rebels in arms against the United States, to men who day before yesterday were shooting American soldiers, to men who show so little of the qualities that ought to obtain in a people fit for self-government that while this treaty of peace was pending in the Senate they attacked the very forces that had come to their relief and made it possible for them ever to hope in the future, however distant, for a measure of self-government and of decent, orderly liberty governed by law.

Mr. President, people of that kind have no right to demand at this hour and at this moment a more explicit promise than we already make in this resolution as proposed by the Senator from Louisiana, if we shall adopt it. I am not in favor of going to those people upon our knees after we have liberated them from the thraldom of Spain, after we have not only driven out Spain, but are prepared to drive out anarchy and misrule in the islands, and given them a hopeful look into the future.

I am not in favor now of making any concessions to them while they are shooting down on their own soil Americans who have stood by them and have given them the hope for this great boon of liberty and of decent, orderly government there. I think we would stultify ourselves if we went further and made an explicit promise that we would do this or that at once or at any time fixed in the near future; that we would turn the islands over to them before the Congress of the United States, representing the people of the United States and the public opinion of the United States, said that it was for the best interest not only of the people of the Philippine Islands, but of the masses of the people of this great country of ours, that we should hand the government over to them.

I do not propose by my vote to surrender to Tagals whose guns are pointed at General Otis's army and whose cannon within thirty-six hours have destroyed life on the decks of American men-of-war. Let us wait a little until the smoke of this contest has passed away, until some measure of calm and some measure of decency obtain there and the leaders of the so-called rebellion or of the insurrection come to their senses and appreciate the condition in which they find themselves and the great boon that the Government of the United States has brought to them by its sacrifice of blood and treasure.

Mr. LINDSAY. Mr. President, it seems that those opposed to the ratification of the treaty rested their opposition upon the ground that the Filipinos were not put upon a footing equally as favorable as that we have conceded to the people of Cuba. Now, I submit whether if this resolution be adopted without amendment the Filipinos, so far as it is enforcable at all, will not have every pledge from the American Congress that the people of Cuba take under the treaty which we have just ratified? Reading the treaty of peace in connection with the resolutions adopted at the outbreak of the war with Spain, we find that we are to withdraw our troops from Cuba when a stable government shall have been established. We are to be the judges of when that stable government has been established. In carrying out that resolution in spirit and in carrying out the treaty in spirit the Cubans have no more been consulted by the United States than we propose by the resolution to consult the Filipinos.

If in Cuba we are to be the judge of when our troops shall be withdrawn because a stable government shall have been established there capable of maintaining peace in Cuba and discharging the international obligations which Cuba as an independent government will assume, why shall we not be the judge of the time when the Filipinos shall be entitled to free government, and why shall we not exercise the same agency in bringing about that stable government that we are to exercise in the island of Cuba?

Mr. BACON. If the Senator from Kentucky will permit me, the amendment which I have offered specifically prescribes that we shall do that very thing. It specifically says that, while we do not intend to exercise permanent dominion, control, jurisdiction, and sovereignty of the Philippine Islands, when there has been a stable and independent government established there to the satisfaction of the United States Government we will withdraw and leave them to the control of their own affairs. The exact thing as to which the Senator asks why it should not be is the thing which is, and the exact purpose which we have in reference to Cuba is the one that this amendment provides shall be the controlling purpose with reference to the Philippine Islands.

Mr. LINDSAY. The Senator from Georgia will pardon me. The point I make is that this resolution, if adopted by the two Houses of Congress and signed by the President, so far as it can commit the Federal Government, will commit the Federal Government to do for the Filipinos all that it is now under obligation to do for the Cuban people.

Why shall we make promises to the Filipinos, who are shooting down our soldiers to-day, which we did not make and have not made and have not been asked to make to the Cubans, who have been our friends all the while? We pledged ourselves not to maintain the military occupation of Cuba after a stable government shall be established. This resolution provides that when a stable government, such as is approved by the Government of the United States, shall have been established in the Philippines, like results shall follow those which are to follow in the island of Cuba.

Why should we make greater overtures to these people than we make to the people who have always been our friends and who have submitted to indignities at the hands of our soldiers without resentment? I do not see any reason why we should go further.

Mr. BACON. Is the Senator willing to go as far?

Mr. LINDSAY. I am willing.

Mr. BACON. Then change it in that way.

Mr. LINDSAY. But I maintain that the resolution goes as far as we have gone for Cuba, and it does not, in my opinion, comport with the dignity of the United States at this particular juncture to promise more to the Filipinos than we have promised to our neighbors, who lie almost at our feet.

Mr. CAFFERY. Mr. President, the resolution introduced by my colleague [Mr. MCENERY] provides for nothing more than a protectorate coupled with sovereignty on the part of the United States over these islands, with the reservation to dispose of them just as the United States chooses. The first proposition is that it is not the intention of the United States to incorporate the people of the Philippine Islands into the Union or to annex the territory of the Philippine Islands as an integral part of our Union; and then follows—

But it is the intention of the United States to establish on said islands a government suitable to the wants and conditions of the inhabitants of said islands, to prepare them—

Not for self-government, but—

for local self-government, and in due time to make such disposition of said islands as will best promote the interests of the citizens of the United States and the inhabitants of said islands.

Mr. President, we not only decline to incorporate these people, and thereby make them citizens of the United States, but we decline to do anything more than to establish a local self-government, and after that to dispose of the islands in any way we see proper. That gives us the power to alienate them, to sell them, to dispose of them in any manner, shape, or form that suits the prevailing majority in the Congress of the United States.

In other words, it is a despotic protectorate, without any guaranty of independent self-government whatever upon the part of

the United States toward these people. They are only to be educated up to what we are pleased to term local self-government, and in due time we are to make such disposition of them as will best promote, first, the interests of the citizens of the United States, and then the people of the Philippine Islands—our interests primary, paramount all the time, without any consideration whatever of the wishes of those people. Not a line of this amendment gives to those people any sort of authority or right or jurisdiction over their own affairs; but we fix it all; we prescribe what sort of a government is a local self-government, and then we hold the power and the jurisdiction to make an absolute alienation of it. We bought them, and now we propose to hold the power to sell them, according to the resolution.

Mr. President, a good deal has been said in regard to the ingratitude of these people. Sir, they are the most ungrateful people in the world, it appears. They are ungrateful because, in their humble ideas of self-government, they choose to array themselves in arms to achieve it. They were not so ungrateful when they were called upon as allies of the forces of the United States to wrest those islands from Spain. They were noble patriots when they were helping us to fight, and because, under the strained relations existing between those people and the United States, brought about by a proclamation to benevolently assimilate them, to swallow them, to annihilate them, an encounter takes place between the armed forces of the United States and the armed Filipinos, therefore it is that they are to be trampled under foot, they are to be called bloodthirsty cutthroats.

Every people upon earth have done the same thing. When the revolutionary rebels were told by Pitcairn to disband, they were cutthroats, and every people who dare assert their liberty, according to the doctrines we have heard on this floor, are cutthroats. It is an unhappy occurrence that the hot blood of these people rushed them into this conflict with the United States, but what were we to expect when we had brought about the conditions whereby these people in the first instance took up arms as an ally of the United States and afterwards had the hardihood to take up arms to assert their own independence?

I do not see that the blood that flowed yesterday lies entirely upon the heads of those people. I see, if any fault lies anywhere, that it is a joint fault, and lies as well at the doors of the United States as upon the heads of the Filipinos.

Mr. ALLEN. The Senator from Louisiana recognizes the fact, does he not, that hostilities were precipitated by the Filipinos?

Mr. CAFFERY. All that I see in the press is that certain Filipinos, I believe three in number, undertook to run our guard——

Mr. ALLEN. They had tried it before.

Mr. CAFFERY. And they were shot in pursuance of military discipline and law.

Mr. ALLEN. They had tried it a second time, as I understand.

Mr. SPOONER. The third time.

Mr. ALLEN. The third time.

Mr. CAFFERY. Very well. I say that on account of the relations that have existed between these people and the United States such occurrence, although deplorable, was likely to happen. We were there as conquerors. We did not bear the message of peace and kindness to these people. We bore the message of subjugation to those people.

Mr. ALLEN. We were there by right, by law——

Mr. CAFFERY. The fact is that we did not bear a message of peace to them.

Mr. ALLEN. That is a question.

Mr. CAFFERY. We bore a message of subjugation to them; and is it not in human nature, even in Filipino nature, to assert the rights of freemen?

Mr. ALLEN. I do not want to interrupt the Senator without his consent, and will not.

Mr. CAFFERY. I yield.

Mr. ALLEN. I beg to call his attention to the fact that our troops there were doing no more than occupying the zone that was surrendered to them by the Spanish Government. They were not aggressive; they were not hostile. Pending that situation, the question of the disposition of these islands was before Congress. Now, does the Senator see any fault in our repelling the assault of the Filipinos under such circumstances, and does the Senator believe it would be wise at this particular critical juncture of affairs to go any further than the resolution offered by his colleague?

Mr. CAFFERY. Mr. President, I have stated that in pursuance of military discipline it was necessary to maintain the guard. In answer to the other inquiry, I will state that I think it is eminently proper that the resolution be amended by the resolutions of the Senator from Georgia [Mr. BACON].

I reiterate his statement that now is the time to formulate in unmistakable terms the statements of Senators upon the other side who said they meditated nothing but the ultimate independence of these people; and those resolutions fitly and properly express that idea. I can see no objection whatever to incorporating the amendment of the Senator from Georgia into the resolution of my colleague.

Mr. CHANDLER. I should like to have the Senator from Louisiana inform me and the Senate what makes him think any Senator upon this floor has called the Filipinos cutthroats, or has used any but the kindest language toward them. The Senator has made that statement. It seems to me it ought not to go uncontradicted. These people are misguided and have been led into hostilities with the United States troops, but nothing unkind has been said about them on the floor of the Senate to my knowledge, and why does the Senator undertake to put us in the attitude of calling them cutthroats when it is a mistaken assertion?

Mr. CAFFERY. I stand corrected as to the term. I do not know anybody who applied that term to them.

Mr. CHANDLER. Why does the Senator aggravate the existing situation by translating the feelings and views of Senators, whatever they may be, into the opprobrious term "cutthroats," to be used as an excuse for their fighting against the armies of the United States?

Mr. CAFFERY. I am entirely responsible for my language, and I have not a word of apology to make for my language. That was the sentiment expressed in vigorous language, not in terms——

Mr. CHANDLER. What was it?

Mr. CAFFERY. I do not choose to be catechised in this sort of style.

Mr. CHANDLER. Will the Senator yield to me for a moment?

Mr. CAFFERY. I do not.

Mr. CHANDLER. All right.

Mr. CAFFERY. I do not yield now. I answered the Senator's question, and I do not propose to be catechised with such interruptions.

Mr. CHANDLER. I should like to ask the Senator one more question, if he will allow me.

Mr. CAFFERY. I decline to yield.

The VICE-PRESIDENT. The Senator from Louisiana will proceed.

Mr. CAFFERY. Mr. President, to answer substantially the question, the fault of this unhappy occurrence, if any fault there is, is not entirely at the door of those people. It springs out of our attitude there, and I say that our attitude there from the very commencement was a false attitude.

Against whom did we wage war, Mr. President? Against the Kingdom of Spain. When we sunk the Spanish fleet in Manila Harbor and broke the power of Spain to do us any harm or injury, why did we remain there, I want to know? What purpose could it effect after the destruction of the Spanish power or authority? Her navy was gone. Her troops were penned up in Manila. They were beleaguered on the land side by the natives, and our fleet held the water. How could they have hurt us? The fatal error lay in maintaining our fleet in those waters. After that was done and those people were called in as allies, and after we had effected, through their aid, the virtual destruction of the Spanish army, I should like to know how it is that those people, who were then our allies, should, because in a moment of exasperation and anger they were guilty of the folly of assailing the United States troops, be now treated in the manner in which it is proposed to treat them.

As a matter of course, after the ratification of this treaty the armies of the United States, at whatever cost, at whatever hazard, must maintain and secure the jurisdiction of the United States plenary and full over every inch of those islands. What I am discussing is not the obligation of the United States now to assume full military control of those islands, but the obligation of the United States to declare its policy now; the obligation of the United States to put in language unmistakable the principle of self government which all Senators, or nearly all, say they are willing to accord to those people.

Some Senators did not know when these people would be capable of self-government, no time was fixed; but the principle was asserted and the principle was advocated that no one, not one of the proponents or advocates of the treaty, desired any other than a future self-government for those people. That is what I want to see incorporated into this resolution. The resolution gives the United States in the future complete control over those islands, and I want to see that these people, as far as we can by declaration secure it, have the right at some future time, which of course would be indefinite, to establish a government of their own.

Mr. GRAY. Will the Senator allow me, before he takes his seat? I wish to make the remark in his hearing. The forces of the United States have been holding the city, bay, and harbor of Manila by virtue of the armistice or truce, as it is sometimes called, that was the result of the protocol of August 12 last. They have been there ever since as loyal, highly disciplined soldiers of this great country, maintaining its honor and maintaining the reputation of its arms. They have committed no outrage upon anybody.

We are still technically at war with Spain, against whom the Filipinos have been struggling and against whom they profess to

be rebelling, and we are there as their allies. Yet, pending the treaty of peace which was to end that war and make hopeful the beginning of a new future for those people, they had the hardihood to attack their allies and kill and wound something like 170 of them, if the news that comes over the wires is to be relied upon. But what are we to think of those people to whom we are asked to make still more specific promises than are contained in the McEnery resolution and who were kept out of Manila because they demanded the right to come in upon the capitulation and loot the city?

Mr. CAFFERY. I know nothing about the demand of the Filipinos to loot the city of Manila. I take that as the Senator states it. But the Filipinos have acted perhaps foolishly and wrongly——

Mr. GRAY. Only perhaps?

Mr. CAFFERY. In attempting to run our guards. But, Mr. President, behind all that was the proclamation of the President of the United States to take those people in without the right of self-government and to benevolently assimilate them, that assimilation to be after the manner of the anaconda that swallows its victim.

Mr. HOAR. I should like to ask the Senator from Louisiana a question, and I should like to know what is the answer of the Senator from Delaware to it also.

The PRESIDING OFFICER (Mr. CHANDLER in the chair). Does the Senator from Louisiana yield to the Senator from Massachusetts?

Mr. CAFFERY. Certainly.

Mr. HOAR. Do not the people of the Philippine Islands hold the rest of the island except the small territory occupied by us by a right as good as that by which we hold Manila?

Mr. CAFFERY. I think so; by the right of armed occupation.

Mr. HOAR. And a further right, besides armed occupation, growing out of the fact that it is their country and nobody's else.

Mr. CAFFERY. We have heard a great deal about the technical war between Spain and the United States, and that these people are technically rebels. Mr. President, those terms do not obscure the fact. These people were our friends, they were our allies, and if by reason of acts upon our part they have turned to be our enemies are they so much to be blamed? They are struggling for independence such as they conceive their independence ought to be. I see nothing but human nature, I see nothing but the aspiration of a people to be free, in this military occupancy upon the part of the Filipinos of their own home, of their own land, fighting for their own vine and fig tree, fighting for their firesides and hearths. We are strangers upon that soil, Mr. President. We say that we are not conquerors. Are we not doing the acts of conquerors? And are not our acts belying our words?

Mr. SPOONER. What acts?

Mr. CAFFERY. In taking forced control and military jurisdiction over those people who claim their independence. It is a matter of force, Mr. President.

Mr. GALLINGER. We have not done it.

Mr. GRAY. Force was used to drive out Spain.

Mr. CAFFERY. If it had not been for the Filipinos, perhaps you would not have had a Manila City now.

Mr. TELLER and Mr. GALLINGER. Nonsense.

Mr. CULLOM. It is worse than nonsense.

Mr. CAFFERY. Everything is nonsense that does not suit the views of gentlemen who want to gobble up the Philippines.

Mr. TELLER. I should like to say to the Senator, if he will give me leave to say it, that our officer in command declared that they rendered no substantial aid to us at all. General Merritt said so.

Mr. CAFFERY. The evidence is both ways on that point. It is stated, I believe, by General Otis that they are much better soldiers and much more entitled to independence than the Cubans.

Mr. BACON. I wish to suggest, with the permission of the Senator from Louisiana, that the services they rendered were rendered before General Merritt got to the islands. So he knew nothing about it except from what Commodore Dewey said.

Mr. TELLER. If the Senator will let me interrupt him, I will say that that was a mistake. They rendered no practical service whatever, and when the city of Manila was taken they took no part in it except to stand by and look on.

Mr. CAFFERY. Well, Mr. President——

Mr. TELLER. That is the report of our officers.

Mr. CAFFERY. I do not think these resolutions amount to anything more than giving the United States a free hand in control, without any regard to any self-government or any other government upon the part of the Filipinos of an independent nature to do as they please.

Mr. GALLINGER. It is just what we ought to have.

Mr. CAFFERY. If we ought to have it, then the declarations that we go there with the intent to civilize, Christianize, and elevate them, and fit them for self-government are belied.

I shall offer, at the proper time, if the amendments of the Senator from Georgia are defeated, an amendment looking toward some security for self-government upon the part of the Filipinos.

Mr. SPOONER. Mr. President, I shall take but a moment. I sincerely hope the amendment offered by the Senator from Georgia will be voted down.

The Senator from Louisiana [Mr. CAFFERY] says that if the resolution offered by his colleague is adopted, it must be upon the theory that we have acquired and own the Philippine Archipelago. That is the theory, Mr. President, upon which the treaty has been ratified. There could by no possibility be any other theory. Spain could not cede the Philippine Archipelago to us, exacted from her at the end of a war triumphant upon our part, except upon the theory on our part that she owned it and that by her cession we acquired it.

There ought to be no attempt now, Mr. President, to mystify or obscure that situation. We go forward from to-day upon the theory that by this treaty and the acceptance of this cession the United States has succeeded to the title of Spain and the sovereignty of Spain over the Philippine Archipelago.

The Senate has voted down, or rather laid upon the table, the proposition which attempted to make it a practical condition of its cession, and our acceptance of it that we ask the consent of the people of those islands.

Something has been said by the Senator from Georgia [Mr. BACON] about the effusion of blood at Manila being in defense of the right of self-government, being by way of resistance, says my friend from Louisiana [Mr. CAFFERY], whom I respect and admire, of invasion.

Nothing, Mr. President, can be further from the fact than the suggestion that any blood has been shed at Manila in defense of the right of self-government or in resistance of invasion.

Mr. BACON. Mr. President——

Mr. SPOONER. There is no man who can maintain anywhere the proposition that this Government is not of right, under the rules of war and international law, in possession of Manila.

The PRESIDING OFFICER. Does the Senator from Wisconsin yield to the Senator from Georgia?

Mr. SPOONER. Certainly.

Mr. BACON. The Senator from Wisconsin certainly did not listen to what I said.

Mr. SPOONER. I was referring last to what the Senator from Louisiana said.

Mr. BACON. The Senator distinctly said I had said that blood had been shed in Manila in defense of the right of self-government.

Mr. SPOONER. Very well. Did not the Senator say so?

Mr. BACON. I did not say anything of the kind.

Mr. SPOONER. Then I withdraw the reference. There was confusion in the Chamber.

Mr. BACON. The RECORD will not show that I said it.

Mr. SPOONER. I withdraw the reference to the Senator from Georgia and transfer it without any cession to my friend from Louisiana.

Mr. BACON. That is another matter.

Mr. SPOONER. I misunderstood the Senator from Georgia. I thought he said that.

Mr. BACON. No, sir.

Mr. SPOONER. I rather think he will find when he looks at his remarks that he did.

Mr. BACON. I deny it.

Mr. SPOONER. But that is no matter. I say that no person can gainsay our right to occupy Manila. We are in Manila to-day not simply because we captured the city by force of arms, and we are there by agreement with Spain under the protocol.

Does anyone claim here that the insurgents ever controlled Manila? When we went into Manila with our troops Spain with her forces went out of Manila. Whatever may be said about this mystical government which somewhere outside of Manila is alleged to have a capital, no man can deny that the insurgents never had any claim to power or sovereignty in that city.

It is said that Aguinaldo and his associates helped us to capture Manila. I do not stop to discuss the question whether that is true or not, or if true how far it is true. It is quite certain they did not help our Navy to destroy the fleet of Spain; and if they did help us to capture Manila, it only intensifies the wantonness and the willfulness of their present attitude. We are there, the Senator says, by their assistance. We are there by right. We had not moved our troops beyond the limits implied or indicated by the protocol. We were there purely upon the defensive, and this attack upon the American Army in Manila is, as I said before, as wanton, as willful, as gross a violation of every principle of right and of every rule of law as ever was known in the history of war.

Now, Mr. President, I do not know what motive led to that attack. That it was premeditated and general no man, so far as I know now, can dispute. It is said——

Mr. HOAR. Or can affirm.

Mr. SPOONER. No; can affirm or dispute. I will take that back. From the information we now have I affirm that it was premeditated and wanton, and I believe solely with reference to its effect or possible effect upon the action of the Senate in ratifying or acting upon the treaty.

It is said, and I do not know who is at liberty to deny it, that three Philippine soldiers sought, moving swiftly, to pass the American sentinel. They were challenged and retired. They tried it again and were challenged and retired. They tried it again and got what they sought, Mr. President, a shot from the American Army, and a cause, from the standpoint of the Filipinos, for a general attack on the American troops in Manila.

It is my own belief that the instigation of it all came from the city of Washington. It is my own belief that the ulterior purpose of it all was an effect or supposed effect upon the action of this body. It is very significant. Some men may be able to explain it. I have not been able upon any other hypothesis.

Yesterday morning, Mr. President, until a cablegram was received from Manila neither the President nor anyone in this country had the least suspicion, so far as I know, of any purpose over there to attack Manila, to attack our outposts, to bring on an engagement with our troops. Saturday night, many hours before we learned of the attack at Manila, Agoncillo and his associate, who have been spending some time in the city of Washington, whom our Departments have properly refused to recognize, "folded their tents like the Arabs, and silently stole away" to Canada. Some one may be able to find some satisfactory explanation of that consistent with the theory that Agoncillo did not know of this proposed attack, but I have not been able to do so.

No, Mr. President, we have a right to be in Manila. If the treaty had been rejected, we would have had a right to be in Manila as against the Filipinos. We are not in Manila as an enemy of the Filipinos. We are there succeeding, first by capture, although in violation of the armistice, afterwards by agreement with Spain, to hold that place pending this treaty.

Mr. President, the joint resolution introduced by the Senator from Louisiana is not offered upon the theory of a pledge to the Filipinos. If it is voted for in the Senate, it will not be voted for upon the theory that it is a pledge by this Government to the Filipinos. It is offered and will be voted upon, upon the theory that it is in the interest of our people, and we are here to study and to subserve their interest first, Mr. President, first, always.

Having accepted this treaty, we go there claiming sovereignty; we go there claiming a title; we go there upon the theory that we have a right to go there, and we must go there, if we go at all, in a manly way, with the power of this Government and this people behind us.

I am not in favor of complicating this situation. It is no time to do it, Mr. President, by public pledges to the Filipinos. We will do our way with the Filipinos. No man can reasonably doubt that we will be just to them. But, Mr. President, to be here pottering over technicalities, pottering over resolutions, sending messages across that distant sea to that misguided and, perhaps, half-civilized people, messages liable to mislead them, messages liable, indeed calculated, to handicap this Government, to put it in a false position, to give weakness hereafter to the arm of the Executive, is, it seems to me, neither patriotic nor wise.

The treaty has been ratified. Every Senator has taken his position upon it. I criticise no man for his view upon it, but I do say, Mr. President, that while our boys over there, your brothers and mine, are fighting for life against a wanton and willful attack upon the part of the Filipinos, it is not for us to send messages of comfort to their enemies.

The Senator from Louisiana refers to the language of the President in a proclamation, "benevolent assimilation." I do not know whether assimilation is possible. If it be possible, it will be benevolent. No man has a right to criticise the President for using that language. We were among a people there who did not know us and with whom we were not familiar.

It was the duty of our Commander in Chief, clothed, Mr. President, in war with all the power which war gives under international law, to hold out the olive branch to that people. It was his duty, and he wisely exercised it by a proclamation, to indicate to them that our purpose was not an unfriendly or a hostile or a selfish purpose so far as they are concerned. Perhaps Senators here might have chosen happier language. I find nothing, however, in the language which the President used which ought here to be criticised.

We must move ahead. I repeat, Mr. President, if a resolution is to be adopted here declaring that it is not the policy of the United States to maintain permanent dominion in that archipelago it is not to conciliate the people over there; it is not as a pledge to them; it is not as a prayer by the United States Senate to them to stop firing on our men. It is in the interest of our people; it is to subserve what Senators think is the policy of our people, and nothing else.

I give no pledges, Mr. President, to any man with a revolver at my breast. This Government can not afford, and no Senator can ask it, to give a pledge to that people indefinite in its terms, however right it may be as a matter of abstract right, while they are training their guns, partly furnished by us, on American soldiers and seeking their destruction.

I am not in favor, as I stated the other day, of the permanent dominion of the United States in the Philippine Archipelago, but I hope that we will move forward upon the undisputed basis now, for it is adjudicated here that we have derived title to that archipelago; that we have won it from Spain in war, whether you call it conquest or indemnity; that we are from this time out the titular sovereign of those islands, and that we have under our Constitution the power to do there what we will within the limitations which all of the people of the United States recognize and which none of the people of the United States will ever permit to be transcended.

I see nothing in such debate here, Mr. President, but mischief. I can not forbear the utterance, for I believe it, that much of the trouble, much of the bloodshed which has come to our men on the other side of the Pacific is due to the presence here of an emissary from that people and to utterances which have been made here in the Capitol of this Republic. I wish that all of our debate upon this subject had been in secret session instead of in the open, where the contention of every Senator, however honestly and and eloquently made, could not have been cabled to a people over yonder to be misunderstood by them, incapable in their experience of government of understanding it. Let us not continue this mistake.

I would not vote for the joint resolution introduced by the Senator from Louisiana but for the peculiar situation here. If absolutely free, I would not vote for it, because I believe that in our present circumstances (we can not bind the Government anyway) Congress ought not to declare what shall or shall not be done. Such a declaration is calculated to make us great trouble among a people whom we do not know, who do not know us, very far from the boundaries of our continent.

This resolution offered by the Senator from Louisiana [Mr. MCENERY], as was justly said by the Senator from Kentucky [Mr. LINDSAY], does not differ much from that adopted by us as to Cuba. We will establish a government there. It is declared here that it is not our policy to make that territory permanently an integral part of this country. What more can be asked? What more can we safely say at this time?

I have spoken longer than I intended, Mr. President.

Mr. HOAR. May I ask the Senator a question?

Mr. SPOONER. Of course.

Mr. HOAR. I wish to ask the Senator a question as to the meaning of the resolution. Does the Senator understand that the phraseology that we do not propose to make the Philippines a permanent and integral part of the United States is intended to mean that we do not mean to keep the islands forever under the dominion of the United States, or only to mean that the persons there shall not have the right either of being erected into States or be given the constitutional rights of citizens in ordinary Territories? That is, is this resolution intended as a limitation or an exclusion of the Filipinos, after this is consummated, from any possible constitutional rights whatever, or is it intended as a declaration that we do not mean to keep them permanently under our dominion? I should like to have the Senator answer that.

Mr. SPOONER. I think, as I said the other day, so far as their rights are concerned, they are fixed, and properly fixed, under the Constitution by the treaty; and I think the rights, as fixed by the treaty, so far as civil and political rights are concerned, remain as fixed by the treaty until Congress shall change them. I understand this to be a general declaration of the policy of the United States that it is not intended to permanently incorporate those islands as an integral part of the territory of the United States. The resolution reads:

> But it is the intention of the United States to establish on said islands a government suitable to the wants and conditions of the inhabitants of said islands, to prepare them for local self-government, and in due time to make such disposition of said islands as will best promote the interests of the citizens of the United States and the inhabitants of said islands.

Mr HOAR. Does my honorable friend understand that there is anything in these resolutions which prevents our governing and controlling those people for all national purposes—not speaking of local self-government like we have in the District of Columbia, or had formerly, but for all national purposes—forever if we think it is for our interest to do it?

Mr. SPOONER. Mr. President, it is not my function to expound this resolution. It has not yet been adopted, and it speaks for itself.

Mr. HOAR. But I think, if the Senator will pardon me, that in determining whether we shall vote for it the opinion of so eminent a constitutional lawyer as the Senator, who is a most zealous advocate of the views he has just stated, is very important to the

rest of us, and it will be very important to the country hereafter to know what we have done. Contemporanea expositio est fortissima in lege.

Mr. SPOONER. It takes more than one man out of ninety to make a contemporaneous exposition of anything. My opinion, while I would be perfectly willing to give it to the Senator, would only be my opinion after all. I have no doubt nor can the Senator have any doubt that if we find the people over there after a while capable of self-government this Government will accord to them self-government.

Mr. HOAR. I do not know about saying that I have no doubt of it, but I want to know whether the Senator finds in that resolution anything inconsistent with our retaining permanent control there?

Mr. SPOONER. No, Mr. President. I do not find in that resolution any such thing; and if I did, I would not vote for anything which would prevent the United States from holding the decision of that proposition in its own power. It is not for the Filipinos to decide, under the circumstances, when they have a government which they think or a condition which they think qualifies them for self-government, but it is for us to decide under this resolution when they have a government or a condition which we think entitles them to self-government.

Mr. HOAR. I hate to interrupt the Senator, and I will endeavor not to do it again, but I do not quite get his attention to the point. It is not whether we are to decide that question alone. What I want to know is whether, supposing the people of the United States hereafter think those people are fitted for self-government, for independent national existence, and they want it, there is anything in the resolution which prevents the people of the United States from saying, "It is for our interest that you shall not have it, and we will not give it to you?"

Mr. SPOONER. I have a very clear opinion upon that subject.

Mr. HOAR. If the Senator will give me that, I should like it.

Mr. SPOONER. I will, privately.

Mr. HOAR. Oh!

Mr. SPOONER. I will send no message, so far as I am concerned, across the sea to the Filipinos, who have their guns trained on American soldiers.

Mr. GRAY. That is right.

Mr. HOAR. Is not this resolution which you pass a message to the Filipinos? What I want to understand is this: You are declaring your constitutional purposes and your sense of constitutional duty to somebody, whether to the Filipinos or to your own people, to mankind—no matter to whom.

Now, my inquiry is whether, in making that declaration, for whatever purpose or reason you make it, if you believe that these men may hereafter be fit for self-government, for independent national existence, you wish to say you will then let them enjoy it, or whether there is anything in this resolution which prevents you, if you think it is for your interest, without regard to them, to deny it to them?

Now, my honorable friend, who is making a public declaration of his opinions and purposes, is willing to vote for what is in that resolution; but he says, if I understand him, that as to that which is the essential part of the whole thing he is only going to give his opinion upon it in private.

Mr. SPOONER. I will say, Mr. President, that the resolution speaks for itself. I do not know of any man in the United States who is better able to understand it than the Senator from Massachusetts. I do not know any man in the United States who is in less need of any opinion from me as to its proper construction than the Senator from Massachusetts. I do understand it to reserve to this Government the determination of the question whether a condition has arisen over there which will entitle that people to self-government. The resolution is elastic, and if it were less so it ought unanimously to be voted down. I do not like to vote for any declaration upon the subject. I have said all I care to say about it.

Mr. BACON. Mr. President, when I was upon the floor some hour or so ago I said that it was bootless to inquire what had been the cause of the effusion of blood in Manila. In that sentence I waived any contention as to whether those who had occupied the side of the question upon which I have been aligned were in any manner responsible by reason of what had been said, and I also waived it as to the other side; but now the distinguished Senator from Wisconsin [Mr. SPOONER] directly charges that the effusion of blood in Manila has been due to what has been said upon this floor by those of us who were opposed to the treaty. The Senator from Wisconsin shakes his head. Of course I am ready to be corrected, but that is the way I understood him. If the Senator says he did not say it, I will not pursue the line upon which I was going; but it does seem to me, according to my recollection, that that was in substance what the Senator said. If I am in error, I shall be very glad if the Senator will correct me before I proceed further.

Mr. SPOONER. I do not undertake to repeat precisely what I said; but I will precisely say now that, in my judgment, in the condition of affairs over in the Philippine Archipelago, the debate in the Senate has had a tendency to bring about what has recently happened at Manila.

Mr. BACON. Well, Mr. President——

Mr. SPOONER. That is only my opinion.

Mr. BACON. That does not go so far as I had attributed to the Senator.

Mr. SPOONER. That is as far, I think, as I have gone.

Mr. BACON. Of course, we all understand from the side the Senator occupies in this debate which are the particular utterances which he thinks were productive of such an unfortunate result. I want to say two things in reply. In the first place, if I were to sit silent, and all others were to sit silent who had occupied the positions we have, it might be to some extent an admission of the possibility of the correctness of the Senator's conclusion; and as that issue is raised, I desire to say that, in my opinion, it is impossible that the advocacy of those opinions which would impose nothing upon the Philippine Islands and upon the Filipinos could have resulted in stirring up hostility among them, and that the utterances on this floor which were calculated to stir up hostility, whether they did so or not, were the utterances which advocated the imposition upon those people of a government to which they were not willing to submit.

I want to say further, Mr. President, that the utterances upon this floor by those who were opposed to the treaty were almost entirely confined to the question as to whether or not annexation was the proper thing. Nine-tenths of all that has been said in the various speeches was taken up in the advocacy of the proposition that it was not to our interest to annex those islands. In that connection I desire to say that of all the speeches which were made here there was no one which more eloquently portrayed the evil of the annexation of those islands than that which fell from the lips of the learned and distinguished Senator from Wisconsin, and if time permitted I should like to read a page or two from his speech. So, if the suggestion of the Senator carries anything with it, he invites condemnation upon himself as well as fastens it upon others.

I quite agree with the Senator from Wisconsin that the main consideration here for us is, What is to the interest of our own people? I have understood the Senator from Wisconsin to be extreme in the proposition, to stand in the front rank of those who believe that it is utterly against the interests of the people of America that we should have any annexation of the Philippine Islands, or that we should remain for a long time in control of them, and yet I am sorry to see this afternoon among the foremost of those who are now advocating that which will result in it is the distinguished Senator from Wisconsin.

Mr. SPOONER. Mr. President, the Senator certainly is mistaken. I think I know—possibly I am wrong about it—that the acceptance of cession is annexation; and I spoke against permanent dominion of the United States in the Philippine Archipelago. I favored the ratification of the treaty.

Mr. BACON. Let me read the Senator a sentence or two from his speech, and possibly he will recognize it. In the speech to which I have alluded—and it was certainly a very learned and able and eloquent speech, one which excited pride in the breasts of all of us that it should have been delivered by a Senator of the United States—the learned Senator used this language. I can read only a very little of it. I read from page 1581 of the CONGRESSIONAL RECORD:

> Every argument which has been made in support of this doctrine of territorial expansion—and by "territorial expansion" I mean permanent territorial expansion—seems to me to be superficial, some of them sentimental, and some of them fantastic.
>
> The jingle of words which we read every day about "hauling down the flag" does not in the least either thrill me or impress me. Our flag has been hauled down before, Mr. President. It will be hauled down again.

If there was anything uttered in this debate which was calculated—if the suggestion of the Senator is correct, that the utterances here were so calculated—to excite that people to hostile action, it was the suggestion of the Senator from Wisconsin that the flag of the United States might be hauled down. Of course I know what the Senator meant, but the Senator was speaking about things which were inspired from Washington; and when the Senator standing in his place here spoke and advocated the hauling down of the flag at Manila, he certainly gave as much encouragement to hostile action as was given by any utterance of any other Senator. He said further:

> We have been growing rapidly in our trade without territorial expansion. To acquire distant, nonassimilable peoples in order, through permanent dominion, to force our trade upon them seems to me to be the poorest imaginable national policy. How far will that be carried? We want the trade of the world, and we intend to have our share of it. Are we, therefore, to obtain it by carrying this doctrine of expansion to the uttermost parts of the earth? If territorial expansion means national trade, if it be necessary to national trade, where are we to stop?

I fully and entirely agree with the Senator in all that suggestion and in all that part of his speech, and I do not criticise it; but I do

say that if the suggestion made by him that the discussion here was calculated to excite hostility over there, so far as it related to opposition to expansion, the Senator has his full share of the responsibility.

Mr. President, one other word. The Senator knows the vantage ground on which he stands, and none is quicker to take advantage of it than he when he appeals to the pride of nationality and speaks of the fact that the amendments which are offered here are in the interest of the Filipinos, who have guns pointed at the breasts of our soldiers. I wish simply to remind the Senator of one thing, and that is, that throughout this discussion the contention of those who have stood with him has been that the armed forces of the Filipinos in the Philippine Islands constitute but an insignificant fraction, an almost imperceptible element in those islands.

The amendments which we have offered have not been in the interest of that particular very small fraction, but have been in the interest of the 8,000,000 or 10,000,000 people of all of those islands; and it is not consistent with the suggestion which they have made as to the small number of those who are opposed to the control of the American Government to now reply, whenever anything is said in favor of the rights of those people to self-government, that no concession should be made to them, because, forsooth, they have guns pointed at the breasts of our own soldiers.

I quite agree with the Senator from Wisconsin that if it were true that those people constituted the population of the entire islands we could say nothing in their favor until this condition of war had been superseded by peace; but when they constitute, as it is said here, an insignificant, insurrectionary fraction of the population, amounting to nothing more than a mere band of outlaws, their hostility to this Government is no reason why all rights should be denied to the 10,000,000 people of those islands.

I do not desire, Mr. President, to detain the Senate longer.

Mr. TILLMAN obtained the floor.

Mr. WARREN. Will the Senator from South Carolina yield to me a moment?

Mr. TILLMAN. With pleasure.

Mr. WARREN. Thanking the Senator for his courtesy, I wish to have read, and a record made thereof, a telegram from the legislature of Wyoming sent through the governor of that State to me.

The VICE-PRESIDENT. The Secretary will read as requested, in the absence of objection.

The Secretary read as follows:

CHEYENNE, WYO., *February 6, 1899.*

Hon. F. E. WARREN:

The legislature this day, by unanimous vote, has passed resolution urging you to use all honorable means to secure the immediate ratification of the treaty with Spain, and request me to wire their action to you. Enrolled resolution will follow by mail.

DE FOREST RICHARDS, *Governor.*

Mr. TILLMAN. Mr. President, if this matter can be postponed and a date agreed upon by the Senate, or some time fixed when this resolution may come up again, I will now yield the floor; otherwise I should like to go on.

Mr. ALDRICH. Can not we agree to fix a time to take a vote on the pending resolution and amendments? I would suggest that we take a vote on the resolution and amendments at 2 o'clock to-morrow.

Several SENATORS. Take it now.

Mr. ALDRICH. Well, take it now.

Mr. BACON. No; the Senator from South Carolina [Mr. TILLMAN] has the floor.

Mr. ALLISON. I hope the resolution can be concluded this evening.

Mr. TILLMAN. I have agreed to yield the floor if the resolution shall go over, so that I may have the floor when it is again taken up. As to a vote, I do not care about that after I get through. [Laughter.]

Mr. ALDRICH. I suggest that we agree to vote at 2 o'clock to-morrow.

Mr. WOLCOTT. I hope there will not be any more unanimous-consent agreements asked for about resolutions relating to the treaty. I feel disposed to object to any such suggestion that may be made.

Mr. JONES of Arkansas. I agree with the Senator from Colorado.

Mr. WOLCOTT. I am tired of unanimous-consent agreements.

Mr. ALLISON. I desire to give notice that to-morrow I shall ask the Senate to consider the Indian appropriation bill.

The VICE-PRESIDENT. The Senator from South Carolina [Mr. TILLMAN] has the floor.

Mr. ELKINS. I move that the Senate adjourn.

Mr. TILLMAN. You can not take me off the floor to make that motion.

Mr. ELKINS. I thought the Senator wanted an adjournment.

Mr. TILLMAN. I do; but I want to have an understanding, when this resolution comes up again, that I shall have the right to speak on it.

The VICE-PRESIDENT. The Senator from South Carolina has the right to speak on it now.

Mr. PASCO. The resolution comes up to-morrow at 2 o'clock as the unfinished business, and the Senator can then proceed with his speech. It has displaced the previous unfinished business.

Mr. CULLOM. There is an order of unfinished business already pending.

Mr. PASCO. The resolution which has been under consideration was taken up by a vote of the Senate.

Mr. CULLOM. I understood the anti-scalping bill was to remain as the unfinished business.

Mr. JONES of Arkansas. There is no such understanding.

Mr. HOAR. I rise to a parliamentary inquiry, Mr. President.

The VICE-PRESIDENT. The Senator from Massachusetts rises to a parliamentary inquiry, which he will state.

Mr. HOAR. I desire to ask the Chair if the pending resolution did not displace the unfinished business when it was taken up by a vote of the Senate without any reservation? Does not the resolution, therefore, come up at 2 o'clock to-morrow? I ask further, that being the case, whether a simple majority vote of the Senate can not at any time displace it and put back the other order as the unfinished business?

The VICE-PRESIDENT. The Chair understands the parliamentary situation to be that the pending resolution, when it goes over to-day, takes its place upon the Calendar. The unfinished business is the bill laid aside to-day by unanimous consent.

Mr. HOAR. I wish to call the attention of the Chair to the precise proposition. This was not a resolution taken up in the morning hour, to which what the Chair said would be applicable and true; but it was taken up after 4 o'clock by an ordinary vote to proceed to its consideration, just as if it had been the Nicaragua Canal bill or any other bill. That, as I claim, displaces the unfinished business and makes the resolution the unfinished business at 2 o'clock to-morrow. I make the point with great respect to the Chair.

The VICE-PRESIDENT. The Chair reminds the Senator from Massachusetts that the resolution which has been under discussion was introduced to-day, and is really under a unanimous-consent agreement. It was taken up by a vote of the Senate, it is true.

Mr. HOAR. But was not introduced in the morning hour or under the morning business. The Senate voted to proceed to its consideration.

The VICE-PRESIDENT. In the opinion of the Chair, the resolution is in the same condition as other morning business.

Mr. CHANDLER. I should like to say a word. There has been an understanding with reference to the bill against ticket brokerage that it should not be accidentally displaced, and that if it were accidentally displaced it should be again restored. If it were deliberately displaced by a vote of the Senate, that would be another thing. That has been the understanding all along between the Senator from Illinois [Mr. CULLOM] and myself, in order to avoid the necessity of keeping watch all the time upon that bill.

Mr. HOAR. Is that your understanding?

Mr. CHANDLER. Yes.

Mr. HOAR. I never heard of it.

Mr. CULLOM. There was a general understanding that the anti-scalping bill should not be displaced by any question connected with the treaty; and that has been stated in open Senate time and again.

Mr. CHANDLER. Or accidentally displaced at all.

Mr. CULLOM. So, as the Vice-President has stated, there was no occasion for any concern about it, because the unanimous-consent arrangement would keep it as the unfinished business.

Mr. HOAR. I withdraw the point of order on that statement. I was not aware and had never heard of that arrangement. It probably was made while I was not here.

Mr. TILLMAN. I have been asked by a good many Senators to put off the debate until another time, when we will be less tired and under less mental strain and excitement than we are now. I therefore give notice that I will call up the joint resolution in the morning, immediately after the conclusion of the morning business, and will submit a few remarks thereon.

Mr. ALDRICH. I give notice that I will endeavor to have the joint resolution disposed of during the morning hour.

INDIAN APPROPRIATION BILL.

Mr. ALLISON. I desire to give notice that at an early hour to-morrow I shall call up the Indian appropriation bill.

TICKET BROKERAGE.

Mr. CULLOM. I ask the Chair to lay before the Senate the unfinished business.

The VICE-PRESIDENT. The Chair lays before the Senate the unfinished business, which will be stated by title.

The SECRETARY. A bill (S. 1575) to amend an act entitled "An act to regulate commerce."

Mr. CULLOM. I move that the Senate adjourn.

The motion was agreed to; and (at 5 o'clock and 34 minutes p. m.) the Senate adjourned until to-morrow, Tuesday, February 7, 1899, at 12 o'clock meridian.

NOMINATIONS.

Executive nominations received by the Senate February 6, 1899.

PROMOTIONS IN THE REVENUE-CUTTER SERVICE.

Third Lieut. Randolph Ridgely, jr., of Georgia, to be a second lieutenant in the Revenue-Cutter Service of the United States, to succeed John L. Davis, removed.

Cyrus B. Fengar, of Connecticut, to be a third lieutenant in the Revenue-Cutter Service of the United States, to succeed Randolph Ridgely, jr., promoted.

INDIAN AGENT.

Alonzo A. Armstrong, of Phœnix, Ariz., to be agent for the Indians of Fort Apache Agency, in Arizona, vice Charles D. Keyes, deceased.

TO BE ASSISTANT SURGEON WITH THE RANK OF FIRST LIEUTENANT.

William Jephtha Calvert, of Kentucky, January 30, 1899, vice Birmingham, promoted.

PROMOTIONS IN THE MARINE CORPS.

Capt. Francis H. Harrington, to be a major in the Marine Corps, from the 10th day of August, 1898, vice Maj. Robert L. Meade, promoted.

First Lieut. Charles H. Lauchheimer, to be a captain in the Marine Corps, from the 10th day of August, 1898, vice Capt. Francis H. Harrington, promoted.

Second Lieut. John H. Russell, to be a first lieutenant in the Marine Corps, from the 10th day of August, 1898, vice Lieut. Charles H. Lauchheimer, promoted.

First Lieut. Henry C. Haines, to be a captain in the Marine Corps, from the 11th day of August, 1898, vice Capt. James M. T. Young, promoted and retired.

Second Lieut. Thomas S. Borden, to be a first lieutenant in the Marine Corps, from the 11th day of August, 1898 (subject to the examinations required by law), vice First Lieut. Henry C. Haines, promoted.

First Lieut. George Barnett, to be a captain in the Marine Corps, from the 11th day of August, 1898, vice Capt. Erastus R. Robinson, promoted and retired.

Second Lieut. John T. Myers, to be a first lieutenant in the Marine Corps, from the 11th day of August, 1898 (subject to the examinations required by law), vice First Lieut. George Barnett, promoted.

WITHDRAWALS.

Executive nominations withdrawn February 6, 1899.

Maj. Henry H. Humphreys, Twelfth Infantry, for appointment as lieutenant-colonel by brevet in the Army of the United States, and nominate him for appointment as colonel by brevet in the Army of the United States for gallantry in battle, El Caney, Cuba, July 1, 1898. (The brevet rank of lieutenant-colonel was conferred on Major Humphreys March 2, 1867.)

Thomas Jeptha Calvert for appointment as assistant surgeon, United States Army, with the rank of first lieutenant.

CONFIRMATIONS.

Executive nominations confirmed by the Senate February 6, 1899.

COLLECTOR OF CUSTOMS.

Thomas B. George, of Florida, to be collector of customs for the district of St. Augustine, in the State of Florida.

POSTMASTERS.

John M. Jolley, to be postmaster at Daytona, in the county of Volusia and State of Florida.

John H. Hibbard, to be postmaster at De Land, in the county of Volusia and State of Florida.

Gus A. McLane, to be postmaster at Lewisburg, in the county of Marshall and State of Tennessee.

William McManis, to be postmaster at Baird, in the county of Callahan and State of Texas.

Thomas J. Mitchell, to be postmaster at Port Tampa, in the county of Hillsboro and State of Florida.

Victor F. Huntley, to be postmaster at Manton, in the county of Wexford and State of Michigan.

Roland Franklin, to be postmaster at Clio, in the county of Genesee and State of Michigan.

Edgar B. Babcock, to be postmaster at Kalkaska, in the county of Kalkaska and State of Michigan.

James P. Hutcheson, to be postmaster at Owenton, in the county of Owen and State of Kentucky.

Laura V. Herd, to be postmaster at Middlesboro, in the county of Bell and State of Kentucky.

Fred J. Mauren, to be postmaster at Portland, in the county of Ionia and State of Michigan.

Charles S. Collier, to be postmaster at Frankfort, in the county of Benzie and State of Michigan.

Lizzie Vaupel, to be postmaster at Morganfield, in the county of Union and State of Kentucky.

John S. Miller, to be postmaster at Greenville, in the county of Muhlenburg and State of Kentucky.

HOUSE OF REPRESENTATIVES.

MONDAY, *February 6, 1899.*

The House met at 12 o'clock m. Prayer by the Chaplain, Rev. HENRY N. COUDEN.

The Journal of Saturday's proceedings was read and approved.

RECALL OF A BILL.

A message from the Senate, by Mr. PLATT, one of its clerks, announced that the Senate had passed the following resolution, in which the concurrence of the House was requested:

Resolved by the Senate (the House of Representatives concurring), That the President be requested to return to the Senate the bill of the Senate No. 569, granting an increase of pension to Clarinda S. Hillman.

The SPEAKER. The Chair will submit for the concurrence of the House the resolution just received from the Senate.

The resolution was taken up, read, and agreed to.

ADMISSION OF COSTA RICAN STUDENT TO NAVAL ACADEMY.

Mr. HILBORN. I ask unanimous consent for the immediate consideration of the joint resolution which I send to the desk.

The Clerk read as follows:

Joint resolution (S. R. 218) authorizing the Secretary of the Navy to receive for instruction at the Naval Academy, at Annapolis, Ricardo Yglesias, of of Costa Rica.

Resolved by the Senate and House of Representatives, etc., That the Secretary of the Navy be, and he hereby is, authorized to permit Ricardo Yglesias, of Costa Rica, to receive instruction at the Naval Academy, at Annapolis: *Provided*, That no expense shall be caused to the United States thereby: *And provided further*, Tha in the case of the said Ricardo Yglesias the Secretary of the Navy may modify or dispense with any provisions of the rules and regulations of the said Academy which circumstances may, in his opinion, render necessary or desirable.

Mr. HILBORN. Mr. Speaker, the representative of the Government of Costa Rica has made on behalf of his Government the request with which this resolution proposes compliance, and the Secretary of the Navy recommends that the joint resolution be passed.

There being no objection, the House proceeded to consider the joint resolution; which was read three times, and passed.

ADMISSION OF STUDENT FROM COLOMBIA TO NAVAL ACADEMY.

Mr. HILBORN. There is another resolution of similar character to the one just passed, and I ask its immediate consideration.

The Clerk read the resolution, as follows:

Joint resolution (S. R. 219) authorizing the Secretary of the Navy to receive for instruction at the Naval Academy, at Annapolis, Alberto Valenzuela Montoya, of Colombia.

Resolved by the Senate and House of Representatives, etc., That the Secretary of the Navy be, and he is hereby, authorized to receive for instruction at the Naval Academy, Annapolis, Alberto Valenzuela Montoya, of Colombia: *Provided*, That no expense shall thereby accrue to the United States: *And provided further*, That the Secretary of the Navy may, in the case of the said Montoya, modify or dispense with any provisions of the rules and regulations of the said Academy which circumstances may, in his opinion, render necessary or desirable.

Mr. BAILEY. Mr. Speaker, I suggest to the gentleman from California [Mr. HILBORN] that it seems to me, without any special knowledge on the subject, not to be a wise procedure on the part of our Government to allow almost every other government the privilege of educating young men of their nation at our Academy, thus familiarizing them with our ships and our methods. It is to be hoped that we shall never have a misunderstanding, much less a collision, with our neighbors to the south of us, but if we should, almost every one of those South American countries will have in its service men who have been educated at our Military or Naval Academy and who will be familiar with the secrets, if secrets there be, of our modes of warfare.

Mr. HILBORN. Mr. Speaker, this is a privilege which we have

frequently granted heretofore, and it would attract attention if we should now refuse the request which has been made on behalf of this South American Government by its representative.

Mr. BAILEY. I simply desired to know whether the committee had taken into consideration the view of the case which I have suggested. It may be that there are no secrets that these students at the Military and Naval Academies learn; I am not informed as to that. But if there are special facts that come to the knowledge of students there, it is not wise to communicate them to people of foreign nations. I realize that it might now seem like an act of discourtesy——

Mr. HILBORN. That is it.

Mr. BAILEY (continuing). To refuse this request when similar requests have been granted. But does not the gentleman realize that when we have permitted young men from two or three foreign nations to enjoy this privilege it becomes an act of discourtesy to deny it to anybody? So that as the result of this policy we must ultimately have at our Naval and Military Academies young men from almost every nation on earth educated there in a knowledge of our secrets.

Mr. HILBORN. I do not think that the students——

Mr. GAINES. Will the gentleman allow me a question?

Mr. HILBORN. Certainly.

Mr. GAINES. If we admit this young man as an act of courtesy, must we not, as the gentleman from Texas has well said, admit young men from every other nation that may make a similar request? Does the gentleman from California believe that that would be desirable or wise?

Mr. HILBORN. Oh, well, we have always done this whenever a request of this kind has been made; and I do not think we are likely to carry the thing to any dangerous extent.

Mr. GAINES. If we have always done wrong that is no reason why we should continue to do so. I object to any such bill.

Mr. HILBORN. I hope the gentleman will not insist on the objection.

Mr. GAINES. Well, I withdraw my objection in this case; but I give notice now that hereafter I shall not consent to teaching foreigners in our military schools in order, in effect, that they may know better how to fight us in the future.

Mr. HILBORN. I do not think the representatives of Colombia will be dangerous.

Mr. GAINES. We have permitted one man to obtain a patent for armor plate, and he has gone off and sold it to foreigners, and they have used it on their war ships, and they have thereby become better fighters. Such a thing is a disgraceful act and an outrage; and I think no loyal American would do it. [Applause.]

There being no objection, the House proceeded to consider the joint resolution; which was read three times, and passed.

Mr. HILBORN. I move to reconsider the votes by which these two joint resolutions have been passed, and also move that the motion to reconsider be laid on the table.

The latter motion was agreed to.

INDEBTEDNESS ALBUQUERQUE, N. MEX.

Mr. FERGUSSON. Mr. Speaker, I ask unanimous consent for the present consideration of the bill (H. R. 8694) to enable the city of Albuquerque, N. Mex., to create certain indebtedness, and for other purposes.

The SPEAKER. The bill will be read, subject to the right of objection.

The bill was read, as follows:

Be it enacted, etc., That the city of Albuquerque, in the county of Bernalillo and Territory of New Mexico, is hereby authorized and empowered to issue bonds of the said city in a sum not to exceed $65,000 in all, in such denominations and at such rate of interest as the municipal government of said city shall provide, notwithstanding the act of Congress approved July 30, 1886, entitled "An act to prohibit the passage of local or special laws in the Territories of the United States, to limit Territorial indebtedness, and for other purposes." And any and all bonds of the said city issued in pursuance of the terms of this act shall be valid and binding obligations of said city, notwithstanding the same or any part thereof may be in excess of the limit of municipal indebtedness fixed by said act of Congress approved July 30, 1886.

SEC. 2. That this act shall take effect from and after its passage.

The Committee on the Territories recommend the adoption of the following amendment:

In line 6, page 2, after the word "six," insert the following proviso:

"*Provided*, That the bonds issued by virtue of this act shall be issued only for the purpose of funding the warrants of said city outstanding on the 1st day of January, 1898. Such bonds shall not be disposed of for less than their par value, and shall not bear a greater rate of interest than 6 per cent per annum."

Mr. COX. Before consent is given——

The SPEAKER. Is there objection to the present consideration?

Mr. COX. I was desirous, Mr. Speaker, of making inquiry of the gentleman before consent is given.

Mr. PAYNE. Reserving the right to object, I desire to ask the gentleman a question.

Mr. COX. It was my purpose to reserve the right.

Mr. PAYNE. What is the limit to which the city can issue bonds at this time?

Mr. FERGUSSON. Sixty-five thousand dollars is the total amount authorized by the pending bill.

Mr. PAYNE. But this is an authorization beyond the limit of the present law, as I understand the bill. Now, what is the law, and what is the outstanding indebtedness?

Mr. PERKINS. Four per cent on the assessed valuation of the property in the city. And this originated in this manner—if the gentleman from New York will permit me:

The shrinkage in the value of the assessments caught the city with many of its warrants outstanding, and for which provision is here made as to their payment. That is to say, warrants for the expenses of the water service, the fire department, and other branches of the city government. Under the provisions of an act of the legislative assembly, which is now the law of the Territory, all the floating indebtedness was required to be refunded in interest-bearing bonds of the city, and prohibiting any expenditure or the issuance of any bonds beyond the actual current income of the city; so that the city was caught on the 1st day of January, 1898, with this floating indebtedness of about $65,000, which could not be paid except from the current revenues of the city; and, as I have said, the shrinkage in values prevented its payment in this manner.

It is a just debt and ought to be paid. The Committee on Territories exhaustively went into the matter, examined carefully every question connected with it, held it under advisement for a long time, and finally recommended the adoption of the bill which I have just asked to have passed.

Mr. PAYNE. How much is 4 per cent on the present liability of the city?

Mr. FERGUSSON. I have not the amount at hand.

Mr. PAYNE. To what extent is the city bonded?

Mr. FERGUSSON. Only up to 4 per cent of the value of the assessment.

Mr. PAYNE. But how much does that involve?

Mr. FERGUSSON. I do not remember exactly. The report, however, sets out the whole amount.

Mr. PAYNE. Do you know what the percentage is on the assessed valuation of the property?

Mr. FERGUSSON. I do not. But there is no provision except by an act of Congress for meeting this liability now.

Mr. BAILEY. The debt was already incurred, I will say to the gentleman from New York. This limitation was placed on the issue of warrants on the 1st day of January, 1898, the legislature having prohibited the payment in any other way after the debt was incurred.

The SPEAKER. Is there objection to the present consideration of the bill?

There was no objection.

The amendment recommended by the committee was agreed to.

The bill as amended was ordered to be engrossed and read a third time; and it was accordingly read the third time, and passed.

On motion of Mr. BAILEY, a motion to reconsider the last vote was laid on the table.

AMENDMENT TO THE CONSTITUTION.

Mr. GROW. Mr. Speaker, I ask unanimous consent of the House to introduce the resolution I send to the desk.

The SPEAKER. The resolution will be read.

The Clerk read as follows:

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled (two-thirds of both Houses concurring), That the following article be proposed to the legislatures of the several States as an amendment to the Constitution of the United States, which, when ratified by three-fourths of said legislatures, shall be valid, to all intents and purposes, as a part of said Constitution, namely: "The President, as Commander in Chief of the Army and the Navy of the United States, shall have power to negotiate treaties of peace in order to terminate hostilities in any war in which the United States may be engaged: *Provided*, That a majority of the Senators present ratify such treaty."

Mr. GROW. I ask unanimous consent of the House for one minute before moving to refer the resolution to the appropriate committee.

Mr. BLAND. Mr. Speaker, I do not understand what this is. Is it a motion to suspend the rules, or a request for unanimous consent for the consideration of the resolution?

The SPEAKER. The gentleman asks unanimous consent to address the House on the resolution.

Mr. GROW. For about a minute only.

The SPEAKER. The Chair hears no objection to the request of the gentleman from Pennsylvania.

Mr. GROW. Mr. Speaker, it is a singular provision in our Constitution that a majority can make war, but can not make peace. This simply provides that a majority may do that. I move the reference of this resolution to the Committee on the Judiciary.

The SPEAKER. The gentleman asks unanimous consent that the resolution be referred to the Committee on the Judiciary. Without objection, that reference will be made.

There was no objection.

JAMES AND EMMA S. CAMERON.

Mr. GROSVENOR. I move to suspend the rules and pass the bill (S. 1478) for the relief of James and Emma S. Cameron for occupation of property and for fuel taken and used by the United States Army during the war.

The bill was read, as follows:

Be it enacted, etc., That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay the sum of $10,000, out of any moneys in the Treasury not otherwise appropriated, to Emma S. Cameron, in full satisfaction and payment for occupation of her separate property and for fuel taken therefrom and used by Gen. W. S. Rosecrans's army while at Chattanooga, Tenn., from September, 1863, until the close of the war, and which amount of $10,000 was found due by a special commission appointed by Major-General Rosecrans to adjust claims against the United States on full proof and investigation of the facts.

Mr. GROSVENOR. I ask for the reading of the report.

Mr. BAILEY. Mr. Speaker, I demand a second.

The SPEAKER. A second is demanded.

Mr. GROSVENOR. Will the gentleman waive that right until the report is read?

Mr. BAILEY. I demand it, but I am willing that a second shall be considered as ordered.

Mr. GROSVENOR. I ask unanimous consent that a second be considered as ordered.

The SPEAKER. The gentleman from Ohio asks unanimous consent that a second be considered as ordered. Is there objection?

There was no objection.

Mr. GROSVENOR. Now, if the Clerk will read the report——

Mr. BAILEY. I want to ask the gentleman from Ohio if this is one of the bills included in what is known as the omnibus claim bill, that is now pending in conference?

Mr. GROSVENOR. I do not know whether that is the case or not. I have no personal interest in this bill, but it is a bill that has been reported favorably in every Congress here since the Forty-second, and I think if the gentleman will listen to the reading of the report he will not object to the consideration of the bill.

Mr. BAILEY. My question was intended merely to meet this: I do not think that any of those bills included in that general bill ought to be taken out of it. I think they all ought to pass or fall alike.

Mr. GROSVENOR. I think when my friend hears this report he will feel that this one ought to be passed anyhow, under any circumstances. I ask for the reading of the report.

Mr. COX. Mr. Speaker——

The SPEAKER. One moment. The House will be in order. Gentlemen should recollect that there is an unusual attendance of Members, Members-elect, and ex-Members, and that on that account there is a considerable addition to the usual noise, which is of itself sufficient ordinarily to prevent the transaction of business. [Laughter.] And if gentlemen will have the kindness to bear this in mind, and to mitigate, each one of them, what they are doing in that respect, we may be able to understand what is going on. Otherwise we can not.

Mr. COX. I desire, Mr. Speaker, to know if that claim has ever been passed upon by the Court of Claims or ever been allowed by the Quartermaster-General?

The SPEAKER. The gentleman from Ohio at present has the floor, and is having the report read in his time.

Mr. GROSVENOR. The reading of the report will answer all these questions.

The SPEAKER. The Clerk will read the report.

The report (by Mr. WEAVER) was read, as follows:

The Committee on War Claims, to whom was referred the bill (S. 1478) for the relief of James and Emma S. Cameron, submit the following report:

The facts out of which this bill for relief arises will be found stated in Senate report from the Committee on Claims of the present Congress, a copy of which is hereto appended as a part of this report.

Your committee recommend the passage of the bill.

[Senate Report No. 80, Fifty-fifth Congress, first session.]

The Committee on Claims, to whom was referred the bill (S. 1478) for the relief of James and Emma S. Cameron, having had the same under consideration, submit the following report:

This claim has been reported favorably upon by the Senate Committee on Claims in the Forty-second, Forty-third, Fifty-first, Fifty-second, and Fifty-fourth Congresses, and a bill passed the Senate in the Forty-third, Fifty-first, and Fifty-second Congresses.

The claim has also been reported favorably to the House in the Fifty-first, Fifty-second, Fifty-third, and Fifty-fourth Congresses.

A copy of the Senate report, Fifty-second Congress, is hereto attached and made a part of this report.

Your committee recommend that the bill pass.

[Senate Report No. 155, Fifty-second Congress, first session.]

The Committee on Claims, to whom was referred the bill (S. 634) to authorize and direct the Secretary of War to investigate the claim made for fuel alleged to have been taken and used by the United States Army during the war from the property in Chattanooga known as Cameron Hill, and to provide for the payment thereof, having had the same under consideration, make the following report:

The same claim, but in the form of a bill to pay Emma S. Cameron for property taken and used by the Army of the United States during the late war, was favorably reported by the Committee on Claims of the Senate of the Forty-second Congress, and passed the Senate, but was not acted on in the House.

It was also reported upon favorably by the same committee of the Senate of the Forty-third Congress. It was also acted upon in like manner by this committee in the Fifty-first Congress, but amended in the Senate to take substantially the form of the bill as now presented, and so passed the Senate. In each of said reports the allowance recommended was $10,000, and a like allowance was recommended by the Committee on War Claims of the House in the first session of the Fifty-first Congress.

James Cameron and Emma S. Cameron were before and during the late war of the rebellion the owners of a homestead in the suburbs of the city of Chattanooga, Tenn., known as Cameron Hill, containing about 37 acres, the same having been paid for out of the patrimony of Mrs. Cameron. The location was a beautiful and a commanding one. About 34 acres of this land were thickly covered with a forest of large oak trees. Two and a half acres were highly cultivated to orchard and grape. The dwelling house, studio, small house, barn, outbuildings, fences, and improvements were in a good state of repair. This property was occupied as a residence by Mr. Cameron and his wife at the time of the breaking out of the war. In September, 1863, the Union Army, under command of General Rosecrans, entered the city of Chattanooga and took possession of this property and made such use of the premises as the commander thought for the best interests of the Army.

The trees, including orchard, were cut down and mostly used by the troops for fuel; the same use was made of the fences and outhouses and all the structures except the residence.

The proofs show that this was absolutely necessary, as the weather was extremely cold and there was no other available supply of fuel. The proofs make it further apparent that, for the purpose of maintaining its position at Chattanooga, the Army was compelled to further permanently injure and disfigure said premises by the erection of earthworks upon them, and that the residence—a commodious one, built of concrete—and the premises were occupied and used by our troops until the close of the war.

The loyalty of Mr. Cameron and his wife was so marked, and their cheerful sacrifices for the aid and comfort of the Union soldiers so frequent and constant, as to attract the attention and secure the good will of the commanding and many subordinate officers of our Army.

By Special Field Order, No. 6, Major-General Rosecrans appointed a commission to adjust claims against the United States.

Mr. Cameron and his wife filed claim before this commission for the destruction of the buildings, fences, timber, orchards, and other injuries done this property and for the use and occupation of it by the Union troops.

Upon the proofs taken at the time a finding was made in their favor of $200,000. Numerous affidavits and documents attest the loyalty of Mr. and Mrs. Cameron and the facts of fences, buildings, and timber being consumed by the Federal Army for fuel.

Among the documents submitted to the committee in support of this claim is the following letter from Maj. Gen. U. S. Grant, commanding the armies of the United States, addressed to Mrs. Cameron:

HEADQUARTERS ARMIES OF THE UNITED STATES,
City Point, Va., August 9, 1865.

MY DEAR MADAM: Your letter of the 8th of July was duly received, but not so promptly answered. I know yours to be a case where prompt payment should be made, and am willing to indorse your claim. I believe that your property at Chattanooga has been appraised by a board of officers. If so, send me the proceedings of the board and I will make my indorsement and return them to you. If you have no such evidence of the claim, inform me and I will order a board to assess it and will indorse the proceedings. This will be the first step toward a collection.

Yours, truly,

U. S. GRANT.

Mrs. CAMERON.

And also the following indorsement, made by General Grant upon the statement of the claim as made to commission under Field Order, No. 6:

HEADQUARTERS ARMIES OF THE UNITED STATES,
City Point, Va., October 25, 1865.

I know the property within described, and the parties owning it, well. Mr. Cameron and his wife have been unflinching friends of the Government from the beginning of our troubles to the present day. There are no more thoroughly loyal people anywhere in the North, and they are entitled to protection and pay for their property converted to Government use. What is now known as Fort Cameron, Chattanooga, was the private property of Mr. Cameron. From its elevated and commanding position it had to be taken and fortified. By this means the entire property, with improvements, has been entirely destroyed for private use. I would recommend that the property be purchased at a fair valuation for Government use.

U. S. GRANT, *General.*

The committee recommend that the bill pass, with the amendment that the allowance made and paid shall not exceed $10,000, and that such amendment be made by adding the following to the end thereof:

"*Provided*, That no greater amount than $10,000 shall be allowed or paid to such person or persons."

Mr. GROSVENOR. Mr. Speaker, I think the reading of that report is all the information necessary for the guidance of the House. There are a great many gentleman here who know what the condition of Cameron Hill was at Chattanooga, and how valuable it was, almost in the heart of that city, with its splendid orchards and fine groves of timber. In the course of the preparation of that hill for defense, on account of its strategic importance, the timber was all taken away. There is not a tree on it to-day.

Mr. STEELE. I will ask the gentleman if it is not a fact that not only were the trees all cut down, but that the stumps were cut down and the roots dug up?

Mr. GROSVENOR. Everything of a wooden character was extirpated. The surface of the hill was transformed into battlements, and it served a very important purpose to the Union Army. Now, I do not know any of the family personally, but I am informed that the claimant to be benefited is an old lady somewhere in the neighborhood of 73, as I understand it, reduced from affluence to poverty. The loyalty of these people is asserted by General Grant. The value of the property taken was estimated at $20,000 by a board ordered by General Rosecrans.

This bill has been reported by every Congress since the Forty-second, and is now cut down to the sum of $10,000. I can answer any questions gentlemen may desire to ask.

Mr. HENDERSON. How much does the bill carry?

Mr. GROSVENOR. Ten thousand dollars.

Mr. HENDERSON. How much land was there taken?

Mr. GROSVENOR. The whole of the land.

Mr. HENDERSON. What was this property taken for?
Mr. GROSVENOR. It was taken for the purposes of firewood and timber.
Mr. HENDERSON. Is this for timber only?
Mr. GROSVENOR. No; this is the statement made. I will read it again.
Mr. HENDERSON. I did not hear the report.
Mr. GROSVENOR (reading)—

The location was a beautiful and a commanding one. About 34 acres of this land were thickly covered with a forest of large oak trees. Two and a half acres were highly cultivated to orchard and grape. The dwelling house, studio, small house, barn, outbuildings, fences, and improvements were in a good state of repair. This property was occupied as a residence by Mr. Cameron and his wife at the time of the breaking out of the war. In September, 1863, the Union Army, under command of General Rosecrans, entered the city of Chattanooga and took possession of this property and made such use of the premises as the commander thought for the best interests of the Army.

The trees, including orchard, were cut down and mostly used by the troops for fuel; the same use was made of the fences and outhouses and all the structures except the residence.

The proofs show that this was absolutely necessary, as the weather was extremely cold and there was no other available supply of fuel. The proofs make it further apparent that, for the purpose of maintaining its position at Chattanooga, the Army was compelled to further permanently injure and disfigure said premises by the erection of earthworks upon them, and that the residence—a commodious one, built of concrete—and the premises were occupied and used by our troops until the close of the war.

The loyalty of Mr. Cameron and his wife was so marked, and their cheerful sacrifices for the aid and comfort of the Union soldiers so frequent and constant, as to attract the attention and secure the good will of the commanding and many subordinate officers of our Army.

Mr. DALZELL. I would like to renew the question asked by the gentleman from Texas [Mr. BAILEY]. Is this now in the omnibus bill?
Mr. GROSVENOR. I can now inform the gentleman that it is not.
Mr. DALZELL. I would like to ask the gentleman why not?
Mr. GROSVENOR. The report shows that the claim has always stood upon the report of the commission appointed by the general commanding.
Mr. CANNON. I notice that this bill is for the benefit of Mrs. Cameron. I notice also that the report shows that the property was Mr. Cameron's.
Mr. GROSVENOR. He is dead.
Mr. CANNON. I will ask the gentleman whether by proceedings before the Quartermaster-General's Department this claim was not adjudicated and paid?
Mr. GROSVENOR. It was never before the Quartermaster-General's Department.
Mr. CANNON. Why?
Mr. GROSVENOR. Because it stood, as I say, always upon what seemed to be a better condition—the report of the board of commissioners appointed by General Rosecrans.
Mr. CANNON. Well, that reports for two hundred thousand.
Mr. GROSVENOR. That is a mistake. It should be twenty thousand. I have corrected it.
Mr. CANNON. Does the gentleman speak of his own personal knowledge of this property?
Mr. GROSVENOR. I speak absolutely from my own knowledge, and there are a score or more gentlemen on this floor who will sustain me in what I have said.
Mr. CANNON. Does the gentleman speak of his own knowledge when he says that the timber has not been paid for?
Mr. GROSVENOR. I do.
Mr. CANNON (continuing). By proceedings before the Quartermaster-General or otherwise?
Mr. GROSVENOR. I do; and state further that if the House will pass this bill, before it shall be signed by the President I will see to it that an official statement in that regard shall reach him.
Mr. CANNON. Well, but the gentleman ought to be able to say.
Mr. GROSVENOR. I do say, without qualification, that not one dollar was ever paid for that property.
Mr. CANNON. If the gentleman has examined——
Mr. GROSVENOR. I have examined, and I have the statement of a very skillful attorney who has also examined; and I have done this whole thing because of my sympathy for the people living in Tennessee [laughter on the Democratic side] and because I know myself the facts alleged in this report.
Mr. CANNON. I am only asking the gentleman a question, because I should very much doubt whether $10,000 worth of oak timber could be cut off 34 acres of land.
Mr. GROSVENOR. But the gentleman has not quite covered the ground. Some of you gentlemen know all about this whole matter. Now, we used the whole of the property. There were 34 acres of fine oak, besides the orchard and grapes, and a large house and other buildings. There are a score of gentlemen on the floor who know all about this property. Every vestige of civilization was swept off the top of that hill except the mansion house, which our officers occupied.
Mr. CANNON. General Grant has stated that he would recommend that the property be purchased at a fair valuation for Government use. Was this property there worth $300 an acre?
Mr. GROSVENOR. It was worth more than a thousand dollars an acre.
Mr. CANNON. It is still there.
Mr. GROSVENOR. It is still there, and desolate.
Mr. CANNON. What is it now worth?
Mr. GROSVENOR. It is the hill, which many gentlemen will remember, on which we planted the flag, when the Confederate flag was pulled down and the Union flag was carried up, in the presence of Frank Cheatham, General Gordon, and others in the great reunion of Federals and Confederates at Chattanooga.
Mr. CANNON. I am quite willing for this $10,000 to be paid to this old lady; I am quite willing that it shall be a gift; but let it be understood that you pay for the place, but not for the felling of the timber. If you are going to pay for felling timber you are going to get into claims for damages to real estate; and I do think myself, taking that view of it, that they should put this claim upon this ground.
Now, I am quite content, on the gentleman's showing, to so amend this bill, if he thinks it ought to be done, as to absolutely pay this lady $10,000—well, by gift, on account of the loyalty of her people, and on account of the circumstances; but when you undertake to pay for the value of timber and supplies, $10,000 for 34 acres of oak timber, it establishes a precedent that in my judgment ought not to be established.
Mr. GROSVENOR. My friend does not read the report nor listen to me. We took the entire property and despoiled it for our use. It was in fine condition, and we swept all that timber away and built forts. The gentlemen on that side are familiar with the great fortifications on Cameron Hill.
Mr. CANNON. I would like to ask my friend from Ohio if, among all the great battlefields where forts were constructed, Congress at any time has entered upon a policy of paying damages done to the realty?
Mr. DOCKERY. I would like to suggest that this is a precedent, unless my memory is at fault.
Mr. GROSVENOR. There is not a single element of it in this, and the gentleman from Missouri is mistaken. The trees of the orchard were cut down and hauled away by the troops for fuel, and the same was true of the fences and the outhouses and all the structures, except the mansion itself. The proof shows that this was absolutely necessary.
Mr. Cameron and his wife filed claims before the commission for the destruction of the buildings, the taking of the fences, timber, orchards, etc., and that investigation, made by order of General Rosecrans, was made on full knowlege of the kind of people they were, and there was an allowance of $30,000 made. It has stood from that time down to this day, until the family is impoverished and all but this lady is dead. Mr. Speaker, I have said all I can say.
Mr. LLOYD. Mr. Speaker, I desire to ask the gentleman from Ohio if he has an estimate of the various items allowed, showing their value?
Mr. GROSVENOR. I have not, but I stand on the record made by the report of that commission.
Mr. LLOYD. Was there any appraisement by any board of appraisers?
Mr. GROSVENOR. There was.
Mr. LLOYD. Has the gentleman that appraisal?
Mr. GROSVENOR. It was made by a military commission appointed by General Rosecrans, but what became of their records nobody knows. The ordinary course of things was to have a board to estimate the value, and they estimated the value of the property at $20,000.
Mr. LLOYD. Was there any evidence before the War Department as to the value of the timber taken?
Mr. GROSVENOR. Most assuredly there must have been. These officers constituting this board were there on the ground, and had knowledge of the facts themselves.
Mr. LLOYD. Have not claims of this kind ordinarily gone before the Court of Claims for adjudication?
Mr. GROSVENOR. There was never any claim made except before this commission. General Grant came into full knowledge of all the facts after the report of the Rosecrans board, and recommended the payment of the sum asked for, and this bill has stood upon that foundation ever since.
Mr. CANNON. All that General Grant recommended was that the Government purchase the Cameron property.
Mr. GROSVENOR. That was during the war.
Mr. CANNON. During 1864.
Mr. GROSVENOR. That was during the war, and at that time they were building the fortifications on the hill.
The SPEAKER. The time of the gentleman from Ohio has expired. The gentleman from Texas [Mr. BAILEY] has control of the time in opposition.
Mr. BAILEY. Mr. Speaker, I yield to the gentleman from Missouri [Mr. DOCKERY] such time as he desires.
Mr. DOCKERY. Mr. Speaker, the confusion is so great that I was unable to hear the statement of the gentleman from Ohio [Mr. GROSVENOR] as to the machinery that was employed to

ascertain the value of the property, and I will be glad if the gentleman will state just how it was estimated that it amounted to $10,000.

Mr. GROSVENOR. By Special Field Order No. 6, Major-General Rosecrans appointed a commission to adjust this claim and others against the United States. Evidence was taken at the time in all the claims as to the value of the property actually taken, and there never was a thought of paying damages for the use of the property.

Mr. LACEY. What became of the other claims?

Mr. GROSVENOR. Scores of them have been paid. I will tell the gentleman. This claim was investigated by the same men that investigated the claims of the churches in Chattanooga, and payment was made for every one of them except that in the case of the Catholic Church. The Quartermaster's Department refused to pay that claim because it was for property taken and not for the damages done to the property by reason of occupation, and doubtless gentlemen will remember that four or five years ago I called up and had passed a bill to pay the Catholic Church $28,000 that had been reported as due them by that same board of appraisers.

Mr. DOCKERY. That was for use and occupation?

Mr. GROSVENOR. No, that was for the stone. It was a stone church and unfinished then, and they took the stone and hauled it away and put it into the forts on top of Cameron Hill.

Mr. DOCKERY. Where does this lady now reside—in Chattanooga?

Mr. GROSVENOR. Yes; she is an old lady, and lives in Chattanooga.

Mr. SULZER. How much does this bill carry?

Mr. GROSVENOR. Ten thousand dollars—one-half of the sum found to be due by the commission appointed by General Rosecrans.

Mr. DOCKERY. Of course, if this bill be passed it opens the door wide to all claims for the taking of property in the Southern and other States of the Union. I make no point about the claim coming from the State of Tennessee; but, speaking from recollection, I have made the statement—and I believe it to be correct, or substantially so, at least—that the Government in extending relief of this kind has heretofore limited its contributions to public institutions and, in the main, for use and occupation of public institutions by the armies of the United States.

I did not know that there was any precedent established by Congress, at least in recent years, that warranted a bill of this sort—paying damages for timber or for the construction of earthworks on a farm. The gentleman from Ohio [Mr. GROSVENOR] refers to a bill that had passed from my memory—a bill compensating certain parties for the use of stone, I believe. That, however, as a gentleman on my right advises me, was the case of a church.

Mr. GROSVENOR. The gentleman will allow me to say, in answer to a question which has been raised, that this claim was examined by the same board that investigated other cases of the same kind.

Mr. DOCKERY. If we enter upon the payment of damages incident to the movements of our armies during the late civil war, the question arises whether the Treasury of the United States will be able to meet this additional line of obligations.

Mr. COOPER of Texas. I do not wish to embarrass the gentleman, but he will allow me to ask whether he does not remember that last year, or during the present Congress, the Appropriations Committee put upon one of their bills an appropriation to pay $1,200 upon a claim like this—the claim of a man named Kennedy, who went to the Appropriations Committee with his claim after the Committee on War Claims had rejected it?

Mr. DOCKERY. I have no recollection of such a claim; and I certainly had nothing to do with the incorporation of any such item in one of the appropriation bills. If it was so incorporated, it is in my opinion a bad precedent. Whatever may have been the merit of the claim, it was not entitled to recognition by giving it a place on an appropriation bill. If it was entitled to be paid, payment should have been provided for by a separate bill.

I have nothing to add except to say that, in my judgment, this legislation opens the door very wide for raids upon the Treasury. I know nothing about this particular bill, except what has been stated by the gentleman from Ohio. I shall vote against the bill.

Mr. CANNON. Will the gentleman from Missouri yield to me a minute or two?

Mr. DOCKERY. Certainly. I yield to the gentleman.

Mr. CANNON. Mr. Speaker, it may be that there are special circumstances concerning Mr. and Mrs. Cameron that would entitle them to the consideration of the Government to the extent of $10,000. If so, I am willing to vote it.

Mr. GROSVENOR. Will the gentleman permit a question?

Mr. CANNON. No; not now. I say, it may be there are some circumstances surrounding the Camerons that entitle them to special consideration—that entitle them to receive $10,000 as a gift from the Government. There are such cases. If this is such a one, I am quite ready to vote for it.

The gentleman says this old lady is needy. I am not at all conversant with the circumstances. I never heard of the case before. But I do say it is passing strange, if the Government owed these parties for fuel or supplies, that they were not paid many years ago, because the tribunals have been open all the time. I undertake to say that the Government does not owe $10,000 for fuel taken from 34 acres of land.

"Ah, but," says the gentleman, "we are going to pay for damages done; the army threw up fortifications." Well, sir, we never have acknowledged any liability on the part of the Government in such cases; and the moment we embark upon the business of voting compensation in cases of that kind, we establish a new principle. For these reasons I shall vote against this bill.

Mr. BAILEY. I yield five or six minutes to my colleague [Mr. SLAYDEN].

Mr. SLAYDEN. Mr. Speaker, I do not know enough about this particular claim to declare my position upon it. I am willing to accept the statement of honorable gentlemen who have investigated it. But I have been somewhat interested in claims of this character, because since I came here I have seen the efforts of members to press their claims upon the attention of the House, and I have had brought to my knowledge the fact that there were pending a great many claims against the Government, more or less just. It has seemed to me that the wisdom of this body ought to suggest some means of relieving this House of the enormous consumption of time in discussing these claims, which might be adjudicated by some court, existing or to be created, with proper authority.

I have had in my charge a claim which I have been endeavoring to bring before the House—a claim arising subsequent to the war. Certain Federal officials—officers of the Army—came to Port Lavaca, in the State of Texas, in the year 1865, and under a contract made by the quartermaster with the owner of the property took possession of the wharves of Port Lavaca, and under that contract occupied them about eight months. When they were returned to the owner they asked him for his bill, which was given, itemized in every particular. That claim was referred by the quartermaster in immediate charge to his superior, who in turn sent it to the quartermaster-general then located at New Orleans, who replied that he had no authority to pay claims arising in a State lately in rebellion, although every step in connection with this indebtedness was taken after actual hostilities had ceased for some months, if the war itself was not technically concluded.

It was then sent to the Quartermaster's Department here in Washington, and after an investigation it was decided there that it could not be paid, unless specific authority from Congress was granted for that purpose, because the State had been lately in rebellion.

From that day to this, Mr. Speaker, this poor old man, who does not ask one cent of interest, has been seeking relief; has been presenting his claim here for consideration, and it has been frequently reported upon favorably, but there has been no concurrent action by the two Houses, and as a consequence the bill has never been passed for his relief. He is now 75 years of age, a paralytic, and poor and helpless. The Government has owed him since February, 1866, the to it paltry sum of about $5,300, but to this poor old man quite a fortune; and it can not be paid to him because we can not get the measure through the House.

For that reason, sir, I venture to express the opinion that the House should make provision for the creation of a court or tribunal to properly consider and adjudicate claims of this character and in that manner allow the Government of the United States to pay its just debts—debts which, like this, have been created under a contract, just as the people of the country are required and expected to pay their justs debts.

Mr. GROSVENOR. Will the gentleman allow me a word just there?

Mr. SLAYDEN. Certainly.

Mr. GROSVENOR. If the gentleman from Texas will devise a wise and intelligent proposition to meet the suggestions he has made, and will draft a resolution of that character and bring it before the attention of the House, he will have done a greater kindness to the people of the United States than by any other act of legistation he can perform on this floor.

Mr. SLAYDEN. The gentleman from Ohio believes that these just debts of the Government should be paid?

Mr. GROSVENOR. I do, unquestionably; and I have only suggested that the gentleman might take a step in that direction in the manner stated.

Mr. SLAYDEN. The greater experience, wisdom, and better judgment of my friend from Ohio would suggest the propriety of his preparing such an act of legislation.

Mr. GROSVENOR. I have been working at it for many years.

Mr. SLAYDEN (continuing). For certainly the just debts of the Government should be paid—those debts made under a contract, at all events—just as individuals are required to pay theirs.

Mr. BAILEY. I yield three minutes to the gentleman from California [Mr. LOUD].

Mr. LOUD. Mr. Speaker, there are two grounds, and two only, for the payment of this claim. One is that it is a legal claim against the Government of the United States, and the other that it is a gratuity on the part of the House of Representatives. The latter, of course, no Representative under his oath has the right to support.

Now, if it be a legal claim against the Government of the United States, then the Government had better right now start into the business of paying for every piece of property destroyed of every character, particularly in the North, where there is no doubt of the loyalty of the claimant, during the unpleasant days of 1861–1865. If the claim has a legal standing, then the claim of the State of Pennsylvania, which has been pending here for many years, has also a legal standing, and every building, every church, every piece of property, every tree cut down or destroyed during the rebellion should be and must be paid for by act of Congress.

I know the winning ways of the gentleman from Ohio. I know the influence he has in the House. But I call upon the House to contemplate what it is doing to-day before they establish such a precedent as will provide for the payment in all cases for property destroyed during the rebellion.

Mr. BAILEY. Mr. Speaker, I yield the remainder of the time to the gentleman from Tennessee [Mr. RICHARDSON].

Mr. RICHARDSON. Mr. Speaker——

The SPEAKER. The gentleman from Tennessee has six minutes.

Mr. RICHARDSON. Mr. Speaker, I had not intended to say a word on the pending bill, because I know nothing in the world about the claim it presents. I have had no opportunity of making an investigation. But I wish to say a word or two in reference to the payment of such claims.

Now, if I understand the action taken by Congress in dealing with claims of this character, it is this: Congress has decided, or did decide soon after the war—and I think the decision is in strict consonance with international law—that they would not pay for the use and occupation of property in the South, or in the insurrectionery districts, where it was necessary for the Army to operate in order to suppress the rebellion.

That, I think, is the proper rule of law. If the Government of the United States had a right to put down the rebellion, which they clearly had the right to do, they had also the right to occupy every foot, without cost to the Government, of territory in the South for that purpose. And I think that has been the line of action taken in these cases.

But, Mr. Speaker, Congress went further and said that if, while occupying this territory in the South in the suppression of the rebellion, the property of a loyal citizen—the personal property—was taken for the use of the Army, and the Army got the benefit of such property, we will pay for it. That is the law.

In this case, as I said, I do not know what the facts are. The bill on its face provides that the payment shall be for occupation of the separate property of this claimant, and for fuel taken therefrom for General Rosecrans's army. As I understand it, under the law, if it was for occupation, the Government is not bound to pay for such occupation. The Government has in some cases paid for use and occupation; but when it did so it transgressed the strict rule which it prescribed for its own action.

Mr. GROSVENOR. Will the gentleman allow me to call his attention to the fact——

Mr. RICHARDSON. Yes.

Mr. GROSVENOR (continuing). That the Committee on Claims of the Forty-second, Forty-third, Fifty-first, Fifty-second, and Fifty-fourth Congresses recommended the passage of this bill, and that in the Forty-third, Fifty-first, and Fifty-second Congresses it passed the Senate?

Mr. RICHARDSON. Yes.

Mr. GROSVENOR. That favorable reports have been made in the House in the Fifty-first, Fifty-second, Fifty-third, and Fifty-fourth Congresses, all of them presumably charged with a knowledge of the law and the facts.

Mr. RICHARDSON. I say I am not familiar with the facts. This bill provides for payment for use and occupation and for fuel taken. I say, under the precedents Congress has established, it ought to pay for the fuel taken from this loyal citizen. Whether that amounts to $10,000 or not I do not know.

Mr. GROSVENOR. The report——

Mr. RICHARDSON. But I do say the Government is not obligated to pay for use and occupation. Now, the only interest I have in this matter, outside of a general interest, is that I think we ought to adhere to the rule laid down by Congress; and if Congress will pay to the loyal citizens of the South the value of the personal property taken from them and used by the Army, those of us from the South will be satisfied. We do not expect to carry the rule any further than that, and we are content to have the law enforced in that way. Now, if the gentleman from Ohio [Mr. GROSVENOR] states that the proof shows that the personal property taken, that is, the fuel, was equal to $10,000, this claim certainly ought to be paid.

Mr. GROSVENOR. Not the fuel probably, but the gentleman will see that the report of the commissioners found $20,000.

Mr. RICHARDSON. I had not the report before me, and therefore did not know.

Mr. GROSVENOR. Twenty thousand dollars; but, as I understand it, because of the very fact suggested by the gentleman from Tennessee, the committees have uniformly cut the claim down one-half, presumably, I say, intending to pay only for the actual property taken.

Mr. LLOYD. Mr. Speaker, is it not a fact that the original proof showed that the amount taken was $200,000?

Mr. GROSVENOR. No; that was a misprint in the report. The original finding was $20,000.

Mr. RICHARDSON. I have not a copy of the report before me.

Mr. CANNON. I have, and if my friend will allow me I will read from it.

Mr. RICHARDSON. Certainly.

Mr. CANNON (reading)—

Mr. Cameron and his wife filed claim before this commission—

That is, the one appointed by General Rosecrans—

for the destruction of the buildings, fences, timber, orchards, and other injuries done this property and for the use and occupation of it by the Union troops.

Upon the proofs taken at the time a finding was made in their favor of $200,000.

The gentleman says that that is a misprint, and that it should be $20,000.

Numerous affidavits and documents attest the loyalty of Mr. and Mrs. Cameron and the facts of fences, buildings, and timber being consumed by the Federal Army for fuel.

Now, it does not show any appraisement of the value of the fuel.

Mr. RICHARDSON. I have just had the report handed to me. I do not know how that is. I simply rose to state what I understand to be the law; that is, that the Government has agreed to pay loyal citizens for personal property taken and used by the Army, and with that we are content down there, and our chief complaint against Congress is that it does not do that, and has not paid any for a great many years.

Mr. LOUD. Your complaint is that it does not do enough of it.

Mr. RICHARDSON. We do not insist on pay for use and occupation, because we do not think under the law we would be entitled to it. Congress has in a few instances paid colleges and churches for use and occupation, but almost always in cases of this kind it has been where there was a contract made and they were used for hospital purposes or something of that kind. In cases of that sort it is eminently proper that there should be payment made.

The SPEAKER. The time for debate on the bill has expired. The question is on suspending the rules and passing the bill.

The question was taken; and on a division there were—ayes 34, noes 58.

Accordingly (two-thirds not voting in the affirmative) the House refused to suspend the rules and pass the bill.

Mr. STEELE. I desire to ask unanimous consent——

LIEUT. ROBERT PLATT.

Mr. FISCHER. Mr. Speaker, I have a bill that comes up as unfinished business. I desire to call up the bill S. 1126.

The bill was read, as follows:

A bill (S. 1126) authorizing the President to appoint Lieut. Robert Platt, United States Navy, to the rank of commander.

Be it enacted, etc., That the President be, and is hereby, authorized to appoint Robert Platt, lieutenant of the junior grade, United States Navy, not in the line of promotion, to the rank of commander, United States Navy, not in the line of promotion, and that for this purpose there be, and is hereby, authorized one additional commander, not in the line of promotion, but in all other respects to be entitled to the rank, pay, emoluments, and privileges of commander in the Navy of the United States.

Mr. DOCKERY. Mr. Speaker, I think there was a point of order reserved against that measure.

Mr. GROSVENOR. I make the point of order that debate is exhausted on this bill.

Mr. DOCKERY. Yes, sir; there is a point of order pending against this bill.

Mr. FISCHER. No.

Mr. GROSVENOR. A point of order is pending against the speech of the gentleman from Missouri.

Mr. CANNON. What is the gentleman trying to do with this bill?

The SPEAKER. The Chair will endeavor to find out the status of the bill. [After a pause.] The Journal does not state whether debate was exhausted.

Mr. FISCHER. My impression is that debate was exhausted, and the House indulged in debate for five minutes on a side. I ask unanimous consent that debate be had for five minutes on a side.

The SPEAKER. The gentleman asks unanimous consent that there be five minutes' debate on either side.

Mr. BAILEY. Pending that, Mr. Speaker, why make that request for five minutes when, upon demand of a second, we would be entitled to twenty minutes?

The SPEAKER. That was a request for unanimous consent, because the Chair was informed debate had been exhausted.

Mr. BAILEY. When was this matter before the House?

The SPEAKER. It was before the House the 2d of May, 1898.

Mr. CANNON. Well, I make the point of order, Mr. Speaker, that it fell when the House adjourned. It being a proceeding to suspend the rules, and that suspension day having passed by, the whole proceeding fell.

Mr. FISCHER. I will state to the gentleman that there was no other individual suspension day on which I could call it up.

The SPEAKER. But the Journal of May 2, 1898, says:

Pending further consideration in the House.
The bill was withdrawn to be pending as unfinished business on next suspension day.

Mr. DOCKERY. Well, that shows this bill has had its day in court.

Mr. FISCHER. I have been in attendance regularly here, and this is the first opportunity I have had to bring up the bill again. I know of no suspension day intervening between the days.

Mr. SULZER. We will admit that it is no fault of yours.

Mr. FISCHER. The fault is entirely with the gentleman from Missouri.

Mr. BAILEY. By unanimous consent it could go over, but I do not understand that there is anything in our rules to provide for unfinished business on suspension day.

The SPEAKER. There is.

Mr. BAILEY. I would imagine that at the close of suspension day the work that was not completed that day would fall.

The SPEAKER. Probably the reasoning of the gentleman may be correct, but the custom of the House, the Chair thinks, has been different. Matters have gone over to various suspension days; for instance, if the unfinished motion for suspension be made by a committee, it would go over to committee suspension day; at any rate, it would go over to that or the next suspension day.

Mr. BAILEY. I could understand, of course, that by unanimous consent that could be done.

The SPEAKER. But this was by unanimous consent, to go over until the next suspension day.

Mr. DOCKERY. I make the point that it is not in order under the terms of the agreement which the Chair has just read from the Journal.

The SPEAKER. That states it is to be pending as unfinished business on the next suspension day.

Mr. DOCKERY. If it was not called up, would it not go over?

The SPEAKER. The Chair thinks not.

Mr. DOCKERY. But this bill was withdrawn.

The SPEAKER. The gentleman will hear the gentleman from New York on that point.

Mr. FISCHER. Merely the question as to whether or not it is still pending?

The SPEAKER. Whether it is still pending.

Mr. FISCHER. If the proposition were contained entirely within the first point of the consent which I asked for at the last session, the contention of the gentleman from Missouri would be well taken, or his point of order would be well taken; but if the entire language is read, you will find that coupled with that request for consent that it be withdrawn was that it may be considered pending as unfinished business. I did not stop with the proposition to withdraw it, but withdrew it on certain other conditions—that is, that it shall be here as unfinished business. If I had merely withdrawn it, then the point would be well taken; but what I asked for was that it should be unfinished business. It was to be considered as pending, to be withdrawn only for that time for consideration.

The SPEAKER. The Chair thinks the bill is before the House as unfinished business; and if it was unfinished business on the next suspension day, it would come up as unfinished business. The fact that unfinished business is not taken up does not destroy its status.

Mr. DOCKERY. I suppose it will be in order to vote this down?

The SPEAKER. That will be in order. The question is on suspending the rules and passing the bill.

The question was taken; and the SPEAKER announced that it appeared that two-thirds had not voted for the bill.

Mr. FISCHER. I demand a division.

The House divided; and there were—62 ayes and 59 noes, not two-thirds voting in favor thereof; so the House refused to suspend the rules and pass the bill.

BERDAN FIREARMS MANUFACTURING COMPANY.

Mr. STEPHENS of Texas. Mr. Speaker, I move to suspend the rules and pass the bill (H. R. 321) for the relief of the Berdan Firearms Manufacturing Company.

The Clerk read the bill, as follows:

Be it enacted, etc., That the Berdan Firearms Manufacturing Company be, and the said company is hereby, authorized to institute a suit in the Court of Claims against the United States and for the benefit of Mrs. Mary Kimball Berdan, the widow of Hiram Berdan, the inventor of certain devices described and claimed in a patent issued to the said company, dated March 30, 1869, and numbered 88430; said suit to be instituted for the use by the United States of the said devices from March 30, 1869, to July 20, 1881; and the bar of the statute of limitations is hereby waived and the suit may be prosecuted to final judgment, as the suit might have been prosecuted if it had been instituted within six years from the time when, as is alleged, the said devices were used by the United States.

The SPEAKER. Is a second demanded?

Mr. LOUD. I demand a second.

Mr. STEPHENS of Texas. I ask unanimous consent that a second be considered as ordered.

The SPEAKER. Is there objection to the motion of the gentleman from Texas, that a second be considered as ordered? [After a pause.] The Chair hears none; and a second is considered as ordered. The gentleman from Texas is recognized for twenty minutes.

Mr. STEPHENS of Texas. Mr. Speaker, this claim is in favor of Mrs. Berdan, the widow of General Berdan, a noted officer in the Union Army during the civil war. She is simply asking permission to sue the United States in the Court of Claims, her claim being barred by limitation. The bill removes that bar and permits the suit to be brought. It would be nothing but an act of justice on the part of the Government, after it has obtained the use of the invention of General Berdan, that his widow be permitted to sue the Government.

Mr. COX. Will the gentleman permit me to ask him a question?

Mr. STEPHENS of Texas. Certainly.

Mr. COX. Does this bill go to the extent that the Court of Claims can render judgment on its finding of facts?

Mr. STEPHENS of Texas. Certainly; that is the object of the bill. The Court of Claims would have rendered judgment in the former suit for the full amount of Mrs. Berdan's claim, but the statute of limitations barred all but six years of the claim. It is not an express contract, but an implied contract, and therefore was barred at the end of six years.

General Berdan, several years before his death, brought suit against the United States Government and obtained a judgment for the arms that were used for six years preceding the filing of the suit. But about ten years of the time that the Government had used the firearms was barred by the statute of limitation. The object of this suit is to permit his widow to recover from the Government the value of his invention during this ten years.

In 1866 General Berdan filed his application for a patent. It was issued in 1868. General Hancock and others were, in 1868, appointed by the United States Government to pass upon the merits of various patents on firearms with a view of adopting the best patent at that time. General Berdan's patent was adopted, and it was used for fifteen years by the United States Government upon the frontier and generally in the Army.

The old Springfield rifles were changed so that the extractor and ejector patented by General Berdan could be used in those arms. It was a great saving to the United States Government, and the Committee on Patents reported, after thorough investigation, that it saved the Government hundreds of thousands of dollars. The Allen patent at that time was being used, and that patent cost the Government $1.25 to put the invention in each gun. The Berdan patent, which was superior to the Allen patent, only cost fifty-nine and a fraction cents; consequently there was a great saving to the United States Government in using the Berdan patent.

This award was made in favor of the Berdan patent over the Allen patent by a committee consisting of General Hancock and others, General Hancock being chairman of that committee. It was a patent of great value, and the widow now only seeks permission to bring suit in the Court of Claims, suspending the bar of limitation against her claim.

Suit would have been brought by General Berdan before it was barred by the statute of limitations, but he was advised by his attorneys that he had an express contract with the Government and that it would not be barred, and that he had better permit all the Springfield rifles belonging to the Government to be changed, so that he could bring suit, if he had to have a suit, upon the entire number of guns on which his invention was used. That advice lost him ten years' time. He waited six years more, or sixteen years in all, before he finally brought his suit in the Court of Claims against the Government. He obtained judgment for six years' time next preceding the filing of the suit, and the Government appealed the case to the Supreme Court, and the case was affirmed, thus sustaining fully the justice of the claim.

Mr. COX. Will my friend allow me? I understand that he obtained judgment for the use of the arms for six years.

Mr. STEPHENS of Texas. Yes; six years preceding the filing of his suit.

Mr. COX. And by this bill you propose to extend it for ten years?

Mr. STEPHENS of Texas. Yes; so as to include the rest of the time between the six years for which he obtained judgment and the time the Government commenced to use his patent, about ten years.

Mr. Speaker, I reserve the balance of my time.

Mr. SULZER. Mr. Speaker, I concur in all the gentleman from Texas has said in regard to this bill, and I hope it will meet with no opposition. The bill is an honest one, and has the unanimous support of the committee. It simply does an act of justice to a very worthy and deserving widow of a most distinguished Union soldier. I trust no member of this House will object to giving her a day in court to present the merits of her case.

Mr. COWHERD. I wish to ask whether at the time this article was patented General Berdan was an officer of the Government?

Mr. STEPHENS of Texas. I can not answer that question.

Mr. SULZER. He was not.

Mr. LOUD. Mr. Speaker, in view of the manner in which this bill comes before us, I must admit that I know nothing of it, though I know probably as much about it as the average member of this House. But it would seem that after the lapse of so many years, during a part of which this claimant has had his rights in the court and under the law, Congress should hesitate before it rehabilitates or breathes the breath of life into a claim which probably, if it had been prosecuted in the courts when the witnesses were alive, could never have resulted in a judgment in favor of the claim.

Mr. STEPHENS of Texas. The gentleman will allow me to suggest that the evidence taken in the former suit can all be obtained.

Mr. LOUD. The argument made in favor of allowing this claim is that the party did go to the Court of Claims, but did not prosecute his suit, and the case was dismissed. Now, the assumption would be, after this lapse of thirty-six years, that he must have had then as good a case as he has now. Of course, it may be that some of the material witnesses are now dead—material witnesses perhaps on the side of the Government—by reason of which fact the case of the Government could not be as strongly presented as it could have been at that time.

I do not know any reason why the Government, after the lapse of thirty-odd years, should give a defeated contestant a rehearing. I say "a defeated contestant" because evidently if this party had had any case he would have pursued it in court. I do not believe it would be well to give the parties interested a rehearing of the case, with the opportunity to take advantage of certain conditions now existing. As is well known to some members of th s House, the interests of the Government are not at all times defended in the Court of Claims with the ability displayed on the other side, especially where a large amount of money is involved.

The main point made by the gentleman from Texas—I can not see much strength in it—is that the attorney of Mr. Berdan advised him that he had a contract.

Mr. STEPHENS of Texas. An express contract.

Mr. LOUD. That he had an express contract, and that there was no use of his pursuing the case further in the Court of Claims. That is but an allegation at best. But even admitting it to be true, why should a claimant of this kind, after having had all the rights of any other citizen, come here and ask the Government to permit him once more, simply because his attorney advised him to withdraw the suit—I do not think that fact appears in the evidence in the case, but if it were true, why, I ask, should he be permitted to take advantage, after the lapse of thirty-six years and the disappearance, possibly, of much of the evidence material to the case of the Government, why should he be permitted to bring his case again before the Court of Claims, a case involving, I suppose, a large amount of money, so that the parties could well afford, probably, to employ the best legal talent in the country, while they would have opposed to them on the part of the Government attorneys who have more cases to attend to in the Court of Claims than they can possibly attend to properly?

It appears from a casual examination of this report that it is not even alleged that the Government used in the construction of its arms more than a very small part of any of the patents or appliance alleged to have been owned by Mr. Berdan. Now, it would be pretty difficult to prove after thirty-six years——

Mr. STEPHENS of Texas. The report shows that there were 284,000 rifles——

Mr. LOUD. Certainly, I do not deny that rifles to that number were made; but it is not contended that those rifles were made in accordance with the patent of Mr. Berdan. All that is claimed is that perhaps some trifling portion of the arms manufactured may possibly have been an infringement upon some trifling part of an arm which he had invented. That is all that is alleged.

I hope the House will exercise the same sound judgment in this case that it has exercised in others, and that after this case has been allowed to sleep for thirty-six years Congress will permit it to rest with the millions of other claims no more meritorious which are knocking at our doors.

I reserve the balance of my time.

Mr. STEPHENS of Texas. Mr. Speaker, I yield five minutes to the gentleman from New York [Mr. MITCHELL].

Mr. MITCHELL. Mr. Speaker, the statements which have been made by the distinguished gentleman from California [Mr. LOUD] as to the facts of this case are somewhat incorrect. He speaks about these claimants having rested upon their claim for thirty-six years. As a matter of fact, the patents in this case were not taken out anything like thirty-six years ago. They are of much more recent date. Suits were commenced in the Court of Claims on these patents some time, I think, between 1872 and 1879.

The facts are that the Government was so much interested in procuring the use of Mr. Berdan's inventions that the officers of the Government asked to have the patents expedited in the Patent Office. They were anxious to use these inventions because the Berdan device would save, in the actual cost of construction, at least $1.25 on every gun made.

Now, the attorneys for the patentee construed the arrangement with the Government, as attorneys sometimes do, incorrectly, and advised their client that he should not sue until the Government had completed the manufacture of all these guns.

The result was that the Government continued the manufacture of the arms, and Berdan went to the Court of Claims, which awarded him a royalty of 59.4 cents on each gun manufactured, which amount is about one-fourth of what the experts estimated should have been allowed to him. The court, however, could allow him a royalty only on a portion of the guns, for the reason that the statute of limitations absolutely prohibited the court from considering the question of his claim for guns manufactured six years prior to that time.

The case then went to the United States Supreme Court——

Mr. LOUD (interrupting). If the gentleman will allow me, I would like to know what he is quoting from? He seems to be quoting a statement of facts which do not appear of record here.

Mr. MITCHELL. I am quoting from the testimony in the case.

Mr. LOUD. This appears to have been presented a great many years ago, and I do not find the facts the gentleman possesses set forth.

Mr. MITCHELL. I will state to the gentleman that no part of the claim is thirty-six years old. I am speaking, however, particularly of the legal questions involved.

Mr. LOUD. I hope the gentleman will confine his statement, then, to the report of the facts as they appear of record.

Mr. MITCHELL. The facts are as they appear in the report.

Mr. LOUD. Then I will state that the gentleman's statement does not conform with the report as far as I have been able to examine it.

Mr. MITCHELL. I will thank the gentleman for any correction he may make. I do not wish to misrepresent any of the facts in the case. The facts are and the report shows that this device was not approved by the War Department until November, 1868, and the manufacture of it by the Government commenced after that date. I am stating now what is of record.

The legal situation is that the Supreme Court of the United States passed on the matter. As stated in the opinion of this court, recorded in 156 United States Reports, page 573, Berdan was unquestionably entitled to recover on the award of the Court of Claims, and the Supreme Court awarded him in this judgment the sum of about $95,000.

Now, under that decision of our highest court it is perfectly evident that the balance due is justly due as soon as the statute is removed, and that the widow should have the right to go to the Court of Claims and prove her case.

That is all I desire to say upon the question.

The SPEAKER. The question is on the motion of the gentleman from Texas to suspend the rules and pass the bill.

The question was taken; and two-thirds having voted in favor thereof, the motion to suspend the rules and pass the bill was agreed to.

Mr. MITCHELL. Mr. Speaker, I move to reconsider the vote.

The SPEAKER. There is no necessity for reconsidering the vote, the bill having been passed under a suspension of the rules.

CONSIDERATION OF PUBLIC-BUILDING BILLS.

Mr. MERCER. Mr. Speaker, I move to suspend the rules and pass the resolution I send to the desk.

The SPEAKER. The resolution will be read.

The Clerk read as follows:

Resolved, That immediately after the reading of the Journal on Tuesday and Wednesday, February 7 and 8, the House proceed to consider such bills as may be indicated by the Committee on Public Buildings and Grounds, such consideration to be first had in Committee of the Whole House on the state of the Union, and the consideration of such bills in the House or in Committee of the Whole House to continue during the two days mentioned.

The SPEAKER. Is a second demanded?

Mr. DOCKERY. Before demanding a second, I would ask unanimous consent to propose a modification of the resolution. I suggest that the gentleman fix in the resolution some hour for adjournment each day.

Mr. MERCER. I will say that that is a good suggestion. I am perfectly willing to say that the House shall adjourn at 5.30 o'clock; and ask to so modify the resolution.

Mr. LOUD. I think 5 o clock is long enough.

Several MEMBERS. Why not make it 5 o'clock?

The SPEAKER. The modification proposed by the gentleman from Nebraska will be read.

Mr. MERCER. I propose to modify the resolution by adding to it the words "the House to adjourn not later than 5.30 o'clock p. m. on each day."

The SPEAKER. Is a second demanded?

Mr. LOUD. I thought the gentleman from Missouri had demanded a second; but I demand a second.

Mr. MERCER. I ask unanimous consent that a second be considered as ordered.

Mr. LOUD. I have no objection to that.

I have no objection to the resolution itself, I will say to the gentleman from Nebraska, but it seems to me that in the shape the gentleman offers his resolution the House would be compelled to remain in session until 5.30 o'clock, whether it is desired to do so or not, after completing its business.

Mr. MERCER. No; the gentleman is mistaken. I have modified it by providing that the session shall terminate not later than 5.30 on each of the days mentioned.

The SPEAKER. The resolution will be again reported as modified.

The modified resolution was again read.

The question was taken; and (two-thirds having voted in favor thereof) the rules were suspended and the resolution passed.

ADDITIONAL EMPLOYEES, COMMITTEE ON ENROLLED BILLS.

Mr. LOUD. Mr. Speaker, I ask for the reconsideration of House resolution 375, providing for the appointment of additional clerks for the Committee on Enrolled Bills. This resolution was passed on Saturday last, but in such form that the chairman of the Committee on Enrolled Bills informs me the clerks could not get any pay.

The SPEAKER. The resolution will be reported.

The Clerk read as follows:

Resolved, That the chairman of the Committee on Enrolled Bills be, and he hereby is, authorized to appoint two additional clerks for said committee for the remainder of the session; said appointments to date from January 20, 1899.

Mr. LOUD. Now, Mr. Speaker, I ask to reconsider the vote for the purpose of appending to the resolution the following words, which I send to the desk.

The Clerk read as follows:

Add to the resolution just read "and the clerks appointed under this resolution be paid $6 per diem, to be paid out of the contingent fund of the House."

The SPEAKER. The gentleman moves to suspend the rules and pass the resolution with the amendment reported.

Mr. LOUD. If that is the best parliamentary way, should we not first reconsider the vote already taken?

The SPEAKER. The gentleman can move to suspend the rules, reconsider the vote already taken, and pass the resolution with the amendment which has just been read.

Mr. LOUD. That is entirely satisfactory.

The SPEAKER. Is a second demanded?

No second being demanded, the motion to reconsider the vote by which the resolution was passed, and to pass the same with the amendment, was agreed to (two-thirds voting in favor thereof).

REFERENCE TO COURT OF CLAIMS OF CERTAIN BILLS.

Mr. OTJEN. Mr. Speaker, I move to suspend the rules and pass the following resolution.

The Clerk read as follows:

Resolved, That the resolutions (Nos. 136, 137, 138, 139, 158, 165, 166, 167, 168, 171, 177, 178, 179, 180, 188, 189, 198, 199, 200, 201, 202, 203, 209, 210, 211, 213, 214, 215, 217, 218, 240, 241, 243, 244, 245, 249, 265, 266, 268, 282, 295, 302, 303, 304, 305, 359, 379, and House bill 648) for the relief of Abel Casper, Fannie J. Johnson, William O. Mosely, Warren R. Dent, Martha S. Carmichael, Henry Easterlin, J. H. McVeigh, Mary Ann Hendricks, Levi Elmore, Mississippi Manufacturing Company, Mrs. Minnie Andrews, Richard P. Blackiston, Alexander Poland, W. B. Horner, Jacob E. Smith, Catherine Morein, James R. Shrodes, Thomas B. Scott, Michael Dittlinger, C. Phitzing, John Doyle, Dr. Theodorick Bland, Abram Lasher, J. & O. P. Cobb & Co., Mrs. S. O. N. Pleasants, Ellen J. Brossman, heirs of Andrew Schoenfelt, Joseph Curriden, Fannie Solari, estate of Henry E. Windley, Thomas Owens, heirs of John Montgomery, and Thomas E. Williams, M. H. Johns, W. D. Hatch, Edward O. Watkins, estate of Samuel Worthington, deceased, Theodore C. Greenhill, A. I. Sands, Francis Millets, Elizabeth Fulwiler, Catherine M. Pritchard, heirs of Manett Marsons, George Denny, sr., Mary E. O. Dashiel, Septimus Brown, W. B. Morrow, Mary E. Stalcup, widow of Joshua Stalcup, deceased, and Hamlin Caldwell, with all the accompanying papers, be, and the same are hereby, referred to the Court of Claims for a finding of facts under the terms of the act approved March 3, 1887, and known to the profession and the courts as the Tucker Act.

Mr. CANNON. Mr. Speaker, I demand a second.

Mr. OTJEN. I ask unanimous consent that a second be considered as ordered.

The SPEAKER. The gentleman from Wisconsin asks unanimous consent that a second be considered as ordered. Is there objection?

There was no objection.

Mr. OTJEN. Mr. Speaker, there are 44 claims reported by the Committee on War Claims to this House with the recommendation that they be sent to the Court of Claims for consideration. They are all of one character, being for stores and supplies. The total amount involved in these 44 claims is $212,604. The last report of the Court of Claims upon claims of this character shows that it has acted upon 176 similar claims, and disallowed or dismissed 151 of them.

Mr. CANNON. Of these claims, or claims of a similar character?

Mr. OTJEN. Claims of a similar character. The amount claimed in the claims which were disallowed was $250,179. They allowed 25 claims, the amount allowed being $12,807, showing that the court has allowed a little less than 5 per cent. Now, in these 44 claims that we seek to send to the Court of Claims there is $312,000 involved, and if the court should allow them at the same ratio as heretofore—and there is no reason why a greater amount should be allowed—the amount allowed would be about $10,500. Now, these claims have all been passed upon by the Committee on War Claims and are on our Calendar here. Many of them have been reported a number of times, and it seems to me that they ought to be sent to the Court of Claims, there to be disposed of. Many of them will not return.

In the first place, the claimants will be required to prove their loyalty. Nothing is waived in sending them to the Court of Claims except the statute of limitations. It seems to me we ought to send these claims there rather than have them come up here session after session to lumber up our Calendar and involve the Government in the expense of printing reports, bills, and so forth. I simply ask that these claims be sent to that tribunal for consideration.

Mr. CANNON. In referring them under the Tucker Act, does that mean that the court is to render final judgment?

Mr. OTJEN. No; it simply reports its findings to the House without judgment.

Mr. CANNON. I understand my friend to say that these claims, amounting to $212,000, are all on the Calendar now?

Mr. OTJEN. Yes.

Mr. CANNON. All with favorable recommendations?

Mr. OTJEN. With favorable recommendations that they be sent to the Court of Claims.

Mr. CANNON. Have the committee looked into the merits of them?

Mr. OTJEN. Yes; that is the supposition. They were all acted on in full committee, and such a recommendation was made.

Mr. CANNON. Presumably they have merit?

Mr. OTJEN. They have merits or else they would have been disallowed.

Mr. CANNON. And still my friend has so little confidence in the judgment of the Committee on War Claims that he says here are $212,000 worth of claims and that if we will refer them to the Court of Claims he is satisfied that not exceeding 5 per cent of that amount will be allowed by the court.

Mr. OTJEN. Well, I am only giving you the facts, that the Court of Claims in passing upon 176 similar claims, amounting in the aggregate to $262,000, has allowed a total of only $12,807, which is a little less than 5 per cent.

Mr. CANNON. If my friend will allow me—because we want to get at the exact facts—I take it that all these claims have had their day in court under legislation of Congress, before the War Department, and have been rejected. Not content with that rejection, and after the statute of limitations has run, they still come to Congress—as they have power to do—to appeal to Congress for relief.

Now, my friend wants to wash his hands and give them a second adjudication, and he is satisfied that 95 per cent of them will be rejected, and he does that to get rid of them. Yet that 95 per cent of them will come up smiling and will be here when my friend is dead and gone, asking that the statute of limitations be removed a second time and that a second adjudication be set aside. These claims having had their day in court, when multiplied millions of dollars were paid, after investigation by the Department, at the Government expense, and after full hearing before the Quartermaster-General and the War Department, is it not the best now to say that these matters are stare decisis, and that we will let them sleep, they having had their day in court?

Mr. LOUD. Do we not want some company for the Berdan case?

Mr. CANNON. The Berdan case is upon quite a different ground, as I read the report.

Mr. LOUD. It wants to get into court and to get out.

Mr. CANNON. The facts are all of record. I do not care to discuss it now. The Berdan case was referred. We sent it to the court. That does not mean that these are right. I do not care to take the time of the gentleman, and if I consume his time I will yield him some of mine.

Mr. OTJEN. What we want to get is the facts.

Mr. CANNON. What we want to get at is the facts.

Mr. OTJEN. I can not give you the particulars in each case. I can only say to you that each and all of these cases has been investigated by the Committee on War Claims, and it is the judgment of that committee that these cases ought to go to the Court of Claims. Now, so far as the statute of limitations is concerned, I think as to these claims there ought to be only one condition, and that is whether they are honest and straightforward claims against the Government; and if they are, we ought to pay them, notwithstanding the statute of limitations, whether these claims have been passed upon by any department or not.

Mr. CANNON. I think there will be no question but every one has been passed upon.

Mr. GIBSON. If a case has ever been presented to any department of the Government there is no bar of the statute of limitations.

Mr. CANNON. Very well. The gentleman says there is no bar. I have no doubt, I will say to my friend, that every one of these claims has had its day in court before the Quartermaster-General's Department. We had a force of special agents who made investigations for the department. I remember that we made appropriations for that purpose.

Mr. GIBSON. I would say to the gentleman that if he would examine these cases investigated by the Quartermaster-General, he will find that the Quartermaster-General decided that there was no law for him to determine, and that he disallowed nearly all these Southern claims.

Mr. CANNON. My friend is clearly in error, because hundreds and hundreds of thousands of dollars were allowed.

Mr. GIBSON. That is very true; but they amounted to millions.

Mr. CANNON. These matters frequently fell within my knowledge, when they came before me as a member of the Committee on Appropriations for agents that were sent all over the country. Reports were made by them. There was a corps of clerks—I recollect at one time as high as 100 clerks—in the Quartermaster-General's Office. It was not only his duty, but it was a binding duty, under the law, to make these adjudications, and he did make them, and the reports of the Quartermaster-General were acted upon and appropriations were made.

Now, what I claim is this: That these claims having had their day in court, and having been adjudicated, they seek a second adjudication, and if perchance by our act they are given another chance and are again turned down, like hope they will spring eternal and seek a third adjudication. If these were matters between private individuals, they would have been ended; but as it is against the Government, why Congress has complete jurisdiction; and here we are.

Mr. OTJEN. May I interrupt the gentleman? I want to correct the gentleman by stating that not a single claim that has been disallowed by the Court of Claims for stores or supplies ever came back to Congress for reallowance. I looked that matter up very carefully about claims for stores and supplies, such as these cases, and not a single one has ever come back here for reallowance when once turned down by the court. I now yield to the gentleman from Texas [Mr. COOPER].

Mr. COOPER of Texas. Mr. Speaker, no man can so keenly appreciate the interest in these cases as a member of the Committee on War Claims. We are confronted every day that we have a session with claims presented by parties who are interested in them. We can not have other than ex parte hearings on these claims, and from the statements made and from the testimony adduced it is apparent that the claims are just and as meritorious as other claims before this House. But we prefer to refer them to the Court of Claims.

They appear to be just and meritorious; but in consequence of their antiquity we are unwilling to make a report to this Congress asking appropriations to pay them, but prefer to refer them to one of the branches, the judicial branch, of the Government, that it may ascertain whether or not the claim is just and whether the citizen was a loyal citizen and is entitled to be paid. Now, the objection made by the gentleman from Illinois to these claims is, as he says, "they have had their day in court." In this I am sure he is in error. I would not assert it positively, but I believe it to be true that not a single one of the claims proposed to be referred to the court by this resolution has ever had its day in court.

As a matter of fact, conditions were these: Congress provided several departments or agencies authorized to inquire into the validity of these claims, and some were authorized to make payments of this character of claims subsequent to the war. The Southern Claims Commission had power to do so, but by a rule prescribed by them in all claims amounting to the sum of $10,000 in value the witnesses had to appear here in Washington in person and testify before that commission. In consequence many of the claimants, being poor and unable to furnish the money to bring their witnesses here, could not prosecute their claims, and hence their claims fell by the wayside.

As a further matter of fact, a number of these claims were put into the hands of attorneys here that were never presented by such attorneys to any branch of the Government for adjudication or payment, and they have slept there for a number of years.

Mr. CANNON. If my friend will allow me right there, for that very reason, that poor people might have their claims investigated, Congress for many years appointed agents and paid them from the Treasury, who, at the expense of the Government, went into all the States from which the claims came and made investigation, after giving the claimants due notice, with full power to appear by attorney or otherwise.

Mr. COOPER of Texas. Admitting that statement to be correct, they could not have known of these claims that were lying in the hands of attorneys in Washington or that belonged to people who were unable to bring their witnesses here to the courts.

Mr. CANNON. I say again, that these agents went on the ground—went to Tennessee, to Virginia, to Kentucky; and for many years that was done. My friend says that these claims were not before the Southern Claims Commission or the Quartermaster-General. I feel very sure that my friend is mistaken.

Mr. COOPER of Texas. I do not state that positively. Some of them may have gone there, but I stated that the reason they were not acted upon by this tribunal was because the tribunal required the witnesses to come in person, and they could not come and bring their witnesses here on account of the expense.

Mr. CANNON. Right there I controvert my friend's position. I think he is in error, because the Government went on the ground through its agents, many of them, and made an investigation after giving notice to the claimants.

Mr. COOPER of Texas. Mr. Speaker, I can answer the gentleman from Illinois [Mr. CANNON] better by citing one case. I know of one case in the resolution proposed to be referred of a gentleman who furnished stores and supplies to the Army in its necessity, and he took receipts from the commanding officers in charge. He had the affidavits of the men who got the property, and that claim has never been presented for consideration to any tribunal. Once it passed this branch of Congress, but has never been paid; and all we now ask is to go to court and allow the claimants to prove their claims.

It is a commentary upon any Congress, upon any Government, that will refuse or deny the right of any citizen to go to the courts of his country and prove up his claim against the country. I say from experience and observation that this Government is the poorest paymaster in the world. I have seen widows knocking at the door of the Committee on War Claims, asking that their just claims be paid to them, and when such claims were recommended for payment they were driven from the doors of Congress; they have gone down on the streets of this city and hawked their claims to attorneys, speculators, and purchasers upon the streets. Then these speculators and attorneys, after getting a large fee or purchasing the claim for a song, have presented the claim, and by Congress ultimately it is paid. Now, all these people ask is to go the court. This resolution does not provide for church claims or college claims. It provides for the payment to the people that furnished the soldier provisions and supplies.

Mr. McRAE. Why is it that under the law the committee does not refer them?

Mr. COOPER of Texas. The committee can not do it because they are barred by the statute of limitations and under the law. Under the Bowman Act the court could not have jurisdiction. We propose to refer them under the Tucker Act.

Mr. McRAE. Why not under the Bowman Act?

Mr. COOPER of Texas. Because they are barred, and now have no standing under that law.

Mr. OTJEN. The law requires that they should be referred by the House and not by the committee. The Tucker Act requires the House to refer them.

Mr. McRAE. Are they not covered by the Bowman Act?

Mr. COOPER of Texas. No; they are not covered by the Bowman Act.

Mr. HENRY of Mississippi. Mr. Speaker, I would like to say a word, if the gentleman will permit me.

Mr. OTJEN. How much time have I remaining, Mr. Speaker?

The SPEAKER. Two minutes.

Mr. CANNON. Is the gentleman from Mississippi [Mr. HENRY] for or against the bill?

Mr. HENRY of Mississippi. I am for it.

Mr. CANNON. I will yield to my friend five minutes if he wants to yield it to the gentleman from Mississippi.

Mr. OTJEN. Then I yield to the gentleman from Mississippi [Mr. HENRY].

Mr. HENRY of Mississippi. Mr. Speaker, I want to say in advocacy of this resolution that from an economical standpoint,

aside from the justice of the case, it would be better that this resolution should pass. For years and years these bills have been introduced into each succeeding Congress. They are then required to be printed, with the report. They come here and stand on the Calendar, and the very next session they are reintroduced and more printing is required.

We ask now simply that these claims be sent to that court which has been provided by law for their adjudication, believing that there, if the parties can be heard, justice will be done in the premises. This will get the matter out of Congress. It will relieve us as Representatives of claims that are pressing upon us, and give a tardy justice to litigants. It will in many ways expedite the business of the House. We are anxious to get rid of these cases in this House. As has been said by my friend from Wisconsin, claims that fail to pass in the court are never resurrected here, but if they successfully pass the court as to the loyalty of the claimant and as to the amount due, it does seem to me that justice would demand that the claims be paid.

It will relieve Congress immensely to get rid of these claims—to get them out of the Committee on War Claims. Aside from that this court is the proper tribunal for hearing such claims. It is one which has been created by law for the purpose. Many of these petitioners were minors; many of them were too poor to comply with the requisition of the law. They now come to Congress and ask it to give them this relief by sending all of them to the Court of Claims that their claims may there be adjudicated.

Mr. CANNON. Mr. Speaker, it is always an embarrassing matter to play the mean man or to try to do so; and after all I do not desire to try to play the mean man by contesting any just debt that the Government owes. But let us see whether these claims are in such condition that they are entitled to consideration of the kind recommended. It is fashionable for many of us here to get up on the floor and say that the United States Government is the meanest paymaster on earth. Gentlemen talk about poor persons, and it is said that when the Government has received that which it should properly pay for it shuts the door in the face of the just creditor. Now, let us see how plain a tale will put that down.

The Government of the United States except in time of war, under peculiar conditions—and it is asserted that these claims come under those conditions—can not incur a liability until there is first an appropriation, and then the liability is a legal one and the money is ready to pay it. If, perchance, through the neglect or other fault of some official, the man entitled to payment does not get it, he can sue the Government in a court of the United States and recover judgment, and judgments are always appropriated for as a matter of course. So there is one remedy.

Another remedy is that he can go to the Treasury Department and show his legal claim against the Government. It is audited by the Treasury Department without a cent of expense to him, it is certified to Congress, and such audits are always paid by an appropriation.

Mr. COOPER of Texas. Is it not a fact that findings of the Court of Claims for the past six or eight years have not yet been paid?

Mr. CANNON. I am speaking about judgments. I will come to findings in a moment.

Mr. COOPER of Texas. Can there be in these cases more than a finding?

Mr. CANNON. A finding; that is all.

Now, these claims are alleged not to be of the class I have been speaking of, because there is, in fact, no paymaster so good as the United States Government, when people have claims against it that are incurred under ordinary conditions, because the courts are open, the Treasury Department is open, and as to the great bulk of these claims you do not have to go either to the court or to the Treasury Department, because where there is a contract the money is paid as a matter of course. I think it just that I should say this much in defense of the Government.

Now, it is alleged that the United States during the prosecution of the late civil war took from loyal citizens stores and supplies and that under the law, the loyalty of such citizens being established, and it being established that those stores and supplies were taken for the use of the Army, and their value being ascertained, it is the duty of the Government under the law to pay the parties from whom they were taken. I admit it. It is the duty of the Government under the law to make payment. Now, the Government proceeded to pay. First, we had the Southern Claims Commission right away after the war. Great numbers of claims were adjudicated by that commission, but not every claim was favorably passed upon; many were rejected; they had their day in court and failed.

There was a statute of limitations as to the time within which those claims should be presented. The statute ran. Then, so as not to oppress any citizen, the Quartermaster-General was given jurisdiction to examine these claims; and they came in by the multiplied thousands. And Uncle Sam, in order that the poor might not be oppressed, appropriated money for the employment of agents who year after year went to Tennessee, Kentucky, Virginia, Missouri, and everywhere else in that part of the country which had been the theater of war and investigated these claims at the expense of the Government, the claimants receiving notice, and appearing, or having the power to appear, by attorneys and witnesses. And then report was made, and the Quartermaster-General adjudicated the cases and the claimants were paid.

But many claims were turned down. And there was in that case, too, a statute of limitation. Thus we had two tribunals and two statutes of limitation. Then we passed the Bowman Act, providing that any committee of this House might refer claims to the Court of Claims, which should make such findings as it deemed just. In connection with that act, also, there was a statute of limitations. The claims must be presented within a certain time, and the committees could not after that time refer claims to the court under that act. That time expired, and these claims were not referred under that act.

Then we had the Tucker Act, which required, as I understand, the action of Congress to refer claims to the court; and in connection with that act also there was a statute of limitation. After we have had these three tribunals and these three statutes of limitation these parties come now under the Tucker Act seeking to send these rejected claims (some of them, I do not know which, that have been sleeping perhaps for a generation) again to the Court of Claims; and the very gentleman in charge of the resolution assures the House that there is only about 5 per cent of them that can be passed. In the name of God, why send 95 per cent of these claims there and compel the United States Government, through its attorneys and by means of its other machinery, to defend these claims, which have been three times barred after having had their day in court? Such a proceeding looks to me like paltering with the patience of the Government, and one which ought not to be received with approval.

The statute of repose three times enacted and three times expired, and two adjudications in the courts, ought at some time to become really a statute of repose in these cases.

"Ah, but," says my friend from Tennessee, "if we can send them now to the Court of Claims, and they are turned down, we will get rid of them forever." That has not been my observation. My observation is that the claimant who wails the loudest is he who has had his day in court—in the Court of Claims and in the Supreme Court—and alleges iniquity; that the court overlooked certain facts or erred against him, or did wrong of some kind, and springs up and appeals clamorously for renewed equity.

How are we to help it? God alone knows how. I wish I had power to put some provision in the Constitution which would limit the power of Congress, where the statute of limitation has run, after one adjudication before a proper tribunal of the country—to limit the power of Congress to waive the statute of limitation under any circumstances and allow a second hearing.

Mr. COOPER of Texas. Mr. Speaker, I am not inclined to allow the statement of the gentleman from Illinois to go on record without question that these claims have been rejected after having had a day in court——

Mr. CANNON (interrupting). My friend is on the Committee on War Claims, and of course I speak only in a general way. I am satisfied that these cases have had their day before the Quartermaster-General, and have been rejected; and if they do not avail themselves of their privilege under the law, of course they are barred, and ought to be barred, by the statute of limitations.

Now, I ask him how many or which one of these claims has been before the Quartermaster-General?

Mr. COOPER of Texas. I can name one in favor of W. B. Morrow.

Mr. WILLIAMS of Mississippi. And the case of C. Phitzing, a Federal soldier, who served in an Illinois regiment, and now resides in Mississippi.

A MEMBER. And there are others.

Mr. CANNON. Has my friend from Texas examined the record of the claim he speaks of?

Mr. COOPER of Texas. I know the claim.

Mr. CANNON. But has he examined the Quartermaster's record?

Mr. COOPER of Texas. I have not. But I get my information from the Committee on War Claims. I obtain it from the records and books in that committee.

Mr. OTJEN. Mr. Speaker——

Mr. CANNON. If my friend from Wisconsin will allow me——

Mr. OTJEN. Certainly.

Mr. CANNON. For I am sure we want only to do the right thing in these cases.

Mr. OTJEN. I only wanted first to ask my friend from Illinois, who makes reference to the reports of the Court of Claims and asks why we should send them there when 95 per cent are turned down.

I will tell him. It is because they come to Congress, time after

time, believing that they have a just claim against the Government; bills are introduced and reports made, putting the Government to expense in printing and loading up our Calendar. We seek to send them to the Court of Claims, where they can be considered and examined by a properly constituted tribunal, and then if the report is in favor of the claim, that the Government will pay for it.

I do not know of any tribunal which can examine them more properly than the Court of Claims. He says every claim that has once had its day in court ought to be turned down. I think that is all right, but I think the Government ought to establish some tribunal where the people who have private claims against the Government may present them properly. Then, if they are rejected, let them be turned down, but if that tribunal allows them the Government then ought to pay them just as it pays its bonds.

I can only say that we as committeemen are attempting to do our duty in this matter when charged with the responsibility of these claims, and it is the view of the committee of which I am a member that these claims ought to go to the Court of Claims. They have been passed upon singly. It is the recommendation of that committee that they go there, and it seems to me that the House ought to give some weight to the judgment of that committee. I ask that the resolution be passed.

The SPEAKER. The question is on suspending the rules and passing the resolution.

The question being taken, on a division (demanded by Mr. CANNON) there were—ayes 75, noes 17.

Accordingly, two-thirds voting in the affirmative, the rules were suspended and the resolution was passed.

SNOW AND ICE IN THE DISTRICT OF COLUMBIA.

Mr. CANNON. Mr. Speaker, I should be glad to be recognized for a minute on an emergency matter. I ask unanimous consent for the present consideration of the bill (H. R. 12009) to provide for the removal of snow and ice in the city of Washington, in the District of Columbia.

The bill was read, as follows:

Be it enacted, etc., That the following sums are hereby appropriated, out of any money in the Treasury not otherwise appropriated, to be immediately available, for the following objects, namely:

For cleaning snow and ice from crosswalks and gutters, under the act approved March 2, 1895, $2,000, one half of said sum to be paid out of the revenues of the District of Columbia and the other half out of the Treasury of the United States.

For the removal of snow and ice, to be disbursed under the direction of the officer in charge of public buildings and grounds in and around Washington, D. C., $1,000.

Mr. CANNON. I will say to the House that we had a snowstorm last night. It seems to me there can be no objection to this bill.

The SPEAKER. Is there objection to the present consideration of the bill?

There was no objection.

The bill was ordered to be engrossed and read a third time; and it was accordingly read the third time, and passed.

On motion of Mr. CANNON, a motion to reconsider the last vote was laid on the table.

SUNDRY CIVIL APPROPRIATION BILL.

Mr. CANNON, from the Committee on Appropriations, reported the bill (H. R. 12008) making appropriations for sundry civil expenses of the Government for the fiscal year ending June 30, 1900, and for other purposes, which was read a first and second time, referred to the Committee of the Whole House on the state of the Union, and, with the accompanying report, ordered to be printed.

Mr. COOPER of Texas. Mr. Speaker, all points of order are reserved.

The SPEAKER. All points of order are reserved.

TWELFTH CENSUS.

Mr. HOPKINS. Mr. Speaker, I move to suspend the rules and pass the bill (H. R. 11815) to provide for taking the Twelfth and subsequent censuses.

Mr. JOHNSON of Indiana. Mr. Speaker, I demand a second.

The SPEAKER. The gentleman from Illinois [Mr. HOPKINS] moves to suspend the rules and pass the bill which will be reported by the Clerk.

The bill was read, as follows:

Be it enacted, etc., That a census of the population, of deaths, and of the manufacturing, mechanical, and agricultural products of the United States shall be taken in the year 1900, and once every ten years thereafter.

SEC. 2. That there shall be established at the seat of government a Census Office, the duties of which shall be the taking of the Twelfth and succeeding censuses and the collection of other statistics, as hereinafter provided: *Provided, however*, That nothing herein contained shall be construed to establish a census bureau permanent beyond the Twelfth Census.

SEC. 3. That the Census Office shall be under charge of a Director of the Census, who shall be appointed, as soon as possible after the passage of this act, by the President, by and with the advice and consent of the Senate, who shall receive an annual salary of $6,000; and there shall also be an Assistant Director of the Census, to be appointed in like manner, who shall be an experienced, practical statistician, and shall receive an annual salary of $4,000.

SEC. 4. That during the absence of the Director, or when the office of Director shall become vacant, the Assistant Director shall perform the duties of the Director.

SEC. 5. That there shall also be in the Census Office, to be appointed by the Director thereof in the manner hereinafter specified, 5 chief statisticians, who shall be persons of known and tried experience in statistical work, at an annual salary of $3,000 each; a chief clerk, 1 disbursing clerk, and 1 geographer, at an annual salary of $2,500 each; 5 expert chiefs of division and 2 stenographers, at an annual salary of $2,000 each; 10 clerks of class 4, 15 clerks of class 3, 20 clerks of class 2, and such number of clerks of class 1, and of clerks, copyists, computers, and skilled laborers, at salaries of not less than $600 nor more than $1,000 per annum, to be appointed from time to time, as may be found necessary for the proper and prompt performance of the duties herein required to be undertaken. The disbursing clerk herein provided for shall, before entering upon his duties, give bond to the Secretary of the Treasury in the sum of $50,000, which bond shall be conditioned that the said officer shall render a true and faithful account to the proper accounting officers of the Treasury, quarter-yearly, of all moneys and properties which shall be received by him by virtue of his office, with sureties to be approved by the Solicitor of the Treasury. Such bond shall be filed in the office of the Secretary of the Treasury, to be by him put in suit upon any breach of the conditions thereof.

SEC. 6. That the Director of the Census may also appoint one captain of the watch, at a salary of $840 per annum; two messengers, and such number of watchmen, assistant messengers, and laborers, at salaries of $900 each per annum; messenger boys, at salaries of $400 each per annum; and charwomen, at salaries of $240 each per annum, as may be necessary to carry out the provisions of this act.

SEC. 7. That all appointments authorized by section 5 of this act shall be subject to such examination as may be prescribed by the Director of the Census, but such examination shall relate solely to the character and fitness of the applicant for the special position to which the applicant is to be assigned if selected: *Provided*, That employees in existing branches of the departmental service, under civil-service rules, whose services may be specially desired by the Director of the Census, may be transferred without examination; but not more than fifteen such transfers shall be made, and at the end of such service the employees so transferred may be eligible to appointment in the Departments without additional examination when vacancies exist. All appointments authorized by section 6 may be made without examination, and such appointees shall not be eligible for promotion without passing such examination as may be prescribed by the Director of the Census.

SEC. 8. That the collection of the information required by this act shall be made, under the direction of the Director of the Census, by supervisors, enumerators, and special agents, as hereinafter provided.

SEC. 9. That the Twelfth Census shall be restricted to inquiries relating to the population, to mortality, to the products of agriculture and of manufacturing and mechanical establishments. The schedules relating to the population shall comprehend for each inhabitant the name, age, color, sex, conjugal condition, place of birth, and place of birth of parents, whether alien or naturalized, number of years in the United States, occupation, months employed, literacy, school attendance, and ownership of farms and homes; and the Director of the Census may use his discretion as to the construction and form and number of inquiries necessary to secure information under the topics aforesaid.

The mortality schedule shall comprehend for each decedent the name, sex, color, age, conjugal condition, place of birth, and birthplace of parents, occupation, cause and date of death, and, if born within the census year, the date of birth. The form and arrangement of the schedule and the specific questions necessary to secure the information required shall be in the discretion of the Director. The schedules relating to agriculture shall comprehend the following topics: Name of occupant of each farm, color of occupant, tenure, acreage, value of farm and improvements, acreage of different products, quantity and value of products, and number and value of live stock. All questions as to quantity and value of crops shall relate to the year ending December 31 next preceding the enumeration. The specific form and division of inquiries necessary to secure information under the foregoing topics shall be in the discretion of the Director of the Census.

The schedules of inquiries relating to the products of manufacturing and mechanical establishments shall embrace the name and location of each establishment; character of organization, whether individual, cooperative, or other form; date of commencement of operations; character of business, or kind of goods manufactured; amount of capital invested; number of proprietors, firm members, copartners, or officers, and the amount of their salaries; number of employees, and the amount of their wages; quantity and cost of materials used in manufactures; amount of miscellaneous expenses; quantity and value of products; time in operation during the census year; character and quantity of power used, and character and number of machines employed. The form and subdivision of inquiries necessary to secure the information under the foregoing topics relating to manufacturing and mechanical industries shall be in the discretion of the Director of the Census.

The information collected shall relate to the fiscal year ending nearest the date set for the enumeration of the population. Whenever he shall deem it expedient, the Director of the Census may withhold the schedules for said manufacturing and mechanical statistics from the enumerators of the several subdivisions in any or all cases, and may charge the collection of these statistics upon special agents, to be employed without respect to locality. In cities or States where an official registration of deaths is maintained, the Director of the Census may, in his discretion, withhold the mortality schedule from the several enumerators within such cities or States, and may obtain the information required by this act through official records, paying therefor such sum of money as may be found necessary, not exceeding 2 cents for each death thus returned.

The Director of the Census is also authorized and directed to make suitable provision for the enumeration of the population and products of Alaska and other noncontiguous possessions of the United States, administered under the civil government thereof, for which purpose he may employ supervisors and enumerators or special agents as he may deem necessary. The only volumes that shall be prepared and published in connection with the Twelfth Census, except the special reports hereinafter provided for, shall relate to population, mortality, and vital statistics, the products of agriculture, and of manufacturing and mechanical establishments, as above mentioned, and shall be designated as and constitute the census reports, which said reports shall be published not later than the 1st day of July, 1902. The report upon population shall include a series of separate tables for each State, giving by counties the number of male persons below and above the age of 21 years, their color, whether native or foreign born, whether naturalized or not, and their literacy or illiteracy. All terms expressing weight, measure, distance, or value shall be expressed in the terms of the English language as spoken in this country.

SEC. 10. That after the completion and return of the enumeration and of the work upon the schedules relating to the products of agriculture and to manufacturing and mechanical establishments provided for in section 9 of this act, the Director of the Census is hereby authorized to collect statistics relating to the special classes, including the insane, feeble-minded, deaf, dumb, and blind; to crime, pauperism, and benevolence, including prisoners, paupers, juvenile delinquents, and inmates of benevolent and reformatory

institutions; to deaths and births in registration areas; to social statistics of cities; to public indebtedness, valuation, taxation, and expenditures; to religious bodies; to electric light and power, telephone and telegraph business; to transportation by water, express business, and street railways; to mines, mining, and minerals, and the production and value thereof, including gold, in divisions of placer and vein, and silver mines, and the number of men employed, the average daily wage, average working time and aggregate earnings in the various branches and aforesaid divisions of the mining industry: *Provided*, That the reports herein authorized relating to mines, mining, and minerals shall be published on or before July 1, A. D. 1903.

And the Director of the Census shall prepare schedules containing such interrogatories as shall in his judgment be best adapted to elicit the information required under these subjects, with such specifications, divisions, and particulars under each head as he shall deem necessary to that end. For the purpose of securing the statistics required by this section, the Director of the Census may appoint special agents when necessary, and such special agents shall receive compensation as hereinafter provided. The statistics of deaths and births provided for in this section shall be obtained from, and restricted to, the registration records of such States and municipalities as possess records affording satisfactory data in necessary detail, in the discretion of the Director, the compensation for the transcription of which shall not exceed 2 cents for each birth or death reported. The statistics of special classes, and of crime, pauperism, and benevolence specified in this section shall be restricted to institutions containing such classes: *Provided*, That at the time of the census enumeration the data relating to these classes may be collected by the enumerators of such institutions, who shall receive compensation therefor at rates not exceeding, in per capita districts, 5 cents for each name enumerated and returned. The collection of statistics authorized by this section shall be made at such time or times and in such manner as will not interfere with nor delay the rapid completion of the census reports provided for in section 9 of this act, and all reports prepared under the provisions of this section shall be designated as "Special Reports of the Census Office."

SEC. 11. That the Director of the Census shall, at least six months prior to the date fixed for commencing the enumeration at the Twelfth and each succeeding decennial census, designate the number, whether one or more, of supervisors of census to be appointed within each State or Territory and the District of Columbia and other noncontiguous possessions of the United States, administered under the civil law thereof, who shall be appointed by the President: *Provided*, That the whole number of such supervisors shall not exceed 300: *And provided further*, That wherever practicable and desirable the boundaries of the supervisors' districts shall conform to the boundaries of Congressional districts.

SEC. 12. That each supervisor of census shall be charged with the performance, within his own district, of the following duties: To consult with the Director of the Census in regard to the division of his district into subdivisions most convenient for the purpose of the enumeration, which subdivisions shall be declared and the boundaries thereof fixed by the Director of the Census; to designate to the Director suitable persons, and, with the consent of said Director, to appoint such persons as enumerators within his district, one or more for each subdivision and resident therein; but in case it shall occur in any enumeration district that no person qualified to perform and willing to undertake the duties of enumerator resides in that subdivision the supervisor may appoint any fit person to be the enumerator of that subdivision; to communicate to enumerators the necessary instructions and directions relating to their duties; to examine and scrutinize the returns of the enumerators, and in event of discrepancies or deficiencies appearing in the returns for his district, to use all diligence in causing the same to be corrected and supplied; to forward to the Director of the Census the completed returns for his district in such time and manner as shall be prescribed by the said Director, and to make up and forward to the Director the accounts required for ascertaining the amount of compensation due to each enumerator in his district, which accounts shall be duly sworn to by the enumerator, and the same shall be certified as true and correct, if so found, by the supervisor, and said accounts so sworn to and certified shall be accepted by the said Director, and payment shall be made thereon by draft in favor of each enumerator.

The duties imposed upon the supervisor by this act shall be performed, in any and all particulars, in accordance with the instructions and directions of the Director of the Census: *Provided*, That if the supervisor of any district has not been appointed and qualified on the ninetieth day preceding the date fixed for the commencement of the enumeration, the Director of the Census may appoint a special agent, who shall be a resident of the same district, to perform the work of subdivision into enumeration districts: *And provided*, That any supervisor who may abandon, neglect, or improperly perform the duties required of him by this act may be removed by the Director of the Census, and any vacancy thus caused or otherwise occurring during the progress of the enumeration may be filled by the Director of the Census.

SEC. 13. That each supervisor of census shall, upon the completion of his duties to the satisfaction of the Director of the Census, receive the sum of $125, and in addition thereto, in thickly settled districts, $1 for each thousand or majority fraction of a thousand of the population enumerated in such district, and in sparsely settled districts, $1.40 for each thousand or majority fraction of a thousand of the population enumerated in such district, such sums to be in full compensation for all services rendered and expenses incurred by him, except that in serious emergencies arising during the progress of the enumeration in his district or in connection with the reenumeration of any subdivision he may, in the discretion of the Director of the Census, be allowed actual and necessary traveling expenses and an allowance in lieu of subsistence not exceeding $3 per day during his necessary absence from his usual place of residence, and that an appropriate allowance for clerk hire may be made when deemed necessary by the Director of the Census: *Provided*, That in the aggregate no supervisor shall be paid less than the sum of $1,000. The designation of the compensation per thousand, as provided in this section, shall be made by the Director of the Census at least one month in advance of the date fixed for the commencement of the enumeration.

SEC. 14. That each enumerator shall be charged with the collection, in his subdivision, of facts and statistics required by the population schedule, and such other schedules as the Director of the Census may determine shall be used by him in connection with the census, as provided in section 9 of this act. It shall be the duty of each enumerator to visit personally each dwelling house in his subdivision, and each family therein, and each individual living out of a family in any place of abode, and by inquiry made of the head of each family, or of the member thereof deemed most credible and worthy of trust, or of such individual living out of a family, to obtain each and every item of information and all particulars required by this act as of date June 1st of the year in which the enumeration shall be made. And in case no person shall be found at the usual place of abode of such family, or individual living out of a family, competent to answer the inquiries made in compliance with the requirements of this act, then it shall be lawful for the enumerator to obtain the required information, as nearly as may be practicable, from the family or families or person or persons living nearest to such place of abode; and it shall be the duty of each enumerator to forward the original schedules, duly certified, to the supervisor of census of his district as his returns under the provisions of this act; and in the event of discrepancies or deficiencies being discovered in his said returns he shall use all diligence in correcting or supplying the same.

In case the subdivision assigned to any enumerator embrace all or any part of any incorporated borough, village, town, or city, and also other territory not included within the limits of such incorporated borough, village, town, or city, or either, it shall be the duty of the enumerator of such subdivision to clearly and plainly distinguish and separate, upon the population schedules, the inhabitants of all or any part of such borough, village, town, or city, as may be embraced in the subdivision assigned to such enumerator, from the inhabitants of the territory not included therein. No enumerator shall be deemed qualified to enter upon his duties until he has received from the supervisor of census of the district to which he belongs a commission, under his hand, authorizing him to perform the duties of an enumerator, and setting forth the boundaries of the subdivision within which such duties are to be performed by him.

SEC. 15. That the subdivision assigned to any enumerator shall not exceed 4,000 inhabitants, according to estimates based on the preceding census or other reliable information, and the boundaries of all subdivisions shall be clearly described by civil divisions, rivers, roads, public surveys, or other easily distinguished lines: *Provided*, That enumerators may be assigned for the special enumeration of institutions, when desirable, without reference to the number of inmates.

SEC. 16. That any supervisor of census may, with the approval of the Director of the Census, remove any enumerator in his district and fill the vacancy thus caused or otherwise occurring. Whenever it shall appear that any portion of the enumeration and census provided for in this act has been negligently or improperly taken, and is by reason thereof incomplete or erroneous, the Director of the Census may cause such incomplete and unsatisfactory enumeration and census to be amended or made anew under such methods as may, in his discretion, be practicable.

SEC. 17. That the Director of the Census may authorize and direct supervisors of census to employ interpreters to assist the enumerators of their respective districts in the enumeration of persons not speaking the English language. The compensation of such interpreters shall be fixed by the Director of the Census in advance, and shall not exceed $4 per day for each day actually and necessarily employed.

SEC. 18. That the compensation of the enumerators shall be ascertained and fixed by the Director of the Census as follows: In subdivisions where he shall deem such allowance sufficient, an allowance of not less than 2 nor more than 3 cents for each living inhabitant and for each death reported; not less than 15 nor more than 20 cents for each farm, and not less than 20 nor more than 30 cents for each establishment of productive industry enumerated and returned may be given in full compensation for all services. For all other subdivisions per diem rates shall be fixed by the Director of the Census according to the difficulty of enumeration, having reference to the nature of the region to be canvassed and the density or sparseness of settlement, or other considerations pertinent thereto; but the compensation allowed to any enumerator shall not be less than $3 nor more than $6 per day of ten hours' actual field work each. The subdivisions to which the several rates of compensation shall apply shall be designated by the Director of the Census at least two weeks in advance of the enumeration. No claim for mileage or traveling expenses shall be allowed any enumerator in either class of subdivisions, except in extreme cases, and then only when authority has been previously granted by the Director of the Census, and the decision of the Director as to the amount due any enumerator shall be final.

SEC. 19. That the special agents appointed under the provisions of this act shall be restricted to field work only, and they shall have equal authority with the enumerators in respect to the subjects committed to them, and shall receive compensation at rates to be fixed by the Director of the Census: *Provided*, That the same shall in no case exceed $6 per day and actual necessary traveling expenses and an allowance in lieu of subsistence not exceeding $3 per day during their necessary absence from their usual place of residence.

SEC. 20. That no supervisor, supervisor's clerk, enumerator, interpreter, or special agent shall enter upon his duties until he has taken and subscribed to an oath or affirmation to be prescribed by the Director of the Census; and no supervisor, supervisor's clerk, enumerator, or special agent shall be accompanied by or assisted in the performance of his duties by any person not duly appointed as an officer or employee of the Census Office and to whom an oath or affirmation has not been duly administered. All supervisors, chief statisticians, chief clerk, disbursing clerk, geographer, expert chiefs of division, stenographers, supervisors' clerks, appointees provided for in section 6 of this act, interpreters, special agents, clerks in the Census Office, and enumerators provided for in this act shall be appointed or employed, and if examined, so examined, as the case may be, solely with reference to their fitness to perform the duties herein provided to be by such employee or appointee performed, and without reference to their political party affiliations.

SEC. 21. That the enumeration of the population required by this act shall commence on the 1st day of June, 1900, and on the 1st day of June of the year in which each succeeding enumeration shall be made, and be taken as of that date. And it shall be the duty of each enumerator to complete the enumeration of his district and to prepare the returns hereinbefore required to be made, and to forward the same to the supervisor of census of his district, on or before the 1st day of July in such year: *Provided*, That in any city having 8,000 inhabitants or more under the preceding census the enumeration of the population shall be taken and completed within two weeks from the 1st day of June as aforesaid.

SEC. 22. That if any person shall receive or secure to himself any fee, reward, or compensation as a consideration for the appointment or employment of any person as enumerator or clerk or other employee, or shall in any way receive or secure to himself any part of the compensation provided in this act for the services of any enumerator or clerk or other employee, he shall be deemed guilty of a misdemeanor, and on conviction thereof shall be fined not more than $3,000, or be imprisoned not more than one year, or both, in the discretion of the court.

SEC. 23. That any supervisor, supervisor's clerk, enumerator, interpreter, or special agent, who, after having taken and subscribed the oath of office required by this act, shall, without justifiable cause, neglect or refuse to perform the duties enjoined on him by this act, or shall, without the authority of the Director of the Census, communicate to any person not authorized to receive the same any information gained by him in the performance of his duties, shall be deemed guilty of a misdemeanor, and upon conviction thereof shall be fined not exceeding $500; or if he shall willfully and knowingly swear or affirm falsely he shall be deemed guilty of perjury, and upon conviction thereof shall be imprisoned not exceeding three years and be fined not exceeding $800; or if he shall willfully and knowingly make a false certificate or a fictitious return he shall be guilty of a misdemeanor, and upon conviction of either of the last-named offenses he shall be fined not exceeding $5,000 and be imprisoned not exceeding two years.

SEC. 24. That each and every person more than 20 years of age belonging to any family residing in any enumeration district or subdivision, and in case of the absence of the heads and other members of any such family, then any representative of such family, shall be, and each of them hereby is, required, if thereto requested by the Director, supervisor, or enumerator, to render a true account, to the best of his or her knowledge, of every person

belonging to such family in the various particulars required, and whoever shall willfully fail or refuse to render such true account shall be guilty of a misdemeanor, and upon conviction thereof shall be fined in a sum not exceeding $100. And every president, treasurer, secretary, director, agent or other officer of every corporation, and every establishment of productive industry, whether conducted as a corporate body, limited liability company, or by private individuals, from which answers to any of the schedules provided for by this act are herein required, who shall, if thereto requested by the Director, supervisor, enumerator, or special agent, willfully neglect or refuse to give true and complete answers to any inquiries authorized by this act, or shall willfully give false information, shall be guilty of a misdemeanor, and upon conviction thereof shall be fined not exceeding $10,000, to which may be added imprisonment for a period not exceeding one year.

SEC. 25. That all fines and penalties imposed by this act may be enforced by indictment or information in any court of competent jurisdiction.

SEC. 26. That the Director of the Census may authorize the expenditure of necessary sums for the traveling expenses of the officers and employees of the Census Office and the incidental expenses essential to the carrying out of this act, including the rental of sufficient quarters in the District of Columbia and the furnishing thereof, and the fitting up and maintenance of the printing outfit in the Census Office.

SEC. 27. That the Director of the Census is hereby authorized to print and bind in the Census Office such blanks, circulars, envelopes, and other items as may be necessary; and to print, publish, and distribute from time to time bulletins and reports of the preliminary and other results of the various investigations required by this act. He is also authorized to bind, or to have bound by contract, if expedient, such schedules of the Eleventh Census as he may deem essential for preservation and necessary reference.

SEC. 28. That in case the Director of the Census deems it expedient, he may contract for the use of electrical or mechanical devices for tabulating purposes: *Provided*, That in such case due notice shall be given to the public, and no system of tabulation shall be adopted until after a practical test of its merits in competition with other systems which may be offered.

SEC. 29. That the Director of the Census is hereby authorized, whenever he may think proper, to call upon any other departments or office of the Government for information pertinent to the work herein provided for.

SEC. 30. That all mail matter, of whatever class, relative to the census and addressed to the Census Office, the Director of the Census, assistant director, chief clerk, supervisors, enumerators, or special agents, and indorsed "Official Business, Census Office," shall be transmitted free of postage, and by registered mail if necessary, and so marked: *Provided*, That if any person shall make use of such indorsement to avoid the payment of postage or registry fee on his or her private letter, package, or other matter in the mail, the person so offending shall be guilty of a misdemeanor and subject to a fine of $300, to be prosecuted in any court of competent jurisdiction.

SEC. 31. That upon the request of the governor of any State or Territory, or the chief officer of any municipal government, the Director of the Census shall furnish such governor or municipal officer with a copy of so much of the population returns as will show the names, with the age, sex, color or race, and birthplace only of all persons enumerated within the territory in the jurisdiction of such government upon payment of the actual cost of making such copies; and the amounts so received shall be covered into the Treasury of the United States, to be placed to the credit of, and in addition to, the appropriations made for taking the census.

SEC. 32. That the Director of the Census shall provide the Census Office with a seal containing such device as he may select, and he shall file a description of such seal with an impression thereof in the office of the Secretary of State. Such seal shall remain in the custody of the Director of the Census, and shall be affixed to all certificates and attestations that may be required from the Census Office.

SEC. 33. That such records, books, and files as relate to preceding censuses, and all property of whatever nature used at the Eleventh Census, including the printing office outfit, as may be necessary in conducting the work of the Census Office and can be spared from present uses, shall be transferred to the custody and control of the Census Office created by this act. The furniture and property so transferred shall be inventoried by the proper officers of the Department of the Interior, and a copy of the inventory filed and preserved in the office of the Secretary of the Interior and of the Director of the Census.

SEC. 34. That for the organization and equipment of the Census Office to perform the preparatory work necessary to carry out the provisions of this act, the sum of $1,000,000, to be available on the passage of this act, is hereby appropriated, out of any money in the Treasury not otherwise appropriated, and to continue available until exhausted. Of said appropriation such amount as may be considered by the Director of the Census to be necessary for immediate preliminary printing may be expended under the direction of the Public Printer. And the Director of the Census shall submit to the Secretary of the Treasury, on or before October 1, 1899, further estimates for the work herein provided for.

SEC. 35. That the act entitled "An act to provide for the taking of the Eleventh and subsequent censuses," approved March 1, 1889, and all laws and parts of laws inconsistent with the provisions of this act are hereby repealed.

Mr. JOHNSON of Indiana. Mr. Speaker, I demand a second on that bill.

The SPEAKER. A second is demanded by the gentleman from Indiana.

Mr. HOPKINS. Mr. Speaker, I ask unanimous consent that a second be considered as ordered.

The SPEAKER. The gentleman from Illinois asks unanimous consent that a second be considered as ordered. Is there objection? [After a pause.] The Chair hears none. The gentleman from Illinois and the gentleman from Indiana will be recognized to control the time.

Mr. HOPKINS. Mr. Speaker, I do not desire to take but a few minutes in speaking on the bill, which has been read, and members who are interested in the matter, of course, have followed that and are advised as to its general character. I will say, in the main we have followed the precedents in the preparation of bills for the taking of preceding censuses, but have made a number of changes that we believe will add efficiency to the work and lessen the expense as compared with the Tenth and Eleventh censuses. The chief change that is made in this bill as compared with the preceding census bills is the fact that we provide in this bill for a separate bureau.

Under preceding bills of this character the work has been done under the Department of the Interior. The experience in taking the last census especially has satisfied the members of the committee reporting this bill that much more efficient work can be secured by a separate bureau, making the Director of the Census responsible for the work. Now, in the clerical force of the Bureau for the Eleventh Census there were 93 employees. We have provided for only 62. The annual expense for the Eleventh Census for this clerical force aggregated $163,865, and in the bill as we provide it will not exceed $116,500, an annual saving there of over $40,000.

In the preparation of the work we have provided for 300 supervisors, or at least that number can be used. I will state to the members of the House that for the Tenth Census there were only 150 supervisors and for the Eleventh 175. A great many members expressed the wish that in the preparation of the bill it could be so arranged that there would be a supervisor for each Congressional district. We found on investigation that this could not be done consistently with efficient work, the purpose in taking the census being to conform as closely as can be to the local conditions. Now, I understand, to illustrate, that the State of Massachusetts has a law by which only one supervisor is desired or required for this work. We leave it discretionary with the Director of the Census to determine how large or small each division shall be.

I know that in large cities, like Chicago, New York, Philadelphia, and other places, the work of taking the census will be much more efficiently done under one supervisor than one for each Congressional district. Three hundred supervisors will enable the Director of the Census to conform these districts to the Congressional districts wherever it shall be found practicable or desirable.

Another change that we have made, which I think will commend itself to the Members of the House and ought to commend itself to the Senators and general public, is this: The supervisors are to be named by the President of the United States. In the previous census bills these supervisors have been appointed by the President and confirmed by the Senate. We recommend that the supervisors be named by the President, on the recommendation of the Director of the Census.

On examination of the question we find that they can be appointed by the President without confirmation by the Senate, and it is especially desirable if the Director of the Census divides the supervisors' districts so as to conform as near as may be with the Congressional districts that the power of appointment rest with the President.

Now, the enumerators are to be appointed by the supervisor, or recommended by him and appointed by the Director, and taken from the locality in which they live.

These districts are divided into districts of population not to exceed 4,000 inhabitants. My judgment is that these districts will do divided into smaller population districts than this for the reason that the bill requires that the work of enumeration in cities of 8,000 and over shall be done in fifteen days from the date of the commencement of the work, and in rural districts in thirty days from the date of the commencement of the work.

Gentlemen of the House can readily see that if the work is to be done in this limited time, that the enumeration districts should be subdivided so that the enumerator can do his work accurately and well within the time limited.

Mr. HENDERSON. Can the gentleman give any estimate of what the compensation of the enumerators will amount to on the basis of his subdivision?

Mr. HOPKINS. From $125 to $175 each.

Mr. SHAFROTH. I notice in the tenth section of this bill there is a provision concerning the collection of data as to public indebtedness. Is there any objection to also inserting in that a provision for the collection of data as to the private indebtedness and mortgage indebtedness? It seems to me that those are valuable statistics and ought to be known, and inasmuch as each individual is to be seen in the taking of the census, it is only an additional question, which would involve no great additional expense. I refer to line 6, page 8, of the bill. It would be simply enlarging a little the scope of the inquiry.

Mr. HOPKINS. I will say that that matter was considered by the committee, and the gentleman will see, as all other members of the House will by examining the bill, that section 9 relates to five great divisions under which the work is to be done; that is, population, mortality, manufacturing and mechanical industries, and agricultural products. It was thought wise by the committee, in following the example of the Senate, to limit the number of subjects, so that the work that is done under the census bill can be given to the public within the time when the statistics will be of value.

Mr. DALZELL. I would like to ask the gentleman a question right there.

Mr. SHAFROTH. Please let me complete my inquiry.

Mr. HOPKINS. I will state further that in the Tenth Census, owing to the large number of subjects that were placed under the direction of the Superintendent of the Census, it was nine

years and four months before the last volume was published. The figures had become obsolete, and were of no value to statisticians or scientific men in this country or abroad, when they were finally published.

In the Eleventh Census it was attempted to restrict this inquiry, but it was found that it took eight years and four months before the last volume was published, and great complaint has been made against the work because of this fact. We are told that in view of the enormous amount of work that was placed on the Superintendent of the Census through the investigation of these various subjects, it was a physical impossibility to procure the publication of these works at an earlier date.

Mr. SHAFROTH. Is it not a fact that in the Tenth and Eleventh censuses that report concerning the amount of farm mortgages that existed was one of the earliest reports that was published, and was published in less than one year from the time of taking the census?

Mr. HOPKINS. I will say to the gentleman from Colorado that the farm mortgages is one of the subjects that has been severely criticised by people generally and by statisticians, and that great expense was incurred in the taking of it. In the last census that subject alone cost the Government more than a million of dollars, and the work was not satisfactory, not because of any lack of skill or ability in the Census Bureau, but on account of the subject itself.

This is a matter that changes so rapidly that the data when it is obtained, and by the time it can be published, is of no value. If the gentleman has followed the recording of mortgages in his own State, he can see how rapidly the condition changes, and that it will be impossible to give statistics upon that subject which will be of any value. Therefore the committee thought, as the Senate committee thought, that it would be unwise to include that in the bill.

Mr. DALZELL. Now, if the gentleman will allow me, if there was nothing else in the bill than what is contained in section 9, I take it that no statistics would be gathered as to mines and mining.

Mr. HOPKINS. There would not.

Mr. DALZELL. I find in section 10 that there is a provision made for mines and mining and minerals. Does not my colleague think the two sections are inconsistent?

Mr. HOPKINS. They are not. The five subdivisions, where it is important under the Constitution to obtain early information, are embodied in section 9 of the bill. The gentleman will observe the bill requires the Director of the Census to procure that information and publish it in due form within two years from the time when this information is taken by the enumerators.

Now, by getting it within that time this information will be of value to statisticians and scientific men the world over.

In order to meet just the point suggested by the gentleman from Pennsylvania [Mr. DALZELL], we have embodied in the bill section 10, which provides for much more careful, accurate, and detailed information about a variety of subjects, including mines and mining, than we have had heretofore. It was our purpose at first to leave out any provision of that kind, because in the Geological Department of the Government a large amount of that information is obtained; but the Director of that Department, in a letter to the committee, stated that it would be important to embody such a provision in the bill and to procure that information after the census proper, as provided for in section 9, has been taken.

Mr. DALZELL. I find that in section 10, which relates to statistics as to mines and mining and other important matters, the language is that "the Director of the Census is hereby authorized." Is it the intention of the committee to leave this matter to the discretion of the Director of the Census? If not, why is not the word "directed" used, as in other cases?

Mr. HOPKINS. The intention is to make the provision directory, and I think it is so.

Mr. DALZELL. Let me say to the gentleman that in my judgment there can be no satisfactory statistics covering the subject of manufacturing and mechanical arts unless mining statistics be given in connection with them, and as a necessary part of them.

Mr. HOPKINS. This subject was discussed not only by the Senate committee, but by the committee of the House. There was at first a division of sentiment as to whether statistics in relation to mines and mining should be included in section 9, as suggested by the gentleman from Pennsylvania. We are getting such statistics now from the Geological Department; and it was at first thought that to make such an addition to section 9 might tend to delay the report of the census on population, mortality, and these other matters which are of prime importance. But under section 10 mines and mining will be as thoroughly investigated and the statistics as accurately and elaborately prepared as they would be if the subject were included in section 9; but the compilation of such statistics will be deferred until the more important matters have been gathered and reported by the Director of the Census to the public.

Mr. STEELE. In taking the census heretofore, had the Director unlimited authority, as he will have under this bill, to employ whatever labor or clerical force may be necessary?

Mr. HOPKINS. In previous census bills the Director of the Census was given the same authority, so far as the selection of his force was concerned, as is given here.

Mr. STEELE. Under this bill his authority is absolutely unlimited as to the number and cost.

Mr. HOPKINS. That must necessarily be the case. Such has been the provision in every bill that has ever been reported on this subject.

Mr. KELLEY. Is it not true that when the Eleventh Census was taken there was a greater public demand for statistics pertaining to farm indebtedness and indebtedness in general than for any other figures which were put out?

Mr. HOPKINS. I do not agree that such was the fact.

Mr. KELLEY. The gentleman stated a moment ago, in reply to a remark of the gentleman from Colorado [Mr. SHAFROTH], that there was such a demand for that portion of the statistics that they were first put out.

Mr. HOPKINS. I did not say that they were first put out; the gentleman from Colorado said that.

Mr. KELLEY. Yes; the gentleman from Colorado said so. But the gentleman from Illinois stated that those statistics were put out in response to a great public demand. Now, it seems to me that statistics of this class, for which it is very apparent there is and has been a great public demand, should not be omitted.

Mr. HOPKINS. As I have already stated to members of the House, the result of the collection of those statistics was so unsatisfactory, and the time taken in gathering them and the expense connected therewith so great, that it has not been thought wise to embody in this bill any provision for the collection of such statistics.

Mr. KELLEY. Is the gentleman able to give us an estimate of the time in which the statistics in general can be put out with that portion eliminated?

Mr. HOPKINS. No; I can not give the time now. The only trouble was that such a mass of information was required from the enumerators that their returns were not accurate, and in many cases had to be taken again. In connection with the Eleventh Census 250 questions were prepared in a schedule by the Director of the Census and placed in the hands of the enumerators, each of whom was obliged to collect in his locality the information covered by those questions. In cities of 8,000 population and over he was required to do this work within fifteen days, and in rural districts in thirty days. Under such circumstances it will readily be seen that accurate and desirable information, such as should be embodied in reports of this character, could not be collected.

Mr. KELLEY. Would the gentleman agree to an amendment covering statistics of this kind and providing that they be gathered in a proper manner?

Mr. HOPKINS. I am sorry to say that I can not. This is a matter which has been carefully considered by the committee, and after consultation with members outside and with Senators, we have agreed that provision for that class of statistics ought not to be embodied in the bill.

Mr. SHAFROTH. Is the gentleman willing that an amendment of that character be voted upon?

Mr. HOPKINS. I have just said I am not.

Mr. LACEY. I wish to ask the chairman of the committee a question as to the parliamentary status of this bill. I find that the Senate has passed a census bill. This bill in its present form is, of course, a House bill. The gentleman did not move to suspend the rules and strike out all after the enacting clause of the Senate bill and substitute for it the bill now pending before the House, but his motion was to pass this as an independent House bill. Now, will not, in that event, the situation be this: This House will have passed a bill, H. R. 11815, and the Senate another bill, to wit, Senate bill No. 4545, and there is no basis for a conference between the two Houses upon the differences in these respective bills?

Ought not the motion that he made be amended, or should it not have been composed, in other words, in this form—to strike out all after the enacting clause of the Senate bill and substitute the House bill, so that the matter might then go into conference by the joint action of the two Houses?

Mr. HOPKINS. Either motion would have accomplished the purpose. But our hope is that the Senate will pass the House bill as we have reported it, and we have prepared it with a great deal of care and consideration. We reported it, in fact, with that in view.

Now, Mr. Speaker, I reserve the remainder of my time.

The SPEAKER. The time of the gentleman from Illinois has expired.

Mr. JOHNSON of Indiana. Mr. Speaker, I will yield to my friend from Illinois some portion of the time allotted to me if he desires to consume further time in the discussion of this matter.

Mr. Speaker, from what the gentleman from Illinois has stated in unfolding this measure before the House for its consideration, as well as from the character of the interrogatories propounded to him by gentlemen with regard to it, it is quite apparent that this bill ought not to pass in a hurried manner, but that it should be considered with due deliberation on some other occasion when there is ample opportunity to investigate all of its provisions and make such amendments and modifications as may be found necessary.

I think, however, that I know the temper of the House. It is apparent that the measure will pass, and that nothing which I can say, or which any other member on the floor of the House can say, for that matter, will prevent its passage under the motion submitted by the gentleman. I desire, however, to enter my protest against it, and to present briefly some of my reasons for such action.

In my humble opinion, sir, the bill is a step backward. It is a marked retrogression. To pass it in this form is simply to disregard the advice and recommendations of those persons who are most capable, from long experience, of giving us information upon the subject.

Mr. Robert P. Porter, the Superintendent of the Eleventh Census Bureau, after severing his connection with that office, complained bitterly that much of his time while at the head of the Bureau had been taken up in attending to the demands made upon him by Senators and Representatives for places for their constituents. He also declared that in his opinion the Census Office should be made a permanent institution of the Government, and that its operations should be placed entirely under the control of the civil service. That, in his judgment, was the only way in which the functions of taking the census could be properly and efficiently performed.

Mr. Carroll D. Wright, who succeeded Mr. Porter in his office, declared positively, and I think that we all have reasons to know his statement to be true, that the last census was an exceedingly unreliable and was also a very extravagant piece of work. He said that in his opinion it had cost the taxpayers of the United States $2,000,000 more than it would have cost them if it had been taken under proper civil-service regulations.

He further declared that during his administration of the office, near its close and at a time when the public service required that the force should be curtailed in the interest of economy, he was compelled by the importunities of Senators and Representatives to increase the number of the employees under his charge nearly 400 persons, not one of whom was necessary for the work of the Bureau, but each one of whom had, of course, to be paid by the people of the United States.

Now, Mr. Speaker, the census is a very important piece of work. By it we estimate our growth, our progress, and our resources as compared with that of other nations. It is the finger board along the highway which the nation is traversing to indicate the degree of our advancement. It is the very foundation upon which all legislation is more or less based and upon which our business calculations and our business superstructures are often erected. The American Statistical Association and the American Economic Association and various other business organizations and interests of the country, who appreciate the importance of taking the census accurately, are asking that this measure in its present form shall not be passed, but that the census shall be placed under the control of civil-service regulations. How important it is, sir, that this work shall be put into efficient hands; that it shall be accurately performed. Of what use will it be if it is done imperfectly?

I know it is provided in this measure that the Director of the Census may, if he sees proper—and it seems to be largely a matter of discretion with him, as I read the terms of the bill—have what are known as pass examinations, or departmental examinations, with a view to determining the competency of those who seek employment in the Bureau. Mr. Speaker, we all know that pass examinations as administered in the Government service have always been a sham and a fraud. They have not secured the services of the most efficient employees for the Government. They have been invariably abused, and they have interposed no successful barrier to those who sought to use the public offices of the country to reward their political friends. Under it some capable employees will get into the service, and many incompetent ones will be employed.

This measure, sir, if passed, is nothing more nor less than a declaration to those who have graduated from the common schools of the country, to the sons of the farmers, to the sons of the laborers, that unless they can get the support of some public man, unless they can have a pull upon some Senator or Congressman, they shall have no opportunity to submit to this pass examination, to demonstrate their superiority for work in the Census Office, and to receive at the hands of its Director a place therein as the reward of their merit. It is a declaration here that we will not have competitive examinations open to young men of all political beliefs in all sections of the country, to the end that the persons who have the best qualifications may have the places, and that the Government may get the services of those best equipped for the work, but it seeks, by restricting the number of those who may apply for place to those that have influence enough to get the consent of a Senator or Congressman to stand this departmental examination, to establish the very thing which the friends of the spoils system claim is represented by the civil-service system, to wit, an undemocratic monopoly of the offices of the country.

Now, Mr. Speaker, we are on the verge of another political campaign in this country. It is hardly two years off. The influences that make for a corrupt ballot are already strong enough for us to contend with. This measure proposes to augment those difficulties rather than to lessen them. Every political party which can control this Bureau is now invited by this bill to step in and offer in advance bribes to men to support the policy of that party. Shall the offices which belong to the people be thus used against them? Shall they be parceled out as personal perquisites of public men? Are the deserving but poor and uninfluential citizens to be wholly thrust aside? Can we afford to inaugurate such a system as this? So far as I am concerned, I am not willing to agree to it, and desire to express my dissent by casting my vote against this bill.

I have no doubt, sir, that this or some similar measure divorcing the census from the protection of the civil-service law and turning it over to the base uses of those who desire to prostitute office for personal and party purposes, rather than to administer it for the welfare of the entire people, will pass Congress. When it does, the President of the United States will be called upon either to approve of it or to disapprove of it. The President has always professed to be a friend of the civil service. His utterances in Congress, when he was a member of this House, and his votes here have justified the belief that he is such a friend. To his honor be it said that he stood like a wall of adamant against gentlemen on the floor of this body who sought, in a previous session of this Congress, to attack and destroy the civil-service law.

When this bill comes to him for his consideration, I entertain the hope, in common with many other people in this country, that he will interpose against it a Presidential veto. The eyes of many people of this nation will be turned hopefully in his direction. If he sees fit to exercise the veto power, in my humble opinion it will result only in good to the country, in advantage to all of our citizens. If, upon the other hand, he sees fit to give it his approval—and he has, of course, the unquestioned right to do so—I can see no remedy except to submit to its unwise provisions and await the time when the quickened intelligence and conscience of the people will see the necessity, in a matter so important as the taking of a census, of divorcing it from all inaccuracy, from all evil, and of placing it upon a firm and reliable foundation, so that it will be regarded by all classes as entirely accurate and as a safe basis upon which to construct their calculations.

Mr. Speaker, I reserve the balance of my time.

Mr. SHAFROTH. Will the gentleman yield three minutes to me?

Mr. JOHNSON of Indiana. Mr. Speaker, how much time have I remaining?

The SPEAKER. The gentleman has ten minutes remaining.

Mr. JOHNSON of Indiana. How much time does the gentleman from Colorado require?

Mr. SHAFROTH. Three minutes is all the time I care for.

Mr. JOHNSON of Indiana. I desire to reserve five minutes for myself. I do not know that I shall utilize it. Does the gentleman from Illinois [Mr. HOPKINS] desire some additional time?

Mr. HOPKINS. I should like a little, but I shall ask unanimous consent for it.

Mr. JOHNSON of Indiana. Mr. Speaker, I will yield three minutes to the gentleman from Colorado.

Mr. SHAFROTH. Mr. Speaker, I have no doubt that there are many provisions of this bill that are worthy of support. But, Mr. Speaker, it is not a character of bill that ought to be presented to the House under a suspension of the rules. In the present status of this bill no amendment whatever can be offered to it, and it must be voted for exactly as the committee has presented it, or else it must be defeated. There are some very important omissions, in my judgment, in this bill. It ought to be considered either in Committee of the Whole or before the House, where amendments could be offered and voted on.

Mr. HOPKINS. Will the gentleman allow me just there? Does not the language of section 9, at the bottom of page 4, cover practically what the gentleman desires? It says "ownership of farms and homes."

Mr. SHAFROTH. I think not.

Mr. HOPKINS. That will indicate who own the farms and who are the tenants.

Mr. SHAFROTH. But that does not indicate the extent of the mortgage that may be against them; and it seems to me that an amendment ought to be made by putting in, after the word "public," "and private," so that it would be public and private and mortgage indebtedness. That would at least be one point that would be improved by an amendment.

Mr. HOPKINS. The gentleman ought to understand that

private indebtedness is impossible to get. You can not get any statistics that would be reliable. It would be regarded as a piece of impertinence by a great majority of men.

Mr. SHAFROTH. They could be made to answer, just like the other questions.

A MEMBER. We could do it again.

Mr. SHAFROTH. But, Mr. Speaker, it seems to me that the very fact that the members of this House have had no opportunity to examine this bill—and yet I have suggested an amendment which is replied to by the gentleman that he will not consent that the House shall even vote upon it—is sufficient reason why we should not pass the bill under suspension of the rules. [Applause.] We ought to have this bill before the Committee of the Whole House on the state of the Union or before the House itself, and then when an amendment should be offered it could be voted upon, and if a majority of this House say that such a matter as I have suggested ought not to be in it, then they can vote it down and I will heartily support the bill. There is no danger that the bill will not be passed.

Mr. STEELE. I would like to ask the gentleman what advantage it will be?

Mr. SHAFROTH. I can not yield to the gentleman. I have only three minutes. But, Mr. Speaker, when we take into consideration the number of defects that would appear if the bill were read by sections, when we take into consideration there is no opportunity given to offer amendments and have the amendments voted upon, it seems to me that the bill ought to be considered where that can be done and the bill perfected. [Applause.]

Mr. STEELE. Now the gentleman can tell what advantage there is to be gained by enumerating the private mortgages.

Mr. SHAFROTH. The advantage would be like all other information. It is of as considerable importance to know the condition of the people as to know how much the indebtedness is. It is as much so as collecting information about the public indebtedness; in fact, private indebtedness is harder to ascertain.

Mr. STEELE. I would say so.

Mr. SHAFROTH. And for that reason only once in ten times can you get even an approximate idea of it. It could be done by inserting a question in the interrogatories. It would not add one iota to the expense of taking the census should we include this one item.

Mr. SIMPSON. I would suggest to my friend that it was the only information gained in taking the Eleventh Census that the people cared for.

Mr. STEELE. Perhaps it was particularly cared for by my Populist friends.

Mr. JOHNSON of Indiana. Mr. Speaker, the gentleman from Illinois has asked me for the balance of my time. With the understanding that he uses it himself, I yield the balance of my time to him, which I understand to be seven minutes.

The SPEAKER. The gentleman has five minutes remaining.

Mr. HOPKINS. Mr. Speaker, I do not desire to take that time. I desire only to say to the gentleman from Colorado that the subject he desires to inject in this bill is a matter that would result in no good to anybody. As gentlemen have said around me, inquiries of that character would be regarded as a matter of impertinence, and if the information were made public it would ruin half the business men of the country. It looks like interfering with private affairs, and it is not——

Mr. KELLEY. Mr. Speaker——

Mr. HOPKINS. And it is not a fair subject of legislation.

The SPEAKER. The gentleman from Illinois declines to yield.

Mr. KELLEY. Has he declined or has the Speaker declined?

The SPEAKER. Does the gentleman from Illinois yield?

Mr. HOPKINS. I decline to yield. There has never been an investigation in any previous bill of this character.

Now, Mr. Speaker, just a word in reply to my friend from Indiana. I think the records of this House will show that my vote has always been cast in favor of civil-service reform where that matter has been properly before the House.

Mr. MARSH. Will my colleague yield for a question?

Mr. HOPKINS. I will yield.

Mr. MARSH. I desire to ask the gentleman whether this census bill is designed to cover the people of the Philippine Islands? [Laughter.]

Mr. HOPKINS. In answer to the gentleman from Indiana [Mr. JOHNSON], I desire to say that the Committee on Census gave a hearing to the National Civil Service League, and in the investigation that was had they admitted that the enumerators—the most numerous class of employees under this bill—could not be selected under civil-service rules. The same argument that excludes them from the civil service applies equally to the supervisors, so it is only the clerical force in the office at Washington that would come under the civil-service law.

Now, we believe from the investigation that we have made that section 7 of the bill provides for an examination that will give as efficient a clerical force to the Director of the Census in the discharge of his duty as it would be possible to secure from the Civil Service Commission. We find the trouble in the previous census did not exist so much from the fact that they were selected on noncompetitive examination as from the fact that the Bureau was under the control of the Interior Department.

When the Bureau was established rules were prepared by the Secretary of the Interior, under the advice of the Director of the Census, by which efficient help from all Departments was secured; but when there was a change of Administration and a new Secretary of the Interior came from the State of Georgia, who was hostile to the civil-service law, he abrogated all rules and all law governing this force and let into the service a lot of incompetents, and they are the ones that led Mr. Wright to indulge in the remark that has been quoted by the gentleman from Indiana [Mr. JOHNSON]. Now, I will say to him that by establishing a separate bureau, and making the Director of the Census responsible for the work, no such condition of affairs can exist as the one that was commented upon by him as existing in the Eleventh Census.

The SPEAKER. The time of the gentleman from Illinois has expired.

Mr. HOPKINS. Mr. Speaker, the gentleman from Iowa and a number of other gentlemen think that, in view of the fact that the close of this session is to be on the 4th of March, instead of having a separate bill it would be better to consider the Senate bill (S. 4545), and I move to strike out all after the enacting clause in that bill and substitute this bill, so as to put this question into conference at once. I therefore ask unanimous consent that this be done.

Mr. KELLEY. I object.

Mr. HOPKINS. Then, Mr. Speaker, I will change my motion, and, instead of asking unanimous consent, I move to suspend the rules, strike out all after the enacting clause in Senate bill 4545, and substitute House bill 11815.

Mr. BROSIUS. Are the bills identical? We do not know what is in the Senate bill.

Mr. HOPKINS. I move to strike out all after the enacting clause in the Senate bill and substitute the House bill.

Mr. HENDERSON. Make the House bill an amendment to the Senate bill?

Mr. HOPKINS. Yes; the motion makes the House bill an amendment.

Mr. DOCKERY. Then the gentleman withdraws his first motion?

Mr. HOPKINS. Yes.

The SPEAKER. That will require a new procedure.

Mr. KELLEY. Has the bill been reported by a committee?

Mr. HOPKINS. Yes.

Mr. MCRAE. On that last motion by the gentleman from Illinois [Mr. HOPKINS], Mr. Speaker, I demand a second.

Mr. BROSIUS. Mr. Speaker, a parliamentary inquiry.

The SPEAKER. The gentleman will state it.

Mr. BROSIUS. It seems to me this is in the nature of an amendment, and the question is whether it is permissible under the rules to amend the bill.

Mr. HOPKINS. Well, Mr. Speaker, I will withdraw my motion in view of the fact that objection was made to unanimous consent, and I ask for a vote on the bill.

The SPEAKER. The question is on suspending the rules and passing the House bill, which has been read to the House.

The question was taken; and the Chair stated that he was in doubt.

The House divided; and there were—ayes 147, noes 42.

So (two-thirds having voted in the affirmative) the rules were suspended and the bill was passed.

ANTI-CONTRACT LABOR LAWS.

Mr. GARDNER. Mr. Speaker, I move to suspend the rules and pass the bill (H. R. 11247) to extend the anti-contract labor laws of the United States to Hawaii.

The Clerk read the bill, as follows:

Be it enacted, etc., That the act approved February 26, 1885, "to prohibit the importation and migration of foreigners and aliens under contract or agreement to perform labor in the United States, its Territories and the District of Columbia," be, and the same is hereby, extended to the Hawaiian Islands.

With the following committee amendments:

In line 7, after the word Columbia, insert "and the acts amendatory thereof and supplemental thereto;" and in line 8 strike out the word "is" and insert "are."

Mr. KNOX. I demand a second on the motion to suspend the rules.

Mr. GARDNER. I ask unanimous consent that a second be considered as ordered.

There was no objection.

Mr. KNOX. Mr. Speaker, when this bill to extend the contract-labor laws to Hawaii was offered under a proposition for unanimous consent, I objected to it. When the same bill was again offered as an amendment to a bill from the Committee on the Merchant Marine and Fisheries, I raised the point of order that it was not germane, which point was sustained by the Speaker. I

rise at this time, however, not for the purpose of opposing the bill, but to state that those objections on my part were not made because I was not in hearty sympathy with the alien contract-labor laws of the United States, nor because I am not in hearty sympathy with the extension of those laws to all the territories that the United States has acquired, or which may, by any chance, be hereafter annexed to the United States. I believe that among the most difficult problems to arise in relation to these possessions will be the maintenance of the status of American laborers in the United States by the prevention of the importation into the United States of the products of cheap labor in those various islands.

My objection was that there is already before the House a bill reported by the Committee on Territories which extends entire the laws of the United States to the Hawaiian Islands, and creates an American Territory of those islands, and because I was desirous that that bill should receive consideration and be passed at this session of Congress. I felt that Hawaii is now a Territory of the United States and is entitled to a government to be created by the United States; that the people of those islands should have the benefit of all the laws of the United States. I was also opposed to the bill because I believed that this fragmentary method of legislation in regard to Hawaii is vicious in principle and will be found impracticable in operation. I believe that this measure, if passed, will not accomplish its purpose, for the reason that we have now no courts in Hawaii with jurisdiction over this subject. In my opinion it is far more important that a district court with the jurisdiction of a circuit court should be created there than that any other measure should now be passed with reference to the Hawaiian Islands.

Mr. TAWNEY. Will the gentleman kindly state to the House what the provisions of this bill are?

Mr. KNOX. It proposes to extend the alien contract-labor law, the law of 1885 and the amendments of that law, to the Hawaiian Islands.

Mr. HENDERSON. The real purpose is to keep Japanese labor out of Hawaii?

Mr. KNOX. Undoubtedly; and in its purpose it is an exceedingly meritorious bill.

Mr. ROBINSON of Indiana. Does the gentleman recognize the fact that by reason of his objection several thousands of those cheap laborers have come in at the ports of Hawaii?

Mr. KNOX. I do not recognize any such fact.

Mr. ROBINSON of Indiana. That is the current report of the newspapers.

Mr. KNOX. I have authentic information from the Treasury Department on that point. The contracts under which those laborers entered were made long before this bill was presented by the distinguished chairman of the Labor Committee of this House.

Already, Mr. Speaker, in the Hawaiian Islands, the laws of the United States, laws necessary for the proper government of the people there, can not be enforced because we have not a court of competent jurisdiction there. Already there are ships in the harbor of Honolulu which have been libeled, and the process of libel already pending can not be carried out because there is no district court there and no court with the jurisdiction of the circuit court of the United States. I think that those islands, having become a part of our territory, the people there are entitled to the protection of the laws of the United States, and I wish to say that if the bill providing for that object should fail, it will not be because the committee that has had the matter in charge did not give it prompt and careful attention, and did not report the bill summarily and, as I conceive, in time for action. With this statement I say again I have no further opposition to offer to this bill.

Mr. GARDNER. Mr. Speaker, the facts as officially ascertained, which make it undesirable to delay longer such legislation as this, are that 3,000 contract laborers are already known to have reached the Hawaiian Islands since the annexation, and that the very day following the passage of the resolutions of annexation contracts for the importation of only a few less than 6,000 laborers were approved by the government, and that some 3,900 of those laborers are to be brought in during the first quarter of 1899.

The gentleman from Massachusetts [Mr. KNOX] is unfair when he says that these contracts were made before the bill was introduced. The making of the contracts was the cause of the introduction of the bill. There is nobody in the United States, so far as I know, that wants the door left open for the importation of these Japanese coolies, save only the gentleman from Massachusetts, and he wants them for a special purpose—to wit, to assist the House of Representatives in passing a bill from the Committee on Territories.

Mr. KNOX. Mr. Speaker, I think the gentleman from New Jersey is exceedingly unfair in that statement. I have specially stated that I had no possible opposition to the passage of the bill, and was heartily in favor of the principles involved; that the bill should pass upon its merits; and if the bill reported by the Committee on the Territories is to fail, then I am in favor of the passage of this bill at the present time. It is unjust, therefore, to say that I desired to permit the importation of alien contract laborers into Hawaii through any opposition I had to this bill.

The gentleman also made a misstatement of my answer to the gentleman's question on the subject of contracts made before the passage of the bill. I stated the contracts were made before the bill was considered and reported to the House by the committee.

Mr. McRAE. Mr. Speaker, I desire a word only before the vote is taken upon the motion of the gentleman from New Jersey. I introduced this and thought it important for us to stop the importation of contract labor.

I wish to indorse what the gentleman from New Jersey has said about the necessity, and to thank him for the promptness with which he secured the report of the bill. Every labor organization in the country asks for the passage of this bill. The laws sought to be extended are applicable at present to the United States, and it seems to be exceedingly unfair to delay the passage of this bill to await the consideration of a code of laws for the control of the Hawaiian Islands.

However much we may want to consider the bill reported from the Committee on Territories by the gentleman from Massachusetts, to which reference has been made, that bill will probably not be considered by both branches during the present Congress, and another year will then elapse before anything is done, and 10,000 more people will be carried under the labor-contract laws of Hawaii contrary to the principle and spirit of the law which we have enacted for this country. It is an outrage to permit the present system of labor thus to continue.

This is one of the laws the commission which was sent by Congress to those islands recommended to be repealed; and it was urged and is urged in the report of the committee that it ought to be repealed. I hope therefore that the motion of the gentleman from New Jersey will prevail and the bill will be passed at once.

The SPEAKER. The question is on the motion to suspend the rules and pass the bill.

The question was taken; and two-thirds having voted in favor thereof, the rules were suspended and the bill was passed.

ARMY NURSES.

Mr. GRIFFIN. Mr. Speaker, I move to suspend the rules and pass the bill (H. R. 11770) to provide for the employment of women nurses in military hospitals of the Army, with the amendments of the Committee on Military Affairs.

Mr. FISCHER. On that I demand a second.

The SPEAKER. The bill will first be read.

The bill was read, as follows:

Be it enacted, etc., That from and after the passage of this act women nurses in the proportion of not more than one-half of 1 per cent of the number of enlisted men in the United States Army shall be employed in military hospitals, and shall constitute the woman's nursing service of the Army.

SEC. 2. That there shall be a commission known as the nursing service commission, composed of the Secretary of War, the General Commanding the Army, the Adjutant-General, and the Surgeon-General, ex-officio, and three women appointed by the President, who shall be nurses, graduates of a general hospital training school giving a course of instruction lasting not less than two years; and the terms of office of the first three so appointed under the provisions of this act shall be as follows: One for two years, one for three years, and one for four years, and all subsequent appointments shall be for the term of four years, and that this commission shall, subject to the provisions of this act, have general charge of the nursing service.

SEC. 3. That there shall be a superintendent of women nurses in the Army, who shall be a woman graduated from a general hospital training school for nurses having a course of instruction lasting not less than two years, and who shall be appointed by the President for a term of four years, and confirmed by the Senate, from candidates nominated by the commission. The superintendent shall be subject to the orders of the Surgeon-General.

SEC. 4. That the nurses in the service shall be divided into chiefs of nurses, head nurses, and assistant nurses, all of whom shall be graduates of general hospital training schools having courses of instruction lasting not less than two years, and shall present credentials and pass an examination to the satisfaction of the commission: *Provided*, That no chief nurse shall be appointed in hospitals having but one ward. Each chief of nurses shall be subject to the orders of and responsible to the surgeon in charge of the hospital for the nursing care of patients. Any nurse may be suspended by the chief of nurses, or by the surgeon in charge of the hospital through the chief of nurses, for incompetency or misconduct, and may be discharged by the Surgeon-General and the superintendent of nurses.

SEC. 5. That all further rules and regulations regarding admission to and conduct of the nursing service shall be formulated by the superintendent of nurses, subject to the approval of the commission: *Provided*, That all such nurses, before being so appointed, shall pass a satisfactory moral, professional, and physical examination. Ward masters and hospital corps men, when detailed for service in hospital wards, shall be subject to these rules and regulations.

SEC. 6. That the salary of each woman member of the commission shall be $6 per day when in actual service. The salary of the superintendent of nurses shall be $2,000 per annum. She shall be provided with suitable office facilities, and not to exceed two clerks for the transaction of business. The salary of chiefs of nurses shall be $75 per month. The salary of head nurses shall be $50 per month. The salary of assistant nurses shall be $40 per month: *Provided*, That in addition to the salaries above provided each woman member of the commission, the superintendent of nurses, and each nurse in the woman's nursing service shall be entitled to transportation and necessary expenses when traveling on public business: *And provided further*, That the nurses herein provided for, except the superintendent of nurses, shall be entitled to subsistence, uniforms, laundry, medical attendance, nursing, and medicines during illness.

SEC. 7. That all acts or parts of acts inconsistent with this act are hereby repealed.

Mr. GRIFFIN. I ask unanimous consent that a second may be considered as ordered.

Mr. FISCHER. Before that I want to know if the gentleman will consent, so far as he is concerned, to the adoption of an amendment, which I understand must be presented by unanimous consent now in order to find a place in the bill?

Mr. GRIFFIN. I have no objection to the amendment I understand the gentleman wishes to offer.

Mr. FISCHER. With that understanding, I will not insist upon a second.

Mr. STEELE. I demand a second on the bill.

Mr. FISCHER. But I think it proper that the proposed amendment should be read to the House.

Mr. STEELE. I demand a second without any condition.

The SPEAKER. A second is demanded, and the Chair will appoint the gentleman from Wisconsin [Mr. GRIFFIN] and the gentleman from Indiana [Mr. STEELE] as tellers.

Mr. STEELE. I have no objection to a second being considered as ordered.

The SPEAKER. The Chair will submit the request. Is there objection to the suggestion that a second be considered as ordered?

Mr. FISCHER. Now I will renew the request I made a few moments ago under a conditional arrangement with the gentleman from Wisconsin. If it be granted, I will not insist upon a second.

The SPEAKER. The gentleman from New York reserves his right to object to the second being ordered, and proposes the following amendment, which the Clerk will read.

The Clerk read as follows:

Provided, however, That in time of war the Secretary of War may avail himself of the services of duly qualified sisters of the Red Cross Society as voluntary nurses.

Mr. GRIFFIN. Will the gentleman please indicate at what part of the bill he desires to insert the amendment?

Mr. FISCHER. I should say after line 11.

Mr. STEELE. As I do not think the bill ought to pass anyway, I will object to that.

Mr. FISCHER. Then I object to the second being considered as ordered.

The SPEAKER. Objection is made, and the Chair will appoint tellers.

Mr. FISCHER and Mr. GRIFFIN were appointed tellers.

The House divided; and the tellers reported—ayes 84, noes 13.

Mr. STEELE. No quorum, Mr. Speaker.

The SPEAKER counted the House and announced 194 members, a quorum, present, and that a second was ordered.

Mr. STEELE. Mr. Speaker, I move that the House do now adjourn.

Mr. SULZER. I hope the House will not adjourn until this bill is passed.

The motion of Mr. STEELE was rejected.

The SPEAKER. The question is on suspending the rules and passing the bill, and the gentleman from Wisconsin [Mr. GRIFFIN] is recognized to control the time in favor of the bill, and the gentleman from New York [Mr. FISCHER] to control the time against it. The Chair understood the gentleman from New York [Mr. FISCHER] to demand a second.

Mr. GRIFFIN. Mr. Speaker, the purpose of this bill is to fix in the Army of the United States a woman's nursing service. As the Army is at present organized, while woman nurses are engaged and employed and serve to a limited extent and under certain conditions, yet they are not recognized in such form as to encourage that kind of service, which is as much needed as any service performed in the Army.

Mr. DOCKERY. Will the gentleman allow me to ask him what is the annual expense involved in the passage of this bill?

Mr. GRIFFIN. In reply to the question of the gentleman from Missouri, Mr. Speaker, I desire to say that it is impossible to state what the total aggregate annual expense will be, but an examination of the report will indicate what the salaries and rations will amount to for a minimum army of 50,000 men. If the Army should be increased to a hundred thousand, or any fraction beyond the 50,000, the basis upon which the computation is made renders it very easy to take this report as to salaries and rations and determine what the annual expense will be.

Mr. WHEELER of Kentucky. Will the gentleman allow me to ask him a question?

Mr. GRIFFIN. I will answer the question of the gentleman from Missouri [Mr. DOCKERY] first, and then I will yield to the gentleman from Kentucky. The total salaries proposed by this bill for an army of a minimum of 50,000 men are $135,230. That not only includes the nurses who are serving in army hospitals at various points where they are needed, but also includes the expense of a superintendent, and the per diem and expenses of 3 women, who are to be members of the commission with the 4 Government officers. The cost of the rations for that number of nurses, 250, is estimated at $36,500 annually. The two items added make a total expenditure for salaries, per diem and expenses, and rations of $171,730. That, I believe, answers the question of the gentleman from Missouri.

Mr. DOCKERY. Did the committee have before it any testimony about the cost of hiring nurses—whether or not the salaries fixed in this bill are reasonable compensation?

Mr. GRIFFIN. The committee had no expert testimony before it. It exercised its own judgment. It compared the salaries paid in private life, and also took the recommendations of the Surgeon-General.

Mr. WHEELER of Kentucky. Does the gentleman know of any instance where you can get a competent trained nurse for $40 a month? Has the gentleman had any experience in that direction?

Mr. GRIFFIN. I am sorry to say that I have had experience in employing competent nurses, and my experience would more than double that expense.

Mr. MCCLELLAN. Twenty dollars a week is the usual charge in New York for trained nurses.

Mr. GRIFFIN. I will say, Mr. Speaker, that those who represent this measure, those who framed it and asked Congress to pass it, are in communication with the trained nurses of this country, and it is their judgment that competent trained nurses who have graduated from a school giving two years' time to the proper education of nurses will be willing to serve for $40, and that a head nurse will serve for $50, and a chief nurse for $75 a month.

Mr. WHEELER of Kentucky. I just want to say to the gentleman that while, fortunately, I have not had the same experience that he has had in being compelled to hire trained nurses, I have been to some extent familiar with the matter by reason of my acquaintance with hospitals that have had trained nurses, and I have never yet known an instance where a first-class, well-graduated trained nurse would not command from two and a half to three and a half dollars per day at any time; and I do not believe the salary here proposed will enable the Government to get first-class trained nurses. I am for the bill if you make the salary large enough so that you can hire first-class people. I do not believe you can get them, though, for the proposed salary.

Mr. GRIFFIN. Mr. Speaker, they all have rations; they have allowance; they have their uniform, and their laundry is paid for; their quarters are provided; their traveling expenses are paid; and when you take into consideration all these allowances, you are getting somewhere near the amount that a trained nurse should have for her services.

Mr. WHEELER of Kentucky. The gentleman is entirely in error. There is not a hospital in the United States that does not furnish quarters, provisions, and uniforms for their trained nurses. If you are going to get a corps of this kind, pay a salary that will pay trained nurses to take these positions.

Mr. QUIGG. If they do not want any more, what is the use of giving it to them?

Mr. WHEELER of Kentucky. Oh, yes.

Mr. GRIFFIN. Those who represent the bill and represent the trained nurses of this country favor this monthly payment, and say to us that trained nurses, when needed, will respond to the call of the Government and perform the services for the amount provided for in this bill as compensation and the allowances which they will receive; and it seems to me that all those who believe as the gentleman does—and I am glad to know that he favors the measure—will support the bill without any question.

Mr. POWERS. Will the gentleman yield to me for a suggestion?

Mr. GRIFFIN. Certainly.

Mr. POWERS. In support of the proposition the gentleman is now making, is it not true that the nurses in hospitals and those in cities who charge three or four dollars a day are only employed a small portion of the year, and under this bill they would be employed from January to December, and therefore would work for less per month?

Mr. GRIFFIN. I thank the gentleman from Vermont for the suggestion. It is a good one, and it meets in a measure the objection which might be raised because the salary was insufficient. With the nurses in the service of the Government, it is a permanent employment and not a temporary one, and the nurses that serve in private families and in the hospitals in the cities are apt to be employed only temporarily, and hence for the time they are employed must charge as much money as those in whose service they may be are willing to pay, in order that during the time they are idle they may not be dependent upon others.

Mr. FOOTE. Will the gentleman allow me to ask him a question?

Mr. GRIFFIN. Certainly.

Mr. FOOTE. I am in favor of this bill, but I would like to ask, for information, if this bill provides that the Army or the Secretary of War may employ volunteer nurses when they are offered?

Mr. GRIFFIN. The colleague of the gentleman from New York proposes an amendment which gives the Secretary of War power to employ volunteer nurses in time of war. There is at the present time authority for such employment.

Mr. FOOTE. Does not this bill destroy that very feature of the law by which volunteer nurses are employed?

Mr. GRIFFIN. That is not my view of it.

Mr. SULZER. I will say it is not.

Mr. FOOTE. I am in favor of this bill if that is so; but I do not think we ought to cut out any volunteer nurses.

Mr. GRIFFIN. If the gentleman from New York shall insist upon his amendment, and it is accepted, then perhaps there will be no question about it.

Mr. MOODY. Will the gentleman allow me a question?

Mr. GRIFFIN. Certainly.

Mr. MOODY. Is it proposed to maintain this corps of nurses in time of peace as well as in time of war?

Mr. GRIFFIN. It is, I will say to the gentleman.

Mr. MOODY. Now, I would like to ask the further question. Has this bill been submitted to the Medical Department of the Army, and has it received the approval of the department?

Mr. GRIFFIN. The Surgeon-General approves the principle of trained nurses in the Army.

Mr. MOODY. Does he approve this bill?

Mr. GRIFFIN. He has not approved this bill, and I do not think he would approve it, because he desires to have complete control over the nurses in the service of the Army.

Mr. MOODY. Ought he not to?

Mr. GRIFFIN. In my opinion, no; emphatically no. [Applause.]

Mr. Speaker, we have had enough experience of the unfortunate system which has prevailed in this country with reference to the care of our sick and wounded soldiers that have needed proper care. We are progressing, and this is one step in advance of what we were yesterday, if we can only enact it into law. A commission composed of the Secretary of War, the Surgeon-General, the Adjutant-General, the Commander of the Army, and three women who are graduates of such institutions as I have described——

Mr. STEELE. The Surgeon-General is only ex officio a member of the commission.

Mr. GRIFFIN. He has an opportunity to vote.

Mr. STEELE. But only ex officio.

Mr. GRIFFIN. They are all ex officio members of the commission.

Mr. MOODY. Will the gentleman allow me to ask him another question?

Mr. GRIFFIN. Certainly.

Mr. MOODY. Is that board to be subordinate to any officer of the Army, or is it an independent corps? Is it under the command of any officer of the Army?

Mr. GRIFFIN. This corps is under the rules and regulations which may be prescribed by the commission.

Mr. MOODY. By these women commissioners?

Mr. GRIFFIN. No, sir; by the Secretary of War, by the Surgeon-General, by the Adjutant-General, by the Commander of the Army, four in number, and by three women. The Army has a majority of that commission, and can control the rules and regulations that may be adopted. The superintendent, in the first instance, being more familiar with the manner of nursing and what is essential for the proper control of that service, prepares the rules and regulations, but before they have any force they must be approved by this commission. Hence, I say, Mr. Speaker, that the entire control of this service is in the War Department.

Mr. DRIGGS. Does not this bill provide only for trained nurses, and not for volunteer nurses at all, under section 8, which says that "all acts and parts of acts inconsistent with this act shall be repealed?"

Mr. GRIFFIN. It is true that the bill does not in terms provide for any volunteer nurses. The amendment proposed by the gentleman's colleague from New York, which is not objectionable, will provide for it. Now, in reply to the gentlemen who desire to know if this system is to be in vogue in time of peace, I say, yes. It is absolutely necessary, if you wish to perfect an effective system of this kind, to obtain in time of war, that they shall be educated in time of peace to become familiar with Army regulations respecting that service.

Mr. HILL. I see by the report on the subject that the Secretary of War and Surgeon-General are opposed to this. Was there before the committee any officer of the Army who favored the adoption of this bill?

Mr. GRIFFIN. I will say there was not, except a representative of the Surgeon-General.

Mr. HILL. And he was opposed to it?

Mr. GRIFFIN. Yes.

Mr. HILL. No officer of the Army or the War Department appeared before the committee in favor of the bill.

Mr. GRIFFIN. No. I will say that the Secretary of War is not opposed to it. The gentleman is wrong in saying that the Secretary of War has expressed himself in opposition to it.

Mr. LIVINGSTON. Let me suggest to the gentleman that the universal observation of all who visited the hospitals was that the trained nurses were absolutely indispensable.

Mr. GRIFFIN. I supposed that the idea advanced by the gentleman from Georgia [Mr. LIVINGSTON] was known to every man on the floor of this House.

Mr. MORRIS. Will the gentleman from Wisconsin allow me a question?

Mr. GRIFFIN. Certainly.

Mr. MORRIS. Is it not a fact that there are already employed in the Army about 600 nurses?

Mr. GRIFFIN. There are between 500 and 600.

Mr. MORRIS. Are they not under the control of the Surgeon-General, and are not the rules and regulations governing them promulgated by him?

Mr. GRIFFIN. That is the fact.

Mr. MORRIS. And he can employ as many women nurses as he needs?

Mr. GRIFFIN. I think so.

Mr. MORRIS. And all you expect to do by this bill is to take the appointment and the making of the rules and regulations out of the hands of the Surgeon-General and put it into the hands of this board. Is not that about all?

Mr. GRIFFIN. That is about all there is to it.

Mr. MORRIS. One more question. Is it not a fact that on boards composed of any Secretary, or a Cabinet officer, or other high official there would scarcely ever be one of them present at a meeting of the board but the Surgeon-General, who would be responsible for the department, and thereby the three women would practically control the whole nurses' department?

Mr. GRIFFIN. To agree with the gentleman from Minnesota [Mr. MORRIS] would be to say that the highest officers of this Government would be guilty of a neglect of duty. I say emphatically and unqualifiedly that those officers would attend the meetings of that board. I wish to say further, because I think I am a little more familiar with the workings under this bill than the gentleman from Minnesota, that the meetings would be very infrequent. I apprehend that when they have met and formulated their rules and regulations they will not be obliged to meet again unless some very extreme case shall arise during that year. So that it will not be any great burden on them to attend the meetings of the commission.

And, sir, if it were possible that the women who are to be members of that board were to exercise such control over the appointment of nurses as to prove an injury to the service, certainly the four officers of the War Department would be most sure to attend the meetings and prevent any improper action in the control of the women of the nursing service of the Army, and to reconsider any improper rule or regulation which may have been made.

Mr. Speaker, if there are no further questions, I reserve the balance of my time, if I have any.

Mr. FISCHER. I yield to the gentleman from Indiana [Mr. STEELE].

Mr. STEELE. Mr. Speaker, my opposition to this bill is, first, because it takes from the Surgeon-General duties belonging to him under the present law—duties which he has faithfully administered in the employment of nurses to the number at one time of about 1,200, about 600 being now employed, and at wages higher than those proposed in this bill. You can not hire trained nurses for any such wages as this bill contemplates.

One of the worst troubles about the bill is that it is brought up here under a motion to suspend the rules, with no opportunity to amend it. Has the Surgeon-General been derelict in the discharge of his duty? Should he be "called down" any more than the head of any other department?

Has he been in any respect faithless to his trust? Certainly not. Yet you come here and say in this bill that two other officers and three women shall say what persons the Surgeon-General shall employ as nurses in the Army. And you give no opportunity to amend the bill in that respect. In addition to that, you provide that these nurses shall be paid so small a compensation as will make it impossible for you to hire the class of nurses that would be desirable in the Army. More than that, you cut out the volunteer nurses. In short, you propose to take from a great department of the Government, one that has done itself much credit in the service, the functions that properly belong to it, and give them over practically to three women. I have said this much so that the grounds of my opposition to the bill may be understood.

Mr. FISCHER. I yield one minute to the gentleman from Minnesota [Mr. MORRIS].

Mr. MORRIS. Mr. Speaker, I wish to say that I entirely agree to the employment of women nurses in the Army; but, as I am informed, and as the gentleman from Wisconsin has just stated, there is already authority vested in the Surgeon-General to employ just as many nurses as he wants to employ and to make all necessary and proper rules and regulations for the government of those nurses. The only object of this bill is to create a commission to appoint these nurses and then to govern them through rules and regulations——

Mr. SULZER. Is it not a fact that the Surgeon-General, at the

very beginning of the war with Spain, proposed to employ trained nurses in the Army?

Mr. MORRIS. I know nothing about that.

Mr. SULZER. It is a fact.

Mr. MORRIS. There are now 600 nurses employed by this Government under the Surgeon-General, and he has the right to employ just as many more as he chooses. Now, it would break down all discipline in any department of any military organization in the world to give to a commission the practical control of the employees of that military department. Would this House for one instant entertain a proposition to pass such a bill as this in reference to the Commissary Department, the Quartermaster's Department, or any other military department of the Government? Such a measure would be subversive of all discipline. That is the reason I oppose this bill. I hope the Government will employ trained nurses; I think they ought to be employed; but let them be employed by that department to which they belong, and let them be controlled by that department. If the head of that department is not fit to govern it, then get somebody that is.

Mr. STEELE. And give wages that will allow the employment of such nurses as we ought to have.

Mr. QUIGG. Does not the gentleman from Minnesota think that the question whether a measure of this kind will be subversive of discipline would depend entirely upon the regulations which these four Army officers may prescribe?

A MEMBER. And three women with them.

Mr. QUIGG. But the Army officers have the majority.

Mr. MORRIS. Any gentleman who knows anything about military organization knows that the responsibility of a military department can not be divided without a subversion of discipline. No military department of any government ought to be controlled by the method this bill proposes.

Mr. SULZER. Is there anything in this bill that does what the gentleman says?

Mr. MORRIS. I have said all that I care to say.

Mr. FISCHER. Mr. Speaker, my opposition to this bill in its present form is based upon a letter, which I will read:

To the House of Representatives:

The New York Red Cross protests against the passage of the House bill 11770 in its present form because it is inimical to the future work of the Red Cross in the cause of humanity in time of war, and would like to have a hearing on this measure before its passage.

WM. T. WARDWELL, *President.*
BETTINA HOFKER LESSER,
Sister in Chief.
WM. A. GANS, *Counsel.*

FEBRUARY 6, 1900.

The hearing which this letter asks has not been granted. In section 7 of the bill there is the usual clause, "that all acts and parts of acts inconsistent herewith are hereby repealed."

Mr. SULZER. The gentleman will allow me to say that there is nothing whatever in this bill which interferes directly or indirectly with the Red Cross Society.

Mr. FISCHER. I will show the gentleman, I think, that is not quite so before I conclude. I was just coming to that when he interrupted me.

That provision, repealing every law inconsistent with the provisions of this act, repeals sections 1238 and 1239 of the Revised Statutes, which provide that the Secretary of War may engage nurses, either voluntary or paid.

Mr. SULZER. There is no provision of law for the Red Cross nurses to repeal.

Mr. FISCHER. Now, if the present act should pass and these two sections are repealed, the Secretary of War or the Surgeon-General can not engage the services of a volunteer nurse. Under the provisions of this bill he will be compelled to avail himself only of paid nurses, as provided by the bill, who should pass and be mustered in by this board.

Mr. STEELE. Undoubtedly; that is correct.

Mr. FISCHER. My amendment would meet that objection, and that was the intention of the amendment.

Mr. SULZER. We have no objection to the amendment.

Mr. FISCHER. But the trouble is that unless I can procure unanimous consent in the House the amendment avails nothing. If any objection is made, of course it can not be inserted.

Mr. SULZER. As far as I am concerned, I will be glad to have you ask unanimous consent.

Mr. STEELE. No; do not do that.

Mr. SULZER. Ask unanimous consent——

Mr. STEELE. Who is running the gentleman from New York? [Laughter.]

Mr. SULZER. I am. [Laughter.]

Mr. FISCHER. Mr. Speaker, for the purpose of facilitating the passage of the bill I will ask unanimous consent for the adoption of the amendment I have heretofore suggested.

The SPEAKER. The Clerk will read the amendment suggested by the gentleman from New York, after which the Chair will ask if there be objection.

The Clerk read as follows:

Add at the end of line 11, page 4: "*Provided, however*, That in time of war the Secretary of War may avail himself of the services of duly qualified Sisters of the Red Cross Society as voluntary nurses."

The SPEAKER. Is there objection to the request of the gentleman from New York?

Mr. STEELE. I would have no objection to the amendment if you add after the words "Red Cross," "or other worthy societies or associations."

Mr. SULZER. We accept that.

Mr. MOODY. I will not object if they will consent that the second section be stricken out.

Mr. SULZER. Well, we will not accept that.

Mr. MOODY. Then I object.

Mr. FISCHER. Mr. Speaker, a single word in conclusion. This measure, now under consideration, fixes the salary of certain proposed officers and involves an expenditure of $175,000.

Mr. STEELE. Without adding for traveling expenses.

Mr. FISCHER. The Surgeon-General of the Army is fully able to meet the requirements of the service in time of war or peace for the employing of necessary nurses, and as has been said by the gentleman from Minnesota, if he is inefficient, some one else will be placed there. But the work should not be divided up in the manner proposed in this bill or the medical work taken away from the proper bureau of the Department.

I reserve the remainder of my time.

Mr. GRIFFIN. Mr. Speaker, I yield the balance of my time to the gentleman from New York [Mr. SULZER].

Mr. SULZER. Mr. Speaker, in the brief time at my disposal it will be impossible for me to explain to the House or to attempt to discuss the provisions of this bill. I concur, however, in all that has been so well said by the gentleman from Wisconsin [Mr. GRIFFIN].

This bill came to the Committee on Military Affairs from the loyal, patriotic women of America. A committee of those women appeared before us and most eloquently urged its favorable report. I was impressed with all they said, and, on deliberation, convinced that this bill should speedily become a law.

The committee have unanimously reported the bill, and there should not be, and I trust there will not be, any objection to its passage to-day. It is one of the best, one of the most humane, and one of the most essential bills in connection with the Army that we have had before us in this Congress.

Every member of this House knows, if he knows anything, that at the beginning of the recent war with Spain the Surgeon-General of the Army was absolutely opposed to having trained women nurses in the field and in the camps, and he only finally reluctantly consented to it when public opinion forced him to do so. History has shown that the Surgeon-General's opposition was wrong then, and, in my judgment, events will demonstrate that the Surgeon-General's opposition to this bill is wrong now.

You all know what those brave and heroic volunteer women nurses did for our sick and wounded soldier boys in the camps and at the front. No one can speak too highly or too eloquently of their patience, their fortitude, their devotion, and their noble self-sacrifice in the performance of duty to the sick and dying soldiers of the Union. Every woman who went to the front to do duty as a nurse is entitled to the gratitude of the American people. Every woman who went to the camps and to Cuba to nurse the sick, the wounded, and the dying soldiers of her country is a patriot entitled to the thanks of Congress, and she should receive from the hands of the President a medal of honor to commemorate her patriotism.

I have introduced a bill to do that, and ere I leave Congress I hope to place it on the statute books of the Republic.

You all know how our soldiers sickened and died in the camps and at the front. In my judgment, it would have been much worse if it had not been for the trained women nurses. It is impossible to estimate the beneficent services they rendered. Many a poor soldier would not be alive to-day if it were not for them. Many a dying comrade had his last hours made comfortable by their tender care and angelic ministrations.

All honor and all glory, I say, to the brave women nurses who went to the front and in the fever-stricken and pestilential camps. They were all heroines—every one. Their reward is the consciousness of duty well done, and their monument is in the patriotic hearts of the soldiers of the Republic. We owe them a debt of gratitude we never can repay.

And in that spirit, sir, I contend that this bill should pass, and I hope it will pass unanimously. It will be a shame and a disgrace if any member interposes an objection. The bill is a good one in all respects. There can be no honest, no just, criticism of it. The flimsy opposition sought to be raised here by a few gentlemen is a mere quibble and unworthy their gallantry or their patriotism.

We want trained women nurses in the Army. They are needed there just as much as trained nurses are needed in our hospitals. We want them in the Army in time of peace, and we want them

in time of war. We want them in time of peace to nurse the sick in the army hospitals. We want them in time of war to care for the ill in the camps and to minister to the wounded and the stricken carried from the field of battle. Their work is a work of their own—it can not be done by others.

My friends, a word more, and I am done. I notice my time is exhausted, and I will not detain the House.

To-day the patriotic women of America plead for this bill; to-day the brave soldiers of the Union ask for it and demand it; and in their name, in the name of justice to humanity and our own civilization, and, above all and beyond all, in the name of the loyal, the self-sacrificing, and the heroic women nurses who recently went to the front, I pray you, I appeal to you, to pass this bill ere this House adjourn to-day. [Loud applause.]

[Here the hammer fell.]

Mr. FISCHER. I yield one minute to the gentleman from Minnesota [Mr. MORRIS].

Mr. MORRIS. Mr. Speaker, I want to say, in reply to the remarks of the gentleman from New York [Mr. SULZER], that no man has any more regard for the women nurses than I have, but he must be mistaken in what he has said about the position of the Surgeon-General. I know of my own knowledge that one lady was appointed from my own district, upon my own recommendation, to be a nurse, and died in the service in the late war.

Mr. LANDIS. I should like to ask the gentleman a question.

Mr. MORRIS. I will yield to the gentleman.

Mr. LANDIS. Did not the Surgeon-General, in his testimony before the war investigating committee, slur women nurses?

Mr. MORRIS. I do not know anything about that.

Mr. LANDIS. He did.

Mr. STEELE. If he has done that, he ought to be turned out.

Mr. CANNON. If there be a bad Surgeon-General, he can be remedied.

Mr. LANDIS. I want to say that I am in favor of a new Surgeon-General, if this bill or a similar bill is not to pass.

Mr. HENDERSON. Mr. Speaker, I rise to a parliamentary inquiry. Is not the time for debate on this bill exhausted?

The SPEAKER. The gentleman from New York [Mr. FISCHER] has ten minutes.

Mr. FISCHER. I have no desire to occupy that time.

The SPEAKER. The question is on suspending the rules and passing the bill.

The question being taken, Mr. GRIFFIN demanded a division.

The House divided; and there were—ayes 100, noes 61.

The SPEAKER. Two-thirds not having voted in the affirmative——

Mr. GRIFFIN. Mr. Speaker, I call for the yeas and nays.

The yeas and nays were ordered.

The question was taken; and there were—yeas 124, nays 84, answered "present" 7, not voting 136; as follows:

YEAS—124.

Allen,	Dolliver,	Lawrence,	Ray,
Baker, Ill.	Dovener,	Lentz,	Ridgely,
Baker, Md.	Eddy,	Lewis, Ga.	Robertson, La.
Ball,	Evans,	Lewis, Wash.	Russell,
Barham,	Faris,	Linney,	Shafroth,
Barney,	Fitzgerald,	Livingston,	Showalter,
Barrows,	Foote,	Low,	Slayden,
Belknap,	Foss,	McCleary,	Smith, S. W.
Bell,	Gibson,	McClellan,	Smith, Wm. Alden
Berry,	Graff,	McCulloch,	Sperry,
Bishop,	Graham,	McIntire,	Spight,
Brosius,	Greene, Mass.	McLain,	Sprague,
Brown,	Greene, Nebr.	Marsh,	Stark,
Brucker,	Griffin,	Maxwell,	Stephens, Tex.
Brumm,	Griffith,	Meekison,	Stewart, N. J.
Burke,	Grout,	Mesick,	Stewart, Wis.
Burleigh,	Grow,	Miers, Ind.	Stone,
Butler,	Hawley,	Miller,	Strait,
Catchings,	Henry, Miss.	Mills,	Sturtevant,
Clardy,	Hepburn,	Minor,	Sulloway,
Cochran, Mo.	Hitt,	Mitchell,	Sulzer,
Codding,	Hopkins,	Newlands,	Sutherland,
Cooper, Tex.	Howe,	Otjen,	Tawney,
Cooper, Wis.	Hull,	Packer, Pa.	Taylor, Ala.
Cousins,	Johnson, N. Dak.	Parker, N. J.	Thorp,
Crump,	Kerr,	Payne,	Vincent,
Curtis, Iowa	Ketcham,	Perkins,	Walker, Mass.
Curtis, Kans.	Knowles,	Peters,	Weymouth,
Danford,	Knox,	Powers,	Wheeler, Ky.
Davidson, Wis.	Lacey,	Prince,	Williams, Miss.
Dick,	Landis,	Quigg,	Zenor.

NAYS—84.

Aldrich,	Clarke, N. H.	Elliott,	Howell,
Alexander,	Clayton,	Ellis,	Hunter,
Barlow,	Cochrane, N. Y.	Ermentrout,	Kirkpatrick,
Bartlett,	Connolly,	Fischer,	Kleberg,
Bingham,	Corliss,	Fowler, N. C.	Lester,
Bland,	Cowherd,	Gardner,	Littauer,
Bodine,	Cox,	Grosvenor,	Lloyd,
Brantley,	Crumpacker,	Hager,	Loud,
Brenner, Ohio	Dalzell,	Handy,	McRae,
Brundidge,	De Armond,	Henderson,	Maddox,
Burton,	De Graffenreid,	Henry, Ind.	Maguire,
Cannon,	Dinsmore,	Henry, Tex.	Moody,
Carmack,	Dockery,	Hill,	Morris,
Castle,	Driggs,	Howard, Ga.	Mudd,
Otey,	Robb,	Southwick,	Tate,
Pierce, Tenn.	Robinson, Ind.	Sparkman,	Tongue,
Pugh,	Settle,	Stallings,	Updegraff,
Reeves,	Shattuc,	Steele,	Vandiver,
Rhea,	Shuford,	Stevens, Minn.	Warner,
Richardson,	Simpson,	Strowd, N. C.	Williams, Pa.
Lacey,	Smith, Ky.	Talbert,	Yost.

ANSWERED "PRESENT"—7.

Broderick,	De Vries,	Hamilton,	Sims.
Bromwell,	Gaines,	Norton, S. C.	

NOT VOTING—136.

Acheson,	Cooney,	Jones, Wash.	Pearce, Mo.
Adams,	Cranford,	Joy,	Pearson,
Adamson,	Cummings,	Kelley,	Robbins,
Arnold,	Davenport,	King,	Royse,
Babcock,	Davey,	Kitchin,	Sauerhering,
Bailey,	Davis,	Kulp,	Shannon,
Baird,	Davison, Ky.	Lamb,	Shelden,
Bankhead,	Dayton,	Lanham,	Sherman,
Barber,	Dorr,	Latimer,	Skinner,
Barrett,	Fenton,	Little,	Smith, Ill.
Bartholdt,	Fitzpatrick,	Lorimer,	Snover,
Beach,	Fleming,	Loudenslager,	Southard,
Belden,	Fletcher,	Lovering,	Spalding,
Belford,	Fowler, N. J.	Lybrand,	Stokes,
Benner, Pa.	Fox,	McAleer,	Strode, Nebr.
Bennett,	Gillet, N. Y.	McCall,	Swanson,
Benton,	Gillett, Mass.	McCormick,	Tayler, Ohio
Booze,	Griggs,	McDonald,	Terry,
Botkin,	Gunn,	McDowell,	Todd,
Boutell, Ill.	Harmer,	McEwan,	Underwood,
Boutelle, Me.	Hartman,	Mahany,	Van Voorhis,
Bradley,	Hay,	Mahon,	Vehslage,
Brewer,	Heatwole,	Mann,	Wadsworth,
Brewster,	Hemenway,	Marshall,	Walker, Va.
Broussard,	Henry, Conn.	Martin,	Wanger,
Brownlow,	Hicks,	Mercer,	Ward,
Bull,	Hilborn,	Meyer, La.	Weaver,
Campbell,	Hinrichsen,	Moon,	Wheeler, Ala.
Capron,	Howard, Ala.	Norton, Ohio	White, Ill.
Chickering,	Hurley,	Odell,	White, N. C.
Clark, Iowa	Jenkins,	Ogden,	Wilber,
Clark, Mo.	Jett,	Olmsted,	Wilson,
Colson,	Johnson, Ind.	Osborne,	Wise,
Connell,	Jones, Va.	Overstreet,	Young.

So (two-thirds not voting in the affirmative) the motion to suspend the rules and pass the bill was lost.

Mr. BAILEY. I did not know that the second roll call had been made.

The SPEAKER pro tempore (Mr. CURTIS of Kansas). The roll was called a second time.

Mr. BAILEY. I heard my name on the first, and intended to vote on the second call. I presume I am not within the rule.

The SPEAKER pro tempore. The gentleman is not within the rule.

The following pairs were announced:

Until further notice:

Mr. BELDEN with Mr. JETT.

Mr. WISE with Mr. NORTON of South Carolina.

Mr. VAN VOORHIS with Mr. MCDOWELL.

Mr. SOUTHARD with Mr. OSBORNE.

Mr. BROWNLOW with Mr. DAVIS.

Mr. BARRETT with Mr. CRANFORD.

Mr. ADAMS with Mr. BERRY.

Mr. CONNELL with Mr. UNDERWOOD.

Mr. WARD with Mr. LATIMER.

Mr. WEAVER with Mr. MARSHALL.

Mr. BARTHOLDT with Mr. OGDEN.

Mr. DANFORD with Mr. FITZPATRICK.

Mr. PEARSON with Mr. DAVEY.

Mr. BARRETT with Mr. FOX.

Mr. ODELL with Mr. KING.

Mr. WANGER with Mr. ADAMSON.

Mr. LORIMER with Mr. SWANSON.

Mr. CHICKERING with Mr. PIERCE of Tennessee.

Mr. LITTAUER with Mr. NORTON of Ohio.

Mr. MCEWAN with Mr. VEHSLAGE.

For this day:

Mr. HARMER with Mr. TODD.

Mr. ACHESON with Mr. STOKES.

Mr. BRODERICK with Mr. LANHAM.

Mr. LOUDENSLAGER with Mr. TERRY.

Mr. JENKINS with DE VRIES.

Mr. JOY with Mr. LITTLE.

Mr. YOUNG with Mr. CLARK of Missouri.

Mr. SHELDEN with Mr. BAILEY.

Mr. BOOZE with Mr. WILSON.

Mr. CHICKERING with Mr. DE GRAFFENREID.

Mr. DAYTON with Mr. BENTON.

Mr. DORR with Mr. KITCHIN.

Mr. EDDY with Mr. BRADLEY.

Mr. WADSWORTH with Mr. HAY.

Mr. WHITE of Illinois with Mr. JONES of Washington.

Mr. GILLETT of Massachusetts with Mr. BREWER.

Mr. HAMILTON with Mr. COONEY.

Mr. BOUTELL of Illinois with Mr. GRIGGS.

Mr. BENNETT with Mr. GAINES.
Mr. HEATWOLE with Mr. CUMMINGS.
Mr. LYBRAND with Mr. ELLIOTT.
Mr. MCCALL with Mr. HINRICHSEN.
Mr. MERCER with Mr. JONES of Virginia.
Mr. BULL with Mr. BANKHEAD.
Mr. SHERMAN with Mr. UNDERWOOD.

Mr. GAINES. I am paired with the gentleman from New York [Mr. BENNETT], and therefore withdraw my negative vote and wish to be recorded as "present."

The result of the vote was then announced as above recorded.

NATIONAL MILITARY PARK NEAR VICKSBURG.

Mr. HULL. Mr. Speaker, I move to suspend the rules and pass the following bill with the amendments recommended by the committee.

The SPEAKER. The gentleman from Iowa, chairman of the Committee on Military Affairs, moves that the rules be suspended and the following bill be passed.

The Clerk read as follows:

A bill (H. R. 4382) to establish a national military park to commemorate the campaign, siege, and defense of Vicksburg.

Mr. HULL. Mr. Speaker, I ask unanimous consent that the reading of the bill be dispensed with.

Mr. BAILEY. How long a bill is this?

Mr. HULL. Four or five pages.

The SPEAKER. Nine pages.

Mr. BAILEY. I suppose there is going to be no opposition. I think it is a bad practice to pass bills without being read. It will not take long to read the bill, and I understand that is all there will be about it.

Mr. HULL. Very well; I withdraw the request.

The Clerk read the bill, as follows:

A bill (H. R. 4382) to establish a national military park to commemorate the campaign, siege, and defense of Vicksburg.

Be it enacted, etc., That in order to commemorate the campaign and siege and defense of Vicksburg, and to preserve the history of the battles and operations of the siege and defense on the ground where they were fought and were carried on, the battlefield of Vicksburg, in the State of Mississippi, is hereby declared to be a national military park whenever the title to the same shall have been acquired by the United States and the usual jurisdiction over the lands and roads of the same shall have been granted to the United States by the State of Mississippi; that is to say, the area inclosed by the following lines, or so much thereof as the commissioners of the park may deem necessary, to wit: Beginning near the point where the graveyard road, now known as the City Cemetery road, crosses the line of the Confederate earthworks, thence north about 80 rods, thence in an easterly direction about 120 rods, thence in a southerly direction, and keeping as far from the line of the Confederate earthworks as the purposes of the park may require and as the park commission, to be hereinafter named, may determine, but not distant from the nearest point on said line of Confederate earthworks more than 160 rods at any part, to a point about 40 rods south and from 80 to 160 rods east of Fort Garrott, also known as the "Square Fort;" thence in a westerly direction to a point in the rear of said Fort Garrott, thence in a northerly direction across the line of the Confederate earthworks and to a point about 200 feet in the rear of the said line of Confederate earthworks, thence in a general northerly direction, and at an approximate distance of about 200 feet in the rear of the line of Confederate earthworks as the conformation of the ground may require, to the place of beginning. This to constitute the main body of the park. In addition thereto a strip of land about 264 feet in width along and including the remaining parts of the Confederate earthworks, namely, from the north part of said main body of the park to and including Fort Hill or Fort Nogales, on the high hill overlooking the national cemetery, and from the south part of said main body of the park to the edge of the bluff at the river below the city of Vicksburg; and also in addition thereto a strip of land about 264 feet in width, as near as may be, along and including the Federal lines opposed to the Confederate lines herein and above named and not included in the main body of the park; and in further addition thereto such points of interest as the commission may deem necessary for the purposes of the park and the Secretary of War may approve; the whole containing about 1,200 acres, and costing not to exceed $50,000.

SEC. 2. That the establishment of the Vicksburg national military park shall be carried forward under the control and direction of the Secretary of War; and the Secretary of War shall, upon the passage of this act, proceed to acquire title to the same by voluntary conveyance or under the act approved August 1, 1888, entitled "An act to authorize the condemnation of land for sites of public buildings, and for other purposes," or under act approved February 22, 1867, entitled "An act to establish and protect national cemeteries," as he may elect or deem practicable, and when the title is procured to all of the lands and roads within the boundaries of the proposed park as described in section 1 of this act, he may proceed with the establishment of the park; and he shall detail an officer of the Engineer Corps of the Army to assist the commissioners in establishing the park.

SEC. 3. That the Secretary of War is hereby authorized to enter into agreements of leasing upon such terms as he may prescribe, with such occupants or tenants of the lands as may desire to remain upon it, to occupy and cultivate their present holdings upon condition that they will preserve the present buildings and roads and the present outlines of field and forest, and that they will only cut trees or underbrush under such regulations as the Secretary of War may prescribe, and that they will assist in caring for and protecting all tablets, monuments, or such other artificial works as may from time to time be erected by proper authority.

SEC. 4. That the affairs of the Vicksburg national military park shall, subject to the supervision and direction of the Secretary of War, be in charge of three commissioners, to be appointed by the Secretary of War, each of whom shall have served at the time of the siege and defense in one of the armies engaged therein, two of whom shall have served in the army commanded by General Grant and one in the army commanded by General Pemberton. The commissioners shall elect one of their number chairman. They shall also elect, subject to the approval of the Secretary of War, a secretary, who shall also be historian, and who shall possess the requisite qualifications of a commissioner, and they and the secretary shall have an office in the city of Vicksburg, Miss., or on the grounds of the park, and be paid such compensation as the Secretary of War shall deem reasonable and just.

SEC. 5. That it shall be the duty of the commissioners named in the preceding section, under the direction of the Secretary of War, to restore the forts and the lines of fortification, the parallels and the approaches of the two armies, or so much thereof as may be necessary to the purposes of this park; to open and construct and to repair such roads as may be necessary to said purposes, and to ascertain and mark with historical tablets, or otherwise, as the Secretary of War may determine, the lines of battle of the troops engaged in the assaults, and the lines held by the troops during the siege and defense of Vicksburg, the headquarters of General Grant and of General Pemberton, and other historical points of interest pertaining to the siege and defense of Vicksburg within the park or its vicinity; and the said commissioners in establishing this military park shall also have authority, under the direction of the Secretary of War, to do all things necessary to the purposes of the park, and for its establishment under such regulations as he may consider best for the interest of the Government, and the Secretary of War shall make and enforce all needful regulations for the care of the park.

SEC. 6. That it shall be lawful for any State that had troops engaged in the siege and defense of Vicksburg to enter upon the lands of the Vicksburg national military park for the purpose of ascertaining and marking the lines of battle of its troops engaged therein: *Provided*, That before any such lines are permanently designated the position of the lines and the proposed methods of marking them by monuments, tablets, or otherwise shall be submitted to and approved by the Secretary of War, and all such lines, designs, and inscriptions for the same shall first receive the written approval of the Secretary of War, which approval shall be based upon formal written reports which must be made to him in each case by the commissioners of the parks; and no monument, tablet, or other designating indication shall be erected or placed within said park or vicinity without such written authority of the Secretary of War: *Provided*, That no discrimination shall be made against any State as to the manner of designating lines, but any grant made to any State by the Secretary of War may be used by any other State. The provisions of this section shall also apply to organizations and persons; and as the Vicksburg National Cemetery is on ground partly occupied by Federal lines during the siege of Vicksburg, the provisions of this section, as far as may be practicable, shall apply to monuments or tablets designating such lines within the limits of that cemetery.

SEC. 7. That if any person shall, except by permission of the Secretary of War, destroy, mutilate, deface, injure, or remove any monument, column, statue, memorial structure, tablet, or work of art that shall be erected or placed upon the grounds of the park by lawful authority, or shall destroy or remove any fence, railing, inclosure, or other work for the protection or ornament of said park, or any portion thereof, or shall destroy, cut, hack, bark, break down, or otherwise injure any tree, bush, or shrubbery that may be growing upon said park, or shall cut down or fell or remove any timber, battle relic, tree, or trees growing or being upon said park, or hunt within the limits of the park, or shall remove or destroy any breastworks, earthworks, walls, or other defenses or shelter on any part thereof constructed by the armies formerly engaged in the battles, on the lands or approaches to the park, any person so offending and found guilty thereof, before any United States commissioner or court, justice of the peace of the county in which the offense may be committed, or any court of competent jurisdiction, shall for each and every such offense forfeit and pay a fine in the discretion of the said commissioner or court of the United States or justice of the peace, according to the aggravation of the offense, of not less than five nor more than five hundred dollars, one-half for the use of the park and the other half to the informant, to be enforced and recovered before such United States commissioner or court or justice of the peace or other court in like manner as debts of like nature are now by law recoverable in the several counties where the offense may be committed.

SEC. 8. That to enable the Secretary of War to begin to carry out the purpose of this act, including the condemnation or purchase of the necessary land, marking the boundaries of the park, opening or repairing necessary roads, restoring the field to its condition at the time of the battle, maps and surveys, material, labor, clerical, and all other necessary assistants, and the pay and expenses of the commissioners and their secretary and assistants, the sum of $65,000, or such portion thereof as may be necessary, is hereby appropriated, out of any moneys in the Treasury not otherwise appropriated, and disbursements under this act shall require the approval of the Secretary of War, and he shall make annual report of the same to Congress.

A second was not demanded.

The SPEAKER. The question is on suspending the rules and passing the bill.

The question was taken; and, in the opinion of the Chair, two-thirds having voted in the affirmative, the rules were suspended and the bill was passed.

GRANT OF CERTAIN LANDS TO THE STATE OF ALABAMA.

Mr. ALDRICH. Mr. Speaker, I move that the rules be suspended and the Senate bill which I send to the desk be passed.

The Clerk read as follows:

A bill (S. 2768) to grant lands to the State of Alabama for the use of the Industrial School for Girls of Alabama and of the Tuskegee Normal and Industrial Institute.

Be it enacted, etc., That the governor of the State of Alabama be, and he is hereby, authorized to select, out of the unoccupied and uninhabited lands of the United States within the said State, 25,000 acres of land, and shall certify the same to the Secretary of the Interior, who shall forthwith, upon receipt of said certificate, issue to the State of Alabama patents for said lands: *Provided*, That the proceeds of said lands when sold or leased shall forever remain a fund for the use of the Industrial School for Girls of Alabama, located at Montevallo, Ala.

SEC. 2. That the governor of the State of Alabama be, and he is hereby, authorized to select, out of the unoccupied and uninhabited lands of the United States within the said State, 25,000 acres of land, and shall certify the same to the Secretary of the Interior, who shall forthwith, upon receipt of said certificate, issue to the State of Alabama patents for said lands: *Provided*, That the proceeds of said lands when sold or leased shall forever remain a fund for the use of the Tuskegee Normal and Industrial Institute.

The SPEAKER. Is a second demanded?

Mr. DOCKERY. Is this bill unanimously reported by the committee?

Mr. ALDRICH. It is.

The question was taken on suspending the rules and passing the bill; and the SPEAKER announced that the ayes seemed to have it.

Mr. HOWE. Division. [After a pause.] Mr. Speaker, I withdraw the demand for a division.

The SPEAKER. The demand for a division is withdrawn. The ayes have it; and, in the opinion of the Chair, two-thirds

having voted in the affirmative, the rules are suspended and the bill is passed.

Mr. PAYNE. I move that the House adjourn.

ENROLLED BILL SIGNED.

Mr. HAGER, from the Committee on Enrolled Bills, reported that they had examined and found truly enrolled a bill of the following title; when the Speaker signed the same:

H. R. 11487. An act making appropriations for the diplomatic and consular service for the fiscal year ending June 30, 1900.

The motion to adjourn was then agreed to; and accordingly (at 5 o'clock and 18 minutes p. m.) the House adjourned.

EXECUTIVE COMMUNICATIONS, ETC.

Under clause 2 of Rule XXIV, the following executive and other communications were taken from the Speaker's table and referred as follows:

A letter from the Commissioner of Patents, transmitting his annual report for 1898—to the Committee on Patents, and ordered to be printed.

A letter from the Secretary of the Treasury, transmitting a communication from the Secretary of War transmitting a supplemental estimate of appropriation for "Salaries, office of the Secretary of War"—to the Committee on Appropriations, and ordered to be printed.

REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS.

Under clause 2 of Rule XIII, bills and resolutions of the following titles were severally reported from committees, delivered to the Clerk, and referred to the several Calendars therein named, as follows:

Mr. BANKHEAD, from the Committee on Public Buildings and Grounds, to which was referred the bill of the Senate (S. 1964) for the erection of a public building for the use of the custom-house and post-office at Newport News, in the district of Newport News, Va., reported the same with amendment, accompanied by a report (No. 1929); which said bill and report were referred to the Committee of the Whole House on the state of the Union.

Mr. MERCER, from the Committee on Public Buildings and Grounds, to which was referred the bill of the House (H. R. 10969) for the erection of a public building in the city of Blair, Nebr., reported the same with amendment, accompanied by a report (No. 1930); which said bill and report were referred to the Committee of the Whole House on the state of the Union.

Mr. HICKS, from the Committee on Public Buildings and Grounds, to which was referred the bill of the Senate (S. 1273) for a public building at the city of Altoona, Pa., and appropriating money therefor, reported the same with amendment, accompanied by a report (No. 1931); which said bill and report were referred to the Committee of the Whole House on the state of the Union.

Mr. SKINNER, from the Committee on Public Buildings and Grounds, to which was referred the bill of the House (H. R. 1088) to provide for the erection of a public building at Elizabeth City, N. C., reported the same with amendment, accompanied by a report (No. 1932); which said bill and report were referred to the Committee of the Whole House on the state of the Union.

Mr. HILBORN, from the Committee on Public Buildings and Grounds, to which was referred the bill of the Senate (S. 706) to provide for the purchase of a site for and the erection of a public building at Oakland, in the State of California, reported the same with amendment, accompanied by a report (No. 1933); which said bill and report were referred to the Committee of the Whole House on the state of the Union.

Mr. GILLET of New York, from the Committee on Public Buildings and Grounds, to which was referred the bill of the House (H. R. 11861) for the erection of a public building at Elmira, N. Y., reported the same without amendment, accompanied by a report (No. 1934); which said bill and report were referred to the Committee of the Whole House on the state of the Union.

Mr. LITTLE, from the Committee on Public Buildings and Grounds, to which was referred the bill of the House (H. R. 1139) to provide for a building for the use of the post-office, office of the superintendent of the Hot Springs Reservation, and other civil offices in the city of Hot Springs, Ark., reported the same with amendment, accompanied by a report (No. 1935); which said bill and report were referred to the Committee of the Whole House on the state of the Union.

Mr. WEYMOUTH, from the Committee on Public Buildings and Grounds, to which was referred the bill of the House (H. R. 521) for the erection of a public building at Fitchburg, Mass., reported the same with amendment, accompanied by a report (No. 1936); which said bill and report were referred to the Committee of the Whole House on the state of the Union.

Mr. HOWELL, from the Committee on Public Buildings and Grounds, to which was referred the bill of the House (H. R. 11883) for the purchase of a site and the erection of a public building thereon in the city of New Brunswick, N. J., reported the same without amendment, accompanied by a report (No. 1937); which said bill and report were referred to the Committee of the Whole House on the state of the Union.

Mr. BROUSSARD, from the Committee on Public Buildings and Grounds, to which was referred the bill of the House (H. R. 11314) to provide for a public building at New Iberia, La., reported the same with amendment, accompanied by a report (No. 1938); which said bill and report were referred to the Committee of the Whole House on the state of the Union.

Mr. DORR, from the Committee on Public Buildings and Grounds, to which was referred the bill of the House (H. R. 5974) to provide for the purchase of a site and the erection of a building thereon at Bluefield, in the State of West Virginia, reported the same with amendment, accompanied by a report (No. 1939); which said bill and report were referred to the Committee of the Whole House on the state of the Union.

Mr. MERCER, from the Committee on Public Buildings and Grounds, to which was referred the bill of the House (H. R. 10962) to provide for the purchase of a site and the erection of a public building thereon at Joliet, in the State of Illinois, reported the same with amendment, accompanied by a report (No. 1941); which said bill and report were referred to the Committee of the Whole House on the state of the Union.

Mr. BRANTLEY, from the Committee on Public Buildings and Grounds, to which was referred the bill of the House (H. R. 447) for the erection of a custom-house and post-office building at Brunswick, Ga., reported the same with amendment, accompanied by a report (No. 1942); which said bill and report were referred to the Committee of the Whole House on the state of the Union.

Mr. MERCER, from the Committee on Public Buildings and Grounds, to which was referred the bill of the Senate (S. 1056) to provide for a public building at Cleveland, Ohio, reported the same with amendment, accompanied by a report (No. 1943); which said bill and report were referred to the Committee of the Whole House on the state of the Union.

He also, from the same committee, to which was referred the bill of the House (H. R. 4076) for enlarging the public building at Topeka, Kans., reported the same with amendment, accompanied by a report (No. 1944); which said bill and report were referred to the Committee of the Whole House on the state of the Union.

He also, from the same committee, to which was referred the bill of the Senate (S. 926) to provide for the erection of a public building at Beaumont, Tex., reported the same with amendment, accompanied by a report (No. 1945); which said bill and report were referred to the Committee of the Whole House on the state of the Union.

He also, from the same committee, to which was referred the bill of the House (H. R. 484) providing for the erection of an addition to the United States custom-house and post-office building in the city of Dubuque, Iowa, reported the same with amendment, accompanied by a report (No. 1946); which said bill and report were referred to the Committee of the Whole House on the state of the Union.

He also, from the same committee, to which was referred the bill of the House (H. R. 6) to increase the limit of cost for the purchase of site and the erection of a public building at Omaha, Nebr., reported the same with amendment, accompanied by a report (No. 1947); which said bill and report were referred to the Committee of the Whole House on the state of the Union.

He also, from the same committee, to which was referred the bill of the Senate (S. 1271) for a public building at the city of Wilkesbarre, Pa., and appropriating money therefor, reported the same with amendment, accompanied by a report (No. 1948); which said bill and report were referred to the Committee of the Whole House on the state of the Union.

He also, from the same committee, to which was referred the bill of the House (H. R. 5536) appropriating money for an annex to the Federal building at Jackson, Miss., reported the same with amendment, accompanied by a report (No. 1949); which said bill and report were referred to the Committee of the Whole House on the state of the Union.

He also, from the same committee, to which was referred the bill of the House (H. R. 4396) for the erection of a public building in the city of Elgin, Ill., reported the same with amendment, accompanied by a report (No. 1950); which said bill and report were referred to the Committee of the Whole House on the state of the Union.

He also, from the same committee, to which was referred the bill of the House (H. R. 11056) authorizing and directing the construction of an addition to the United States post-office in the city of Minneapolis, Minn., reported the same with amendment, accompanied by a report (No. 1951); which said bill and report were referred to the Committee of the Whole House on the state of the Union.

He also, from the same committee, to which was referred the bill of the Senate (S. 164) to provide for the construction of a public building at Butte City, Mont., reported the same with amendment, accompanied by a report (No. 1952); which said bill and report were referred to the Committee of the Whole House on the state of the Union.

He also, from the same committee, to which was referred the bill of the House (H. R. 11360) for the erection of a public building at Creston, Iowa, reported the same with amendment, accompanied by a report (No. 1953); which said bill and report were referred to the Committee of the Whole House on the state of the Union.

He also, from the same committee, to which was referred the bill of the House (H. R. 11141) for the erection of a public building at Annapolis, Md., reported the same with amendment, accompanied by a report (No. 1954); which said bill and report were referred to the Committee of the Whole House on the state of the Union.

He also, from the same committee, to which was referred the bill of the Senate (S. 1896) to provide for the purchase of a site and for the erection of a public building thereon at Salt Lake City, the capital of the State of Utah, reported the same with amendment, accompanied by a report (No. 1955); which said bill and report were referred to the Committee of the Whole House on the state of the Union.

He also, from the same committee, to which was referred the bill of the House (H. R. 11162) to provide for the construction of a public building at the city of Janesville, Wis., reported the same with amendment, accompanied by a report (No. 1956); which said bill and report were referred to the Committee of the Whole House on the state of the Union.

He also, from the same committee, to which was referred the bill of the House (H. R. 11728) to remove the fire limit from the post-office at Bridgeport, Conn., reported the same without amendment, accompanied by a report (No. 1957); which said bill and report were referred to the Committee of the Whole House on the state of the Union.

He also, from the same committee, to which was referred the bill of the House (H. R. 2) to provide for the erection of a public building at Indianapolis, Ind., reported the same with amendment, accompanied by a report (No. 1958); which said bill and report were referred to the Committee of the Whole House on the state of the Union.

He also, from the same committee, to which was referred the bill of the Senate (S. 146) to provide for the erection of a public building at Indianapolis, Ind., reported the same with amendment, accompanied by a report (No. 1959); which said bill and report were referred to the Committee of the Whole House on the state of the Union.

He also, from the same committee, to which was referred the bill of the Senate (S. 346) providing for the erection of a public building at the city of Seattle, in the State of Washington, reported the same with an amendment, accompanied by a report (No. 1960); which said bill and report were referred to the Committee of the Whole House on the state of the Union.

He also, from the same committee, to which was referred the bill of the House (H. R. 75) providing for the erection of an addition to the United States public building at Canton, Ohio, reported the same without amendment, accompanied by a report (No. 1961); which said bill and report were referred to the Committee of the Whole House on the state of the Union.

He also, from the same committee, to which was referred the bill of the House (H. R. 11530) authorizing the extension of the post-office building at Springfield, Mass., reported the same without amendment, accompanied by a report (No. 1962); which said bill and report were referred to the Committee of the Whole House on the state of the Union.

He also, from the same committee, to which was referred the bill of the Senate (S. 88) to provide for the purchase of sites for public buildings in the cities of Hastings and Norfolk, in the State of Nebraska, and for other purposes, reported the same with amendments, accompanied by a report (No. 1963); which said bill and report were referred to the Committee of the Whole House on the state of the Union.

He also, from the same committee, to which was referred the bill of the House (H. R. 9077) to supplement and amend an act entitled "An act for the erection of a new custom-house in the city of New York, and for other purposes," approved March 3, 1891, reported the same with an amendment, accompanied by a report (No. 1964); which said bill and report were referred to the Committee of the Whole House on the state of the Union.

He also, from the same committee, to which was referred the bill of the Senate (S. 2048) for the erection of a public building at Fergus Falls, Minn., reported the same with an amendment, accompanied by a report (No. 1965); which said bill and report were referred to the Committee of the Whole House on the state of the Union.

He also, from the same committee, to which was referred the bill of the House (H. R. 11686) providing for the purchase of additional property for the use of the post-office and other Government offices in the city of Brooklyn, State of New York, reported the same with an amendment, accompanied by a report (No. 1966); which said bill and report were referred to the Committee of the Whole House on the state of the Union.

He also, from the same committee, to which was referred the bill of the House (H. R. 2129) to provide for the erection of a public building at Kansas City, Kans., reported the same with an amendment, accompanied by a report (No. 1967); which said bill and report were referred to the Committee of the Whole House on the state of the Union.

He also, from the same committee, to which was referred the bill of the Senate (S. 710) to provide for the purchase of additional land in square now occupied by the custom-house in the city of Baltimore, Md., and for the erection of a new public building thereon for the accommodation of the Government service in said city, reported the same with an amendment, accompanied by a report (No. 1968); which said bill and report were referred to the Committee of the Whole House on the state of the Union.

He also, from the same committee, to which was referred the bill of the House (H. R. 11965) to provide for the purchase of a site and the erection of a public building thereon at Clinton, in the State of Iowa, reported the same with an amendment, accompanied by a report (No. 1969); which said bill and report were referred to the Committee of the Whole House on the state of the Union.

He also, from the same committee, to which was referred the bill of the House (H. R. 1663) for the erection of a public building at Carrollton, Ky., reported the same with an amendment, accompanied by a report (No. 1970); which said bill and report were referred to the Committee of the Whole House on the state of the Union.

Mr. BANKHEAD, from the Committee on Public Buildings and Grounds, to which was referred the bill of the House (H. R. 10804) for the erection of a public building at Anniston, Ala., reported the same with amendment, accompanied by a report (No. 1983); which said bill and report were referred to the Committee of the Whole House on the state of the Union.

Mr. MERCER, from the Committee on Public Buildings and Grounds, to which was referred the bill of the House (H. R. 524) to erect a public building at Lawrence, Mass., reported the same with amendment, accompanied by a report (No. 1984); which said bill and report were referred to the Committee of the Whole House on the state of the Union.

He also, from the same committee, to which was referred the bill of the House (H. R. 2314) to erect a custom-house and post-office building in the city of Bristol, State of Tennessee, reported the same with amendment, accompanied by a report (No. 1985); which said bill and report were referred to the Committee of the Whole House on the state of the Union.

He also, from the same committee, to which was referred the bill of the House (H. R. 11769) to provide for the purchase of square 255, in Washington, D. C., reported the same without amendment, accompanied by a report (No. 1986); which said bill and report were referred to the Committee of the Whole House on the state of the Union.

He also, from the same committee, to which was referred the bill of the House (H. R. 11882) to increase the limit of the cost for the erection of a public building in Stockton, Cal., and making provision for the acquisition of additional land or a new site therefor, reported the same without amendment, accompanied by a report (No. 1987); which said bill and report were referred to the Committee of the Whole House on the state of the Union.

He also, from the same committee, to which was referred the bill of the House (H. R. 414) for the erection of a public building at Tampa, Fla., reported the same with amendment, accompanied by a report (No. 1988); which said bill and report were referred to the Committee of the Whole House on the state of the Union.

He also, from the same committee, to which was referred the bill of the House (H. R. 4595) for the erection of a public building at Norwich, Conn., reported the same with amendment, accompanied by a report (No. 1989); which said bill and report were referred to the Committee of the Whole House on the state of the Union.

He also, from the same committee, to which was referred the bill of the Senate (S. 109) for the erection of a public building at Aberdeen, S. Dak., reported the same with amendment, accompanied by a report (No. 1990); which said bill and report were referred to the Committee of the Whole House on the state of the Union.

He also, from the same committee, to which was referred the bill of the House (H. R. 2056) for the erection of a public building at Menominee, Mich., reported the same with amendment, accompanied by a report (No. 1991); which said bill and report were referred to the Committee of the Whole House on the state of the Union.

Mr. LITTLE, from the Committee on Public Buildings and Grounds, to which was referred the bill of the Senate (S. 244) to provide for the purchase of a site and the erection of a public building thereon at Joplin, in the State of Missouri, reported the same with amendment, accompanied by a report (No. 1992); which said bill and report were referred to the Committee of the Whole House on the state of the Union.

Mr. MERCER, from the Committee on Public Buildings and Grounds, to which was referred the bill of the House (H. R. 5528) to provide for the construction of a public building at Salem, Oreg., reported the same with amendment, accompanied by a report (No. 1993); which said bill and report were referred to the Committee of the Whole House on the state of the Union.

He also, from the same committee, to which was referred the bill of the House (H. R. 4113) for the erection of a public building at St. Cloud, Minn., reported the same with amendment, accompanied by a report (No. 1994); which said bill and report were referred to the Committee of the Whole House on the state of the Union.

He also, from the same committee, to which was referred the bill of the Senate (S. 927) to provide for the erection of a public building at Abilene, Tex., reported the same with amendment, accompanied by a report (No. 1995); which said bill and report were referred to the Committee of the Whole House on the state of the Union.

Mr. WEYMOUTH, from the Committee on Public Buildings and Grounds, to which was referred the bill of the House (H. R. 2598) for the erection of a public building at Newport, Vt., reported the same with amendment, accompanied by a report (No. 1996); which said bill and report were referred to the Committee of the Whole House on the state of the Union.

Mr. MERCER, from the Committee on Public Buildings and Grounds, to which was referred the bill of the House (H. R. 431) to provide for the purchase of a site and the erection of a public building thereon at Streator, in the State of Illinois, reported the same with amendment, accompanied by a report (No. 1997); which said bill and report were referred to the Committee of the Whole House on the state of the Union.

He also, from the same committee, to which was referred the bill of the House (H. R. 2879) providing for the purchase of a site and the erection of a public building thereon at Leadville, Colo., reported the same with amendment, accompanied by a report (No. 1998); which said bill and report were referred to the Committee of the Whole House on the state of the Union.

He also, from the same committee, to which was referred the bill of the House (H. R. 4756) to provide for a complete system of filtration of the water supply of the United States Capitol, reported the same with amendment, accompanied by a report (No. 1999); which said bill and report were referred to the Committee of the Whole House on the state of the Union.

Mr. GILLET of New York, from the Committee on Public Buildings and Grounds, to which was referred the bill of the House (H. R. 4313) for the erection of a public building at the city of Jamestown, N. Y., reported the same with amendment, accompanied by a report (No. 2000); which said bill and report were referred to the Committee of the Whole House on the state of the Union.

Mr. MERCER, from the Committee on Public Buildings and Grounds, to which was referred the bill of the House (H. R. 477) to provide for the purchase of a site and the erection of a public building thereon at the city of Eau Claire, in the State of Wisconsin, reported the same with amendment, accompanied by a report (No. 2001); which said bill and report were referred to the Committee of the Whole House on the state of the Union.

Mr. BRANTLEY, from the Committee on Public Buildings and Grounds, to which was referred the bill of the House (H. R. 10753) to provide for enlarging and improving the United States Government building at Macon, Ga., and to appropriate $25,000 therefor, reported the same with amendment, accompanied by a report (No. 2002); which said bill and report were referred to the Committee of the Whole House on the state of the Union.

Mr. MERCER, from the Committee on Public Buildings and Grounds, to which was referred the bill of the House (H. R. 1859) to provide for a public building at Winston, N. C., reported the same with amendment, accompanied by a report (No. 2003); which said bill and report were referred to the Committee of the Whole House on the state of the Union.

Mr. BANKHEAD, from the Committee on Public Buildings and Grounds, to which was referred the bill of the House (H. R. 1079) to enlarge and improve the United States public building at Columbus, Ga., reported the same with amendment, accompanied by a report (No. 2004); which said bill and report were referred to the Committee of the Whole House on the state of the Union.

Mr. MERCER, from the Committee on Public Buildings and Grounds, to which was referred the bill of the House (H. R. 1642) for the erection of a public building at Green Bay, Wis., reported the same with amendment, accompanied by a report (No. 2005); which said bill and report were referred to the Committee of the Whole House on the state of the Union.

Mr. GILLET of New York, from the Committee on Public Buildings and Grounds, to which was referred the bill of the House (H. R. 1631) to provide for the purchase of a site and the erection of a building thereon at Rome, in the State of New York, reported the same with amendment, accompanied by a report (No. 2006); which said bill and report were referred to the Committee of the Whole House on the state of the Union.

Mr. MERCER, from the Committee on Public Buildings and Grounds, to which was referred the bill of the House (H. R. 5013) for the erection of a public building for the use of Federal offices at San Diego, Cal., reported the same with amendment, accompanied by a report (No. 2007); which said bill and report were referred to the Committee of the Whole House on the state of the Union.

He also, from the same committee, to which was referred the bill of the House (H. R. 9688) for the erection of a public building in the city of Evanston, Ill., reported the same with amendment, accompanied by a report (No. 2008); which said bill and report were referred to the Committee of the Whole House on the state of the Union.

Mr. BANKHEAD, from the Committee on Public Buildings and Grounds, to which was referred the bill of the House (H. R. 4093) to provide for the erection of a public building in the city of Portsmouth, in the State of Virginia, reported the same with amendment, accompanied by a report (No. 2009); which said bill and report were referred to the Committee of the Whole House on the state of the Union.

Mr. WEYMOUTH, from the Committee on Public Buildings and Grounds, to which was referred the bill of the Senate (S. 3525) for the erection of a public building at Providence, R. I., reported the same without amendment, accompanied by a report (No. 2010); which said bill and report were referred to the Committee of the Whole House on the state of the Union.

Mr. MERCER, from the Committee on Public Buildings and Grounds, to which was referred the bill of the House (H. R. 84) to provide for the erection of a public building at Freeport, Ill., reported the same with amendment, accompanied by a report (No. 2011); which said bill and report were referred to the Committee of the Whole House on the state of the Union.

Mr. SKINNER, from the Committee on Public Buildings and Grounds, to which was referred the bill of the Senate (S. 1749) to provide for the purchase of a site and the erection of a public building thereon at Durham, in the State of North Carolina, reported the same with amendment, accompanied by a report (No. 2012); which said bill and report were referred to the Committee of the Whole House on the state of the Union.

REPORTS OF COMMITTEES ON PRIVATE BILLS AND RESOLUTIONS.

Under clause 2 of Rule XIII, private bills and resolutions of the following titles were severally reported from committees, delivered to the Clerk, and referred to the Committee of the Whole House, as follows:

Mr. KERR, from the Committee on Invalid Pensions, to which was referred the bill of the House (H. R. 9059) to pension Catherine Eakin, reported the same with amendment, accompanied by a report (No. 1919); which said bill and report were referred to the Private Calendar.

Mr. RAY of New York, from the Committee on Invalid Pensions, to which was referred the bill of the House (H. R. 6913) to increase the pension of Mrs. Charlotte B. Cozzens, reported the same with amendment, accompanied by a report (No. 1920); which said bill and report were referred to the Private Calendar.

Mr. SULLOWAY, from the Committee on Invalid Pensions, to which was referred the bill of the House (H. R. 2574) to increase the pension of Mrs. L. M. Payne, reported the same with amendment, accompanied by a report (No. 1921); which said bill and report were referred to the Private Calendar.

Mr. RAY of New York, from the Committee on Invalid Pensions, to which was referred the bill of the House (H. R. 10858) granting an increase of pension to Amanda Willmarth, reported the same with amendment, accompanied by a report (No. 1922); which said bill and report were referred to the Private Calendar.

Mr. SAMUEL W. SMITH, from the Committee on Invalid Pensions, to which was referred the bill of the House (H. R. 10803) granting an increase of pension to James Porter, reported the same with amendment, accompanied by a report (No. 1923); which said bill and report were referred to the Private Calendar.

Mr. RAY of New York, from the Committee on Invalid Pensions, to which was referred the bill of the House (H. R. 10860) granting a pension to Mianda A. Sanford, reported the same with amendment, accompanied by a report (No. 1924); which said bill and report were referred to the Private Calendar.

Mr. CASTLE, from the Committee on Invalid Pensions, to

which was referred the bill of the House (H. R. 8749) for the relief of James J. Marcher, reported the same with amendment, accompanied by a report (No. 1925); which said bill and report were referred to the Private Calendar.

Mr. BOTKIN, from the Committee on Invalid Pensions, to which was referred the bill of the House (H. R. 7046) granting an increase of pension to Arba Capron, of North Topeka, Kans., reported the same with amendment, accompanied by a report (No. 1926); which said bill and report were referred to the Private Calendar.

Mr. DRIGGS, from the Committee on Invalid Pensions, to which was referred the bill of the Senate (S. 4630) granting an increase of pension to Chauncey A. Bradley, reported the same with amendment, accompanied by a report (No. 1927); which said bill and report were referred to the Private Calendar.

He also, from the same committee, to which was referred the bill of the Senate (S. 4874) granting a pension to Nellie M. Gould, reported the same without amendment, accompanied by a report (No. 1971); which said bill and report were referred to the Private Calendar.

Mr. STURTEVANT, from the Committee on Invalid Pensions, to which was referred the bill of the House (H. R. 7657) for the relief of James E. Searl, reported the same with an amendment, accompanied by a report (No. 1972); which said bill and report were referred to the Private Calendar.

Mr. KERR, from the Committee on Invalid Pensions, to which was referred the bill of the House (H. R. 9455) granting an increase of pension to Richard Atkinson, reported the same with an amendment, accompanied by a report (No. 1973); which said bill and report were referred to the Private Calendar.

Mr. STURTEVANT, from the Committee on Invalid Pensions, to which was referred the bill of the House (H. R. 8578) granting a pension to George W. Reisinger, reported the same with amendment, accompanied by a report (No. 1974); which said bill and report were referred to the Private Calendar.

Mr. GIBSON, from the Committee on Invalid Pensions, to which was referred the bill of the House (H. R. 10241) granting a pension to Nancy Shaley, reported the same with amendment, accompanied by a report (No. 1975); which said bill and report were referred to the Private Calendar.

Mr. MINOR, from the Committee on Claims, to which was referred the bill of the House (H. R. 7865) to pay the J. S. Stearns Lumber Company $379, reported the same without amendment, accompanied by a report (No. 1976); which said bill and report were referred to the Private Calendar.

Mr. SULLOWAY, from the Committee on Invalid Pensions, to whom was referred the bill of the House (H. R. 2258) granting a pension to Mary E. Taylor, reported the same with amendment, accompanied by a report (No. 1977); which said bill and report were referred to the Private Calendar.

Mr. MIERS of Indiana, from the Committee on Invalid Pensions, to which was referred the bill of the House (H. R. 1677) for the benefit of Anna M. Wehe, mother of William M. Wehe, deceased, reported the same with amendment, accompanied by a report (No. 1978); which said bill and report were referred to the Private Calendar.

Mr. SULLOWAY, from the Committee on Invalid Pensions, to which was referred the bill of the Senate (S. 1031) granting a pension to Noah Pillsbury, reported the same with amendment, accompanied by a report (No. 1979); which said bill and report were referred to the Private Calendar.

Mr. WARNER, from the Committee on Invalid Pensions, to which was referred the bill of the House (H. R. 10605) to increase the pension of Annie Cusack, reported the same with amendment, accompanied by a report (No. 1980), which said bill and report were referred to the Private Calendar.

Mr. SAMUEL W. SMITH, from the Committee on Invalid Pensions, to which was referred the bill of the Senate (S. 4233) granting an increase of pension to Solomon Kline, reported the same without amendment, accompanied by a report (No. 1981); which said bill and report were referred to the Private Calendar.

Mr. DRIGGS, from the Committee on Invalid Pensions, to which was referred the bill of the House (H. R. 9959) granting a pension to Jessie Goldie, reported the same with amendment, accompanied by a report (No. 1982); which said bill and report were referred to the Private Calendar.

ADVERSE REPORTS.

Under clause 2 of Rule XIII, Mr. RAY of New York, from the Committee on Invalid Pensions, to which was referred the bill of the House (H. R. 11082) granting an increase of pension to James Bintliff, reported the same adversely, accompanied by a report (No. 1983); which said bill and report were ordered to lie on the table.

CHANGE OF REFERENCE.

Under clause 2 of Rule XXII, the Committee on Invalid Pensions was discharged from the consideration of the bill (H. R. 11906) granting a pension to Mary Ann Fell; and the same was referred to the Committee on Pensions.

PUBLIC BILLS, RESOLUTIONS, AND MEMORIALS INTRODUCED.

Under clause 3 of Rule XXII, bills, resolutions, and memorials of the following titles were introduced and severally referred as follows:

By Mr. FERGUSSON: A bill (H. R. 12005) authorizing the Territory of New Mexico to create an additional indebtedness to finish and furnish her Territorial capitol—to the Committee on the Territories.

By Mr. STEPHENS of Texas (by request): A bill (H. R. 12006) permitting noncitizens of the Indian Territory to bring suits in the United States courts of the Territory to enforce contracts between noncitizens and citizens of the Territory in certain cases—to the Committee on Indian Affairs.

By Mr. KETCHAM: A bill (H. R. 12007) to provide for the purchase of a site and the erection of a public building thereon at Kingston, N. Y.—to the Committee on Public Buildings and Grounds.

By Mr. CURTIS of Iowa: A bill (H. R. 12010) to establish a municipal court for the District of Columbia, to abolish the offices of justice of the peace and constable, and for other purposes—to the Committee on the District of Columbia.

By Mr. STALLINGS: A bill (H. R. 12011) for the purpose of recognizing the gallantry of the Volunteer Army of the United States during the war with Spain—to the Committee on Military Affairs.

Also (for Mr. WHEELER of Alabama), a bill (H. R. 12012) to establish and erect a military post at Huntsville, Ala.—to the Committee on Military Affairs.

By Mr. BINGHAM: A joint resolution (H. Res. 352) authorizing foreign exhibitors at the Philadelphia Commercial Exposition to bring into this country foreign laborers under regulations to be prescribed by the Secretary of the Treasury—to the Committee on Immigration and Naturalization.

By Mr. GROW: A joint resolution (H. Res. 353) proposing an amendment to the Constitution of the United States—to the Committee on the Judiciary.

By Mr. CAPRON: A joint resolution (H. Res. 354) proposing amendments to the Constitution prohibiting polygamy within the United States and all places subject to their jurisdiction, and disqualifying polygamists for election as Senators or Representatives in Congress—to the Committee on Election of President, Vice-President, and Representatives in Congress.

By Mr. ZENOR: A joint resolution (H. Res. 355) construin the act approved June 27, 1890, entitled "An act granting pensions to soldiers and sailors who are incapacitated for the performance of manual labor, and providing for pensions to widows, minor children, and dependent parents"—to the Committee on Invalid Pensions.

By Mr. EDDY: A memorial from the legislature of Minnesota, favoring the election of United States Senators by direct vote—to the Committee on Election of President, Vice-President, and Representatives in Congress.

By Mr. ELLIS: A memorial from the Oregon legislature, favoring the construction of the Nicaragua Canal by the United States Government—to the Committee on Interstate and Foreign Commerce.

Also, a memorial from the legislature of the State of Oregon, favoring the election of United States Senators by direct vote—to the Committee on Election of President, Vice-President, and Representatives in Congress.

Also, a memorial from the legislature of Oregon, favoring the continuance of the improvement at Yaquina Harbor, Oregon—to the Committee on Rivers and Harbors.

PRIVATE BILLS AND RESOLUTIONS INTRODUCED.

Under clause 1 of Rule XXII, private bills and resolutions of the following titles were introduced and severally referred as follows:

By Mr. BELDEN: A bill (H. R. 12013) to increase the pension of Delos M. Kenyon—to the Committee on Invalid Pensions.

By Mr. FISCHER: A bill (H. R. 12014) to remove the charge of desertion against the name of George W. Smith—to the Committee on Military Affairs.

By Mr. HILBORN: A bill (H. R. 12015) removing charge of desertion from record of William Alexander Griffith—to the Committee on Military Affairs.

By Mr. KITCHIN: A bill (H. R. 12016) for the relief of Charles

W. Johnson, administrator of Mrs. Lydia Johnson—to the Committee on War Claims.

By Mr. MUDD: A bill (H. R. 12017) granting a pension to Mrs. Elmina Creighton—to the Committee on Pensions.

By Mr. WARNER: A bill (H. R. 12018) to increase the pension of Louisa Rose—to the Committee on Invalid Pensions.

By Mr. CUMMINGS: A joint resolution (H. Res. 356) for relief of Warner H. Nostrand, lieutenant, United States Navy—to the Committee on Naval Affairs.

PETITIONS, ETC.

Under clause 1 of Rule XXII, the following petitions and papers were laid on the Clerk's desk and referred as follows:

By Mr. ADAMS: Petition of Rachel Foster Avery, for woman suffrage to Hawaiian women—to the Committee on the Territories.

Also, resolutions of the Merchants' Association of New York, relating to the freedom of private property on the sea from capture during war—to the Committee on Foreign Affairs.

By Mr. BELFORD: Petition of fourth-class postmasters in Queens and Suffolk counties, N. Y., in favor of House bills Nos. 4930 and 4931, relating to the compensation of fourth-class postmasters—to the Committee on the Post-Office and Post-Roads.

By Mr. BENTON: Petitions of T. I. Craig and 20 citizens of Racine, Mo., and J. L. Zumsteg and 20 citizens of Sheldon, Mo., urging the establishment of postal savings banks—to the Committee on the Post-Office and Post-Roads.

By Mr. BINGHAM: Resolutions of Washington Council, No. 1; Spring Garden Council, No. 18; Robert Morris Council, No. 4; Harmony Council, No. 53; Ermentown Council, No. 73; Frankford Council, No. 176; Woodland Council, No. 179; Roxborough Council, No. 369; Martha Washington Council, No. 528; Morton McMichael Council, No. 886, and Valor Council, No. 966, of the Junior Order of United American Mechanics, of Philadelphia, Pa., protesting against the appropriation of public funds for sectarian purposes in the District of Columbia—to the Committee on the District of Columbia.

Also, resolutions of the Philadelphia Oil Trade, for the enactment of legislation restoring to the United States the ocean carrying trade sailing under the American flag—to the Committee on the Merchant Marine and Fisheries.

Also, petition of citizens of Philadelphia, Pa., protesting against the appropriation of public funds for sectarian purposes—to the Committee on Appropriations.

By Mr. BLAND: Petitions of citizens of St. Elizabeth, Osage Iron Works, and Montreal, Mo., favoring the establishment of postal savings banks—to the Committee on the Post-Office and Post-Roads.

By Mr. BODINE: Petitions of citizens of Sampsell, Hamden, and Echo, Mo., favoring the establishment of postal savings banks—to the Committee on the Post-Office and Post-Roads.

By Mr. BULL: Resolution of the Rhode Island Business Men's Association, in favor of the Hanna-Payne bill to increase American shipping—to the Committee on the Merchant Marine and Fisheries.

By Mr. CAPRON: Resolution of the Rhode Island Business Men's Association, in favor of the Hanna-Payne bill to increase American shipping—to the Committee on the Merchant Marine and Fisheries.

By Mr. CHICKERING: Petition of citizens of Brownville and Dexter, Jefferson County, N. Y., to prohibit the transmission by mail or interstate commerce of pictures or descriptions of prize fights—to the Committee on Interstate and Foreign Commerce.

Also, petition of citizens of Dexter and Brownville, N. Y., to prohibit the sale of liquor in canteens, in immigrant stations, and in Government buildings—to the Committee on Alcoholic Liquor Traffic.

By Mr. CODDING: Petitions of the Woman's Christian Temperance Union of Wyalusing and East Springfield, and churches of Columbia Crossroads and Wyalusing, Pa., to prohibit the sale of liquor in canteens and in immigrant stations and Government buildings—to the Committee on Alcoholic Liquor Traffic.

By Mr. COWHERD: Petition of citizens of Higginsville, Lafayette County, Mo., favoring the establishment of postal savings banks—to the Committee on the Post-Office and Post-Roads.

By Mr. CRUMP: Petition of A. Morel and 200 citizens of Arn, Mich., in favor of the establishment of postal savings banks—to the Committee on the Post-Office and Post-Roads.

By Mr. CURTIS of Kansas: Petition of Stephen Ogden and other fourth-class postmasters of Coffey County, Kans., asking for the passage of House bills Nos. 4930 and 4931, increasing the compensation of fourth-class postmasters—to the Committee on the Post-Office and Post-Roads.

By Mr. DALZELL: Petition of the Pittsburg Chamber of Commerce and of the American Shipping and Industrial League, urging the passage of the Hanna-Payne shipping bill—to the Committee on the Merchant Marine and Fisheries.

Also, petition of the Woman's Club of Pittsburg, Pa., for legislation against the desecration of the American flag—to the Committee on the Judiciary.

Also, sundry petitions of certain churches, societies, and citizens of Pittsburg, Allegheny, Carnegie, Emsworth, Bellevue, Avalon, and Wilkinsburg, Allegheny County, Pa., to prohibit the sale of liquor in canteens and in immigrant stations and Government buildings—to the Committee on Alcoholic Liquor Traffic.

Also, resolutions of the National Board of Trade of Philadelphia, Pa., in relation to postal matters—to the Committee on the Post-Office and Post-Roads.

By Mr. DE VRIES: Petition of the Methodist Episcopal Church and Epworth League of the State of California, to prohibit the sale of liquor in canteens and in immigrant stations and Government buildings—to the Committee on Alcoholic Liquor Traffic.

By Mr. DOCKERY: Petition of George P. Pierson and other fourth-class postmasters of Harrison County, Mo., asking for the passage of House bills Nos. 4930 and 4931, increasing the compensation of fourth-class postmasters—to the Committee on the Post-Office and Post-Roads.

Also, petition of A. Beardy and citizens of Caldwell County, Mo., in favor of the establishment of postal savings banks—to the Committee on the Post-Office and Post-Roads.

By Mr. DOVENER: Petition of 53 citizens of Vadis, W. Va., to accompany House bill granting a pension to Asa Monnypenny—to the Committee on Pensions.

By Mr. ELLIS: Petition of fourth-class postmasters of Baker, Union, Columbia, and Clatsop counties, Oreg., urging the passage of House bills Nos. 4930 and 4931, for increase of compensation—to the Committee on the Post-Office and Post-Roads.

By Mr. ERMENTROUT: Resolutions of the Merchants' Association of New York, in regard to freedom of private property on the sea from capture in time of war—to the Committee on Foreign Affairs.

Also, petition of the Army and Navy Union, favoring the passage of a bill to promote the efficiency of the clerical force of the Navy—to the Committee on Naval Affairs.

By Mr. FOWLER of New Jersey: Petition of Roswell A. Benedict, of Crawford, N. J., for the amendment of the Constitution in certain respects, to the interest of American business and industrial stability—to the Committee on the Judiciary.

By Mr. GRAHAM: Petition of the National Pure Food and Drug Congress, Washington, D. C., praying for the passage of a national food and drug bill—to the Committee on Agriculture.

Also, petition of Picking Naval Garrison, No. 8, of Erie, Pa., urging the passage of House bill No. 11556, to promote the efficiency of the clerical service in the Navy of the United States by organizing a clerical corps of the Navy—to the Committee on Naval Affairs.

Also, petition of Mrs. I. Newton Patterson, superintendent of the legal work of the Woman's Christian Temperance Union of Allegheny, Pa., representing 37 churches and 7,000 members, for the passage of the Ellis bill to prohibit the sale of liquor in canteens and in immigrant stations and Government buildings—to the Committee on Alcoholic Liquor Traffic.

By Mr. GROUT: Petition of L. R. Carpenter, Davis Bridge, Vt., and 37 other fourth-class postmasters, for the passage of House bills Nos. 4930 and 4931—to the Committee on the Post-Office and Post-Roads.

By Mr. HENRY of Mississippi: Petition of citizens of Humphreys, Miss., to prohibit the sale of liquor in canteens, in immigrant stations, and in Government buildings—to the Committee on Alcoholic Liquor Traffic.

By Mr. HOPKINS: Resolutions of the College Church of Christ, Wheaton, Ill.; the Chicago Presbytery of the United Presbyterian Church; also petitions of certain citizens of the State of Illinois and of the Woman's Christian Temperance Union of Elgin, Ill., against the seating of Brigham H. Roberts as a Representative from Utah—to the Committee on Elections No. 1.

Also, resolution of the Woman's Christian Temperance Union of Elgin, Ill., praying for the maintenance of prohibition in Alaska—to the Committee on the Territories.

By Mr. HOWELL: Petitions of fourth-class postmasters in the Third Congressional district of New Jersey, urging the passage of House bills Nos. 4930 and 4931, relating to the compensation of fourth-class postmasters—to the Committee on the Post-Office and Post-Roads.

By Mr. JOHNSON of Indiana: Petition of fourth-class postmasters of Rush County, Ind., for the passage of House bills Nos. 4930 and 4931—to the Committee on the Post-Office and Post-Roads.

By Mr. KITCHIN: Papers relating to the claim of Ledia Johnston, of Chapel Hill, N. C.—to the Committee on War Claims.

By Mr. McALEER: Petition of the Philadelphia Oil Trade Association, urging the passage of the Hanna-Payne shipping bill—to the Committee on the Merchant Marine and Fisheries.

Also, resolutions of the Merchants' Association of New York, in

regard to freedom of private property on the sea from capture during war—to the Committee on Foreign Affairs.

Also, petition of the Regular Army and Navy Union, Garrison No. 8, favoring amendment to the Navy personnel bill providing for the organization of the clerical force of the Navy—to the Committee on Naval Affairs.

By Mr. MIERS of Indiana: Petitions of citizens of Knox County, D. H. Hooley and 200 citizens of Topeka, H. W. Schroeder and 208 citizens of Westphalia, Ind., urging the establishment of postal savings banks—to the Committee on the Post-Office and Post-Roads.

Also, petitions of citizens of Bloomington, Vincennes, Worthington, Monroe, and Mitchell, Ind., to prohibit the sale of liquor in canteens, in immigrant stations, and in Government buildings—to the Committee on Alcoholic Liquor Traffic.

By Mr. OSBORNE: Petitions of Thomas McGrath and 221 citizens of Miners Delight, Wyo., in favor of the establishment of postal savings banks—to the Committee on the Post-Office and Post-Roads.

By Mr. PAYNE: Resolutions of Myron M. Fish Post, No. 406, Grand Army of the Republic, Department of New York, for amendment of the pension laws—to the Committee on Invalid Pensions.

By Mr. ROBB: Petitions of Solon J. Upton and 223 citizens of Licking, Mo., favoring the establishment of postal savings banks—to the Committee on the Post-Office and Post-Roads.

By Mr. STEPHENS of Texas: Petition of Alexander Jamison and other fourth-class postmasters of Palo Pinto County, Tex., urging the passage of House bills Nos. 4930 and 4931, for increase of compensation—to the Committee on the Post-Office and Post-Roads.

By Mr. TERRY: Petition of W. M. Wright and 16 other letter-carriers, of Little Rock, Ark., asking that the law be so amended as to allow forty-eight hours for six days' service—to the Committee on the Post-Office and Post-Roads.

By Mr. TONGUE: Petition of Simpson Chapel and Monroe Methodist Episcopal churches, of Benton County, Oreg., to prohibit the reproduction of prize fights and the interstate transmission of devices for the same—to the Committee on Interstate and Foreign Commerce.

Also, petition of Simpson Chapel and Monroe Methodist Episcopal churches, of Benton County, Oreg., favoring the passage of a bill prohibiting the sale of alcoholic liquors in Government buildings, etc.—to the Committee on Alcoholic Liquor Traffic.

By Mr. VINCENT: Petition of postmasters in Republic County, Kans., asking for the passage of a bill increasing the compensation of fourth-class postmasters—to the Committee on the Post-Office and Post-Roads.

By Mr. WALKER of Massachusetts: Petition of 8 fourth-class postmasters in the Third Congressional district of Massachusetts, urging the passage of House bills Nos. 4930 and 4931, relating to the compensation of fourth-class postmasters—to the Committee on the Post-Office and Post-Roads.

By Mr. WEYMOUTH: Petition of the Woman's Christian Temperance Union of Gardner, Mass., protesting against the seating of Brigham H. Roberts as a Representative from Utah—to the Committee on Elections No. 1.

By Mr. YOUNG: Resolutions of the Merchants' Association of New York, in reference to freedom of private property on the sea from capture during war—to the Committee on Foreign Affairs.

SENATE.

TUESDAY, *February 7, 1899.*

Prayer by the Chaplain, Rev. W. H. MILBURN, D. D.

The VICE-PRESIDENT. The Secretary will read the Journal of yesterday's proceedings.

Mr. ALLEN. Mr. President, I think there ought to be a quorum present. There ought to be at least more Senators present than are here now.

The VICE-PRESIDENT. The absence of a quorum is suggested by the Senator from Nebraska. The Secretary will call the roll.

The Secretary called the roll, and the following Senators answered to their names:

Allen,	Gorman,	Martin,	Roach,
Allison,	Hanna,	Mitchell,	Ross,
Berry,	Hansbrough,	Money,	Sewell,
Burrows,	Harris,	Morgan,	Shoup,
Butler,	Hawley,	Murphy,	Smith,
Carter,	Jones, Ark.	Nelson,	Stewart,
Chandler,	Jones, Nev.	Pasco,	Teller,
Clark,	Kenney,	Perkins,	Tillman,
Cockrell,	Lindsay,	Pettigrew,	Turley,
Cullom,	Lodge,	Pettus,	Warren,
Davis,	McBride,	Platt, Conn.	Wellington,
Deboe,	McEnery,	Platt, N. Y.	Wolcott.
Gallinger,	Mallory,	Pritchard,	
Gear,	Mantle,	Rawlins,	

The VICE-PRESIDENT. Fifty-four Senators have answered to their names. A quorum is present. The Secretary will read the Journal of yesterday's proceedings.

Mr. LODGE. I ask unanimous consent that the reading be dispensed with.

The VICE-PRESIDENT. Is there any objection? The Chair hears none, and the order is made.

ABSTRACT OF MILITIA FORCE.

The VICE-PRESIDENT laid before the Senate a communication from the Secretary of War, transmitting an abstract of the militia force of the United States, according to the latest returns received at the Office of the Adjutant-General of the Army, for the year 1898; which, with the accompanying papers, was referred to the Committee on Military Affairs, and ordered to be printed.

CREDENTIALS.

Mr. SPOONER presented the credentials of Joseph Very Quarles, chosen by the legislature of Wisconsin a Senator from that State for the term beginning March 4, 1899; which were read, and ordered to be filed.

Mr. PLATT of Connecticut presented the credentials of JOSEPH R. HAWLEY, chosen by the legislature of Connecticut a Senator from that State for the term beginning March 4, 1899; which were read, and ordered to be filed.

MESSAGE FROM THE HOUSE.

A message from the House of Representatives, by Mr. W. J. BROWNING, its Chief Clerk, announced that the House had passed the following bill and joint resolutions:

A bill (S. 2768) to grant lands to the State of Alabama for the use of the Industrial School for Girls in Alabama and of the Tuscogee Normal and Industrial Institute;

A joint resolution (S. R. 218) authorizing the Secretary of the Navy to receive for instruction at the Naval Academy, at Annapolis, Ricardo Yglesias, of Porto Rico; and

A joint resolution (S. R. 219) authorizing the Secretary of the Navy to receive for instruction at the Naval Academy, at Annapolis, Alberto Valenzuela Montoya, of Colombia.

The message also announced that the House had passed the following bills; in which it requested the concurrence of the Senate:

A bill (H. R. 321) for the relief of the Berdan Firearms Manufacturing Company;

A bill (H. R. 4382) to establish a national military park to commemorate the campaign, siege, and defense of Vicksburg;

A bill (H. R. 8694) to enable the city of Albuquerque, N. Mex., to create certain indebtedness, and for other purposes;

A bill (H. R. 11247) to extend the anti-contract labor laws of the United States to Hawaii;

A bill (H. R. 11815) to provide for taking the Twelfth and subsequent censuses; and

A bill (H. R. 12009) to provide for the removal of snow and ice in the city of Washington, in the District of Columbia.

The message further announced that the House had agreed to the concurrent resolution of the Senate to print 3,000 copies of the Proceedings of the National Fishery Congress, held at Tampa, Fla., January 19 to 24, 1898.

ENROLLED BILL SIGNED.

The message also announced that the Speaker of the House had signed the enrolled bill (H. R. 11487) making appropriations for the diplomatic and consular service for the fiscal year ending June 30, 1900; and it was thereupon signed by the Vice-President.

PETITIONS AND MEMORIALS.

Mr. LODGE presented a petition of the Board of Trade of Lowell, Mass., praying for the retention of the Philippine Islands; which was referred to the Committee on Foreign Relations.

He also presented the petition of Susan B. Anthony and 15 other citizens of Rochester, N. Y., praying that the right of suffrage be granted to women in Hawaii; which was referred to the Select Committee on Woman Suffrage.

Mr. NELSON presented a petition of local union No. 361, United Brotherhood of Carpenters and Joiners, of Duluth, Minn., praying for the passage of the eight-hour bill; which was referred to the Committee on Education and Labor.

Mr. PLATT of New York presented petitions of the congregations of the Methodist Episcopal Church of Brownville, of sundry churches of Sandy Hill and Glens Falls, and of the Summer School of Social Problems, of Saratoga, all in the State of New York, praying for the enactment of legislation to prohibit the transmission by mail or interstate commerce of pictures and descriptions of prize fights; which were referred to the Committee on the Judiciary.

He also presented a petition of local union No. 67, United Brotherhood of Carpenters and Joiners, of New York City, N. Y., and a petition of local branch No. 549, Amalgamated Society of

Engineers, of Buffalo, N. Y., praying for the passage of the eight-hour bill; which were referred to the Committee on Education and Labor.

He also presented a petition of the Summer School of Social Problems, of Saratoga, N. Y., praying for the enactment of legislation to limit absolute divorce; which was referred to the Committee on the Judiciary.

He also presented petitions of 18 citizens of the United States engaged in mission work in Bulgaria and Macedonia, of the congregations of sundry churches of Sandy Hill, the First Congregational Church of Lockport, the Methodist Episcopal Church of Brookfield, of sundry churches of Glens Falls, and of the Summer School of Social Problems, of Saratoga, all in the State of New York, praying for the enactment of legislation to prohibit the sale of liquor in canteens of the Army and Navy and of Soldiers' Homes and in immigrant stations and Government buildings; which were referred to the Committee on Military Affairs.

He also presented a petition of the congregations of sundry churches of Sandy Hill and Glens Falls and of the Summer School of Social Problems, of Saratoga, all in the State of New York, praying for the enactment of legislation to prohibit interstate gambling by telegraph, telephone, or otherwise; which was referred to the Committee on the Judiciary.

He also presented the petition of John A. Barhite and sundry other citizens of Rochester, N. Y., praying that women be granted the right of suffrage in Hawaii; which was referred to the Select Committee on Woman Suffrage.

Mr. HARRIS presented the petitions of D. W. Duskin and 103 other citizens of Narka, William Hay and 17 other citizens of Scandia, A. Brown and 16 other citizens of Guilford, O. C. Axtell and 21 other citizens of Plevna, Elwood Coate and 13 other citizens of Heber, George Barnwell and 41 other citizens of Harper County, J. A. Lanman and 34 other citizens of Womer, George Meinhardt and 25 other citizens of Goveland, Jacob Rabel and 202 other citizens of Richter, George Hill and 27 other citizens of Independence, W. L. Johnson and 20 other citizens of Council Grove, S. Van Nortwick and 12 other citizens of Republic, George B. Blair and 39 other citizens of Mulvane, L. Reese and 17 other citizens of Marion County, J. T. Manning and 195 other citizens of Goddard, Frank Rogers and 13 other citizens of Newington, and John Cato and 7 other citizens of Washington County, all in the State of Kansas, praying for the establishment of postal savings bank depositories; which were referred to the Committee on Post-Offices and Post-Roads.

Mr. GALLINGER presented petitions of the Woman's Christian Temperance unions of Ashland, Derry, and Epping, all in the State of New Hampshire, praying for the enactment of legislation to prohibit the sale of liquor in canteens of the Army and Navy and of Soldiers' Homes, and in immigrant stations and Government buildings; which were referred to the Committee on Military Affairs.

Mr. WARREN presented a memorial of the Wyoming State Medical Society, remonstrating against the passage of the bill (S. 1063) for the further prevention of cruelty to animals in the District of Columbia; which was ordered to lie on the table.

He also presented a petition of Local Branch No. 543, National Association of Letter Carriers, of Laramie, Wyo., and a petition of Local Union No. 563, United Brotherhood of Carpenters and Joiners, of Galveston, Tex., praying for the passage of the eight-hour bill; which were referred to the Committee on Education and Labor.

Mr. MCMILLAN presented a petition of Local Union No. 7, Metal Polishers, Buffers, Platers, and Brass Workers' Union, of Grand Rapids, Mich., and a petition of Local Union No. 526, United Brotherhood of Carpenters and Joiners, of Galveston, Tex., praying for the passage of the eight-hour bill; which were referred to the Committee on Education and labor.

Mr. SEWELL presented a memorial of the congregation of the North Baptist Church of Camden, N. J., remonstrating against the reopening of the question of sectarian appropriations for Indian schools; which was ordered to lie on the table.

He also presented petitions of the congregations of the Zion Wesley African Methodist Episcopal Church, the Wynn Memorial Baptist Church, the First Methodist Church, the Second Presbyterian Church, the Wiley Methodist Episcopal Church, the Kaighn Avenue Methodist Episcopal Church, the Memorial Methodist Protestant Church, the Bethel Methodist Episcopal Church, the Mount Zion Baptist Church, the Prairie Avenue Methodist Episcopal Church, and the First Baptist Church, and of Fidelity Lodge, No. 3, Ancient Order of United Workmen, all of Camden, in the State of New Jersey, praying for the passage of the eight-hour bill; which were referred to the Committee on Education and Labor.

Mr. PERKINS presented a telegram in the nature of a petition from the legislature of California, praying that an appropriation be made for the dredging of a shoal in San Pablo Bay between Lone Tree Point and Point Pinole, in that State; which was referred to the Committee on Commerce, and ordered to be printed in the RECORD, as follows:

[Telegram.]

SENATE CHAMBER, *Sacramento, Cal., February 4, 1899.*

In accordance with resolution to-day adopted, I am instructed to telegraph senate joint resolution No. 12, as adopted this day, which is as follows:

"Whereas it has been determined as a result of an official survey of the Coast and Geodetic Survey, as shown on their chart of August, 1898, that a shoal exists in San Pablo Bay between Lone Tree Point and Point Pinole; and

"Whereas San Pablo Bay is the waterway between the Golden Gate and Carquinez Straits, having commerce aggregating millions of dollars annually: Therefore, in the interest of commerce, the development of the State as a whole, and to insure the safety of our naval vessels going to and coming from Mare Island Navy-Yard, be it

"*Resolved by the senate and assembly jointly*, That our Senators in Congress be instructed and our Representatives requested to use all their efforts to have the necessary dredging done and to secure an appropriation therefor.

"*Resolved*, That a copy of these resolutions be forwarded by the secretary of the senate to our representatives in Congress."

Very respectfully,

F. J. BRANDON,
Secretary of Senate.

Hon. GEORGE C. PERKINS,
United States Senate, Washington, D. C.

Mr. QUAY presented a petition of the Woman's Club of Pittsburg, Pa., praying for the enactment of legislation to prevent the desecration of the American flag; which was referred to the Committee on the Judiciary.

He also presented a petition of 350 citizens of Williamstown, Pa., praying for the enactment of legislation to prohibit the sale of intoxicating liquors in all Government buildings; which was referred to the Committee on Public Buildings and Grounds.

He also presented a petition of 350 citizens of Williamstown, Pa., praying for the enactment of legislation to validate State anti-cigarette laws; which was referred to the Committee on the Judiciary.

He also presented a petition of 350 citizens of Williamstown, Pa., praying for the enactment of legislation to prohibit the interstate transmission of lottery messages and other gambling matter by telegraph; which was referred to the Committee on the Judiciary.

He also presented a petition of 350 citizens of Williamstown, Pa., praying for the enactment of a Sunday-rest law for the District of Columbia; which was ordered to lie on the table.

He also presented a petition of 350 citizens of Williamstown, Pa., praying for the enactment of legislation to prohibit the transmission by mail or interstate commerce of pictures or descriptions of prize fights; which was referred to the Committee on the Judiciary.

He also presented a petition of 350 citizens of Williamstown, Pa., praying for the enactment of legislation to prohibit the kinetoscope reproduction of pugilistic encounters in the District of Columbia and the Territories, and the interstate transmission of materials for the same; which was referred to the Committee on the Judiciary.

He also presented a petition of Local Lodge No. 7, Association of Amalgamated Iron, Steel, and Tin Plate Workers, of New Kensington, Pa., and a petition of Local Union No. 1, Hard and Soft Wheel Grinders and Strappers, of Toledo, Ohio, praying for the passage of the eight-hour bill; which were referred to the Committee on Education and Labor.

He also presented a petition of Local Lodge No. 908, Patrons of Husbandry, of Cranberry, Pa., praying for the passage of the bill to amend an act entitled "An act to regulate commerce;" which was ordered to lie on the table.

He also presented a petition of the Chamber of Commerce of Pittsburg, Pa., and a petition of the Oil Trade Association of Philadelphia, Pa., praying for the enactment of legislation to increase American shipping; which were ordered to lie on the table.

He also presented a petition of Col. S. W. Black Post, No. 59, Department of Pennsylvania, Grand Army of the Republic, of McKeesport, Pa., praying for the speedy ratification of the treaty of peace; which was ordered to lie on the table.

He also presented petitions of the congregations of the Presbyterian Church of Lansdowne; the Rimersburg and Widnoon Presbyterian churches, of Clarion and Armstrong counties; the Creek Presbyterian Church, of Washington County; the United Presbyterian Church of Stewart Station; the Oak Methodist Episcopal Church, of Norristown; the First Baptist Church, of West Newton; the Oakland Methodist Episcopal Church, of Armstrong County; the Putneyville Methodist Episcopal Church, of Armstrong County; the Presbyterian Church of Avalon; the United Presbyterian Church of Avalon; the Reformed Presbyterian Church of Wilkinsburg; the United Brethren Church of Wilkinsburg; the United Presbyterian Church, of Allegheny; the Presbyterian Church of Wilkinsburg; the Methodist Episcopal Church of Wilkinsburg; the Baptist Church of Wilkinsburg; the Christian Church of Bellevue; the Central Reformed Presbyterian Church, of Allegheny; the Twelfth United

Presbyterian Church, of Pittsburg; the Mount Washington Methodist Protestant Church, of Pittsburg; the First Pentecostal Church, of Pittsburg; the Mount Washington Baptist Church, of Pittsburg; the North Avenue Methodist Episcopal Church, of Allegheny; the Methodist Episcopal Church of Ensworth; the Presbyterian Church of Ensworth; the United Presbyterian Church of Ensworth; the First Congregational Church, of Allegheny City; the First Christian Church, of Allegheny; the Eleventh United Presbyterian Church, of Allegheny; the Ninth United Presbyterian Church, of Allegheny; the Nixon Baptist Church, of Allegheny; and the First United Presbyterian Church, of Allegheny; of James L. O'Neill Post, No. 537, Grand Army of the Republic, Department of Pennsylvania; the Cookport Young People's Society of Christian Endeavor, of Erie; the Lititz Union, of Lancaster County; the Manheim Union, of Lancaster County; the Pen Argyle Union, of Northampton County; the Prohibition League of Williamsport; of Post No. 11, Grand Army of the Republic, Department of Pennsylvania, of Norristown; of James O'Donnel Post, No. 281, Grand Army of the Republic, Department of Pennsylvania, of Kellersburg; of Myrtle Cress Lodge, No. 176, of Wilkinsburg; of Anchor Lodge, No. 39, Independent Order of Good Templars, of Pittsburg; of Pioneer Tent, No. 1, Order of Rechabites, of Pittsburg; of Our Young People's Christian Union, of Carnegie; of the Woman's Christian Temperance unions of Wyalusing, Delaware County, Williamsport, Solebury, Allegheny City, and Allegheny County, all in the State of Pennsylvania, praying for the enactment of legislation to prohibit the sale of liquor in canteens of the Army and Navy and of Soldiers' Homes, and in immigrant stations and Government buildings; which were referred to the Committee on Military Affairs.

Mr. ALLEN presented a petition of sundry enlisted men of the First Nebraska Volunteers, praying that they be accorded the same treatment as enlisted men who were discharged from other regiments in the volunteer service, and who received full travel pay and commutation of rations from Manila to their homes, etc.; which was referred to the Committee on Military Affairs.

He also presented a petition of Local Branch No. 12, United Brotherhood of Leather Workers on Horse Goods, of Omaha, Nebr., praying for the passage of the eight-hour bill; which was referred to the Committee on Education and Labor.

He also presented a petition of the president and faculty of the Farmers' Institute of Wescott, Nebr., praying for the enactment of legislation to increase American shipping; which was ordered to lie on the table.

He also presented a memorial of sundry citizens of New York, remonstrating against the annexation of the Philippine Islands; which was referred to the Committee on Foreign Relations.

Mr. HANSBROUGH presented the following petition of the legislature of North Dakota, praying for the establishment of a national lazaretto for the care and maintenance of citizens of the United States afflicted with leprosy; which was referred to the Committee on Public Health and National Quarantine, and ordered to be printed in the RECORD, as follows:

Memorial and concurrent resolution of the house of representatives and senate of the State of North Dakota to the Congress of the United States, praying for the establishment of a national lazaretto for the care and maintenance of citizens of the United States afflicted with leprosy.

To the honorable the Congress of the United States:

Whereas there are now residing in this State a few citizens of the United States afflicted with that most loathsome disease, leprosy; and

Whereas owing to the contagious and incurable nature of the disease, which baffles the skill of medical science and endangers the safety of the public; and

Whereas the care, cure, and maintenance of these unfortunate people by the local authorities is impracticable and dangerous: Therefore, be it

Resolved by the house of representatives (the senate concurring), That your honorable body be requested and urged to take prompt action in establishing and maintaining a national lazaretto for the cure and treatment of citizens of the United States afflicted with leprosy.

Resolved further, That engrossed copies of the memorial, duly signed by the speaker of the house and president of the senate and countersigned by the chief clerk of the house and secretary of the senate, be sent to each of our representatives in Congress, the Hons. HENRY C. HANSBROUGH and WILLIAM N. ROACH, members of the United States Senate, and MARTIN N. JOHNSON, member of the House of Representatives.

THOMAS BAKER, JR.,
Speaker of the House.
J. M. DEVINE,
President of the Senate.

Attest:
J. G. HAMILTON, *Chief Clerk.*
Attest:
S. K. ESTABROOK, *Acting Secretary of the Senate.*

Mr. HANSBROUGH presented a petition of the legislature of North Dakota, praying that an ample appropriation be made for a suitable American exhibit at the Paris Exposition in 1900; which was referred to the Committee on Appropriations, and ordered to be printed in the RECORD, as follows:

Concurrent resolution in behalf of an ample fund for suitable exhibit at the Paris Exposition in 1900.

Whereas it has been determined by the Government of the United States that it participate in the exposition to be given at Paris in the year 1900; and

Whereas there is now pending before the Congress of the United States an appropriation bill for the payment of the expenses of such exhibit to be made at said exposition; and

Whereas the people of North Dakota are interested in the success of the exhibit to be made by this Government, and of the different States: Therefore, be it

Resolved by the members of the house of representatives (the senate concurring herein), That the Hons. HENRY C. HANSBROUGH and WILLIAM N. ROACH, United States Senators, and MARTIN N. JOHNSON, Member of the House of Representatives, be respectfully requested to use their best endeavors to have said appropriation so increased as that it will give sufficient and ample funds to make a creditable exhibit by the Government of the United States.

THOMAS BAKER, JR.,
Speaker of the House.
J. M. DEVINE,
President of the Senate.

Attest:
J. G. HAMILTON, *Chief Clerk.*
Attest:
J. O. SMITH, *Secretary of the Senate.*

Mr. HANSBROUGH presented a petition of the legislature of North Dakota, praying for the appointment of a commission to confer with the Sioux Indians; which was referred to the Committee on Indian Affairs, and ordered to be printed in the RECORD, as follows:

Concurrent resolution relating to the appointment of a commission to confer with Sioux Indians.

Be it resolved by the senate (the house of representatives concurring):

To the honorable the Congress of the United States of America:

Resolved by the senate (the house of representatives concurring): Whereas there appears to be a dissatisfaction among the Sioux Indians on the Fort Totten Reservation, growing out of alleged grievances; Therefore, be it

Resolved, That the Congress of the United States be asked to appoint a commission to confer with said Indians regarding said grievances.

Resolved, That said commission, when appointed, be directed and instructed to proceed with said conference at as early date as possible and report to Congress; and

Resolved, That the secretary of state is hereby instructed to forthwith transmit this memorial to Congress and to send copies hereof to the Secretary of the Interior, Commissioner of Indian Affairs, and to the Senators and Representative of the State of North Dakota.

J. M. DEVINE,
President of the Senate.
THOMAS BAKER, JR.,
Speaker of the House.

Attest:
J. O. SWEET, *Secretary of the Senate.*
Attest:
J. G. HAMILTON, *Chief Clerk.*

I hereby certify that the within concurrent resolution originated in the senate of the Sixth legislative assembly of the State of North Dakota.

J. O. SWEET,
Secretary of the Senate.

Mr. HOAR presented the petition of William Anthony and sundry other citizens of Rochester, N. Y., praying that women be granted the right of suffrage in Hawaii; which was referred to the Select Committee on Woman Suffrage.

He also presented the memorials of Thomas F. Myles and 6 other citizens, Helen Bigelow Bangs and 1 other citizen, Lewis G. Janes and 1 other citizen, Ruth Anne Freeman and 5 other citizens, and James A. Bailey, all in the State of Massachusetts; of John P. Leonard and 18 other citizens, J. Ausdenmore and 40 other citizens, Tony Welmer and 65 other citizens, and Daniel Hamilton and 60 other citizens, all in the State of Ohio; of Franklin A. Becher and 30 other citizens of Wisconsin; of M. J. Kropp and 50 other citizens of Pennsylvania; of Lynden Evans and 14 other citizens and of Lucelia W. Learned and 3 other citizens, all of the United States, remonstrating against any extension of the sovereignty of the United States over the Philippine Islands in any event and over any other foreign territory without the free consent of the people thereof; which were referred to the Committee on Foreign Relations.

REFEREES AND TRUSTEES IN BANKRUPTCY.

Mr. HOAR. I present a petition of the referees in bankruptcy, within and for the district of Massachusetts, appointed under the act approved July 1, 1898, praying for the enactment of legislation to increase the compensation of referees and trustees in bankruptcy.

I ask unanimous consent to say a word upon the subject of the petition. It will take but one moment.

The VICE-PRESIDENT. No objection being made, the Senator from Massachusetts will proceed.

Mr. HOAR. As I stated, it is a petition from the referees in bankruptcy in Massachusetts, praying for an increase of the compensation to those officers. The committee on conference, in order to make the bankruptcy law acceptable, pared down to the quick the allowances for services in administering estates, and I am getting from all parts of the country letters from prominent lawyers and these officials asking for an increase, stating that it is very difficult for them to discharge their duties with justice to themselves without an increase of the compensation.

I desire to say that it does not seem to me practicable, in the short time that remains of the present session, to revise the policy adopted by Congress last year on that subject; and if it were it seems to me that it is better to wait until the public experience

has shown whether there be any other important amendments needed in the bankruptcy legislation, certainly until next year, before taking up any revision or reconsideration. I hope these officials will be patient and will get along, if they can, for another year without further attempting to have the matter revised at this session.

The petition is signed by gentlemen whom I know personally, and they are highly esteemed. One of them shares my own law office at home. I am disposed to do anything that I can for them, and I make this statement so that they will understand the difficulty.

The VICE-PRESIDENT. The petition will be referred to the Committee on the Judiciary.

REPORTS OF COMMITTEES.

Mr. MITCHELL, from the Committee on Pensions, to whom was referred the bill (H. R. 4446) granting an increase of pension to Ellen Charlton, reported it with amendments, and submitted a report thereon.

Mr. LINDSAY, from the Committee on Pensions, to whom was referred the bill (H. R. 11017) granting a pension to Jesse Everly, reported it without amendment, and submitted a report thereon.

He also, from the same committee, to whom was referred the bill (H. R. 80) providing procedure in certain pension cases, reported it with amendments.

He also, from the same committee, to whom was referred the bill (H. R. 11115) granting a pension to Allen Meeks, reported it without amendment, and submitted a report thereon.

Mr. GALLINGER, from the Committee on Pensions, to whom was referred the bill (S. 5435) granting a pension to Emma J. McIntire, reported it without amendment, and submitted a report thereon.

He also, from the same committee, to whom was referred the bill (H. R. 10688) granting an increase of pension to John J. Bowen, reported it with amendments, and submitted a report thereon.

He also, from the same committee, to whom was referred the bill (H. R. 10013) to increase the pension of Joseph H. McGee, reported it without amendment, and submitted a report thereon.

He also, from the same committee, to whom was referred the bill (H. R. 5796) granting an increase of pension to Peter E. Shipler, reported it without amendment, and submitted a report thereon.

He also, from the same committee, to whom was referred the bill (H. R. 3307) to increase the pension of Andrew S. Evans, reported it with amendments, and submitted a report thereon.

He also, from the same committee, to whom was referred the bill (H. R. 2617) granting a pension to Mary E. Sessions, reported it with an amendment, and submitted a report thereon.

He also, from the same committee, to whom was referred the bill (S. 5036) granting a pension to James C. Delaney, reported it with amendments, and submitted a report thereon.

Mr. THURSTON, from the Select Committee on International Expositions, to whom was referred the joint resolution (S. R. 225) relative to the Greater American Exposition to be held in Omaha, Nebr., in the year 1899, and to encourage the same by providing, without expense to the Government, for exhibits from Cuba, Porto Rico, the Ladrone Islands, and the Philippine Archipelago, and for the use of the Government buildings erected for exposition purposes in 1898, and for other purposes, reported it without amendment.

Mr. McMILLAN, from the Committee on Naval Affairs, to whom was referred the bill (S. 5221) for the relief of Lieut. Horace P. McIntosh, reported it with amendments, and submitted a report thereon.

Mr. SHOUP, from the Committee on Pensions, to whom was referred the bill (H. R. 4982) granting an increase of pension to Harriet Tubman Davis, reported it with an amendment, and submitted a report thereon.

Mr. GALLINGER (for Mr. BAKER), from the Committee on Pensions, to whom was referred the bill (H. R. 1279) granting a pension to Barbara C. Lowe, reported it with amendments, and submitted a report thereon.

He also (for Mr. BAKER), from the same committee, to whom was referred the bill (H. R. 6810) granting a pension to Mary Luella Steele, reported it without amendment, and submitted a report thereon.

Mr. PLATT of Connecticut, from the Committee on Indian Affairs, reported an amendment directing the Secretary of the Interior to cause an investigation to be made of the alleged cutting of green timber on the Chippewa ceded and diminished reservations, in the State of Minnesota, to inquire as to the present method of "estimating" timber on said lands, and authorizing him to suspend the further cutting of timber on said reservation, intended to be proposed to the Indian appropriation bill; which was referred to the Committee on Appropriations.

Mr. RAWLINS, from the Committee on Indian Affairs, to whom was referred the bill (H. R. 8480) providing for the sale of the surplus lands on the Pottawatomie and Kickapoo Indian reservations in Kansas, and for other purposes, reported it without amendment.

He also, from the same committee, to whom was referred the bill (S. 5291) to put in force in the Indian Territory certain provisions of the laws of Arkansas relating to corporations, and to make said provisions applicable to said Territory, reported it without amendment.

Mr. WOLCOTT, from the Committee on Finance, to whom was referred the bill (H. R. 10253) to amend the internal-revenue laws relating to distilled spirits, and for other purposes, reported it with an amendment.

Mr. HANSBROUGH, from the Committee on Pensions, to whom was referred the bill (H. R. 4806) granting an increase of pension to Bonaventura Heinz, reported it without amendment, and submitted a report thereon.

REPORT ON CUBA AND PORTO RICO.

Mr. LODGE. I am directed by the Committee on Printing, to whom was referred the joint resolution (S. R. 230) providing for the printing of the report of Robert P. Porter, special commissioner of the United States, on the industrial and commercial conditions of Cuba and Porto Rico, to report it without amendment, and I ask for its present consideration.

There being no objection, the Senate, as in Committee of the Whole, proceeded to consider the joint resolution. It provides that there shall be printed in one volume 9,000 copies of the special report of Robert P. Porter, special commissioner of the United States, on the industrial and commercial conditions of Cuba and Porto Rico; 3,000 copies for the use of the Senate, 5,000 for the use of the House of Representatives, and 1,000 for the use of the Treasury Department.

Mr. ALLEN. I should like to have the Senator from Massachusetts state the character of the report of Mr. Porter.

Mr. LODGE. It is a report, as stated in the joint resolution, on taxation and present industrial condition of Cuba and Porto Rico. It is a report of great value, I understand.

Mr. ALLEN. How long was Mr. Porter in Cuba making the investigation?

Mr. LODGE. The report was made some little time ago.

Mr. ALLEN. I infer from the press dispatches that he was not in Cuba to exceed two or three weeks, or a month at most.

Mr. LODGE. That is the last visit—his second visit. He made a previous visit.

Mr. ALLEN. Was the first visit made before the war?

Mr. LODGE. No; both were made since the war.

Mr. ALLEN. Both have been made since the war?

Mr. LODGE. The last visit, the one to which the Senator refers, was the visit made to Gomez.

Mr. ALLEN. Was the report made to the President of the United States?

Mr. LODGE. No; it was made to the Treasury Department. Mr. Porter went there as an agent of that Department, I understand. The report contains a good deal of valuable information, from what I have been told.

Mr. ALLEN. I hope it will be much more valuable and accurate than his census of 1890.

The joint resolution was reported to the Senate without amendment, ordered to be engrossed for a third reading, read the third time, and passed.

BILLS INTRODUCED.

Mr. GORMAN introduced a bill (S. 5458) providing for the execution of new bonds by officers, employees, and clerks in any of the Executive Departments of the United States, and for the release of sureties on original bonds; which was read twice by its title, and referred to the Committee on the Judiciary.

Mr. McENERY introduced a bill (S. 5459) for the relief of the estate of William P. Williamson, deceased, late of Iberville Parish, La.; which was read twice by its title, and referred to the Committee on Claims.

Mr. LINDSAY introduced a bill (S. 5460) for the relief of John C. Browder; which was read twice by its title, and referred to the Committee on Military Affairs.

Mr. TELLER introduced a bill (S. 5461) for the relief of James C. Howard; which was read twice by its title, and referred to the Committee on Military Affairs.

Mr. JONES of Arkansas introduced a bill (S. 5462) to authorize certain persons who have intermarried with Cherokees to sue for their interest in certain moneys of the tribe from which they were excluded; which was read twice by its title, and referred to the Committee on Indian Affairs.

Mr. PETTUS introduced a bill (S. 5463) to equalize the pay of letter carriers; which was read twice by its title, and referred to the Committee on Post-Offices and Post-Roads.

Mr. MORGAN introduced a bill (S. 5464) to establish and erect a military post at Huntsville, Ala.; which was read twice by its title, and referred to the Committee on Military Affairs.

AMENDMENTS TO APPROPRIATION BILLS.

Mr. McENERY submitted an amendment proposing to appropriate $36,000 for the construction and maintenance of a suitable boat to be used in removing the water hyacinth from the navigable waters of the State of Louisiana, intended to be proposed by him to the river and harbor appropriation bill; which was referred to the Committee on Commerce, and ordered to be printed.

Mr. SEWELL submitted an amendment proposing to increase the appropriation for the improvement of Mantua Creek, New Jersey, from $10,000 to $50,000, and also providing for a preliminary survey of Maurice River and Oldmans Creek, New Jersey, intended to be proposed by him to the river and harbor appropriation bill; which was referred to the Committee on Commerce, and ordered to be printed.

Mr. PRITCHARD submitted an amendment proposing to appropriate $200,000 for the improvement of the harbor of refuge at Cape Lookout, North Carolina, and authorizing the Secretary of War to enter into contracts for material and labor for the completion of said project, as appropriations may be made from time to time, not to exceed the sum of $3,500,000, intended to be proposed by him to the river and harbor appropriation bill; which was referred to the Committee on Commerce, and ordered to be printed.

Mr. NELSON submitted an amendment proposing to appropriate $3,000,000 annually to provide arms, ordnance stores, quartermaster stores, and camp equipage for issue to the militia, intended to be proposed by him to the Army appropriation bill; which was referred to the Committee on Military Affairs, and ordered to be printed.

Mr. MORGAN submitted an amendment extending the franking privilege to all mail matter transported between any of the Hawaiian Islands and the United States, intended to be proposed by him to the Post-Office appropriation bill; which was referred to the Committee on Post-Offices and Post-Roads, and ordered to be printed.

Mr. BURROWS submitted an amendment authorizing the Secretary of the Navy to pay 50 per cent additional for all work in excess of eight hours performed by laborers, workmen, and mechanics at United States navy-yards and naval stations between March 18, 1898, and October 31, 1898, intended to be proposed by him to the naval appropriation bill; which was referred to the Committee on Naval Affairs, and ordered to be printed.

Mr. KENNEY submitted an amendment proposing to appropriate $550 for a survey of the St. Jones River, Delaware, intended to be proposed by him to the river and harbor appropriation bill; which was referred to the Committee on Commerce, and ordered to be printed.

He also submitted an amendment proposing to increase the appropriation for improving Murderkill River, Delaware, from $5,000 to $65,000, and authorizing $1,500 of said appropriation to be used in reopening the mouth of the St. Jones River, intended to be proposed by him to the river and harbor appropriation bill; which was referred to the Committee on Commerce, and ordered to be printed.

Mr. GEAR submitted an amendment proposing to appropriate $50,000 for continuing the improvements on the Missouri River at Sioux City, Iowa, intended to be proposed by him to the river and harbor appropriation bill; which was ordered to be printed, and, with the accompanying paper, referred to the Committee on Commerce.

Mr. PETTUS submitted an amendment proposing to appropriate $400,000 for continuing the improvement of the Tennessee River at the Colbert Shoals and Bee Tree Shoals, Alabama, intended to be proposed by him to the river and harbor appropriation bill; which was referred to the Committee on Commerce, and ordered to be printed.

Mr. TELLER submitted an amendment proposing to appropriate $1,000 to reimburse J. B. Holloway for the preparation of the House omnibus claims bill and statistics relating to war claims, intended to be proposed by him to the sundry civil appropriation bill; which was referred to the Committee on Appropriations, and ordered to be printed.

Mr. SEWELL submitted an amendment providing that the act of May 16, 1888, relating to anchorage of vessels in the port of New York be extended to include the waters of Kill van Kull, Newark Bay, Arthur Kill, and Raritan Bay, intended to be proposed by him to the sundry civil appropriation bill; which was referred to the Committee on Appropriations, and ordered to be printed.

He also submitted an amendment relative to the compensation of the engineer member of the Deep Waterways Commission, appointed from the Corps of Engineers, United States Army, intended to be proposed by him to the sundry civil appropriation bill; which was referred to the Committee on Appropriations, and ordered to be printed.

BRUNSWICK, GA., HARBOR IMPROVEMENT.

Mr. BACON submitted the following resolution; which was considered by unanimous consent, and agreed to:

Resolved, That the Secretary of War be directed to call upon H. L. Marinden, the officer of the Coast and Geodetic Survey appointed by the Secretary of War, under the provisions of the river and harbor act of 1896, to make survey of the work of C. P. Goodyear on the outer bar of Brunswick, Ga., for a report of the value of such work to the Government, based on his report of survey of April 28, 1898, and transmit the same to the Senate.

BUREAU OF ENGRAVING AND PRINTING INVESTIGATION.

Mr. MASON submitted the following resolution; which was referred to the Committee on Printing:

Resolved, That 2,000 copies of the letters of transmittal, the report of the Treasury Department committee which investigated the Bureau of Engraving and Printing in 1897, the reply of the Director of the Bureau thereto, and the rejoinder of Mr. Lyman, chairman of the investigating committee, be printed for the use of the Senate.

HEARINGS BEFORE COMMITTEE ON MILITARY AFFAIRS.

Mr. HAWLEY submitted the following resolution; which was referred to the Committee to Audit and Control the Contingent Expenses of the Senate:

Resolved, That the stenographer employed to report the statements of Maj. Gen. Leonard Wood, United States Volunteers, and Maj. Gen. M. C. Butler, United States Volunteers, before the Committee on Military Affairs, be paid from the contingent fund of the Senate; and that said committee, in considering matters coming before it during the present session of the Senate, is authorized to employ a stenographer to report any hearings that may be held, and to have such hearings printed for the use of the committee, such stenographer to be paid from the said contingent fund.

RESERVOIRS FOR IRRIGATION PURPOSES.

Mr. CARTER submitted the following resolution; which was considered by unanimous consent, and agreed to:

Resolved, That the Secretary of the Interior be, and hereby is, directed to furnish in concise form for the use of the Senate a general statement of the origin, character, and extent of the surveys of reservoir sites made by the United States Geological Survey, with brief memoranda as to present conditions of water storage and the more important sites in each large hydrographic basin, also a summary of estimates as to probable cost of constructing suitable dams at points where the stored water will be of most immediate value to the public.

HEARINGS UPON RIVER AND HARBOR BILL.

Mr. FRYE. Mr. President, I should like to have the attention of Senators for just one moment.

I am instructed by the Committee on Commerce to inform Senators that that committee is now considering the river and harbor bill; that it will meet this afternoon at 2 o'clock and continue in session until adjournment; that it will meet every morning at half past 10 and continue in session until adjournment each day, with an intermission from 12 to 2; that to-day and Wednesday and Thursday Senators who desire to be heard touching any items in the river and harbor bill will be given the opportunity; that after Thursday there will be no more hearings at all. The limitation of time at which the present session is to close compels us to make this rule. So Tuesday, Wednesday, and Thursday Senators will be heard at any time except during the intermission from 12 to 2.

CHOCTAW, OKLAHOMA AND GULF RAILROAD.

Mr. JONES of Arkansas. I ask the unanimous consent of the Senate to call up the bill (S. 5388) granting the right of way through Indian reservations to the Choctaw, Oklahoma and Gulf Railroad Company. It will only take a minute to dispose of it.

There being no objection, the Senate, as in Committee of the Whole, proceeded to consider the bill.

The bill was reported to the Senate without amendment, ordered to be engrossed for a third reading, read the third time, and passed.

EXPENSES OF STATES IN RAISING VOLUNTEER ARMY.

Mr. ALLISON obtained the floor.

Mr. FORAKER. I introduce a joint resolution and ask for its immediate consideration.

Mr. ALLISON. If it takes no time I will yield.

Mr. FORAKER. If there is any objection of course it will go over.

The joint resolution (S. R. 241) declaratory of the true intent and meaning of an act of Congress approved July 8, 1898, was read the first time by its title and the second time at length, as follows:

Be it resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That the act of Congress approved July 8, 1898, entitled "An act to reimburse the governors of States and Territories for expenses incurred by them in aiding the United States to raise and organize and supply and equip the Volunteer Army of the United States in the existing war with Spain," shall be held and construed to apply to expenses incurred as well after as before the day of the approval of said act.

Mr. COCKRELL. A similar bill is pending before the Committee on Military Affairs, and it has been referred to the War Department and the Auditor for the War Department for consideration and report. It was discussed by a subcommittee in charge of another matter this morning. I think the joint resolution ought to go to the Committee on Military Affairs, so that we can have the whole matter covered.

Mr. FORAKER. Very well. I did not know that there was another measure pending. In view of what has been stated by the Senator from Missouri, I have no objection to the joint resolution being referred to the Committee on Military Affairs.

Mr. COCKRELL. The committee will act on the matter promptly.

The VICE-PRESIDENT. Without objection, the joint resolution will be so referred.

HOUSE BILLS REFERRED.

The bill (H. R. 321) for the relief of the Berdan Firearms Manufacturing Company was read twice by its title, and referred to the Committee on Claims.

The bill (H. R. 4382) to establish a national military park to commemorate the campaign, siege, and defense of Vicksburg was read twice by its title, and referred to the Committee on Military Affairs.

The bill (H. R. 8694) to enable the city of Albuquerque, N. Mex., to create certain indebtedness, and for other purposes, was read twice by its title, and referred to the Committee on Territories.

The bill (H. R. 11247) to extend the anti-contract labor laws of the United States to Hawaii was read twice by its title, and referred to the Committee on Territories.

The bill (H. R. 12009) to provide for the removal of snow and ice in the city of Washington, in the District of Columbia, was read twice by its title, and referred to the Committee on the District of Columbia.

TWELFTH AND SUBSEQUENT CENSUSES.

The bill (H. R. 11815) to provide for taking the Twelfth and subsequent censuses was read twice by its title.

The VICE-PRESIDENT. In the absence of the Senator from Montana [Mr. CARTER], who is not now in the Chamber, the bill will lie on the table.

INDIAN APPROPRIATION BILL.

Mr. ALLISON. I move that the Senate proceed to the consideration of the Indian appropriation bill.

The VICE-PRESIDENT. The Senator from Iowa asks that the Senate proceed to the consideration of the bill (H. R. 11217) making appropriations for the current and contingent expenses of the Indian Department and for fulfilling treaty stipulations with various Indian tribes for the fiscal year ending June 30, 1900, and for other purposes. Is there objection? The Chair hears none, and the bill is before the Senate as in Committee of the Whole.

Mr. TILLMAN. Is the morning business closed?

The VICE-PRESIDENT. The morning business is closed.

Mr. TILLMAN. I gave notice last evening that at the expiration of the morning business I would call up the joint resolution introduced by the Senator from Louisiana [Mr. MCENERY] and ask leave to address the Senate on it. I do not presume it is the intention of the Senator from Iowa to antagonize me in my right to do that.

Mr. ALLISON. If the Senator from South Carolina desires to make some observations of which he gave notice, I do not wish to interfere with his purpose. I am perfectly willing that the joint resolution shall be called up for the purpose of enabling him to make some observations.

Mr. TILLMAN. There was an additional notice given by the Senator from Rhode Island [Mr. ALDRICH], that he would try to get a vote on the joint resolution before 2 o'clock.

Mr. ALLISON. I have no objection to a vote on the joint resolution, if it can be taken without debate, after the Senator from South Carolina has concluded.

The VICE-PRESIDENT. The Chair understands the position to be that House bill 11217 is taken up by unanimous consent, and the Senator from Iowa in charge of that bill consents that the Senator from South Carolina shall proceed to make the remarks of which he gave notice last night.

Mr. PLATT of Connecticut. Let the appropriation bill be informally laid aside.

Mr. ALLISON. And the joint resolution is to be taken up for that purpose.

The VICE-PRESIDENT. For that purpose.

Mr. MASON. I desire to understand the parliamentary situation. I do not understand that there was unanimous consent to take up the appropriation bill until after the disposition of the joint resolution.

Mr. ALLISON. There is no unanimous consent respecting appropriation bills. It is understood that they have the right of way. I am perfectly willing to give way, as the Senator from South Carolina states that yesterday he gave notice that he would desire to make some observations upon the joint resolution this morning. I do not object to the joint resolution being taken up for that purpose.

Mr. HALE. Why not have it understood that a vote shall be taken?

Mr. WOLCOTT. The unanimous consent is given as to the remarks to be made by the Senator from South Carolina.

Mr. HALE. In accordance with the understanding yesterday and the notice given by the Senator from South Carolina and also by the Senator from Rhode Island [Mr. ALDRICH] that the joint resolution would be called up, why not let the Senator from South Carolina proceed with his remarks with the understanding that a vote shall be taken on the joint resolution without further debate?

Mr. GALLINGER. I shall have to object to that, Mr. President.

Mr. WOLCOTT. I object to that.

The VICE-PRESIDENT. Objection is made.

Mr. JONES of Arkansas. I think the matters had better be disposed of one at a time. It would be very unusual for the Senate to refuse to allow the Senator from South Carolina to proceed with his remarks of which he has given notice. The question as to whether the Senate will then consider the joint resolution and vote on it can be decided by the Senate after the Senator from South Carolina concludes.

Mr. ALLISON. I can not give way for general debate upon the joint resolution this morning.

The VICE-PRESIDENT. The Senator from South Carolina will proceed.

Mr. TILLMAN. I will only remark before I begin that the Senator from Iowa knows very well that if a Senator can not debate any proposition here upon a measure pending he can debate it anyway on any measure that may be up, and the Senator from Iowa gains no time by pressing matters unduly.

Mr. ALLISON. I have yielded to the Senator from South Carolina.

POLICY REGARDING THE PHILIPPINE ISLANDS.

Mr. TILLMAN. I ask that Senate joint resolution 240 be read.

The VICE-PRESIDENT. The joint resolution will be read.

The Secretary read the joint resolution introduced yesterday by Mr. MCENERY, as follows:

A joint resolution (S. R. 240) declaring the purpose of the United States toward the Philippine Islands.

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That by the ratification of the treaty of peace with Spain it is not intended to incorporate the inhabitants of the Philippine Islands into citizenship of the United States, nor is it intended to permanently annex said islands as an integral part of the territory of the United States; but it is the intention of the United States to establish on said islands a government suitable to the wants and conditions of the inhabitants of said islands to prepare them for local self-government, and in due time to make such disposition of said islands as will best promote the interests of the citizens of the United States and the inhabitants of said islands.

Mr. TILLMAN. Mr. President, but for the fact that I had given notice that I would speak I would not do so this morning, because I have been unwell all night. I am here now only after having passed a sleepless night, and I am suffering at this time great pain.

I have listened to the long and able debate on the general proposition of annexation or expansion, and have never at any time intended to obtrude my views upon the Senate, but to content myself with an occasional foray into the mêlée, or, in other words, to performing a little guerrilla warfare. But there has been such a radical change in the situation since Saturday evening, and things have now assumed such a shape, that I feel constrained to present some views on this question that have hitherto failed to strike the attention of those Senators who have addressed themselves to it.

The first thing, Mr. President, which strikes one who will read the joint resolution with an analytical mind is the absolute uselessness, and the cold-blooded purpose its language conveys. It is simply an assertion of power and of right on the part of this Government to buy and sell those islands for our interest, not for theirs, and to ignore in toto every consideration which those people have a right to expect at our hands.

I do not think anyone can justly charge that there is any politics or that there has been any politics in the determination of the vote of Senators on this question. It has been determinee from other reasons than partisan purposes. While most of thosy who have opposed the ratification of the treaty belong to the party to which I belong, it may be said as a fact, upon which every American citizen can congratulate himself, that the other party gave to the opposition two of its ablest men, who have stanchld and from the very beginning stood here opposed to this new idea

of imperialism. If I were actuated or had been actuated by any political purpose I should have been glad to see the treaty ratified, because, if I do not mistake the trend of public events, the results of the ratification of the treaty promise to bring but disaster to the party which is mainly responsible for it.

There are some things connected with the ratification which merit a little comment, as I pass along, in relation to the resolution which I am now discussing. I will not say, though I have seen it asserted in the newspapers, that the resolution is being pressed by the Senator from Rhode Island for the purpose of redeeming a pledge. I do not know whether that is true, and I do not care. I demand for myself here the recognition of the fact that I am a Senator and claim to exercise my functions as such from high and patriotic motives, and I do not presume to deny to every other one of my colleagues a similar high motive. I can only say that from my point of view, if it was right to defeat the treaty on Saturday, it was right to defeat it on yesterday.

I have never in my legislative experience in this body or in any other assemblage, heard so many speeches giving the most cogent reasons why a man should not vote for a proposition, followed by the acknowledgment that the speaker, notwithstanding, intended to give his vote in its support. So at least a great many votes that have gone to the treaty and have enabled it to become the law of the land , have been cast by men who have been in great doubt as to their duty, and have at last yielded rather to pressure than to any conscientious or calm consideration of the result.

There has been another phase or peculiarity connected with the discussion which we have had. Learned and able lawyers have exhausted themselves in the contention pro and con as to the constitutional right to annex those people in this way. Mr. President, as far as my observation goes, and as I understand the present status of the American people, we have no Constitution left. The only rule which governs Congress now is the rule of the majority. We had an illustration of that when the Hawaiian treaty was rejected by the constitutional one-third, more than one-third refusing to ratify it, and the majority brought in and passed its resolution of annexation by which the Constitution was overridden.

I will qualify the statement I have just made as regards our having no Constitution left, which the majority are bound to respect, by saying that the two-thirds vote to ratify a treaty is the only scintilla of the original instrument which now remains to hamper the majority.

But, Mr. President, while this is a cold-blooded fact which must excite surprise and cause forebodings in the minds of patriots, I wish to address myself to the merits of this question rather than to deal with the accompanying circumstances which have been surprising and in some degree disgusting.

If we are to pass any resolution at all—and I desire that the Senator from Rhode Island [Mr. ALDRICH] who has this matter in charge shall give me his especial attention now—I think that resolution ought to be one which will pave the way to peace in the Philippines, rather than one which will be an aggravation of the war which has begun there. I know that it is natural for the American blood to flame up in anger when the flag is fired upon; I know it is natural for our race to want to fight, very often whether we have provocation or not, and whether we are right or wrong; but, sir, in this great crisis in which so much is involved, it does seem to me that those Senators who have contended from the beginning that our policy should be to ratify the treaty first, and then deal with the results of that cession afterwards, should cause those who are responsible for the existing condition to take up carefully and calmly and seriously consider the proposition which I have just advanced: that we should either pass a resolution which may pave the way to peace, or that we should pass none at all.

This resolution, if it shall pass and be approved by the President, is nothing more, as I have said, than the cold-blooded enunciation of our power; and a declaration that we will deal with this question from the standpoint of our interests, regardless of the rights or the wishes of those 10,000,000 Asiatics who have come under our sway. And above all, notwithstanding the assertions which we heard here yesterday, that we "could not take time to enter into negotiations with the men who had pistols at our breasts, or with those who had fired upon the flag," it appears to me that of all times in our history we could and should at this moment give forth a sound that would be generous and worthy of the great American people.

Mr. President, what caused this last battle of Manila? The reports which we receive through our newspapers all come from American sources; they charge that the Filipinos wantonly attacked the American army, and that that army had a right to defend itself, which nobody assumes to deny. But when we recollect that the telegraph lines from those islands are in charge of the American commander there, or of those whom he designates to control them, it is natural for us to suppose that nothing would be let out under the censorship which has existed for the last three months or more that would be in the slightest degree derogatory to the good faith or the honor of the American army there. Time alone will tell whether this battle was provoked by the Filipinos for purposes of their own, or by the Americans for the purpose of endeavoring to sway men in this Senate to ratify the treaty and change the status.

I recall one of Æsop's fables in which a painter had depicted a lion lying on his back prone beneath the heel of a man, and when he showed the painting to the lion the lion said, "Yes, you painted that; but if you will let me paint it, the situation will be just the opposite."

I come now to make a statement, upon which I base what I have just said, to this effect: That I have seen in the last forty-eight hours an invalided officer of the American Army, one of the regulars, who has just reached this city from Manila. From what he told me of the situation before he left there, I dare to assert that the American Army has been in a state of siege in that city for three or four months; that the lines surrounding the city have been in the possession of the Filipino army outside; that no American was allowed to cross them; and that those Filipinos, while they had not been actively engaged in firing upon our troops, have enforced a strict recognition of the fact that they were in an attitude of antagonism, that they did not recognize this Government as having any rights outside of the city of Manila. If that be true, Mr. President, the question recurs as to who may be responsible or who was responsible for the battle of Saturday night last.

As I understand the legal status the ratification of the treaty will bring about this result: That in the eye of the law the Philippine Islands are ours and the inhabitants thereof are to-day rebels; they are now ours by right of cession from Spain, ratified yesterday by this body, and to be ratified soon by the Spanish Government; they are American subjects; and since they have fired upon the flag they are "rebels." That is the law of the situation as we see it and possibly as the world sees it.

Now, considering the fact, which can not de denied—for our consul, Mr. Williams, reported the fact as far back as February, 1898, before Dewey sailed into Manila Bay—that there was a rebellion against Spain: that the Filipino army was lying outside of the city of Manila and hostilities were active; considering the fact that they organized a government as far back as last June; considering the fact that they have been actively engaged in collecting munitions of war and have recruited their army until, as this officer told me, they have not less than 40,000 men outside of Manila to-day, we are brought face to face with the consideration as to whether it was not wise and proper and the best thing from their point of view for the Filipinos to make the attack which they did, or which it is said they did, on Saturday night last.

If they went to war with the United States before the United States had a title to those islands in law, what is their legal status in international law? They can not be called rebels to us except from the extreme standpoint of legal technicality. We had no right in Manila so far as they were concerned; we only had rights there so far as Spain was concerned; and if, after they had their representative here pleading and begging for some word of comfort, some promise as to our policy, or some dim outline even as to the purpose of recognizing their right to local self-government, they grew desperate at last and fired upon our troops, the firing upon those troops before we had any legal title must give them the right of belligerents in war, although they have been subjects of Spain, because by the cession to us we simply fall heir to Spain's residuary title in those islands, subject to the rights of the natives who were struggling for freedom before we went to war with Spain on an entirely different issue.

We may say they are rebels, and in strict legal interpretation they may be rebels, but, Mr. President, let this war terminate how it will, history will declare that they are to-day patriots striving for what we fought for in our struggle with Great Britain in the last century; and we can not escape from the condition at least of doubt as to the course we ought to follow when we consider this fact. They were fighting for their freedom against Spanish tyranny two years ago, and they continued to fight up to the time when Aguinaldo left the islands and went to Singapore; they continued the fight, as our own consul said, after he left; they never did cease, some of them; there never was peace; and now the question which addresses itself to every American who loves his flag and loves his great country and loves the great principle upon which that flag rests and that country is founded is this: Are we to take the place of Spain as their taskmasters and oppressors? Do "governments derive their just powers from the consent of the governed"?

I have looked back down the vista of what history I have read, and I appeal to any Senator here who may be versed in history to correct me if I am wrong when I say there never has been in the history of mankind a precedent for the existing condition now at Manila between the United States and the Filipino insurgents. The transition or transfer of the legal title to the islands during

the period of their rebellion against one government and their effort to throw off the yoke and establish an independent government has never, so far as I recall, occurred before in the history of the world, and I would ask the Senator from Massachusetts [Mr. LODGE], himself a historian, if he recalls any?

Mr. LODGE. I did not hear the Senator's question.

Mr. TILLMAN. I say the present situation in Manila is unique, it is sui generis, it is the first one of the kind that has ever existed in the history of the world where a colony of another nation at war with that nation for its freedom has been sold in the meantime to another power and their allegiance or sovereignty transferred.

Mr. LODGE. I think the situation is unique in the fact that the people whom we liberated down there have turned against us.

Mr. TILLMAN. Well, Mr. President, the question of liberation is one which will present two points of view. We can look at it from our side and then look at it from theirs. I have just presented a few of the ideas which have occurred to me as having actuated the Filipinos in firing upon the American flag, as they did last Saturday, and that was that they desired to obtain in the eye of international law the rights of belligerents and not become rebels after the cession, as would have occurred if they had fired yesterday evening or this morning, after we had ratified the treaty.

But, as strange as this condition and situation is, as anomalous as it may seem to those who think with the Senator from Massachusetts that we went to Manila for the purpose of liberating the Filipinos——

Mr. LODGE. I did not say we went there for the purpose of liberating the Filipinos; we went there to make war on Spain; but as a matter of fact, we did liberate them. They were absolutely helpless before the Spanish power and remained so until the destruction of the Spanish fleet by Admiral Dewey.

Mr. TILLMAN. I will grant that, if the Senator wishes to contend for it; but the question is whether that liberation carries with it the right of this country to take the sovereignty of those islands and control them against their will and against our own traditions and principles? That is the point.

I wish now to present for the consideration of Senators, and especially of those Senators who stand committed here to a proposition that they are opposed to expansion and are opposed to annexation, but desired to ratify the treaty in order to close the condition of war with Spain and then address themselves to what shall be done in the Philippine Islands afterwards—I say I wish to address to those Senators some remarks in regard to what appears to me our plain and bounden duty at this time, our duty not only to them, but more especially to ourselves.

Senators will recall the fact that some twenty years ago the South African Republic, known as the Transvaal, inhabited by the Boers, was annexed to the British Empire by proclamation. A British diplomatic agent had gone into that country to spy out the land, so to speak, to feel the temper of the people. Having notified his Government that it was advisable to do so, a proclamation was issued, simply reaching out and swallowing the whole Republic, putting them under the British flag, and sending a British governor, accompanied by a regiment of soldiers, to take possession of the cities, towns, and forts, and lo, the thing was done; the Transvaal became a part of the British Dominions!

The Boers, a sturdy Dutch stock, who had fled from Natal and from the Orange Free State to get rid of the Englishmen, numbering only about 50,000 souls all told, met in mass meeting and in assembly time and again. They protested, they supplicated, they negotiated, they begged. In the meantime, while these proceedings were going on, there was a transfer of power in England from the wily, brilliant, but unscrupulous Disraeli to that grandest of English statesmen of this century, William Ewart Gladstone. But even Mr. Gladstone, though he felt that the incorporation of the Boers into the British Empire was wrong, did not feel called upon to say so officially or to take any action; and in the Queen's address to the Commons, written, of course, by the prime minister, it was stated that their request could not be granted.

They were put under the British yoke in 1877. In December, 1880, three years afterwards, the machinery of the Government had begun to move, and the British taxgatherer came around and levied on a wagon belonging to one of the Boers who had refused to pay taxes. He put it up for sale, but, instead of selling it, several Boers rode in on horseback, took charge of the wagon, and gave this British official notice to get out, and in a week's time the entire province was in rebellion against the British Crown—in rebellion from the standpoint of English law, as were our forefathers in 1776, but struggling for that inherent right of man, as Americans have been brought to believe—self-government.

The British troops began to move; reinforcements were rushed from Cape Town, from the adjoining territory belonging to England. The Boers were farmers who had never drilled, but the best riflemen in the world. The result was that in the conflicts with the British regulars these undrilled farmers whipped the redcoats, although they were officered by trained soldiers; and under the lead of one of their number, whose name was Joubert, they won some notable victories. Reading the history of his brilliant military deeds last night, I came to think that possibly under similar conditions, extended a thousandfold as to this man Aguinaldo, who is now called an upstart and an organizer of a "tinhorn government" in Manila, in the Philippines, it may come to pass that under his inspiration and leadership a similar result will happen in those islands.

The last conflict between these Dutch farmers—half civilized if you choose to term them so—and the British army was at Majuba Hill, where a thousand picked British regulars had taken an impregnable position, as they thought, in the cup of an extinct volcano, a natural fortification with a rim around it. The Boers surrounded them, crawled up to the rim of the cup, and shot to death over half of their number, put the rest to flight—those they did not capture—and "all the world wondered." Of course the British bulldog barked and the British lion roared. The demand from the rabble was, "Rush more reinforcements down there and shoot those rebels to death. England's honor demands it."

What did Gladstone say and what did Gladstone do? Realizing that a continuation of the war involved the loss to Great Britain of many soldiers, but more clearly still feeling that his predecessor in office had committed a grave wrong, he sent a negotiator, Gen. Sir Evelyn Wood, with instructions to bring about an honorable peace by the restoration to those people of their republic, reserving only to the Queen of England the right of suzerain and the right to control the foreign policy of the republic.

When Parliament met, the leader of the opposition, Sir Michael Hicks-Beach, moved a resolution censuring the Government for its disgraceful surrender to these struggling Boers in South Africa and the return to them of their inheritance of self-government. The English press—that portion of it which belonged to the opposition—clamored for punishment of the rebels and for their annihilation and extinction. Mr. Gladstone, in defending his conduct, made a speech in Parliament, an extract from which I shall read; and I would to God that it could be framed and hung up in every legislative chamber where the rights of man are discussed and passed on by legislators, as a guide as to what true statesmanship demands. Here is what that great Englishman said:

> Our case is summed up in this: We have endeavored to cast aside all considerations of false shame, and we have felt that we were strong enough to put aside those considerations of false shame without fear of entailing upon our country any sacrifice at all. We have endeavored to do right, and to eschew wrong, and we have done that in a matter involving alike the lives of thousands and the honor and character of our country. And, sir, whatever may be the sense of gentlemen opposite, we believe that we are supported, not only by the general convictions of Parliament, but by those of the country. We feel that we are entitled to make that declaration, for from every great center of opinion in Europe, from the remotest corners of Anglo-Saxon America, have come back to us the echoes of the resolution which we have taken, the favoring and approving echoes, recognizing in the policy of the Government an ambition higher than that which looks for military triumph or for territorial aggrandizement, but which seeks to signalize itself by walking in the plain and simple ways of right and justice, and which desires never to build up empire except in the happiness of the governed.

There is no parallel for the action of the English prime minister. He was the first who had the greatness of soul to rise up and do what was right regardless of consequences. Can the American nation, which we claim to be the home of liberty, a nation of free men, imbued with ideas of self-government from their cradle—can we do less?

It was said that English honor demanded that these colonists should be punished. Everybody knows that England could have sent troops enough there to have killed the last man of them, just as we can send troops enough to Manila to kill, as the Senator from Montana [Mr. CARTER] said the other day, "to shoot them to death," if need be, to make them respect our flag and our authority. We can do it. Nobody doubts that. The question is ought we to do it? Is it honorable to do it? Is it right to do it?

What more do we want in the Philippines than the right of a protectorate, which will give us the control of their foreign policy, will keep away from those islands any outside interloper, or landgrabber, or robber who might desire to gobble them up and enslave the people? What right, or what advantage will it be to us to do more than to occupy as to those islands a similar position as that existing in the Transvaal?

As though coming at the most opportune time possible, you might say, just before the treaty reached the Senate, or about the time it was sent to us, there appeared in one of our magazines a poem by Rudyard Kipling, the greatest poet of England at this time. Mr. President, this poem, unique, and in some places difficult to understand, is to my mind a prophecy. I do not imagine that in the history of human events any poet has ever felt inspired so clearly to portray our danger and our duty. It is called "The White Man's Burden." With the permission of Senators I will read a stanza, and I beg them to listen to it, for it

is well worth their attention. This man has lived in the Indies. In fact he is a citizen of the world, and has been all over it, and knows whereof he speaks.

Take up the White Man's burden—
Send forth the best ye breed—
Go, bind your sons to exile,
To serve your captive's need;
To wait, in heavy harness,
On fluttered folk and wild—
Your new-caught sullen peoples,
Half devil and half child.

Mr. President, I will pause here. I intend to read more, but I wish to call attention to a fact which may have escaped the attention of Senators thus far, that with five exceptions every man in this Chamber who has had to do with the colored race in this country voted against the ratification of the treaty. It was not because we are Democrats, but because we understand and realize what it is to have two races side by side that can not mix or mingle without deterioration and injury to both and the ultimate destruction of the civilization of the higher. We of the South have borne this white man's burden of a colored race in our midst since their emancipation and before.

It was a burden upon our manhood and our ideas of liberty before they were emancipated. It is still a burden, although they have been granted the franchise. It clings to us like the shirt of Nessus, and we are not responsible, because we inherited it, and your fathers as well as ours are responsible for the presence amongst us of that people. Why do we as a people want to incorporate into our citizenship ten millions more of different or of differing races, three or four of them?

But, Mr. President, we have not incorporated them yet, and let us see what this English poet has to say about it, and what he thinks.

Take up the White Man's burden—
No iron rule of kings,
But toil of serf and sweeper—
The tale of common things.
The ports ye shall not enter,
The roads ye shall not tread,
Go, make them with your living
And mark them with your dead.

Ah, if we have no other consideration, if no feeling of humanity, no love of our fellows, no regard for others' rights, if nothing but our self-interest shall actuate us in this crisis, let me say to you that if we go madly on in the direction of crushing the Philippines into subjection and submission we will do so at the cost of many, many thousands of the flower of American youth. There are 10,000,000 of these people, some of them fairly well civilized, and running to the other extreme of naked savages, who are reported in our press dispatches as having stood out in the open and fired their bows and arrows, not flinching from the storm of shot and shell thrown into their midst by the American soldiers last Sunday.

The report of the battle claims that we lost only 75 killed and a hundred and odd wounded; but the first skirmish has carried with it what anguish, what desolation, to homes in a dozen States! How many more victims are we to offer up on this altar of Mammon or national greed? When those regiments march back, if they return with decimated ranks, as they are bound to come, if we have to send thousands and tens of thousands of reenforcements there to press onward until we have subdued those ten millions, at whose door will lie these lives—their blood shed for what? An idea. If a man fires upon the American flag, shoot the last man and kill him, no matter how many Americans have to be shot to do it.

The city of Manila is surrounded by swamps and marshes, I am told. A few miles back lie the woods and jungles and mountains. These people are used to the climate. They know how to get about, and if they mean to have their liberties, as they appear to do, at what sacrifice will the American domination be placed over them? Here is another verse of Kipling. I have fallen in love with this man. He tells us what we will reap:

Take up the White Man's burden,
And reap his old reward—
The blame of those ye better,
The hate of those ye guard—
The cry of hosts ye humor
(Ah, slowly!) toward the light—
"Why brought ye us from bondage,
Our loved Egyptian night?"

Those peoples are not suited to our institutions. They are not ready for liberty as we understand it. They do not want it. Why are we bent on forcing upon them a civilization not suited to them and which only means in their view degradation and a loss of self-respect, which is worse than the loss of life itself?

Mr. President, I am nearly done. Nobody answers and nobody can. The commercial instinct, which seeks to furnish a market and places for the growth of commerce or the investment of capital for the money making of the few, is pressing this country madly to the final and ultimate annexation of these people regardless of their own wishes and at whatever cost to them or us.

We are face to face with the question as to whether we will be content to pass a resolution here which might be sent to the Filipinos as a flag of truce and a means of bringing about pacification and ultimate relinquishment of everything except the protectorate and such commercial advantages as we ought to keep, and which they will gladly give us. We are at a crisis in our own history, when we must turn our faces away from this temptation, turn our backs upon the incentive which has led us thus far, or we must move forward remorselessly and relentlessly, doing our own country and our own people more harm than can result to those people, though we exterminate them from the face of the globe. We have within our grasp, and possible of attainment, a glory and honor such as has never come to another nation in the history of the world—the honor of having fought a war for the love of liberty and humanity, animated by no greedy, selfish purposes hidden under the declaration.

We are still an undegenerate people. We have not yet become corrupted. We have in our veins the best blood of the northern races, who now dominate the world. While we make no pretenses—and it is a pity that we do not even stand up to the few we do make—we have here a religion whose essence is mercy. We have had an experience in free government, government based on the will of the governed—for government by majority is government with the consent of the governed—and we have been taught by that government what so few people of this world have learned, both the firmness to rule and the power of obedience to that rule. We are a Christian people, and our missionaries, or those imbued with the missionary spirit, clamor for the annexation of these islands for the purpose of shedding over them the light of the gospel. We are asked to do as Mahomet did with his creed—carry the Christian religion to these people upon the point of a bayonet, as he spread Islamism over western Asia and eastern Europe and northern Africa on his scimiter.

There are two forces struggling for mastery here, and the better instincts of every Senator within the hearing of my voice lead him to side with me in the proposition that we do not want to shoot people into a civilized condition if we know how to get around it. The two forces to which I have referred as struggling for mastery are liberty, light, and morality—in a word, Christianity—contending against ignorance, greed, and tyranny, against the empires of Mammon and Belial. In the summer seas of the Tropics in both hemispheres two flags are afloat to-day above two ancient cities. They both bear the emblem of this great Republic, the Stars and Stripes. One goes to Havana and is floating in the free air as a harbinger of peace, order, prosperity, happiness, liberty. The other floats in Manila as an emblem of power, cold-blooded, determined to do what? To subjugate those people and force on them such a government as we think is best for them, and then, according to the language of the resolution, determine afterwards as it may be to "our" advantage whether we will sell them or whether we will rule them in our "own" way, without regard to their rights or wishes.

Gladstone "hauled down" the English flag in the Boer Republic. He preserved the semblance of empire, but gave to them what they sought—local self-government. It is a question here whether we will "haul down the flag" in the Philippines or whether we will advance it until we have conquered the last island at whatever cost. It was planted there in honor and now it is proposed to fix it there in dishonor. Why not tell these people now before further blood is shed? "We do not intend to do with you differently from what we do with the Cubans. We went into the war for the purposes of freeing a nation oppressed beyond all historical precedent almost. By accident or without premeditation you have fallen in our grasp. We bought you from Spain and have title. We only want enough of your territory to give us a harbor of refuge, a naval station, the right to protect you from outside interlopers, and to get such commercial advantages as you of right ought to give us." Pass a resolution of that kind, and then if those people will not listen to reason and continue to fire on the flag, I for one will say their blood be on their own heads. Let slip the dogs of war and teach them to respect the Stars and Stripes. But we are there now upon a false pretense. We are there wrongfully. We are there without any justification to ourselves or to the civilized world.

Mr. President, I yield to no man in loyalty to the sentiment, "my country, may it ever be right, but right or wrong, my country." But, oh, my God! when I think how dishonorable the prosecution of the war promises to be to us as a people, how little justification for it we have, even to ourselves, I would that you, my brother Senators on this floor, would pass a resolution which could bring about immediately a cessation of hostilities and a condition which might give the Philippine people the same right to bless us as Cuba will possess, and command for us the admiration and respect of the civilized and pagan world!

Mr. LODGE. Mr. President, it seems to me that some of the statements of fact made by the Senator from South Carolina [Mr.

TILLMAN] need at least a brief reply, and I desire to state in a very few words just what happened in those islands as a matter of history.

There was an insurrection in the Philippines under the lead of Aguinaldo. The insurrection was dealt with ruthlessly by the Spaniards and was substantially put down. They made an agreement with Aguinaldo and the other chiefs by which on the payment of a certain sum of money and the establishment of certain reforms the chiefs were to withdraw and the insurrection come to an end. In a perfectly characteristic manner, in fact just as they behaved in Cuba in 1878, after the chiefs had yielded and the insurrection was substantially over, the Spaniards failed to make the reforms and paid only half the money. With that money Aguinaldo and his chiefs retired to Hongkong, and, although there was guerrilla warfare here and there in the outlying districts, the insurgent Filipinos were absolutely at the mercy of the Spaniards and the Spanish authority was complete as it always had been over those islands. There was no other sovereignty there. There was no belligerent there.

Aguinaldo was brought to the islands on the 19th of May in the steamer *Nanshaw*, under American auspices. There was at that time no organized Filipino force. At first the results of his appeal were so discouraging that he was disinclined to continue. But he did remain, on representations of support made by our commanders. Then the Filipinos began to come in. They found a very great difference between the situation when they had last faced it and the situation after Admiral Dewey's destruction of the Spanish fleet. So long as there were Spanish ships of war in Manila Bay it was absolutely hopeless for the insurgents to think for one moment of besieging the city or of making any effective attack upon the capital which was the center of the whole Philippine system. But with the Spanish fleet destroyed, with the bay in the hands of the American fleet, they were enabled to draw their forces gradually about the city, and they did so. When Aguinaldo first came into connection with our consuls he said to them that his desire was for annexation to the United States and for freedom from the Spanish rule. After he had got over again to Luzon and found how much the situation had changed, he gradually began to increase his ideas of his own importance. He had never adjusted his own relations to the universe, and they remain unadjusted, I think, at the present time.

But the essential point I desire to make is simply this: The insurgent force, as an effective force, and the insurgent rebellion, as an effective rebellion, existed solely because of the victory of Admiral Dewey, and the Admiral, as you may see by reading his dispatches, said to our Government, "I have been extremely careful in all my dealings with these people. I have never made them the allies of the United States. I have never recognized them. I have simply aided them because they were fighting the common foe." Admiral Dewey can be trusted, I think, to manage a matter of that sort without committing the United States to any position to which it should not be committed.

Now, to-day we are there in the city of Manila rightfully by all the laws of war and by all international law. We hold it, as we have a right to hold it, under the agreement with Spain. There was no sovereignty there whatever except the sovereignty of Spain, and we succeeded to that sovereignty in the city of Manila and its suburbs. There has never been an act of oppression against the Filipinos by any American soldier or by the American forces of any kind in the Philippine Islands. Those patriots have never been oppressed by any American in the active service of the country, or by any American act. Their oppression exists solely in speeches in the United States Senate. They have been treated with the utmost consideration and the utmost kindness, and, after the fashion of Orientals, they have mistaken kindness for timidity.

Now, Mr. President, there were the American forces in Manila, where they had a right to be, and, more than that, stringent orders had gone from the President of the United States to General Otis and Admiral Dewey that under no circumstances whatever should any attack be made upon the Filipinos. More than that, Mr. President, over a fortnight ago Aguinaldo was informed officially by General Otis that the President of the United States had ordered him not to attack the Filipinos, so that he knew we had no intention of attacking him. He knew it a fortnight ago.

This idea that he had no notion of our intentions, Mr. President, is a totally mistaken one. He knew absolutely and officially what the intentions of the United States Government were. He knew what the orders of the President of the United States were to the General and Admiral.

But, Mr. President, knowing all that, the Filipinos deliberately precipitated this attack upon the American forces in Manila, where our army had a right to be. They precipitated an attack upon the forces of the country which had given them their existence as a fighting force, upon the forces of the country which had liberated them from the power of Spain. They did it in the face of the declared intention of the United States, conveyed to them from the President by the officers in command of the army and navy.

What caused them to make that attack, what encouraged them to do it, I do not know; but I do know that their representative here fled from this city to Canada and started on that flight before any news had reached this city of an attack at Manila. He knew that that attack was coming, and his flight was a confession that he knew it, and I believe that he incited and advised it. He knew the dispatches that he had sent, and whatever reason they may have had for making the attack, they believed they were going to produce a great effect in this country and upon the fate of the treaty by assailing the troops and the ships of the United States.

Now, Mr. President, the Filipinos made that assault upon our troops, upon the friendly nation, upon people who had never oppressed them, and the attack was met as American soldiers and sailors will always meet every attack. And while they are there in arms assailing American troops, when they have shed American blood, I do not think it is the time to help or to encourage them either by speech or in any other way. Let us bring them back to order and to peace. When they return to their senses, when they have learned their lesson, when they are ready to meet us in the spirit in which we went to them, then will be the time to negotiate and deal with them.

But when they attack American troops, attack them with an attempted surprise, attack without one reason or a single provocation for doing so, while that state of things continues, while they, as Spanish subjects, have broken the truce that exists between this country and Spain, and put themselves in the light of public enemies of the United States, there is to my mind but one thing to do, and that is to sustain our Army and Navy. When they return to the ways of peace, then we can deal with them in the ways of peace; but when they of their own motion attack us in the ways of war, then there is but one way to deal with them, and that is by the way of war. They are in collusion with Spain. Spanish soldiers, as General Otis reports, served their guns, and they have been met, as they deserved to be met, with swift and overwhelming punishment.

But the one point I desired to make above all others, Mr. President, and which I now repeat, was that the Filipinos and Aguinaldo knew the generous and peaceful intentions of the United States. They knew that the President had given orders not to attack them, and under those circumstances they themselves made the attack, and made it wantonly. Therefore I do not think that this is the moment to flatter or to coddle or to praise them.

Mr. TILLMAN. Mr. President——

Mr. ALLISON. I hope we will now have the regular order.

Mr. TILLMAN. I hope the Senator will just allow me to put in here——

Mr. ALLISON. Well, Mr. President——

Mr. TILLMAN. It is not 2 o'clock yet.

Mr. ALLISON. Two o'clock has no relation whatever to the question. If we are to pass these appropriation bills, with but twenty-two days now remaining, there must be time for their consideration. I yielded to the Senator from South Carolina to make his observations. I will yield to him now if he desires to put into the RECORD any document or paper.

Mr. TILLMAN. I simply wish to quote what I have quoted once before, but it comes in this immediate connection.

Mr. LODGE. I will say to the Senator from South Carolina that I have read every one of those reports. I know what is in them.

Mr. TILLMAN. I do not doubt that, but I simply desire, if the Senator from Iowa will permit me, to let the people of this country know that by our own officers, sent there specifically to find out the conditions which existed and the probable action of those people, we had notice nearly six months ago—last August—that Aguinaldo and the Filipinos would not permit us or anybody else to set up a colonial government there.

Mr. ALLISON. I am willing the Senator shall have inserted in the RECORD the paper he desires.

Mr. TILLMAN. It is an extract from a letter of Major Bell, major of engineers, and I will ask the kind permission of the Senator to have it read.

Mr. TELLER. Oh, no; put it in the RECORD.

Mr. TILLMAN. I will read it myself. You can not force me to do what I do not want to do, and you can not ride over me when I wish to have a subject discussed. I will discuss it upon the appropriation bill if you will not allow it to be discussed upon the resolution.

Mr. ALLISON. Mr. President——

Mr. TILLMAN. I do not want to be discourteous.

Mr. ALLISON. I do not wish to treat discourteously the Senator from South Carolina or any other Senator. I yielded to him because he had given notice that he desired to make some observations to-day. It is no more my business than it is his business to

deal with these questions that must be considered now. I have yielded now to him to put into the RECORD any paper he desires.

Mr. TILLMAN. I want to have it read. It is only about ten lines.

Mr. ALLISON. I will yield to have it read if the Senator will mark it and send it up to the desk or read it himself.

Mr. TILLMAN. I will read it myself.

Mr. ALLISON. I hope the Senator will.

Mr. TILLMAN. As I said, it is a letter from Maj. J. F. Bell, who was sent to the Filipinos by General Merritt last summer, and who visited various points on Luzon Island, to which he had a safe conduct from Aguinaldo. His report is to this effect in part:

There is not a particle of doubt but what Aguinaldo and his leaders will resist any attempt of any government to reorganize a colonial government here. They are especially bitter toward the Spaniards, but equally determined not to submit any longer to being a colony of any other government. What they would like best of all would be a Filipino republic with an American protectorate, for none realize their inability more clearly than they to maintain a republic without protection of some stronger power.

That is Major Bell's report to us. We have had fair notice. We were told by our own officers that those people would fight us; but in the face of that, our President sent his honorable commissioners to Paris and bought those people like sheep, and now you propose to slaughter them.

Mr. MONEY. Will the Senator from Iowa kindly allow me to read about one minute from a letter from a private soldier, which I have just received, with one other? It is from a young man of the very highest character, a son of one of the most distinguished men in my State. I will read it if the Senator will permit me to do it. It will take about one minute.

Mr. ALLISON. Certainly, I will permit it.

Mr. MONEY. I rely upon the Senator's courtesy, and will not abuse it. Some of the letter is interesting to the general public. I will state that it is dated Manila, Philippine Islands, December 24, 1898. It has been a long time on the way. The writer says:

Have been quite busy recently, as there have been almost daily (and senseless) alarms that the insurgents were going to make an attack. At this writing I believe it only a matter of time when there will be a clash, for the two armies' outposts are within a mile or two of each other, and a single shot from either side would precipitate a general engagement.

That is the opinion of a young man who is a private in the ranks and who, as I said, is absolutely reliable as to truth, and is of sufficient intelligence to form an opinion that ought to be of some value. That letter was written nearly a month and a half ago. It shows the conditions which existed at that time. I thank the Senator from Iowa for his courtesy.

Mr. ALLISON. Now, Mr. President, I call for the regular order.

The VICE-PRESIDENT. The regular order is called for, which is the Indian appropriation bill.

INDIAN APPROPRIATION BILL.

The Senate, as in Committee of the Whole, resumed the consideration of the bill (H. R. 11217) making appropriations for the current and contingent expenses of the Indian Department and for fulfilling treaty stipulations with various Indian tribes for the fiscal year ending June 30, 1900, and for other purposes.

The VICE-PRESIDENT. The pending question is on the amendment offered by the Senator from Pennsylvania [Mr. QUAY].

Mr. QUAY. I desire to withdraw the amendment that I offered when the bill was last before the Senate, and, at the suggestion of the Senator from Iowa in charge of the bill, in lieu thereof I move, in line 12, page 34, to strike out the word "ninety" and insert the words "one hundred," which will accomplish the same purpose.

The VICE-PRESIDENT. The amendment heretofore proposed is withdrawn, and the Senator from Pennsylvania offers in lieu thereof an amendment which will be stated.

The SECRETARY. On page 34, line 12, before the word "thousand," strike out "ninety" and insert "one hundred;" so as to read:

For subsistence and civilization of the Arapahoes and Cheyennes who have been collected on the reservations set apart for their use and occupation, $100,000.

Mr. ALLISON. That amendment is in accordance with the suggestion of the Secretary of the Interior, and I do not object to it.

The amendment was agreed to.

Mr. QUAY. I desire, while I have the floor, to call the attention of the Senator from Iowa to the provision on page 37:

For the purchase of teams, farming implements, seeds, and other necessary articles for the Mexican Kickapoo Indians, known as the "Kicking Kickapoos," in Oklahoma Territory, in the discretion of the Secretary of the Interior, $3,000.

That amendment is insufficient. Two thousand was allotted to them last year, which proved to be altogether insufficient. I ask the Senator from Iowa to agree to an amendment increasing the appropriation from $3,000 to $5,000.

Mr. ALLISON. The committee authorized me to propose to increase the amount from $3,000 to $5,000, and to make it immediately available. Therefore I move to strike out "three" and to insert "five" before "thousand," and to add, after "dollars," "to be immediately available."

The VICE-PRESIDENT. The amendment will be stated.

The SECRETARY. On line 8, page 37, strike out "three," before "thousand," and insert "five;" and insert at the end of line 9 the words "to be immediately available;" so as to read:

For the purchase of teams, farming implements, seeds, and other necessary articles for the Mexican Kickapoo Indians, known as the "Kicking Kickapoos," in Oklahoma Territory, in the discretion of the Secretary of the Interior, $5,000, to be immediately available.

The amendment was agreed to.

Mr. TURNER. I ask the Senator from Iowa to yield to me to offer an amendment to the pending bill for reference to the Committee on Indian Affairs.

Mr. ALLISON. I desire to propose some amendments on behalf of the committee. Before doing so I yield, of course, to the Senator from Washington.

Mr. TURNER. I wish to get the amendment to the Committee on Indian Affairs and to get a report on it before the bill passes. I send the proposed amendment to the desk.

Mr. TURNER's amendment authorizing the Indians of the Yakima Indian Reservation to lease their lands allotted for agricultural purposes for a term not exceeding five years, etc., was referred to the Committee on Indian Affairs.

TICKET BROKERAGE.

The VICE-PRESIDENT. The hour of 2 o'clock has arrived, and it is the duty of the Chair to lay before the Senate the unfinished business, which will be stated.

The SECRETARY. A bill (S. 1575) to amend an act entitled "An act to regulate commerce."

Mr. ALLISON. I ask that the unfinished business may be informally laid aside so as to proceed with the consideration of the Indian appropriation bill.

The VICE-PRESIDENT. The Senator from Iowa asks that the consideration of the Indian appropriation bill be continued, laying aside the unfinished business informally.

Mr. ALLEN. Is the unfinished business the bill commonly known as the anti-scalping bill?

The VICE-PRESIDENT. So the Chair understands.

Mr. ALLEN. How does it become the unfinished business?

The VICE-PRESIDENT. It was made so by a vote of the Senate.

Mr. CULLOM. Two weeks ago.

Mr. ALLEN. I was not here at the time, and therefore I did not know it.

POLICY REGARDING THE PHILIPPINE ISLANDS.

Mr. LINDSAY. With the consent of the Senator from Iowa, I will inquire what becomes of the joint resolution of the Senator from Louisiana [Mr. MCENERY] which has been under discussion this morning?

The VICE-PRESIDENT. The joint resolution goes to the Calendar.

Mr. ALLISON. The joint resolution was taken up this morning by unanimous consent in order that the Senator from South Carolina [Mr. TILLMAN] might make some observations upon it.

Mr. LINDSAY. I desire to give notice that on Thursday, after the morning business has been disposed of, if I do not interfere with any appropriation bill, I will submit some remarks on that joint resolution.

Mr. ALLISON. I should be very glad if two or three days now could be devoted to the consideration of pressing appropriation bills that must go back to the House.

Mr. LINDSAY. I shall not interfere with appropriation bills.

Mr. ALLISON. I assure the Senator from Kentucky that there will be ample opportunity for him and other Senators to discuss the joint resolution which was introduced by the Senator from Louisiana, and I hope we may have a vote upon it.

Mr. MASON. Mr. President, I desire to give notice that I intend to make some remarks upon the pending resolution, unless it is disposed of, and I do not consider the appropriation bills of so great importance as the pending resolution. I intend to be very respectful to the budget of annual appropriation bills; but there has been an agreement running now for weeks, and finally upon the last vote an agreement was made by many of the Senators, that we were to have a vote upon the joint resolution yesterday immediately after the adoption of the treaty. I do not say that we were all taken into the agreement. I say that that agreement was made, and upon that agreement the treaty was ratified. I mean to say——

Mr. JONES of Arkansas. Will the Senator from Illinois inform the Senate when that agreement was made?

Mr. MASON. I refer to what came to my attention in the

course of ordinary conversation with my colleagues upon the floor immediately before the vote was taken.

Mr. JONES of Arkansas. I had not noticed anything of it in the RECORD, and I did not know when the agreement was made.

Mr. MASON. If the Senator had been attentive he would have observed that I said it was not an agreement to which we were all parties. I do regard it as more important than any appropriation bill. I happen to have that opinion, and I differ very materially with very many of my colleagues on both sides of this Chamber. When I get ready to be heard I will promise the Senate to be silent, if that will be any inducement, in order to get a vote upon these resolutions.

There seems to be, however, a manifest disposition not to have a vote after having the treaty adopted, and after having reached a state of war with the natives, which I believed would take place and which I stated in this Chamber would take place, and for which I was sneered at by distinguished gentlemen who now refuse us a vote. Having reached a state that was as clear to be seen as that the night was to follow the day, and having reached the point when you agreed that we should have a vote to declare upon what basis those people should be treated, at least to hold out some ray of hope, some peg where they could hang a hope of ultimate independence, if we are to go on now day after day with every promise made broken and disregarded, I say very respectfully to the Senator who has charge of the appropriation bills that I do not consider the appropriation bills half as sacred as the keeping of the promise made between ourselves that there should be a vote upon the resolution. I make this reply to his suggestion. I shall not permit the appropriation bills to interfere with me when I am prepared to speak upon the resolutions, and I announce now that I shall not speak upon them if there is any disposition to give us a vote.

It looks to me as though the Senator from South Carolina, or rather the Senator from Louisiana who introduced the resolution, and who had an agreement absolutely with the gentlemen in charge of the treaty, is to be treated for the next thirty days as I have been treated when I respectfully asked for a vote upon my resolution. I desire to give notice, respectfully, that I have no special consideration and no interest in appropriation bills compared with the interest I believe the people have in the passage of one of these resolutions, or the defeat of the resolution, if you please.

Mr. ALLISON. Mr. President, I have no other interest in the business of the Senate than every other Senator has. These appropriation bills are bills of great detail and usually require conferences between the two Houses respecting them. Since I have been in the Senate they have taken precedence, by unanimous consent, of all other business of the Senate.

I do not know what contract or agreement or arrangement the Senator from Illinois suggests, but, so far as I am concerned, I am ready any moment to vote upon his resolution or any other. The difficulty respecting this resolution and kindred resolutions is that they are debated and debated, and no vote seems possible. I am willing at any moment to have a vote taken, and now, if Senators will vote upon the resolution, I am willing to vote upon it.

But it is absolutely essential, if we are to transact the business of the Senate during this session, that the appropriation bills shall be disposed of. I am willing to sit here at night and to have long sessions during the day to consider the resolutions that are cognate to the one proposed by the Senator from Louisiana, but I submit to Senators that we will get along much more rapidly with the business of the Senate by taking up the appropriation bills when they are ready for consideration and taking up the important matter suggested by the Senator from Illinois at other times.

Mr. TILLMAN obtained the floor.

Mr. MASON. Well, Mr. President——

The VICE-PRESIDENT. The Senator from South Carolina has been recognized.

Mr. MASON. I ask unanimous consent that the vote upon the resolution of the Senator from Louisiana be taken——

Mr. TILLMAN. I have the floor, I believe, Mr. President.

Mr. MASON. I beg the Senator's pardon.

Mr. TILLMAN. I wish to ask the Senator from Illinois a question if he will be kind enough to answer it. I understood him a moment ago—if I did not understand him rightly, I hope he will correct me—to state that an agreement was reached or a pledge made to the Senator from Louisiana and the Senator from South Carolina, my colleague, prior to their voting for the treaty that if they did vote for it they would be given a resolution of this character or a vote on it. Was that it?

Mr. MASON. No.

Mr. TILLMAN. What was it that the Senator said?

Mr. MASON. You did not understand me. I said an agreement was made to which we were not all a party. It was not an agreement made in open Senate by unanimous consent, but an agreement was made and brought to my attention by different colleagues upon the floor that it was agreed, and agreed all around, that the moment the treaty was passed we were to have a vote upon the resolution of the Senator from Louisiana. It was not agreed, so far as I know, with either the junior Senator from South Carolina or the Senator from Louisiana. I had no talk with them on the subject.

Mr. TILLMAN. "All around." Where, Mr. President? Around the Senator from Illinois?

Mr. MASON. Well, that is a good deal—about twice around the Senator from South Carolina and once around the junior Senator.

Mr. TILLMAN. I was simply trying to arrive at a knowledge of what had been agreed upon and by whom the agreement had been made.

Mr. MASON. Oh, it was a statement. I made it very plain. It was not a unanimous agreement in open Senate, such as we usually make, whereby we fix a time to vote. It was the general talk among my colleagues. I was not managing——

Mr. TILLMAN. If the Senator does not get that vote, he will consider that he has been buncoed?

Mr. MASON. I am getting used to it since I came into this body. But what I want to give notice of is that I am getting a little bit tired of it, and I want a vote upon one of these resolutions. I do not want to ask any Senator to vote contrary to his judgment. I claim that I have a right to express myself, and if I can not get a vote upon it I want to inflict the Senate and the country once again.

Mr. ALLEN. Mr. President, I would like to ask——

Mr. MASON. I ask unanimous consent that the vote upon the resolution offered by the Senator from Louisiana shall be taken at 1 o'clock to-morrow.

Mr. WOLCOTT. I object to any unanimous consent being given.

The VICE-PRESIDENT. The Senator from Nebraska [Mr. ALLEN] was recognized.

Mr. MASON. I suggest the absence of a quorum. I do not think the Senator would make that suggestion if there was a full house.

The VICE-PRESIDENT. The Chair has not yet put the request of the Senator from Illinois, because the Senator from Nebraska has been recognized. The Chair will put the request later.

Mr. MASON. I suggest the absence of a quorum. I want a full Senate.

SPEECHES AT A JACKSONIAN BANQUET.

Mr. ALLEN. I desire to interrupt the Senator from Iowa long enough to ask permission to place in the RECORD certain speeches published in the Omaha World-Herald of January 8, 1899, at the Jacksonian banquet held in Omaha. The speeches were made by ex-Vice-President Stevenson, ex-Governor John P. Altgeld, Hon. WILLIAM SULZER, of New York, Dr. A. H. Hipple, Judge Robinson, and Hon. T. J. Doyle, of Nebraska, and bear upon important political issues now before the country. I ask unanimous consent to have them printed in the RECORD.

Mr. MASON. I object.

Mr. ALLISON. I was not able to hear a word the Senator from Nebraska said, so I do not know what he desires.

Mr. WOLCOTT. I could not hear a word.

The VICE-PRESIDENT. Unanimous consent is asked by the Senator from Nebraska to print in the RECORD certain speeches.

Mr. ALLEN. I do not desire to make a speech myself and attach these speeches as a part of my remarks, but they are speeches delivered by such men as ex-Vice-President Stevenson, ex-Governor Altgeld, and men of that character, and they bear——

Mr. MASON. Mr. President——

Mr. ALLEN. I will yield to the Senator from Illinois.

Mr. MASON. I objected. I followed the lead of the distinguished Senator from Colorado. I am opposed to unanimous consent.

Mr. ALLEN. I could not tell at this distance whether it was a protest or an approval.

Mr. MASON. There are very few things you can tell so far as they are off now.

Mr. ALLEN. I see the Senator, however, very well. They are speeches by such gentlemen as I have named and——

Mr. MASON. Mr. President, I call for the regular order.

Mr. ALLEN. I yield again to the Senator from Illinois.

The VICE-PRESIDENT. The Senator from Nebraska is in order.

Mr. ALLEN. Such men as Dr. Hipple——

Mr. MASON. Then I am not in order when I object to the unanimous consent asked?

The VICE-PRESIDENT. The question has not yet been put to the Senate. The Senator from Nebraska has not finished his statement.

Mr. MASON. Mr. President, I rise to a question of order. The Senator from Nebraska asked for unanimous consent, and I objected.

The VICE-PRESIDENT. The Chair holds that the Senator from Nebraska can not be taken from the floor in that way. The Chair will put his request to the Senate in a moment.

Mr. ALLEN. I have made the request I desired, if I have been able to make it clear to the Chair.

The VICE-PRESIDENT. Unanimous consent is asked of the Senate that certain papers referred to by the Senator from Nebraska be published in the RECORD. Is there objection?

Mr. MASON. I object.

The VICE-PRESIDENT. Objection is made.

Mr. ALLEN. Mr. President, I think the resolution which has just been so ably discussed——

Mr. MASON. Mr. President, I rise to a point of order. There is no quorum present to transact business.

Mr. ALLEN. I trust the Senator will observe the rules and not attempt to take me off my feet while I am upon the floor.

Mr. MASON. I am anxious to have a full house while the Senator speaks.

Mr. ALLEN. That suggestion can not be made while I occupy the floor.

Mr. MASON. I ask for a ruling of the Chair upon the question whether it is not proper to make that point at any time.

Mr. ALLEN. I decline to yield to my amiable friend from Illinois. I will be through in a few moments.

The VICE-PRESIDENT. The Chair will recognize the Senator from Illinois as soon as the Senator from Nebraska yields the floor.

Mr. MASON. Then do I understand the rule to be that while a Senator is speaking the point of no quorum can not be made?

The VICE-PRESIDENT. The Chair so understands the rule.

Mr. ALLEN. It has been the ruling since I have been here that a Senator can not be taken off the floor by another Senator suggesting the want of a quorum.

When interrupted by the Senator from Illinois I was endeavoring to say that I think the resolution introduced by the Senator from Louisiana ought in good faith to be adopted by the Senate without any further debate or dissent. It has developed this morning that in some kind of a conclave or caucus or conference, from which some of us were excluded and of which we knew nothing, it was determined yesterday to take up the resolution of the Senator from Louisiana and adopt it after the ratification of the treaty of peace with Spain.

Mr. President, that resolution is expressive of very important doctrine. It declares a policy on the part of the Government of the United States. It is in perfect harmony and keeping with the doctrines of the Declaration of Independence; it is in perfect accord with the fourth subdivision of our declaration of war with Spain, introduced by the senior Senator from Colorado [Mr. TELLER]; and in so far as it touches the question at all it is expressive of a true American doctrine.

The questions of expansion and of imperialism are important questions in this country at this time. There is a broad distinction between natural, peaceful, and proper territorial expansion where territory is ceded to this country through peaceful means and by mutual agreement, and that other kind of expansion which finds its chief prototype in Napoleon I, and which believes in the forcible colonization and subjection of alien peoples and their territory to our country against their protest.

I understand that to be in substance the distinction between expansion and imperialism. This distinction is made very clear by certain speeches made at the Jacksonian banquet at Omaha on the 8th of January last, delivered by our late honorable Vice-President, Mr. Stevenson; ex-Governor Altgeld, of the great Commonwealth of Illinois; Hon. WILLIAM SULZER, of New York; Dr. Hipple, Judge Robinson, and Hon. T. J. Doyle, of my State. These speeches are exceptionally able; they were delivered by a class of orators and thinkers equal, I can say without any disrespect or disparagement, to any Senator in this Chamber; and now, without reading the speeches, I ask that the usual course be pursued, and that they be printed as a part of my remarks. I offer them.

The VICE-PRESIDENT. Is there objection to the request made by the Senator from Nebraska?

Mr. MASON. I object.

Mr. ALLEN. Then I will read them myself. I trust the Senator will not go to that length. Such a thing has never occurred in this Chamber before to my knowledge. I send these speeches to the desk and ask the Secretary to read them in their order, and I also send the order in which they were delivered.

Mr. MASON. I have no desire to inflict any physical punishment upon the Senator from Nebraska. I am perfectly willing the speeches shall be read, if everybody else is agreeable. I have often heard these speeches myself, as I come from the State of Illinois; but if the Senator wants to give them to the country in this way, and no one else objects to their reading, I shall not object.

Mr. ALLEN. I have not had the benefit of them myself. The Senator resides in one of the most populous cities of the United States, where they enjoy all the facilities and opportunities for an education.

Mr. MASON. Did the Senator say "populous" or "Populist?"

Mr. ALLEN. I reside in a Populist city of about 1,600 people, 75 miles west of the Missouri River, and only having one little branch railroad, and so my opportunities of education are very limited. If I had the opportunities the honorable Senator from Illinois has, I have no doubt that in the course of twenty-five or thirty years I might acquire as much information as he possesses.

Mr. GALLINGER. Will the Senator permit me?

Mr. ALLEN. Yes, sir.

Mr. GALLINGER. I desire to ask the Senator if he would not be satisfied to have the speeches referred to printed as a document? They would then be available to all Senators.

Mr. ALLEN. They are short, and I think they ought to take the ordinary course.

Mr. GALLINGER. Of course I shall not object to the Senator's request; I wish, however, that he would not put them in the RECORD, but have them printed as a document.

Mr. ALLEN. I prefer the ordinary course of printing them as a part of my remarks.

Mr. HAWLEY. I object to the speeches going into the RECORD, if that is the request.

Mr. ALLEN. Then I will put them into the RECORD myself.

Mr. HAWLEY. I do not object captiously; but these are the ordinary Jacksonian banquet speeches, which in excellence and eloquence are probably not different from the numerous other speeches delivered at such banquets held in the last fifty years. They cover a large space, four newspaper pages of speeches of the Senator's particular personal friends, no more eloquent, no more able, than a great many others which have been delivered. I think it is a calamity to burden the CONGRESSIONAL RECORD with matter of that kind. The RECORD is coming to be for an ordinary Congress an enormous mass of volumes, and it is getting to be so that no ordinary library in the country will consent to take them for a series of years, as they will not have room for them. They are rarely looked at again after the morning they appear.

Mr. ALLEN. This is the first time in the six years I have served here that I have ever heard objection to the attaching of speeches or documents to the remarks of a Senator.

Mr. HAWLEY. I have myself before made objections.

Mr. ALLEN. I have the power to put these speeches in the RECORD in spite of the Senator from Connecticut [Mr. HAWLEY], and if he wants to consume the time of the Senate that it will take me to read the speeches, he may do so. I will read them.

Mr. HAWLEY. The Senator speaks as if the crime would be mine of reading those speeches here. I will withdraw my objection and let the Senator put them in the RECORD, but I shall protest hereafter against this shameful crowding of the CONGRESSIONAL RECORD with foreign matter.

Mr. ALLEN. I thank the Senator.

The VICE-PRESIDENT. Is there objection to the request of the Senator from Nebraska?

Mr. MASON. I have no objection to the speeches being read, but I object to their being printed without being read.

Mr. ALLEN. I submit that it is the ordinary courtesy of the Senate.

Mr. MASON. I say I do not ask the Senator to read the speeches. I am perfectly willing to relieve the Senator from any physical effort of that kind. I do not intend to inflict the Senator to the extent of compelling him to read those speeches which he has so often pondered on.

Mr. ALLEN. I want to appeal to the Senator from Illinois not to stand here and badger me about this matter. I am not a mere tyro. I know something about the courtesies of the Senate. I have been here for a few years, and I have yet to see an instance in which there has been an objection made to a Senator publishing speeches or documents as a part of his own remarks.

Mr. MASON. I do not object to that.

Mr. ALLEN. Now, does the Senator want me to stand here and kill the valuable time of the Senate and delay the passage of the Indian appropriation bill and the passage of the resolution of the Senator from Louisiana [Mr. MCENERY] by reading these speeches? I appeal to the Senator to pursue the ordinary courtesies of the Senate, and to permit these speeches to be published without reading, as a part of my remarks.

The VICE-PRESIDENT. Is there objection? The Chair hears none.

Mr. MASON. Mr. President, I beg your pardon. I do object.

The VICE-PRESIDENT. The Senator from Illinois objects.

Mr. MASON. I object. I want the speeches read. I had some intimation of some agreement and I asked unanimous consent for a vote, and I have tried it for thirty days while the distinguished Senator has been looking after his fences—which was all right—for a vote upon one of these resolutions, and yet we are further off from a vote to-day than we were thirty days ago. I consider those

resolutions of greater importance than that the speeches of distinguished United States Senators, ex-Representatives, or the ex-governor of the State of Illinois should be read here, or than the appropriation bill, if the Senator pleases.

Mr. ALLEN. I hope the Senator will not undertake to punish me for the sins of his party. Let the Senator turn his wrath upon the Senator from Iowa [Mr. ALLISON] or some other distinguished leader of his party in this Chamber, and not undertake to reach his own side of the Chamber by heaping his discourtesies upon me.

Mr. MASON. Is it a discourtesy to you to ask that the public and the Senate have the benefit of the reading by one of the clerks at the desk?

Mr. ALLEN. No; but, Mr. President——

Mr. MASON. I fear the Senator is looking for some discourteous treatment where none is intended.

Mr. ALLEN. I am not looking for any discourtesy at all—not the slightest.

The Senator from Illinois said a moment ago that some kind of agreement was made yesterday, I believe, respecting a vote to be taken upon the resolution of the honorable Senator from Louisiana now pending before the Senate. I did not know such an agreement was made. I had never heard of it before. I infer from what the Senator from Illinois says that it was an agreement made on the Republican side of this Chamber. Now, if the Senator and his Republican associates are recreant to their agreement, if they fail at this time to keep their pledge that the resolution shall be promptly brought before the Senate and voted upon, I insist I am not a party to that transaction, and that the Senator, instead of undertaking to prevent my having these speeches printed in accordance with the precedents of the Senate—a thing which has never been done before to my knowledge—ought to turn his batteries upon his own political associates who have been guilty of this supposed treachery.

Mr. GALLINGER. If the Senator will permit me, I desire to say that as one very insignificant Republican Senator, I was not a party to any agreement and know nothing of it.

Mr. ALLEN. Mr. President, I do not like to be made a poodle dog in a play of this kind.

Mr. ALLISON. If the Senator from Nebraska will allow me—he suggested that the Senator from Illinois should turn his vials of wrath upon the chairman of the Committee on Appropriations rather than upon his side of the Chamber—I wish to say that I know nothing of any such agreement. So I want to absolve myself from the wrath of the Senator from Illinois, if I can.

Mr. ALLEN. I want to make one more appeal to the Senator from Illinois to extend me the ordinary personal courtesy, which has never been denied in this Chamber, of having these speeches published in the RECORD without their being read.

The VICE-PRESIDENT. Is there objection to the request of the Senator from Nebraska [Mr. ALLEN] that he be permitted to print as part of his remarks in the RECORD the papers he has sent to the Secretary's desk?

Mr. MASON. I object, Mr. President.

The VICE-PRESIDENT. Objection is made.

Mr. ALLEN. Well, Mr. President, I do not know that I can do anything but to bide my opportunity when the Senator is absent from the Chamber to have the speeches published, or to ask the Secretary to read them now.

Mr. MASON. I have no objection at all to having them read. I should enjoy them very much.

Mr. ALLEN. I do not like to be put in the attitude of antagonizing or being made the conscious instrument through the capricious conduct of the Senator from Illinois of delaying the public business.

Mr. TILLMAN. Will the Senator yield to me for a question? I desire, if I can, to find out what the hitch is.

Mr. ALLEN. I yield to the Senator.

Mr. TILLMAN. I rise to a parliamentary inquiry, Mr. President. I desire to know just what is before the Senate—not the appropriation bill, but the immediate trouble.

The VICE-PRESIDENT. A request for unanimous consent to have certain matter printed in the RECORD as a part of the remarks of the Senator from Nebraska.

Mr. MASON. Printed without reading, Mr. President.

The VICE-PRESIDENT. Printed without reading.

Mr. TILLMAN. I understood the Senator from Connecticut [Mr. HAWLEY] to withdraw his objection to having the matter printed.

Mr. ALLEN. Yes. The objection comes from the Senator from Illinois [Mr. MASON].

I will withdraw these speeches, Mr. President, for the time being, or my request for their publication, until the atmosphere clears a little, when I will attempt it again.

Mr. ALLEN subsequently said: I desire to offer these speeches as a part of my remarks made a few moments ago, and I ask unanimous consent that they be published without reading.

The PRESIDING OFFICER (Mr. GALLINGER in the chair). The Senator from Nebraska asks unanimous consent that the documents he has sent to the desk be inserted as a part of his remarks. Is there objection? The Chair hears none.

The speeches referred to are as follows:

THE DEMOCRATIC PARTY.

[Speech of Hon. Adlai E. Stevenson in response to the toast, "The Democratic Party," at the annual banquet of the Jacksonian Club, at Omaha, Nebr., January 7, 1899.]

Mr. President and Gentlemen: I count it indeed a high privilege to join my voice with yours to-night in this magnificent city of the West in doing honor to the memory of one of the patron saints of Democracy, Andrew Jackson. During the century now drawing to a close America has given to the world its best lessons in liberty and in law. Near its beginning to Great Britain—no less than to Spain at its close—it has given a never-to-be-forgotten lesson in the dread art of war. The brilliancy of recent victories, the splendid achievements of our arms upon foreign shores and upon distant waters, can not obscure or dim the glory of the triumph of American valor at New Orleans upon the proud day of which this is the anniversary. The 8th of January is one of the sacred days of our calendar.

Each recurring anniversary recalls a bloody struggle which will for all time hold its place in history. Upon that day Jackson, with a handful of militia, with a loss of 7 killed and 6 wounded, defeated and captured the splendidly equipped regulars of the British army. The disgraceful surrender of Hull at Detroit, the wanton destruction by fire of the public buildings at Washington, with all the insults and wrongs which had precipitated the second war with Great Britain, were more than atoned for by the victory we celebrate. It was the last battle of the war; the last fought—the last, I trust in God, that will ever be fought—by England against the United States. The events which inspired, together with the glorious culmination of a struggle forced by a powerful upon a weak nation, belong now to the domain of history. No American will forget that the British courage, before which a few months later the old guard of Napoleon went down at Waterloo, was unable to cope with Jackson and his heroic comrades at New Orleans.

The treaty of Ghent, establishing peace—which I trust will endure with the ages—between Great Britain and America, had been signed on the 24th of December, fourteen days before the great battle was fought. For many days thereafter its existence was unknown to the real actors in the great drama. We stand in awe as we contemplate the marvels which have been wrought out by man in the years that lie between that great event and the present hour.

We celebrate each returning 8th of January—as each returning Fourth day of July—in no spirit of unfriendliness to the land from which we derive our language and in a measure our laws, but that the noble deeds of the illustrious dead, the founders and defenders of the Republic, may not perish from the memories of the living. Responding and rejoicing as we do at every manifestation of good will upon the part of the mother country toward her once dependent colonies, yet it is not meet that the truths of history be forgotten. Earnestly as we desire that for the future "the battle flag be furled" between us and our kindred beyond the sea, yet may the day be far distant when the recurrence of our national anniversaries fail to touch a responsive chord in the American heart.

Upon this historic anniversary and this coming together of such as are of the political faith of Andrew Jackson, it may not be out of place to note in brief words some of the achievements of the great party of which during a stormy career he was the acknowledged chieftain and defender. The Democratic party, under the leadership of its immortal founder, Thomas Jefferson, after a memorable contest, came into power on the 4th day of March, 1801. The intervening years that stretch back to that masterful hour make up almost a century of our national life. No age nor country within so brief a span has witnessed events so stupendous, achievements so marvelous along all pathways of human thought and endeavor. All that genius in the ages past has contributed to the world's treasury of knowledge—to whatever tends to human comfort and to the lessening of human distress—dwindles in the presence of the marvelous achievements of the nineteenth century.

The United States of America—its form of government still an experiment—containing a few millions of people, with but scant population west of the Alleghenies, its frontiers in constant menace from the savage, without army or navy, was struggling for place among the nations. The hour that witnessed the inauguration of Jefferson witnessed the first advent to power of the great political party which for more than one-half the years that make up our constitutional history has controlled the destiny of the Republic. In his brief address to his countrymen upon his induction into the great office Jefferson gave expression to his views upon the salient principles of government, and formulated that confession of political faith which for almost a century has been the touchstone of all Democratic platforms and creeds.

As the key to constitutional interpretation, as the corner stone of our governmental fabric, he proclaimed: "Equal and exact justice to all men of whatever state or persuasion, religious or political; peace, commerce, and honest friendship with all nations, entangling alliances with none; the support of the State governments in all their rights as the most convenient administration for all our domestic concerns; the preservation of the General Government in its whole constitutional vigor as the sheet anchor of our peace at home and safety abroad; absolute acquiescence in the decisions of the majority, the vital principle of republics; a well-disciplined militia, our best reliance in peace and for the first moments of war; the supremacy of the civil over the military authority; economy in the public expense, that labor may be lightly burdened; the honest payment of our debts and sacred preservation of the public faith; encouragement of agriculture and of commerce as its handmaid, freedom of religion, freedom of the press, freedom of person under the protection of the habeas corpus, and trial by juries impartially selected."

During fifty-six of the ninety-eight years that have passed since this "creed of our political faith" was declared, the Democratic party has been in control of the General Government. With the deathless principles here enunciated as its evangel, it has kept the faith. In victory and in defeat it has held inviolable the tenets of its great apostle. It celebrated its advent to power by the repeal of the odious alien and sedition laws, enacted by the Federal party during the Administration of Adams. The champion of "equal and exact justice to all men," it stands to-day, as in the past, the relentless foe of special privileges, of organized greed, of high protective and prohibitory tariffs, of all unlawful combinations, monopolies and "trusts"—of whatever tends to oppress or to enrich a class at the expense of the people. Deprecating whatever deprives the accused of his guaranteed right of trial by jury, it held with our great court—amid the storm and stress of civil strife—"the Constitution of the United States the supreme law of the land, in war as well as in peace." Recognizing the wisdom of the fathers in the creation of the great coordinate departments of the Government, the Democratic party, at a critical moment in our history, defeated the mad efforts of the dominant party in Congress to remove from his high office by impeachment the President of the United States for the exercise of clearly defined executive duties.

The antagonist at all times of religious tests and religious intolerance, the Democratic party—amid the excitement and passion born of Know-Nothing fanaticism and proscription—stood, the bulwark of liberty and conscience—of the right to worship God according to the dictates of individual judgment and reason. To the end that "labor be lightly burdened" and commerce, "the handmaid of agriculture," encouraged, the Democratic party stands now, as in the past, for "tariff for revenue only," for the reduction to the minimum of the cost of all necessary articles of consumption. Experience has demonstrated that high tariffs have deprived the Government of its needed revennes, secured to the favored beneficiaries colossal fortunes, and largely increased to the people the cost of the necessaries of life. The baleful but logical results of so-called "protection" are seen in the sudden growth of giant monopolies, combination in restraint of lawful trade, and "trusts," more perilous than foreign foe to the existence of popular government.

"Economy in the public expense" has been and will continue the party shibboleth of democracy. "Subsidies" and all unnecessary expenditures of the public money have ever found untiring foes in those who hold the political faith of Jefferson. Recognizing the imperative obligation to maintain intact State as well as Federal authority—each within the limits prescribed by the Constitution—the Democratic party, with Jefferson, would maintain the rights of the States "as most convenient for the administration of all domestic concerns," and recognize as paramount the sacred obligation "to preserve the General Government in its constitutional vigor as the sheet anchor of our peace at home and our safety abroad." "Honest payment of our debts and sacred preservation of the public faith." It was during the wise and economical Administration of President Jackson that the last dollar of governmental indebtedness was paid and our national debt wholly extinguished.

The Democratic party would mete out even-handed justice alike to creditor and debtor. It is the antagonist of whatever, either in legislation or administration, would impair the sacredness of existing obligations or render their discharge more difficult by augmenting or by lessening the debt-paying power of money. "A well-disciplined militia—our best reliance in peace and for the first moments of war." True at the beginning of the century, with a few millions of population, no less true at the close, as we stand in the forefront of the nations, with a population of 70,000,000. The result of our recent conflict with Spain gives emphasis to the prophetic words of Jefferson. Existing conditions in continental Europe, entailing taxation and misery to the verge of human endurance, illustrate by sad object lessons the inevitable results of large standing armies in time of peace.

Shall we still give heed to the warning of the great sage of the revolution or enter upon a new century with European monarchies as our model? Shall we be deaf to the teachings of one hundred years of our own history? Without a large standing army, but relying upon the patriotism and courage of American manhood, we were victorious in the war with Great Britain, with Mexico, in the great civil strife, and with Spain. In the light of history, can it be possible that the American people will consent to the creation of a large standing army and its consequent continuing and ever-increasing burden of taxation? Shall this be the response of the free Republic to the appeal that comes from despotic Russia for the disarmament of all the nations?

"Peace, commerce, and honest friendship with all nations—entangling alliances with none." At no period in our history have these words of Jefferson possessed a deeper significance. Before we abandon the traditions of the fathers it is well that we deliberate upon the possible consequences of a departure from the settled governmental policy of more than a century. Not in the "delirium of victory," but only after calm discussion of what may follow, should the momentous question now presented be determined. Nations as well as individuals may "do that in their zeal which their calmer judgment dare not approve." It would be difficult to conceive of a question more vital, more far-reaching in its consequences, than that now confronting us as to the disposition of recent conquered territory.

Is it too much to say that the enforcement of the proposed policy of the expansionists in a large measure involves the question of a change in our form of government? It can hardly be contended that the measure proposed for the control or government of the Philippine Islands finds warrant in the Constitution. Shall the closing hours of the century witness the American people abandoning the pathway in which past generations have found prosperity and happiness, and embarking upon that of aggression and expansion, against which we are warned by the wrecks which lie along the entire pathway of history? Even if true that "imperialism" would open up a new and larger field for our commerce and make us an important factor in the great affairs of nations, even these would be purchased at too dear a price. Standing out against the new policy of expansion, of absorbing distant islands, with their 10,000,000 mongrel population, into our body politic, with all it involves of European complication, are the warnings of the founders of the Republic. It was Jefferson who said, "Our first and fundamental maxim should be never to entangle ourselves in the broils of Europe."

Washington, when retiring from his great office, left these farewell words to be read and pondered by the oncoming generations of his countrymen: "The great rule of conduct for us in regard to foreign nations is in extending our commercial relations to have with them as little political connection as possible. Europe has a set of primary interests which to us have none or a very remote relation. Hence she must be engaged in frequent controversies the causes of which are essentially foreign to our concerns. Our detached and distant situation invites and enables us to pursue a different course. Why forego the advantages of so peculiar a situation? Why quit our own to stand on foreign ground? Why, by interweaving our destiny with that of any part of Europe, entangle ourselves in the toils of European ambition, rivalship, interest, or caprice?"

To those who, in the exuberance of feeling produced by suddenly discovered kinship, would "interweave our destiny" with that of England, counting on her friendship and aid in whatever continental entanglements may result from imperialism, it may be well to recall the suggestive words of Washington: "There can be no greater error than to expect or calculate upon real favors from nation to nation. It is an illusion which experience must cure, which a just pride ought to discard." Is it asking too much of the American people to solemnly ponder the warnings of Washington and his compatriots before venturing upon an untried pathway beset with foreign jealousies, complications, and antagonisms?

As precedents for the proposed policy of expansion we are referred by its advocates to the Louisiana purchase and to the vast area added to our Republic by the treaty of Guadalupe Hidalgo. Neither the purchase from France in 1803 nor the cession by Mexico half a century ago furnish a precedent for the policy now proposed to be inaugurated. By the Louisiana purchase the United States acquired the vast territory stretching northward to the British possessions and westward from the Mississippi to the domain of the Spaniard. Out of this vast area, purchased for $15,000,000 from the great Napoleon, have been carved 14 sovereign States. As the result of the masterly statesmanship of President Jefferson and the unrivaled diplomacy of Monroe and Livingston the free navigation of the Mississippi was secured forever, and a magnificent area, an empire in extent, made a part of our national domain. This grand achievement is the glory of Jefferson and of the great historic party of which he was the founder.

Under a later Democratic Administration, and as the result of the treaty which terminated our war with Mexico, we acquired California, Nevada, Utah, a portion of Arizona, and New Mexico, thus bringing under our flag, to remain forever, the vast expanse stretching from the eastern seaboard to the Pacific Ocean. The territory thus acquired was the fit abode for men of our own race. Either at the period of annexation or soon thereafter it passed under the rule of the Anglo-Saxon, who had carried with him our language and our laws. It was territory contiguous to our own, and acquired with the intention at the proper time—when population and conditions would justify—of carving it into States. The wisdom that inspired all this seems more than human. The result: Millions of happy American homes, increase beyond the dreams of avarice of our national wealth, and the United States chief among the nations of the earth.

Are we to be told that history is but repeating itself, and that the contemplated annexation or absorption of the Philippine Archipelago finds precedent in the historic events I have mentioned? The answer is found in the bare statement of facts. The acquired territory is contiguous; the Philippine islands, 8,000 miles distant. The former adapted to the residence, comfort, and happiness of our own people; the latter the fit abode for the half-civilized and degraded races, its only occupants amid poverty and wretchedness for centuries. The acquisition of the territory upon our own continent added little to the national expense; to maintain sovereignty over the distant islands will necessitate immense expenditures upon our Army and Navy. The people of the former were of the self-governing races; the latter know no rule but that of force.

We are told that "Trade follows the flag," and that untold commercial advantages will result from the proposed acquisition. Trade knows no sentiment; it goes where it is profitable. What of our products will find market in these remote islands? Ninety per cent of our exports reach European markets "because only the civilized man is the consumer." Whatever of commercial advantage may result from annexation will be as the dust in the balance to the immense naval expenditure it entails.

The graver questions involved in the proposed scheme of annexation are yet to be considered. What is to be the permanent form of government for the Philippine Islands? I do not controvert the power of the National Government to acquire new territory. The power incident, of establishing for it temporary government, is alike unquestioned. The instances already cited, of the Louisiana purchase and that by treaty from Mexico, are well established precedents. In these cases, however, it was never questioned that, with suitable boundaries and division and under proper regulations, the entire territory would ultimately attain to statehood.

The question recurs, What form of government do the expansionists propose for the Philippine Islands? Are the Territorial or colonial governments which Congress may possibly establish to be only preliminary to the creation of sovereign States to be admitted into the Federal Union? This of necessity contemplates the admission of many additional Senators and Representatives to seats in Congress, the aggregate population of the islands now being double that of our entire country at the first inauguration of Washington. In view of the degraded character of the population, their total unfitness for self-government, the proposition is monstrous. Its consummation would be a crime against civilization.

If it be the intention to establish our political institutions in these remote islands, then what becomes of the "Monroe doctrine?" This vital international policy, announced by the President of the United States seventy-five years ago, was: "We owe it, therefore, to candor and to the amicable relations existing between the United States and those powers to declare that we should consider any attempt on their part to extend their system to any portion of this hemisphere as dangerous to our peace and safety." Immediately following this, and as part of the declared intention of our Government, so clearly enunciated by Monroe, was the solemn declaration: "With the existing colonies or dependencies of any European power we have not interfered and shall not interfere."

The Monroe doctrine is wholesome and enduring. It is the faith of Americans of every creed and party—is of the very warp and woof of our political being. It was promulgated at the critical moment when the "Holy Alliance" was attempting to stifle the republican spirit and reestablish the despotism of Spain upon her revolted colonies in South America and Mexico. The essence of the doctrine, as understood by the world then, was, while we forbid the establishment of despotic governments upon the American continent, we recognize the corresponding obligation to refrain from any attempt to force our political system upon any part of the Old World. This has been our settled rule of faith and practice for seventy-five years. Its promulgation defeated the purpose of the Holy Alliance and destroyed forever the power of Spain upon this continent. Under it Louis Napoleon, a third of a century ago, was obliged to withdraw the French army from Mexico and leave the ill-starred Maximillian to his fate. Under it the empire established by foreign bayonets disappeared and the Republic was restored. Are we now to say that we still recognize the binding force of this doctrine upon other nations, but not upon ourselves?

If ultimate statehood for these remote islands be disclaimed, how, then, are they to be held and governed? The only alternative is by force—by the power of the Army and the Navy; and this not for a day or for a year, but for time. What then becomes of the bed-rock principle that "governments derive their just powers from the consent of the governed?" If they are to be held permanently, as conquered provinces, then it will not only be in absolute disregard of all the traditions of the past, but in direct antagonism to the letter and spirit of our Declaration of Independence. It is no less true now than in the days of our Revolution that "government by arbitrary power is still despotism."

A question yet more grave can not escape our serious consideration. It is one that touches the good faith, the honor of our nation. Events have crowded in such rapid succession that we seem to have forgotten the avowed purpose of the war with Spain. It was declared to be a war solely in the interests of humanity—solely for the relief of the oppressed and starving at our door. An eminent Republican Senator a few months ago voiced the sentiments of the entire country when he said: "It is a war in which there does not enter the slightest thought or desire of foreign conquest or of national gain or advantage." Alas, what a change has come in so brief a time! The wrongs of the poor Cuban are forgotten, and the dream of the imperialist is now of untold commercial gain and of the United States becoming chief among the factors in European politics. "We can not escape history." For all time we will be judged by our solemn disclaimer, immediately following the formal declaration of war:

"The United States hereby disclaims any disposition to exercise sovereignty, jurisdiction, or control over said island, except for the pacification thereof, and asserts its determination when that is accomplished to leave the government and control of the island to its people."

It was this solemn disclaimer by the American Congress that justified the war at the bar of our own conscience and that of the world. To say now that our disclaimer applied only to Cuba and not to other Spanish dependencies would be only "to palter with words in a double sense." It is a subterfuge unworthy of the greatest of nations. Is it too late even now to demand of those whose hands hold power to make good our solemn declaration that our war with Spain was waged not in the spirit of aggrandizement but solely in the interest of humanity?

In the retrospect of a century it is our glory that the absolute faith of Jefferson in the people was well-founded; that the great historic party of which he was the founder has ever been true to the fundamental principles of popular government. "New conditions impose new duties." Grave questions of domestic and foreign policy have been discussed and wisely determined during the century now closing. Others, possibly of yet more difficult solution, lie along the pathway of the century soon to open before us. May we not abide in the belief that whatever conditions may arise or dangers may menace, the Democratic party, true to the traditions of the past, true to the faith of Jefferson, will stand in the near and in the remote future the faithful guardian of the Constitution, the tireless defender of the deathless principles of free government?

THE SITUATION.

Ex-Governor John P. Altgeld, of Illinois, in responding to the toast assigned him, said:

THE REPUBLIC THREATENED.

This club has won fame through its struggle for higher politics—for higher standards of justice and for more honest economic and financial policies. But great as are your achievements, much as you have accomplished, your work has barely begun. This Republic has been the beacon light of the world for more than a century.

It has not only lifted the hopes of all men but by its example it has turned the face of nearly all nations toward liberty. Since the first reading of the Declaration of Independence over 250 constitutions that were republican in form have been adopted. Most of them perished, but they will rise again. Now the foundations are being pulled from under our own institutions. The very altars of liberty are being betrayed by the men set to guard them. Two years ago, when we turned the face of our party toward the sun, we protested against economic policies that robbed, against financial policies that paralyzed, and against judicial usurpation that enslaved. Every day's development since that time has shown not only that we were right but that the situation was far more serious than we supposed.

LOOK ABOUT YOU, AMERICAN CITIZENS.

Look about you! Nearly all of the wealth of this land is passing into a few hands, and not one of these hands favorable to the freedom of the citizen. Every great industrial, commercial, mining, or transportation enterprise is passing into the hands first of corporations, and then by further consolidation into the hands of trusts, which thus have an absolute monopoly—a monopoly which can arbitrarily fix prices, fix wages, and regulate output—a monopoly which has no soul, and whose chief purpose is to plunder the public. The monopolist and the speculator prosper, but the masses wither. Men of moderate fortunes and of fair incomes, who were the bulwark of the Republic, are slowly but surely being wiped out. We are being reduced to two classes. In the first stage these will be known as the very rich and the moderately poor, and in the second stage as the masters and the slaves. We have established a moneyed aristocracy, and are now fastening a yoke on posterity. A standing army is to be enthroned and bayonet argument is to govern.

WEALTH THE ENEMY OF LIBERTY.

Republican institutions can not live amid these surroundings. Wealth has never been the friend of liberty. Concurrently with the progress of these changes we hear the snarling voices of men who deride the doctrines of Jefferson and Lincoln that made our country great and mighty. Already we see magazine articles urging the establishment by law of a permanent aristocracy in our system of government, and from high quarters we hear a demand for Hamiltonism. Hamilton believed in monarchy and aristocracy bottomed on corruption.

He was in love with the English system, thoroughly rotten from top to bottom, and he labored to transplant whatever he could of that system. He once said to John Adams: "Purge the British constitution of its corruption and give to its popular branch equality of representation and it would become an impracticable government. But as it stands at present it is the most perfect government that ever existed." He did not advance a single new thought, did not promulgate a single new principle; and he sneered at the idea that the people were capable of self-government.

HAMILTON WAS AGAINST OUR CONSTITUTION.

England herself has since that time repudiated corruption and established equality of representation. Hamilton favored the adoption of the new Constitution, but was not satisfied with it, and openly expressed the hope that some future war would centralize the powers of the Government. When he was made Secretary of the Treasury, the new Constitution had been adopted, Congress had been given power to raise money, everybody could see that the new Republic could now easily pay its debts, and that it was not necessary to introduce corruption of any sort. But, true to his theory, he at once secured the establishment of a national bank and introduced the British funding and bond-issuing system, coupled with its limitless opportunities for plunder. A short period of unparalleled speculation and peculation followed. The sharks and financial birds of prey made fortunes, and Hamilton became the hero of the hour.

The whole system collapsed in a few years, and scattered ruin and misery over the country. Yet for a whole century the men who use the Government to plunder the country have shouted for Hamilton. Whether Hamilton himself shared in the plunder is immaterial. He expressed his belief in the system, and deliberately furnished the opportunity to others. During the Administration of Mr. Adams Hamiltonism ran wild. Almost every principle of the Declaration of Independence was trampled under foot, and those provisions of the new Constitution that were intended to protect the individual were ruthlessly brushed aside. No man dared to criticise the Administration. Scores of good men were denied trial by jury and languished in prison for exercising the rights of free speech.

A tyranny was established that surpassed anything existing in England. Four years of this regime was all that the American people could stand; they declared that they had not cast off a foreign yoke to take up a more galling home yoke, and in 1800 they arose and overthrew it so completely that it has taken nearly a century for a resurrection.

DEATH OF HAMILTONISM.

Had Hamiltonism prevailed at that time the whole history of the Republic would have been different. The brains, the industry, the skill, and the enterprise of the earth would not have flocked to our shores.

The genius of man being cowed would have withered here, as it had in Europe, and the American Republic would to-day be simply an oligarchy, stretching in small settlements from the Mississippi to the Atlantic. Hamilton was a member of the Constitutional Convention, and succeeded in establishing that aristocratic branch of our Government known as the Federal judiciary, unrepublican and undemocratic. It is not chosen by the people and is not accountable to them. In fact, for practical purposes, is not accountable to anybody. Jefferson opposed this manner of creating a judiciary with all his might, and he pointed out that here would ultimately be found the tomb of American liberty. How prophetic was that vision! During its whole career this branch of the Government has never been on the side of the weak, but always on the side of power. First it stood for federalism and usurpation.

When General Jackson tried to protect the American people from the clutches of the great rotten bank the Federal judiciary used all its power to help that institution. After the bank went down this same judiciary did the bidding of the mighty slave power, and after this went down these courts took the corporations under their wings and many of them seemed to become mere side-door conveniences for concentrated and even corrupt capital. For the last thirty years the corporations have fled to the Federal courts like ancient murderers fled to cities of refuge—there they felt safe.

Recognizing that the construction of the laws is more important than making laws, these powerful influences have allowed no man to be appointed judge whom they did not believe friendly to them. They do not buy Federal judges, because it is not necessary. In their eagerness to serve the corporations these judges have in recent years established government by injunctions in this country, under which a judge becomes legislator, court, and executioner. They brush free speech—the liberty of the citizen—and trial by jury away with a contemptuous sneer.

A TRUTHFUL JUDGE.

The Anglo-Saxon race has shed its blood to maintain these bulwarks of liberty, and our Constitution guarantees them to every citizen. But they have already been stabbed to the vitals. For several years we have beheld the spectacle of some supreme court and other Federal judges dragging their ermine around over the land to act the part of advocates for those interests which are destroying republicanism in this country. What are the liberties of America worth when committed to the guardianship of such men? During the recent campaign Mr. Depew came to Chicago under the auspices of the Hamilton Club to deliver a partisan address at the Auditorium. Federal Judge Peter S. Groscup mounted the rostrum for the purpose of introducing the orator, and told the audience, among other things, that the light of Jefferson was waning—that on the dial plate of our nation's history this hour was Hamilton's; that Hamilton's great name exactly fitted these times, etc.

HANNA, QUAY & CO. ARE HAMILTONIANS.

My friends, must we admit that Judge Groscup was right? Let us look around again. The senate of the great State of Ohio has just indicted a Hamiltonian senator for bribery and debauchery in securing a high office. A grand jury in Pennsylvania has just indicted another Hamiltonian senator for robbing the treasury of the State. Almost every great trust appears to have one or more Hamiltonian senators as standing conveniences. In the House of Representatives, where the voice of the people was supposed to be heard, we find a pensioned ringmaster of monopoly stifling the voice of the people's Representatives and reducing Republican Congressmen to a condition of pity and contempt.

Two years ago a horde of Hamiltonian statesmen went to the capital of Illinois and not only sold out the people but robbed the State of everything in sight. Wherever you find dirty finger marks in the temple of justice or a foul odor in the halls of legislation, there you will find Hamiltonianism. Verily, the spirit of Hamilton fits these times. But what shall we say of a judiciary that openly rejoices over the fact that an era of corruption has enveloped the land; that the betrayal of the people has become a science, and that the robbing of the people has become a fine art? And now we are to widen the sphere of this class of statesmen by giving them a chance to rob the Filipinos! Heaven pity those poor people. The Spaniard took what was in sight, but the Hamiltonite, with his bond jobbery, enters the womb of the future and plasters his mortgage on remote generations.

THE TONGUE OF TREASON IS WILDLY WAGGING.

During the political and partisan peace jubilee recently held in Chicago the President of the United States went to the Chicago University for the purpose of being dubbed doctor of laws. In handing him the parchment, Prof. A. K. Parker, who made the presentation speech, said, among other things: "The doctrine of sovereignty of the people leads a precarious existence in the mouths of men who love long-sounding words and have not stopped to consider that it is only a specious form of the ancient blasphemy that might makes right." Stop here a moment and reflect. The President of the United States, standing under the wing of the Standard Oil Company, accepts a proffered honor which is coupled with the declaration that the doctrine of popular sovereignty is a specious form of blasphemy, and he utters not one word of protest, but by his silence and by his acceptance nods his approval.

GLORIES IN THE SPECTACLE OF LINCOLN AT GETTYSBURG.

Come now to another scene. On November 19, 1863, Abraham Lincoln stood on the battlefield of Gettysburg, and with tears in his eyes asked the American people to dedicate themselves anew to that cause for which the heroes, living and dead, had fought on that field, so "that government of the people, for the people, and by the people should not perish from this earth." Consider these words; they embody the most complete form of popular sovereignty; yet only thirty-five years later we behold a Republican successor of Lincoln nodding assent to a doctrine which characterizes the above utterance of the great martyr President as a specious form of blasphemy. Yea, Hamiltonism fits these times. Jefferson and Lincoln stood on the platform of the common people, and as the light of Jefferson wanes the work of the great liberator passes into the shadow.

QUEEN AND PRESIDENT.

About two months ago the New York Chamber of Commerce gave a banquet, and the president of that body asked the assembled guests to drink to the health of the British Queen before drinking the health of the President of the United States, and it was done. He said the President would consent to this if he was there. To be sure, this will not shake our Republic, but it does show the tendency of thought among certain classes. It shows that the stock jobbers, the speculators, and the financial wolves have no more love for our institutions to-day than they had in 1776, when they sided with England, or 1861, when they sided with the Confederacy.

MAUDLIN TALK OF ANGLO-AMERICAN ALLIANCE.

From this same source comes the maudlin talk of an alliance with England. We are to repeat the experience of the lamb and lie down with the lion, and we have toadies and flunkeys in America who would consider it a privilege to lie down inside of the lion.

HOW TO CALL A HALT.

But, say you, these things are not new to us; tell us what to do? My friends, no mortal can tell you in advance. In all great conflicts the first thing is to ascertain the principle involved and the ultimate object aimed at. The campaign will then be shaped by conditions and events. We wish to prevent the enslavement of our people and the establishment of an aristocracy. We see that no aristocracy, either of birth or wealth, can be established or maintained where the great masses are prosperous and independent. It can exist only amid cheap property, cheap labor, and cheap men. A cowed and a poor people are the soil in which it grows. When they gave us a financial system which paralyzed our country, which cheapened property, which

crushed labor, and which cheapened manhood and destroyed independence, they laid the first stone for an American aristocracy. If these conditions are to continue, then the star of the Republic has set.

But if we can overthrow this system, if we can reestablish bimetallism, if we can found a scientific monetary system and restore the price of products and of property, if we can raise the spirit of labor and renew the independence of the masses, then the beginning of the next century will crush this aristocracy to atoms and cast it to the four winds, and a liberated people, bowing only to the God who made them, will leap forward with a joy that shall gladden the earth. You see the money question confronts us at the door. It is not of our choosing. We can not make issues. Issues grow out of wrong; grow out of injustice; grow out of human suffering. Cowards and weaklings evade them, but men must meet them.

THE FINANCIAL QUESTION.

Other great questions vital to our existence have been evolved by the age and must be met. But the financial question is basic and central. It is the mother of a whole brood of evils. The financial speculators of the east of Europe want the absolute power to control average prices. Therefore they want silver and greenbacks wiped out, so as to make everything rest on gold—this they can easily corner—then with a monopoly of issuing paper money they can concentrate everything into a few hands. A few gigantic banks can then control. When it suits their speculative purposes they can expand and raise prices, and then contract and lower prices, and thus catch the country coming and going. These great and unscrupulous interests always move secretly and in the dark. They bridge every chasm with a bribe and catch the political highwayman with an official uniform. The gold standard has never drawn an honest breath nor taken an honest step in this country, and its success so far shows the venality and the apostacy of American politicians.

RATIO OF METALS.

What about 16 to 1? Well, my friends, it is not in our power to change this; it is impossible to get anything along any other line. Change the ratio and the whole case dissolves. To be sure, theoretically this is not so, but we have to deal with fearfully sad facts. For twenty years both of the great parties denounced the gold standard and demanded the free coinage of silver at the old ratio. It looked as if the question would be settled in a week. But instead the gold standard got more firmly seated in the saddle. How? By corruptly controlling the Government and manipulating Congress. Open the question of ratio and you will get no action in a century. To drop the ratio is to betray the cause. We are for the old ratio because it is right, because it will undo a great crime, because it will make prosperity possible, because we can not succeed in any other way, and because the suggestions for a change come only from the enemy.

PRIVATE MONOPOLIES.

Now, gentlemen, time never stands still, and evolution is eternal. Now, questions affecting our very existence have arisen; while they are old elsewhere, they are new here. This is an age of concentration in all things, and the formation of private monopolies in particular. Competition has been wiped out. In harmony with the law as it has stood for centuries, we have denounced this, but to no purpose; we have legislated against it, but in vain. When they could not defeat legislation by bribery, they went before some subservient Federal judge and had it declared unconstitutional. Our remedy has failed. Private monopoly is as injurious and as much of a crime as ever, and we can not stop its birth; we must change our tactics and convert private monopolies into public monopolies. Give the whole public the benefits of the monopoly instead of a few individuals. Let the Government take them. This is not state socialism; it is simply protecting the people, and therefore is democracy in its broadest sense. The European people fight socialism, but get the greatest benefits from collective ownership.

GOVERNMENT OWNERSHIP WOULD KILL MONOPOLY.

There seems to be no other way to protect the public, and it involves our very existence as a party. The Democratic party must always stand for the great masses, or else it has no mission. The Republican party stands for private monopoly and rottenness, and the monopolies will always support it and try to crush us. It is a fight not only for humanity but for our very existence.

MUNICIPAL OWNERSHIP.

There are hundreds of things that the public can not do. But there are a great many that it can, should, and must do. It has been demonstrated that municipalities can successfully and very profitably own and operate water, gas and electric light plants, street-railway systems, and a number of other things, and the American people are prepared to move forward along this line, and every such step by helping the people will help the Democracy.

TELEGRAPH AND TELEPHONE MONOPOLIES.

The American people are also prepared to take the telegraph and telephone monopolies and make them a part of the Post-Office, and thus not only cheapen the service by one-half, but make the telegraph neutral in politics. Ours is almost the only great Government in the world that does not own the telegraph lines.

POSTAL SAVINGS BANKS.

I believe that our people are also prepared for postal savings banks and widening the functions of the postal department. It is safe and very cheap to the public. The English post-office runs savings banks, issues fire insurance, sells annuities, and does many other things at greatly reduced rates, and it does what is almost a general carrying or express trade of small articles at greatly reduced rates. A man once said: "You can send a sawmill through mails there."

CONTROL OF RAILWAYS.

But the greatest question is the control of our railroads. Nearly all the governments of the earth own the railroads; and railroad service, both passenger and freight, costs their people on the average about one-half what our people must pay. However, it is not the economic feature that I wish to discuss at present. The railroads and corporations now run our Government. They control the appointment of Federal judges, they meddle with the election of Congressmen, Senators, State legislators, governors, and aldermen. They dictate the policy of government, and they do it by corruption. Years ago I wrote some articles favoring governmental control or regulation of railroads, but not ownership. Observation has satisfied me this is all futile. Instead of a board regulating the corporations the corporations regulate the board, and if they run against an honest board some friendly judge flies to their rescue and kicks the board clear off the highway.

INTERSTATE-COMMERCE FARCE.

It was lately suggested that the law should require the interstate commerce commissioners to shut their eyes when drawing their salary, so as to lessen the moral shock of getting something for nothing. At present there seems to be no way of protecting the public and restoring to the people their government except by having the Government own the railroads. As between having the corporation own the Government or having the Government own the corporation, the American people will prefer the latter.

DUTY OF THE PARTY.

To the Democratic party it is a question of vital interest. It can never become a corporation party without abandoning its mission and becoming contemptible in the eyes of men. Therefore the corporations will always furnish the boodle to MARK HANNA with which to debauch the American voter and defeat that party. If the Government owned the roads it would be different. True, it would create a large patronage. This, however, might be regulated by civil service; but even if it were not, the Government could not possibly coerce its men more than the corporations do now, and it could not pay the large sums for corruption purposes which the corporations now advance and then indirectly get back from the Government. If the Government owned the railroads many trusts now made powerful by railroad distribution would dissolve.

The great and criminal corporations are the incubators which have been hatching the little bantams that talk aristocracy. Destroy the incubators and the brood will die out. These, my friends, are the issues, this our high purpose.

We are not interested in cheap politics. We are trying to establish a higher justice and bring mankind a day's march nearer to the great high plane of human brotherhood. Two centuries ago the world struggled for religious liberty; to-day it is in the birth throes of industrial liberty.

Religious liberty could not live amid superstition, but demanded liberal institutions. Political liberty could not live amid kings and aristocracies, but demanded republican institutions. Industrial liberty can not live amid monopoly and injustice, and it is calling for higher standards. Democracy established religious and political freedom, and it must now establish industrial freedom by giving the public the benefit of all monopolies.

How is this to be done? By the same means by which every great reform and moral advance in the history of the world has been carried forward. The soul of the hero and the spirit of the martyr are the twin guides of human progress. James Russell Lowell summed up the whole history of civilization when he penned the lines:

"Truth forever on the scaffold,
Wrong forever on the throne,
But that scaffold sways the future,
And behind the dim unknown
Standeth God within the shadow,
Keeping watch upon His own."

To-day Truth is on the scaffold, and Wrong is on the throne. The forces that support crime in high places are masters, and as they live by the breath of falsehood, we must expect every possible indignity and we must expect temporary reverses.

RIGHT IS ETERNAL.

Howard Taylor said: "Over a century ago the British drove the Pine Tree flag off of Bunker Hill, but God retreated with it till he brought it back to Bunker Hill." My friends, justice is not abdicating; have no fear about our cause. Its ultimate success is written on the programme of destiny.

"Yes," says some one, "but the wilderness is dreary; when shall we reach the promised land?" I do not know. On the dial of progress time is not indicated by months or even years, but by epochs—some long, some short. In our country they have been short, and the change has always been like a sunrise when things look most gloomy.

"But," says another, "are not most of the powerful forces arrayed against us?" Yes; the same forces that have fought every reform made are also against us; but when the time is ripe they disappear from the earth.

A century ago Hamiltonism seemed to be permanently intrenched and supported by all the strong forces of society, but in a few years it went down.

POWER OF THE MONEY POWER.

When the powerful national bank controlled nearly all of America and tried to coerce President Jackson, it had its slimy finger in every neighborhood, dominated the drawing-room, the countingroom, the schoolhouse, the press, the church, the politicians, and the Government. Yet a couple of years were sufficient to overthrow it and expose its awful rottenness. Hear what George W. Curtis said of the slave power in even the Northern States in his day:

"Slavery sat supreme in the White House and made laws at the capital. Courts of justice were its ministers and legislatures its lackeys. It silenced the preacher in the pulpit, it muzzled the editor at his desk, and the professor in his lecture room. It set a price upon the head of peaceful citizens, it robbed the mails, and denounced the vital principles of the Declaration of Independence as treason. In States where laws did not tolerate slavery it yet ruled the club and the drawing-room, the factory and the office. It swaggered at the dinner table and scourged with scorn a cowardly society. It tore the golden rule from schoolbooks and from the prayer book the pictured benignity of Christ."

AN AWFUL PICTURE TO BEHOLD.

My friends, this is an awful picture of supreme power. The men and the women who opposed this institution did not expect a change for centuries, but the great clock in the chamber of the Omnipotent never stands still; it ticked away the years as it had formerly ticked away the centuries, until finally it struck the hour. The world heard the tread of a million armed men, and slavery perished from America forever. Mr. Curtis's description exactly fits these times. The money power sits supreme in the White House and makes laws at the Capitol. Courts of justices are its ministers and legislatures are its lackeys. It silences the preacher in his pulpit, the editor at his desk, and the professor in his lecture room.

INTELLIGENCE OF THE COUNTRY WITH DEMOCRACY.

But the infallible finger of its growing insolence shows that the hour of its destruction is near. Remember that 30,000 votes properly distributed in 1896 would have elected Mr. Bryan. The patriotic intelligence of the land is already with us. Deduct from Mr. McKinley the negro vote, and he is lost; deduct the ignorant city slum votes which he got, and he is lost; deduct the vote purchased with Hanna's boodle, and he is lost; deduct the false returns made by corrupt election judges, and he is lost. He was elected by tainted dollars, and his future must rest on them. The elements of corruption are his mainstay, and nothing can stand long on a rotten foundation. Remember, too, that not a single devotee of 1896 has deserted. Flesh-pot patriots may weary, but our mighty army still has its face to the sun, and our only course is forward.

THIS IS GOD'S FIGHT.

Ah, say you, this is a fight against money, and we have none. This is true. But no great moral and political reform ever yet rested on money. The Almighty has never yet tried to sprout the seeds of justice in the garden of lucre. Only poisonous vines will grow there. Noble manhood perishes there. It is moral force that, in the end, moves the world. Had Christ been furnished a million dollars by a syndicate to introduce his religion it would have been a failure. True, we must have money for hall rent, printing, etc., but we must get it from those who give with a blessing, and not from the men who demand the selling of souls and the surrender of manhood.

MONEY CAN NOT WIN.

If the sugar trust or the Standard Oil trust would give us $10,000,000 to make a campaign with, our cause would be lost. It would be Clevelandism over again. Even if we won the election, our moral force would be gone and we would accomplish nothing. It is the ardor of devotion that shakes empires, and we must win this fight by a self-sacrificing manhood. Men with flesh-pots can not help us. I hear the derisive laughter of MARK HANNA at the mention of manhood. But, my friends, American manhood will yet survive to throw the deodorizing lime of oblivion upon his polluted grave.

NO TIME, NO PEACE, FOR TRIMMERS.

We are in a crisis. The liberties of a mighty people are at stake. There is no neutral ground; trimming and trading can no longer be tolerated. The world demands earnestness and candor. I do not believe in the black flag; give every honorable enemy quarter. But we must have a sacred black motto which we must keep to the front, and that is, "Woe unto him who trifles with the confidence of the American Democracy." Grover Cleveland is dead, and he left no friend to whom to send the obituary notice. Scores of wobbling statesmen are to-day looking through the fence into the graveyard for a burial place, because they were hit with the wrath of a deceived people. Each age furnishes a weapon for the people. The weapon for this age is the initiative and referendum. Through it we can restore Democracy.

Then fill our people with the spirit of Andrew Jackson, and the corruption of Hamiltonism, as well as the hypocrisy of McKinleyism, will no longer threaten or disgrace our land.

WHY WE HONOR JACKSON.

Why do we honor the memory of Jackson? He was not a great scholar, not a great orator, not a great publicist, not a great military man, and yet he stands like a mighty rock in the ocean, towering high in air, while thousands of scholars, orators, publicists, generals, and statesmen who have come since his time are lost in oblivion. It is because of his character. Amid temptation and threats of destruction he fixed his eye upon the star of justice, shook his fist in the face of power and delivered the American people. This country needs more Andrew Jacksons, and the people believe that they have found one in William J. Bryan.

THE DAY WE CELEBRATED.

Congressman WILLIAM SULZER spoke as follows:

Mr. President and Gentlemen: It is a matter of much personal gratification to me to be with you to-night and participate in your joyous and magnificent celebration of Jackson's day.

I would be false to myself and to every sentiment of gratitude I possess and hold dear if I did not at the very beginning of my remarks express to you how deeply and sincerely I appreciate the honor and the distinguished compliment of your invitation. I accepted it, of course. I could not do otherwise. Coming from whence it did, and how it did, I could not refuse. I am very glad, indeed, to be with you, and as long as I live I shall never forget your courtesy, your reception, your consideration, and your hearty and genuine hospitality.

I like the Democrats of the great West, and I hope they will like me.

I stand squarely on the Chicago platform, and as a Democrat, tried and true to every tenet of our party and to its fundamental principles, I come to you from the toiling, throbbing, earnest Democrats of the East, and bring you their fraternal greeting, and their message of hope for union and harmony in our ranks, and for the triumphant victory of our grand old party for years to come.

In my judgment, we are destined to triumph if we religiously adhere to our principles, fearlessly and vigorously promulgate them, and honestly and tenaciously strive to enforce them. We must be true to ourselves and to the teachings of the fathers of Democracy, and if we are and continue to have faith in the justice of our cause, we must and will succeed, and signal victory must and will crown our efforts.

We celebrate to-day one of the most important epochs in the annals of our history.

This is Andrew Jackson's day, sacred to the memory of the hero of New Orleans, sacred to the memory of the grand old man, the old hickory of the Democratic party, sacred to the memory of one of the most unique, one of the most stalwart, and one of the most magnificent figures and characters in all American history.

Andrew Jackson was a hero from his cradle to his grave. Irresistible events and circumstances beyond his control made him so.

The fascinating story of his life reads like a romance and demonstrates that truth is stranger than fiction. That story is a part of the most stirring and eventful period in our history, an incentive to every hopeful schoolboy, a beacon to every sincere patriot, a star of hope to every struggling toiler, and a conclusive proof of the stability and the opportunity of democratic institutions.

Andrew Jackson from his birth to his bier was a remarkable personage. He was a man of iron will and of indomitable spirit. His veins were filled with good red blood, but his nerves were of steel. He never knew fear. He never turned his back on friend or foe. He knew the right and never hesitated to do it. He hated cant, despised hypocrisy, and cared naught for consequences.

He was a plain man. He loved the plain people; they understood him and they loved him.

He was a forceful man, a direct man, a positive man, an honest man, and a truthful man. He hated a liar, and he spurned with contempt a coward.

His life began with the struggles of a brave people to cast off the tyrannous yoke of oppression, and when it went out his last look witnessed the greatest and the grandest Republic the world has ever seen.

His life was a part of the Republic, and demonstrated its opportunities and its possibilities.

Andrew Jackson was not born to the purple; he was no child of pampered fortune; he knew woe and want, poverty and misery, trial and trouble.

He was schooled in the school of adversity, but learned to surmount all difficulties.

He was a soldier in three wars and a hero in each.

His parents came from the north of Ireland. He was of Scotch-Irish origin, and had that blood in his veins with all that it means and all that it implies.

He first saw the light of day in Carolina in March, 1767. It was a new and sparsely settled country. Shortly after his birth his father died, leaving a widow and three orphan children. Andrew Jackson was the youngest.

His early days were days of hardship and privation, but they were trial days to school him and to fit him for the part he was to play in life.

At that time the Revolution smoldered, and when it finally blazed forth in all its fury, the greatest and the grandest Revolution that ever shook the earth, all the Jacksons were in it and a part of it.

Andrew Jackson, then a mere lad, was a soldier and a hero in those dark and stormy days. He was a warrior for the right, a soldier for freedom. He was captured, made a prisoner of war, and while such, because he refused to blacken the boots of an English officer, was struck a cruel blow on the head with a sword. He carried the terrible scar to his grave, but he avenged the insult at New Orleans.

The Revolution passed and the Republic dawned. During the heroic struggle Jackson's mother and his brothers died, all martyrs to the sacred cause. The close of the contest to vindicate the principle that governments derive their just powers from the consent of the governed found Andrew Jackson homeless, penniless, and friendless, with neither kith nor kin, but nothing daunted. The ordeal of the Revolution made him a man, a patriot, and a Democrat.

Andrew Jackson loved his mother with a passion almost divine. His devotion to her memory is the noblest trait in his heroic character, and his undying fame her greatest monument.

Napoleon asked, "What is wanting to save the youth of France?" Madame Champau answered, "Mothers." No man was ever truly great whose mother was not really great.

Andrew Jackson's mother intended him for the ministry, but fate willed otherwise. He studied law, practiced it successfully, was a judge and a good jurist, a member of both branches of Congress, molded the Constitution of Tennessee, was the greatest and most successful Indian fighter who ever lived, crushed at New Orleans the greatest invading forces which ever desecrated our sacred soil, humbled in the dust the flower of the English army, and destroyed for all time the power and the prestige of Great Britain on the Western Hemisphere.

Andrew Jackson was the hero of the war of 1812 and won its most decisive victory. We celebrate that triumph to-night. He was a great citizen-soldier, but a greater civilian. He was a volunteer and believed in and stood for the volunteer forces of the Republic. He was opposed to a great standing army and had no sympathy with imperialism.

He was a Democrat, reared in the Democratic school of Thomas Jefferson. He stood for the freedom of the press, freedom of speech, freedom of conscience, for civil and religious liberty, for the Constitution, for all that Jefferson stood for. He believed in our cardinal principle of special privileges to none, equal opportunities for all.

He stood for advancement, for progress, for personal liberty, for the schoolhouse and the home. There was nothing illiberal, nothing narrow-minded, about Andrew Jackson. He was broad-gauged and broad-minded. He believed in the ability of the plain people to govern themselves. He stood for their rights, their hopes, their aspirations, and he vindicated them while he lived.

He brought about the annexation of the Floridas and was their first American governor. He accomplished what he purposed; he did things.

He was twice President of the United States, stamped his personality indelibly on her history, and when he died he was the popular idol of the American people. He will always be one of the most interesting figures in our history.

He vindicated American institutions, crushed treason, pilloried nullification, and dethroned the United States Bank, the greatest trust and monopoly of his day.

He stood for the home and the hearthside, the sanctity of the family, and for the blessings of Christian civilization.

He stood for internal improvements, for commerce, the American merchant marine, and he loved his country with an intensity that was patriotism personified.

No one ever questioned the purity of his patriotism, or challenges the integrity of his motives, and yet no public man in all our history was ever more bitterly assailed by his enemies or more justly loved by his friends and adherents.

Andrew Jackson had his faults and his foibles. He was not a demigod—he was only human. He hated and he loved in human ways like other human beings. He triumphed and he suffered. He was a man of force and of passion, the man for every crisis, and yet no man could be calmer under more trying circumstances—no man suffered more and complained less. His whole life was an heroic struggle mentally and physically. But amid all the storms of his tempest-tossed career his heart beat true, and was ever warm; his hand was always steady, his head was ever cool, and within his stern exterior there dwelt a Christian spirit and a noble nature as gentle as a woman's. He was a great Democratic leader, and no man ever had more loyal followers.

He stood for the true democracy, the rule of the plain people, the democracy which unfetters trade, fosters commerce, establishes industry, aids enterprise, maintains equal opportunity, unshackles the mind and the conscience, and defends liberty.

He was a great man, the representative of two centuries. He was the embodiment of true American manhood, the personification of the genius of our free institutions, and the incarnation of Jeffersonian Democracy. He always subordinated personal interest to his sense of public duty.

We are Americans, we are Democrats; and as Americans and Democrats we love and revere the memory of Andrew Jackson, the illustrious patriot of the Hermitage, the hero of New Orleans, and the sage of Tennessee.

It is not my purpose to eulogize the hero of New Orleans. Nothing I can say will add to his greatness or his glory. History has done Andrew Jackson ample justice. His monument, more enduring than marble or brass, is in the grateful and patriotic hearts of his loyal countrymen.

It is fitting and proper, however, that this day should be celebrated by the Democrats of our country and by the plain people, whose friend Andrew Jackson ever was.

To-day we want and the Republic needs men with the indomitable spirit, the magnificent courage, and the patriotic zeal of Andrew Jackson. The preservation of our free institutions and the perpetuity of the Republic would be absolutely safe if we had an Andrew Jackson in every hamlet, every county, and every State of the Union.

To-night, as Democrats, we invoke the name and fame of the hero of New Orleans, in our fight to reestablish the American merchant marine. Under his Administration our shipping and our commerce flourished as it never did before. During the Democratic days of Jackson nine-tenths of American commerce was carried in American ships, flying the American flag. To-day more than nine-tenths of American commerce is carried in foreign ships flying foreign flags. Republican legislation has driven our flag from the seas, and destroyed our foreign carrying trade. We pay over $300,000,000 every year to foreign shipowners. Why? Because we have legislated in their interest, and against the true interest of our own people. Because the Republican party has legislated our flag off the seas.

It is the duty of the Democratic party to restore our merchant marine. We must combat the disastrous policy of the Republican party against our merchant marine and repeal its vicious legislation. We must revive our great shipping industries, and thus give employment to thousands of idle men, re-create the American sailor, and ere long again witness the gladsome sight of the American flag flying on every sea and kissing the sky in every foreign port. The Democratic party, the party of Andrew Jackson, must and will restore and reestablish the American merchant marine.

To-night as Democrats we invoke the spirit of Andrew Jackson in favor of the volunteer forces of the Republic and against a large standing army in time of peace composed of men who are not taxpayers, but are taxeaters. Andrew Jackson was a citizen-soldier, and he believed in the citizen-soldiery of the land. As Democrats we should do all in our power to defeat

the now avowed project and policy of the Republican party to increase the Regular Army of our country to 100,000 soldiers. We do not need this vast army in time of peace any more than we need a king. We should favor a great navy to protect our coast and our commerce, but we should, if we are true to the people and our principles, vigorously oppose this enormous increase of the Regular Army. A large standing army in a republic is always a menace to civil liberty and free institutions.

To demonstrate this we have only to look to-day to the pitiful condition of France. We have no need of an immense standing army in time of peace. The Regular Army is the most undemocratic institution we have. In time of trouble, in case of war, the Republic should rely on its citizen-soldiery and its volunteer forces. It is contrary to the true principles of the Democratic party to permit the military power to become supreme and paramount to the civil authority. A desperate effort will be made by the Republicans to pass the act to create a great standing army, and if it succeeds it will burden the taxpayers of the country for its maintenance $150,000,000 a year. Every Democrat in the land should be alive to the dangers of this Republican movement, and do all in his power to frustrate it.

To-night, as Democrats, we invoke the memory of the hero of New Orleans against any alliance with Great Britain, especially when the agent of that Government is the Benedict Arnold of the home-rule cause. We need no alliance with Great Britain. All we need now, as in the past, is a firm reliance on our own greatness, our own ability, our own integrity, our own power to defend our rights, protect our citizens, and legislate for ourselves on every proposition regarding our own welfare, our own happiness, our own well-being, and our own prosperity.

If Andrew Jackson were alive to-day he would never sanction an alliance with Great Britain. The spirit of 1776 and 1812 still lives. The Republican party is in favor of this alliance; the Democratic party should be strenuously opposed to it. Its consummation means national disintegration.

To-night, as Democrats, we invoke the memory of President Andrew Jackson against the encroachments on the rights of the people of the national banks. They menace our Republic to-day. Jackson waged the most bitter and relentless war of his life against the United States Bank, and finally destroyed that gigantic monopoly. If he had not it would have destroyed the Republic. One of the greatest acts of his life was the veto of the bill extending the charter of that bank trust. In the light of what is going on to-day that veto message should be read by every citizen in our land. There is a bill now pending in Congress which gives to the national banks of the country far greater powers and privileges than were ever enjoyed by the United States Bank. It is a Republican bill, and the Republican party stands sponsor for it and is committed to its passage.

If it should become a law it would give the monopoly of issuing money to the national banks, and hence the right to expand or contract the currency of the people whenever it suited their convenience. No corporation should have this power to make or destroy. It would deprive the Government of one of its greatest attributes of sovereignty and give to the national banks the right to paralyze, at their own will, every industry in the country. It is the most daring attempt the banks have ever made by law to sieze one of the greatest weapons for good or evil known to civilized man. For the Government to surrender this prerogative and delegate away this power would be a crime against every citizen in this land and work woe and misery to millions yet unborn.

As a Democrat, and a follower of Andrew Jackson, I am opposed to the Government delegating away its powers to the national banks. The Democratic party should vigorously oppose conferring any additional powers on or granting any greater privileges to the national banks. In my judgment they already possess entirely too much power. They are doing precisely to-day, only to a greater extent, what the United States Bank did in the days of Andrew Jackson. The right to coin and issue money is one of the greatest prerogatives of the Republic and one of the highest attributes of its sovereignty. It should not be delegated, transferred, assigned, or set over to any national bank, to any trust, or to any monopoly. As Democrats and believers in the meaning of this day, we should resist the encroachments of national banks on the liberties of the people with the same zeal and the same courage that Andrew Jackson resisted the audacious claims of the United States Bank in his day. And when the national banks impudently declare that the Government should go out of the banking business, we should answer that the banks should and must go out of the governing business. And we should make that answer good now and for all time to come.

In Jackson's day there was only one Nick Biddle. To-day there is a Nick Biddle in every national bank in the land.

Let me say here, it is a matter of gratification for me to tell you that the recent attempt of the Republicans to pass through Congress an international bank charter met with the signal and the overwhelming defeat that the scheme deserved. It was one of the most iniquitous bills ever presented to Congress. According to its terms there was no limit to its powers for pelf and no end to its possibilities for evil. If it had been enacted into law it would have created the greatest trust the world has ever seen. By virtue of its provisions it would monopolize, own, and control almost everything under the sun. It was the most colossal scheme ever devised by the ingenuity of man to rob and swindle the people and to enslave for all time to come the industrial masses.

Under the provisions of that bill this gigantic financial trust, with unlimited capital, unrestricted powers, and unparalleled opportunities, would soon absorb, monopolize, own, and control the wealth, the treasure, and the commercial and industrial business enterprises of the land. The bill was so cleverly drawn that the men behind it could practically do anything from buying and holding land to loaning money on personal property, and they could do it all on their own terms and fix their own rates of interest. It would have been the trust of trusts. It was the greatest trust franchise Congress was ever asked to give away, and I am happy to state that by a very decisive vote Congress placed its seal of condemnation on the colossal scheme. But it will come up again. The forces of corruption are always active, never conquered. Eternal vigilance is the price of liberty.

As Democrats to-night we should also invoke the patriotic spirit of the great destroyer of the United States Bank monopoly, Andrew Jackson, and, following in his footsteps, every Democrat in our land should enlist in the war of the people against the trusts. Andrew Jackson was the implacable foe of monopoly. Were he alive to-day he would be the implacable foe of the trusts.

To-day the great trusts of the country are practically supreme. Many of them are so intrenched in power that they are to all intents and purposes above the law and no longer amenable to legislative action. The crying evil of the times is the power and the sway of the trusts. They endanger not only our free institutions but our free men. The battle cry of the Democratic party should be, "The trusts must go!"

To-day about 200 trusts control, wholly or in large part, every conceivable product and industry of the country.

These gigantic combinations constitute, in my judgment, the greatest menace at the present time to our democratic institutions. They control the supply, monopolize the product, and dictate the price of every necessary of life. They force out of legitimate employment thousands and thousands of honest toilers. They enhance prices, reduce wages, and write the terms of their own contracts. They destroy competition, paralyze opportunity, assassinate labor, and hold the consumers of our country in their monopolistic grasp. They levy tribute on every man, woman, and child in the Republic. They blight the poor man's home, darken the hearthside of his children, cloud the star of legitimate hope, and destroy equal opportunity. They control legislation, escape taxation, and evade the just burdens of government, while their agents construct and maintain tariffs to suit their selfish ends and greedy purposes. They imperil trade, stagnate industry, regulate foreign and interstate commerce, declare quarterly dividends on watered stocks, and make fortunes every year out of the people. Their tyrannical power, rapid growth, and centralization of wealth are the marvel of recent times and the saddest commentary on our legislative history. Prior to the civil war there was not a trust in the country except the United States Bank trust, which Jackson killed.

They practically own, run, and control the Government to-day, and defy successful prosecution for violation of law. If their power of centralization is not speedily checked, and they go on for another quarter of a century like they have in the past few years, I believe our free institutions will be destroyed, and instead of a Government of the people, by the people, and for the people, we will have a Government of the trusts, by the trusts, and for the trusts.

How much longer will the people humbly consent to be robbed and submissively permit a continuation of this outrageous policy of favoritism by class legislation? All legislation bestowing special benefits on the few is unjust, and against the masses and for the classes. It has gone on until less than 8 per cent of the people own more than two thirds of all the wealth of our country. It has been truly said that monarchies are destroyed by poverty and republics by wealth. If the greatest republic the world has ever seen is destroyed, it will fall by this vicious system of robbing the many for the benefit of the few.

The total population of the United States is about 70,000,000. The total aggregate wealth of the United States, according to the best statistics that can be procured, is estimated at about $62,000,000,000, and it appears, and no doubt much to the surprise of many, that out of a total population of 70,000,000 less than 40,000 persons in the United States own more than one-half of the entire aggregate wealth of the land. And this has all been brought about by legislation during the last twenty-five years.

The centralization of wealth in the hands of the few by the robbery of the many during the past quarter of a century has been simply enormous, and the facts and figures are appalling. Three-quarters of the entire wealth of our land appears to be concentrated in the hands of a very small minority of the people, and the number of persons constituting that minority grows smaller every year. The legislative schemes which have been most favored for checking this growing centralization of wealth are generally the most elusive and the most impotent.

Impartial students of these startling facts and statistics can hardly escape the irresistible conclusion that a conspiracy exists, and has existed for some time, to convert the Government of the United States into a powerful oligarchy of wealth. The millionaires, the plutocrats, the trusts, the monopolies, and the syndicates seem to be supreme and legislate for their own interests, benefit, and protection. If it continues, the yeomanry of our country will soon be reduced to a condition of industrial serfdom more pitiable than ever existed before in the history of the world.

The money power, the trusts, the syndicates, and the favored few of the land threaten the perpetuity of our free institutions by subsidizing the pulpit, buying the press, seating well-paid attorneys in legislative halls and courts of justice, stifling free speech and the right of lawful assembly and stretching out their tentacles to the colleges of the land to crush professors who have the courage of their convictions and dare to tell the truth regarding economic and social principles.

My friends, to crush the trusts, now and forever, is the highest duty, and the true mission to-day of the Democratic party. In this war of extermination against the octopus which is enslaving our industrial masses, and destroying our free institutions, we should invoke the aid and the support of every lover of liberty, and every disciple of Andrew Jackson, whose memory we revere and celebrate to-day. He said: "The Union must and shall be preserved." Let us to-night as firmly resolve and proclaim that the rights and the liberties of the people must and shall be preserved from the insidious encroachments of aggregated wealth.

THE JACKSONIANS.

Dr. A. H. Hipple, in responding to his toast, "The Jacksonians," spoke as follows:

Those of you who regularly attend the banquets of this club know that the toast to which I have the honor to respond always forms a part of our programme. A decent respect for the opinions of the great Democratic party, of which we form a part, and of the people whom we seek to influence, impels us to proclaim from time to time the principles upon which we base our actions, and the policies founded upon those principles which we think ought to be adopted. The principles for which we contend are few in number and easy to understand. We believe that every individual should be allowed the greatest possible freedom consistent with the maintenance of public order.

We believe in local self-government, and are opposed to centralization of power in any form as being dangerous to the liberty of the people. We believe in the right of every man to worship his Creator in any manner that he may choose, and we denounce as un-American any attempt to place a man in office or keep him out of office because of his religious faith. We believe that it is the duty as well as the privilege of every citizen to take an active interest in public affairs and use every honorable means to secure the nomination and election of good men to office. And finally we believe that the duties of every public office, however great, and of every public service, however humble, should be performed by a Democrat. In case no Democrat is available for an office we have no particular objection to a Populist or a Free-Silver Republican, but it is not in accordance with our principles.

POLICIES AND PRINCIPLES.

In the matter of doctrine I can speak for the Jacksonians with assurance, knowing as I do that we are all united in support of the fundamental principles of true Democracy; but when I speak of policies I realize that I am dealing with questions in regard to which there may be honest difference of opinion within our own ranks. As time progresses new issues arise and old ones perish. It is the duty of the Democratic party to apply to these new issues the precepts laid down by the fathers of Democracy, which time has shown to be the only security of a free government. But I am not one of those who believe that the sages are all dead, and that the words of Jefferson and Jackson are oracles from which an answer can be obtained to every question. No truer patriots than they ever lived; but patriots just as true are living now. Every age produces its own great men. Nebraska to-day has a Jackson of its own; let us hear him.

The Jackson whom we are proud to call our patron saint buckled on his sword and went out to fight for the liberty of his own people; the Jackson of Nebraska whom we are proud to call our leader buckled on his sword and

went out to fight for the liberty of an alien race, bound to him only by the common ties of humanity. The former saw the danger that confronted the Republic from nullification; the latter sees the danger that confronts it from expansion. The elder Jackson saw a United States bank in operation, and as President used all his power to crush it; the younger sees a United States bank in process of formation, through the medium of an infamous currency bill, and, if I mistake not, within a very few years he, too, will be using the power of the Presidency to crush it. I do not know what the historian of the future will say in regard to him, but if he is elected to the Presidency, as every Jacksonian hopes he will be, I believe the verdict will be that no abler statesman ever occupied the Presidential chair than Col. William J. Bryan.

STAND ON CHICAGO PLATFORM.

The Jacksonians stand squarely upon the Chicago platform. When we find a member who does not believe in that kind of Democracy, we lead him out to the edge and gently drop him down among the Republicans, where he belongs. We realize that the issues growing out of the war will have to be met and that the next national Democratic platform will have to be framed accordingly; but regardless of any new planks that may be adopted, we want the old financial plank to occupy the former prominent position. We are in favor of the free and unlimited coinage of silver, because we believe it furnishes the only solution of the great financial problem, and we will never consider the money question settled until it is settled right.

There is one question, however, which was alluded to in the Chicago platform and discussed to some extent during the campaign of 1896 to which I think more attention should be paid in future. I allude to the subject of trusts. The Democratic party has always regarded capitalistic combinations as dangerous to our institutions, and within the last few years these combinations have increased at an alarming rate. The World Almanac for 1898 gives a list of 110 leading trusts, with statistics in regard to them. The capital stock of these 110 trusts amounts to considerably more than $3,000,000,000. Some idea of the immensity of this capitalization may be obtained from the fact that it exceeds the total assessed valuation of all the real and personal property in the States of Illinois, Iowa, Missouri, Kansas, Nebraska, Colorado, and the Dakotas, according to the census of 1890.

When we realize that the trusts of this country have capital enough to buy at its assessed value all the property in eight of our most prosperous States, including such cities as Chicago, St. Louis, Kansas City, and Omaha, and when we realize further that so long as the Democratic party remains true to its principles these trusts will be arrayed against us, we can form some idea of the forces against which we have to contend. Were it not that public sentiment is in our favor, we would never be able to overcome them, but the trusts themselves, by their iniquitous methods and infamous practices, have brought about a condition of affairs which the American people will not tolerate much longer. In these days of commercial injustice and industrial tyranny rich men are afraid of poor men, poor men are afraid of starvation, armed hirelings take the place of peace officers, and injunctions against free speech and the use of public highways are enforced with bayonets. History teaches us that the oppression of the many by the few has been common in all ages, but history also teaches us that sooner or later the oppressors meet their just reward, and if I read aright the signs of the times, the trusts will meet theirs when they encounter, in open battle, the Democratic party.

NO REASON TO FEAR.

Our political opponents profess to see in the recent elections a vindication of the position taken by them in 1896, and a presage of Republican victory in 1900. The Jacksonians interpret them differently. It is true, we sustained some losses, and these we deplore; but our sorrow has caused no feelings of dejection. In the eloquent language of the Apostle Paul, "We are troubled on every side, yet not distressed; we are perplexed, but not in despair; persecuted, but not forsaken; cast down, but not destoyed." Experience teaches us that the political pendulum can swing one way as easily as the other, and now that the Republicans have complete control of the executive and legislative branches of the Government, they can be depended upon to enact legislation in the interests of the banks and trusts, which will alienate from them much of the support which they have hitherto received.

If no mistakes are made, we have no reason to fear the future. With a party united in the cause of good government, with a platform framed in the interests of the people, with a leader who enjoys the confidence of his followers, we believe that the opening of the twentieth century will see the Democrats again returned to power. But whether we achieve victory or sustain defeat, the Jacksonians will remain loyal to the principles of true Democracy.

NEBRASKA'S DEMOCRACY.

Judge John S. Robinson, of Madison, responded as follows:

In responding to the toast "Nebraska's Democracy," let me say at the outset that no claim will be made by me that the principles of Democracy are different in Nebraska from any other State in the Union. There is but one kind of Democrats and but one Democracy in this nation, and no matter in what part of the land they may dwell, they are those who believe in the Democratic faith as taught by the great founders of the Democratic party. Democracy believes in a form of government which makes every man equal before the law; a government which will give to every man equal voice and equal powers in the selection of the nation's rulers and lawgivers; a government which will protect the weak against oppression from the powerful and the strong; a government which will so shape the laws of a country that every man who toils shall have a fair share of the wealth which his industry has created.

In view of the charge that is made, not without foundation, that of late years many of the great corporations existing under the laws of this country have undertaken to dictate how their employees shall vote, and that their efforts in this direction have caused many of the wage-workers of this nation to manifest less of that freedom in the exercise of the right to use their own judgment as to how their ballot should be cast, it is proper for me to say that no such influence surrounds the voters of this State.

TILLERS OF THE SOIL.

The Democracy of Nebraska is largely composed of men who plan their own labor and sell the products of their industry in the markets of the world in free and open competition with all mankind. Its voters are to be found in the towns and cities of this State; in the farmhouses which dot her broad prairies and nestle among her fertile fields, where can be found the fulfillment of the promised seedtime and harvest, and bounteous fields of grain ripen in the sunlight of God. They are not dependent upon the order or command of any trust or syndicate for the right to toil. The power as yet is vested in no man or set of men to dictate to its voters how their ballots shall be cast, or to cause them to hesitate from any fear of want or hunger when they approach the sacred precincts of the election booth.

It is to be expected that, situated as they are, the free voters of an agricultural State, that the Democracy of Nebraska would be true to itself and bold and outspoken in advocating its beliefs; that they should be free to oppose all things which are wrong in this Government, and uphold and advocate every measure which Democracy believes to be right. We ask nothing from this Government but equality and justice to all; we seek protection for no favored industry within our borders. The Democracy of Nebraska is opposed to the existence of any form of trusts, which in defiance of a nation's laws exact from the people of this nation vast sums of money by controlling the necessaries of life, and in this way build up immense fortunes in the hands of a few while they take from the weary hand of labor the morsel which is its own.

HUMAN LIBERTY.

The Democracy of Nebraska stands firm for the great principle of human liberty as set forth in the Declaration of Independence, "That governments derive their just powers from the consent of the governed." This principle Democracy had accepted as true for more than a century of time, and no greed for commerce, no thirst for power, no clamor for spoils, no desire for conquest, has ever caused the Democracy of Nebraska for one moment to doubt its truth. Across the waters of the ocean there came to the listening ears of humanity the cry of the oppressed. The eagle of liberty went forth and paused in his flight above a land whose people were struggling to be free.

Valor called her sons from mountain, plain, and city, from palace and from cottage, and placing above them the flag of human liberty bade them go forth and stay the hand of tyranny. Amidst the hell of battle and the fierce carnage of war that mission was performed. The sound of conflict has ceased; the cannon has grown cold; and now there has arisen in this Republic a class of people who, under the protecting shadow of the eagle's wing, would send the vulture of greed and in the shining path of humanity's victory would themselves march the monsters of oppression and tyranny, who would proclaim to the world that this is a nation of hypocrites and liars, that the flag which went forth from its borders with the promise of carrying liberty to other lands is to become an emblem of oppression and tyranny.

OPPOSES IMPERIALISM.

To all this the Democracy of Nebraska stands opposed. The liberator must not become the oppressor. We know the cry of the eagle from the shriek of the vulture, and the roar of the lion from the jackal's whine. We love our flag too well to ever wish to see it float above a people or a land where those who rest beneath its shelter would not rise in its defense.

When in recent years leaders proved false, and men high in the councils of the Democracy of this nation betrayed the trust reposed in them, and sought to lead the party of Jefferson and Jackson into the camp of organized greed, the Democracy of Nebraska was among the first to raise the banner of true Democracy and reach forth its hand to remove from power the leaders who were false, and in that contest she gave the bravest and the best of all her sons to lead the fight.

Arrayed against Democracy in that struggle was every man who would coerce and threaten the vote of labor, every corporation whose greed for gain demands of the Government that the many be taxed for the benefit of a few, every trust which seeks to fatten by controlling the necessaries of life, every money changer who demands that this Government should surrender the great power of a nation's credit to banking corporations. Out of that struggle Democracy came defeated, but bearing in the grasp of her great leader the banner of a pure Democracy. At the end of that contest Democracy knew its friends and knew its foes. The alignment was made, and now with ranks unbroken she is waiting to again renew the battle. She has no compromises to offer. We want nor seek no barren victory. We stand for a victory which will mean the carrying out a form of government in this Republic tending to the advancement of human liberty and the happiness and prosperity of the entire people.

PROPHECIES FOR 1900.

Attorney T. J. Doyle, of Lincoln, in responding to the toast "1900," spoke as follows:

It is due to Democracy that I should give the assurance that the prophecies which I make and horoscope which I cast shall not unalterably commit the party to the policy which I portray. The two years of Republican nightmare which is to ensue between now and 1900 must be placed behind you. The things which have been declared settled will bear evidence of having been settled with an emetic which is continually effervescing.

The monetary policy of Secretary Gage and the soi-disant sound-money sclons of Indianapolis will have crystallized into law. The drain upon the Federal exchequer caused by outstanding Treasury notes, the great menace to the maintenance of the gold standard, will have ceased, and there will be substituted in its stead a drain upon all industry, and, instead of issuing bonds to be redeemed by future generations, the toiling masses will pay the expense of maintaining the gold basis in the reduction of prices, which will induce gold to return to the country.

Republicanism, emboldened by the respect paid by a loyal people to the high office of the Chief Executive of the nation, will have become unqualifiedly committed to that fad of the dreamer, an English alliance and territorial control of the Philippines. The slogan of the loyal champion of the trust will be, "Unlimited march of the star of empire, a formidable standing army, government out of the banking business, a flexible system of currency controlled by a monetary commission." To ape and point with pride to the achievements of the British Empire. What a spectacle! What fealty to the grand spirit of the Republic of republics! Ye sons and descendants of the fathers of the Revolution, will you march under the banner of modern tories or will you hearken to the voice of warning coming down through the centuries, the accumulated wisdom of ages, warning you against a policy which wrecked and caused the downfall of the ancient republics?

STANDS BY FIRST PRINCIPLES.

True to her mission since the formation of the Republic, the party of Jefferson and of Jackson, in the battle royal of 1900, shall place Americanism and the true principles of representative government, as set forth in the Declaration of Independence, in happy contrast with the English policy of the Republican party; shall proclaim anew the wholesome truths and enduring principles set forth in the Chicago platform of 1896; that the principles of our Declaration of Independence are, as was triumphantly asserted by the immortal Lincoln, universal in their application; that this inspired declaration of the freedom and liberty of man will admit of the inhabitants of no land, whose souls yearn for freedom and government emanating from the consent of the governed, being held as the vassals of the great Republic whose proudest boast has ever been that it is the land of the brave and the home of the free.

ENGLAND'S POLICY.

The policy of Great Britain in her modern alliances will be portrayed by Democracy as a warning to all who love their country and forget their duty. It will be recalled that in the Crimean war Great Britain formed an alliance with France and Sardinia and Turkey, to protect the Sultan of Turkey in the same policy as his successor has since carried on in Armenia, with the sheltering connivance of Great Britain, the policy of settling the internal troubles by wholesale massacre, rape, and robbery. The Russian Emperor sent his armies to the Turkish frontier to stop the butchery, and initiated the principle upon which we ourselves carried on our triumphant war with Spain, taking up the sword for the cause of humanity. Is the free and moral United

States to be bound by treaty to join hands with Great Britain for the protection of the murderer and the ravisher—the libel on human nature—the being whom Mr. Gladstone justly described as the unspeakable Turk? Shame, eternal shame, upon the thought!

Attention will be directed to the fact that Lord John Russell, speaking on behalf of the English ministry, encouraged Denmark to fight her big neighbor, Prussia, by declaring that if the troops of that power crossed the Elbe to seize the Duchy of Schleswig-Holstein, they would find British bayonets opposed to them. This was the signal for the ruin of the Danes. They resisted the Prussian claims, were mowed down in thousands by the newly invented needle gun, and lost their territory in the bargain. British bayonets were conspicuous for their absence.

The sons of liberty will be reminded of the alliance, under which the Confederate States had a fleet of commerce destroyers built in British ports. While we remember the *Maine*, we should not forget the *Alabama*.

The infamous compact with Louis Napoleon for a joint intervention in Mexico for the purpose of placing an Austrian prince upon the throne of Montezuma, with the title of emperor, will not be forgotten. It will be retold how the English withdrew from the alliance when the United States showed disapproval in her characteristic fashion. That France was left in the lurch and withdrew her troops on the breaking out of the war with Germany. The miserable puppet emperor paid the penalty of his ambition with his life, and his beautiful and blameless widow became the inmate of an insane asylum.

JUDAS CHAMBERLAIN.

The man who proposes this alliance on behalf of Great Britain is the same party whose perfidy to his former chief, Mr. Gladstone, broke up the Liberal party. He is universally despised as a dastardly renegade. His political treachery is of so black a dye as to have earned for him among his former colleagues in the House of Commons the sobriquet of Judas Chamberlain. It will be told with telling effect that the whole purpose of this proposed alliance is foreshadowed in the formation of the South African Chartered Company, with its object to establish, by fair means or foul, British dominion over the whole of South Africa. This involves the destruction of two existing republics, the Orange Free State and the Boer Republic.

In the thousand logical unanswerable arguments which shall be advanced against this un-American idea of alliance, the millionaire tuft hunters, who are constantly on the lookout for princely matrimonial alliances for their families, will remain steadfast to this tenet of the Republican party. The introduction of titles would be the first fruit of an alliance with England. "The Earl of Bowery" or the "Marquis of Tenderloin" would sound so much better than Colonel Jones or Judge Smith.

It will be told that this proposed alliance is direct effrontery to 20,000,000 American citizens, through whose veins courses the blood of Irish ancestors. The Irishman has dearly learned the lesson of what an alliance with England means. It has meant for Ireland absorption and robbery and depopulation. Therefore, he reasons, and rightly, for America would mean English supremacy, destruction of the Republic, and national dishonor. He has not renounced his allegiance to England and sworn to uphold this Republic for such a consummation as this. He will draw the sword and pour out his blood for the Stars and Stripes, but for the Union Jack, never.

No conflict fought with such momentous consequences to future generations, since the American revolution, has been submitted to the American people as the issue of 1900.

TRIBUTE TO W. J. BRYAN.

It will involve the question of the dignity of American citizenship. No higher encomium, no greater honor can be done the individual than to say of him: "He is a true American citizen." When this policy culminates of degrading the Senate, dignified by the splendid genius of a Webster, Clay, and Calhoun to the semisavagery characterized in the predilection to wear bells upon the fingers and rings upon the toes, it will mean many centuries of retrogression. In this great conflict Democracy will be synonymous with patriot. The great underlying principles which make this the only true Republic that ever existed will be set forth in all their strength and cogency. It will be a battle for the liberty of man; a contest involving the purification of the flag of country. The great central figure in this triumphant march of the people will be America's foremost citizen and statesman whose matchless oratory, suberb logic, and unfaltering devotion to the principles of patriotism shall cause the people to rally to the standard bearer of Democracy, W. J. Bryan.

When this great battle is over and the glad tidings are flashed to the liberty-loving world that the principles of Democracy have triumphed, that the great commoner, who was enthroned in the hearts of the people, has been chosen Chief Executive of the nation, it will come as a new birth of freedom to the Republic.

It will be received as one of the colossal triumphs which the womb of the future now holds in store for the blessing of the twentieth century.

It will come as a new hope and promise to the liberty-loving world.

It will conclusively establish the stability and perpetuity of a representative form of government.

In the benign administration which follows we will hail with delight a return to the simplicity which characterized the Administration of Jefferson. The true spirit of the great Republic will assert itself until the noble spirit of the fathers will seem to live again in directing the happy, lofty, triumphant course of the Administration, giving to mankind a lesson of wisdom, prudence, and patriotism which will stand as the crowning glory of the new century.

POLICY REGARDING THE PHILIPPINE ISLANDS.

The PRESIDING OFFICER. The Senator from Illinois made a request for unanimous consent that the vote be taken to-morrow on the joint resolution introduced by the Senator from Louisiana [Mr. MCENERY].

Mr. MASON. That was objected to, as every other request I have made for thirty days has been objected to, by some one. I suggest that there is not a quorum present, Mr. President.

The PRESIDING OFFICER. The Senator from Illinois suggests the absence of a quorum. Under the rules the Secretary will call the roll of the Senate.

The Secretary called the roll, and the following Senators answered to their names:

Allison,	Clay,	Hansbrough,	McEnery,
Bacon,	Cockrell,	Harris,	McLaurin,
Bate,	Cullom,	Hawley,	Mallory,
Burrows,	Deboe,	Heitfeld,	Mantle,
Butler,	Elkins,	Jones, Ark.	Martin,
Caffery,	Fairbanks,	Jones, Nev.	Mitchell,
Chandler,	Foraker,	Kenney,	Money,
Chilton,	Gallinger,	Lindsay,	Morgan,
Clark,	Gear,	McBride,	Pasco,
Perkins,	Quay,	Smith,	Tillman,
Pettus,	Rawlins,	Stewart,	Turley,
Platt, Conn.	Ross,	Sullivan,	Warren,
Platt, N. Y.	Sewell,	Teller,	Wellington,
Pritchard,	Shoup,	Thurston,	Wolcott.

The PRESIDING OFFICER. Fifty-six Senators having answered to their names, a quorum of the Senate is present.

INDIAN APPROPRIATION BILL.

The Senate, as in Committee of the Whole, resumed the consideration of the bill (H. R. 11217) making appropriations for the current and contingent expenses of the Indian Department and for fulfilling treaty stipulations with various Indian tribes for the fiscal year ending June 30, 1900, and for other purposes.

Mr. ALLISON. I offer the amendment which I send to the desk.

The PRESIDING OFFICER. The amendment will be stated.

The SECRETARY. On page 15, after line 8, it is proposed to insert:

For additional amount for buildings for additional schools at points on the Chippewa Reservations in Minnesota, to be selected by the Commissioner of Indian Affairs, $20,000, to be immediately available and to be reimbursable.

The amendment was agreed to.

Mr. ALLISON. On page 38, line 9, in the appropriations "For support and civilization of Shoshone Indians in Wyoming," I move to strike out the word "twenty," before the word "thousand," and insert "twenty-five;" so as to make the appropriation $25,000.

The amendment was agreed to.

Mr. ALLISON. After line 9, on page 38, I move to insert what I send to the desk.

The PRESIDING OFFICER. The amendment will be stated.

The SECRETARY. After line 9, on page 38, it is proposed to insert:

For support and civilization of the Arapahoes in Wyoming, $5,000.
For the construction of a telephone line to connect the Arapahoe subagency with the Shoshone and Arapahoe main agency in Wyoming, $750.

The amendment was agreed to.

Mr. ALLISON. On page 42, after line 15, I move to insert what I send to the desk.

The SECRETARY. On page 42, after line 15, it is proposed to insert:

That the Secretary of the Interior is hereby authorized, in his discretion, to pay to such Alsea and other Indians on the Siletz Reservation in Oregon, parties to an agreement made October 31, 1892, ratified by the act of Congress approved August 15, 1894 (28 Statutes, page 323), as shall be found to be competent and capable of managing and taking care of their own affairs their pro rata share of the permanent fund of $100,000 appropriated by said act of August 15, 1894, and now to their credit in the Treasury of the United States.

Mr. JONES of Arkansas. Will the Senator from Iowa explain by whom it is to be ascertained that these people are capable of taking care of themselves?

Mr. ALLISON. By the Secretary of the Interior. I will say to the Senator that this amendment is offered in accordance with one of the articles of the agreement, and that the Secretary of the Interior has already, through an inspector, made an investigation into this matter.

Mr. JONES of Arkansas. Ought not the words "by the Secretary of the Interior," be inserted in the amendment after the word "found"?

Mr. ALLISON. I have no objection to that. Let it read "to be found by the Secretary of the Interior." I thought that was the phraseology employed.

The PRESIDING OFFICER. The amendment will be modified, as suggested, by inserting the words "by the Secretary of the Interior" after the word "found." The question is on the amendment as modified.

Mr. PETTIGREW. I should like to know what tribe of Indians this refers to?

Mr. ALLISON. This refers to the Alsea and other Indians on the Siletz Indian Reservation, in Oregon.

Mr. PETTIGREW. I have no objection to that.

The amendment was agreed to.

Mr. PETTIGREW. I ask unanimous consent for the adoption of an amendment which I send to the desk, which has passed the Senate as a separate bill. It ratifies an agreement, and I think it has the unanimous support of the Committee on Indian Affairs and the subcommittee of the Committee on Appropriations. I offer it, and ask unanimous consent to have it adopted. It passed the Senate heretofore by a unanimous vote.

Mr. ALLISON. I wish to say respecting the amendment that it is in the nature of an agreement. It is legislation which the Committee on Indian Affairs unanimously recommends, and I believe the Secretary of the Interior also desires its ratification. It can be put on this bill by unanimous consent, and I hope no objection will be made to it.

Mr. JONES of Arkansas. To what does it relate?

Mr. PETTIGREW. To an agreement between the Lower Brules and the Rosebud Indians.

Mr. JONES of Arkansas. Is it recommended by the Secretary of the Interior?

Mr. PETTIGREW. Yes; it is recommended by the Department.

The PRESIDING OFFICER. The amendment proposed by the Senator from South Dakota [Mr. PETTIGREW] will be stated.

The SECRETARY. It is proposed to insert:

Agreement with the Lower Brulé band of Sioux Indians in South Dakota and the Indians of the Sioux tribe on the Rosebud Indian Reservation in said State.

Whereas James McLaughlin, United States Indian inspector, did, on the 1st day of March, 1898, make and conclude an agreement with the male adult Indians of the Lower Brulé band of the Sioux tribe, occupying or belonging on the Lower Brulé Reservation, in South Dakota, which said agreement is as follows:

AGREEMENT.

This agreement made and entered into on the 1st day of March, 1898, by and between James McLaughlin, United States Indian inspector, on the part of the United States, and the Lower Brulé band of the Sioux tribe of Indians occupying or belonging on the Lower Brulé Reservation, in South Dakota, witnesseth:

ARTICLE 1. The said Indians belonging on the Lower Brule Reservation hereby consent and agree that those of their tribe now south of the White River on the Rosebud Indian Reservation, S. Dak., may remain thereon; that they may take with them and have converted into the permanent fund of the Indians belonging upon the Rosebud Reservation their proportional or pro rata share of the funds now in the Treasury of the United States to the credit of the Indians belonging upon the Lower Brule Reservation; and that the Lower Brule Indians who have so removed may become and are hereafter to be considered Indians of the Rosebud Reservation.

ART. 2. In consideration of the lands upon the Lower Brule Reservation abandoned by the Indians who have removed to the Rosebud Reservation, and in order that the United States may reimburse itself for the lands purchased for the Indians last mentioned upon the Rosebud Reservation, the said Indians of the Lower Brule Reservation do hereby cede and relinquish to the United States a tract of territory constituting a portion of the Lower Brule Reservation, and estimated to contain about 120,000 acres, described as follows:

Townships 107, 108, and 109 N., range 79 W. of the fifth principal meridian; also sections 3, 4, 5, 6, 7, 8, 9, 10, 15, 16, 17, 18, 19, 20, 21, 22, 27, 28, 29, 30, 31, 32, 33, and 34, and west half of sections 2, 11, 14, 23, 26, and 35, in township 109 N., range 78 W. of fifth principal meridian; also sections 3, 4, 5, 6, 7, 8, 9, 10, 15, 16, 17, 18, 19, 20, 21, 22, 27, 28, 29, 30, 31, 32, 33, and 34, in township 108 N., range 78 W. of fifth principal meridian; also sections 3, 4, 5, 6, 7, 8, 9, 10, 15, 16, 17, 18, 19, 20, 21, 22, 27, 28, 29, 30, 31, 32, 33, and 34, in township 107 N., range 78 W. of fifth principal meridian; also north ½ of sections 3, 4, 5, and 6 of township 106 N., range 78 W. of fifth principal meridian; and north ½ of sections 1, 2, 3, 4, 5, and 6 of township 106 N., range 79 W. of fifth principal meridian. The same being the western portion of the Lower Brule Indian Reservation from its northern boundary to its southern boundary, as herein described.

ART. 3. It is hereby further agreed that a reallotment shall be made by the United States to the Indians remaining upon the Lower Brule Reservation within the diminished portion thereof: *Provided*, That all children born prior to the time of making such reallotment shall receive allotments of land in manner and quantity as provided in section 8 of the act of Congress approved March 2, 1889: *And provided further*, That instead of giving an allotment of 320 acres of agricultural or double that quantity of grazing land to the head of a family, as provided in said section 8, one-half of that quantity shall be allotted to the husband and one-half to the wife, where both are living and otherwise entitled to the benefits accruing to Indians belonging upon said reservation.

ART. 4. The United States hereby agrees to maintain and continue the Lower Brule Agency and Agency Boarding School as at present for those Indians who remain of the Lower Brule Reservation.

ART. 5. This agreement shall not take effect and be in force until ratified by act of Congress of the United States.

Dated and signed at the Lower Brule Agency, S. Dak., on the 1st day of March, 1898.

JAMES McLAUGHLIN, [SEAL.]
United States Indian Inspector.

1. BIG MANE (his x mark) [SEAL.]
2. BLACK ELK (his x mark) [SEAL.]
3. CHAS DE SHEUQUETTE (his x mark) [SEAL.]

and two hundred and forty (240) others.

I hereby certify that at the request of Indian Inspector McLaughlin I read the foregoing agreement in open council to the Indians of the Lower Brule Agency, parties thereto, and that it was explained to them through the interpreters, paragraph by paragraph.

B. C. ASH,
United States Indian Agent.

LOWER BRULE AGENCY, S. DAK., *March 1, 1898.*

We hereby certify that the foregoing articles of agreement were fully explained in open council to the Indians of Lower Brule Agency, parties hereto, and were thoroughly understood by them before signing the same, and that the agreement was duly executed and signed by said Indians.

ALEX. RENCOUNTRE,
Official Interpreter.
GEORGE ESTES,
Special Interpreter.

LOWER BRULE AGENCY, S. DAK., *March 1, 1898.*

Witnesses to the foregoing agreement, signatures of inspectors and the 243 Indians whose names appear as parties thereto.

B. C. ASH,
United States Indian Agent.
GEORGE S. STONE,
Agency Clerk.
J. R. COLLARD,
Agency Physician.

LOWER BRULE AGENCY, S. DAK., *March 1, 1898.*

I certify that the total number of male Indians over 18 years of age belonging on this reservation is 268, of whom 243 have signed the foregoing agreement.

B. C. ASH,
United States Indian Agent.

LOWER BRULE AGENCY, S. DAK., *March 1, 1898.*

I certify that the official records of the Lower Brule Agency show 268 male adult Indians over 18 years of age, residing on or belonging to the Lower Brulé Reservation, 243 of whom have duly signed the foregoing agreement.

JAMES McLAUGHLIN,
United States Indian Inspector.

LOWER BRULE AGENCY, S. DAK., *March 1, 1898.*

And whereas James McLaughlin, United States Indian inspector, did on the 10th day of March, 1898, make and conclude an agreement with the male adult Indians of the Sioux tribe on or belonging on the Rosebud Indian Reservation, in the State of South Dakota, which said agreement is as follows:

AGREEMENT.

This agreement, made and entered into on the 10th day of March, 1898, by and between James McLaughlin, United States Indian inspector, on the part of the United States, and the Sioux tribe of indians beloning on the Rosebud Indian Reservation, in South Dakota, witnesseth:

ARTICLE 1. The Indians of the Rosebud Indian Reservation hereby give their permission and consent for the Indians of the Lower Brulé Reservation, in South Dakota, who have left the same and settled upon the Rosebud Reservation to remain thereon and take allotments of lands in severalty, as provided in section 8 of the act of Congress approved March 2, 1889, modified as hereinafter provided.

ART. 2. In consideration for the permission and consent aforesaid it is hereby agreed that the United States shall pay the Indians of the Rosebud Reservation, as now constituted, excluding the said Indians who have removed to the Rosebud Reservation from the Lower Brule Reservation, pro rata, in cash, at the rate of $1.25 per acre for the lands allotted to the Indians of the Lower Brule Reservation, as provided in article 1 of this agreement; and it is understood and agreed that the Indians of the Rosebud Reservation shall not be dependent upon the funds of the Lower Brule Indians for such payment, but the same shall be made to them directly by the Government of the United States.

ART 3. It is further provided and agreed that the Lower Brule Indians who have permanently located upon the Rosebud Reservation shall have their pro rata or proportional share of the tribal funds now in the Treasury of the United States belonging to the Indians of the Lower Brule Reservation transferred to and consolidated with the funds of the Indians belonging on the Rosebud Reservation, and that hereafter they shall be regarded in all essential respects as Indians of the Rosebud Reservation, and their annuities and other benefits from the Government, whether derived from treaty provisions or otherwise, shall be distributed to them at the Rosebud Agency, or a sub-agency connected therewith: *Provided*, That the Lower Brulé Indians who have so located upon the Rosebud Reservation shall have no further interest in the Lower Brule Reservation, or the lands comprising the same, after their interest in the tribal funds has been transferred to the Rosebud funds as above stipulated.

ART. 4. It is hereby agreed on the part of the United States that allotments in severalty shall be made to all children born prior to the date of the ratification of this agreement then living, in manner and quantity as provided in section 8 of said act of March 2, 1889: *Provided*, That in future allotments upon the Rosebud Reservation, instead of allotting 320 acres of agricultural or double that quantity of grazing land to the head of a family, as provided in said section 8, one-half of said quantity shall be allotted to the husband and one-half to the wife, where both are living and otherwise entitled to the benefits accruing to the Indians belonging upon said reservation: *Provided further*, That the allotments heretofore made on the Rosebud Reservation shall be revised in conformity with the preceding proviso: *And provided further*, That where any Indians to whom allotments in severalty have been made in the field have since died such allotments shall be duly completed and approved, and the land shall descend to the heirs of such decedents in accordance with the provisions of section 11 of said act last above mentioned.

ART. 5. This agreement shall not take effect and be in force until ratified by act of the Congress of the United States.

Dated and signed at the Rosebud Agency, S. Dak., on the 10th day of March, 1898.

JAMES McLAUGHLIN, [SEAL.]
United States Indian Inspector.

1. CHARLES C. TACKETT, [SEAL.]
2. I. P. BETTELYOUN, [SEAL.]
3. CLEMENT WHIRLWIND SOLDIER, [SEAL.]

(and 1,020 others).

I hereby certify that at the request of Indian Inspector McLaughlin I read the foregoing agreement in open council to the Indians of the Rosebud Agency, S. Dak., parties thereto, and that it was explained to them through the interpreters paragraph by paragraph.

CHAS. E. McCHESNEY,
United States Indian Agent.

ROSEBUD AGENCY, S. DAK., *March 10, 1898.*

We hereby certify that the foregoing agreement was fully explained by us in open council to the Indians of the Rosebud Agency, S. Dak.; that it was fully understood by them before signing, and that we witnessed the signatures of the Indians thereto; and we further certify that the foregoing names, though similar in some cases, represent different individuals in every instance.

LOUIS ROULIDEAU,
Official Interpreter.
THOMAS FLOOD,
Special Interpreter.

ROSEBUD AGENCY, S. DAK., *March 10, 1898.*

We certify that we witnessed the signatures of Indian Inspector McLaughlin and Indians to the foregoing agreement, parties thereto.

FRANK MULLEN,
Agency Clerk.
H. B. COX,
Assistant Clerk.
J. FRANKLIN HOUSE,
Day School Inspector.
H. J. CATON,
Farmer, Cut Meat Creek District.
JOHN SULLIVAN,
Farmer, Black Pipe Creek District.
FRANK SYPAL,
Farmer, Butte Creek District.

ROSEBUD AGENCY, S. DAK., *March 10, 1898.*

I certify that the total number of male Indians over 18 years of age belonging on this reservation is 1,160, of whom 1,023 have signed the foregoing agreement.

CHAS. E. McCHESNEY,
United States Indian Agent.

ROSEBUD AGENCY, S. DAK., *March 10, 1898.*

I certify that the official records of Rosebud Agency, S. Dak., show 1,160 adult male Indians over 18 years of age belonging on the Rosebud Reservation, 1,023 of whom have signed the foregoing agreement, being 153 more than the three-fourths majority of the adult male Indians of Rosebud Agency.

JAMES McLAUGHLIN,
United States Indian Inspector.

ROSEBUD AGENCY, S. DAK., *March 10, 1898.*

Therefore, it is hereby provided that the agreement made and entered into on the 1st day of March, 1898, by and between James McLaughlin, United

States Indian inspector, on the part of the United States, and the Lower Brulé band of the Sioux tribe of Indians in South Dakota be, and the same hereby is, accepted, ratified, and confirmed.

That the agreement made and entered into on the 10th day of March, 1898, by and between James McLaughlin, United States Indian inspector, on the part of the United States, and the Sioux tribe of Indians belonging to the Rosebud Indian Reservation in South Dakota be, and the same is hereby, ratified and confirmed.

That for the purpose of making the payment to the Indians of the Rosebud Reservation stipulated for in article 2 of the foregoing agreement with the Sioux tribe of Indians belonging to the Rosebud Indian Reservation the sum of $148,600 be, and the same is hereby, appropriated, out of any money in the Treasury not otherwise appropriated: *Provided*, That the said payment is to be in full for all lands required by the said Lower Brulé Indians for allotments in accordance with the provisions of article 1 of the aforesaid agreement.

The PRESIDING OFFICER. The question is on agreeing to the amendment proposed by the Senator from South Dakota [Mr. PETTIGREW].

The amendment was agreed to.

Mr. RAWLINS. I offer the amendment which I send to the desk.

The SECRETARY. Between lines 3 and 4, on page 46, it is proposed to insert:

That the waters of the streams in the Uintah Indian Reservation, in Utah, are hereby declared open to appropriation for useful purposes according to the laws of the United States and the local laws and customs of the State of Utah, either on or off said reservation, subject at all times to the paramount right of the Indians on said reservation to so much of said waters as may have been appropriated, or may hereafter be appropriated, used, and needed by them for agricultural and culinary purposes; and the right is hereby granted for the construction and maintenance of all necessary dams, ditches, and canals on or through said reservation for the purpose of diverting and appropriating said waters as aforesaid: *Provided*, That the Secretary of the Interior be, and he hereby is, authorized to prescribe such rules and regulations as he may deem necessary to secure to the Indians the quantity of water needed by them for domestic and agricultural purposes.

Mr. ALLISON. I am not clear but that the amendment should be modified in some respects, but I am willing that it shall go into the bill as proposed by the Senator from Utah, and if a modification is necessary it may be made later.

Mr. RAWLINS. I have already modified it.

The PRESIDING OFFICER. The question is on agreeing to the amendment proposed by the Senator from Utah.

The amendment was agreed to.

Mr. PLATT of Connecticut. I offer the amendment which I send to the desk.

The SECRETARY. After line 18, on page 23, it is proposed to insert:

That all chattel mortgages executed in the Quapaw Agency, in the northern district of the Indian Territory, shall be recorded in the town of Miami by the clerk of the said northern district of the Indian Territory or his duly appointed deputy in a book or books kept for the purpose.

The amendment was agreed to.

Mr. PLATT of Connecticut. I propose another amendment, which has been reported by the Committee on Indian Affairs.

The SECRETARY. It is proposed to add, after line 16, on page 14, the following:

The Secretary of the Interior is hereby authorized and directed to cause an investigation by an Indian inspector of the alleged cutting of green timber under contracts for cutting "dead and down" on the Chippewa ceded and diminished reservations in the State of Minnesota, and also whether the present plan of estimating timber on said lands is the best that can be devised for protection of the interests of said Indians; and also in his discretion to suspend the further cutting of timber on said reservations.

The PRESIDING OFFICER. The question is on agreeing to the amendment proposed by the Senator from Connecticut.

The amendment was agreed to.

Mr. DAVIS. I desire to offer an amendment to the pending bill.

The SECRETARY. On page 14, it is proposed to strike out all after and including line 17, and all on page 15 from lines 1 to 8, both inclusive, and insert:

For the erection of suitable buildings for schools upon the Indian reservations in Minnesota, as follows:

At Cass Lake, $3,000.

At the Narrows, on the north shore of Red Lake, $5,000.

At White Oak Point, $10,000.

At Twin Lakes, on the White Earth Reservation, $3,000.

For enlarging the present school at Wild Rice River, on White Earth Reservation, $3,000.

For building schools similar to those above appropriated for at such points in Minnesota as may be selected by the Secretary of the Interior, the additional sum of $6,000.

Mr. DAVIS. Mr. President, I have been convinced for a long time that the methods of education in the Indian reservations referred to in the bill are imperfect and insufficient. They build large schoolhouses for a widely scattered people, and not one-tenth of the instrumentalities of education to which those children are entitled ever reaches them. I have accordingly offered this amendment. It has not been reported from any committee, and I suppose a point of order will be made against it. I desire, as a part of my remarks, to have inserted in the RECORD a letter upon the subject from a gentleman who has passed many years in that country and whose judgment is entitled to most implicit reliance. I ask unanimous consent that the letter which I send to the desk may be inserted as a part of my remarks.

The letter referred to is as follows:

916 WESTMINSTER STREET NW., WASHINGTON, D. C.,
January 10, 1899.

HONORABLE SIR: I respectfully ask your influence toward procuring additional school accommodations for the Indian children in Minnesota.

It appears by the latest Government report to which I have access, namely, that for 1897, that there were then belonging to the White Earth Agency children of school age—females, 6 to 14 years; males, 6 to 16 years—1,936 children. But the school age is really for both sexes from 6 to 18 years, and persons are often kept in school till 24. Reckoning, then, from 6 to 18 years, there are about 2,580 children on White Earth Agency.

Out of the 2,580 the agent reports 466 children as being in eight schools on the agency during that year, or only 1 in 5$\frac{1}{10}$ of the school population.

Those 466 are about all the present schools can accommodate; so more than 4 out of every 5 of those unfortunate children have to stay out of school, starve, freeze, and suffer every misery and grow up vagabonds, because no schools are provided for them on their reservations.

It is true there are schools at a distance, as Carlisle, and others nearer home, but their parents will not allow them to go to those distant schools, because they are afraid they will be sick or something happen to them while out of their sight. Those who go to those distant schools are generally French half-breeds, sometimes almost white. They get all the benefits, but the full-blooded Indian children whom we wish most to educate are at home, out of school, growing up in ignorance and vice, there being no schools for them.

Yet they have, as you know, ample means in their pine to provide schools and schoolhouses for their children; it need not cost the white people a cent. According to my calculation it would not take more than one dollar out of fifty of what they own to build the necessary schoolhouses. The Government has already advanced $2,000,000, on the security of their pine, to pay the salaries of the Chippewa commissioners, etc., and could easily advance them the small sum of $30,500 spoken of below for schools. And the Chippewas are most anxious to have the small amount of their money needed for schools used in that way; nothing would please them so much. While they are unwilling to send their children away to a distance to school, they are very anxious to have them educated among them, where they live, and there is no disposition of the money that would be so good for the white people of Minnesota as this.

If those Indian children are not educated now, they will be forced to grow up vagabonds, nuisances, and almost criminals. We know that such people are very expensive to take care of. Far better to prevent them from becoming such by giving them a proper start in life now. It will be a thousand times cheaper in the end. If kept in school from 6 to 16 or 18 they will speak English as well as we—they will be very much like other children. As one proper solution of the Indian problem every one of the 2,580 Indian and mixed-blood children belonging to the White Earth Agency should, next summer, be put in school and kept there, and to that end schoolhouses should, next summer, be built for all of them.

For this purpose we do not need an expensive plant, where trades, etc., are taught. Such things are desirable, but not necessary. A plain frame boarding school building will do very well. If we wait to get those expensive plants, such as are now designed for White Earth, Red Lake, and Leech Lake, it will take too long, and while the grass will be growing the horse will starve. Already twenty-five years have elapsed, almost a generation, and notwithstanding all the effort I have been able to make by appeals, etc., the Government has not established one new school. It adopted two out of four that I started, and that is all.

I would say here that as a general thing day schools will not do, not even when a dinner is given at noon and the children clothed free. We have found by experience that they will not come, nor will their parents send them, unless they are boarded. Then many of them live too scattered. At the narrows on Red Lake they might attend a day school, with dinner and clothing, but nowhere else would they do it.

Beneath, then, I shall give a list of six new schools that ought to be built, and the cost of all of them combined would be only a little over three-fifths that of one school such as the Government is now building at White Earth, yet I believe each one of them will do as much good as that expensive school, and the number of children they will provide for will be, I think, six times as great. I have built three Indian boarding schools myself, and carried on four boarding schools for four years in these very localities, with 200 pupils, so I think I ought to know something about it.

First. At Cass Lake are about 40 children; no school there and not one child being taught. The poor Indians there are always begging for a school, but their children are forced to grow up in ignorance. The proposed new school at Leech Lake will not meet their need; it would not hold their children with the others whom it is proposed to put in it. There are 518 children reported by the agent as belonging at Leech Lake, White Oak Point, and Cass Lake, the children of which places it is proposed, I suppose, to put there, but 150 will probably be the capacity of that school, the same as of the White Earth, even if $50,000 is used in its construction. Then they would not send their children to a distant school, away from home, as Leech Lake, as they would send them to one right among them. By all means give them the common, plain school they ask, out of their own money.

I will make the Government a present of the school building in which I carried on a boarding school there for four years, and which cost $730, if it will carry on a school there; also land for a beautiful site for a school will be furnished. Cost of frame school boarding house at Cass Lake, $3,000.

Second. At the Narrows, on the north shore of Red Lake, in one village there are 80 fine full-blood Indian children, close together. No school, no child being taught; all forced to grow up in ignorance. Many are most anxious for a school, and there is no place where a school would do more good. It is true $30,000 have been appropriated for a school at Red Lake Agency, but that new school would not begin to hold the 479 children between 6 and 18 at Red Lake. Besides, as usual, their parents would not send them away from home in great numbers across the lake, where they can not see them. What a blessing a school would be to that Indian village, even to the old people! For a frame boarding school at the Narrows, Red Lake, $5,000.

Third. About White Oak Point are reported by the agent 173 children, girls 6 to 14, boys 6 to 18. A school should be built somewhere in their midst next summer, and every child should be put in it and kept there. The new Leech Lake school will not hold their numbers with the Leech Lake and others whom it is intended to place there. Cost of boarding school for White Oak Point, $10,000.

Fourth. At Mille Lac, near Minneapolis, there are about 800 Indians living. The little children there are starving, freezing, brought up in every vice and seeing only evil—whisky drinking, gambling, and debauchery of all kinds. The same is true of White Oak Point Indians. There is no school there; not one child in school; all forced to grow up to that horrible life. A school should be built somewhere for them and every one of those children put in it. Cost of boarding school for them, $7,500.

Fifth. The new school at White Earth will not be nearly large enough to contain the children there. It is to have accommodation for 150 children.

But the agent reports there 364 children, boys 6 to 16, girls 6 to 14, or about 484 children between 6 and 18 years.

To provide for those unable to get in the new school, a boarding school to hold 60 children should be built at Twin Lakes, on the White Earth Reservation, 18 miles northeast of the agency. There are 60 children tributary to that point. There I have built a new frame schoolhouse, with all modern improvements, to hold 60 children, at a cost of over $900, the use of which I will give to the Government free if it will carry on a school there. A school would be a great blessing to that locality.

Cost of a new school boarding house at Twin Lakes for 60 children, $3,000.

Sixth. The present Wild Rice River School, on White Earth Reservation, should be enlarged to hold 60 more children, at a cost of $3,000. Great numbers are refused admittance there every fall.

The above-enumerated schools would provide the Indians everywhere with pretty good school accommodations at a cost in all of only $33,500. That is only a little over three-fifths of the cost of one school like that at White Earth, and it would build six for six very destitute localities, most of them having at present no school and not one scholar.

These schools would provide for 500 children at least, against the 150 in the much more expensive single school at White Earth. When the schools are once built the Government is perfectly willing to carry them on. With the outside nonreservation schools to which some would go, they would give every Indian child a chance in life and a good start.

If it be objected that these schools would not give room enough, ven tila tion enough, etc., the answer is that for four years I carried on such schools and found them perfectly sufficient. There never was any sickness or evil effects or overcrowding. I believe they would do almost or quite as good work as more expensive plants.

We can not wait to get those expensive plants—$50,000 schools. We want to put every child in school at once; next summer; not to allow another generation to pass, as one has already. If we have to wait for $50,000 everywhere, it will be a great many years before we will get them. It is not the building nor the plant that makes the school, but good, kind, capable, Christian teachers inside, and those are just as likely to be found in a three-thousand-dollar as in a fifty-thousand-dollar school.

I would mention also that the new Fooston Branch Railroad has just been built through that country, which is a lumber country, and building can now be done very cheaply and very easily.

For the sake, then, of the poor, suffering, innocent children of our State, who are compelled by hundreds to live a most horrible life, while their parents have ample means to provide them with a good Christian up-bringing, I beg of you to use all of your influence and efforts to have school boarding houses provided for them all next summer. Those children must always live in our State. They can never be transported elsewhere. They must be mingled with our people and our descendants. Some of those children will be living seventy years hence, either as respectable producers or as vagabonds and criminals, a disgrace and a burden, according to what we now do with them in the formative period of youth. If we let them alone they must become the latter. In money cost it will be a thousand times cheaper to do a little preventive work.

We have pressed a bitter cup of woe to those people, and have horribly abused them; but a great reparation, and the best we can now make, will be to give their little children, whom they love so much, a good start in life. That will make amends for a great deal. It will cost us no money; only a little effort. Any man of ordinary sense could go there and by midsummer have the necessary modest school building in every settlement or village of Indians. If the Government wishes me to supervise it, I will do it without salary and pay my own expenses.

Our present Commissioner of Indian Affairs is trying to do the very best he can for the Indians and for schools. But the traditions of the Indian Office seem to be in favor of $50,000 and $20,000 plants only; and I feel that in that way we shall not get around quick enough. We need those schools at once—next summer; and we need, where necessary, compulsion to put every one of those children in school and keep them there.

At present our school accommodations for only one child in five is deplorable. Dr. Hailmann, the late superintendent of Indian schools, told me that the reason he had no school accommodations was because our Congressional delegation took no interest in it; never asked for any; that if they did as the South Dakota delegation and Mr. Pickler did, we would have all the schools we wanted. Knowing your sympathetic kindness to the unfortunate, I thus lay before you the sad case and deplorable situation of many hundreds of poor children, guilty of no crime, but only the victims of unfortunate circumstances, who are cold, hungry, and unspeakably wretched to day, and who have only the gloomiest and most forbidding future to look forward to (if they survive the hardships they now have to bear), and all for want of what we have it easily in our power to give them out of their own funds—the comfort and warmth of a home in a Christian school.

If you think it would do any good to have me meet the Minnesota delegation and make a personal statement to them about the matter, I am ready to do so.

Hoping I have not trespassed on your time too long, I am,

Very respectfully, yours,

J. A. GILFILLAN.

Hon. C. K. DAVIS, *United States Senate.*

Mr. DAVIS. At a future time, during the next session of Congress, when objection can not be made, I shall take occasion to press very zealously the consideration of that letter. The amendment which I offered does not, nor will anything I may propose hereafter, interfere with the building of the larger schools, but it is intended to supplement them by smaller ones.

The PRESIDING OFFICER. The Chair will take the liberty to suggest to the Senator from Minnesota that as the amendment for which he offers a substitute has been agreed to as in Committee of the Whole, it will be necessary to reconsider that action or else to withhold the amendment until the bill is in the Senate.

Mr. ALLISON. I wish to say to the Senator from Minnesota that on my motion an amendment has already been agreed to, in addition to the amendment printed in italics, which appropriates $20,000 for four schools in the Leech Lake Reservation, to be established at places to be designated by the Secretary of the Interior. I will ask the Senator at a later period to examine the amendment, and the whole question can be considered in connection with those two amendments without striking out and inserting what he proposes.

Mr. DAVIS. I will withdraw my amendment for the purpose of considering what the Senator from Iowa suggests. I will state, however, that what has been done in the Senate with respect to the $20,000 is all well enough as far as it goes, but the Leech Lake Reservation——

Mr. JONES of Arkansas. I wish to ask the Senator from Minnesota, as a matter of information, whether the amendment he proposes has been considered by the Committee on Indian Affairs, or whether there is any recommendation by the Secretary of the Interior?

Mr. DAVIS. There is none whatever.

Mr. JONES of Arkansas. I think amendments of this kind ought to have the approval of the Indian Office, and while this matter is under consideration I would suggest to the Senator from Minnesota to call the attention of the Department to it, and let us have a recommendation, if possible.

Mr. DAVIS. Living in the State and having had intimate connection with those people for so many years, I know enough about it myself to feel entire confidence in the strength of the position when the matter shall be properly before the Senate, without present reference to the Indian Office.

Mr. JONES of Arkansas. If the Senator from Minnesota does not wish to satisfy other Senators by the opinion of the Department, very well.

The PRESIDING OFFICER. The amendment of the Senator from Minnesota is withdrawn.

Mr. MANTLE. I offer an amendment which has been reported by the Committee on Indian Affairs.

The SECRETARY. It is proposed to insert on page 61, as a new section, the following:

SEC. 9. That the following-described tract of land be, and the same is hereby, set aside as a reservation for the permanent use and occupancy of the Indians now occupying or belonging upon the Northern Cheyenne Indian Reservation, which reservation shall be known as the Northern Cheyenne Indian Reservation, namely:

Beginning at the point in the middle of the channel of Tongue River at its intersection with the southern 40-mile limits of the grant to the Northern Pacific Railroad Company, thence west on the said southern 40-mile limits to its intersection with the eastern boundary line of the Crow Indian Reservation; thence south on said boundary line to its intersection with the line dividing townships 5 and 6 S.; thence east on said dividing line of townships 5 and 6 S. to its intersection with the line dividing ranges 40 and 41 E.; thence north on said line dividing ranges 40 and 41 E. to the line dividing townships 4 and 5 S.; thence east on the line dividing townships 4 and 5 S. to its intersection with Cook Creek; thence down Cook Creek to its confluence with Tongue River; thence down the middle of the channel of Tongue River to the place of beginning.

Provided, however, That if upon the survey or resurvey of the boundary lines already established it shall be found that the main stream of Cook Creek on or near the range line between ranges 40 and 41 lies south of the line dividing townships 4 and 5 S., then in that case the line running north on the range line between ranges 40 and 41 shall extend north only to the intersection of said line with the main stream of Cook Creek, and thence down Cook Creek as hereinbefore provided: *Provided further*, That in the erection of the reservation boundary fence along said Cook Creek the same shall be so erected as to divide the waters as near as may be between the north and south sides thereof: *Provided, further*, That certain tracts, approximating 65 acres, lying west of Tongue River, in sections 26 and 34 in township 4 S. of range 43 E., owned by Joseph Scott, and the northeast quarter of section 3 in township 3 S. of range 44 E., belonging to St. Labra's Mission, and the south half of the northwest quarter of section 10 in township 2 S. of range 44 E., belonging to R. P. Colbert, shall be excepted from and not included within the reservation boundaries named.

SEC. 2. That the following sums be, and they are hereby, appropriated, out of any money in the Treasury not otherwise appropriated, namely:

For the payment of settlers within the said boundaries for lands and improvements, $150,445: *Provided*, That the Secretary of the Interior shall and does, in his discretion, ratify and approve, under the provisions of section 10 of the Indian appropriation act approved July 1, 1898 (30 Statutes, pages 596 and 597), the agreements entered into thereunder by United States Indian Inspector James McLaughlin with the settlers included within said boundaries, submitted by him to the Secretary, with his report, dated November 14, 1898, and shall find, upon investigation hereafter to be made, that the improvements of the settlers referred to remain intact and in good condition: *Provided further*, That the settlers shall remove immediately from the reservation upon the payment of the sums, according to their respective agreements as ratified and approved by the Secretary of the Interior;

For payment of Indians residing east of Tongue River for improvements, $1,150;

For the construction of 65 miles of wire fence around a portion of said reservation, $7,150;

For the purchase of 1,000 2 year-old native Western heifers for the use of the Indians of said reservation, $25,000;

For the purchase of 40 2-year-old Hereford or Durham bulls for the use of the Indians, $3,200;

For buildings at the Tongue River Agency, on said reservation, $10,000;

For subissue station, farmer's residence, and blacksmith's shop at Tongue River, $3,055;

In all, $200,000.

SEC. 3. That the Secretary of the Interior is hereby authorized and directed to purchase the heifers and bulls herein provided for at such time as he, in his discretion, may deem best, and to prescribe such rules and regulations as he may deem necessary to secure a just and equitable distribution of this stock among the Indians residing or belonging upon the Northern Cheyenne Indian Reservation; and he shall cause such portion of the reservation to be fenced as he, in his judgment, may deem necessary; and in like manner to construct or repair buildings at the Tongue River Agency, establish and build a subissue station, a farmer's residence, and blacksmith's shop, as herein provided for.

SEC. 4. That the Secretary of the Interior shall pay to the Indians residing east of Tongue River the respective sums for their improvements as ascertained by Inspector McLaughlin in agreement submitted with his said report upon condition that they shall remove to the reservation hereby established.

Mr. ALLISON. That I understand is an agreement made between the Interior Department and the Indians of Tongue River.

Mr. MANTLE. That is correct.

Mr. ALLISON. The amendment has the support of the Committee on Indian Affairs and was examined by the Committee on Appropriations. I will ask the Senator from Montana if it contains any legislation other than the ratification of the treaty?

Mr. MANTLE. That is all. It simply contains a ratification of an agreement made by the Interior Department with the Northern Cheyenne Indians.

Mr. PLATT of Connecticut. It requires an appropriation.

Mr. MANTLE. It requires an appropriation to carry it into effect.

Mr. ALLISON. It requires an appropriation, of course. The amendment can be put on the bill only by unanimous consent. I shall not object to it, nor to another agreement which has been made with the Indians on the Fort Hall Reservation. The amendments are said to be necessary in order to complete agreements with those Indians at an early period. Therefore they must go on the pending bill if they are to pass into law at the present session. I deprecate the placing of these agreements upon appropriation bills, and unless they can go on by unanimous consent I shall object to their consideration, but I shall not myself make the point.

The PRESIDING OFFICER. The question is on agreeing to the amendment proposed by the Senator from Montana.

The amendment was agreed to.

Mr. SHOUP. I offer the amendment which I send to the desk.

The SECRETARY. On page 61, after the amendment just adopted, it is proposed to insert the following:

AGREEMENT WITH THE SHOSHONE AND BANNOCK INDIANS OF THE FORT HALL RESERVATION, IN IDAHO.

SEC. 10. The following agreement made and entered into between Benjamin F. Barge, James H. McNeely, and Charles G. Hoyt, duly appointed commissioners on behalf of the United States, and the headmen and a majority of the male adults of the Bannock and Shoshone tribes of Indians upon the Fort Hall Indian Reservation, in the State of Idaho, is hereby accepted, ratified, and confirmed, namely:

ARTICLE I.

That the said Indians of the Fort Hall Reservation do hereby cede, grant, and relinquish to the United States all right, title, and interest which they have to the following-described land, the same being a part of the land obtained through the treaty of Fort Bridger on the 3d day of July, 1868, and ratified by the United States Senate on the 16th day of February, 1869:

All that portion of the said reservation embraced within and lying east and south of the following-described lines: Commencing at a point in the south boundary of the Fort Hall Indian Reservation, being the southwest corner of township 9 south, range 34 east of the Boise meridian, thence running due north on the range line between townships 33 and 34 east to a point 2 miles north of the township line between townships 5 and 6 south, thence due east to the range line between ranges 35 and 36 east, thence south on said range line 4 miles, thence due east to the east boundary line of the reservation; from this point the east and south boundaries of the said reservation as it now exists to the point of beginning, namely, the southwest corner of township 9 south, range 34 east, being the remainder of the description and metes and bounds of the said tract of land herein proposed to be ceded.

ARTICLE II.

That in consideration of the lands ceded, granted, and relinquished, as aforesaid, the United States stipulates and agrees to pay to and expend for the Indians of the said reservation $600,000, in the following manner, to wit:

Seventy-five thousand dollars, or as much thereof as may be necessary, shall be expended by the Secretary of the Interior in the erection of a modern school plant for the Indians of the Fort Hall Reservation at a point near the present agency, said point or site to be selected by the Secretary of the Interior, and the surplus remaining, if any, of the above $75,000 may be expended by the Secretary of the Interior for the educational needs of said Indians.

One hundred thousand dollars shall be paid in cash pro rata, share and share alike, to each man, woman, and child belonging to and actually residing on said reservation, within three months after the ratification of this treaty by the Congress of the United States. The remainder of said sum total shall be paid pro rata in like manner, as follows:

Fifty thousand dollars one year after the first payment.
Fifty thousand dollars two years after the first payment.
Fifty thousand dollars three years after the first payment.
Fifty thousand dollars four years after the first payment.
Fifty thousand dollars five years after the first payment.
Fifty thousand dollars six years after the first payment.
Fifty thousand dollars seven years after the first payment.
Fifty thousand dollars eight years after the first payment.
Twenty-five thousand dollars nine years after the first payment.

The deferred payments shall bear interest at the rate of 4 per cent per annum, said interest to be placed annually to the credit of said Indians, and shall be expended for their benefit by the Secretary of the Interior at such times and in such manner as he may direct: *Provided*, That none of the money due to said Indians under this agreement shall be subject to the payment of any claims, judgments, or demands against said Indians for damages or depredations claimed to have been committed prior to the signing of this agreement.

ARTICLE III.

Where any Indians have taken lands and made homes on the reservation and are now occupying and cultivating the same, under the sixth section of the Fort Bridger treaty hereinbefore referred to, they shall not be removed therefrom without their consent, and they may receive allotments on the land they now occupy; but in case they prefer to remove they may select land elsewhere on that portion of said reservation not hereby ceded, granted, and relinquished and not occupied by any other Indians; and should they decide not to move their improvements, then the same shall be appraised under direction of the Secretary of the Interior and sold for their benefit, at a sum not less than such appraisal, and the cash proceeds of such sale shall be paid to the Indian or Indians whose improvements shall be so sold.

ARTICLE IV.

So long as any of the lands ceded, granted, and relinquished under this treaty remain part of the public domain, Indians belonging to the above-mentioned tribes, and living on the reduced reservation, shall have the right without any charge therefor, to cut timber for their own use, but not for sale, and to pasture their live stock on said public lands, and to hunt thereon and to fish in the streams thereof.

ARTICLE V.

That for the purpose of segregating the ceded lands from the diminished reservation, the new boundary lines described in Article I of this agreement shall be properly surveyed and permanently marked in a plain and substantial manner by prominent and durable monuments, the cost of said survey to be paid by the United States.

ARTICLE VI.

The existing provisions of all former treaties with the Indians of the Fort Hall Reservation not inconsistent with the provisions of this agreement are hereby continued in force and effect; and all provisions thereof inconsistent herewith are hereby repealed.

ARTICLE VII.

The existing main traveled roads leading from McCammon to Blackfoot and from McCammon to American Falls are declared public highways, and the proper use of such is hereby granted to the general public.

ARTICLE VIII.

The water from streams on that portion of the reservation now sold which is necessary for irrigating on land actually cultivated and in use shall be reserved for the Indians now using the same so long as said Indians remain where they now live.

ARTICLE IX.

This agreement shall take effect and be in force when signed by the commissioners and by a majority of the male Indians of the Fort Hall Reservation over 18 years of age and ratified by the Congress of the United States.

Signed on the part of the United States Government by the commissioners aforesaid and by the following Indians of the Bannock and Shoshone tribes, residing and having rights on the Fort Hall Indian Reservation.

BENJAMIN F. BARGE, *Commissioner.*
JAMES H. McNEELY, *Commissioner.*
CHARLES G. HOYT, *Commissioner.*

FORT HALL INDIAN AGENCY,
Ross Fork, Idaho, February 5, 1898.

(1) Jim Ballard (x); witness, Mary W. Fisher. (2) Pocatello Tom (x); witness, Chas. M. Robinson. (3) Kunecke Johnson (x); witness, Mary W. Fisher, (and 247 others.)

* * * * * * *

We certify that we interpreted the foregoing agreement with the Bannock and Shoshone Indians and that they thoroughly understood the entire matter; that we truly interpreted for the commissioners and for the Indians at all the councils held to discuss the subject, and to individual Indians.

J. J. LEWIS,
KENNEKE (his x mark) JOHNSON,
Interpreters.

Witness:
CHAS. M. ROBINSON.
J. H. BEAN.
ALBERT W. FISHER.

ROSS FORK, IDAHO, *February 5, 1898.*

FORT HALL AGENCY, IDAHO, *February 5, 1898.*

I hereby certify that 227 Indians constitute a majority of male adult Indians on or belonging on the Fort Hall Indian Reservation, Idaho.

F. G. IRWIN, JR.,
First Lieutenant, Second Cavalry, Acting Indian Agent.

For the purpose of making the first cash payment stipulated for in article 2 of the foregoing agreement, and for the purpose of a new school plant, as provided in the same article, $175,000.

The PRESIDING OFFICER. The question is on agreeing to the amendment submitted by the Senator from Idaho.

The amendment was agreed to.

Mr. JONES of Arkansas. I desire to move an amendment on page 44, which I hope will meet with the approval of the chairman of the committee. I send it to the desk to be read.

The SECRETARY. After line 19, on page 44, it is proposed to insert:

That it shall be unlawful, after July 1, 1899, for any tribal government or officer thereof in the Cherokee, Creek, Choctaw, or Chickasaw Nation, in the Indian Territory, to collect or receive any permit, merchant, ferry, or other taxes imposed on noncitizens or on citizens for employing noncitizens; but all such taxes or revenues, according to the laws of said nations, together with all taxes and revenues due from citizens, shall be collected by the Secretary of the Interior, who shall employ and pay from such receipts all necessary force to enforce this law, and the remainder shall be used for the benefit of said nations or tribes, respectively.

Mr. ALLISON. I ask the Senator from Arkansas if this amendment has the approval of the Committee on Indian Affairs?

Mr. JONES of Arkansas. It has not been submitted to the committee.

My purpose in offering the amendment is to get rid of an abuse that exists in that country which ought not to be allowed to exist longer. As is well known to members of the Senate, there are a number of taxes collected by those tribes on noncitizens for the privilege of living in the Territory, and persons employing noncitizens are required to pay a tax of 50 cents a month, or some such sum. Complaints are numerous that the amounts paid into the Treasury are very much less than the amounts that ought to be collected. There are constant complaints coming up that where the taxes on merchants, which are considerable in the different tribes, ought to amount to several thousand dollars a year, an insignificant sum, amounting to only a few hundred dollars, is collected and paid in.

I believe that an efficient system of collecting those taxes ought to be organized by the Secretary of the Interior, that he ought to have full control of the entire matter, and that the money collected, after paying the expenses of collection, ought to be held by him subject to the tribe in which it is collected.

Mr. ALLISON. May I ask the Senator if this amendment has been submitted to the Secretary of the Interior?

Mr. JONES of Arkansas. It has not.

Mr. ALLISON. Does it in any way interfere with the act known as the Curtis law?

Mr. JONES of Arkansas. It does not.

Mr. ALLISON. Is it in support of it?

Mr. JONES of Arkansas. I think it is strictly in line with the Curtis law.

Mr. ALLISON. I am not especially familiar with the method of dealing with these taxes. I dislike to make a point of order upon the amendment, but I very much fear it may have some injurious effect.

Mr. JONES of Arkansas. I will suggest that I have no objection that the committee of conference shall strike it out of the bill if it goes in, if upon investigation at the Indian Office there is any doubt about the wisdom of its adoption. I am perfectly willing that the matter shall be referred to the Secretary of the Interior and the Commissioner of Indian Affairs, and if it does not receive the cordial and hearty support of both of those gentlemen I am willing that the conference committee shall drop it out of the bill.

Mr. ALLISON. With that understanding I shall not make a point of order. The Senator from South Dakota [Mr. PETTIGREW], the chairman of the Committee on Indian Affairs, is perhaps more familiar with the matter than I am.

Mr. PETTIGREW. Mr. President, under the old tribal government among the Five Civilized Tribes they levied a tax upon every merchant who did business in that country, upon every physician and every lawyer who was not a citizen of the tribe, and also upon every laborer and upon every renter of land. This money was used, I suppose, to maintain an Indian school system and to support a tribal government, and perhaps it was necessary and proper. But we have by legislation substituted United States courts for the tribal courts, and we have also substituted the laws of Arkansas for the tribal laws of that country in a large measure. We have obviated the necessity of collecting this tax.

Under the old system the white people who lived in that country, some 350,000, had no provision made for the education of their children. Their children were not allowed to attend the Indian schools, and there was no method by which they could raise money for the purpose of supporting schools themselves.

Under the existing condition of affairs those people can now pay taxes for the purpose of educating the children of that country, and therefore the necessity for collecting this tax has disappeared.

Instead of adopting this amendment we ought to adopt an amendment prohibiting the tribe from collecting from these people a single dollar in the future. We have provided for the organization and incorporation of towns in that country, and the towns are largely inhabited by the outsiders whom the Indians have permitted to come into that country. We have provided that they can tax their property for the purpose of sustaining a city government, sustaining schools, suppressing crime, and managing their affairs. There should not be taken from these people, in my opinion, a single dollar for the benefit of this tribe in the way of taxation. Therefore the amendment ought to be defeated on its merits, and I hope to defeat it in that way. If I can not, I shall make the point of order against it.

Mr. JONES of Arkansas. The taxes are in force in the nations now. There has been no proposition before that made by the Senator from South Dakota at this moment on the floor to repeal those taxes. There has been no suggestion from anybody anywhere that these people have not the right to levy this tax upon persons from the outside, not citizens of their country, for the privileges of exercising trade in their country. Nobody has said it was not right. The taxes are now on the books. They are enforcible in the tribal courts by this tribal government.

The simple proposition in the amendment is that we shall provide that the taxes shall be collected by the Secretary of the Interior by machinery which he shall arrange and organize, and not by the old tribal inefficient method of collecting heretofore. It does not change the taxing laws. I agree that we have no right to change their tax laws under the rights that we give those people under the Curtis law. We have made agreements with them about the division of their land, and especially providing that their tribal government shall continue in force for eight years; and these were a part of their laws. They have been their laws for years past.

We have no moral right, we have no legal right, to deprive those people of the right of levying this small tax upon people who go into that country and exercise privileges of trade. Merchants going there pay no taxes unless they pay taxes under this provision. They are scattered all through the country everywhere, and we have no right now by any means to prevent the collection of that tax.

This is not a question whether the tax shall be collected or not. It will be collected in a sort of pro forma way by the tribal authorities. These taxes remain in force. The means of collecting them will be just as effective under the laws as they exist now as after we adopt this amendment. It simply provides an efficient means of collecting the taxes, that they shall not be used for fraudulent and corrupt purposes, not to be misappropriated by dishonest collectors, but that they shall find their way into the hands of the officials of the United States and be used for the benefit of the nations and tribes.

I am astonished at the position taken by the Senator from South Dakota. I am amazed that he is unwilling to have an efficient system of collection there instead of the inefficient and utterly untrustworthy system that has existed heretofore.

Mr. PETTIGREW. The Senator from Arkansas, in his remarks previously made, stated that they were unable to collect the tax and that therefore it was not being collected.

Mr. JONES of Arkansas. If the Senator understood me to say that they collected none of these taxes I want to disabuse his mind. In one of these nations, where there are said to be perhaps fifty merchants engaged in business, there are two merchants in one town whose taxes amount to $1,200 a year each on account of the amount of their business. The total tax accounted for in that nation by the tax collector was less than $2,000, although two merchants in the town in which they lived paid $2,400 into his hands, as is well known, taking no account of the collections that were made from other merchants. It is for the purpose of stopping that abuse, the failure to get the money into the treasury of the nation and not on account of its not being paid by the citizens, that I have offered the amendment.

Mr. PETTIGREW. It appears, then, that the tribes are now unable to enforce this tribal law. In their condition as separate, independent, and sovereign nations they enacted these laws by which outsiders, citizens of the United States, who had come there by their invitation, could be taxed, could have this burden put upon them; but as we have wiped out their courts absolutely in two of the tribes, and have provided that in those tribes where we have not entirely wiped the legislative function out their legislative acts are subject to revision by the Government, and in view of the fact that we have supplied them at the expense of the Government with courts, I think it is about time that we paid some attention to the 350,000 citizens of the United States who are living in that country. If this tax is to be collected, instead of turning it over to the tribal treasury, it ought to be turned over to the American citizens, to the 350,000 people who have gone into that country for the purpose of assisting them in establishing schools.

Already there are bills before the Committee on Indian Affairs to appropriate large sums of money for the purpose of educating the white children who have had no facilities whatever for securing an education heretofore. It seems to me an absurd proposition—and I am astonished that the Senator from Arkansas should present such an amendment to the bill—to lay this burden upon the Arkansas settlers who have gone into that country, and turn this money over to the Indians when the necessity for it has ceased. On the contrary, the citizens of Arkansas who have moved into the Indian Territory ought to have the careful consideration of the Senator from Arkansas, and their interests should be guarded and protected rather than sacrificed by insisting upon laying this unjust and unfair burden upon them.

It is a matter of surprise to me that the Senator from Arkansas should present this proposition at this time and undertake to secure its enactment. I would rather have expected from him the presentation of an amendment in order to regulate the abuse of which he speaks, by repealing the Indian law by which these taxes have heretofore been collected, and providing that they never should be collected hereafter.

In view of the fact that these people can now be taxed for the purpose of furnishing schools for their children, in view of the fact that we have taken the place, so far as the tribes are concerned, of the tribal government and the tribal courts, and are now supplying them a government and a court at the expense of the Government of the United States, the necessity for this tax has disappeared, and therefore I object to the unfair burden.

It is true we have made agreements with the Chickasaws and Choctaws, and also with the Seminoles, by which their tribal government continues for eight years under certain restricted conditions, and their courts have jurisdiction over some of the minor offenses; but as to all serious questions, both of life and of property, and as to the rights of persons and property, the Government of the United States supplies the courts even in those tribes where we have perpetuated in a limited way tribal government. However, as to the greatest number of these Indians, as to the Cherokees and Creeks, we have made no agreement which has been ratified by Congress, but we have enacted a law of Congress which wipes out almost absolutely their tribal government and their tribal courts and puts in their place the laws and the courts of the United States. So the necessity for claiming this money from the people who are living in that country has disappeared and ceased to exist.

Therefore, as I said before, this amendment ought to be defeated

upon its merits, or else it ought to be changed so as to repeal the tribal law absolutely and prohibit the collection of this tax altogether from any of the citizens of that country.

The PRESIDING OFFICER. The question is on the amendment of the Senator from Arkansas.

Mr. PETTIGREW. I shall make the point of order against the amendment, Mr. President.

Mr. JONES of Arkansas. I hope the Senator from South Dakota will not do that. This is not a question as to whether the tax shall be collected or not. The tax is collected.

Mr. PETTIGREW. Not much of it.

Mr. JONES of Arkansas. The only question is whether the money shall be used for the benefit of the nation, or whether it shall be misappropriated by tax collectors.

The statement made by the Senator from South Dakota as to there being no necessity for this tax is not sustained. As I understand, there is not money enough in the treasury of these nations now to maintain their schools. They need this tax for the purpose of maintaining their school system, and the tax ought to be maintained for that purpose. They will get a part of the tax whether this thing is done or not, but it will be collected by their collectors and it will not be paid in.

I hope the Senator from South Dakota will allow the amendment to go in. He himself will probably be a member of the committee of conference, and at least the conference committee can strike it out. If upon examination and consultation with the Indian Office and the Secretary of the Interior they believe it is unwise and that the policy of it is doubtful, they can strike it out of the bill. I have no objection to that being the understanding, leaving it absolutely to the discretion of the conferees, but I hope the Senator will not make the point of order.

Mr. PETTIGREW. Mr. President, the proposition of the Senator is, practically, that we shall leave this matter to the clerks of the Interior Department, because they will determine it. I believe that the Committee on Indian Affairs is better able to judge of this question than the clerks in the Department. All questions of minor importance that are referred to the Indian department and the Interior Department (I speak of those because I am more familiar with those Departments, and I presume it is true as to all the others) are passed upon by $1,200 and $1,500 clerks, and then, in a formal way, without examination or investigation by the heads of the Departments or the Secretaries, they are sent up to us.

Too much credit is given, as a rule, by Congress to these recommendations. We can not shirk our duty by putting the responsibility there when we understand the system as it is operated. Of course if a very important question goes to the Department and the attention of the Secretary is particularly called to it, he will give it his care and attention, but in the multitude of his duties it is impossible to examine all these small and minor questions. We can not shirk the responsibility of our acts by saying it is recommended by the Department.

Therefore I am not willing to leave it to the Department or to the committee of conference. A measure of this sort should come in here, go to the Committee on Indian Affairs, be thoroughly and carefully investigated and looked into, and then if it goes upon an appropriation bill it should be reported back from that committee with a favorable recommendation.

Mr. President, I shall insist upon my point of order. Let this matter go over another year, and let it come up in a proper and regular way, and have the committee investigate it and have some responsibility behind it or facts and figures with regard to the case. By this I do not mean to say that the Senator from Arkansas is not responsible. Neither do I mean to say that he is not prompted by the best of motives. But I think he has lost sight of the 350,000 people who have gone into that country, most of them from Arkansas and Kansas and Texas, and therefore I feel that it is my duty to endeavor to protect their interests in this connection.

Mr. ALLISON. Now, Mr. President——

The PRESIDING OFFICER. The Senator from South Dakota makes a point of order against the amendment. The point of order is sustained on the ground that it is general legislation on an appropriation bill.

Mr. ALLISON. I have a few amendments on the part of the committee that I desire to offer at this stage. I offer the amendment which I send to the desk.

The PRESIDING OFFICER. The amendment will be read.

The SECRETARY. After line 20, page 42, insert:

For the purpose of making certain repairs on the Government bridge across the Niobrara River, near Niobrara, Nebr., also one span of 60 feet over the back channel of the Niobrara River, and three spans of 60 feet each over the Bazile Creek, the sum of $3,000, said sum to be expended by the United States Indian agent at the Santee Agency, Nebr., for said purpose.

The amendment was agreed to.

Mr. ALLISON. I offer another amendment which is in the nature of legislation, and therefore I ask unanimous consent that it may be inserted in the bill. It is an amendment that is very much desired by the Indian Office and by the Secretary of the Interior. It relates to the leasing of pasture lands upon the San Carlos Reservation. It is said that this amendment is necessary in order to enable them to make leases. I ask unanimous consent that it may be inserted.

The PRESIDING OFFICER. The amendment of the Senator from Iowa will be read.

The SECRETARY. On page 36, after line 12, insert:

Provided, That the provision in section 3 of the act approved February 28, 1891 (26 U. S. Statutes at Large, page 794), namely, "That where lands are occupied by Indians who have bought and paid for the same, and which lands are not needed for farming or agricultural purposes and are not desired for individual allotments, the same may be leased, by authority of the council speaking for such Indians, for a period not to exceed five years for grazing, or ten years for mining purpose, in such quantities and upon such terms and conditions as the agent in charge of such reservation may recommend, subject to the approval of the Secretary of the Interior," be, and the same hereby is, extended to include and to apply to the White Mountain Apache and San Carlos Indian Reservation, in the Territory of Arizona: *Provided*, That nothing herein contained shall be construed as recognizing title or ownership of the Indians in or to any part of said White Mountain Apache and San Carlos Indian Reservation.

Mr. ALLISON. I ask leave to modify the amendment. I see that it may be held to include mining leases.

Mr. PETTIGREW. That is what it is for.

Mr. ALLISON. Then I withdraw it, Mr. President.

The PRESIDING OFFICER. The amendment is withdrawn.

Mr. JONES of Arkansas. I offer an amendment to come in at the proper place. I suppose page 44, after line 19, is as good a place as any.

The PRESIDING OFFICER. The amendment will be read.

The SECRETARY. After line 19, page 44, insert:

That the Delaware Indians residing in the Cherokee Nation are hereby authorized and empowered to bring suit in the Court of Claims of the United States, within sixty days after the passage of this act, against the Cherokee Nation for the purpose of determining the rights of said Delaware Indians in and to the lands and funds of said nation under their contract and agreement with the Cherokee Nation dated April 8, 1867; or the Cherokee Nation may bring a like suit against said Delaware Indians; and jurisdiction is conferred on said court to adjudicate and fully determine the same.

SEC. —. That the persons known as Chickasaw freedmen, residing in the Chickasaw Nation, are hereby authorized and empowered to bring suit in the Court of Claims of the United States, within sixty days after the passage of this act, against the Chickasaw Nation, for the purpose of determining their rights to citizenship in the Chickasaw Nation and to an interest in the lands of the Chickasaw tribe, under provisions of the treaty made in 1866 between the United States and the Choctaw and Chickasaw tribes of Indians and the laws of the Chickasaw Nation and of the United States pursuant to said treaty; or the Chickasaw Nation may bring a like suit against said Chickasaw freedmen; and jurisdiction is conferred on said court to adjudicate and fully determine the same.

SEC. —. That the Chickasaw Nationof Indians in the Indian Territory be, and they are hereby, authorized and empowered, in the name of the governor of said nation, within ninety days after the passage of this act, to institute suit in the United States Court of Claims against the United States to recover any and all arrears of interest claimed to be due them on their trust funds. Said suit may be instituted in said court by petition in the name of the governor of said nation, which petition shall simply state the facts constituting their cause of action; and the Court of Claims of the United States is hereby invested with full jurisdiction and powers exercised by courts of equity so far as may be necessary to give full relief in said suit; and it may consider all questions involved in any of the treaties between the United States and the Chickasaw Nation of Indians and awards of the Secretary of the Interior under any of said treaties and the acts of Congress in relation thereto.

Said court shall pass upon all claims or cross claims proposed or asserted by either party, touching said claims for arrears of interest, so as to adjudicate all matter of dispute arising therein and do what equity and justice require between the parties to the suit. All reports, records, and other papers in any Executive Department of the Government, including any award made by the Secretary of the Interior touching any claim provided for in this act, and all acts of Congress in relation thereto, as well as any papers, reports, or records before Congress or the committees thereof, bearing upon said claims, may be used before the said court; and such weight may be given to them by said court as to it may seem just, to the end that perfect justice and equity may be done between the parties. Notice of such suit shall be executed by delivering a true copy of said petition to the Attorney-General of the United States, whose duty it shall be, for and in behalf of the United States, to demur or answer the petition therein within thirty days after the service of such process upon him, unless the court for good cause shall grant further time for filing the same.

SEC. —. That persons known as Mississippi Choctaws, of Choctaw Indian blood, who claim rights as Choctaw citizens in the lands of the tribe in the Choctaw Nation, are hereby authorized and empowered to bring suit in the Court of Claims of the United States, within sixty days after the passage of this act, against the Choctaw Nation, to determine their rights aforesaid under treaties made between the United States and the Choctaw tribe of Indians, and particularly under article 14 of a treaty concluded on the 27th day of September, 1830; or the Choctaw Nation may bring a like suit against said Mississippi Choctaws; and jurisdiction is conferred on said court to adjudicate and fully determine the same.

SEC. —. That white persons who have intermarried with Cherokee citizens according to Cherokee laws, and white persons who have intermarried with Choctaw or Chickasaw citizens according to their laws and provisions of treaties between the United States and the Choctaw and Chickasaw tribes, are hereby authorized and empowered to bring suits in the Court of Claims of the United States, within ninety days after the passage of this act, against their respective nations, for the purpose of determining, according to law and equity, all their rights and claims under such laws and treaties in and to the lands and funds of the respective tribes into which they have so intermarried; or said nations may bring like suits against such intermarried persons within their respective nations; and jurisdiction is conferred on said court to adjudicate and fully determine all such rights: *Provided, however*, That nothing herein shall in any manner impair or disturb any rights acquired by such persons by virtue of the findings and judgment of the Commission to the Five Civilized Tribes of Indians or of the United States courts

in the Indian Territory upon appeal in proceedings had under the jurisdiction and authority conferred by act of Congress approved June 10, 1896.

SEC. —. That the Delaware Indians residing in the Cherokee Nation are hereby authorized and empowered to bring a suit in law or in equity against the United States Government in the Court of Claims to recover and collect from the United States Government any money that in law or equity may be found due to the said tribes under treaty stipulations and for reimbursement of their tribal fund for money wrongfully diverted therefrom. That the Peoria tribe of Indians are hereby authorized and empowered to bring a suit in the Court of Claims of the United States, within six months after the passage of this act, against the United States Government for the purpose of determining what, if any, moneys or lands are due said Peoria tribe from the United States, particularly under treaties of 1854 (10 Statutes, —) and 1867 (15 Statutes, 513), and jurisdiction is hereby conferred on said court to hear and determine the same.

That the Seminole Nation of Indians in the Indian Territory be, and is hereby, authorized and empowered to institute in the United States Court of Claims against the United States a suit or suits to recover any and all moneys and arrears of interest claimed to be due said nation under or in pursuance of law or treaty stipulations. Also the persons known as the loyal Seminole Indians in the Indian Territory be, and they are hereby, authorized and empowered, within ninety days after the passage of this act, to institute suit in the said Court of Claims against the United States to recover any and all moneys claimed to be due them in pursuance of treaty stipulations. Also the persons known as the loyal Creek Indians are authorized to bring suit as herein provided for any loss of property under the provisions of the treaty of 1866. All reports, records, and documents relative to said claims on file in any of the Executive Departments of the Government and any awards made by the Secretary of the Interior in relation thereto may be used before said court, to the end that justice may be done to all parties in interest.

SEC. —. That any suit, except such suit as is provided for in section 3 herein, so authorized may be brought by any party other than said tribes in their own behalf or in the name of any trustee or delegate selected by them, with approval of the Secretary of the Interior, and by any one of said tribes in the name of the principal chief, acting principal chief, or governor of the tribe; and the law and practice and rules of procedure in such courts shall be the practice and law in all such cases; and copies or petitions filed in any case at commencement of suit shall be served on the principal chief or governor of the tribe, or on the trustee or delegate so appointed, or on any other person suing, or on his representative, by a marshal of the United States court in Indian Territory, and on the Attorney-General of the United States, who shall designate and appoint, from the Department of Justice, a competent person to defend for the tribe and for the United States in each of said suits, and said court shall have authority, in its discretion, to enforce its judgments in all such cases by proper process. Should any of such persons recover against any one of said nations, the court shall render judgment for the amount and order the same paid by the United States and deducted from any funds due such nation, and shall direct to be paid out of the sum so recovered reasonable fees to attorneys of record, the amount to be determined by the court: *Provided*, That any suit brought under provisions of this act shall be by said court advanced on the docket and determined by the court as early as practicable, and the judgment of said court shall be final.

Mr. ALLISON. That is legislation upon an important matter and general legislation. I make a point of order on it.

Mr. JONES of Arkansas. It has been passed by the Senate as a bill at this Congress.

Mr. ALLISON. That does not make it in order unless there is an appropriation connected with it.

The PRESIDING OFFICER. Is the point of order insisted upon?

Mr. JONES of Arkansas. There are features in the amendment that are of great importance and of absolute merit. I do not think a bill of the sort ought to be disposed of on a technical point of this kind. There are a number of people in the Indian country who have rights that ought to be adjudicated in the courts. The amendment simply provides that the Delaware Indians, the Mississippi Choctaws, and the intermarried white people in that country shall have the right to bring suit in the Court of Claims to determine what are their legal rights and their relations with the tribes. It is just and fair. We can not take the rights that these people have away from them. They are entitled to rights of citizenship among those tribes or they are not. If they are, their rights must be determined by the courts. We can not hold that they are not by simply denying them an opportunity of a hearing in the courts.

The bill which the amendment embodies was passed months ago, and it has gone to the House. It has not had an opportunity to be heard in the House; and it is not right to deprive a large number of citizens of legal vested rights simply because of the impossibility to get time to have a bill considered in Congress. I hope the Senator from Iowa will not insist on his point of order.

Mr. ALLISON. I think the matter is too important to be considered on this bill. I insist upon the point of order.

The PRESIDING OFFICER. The Chair sustains the point of order made by the Senator from Iowa.

Mr. ALLISON. On page 40, line 22, after the word "employees," I move to insert what I send to the desk.

The SECRETARY. After the word "employees," line 22, page 40, insert:

Including physician for the Walker River Reservation, at $900 per annum.

The PRESIDING OFFICER. The question is on the amendment.

Mr. PETTIGREW. I have no objection to the amendment.

The amendment was agreed to.

Mr. ALLISON. I offer another amendment, which is merely to correct a ruling of the Comptroller, that Indian agents specially assigned to duty at Washington for a brief period may receive their per diem for the future as is provided in this bill.

The PRESIDING OFFICER. The amendment will be stated.

The SECRETARY. In line 9, on page 9, after the word "days," it is proposed to insert:

And the accounting officers of the Treasury are hereby authorized to allow per diem pay to such special agents while remaining at the seat of Government under orders and direction of the Secretary of the Interior for a period not exceeding twenty days at any one time during the fiscal year 1898-99.

The amendment was agreed to.

Mr. CARTER. I offer an amendment, which I send to the desk, which I presume will not be objectionable.

The PRESIDING OFFICER. The amendment will be stated.

The SECRETARY. On page 45, at the end of line 16, it is proposed to insert:

Provided, That the Secretary of the Interior may, in his discretion, discontinue said commission prior to the date named, or remove any member thereof and appoint a successor for the member so removed.

Mr. CARTER. I believe that is a beneficial amendment, and that it should be adopted.

The PRESIDING OFFICER (Mr. PLATT of Connecticut in the chair). The question is on the amendment of the Senator from Montana.

Mr. ALLISON. Is that the amendment the Senator from Montana showed me this morning?

Mr. CARTER. Yes, sir. It relates to the commission appointed to negotiate with the Crow, Flathead, and other Indians, and permits the Secretary of the Interior to suspend the entire commission or remove any member of it and appoint another person in lieu.

Mr. ALLISON. Does it change the date?

Mr. CARTER. It contemplates changing the date from the 1st of November, 1899, to the 1st of January, 1900.

Mr. ALLISON. Very well, with those modifications I do not object to the amendment.

Mr. CARTER. I suggest as part of the amendment that the words "November, 1899," in lines 13 and 14, on page 45, be stricken out, and in lieu thereof that the words "January, 1900," be inserted.

The PRESIDING OFFICER. The Secretary will state the proposed modification.

The SECRETARY. It is proposed in line 13, on page 45, after the words "day of," to strike out "November, 1899," and insert "January, 1900."

Mr. CARTER. I ask that the amendments may be separated, and that the one first presented be first voted upon by the Senate.

The PRESIDING OFFICER. The Senator from Montana asks that the amendments be separated and that both be separately voted upon. The Secretary will read the first amendment of the Senator from Montana.

The SECRETARY. After the word "made," at the end of line 16, on page 45, it is proposed to insert:

Provided, That the Secretary of the Interior may, in his discretion, discontinue said commission prior to the date named, or remove any member thereof and appoint a successor for the member so removed.

The PRESIDING OFFICER. The question is on the amendment which has just been read.

Mr. PETTIGREW. Mr. President, I do not know that there is any harm in this amendment. Of course none of the members of the commission will be removed, and the commission will not be discontinued, as it ought to be. Under the existing law the commission terminates on the 1st of April, but it ought to terminate before.

Notwithstanding the remarks made by the Senator from Montana [Mr. CARTER] the other day, in which he said this commission had been absolutely useless and never performed efficient or valuable service, he now seems to desire to perpetuate it, so that its members may draw their pay. I am quite surprised that he should desire to continue their existence even for a day, and I am much more surprised that he should seek to continue their existence until January, a year from now.

I agree with all the Senator said on this subject. The commission is absolutely inefficient, utterly worthless, and exists simply that its members may draw their pay, draw their per diem, and draw the perquisites that go with the position. It is a very nice position. It ought to be abolished, and abolished to-day, and I, of course, shall object to perpetuating it any longer than it is possible to prevent it.

Mr. CARTER. I understand that the amendments have been separated, and that the proviso I offered is not objected to by the Senator from South Dakota, the last clause of which provides merely that the Secretary of the Interior may discontinue this commission at any time or may remove at his pleasure any member of the commission. I think it is very important that that provision should be agreed to.

Mr. ALLISON. I have no doubt that that can be done without any such provision, but I have no objection to that intimation being given to the Secretary of the Interior.

The PRESIDING OFFICER. The question is on the first part of the proposed amendment, which has been read by the Secretary.

The amendment was agreed to.

The PRESIDING OFFICER. The question now is upon the remainder of the amendment, which will be stated.

The SECRETARY. On page 45, line 13, after the words "day of," it is proposed to strike out "November, 1899," and insert "January, 1900."

Mr. PETTIGREW. I should like to hear from the Senator from Montana on that subject, and have his reasons why this should be done. Then I should like to have him also read his speech of a few days ago on the same subject.

Mr. CARTER. Mr. President, I felt very well convinced a few days ago, and I am convinced now, that this commission is not an efficient commission for the accomplishment of the end it has in view—the negotiation of treaties with these various Indian tribes. I believe now, as I stated then, that this work can be more efficiently and expeditiously done by special commissioners selected from persons who are familiar with the work to be accomplished than by a standing commission continued from year to year as experts in Indian negotiation.

But, Mr. President, as we are advised by the Department that this commission will in the very near future bear some fruit, and that, if discontinued on the 1st day of April, its labors, long since commenced and partially completed, would be rendered entirely valueless to the Government, in view of that aspect of the case, I am perfectly willing that the commission shall be allowed until the month of November to demonstrate whether they can or can not render service to the Government somewhat commensurate with the pay they are receiving under a previous law.

Mr. GALLINGER. How long has the commission existed?

Mr. CARTER. It has existed for a number of years.

Mr. ALLISON. Since 1896.

Mr. PETTIGREW. Mr. President, I certainly hope this amendment will be withdrawn. I think the Committee on Appropriations determined last year to abolish the system of appointing commissions to negotiate with Indians. We found by experience that whenever we appointed a commission it existed so long as there was money to pay them, and that they would contrive to prevent the accomplishment of anything, so that their job would last. We have paid out very many thousands of dollars and even hundreds of thousands of dollars for these commissions and received no service worth mentioning in return.

But this commission has been one of the most worthless, if not one of the most extravagant, of all those we have had heretofore. Knowing these facts fully, appreciating the situation, the Committee on Appropriations increased the number of Indian inspectors from 5 to 8, with the understanding that hereafter all the negotiations with Indian tribes should be through an inspector who has a salary and has no possible inducement to perpetuate the particular work upon which he is employed. The inspector goes out to make a treaty with a tribe of Indians; he makes it promptly; and our experience is that he usually makes a treaty in from thirty to sixty days, while if we send out a commission to make a treaty with a tribe of Indians they will be from one to three years about it. These commissions, consisting of three or more men, are not as well able to deal with Indians as one man, on account of the conflict of counsel, and, above all, by reason of the inducement to perpetuate their existence, which can only continue so long as their work lasts.

This commission is a very shining example of that sort of proceeding. They have perpetuated their existence, making only one or two treaties in several years' time, and making a very unimportant agreement with the Indians. Last fall they visited the Crows in Montana for the purpose of making an agreement with those Indians, and after spending all the fall—for it is very pleasant to live in that country in the fall—they adjourned for the winter and came to Washington, and have been here ever since December doing nothing.

They made an agreement with the Indians that they would hold a council with them next April or May, when the weather gets pleasant again. They are going to go to Montana to spend the summer and return to Washington to spend the winter. It will be rare indeed if we are able to get a report out of them once a year; and for all this they are to receive not only $10 a day apiece, but also traveling expenses, board bills, clerks to wait upon them, etc. So there is not one argument that can be made in justification of their continuance in office or their existence.

In the last Indian appropriation bill we declared this commission should cease on the 1st day of April next. That was a concession to the people who are interested in their appointment. The Senators who are interested in the appointment of these men and who want to continue their existence because they are constituents of theirs persuaded the committee to continue the commission until the 1st of December.

Now, here is an effort to add two months more to their life. There is no pretense that they are of any value to the Government or that their service will accomplish any good. The only reason in the world why the commission is continued for a day is to furnish places for three men; to pay them out of the Treasury of the United States, and collect the money from the people of the United States by taxation to do it. It seems to me, before we continue their existence longer, there should be some reason given here why the money should be paid out of the Treasury. There should be some laudable, proper purpose to be accomplished by the continuance of this junketing commission, or else it ought to be wiped out of existence at once.

The Senator from Montana, two or three weeks ago, when this bill was last under consideration, told us how utterly worthless this commission was, and said he would offer an amendment to abolish it absolutely; and he now comes and wants to continue it two months longer.

Mr. CARTER. If the Senator will permit me to inject a remark at that point, the amendment presented by me on my own motion was that which permitted the Secretary of the Interior to exercise authority without any equivocation or question, discontinuing this entire commission if he elected so to do. The amendment proposing to extend the time or the life of the commission to January 1, 1900, was presented in behalf of an absent Senator, the Senator from Indiana [Mr. FAIRBANKS], and I think I ought, in justice to myself, to make that statement at this time as a part of the Senator's very appropriate remarks.

Mr. PETTIGREW. And the member of the commission from Indiana is, I understand, the most worthless member of the whole commission. [Laughter.] It is reported that in Montana last year when employed upon this work he was constantly intoxicated and utterly unfit to fill any position under the Government. I have this information from a very prominent and important citizen of the State of Montana, and yet it is proposed to perpetuate this commission and continue this commissioner two months longer, in order that he may continue to draw $10 a day, spend his summers in Montana and his winters in Washington, and do nothing.

Mr. ALLISON. Mr. President, in justice to the absent Senator from Indiana, I think I ought to say that that Senator regards the member of the commission from the State of Indiana as one of the most efficient members, if not the most efficient member, of the commission, who ought to be continued, whatever may happen to the other members of the commission. So I trust the Senator from South Dakota will not too freely indulge in criticism against a person who is not able to defend himself here.

Mr. PETTIGREW. Mr. President, I withdraw my remarks [laughter]—which are undoubtedly true—for the purpose of protecting—I do not know whether it is the Senator from Indiana or the commissioner from Indiana that I ought to protect. Certainly, if the Senator from Indiana thinks this man is one of the most efficient members of this commission, there is an additional argument why the commission should be abolished, for I can not imagine what kind of men the other two can possibly be if this man is the most efficient member of the commission. However, I withdraw my remarks.

Mr. ALLEN. I should like to ask the Senator from South Dakota if this is the commission that was before the Indian Committee some time ago, and which has been endeavoring for a year or two to negotiate a treaty with some Indian tribes?

Mr. PETTIGREW. It is the same commission. They have been swinging around through the West for several years, spending their summers in the mountain regions, where it was cool, and their winters here in Washington.

Mr. ALLEN. Their mission has been, as I understand, to educate the Indians up to a point where they will treat with the Government?

Mr. PETTIGREW. Yes, sir.

Mr. ALLEN. An ordinary treaty can be obtained through the instrumentality of an Indian inspector within two or three weeks, and why not send an inspector there to treat with those Indians?

Mr. PETTIGREW. Certainly, we could send an inspector there and abolish this commission now; and that is what should be done. We should send an inspector to treat with those Indians.

Mr. ALLEN. What will become of these gentlemen if we abolish the commission?

Mr. PETTIGREW. That is the trouble.

Mr. ALLEN. Where will they get their salaries from then?

Mr. PETTIGREW. That is the trouble. That is all the reason in the world and the only argument that can be advanced why they should be continued.

Mr. JONES of Arkansas. On the statement made by the Senator from South Dakota [Mr. PETTIGREW], it seems to me in all seriousness he ought to move to strike out the whole business, and move an amendment to abolish the commission. If the statement made here be true, it is little short of shameful to continue the commission in existence.

Mr. PETTIGREW. There is no question about it, and I move to strike out the whole provision. Then the existing law will stand, this commission will cease on the 1st day of April, and that is the motion I did make in another place.

Mr. SHOUP. I hope the Senator will not insist on that amendment now.

Mr. ALLISON. I trust the Senator from Montana will withdraw his amendment and allow the provision to stand as we fixed it in the Committee on Appropriations.

Mr. CARTER. I withdraw the amendment.

The PRESIDING OFFICER. The Chair desires to know whether he is correct in supposing that this amendment to the bill has been passed over and is now pending?

Mr. ALLISON. It was passed over without action.

Mr. CARTER. I withdraw my amendment fixing the date on the 1st of January, 1900.

The PRESIDING OFFICER. The Senator from Montana withdraws that part of the amendment.

Mr. ALLEN. What is the balance of the amendment?

Mr. PETTIGREW. The question will be on adopting the committee amendment. It is not necessary to move to strike it out. If we reject that amendment, the existing law will stand, which will carry the commission through until spring.

Mr. JONES of Arkansas. What is the committee amendment?

The PRESIDING OFFICER. The Secretary will state the amendment.

Mr. ALLEN. Let the original paragraph be read, and then let it be read as it will stand if amended.

The PRESIDING OFFICER. The Secretary will state the amendment, and then the amendment as proposed to be amended.

The SECRETARY. The original committee amendment is to insert on page 45, after line 2, the following:

For continuing the work of the commission appointed under the act of Congress approved June 10, 1896, to negotiate with the Crow, Flathead, and other Indians, $10,500, the same to be available for the payment of salary and proper expenses of said commission from and after the date when the appropriation of $15,000 made by the Indian appropriation act of July 1, 1898, was exhausted; and said commission shall continue its work and make its final report thereon to the Secretary of the Interior on the 1st day of November, 1899, and upon that date the commission shall cease; and no liability shall be incurred under this provision in excess of the appropriation herein made.

The PRESIDING OFFICER. The amendment which has just been read has been amended in the way which will now be stated by the Secretary.

The Secretary read as follows:

Provided, That the Secretary of the Interior may, in his discretion, discontinue said commission prior to the date named, or remove any member thereof and appoint a successor for the member so removed.

Mr. ALLEN. Now, is it proposed to change this amendment and to fix the date on the 1st of April when the commission is to expire?

Mr. PETTIGREW. If the Senator will permit me, I will explain. This is a committee amendment. If it is rejected by the Senate the existing law will stand. The existing law provides that this commission shall cease to exist on the 1st day of April. A year ago this question was up for discussion in the Committee on Appropriations. The commission ought to have been abolished then, but there was sufficient influence brought to bear to secure a compromise, by which the committee agreed that the commission should cease on the 1st of April. This year influence is brought to bear again, and it is proposed to continue the commission until November next. If the committee amendment is rejected, the commission will cease to exist when the grass begins to grow in the spring.

Mr. ALLEN. What the Senator proposes is to strike out the date when the commission is to expire?

Mr. PETTIGREW. No; to reject the committee amendment entirely, and then the commission will stand under the law as it is at present.

Mr. ALLEN. I merely want to make this suggestion, because this matter has been before the Committee on Indian Affairs and has been discussed: Why not have a proviso inserted in this bill that the Secretary of the Interior may, in lieu of this commission, employ an Indian inspector to negotiate this treaty?

Mr. PETTIGREW. The Secretary of the Interior has that power now. If we abolish the commission he would send an inspector to continue the work, and he would do it much better than this commission will ever do it.

Mr. ALLEN. If that is done, we will then get the work finished in a few weeks.

Mr. ALLISON. This matter was fully considered by the Committee on Appropriations. I agree there was some difference of opinion respecting what should be done with this commission. The final result was that the committee reported an amendment providing that it should be abolished on the 1st day of November of this year.

I desire now to have reread at the Secretary's desk the opinion of the Secretary of the Interior in relation to this question, which governed me and, I think, several members of the Committee on Appropriations, as to the propriety and justice of extending the time of the commission until the 1st of November. I hope Senators will pay attention that letter.

The Secretary read as follows:

DEPARTMENT OF THE INTERIOR,
Washington, December 22, 1898.

SIR: I have the honor to transmit herewith a copy of a letter of even date from the Commissioner of Indian Affairs, who recommends the continuance for another year of the commission provided for by the act of July 1, 1898, (30 Statutes, 592), to negotiate with the Crow, Flathead, Northern Cheyenne, Fort Hall, Uintah, Ute, and Yakima Indians.

This commission was organized under the provisions of the act of June 10, 1896 (29 Statutes, 341), and continued by the act above mentioned, which limits its existence to the 1st day of April, 1899. As stated by the Commissioner of Indian Affairs, the commission has performed very important service, resulting in agreements with two of the tribes; their duties have been onerous and exacting and often perplexing, and it is expected that they will be successful in their negotiations with the remaining tribes—the Crows, Flatheads, and Yakimas—with all of whom preliminary work has already been done; but it is not expected that they will be able to complete negotiations with these tribes within the time fixed by the act of July 1, 1898.

I therefore concur in the recommendation of the Commissioner of Indian Affairs that provision be made in the pending Indian appropriation bill for continuing the aforesaid commission for another year, and respectfully request that the inclosed draft of an item to effect that purpose be embodied in the bill, believing that it would be extremely unfortunate if the work of the commission be suspended by the limitation of law before negotiations with the tribes named should be fully and finally concluded.

Very respectfully,

C. N. BLISS, *Secretary.*

Hon. WM. B. ALLISON,
Chairman Committee on Appropriations,
United States Senate.

Mr. ALLISON. It was upon that letter, Mr. President, that the Committee on Appropriations recommended that this commission should continue until the 1st of November of this year. That will give them an opportunity of completing their work, which the Secretary says has been so successfully begun, and to make their report before the beginning of the next session of Congress. I hope the provision will be allowed to stand as reported by the Committee on Appropriations.

Mr. JONES of Arkansas. Mr. President, with this commission as inefficient as it has been stated to be on the floor of the Senate, and with the fact staring the Senate in the face that while the commission has been in existence for three years it has not yet accomplished an agreement to be made with these Indians, seems to me a sufficient argument why the suggestion of the Senator from South Dakota [Mr. PETTIGREW] should prevail.

The Secretary of the Interior has the power under the law to appoint an inspector to do this work. The Indian inspectors are, as a rule, trained in connection with Indian affairs. They are familiar with all these matters, and they will do this work very much better, much more efficiently, more expeditiously, and more cheaply than it can be done by a commission. I think, after the statements made here and after the showing made of the inefficiency of this commission, that the amendment of the committee ought not to prevail. For one I am not willing to go on record as being in favor of continuing so utterly inefficient and incompetent a body of men in the public service.

Mr. ALLISON. I ask the Senator if the letter of the Secretary of the Interior has any weight with him?

Mr. JONES of Arkansas. It has, and I have the greatest respect for the opinion of the Secretary of the Interior; but I know in many of these things it is utterly impossible for the Secretary of the Interior to give personal attention to them; that he must trust to the subordinates who are below him. These men bring letters to him which he signs in the hurry of the moment. If the attention of the Secretary of the Interior was called to this question, and if, after careful examination, he should say that he believed this commission should be continued, I for one would vote for it. I do not believe there has been a more efficient, a more capable, or a better Secretary of the Interior in the public service than the present one. I have as much respect for him as for any man I have ever seen in that position. I have the greatest confidence in his judgment, but I do not believe he understands the facts of this case as they have been brought to our attention to-day.

Mr. ALLISON. Evidently the Secretary of the Interior did not consult the Senator from South Dakota respecting the work of the commission, as they very much differ as to what has been done. I do not know, of course, what the commission has accomplished, except that they concluded a treaty last year with the Uintah Indians, which was a very important treaty, and it was ratified.

Mr. RAWLINS. The treaty with the Uintah Indians in Utah was utterly insignificant. The law required the commissioners to treat with those Indians for the cession to the United States of all lands not needed for allotments, and they in no sense accomplished the object of that law. They accomplished nothing of any importance whatsoever. What little they did accomplish has not commended itself at all to the Senate or even to the Interior Department. It is not true that that commission or any other commission has accomplished anything in the way of negotiations with the Indians on the Uintah Reservation. There are bills now pending in the Senate to accomplish the object which that commission has utterly failed to accomplish.

Mr. ALLEN. I only speak, Mr. President, in my capacity as a member of the Indian Committee. The letter that was submitted by the honorable Senator from Iowa [Mr. ALLISON] from the Secretary of the Interior, it occurs to me, is not entitled to the weight sought to be given to it. It is evident to every Senator here that the

Secretary of the Interior never did personally examine this question. The matter referred to in the letter the Senator from Iowa, thas had read was referred to the Commissioner of Indian Affairs and by him evidently referred to some clerk in that department of the service. It reflects the sentiments of the clerk and not those of the Commissioner of Indian Affairs or of the Secretary of the Interior. We all understand that is the way the public business of this country is transacted, and while it appears upon the surface to be the result of the investigation of some officer in high authority, it is no more than the result of the investigation of some subordinate.

This commission has existed for several years—about three years. It has accomplished practically nothing, and if the evidence that was before the Committee on Indian Affairs is to be believed, or the representations which were made are to be credited, the commission is absolutely worthless so far as concerns accomplishing any result for this Government. Experience proves that we speedily bring about good results through the instrumentality of experienced Indian inspectors, and perhaps no man in the United States has negotiated more treaties and secured more agreements from the Indians than Major McLaughlin, a man who has spent over thirty years in the Indian service and who is familiar with the tribes.

I venture the remark that if the Secretary of the Interior will send Major McLaughlin among these Indians it will not be six weeks from the day he reaches the ground until he has a perfect and complete treaty with them, and that, too, without additional expense to the Government.

Now, why should this commission be continued in existence for a year longer, three men drawing large salaries from this Government and their expenses besides, to negotiate a treaty which they have failed to secure in the three years of their existence, when that work can be accomplished in three weeks?

Mr. PETTIGREW obtained the floor.

Mr. CARTER. Mr. President——

Mr. PETTIGREW. I yield to the Senator from Montana.

Mr. CARTER. Mr. President, the members of this commission are estimable gentlemen, undoubtedly, and as to the men personally I have nothing whatever to say in the way of criticism. Whatsoever they may have accomplished in other sections of the country stands to their credit according to the testimony that may be borne by the Senators representing the respective States, but so far as concerns their performances in the State of Montana, where they were commissioned and directed to negotiate with three distinct Indian tribes, I feel constrained to say that their work was inefficient, wholly unsatisfactory, and not to be continued, based upon what they have attempted to accomplish in the past.

They spent the entire summer out there without accomplishing anything at all except to get up a misunderstanding between the Indians on one reservation and their agent. That was done by the chairman of the commission coming to Washington, spending a number of days in the autumn and winter here, and explaining to the Indians, by letter and otherwise, that their agent had not been attending to their business, and that he had secured, by and through his own magnificent efforts, the recognition of certain claims the Indians had against the Government which the agent had neglected.

I do not anticipate any agreement by or through this commission with any tribe in the State of Montana between now and the 1st of April. I do not anticipate the consummation of any agreement by and through them between now and the 1st day of November. I have suggested an amendment which will clearly empower the Secretary of the Interior to remove them at any time, and I am perfectly free to say, judging these men on their merits, according to the record they have made to my knowledge, if I were Secretary of the Interior I would remove them the day after this bill passes and would designate an inspector, as suggested by the Senator from Nebraska, to go out and in a businesslike way negotiate these desirable agreements.

In that State, Mr. President, the Secretary of the Interior directed Major McLaughlin to go forth and negotiate with one of these tribes of Indians, with which tribe negotiations were to be conducted by the commission. The two reservations, the Cheyenne and the Crow reservations, are side by side. McLaughlin concluded a treaty between the Indian tribe and, I believe, 25 or 30 white settlers—my colleague will correct me as to the number; probably 30 white settlers—within a period of from four to six weeks. The agreement has been presented, and is in such excellent shape as to meet the entire approval of the Committee on Indian Affairs of this body, and has been incorporated into the pending bill. During the same season this same Indian inspector, McLaughlin, proceeded to the State of South Dakota, and there rounded up an entire tribe of Indians and concluded another complicated agreement, and that agreement is embodied in the present bill and will be ratified to-day.

Mr. ALLEN. That is one of the most refractory tribes in the United States.

Mr. CARTER. Most assuredly. In both cases complicated questions arose and had to be determined, such as did not exist in either of the other cases. From a businesslike point of view there is no question whatever that the expense relating to this commission ought to be discontinued at this hour if it is in the power of Congress to discontinue it. I have offered an amendment not extending the time, but opening the way for the discontinuance of the commission by Executive order if in the judgment of the Secretary of the Interior such action would comport with the public interest.

Mr. PETTIGREW. Mr. President, in this case there is no public interest. That is perfectly apparent. Why should we tell the Secretary to continue these people? That is practically what we do when we make the appropriation and fix a time when they shall cease to be employed. Of course the Secretary will not act if we do not act. How could he be expected to assume the responsibility if we will not act, possessed with all the facts in the case.

I read the letter of the Secretary of the Interior, and I have great respect for him, and I say with the Senator from Arkansas that the outgoing Secretary, Mr. Bliss, is unquestionably one of the best officers that ever occupied that position since I have been engaged in public duties in Washington.

I do not believe any man has greater ability, integrity, and comprehension of all the duties of that great office than he. But the letter which comes here is simply a pro forma affair. The Indian Department has been solicited by people who are interested in the continuance of these men in some position, perhaps prompted by a desire to keep them out of their States, for it is well known that the distant offices under our system are generally filled by men of little or no character, like the offices in the Territories of the United States, which are filled with broken-down members of Congress, etc. People go to the Commissioner of Indian Affairs and solicit and urge a recommendation that these men be continued in office, and he writes the letter influenced by the prominence and power of the person who comes to solicit the favorable recommendation. It goes to the Secretary of the Interior; is reviewed there by a bureau called the Indian division; is presented to the Secretary, and he signs it without ever seeing its substance at all.

I apprehend that if the facts were known the only service these men have performed for the last twelve months is the securing themselves of this letter, for they have been in Washington. They come here as soon as cold weather sets in and the mountains are unpleasant; and I presume the sum total of all their toil, for which we have paid them $10 a day besides clerical hire and traveling expenses, is the securing of this letter recommending their continuance in office.

Mr. ALLEN. And signing vouchers.

Mr. PETTIGREW. Of course they did that promptly. They kept up with that work. That was never left over for their trip to Washington. That was attended to every thirty days, beyond all possible question. They did not have to spend any time upon that work when they arrived here.

The same question was up a year ago, and the Appropriations Committee was so thoroughly convinced of the worthlessness of this commission that it put on a provision that it should cease on the 1st day of April, and with that compromise, without a controversy in the Senate, those who were opposed to continuing the commission yielded. This year persons interested in keeping these people out of their States, I suppose, and in having them secure a job a long ways off which would not bring discredit upon their administration, succeeded in getting the committee to continue the commission until November next. I submit that under these circumstances there can be no possible justification on our part for continuing them a day, and that we at least ought to turn them loose with the coming of spring, by the 1st day of April.

The PRESIDING OFFICER (Mr. PLATT of Connecticut in the chair). The question is on agreeing to the amendment of the committee as amended.

The amendment as amended was rejected.

The PRESIDING OFFICER. The Chair is informed that there is one other amendment which has been passed over, which will be stated.

The SECRETARY. On page 46, after the word "Alaska," in line 17, the Committee on Appropriations propose to insert the following:

Provided, That the Secretary of the Interior may make contracts with contract schools——

Mr. JONES of Arkansas. Before the amendment is read, I wish to offer an amendment to the amendment, to come in after the word "ninety-five," in line 1, page 47, as follows:

The same to be divided proportionately among the said several contract schools.

Mr. GALLINGER. That seems to be provided for on page 46:

apportioning as near as may be the amount so contracted for among schools of various denominations.

I should think that covers it.

Mr. JONES of Arkansas. Where is that language?

Mr. GALLINGER. On page 46, lines 19, 20, and 21.

Mr. JONES of Arkansas. I had not noticed that provision. I withdraw the amendment to the amendment.

Mr. CARTER. Before this proposition is taken up I have an amendment to offer to which I desire to direct the attention of the chairman of the committee. On page 60, line 1, after the word "herein," insert the words "or heretofore;" in line 3, after the word "persons," insert the words "or for annuities;" after the word "articles," in the same line, insert the words "or money," and at the end of the paragraph to insert the following proviso:

Provided, That nothing contained in this section shall be construed to authorize the diminution of the trust funds of any tribe by per capita or other payments direct to the Indians.

Mr. President, the purpose of the proposed amendment I will briefly state. The amendment suggested will have application to a case which arises on the Crow Indian Reservation in Montana. A certain large canal has been completed partially. Funds for its completion are not available. However, certain annuities are paid in cash to those Indians each year. It is desirable that the Government, with the consent of the Indians, may divert the annuities to the construction and completion of the canal projet.

My experience is that the payment of small sums of money to Indians in the way of annuity allowance is, in the main, of little advantage to individual Indians and of no advantage to the tribe. The traders usually get all the annuity payments in cash. It is desired by and through this amendment to secure a condition whereby the Government may take the annuity money for one or two years and complete the canal system with those amounts. I think it will prove advantageous to the Indians. The proviso, which will prove a safeguard in another direction, was suggested by the Senator from Connecticut [Mr. PLATT].

Mr. ALLISON. I ask to have the amendment read as it will read if the alterations proposed by the Senator from Montana are agreed to.

The SECRETARY. If the amendment be adopted, that portion of the bill beginning on page 60, after the word "engaged," in line 1, would read as follows:

And that the several appropriations herein or heretofore made for millers, blacksmiths, engineers, carpenters, physicians, and other persons, or for annuities, and for various articles or money provided for by treaty stipulation for the several Indian tribes, may be diverted to other uses for the benefit of said tribes, respectively, within the discretion of the President, and with the consent of said tribes, expressed in the usual manner; and that he cause report to be made to Congress, at its next session thereafter, of his action under this provision: *Provided*, That nothing contained in this section shall be construed to authorize the diminution of the trust funds of any tribe by per capita or other payments direct to the Indians.

Mr. CARTER. The proviso is inserted at the suggestion of the Senator from Connecticut [Mr. PLATT], for the purpose of preventing a possibility of the increase of annuities of certain other tribes.

Mr. ALLISON. Why does the Senator apply the amendment to appropriations heretofore made?

Mr. CARTER. Because the annuities have heretofore been provided for in the ratification of treaties.

The PRESIDING OFFICER. The question is on agreeing to the amendment proposed by the Senator from Montana.

The amendment was agreed to.

Mr. PETTIGREW. Mr. President, I do not understand the amendment. Does the Senator from Montana mean that those annuities can be diverted for other purposes?

The PRESIDING OFFICER. Does the Senator from South Dakota desire the amendment to be considered as still before the Senate?

Mr. PETTIGREW. I do.

The PRESIDING OFFICER. It will be so understood.

Mr. CARTER. I will say to the Senator from South Dakota that it is with the consent of the Indians.

Mr. PETTIGREW. It seems to me it is a pretty large power to allow these annuities to be diverted even with the consent of the Indians. The question is how that consent can be obtained, whether it will take a majority of the adult males or three-quarters. As to some of the tribes you can not purchase their reservation or make an agreement with them which is binding unless three-quarters of the male adults sign the treaty. In other tribes a majority of the male adults suffices. Here is a provision which would now allow these annuities to be diverted with the consent of said tribes. Under many of our treaties we simply consulted the chiefs and headmen of the tribes, and under this provision a treaty might be made with a very few men, who would gain a personal advantage. I doubt the wisdom of giving that great power and that great latitude unrestricted.

Mr. CARTER. This must be in pursuance of an agreement which shall meet the approval of the President of the United States and the approval of the Indian tribes, expressed in the usual way. In the case I have in mind, the condition which will be met by this amendment meets the approval of all the Indians. After the money has been paid out to them in annuities it is found quite impossible to collect it again into a fund for the purpose of completing a piece of canal work, but they are perfectly willing to sign an agreement that the Government may use the annuity money for the purpose of completing the canal system, so as to bring certain lands under irrigation. I think it is a good amendment.

Mr. PETTIGREW. I should like to have a little further light on the subject. Is this amendment, then, for the purpose of diverting the fund now in the Treasury belonging to the Crows, so as to complete the large ditch which is to irrigate a large portion of their reservation?

Mr. CARTER. A treaty was made with the Crow Indians in 1889 for the cession to the United States of about 1,000,000 acres of land. A considerable portion of the purchase price was used for the purchase of cattle, and a considerable portion of the purchase price under and by virtue of the treaty provisions was to be used for the construction of canals and ditches for the irrigation of their land. The fund set apart for the irrigation of lands has become exhausted, and the system has not been completed.

Unquestionably, if it had been known at the time when the treaty was negotiated that a certain amount in excess of that set apart for irrigation would be necessary to complete the system, the amount would then have been set apart out of the purchase price of the land; but they believed that the amount set apart for that express purpose was adequate. Consequently, a certain sum was set aside to be used for annuities to the tribe. I think each Indian receives about $13 a year in the form of cash annuity. I am informed that the Indians are entirely willing that the Government, instead of paying annuities for two years, shall employ the money in completing the irrigation system which they so much need in order to establish permanent homes upon allotments in the reservation.

Mr. PETTIGREW. I will state that if the purpose of this amendment is to allow the use of the $500,000, I believe it is, belonging to the Crows, in order to complete the irrigation system, I have no objection to it whatever. But I would rather have it put in that form. I think there can be no better use of their money than to complete such a system, and then let them be employed in raising crops for their own subsistence and existence. It will be far better for them, and they will be far more likely to advance in civilization if they have no annuity money whatever, but simply the facilities for securing a living by tilling the soil.

There is no question but that we are paying too much money to the American Indians. There is no doubt that we are gradually making them worthless, and, in fact, destroying the American Indians by keeping them in idleness and feeding them. It is true that under the guise of treaties which we have made with them, purchasing their lands, they are lawfully entitled to all they receive, but it seems too bad that we can not make some arrangement by which they would be obliged to earn the money they secure.

There is no doubt in this case that it would be much better for the Crow Indians if the fund were all expended in completing a thorough irrigation system, so that that country would produce the crops to sustain the tribe. I should like to have stated in plain terms the purpose intended to be accomplished rather than to open the door for the making of agreements in this very loose manner, affecting perhaps the annuities of all the tribes. I do not like to have legislation so loose as to allow a diversion of the funds of these people generally. I think that matter ought to be kept within the reach of Congress and under our control.

Mr. ALLISON. My memory is not very clear as respects the irrigation project at the Crow Reservation, but my recollection is that to complete the system which is proposed and as begun will cost a very large sum of money, and I have also an indistinct recollection that it was stated that when this system was completed there would not be sufficient water available to irrigate the land proposed to be irrigated.

I do not like to have a specific appropriation made here for that purpose. I am willing that the amendment proposed by the Senator from Montana shall be inserted here for the purpose of further examination, in conference, as to its effect upon the funds belonging to the Indian tribes. I would not like to have a specific appropriation made.

Mr. CARTER. If it meets with the views of the committee and of the Senator from South Dakota, I should be perfectly satisfied with an amendment, to be inserted in lieu of the amendment heretofore proposed, which would read as follows:

Provided, That with the consent of the Crow Indians in Montana, to be obtained in the usual way, the Secretary of the Interior may use the annuity money or any part thereof due or to become due said Indians to complete the irrigation system heretofore commenced on their reservation.

Mr. ALLISON. Say "the Secretary of the Interior may, in his discretion"——

Mr. CARTER. "The Secretary of the Interior may, in his discretion."

Mr. ALLISON. Complete that system or any part of it. The Senator from Montana is certainly familiar with this proposed system of irrigation. If I am correctly informed, the beginning of this system is upon a very large scale.

Mr. CARTER. There is no question of that.

Mr. ALLISON. It will cost a large sum of money to complete it. If that be true, I think there ought to be an investigation first by an engineer or some proper authority of the Interior Department as to the propriety of expending money upon this system as proposed.

Mr. CARTER. I suggest that the amendment be permitted to stand as made, and the committee of conference can, I presume, with the approval of the Indian Affairs Committee, substitute some other amendment to accomplish the purpose if this is not entirely satisfactory.

Mr. PETTIGREW. I think, under the circumstances, I will withdraw my opposition to the amendment, as suggested by the Senator, with the understanding that it will be put in some form so as not to leave the power in the hands of the Secretary to treat with the different tribes for all the annuity funds in this country. The purpose is to reach this Montana case, and I am willing to do that, because I think it is the right thing to do.

Mr. ALLISON. If that is the only object the Senator from Montana and the Senator from South Dakota have in view, I suggest that the last amendment proposed by the Senator from Montana be inserted in the bill for the purpose of further examination. I will not be willing to insert even that provision without a full investigation of the question through information derived from the Interior Department.

Mr. CARTER. I then withdraw the amendment now pending, and in lieu of it I offer what I send to the desk.

Mr. ALLISON. I will try to take care of it. This is a matter that has not been submitted to either committee; it is proposed on the floor of the Senate, and I do not wish to assent to it, except that it may be examined further by the committee of conference of the two Houses.

Mr. CARTER. Let the amendment I now offer come in on page 60, after line 9.

The VICE-PRESIDENT. The amendment now offered by the Senator from Montana will be read.

The SECRETARY. Insert at the end of line 9, page 60, the following proviso:

Provided, That with the consent of the Crow Indians in Montana, to be obtained in the usual way, the Secretary of the Interior may use the annuity money due or to become due said Indians to complete the irrigation system heretofore commenced on said Crow Indian Reservation.

Mr. ALLISON. In his discretion, I should say.

The VICE-PRESIDENT. The question is on agreeing to the amendment.

The amendment was agreed to.

Mr. JONES of Arkansas. A few minutes ago I proposed an amendment at the top of page 47. One of the Senators on the other side suggested that the amendment was already covered on page 46, and in hastily glancing at the language I thought it was, but I do not think so now. I offer the amendment that I proposed at that time. I move, after the words "ninety-five," in the first line on page 47, to insert the words "the same to be divided proportionately among the said several contract schools." The provision on page 47 provides that it shall be divided proportionately among the denominations. This would make it apply to a division among the schools.

Mr. GALLINGER. Let the committee amendment on page 46 be first read. It was passed over and I am anxious that it should be taken up. Then the Senator's proposed amendment to the amendment can be read.

Mr. JONES of Arkansas. Yes; I offer it as an amendment to the amendment.

The SECRETARY. The committee propose, on page 46, line 17, after the word "Alaska," to insert the following proviso:

Provided, That the Secretary of the Interior may make contracts with contract schools, apportioning as near as may be the amount so contracted for among schools of various denominations, for the education of Indian pupils during the fiscal year 1900, but shall only make such contracts at places where nonsectarian schools can not be provided for such Indian children, and to an amount not exceeding 20 per cent of the amount so used for the fiscal year 1895: *Provided further*, That the foregoing shall not apply to public schools of any State, Territory, county, or city, or to schools herein or hereafter specifically provided for.

Mr. JONES of Arkansas. I proposed to amend the amendment by inserting, after the words "ninety-five," in line 1, page 47, the words:

The same to be divided proportionately among the said several contract schools.

The VICE-PRESIDENT. The amendment to the amendment will be read.

The SECRETARY. It is proposed to amend the committee amendment by inserting, after the word "ninety-five," line 1, page 47, the words:

The same to be divided proportionately among the said several contract schools.

Mr. GALLINGER. Mr. President, I have no objection to the amendment to the amendment, and I am not going to interpose any factious opposition to the amendment of the committee.

Mr. JONES of Arkansas. Then let the amendment to the amendment be adopted.

Mr. GALLINGER. Certainly.

The VICE-PRESIDENT. The question is upon agreeing to the amendment of the Senator from Arkansas to the amendment of the committee.

The amendment to the amendment was agreed to.

The VICE-PRESIDENT. The question now is upon agreeing to the amendment of the committee as amended.

Mr. GALLINGER. Before the amendment is acted upon I want to say that I had hoped that this question of making appropriations of public funds for sectarian institutions among the Indians had come to an end. We legislated in that direction and we made a declaration in that direction. We appropriated money liberally to provide Government schools for the Indian children.

Mr. President, I wish to call attention to the testimony that was taken on that subject before the Senate Committee on Appropriations when they had the Commissioner of Indian Affairs, Mr. Jones, before them. The chairman, Senator ALLISON, said:

We pay now to contract schools 30 per cent of the amounts that we paid in 1895. The House has made no provision for those contract schools. The question with us is, whether we ought to follow the House or whether it is not too sudden a cutting off of the contract schools.

Commissioner JONES. That is for you, gentlemen, to say. All I have to say is, as I told you last year, that we can take care of all the Indian children.

The CHAIRMAN. But that would require their being moved from where they now are to other places.

Commissioner JONES. Some of them might be moved, but in practice I think you would find that there would be no removals—that the schools would go right on.

The CHAIRMAN. At the same places?

Commissioner JONES. Yes; or that if they were removed we would agree to take care of them with the same appropriation.

There is the testimony of the Commissioner of Indian Affairs that under existing conditions the Indian children can all be taken care of in Government schools. The House of Representatives, doubtless with that information before it, left out a provision for the continuance of the appropriation to which I have objected so often in the Senate, and to which I shall continue to object as long as I am a member of this body, if I have occasion to do so. The Senate committee in its wisdom has seen fit to continue this matter in the present bill, and to make an appropriation for contract schools, providing that it shall be apportioned among the denominations, which, of course, is meaningless, inasmuch as there is only one denomination that is now the beneficiary.

Mr. President, I have no disposition, as I said in the beginning, to enter any factious opposition to this amendment. If the House conferees can be brought to agree to it, it will continue for one year more. But I take it, Mr. President, that it is understood, and I ask the distinguished Senator in charge of the bill, if it is not understood pretty generally, that this appropriation is going to be the last appropriation made by Congress for this purpose? That was practically understood last year, I know, but I want it to go on record again that this is to be the last appearance.

Mr. ALLISON. It was understood last year that we would make one further appropriation, and, as I understood it, this is the last appropriation that is expected to be made under the arrangement made some years ago.

Mr. GALLINGER. With that understanding I shall make no further objection. I simply desire to call the attention of the Senate to the fact that we are reaching the end of what I think has been a very pernicious practice.

Mr. ALLISON. I should like to say one word in response to the testimony read by the Senator from New Hampshire. It is true the Commissioner of Indian Affairs did say that they could provide for these schools at this time, and yet we found in the bill not only the usual appropriation of $200,000 for additional school buildings, a general fund, but an insistence upon his part in the same testimony that $100,000 should be added to that appropriation of $200,000 in order to provide buildings for Indian school children.

Mr. PETTIGREW. Mr. President, this is not a new subject. It has been discussed considerably in the Senate. As far as I am concerned, I do not want it understood that I am bound by the statement of the chairman of the committee in any way that this shall be an end of this appropriation.

Mr. GALLINGER. Then let us have a vote on the amendment.

Mr. PETTIGREW. For my part, I expect next year to advocate the continuance of the appropriation for this purpose, and I believe there is justice in it. I presume that ultimately we shall cease to appropriate for sectarian schools; but many years ago we invited the churches to build schools to educate the Indian children, the Government itself not being willing to go into the work with sufficient appropriations to cover the field.

These people built valuable, excellent school buildings—two, I think, splendid brick buildings—in the State of South Dakota, and gathered these children together. They have been educating them for $108 per capita per year, and they have been doing splendid work. I doubt whether the Government does as good work as they are doing. After erecting the building, furnishing the building, its furniture, etc., it costs the United States in every one of our schools $167 per capita to educate these children; and yet the clamor is set up to take them out of the schools where it costs $108 (and, I believe, gives them better education) and put them into schools where it costs $167.

While I believe that we should divorce church and state, that that is the policy of this Government and the genius of our institutions, I think that justice should be done and that this appropriation should be wiped out gradually enough to enable these people to continue their schools and raise by private collections the amount necessary to do it, if they desire. Therefore, next year, I think, while there should be something of a reduction, the appropriation should be continued, and perhaps the year after.

I want it distinctly understood that I am not bound by any proposition to discontinue this appropriation. The Senate of the United States ought not to act upon this question as a mere matter of prejudice or a mere matter of sectarian zeal. We ought to be governed by what is right and just and fair between us and the people whom we have invited to go into this business, and not say that the appropriation shall arbitrarily be cut off, if a great injustice is going to be done by cutting it off.

Mr. GALLINGER. Mr. President, the Senator from South Dakota has precipitated a controversy that I have no hesitancy in meeting. I will say now that if it is his purpose, as chairman of the Committee on Indian Affairs and a member of the Committee on Appropriations, to have this matter continued, I shall do what I can to defeat this amendment.

Mr. PETTIGREW. Will the Senator from New Hampshire allow me just one word?

Mr. GALLINGER. Certainly.

Mr. PETTIGREW. I do not desire to precipitate a controversy. If the Senator had not asked the question which he asked I should not have risen to my feet or said anything on this subject.

Mr. GALLINGER. We had a distinct understanding last year, and the RECORD will show it, that certainly not more than one further appropriation should be made for this purpose. That appropriation is contained in the pending bill. I am, of course, wrong, because the chairman of the committee says I am, but my recollection was that it was understood last year we were not to have any further appropriations. I good-naturedly said that if we had an understanding last year that there should be one further appropriation I should coincide in having it made, but if we are to be notified in advance that this controversy is to be continued I shall not shrink from it now or hereafter.

Mr. HOAR. Will the Senator from New Hampshire allow me to make a suggestion to him before he proceeds?

Mr. GALLINGER. Certainly.

Mr. HOAR. I have taken great interest in this matter. I remember very well, as I suppose the Senator from Iowa does—there are probably only three or four members of the Senate who remember it—the inauguration of this policy by General Grant.

Mr. GALLINGER. We have all read of it.

Mr. HOAR. Yes; we all understand it. It was not because the Government did not want to spend the money wholly, but there was at that time the difficulty of getting trustworthy agents. Whether the difficulty would exist now I do not at the moment know. The Government had been very unfortunate in some places in the character of the agents, and it was thought that at least by turning it over to the religious denominations we would get agents whose honesty and zeal would be assured, whether their capacity were greater than that of others or not. The policy was entered into by President Grant, as I am sure the Senator from New Hampshire agrees with me in thinking, with the purest public motives.

Mr. GALLINGER. Undoubtedly.

Mr. HOAR. It is well known that General Grant himself was a member of a religious denomination the furthest possible removed from the great religious denomination that now is carrying on some of these schools.

What I wish to suggest to my honorable friend from New Hampshire is that in considering the fact that it is understood the Department and the Commissioner of Indian Affairs have given assurance that it is their policy to discontinue this appropriation at the end of this year, and there will be but one more, in accordance with the desire of the Commissioner, and that assurance has also come from the chairman of the committee who has charge of the appropriation bill, whether the mere fact that one Senator, however conversant with this matter, is not quite ready to say that he thinks the time will come next year, though he thinks it will come within a year, would not justify him in adhering to his original purpose to let this matter go without a debate now.

Is it not absolutely certain, with all these authorities in favor of discontinuing the appropriation after twelve months, that it will be discontinued, even if it should happen that the Senator from South Dakota is not quite ready to express his opinion that the time will then have quite arrived?

The Senator will pardon this suggestion, made simply for the sake of saving time and saving strife over a matter which will be apt to lead to strife.

Mr. GALLINGER. Mr. President, the suggestion of the distinguished Senator from Massachusetts can not be treated lightly by me, and I have no disposition to treat it lightly. I have no disposition whatever to have a controversy over this matter, and I may conclude to accept the suggestion so kindly offered. But before doing that I want to call the attention of my friend from South Dakota, who is very conversant with Indian affairs, but who sometimes makes very broad statements on some points, to the fact that when he says it costs $167 per capita to educate Indian children at the Government schools, that statement is not quite borne out by the record.

I have in my hand the testimony before the Committee on Appropriations of the Senate when a Mr. Slater was before the committee. The Senator doubtless will tell me who Mr. Slater is. I do not know.

Mr. PETTIGREW. He is one of the clerks in the Indian Office.

Mr. GALLINGER. He is one of the clerks in the Indian Office, and he knows all about the money that is appropriated. He shows that it does not cost $167, but that a very considerable portion of that money is turned back into the Treasury.

Mr. PETTIGREW. That is, in some cases.

Mr. GALLINGER. In some cases, and those are the cases the Senator did not think it worth while to allude to.

Mr. PETTIGREW. I will call attention, if the Senator will permit me, to this provision on page 47, just below the paragraph we are considering:

> For support and education of 300 Indian pupils at Albuquerque, N. Mex., at $167 per annum for each pupil, $50,100.

Mr. GALLINGER. Yes; but if it is not spent it is not used.

Mr. PETTIGREW. In some cases it is not all spent, but in very many every dollar of it is spent, and more, too.

Mr. GALLINGER. It seems that at the Grand Junction school we had $5,000 left over last year, and I think it is shown furthermore that they carried more students.

Mr. PETTIGREW. No, at that school they had less students than the number.

Mr. GALLINGER. That does not appear in the testimony.

Mr. PETTIGREW. It appears in the report.

Mr. GALLINGER. Commissioner Jones, who is not a clerk in the Interior Department, says that "Haskell, one or two years ago, turned in about $18,000" of this money.

Mr. PETTIGREW. There they fell very much short of having the number.

Mr. GALLINGER. But Commissioner Jones did not agree, in answer to your question, that they did fall short. He said they did not. Now, Mr. President, I think the Senator ought to be fair about this matter. Commissioner Jones says it costs about $140 a pupil. He says that in express terms, and we had better have the record correct on that point.

Mr. PETTIGREW. Well, Mr. President——

Mr. GALLINGER. I recognize——

Mr. PETTIGREW. I will wait until the Senator concludes.

Mr. GALLINGER. I want to read that part of the testimony, if the Senator takes issue with it. Let me read it:

> Senator COCKRELL. Would they spend it if the appropriation were increased?
>
> Commissioner JONES. The cost is but about $140.

I do not know anything about it myself. I take the testimony. Mr. President, I know the power the Senator from South Dakota exercises in these matters connected with the Indians. He holds the responsible position of chairman of the Indian Affairs Committee and he holds a position upon the Committee on Appropriations. The Senator's views and wishes are doubtless deferred to to a very considerable extent, as they are by me in most matters. It is a matter of regret to me that the Senator has announced publicly here to-day that he is to use his influence and power to have this appropriation continued. It is a matter of record well known to every Senator that a very powerful ecclesiast in this country has recently undertaken to reopen this entire matter and that in his fulmination he has very severely criticised the Government schools, and has said some things that I think ought not to

have been said in that declaration, because I think his statements are subject to proper criticism and complete refutation.

But, Mr. President, I am reminded by the Senator from Massachusetts that the Interior Department is on record as desiring to put an end to this matter. The Commissioner of Indian Affairs certainly is, and the chairman of the Appropriations Committee of the Senate is, and I am content to let the matter go.

The VICE-PRESIDENT. The question is on the amendment of the committee as amended.

The amendment as amended was agreed to.

Mr. KYLE. I offer an amendment which I send to the desk. I think it will be acceded to by the chairman of the committee.

The VICE-PRESIDENT. The amendment will be read.

The SECRETARY. Insert on page 44, after line 19, the following:

That not exceeding one-third of the principal sum of $168,335.10, now in the Treasury to the credit of the Sioux Indians of the Crow Creek Reservation, in South Dakota, drawing interest at 4 per cent per annum, may, in the discretion of the Secretary of the Interior, be used for the purchase of stock cattle, or in any other manner that will best promote their welfare and civilization.

Mr. KYLE. I will state that this passed the Senate last year in the form "all or in any part of the principal sum." This year we have stricken out the first part of the phrase and inserted in lieu thereof—

An appropriation not exceeding one-third of the total sum of $168,335.10 for the purchase of stock cattle for the people of this reservation.

It is recommended by the Secretary of the Interior and the Commissioner of Indian Affairs, and, I believe, will be accepted by the chairman of the committee.

Mr. PETTIGREW. I should like to hear the amendment read again.

The Secretary again read Mr. KYLE's amendment.

Mr. PETTIGREW. Mr. President, I shall not oppose this amendment if it provides for paying this money to these Indians in cash, but I shall oppose it if it proposes to expend it for the purchase of cattle. These Indians are citizens of the United States. They live upon a reservation in one of the counties of South Dakota, and they are entitled, in my opinion, to all the rights of citizenship, the right to vote, etc. This money in the Treasury of the United States is a trust fund. It belongs to them, and they know as well as anybody what they wish to do with it.

I have received a protest from the chiefs of this tribe against expending their money for the purchase of goods or cattle, or expending it in any other way; but they do desire that a portion of it shall be paid to them in cash. I believe if it is disposed of it should be paid in cash, and they should be allowed to handle their own money. If they are said to be citizens of the State of South Dakota, they have reached a point in their civilization when they ought to be allowed to manage their own affairs; the parental system of guidance and control should be abandoned, and their money—trust money—should not, without their consent, be expended in the purchase of cattle or in the purchase of anything else.

If the amendment is amended so as to pay the money in cash to these people, I shall not object to it. Otherwise I shall raise the point of order against the amendment that it changes existing law and provides for a way of disposing of these funds other than is now provided by law.

Mr. KYLE. Mr. President, I want to say that I entirely agree with my colleague in this proposition; and were I sure that it would go through in that form, I certainly should present it in that way, because at the time this agreement was made with this tribe of Indians, in 1889, they could not consummate it until they had reached the agreement I read in these words, which I incorporated in my speech in June of last year:

Unless the Government pay us in cash in our hands—

Notice the phraseology—

Unless the Government pay us in cash in our hands $187,000 in lieu of the 187,000 acres of land reserved for us and extend the treaties of 1868 and 1877 for the term of fifty years (this to be in addition to Sioux bill), our names will be taken from the contract and our reservation (Crow Creek) shall lie unopen to settlement.

That was the agreement made with this tribe of Indians. The money was not set aside for them until 1895. By an act of Congress it was then covered into the Treasury, drawing 4 per cent interest, and it remains there to-day. Under the terms of the agreement they can not get it out. They have wanted the money from that time to this, but it still remains unpaid.

Last year a provision was inserted in the Indian appropriation bill, in the form recommended by the Secretary of the Interior, to spend all or any part of the sum for the purchase of stock cattle, which seemed a very wise provision in his judgment. I do not know but that the Indians will accept that. I had an intimation last year that they would. The chairman of the committee is disposed to accept the amendment in case we provide this year that one-third of the amount shall be expended for the purchase of stock cattle, etc., meaning, I suppose, that next year another third shall be so expended, the following year another third, and so on until ultimately they get all that the agreement calls for.

It was thought unwise by the Secretary of the Interior to give it to the Indians in cash, because they are not supposed to understand how to expend the money after they get it; but if the equivalent should be furnished to them in stock cattle, they will get by this means a start in stock raising, and will probably ultimately be better off as a result.

If the amendment can not go through in the form I have offered it, I should like to have it go through so that the amount may be paid in cash. I certainly would like to have it go through in that way, because I believe it will result to the good of the Indians.

Mr. PETTIGREW. I will say in regard to this matter that in 1889 we made a treaty with the Sioux Indians. They then occupied a region of country in South Dakota larger than the State of Indiana. They were one aggregation of tribes, owning that vast region in common. By the treaty of 1889 they were located at six different points upon this area. We entered into an agreement, which was signed by three-fourths of all the males over 18 years of age, by which their reservation was divided into six parts, and an area amounting to about 9,000,000 acres was thrown open to settlement.

The Indians who resided upon the east side of the Missouri River received in that agreement an area of land much less than their kindred people, the Lower Brulés, received who resided on the opposite side of the Missouri River. Therefore they said they would not sign the agreement unless they could receive a dollar an acre in cash for every acre which they received per capita in their diminished reservation less than the Lower Brulés received, who were really members of the same band.

Among the commissioners who made this agreement was General Crook, who was a man highly regarded among the Sioux, because he kept his word and because he never lied to them—and an Indian keeps his word, unless he has been corrupted by civilization. General Crook told these people he would go to Congress, that he had no power to modify the terms of the agreement, and if they would sign, he would come here and recommend that the $187,000 be paid to them in cash. He came here and made a report, and the President of the United States and the Secretary of the Interior recommended that this agreement, or this promise on the part of General Crook, should be carried out; and I offered an amendment to the Indian appropriation bill in 1890 to carry out this agreement, which was adopted by the Senate and rejected in conference.

In 1891 I offered a similar amendment, which was adopted by the Senate on the Indian appropriation bill and was rejected again in conference, the House refusing to agree to it. In 1892 I offered it again, with the same success; in 1893 again; in 1894 again, and in 1895 it was finally adopted with a provision that the money, instead of being paid in cash according to the agreement, should be put into the Treasury of the United States and held as a trust fund for the benefit of these Indians and that they should be paid 4 per cent upon it.

I insist if this money is ever paid it shall be paid according to the contract, according to the promise. I believe in keeping our agreements with these Indians and with all the Indians of this country—a thing which the United States has scarcely ever done. For years, Mr. President, from 1802 to 1889, there was never an agreement made with the bands of Indians called the Sissetons and Wahpetons and Medawakantons that was not altered by this body to the disadvantage of the Indians, and then ratified, and then we proceeded to enforce it. In some instances we took away nearly the entire consideration for which the Indians had made the treaty, then ratified it, and proceeded to enforce it.

These Indians are part of those same bands or tribes on this reservation to-day. With that history before their eyes, because of their great confidence in General Crook they signed this agreement. I insist that even at this late day, if anything is done with that fund, it shall be disposed of as we promised it should be disposed of.

I have received a letter from the chief of this band and signed by several of his council urging that this money be paid in cash and protesting against it being expended for the purchase of cattle or anything else; and he is right about it. Therefore, this amendment will have to be amended, so far as I am concerned, so as to provide for paying this money in cash; and we ought to pay it all.

Mr. ALLISON. Mr. President, the statement of the Senator from South Dakota, the chairman of the Committee on Indian Affairs, discloses an understanding between this band of Sioux Indians and the Government respecting what should be done with this money. I certainly would not be in favor of forcing upon those people, out of their annuity funds, stock cattle if we have promised in any way or if we are under any obligation to pay this money to them per capita. Therefore, I suggest to the Senator from South Dakota [Mr. KYLE] to allow this matter to go over and have it considered with care by the Indian Committee, which is the proper committee to consider this question; and if there is an understanding that this money shall be paid to the Indians per capita, let a bill be brought in providing for such payment.

I remember now, although it had for the moment escaped my mind, that the Senator from South Dakota [Mr. PETTIGREW] has on several occasions insisted that this particular fund should be paid to these Indians per capita in accordance with the agreement made with General Crook. I think we ought to do quite as well as the Indians themselves; and if we have made such an agreement we ought to abide by it.

Mr. PETTIGREW. I will say that my colleague read an extract from that agreement, in which the Indians said, "We will not be bound by this treaty unless the amount is paid in cash." Yet we have taken their land and we have held it since 1889, for ten years; we have covered it with settlers; the Indians have had no use of it; and still we have not kept our agreement with them.

Mr. ALLISON. Now, I hope the bill will be reported to the Senate.

The VICE-PRESIDENT. The Chair does not understand that the amendment of the Senator from South Dakota [Mr. KYLE] has yet been withdrawn.

Mr. ALLISON. I supposed the Senator from South Dakota had withdrawn the amendment.

Mr. KYLE. I want to say that I am always reluctant to force anything upon the Indians which is not agreeable to them; but it was the judgment of the Secretary of the Interior, Mr. Bliss, that they ought to have stock cattle in preference to cash, and that it would be a great deal better for them than to have the cash. For that reason I accepted the amendment last year and offered it. At the same time, I am a stickler for carrying out the exact provisions of all our agreements with all of the Indian tribes. These Indians want cash. They asked for it last year, and they ask for it again this year. If by deferring the matter a short time we can get the cash for them, I am perfectly willing that that shall be done, and will withdraw the amendment.

The VICE-PRESIDENT. The amendment is withdrawn.

Mr. TURNER. I offer the amendment which I send to the desk.

The VICE-PRESIDENT. The amendment submitted by the Senator from Washington will be stated.

The SECRETARY. On page 46, line 9, after the amendment already adopted, it is proposed to insert:

That the Indians of the Yakima Indian Reservation, to whom lands have been allotted under the laws of the United States, may lease their lands so allotted for agricultural purposes for a term not exceeding five years, under such rules and regulations as are or may be prescribed by the Secretary of the Interior, anything in the law now limiting the term to a shorter term notwithstanding.

The VICE-PRESIDENT. The question is on the amendment which has been read.

Mr. PETTIGREW. I have no objection to that amendment. I think the reasons for it are good. The existing law provides for three years' leases for agricultural purposes. This amendment will increase the term of a lease to five years; and upon this reservation irrigation is required in order to raise crops. It is on the east side of the Cascade Mountains, in the State of Washington--close to the mountains on the east side; in fact, right up against the mountains, where the range is intersected by a high mountain range 8,000 feet high.

Next to the mountains on the east side there is a little range, and the irrigation comes from streams flowing from those mountains. It is impossible, as I understand it, to make leases for three years and secure the building of the necessary lateral ditches to cover the land with water. It is therefore important that this amendment shall be adopted. It will do no harm at least to try the experiment under the supervision of the Secretary of the Interior.

The VICE-PRESIDENT. The question is on the amendment submitted by the Senator from Washington [Mr. TURNER].

The amendment was agreed to.

Mr. PETTIGREW. I offer the amendment which I send to the desk.

The VICE-PRESIDENT. The amendment will be stated.

The SECRETARY. After the committee amendment already adopted, following line 15, on page 42, it is proposed to insert:

The Secretary of the Interior is hereby authorized to appoint a register of deeds for each of the Five Civilized Tribes in Indian Territory, said appointees to be residents of Indian Territory; and the registers of deeds so appointed shall have power, with the approval of the Secretary of the Interior, to appoint deputies, and they shall possess and exercise all the powers of registers of deeds as provided by the statutes of the State of Arkansas; and the statutes of the State of Arkansas in relation to all records kept by registers of deeds shall be in full force in said Indian Territory. The Secretary shall make the rules and regulations necessary to carry this provision into effect.

Mr. JONES of Arkansas. This amendment is legislation and ought not to be on an appropriation bill. It ought not to be passed. It is rather too late in the afternoon for the reasons to be discussed, but if the amendment is to be discussed, I hope the Senate will adjourn and let the matter come up to-morrow.

Mr. ALLISON. I hope the Senator from South Dakota will withdraw the amendment if there is objection to it. It is legislation and subject to the point of order. I suppose the Senator from Arkansas intends to make the point of order against it.

Mr. JONES of Arkansas. Of course I will make the point of order, but I do not want to make it if the Senator from South Dakota wishes to discuss the amendment. If he can show any substantial reason why this legislation ought to be had I shall be glad to hear it. I am not opposed to it captiously, but I do think it ought not to be passed. It proposes a radical change in the condition of affairs in the Indian Territory without any sufficient reason being given for it.

Mr. PETTIGREW. I should like very briefly indeed to state the reasons why I have offered the amendment. I do not care to take more than a very brief portion of the time of the Senate.

Mr. JONES of Arkansas. I hope the Senator from Iowa will allow us to adjourn, and in the meantime I will confer with the Senator from South Dakota regarding the amendment.

Mr. ALLISON. I will make the point of order myself after the Senator from South Dakota concludes his observations. I want to finish the bill to-night if possible. I think it will take only a few minutes now.

Mr. HOAR. I hope the Senator from Arkansas will allow a brief executive session, whenever the time comes, of two or three minutes, for matters of importance.

Mr. JONES of Arkansas. I do not wish to interfere with the convenience of other Senators, but it is now twenty minutes after 5 o'clock.

Mr. ALLISON. It will take but a few minutes now, I think, to finish the bill.

Mr. PETTIGREW. I shall not be over five minutes in making my statement in regard to the amendment.

Mr. JONES of Arkansas. I do not like to make the point of order arbitrarily against the proposition of the Senator from South Dakota, but I do think that it is a proposition which is not wise, and that it ought not to become a part of this bill. At the same time, if I have an opportunity to go over the matter, I might change my mind. I will have no objection to an executive session so as to let this matter be taken up to-morrow morning and then disposed of. In the meantime I will look into the question involved in the amendment, and probably may be willing to have it disposed of without any delay. I certainly shall not delay the Senate longer than will be absolutely necessary. So I suggest to the Senator from Iowa to let us have an executive session.

Mr. ALLISON. I hope we shall finish the bill before we go into executive session. It will only take a few moments now.

Mr. JONES of Arkansas. Mr. President, we have done amazingly well with the bill to-day, and it seems to me the Senator from Iowa ought not to insist on longer continuing its consideration. It will certainly take only a short time to conclude it to-morrow morning. I do not like to take any arbitrary course as to the amendment suggested by the Senator from South Dakota, but I should like to have an opportunity to look into it. I think it will take only a few minutes to-morrow, and the bill can then be easily disposed of. I hope the Senator from Iowa will let the bill go over, so that we may have an executive session now, and dispose of the bill to-morrow. I move that the Senate proceed to the consideration of executive business.

Mr. ALLISON. I am willing to make any reasonable arrangement respecting the bill. I desire to get it into the Senate and have the amendments already agreed to as in Committee of the Whole concurred in. Then I shall be willing to adjourn until to-morrow, or to go into executive session, but just on the completion of the bill it seems unwise for us to now go into executive session. I hope the Senator from Arkansas will not press that motion at this moment.

Mr. JONES of Arkansas. It seems to me that we have done well this afternoon with the pending bill. We have gotten along rapidly. We have done more than could have been reasonably expected when the afternoon began, and I do not think it will take more than a few minutes to dispose of the bill to-morrow. I do think the proposed amendment of the Senator from South Dakota is of sufficient importance to be examined carefully. I am in good faith about it. I should like to have an opportunity to examine the matter before it is disposed of, and that can not be done now. We have not the time to do it now unless we sit very much longer than I think any Senator is willing to stay here to-day. So far as I am concerned, I am willing to stay if the Senate wants to stay here a sufficient time to examine this question.

Mr. ALLISON. I ask unanimous consent that immediately after the routine business to-morrow morning the pending Indian appropriation bill shall be taken up for consideration and continued until it is completed.

Mr. GORMAN and Mr. JONES of Arkansas. That is right.

The VICE-PRESIDENT. Is there unanimous consent to the request from the Senator from Iowa that the pending bill be taken up immediately after the routine business to-morrow morning? The Chair hears no objection, and that is the order.

The Senator from Arkansas [Mr. JONES] moves that the Senate proceed to the consideration of executive business.

Mr. CARTER. I hope the Senator will withdraw that motion.

Mr. JONES of Arkansas. I withdraw that motion.

DENNIS FITZPATRICK.

Mr. LODGE. I ask unanimous consent for the present consideration of the bill (H. R. 375) to remove the charge of desertion standing against Dennis Fitzpatrick. It is a bill of only a few lines.

There being no objection, the Senate, as in Committee of the Whole, proceeded to consider the bill. It directs the Secretary of the Navy to amend the records on file in the Navy Department so as to show that Dennis Fitzpatrick was honorably discharged as a seaman in the United States Navy from the U. S. S. *Wanderer*, and to issue to him an honorable discharge, to date from the 17th of July, 1863.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

TWELFTH AND SUBSEQUENT CENSUSES.

Mr. CARTER. I ask the Chair to lay before the Senate House bill No. 11815 for the purpose of a motion.

The VICE-PRESIDENT. The Chair lays before the Senate the bill (H. R. 11815) to provide for taking the Twelfth and subsequent censuses.

Mr. CARTER. I move to strike out all after the enacting clause of the bill and insert in lieu thereof all after the enacting clause of Senate bill 4545, which was passed by the Senate on the 8th of June last.

The VICE-PRESIDENT. The question is on the motion of the Senator from Montana.

Mr. HAWLEY. Let us understand distinctly what the motion is.

Mr. PLATT of Connecticut. I suggest to the Senator from Montana that he had better have the House bill printed.

Mr. CARTER. It is desirable to get the bill into conference and have it disposed of as promptly as possible. I will explain the legislative situation which leads to this motion.

Instead of amending the Senate bill, the House of Representatives passed a separate and distinct bill, practically in all respects like unto the Senate bill. The amendments are not of a material character, except in one particular, where the House bill proposes the establishment of an independent bureau. The desire is to get the bill into conference, and for that purpose I move to strike out all of the House bill after the enacting clause, and to insert the Senate bill, which has heretofore passed this body.

Mr. ALLISON. If the House has inserted a bill as a substitute for the Senate bill, all that is necessary is to disagree to the House amendment and then the bill can be got into conference.

Mr. CARTER. But the House of Representatives passed a separate and distinct bill, I will say to the Senator—a House bill—and I desire to get the matter into conference.

Mr. PASCO. This subject is one too important to take up when the Senate is so thin as it is now, and I object to the consideration of the bill at the present time.

The VICE-PRESIDENT. Objection is made.

WILLIAM D. KURFISS.

Mr. CULLOM. I ask unanimous consent for the present consideration of the bill (H. R. 8336) to correct the military record of William D. Kurfiss, which was reported unanimously from the Committee on Military Affairs.

Mr. PLATT of Connecticut. What has become of the motion of the Senator from Montana [Mr. CARTER]?

The VICE-PRESIDENT. Objection was made to the consideration of the bill referred to by the Senator from Montana at this time.

Mr. CULLOM. I hope the bill named by me may now be taken up.

There being no objection, the Senate, as in Committee of the Whole, proceeded to consider the bill. It proposes to correct the record of William D. Kurfiss, private, Company F, First Ohio Cavalry, so as to show his honorable discharge from the service on December 1, 1864.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

IOWA AGRICULTURAL COLLEGE.

Mr. ALLISON. I wish to report from the Committee on Finance a local bill relating to a matter in my own State. It is the bill (H. R. 10398) providing for the entry, free of customs duties, of certain bells presented by Edwin M. Stanton to the Iowa Agricultural College, of Ames, Iowa. As it will take but a moment, I hope unanimous consent will be given to have it considered now.

Mr. COCKRELL. Let it be read.

Mr. ALLISON. It will explain itself.

The Secretary read the bill; and the Senate, as in Committee of the Whole, proceeded to its consideration.

Mr. COCKRELL. What kind of bells are they?

Mr. ALLISON. They are chimes, purchased by Mr. Stanton abroad and presented to the college.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

EXECUTIVE SESSION.

Mr. GORMAN. I renew my motion that the Senate proceed to the consideration of executive business.

The motion was agreed to; and the Senate proceeded to the consideration of executive business. After five minutes spent in executive session the doors were reopened, and (at 5 o'clock and 40 minutes p. m.) the Senate adjourned until to-morrow, Wednesday, February 8, 1899, at 12 o'clock meridian.

NOMINATIONS.

Executive nominations received by the Senate, February 7, 1899.

COINER.

Mayer Cahen, of Louisiana, to be coiner of the mint of the United States at New Orleans, La., vice H. Gibbs Morgan, removed. The nomination of Mayer Cohen to the above-named office, which was delivered to the Senate on the 4th instant, is hereby withdrawn.

PROFESSOR OF MATHEMATICS.

Mr. Thomas J. J. See, a citizen of Minnesota, to be a professor of mathematics in the Navy (subject to the examinations required by law) to fill a vacancy existing in that grade.

CONFIRMATIONS.

Executive nominations confirmed by the Senate February 7, 1899.

COLLECTOR OF CUSTOMS.

John W. Mix, of Connecticut, to be collector of customs for the district of New Haven, in the State of Connecticut.

POSTMASTER.

Guy C. Toye, to be postmaster at Northwood, in the county of Worth and State of Iowa.

HOUSE OF REPRESENTATIVES.

TUESDAY, *February 7, 1899.*

The House met at 12 o'clock m. Prayer by the Chaplain, Rev. HENRY N. COUDEN.

The Journal of yesterday's proceedings was read and approved.

CHANGE OF REFERENCE.

Mr. BROMWELL. Mr. Speaker, House bill 11195 having been inadvertently and improperly referred to the Committee on Ways and Means, I ask consent that this bill, with all the papers on file relating to it, be withdrawn from that committee and referred to the Committee on Claims.

The SPEAKER. The Committee on Ways and Means can change the reference through the box.

NATIONAL FISHERY CONGRESS.

Mr. RICHARDSON. Mr. Speaker, I have a report from the Committee on Printing.

The SPEAKER. Is it a privileged report?

Mr. RICHARDSON. It is not privileged.

The SPEAKER. Then it is by unanimous consent of the House.

The Clerk read the resolution, as follows:

Resolved by the Senate (the House of Representatives concurring), That there be printed 3,000 copies of the Proceedings and Papers of the National Fishery Congress, held at Tampa, Fla., January 19 to 24, 1898, as contained in the Bulletin of the United States Fish Commission, volume 17, for 1897 (Document No. 561, Fifty-fifth Congress, second session), of which 500 shall be for the use of the Senate, 1,000 for the use of the House of Representatives, and 1,500 for the use of the Fish Commission.

Mr. RICHARDSON. Let the report be read. It is very brief, and shows that it will cost only $580.

The Clerk read the report (by Mr. RICHARDSON), as follows:

Your Committee on Printing, having had under consideration Senate concurrent resolution No. 50, to print 3,000 copies of the Proceedings and Papers of the National Fishery Congress, held at Tampa, Fla., January 19 to 24, 1898, as contained in the Bulletin of the United States Fish Commission, volume 17, for 1897 (Document No. 561, Fifty-fifth Congress, second session), recommend that the same be agreed to.

The Public Printer estimates the cost of printing, with paper covers, under this resolution at $580.

Mr. RICHARDSON. I ask for the passage of the resolution.

The SPEAKER. Is there objection to the consideration of the resolution? [After a pause.] The Chair hears none.

The resolution was then agreed to.

On motion of Mr. RICHARDSON, a motion to reconsider the vote whereby the resolution was agreed to was laid on the table.

PUBLIC BUILDINGS.

Mr. MERCER. Mr. Speaker, I move that the House resolve itself into Committee of the Whole House on the state of the Union for the purpose of considering bills reported to the House by the Committee on Public Buildings and Grounds. Pending that, I move that the general debate in the Committee of the Whole be limited to ten minutes to each bill, and on that I move the previous question.

Mr. DOCKERY. I make the point of order on that, Mr. Speaker.

The SPEAKER. The point of order is sustained. The gentleman from Nebraska moves that the House resolve itself into Committee of the Whole House on the state of the Union for the consideration of bills for public buildings presented under the order passed yesterday.

The motion was agreed to.

Accordingly the House resolved itself into Committee of the Whole House on the state of the Union (Mr. SHERMAN in the chair) for the consideration of bills making appropriations for public buildings.

PUBLIC BUILDING AT NEWPORT NEWS, VA.

The bill (S. 1964) for the erection of a public building for the use of the custom-house and post-office at Newport News, in the district of Newport News, Va., was read, as follows:

Be it enacted, etc., That the Secretary of the Treasury be, and he is hereby, authorized and directed to acquire, by purchase, condemnation, or otherwise, a site, and cause to be erected thereon a suitable building, including fireproof vaults, heating and ventilating apparatus, elevators, and approaches, for the use and accommodation of the United States custom house, post-office, and other Government offices, in the city of Newport News and State of Virginia, the cost of said site and building, including said vaults, heating and ventilating apparatus, elevators, and approaches, complete, not to exceed the sum of $105,000.

Proposals for the sale of land suitable for said site shall be invited by public advertisement in one or more of the newspapers of said city of largest circulation for at least twenty days prior to the date specified in said advertisement for the opening of said proposals.

Proposals made in response to said advertisement shall be addressed and mailed to the Secretary of the Treasury, who shall then cause the said proposed sites, and such other as he may think proper to designate, to be examined in person by an agent of the Treasury Department, who shall make written report to said Secretary of the results of said examination and of his recommendation thereon and the reason therefor, which shall be accompanied by the original proposals and all maps, plats, and statements which shall have come into his possession relating to the said proposed sites.

If, upon consideration of said report and accompanying papers, the Secretary of the Treasury shall deem further investigation necessary, he may appoint a commission of not more than three persons, one of whom shall be an officer of the Treasury Department, which commission shall also examine the said proposed sites and such others as the Secretary of the Treasury may designate, and grant such hearings in relation thereto as they shall deem necessary; and said commission shall, within thirty days after such examination, make to the Secretary of the Treasury written report of their conclusion in the premises, accompanied by all statements, maps, plats, or documents taken by or submitted to them, in like manner as hereinbefore provided in regard to the proceedings of said agent of the Treasury Department; and the Secretary of the Treasury shall thereupon finally determine the location of the building to be erected.

The compensation of said commissioners shall be fixed by the Secretary of the Treasury, but the same shall not exceed $6 per day and actual traveling expenses: *Provided, however*, That the member of said commission appointed from the Treasury Department shall be paid only his actual traveling expenses.

The building shall be unexposed to danger from fire by an open space of at least 40 feet on each side, including streets and alleys.

The amendments reported by the committee were read, as follows:

In lines 7 and 11 strike out the word "elevators."

In line 12, page 1, strike out the words "one hundred" and insert in lieu thereof the word "seventy-five."

Mr. MERCER. I ask the adoption of the amendments reported by the committee.

Mr. DOCKERY. I ask the gentleman to yield to me.

The CHAIRMAN. The Clerk will report the amendments offered by the gentleman from Nebraska [Mr. MERCER].

Mr. DOCKERY. General debate has not been closed yet.

The CHAIRMAN. The Clerk reports that the amendments of the committee have been read in connection with the bill. The question is on agreeing to them.

Mr. DOCKERY. General debate has not been closed yet. I hope the rules of the House will be observed by the Chair at the outset.

Mr. MERCER. Well, Mr. Chairman, if it is not desired to have general debate, I suppose we can pass upon the amendments pending.

The CHAIRMAN. Does the gentleman from Missouri [Mr. DOCKERY] ask the floor to discuss this bill?

Mr. DOCKERY. I ask the floor for the purpose of general debate, and I think it will expedite the consideration of these bills if the gentlemen in charge of them will allow some statements to be made——

Mr. MERCER. I desire to say that the committee has given these bills the most careful attention, and if any mistake has been made it has been along the lines of economy rather than along the lines of extravagance. Gentlemen will allow me to say that the bills reported to the House—78 of them—do not carry over $11,000,000.

Mr. BAILEY. Will the gentleman state to the House what principle the committee has followed in determining the order in which these bills will be considered?

Mr. MERCER. We have not followed any——

Mr. BAILEY. Well, has the committee agreed upon the order in which they will be considered?

Mr. MERCER. No, sir; the committee may change the order as we go along.

Mr. BAILEY. Well, has the committee agreed already—do I not make myself plain?

Mr. MERCER. I do not quite understand the gentleman.

Mr. BAILEY. Does the gentleman from Nebraska intend to call up such bills as he pleases, or has he been instructed by the committee to call them up in a certain order?

Mr. MERCER. I am instructed by the committee, and I intend to follow out those instructions.

Mr. BAILEY. That was my inquiry.

Mr. MERCER. I did not understand the gentleman.

Mr. BAILEY. Then I ask, upon what principle did the committee determine the order in which these bills should be considered?

Mr. MERCER. According to the best interests of the country.

Mr. BAILEY. That is a very general statement. I presume that every committee in the House determines every action that it takes in accordance with that principle. But I am trying to arrive at this: Is the order agreed upon by the committee according to States or districts, or what? If the gentleman will bear with me a moment——

Mr. MERCER. Certainly.

Mr. BAILEY. I will at least by illustration make plain what I am trying to arrive at. It seems to me it ought to have been decided that each State entitled to a bill at all should have its bill considered before any other State has two bills considered.

Mr. MERCER. I will say to the gentleman that 38 States are represented in this list as reported.

Mr. BAILEY. That seems to be a fair distribution of favors. But are those bills one after another for different States, or do you give some States two bills before you give other States any?

Mr. MERCER. I will say to the gentleman that we will come to that as we go along in the consideration of the bills.

Mr. BAILEY. I have no desire to interrupt or interfere with the consideration of these bills. It has been a year, I believe, since any bills of this class have passed.

Mr. MERCER. It has been.

Mr. BAILEY. So far as I am concerned, I believe that wherever the Federal Government holds a session of its court it ought to have a court-house.

Mr. MERCER. So do I.

Mr. BAILEY. I carry my doctrine of the separation of the State and Federal governments to the point of separating, if I can, the buildings in which they hold court.

Mr. MERCER. I will say to the gentleman that two of these bills are for public buildings at Beaumont and Abilene, in his own State.

Mr. BAILEY. That appeals to my friend who sits beside me rather than to myself. If there were a bill for a public building in my district——

Mr. MERCER. The gentleman did not ask for any.

Mr. BAILEY. No; and I would never ask for any; and that consideration does not influence my action in regard to any State or district that may be entitled to a public building.

Mr. MERCER. I would not insinuate any such thing.

Mr. BAILEY. But inasmuch as the committee has allowed public buildings to 38 States of the Union, I believe that each State ought to have a hearing for one bill before any other State is heard twice. That is what I am trying to arrive at.

Mr. MERCER. I yield to the gentleman from Alabama [Mr. BANKHEAD].

Mr. BANKHEAD. Mr. Chairman, for the purpose of informing the committee as to the question suggested in regard to the order of consideration of these bills and arranging the Calendar, I will state that the committee endeavored, as far as possible, to distribute the bills not only according to States, but according to representation on this floor. That is to say, we endeavored to

give to Democratic districts a fair representation as to the number of bills to be considered and to give them a fair place on the Calendar.

Mr. MADDOX. I understand that there are none of the bills on the Calendar.

Mr. BANKHEAD. It has just been printed.

Mr. MERCER. The CONGRESSIONAL RECORD of this morning shows the bills.

A MEMBER. But not the order of their consideration in Committee of the Whole.

Mr. BAILEY. Of course I presume that, in the consideration of the bills, the members of the committee are first to be served. If the committee has not provided for itself in that way, it is the only committee in the House, I think, that would not have done so.

Mr. MERCER. Oh, well, the committee has not been specially bashful in that regard. [Laughter.]

Mr. BANKHEAD. The committee, I will state, has provided for itself. There are 5 Democrats and 10 Republicans on the committee. Now, the first fifteen bills to be taken up and considered by the Committee of the Whole are distributed as follows: Nine are Republican bills and six Democratic.

Mr. BAILEY. Well, that seems to be almost a fair proportion. [Laughter.]

Mr. BARTLETT. I would like to ask the gentleman if the proceeding in the committee with reference to the consideration of the bills is to be in the order that we find the bills in the RECORD of this morning?

Mr. BANKHEAD. You mean to call up the bills as they appear on the Calendar?

Mr. BARTLETT. None are on the Calendar, I believe.

Mr. BANKHEAD. Well, as they are reported.

Mr. HEPBURN. The RECORD contains the bills reported.

Mr. BANKHEAD. I do not know that the list as published will be strictly adhered to. But I can say this much, that if gentlemen will be patient, and not purposely or offensively hamper the proceedings of the committee, I think we can dispose of all of the bills which have been placed on the Calendar within the time allotted to the committee.

Mr. BARTLETT. I want to get my bill considered.

Mr. MERCER. Mr. Chairman, I ask a vote upon the motion.

Mr. DOCKERY. I hope the gentleman will not insist upon that until after we have concluded general debate.

Mr. MERCER. How much time does the gentleman desire?

Mr. DOCKERY. I desire to occupy a brief time, not exceeding ten or fifteen minutes.

Mr. MERCER. Then I yield ten minutes to the gentleman from Missouri.

Mr. DOCKERY. Mr. Chairman, I thank the gentleman in charge of the bill for his courtesy.

I wish to say at the outset that so far as I am concerned, I have no purpose whatever to occupy one moment of unnecessary time of the committee in what might be termed filibustering methods, or methods employed to unnecessarily delay the consideration of any of the bills proposed by the committee.

But I wish to suggest to the gentleman from Nebraska, in view of the fact that the seventy-eight bills reported yesterday and to-day involve a Treasury liability of $10,923,900, he owes it to the House and to each Representative, and we all owe it to the National Treasury, that there should be a fair consideration of each and every bill that is presented. A statement should be made in each case, either by reading the report or an explanation by some gentleman who introduced the bill or who is familiar with the facts, setting out the salient points, so as to enable the House to reach an intelligent judgment.

Seventy-one bills were reported yesterday, and my information is that they are to be considered in the following order:

S. 1964, Newport News, Va.; H. R. 10969, Blair, Nebr.; S. 1273, Altoona, Pa.; H. R. 1088, Elizabeth City, N. C.; S. 703, Oakland, Cal.; H. R. 11861, Elmira, N. Y.; H. R. 1139, Hot Springs, Ark.; H. R. 521, Fitchburg, Mass.; H. R. 11883, Brunswick, N. J.; H. R. 11314, New Iberia, La.; H. R. 5974, Bluefield, W. Va.; H. R. 10962, Joliet, Ill.; H. R. 447, Brunswick, Ga.; S. 1056, Cleveland, Ohio; H. R. 4076, Topeka, Kans.; S. 925, Beaumont, Tex.; H. R. 484, Dubuque, Iowa; H. R. 6, Omaha, Nebr.; S. 1271, Wilkesbarre, Pa.—

Mr. BERRY. Mr. Chairman, I rise to a question of order.

The CHAIRMAN. The gentleman will state it.

Mr. BERRY. I do not think the gentleman is confining himself to the question under discussion. I do not see the relevancy of the long list of names he is reading.

Mr. DOCKERY. I can state to the gentleman that he will lose time if he begins that——

Mr. BERRY. Oh, I do not know.

Mr. DOCKERY. The gentleman from Kentucky suggests the absence of relevancy. Why, Mr. Chairman, the whole question of the expediency of the construction of these public buildings is in order in general debate.

Mr. BERRY. But the matter before the House is the particular bill now under consideration, Senate bill 1964.

Mr. DOCKERY. But it is material to the House to show the number of bills and the amount involved.

But I will continue the reading of this list:

H. R. 5536, Jackson, Miss.; H. R. 4306, Elgin, Ill.; H. R. 11056, Minneapolis, Minn.; S. 164, Butte City, Mont.; H. R. 11360, Creston, Iowa; H. R. 11141, Annapolis, Md.; S. 1806, Salt Lake City, Utah; H. R. 11162, Janesville, Wis.; H. R. 11728, Bridgeport, Conn.; H. R. 2, Indianapolis, Ind.; S. 140, Indianapolis, Ind.

There seems to be two bills reported for Indianapolis, Ind., but I suppose there is an error somewhere.

S. 346, Seattle, Wash.; H. R. 75, Canton, Ohio; H. R. 11530, Springfield, Mass.; S. 88, Hastings and Norfolk, Nebr.; H. R. 9077, city of New York (amendatory); S. 2048, Fergus Falls, Minn.; H. R. 11686, Brooklyn, N. Y.; H. R. 2129, Kansas City, Kans.; S. 710, Baltimore, Md.; H. R. 11965, Clinton, Iowa; H. R. 1663, Carrollton, Ky.; H. R. 10894, Anniston, Ala.; H. R. 524, Lawrence, Mass.; H. R. 2314, Bristol, Tenn.; H. R. 11769, purchase square 235, Washington, D. C.; H. R. 11882, Stockton, Cal.; H. R. 414, Tampa, Fla.; H. R. 4595, Norwich, Conn.; S. 109, Aberdeen, S. Dak.; H. R. 2056, Menominee, Mich.; S. 244, Joplin, Mo.; H. R. 5528, Salem, Oreg.; H. R. 4113, St. Cloud, Minn.; S. 927, Abilene, Tex.; H. R. 2598, Newport, Vt.; H. R. 431, Streator, Ill.; H. R. 2879, Leadville, Colo.; H. R. 4756, system filtration water supply, Capitol; H. R. 4313, Jamestown, N. Y.; H. R. 477, Eau Claire, Wis.; H. R. 10753, Macon, Ga.; H. R. 1859, Winston, N. C.; H. R. 1079, Columbus, Ga.; H. R. 1642, Green Bay, Wis.; H. R. 1631, Rome, N. Y.; H. R. 5013, San Diego, Cal.; H. R. 9088, Evanston, Ill.; H. R. 4096, Portsmouth, Va.; S. 3525, Providence, R. I.; H. R. 84, Freeport, Ill.; S. 1749, Durham, N. C.

Mr. Speaker, I understood from the gentleman in charge of the bill that six other bills were to be reported this morning, so that the total number of bills reported by the committee to be considered during the two days under the special order is 78, carrying, as I have heretofore stated, $10,923,900 of liabilities.

Now, then, the gentleman from Texas has humorously suggested the propriety of the committee taking care of itself, and it must be admitted that it has very cleverly done that. I make no complaint. I find that of the States represented on the committee Nebraska has 2 bills; Pennsylvania, 2; California, 2; New York, 4, with an amendatory act in addition; Illinois, 5; Missouri, 1. Maine has none, although Maine has a member of that committee.

Mr. HOPKINS. The gentleman will understand that Maine has been heretofore provided with public buildings in all of the large places where the public necessities require them, just as they ought to be provided in other sections of the country.

Mr. DOCKERY. I supposed there was some explanation, but the absence of recognition among the bills reported was, for the time, somewhat startling. The explanation offered by the gentleman from Illinois is entirely satisfactory.

Mr. HOPKINS. I am glad that I have satisfied the gentleman.

Mr. DOCKERY. It is as I expected; Maine has already been cared for, Massachusetts has 3 bills; New Jersey, 1; West Virginia, 1; Alabama, 1; North Carolina, 3; Arkansas, 1; Louisiana, 1; Georgia, 2.

Mr. Chairman, I make no captious complaint about the members of the committee caring for their States, provided the bills are proper bills, and let me say in perfect frankness to the gentleman from Nebraska [Mr. MERCER] in charge of these bills that so far as I am concerned, and speaking for myself only, I have no desire and no present purpose to occupy an unnecessary moment in the consideration of these measures. I recognize the fact that it has been some time since the House has dealt with the question of public buildings, and a great many buildings may be necessary, but I must insist that when each bill is read, the report be read or some other detail explanation be made.

Mr. MERCER. Oh, I will say to the gentleman that I think his suggestion is perfectly proper.

Mr. DOCKERY. Very well; and as I say, I believe there will be no disposition to delay the passage of the bills unnecessarily. If the fact develops that in a given case, in the judgment of members, the authorization should not be made, then of course it should be rejected or amended. So far as I know, there is no purpose to consume time for the sole object of delaying the passage of these bills.

Mr. MERCER. Does the gentleman from Missouri desire any further information about this bill?

Mr. DOCKERY. We have not had the report read.

The CHAIRMAN. The Clerk will read the report.

Mr. BAILEY. Before the Clerk begins, I should like to say that it seems to me the committee will occupy its two days and will not then half complete its work. Now, I pretend to no experience about these matters, but it seems to me it would have been a good idea to have made a kind of river and harbor bill out of this, and to have reported all these propositions in one bill, and then let the committee undertake the defense of that bill as a whole. So far as I am concerned, without any special knowledge of the subject, I am very much inclined to follow the committee, especially where there is a unanimous report. And I believe if you had pursued that course, and taken the two days, with a fair discussion of it all, the committee would have prepared a bill defensible at every point.

Mr. MERCER. I will state to the gentleman from Texas that if we had taken that course we should have taken from the Treasury of the United States twice the money that we do by these bills.

Mr. BAILEY. I do not mean that you would have given everybody a bill that asked for it, without reference to the merits of the proposition. You have a number of meritorious bills that you expect to pass, among something like 50 bills; and if we are to have increased construction of public buildings, I have no disposition to criticise the way it has been done, and if it be concluded that we would have to spend $11,000,000, I should have selected the most meritorious bills and included them in one bill and passed that bill. In this way you will get some, perhaps, of the meritorious bills, and some other equally meritorious bills will never be heard.

Mr. MERCER. Will the gentleman from Texas consent that we report all bills favorably to the House and have no further consideration in Committee of the Whole?

Mr. BAILEY. I will consent to whatever my political friends on the committee do.

Mr. SHAFROTH. Make that request.

The CHAIRMAN. The Clerk will read the report.

The report (by Mr. BANKHEAD) was read, as follows:

The Committee on Public Buildings and Grounds, having had under consideration the bills (H. R. 4092 and S. 1964) for the erection of a public building for the use of the custom-house and post-office at Newport News, in the district of Newport News, Va., respectfully report:

A bill similar to this passed the Senate in the Fifty-fifth, Fifty-fourth, Fifty-third, Fifty-second, Fifty-first, and Fiftieth Congresses, and was reported favorably from the Committee on Public Buildings and Grounds of the House of Representatives in each Congress. For the sixth time it comes before this body.

Newport News continually grows, and the demand for a building there grows greater each successive year.

The business transacted at the Newport News post-office is increasing rapidly. For the fiscal year ending June 30, 1897, the total business transacted by the office amounted to $85,678.27; the next year showed the amount increased to $105,084.04. This year it is estimated that the business will reach not less than $150,000.

Since these reports were made Newport News has continually improved, and it is believed that this building can be contracted for now cheaper than heretofore, and that the need for it will continually increase. The shipbuilding plant at Newport News is claimed to be the best in the United States. It was established at a cost of $15,000,000; it employs about 5,000 men; it has built ships for the Government as well as for private parties, and every consideration of public policy would seem to be against a further postponement of a structure which will become more and more necessary each successive year.

Since the last report was made there has been a contract entered into by the Maxim Gun Company and others to establish the largest gun foundry on this continent, employing over 5,000 men. We wish to say further that the cash value of exports for 1898 exceed $93,000,000, notwithstanding the war.

The entrances and clearances have increased 30 per cent over 1895. The imports are increasing about $1,000,000 a year. The largest dry dock in the world is located here.

Since the first recommendation for a public building at Newport News the population of the city has more than doubled. The committee recommend the passage of Senate bill No. 1964, which passed the Senate January 6, 1898, and which is substituted for H. R. 4092, with the following amendments:

In lines 7 and 11 strike out the word "elevators."

In line 12, page 1, strike out the words "one hundred" and insert in lieu thereof the word "seventy-five."

Mr. DOCKERY. Is there any United States port there?

Mr. MERCER. No, sir.

The CHAIRMAN. The question is on agreeing to the amendments offered by the committee.

The amendments were agreed to.

Mr. MERCER. Mr. Chairman, I now move that the bill as amended be laid aside with a favorable recommendation.

The motion was agreed to.

PUBLIC BUILDING AT BLAIR, NEBR.

Mr. MERCER. Mr. Chairman, I now call up the bill (H. R. 10969) for the erection of a public building in the city of Blair, Nebr.

The bill was read, as follows:

Be it enacted, etc., That the Secretary of the Treasury be, and he is hereby, authorized and directed to purchase or otherwise provide a suitable site and cause to be erected thereon a substantial and commodious building for the use and accommodation of the post-office and other offices of the Government at Blair, Nebr. The site and building thereon, when completed upon plans and specifications to be previously made and approved by the Secretary of the Treasury, shall not exceed in cost the sum of $50,000; nor shall any site be purchased until estimates for the erection of a building which will furnish sufficient accommodations for the transaction of the public business, and which shall not exceed in cost the balance of the sum herein limited after the site shall have been purchased and paid for, shall have been approved by the Secretary of the Treasury; and no purchase of site nor place for said building shall be approved by the Secretary of the Treasury involving an expenditure exceeding the said sum of $50,000 for site and building; and the site purchased shall leave the building independent and unexposed to danger from fire in adjacent buildings by an open space of not less than 40 feet, including streets and alleys: *Provided*, That no part of said sum shall be expended until a valid title to the said site shall be vested in the United States, nor until the State of Nebraska shall cede to the United States exclusive jurisdiction over the same during the time the United States shall remain the owner thereof.

Mr. MERCER. I ask for the reading of the report, Mr. Chairman.

The report (by Mr. MERCER) was read, as follows:

The Committee on Public Buildings and Grounds, to whom was referred the bill (H. R. 10969) providing for the purchase of a site and the erection of a public building thereon at Blair, Nebr., have considered the same and make the following report:

Blair, Nebr., is the county seat of Washington County, one of the richest agricultural counties in Nebraska. It is a railroad center of fair proportions, being the junction of the Northwestern system, running from Chicago to the Black Hills country, and the Chicago, St. Paul, Minneapolis and Omaha Railroad, running from Omaha to Minneapolis. The post-office facilities in Blair are very poor and do not accommodate the growing business of that enterprising city. For some time complaints have been made by the citizens generally because of the poor post-office accommodations, and the Government could not make a better investment than by securing a site and constructing a public building thereon for post-office purposes. After a thorough investigation of the evidence produced favoring the purchase of a site and construction of a Government building thereon, your committee is of the opinion that the sum of $43,000 is adequate for such a purpose and that such an expenditure will accommodate the business of this city for a great many years. Your committee therefore report the bill back in amended form, with the recommendation that the bill do pass amended as follows:

In line 6, page 1, after the word "building," insert the following words: "with fireproof vaults thereon."

In line 11, page 1, strike out the word "fifty" and insert the word "forty-three" in lieu thereof.

In line 5, page 2, strike out the word "fifty" and insert the word "forty-three" in lieu thereof.

In line 5, page 1, strike out the words "cause to be erected thereon a" and insert in lieu thereof the words "to contract for the erection and completion thereon of a."

On page 2 strike out all after the word "alleys" in line 9.

Mr. MERCER. I now move that the committee amendments be agreed to.

Mr. LACEY. I want to ask the gentleman a question.

The CHAIRMAN. Does the gentleman from Nebraska yield to gentleman from Iowa?

Mr. MERCER. I yield to the gentleman.

Mr. LACEY. I should like to ask the gentleman what the population of Blair was as shown by the last census?

Mr. MERCER. About 5,000 now.

Mr. DOCKERY. How many?

Mr. MERCER. About 5,000.

Mr. LACEY. What were the postal receipts?

Mr. MERCER. Fourteen thousand dollars gross.

Mr. MOODY. Is there a United States court-house there?

Mr. MERCER. No, sir.

Mr. HOPKINS. There probably will be shortly.

Mr. DOCKERY. It seems to me that this is a most astonishing proposition—$43,000 for a public building in a city with a population of only 5,000!

Mr. MERCER. The Treasury Department recommended $43,000 and the bill called for $50,000. We have reported the bill in accordance with the amount recommended by the Treasury Department.

Mr. DOCKERY. Why, Mr. Chairman, I have four or five cities in my district, each one with perhaps 5,000 population, and it never occurred to me that the public service required me to introduce a bill providing either of them with a public building.

Mr. MERCER. Follow out the suggestion of the gentleman from Missouri.

Mr. DOCKERY. What suggestion?

Mr. MERCER. That the committee recommend some bills. Mr. Chairman, I would like to ask——

Mr. DOCKERY. I do insist that it is a wanton waste of the public money to erect a public building in a town of 5,000 inhabitants when it is without a Federal court.

Mr. MERCER. It needs a post-office.

The question was taken; and the committee amendments were agreed to.

Mr. MERCER. I now move that the bill as amended be laid aside with a favorable recommendation.

The question was taken; and the Chairman announced that the ayes seemed to have it.

Mr. DOCKERY. Division.

The committee divided; and there were—ayes 95, noes 23.

So the bill was ordered to be laid aside with a favorable recommendation.

PUBLIC BUILDING AT ALTOONA, PA.

Mr. MERCER. I now call up the bill (S. 1273) for a public building at the city of Altoona, Pa., and appropriating money therefor.

The bill was read, as follows:

Be it enacted, etc., That the Secretary of the Treasury be, and he is hereby, authorized and directed to purchase by private sale or secure by condemnation a site for, and cause to be erected thereon, a suitable building, with fireproof vaults therein, for the accommodation of the United States district and circuit courts, post office, and other Government offices, at the city of Altoona, in the county of Blair and State of Pennsylvania. The plans, specifications, and full estimate for said building shall be previously made and approved according to law, and shall not exceed, for the site and building, complete, the sum of $125,000; nor shall any site be purchased until estimates for the erection of a building which will be sufficient accommodations for the transaction of the public business, and which shall not exceed in cost the balance of the sum herein limited, after the site shall have been purchased or condemned and paid for, shall have been approved by the Secretary of the Treasury: *Provided*, That the site shall leave the building unexposed to danger from fire in adjacent buildings by an open space of not less than 40 feet, including streets and alleys; and that no money appropriated for this purpose shall be available until a valid title to the site for said building shall be vested in the United States, nor until the State of Pennsylvania shall have

ceded to the United States exclusive jurisdiction over the same, during the time the United States shall be or remain the owner thereof, for all purposes except the administration of the criminal laws of the said State and the service of civil process therein.

The CHAIRMAN. The question is on agreeing to the committee amendments.

Mr. MADDOX. Mr. Chairman, I call for the reading of the report.

The report (by Mr. HICKS) was read, as follows:

The Committee on Public Buildings and Grounds, to whom was referred the bills (H. R. 3711 and S. 1273) for a public building at Altoona, Pa., and appropriating money therefor, having had the same under consideration, submit the following report:

The city of Altoona, situated in central Pennsylvania, at the eastern base of the Allegheny Mountains, on the main line of the Pennsylvania Railroad, contains an estimated population of about 39,500 and a suburban population of about 12,000, nearly all of whom receive their mail at the Altoona post-office.

The principal shops of the Pennsylvania Railroad Company are and have been for a number of years located there, and within the past four years these shops have been largely added to by the erection of special works for the building of locomotives which are the most complete of their kind in the country. These, with many other industries, give employment to between 13,000 and 14,000 workingmen, the value of output in the year 1895 amounting to over $25,000,000. The surrounding country is traversed by an electric passenger railway and also by steam railroads, is largely developed, and abounds in iron and coal. The business and population of the city are rapidly increasing. The increase in population during the last fourteen years exceeds 24,000 in the city and its suburbs.

The following table shows the gross and net receipts at the post-office:

Fiscal year ending June 30—	Gross receipts.	Net receipts.
1888	$23,280.36	$10,850.39
1889	26,347.81	12,504.07
1890	32,702.53	15,777.62
1891	32,067.46	13,525.73
1892	34,308.98	13,911.94
1893	36,758.04	15,385.09
1894	34,367.16	12,231.31
1895	34,453.95	11,721.16
1896	36,795.50	14,485.69
1897	37,365.79	14,522.15
1898	41,077.85	17,697.08

At the same time the money-order business has increased, so that for the year ending June 30, 1898, there was received the large sum of $346,071.11 and for the past six months $206,736.64. This magnificent sum of money shows the growth and importance of the city and proves it to be the business center of a large part of the State of Pennsylvania.

The building now in use for post-office purposes costs the Government $1,600 for rent, light, and fuel per annum. Although it is the best that can be procured for that money in the city that is suitable for the purpose, it is entirely inadequate in size for the transaction of the public business. The dimensions of the room were, up to a short time ago, 18 by 56 feet. Public business had grown so that it had to be increased as much as the ground would permit, and an extension was built to the office. The entire space permitted by the location is now occupied, and with the extension the building is too small and is inadequate for the large and increasing business. The rental of a more suitable building near the business center of the city would cost treble the amount now paid.

Altoona is located about 120 miles east of Pittsburg, about the same distance southwest of Williamsport, about 130 miles west of Harrisburg, and a much greater distance from Erie and Scranton, at which places, except Harrisburg, United States courts are held. A building should be erected at Altoona sufficiently large to permit sessions of the court to be held there, and also the offices of the collector of internal revenue could be located in the building, to accommodate the large and increasing population of that part of Pennsylvania, as the great bituminous coal fields in that region are yet to a great extent undeveloped.

A bill providing for a public building at Altoona, at a cost of $150,000 for building and site, was favorably reported in the House in the Fifty-first and also in the Fifty-second Congress, and during the same session a bill was favorably reported to and passed in the Senate, and a similar bill was reported favorably to the House in the Fifty-third Congress, but failed of enactment because not reached on the Calendar. The report on the latter bill stated:

"The committee believes that a suitable site can be secured and a building erected thereon, such as will accommodate for many years to come all Federal business at Altoona, at a total cost not to exceed $125,000."

The bill was again reported to the Fifty-fourth Congress with a like recommendation that the cost of the same should not exceed the sum of $125,000. The present bill provides for that sum, which, in the judgment of your committee, will be sufficient, and is in accord with the reports of this committee in the Fifty-third and Fifty-fourth Congresses.

The necessity of the building needs no further argument than the figures given herein, and the needs of the Government for the proper transaction of its business are fully demonstrated by the facts recited. The Senate has twice passed a bill recognizing Altoona as a proper place for a public building, and has again, in the present Congress, enacted a similar measure, which is identical, in the sum of money authorized, to the House bill. Your committee therefore substitute Senate bill 1273 for House bill 3711, and recommend that House bill 3711 lie upon the table and that Senate bill 1273 be amended as follows:

Strike out in line 5, page 1, the words "cause to be erected thereon a" and insert in lieu thereof the words "to contract for the erection and completion thereon of a."

In line 22, page 2, strike out all after the word "alleys."

And being so amended your committee recommend that the bill do pass.

Mr. MADDOX. Mr. Chairman, I desire to say that I do not want to be considered as opposing any meritorious bill that these gentlemen have to report; and when we demand an explanation we are entitled to it, I think.

Mr. MERCER. Why, certainly. I tried to give it to the gentleman.

Mr. MADDOX. Yes. We have just passed a bill—I think the one now under consideration is a meritorious bill—evidently so, from the report. But we have just passed one for a town which, according to the census, has a population of 2,208.

Mr. MERCER. It has about 5,000.

Mr. LLOYD. Here is the census report.

Mr. MADDOX. If we are to build a post-office in every town in this country with not more than 2,000 population, I apprehend that it will take all the money we have. I want to say, if the gentlemen want to get along with these bills, and want to get along quickly with them, if they will rise to their feet and give an explanation of the bill and show its merits, giving all its merits, we will not oppose a bill if it is a meritorious bill; but it is our duty to stand here and contend that they give some explanation without members being required to call for it.

Mr. STEELE. Let me remind the gentleman that an explanation was given, namely, that there was a member on the committee——

Mr. MADDOX. Oh!

Mr. STEELE (continuing). That wanted that bill passed.

Mr. MADDOX. A member on the committee! I overlooked that fact. [Laughter.]

Mr. STEELE. The chairman of the committee stated that.

Mr. LLOYD. The unfortunate feature about this matter is that the chairman is mistaken about the population of his own town. He has specifically stated that the census of 1890 showed a population of over 5,000.

Mr. MERCER. I beg the gentleman's pardon——

Mr. WEYMOUTH. He said it now showed a popu'ation of 5,000.

Mr. LLOYD. The question of the gentleman from Iowa [Mr. LACEY] was, "What was the population in 1890?"

Mr. MERCER. I did not look up the population of 1890.

Mr. LLOYD rose.

The CHAIRMAN. Does the gentleman from Georgia [Mr. MADDOX] yield to the gentleman from Missouri [Mr. LLOYD]?

Mr. MADDOX. I will yield.

Mr. LLOYD. I desire to ask if the chairman of the committee knows what were the receipts of that office in 1898?

Mr. MERCER. I understand something like $14,000. This is the Altoona bill that we are considering now.

Mr. LLOYD. Yes; but we are getting at the question whether the gentleman was mistaken about the population of the town of Blair.

Mr. MERCER. I think not, but I may have misunderstood the question of the gentleman from Iowa [Mr. LACEY].

Mr. LLOYD. I think the gentleman did.

Mr. MADDOX. Mr. Chairman, I want to say a few words further. All we want is to know what we are doing. Yesterday these bills were reported. Up to that time no information could be had in regard to these matters at all. To-day it lies entirely within the breast of the chairman as to which bill he will call up. Of course, we have not had an opportunity or time to read the report and see what you propose to do. I have no captious objection to offer to any meritorious bill, but it strikes me that if there ever was a time in this country when we could defer the building of public buildings, this is the best time. We are appropriating money far beyond our receipts. We are issuing bonds and borrowing money to pay the legitimate expenses of the Government. The question is, Had not we better pay our honest debts before we appropriate more money to build these luxurious establishments?

A man that has a just claim against the Government can hardly get it through this House; it is almost impossible to do so, but he can get an appropriation by getting up a sort of logrolling concern as we have here, 38 States represented by 71 bills, each one having its influence with various delegations, and in that manner they all get in the combine and these matters can be rushed through. But if you come with an honest claim before the House, one that the Government owes, then it is almost impossible to get it passed.

Mr. HICKS. Will my friend from Georgia permit a question?

Mr. MADDOX. Certainly.

Mr. HICKS. I understand my friend from Georgia has no objection to the present bill under consideration?

Mr. MADDOX. I have said so; I believe it to be a meritorious one. I have said that unless the bills are meritorious, it is our duty to vote them down and not appropriate money under the circumstances.

Mr. HICKS. We agree with the gentleman.

Mr. COX. Mr. Chairman, I want to call the attention of the chairman of this committee to one or two points. The town of Blair is in the gentleman's Congressional district.

Mr. MERCER. Yes.

Mr. COX. And it has not a population exceeding 4,000?

Mr. MERCER. About 5,000.

Mr. COX. Well, put it 5,000. Are there any Federal courts held there?

Mr. MERCER. I want to say that there are over 1,200 students in the schools.

Mr. COX. That is not my point. Are there any Federal courts held there?

Mr. MERCER. I have said no; but that bill is not now under consideration. We have disposed of that matter.

Mr. COX. I know; but I want to get at this so I can see about some other bill.

Mr. MERCER. I have given the gentleman all the information I have.

Mr. COX. I know that bill has been passed and it is now a back number, but the fact remains that there are no Federal courts, no revenue officers, nothing in the world except to put up a public building there for a post-office. I have got more than three towns in my district larger than that. Do you think it is right?

Mr. MERCER. Why did not the gentleman introduce a bill?

Mr. COX. Oh, you seem to be running the bills, and I am trying to run the objections. [Laughter.]

The CHAIRMAN. The question is on agreeing to the amendments recommended by the committee.

The amendments recommended by the committee were agreed to.

The bill as amended was laid aside to be reported to the House with a favorable recommendation.

PUBLIC BUILDING AT ELIZABETH CITY, N. C.

The next business was the bill (H. R. 1088) to provide for the erection of a public building at Elizabeth City, N. C.

The bill was read, as follows:

Be it enacted, etc., That the Secretary of the Treasury be, and is hereby, authorized and directed to purchase, or otherwise provide, a suitable site, and cause to be erected thereon a substantial and commodious building, with fireproof vaults, for the use and accommodation of the courts of the United States, post-office, and other offices of the Government at Elizabeth City, N. C. The site and building thereon, when completed upon plans and specifications to be previously made and approved by the Secretary of the Treasury, shall not exceed in cost the sum of $75,000, nor shall any site be purchased until estimates for the erection of a building which will furnish sufficient accommodations for the transaction of the public business, and which shall not exceed in cost the balance of the sum herein limited after the site shall have been purchased and paid for, shall have been approved by the Secretary of the Treasury; and no purchase of site nor plan for said building shall be approved by the Secretary of the Treasury involving an expenditure exceeding the said sum of $75,000 for site and building. The site purchased shall leave the building unexposed to danger from fire by an open space of at least 40 feet, including streets and alleys: *Provided*, That no part of said sum shall be expended until a valid title to the said site shall be vested in the United States, nor until the State of North Carolina shall cede to the United States exclusive jurisdiction over the same, during the time the United States shall be or remain owner thereof, for all purposes except the administration of the criminal laws of said State and the service of civil process therein.

The amendments reported by the committee were read, as follows:

In line 12, page 1, strike out the words "seventy-five" and insert in lieu thereof "fifty."

In line 21, page 2, substitute "fifty" for "seventy-five;" and in line 24, page 2, after the word "sum," insert the following words: "except the ordinary preliminary expenses."

Mr. MERCER obtained the floor.

Mr. SIMPSON rose.

Mr. MERCER. Does the gentleman from Kansas [Mr. SIMPSON] desire to ask a question?

Mr. SIMPSON. I think that before passing this bill we ought to have some further information in regard to the population, business, etc., of this place.

Mr. MERCER. I yield for a question.

Mr. SIMPSON. I should like to know the population of Elizabeth City, N. C.?

Mr. MERCER. I refer my friend from Kansas for information to the gentleman from North Carolina [Mr. SKINNER].

Mr. SKINNER. Mr. Chairman, if the gentleman from Kansas [Mr. SIMPSON], my personal and political friend, had imposed upon himself the labor to read the unanimous report of the committee, he would have known and publicly observed that the population of this town or city and its suburbs is about 8,000.

Mr. BRUCKER. How much?

Mr. SKINNER. Eight thousand.

Mr. BRUCKER. In 1890?

Mr. SKINNER. Not in 1890 as indicated by the census, but in the progressive present—now.

If the committee will admit, I will add as an addenda to the report that Elizabeth City is named for and after the good Queen Bess. I can not, I shall not, attempt to compass the time necessary to explain the geographical, historical, or topographical merits of Elizabeth City. This town is situate on Pasquotank River, practically in the center of what is commonly known as the Albemarle section of North Carolina. Elizabeth City is situate on the contemplated canal or inland waterway from Norfolk to Florida, immediately on the Norfolk and Southern Railroad, and I will add there is in immediate contemplation another road leading from Elizabeth City to Gates or Eure Station, N. C., unto, or rather into, the Norfolk and Carolina Railroad, which puts this interior coast country in communication with the State at large.

Mr. BRUCKER. The last road of which the gentleman speaks is only in contemplation.

Mr. SKINNER. Mr. Chairman, I shall be pleased to answer any inquiry about the population and size of this town, and give any other information that may be in my power. These appropriations for public buildings ought to be made along the line of meeting the needs of the public service. This bill has been favorably reported by the Committee on Public Buildings and Grounds for five successive sessions, with an appropriation of $100,000, and in that form it has been twice passed by the Senate. But as a member of the committee, in order that the committee might show a spirit of economy in its bills, I submitted to a reduction of $50,000.

The great merits, Mr. Chairman, on which this bill stands are two. First, that there is a Federal court, both district and circuit, held at this town, and that grand juries of the Federal court have more than four times presented the United States Government for not providing means and accommodations proper and sufficient for administering Federal justice in that community. Besides, Mr. Chairman——

A MEMBER. That is enough.

Another MEMBER. That settles it; we will give you the building.

Mr. McDOWELL. I should like to ask the gentleman from North Carolina a question. I observe that in 1890 this town had a population of 3,250. What is it that has boomed the town since that time?

Mr. SKINNER. It is because there have been railroads constructed, canals dug and others contemplated, and the people generally have caught the spirit of enterprise and progress. I will suggest to my friend, and through him to the country, that Elizabeth City is of a progressive, sacred, and historic country.

This Federal building is not contemplated as a convenience and service to the people of Elizabeth City alone, but it is intended as an accommodation, use, and service and convenience of the people inhabiting all this territory bordering on the waters of the Albemarle and Pamlico and their tributaries.

Elizabeth City has grown to be the metropolis of all this territory, and this, I will summarily remind this House, is not only a productive but a historic, and should be and I trust will ever be held as a sacred, territory. In short and substance, it is the cradle of this Government. Within its bailiwick the nation's flag was first unfurled, on its soil the Constitution first made an imprint, and under the cross dedicated this continent first to God and afterwards to liberty, and thereafter and eternally for civilization and humanity.

Within the county of Pasquotank, of which Elizabeth City is the county seat, was first organized legislative government on this continent. I have made an honest effort to have this sacred spot marked, as well as the landing of Sir Walter Raleigh's colony commemorated, by a fitting shaft. Thus far these efforts have proven futile, but now, at the metropolis of this historic and sacred territory, I can ask for a Federal building commensurate at least with the Federal business of that historic country.

[Cries of "Vote!" "Vote!"]

The amendments reported by the committee were agreed to; and the bill as amended was laid aside to be reported favorably.

PUBLIC BUILDING AT OAKLAND, CAL.

The next business was the bill (S. 706) to provide for the purchase of a site for and the erection of a public building at Oakland, in the State of California.

The bill was read, as follows:

Be it enacted, etc., That the Secretary of the Treasury be, and he is hereby, authorized and directed to acquire, by purchase, condemnation, or otherwise, a site, and cause to be erected thereon a suitable building, including fireproof vaults, heating and ventilating apparatus, elevators, and approaches, for the use and accommodation of the United States post-office and other Government offices, in the city of Oakland and State of California, the cost of said site and building, including said vaults, heating and ventilating apparatus, elevators, and approaches, complete, not to exceed the sum of $350,000, which said sum of $350,000 is hereby appropriated for said purpose out of any moneys in the United States Treasury not otherwise appropriated.

Proposals for the sale of land suitable for said site shall be invited by public advertisement in one or more of the newspapers of said city of largest circulation for at least twenty days prior to the date specified in said advertisement for the opening of said proposals.

Proposals made in response to said advertisement shall be addressed and mailed to the Secretary of the Treasury, who shall then cause the said proposed sites, and such others as he may think proper to designate, to be examined in person by an agent of the Treasury Department, who shall make written report to said Secretary of the results of said examination and of his recommendation thereon and the reasons therefor, which shall be accompanied by the original proposals and all maps, plats, and statements which shall have come into his possession relating to the said proposed sites.

If, upon consideration of said report and accompanying papers, the Secretary of the Treasury shall deem further investigation necessary, he may appoint a commission of not more than three persons, one of whom shall be an officer of the Treasury Department, which commission shall also examine the said proposed sites and such others as the Secretary of the Treasury may designate, and grant such hearings in relation thereto as they shall deem necessary, and said commission shall, within thirty days after such examination, make to the Secretary of the Treasury written report of their conclusion in the premises, accompanied by all statements, maps, plats, or documents taken by or submitted to them, in like manner as hereinbefore provided in regard

to the proceedings of said agent of the Treasury Department; and the Secretary of the Treasury shall thereupon finally determine the location of the building to be erected.

The compensation of said commissioners shall be fixed by the Secretary of the Treasury, but the same shall not exceed $6 per day and actual traveling expenses: *Provided, however*, That the member of said commission appointed from the Treasury Department shall be paid only his actual traveling expenses.

So much of the appropriation herein made as may be necessary to defray the expenses of advertising for proposals, actual traveling expenses of said agent, and the compensation and actual traveling expenses of said commissioners, and other expenses incident to the selection of the site, and for necessary survey thereof, shall be immediately available.

So much of said appropriation as may be necessary for the preparation of sketch plans, drawings, specifications, and detailed estimates for the building by the Supervising Architect of the Treasury Department shall be available immediately upon the approval by the Secretary of the Treasury of such site.

No money appropriated by this act shall be available, except as hereinbefore provided, until a valid title to the site for said building shall be vested in the United States, nor until the State of California shall have ceded to the United States exclusive jurisdiction over the same, during the time the United States shall be or remain the owner thereof, for all purposes except the administration of the criminal laws of said State and the service of civil process therein.

After the said site shall have been paid for, and the sketch plans and detailed estimates for the building shall have been prepared by the Supervising Architect and approved by the Secretary of the Treasury, the Secretary of the Interior, and the Postmaster-General, the balance of said appropriation shall be available for the erection and completion of the building, including fireproof vaults, heating and ventilating apparatus, elevators, and approaches.

The building shall be unexposed to danger from fire by an open space of at least 40 feet on each side, including streets and alleys.

The amendments reported by the committee were read, as follows:

In line 12, page 1, strike out the word "three" and insert the word "two," making the limit of cost $250,000; amend further by striking out all the words following "dollars," in line 13, up to and including the word "appropriated," in line 16, and strike out the word "elevators" wherever it appears in the bill.

Also strike out lines 54 to 61, inclusive.

The CHAIRMAN. The question is on agreeing to the amendments.

Mr. LLOYD. I would like to ask the chairman of the committee some questions.

Mr. MERCER. I yield for a question.

Mr. LLOYD. I presume it would be well to have the report read. That perhaps will give the information we desire.

Mr. MERCER. All right; if the gentleman desires the report read, I have no objection.

The report (by Mr. HILBORN) was read, as follows:

The Committee on Public Buildings and Grounds, to whom was referred the bills (H. R. 1149 and S. 706) to provide for the purchase of a site and the erection of a public building thereon at Oakland, Cal., submit the following report:

Oakland is situated on the eastern shore of San Francisco Bay, being opposite to San Francisco, with which it is connected by ferry lines, which carry millions of passengers each year.

The system of transcontinental railroads has its terminus in Oakland. All the traffic between the Atlantic States and tide water on the Pacific, whether it goes by way of New Orleans and the Southern Pacific, by Kansas City and the Atchison, by Omaha and the Central Pacific, or overland from British Columbia, Washington, and Oregon, centers at Oakland, from which point freight is transferred to San Francisco by ferryboats.

A great part of the local traffic of three-fourths of the State, with the exception of a part of the wheat shipments, also centers here. The city has therefore all the importance of a great railroad terminus.

Oakland is also a shipping point, where business has increased from 154,200 tons of freight in 1874 to 2,623,831 in 1897.

During the year 1898, 155 vessels discharged foreign cargoes at its docks. These cargoes comprised 400,660 tons, composed as follows:

	Tons.
Wood, coal, and coke	189,460
Hay, grain, and flour	8,700
Lumber	107,850
Building materials	53,350
Sundries	41,200
Total	400,660

Its commerce will increase as its many miles of water front is developed and as the great improvements in the inner harbor, now being executed by the United States, are completed.

The city has been recently made a subport of entry, and the revenue officers occupy rented quarters.

Oakland is the county seat of Alameda County, and is the second city in wealth and the third in population west of the Missouri River. There has never been any cessation in its growth.

In 1870 it had 10,500 inhabitants; in 1880, 34,556, and in 1890, 48,682. Since the census of 1890 the limits of Oakland have been extended, and the city has now an area of 23 square miles and a population of 75,000, and with its suburbs, which will ultimately become a part of the municipality, contains a population of upward of 150,000.

The city has 104 miles of macadamized streets and 6¼ miles of bituminized streets. It has 70 miles of electric railroad.

Oakland is an educational center. It is aptly called the "Athens of the Pacific." Within its environs is located the great University of California, with an endowment of $11,000,000 and over 2,000 students, besides five other colleges.

Its public schools number 19, with 15,497 pupils and 238 teachers. The public-school property is worth over $1,500,000.

It has also 27 private schools and academies, 10 libraries and reading rooms, 70 churches, and 15 hospitals.

The taxable property has gradually increased, as shown by the assessment rolls, from $581,121 in 1862 to $28,691,610 in 1880, $39,453,392 in 1890, $44,821,230 in 1893, and $49,279,000 in 1898. The value of property within the present city limits is $100,000,000. The manufacturing interests have assumed equally significant proportions, many of the greatest iron, steel, wood, cotton, and jute plants in California being centered there.

The post-office facilities of Oakland, for a place of its size and importance, have always been most discreditable.

The main office has frequently been shifted from one place to another, and the Government is now paying a rental of $2,850 for the premises used as a post-office.

The total number of square feet used for post-office purposes is at present 6,750, and yet the quarters are inconveniently crowded.

Number of clerks, carriers, etc.:	
1888	39
1898	48
Allowance for rent:	
1888	$1,200
1898	2,850
Net revenue:	
1888	35,722
1898	47,315
Gross receipts:	
1897	102,895
1898 (usual ratio of increase), about	105,000

In view of the foregoing facts, your committee recommend that Senate bill 706 be substituted for House bill 1149, and that it pass with the following amendments:

In line 12, page 1, strike out the word "three" and insert the word "two," making the limit of cost $250,000, and amend further by striking out all the words following "dollars," in line 13, up to and including the word "appropriated," in line 16, and strike out the word "elevators" wherever it appears in the bill; also, strike out lines 54 to 61, inclusive.

Mr. LLOYD. Is there a Federal court established at this point?

Mr. MERCER. No, sir.

Mr. HILBORN. It is a city of 75,000 inhabitants.

Mr. LLOYD. It seems to be a meritorious bill. The only question to be determined, I think, would be as to the amount of the appropriation.

Mr. MERCER. This city is a port of entry; and a large custom-house business is done there. It is across the bay from San Francisco.

Mr. LLOYD. On what did the committee, in each of these cases, base the amount to be appropriated for the erection of a public building?

Mr. MERCER. In this case, upon the amount of business done not only by the post-office, but by the custom-house. There is a very large custom-house business at Oakland; an enormous revenue is collected there, and a large number of people are employed.

Mr. HANDY. I would like to ask the gentleman in charge of the bill whether there is a letter from the Secretary of the Treasury recommending the erection of this building. If so, I would like to hear it read.

Mr. MERCER. There is a letter, I will state, from the Secretary of the Treasury, who suggests the appropriation of more money by $15,000 than the bill calls for.

Mr. HANDY. If the gentleman has the letter at hand I hope he will have it read for the information of the committee.

Mr. MERCER. I do not think I have it at hand. It is a very long letter. The substance of it has been already stated, however, in the report.

The committee has not authorized, I will repeat, as much as the Secretary suggests is necessary for the construction of this building.

Mr. HANDY. I notice, in following closely the reading of the report, that it seems to be a large advertisement of various features of Oakland, Cal., features which have nothing whatever to do with the alleged need for the construction of a public building in that city or with the appropriation of the public money for such a purpose. The report tells us the number of inhabitants, and it speaks of other features of the city, none of which have anything whatever to do with the construction of public buildings. It tells also the number of school children in the city, and gives various other similar statistics. It tells about the university located there, and goes on to describe innumerable things which do not relate at all to a public building.

There are only two items in the report, so far as I have been able to observe from the reading of it, which seem in any degree to have anything to do with a public building. One is that this city of Oakland is a subport of entry—not a custom-house city, but a subport of entry. The other pertinent item is in reference to the post-office facilities. The report shows that the post-office facilities are at present costing the Government of the United States the sum of $2,850 per annum. The gentleman proposes now, by the bill before the committee, to put up a public building there to cost $250,000. As far as we can gather from the reading of the report, the only object is to provide post-office facilities. That sum of money even at 4 per cent a year would amount to $10,000, while the present expense is but $2,850.

Mr. MERCER. Has the gentleman from Delaware ever been to Oakland, Cal.?

Mr. HANDY. No, "the gentleman from Delaware" has never been to Oakland, Cal., but he has read the report of the committee, made by the gentleman from California [Mr. HILBORN], and supposes that the author of the report has been at Oakland and knows what he is writing about.

Mr. MERCER. He lives at Oakland.

Mr. HANDY. And I have been discussing this matter from the figures given by the report itself.

Mr. MERCER. How much time does the gentleman desire, may I ask?

Mr. HANDY. I would like to hear an explanation from the gentleman from California who makes the report as to the necessities of the appropriation. I do not think that my having been at Oakland or not having been there has anything whatever to do with the question at issue here. But the needs of the Government service, whether they require a building to cost $250,000 at that point, and whether it is advisable to make provision of this character under the circumstances detailed in the report, are matters that it is our duty to investigate.

Mr. MERCER. I yield to the gentleman from California.

Mr. HILBORN. Mr. Chairman, Oakland, Cal., is situated on the bay of San Francisco, opposite the city of San Francisco, and has an area of 23 square miles, with a population of 75,000 people. With the contiguous territory which is shortly to be annexed to the city it will have a total population of 150,000 people.

The property value in the city at present is over $100,000,000, and its assessed valuation is nearly $50,000,000——

Mr. HANDY (interrupting). What has that to do with the bill under consideration, which is to provide a public building for Federal purposes in the city?

Mr. HILBORN. It is in order to show the importance of the city and necessity of providing for the wants of 75,000 people who want post-office facilities.

Mr. MADDOX. What are the receipts of the post-office there?

Mr. HILBORN (continuing). The city has been transacting the business of the post-office in various buildings, shifting about from one quarter to another, and necessarily in unsafe quarters; and we believe that a great, rich, important city like that ought to have a post-office building, especially as the postal receipts are steadily increasing and are now very large. We believe the time has come when this building should be erected.

My inquiry, Mr. Chairman, shows me that there is not another city in the United States that has a population as great as Oakland which is without a post-office building and without proper postal facilities, as we are now.

Mr. HANDY. How many employees are in the post-office there now?

Mr. HILBORN. I think 48.

Mr. HANDY. And how many are employed in the subport of entry?

Mr. HILBORN. I do not know. I do know, however, that the receipts of the post-office in 1897 reached the sum of $102,000, and they are estimated this year at $105,000 and over.

Mr. HANDY. It would seem that this $250,000 proposed to be appropriated by the bill is to be spent almost exclusively for the post-office. This city has no Federal court, no Federal offices, and is only a subport of entry.

Mr. HILBORN. It is a subport of entry.

Mr. HANDY. Well, that does not amount to much.

Mr. HILBORN (continuing). The custom-house is at San Francisco, on the opposite side of the bay, and 8 miles off.

Mr. HANDY. As I have said, the city has no court, no marshals' offices, or Federal offices of any kind except a post-office, and yet $250,000 is to be appropriated for a post-office to take the place of an office now secured at a rental of $2,850 per annum.

Mr. HILBORN. I will state further to the committee, Mr. Chairman, that we are completing the harbor there, and last year 155 vessels came in from the sea to that port and discharged cargoes, and every year the commerce is increasing. With a good harbor, which is now being built, Oakland has a great commercial future.

The CHAIRMAN. The question is on agreeing to the amendments recommended by the committee.

The amendments were agreed to.

Mr. MERCER. Mr. Chairman, I move that the bill as amended be laid aside to be reported to the House with a favorable recommendation.

The motion was agreed to.

PUBLIC BUILDING AT ELMIRA, N. Y.

Mr. MERCER. Mr. Chairman, I call up the bill (H. R. 11861) for the erection of a public building at Elmira, N. Y.

The bill was read, as follows:

Be it enacted, etc., That the Secretary of the Treasury be, and he is hereby, authorized and directed to purchase, acquire by condemnation, or otherwise provide a site, and cause to be erected thereon a suitable, commodious, and substantial building, including fireproof vaults, heating and ventilating apparatus, and approaches, for the use and accommodation of the United States post-office, internal-revenue offices, and United States courts, and for other Government uses, in the city of Elmira and State of New York, the cost of the site and the building, including fireproof vaults, heating and ventilating apparatus, and approaches, complete, not to exceed the sum of $185,000.

Proposals for the sale of land suitable for said site shall be invited by public advertisement in one or more of the newspapers of said city for at least fourteen days prior to the date specified in the advertisement for opening the proposals.

The proposals made in response to said public advertisement, at the time named in the advertisement, or within ten days subsequent thereto, shall be received, opened, and considered by a commission of three persons, who shall be appointed by the Secretary of the Treasury; and it shall be the duty of said commissioners to forward to the Secretary of the Treasury, within forty days of the date named in the advertisement for opening the proposals, a written report, with the original proposals, maps, etc., and the oaths prescribed by act of Congress approved June 23, 1874, and to definitely state in said report the site selected by them, and their selection of the site shall be final; and each commissioner shall be allowed a compensation for his services of an amount within the discretion of the Secretary of the Treasury, said compensation not to exceed $200 and actual traveling expenses to each member.

The building shall be unexposed to danger from fire by an open space of at least 40 feet on each side, including streets and alleys: *Provided*, That no part of said sum, except ordinary preliminary expenses, shall be expended until a valid title to said site shall be vested in the United States and the State of New York shall cede to the United States exclusive jurisdiction over same, during the time the United States shall be or remain the owner thereof, for all purposes except the administration of the criminal laws of said State and the service of any civil process therein.

Mr. HANDY. Mr. Chairman, I should like to hear the report read.

Mr. COX. Mr. Chairman, I move to strike out the last word.

The CHAIRMAN. The gentleman from Nebraska.

Mr. MERCER. I am willing that the report should be read.

The report (by Mr. GILLET of New York) was read, as follows:

The Committee on Public Buildings and Grounds, to which was referred the bill (H. R. 11861) for the erection of a public building at Elmira, N. Y., having considered the same, respectfully reports:

Elmira is situated on the line of the Erie, the Delaware, Lackawanna and Western, and the Lehigh Valley railroads at their point of intersection with the Northern Central Railroad, which runs from Baltimore, Md., to Rochester, N. Y., and at the junction of said roads with the Elmira, Cortland and Northern, running from Elmira to Canastota, on the line of the New York Central Railroad and the Tioga Railroad, running from Elmira to Blossburg, in Tioga County, Pa. The distance from Elmira to Buffalo is 160 miles; to Rochester, 97 miles; to Canandaigua, 69 miles; to Syracuse, 165 miles; to Utica, 179 miles, and to Albany 200 miles.

It is the geographical and business center of territory extending from 75 to 100 miles in all directions therefrom, and there is no Federal building of the United States of any description nearer than the cities above named.

By the census of 1880 the population of Elmira was 20,541; by the census of 1890 it was 30,893, being an increase of 50 per cent in ten years, and the present population is over 40,000, which proves that the city is maintaining its position as one of the leading interior cities of the State of New York. It is the commercial and business center of the territory above described and the largest city in the southern tier of counties of New York, being a distributing point for the mails to most of the towns throughout the territory above mentioned.

The receipts of the post-office have been constantly growing year by year.

The following figures show the gross receipts and net proceeds of the office:

Year.	Gross receipts.	Net proceeds.
1890	$55,529.11	$30,745.61
1892	62,493.66	33,325.55
1894	67,705.05	37,000.64
1896	67,068.11	29,616.64
1898	80,133.97	34,335.04

This represents a rapid as well as a permanent increase of the business of the post-office. Total of money-order business in 1898 was $454,503.83.

There are now on the roster of the office 22 letter carriers, 16 clerks, 1 substitute clerk, 4 stamp agents, and 2 special-delivery messengers; total, 50; and the present office is entirely inadequate for the vast volume of business transacted.

The office of the United States marshal of the northern district of New York is located at Elmira. This district extends over 46 counties of the State, requiring the services of 17 field deputies and 5 clerks. The business is continually increasing, and should have adequate office accommodations.

The office of the deputy collector of internal revenue for the Sixth district is located at Elmira. The office is in charge of a deputy collector and the force consists of two deputies and a gauger. The receipts of the office are about $100,000 per annum, and are constantly increasing.

The importance of the postal and other Federal business at Elmira demands that there should be provided a convenient fireproof building, containing fireproof vaults, built expressly for Government purposes. It is believed that this can be done at an expenditure, including the cost of the site, of $185,000.

Your committee therefore recommends the passage of the bill.

Mr. COX. Mr. Chairman, I move to strike out the last word.

The CHAIRMAN. Does the gentleman from Nebraska yield to the gentleman from Tennessee?

Mr. MERCER. I yield to the gentleman from Tennessee for a question.

Mr. COX. Well, I rise for another purpose. I move to strike out the last word.

The CHAIRMAN. The gentleman from Nebraska yields to the gentleman from Tennessee five minutes.

Mr. COX. I am not satisfied with that Blair business yet and that Blair bill. [Laughter.]

Mr. MERCER. I can not understand the gentleman from Tennessee.

Mr. COX. I am going to make you understand me. Of course you have passed the bill for your Blair post-office.

Mr. MERCER. Now, I will say to the gentleman from Tennessee——

Mr. COX. Let me make my statement.

Mr. MERCER. I am always glad to listen to the gentleman from Tennessee.

Mr. COX. That is very kind.

Mr. MERCER. Always.

Mr. COX. And I am just as kind to you as I can be.
Mr. MERCER. Yes; always.
Mr. COX. Let me show you what you have done——
Mr. MERCER. It is too late now. If you will let me pass this bill——
Mr. COX. Oh, well, if it is too late, let us fix it. Your proposition is to erect a building there in your Congressional district costing forty or fifty thousand dollars——
Mr. MERCER. If the gentleman from Tennessee will permit me, if you will allow this bill that is now before the House to be laid aside with a favorable recommendation, in order to quiet all criticisms and all objections, I will ask unanimous consent of the Committee of the Whole House that House bill 6 be subrogated to all the rights and privileges of the Blair bill, and that the Blair bill be withdrawn from this Committee of the Whole.
Mr. COX. I have not another word to say. That is the way it ought to go.
The CHAIRMAN. The gentleman from Nebraska moves that the bill (H. R. 11861) be laid aside to be reported to the House with a favorable recommendation.
Mr. HANDY. Mr. Chairman, before that is done, I should like to ask the gentleman a question.
The CHAIRMAN. Does the gentleman from Nebraska yield to the gentleman from Delaware?
Mr. MERCER. I yield to the gentleman from Delaware.
Mr. HANDY. I should like to know how the public offices at Elmira are now accommodated. The report does not show.
Mr. MERCER. I defer to the gentleman from New York [Mr. GILLET].
Mr. GILLET of New York. The post-office is in a rented building, and the deputy collector of internal revenue and the United States marshal are also in a rented building.
Mr. HANDY. There is no public building in Elmira now belonging to the Government of the United States?
Mr. GILLET of New York. None whatever.
Mr. HANDY. Can the gentleman from New York inform the committee what these rented quarters now cost the Government?
Mr. GILLET of New York. I can not.
Mr. HANDY. What is this new building to cost?
Mr. GILLET of New York. One hundred and eighty-five thousand dollars.
Mr. HANDY. The report of the committee utterly fails to show what the Government is now paying for the accommodation of its servants in Elmira. It shows that we are asked to build a post-office costing $185,000, but it does not show, nor does the gentleman representing that district seem to know, how much the Government is now expending for the rent of the post-office, marshal's office, and the office of the deputy collector of internal revenue.
Mr. HICKS. About $2,800, if my friend will permit me.
Mr. MERCER. I should like to ask the gentleman from Delaware what is the population of the city of Wilmington, Del.?
Mr. HANDY. I refer the gentleman to the census report of the population.
Mr. MERCER. I have it not here.
Mr. HANDY. Wilmington, Del., has nothing to do with this bill at all.
A MEMBER. Dover.
Mr. HANDY. Dover has nothing to do with this bill at all.
Mr. MERCER. I will say that $375,000 was spent in Wilmington, Del., for a public building, and it is not near so large a town as Elmira.
Mr. HANDY. Does the gentleman think too much was spent at Wilmington, Del.?
Mr. MERCER. No; I do not think there was too much spent there.
Mr. HANDY. If there was too much spent in Wilmington, that would be no reason why we should spend too much in the city of Elmira. There seems to be a post-office at Elmira, with 28 employees. There are 22 letter carriers besides. I suppose the letter carriers largely do their work on the streets of Elmira and not in the post-office building. There are 28 employees in the post-office building. There is 1 deputy clerk's office, with a force of 2 deputies and a gauger; that is 3. There is a United States marshal there. Whether there is a deputy marshal the report does not set out. All told, there are about 30 employees. We are asked to house these 30 employees in a public building costing $185 000, taking the place of the building now rented, as a gentleman on the committee tells me, for $2,800.
Mr. MERCER. How much time does the gentleman from Delaware want? I should like to have some limit to the debate.
Mr. HANDY. I much prefer the gentleman to explain the bill. I am asking questions.
Mr. MERCER. The statement of the gentleman from New York, taken with the report, seems to me to explain the bill.
Mr. HANDY. It does not seem to be a very meritorious bill. [Cries of "Vote!"]

The CHAIRMAN. The question is on the motion of the gentleman from Nebraska.
The question was taken; and the Chairman announced that the ayes appeared to have it.
Mr. HANDY. Division.
The committee divided; and there were—ayes 90, noes none.
So the bill was ordered to be laid aside with a favorable recommendation.

PUBLIC BUILDING AT HOT SPRINGS, ARK.

Mr. MERCER. I now call up the bill (H. R. 1139) to provide for a building for the use of the post-office, office of the superintendent of the Hot Springs Reservation, and other civil offices in the city of Hot Springs, Ark.
The bill was read, as follows:

Be it enacted, etc., That the Secretary of the Treasury be, and he is hereby, authorized and directed to cause to be constructed on the permanent reservation owned by the United States at Hot Springs, in the State of Arkansas, and at such spot thereon as may be selected and set apart by the Secretary of the Interior and accepted by the Secretary of the Treasury for such purpose, a suitable building, with fireproof vaults, to be used for post-office, office of the superintendent of the Hot Springs Reservation, and other Government offices, not to exceed in cost the sum of $100,000, to be expended under the direction of the Secretary of the Treasury, who shall cause proper plans and estimates to be made, so that no expenditure shall be made or authorized for the full completion of said building beyond the amount herein specified.

The amendments recommended by the committee were read, as follows:

In line 12 strike out the words "one hundred" and insert in lieu thereof the word "seventy-eight," making the limit of cost $78,000.
In lines 10 and 11 strike out the words "office of the superintendent of the Hot Springs Reservation."
Amend the title so as to read: "A bill to provide for a building for the use of the post-office and other civil offices in the city of Hot Springs, Ark."

The amendments recommended by the committee were agreed to.
Mr. LITTLE. Mr. Chairman, the city of Hot Springs now has a population of more that 20,000 people and is one of the most remarkable health resorts in the world. The Government owns a large permanent reservation, including the famous Hot Springs, also owns a large amount of property in the city, and all this property will be greatly enhanced in value by the erection of this building.
It should not be forgotten that these thermal waters are the property of the Government and intended to be maintained and perpetuated as the common inheritance of afflicted mankind throughout the world. The great problem that confronts the scientific world as to how best to overcome disease and restore health and vigor is here solved by the wisdom of nature.
The wisest philosophers and most learned and scientific men of our age bow in mute silence in the presence of these wonderful waters. They stand where the aborigines stood centuries ago in wonderment at the incomparable blessing of nature and exhaustless kindness of the great Giver of all blessings.
Mr. Chairman, I speak not alone for my State and the city of Hot Springs. I speak for humanity. I speak for the suffering and afflicted wherever dispersed. I speak for the greatest Government in the world, which owns and controls these waters for the benefit of its own citizens, soldier and civilian, and invites the people of all countries to come and share its blessings. I speak in the name of hundreds and thousands who have been restored to health and vigor by the use of these waters.
Mr. Chairman, if our people only knew the everyday cures that occur at these springs, not a drop of the great daily supply of more than a million gallons of these wonderful waters would go to waste, but each gallon would add to the happiness of the suffering and afflicted people. If I could but impress upon this House and the country the history of the thousands who visit these springs burdened with disease, whose lives are darkened by the approaching shadows of death, and yet who, after receiving the benefit of these waters, return to their families and homes, restored in health, radiant with life, and buoyant with hope for the future, I would be a benefactor to my race and add much to the hopes of mankind.
Mr. Chairman, the city of Hot Springs entertains no jealousies toward other famous watering places and health resorts in this and other countries. She bids them all Godspeed, and standing as she does head and shoulders above them all, rests her case upon the generous endowments of nature, her splendid facilities for accommodations, and the unexcelled hospitality of her citizenship.
Mr. Chairman, by consent of the House, I will print certain documents giving information concerning the city of Hot Springs and her waters.
The following statement from the superintendent of the reservation—a Government officer—will be found of interest:

THE HOT SPRINGS.

The whole number of hot springs (73) have their source in the west side of Hot Springs Mountain, and excepting four are all arched over and secured and their waters piped away to supply the reservoirs and bath houses. Of the four open springs, the Hale spring and the Stevens spring have been properly and handsomely improved, and are much resorted to for hot drinking water. Some delay has been experienced in getting stone for the im-

provement of the Alum spring and the Dripping spring, but it is now on the ground and the improvement well under way. It is the intention to preserve all these as open springs, where the hot waters may be seen issuing from the ground.

The following table, showing the elevation and temperature of all the hot springs on the permanent reservation, is for reasons of general information continued from last report:

Springs on Hot Springs Mountain Reservation.

[Datum of levels: The lowest point on the Hot Springs Reservation, being on the east side, where the Hot Springs Railroad enters the same, approximates 500 feet above the tide water of the Gulf.]

No.	Temperature.	Elevation.	Character.
	Degrees.	*Feet.*	
1	77	91.4	Constant flow.
2	76	98.7	Do.
3	124	96	Do.
4	124	98.3	Do.
5	80	115.6	Do.
6	103	171.6	Do.
7	115	172.2	Do.
8	121.5	117.5	Do.
9	122	179.6	Do.
10	121.5	181.2	Do.
11	105	120	Do.
12	111	117.5	Do.
13	135.5	85.2	Do.
14	137	84.3	Do.
15	134	84.7	Do.
16	101	135.8	Do.
17	.....	140	Seepage.
18	93	158	Constant flow.
19	84	159.3	Do.
20	83	162.8	Do.
21	106	107	Do.
22	122	118.2	Do.
23	125	123.8	Do.
24	113	127.7	Do.
25	111	127.7	Do.
26	106	127.9	Do.
27	127.5	130.3	Do.
28	145	129.4	Do.
29	90	140.4	Do.
30	134.5	148.3	Do.
31	147	133.2	Do.
32	124	95.7	Do.
33	140	89.8	Do.
34	120	91.8	Do.
35	135	91.8	Do.
36	110	90.4	Do.
37	120	155.5	Do.
38	128	90.2	Do.
39	125.5	92.2	Do.
40	112	93.3	Do.
41	157	113.5	Do.
42[1]	.....	110.2	Do.
43	144	164.4	Do.
44[1]	.....	162.8	Do.
45	111	171.8	Do.
46[2]	.....	109.8	Do.
47	144.5	176.5	Do.
48	91	178.9	Do.
49	131	176.1	Do.
50	145	179.6	Do.
51	144	182.8	Do.
52	142	178.3	Do.
53	145.5	186.1	Do.
54	146	186.1	Do.
55	122	92.7	Do.
56	133	95.3	Do.
57	128	100.2	Do.
58[3]	.....	101.9	Do.
59	133	108	Do.
60	134.5	112.9	Do.
61	133	186.1	Do.
62	109	186.3	Do.
63	83	186.2	Do.
64	135	186.6	Do.
65	141	186.1	Do.
66	87	185.3	Do.
67[4]	.....	113	Intermittent.
68	131	85	Constant flow.
69	83	89.7	Do.
70	89	89.4	Do.
71	94	89.3	Do.
72	123	.....	Do.
73	129	.....	Do.

[1] Under Big Iron bath house.
[2] Under bath house on hill.
[3] Inaccessible; near Arsenic spring.
[4] In Arlington yard; flows after heavy rain; 134°.

The Government maintains a bath house for "indigent" persons, and I submit the following extract from the report of the superintendent for 1897, which shows the wonderful work being done for the very poor by the Government. And note the fact that 80 per cent of these desperate diseases are cured by these waters without other proper care and treatment.

The cures effected at the free bath house during the past fiscal year have been equal to if not greater than reported in 1896, while those using the baths have seemed to be more severely afflicted or in a more advanced state of disease than heretofore, a large majority being afflicted with scrofula, syphilis, or rheumatism, or some of the kindred diseases, and almost entirely dependent for medical advice and medicines on whatever they could get contributed by charitably inclined persons. As near as I have been able to determine by constant observation, 80 per cent of the indigent people using the free baths have been either cured or greatly benefited, which, under these conditions, is certainly a flattering testimonial to the value of the waters of these hot springs as a curative agent.

The whole number of baths given during the year was (estimated) 140,160, the average number given daily being shown by the following table:

Month.	White males.	White females.	Colored males.	Colored females.	Total.
1896.					
July	184	24	63	30	301
August	172	28	56	42	298
September	195	33	55	37	321
October	212	31	54	31	328
November	223	30	54	29	336
December	255	28	62	28	373
1897.					
January	270	25	59	27	381
February	299	35	70	26	421
March	339	31	87	40	497
April	321	43	105	51	520
May	247	48	92	61	448
June	230	37	82	40	388
Average per day for year	245	32	70	37	384

In conclusion, Mr. Chairman, I will print the following official facts prepared by the manager of the Hot Springs League:

HOT SPRINGS OF ARKANSAS—OFFICIAL INFORMATION ABOUT THIS FAMOUS HEALTH RESORT—THE ONLY WATERING PLACE OWNED, INDORSED, AND CONTROLLED BY THE UNITED STATES GOVERNMENT, AND FOR THIS REASON KNOWN AS THE AMERICAN CARLSBAD.

Hot Springs, Ark., is the only health resort owned, recognized, and controlled by the United States Government. On April 20, 1832, Congress set apart the present Hot Springs Reservation as a national sanitarium, and dedicated it "to the people of the United States" for all time, so for more than sixty years the Government authorities have superintended its conduct. The Interior Department has recently declared officially, through the public press, its purpose of developing Hot Springs into a resort of the highest class, and, under the system successfully employed at Carlsbad, Ems, Baden-Baden, and other European spas, making it the leading watering place of the Western continent. In furtherance of this policy, the handsome sum of $175,000 has been appropriated and is now being expended in improving and developing the magnificent natural attractions of the reservation. It is estimated that $500,000 more will be required to fully carry out the Government plans, which will be appropriated by Congress as needed.

THE CITY OF HOT SPRINGS.

Hot Springs, Ark., is a thriving, pleasantly located city of 20,000 resident population, situated near the geographical center of the State of Arkansas, 410 miles southwest of St. Louis, and 65 miles from Little Rock, the capital of the State. Statistics prove it to be the healthiest city in the world, with the lowest average death rate. It is reached quickly and comfortably by rail from every part of the country, and special excursion rates are made to visitors by all American railways. Any ticket agent will furnish all desired information regarding rates of fare, routes to be used, and train service.

Among other features, Hot Springs has 72 hot springs, 22 bath houses, 3 banks, the best of hotel accommodations, 2 daily newspapers, 19 churches, 15 schools, 16 livery stables, good markets, numerous retail establishments, active lodges of the leading secret and charitable organizations, the United States Army and Navy Hospital, the United States Government reservation of 838.7 acres, waterworks, electric lights and electric street railways, an excellent natural sewerage system, a good fire department and police system, and, in short, everything that goes to make up a modern enterprising town. The business portion of the city is of a substantial and permanent character. Many of the residences compare favorably with those of larger cities, and are pleasing evidences of the wealth and refinement which have found their way to this charming city of the Ozarks.

THE HOT WATERS AND THEIR USES.

The Hot Springs of Arkansas are situated upon the United States Government reservation and are under the supervision of the Secretary of the Interior. They are 72 in number, with a temperature of from 96° to 157° F., and a flow of half a million gallons daily.

It is an accepted theory with most practitioners that the wonderful virtue of the waters lies in their natural heat, which seems to possess peculiar, perhaps magnetic, qualities not characteristic of those of other warm springs or of waters artificially heated. For these reasons this water is not potable, loses its therapeutic qualities entirely when cooled, and is of no value whatever when bottled, either in its natural state or as a basis for patent medicines.

The waters of Hot Springs have been found invaluable in the cure of all forms of rheumatism and gouty conditions, troubles of the stomach, liver and kidneys, skin diseases, diseases of the blood, syphilis, etc., and are especially efficacious in nervous affections, particularly insomnia, nervous prostration, and la grippe, in barrenness in women, and in all the various other female complaints, including those consequent upon the change of life.

THE BATH HOUSES AND COST OF BATHING.

The bath houses, with few exceptions, are located on the Government Reservation Park, at the base of the Hot Springs Mountain, and occupy about three ordinary city blocks on Central avenue. They are of tasteful design, are surrounded by well-kept lawns, and are all equipped with porcelain tubs and the best modern appliances. They are supplied by gravity with the hot water from the springs on the mountain above, the distribution being made under the immediate supervision of a superintendent, appointed by the United States Government, which has also established rigid directions and regulations for the use of the baths.

Every visitor to Hot Springs takes the baths. If an invalid, he first undergoes a thorough examination by his physician, who issues instructions according to the requirements of the case, for the guidance of the patient and his attendant. These directions are usually to bathe from six to twenty minutes, with the water at a temperature of from 95° to 100° F., followed by from two to six minutes in the vapor room and five to twenty minutes in blankets, according to the time required to produce free perspiration. It is never safe for an invalid to use the baths without the advice of some reputable physician, as, should there be an affection of the heart or lungs, the result might be harmful. Those visitors who bathe simply as a luxury or for cleanliness will find the bath-house managements sufficiently experienced to regulate the conditions.

Government statistics show that out of a total of 486 cities and towns in the United States only five have as low a death rate as Hot Springs. There is only one city in British America having one as low, and none at all in England and continental Europe. The death rate in 1894 among the permanent

residents of Hot Springs was 7.74 per 1,000 inhabitants. When it is taken into consideration that a large percentage of citizens went there afflicted with disease and, being cured, have since made it their home, this low death rate seems all the more remarkable. The rate among the 50,000 annual visitors is very small, being only a little more than 1.1 per cent; and in nearly all cases of death among visitors the disease causing the same had reached such an advanced stage that recovery, even under the most favorable conditions and with the best medical attention, was an utter impossibility.

HOT SPRINGS AN ALL-YEAR-ROUND RESORT.

The impression has largely prevailed, especially through the North and East, that Hot Springs is purely a winter resort. This is due, doubtless, to its location in one of the Southern States. Nothing, however, could be more erroneous. In fact, it is as an all-the-year-round resort that Hot Springs is gaining its greatest fame. The warmest days are always tempered by the refreshing mountain breezes, which blow constantly, and the nights are invariably cool and pleasant. The highest temperature for the year 1895 was 94°, the lowest 23°, and the mean average for the year 72°. The total number of clear days was 208; of rainy days, 62 (an average of about 5 a month), and of cloudy days, without rain, 5.

Additional evidence that Hot Springs is a desirable summer as well as winter resort is found in the presence, during the months of June, July, and August of large numbers of the best Southern people from every section of the South who select this as their summer outing place in preference to resorts farther north.

An important adjunct to the baths is the drinking of the hot water. It is a well-known fact these waters are the only hot waters in America which can be drunk freely without causing nausea or constipation. This is due to the presence of carbonic-acid gas in large quantities, which renders the water both palatable and exhilarating.

The cost of the baths ranges from $4 to $10 per course of twenty-one baths, according to the class of accommodations furnished by the bath house selected. The attendant's fees are in all cases 10 cents for a single bath and $1.50 per course, payable weekly in advance. These charges are fixed by the United States Government, and any overcharge is illegal and unauthorized and should at once be reported to the superintendent.

HOTELS AND BOARDING HOUSES.

There is no other watering place in the country so well supplied with hotels and boarding houses as Hot Springs, or any place where hotel charges are more reasonable or where hotels and boarding houses are better conducted.

A visitor arriving in Hot Springs will find among its 500 hotels and lodging houses whatever sort of accommodations his purse or his pleasure may incline him to select, at rates ranging from $3.50 a week upward, and when he has settled in his temporary home he may feel reasonably sure of honorable and hospitable treatment while he remains.

If some of the smaller hotels or boarding houses are selected, even remote from the bath houses, the splendid system of electric street railways renders the distance of little consequence. The street-car service of Hot Springs is not surpassed by any of the large cities. Much courtesy and attention are shown by the employees to visitors, especially invalids, for whose convenience the cars are stopped in any part of the street.

A list of hotels and boarding houses from which accommodations may be selected at prices varied enough to suit the convenience of about all classes of persons will be mailed to any person writing for same.

H. DURAND,
Manager Hot Springs League.

Mr. MERCER. I move that the bill as amended be laid aside with a favorable recommendation.

The motion was agreed to.

PUBLIC BUILDING AT FITCHBURG, MASS.

Mr. MERCER. I now call up the bill (H. R. 521) for the erection of a public building at Fitchburg, Mass.

The bill was read, as follows:

Be it enacted, etc., That the Secretary of the Treasury be, and he is hereby, authorized and directed to purchase, acquire by condemnation, or otherwise provide a site and cause to be erected thereon a substantial and commodious building with fireproof vaults, for the use and accommodation of the post-office and for other Government uses at Fitchburg, Mass. The site and building thereon, when completed upon plans and specifications to be previously made and approved by the Secretary of the Treasury, shall not exceed in cost the sum of $200,000; nor shall any site be purchased until estimates for the erection of a building which will furnish sufficient accommodation for the transaction of the public business, and which shall not exceed in cost the balance of the sum herein limited after the site shall have been purchased and paid for, shall have been approved by the Secretary of the Treasury; and no purchase of site nor plan for said building shall be approved by the Secretary of the Treasury involving an expenditure exceeding the said sum of $200,000 for site and building; and the site purchased shall leave the building unexposed to danger from fire by an open space of at least 40 feet, including streets and alleys: *Provided*, That no part of said sum shall be expended until a valid title to the said site shall be vested in the United States, nor until the State of Massachusetts shall cede to the United States exclusive jurisdiction over the same, during the time the United States shall be or remain the owner thereof, for all purposes except the administration of the criminal laws of said State and the service of civil process therein.

Mr. MERCER. I ask for a vote on the amendments recommended by the committee.

Mr. DOCKERY. I ask that the report be read.

The report (by Mr. WEYMOUTH) was read, as follows:

The Committee on Public Buildings and Grounds, to whom was referred the bill (H. R. 521) for the erection of a public building at Fitchburg, Mass., submit the following report:

Fitchburg is one of the most prosperous of the manufacturing cities of Massachusetts. Its population, of less than 12,000 in 1880, has grown to nearly 30,000 in 1897, while the postal receipts for the fiscal year 1896-97 were $40,689.43. The postal receipts for the year 1888 were $26,222.50; for 1894-95 were $35,129.72, showing a net increase in 1897-97 of $5,260.71. The money orders issued from the Fitchburg office in 1888 were: Domestic, 4,165, foreign, 757; in 1892, domestic, 4,633, and foreign, 1,281; in 1896-97, domestic, 8,669; foreign, 1,340. The domestic money orders paid in 1888 were 3,247, foreign, 72; in 1892, domestic, 4,000, foreign, 88; in 1896-97, domestic, 5,772; foreign, 180.

Twenty-five post-offices deposit their money-order funds at the Fitchburg office. The extraordinary ratio of postal receipts, money orders issued and money orders paid, to population, being here, as almost invariably, an index of its business enterprise and interests.

The extent of the public business at Fitchburg justifies and public convenience in transacting it requires the erection of a public building at Fitchburg. Your committee believe this can be done at a total expense of not to exceed $100,000, and that delay will involve great increase in this cost in the high price which it will be necessary to pay for a suitable site if such is not now secured. The present quarters are totally inadequate and much inconvenience is experienced by the citizens of the city, while the rapid growth shown here justifies, in the opinion of your committee, early action on this bill.

Your committee therefore report back the bill and recommend that it be passed with the following amendments:

Strike out the words "two hundred" where they appear on pages 1 and 2 and insert in lieu thereof the words "one hundred," so that limit of cost for site and building shall be $100,000.

On page 2 strike out all words after the word "alleys," in line 24.

Mr. MERCER. I ask for a vote on the amendments.

The amendments recommended by the committee were agreed to.

Mr. MERCER. I move that the bill as amended be laid aside with a favorable recommendation.

The motion was agreed to.

PURCHASE OF SITE AND ERECTION OF PUBLIC BUILDING AT NEW BRUNSWICK, N. J.

Mr. MERCER. I now call up the bill (H. R. 11883) for the purchase of a site and the erection of a public building thereon in the city of New Brunswick, N. J.

The bill was read, as follows:

Be it enacted, etc., That the Secretary of the Treasury be, and he is hereby, authorized and directed to purchase, or acquire by condemnation or otherwise, a suitable lot of land in the city of New Brunswick, in the county of Middlesex and State of New Jersey, and cause to be erected on the land so purchased or acquired a building, including fireproof vaults, heating and ventilating apparatus, and approaches, for the use and accommodation of the United States post-office and other Government offices and purposes in that city, the cost of said site and building, including said vaults, heating and ventilating apparatus, and approaches, complete, not to exceed the sum of $100,000. That said building, when completed, shall be protected by an open space of not less than 40 feet on every side thereof, including streets and alleys. That it shall be the duty of the Secretary of the Treasury, after the site for the said building shall have been purchased, to cause a plan and specifications of said building to be prepared, which plan and specifications shall not require or involve an expenditure in the erection and completion of said building, including said vaults, heating and ventilating apparatus, and approaches, complete, exceeding the sum that shall remain after the site of said building shall have been paid for. That no plans or specifications for said building shall be approved by the Secretary of the Treasury which shall require or involve an expenditure exceeding the amount herein limited, nor shall the erection of said building be commenced until after such plans and specifications and full estimate therefor shall have been previously made and approved according to law.

Mr. DOCKERY. Let us have the report read, Mr. Chairman.

Mr. MERCER. I suggest that the report be read, Mr. Chairman.

The report (by Mr. HOWELL) was read, as follows:

The Committee on Public Buildings and Grounds, to whom was referred the bill (H. R. 11883) entitled "A bill for the purchase of a site, and the erection of a public building thereon, in the city of New Brunswick, N. J.," etc., having had the same under consideration, report as follows:

New Brunswick is a prosperous and progressing manufacturing city of close to 21,000 inhabitants. It holds a position of prominence in the State as an educational center, having within its domain Rutgers College, founded more than one hundred and thirty-two years ago; the Theological Seminary of the Reformed Church of America; and a number of high-grade private educational institutions, together with an excellent public-school system. Located on the main line of the Pennsylvania Railroad, 30 miles from New York and 60 miles from Philadelphia, the terminus of the Raritan River Railroad, and the Delaware and Raritan Canal as well, and at the head of navigation on the Raritan River, it affords excellent shipping facilities for manufacturing concerns. It is the county seat of Middlesex County, and, being connected with the neighboring towns of Bound Brook, Metuchen, Milltown, and South River by an excellent trolley system, it promises to become a city of great importance as a manufacturing center.

At the present time some of the most important industrial plants in New Jersey are located at New Brunswick. Among those are the Norfolk and New Brunswick Hosiery Company; the United States Rubber Company; the Brunswick Bicycle Tire Company; two important branches of the National Wall Paper Company (Janeway & Carpender and Janeway & Co.); Johnson & Johnson, manufacturing chemists; the National Musical String Company; John Waldron, a large and extensive manufacturer of wall-paper machinery; the Beacon Lamp Company, manufacturers of electric lights; several leather, boot and shoe factories, a large stove foundry, several foundries and machine shops, and numerous smaller manufacturing concerns, which contribute largely to the aggregate yearly business of the post-office.

For some years the business of the New Brunswick post-office has been transacted in quarters entirely inadequate for the amount of business done, and far from being in accord with the importance of the office. The records of the office for the past ten years are an indisputable argument in favor of improved and adequate facilities for handling the continually increasing volume of business. The gross receipts for the ten years ending with the fiscal year of 1898 were $321,732.85, and the expenditures for the same period were $145,706.45, making the net income of the office for that period $176,026.40. As shown in the accompanying statement, the increase in the net income for the year 1898 over that of 1897 was $5,264.22. This extraordinary showing is an index to the activity and enterprise of the business interests of the city, and each succeeding year will doubtless show a corresponding and perhaps larger increase in the volume of the business of the office.

Your committee respectfully recommend that the bill do pass.

Fiscal year.	Receipts.	Expenditures.	Net revenue.
1889	$22,539.50	$10,648.77	$11,890.73
1890	22,030.70	12,686.81	9,343.89
1891	31,768.84	13,164.69	18,604.15
1892	31,655.39	13,137.37	18,518.02
1893	31,705.87	14,850.43	16,855.44
1894	35,043.14	15,691.58	19,351.56
1895	35,949.71	15,997.27	19,952.44
1896	35,951.45	16,541.86	19,409.59
1897	34,851.93	16,433.75	18,418.18
1898	40,236.32	16,553.92	23,682.40
Total	321,732.85	145,706.45	176,026.40

RECAPITULATION.

Receipts	$321,732.85
Expenditures	145,706.45
Net revenue	176,026.40

Mr. MERCER. I move that the bill be laid aside with a favorable recommendation.

Mr. HANDY. Pending that motion, I would like to get some information from the gentleman from Nebraska.

The CHAIRMAN. Does the gentleman from Nebraska yield to the gentleman from Delaware?

Mr. MERCER. I always yield to the genial gentleman from Delaware.

Mr. HANDY. I make this request because after reading the report I fail to get any information. The report, like all these reports that I have examined, contains a very beautiful and poetical description of things that have nothing to do with a public building.

Mr. MERCER. I will state to the gentleman from Delaware that I am inclined to think we have pursued a custom that has been followed for a number of years. It is the same custom that was pursued with reference to Dover, Del., a town of 3,000 inhabitants, for which a public building costing over $70,000 was provided. The poetry is going right along.

Mr. HANDY. The building at Dover has been a monument pointed out for years as an example of an extravagant and unjustifiabie expenditure of public money. While the gentleman has referred to that sort of thing, I wonder he points to Delaware.

Mr. BRUCKER. Were you responsible for that appropriation?

Mr. HANDY. I am not responsible for things done when I wore short breeches.

Mr. HICKS. Do you disapprove of that appropriation?

Mr. HANDY. I have explained that it was not entirely justifiable. There is the town of Dover, a city with nothing in the nature of Federal business but a post-office, and there stands a building for which $70,000 of the people's money was appropriated.

Mr. MERCER. It is the capital of the State, is it not?

Mr. HANDY. The fact that it is the capital of the State is no sufficient reason why we should waste the people's money at that place. The fact that the capitol is located at Dover is no more reason why there should be a public building there than the fact that Rutgers College is located at New Brunswick is a sufficient reason for erecting a public building at New Brunswick.

Mr. HICKS. How much did the capitol at Dover cost?

Mr. HANDY. The capitol building cost a few thousand dollars.

Mr. HICKS. Does not the gentleman know how much it cost?

Mr. HANDY. Why, it was built away back in the old colonial days.

Mr. HOPKINS. Then the gentleman ought to remember. [Laughter.]

Mr. COOPER of Texas. Why does not the gentleman from Delaware [Mr. HANDY] have the public building in Dover condemned and sold, if it is of no use?

Mr. HANDY. Mr. Chairman, it is no answer to questions about this bill for the gentleman to bring up what was done a generation ago at Dover. It is not an answer to the proposition that we are wasting public money for the gentleman from Texas [Mr. COOPER] to get up with the absurd proposition that I introduce a bill to condemn and sell the public building at Dover, Del.

Mr. COOPER of Texas. Well, if it is useless and unnecessary, it ought to be sold and the money covered into the Treasury for other beneficial purposes.

Mr. HANDY. Perhaps the gentleman from Texas [Mr. COOPER] wants the money so that he can turn over something more to the Southern Book Concern, which got such a large grab here, one-third of which went to the lobbyists.

Mr. COOPER of Texas. Did not the gentleman from Delaware vote for that bill? [Cries of "Vote!" "vote!"]

Mr. HANDY. I ask the gentleman from Nebraska [Mr. MERCER] whether the only argument he has to advance for the bill is this cry of "Vote!" "Vote!" "Vote!" that I hear all around me?

Mr. MERCER. I have not said "Vote" since I have been on the floor.

Mr. HANDY. Well, the gentlemen who occupy much of the time on the floor are using it to cry "Vote!" "Vote!" "Vote!"

Mr. MERCER. I have not heard the gentleman from Delaware say "Vote" yet. [Laughter.] Mr. Chairman, I move that the bill be laid aside with a favorable recommendation.

Mr. HANDY. Is it possible that I am to be shut off without asking my question? [Laughter.]

Mr. MERCER. I thought the gentleman was through.

Mr. HANDY. Through? I have not asked my first question yet.

Mr. MERCER. What is it?

Mr. HANDY. My first question is whether——

Mr. BRUCKER. I think the gentleman had better recur again to Dover.

Mr. HANDY (continuing). Are there any Federal courts situated at New Brunswick?

Mr. MERCER. I understand from the gentleman from New Brunswick [Mr. HOWELL] that there are not.

Mr. HANDY. Any collector of internal revenue there?

Mr. HOWELL. There is no office there.

Mr. HANDY. Is there a United States marshal there?

Mr. MERCER. Let the gentleman from New Jersey [Mr. HOWELL] answer. He lives there.

Mr. HOWELL. We have no United States marshal there.

Mr. HANDY. And nothing to provide a building for except the post-office?

Mr. HOWELL. We have an agricultural college there, and——

Mr. HANDY. The gentleman means the experimental station under the Hatch bill. Are you building a post-office to put the experimental station in?

Mr. HOWELL. No; but the post-office does a large amount of business for that institution.

Mr. HANDY. What are the charges to-day for the postal facilities, the rental charges?

Mr. HOWELL. Nine hundred dollars per annum.

Mr. HANDY. And it is proposed to put in place of that a building which will cost $100,000, and the very janitor to take care of this building when completed will cost the Government of the United States almost as much as the Government now pays for rent.

Mr. HOWELL. I will say to the gentleman from Delaware that we have at this time very poor post-office facilities, entirely inadequate for the business that is done there. The population is about 23,000. The net revenue for the office in 1898 was $27,000.

Mr. HANDY. What is the present population?

Mr. HOWELL. Twenty-three thousand.

Mr. MERCER. The gentleman has stated that before.

Mr. HANDY. Perhaps, but the gentleman is speaking in such a confidential tone that I could not hear him.

Mr. HOPKINS. The manner of the gentleman from Delaware is so aggressive that it intimidates him. [Laughter.]

Mr. HANDY. I am still ignorant of the population.

Mr. MERCER. The gentleman from New Jersey [Mr. HOWELL] says it is 23,000.

Mr. HANDY. That is $5 apiece for every man, woman, child, and yellow dog in the city. [Laughter.]

Mr. MERCER. The net revenue inside of five years will pay for the building.

Mr. HANDY. The gross receipts here, as stated in the report, are only about $32,000.

Mr. MERCER. I beg the gentleman's pardon, about $40,000.

The bill was laid aside to be reported to the House with a favorable recommendation.

PUBLIC BUILDING AT NEW IBERIA, LA.

The next business was the bill (H. R. 11314) to provide for a public building at New Iberia, La.

The bill was read, as follows:

Be it enacted, etc., That the Secretary of the Treasury be, and he is hereby, authorized and directed to purchase, acquire by condemnation, or otherwise provide a site and cause to be erected thereon a substantial and commodious building, with fireproof vaults, for the use and accommodation of the post-office and other Government offices at the city of New Iberia, La. The site and building thereon, when completed upon plans and specifications to be previously made and approved by the Secretary of the Treasury, shall not exceed in cost the sum of $50,000, nor shall any site be purchased until estimates for the erection of a building which will furnish sufficient accommodations for the transaction of the public business, and which shall not exceed in cost the balance of the sum herein limited after the site shall have been purchased and paid for, shall have been approved by the Secretary of the Treasury, and no purchase of site nor plan for said building shall be approved by the Secretary of the Treasury involving an expenditure exceeding the sum of $50,000 for site and building; and the site purchased shall leave the building unexposed to danger from fire by an open space of at least 40 feet, including streets and alleys: *Provided*, That no part of said sum shall be expended until a valid title to the said site shall be vested in the United States, nor until the State of Louisiana shall cede to the United States exclusive jurisdiction over the same, during the time the United States shall be or remain the owner thereof, for all purposes except the administration of the criminal laws of the said State and the service of civil process therein.

Mr. DOCKERY. Let the report be read.

Mr. MERCER. The gentleman from Missouri requests that the report be read. I have no objection.

The report (by Mr. BROUSSARD) was read, as follows:

The Committee on Public Buildings and Grounds, to whom was referred the bill (H. R. 11314) providing for the erection of a public building at New Iberia, La., have had the same under consideration and make the following report:

New Iberia is a city of about 10,000 inhabitants. It is the county seat of Iberia Parish. It has more than tripled its population since the census of 1890, and has rapidly grown both in wealth and population. Extensive sawmills, sugar factories, and other manufacturing interests are situated there, a great part of which have just been completed.

The recent construction of a large sugar refinery in the immediate suburbs of the town, with an enormous capacity, in addition to one previously in existence, and 15 other sugar factories within a radius of 10 miles, all of which, without exception, have largely increased their capacity within the last six months, have brought to that town and are now bringing continual large additions to the population.

New Iberia is the center of the Teche Valley, wherein is raised nearly one-third of the entire sugar output of the State of Louisiana. The post-office at that place has been kept in different rented buildings, having been moved

from year to year, and most of the time in insecure frame buildings, which has greatly prevented the transaction of mail matters involving the deposit of money. Within the last ten months the building occupied as the post-office burned down, and it has been moved twice since that time.

New Iberia is on the main line of the Southern Pacific Railroad, which has recently established it as the shipping point for the large territory lying between it and the head of the Teche, freight being carried there by regular lines of steamboats, which will of necessity largely increase the business at that point. A branch railroad runs from New Iberia into the interior, taking to that town the salt from the large salt deposits along the Gulf coast. A new railroad is projected to run from that point to the Gulf, and plans have just been completed to establish another large sugar factory there. A canal projected lately, to extend from New Iberia to the Gulf, is now being surveyed, and soon work will begin. This canal is to be navigable at all seasons of the year, and will place the large oyster beds lining the Gulf coast a distance of 10 miles to New Iberia. It is calculated that oyster and dry shrimp factories will be established at that point, which will double, perhaps, both the population and business of that town.

New Iberia is the distributing point for nine other post-offices.

The necessity for the construction of this building is plain.

Your committee therefore recommend the passage of this bill with the following amendment:

Strike out all after the word "alleys," in line 9, page 2, and substitute a period for the colon immediately following the said word "alleys."

The amendment reported by the committee was read, as follows:

Strike out all after the word "alleys," in line 9, page 2, and substitute a period for the colon immediately following the word "alleys."

Mr. DOCKERY. I desire to ask whether there is any Federal court at this place?

Mr. BROUSSARD. No, sir; there is no Federal court at that point; in fact, there is nothing but a post-office there.

Mr. DOCKERY. No collector's office?

Mr. BROUSSARD. No, sir.

Mr. DOCKERY. What is the population?

Mr. BROUSSARD. About 10,000. We have more than trebled our population within the last eight or nine years. The census of 1890 gave the population as 3,200.

Mr. McDOWELL. Three thousand four hundred.

Mr. BROUSSARD. A census is now being taken, and while it is not completed, it shows that more than 10,000 people live in that city.

Mr. LOW. And it is rapidly growing.

Mr. BROUSSARD. Yes, sir. There is now in course of construction there an exceedingly large sugar factory; also a large rice mill. The rice industry is being developed in that section of the country.

Mr. McDOWELL. A recent report of the Post-Office Department shows that there is in that town a third-class post-office.

Mr. BROUSSARD. I will state that this town is a distributing point for three star-route offices and six railroad offices, besides which there has been opened within the last three or four days—since the writing of the report to which the gentleman refers—a new railroad, with a terminus at that point. There is an application for half a dozen post-offices on that road, the mail of all of which will be distributed from that point. The returns from the registry department show that over two-thirds of all registered packages that go through that office come from these other offices whose distributing point it is.

Mr. DOCKERY. What is the limit of cost as fixed in the bill?

Mr. BROUSSARD. Fifty thousand dollars. [Cries of "Vote!" "Vote!"]

The amendment of the committee was agreed to, and the bill as amended was laid aside to be favorably reported.

PUBLIC BUILDING AT BLUEFIELD, W. VA.

The next business was the bill (H. R. 5974) to provide for the purchase of a site and the erection of a building thereon at Bluefield, in the State of West Virginia.

The bill was read, as follows:

Be it enacted, etc., That the Secretary of the Treasury be, and he is hereby, authorized and directed to acquire, by purchase, condemnation, or otherwise, a site, and cause to be erected thereon a suitable building, including fireproof vaults, heating and ventilating apparatus, elevators, and approaches, for the use and accommodation of the United States post-office and other Government offices, in the city of Bluefield and State of West Virginia, the cost of said site and building, including said vaults, heating and ventilating apparatus, elevators, and approaches, complete, not to exceed the sum of $75,000.

Proposals for the sale of land suitable for said site shall be invited by public advertisement in one or more of the newspapers of said city of largest circulation for at least twenty days prior to the date specified in said advertisement for the opening of said proposals.

Proposals made in response to said advertisement shall be addressed and mailed to the Secretary of the Treasury, who shall then cause the said proposed sites, and such others as he may think proper to designate, to be examined in person by an agent of the Treasury Department, who shall make written report to said Secretary of the results of said examination, and of his recommendation thereon and the reasons therefor, which shall be accompanied by the original proposals and all maps, plats, and statements which shall have come into his possession relating to said proposed sites.

If, upon consideration of said report and accompanying papers, the Secretary of the Treasury shall deem further investigation necessary, he may appoint a commission of not more than three persons, one of whom shall be an officer of the Treasury Department, which commission shall also examine the said proposed sites, and such others as the Secretary of the Treasury may designate, and grant such hearings in relation thereto as they shall deem necessary; and said commission shall, within thirty days after said examination, make to the Secretary of the Treasury written report of their conclusion in the premises, accompanied by all maps, statements, plats, or documents taken by or submitted to them, in like manner as hereinbefore provided in regard to the proceedings of said agent of the Treasury Department; and the Secretary of the Treasury shall thereupon finally determine the location of the building to be erected.

The compensation of said commissioners shall be fixed by the Secretary of the Treasury, but the same shall not exceed $6 per day and actual traveling expenses: *Provided, however*, That the member of said commission appointed from the Treasury Department shall be paid only his actual traveling expenses.

No money shall be used for the purpose mentioned until a valid title to the site of said building shall be vested in the United States, nor until the State of West Virginia shall have ceded to the United States exclusive jurisdiction over the same, during the time the United States shall be or remain the owner thereof, for all purposes except the administration of the criminal laws of said State and the service of civil process therein.

The building shall be unexposed to danger from fire by an open space of at least 40 feet on each side, including streets and alleys.

The amendments reported by the committee were read, as follows:

Strike out the word "elevators" wherever it appears in the bill.

In line 13, page 1, strike out the word "seventy-five" and insert in lieu thereof the word "forty-five."

Strike out all after the word "expenses," in line 11, page 3, and up to and including the word "therein," in line 19, page 3.

Mr. HANDY. I ask for the reading of the report.

Mr. MERCER. I ask that the report be read.

The report (by Mr. DORR) was read, as follows:

The Committee on Public Buildings and Grounds, to whom was referred the bill (H. R. 5974) for the erection of a public building at Bluefield, W. Va., and appropriating money therefor, have had the same under consideration and report as follows:

Bluefield is a city that has sprung up in a few years and become the most important in the point of commercial activity in southern West Virginia. It is situated at the junction of the Pocahontas, Radford and Clinch Valley division of the Norfolk and Western Railway.

There were weighed, handled, and billed at Bluefield during the month of December, 1897, an average of 25,000 tons of coal and coke per day. In addition to this a large amount of cattle, lumber, and other through and local freight has to be handled at Bluefield, requiring the employment of a large number of men and necessitating a yard with 35 miles of track within the corporate limits of the city.

Bluefield has several large wholesale houses, banks, iron works, lumbering plants, flouring mills, two daily and three weekly papers, besides a large number of retail stores of all kinds.

The city has a handsome brick city hall, street lights, telephone system, and an ample water supply.

One State institution for colored people is located here. This institution was established by the State as a normal school for the colored people of the State and is kept up by the State.

The population of the city in 1896 was 7,280. The estimated population for 1898 was about 8,000.

The following data, showing the post-office receipts, show how remarkable the growth has been:

1887	$50.20
1892	4,192.80
1897	9,916.16

In ten years 20,538 per cent advance.

The present post-office building, which is rented by the Government, is totally inadequate for the service.

A lot on which to erect the building can now, we are reliably informed, be obtained at a very reasonable sum, and in view of the rapid growth of the place, its commercial importance, and the inadequacy of the present rented quarters, we think the best interests of the Government will be subserved by the erection of a public building at Bluefield.

Your committee recommend the passage of the bill with the following amendments:

Strike out the word "elevators" wherever it appears in the bill.

In line 12, page 1, strike out the word "seventy-five" and insert in lieu thereof the word "forty-five."

Strike out all after the word "expenses," in line 11, page 3, and up to and including the word "therein," in line 19, page 3.

Mr. HANDY. I should like a little time to discuss this bill.

Mr. MERCER. How much time would the gentleman desire?

Mr. HANDY. I should like ten minutes.

Mr. MERCER. Oh, the gentleman surely does not desire that much time.

Mr. HANDY. Otherwise I shall try to obtain the floor in my own right.

The CHAIRMAN. Does the gentleman from Nebraska yield to the gentleman from Delaware for ten minutes?

Mr. MERCER. I do.

Mr. HANDY. Mr. Chairman, this happens to be a report that tells something about the town at which the proposed public building is to be erected. It tells us that this is a new town—a town which has not been in existence more than ten years.

In 1887 the town of Bluefield, W. Va., had postal receipts amounting to $50.20. It was a mere crossroads office. All that there is now at this place has been created in the last ten years. It is in the pine-shanty state of development as yet. Still it comes to the House of Representatives, before it is ten years old, and asks for a public building to cost $75,000. The committee has recommended cutting down the amount to $45,000. Sir, there are villages and towns larger than this, with more public business going on than at this place—towns two hundred years old—that have no public building, yet by the peculiar system of selection adopted here, a system too deep for any ordinary mind to understand, this committee has picked out Bluefield, the bantling Bluefield, the baby Bluefield, before it has come to the brick-and-mortar stage of life, and proposes to erect there a handsome public building. Why? Because—

There were weighed, handled, and billed at Bluefield, during the month of December, 1897, an average of 25,000 tons of coal and coke per day.

In the name of all that is sensible, what has the handling of coal and coke per day got to do with a public building costing $45,000? Yet that is one of the reasons advanced for the erection of this public building. Here is another:

In addition to this, a large amount of cattle, lumber, and other through and local freight has to be handled at Bluefield.

Do gentlemen propose to erect a manger in this public building, a crib out of which to feed cattle? Is this building to be an annex of a lumber yard at Bluefield; and are we to spend $45,000 of the public money there because cows change cars there and lumber has to be transferred from one float to another? Ah, "Thou reasonest well, Horatio!" [Laughter.]

Bluefield has several large wholesale houses.

That is an important feature of the report. [Laughter.]

Mr. MADDOX. Three is "several."

Mr. HANDY. Yes; two is several, and two is all that the town possesses, if I can read through the lines, because if there had been three the report would say "many wholesale houses." [Laughter.]

It has lumbering plants, flouring mills, two daily and three weekly papers.

These papers are molding the public opinion of the nation, I presume. Their importance undoubtedly induced the committee to report a sum of $45,000 to be expended by the Government for a public building there.

Why, there are "three weekly papers there," and of course each one will get a proportional share of the appropriation. But this report goes on to tell us that Bluefield has—

Besides a large number of retail stores of all kinds.

There is, no doubt, to be found there a shoe store, perhaps a tin shop, and possibly retail stores of all kinds in this young and growing town. These have doubtless induced the gentlemen of the committee to bring in a bill appropriating $45,000 for its public building.

But, Mr. Chairman, we must go further than that. It seems that there is even "a brick building" in the town. [Laughter.] The report gravely informs us:

The city has a handsome brick city hall.

So important is that fact in the estimation of the committee that they have reported that building to the House—the city hall is built of brick—in order that when the Government puts up a handsome stone building at a cost of $45,000 to the taxpayers of this country it will not be entirely lonely and alone, but can throw its kisses across the street to the "handsome brick building" of the city hall. [Laughter.]

But this report goes further. This report puts this matter upon a question of State importance. We are informed that—

There is one State institution for colored people located here. This institution was established by the State as a normal school for the colored people of the State, and is kept up by the State.

The population of the city in 1896 was 7,280. Come, ye cities of 100 years of age, come all of you with a population of 7,280 or more, and put in your application for your public buildings without delay!

But, Mr. Chairman, by induction we can ascertain at last a reason for this building. It is reported here to keep the building at Blair from being isolated and lonely in its unworthiness. The gentleman from Nebraska does not want to bring in a series of bills in which the town of Blair will stand alone in its peculiarities.

Mr. MERCER. Both of them—both Blair and Bluefield—are larger than the town of Dover, Del. [Laughter.]

Mr. HANDY. Here comes my friend from Nebraska back again at Dover. My friend is determined that he shall have no higher place as a distributer of public buildings than that which was enjoyed by the chairman who submitted the bill for the construction of the building at Dover.

A MEMBER. Where is Dover, anyway? [Laughter.]

Mr. HANDY (continuing). Dover has an excuse, at all events, that can not be given in this case.

Mr. SIMPSON. What is that?

Mr. HANDY. Dover is the capital of a State. I would like to ask of what State Blair is the capital?

Mr. MERCER. Of Washington County.

Mr. HANDY. Of the State of "Mercer" no doubt. [Laughter.] It is therefore entitled to a public building.

But the gentleman from Nebraska, in response to my distinguished friend from Tennessee [Mr. COX] a few moments ago, made a promise, and I wish to quote from my learned friend his exact language in that respect.

He said:

Mr. MERCER. If the gentleman from Tennessee will permit me, if you will allow this bill that is now before the House to be laid aside with a favorable recommendation, in order to quiet all criticism and all objections, I will ask unanimous consent of the Committee of the Whole House that House bill 6 be subrogated to all the rights and privileges of the Blair bill, and that the Blair bill be withdrawn from this Committee of the Whole.

Mr. COX. I have not another word to say. That is the way it ought to go.

And when the gentleman from Nebraska fulfills his promise, and the bill is withdrawn, to which reference is made there, then the Bluefield bill will stand alone in its bare, naked, unjustifiable character before the country.

Is it possible, Mr. Chairman, that the members of this House propose to give to Bluefield, a new mining town with one brick building, a public structure at a cost of $45,000, to be paid for by the people of the nation?

I believe that is all I care to submit at the present time.

Mr. MERCER. I ask a vote on the bill and amendments.

The question being taken on the amendments recommened by the committee, they were agreed to.

Mr. MERCER. Mr. Chairman, I move that the bill be laid aside, as amended, to be reported to the House with a favorable recommendation.

The question was taken; and on a division (demanded by Mr. HANDY) there were—ayes 87, noes 16.

So the motion was agreed to.

PUBLIC BUILDING, JOLIET, ILL.

Mr. MERCER. Mr. Chairman, I call up the bill (H. R. 10962) to provide for the purchase of a site and the erection of a public building thereon at Joliet, in the State of Illinois.

The bill was read, as follows:

Be it enacted, etc., That the Secretary of the Treasury be, and he is hereby, authorized and directed to acquire, by purchase, condemnation, or otherwise a site, and cause to be erected thereon a suitable building, including fireproof vaults, heating and ventilating apparatus, elevators, and approaches, for the use and accommodation of the United States post-office and other Government offices, in the city of Joliet and State of Illinois, the cost of said site and building, including said vaults, heating and ventilating apparatus, elevators, and approaches, complete, not to exceed the sum of $150,000.

Proposals for the sale of land suitable for said site shall be invited by public advertisement in one or more of the newspapers of said city of largest circulation for a least twenty days prior to the date specified in said advertisement for the opening of said proposals.

Proposals made in response to said advertisement shall be addressed and mailed to the Secretary of the Treasury, who shall then cause the said proposed sites, and such others as he may think proper to designate, to be examined in person by an agent of the Treasury Department, who shall make written report to said Secretary of the results of said examination, and of his recommendation thereon, and the reasons therefor, which shall be accompanied by the original proposals and all maps, plats, and statements which shall have come into his possession relating to the said proposed sites.

If, upon consideration of said report and accompanying papers, the Secretary of the Treasury shall deem further investigation necessary, he may appoint a commission of not more than three persons, one of whom shall be an officer of the Treasury Department, which commission shall also examine the said proposed sites, and such others as the Secretary of the Treasury may designate, and grant such hearings in relation thereto as they shall deem necessary; and said commission shall, within thirty days after such examination, make to the Secretary of the Treasury written report of their conclusions in the premises, accompanied by all statements, maps, plats, or documents taken by or submitted to them, in like manner as hereinbefore provided in regard to the proceedings of said agent of the Treasury Department; and the Secretary of the Treasury shall thereupon finally determine the location of the building to be erected.

The compensation of said commissioners shall be fixed by the Secretary of the Treasury, but the same shall not exceed $6 per day and actual traveling expenses: *Provided, however*, That the member of said commission appointed from the Treasury Department shall be paid only his actual traveling expenses.

No money shall be used for the purpose mentioned until a valid title to the site for said building shall be vested in the United States, nor until the State of Illinois shall have ceded to the United States exclusive jurisdiction over the same, during the time the United States shall be or remain the owner thereof, for all purposes except the administration of the criminal laws of said State and the service of civil process therein.

The building shall be unexposed to danger from fire by an open space of at least 40 feet on each side, including streets and alleys.

The Committee on Public Buildings and Grounds recommended the following amendments:

In line 5, page 1, strike out the words "cause to be erected thereon a" and insert in lieu thereof the words "to contract for the erection and completion thereon of a."

In line 12, page 1, strike out the words "and fifty."

Strike out the word "elevators" in the bill.

Strike out all after the word "expenses," in line 11, page 3, and up to and including the word "therein," in line 18, page 3.

Mr. MERCER. I ask for a vote on the committee amendments.

Mr. DOCKERY. I ask for the reading of the report.

Mr. MERCER. I thought that the report had been read. I ask that the report be read.

The report (by Mr. MERCER) was read, as follows:

The Committee on Public Buildings and Grounds, to whom was referred the bill (H. R. 10962) providing for the purchase of a site and the erection of a public building thereon at Joliet, Ill., having considered the same, make the following report:

Joliet is a city of over 40,000 people. It more than doubled its population between the years 1880 and 1890. It is a great railroad center and the center of a great agricultural section. It is the largest manufacturing city in Illinois, except Chicago and Peoria. It is 48 miles distant from Chicago.

The necessity of a public building at Joliet seems clear. It would not only accommodate the Federal officials residing there, but also the post-office. The post-office is at present located in a building badly situated for the accommodation of the public, and insufficient for the service; nor is there a building in that city which is adapted to the service for the use of the post-office and which would offer proper accommodations to the public.

The receipts of the Joliet post-office in 1896 were $43,309; in 1897, $42,539, and for 1898, $42,848. The expenditures for rent, fuel, and light during the fiscal year 1898 were $1,875. The net revenues for 1898 were $16,624.

To furnish adequate facilities for the post-office at Joliet it is necessary that the Government either contract with a private individual to construct a building for its use there, or that the Government build one for itself. For the convenience of the people and for the orderly transaction of the business

of the Government at Joliet, as well as from the standpoint of economy, the Government should construct its own building at that point.

Your committee are of the opinion that $100,000 would secure a site and construct a sufficient building for the use of the Government at Joliet, and therefore report back the bill in amended form, giving the Secretary of the Treasury authority to contract for the whole construction, and fixing the limit of cost at $100,000, with the recommendation that the bill do pass, amended as follows:

In line 5, page 1, strike out the words "cause to be erected thereon a" and insert in lieu thereof the words "to contract for the erection and completion thereof a."

In line 12, page 1, strike out the words "and fifty."

Strike out the word "elevators" in the bill.

Strike out all after the word "expenses," in line 11, page 3, and up to and including the word "therein," in line 18, page 3.

Mr. MERCER. I ask for a vote on the committee amendment.

Mr. HANDY. If the gentleman from Nebraska will permit me, I should like to ask him a question.

Mr. MERCER. Certainly.

Mr. HANDY. I notice in the report on the bill it says, speaking of this building at Joliet:

It would not only accommodate the Federal officials residing there, but also the post-office.

I want to inquire whether this is intended to accommodate these officials in the matter of a residence?

Mr. MERCER. Oh, certainly the gentleman does not want to ask that question.

Mr. HANDY. Ah, there is no telling what the gentleman is providing for in bills like this.

Mr. CANNON. I can answer the gentleman's question. I think that is a pretty good report, because I wrote it myself.

Mr. HANDY. What does the gentleman mean by "accommodating the Federal officials residing there"?

Mr. CANNON. I meant exactly what I said. Joliet is a city of 40,000 people, the third city in the State. We have great residence accommodations in Joliet——

Mr. HANDY. And this is in case the Federal officials might get out of the other institution there? [Laughter.]

Mr. CANNON. There are some people from Delaware in that institution, and there is room for more. [Laughter.]

Mr. FARIS. I presume the gentleman refers to the penitentiary?

Mr. HANDY. Who are these Federal officials residing in Joliet?

Mr. CANNON. The deputy revenue collectors and such others as may happen to be there, who are appointed by the revenue collectors, who do not reside there.

Mr. HANDY. Is there any Federal judge there?

Mr. CANNON. Oh, no.

Mr. HANDY. Nor any Federal court?

Mr. CANNON. No, sir.

Mr. HANDY. Nor any collector of internal revenue?

Mr. CANNON. The collector of internal revenue, unfortunately, resides in Chicago. I am in hopes that the next one may live there. [Laughter.]

Mr. HANDY. Any custom-house there?

Mr. CANNON. No; there is no custom-house there, but there is an aggregate population there of over 40,000, of the busiest people in Illinois, and it will compare quite favorably with my friend's particular city of Wilmington, with a greater manufacturing output. I might have made the report stronger and better, but I thought that was good enough.

Mr. HANDY. If the gentleman from Illinois will pardon the suggestion——

Mr. CANNON. Certainly.

Mr. HANDY. Is it possible that these "Federal officials residing there," whom the gentleman put in the report, were fair creatures of his imagination that teemed in front of his eyes at the time he was writing the report?

Mr. CANNON. Oh, no; there are Federal officials residing there.

Mr. HANDY. Other than postmaster and Congressman?

Mr. CANNON. Oh, yes; the Congressman, by grace of a Democratic gerrymander, lives 150 miles south of Joliet; but Joliet is a good town for all that.

Mr. MADDOX rose.

Mr. MERCER. I yield to the gentleman from Georgia.

Mr. MADDOX. I just rose for the purpose of informing my friend on this side of the House [Mr. HANDY] that there is a part of this business that he has not got onto. The man who introduced this bill is a member of the committee.

Mr. HANDY. Is it possible, sir, that that explains the situation with regard to Bluefield? Is it possible that the member of Congress who represents Bluefield is on the Public Buildings Committee?

Mr. MADDOX. That is exactly what it means.

Mr. HANDY. I am amazed! [Laughter.]

Mr. MERCER. I ask for a vote on the amendments.

The committee amendments were agreed to.

On motion of Mr. MERCER, the bill as amended was ordered to be laid aside to be reported to the House with a favorable recommendation.

CUSTOM-HOUSE AND POST-OFFICE BUILDING AT BRUNSWICK, GA.

Mr. MERCER. I now call up the bill (H. R. 447) for the erection of a custom-house and post-office building at Brunswick, Ga.

The bill was read, as follows:

Be it enacted, etc., That the Secretary of the Treasury be, and he is hereby, authorized and directed to purchase a site for and cause to be erected thereon a building to be used as a custom-house and post-office, at the city of Brunswick, in the State of Georgia, which said site and building shall not exceed in cost the sum of $250,000. The plans, specifications, and full estimates for said building shall be made and approved according to law before any work on said building shall be commenced; and a valid title to the site for said building shall be vested in the United States, and a cession of exclusive jurisdiction over the same to the United States, during their ownership thereof, for all purposes except the administration of the criminal laws and the service of the civil processes of said State, shall be made before any money appropriated for said purpose shall be used, except such part as may be required to pay for said site. The building shall contain such fireproof vaults as may be necessary to protect from destruction by fire the custom-house and post-office records.

Mr. MERCER. I ask that the report be read, Mr. Chairman.

The report (by Mr. BRANTLEY) was read, as follows:

The Committee on Public Buildings and Grounds, to whom was referred the bill (H. R. 447) for the erection of a custom-house and post-office at Brunswick, Ga., recommend that the same do pass with the following amendments:

Amend on the first page, in line 8, by striking out the words "two hundred and," so as to make the cost of said site and building not to exceed the sum of $50,000.

Amend on second page, line 18, between the words "site" and "the" by adding the following: "and the ordinary preliminary expenses for examination, investigation, and report."

The committee report that the city of Brunswick is situated on the coast of Georgia, is a port of entry, is the ocean terminus of two great lines of railways, and that a large volume of foreign business goes through this port. The present post-office and custom-house are in separate buildings, both rented, and the present accommodations for the transaction of public business are not creditable to the Government.

The population of Brunswick in 1880 was 2,871, and it is now 12,000, showing a steady growth. The growth in commerce during the past few years, due to increased depth of water on the outer bar, is very great. In 1893 the total commerce of this port was $5,600,000, and in 1898, $21,508,270. The customs receipts for 1893 were $21,599.90, and the post-office receipts $13,891.40. Extensive wharf facilities now being erected and new steamship lines promise a still further increase in the future.

Mr. MERCER. Mr. Chairman, I ask for a vote on the committee amendments.

The amendments of the committee were agreed to.

Mr. MERCER. Mr. Chairman, I now move that the bill as amended be laid aside with a favorable recommendation.

The motion was agreed to.

PUBLIC BUILDING AT CLEVELAND, OHIO.

Mr. MERCER. I now call up the bill (S. 1056) to provide for a public building at Cleveland, Ohio.

The bill was read, as follows:

Be it enacted, etc., That the Secretary of the Treasury be, and he is hereby, authorized and directed to purchase, acquire by condemnation, or otherwise, the block of land located in the city of Cleveland which is bounded by Rockwell street on the north, by Wood street on the east, by Superior street on the south, and on the west by the land now owned by the United States, upon which the post-office building is located, to be used, in connection with the said land already occupied by the post-office or Government building, as a site for a new public building, including fireproof vaults, heating and ventilating apparatus, elevators, and approaches, for the use and accommodation of the United States post-office, custom-house, internal-revenue office, United States circuit and district courts, signal service, pension office, and other Government offices, in the said city of Cleveland and State of Ohio: *Provided*, That the Secretary of the Treasury can purchase said property at a reasonable price.

The cost of the site and building, including fireproof vaults, heating and ventilating apparatus, elevators, and approaches, complete, shall not exceed the sum of $2,500,000.

The public building now located upon the land belonging to the United States aforesaid shall be torn down before the new building is completed, but the same may be used until a sufficient portion of the new building is finished to make temporary provision for the transaction of the Government business therein.

The building to be erected shall be unexposed to danger from fire for an open space of at least 40 feet on each side, including streets and alleys.

Mr. DOCKERY. I ask for the reading of the report.

The report (by Mr. MERCER) was read, as follows:

The Committee on Public Buildings and Grounds, to whom was referred the bill (S. 1056, being substantially the same as H. R. 1031) providing for a site and the construction of a public building at Cleveland, Ohio, respectfully report, recommending the passage of the same.

The information furnished to the committee clearly establishes the fact that there is urgent need for a new public building at Cleveland. The structure now in use was commenced in 1856, and was erected at a cost of $150,000. To this building some additions were made, beginning in 1881, but the general plan of the structure is practically the same as when first erected.

In 1856, when the building was commenced, the postal receipts were a little over $30,000, while for the fiscal year ending June 30, 1898, the gross receipts were $775,690.25 and the net receipts were $464,421.95. The city has also grown since the construction of the present building from 30,000, approximately, to nearly 400,000, or, to speak by the census preceding the respective dates given, from 17,030 in 1850 to 261,353 in 1890.

In addition to the post-office, the Government requires at Cleveland an office for a collector of customs; a collector of internal revenue, whose district comprises twenty-seven counties; the United States district attorney; the United States district and circuit courts; United States marshal; headquarters of the ninth division railway mail, being the route from New York to Chicago via New York Central and Lake Shore and Michigan Central, and including, besides, the State of Michigan; an office for the four inspectors of steam hulls and boilers; secret service; immigrant inspector; surgeon of the

Marine-Hospital Service; the Government engineer having charge of the eleven harbors from Monroe, Mich., to Conneaut, Ohio; light-house engineers; signal service; weather bureau; examiners for pensions, with two special examiners; a hydrographic office of the Navy Department; and an Army recruiting office. Some of the above officers rent offices outside of the Government building, while all those in the Government building are cramped for room.

The committee accordingly recommend that the above-named Senate bill (S. 1056) do pass with the following amendments:

In line 16, after the word "service," add the words "weather bureau."

In line 23, page 2, strike out the word "five" and insert in lieu thereof the word "two," so that limit of site and building shall be $2,200,000.

Mr. MERCER. I ask for a vote on the amendments of the committee.

The amendments recommended by the committee were agreed to.

Mr. MERCER. I now move that the bill as amended be laid aside with a favorable recommendation.

The motion was agreed to.

PUBLIC BUILDING AT TOPEKA, KANS.

Mr. MERCER. I now call up the bill (H. R. 4076) for enlarging the public building at Topeka, Kans.

The bill was read, as follows:

Be it enacted, etc., That the Secretary of the Treasury be, and he is hereby, authorized and directed to cause the public building at Topeka, Kans., now occupied as a post-office and other Government offices, to be enlarged, so as to make a suitable building, with fireproof vaults and elevator therein, for the further accommodation of the post-office and other Government offices, the plans and specifications to be drawn with respect to the present building, so as to furnish to the post-office more room and better accommodation of the Government offices. The plans, specifications, and full estimation of said building shall be previously made and approved according to law, and shall not cost to exceed the sum of $100,000: *Provided*, That said building, so enlarged, shall be unexposed to danger from fire in adjacent buildings by an open space of not less than 40 feet.

Mr. MERCER. I ask that the report be read, Mr. Chairman.

The report (by Mr. MERCER) was read, as follows:

The Committee on Public Buildings and Grounds, to whom was referred the bill (H. R. 4076) to enlarge the public building at Topeka, Kans., submit the following report:

From the showing made there can be no doubt about the necessity of enlarging the Government building at Topeka, Kans. It was built years ago, when the business of the office was small.

Now the business has increased so that the offices in the building are crowded for room. There is not a department in it that has sufficient room to transact the public business.

In the post-office department the postmaster is not able to put in as many desks as are needed by the clerks and carriers.

The office of the clerk of the United States circuit court is crowded to the extent that they are piling some of their furniture in the halls and closets. In many of the rooms valuable papers and court files are piled clear to the ceiling.

The United States land office, which occupies two rooms, has scarcely 6 feet of vacant space in either room. The same is true of the other offices located in the building. During terms of court there is not sufficient room for the juries.

In addition to the crowded condition of the building, the Government pays $2,500 per annum for rent of office room for the United States pension agency located at Topeka. This, by the way, is now the largest pension agency in the United States. The Government is now renting rooms for the Weather Bureau and statistical agent for the Agricultural Department. The collector of internal revenue desires space in the building.

The gross receipts of this office are over $100,000 a year, and there are over 8,000,000 pieces of mail handled by carriers each year.

The net receipts of the post-office amount to from $5,000 to $6,000 per month.

The following offices are located in the building: First floor, post-office; second floor, district court room, clerk of the district court, United States marshal, district attorney, register and receiver United States land office, and United States pension examiner; third floor, circuit court, judges' room, judges' consultation room, clerk circuit court, and vault.

Not a department in the building has sufficient room to carry on public business, and the net income from the post-office and the rent paid for the rooms occupied by the United States pension agency will nearly pay for the enlargement in one year.

In the Fifty-fourth Congress provision was made for the purchase of additional ground for the enlargement of said building, and the ground has already been purchased.

In a letter from the Acting Secretary of the Treasury, your committee is advised that "from computations made, based upon the data received, it is approximately estimated that an addition which will meet the requirements of the service at Topeka can be constructed for $85,000."

For these reasons, which the committee deem ample and sufficient, it is respectfully recommended that the bill do pass, with the following amendment:

In line 14 strike out the words "one hundred" and insert in lieu thereof the word "eighty-five."

TREASURY DEPARTMENT, OFFICE OF THE SECRETARY,
Washington, D. C., December 14, 1898.

SIR: Referring to that portion of your letter of the 10th instant, requesting to be advised as to the necessity existing for an addition to the public building at Topeka, Kans., at a cost of $100,000, as contemplated by H. R. 4076, and asking to be informed whether said amount is more than necessary to provide for the needs of the service at Topeka, I have the honor to advise you that from information in the possession of the Department it appears that the post-office is in a very crowded condition. Additional space is required by the United States marshal and for the use of the land office, while the Weather Bureau and internal-revenue offices also desire space in said building.

From computations made, based upon the data received, it is approximately estimated that an addition which will meet the requirements of the service at Topeka can be constructed for $85,000.

In this connection attention is respectfully invited to the fact that there now remains on the books of the Treasury Department an unexpended balance of $13,605.27 of appropriations under act of Congress approved August 18, 1894, appropriating $8,000 for construction of an elevator, etc., and act approved June 4, 1897, appropriating $25,000 for additional land and $10,000 for certain changes and improvements in buildings on said land.

It is respectfully suggested that this balance, namely, $13,605.27, be reappropriated and applied to the erection of the contemplated addition to said building, and that a further sum of $71,394.73 be appropriated for this purpose, making the total amount available for the construction of the addition, as indicated above, $85,000.

Respectfully, yours,

O. L. SPAULDING, *Acting Secretary.*

The CHAIRMAN COMMITTEE ON
PUBLIC BUILDINGS AND GROUNDS,
House of Representatives.

Mr. DOCKERY. Mr. Chairman, I will not ask that the letter be read, but I notice a recommendation that an unexpended balance of $13,605 be reappropriated and applied to the erection of the contemplated addition, and the Assistant Secretary also asks that an additional $71,394 be appropriated. Does the bill comply with the recommendation of the Assistant Secretary of the Treasury in that respect?

Mr. CURTIS of Kansas. I asked the committee to report the bill at $85,000 instead of $72,000; but the appropriation is not made now, and I thought that when the appropriation is made it could be put in proper phraseology, and the recommendations of the Treasury Department could be followed.

Mr. DOCKERY. The bill does not reappropriate the unexpended balance; so that you make no appropriation by this bill?

Mr. CURTIS of Kansas. Not at all. We leave that for the future; and the Assistant Secretary of the Treasury informed the committee that $85,000 would be required, and there was an unexpended balance of $13,605.27 to the credit of Topeka. When the appropriation is made the clause can be worded so as to carry out the recommendation of the Assistant Secretary.

Mr. MERCER. I would say to the gentleman from Missouri that Governor Sayers, formerly of this House, came to me personally about this bill.

Mr. DOCKERY. I have no doubt about the merits of the proposition. That fact seems to be obvious; at least it is apparent that this is another illustration of the exceeding activity and efficiency of the Representative from that district.

Mr. CURTIS of Kansas. Thank you.

Mr. DOCKERY. Perhaps more than that. It occurred to me in this connection that while this authorization may be a proper one, there is another bill reported for the State of Kansas that should have consideration following swiftly upon the heels of this bill. It is a bill reported for Kansas City, Kans.

Mr. MERCER. It ought to pass.

Mr. DOCKERY. It is true it is across the line, but practically a part of Kansas City, Mo. I have a warm sympathy for that bill for the benefit of the city just across the line between Missouri and Kansas. I do not know where the Kansas City, Kans., bill appears in the list of bills to be considered, but I do suggest that the bill, if that great city is to secure a public building at all——

Mr. MERCER. It is full of merit.

Mr. DOCKERY. Ought to be called up and passed. Topeka already has a public building. It is true, according to the report, the offices are somewhat crowded, and I do not make any objection to the additional authorization, but if one of the bills is to fail, it seems to me the Kansas City, Kans., bill should not be the loser, but should be advanced ahead of the other, although I am willing for both to pass.

Mr. CURTIS of Kansas. That would be very unfair. The Kansas City bill will be reached and passed.

Mr. MERCER. They will both pass.

Mr. DOCKERY. I understand the gentleman to state that he will see that Kansas City, Kans., is recognized.

Mr. MERCER. I know something about the city.

The amendments recommended by the committee were agreed to.

Mr. MERCER. I move that the bill as amended be laid aside with a favorable recommendation.

The motion was agreed to.

PUBLIC BUILDING AT BEAUMONT, TEX.

Mr. MERCER. I now call up the bill (S. 926) to provide for the erection of a public building at Beaumont, Tex.

The bill was read, as follows:

Be it enacted, etc., That the Secretary of the Treasury be, and he is hereby, authorized and directed to acquire, by purchase, condemnation, or otherwise, a site, and cause to be erected thereon a suitable building, including fireproof vaults, heating and ventilating apparatus, elevators, and approaches, for the use and accommodation of the United States post-office, court-house, and other Government offices in the city of Beaumont and State of Texas, the cost of said site and building, including said vaults, heating and ventilating apparatus, elevators, and approaches, not to exceed $100,000. No part of said sum shall be available until a valid title to the site for said building shall be vested in the United States, nor until the State of Texas shall have ceded to the United States exclusive jurisdiction over the same, during the time the United States shall be or remain the owner thereof, for all purposes except the administration of the criminal laws of said State and the service of civil process therein. The said building shall be unexposed to danger from fire by an open space of at least 40 feet on each side, including streets and alleys.

Mr. DOCKERY. I hope we will have the report read.

The report (by Mr. MERCER) was read, as follows:

The Committee on Public Buildings and Grounds, to whom was referred the bill (S. 926) providing for the erection of a public building at Beaumont, Tex., submit the following report:

The city of Beaumont is situated on the Neches River in the southeast portion of Texas. The river is a navigable stream of a great depth of water. The town was but a small village a few years ago, but has increased in population very rapidly and is now a city of more than 10,000 people. It is surrounded by a rich agricultural country.

Large lumber and other manufacturing industries are located there. As large, if not the largest, lumber manufacturing plants in the South are located in Beaumont and in that vicinity. Five railroads run into Beaumont, two of which are transcontinental. The Southern Pacific runs east and west, and the Kansas City, Pittsburg and Gulf Railroad runs north and south. The three other railroads run in different directions, all terminating in Beaumont.

About two years ago there was established at Beaumont a Federal circuit and district court. There are five places of holding court in the eastern judicial district, and there are more cases on the docket at the court in Beaumont than at any other place in the district save one. The Government is now paying rent for a post-office building. The Federal courts are held in the county court-house building, and on account of the large accumulation of business in the State and county courts there is not sufficient room to longer transact the business of the Federal court in the county court-house and furnish the officers with suitable offices.

A bill is now pending to make Beaumont a subport of entry, and if the prospective canal between Beaumont and Sabine Pass is opened it will be an entrepôt for the largest seagoing vessels. There is not a Federal building in the Congressional district in which Beaumont is situated, therefore your committee recommend the passage of the bill, amended as follows:

Strike out the word "elevators" wherever it appears in the bill.

In line 12, page 1, strike out the words "one hundred" and substitute therefor the word "seventy-five," so that the limit of cost of site and building shall be $75,000.

Strike out all after the word "dollars" in line 13, page 1, up to and including the word "therein" on page 2 in line 20.

The amendments recommended by the committee were agreed to.

Mr. MERCER. I move that the bill as amended be laid aside with a favorable recommendation.

The motion was agreed to.

ADDITION TO UNITED STATES CUSTOM-HOUSE AND POST-OFFICE BUILDING AT DUBUQUE, IOWA.

Mr. MERCER. I now call up the bill (H. R. 484) providing for the erection of an addition to the United States custom-house and post-office building in the city of Dubuque, Iowa.

The bill was read, as follows:

Be it enacted, etc., That the Secretary of the Treasury be, and he is hereby, authorized and directed to cause the public building at Dubuque, Iowa, to be improved and enlarged so as to provide the necessary increase of floor space and accommodations for the custom-house, post-office, and the United States courts, and also so as to provide the necessary accommodations for the Railway Mail Service, Weather Bureau, and inspector of boilers and hulls, and other Government officials, at a cost not exceeding $100,000; and for said purpose the sum of $100,000, or so much thereof as may be necessary, is hereby appropriated out of any money in the Treasury not otherwise appropriated.

Mr. DOCKERY. Let the report be read.

The CHAIRMAN. The Clerk informs the Chair the report has not come from the Printing Office.

Mr. HENDERSON. The report is here.

Mr. HANDY. I will furnish the Chair with a report.

The CHAIRMAN. The Chair is always pleased to have the gentleman from Delaware furnish the Chair with whatever is deficient.

Mr. HENDERSON. I will make a brief statement, if my friend from Missouri will permit me.

Mr. DOCKERY. That will answer. Let the gentleman make a brief statement instead of the reading of the report.

Mr. HENDERSON. Mr. Chairman, I will say to the Committee of the Whole that this custom-house which we have in Dubuque was laid out in 1857, when the population of Dubuque was only 3,108, according to the census of 1850. The building was suspended during the war and was completed in 1866.

We now have a population of about 40,000, and we have in that building, built at that time, a post-office occupying the first floor; also the United States circuit and district courts; the United States district judge; collector of internal revenue, with his deputy; collector of the port of Dubuque, with his deputy; the United States marshal and deputy; clerk of the United States court, district and circuit, with his clerks and stenographer; the United States attorney's office, with a deputy; and we have the superintendent of steamboats paying rent outside, the inspector of boilers paying for rented rooms outside, the inspector of hulls, the chief clerk of the railway service, with his clerks——

Mr. HOPKINS. That is enough, Mr. Chairman; I ask for a vote.

Mr. HENDERSON (continuing). The marine service, weather bureau—all outside, paying rent. [Cries of "Vote!" "Vote!"]

That is the way, gentlemen, to do business when you have a righteous case. [Laughter.]

The amendments recommended by the committee were agreed to.

The bill as amended was laid aside to be reported to the House with a favorable recommendation.

PUBLIC BUILDING AT OMAHA, NEBR.

Mr. MERCER. I now call up House bill No. 6, to increase the limit of cost of the purchase of site and the erection of a public building at Omaha, Nebr.

The Clerk read the bill, as follows:

Be it enacted, etc., That the amount heretofore fixed as a limit of cost for the purchase of site and erection of a building for the accommodation of the United States courts, post-office, internal-revenue, and other Government offices at the city of Omaha, in the State of Nebraska, be, and the same is hereby, increased to $2,000,000, which sum is hereby fixed as the limit of cost for the erection of said building, including the cost of a site therefor.

With the following committee amendment:

Strike out, in line 8, the words "two million" and insert "one million eight hundred thousand."

Mr. MERCER. I ask that the letter from the Secretary of the Treasury be read.

The Clerk read as follows:

TREASURY DEPARTMENT, OFFICE OF THE SECRETARY,
Washington, D. C., January 11, 1899.

SIR: In reply to your communication of the 20th ultimo, requesting from this Department a report in connection with H. R. 6, providing "that the amount heretofore fixed as a limit of cost for the purchase of site and erection of a building for the accommodation of the United States courts, post-office, internal revenue, and other Government offices in the city of Omaha, in the State of Nebraska, be, and the same is hereby, increased to $2,000,000, which sum is hereby fixed as the limit of cost for the erection of said building, including the cost of a site therefor," I have the honor to advise you that it is estimated that an extension 80 by 200 feet in dimensions, of the same height as the present building, can be constructed for $500,000, including heating apparatus, fireproof vaults, elevators, and approaches. No additional land will be required.

Respectfully, yours,

O. L. SPAULDING, *Acting Secretary.*

The CHAIRMAN COMMITTEE ON
PUBLIC BUILDINGS AND GROUNDS,
House of Representatives.

Mr. DOCKERY. As I understand the situation, this increases the limit of cost to $1,800,000?

Mr. MERCER. It does.

Mr. DOCKERY. What is the limit of cost for the building at St. Paul?

Mr. MERCER. I think it is the same amount, but I may be mistaken. At Milwaukee it is $2,000,000, and at Cleveland, Ohio, it is $2,200,000.

Mr. DOCKERY. This is to complete the building?

Mr. MERCER. Yes; it is to finish out the wing on the Seventeenth street side. The Treasury has asked for it, and it is necessary for the public business and public welfare.

Mr. HANDY. I was going to ask the gentleman from Nebraska whether this was not the opportune moment for substituting this bill in place of the one for Blair.

Mr. MERCER. Yes, Mr. Chairman, I always make my word good, and I ask unanimous consent that the bill for Omaha be substituted for the Blair bill with all its rights and privileges as in Committee of the Whole.

Mr. HICKS. Mr. Chairman, I object to any substitution being made. Both bills are meritorious.

The CHAIRMAN. Objection is made. The question is on agreeing to the amendment recommended by the committee.

The amendment was agreed to.

The bill as amended was laid aside to be reported to the House with a favorable recommendation.

PUBLIC BUILDING AT WILKESBARRE, PA.

Mr. MERCER. I now ask to take up Senate bill 1271 for a public building in the city of Wilkesbarre, Pa., and appropriating money therefor.

The Clerk read the bill, as follows:

Be it enacted, etc., That the Secretary of the Treasury be, and he is hereby, authorized and directed to purchase by private sale or secure by condemnation a site for, and cause to be erected thereon, a suitable building, with fireproof vaults therein, for the accommodation of the United States post-office and other Government offices at the city of Wilkesbarre, in the county of Luzerne and State of Pennsylvania. The plans, specifications, and full estimate for said building shall be previously made and approved according to law, and shall not exceed, for the site and building complete, the sum of $225,000; nor shall any site be purchased until estimates for the erection of a building which will have sufficient accommodations for the transaction of the public business, and which shall not exceed in cost the balance of the sum hereinafter limited after the site shall have been purchased or condemned and paid for, shall have been approved by the Secretary of the Treasury: *Provided*, That the site shall leave the building unexposed to danger from fire in adjacent buildings by an open space of not less than 40 feet, including streets and alleys; and that no money appropriated for this purpose shall be available until a valid title to the site for said building shall be vested in the United States, nor until the State of Pennsylvania shall have ceded to the United States exclusive jurisdiction over the same, during the time the United States shall be or remain the owner thereof, for all purposes except the administration of the criminal laws of the said State and the service of civil process therein.

With the following committee amendments:

Strike out on line 5, page 1, the words "cause to be erected thereon a" and insert in lieu thereof the words "to contract for the erection and completion thereon of a."

In line 12, page 1, strike out the word "two" and insert in lieu thereof the word "one," making limit of cost of site and building $125,000.

On line 22, page 2, strike out all after the word "alleys."

Amend the title by striking out the words "and appropriating money therefor."

Mr. MERCER. Mr. Chairman, I think some gentlemen desire the reading of the report.

Mr. HICKS. Mr. Chairman, I ask unanimous consent that the reading of the report be dispensed with.

Mr. HANDY. I object, Mr. Chairman. The gentleman from Pennsylvania was very hard on the chairman of the committee a short time ago in objecting to one of his requests. [Laughter.]

The Clerk read the report (by Mr. MERCER), as follows:

The Committee on Public Buildings and Grounds, to whom was referred the bills (H. R. 4793 and S. 1271) for the erection of a public building at Wilkesbarre, Pa., having had the same under consideration, submit the following report:

The need of a public building at Wilkesbarre, Pa., is one that has been recognized for many years. A similar bill has been before several Congresses, and has been favorably reported by each successive committee of Congress since and including the Fiftieth Congress.

The county of Luzerne, of which the city of Wilkesbarre is the county seat, is almost as large in size as the State of Rhode Island, having an area of 909 square miles, while in resources and population it ranks third among the counties of the State of Pennsylvania.

The city of Wilkesbarre is virtually the business center of a great region comprised of Luzerne County, parts of Monroe, Sullivan, Columbia, Wyoming, and Susquehanna counties, containing a population of nearly 500,000, all living within a radius of 50 miles from the city of Wilkesbarre, which is the railroad center.

In 1880 the revenue receipts from this district were $125,000, and in 1895 the receipts had almost doubled or reached the sum of $245,288.10.

The city of Wilkesbarre is one of the oldest of the interior towns of the State. In 1860 it had a population of 23,339. In 1890, 37,718, and in 1896, 52,000; an increase in sixteen years of 28,671, or over 100 per cent. The increase in the voting list was in almost the same ratio, there being 9,182 in 1880 and 15,176 in 1896.

This population is a steady and a permanent one. An evidence of their character is shown in the bank deposits of the city, which aggregate $10,343,732, and in the expenditures for school property, which reach the sum of $302,168.70 for 14 public-school buildings. There are private schools, the property of which is valued at about $400,000, while a fund of $400,000 has been raised to maintain a public library. There are 43 church buildings, worth $1,430,000.

The court-house cost $200,000; the county jail $350,000; the city hospital, exclusive of site, $80,000; the Orphan's Home $40,000; Ninth Regiment Armory, National Guard Pennsylvania, $75,000. There are 61 hotels.

There are 403 business houses (exclusive of manufactures), 45 of which are wholesale. There are 45 manufacturing establishments, including the Hazard Wire Rope Works, one of the largest in America, capital $600,000; the Nottingham and the Wilkesbarre lace factories, the largest ones in the United States, having a capital of $500,000; the Dickson Manufacturing Company, capital $500,000, employed in Wilkesbarre, and besides these the Wilkesbarre Silk Mill, the Sanson Cutlery Company (one of the largest in America; Sheldon Axle Works, the largest in America, employing over 800 hands; the Vulcan Iron Works, capital about $1,000,000; the Wilkesbarre File Works, Wilkesbarre Paper Company; the Dimmick & Smith Company, manufacturers of boilers; the Wilkesbarre Gun Factory, Galland's Underclothing Factory, Newell Clothing Company, and numerous planing and feed mills, two mining drill factories, and two large breweries; 7 banks and banking institutions, capital and surplus $2,700,000, and deposits aggregating $6,000,000; 4 daily and 15 weekly and semiweekly newspapers.

The city of Wilkesbarre has 7½ miles of sheet-asphalt pavement, costing about $400,000; 11½ miles of stone pavement (block and cobble), costing about $300,000; 2½ miles of chestnut block, costing about $60,000; one-fourth mile of cedar block, costing about $6,500; one-fourth mile of vitrified brick, costing about $10,000; have just completed addition to their sewers costing $350,000; has three steel bridges for wagon and passenger travel erected and in process of erection across the Susquehanna River, costing $400,000, and in addition four steel railroad bridges.

The city is furnished with steam heat and electric light from central plants.

The steady increase of business at the post-office is shown by a comparison of the reports of the Wilkesbarre post-office in 1886, when the gross receipts were $27,319.49, and in 1895, when the gross receipts were $58,732.07, while the facilities for handling the business have not kept pace. The statement of the Wilkesbarre postmaster for the year 1895 is given below:

Total receipts	$58,732.07
Total expenditures	37,872.70

Special-delivery letters received, 3,265; special-delivery letters mailed to other places, 3,998.

Register business.

Registered letters and packages mailed at this office	7,874
Registered letters received in transit	14,257
Registered letters received and delivered	10,549

Money-order business.

Dr.

Balance on hand January 1, 1895	$3,352.06
9,469 domestic orders issued	77,360.23
Fees on same	602.20
1,510 international orders issued	19,023.48
Fees on same	254.40
Amount received from other offices	287,574.00
Total	388,166.37

Cr.

By 6,801 domestic orders paid	$70,390.38
By 60 domestic orders repaid	569.65
278 international orders paid	6,388.69
9 international orders repaid	101.75
Amount remitted to postmaster, Philadelphia	306,232.00
Balance on hand January 1, 1896	4,483.90
Total	388,166.37

Employees.—Postmaster, assistant postmaster, and 9 clerks, 21 carriers, 4 substitutes, and 8 stamp agents.

The post-office is located at the extreme western end of the city. It is away from the center of commerce and the center of population. Its quarters are narrow, cramped, and dark. The employees and the public are put to actual discomfort in the transaction of public business. These quarters were the best obtainable at the time the Government signed the lease. Better quarters in the center of business, as the post-office should be, would cost a far higher rent than the Government now pays, and the only proper solution of the matter is the erection of a building by the Government.

In view, therefore, of the very sufficient reasons urged for the erection of a public building at Wilkesbarre, Pa., your committee report that the Senate has passed a bill (No. 1271) authorizing the erection of a public building at this place which is similar, except in amount authorized to be expended, to the bill referred to your committee (H. R. 2526). They therefore recommend that House bill 2526 do lie upon the table, and that Senate bill 1271 be amended as follows:

Strike out on line 5, page 1, the words "cause to be erected thereon a" and insert in lieu thereof the words "to contract for the erection and completion thereon of a."

In line 12, page 1, strike out the word "two" and insert in lieu thereof the word "one," making limit of cost of site and building $125,000.

On line 22, page 2, strike out all after the word "alleys."

Amend the title by striking out the words "and appropriating money therefor."

And when so amended your committee recommend that the bill do pass.

Mr. HANDY. Mr. Chairman, this report, which seems to have been made by the chairman of the committee, is full of information which does not pertain to this bill. There is little or nothing in the report that has anything to do with the bill. Will the gentleman from Nebraska [Mr. MERCER], who doubtless is entirely familiar with the whole question because he personally made the report, make a brief statement to the House showing why a public building is needed in the city of Wilkesbarre?

I admit it is a beautiful little city, for I am familiar with it. But what has the fact that certain corporations and stock companies are doing business there, and all that sort of thing, got to do with a public building?

Mr. MERCER. The committee has been very unfortunate in not having the rhetoric of the gentleman from Delaware in framing its report, but it has done the best it could. I will admit that we have sometimes introduced surplus matter into the reports, but I did not think the gentleman from Delaware would object to a surplusage of that kind. [Laughter.]

I will say to the gentleman that the gentleman from Pennsylvania who introduced the bill furnished us with a good deal of information, all tending to show the importance of the city, its great population, its different lines of business, and we have followed that in the report because the gentleman from Pennsylvania wrote the report himself. I take great pleasure in fathering a report of that kind which comes from so enterprising a city. If they can construct a court-house for $200,000 and a hospital for $80,000——

Mr. HANDY. Do not forget the jail.

Mr. MERCER (continuing). And having an enormous business there besides, it seems to me that the gentleman from Delaware should not object when it only asks $100,000, and especially when the Congress of the United States once gave Dover, Del., a town of 3,000 inhabitants, more than $70,000. I have to refer to Dover, Del., once in a while to keep the gentleman in trim. [Laughter.] [Cries of "Vote!" "Vote!"]

Mr. HANDY. Does the bill ask for $100,000? The report says $125,000.

Mr. MERCER. One hundred and twenty-five thousand dollars. It asked for $250,000, but the committee cut it down to $125,000.

Mr. HANDY. Did it cut it down because, as the report says, "the city is furnished with steam heat and electric light?"

Mr. MERCER. They cut it down because they thought the gentleman from Delaware would ask these questions, and they cut it down out of deference to him.

Mr. HANDY. Is there any Federal court there?

Mr. MERCER. There will be.

Mr. HANDY. Depending upon legislation?

Mr. MERCER. Yes.

Mr. HANDY. Is there any internal-revenue office located there? [Cries of "Vote!" "Vote!"]

Ah, my friends who cry "Vote!" "Vote!" have returned. If a gentleman asks whether a Federal court is situated there, it is sufficient answer to cry "Vote!" "Vote!" If a gentleman inquires whether a collector of customs has an office there, it is sufficient to meet that inquiry with cries of "Vote!" If a gentleman asks whether a post-office has sufficient facilities, it is enough for some gentleman, as an answer, to cry "Vote!"

Are such replies considered sufficient? Because gentlemen have decided to pass these bills anyway; because gentlemen have decided to pass these bills where buildings are necessary and where they are not necessary. And when gentlemen are in that condition of mind and purpose, they cry, "Vote!" "Vote!"

Mr. MERCER. The gentleman will do me the justice to acknowledge that I have tried to treat him courteously. I did not cry "Vote!"

Mr. HANDY. The gentleman from Nebraska has thrown perfume over me all the afternoon. [Laughter.]

Mr. MERCER. I have tried to drown you with it; but I can not.

Mr. HANDY. But the gentleman's immediate supporters are not following him well. Why, sir, even when he asks for unanimous consent to withdraw a measure on this floor, a member of his own committee, from the great State of Pennsylvania, objects to his request.

Mr. MERCER. I will say to the gentleman from Delaware that while I think the committee may, in the course of time, see fit to make a favorable report upon the bill pending on the Committee on Public Buildings and Grounds, introduced by the gentleman, asking the United States to give to a city in Delaware a Government building there, to be used as a public school. But we will wait till we get that far along. [Laughter.] I ask for a vote on the amendment.

Mr. HANDY. I wish to say to the gentleman from Nebraska——

The CHAIRMAN. Does the gentleman from Nebraska yield?

Mr. MERCER. Always to my friend.

Mr. HANDY. I wish to say to the gentleman that if he will apply to me the same kind of statesmanship that has been applied to so many other gentlemen here who shout, "Vote!" "Vote!" perhaps hereafter he will hear me shout "Vote!" "Vote!"

Mr. MERCER. Well, I did not think the gentleman was so cheap; but I reckon we shall have to take him. [Laughter.]

The amendments of the committee were agreed to, and the bill as amended was laid aside to be reported favorably.

PUBLIC BUILDING AT JACKSON, MISS.

The next business was the bill (H. R. 5536) appropriating money for an annex to the Federal building at Jackson, Miss.

The bill was read, as follows:

Be it enacted, etc., That the Secretary of the Treasury be, and he is, authorized and directed to cause to be erected an addition to the Government building at Jackson, Miss., occupied as a post-office and other Government offices, for the better accommodation of the Federal court, land, and other Government offices, and to supply said building with the necessary fireproof vaults, elevator, and other fixtures and appliances for the more convenient, safe, and ready dispatch of public business, at a cost not to exceed $40,000, for which said addition and fixtures the sum of $40,000 is hereby appropriated out of any money in the Treasury not otherwise appropriated: *Provided*, That the plans, specifications, and estimation of addition of said building and improvements or fixtures shall be made and approved according to law: *And provided further*, That said building so enlarged shall be unexposed to danger from fire in adjacent buildings by an open space of not less than 40 feet on all sides, including streets and alleys.

The amendments reported by the committee were read, as follows:

In line 11 strike out "forty" and insert "thirty-one."

In lines 11, 12, 13, and 14 strike out the words "for which said addition and fixtures the sum of $40,000 is hereby appropriated out of any money in the Treasury not otherwise appropriated."

Amend the title so as to read: "A bill providing for an annex to the Federal building at Jackson, Miss."

The amendments were agreed to.

Mr. MERCER. I move that the bill be laid aside to be reported favorably.

The CHAIRMAN. The question is on agreeing to the motion of the gentleman from Nebraska.

Mr. MADDOX. Just a word.

The CHAIRMAN. Does the gentleman from Nebraska yield?

Mr. MERCER. I am delighted to do so.

Mr. MADDOX. I am assured by the gentleman from Virginia [Mr. SWANSON] that all these bills that are now to follow are meritorious and that he has one down at the foot of the list. [Laughter.] I want to know whether that is so.

Mr. MERCER. We thought they were all full of merit. I will say to the gentleman from Georgia [Mr. MADDOX] that our only regret is he did not introduce a bill. [Laughter.]

Mr. MADDOX. Now, I want to show how little the gentleman from Nebraska knows about what is going on. I did introduce a bill, and I am told that the gentleman promised my friend from Delaware that if he would keep quiet the committee would report his bill next. Now, I want to know whether I am to have a promise of that kind?

Mr. MERCER. Why in the world did you not come before the committee and have a hearing?

Mr. MADDOX. Well, I was really ashamed to do so. I would have come, however, if I had known anything about Blair and Bluefield. It seems that these bills are increasing in merit all the time. [Laughter.]

The motion of Mr. MERCER was agreed to; and the bill as amended was laid aside to be reported favorably.

PUBLIC BUILDING AT ELGIN, ILL.

The next business was the bill (H. R. 4306) for the erection of a public building in the city of Elgin, Ill.

The bill was read, as follows:

Be it enacted, etc., That the Secretary of the Treasury be, and he is hereby, authorized and directed to purchase or otherwise provide a suitable site, and cause to be erected thereon a substantial and commodious building for the use and accommodation of the post-office and other offices of the Government at Elgin, Ill.

The site and building thereon, when completed upon plans and specifications to be previously made and approved by the Secretary of the Treasury, shall not exceed in cost the sum of $100,000, which said sum is hereby appropriated for that purpose, out of any money in the Treasury not otherwise appropriated; nor shall any site be purchased until estimates for the erection of a building which will furnish sufficient accommodations for the transaction of the public business, and which shall not exceed in cost the balance of the sum herein limited after the site shall have been purchased and paid for, shall have been approved by the Secretary of the Treasury; and no purchase of site nor place for said building shall be approved by the Secretary of the Treasury involving an expenditure exceeding the sum of $100,000 for site and building. And the site purchased shall leave the building independent and unexposed to danger from fire in adjacent buildings by an open space of not less than 40 feet, including streets and alleys: *Provided*, That no part of said sum shall be expended until a valid title to the said site shall be vested in the United States, nor until the State of Illinois shall cede to the United States exclusive jurisdiction over the same during the time the United States shall remain the owner thereof.

The amendments reported by the committee were read, as follows:

Strike out, in lines 12, 13, and 14, the words "which said sum is hereby appropriated for that purpose, out of any money in the Treasury not otherwise appropriated."

Strike out all after the word "alleys," in line 26.

Mr. HANDY. I should like to have the report read.

Mr. MERCER. Let the report be read.

The report (by Mr. MERCER) was read, as follows:

The Committee on Public Buildings and Grounds, to whom was referred the bill (H. R. 4306) providing for the erection of a public building at Elgin, Ill., have had the same under consideration and make the following report:

Elgin is a city of about 25,000 inhabitants. It has nearly tripled its population since 1880, and is rapidly growing both in wealth and population. Large manufacturing interests are located there, and many have been established within the last few years, which will add many thousands to the present population. The Elgin watch factory is located there—the largest watch factory in the world—which has on its pay rolls over 3,000 employees.

Elgin has large boot and shoe manufactories, besides many other productive industries, employing a large number of mechanics and laborers. The Cook Publishing Company is located there, which largely increases the receipts of the post-office. The urgent necessity for a public building at Elgin seems clear.

The post-office business at Elgin during the five years 1891-1895—the expenditures and the net revenue to the Government for each of said years—is as follows:

Year ending June 30—	Gross receipts.	Gross expenditures.	Net revenue.
1891	$38,308.71	$15,850.76	$22,457.95
1892	41,870.71	17,619.82	24,250.89
1893	45,467.83	19,058.37	26,409.46
1894	47,247.59	20,451.38	26,796.21
1895	56,009.95	22,413.14	33,596.81

These statistics clearly show that the net revenue to the Government from that office has been increasing constantly, the year 1895 showing a gain in net revenue as compared with the year 1894 of $8,800. From the thrift and steady growth of the city there is no doubt that this will continue.

The Government pays an annual rent for the building now occupied of $1,500. The building in which the office is now conducted can not long be used for the purpose to which it is now put, and wise economy would require that the Government should select a site at as early a day as practicable, and construct a post-office building in which to transact this large and increasing postal business.

Your committee therefore recommend the passage of the bill with these amendments:

Strike out, in lines 12, 13, and 14, the words "which said sum is hereby appropriated for that purpose, out of any money in the Treasury not otherwise appropriated."

Strike out all after the word "alleys," in line 26.

Mr. MERCER. I ask for a vote on the amendments.

Mr. HANDY. Before the amendments are voted on, will the gentleman yield a moment?

Mr. MERCER. Certainly.

Mr. HANDY. I should like to know (because the report does not show the fact) whether there is a Federal court held at Elgin?

Mr. MERCER. No Federal court.

Mr. HANDY. Is there a marshal's office?

Mr. MERCER. No marshal's office.

Mr. HANDY. Is there a collector of internal revenue?

Mr. MERCER. No collector of internal revenue.

Mr. HANDY. Is there a collector of customs or any other Federal officer besides the postmaster?

Mr. MERCER. They have the post-office and weather bureau [laughter]; and I think a deputy marshal. There is also a deputy collector of internal revenue.

Mr. HANDY. The gentleman who prepared the report in this case indicates, at all events, that the present post-office is suitable for temporary purposes, and that there is no present necessity for this change, as the bill suggests, because he says:

The Government pays an annual rent for the building now occupied of $1,500. The building in which the office is now conducted can not long be used for the purpose to which it is now put, and wise economy would require that the Government should select a site at as early a day as practicable and construct a post-office building in which to transact this large and increasing postal business.

There is, therefore, no question as to the fitness or suitability of the post-office at the present time.

Mr. HOPKINS. If the gentleman from Delaware will allow me——

Mr. HANDY. Certainly.

Mr. HOPKINS. I am quite familiar with the locality to which the bill refers, and I will state to the committee that the post-office now used is in the business part of the city, and the property is only under a short lease. If the Government should fail to get a new lease, Uncle Sam would have great difficulty in securing a proper location at all in that city. Now, the revenues of the office are sufficient to pay for the construction of the building before it can be constructed, if they should commence the work on the plans and specifications to-morrow.

The gentleman will see, on an investigation of the matter, that in 1895 the receipts of the post-office at Elgin, Ill., which went into the Treasury of the United States were over $35,000. Since that time the revenues have increased until in 1898 the amount turned

over to the Post-Office Department from this office was $40,000, after paying all other expenses.

Mr. LOUD. Oh, no; the gentleman is mistaken about that.

Mr. HOPKINS. And they want only $100,000 for the construction of this building.

Mr. HANDY. The net revenues of the office being so great, I am somewhat astounded at my friend's moderation.

Mr. HOPKINS. I am astounded at my own moderation.

Mr. HANDY. But I find in the report, if the gentleman will permit me, the following:

Elgin has large boot and shoe manufactories, besides many other productive industries, employing a large number of mechanics and laborers. The Cook Publishing Company is located there, which largely increases the receipts of the post-office. The urgent necessity for a public building at Elgin seems clear.

Now, it is evident, Mr. Chairman, that the gentleman who prepared this report reasons in this manner, that because there are boot and shoe manufactories, and because the Cook Publishing Company's office is located in the town of Elgin—somebody living near there knows perhaps what that company is—therefore they need a public building in the city, and hence he recommends the appropriation for that purpose.

Mr. HOPKINS. I am not surprised that the gentleman from Delaware is not familiar with the Cook Publishing Company because it is a religious publication. [Laughter.]

Mr. HANDY. That is no reason why the whole population of Elgin should be stirred up to steal public funds from the Treasury. I mean that, of course, in a Pickwickian sense. I do not mean that as individuals they would take public money for private purposes, but that all are joined together in support of this appropriation for an unnecessary public building.

Mr. MERCER. Mr. Chairman, I ask a vote on the bill and amendments.

The amendments recommended by the committee were agreed to.

The bill as amended was, on motion of Mr. MERCER, laid aside to be reported to the House with the recommendation that it do pass.

UNITED STATES POST-OFFICE, MINNEAPOLIS.

Mr. MERCER. Now, Mr. Chairman, I call up for present consideration the bill (H. R. 11056) authorizing and directing the construction of an addition to the United States post-office in the city of Minneapolis, Minn.

The bill was read, as follows:

Be it enacted, etc., That the Secretary of the Treasury be, and he is hereby, authorized and directed to cause to be constructed a building for the accommodation of the United States post-office, including all necessary changes and alterations in the present building, a basement and one-story addition to the United States post-office building, in the city of Minneapolis and State of Minnesota, at a cost not exceeding $55,000, which sum is hereby appropriated out of any moneys in the Treasury not otherwise appropriated; and the provisions of act of Congress approved April 11, 1882, entitled "An act appropriating money for the purchase of a site and the erection of a suitable building for a post-office and other Government offices in the city of Minneapolis, State of Minnesota," are so far modified as to permit the erection of said addition within 16 feet of any adjacent building.

Mr. MERCER. Let the amendment be read.

Mr. DOCKERY. Mr. Chairman, before the question on the amendment of the committee is taken, I desire to ask the limit of the cost of the present public building.

Mr. MERCER. I will state to the gentleman from Missouri that this action, recommended by the committee, is based on an urgent letter from the Treasury Department.

Mr. DOCKERY. I was about to ask if the addition proposed by the committee is recommended by the Secretary of the Treasury.

Mr. MERCER. Yes; and it is owing to the overcrowded condition. Urgent relief is necessary. They must have the relief at once.

Mr. DOCKERY. And the Secretary of the Treasury recommends it?

Mr. MERCER. He does, strongly.

Mr. DOCKERY. What is the amount of the appropriation fixed by the bill?

Mr. MERCER. Fifty-five thousand dollars.

Mr. DOCKERY. I suggest that the report of the committee be printed in the RECORD.

Mr. MERCER. I ask unanimous consent, Mr. Chairman, that the report of the committee be printed in the RECORD.

There was no objection.

The report (by Mr. MERCER) is as follows:

The Committee on Public Buildings and Grounds, to whom was referred House bill 11056, having had the same under consideration, respectfully report as follows:

The present post-office building in the city of Minneapolis, Minn., was commenced in 1883 and completed in 1889. The needs and requirements of the structure were based upon the census returns of 1880, which gave Minneapolis a population of 46,887. Within one year after the building was completed the census showed that Minneapolis had increased in population to the number of 164,738—an enormous increase of 251 per cent.

We find that the business of the post-office has kept pace with the rapid increase in population. The number of employees in 1883 was 52; in 1889, 123; in 1897, 241. The accommodations for this large force of employees are so inadequate that the lower basement of the building, designed originally for steam and lighting plant, has been pressed into service, and for a long time has been occupied by a large number of the force. It is dark, damp, and not at all fit to work in.

The increased business of the Minneapolis office is phenomenal. We have been presented with facts and figures tending to show that the volume of business now transacted is double that done when the building was first completed.

Gross receipts, 1883, $177,599; in 1889, $309,400; in 1898, approximated, $598,000. Weight of outgoing mail, 1891, 2,422,405 pounds; in 1897, 6,653,259 pounds—a remarkable increase of 270 per cent.

Money orders issued and paid in 1889 were 180,126, aggregating $1,587,059.63. In 1898 there were issued and paid 288,074, aggregating in the total $4,507,885 85—an increase in nine years of 247 per cent.

Minneapolis stands sixteenth in the list of cities in the amount of postal receipts and fifth in amount of second-class matter mailed.

The Treasury Department is convinced of the necessity of making the addition to the building, and the letter from the Assistant Secretary is attached and made part of this report.

Your committee recommend that the bill do pass, with the following amendment:

Strike out all of line 10 and all of line 11 up to and including the word "appropriated."

TREASURY DEPARTMENT, OFFICE OF THE SECRETARY,
Washington, D. C., December 14, 1898.

SIR: I have the honor to acknowledge the receipt of your letter of the 10th instant, referring, among other things, to House bill 11056, introduced by Hon. LOREN FLETCHER, providing for an appropriation of $55,000 for the construction of an addition to the post-office building at Minneapolis, Minn., and requesting to be advised as to the necessity for this addition, and as to whether the amount mentioned is fair and reasonable.

In reply, you are advised that after a full and careful consideration of the matter, an addition to this building is considered absolutely necessary to provide accommodations for the service, the present building being in an overcrowded condition; and the amount above mentioned, namely, $55,000, is considered, approximately, to be a fair and reasonable amount for the purpose intended.

Respectfully, yours,

O. L. SPAULDING,
Acting Secretary.

The CHAIRMAN OF THE COMMITTEE ON
PUBLIC BUILDINGS AND GROUNDS,
House of Representatives.

The amendments recommended by the committee were agreed to.

The bill as amended was, on motion of Mr. MERCER, laid aside to be reported to the House with a favorable recommendation.

PUBLIC BUILDING AT BUTTE CITY, MONT.

Mr. MERCER. Mr. Chairman, I call up the bill (S. 164) to provide for the construction of a public building at Butte City, Mont.

The bill was read, as follows:

Be it enacted, etc., That the Secretary of the Treasury be, and he is hereby, authorized and directed to purchase, acquire by condemnation, or otherwise provide a site, and cause to be erected thereon a suitable, commodious, and substantial building, including fireproof vaults, heating and ventilating apparatus, elevators, and approaches, for the use and accommodation of the United States post-office, internal revenue, and other Government offices in the city of Butte and State of Montana; the cost of the site and the building, including fireproof vaults, heating and ventilating apparatus, elevators, and approaches, complete, not to exceed the sum of $300,000; which said sum of $300,000 is hereby appropriated for said purpose out of any moneys in the United States Treasury not otherwise appropriated, upon the following provisions:

Proposals for the sale of land suitable for said site shall be invited by public advertisement in one or more of the newspapers of said city for at least fourteen days prior to the date specified in the advertisement for opening the proposals. The proposals made in response to said public advertisement, at the time named in the advertisement or within ten days subsequent thereto, shall be received, opened, and considered by a commission of three persons, who shall be appointed by the Secretary of the Treasury, and it shall be the duty of said commissioners to forward to the Secretary of the Treasury, within forty days from the date named in the advertisement for opening the proposals, a written report, with the original proposals, maps etc., and the oaths prescribed by act of Congress approved June 23, 1874, and to definitely state in said report the site selected by them, and their selection of the site shall be final; and each commissioner shall be allowed a compensation for his services of an amount within the discretion of the Secretary of the Treasury, said compensation not to exceed $300 and actual traveling expenses to each commissioner.

So much of the appropriation herein made as may be necessary to defray the expenses of advertising for proposals, compensation and actual traveling expenses of the commissioners, and other expenses incident to the selection, of the site shall be immediately available; so much of said appropriation as may be necessary for the preparation of sketch plans, drawings, specifications, and detailed estimates for the building by the Supervising Architect of the Treasury Department shall be available immediately upon the receipt of the report of the commissioners selecting the site; so much of said appropriation as may be necessary to make payment for the site shall be available upon the receipt of the written opinion of the Attorney-General in favor of the validity of title to the site selected and when the State of Montana shall have ceded to the United States jurisdiction over the site selected, during the time that the United States shall be or remain the owner thereof, for all purposes except the administration of the criminal laws of said State and the service of civil process therein; or so much of said appropriation as may be necessary to acquire title to the site by condemnation shall be immediately available; and after the site shall have been paid for and the sketch plans and detailed estimates for the building shall have been prepared by the Supervising Architect and approved by the Secretary of the Treasury, the Secretary of the Interior, and the Postmaster-General the balance of said appropriation shall be available for the erection and completion of the building, including fireproof vaults, heating and ventilating apparatus, elevators, and approaches. The building shall be unexposed to danger from fire by an open space of at least 40 feet on each side, including streets and alleys.

The Committee on Public Buildings and Grounds recommended the following amendments:

In line 13, page 1, strike out "three" and insert in lieu thereof "two."
In line 1, page 2, strike out "three" and insert "two."
Strike out all of page 3, being lines 1 to 25, inclusive.

Strike out, on page 4, lines 1, 2, and 3 and the first three words in line 4, and renumber the pages to correspond to these amendments.

Mr. MERCER. I think the gentleman from Montana [Mr. HARTMAN] could perhaps state the substance of the report in this case, and that it would be better than to have the report read.

Mr. HARTMAN. Mr. Chairman, I think that in about one minute I can state the substance of it.

Mr. MERCER. I yield to the gentleman from Montana.

Mr. HARTMAN. Butte is a town of from forty-five to fifty-five thousand people. It is probably the largest business point between St. Paul and Portland on the Northern Pacific, with the possible exception of Spokane. The circuit and district courts of the United States are located there, and a deputy collector and a deputy United States attorney. It is the largest commercial point in the central Northwest. This bill is substantially the same as H. R. 440, introduced by me. If any gentleman desires to ask any questions, that will be the quickest way.

Mr. MADDOX. What are the post-office receipts now?

Mr. HARTMAN. The post-office receipts for 1895 were $38,976.66. They are now probably about $45,000.

Mr. SHATTUC. May I ask the gentleman a question?

Mr. HARTMAN. Yes.

Mr. SHATTUC. Does the gentleman from Delaware [Mr. HANDY] approve of this bill?

Mr. HARTMAN. I have not submitted it to the gentleman from Delaware, but I have no doubt he does. [Laughter.]

Mr. MERCER. I ask for a vote on the committee amendments.

The committee amendments were agreed to.

Mr. MERCER. I understand the committee intended to strike out the appropriation clause in that bill. I am just informed that that was overlooked. I move that the appropriation clause be stricken out.

The CHAIRMAN. The Clerk will report the amendment proposed by the gentleman from Nebraska.

The amendment was read, as follows:

After the word "dollars," in line 1, page 2, strike out the remainder of the paragraph, lines 1, 2, 3, and 4.

The amendment was agreed to.

The bill as amended was ordered to be laid aside to be reported to the House with a favorable recommendation.

PUBLIC BUILDING AT CRESTON, IOWA.

Mr. MERCER. Mr. Chairman, I call up the bill (H. R. 11360) for the erection of a public building at Creston, Iowa.

The bill was read, as follows:

Be it enacted, etc., That the Secretary of the Treasury be, and is hereby, authorized and directed to purchase a site for a suitable building, with fireproof vaults therein, for the accommodation of the post-office and other Government offices at the city of Creston, Iowa, and cause such building to be erected thereon. The plans, specifications, and full estimates of said building shall be previously made and approved according to law, and shall not exceed, for the site and building complete, the sum of $50,000: *Provided*, That the site shall leave the building unexposed to danger from fire in adjacent buildings by an open space of not less than 40 feet, including streets and alleys; and no money appropriated for this purpose shall be available until a valid title to the site for said building shall be vested in the United States, nor until the State of Iowa shall have ceded to the United States exclusive jurisdiction over the same, during the time the United States shall be or remain the owner thereof, for all purposes except the administration of the criminal laws of said State and the service of civil process therein.

The Committee on Public Buildings and Grounds recommended the following amendment:

After the word "alleys," in line 1, page 2, strike out the remainder of the bill.

Mr. MADDOX. Let us have the report, Mr. Chairman.

The report (by Mr. MERCER) was read, as follows:

The Committee on Public Buildings and Grounds, to whom was referred the bill (H. R. 11360) providing for the erection of a public building at Creston, Iowa, report as follows:

Such a building would be of great use to the postal service and to the other Federal offices located there.

Creston is the largest town in southwestern Iowa, with the exception of Council Bluffs (which is more western than southwestern), which section includes 23 counties, or a full fourth of the area of the State.

Creston is the only inland town in southern Iowa which is an important railroad center, save Ottumwa, to which city it ranks next in population. Ottumwa and Creston are the only inland towns in southern Iowa having a population above 10,000.

Creston is the largest city in the Eighth Congressional district, consisting of 11 counties, the Eighth district being the only one of the 11 districts in the State which has not in its limits a Federal building.

Creston is located 75 miles southwest of Des Moines, 90 miles east of Council Bluffs, and 105 miles west of Ottumwa. It is the most important division center of the Chicago, Burlington and Quincy Railway in Iowa, it being a division point for both passenger and freight traffic, headquarters officials having residence and office there, with shops employing from 400 to 600 men, and as many more being employed in the various lines of the company's business.

A passenger station and office building costing $60,000 is now nearing completion—the finest building of its class on the Burlington road between Chicago and Omaha.

Two branch lines of railroad diverge from this point, one running to Kansas City, Mo., and the other northwest nearly a hundred miles to a terminus at Cumberland, in Cass County, and traversing a rich agricultural region. There is no city in that quarter of the State so accessible to all other points in that section as Creston.

The city has a population of 10,000, and is growing; it has several miles of paved streets; it has a waterworks plant, installed at a cost of between $200,000 and $300,000; it has a fine electric light and gas plant; the city is underlaid with a thorough system of sewerage; United States court will be held in Creston at an early day; it has the largest postal business of any town in southwestern Iowa; it is the most considerable commercial center of the section, this with reference to both the wholesale and retail trade; it has two evening and one morning paper, all long established; it has a thoroughly organized and well-equipped fire department; it is the seat of the public buildings of Union County; the business buildings of the city are all of brick and stone; it is a center of the fine stock industry, several importers being located there; Creston is seated in a fine agricultural country; the city was platted and laid out in 1869, in which year the first house was built; the town never had a "boom," and its growth has been regular and constant.

Your committee recommend that the bill pass with this amendment: Strike out all after the word "alleys," in line 14, page 1.

Mr. MADDOX. I should like to ask the chairman of the committee what that report means when it says "a Federal court will be held there at an early date?"

Mr. MERCER. I understand steps have been taken to procure the holding of terms of the United States court at Creston. I think that movement has been agitated by the courts themselves.

Mr. MADDOX. Is there any law authorizing it?

Mr. MERCER. No; and I might say that no bill has yet been introduced.

Mr. MADDOX. What are the receipts of this office?

Mr. MERCER. The gentleman from Iowa [Mr. HEPBURN] can, perhaps, answer the question more readily than I can.

Mr. HEPBURN. I do not know that I can state the postal receipts accurately, but I venture to say that they are something less than a quarter of a million dollars annually. [Laughter.]

Mr. DOCKERY. That is specific information.

Mr. MADDOX. Something less than a quarter of a million dollars! And there is another fact—that it is the only Congressional district in Iowa that has not already a public building.

The amendment recommended by the committee was agreed to.

On motion of Mr. MERCER, the bill as amended was ordered to be laid aside, to be reported to the House with a favorable recommendation.

PUBLIC BUILDING AT ANNAPOLIS, MD.

Mr. MERCER. Mr. Chairman, I call up the bill (H. R. 11141) for the erection of a public building at Annapolis, Md.

The bill was read, as follows:

Be it enacted, etc., That the Secretary of the Treasury be, and is hereby, authorized and directed to purchase a site for a suitable building, with fireproof vaults therein, for the accommodation of the post-office and other Government offices at the city of Annapolis, Md., and cause such building to be erected thereon. The plans, specifications, and full estimates of said building shall be previously made and approved according to law, and shall not exceed, for the site and building complete, the sum of $100,000: *Provided*, That no money appropriated for this purpose shall be available until a valid title to the site for said building shall be vested in the United States, nor until the State of Maryland shall have ceded to the United States exclusive jurisdiction over the same, during the time the United States shall be or remain the owner thereof, for all purposes except the administration of the criminal laws of said State and the service of civil process therein.

The Committee on Public Buildings and Grounds recommended the following amendment:

Strike out all after the word "dollars," in line 11.

Mr. MADDOX. I should like to have the report read.

Mr. MERCER. I ask to have the report read.

The report (by Mr. MERCER) was read, as follows:

The Committee on Public Buildings and Grounds, to whom was referred the bill (H. R. 11141) for the erection of a public building at Annapolis, Md., submit the following report:

Annapolis is a city of approximately 8,000 inhabitants. It is the seat of the United States Naval Academy, and has also a college of very fair standing, and several less pretentious educational institutions outside of its regular public-school system. It is also the seat of government of the State of Maryland, where the legislature meets, where the court of appeals sits, and other State officials have business offices for the transaction of public business.

With this increment of transitory population, added to the number already stated, and the suburban population who patronize the office included, it may be fairly considered that the postal facilities are furnished for from 15,000 to 20,000 people. The United States Government maintains a port of entry at this place, and a United States commissioner is located there. For both of these quarters are now rented by the Government. The bill contemplates a building for post-office and "other Government offices" to the extent that quarters may be needed for such other Government offices.

It has been the policy of the Government to appropriate money for public buildings at State capitals, and Annapolis is the only State capital in the United States to-day, with the exception of the capitals of several States recently admitted into the Union, that has not a Federal public building.

For the reasons stated herein the committee recommend that the bill do pass with the following amendment:

Strike out all after the word "dollars" in line 11.

Mr. MADDOX. I should like to inquire of the chairman whether the postal receipts here also are "less than a quarter of a million?"

Mr. MERCER. I think so. I ask for a vote.

The committee amendment was agreed to.

On motion of Mr. MERCER, the bill as amended was ordered to be laid aside to be reported to the House with a favorable recommendation.

PURCHASE OF SITE AND ERECTION OF PUBLIC BUILDING AT SALT LAKE CITY, UTAH.

Mr. MERCER. Mr. Chairman, I call up the bill (S. 1896) to provide for the purchase of a site and for the erection of a public

building thereon at Salt Lake City, the capital of the State of Utah.

The bill was read, as follows:

Be it enacted, etc., That the Secretary of the Treasury be, and he is hereby, authorized and directed to acquire, by purchase, condemnation, or otherwise, a site, and cause to be erected thereon a suitable building, including fireproof vaults, heating and ventilating apparatus, elevators, and approaches, for the use and accommodation of the United States court, post-office, and other offices in the city of Salt Lake, the capital of the State of Utah. Such site shall contain at least 108,900 square feet of ground. That the cost of such site and building, including the vaults, heating and ventilating apparatus, elevators, and approaches, complete, shall not exceed the sum of $500,000.

That proposals for the sale of land suitable for said site shall be invited by public advertisement in three or more of the newspapers of largest circulation in said city for the period of at least twenty days prior to the date specified in said advertisement for the opening of said proposals. That thereafter the Secretary of the Treasury shall cause examination to be made of the said bids and the said proposed sites, and shall cause statements, maps, and plats thereof to be taken and submitted to him; and thereupon the Secretary of the Treasury shall finally determine the location of said building and the amount to be paid for the site thereof.

And the Secretary of the Treasury shall cause appropriate sketches, plans, drawings, and specifications, and detailed estimates for the building to be prepared by the Supervising Architect of the Treasury Department. That there shall be available for the purposes of the said building, of the money of the United States Treasury not otherwise appropriated, to be expended under the direction of the Secretary of the Treasury in the purchase of site, in the preparation of plans and specifications, and the commencement of the construction of the building during the fiscal year, the sum of $100,000.

Mr. MERCER. I desire to say, Mr. Chairman, that this bill provides for the sale of some Government property in Salt Lake City. A bill is pending in Congress providing for its donation to the city of Salt Lake, but the committee in its investigation thought it better that the property be sold and the proceeds covered into the Treasury. A provision of that kind is inserted in the bill. I know that will please my friend from Missouri [Mr. DOCKERY].

Mr. DOCKERY. What is the value of the property?

Mr. MERCER. We have been unable to learn the exact value of the property; but it amounts to from $25,000 to $60,000.

Mr. DOCKERY. Do you make any provision for appraisement?

Mr. MERCER. The Secretary of the Treasury is fully empowered.

Mr. GAINES. I notice this bill provides for the purchase of property. Why do you limit the right of the Government to a simple purchase? Very often you can buy property better by simply condemning it.

Mr. MERCER. Provision is made that the Secretary of the Treasury can exercise his discretion in that respect. The bill so states. I ask for a vote on the amendments recommended by the committee.

The amendments were agreed to.

Mr. MERCER. I now move that the bill as amended be laid aside with a favorable recommendation.

The motion was agreed to.

PUBLIC BUILDING AT JANESVILLE, WIS.

Mr. MERCER. Mr. Chairman, I now call up the bill (H. R. 11162) to provide for the construction of a public building at the city of Janesville, Wis.

The bill was read, as follows:

Be it enacted, etc., That the Secretary of the Treasury be, and is hereby, authorized and directed to purchase, acquire by condemnation, or otherwise provide a site for a suitable building for the accommodation of the post-office and other Government offices at the city of Janesville, Wis., and cause such building to be erected thereon. The plans, specifications, and full estimates of said building shall be previously made and approved according to law, and shall not exceed, for the site and building, the sum of $75,000: *Provided*, That the site shall leave the building unexposed to danger from fire in neighboring buildings by an open space of not less than 30 feet, including streets and alleys, and that no money appropriated for this purpose shall be available until a valid title shall be vested in the United States, nor until the State of Wisconsin shall have ceded to the United States exclusive jurisdiction over the same, during the time the United States shall be and remain the owner thereof, for all purposes except the administration of the criminal laws of the said State and the service of civil process.

SEC. 2. That the sum of $75,000 be, and the same is hereby, appropriated for the purposes above mentioned, out of any moneys in the Treasury not otherwise appropriated, to be available until expended.

Mr. MERCER. I ask for the reading of the report, Mr. Chairman.

The report (by Mr. MERCER) was read, as follows:

The Committee on Public Buildings and Grounds, to whom was referred the bill (H. R. 11162) for the construction of a Federal building in the city of Janesville, Wis., have had the same under consideration and respectfully report as follows:

The city of Janesville is the county seat of Rock County, and has a population of 13,000. It is situated on Rock River, at the junction of the Chicago, Milwaukee and St. Paul Railway and the Chicago and Northwestern Railway, and is the distributing center for Rock County, which, by the last State census, has a population of 48,414, and is one of the wealthiest counties in the State.

The city is surrounded by an agricultural country of great fertility, and is the principal banking and business center of the great tobacco district of Wisconsin. It has about twenty large tobacco warehouses. Its manufacturing industries are many and important, including among others the establishments of the Janesville Cotton Mills, the Rock River Woolen Mills, the Rock River Cotton Company, the Janesville Carriage Works, the Janesville Machine Company, the B. F. Crossett City Mills, and the Hall Furniture Company. These establishments employ a very large number of operatives, and manufacture upon a large scale.

The city has a very superior system of waterworks, the plant of which cost nearly $300,000. The public-school system is most excellent, requiring the use of seven large school buildings, including a $60,000 high-school building, which is one of the best in the State. In addition to these there are two parochial schools and the Wisconsin State Institute for the Blind.

Three daily and five weekly newspapers are published in the city.

Among the many fine public buildings at Janesville, the county court-house and the building of the Young Men's Christian Association may be mentioned.

Janesville has four banks, two national and two State, all of which are prominently numbered among the strong financial institutions of southern Wisconsin.

The gross receipts of the post-office for the fiscal year 1897 were $24,782.23, and the total expenses, including free delivery, were $13,433.93, leaving the net receipts $11,348.30.

The salary of the postmaster, which is based upon the receipts of the office, is $2,600, and indicates with certainty that the amount of business transacted at the post-office is, relatively speaking, exceptionally large, and further indicates the great commercial and manufacturing prosperity of the community.

The post-office of this flourishing and enterprising city is now located in a single room, for which an annual rental of $1,000 is paid. There are no modern conveniences, such as fireproof vaults, water-closets, or private rooms of any kind. All the business of the office, including that of the registry department and the free-delivery system, employing seven carriers, has to be conducted at great inconvenience in one room, and despite the free-delivery system the office is still largely patronized by the general public.

In view of the size of the city, its marked business character and advantages, the exceptionally large amount of business done at the post-office, the annual net receipts of which are approximately $11,500, the want of modern conveniences and appliances in the present rented room used for the purposes of the office, and the urgent need of adequate facilities for the proper transaction of the public business, your committee are of the opinion that the city of Janesville should have a Federal building in keeping with its character as a commercial center, and they report back the said bill with the recommendation that it do pass, amended as follows:

In line 11 strike out "seventy-five" and insert "fifty," and strike out all after the word "alleys," in line 14.

Mr. MERCER. I ask for a vote on the amendments recommended by the committee.

The amendments were agreed to.

Mr. MERCER. I now move that the bill as amended be laid aside with a favorable recommendation.

The motion was agreed to.

PURCHASE OF A SITE AND ERECTION OF A PUBLIC BUILDING AT ROME, N. Y.

Mr. MERCER. I now call up the bill (H. R. 1631) to provide for the purchase of a site and the erection of a public building thereon at Rome, in the State of New York.

The bill was read, as follows:

Be it enacted, etc., That the Secretary of the Treasury be, and he is hereby, authorized and directed to acquire, by purchase, condemnation, or otherwise, a site, and cause to be erected thereon a suitable building, including fireproof vaults, heating and ventilating apparatus, elevators, and approaches, for the use and accommodation of the United States post-office and other Government offices in the city of Rome and State of New York, the cost of said site and building, including said vaults, heating and ventilating apparatus, elevators, and approaches, complete, not to exceed the sum of $50,000.

Proposals for the sale of land suitable for said site shall be invited by public advertisement in one or more of the newspapers of said city of largest circulation for at least twenty days prior to the date specified in said advertisement for the opening of said proposals.

Proposals made in response to said advertisement shall be addressed and mailed to the Secretary of the Treasury, who shall then cause the said proposed sites, and such others as he may think proper to designate, to be examined in person by an agent of the Treasury Department, who shall make written report to said Secretary of the results of said examination, and of his recommendation thereon, and the reasons therefor, which shall be accompanied by the original proposals and all maps, plats, and statements which shall have come into his possession relating to the said proposed sites.

If, upon consideration of said report and accompanying papers, the Secretary of the Treasury shall deem further investigation necessary, he may appoint a commission of not more than three persons, one of whom shall be an officer of the Treasury Department, which commission shall also examine the said proposed sites, and such others as the Secretary of the Treasury may designate, and grant such hearings in relation thereto as they shall deem necessary; and said commission shall within thirty days after such examination make to the Secretary of the Treasury written report of their conclusions in the premises, accompanied by all statements, maps, plats, or documents taken by or submitted to them in like manner as hereinbefore provided in regard to the proceedings of said agent of the Treasury Department; and the Secretary of the Treasury shall thereupon finally determine the location of the building to be erected.

The compensation of said commissioners shall be fixed by the Secretary of the Treasury, but the same shall not exceed $6 per day and actual traveling expenses: *Provided, however*, That the member of said commission appointed from the Treasury Department shall be paid only his actual traveling expenses.

No money shall be used for the purpose mentioned, until a valid title to the site for said building shall be vested in the United States, nor until the State of New York shall have ceded to the United States exclusive jurisdiction over the same, during the time the United States shall be or remain the owner thereof, for all purposes except the administration of the criminal laws of said State and the service of civil process therein.

The building shall be unexposed to danger from fire by open space of at least 40 feet on each side, including streets and alleys.

Mr. DOCKERY. Mr. Chairman, I desire to ask the gentleman from Nebraska if the report has been printed in this case?

Mr. MERCER. Yes, sir.

The CHAIRMAN. The Clerk will read the report.

Mr. DOCKERY. Is there a Federal court there?

Mr. MERCER. There is no Federal court there.

Mr. DOCKERY. What are the postal receipts?

Mr. MERCER. They are in the neighborhood of $40,000.

Mr. DOCKERY. What is the population of the city?

Mr. MERCER. I would ask the gentleman in the chair what is the population?

The CHAIRMAN. About 18,000. [Laughter.]

Mr. MERCER. About 18,000. Now I ask for a vote on the amendments, Mr. Chairman.

The amendments were agreed to.

Mr. MERCER. I now move that the bill as amended be laid aside with a favorable recommendation.

The motion was agreed to.

TO REMOVE THE FIRE LIMIT FROM THE POST-OFFICE AT BRIDGEPORT, CONN.

Mr. MERCER. I now call up the bill (H. R. 11728) to remove the fire limit from the post-office at Bridgeport, Conn.

The bill was read, as follows:

Be it enacted, etc., That chapter 421 of the acts of the first session Fiftieth Congress, entitled "An act for the erecting of a public building at Bridgeport, Conn.," is hereby amended by striking out the words "and the site purchased shall leave the building unexposed to danger from fire by an open space of at least 40 feet, including streets and alleys."

Mr. MERCER. Mr. Chairman, I desire to call the attention of the committee to this bill. It is legislation that does not provide for an addition, enlargement, or a new building, but it removes the usual 40-foot fire limit, and it is recommended by the Secretary of the Treasury owing to circumstances surrounding the purchase of a site in this city.

Mr. LOUD. Can you do that?

Mr. MERCER. This is the second time we have done it. It is urgently demanded by the Treasury Department.

Mr. LOUD. How much does the bill appropriate?

Mr. MERCER. It does not appropriate a cent.

Mr. LOUD. How much do you propose to appropriate?

Mr. MERCER. We do not propose to appropriate.

Mr. LOUD. What do they want the bill for, then?

Mr. MERCER. It is to save the Government some money.

Mr. LOUD. I think the bill is entirely out of place.

Mr. MERCER. I move that the bill be laid aside with a favorable recommendation.

The motion was agreed to.

PUBLIC BUILDING AT INDIANAPOLIS, IND.

Mr. MERCER. I now call up the bill (H. R. 2) to provide for the erection of a public building at Indianapolis, Ind., and yield to the gentleman from Indiana [Mr. OVERSTREET].

The CHAIRMAN. The gentleman from Indiana asks unanimous consent to substitute in place of the House bill the Senate bill.

Mr. OVERSTREET. It is the next bill on the Calendar.

Mr. DOCKERY. Is it for the same amount?

Mr. OVERSTREET. It is for the same amount.

There was no objection.

The Clerk read as follows:

A bill (S. 146) to provide for the erection of a public building at Indianapolis, Ind.

Be it enacted, etc., That the Secretary of the Treasury be, and he is hereby, authorized and directed to acquire by purchase, condemnation, or otherwise, a site and cause to be erected thereon a suitable building, including fireproof vaults, heating and ventilating apparatus, elevators, and approaches, for the use and accommodation of the United States post-office, court-house, custom-house, internal-revenue office, pension office, and other Government offices in the city of Indianapolis and State of Indiana, the cost of said site and building, including said vaults, heating and ventilating apparatus, elevators, and approaches, complete, not to exceed the sum of $1,500,000.

Proposals for the sale of land suitable for said site shall be invited by public advertisement in one or more of the newspapers of said city of largest circulation for at least twenty days prior to the date specified in said advertisement for the opening of said proposals.

Proposals made in response to said advertisement shall be addressed and mailed to the Secretary of the Treasury, who shall then cause the said proposed sites, and such others as he may think proper to designate, to be examined in person by an agent of the Treasury Department, who shall make written report to said Secretary of the results of said examination, and of his recommendation thereon, and the reasons therefor, which shall be accompanied by the original proposals and all maps, plats, and statements which shall have come into his possession relating to the said proposed sites.

If, upon consideration of said report and accompanying papers, the Secretary of the Treasury shall deem further investigation necessary, he may appoint a commission of not more than three persons, one of whom shall be an officer of the Treasury Department, which commission shall also examine the said proposed sites, and such others as the Secretary of the Treasury may designate, and grant such hearings in relation thereto as they shall deem necessary; and said commission shall, within thirty days after such examination, make to the Secretary of the Treasury written report of their conclusions in the premises, accompanied by all statements, maps, plats, or documents taken by or submitted to them in like manner as hereinbefore provided in regard to the proceedings of said agent of the Treasury Department; and the Secretary of the Treasury shall thereupon finally determine the location of the building to be erected.

The compensation of said commissioners shall be fixed by the Secretary of the Treasury, but the same shall not exceed $5 per day and actual traveling expenses: *Provided, however*, That the member of said commission appointed from the Treasury Department shall be paid only his actual traveling expenses.

No money appropriated for the purposes of carrying out the provisions of this act shall be available, except for the purposes of paying for the preliminary expenses of acquiring title to a site and preparing plans and specifications for a building, until a valid title to the site for said building shall be vested in the United States, nor until the State of Indiana shall have ceded to the United States exclusive jurisdiction over the same, during the time the United States shall be or remain the owner thereof, for all purposes except the administration of the criminal laws of said State and the service of civil process therein.

The building shall be unexposed to danger from fire by an open space of at least 40 feet on each side, including streets and alleys.

SEC. 2. That if, in the judgment of the Secretary of the Treasury, it shall be deemed in the best interest and economy of the public service, he is hereby authorized and directed, in lieu of the provisions of section 1 of this act, to purchase, at a cost not exceeding $200,000, 15,200 square feet of ground adjoining the present site, and to cause the present United States court-house and post-office and other buildings to be torn down and removed, and to cause to be erected on the site of said buildings, with the additional ground purchased, a new public building for the use and accommodation of the Government offices, upon sketch plans, drawings, and detailed estimates to be prepared and approved as specified in said section 1 of this act, at a cost not exceeding said sum of $1,500,000.

Mr. DOCKERY. Mr. Chairman——

Mr. COOPER of Texas. Mr. Chairman——

Mr. MERCER. I yield to the gentleman from Texas.

Mr. COOPER of Texas. I understand the gentleman from Georgia wants to make some remarks on this bill.

Mr. DOCKERY. I should like to get in first. I would be pleased to have the gentleman give the House a concise statement of just what this bill proposes. It imposes a liability of a million and a half.

Mr. MERCER. One million two hundred thousand dollars.

Mr. DOCKERY. I would be glad to have a brief explanation of what the bill accomplishes.

Mr. OVERSTREET. Mr. Chairman, I can explain the reasons for this bill in less than two minutes.

Mr. DOCKERY. Take time enough.

Mr. OVERSTREET. The building now occupied by the Government at Indianapolis was constructed in 1860, when the population of the city was 18,000. There were less than 25 clerks employed by the Government at that time. The receipts of the office the last day of December, 1898, showed $430,758.83 for the year.

The expenditures for the same calendar year were $168,315.47, leaving a net profit to the Government for the year ending December 31, 1898, of $262,443.36. There are now employed by the Government, in the various branches of the Government work in that city, 554 clerks. The mailing department of the Government to-day is in a building formerly occupied by a livery stable, having long since been crowded out of its original possession.

The purchaser of a stamp for mailing a letter is required to go from the main building and pass down a part of a square and enter an additional building before his letter can be mailed.

Mr. SULZER. How much appropriation does this bill carry?

Mr. OVERSTREET. It called for a million and a half originally, but it is cut down to $1,200,000.

Mr. SULZER. When was the old post-office built?

Mr. OVERSTREET. I have already stated that; in 1860. I may say to the gentleman that there are at the capital of the State three courts, the district, the circuit, and the appellate. The present building provides only one set of rooms for the judges of those courts. The records of the courts are stored in a garret and store-rooms removed from the clerk's present surroundings, so as to make access to them almost impossible.

The marshal's office is in a different building from that occupied by the court, and that is true of the pension bureau.

The CHAIRMAN. The Clerk will report the amendment recommended by the committee to the Senate bill.

The Clerk read as follows:

In line 13, page 1, and line 14, page 4, strike out "five" and insert "two."

In line 58 on page 3 strike out the word "exclusive" and insert in lieu thereof the word "concurrent."

At the close of section 2 of the bill add the following new section, viz:

"SEC. 3. That in the event a site shall be purchased as provided for by section 1 of this act, the Secretary of the Treasury be, and he hereby is, authorized and directed to sell, for the highest and best bid obtainable, after advertising said sale for at least twenty days immediately preceding in at least two daily papers published in the city of Indianapolis, Ind., and upon such terms of payment as said Secretary of the Treasury shall prescribe, the real estate now known as the Indianapolis, Ind., post-office site, comprising the real estate, with all buildings thereon situated, now owned and occupied by the United States Government, and located on Pennsylvania and Market streets, in the city of Indianapolis, Marion County, Ind. And the Secretary of the Treasury is hereby authorized and directed to apply the proceeds derived from said sale toward the payment for the purchase of the site provided for in section 1 of this act, and the sum of $1,200,000 in this act authorized, together with the unexpended balance, if any, of the proceeds derived from the sale of the present site, may be expended in the construction of the building as provided for in section 1 of this act."

Mr. LOUD. I would like to ask the gentleman how large a population there is at Indianapolis?

Mr. OVERSTREET. From letters recently received, and as shown from recent estimates, the population is 200,000. The census of 1890 shows but 105,000, but since that date some of the surrounding suburbs, which were separate organizations, have been annexed to the city.

Mr. LOUD. I want to make one suggestion to the gentleman, and it may be applicable to the whole House. When we claim population, we claim all in sight. Did I understand the gentleman to say that there were 500 clerks there?

Mr. OVERSTREET. Five hundred clerks? There are.

Mr. LOUD. In the post-office?

Mr. OVERSTREET. No; in the post-office, pension agency, internal revenue, collector's, United States courts, secret service department, water bureau, and all of the Government business there are 554 employees. There are 246 railway postal clerks who have had quarters there.

Mr. LOUD. Oh, well, Mr. Chairman, gentlemen get ambitious when they make statements on the floor, when they might as well confine themselves to the moderate truth. I was somewhat struck by the remarks of the gentleman from Illinois [Mr. HOPKINS], who, having got his bill passed, has left the Chamber. In his exuberance, giving as the net proceeds of the post-office at some office—Elgin, I think—he took the post-office receipts as if they were all profits.

Mr. OVERSTREET. The gentleman is not calling attention to this bill under consideration?

Mr. LOUD. No; I will get to this bill in a moment. I was making this suggestion to show how ambitious gentlemen get when they desire to show the House the necessity of a public building at their place, when the abstract facts would perhaps answer quite as well. Gentlemen must know that 254 railway mail clerks have about as much connection with the Indianapolis post-office as I have. Now, the gentleman from Illinois [Mr. HOPKINS] referred to the Elgin post-office, assuming there was $38,000 or $39,000 net revenue in that city. I want to call the attention of the House to the postal receipts and net revenues.

The net revenues of the Postal Department to-day appear to be $30,000,000, and yet there is a deficit of more than $15,000,000, because when we figure the net receipts and the profits at a post-office, we simply credit to that post-office just the expense of the management of that particular office. I thought the gentleman from Indiana [Mr. OVERSTREET], when he made the statement, said that there were 500 postal clerks in the Indianapolis office, which would be one twenty-sixth of the postal clerks in the country. Let me say to the gentleman, while he may need a public building, it is unnecessary to endeavor to befog and cloud the case by an assumption that 254 railway mail clerks have any connection with the necessity for a post-office at Indianapolis.

Mr. HOPKINS. Mr. Chairman, the gentleman from California, some time after the Elgin bill had passed this committee, has seen fit to criticise some remarks made by me in explanation of the reason why this bill should be favorably considered by the committee. I will say to the gentleman from California that there was no exuberance in my remarks at all. They were the plain and unvarnished statement of a truthful story. The gentleman assumes, because he has been connected with the Post-Office Committee for some years, that there is no information on that subject outside of that which he contains.

Now, I will say to him that when I said the net revenue was $40,000 I meant what I said. The gross revenues for 1898 were $62,183, and the expense is only about $20,000, as I remember the amount. So that my statement was absolutely correct, that the net revenues of that office aggregated in the year 1898 more than $40,000.

If the gentleman before criticising my remarks had taken occasion to look at the revenues of that office from year to year, he would have seen that they are gradually increasing at the rate of eight or ten thousand dollars per annum. The post-office at Elgin belongs to the first class; and if any meritorious bill has been considered here to-day, this is one. [Cries of "Vote!" "Vote!"]

Mr. STEELE. As the gentleman's bill has already passed, I hope he will not occupy time now in discussing it.

The question being taken, the amendments reported by the committee were agreed to; and the bill as amended was laid aside to be reported favorably.

Mr. MERCER. I ask unanimous consent that House bill No. 2 be laid aside with the recommendation that it lie on the table.

The CHAIRMAN. In the absence of objection, that order will be made.

PUBLIC BUILDING AT SEATTLE, WASH.

The next business was the bill (S. 346) for the erection of a public building at the city of Seattle, in the State of Washington.

The bill was read, as follows:

Be it enacted, etc., That the Secretary of the Treasury be, and he hereby is, authorized and directed to purchase, or acquire by condemnation proceedings, a site for a building to be erected thereon, and to cause to be erected at the city of Seattle, in the State of Washington, a suitable building for the use and accommodation of the United States courts, custom-house, land office, post-office, and other Government offices in said city, with fireproof vaults extending to each story; the site, and the building thereon, when completed according to plans and specifications to be previously made and approved by the Secretary of the Treasury, not to exceed the cost of $500,000; and the sum of $500,000 is hereby appropriated, out of any money in the Treasury not otherwise appropriated, for the purchase of said site and the completion of said building.

Proposals for the sale of land suitable for said site shall be invited by public advertisement in one or more of the newspapers of said city of largest circulation for at least twenty days prior to the date specified in said advertisement for the opening of said proposals.

Proposals made in response to said advertisement shall be addressed and mailed to the Secretary of the Treasury, who shall then cause the said proposed sites, and such others as he may think proper to designate, to be examined in person by an agent of the Treasury Department, who shall make written report to said Secretary of the results of said examination and of his recommendation thereon, and the reasons therefor, which shall be accompanied by the original proposals and all maps, plats, and statements which shall have come into his possession relating to the said proposed sites.

If upon consideration of said report and accompanying papers the Secretary of the Treasury shall deem further investigation necessary, he may appoint a commission of not more than three persons, one of whom shall be an officer of the Treasury Department, which commission shall also examine the said proposed sites, and such others as the Secretary of the Treasury may designate, and grant such hearings in relation thereto as they shall deem necessary; and said commission shall, within thirty days after such examination, make to the Secretary of the Treasury written report of their conclusion in the premises, accompanied by all statements, maps, plats, or documents taken by or submitted to them, in like manner as hereinbefore provided in regard to the proceedings of said agent of the Treasury Department; and the Secretary of the Treasury shall thereupon finally determine the location of the building to be erected.

The compensation of said commissioners shall be fixed by the Secretary of the Treasury, but the same shall not exceed $6 per day and actual traveling expenses: *Provided, however*, That the member of said commission appointed from the Treasury Department shall be paid only his actual traveling expenses.

So much of the appropriation herein made as may be necessary to defray the expenses of advertising for proposals, actual traveling expenses of said agent, and the compensation and actual traveling expenses of said commissioners, and other expenses incident to the selection of the site and for necessary survey thereof, shall be immediately available.

No money appropriated by this act shall be available, except as hereinbefore provided, until a valid title to the site for said building shall be vested in the United States, nor until the State of Washington shall have ceded to the United States exclusive jurisdiction over the same during the time the United States shall be or remain the owner thereof for all purposes except the administration of the criminal laws of said State and the service of civil process therein.

The building to be erected shall be unexposed to danger from fire by an open space of at least 40 feet on each side, including streets and alleys.

The amendments reported by the committee were read, as follows:

In line 13, page 1, substitute "three" for "five."

In line 14, page 1, strike out "and the sum of five hundred thousand," and strike out all of lines 1, 2, and 3, on page 2.

Strike out lines 16 to 25, inclusive, on page 3, and lines 1 to 4, inclusive, on page 4.

Mr. MERCER. I suggest that in lieu of the reading of the report the gentleman from Washington [Mr. LEWIS] make an explanation as to this bill.

The CHAIRMAN. The gentleman from Nebraska [Mr. MERCER] yields to the gentleman from Washington [Mr. LEWIS].

Mr. LEWIS of Washington. Mr. Chairman, Seattle is the imperial city of the oriental seas. She is the great way station at which the ceaseless caravan of civilization will rest on its march from London to Manila.

She is the most deserving city to have been the most neglected in the Federal Union. I have heretofore, in committee, made such extended argument and presented such a multiplying army of statistics that I can but repeat a portion of them. I shall limit my observations to replying to the inquiries addressed by my friend from Delaware, Major HANDY, and my ever-solicitous friend from California, Colonel LOUD. First, the principal Federal court is held there, having more cases upon the docket for disposition at one term, in that one district, being one of four districts, than there were in a year in all the Federal courts of the State of Massachusetts.

Her customs demands and necessities for collection of internal revenue exceed those of the cities of St. Paul and Minneapolis combined.

Her post-office receipts for the year 1898, inclusive of the mail going to Alaska, were only little less than $100,000. She has arriving and departing from her ports daily more than 100 water crafts, going to all portions of the world.

Mr. JONES of Washington. Many of them for Japan and China.

Mr. LEWIS of Washington. As my watchful colleague suggests, many palatial vessels plying between Hongkong, China, and Yokohama, Japan, carrying and bringing the exchange commerce of that now newly explored commercial futurity. A public building is the necessity of justice, a great public building is the demand of that city now approaching 100,000 people. No other information being sought, I thank the House for its jovial temper and its generous treatment of that community more endeared to me than any other spot on earth—my home!

The CHAIRMAN. The question is on agreeing to the amendments of the committee.

The amendments were agreed to; and the bill as amended was laid aside to be reported favorably.

ADDITION TO PUBLIC BUILDING AT CANTON, OHIO.

The next business was the bill (H. R. 75) providing for the erection of an addition to the United States public building at Canton, Ohio.

The bill was read, as follows:

Be it enacted, etc., That the Secretary of the Treasury be, and he hereby is, authorized and directed to cause to be erected, at a cost not exceeding $15,000, on land now owned by the Government, an addition to the United States public building at Canton, Ohio; such addition to be so constructed and arranged as to provide additional accommodations for the post-office in said city.

Mr. MERCER. Let the report be read, if any gentleman desires it.

The CHAIRMAN. The question is on laying the bill aside with a favorable recommendation. [Cries of "Vote!" "Vote!"]

Mr. DOCKERY. Oh, Mr. Chairman, let us have a brief explanation. The RECORD, I fear, is being punctuated too freely with cries of "Vote!" "Vote!"

Mr. MERCER. I suggest that the gentleman from Ohio [Mr. GROSVENOR] give an explanation of the bill,

Mr. DOCKERY. Let us have an explanation.

Mr. GROSVENOR. Mr. Chairman, in the absence of my colleague [Mr. TAYLER] who represents the district in which this building is located, I can simply state that the public building at Canton was built about twenty-five years ago, at a time when the population of that city was only 25,000. It was a small building, far too small even then for the public uses. Since that time the population of the city has increased to something like 40,000, and the business transacted at that public building has enlarged 75 per cent. This is simply a proposition to put an addition to the building at a cost not to exceed $15,000.

The question being taken, the bill was laid aside to be favorably reported.

POST-OFFICE BUILDING AT SPRINGFIELD, MASS.

The next business was the bill (H. R. 11530) authorizing the extension of the post-office building at Springfield, Mass.

The bill was read, as follows:

Be it enacted, etc., That the Secretary of the Treasury be, and is hereby, authorized and directed to cause the post-office building at Springfield, Mass., to be extended and enlarged, so as to provide necessary accommodations for the post-office, at a cost not to exceed $20,000, including all necessary changes in and repairs to the present structure.

The bill was laid aside to be reported favorably.

PUBLIC BUILDINGS AT HASTINGS AND NORFOLK, NEBR.

The next business was the bill (S. 88) to provide for the purchase of sites for public buildings in the cities of Hastings and Norfolk, in the State of Nebraska, and for other purposes.

The bill was read, as follows:

Be it enacted, etc., That the Secretary of the Treasury be, and he is hereby, authorized and directed to acquire title, by purchase, condemnation, or otherwise, to sites in the cities of Hastings and Norfolk, respectively, in the State of Nebraska, on which to erect suitable buildings, including fireproof vaults, heating and ventilating apparatus, elevators, and approaches, for the use and accommodation of the United States post-office and other Government offices in said respective cities, the cost of said sites, respectively, not to exceed the sum of $10,000.

Proposals for the sale of lands suitable for said sites shall be invited by the Secretary of the Treasury, by public advertisement in one or more of the newspapers of said respective cities of largest circulation for at least twenty days prior to the date specified in said advertisement for the opening of said proposals.

Proposals made in response to said advertisement shall be addressed and mailed to the Secretary of the Treasury, at Washington, in the District of Columbia, and he shall then cause the said proposed sites, and such others as he may think proper to designate, to be examined in person by an agent of the Treasury Department, who shall make written report to said Secretary of the Treasury of the result of said examination, and of his recommendation thereon and the reasons therefor, which shall be accompanied by the original proposals, and all maps, plats, and statements which shall have come into his possession relating to said proposed sites.

If, upon consideration of said report and accompanying papers, the Secretary of the Treasury shall deem further investigation necessary, he may appoint a commission of not more than three persons, one of whom shall be an officer of the Treasury Department, which commission shall also examine the said proposed sites, and such others as the Secretary of the Treasury may designate, and grant such hearings in relation thereto as they shall deem necessary. The said commission shall, within thirty days after such examination, make to the Secretary of the Treasury written report of their conclusions in the premises, accompanied by all statements, maps, plats, or documents taken by or submitted to them, in like manner as hereinbefore provided in regard to proceedings of said agent of the Treasury Department; and the Secretary of the Treasury shall thereupon finally determine the location of the said respective sites.

The compensation of said commissioners shall be fixed by the Secretary of the Treasury, but the same shall not exceed $5 per day and actual traveling expenses: *Provided, however*, That the member of said commission appointed from the Treasury Department shall be paid only his actual traveling expenses.

No money shall be used for the purpose mentioned until a perfect title to said respective sites shall be vested in the United States, nor until the State of Nebraska shall have ceded to the United States exclusive jurisdiction over the same, during the time the United States shall be or remain the owner thereof, for all purposes except for the purpose of the administration of the criminal and civil laws of said State and the service of processes therein.

And the sum of $25,000 is hereby appropriated, out of any money in the Treasury of the United States not otherwise appropriated, for the purpose of carrying out the provisions of this act.

The amendments reported by the committee were read, as follows:

In line 8 strike out the word "elevators."

Strike out the word "respectively," in line 11; and in same line, after the word "exceed," add the words "in the city of Hastings;" and in same line strike out the word "ten" and insert in lieu thereof the word "thirteen."

After the word "dollars," in line 13, add these words: "and in the city of Norfolk, $7,000."

Strike out all after the word "expenses," in line 51.

Mr. DOCKERY. Does this bill authorize the construction of two buildings or one?

Mr. MERCER. It authorizes the construction of no building—simply the purchase of sites.

Mr. DOCKERY. Sites for two buildings?

Mr. MERCER. Yes, sir.

Mr. DOCKERY. And it makes no provision for the construction of the buildings?

Mr. MERCER. No, sir.

Mr. DOCKERY. What is the reason of that?

Mr. MERCER. A bill was passed by Congress providing that United States courts should be held in these two cities; that act made provision for both cities at the same time. Senator ALLEN in the Senate, in view of that fact, introduced a bill to take care of both sites, in pursuance of the legislation theretofore had, both being embraced in the act of establishing United States courts.

Mr. DOCKERY. But how do you take care of them?

Mr. MERCER. By providing for sites both at Norfolk and at Hastings.

Mr. DOCKERY. Only the sites?

Mr. MERCER. That is all, and making appropriations of $10,000 at each place for the sites.

Mr. DOCKERY. Then what about the buildings?

Mr. MERCER. That will have to be looked after by the people who introduced the other bills.

The amendments, as stated by the Clerk from the desk, I wish to say, Mr. Chairman, are incorrect. The amendments read were, in line 8, to strike out the word "elevators." Then make no further change in the bill until line 17 is reached, on page 3; and strike out all after the word "expenses," in line 16, to the end of the bill.

The only amendment, I will state, that is not right, as read from the desk, is the amendment striking out the words "elevators" and "respectively" where they occur in the bill and inserting the words "in the city of Hastings, $13,000," and "in the city of Norfolk, $7,000."

Mr. MADDOX. How did the elevator get into the "site" of the public building?

Mr. MERCER. Oh, if the gentleman from Georgia had paid attention to the reading of the bill and my response to the gentleman from Missouri, he would not have needed to ask that question.

Mr. MADDOX. I did pay attention to the gentleman's statement.

Mr. MERCER. This provides for the purchase of sites and for the erection of these two Government buildings at the places named, and for the construction of buildings of such a character, but makes no provision for their construction.

Mr. MADDOX. That is the reason I was curious to know how the elevators got in.

Mr. MERCER. I ask a vote on the amendment.

The CHAIRMAN. The Clerk will report the amendment.

The Clerk read as follows:

Amend on page 1, so that the bill will read as follows: "The cost of said sites, respectively, not to exceed the sum of $10,000.

Mr. MERCER. That is right, with the exception that the rest of the bill, after line 16, is stricken out.

The question was taken on the amendments recommended by the committee, and they were agreed to.

The bill as amended was, on motion of Mr. MERCER, laid aside to be reported to the House with a favorable recommendation.

NEW CUSTOM-HOUSE, NEW YORK CITY.

Mr. MERCER. I now call up the bill (H. R. 9077) to supplement and amend an act entitled "An act for the erection of a new custom-house in the city of New York, and for other purposes," approved March 3, 1891.

The CHAIRMAN. The Clerk will report the bill.

The Clerk read as follows:

Strike out all after the enacting clause of the bill and insert:

"That the Secretary of the Treasury be, and he is hereby, authorized and directed to acquire, by purchase, condemnation, or otherwise, for customs purposes, the premises heretofore selected by the Secretary of the Treasury, under the act of September 14, 1888, as a site for a custom-house building, and known as the Bowling Green site, in the city of New York and State of New York, and the sum of $750,000 in addition to the balance in the Treasury remaining unexpended under the provisions of the act of Congress approved September 14, 1888, entitled "An act for the erection of an appraiser's warehouse in the city of New York, and for other purposes," is hereby appropriated, out of any money in the Treasury not otherwise appropriated, and made immediately available for such purpose.

"SEC. 2. That upon the acquisition of said site the Secretary of the Treasury shall cause to be erected thereon a substantial, commodious, and fireproof building for the purposes of a custom-house, at a cost not to exceed $3,000,000, exclusive of the cost of the site, and for the preparation of the plans and the commencement of the work the sum of $1,000,000 is hereby appropriated, out of any money in the Treasury not otherwise appropriated, and made immediately available for this purpose; and the Secretary of the Treasury is authorized to contract for the completion of said building, including heating and ventilating apparatus, fireproof vaults, elevators, and approaches complete, within the limit of cost prescribed by law, subject to the appropriations which may hereafter be made by Congress.

"SEC. 3. That the Secretary of the Treasury may, in his discretion, invite not less than five architects to compete for the preparation and furnishing of plans, drawings, and specifications, and the local supervision of the construction of said new custom-house building, under the direction and general supervision of the Secretary of the Treasury.

"SEC. 4. That the Secretary of the Treasury is hereby authorized and directed to sell at public or private sale, to the highest bidder, after due advertisement, but for not less than $3,000,000, the present custom-house property in the city of New York, bounded by Wall, William, and Hanover streets,

and Exchange place, and to deposit the proceeds of the sale, after the payment of the usual incidental expenses, in the United States Treasury as miscellaneous receipts derived from the sale of Government property; and in case of such sale the Secretary of the Treasury shall lease said premises from the purchaser or purchasers thereof, at a rental which shall not exceed 4 per cent per annum on the purchase price, for use as a custom-house until the new custom-house shall be ready for occupancy, upon such terms as he may deem advantageous, and such sale shall be subject to such right of lease; and the Secretary of the Treasury is hereby authorized to accept the said purchase price in several payments, from time to time, as he may deem most advantageous: *Provided, however*, That the use, occupation, and possession of said property shall not be surrendered until the new custom-house is ready for occupation and final payment is fully made.

"SEC. 5. That the appropriation of $750,000, made in section 1 of this act, in addition to the balance in the Treasury remaining unexpended under the provisions of the act of Congress approved September 14, 1888, for the acquisition of the Bowling Green site, and the further sum of $1,000,000 for the preparation of plans and the commencement of the work of construction, appropriated in section 2 of this act, shall be reimbursed out of the proceeds of the sale of the present custom-house property, provided for in section 4 of this act, when such proceeds have been covered into the Treasury.

"SEC. 6. That all acts and parts of acts inconsistent with the provisions of this act are hereby repealed."

Mr. DOCKERY. Mr. Chairman, I hope the provisions of this bill will be explained. It is quite an important matter.

Mr. MERCER. I suggest that the report be read first.

Mr. LOW. I will explain the bill.

Mr. QUIGG. I think I can save time if the gentleman will yield to me.

Mr. LOW. I will explain the bill. This is my bill——

Mr. QUIGG. Does the gentleman from Nebraska yield to me?

Mr. MERCER. I yield to the gentleman from New York [Mr. QUIGG].

Mr. QUIGG. Mr. Chairman, this bill is offered to complete certain legislation on the subject of the New York custom-house, adopted in 1888. A bill was passed at that time—twelve years ago—which appropriated the sum of $2,000,000 for the purchase of a site for a custom-house building and for appraiser's stores in the city of New York. It was then intended that the building should embrace both of these branches—that is to say, the custom-house and the appraiser's stores—on the same site. That policy it was found impossible to carry out, however, and in 1891 permission was given for the purchase of a site for the appraiser's stores in another place.

This site was purchased in pursuance of that legislation, and the appraiser's stores building was erected on a site near the old property the Government was then using for this purpose, which required the expenditure of $600,000, or near that, of the two millions appropriated for the two sites. Then in 1892 Congress passed an act directing that the custom-house should be erected on the Bowling Green site, and directing that the balance of the appropriation should be made available for the purchase of a site and the appointment of a commission to condemn it, and also directing the sale of the present property for a sum not less than $4,000,000.

Now, it is that bill which this bill proposes to amend. The commission of appraisal was appointed and condemned the property at $2,100,000, or about $700,000 more than was available under the act of 1888. Under the act of 1888 there was a balance of $1,400,000, which balance remains at this minute, appropriated for the purchase of that site. But Congress has never since then completed the necessary legislation by giving the remaining $700,000 which is necessary under the condemnation proceedings for the acquisition of the Bowling Green site.

Now, this act gives that further $750,000. It also gives a million dollars for the purpose of going ahead with the construction of the building, and it requires that the building now occupied by the Government as a custom-house shall be sold for not less than $3,000,000, and that the proceeds of that sale shall be covered into the Treasury, reimbursing the advances made under this bill. That is really the whole of this bill. The work is to be done by the Treasury Department. There is to be no commission or other scheme for supervision except by the Treasury Department. The substitute bill is submitted here with the recommendation of the Department.

Mr. MERCER. I desire to say that this bill was introduced by the gentleman from New York [Mr. LOW], and the bill reported by the committee is a substitute for the bill introduced by the gentleman from New York [Mr. LOW]. The substitute is recommended by the Treasury Department. In fact, it was drawn by the Treasury Department. Does the gentleman from New York [Mr. LOW] desire to say anything?

Mr. LOW. I desire to say that I was fully prepared to explain the situation and to give the reasons for the passage of this bill; but since the gentleman from New York [Mr. QUIGG] has seen fit to usurp my privilege and to explain the matter, I will not detain the House any longer.

The CHAIRMAN. The question is on agreeing to the substitute offered by the committee.

The substitute was agreed to.

The bill as amended was ordered to be laid aside to be reported to the House with a favorable recommendation.

PUBLIC BUILDING, FERGUS FALLS, MINN.

Mr. MERCER. I call up the bill (S. 2048) for the erection of a public building at Fergus Falls, Minn.

The bill was read, as follows:

Be it enacted, etc., That the Secretary of the Treasury be, and he is hereby, authorized and directed to acquire by gift, purchase, or condemnation or otherwise a site for, and cause to be erected thereon a suitable building, including fireproof vaults, heating and ventilating apparatus, elevators, and approaches, for the use and accommodation of the United States courts, post-office, and other Government offices at the city of Fergus Falls, in the State of Minnesota. The site and building thereon, with its appurtenances, when completed upon plans and specifications to be previously made and approved by the Secretary of the Treasury, shall not exceed in the aggregate the sum of $175,000; that no money appropriated for the purpose aforesaid shall be available until a valid title to the site for said building shall be vested in the United States, nor until the State of Minnesota shall have ceded to the United States exclusive jurisdiction over the same, during the time the United States shall be or remain the owner thereof, for all purposes except the administration of the criminal laws of the State and the service of civil process therein.

That the sum of $175,000 be, and the same is hereby, appropriated, out of any money in the Treasury not otherwise appropriated, to be used and expended for the purposes of this act.

The Committee on Public Buildings and Grounds recommended the following amendments:

In line 7 strike out the word "elevators."

In line 14 strike out the words "one hundred and," so that limit of cost of site and building shall be $75,000.

Strike out all after the word "dollars," in line 14.

The amendments recommended by the committee were agreed to.

The bill as amended was ordered to be laid aside to be reported to the House with a favorable recommendation.

POST-OFFICE, ETC., BROOKLYN, N. Y.

The next business was the bill (H. R. 11686) providing for the purchase of additional property for the use of the post-office and other Government offices in the city of Brooklyn, State of New York.

The bill was read, as follows:

Be it enacted, etc., That the Secretary of the Treasury be, and he is hereby, authorized and directed to acquire, by purchase, condemnation, or otherwise, the property known as lot 36, block 20, Ward 4, lying on the east side of Washington street, 175 feet north of Johnson street and 122 feet 10 inches south of Tillary street, in the city of Brooklyn and State of New York, for the use and accommodation of the United States post-office and other Government offices in said city of Brooklyn.

SEC. 2. That the Secretary of the Treasury is hereby authorized to appropriate a sufficient sum of money, not otherwise appropriated, for this service.

SEC. 3. That no money shall be used for the purpose mentioned until a valid title to the site for the said building shall be vested in the United States, nor until the State of New York shall have ceded to the United States exclusive jurisdiction over the same during the time the United States shall be or remain the owner thereof.

The Committee on Public Buildings and Grounds recommended the following amendments:

In line 12, after the word "Brooklyn," add, "*Provided*, That the purchase price shall not exceed $20,000."

Strike out section 2 in the bill.

Mr. DOCKERY. Let the report be read.

The CHAIRMAN. The Clerk will read the report.

The report (by Mr. MERCER) was read, as follows:

The Committee on Public Buildings and Grounds, to whom was referred the bill (H. R. 11686) providing for the purchase of additional property for the use of the post-office and other Government offices in the city of Brooklyn, State of New York, report the same and recommend its passage.

The bill provides for the purchase of a piece of ground immediately adjoining the property of the Government, rendered necessary by the development of the Railway Mail Service by the substitution in Brooklyn of the trolley mail car, so far as possible, in place of the mail wagon, a commendable step toward a modern and speedy method of transporting the mails.

The additional space provided for will not necessitate an extension to the post-office building.

The bill is approved by the Postmaster-General in the following letter:

OFFICE OF THE POSTMASTER-GENERAL,
Washington, D. C., December 19, 1895.

SIR: I invite your attention to correspondence attached, and especially to the communication of Postmaster Sullivan, bearing date of the 13th instant, addressed to yourself, relative to the above subject.

The inauguration of the trolley-car system of handling mails in Brooklyn has necessitated the construction of a spur from the main track of the Atlantic avenue line into the driveway of the Brooklyn post-office. This very materially reduces the space to be occupied by mail wagons, so that now there is not sufficient room.

In my opinion lot 36, in block 20, Ward 4, should be purchased, as suggested by Mr. Sullivan, the postmaster, and I trust that you may be instrumental in securing the necessary appropriation for that purpose.

Very respectfully,

W. L. WILSON, *Postmaster-General.*

Hon. CHARLES G. BENNETT,
House of Representatives.

Your committee therefore recommend the passage of the bill amended as follows:

In line 12, after the word "Brooklyn," add "*Provided*, That the purchase price shall not exceed $20,000."

Strike out section 2 in the bill.

The amendments recommended by the committee were agreed to.

The bill as amended was ordered to be laid aside to be reported to the House with a favorable recommendation.

PUBLIC BUILDING, KANSAS CITY, KANS.

The next business was the bill (H. R. 2129) to provide for the erection of a public building at Kansas City, Kans.

The bill was read, as follows:

Be it enacted, etc., That the Secretary of the Treasury be, and he is hereby, authorized and directed to purchase a site for and cause to be erected thereon a suitable building, with fireproof vaults therein, for the accommodation of the post-office and other Government offices at the city of Kansas City, State of Kansas. The plans, specifications, and full estimates for said building shall be previously made and approved according to law, and shall not exceed, for the site and building complete, the sum of $250,000. And it shall be the duty of the Secretary of the Treasury, after the site for said building shall have been purchased, to cause a plan and specifications of said building to be prepared, which said plan and specifications shall not involve an expenditure in the erection and completion of said building and approaches thereto exceeding the portion of said $250,000 remaining after the site for said building shall have been paid for; and no plan for said building shall be approved by the Secretary of the Treasury involving an expenditure exceeding the sum so remaining after paying for the site of said building: *Provided*, That the site shall leave the building unexposed to danger from fire in adjacent buildings by an open space of not less than 40 feet, including streets and alleys; and no money appropriated for this purpose shall be available until a valid title to the site shall be vested in the United States, nor until the State of Kansas shall have ceded to the United States exclusive jurisdiction over the same, during the time the United States shall be or remain the owner thereof, for all purposes except the administration of the criminal laws of said State and the service of civil process therein.

Mr. MERCER. The amendments recommended by the committee are incorrectly printed. The first amendment proposed by the committee was to strike out the word "two," in line 11, and insert in lieu thereof the word "one."

The CHAIRMAN. The Clerk will report the amendment as the committee intended it.

The Clerk read as follows:

In line 11, strike out the word "two" and insert in lieu thereof the word "one."

The amendment was agreed to.

Mr. MERCER. We offer the same amendment in line 6, page 2.

The amendment was read, as follows:

In line 6, page 2, strike out the word "two" and insert in lieu thereof the word "one."

The amendment was agreed to.

The next committee amendment was read, as follows:

Strike out all after the word "alleys," in line 14, page 2.

The amendment was agreed to.

Mr. DOCKERY. The gentleman from Kansas [Mr. PETERS] introduced this bill, and I should like to ask him if there is a Federal court at Kansas City, Kans.?

Mr. PETERS. There is not. There is no place for one. We need this building for that purpose.

Mr. DOCKERY. You are simply providing a place for a Federal court.

Mr. PETERS. Yes; and post-office also.

Mr. DOCKERY. What is the population?

Mr. PETERS. Something over fifty thousand.

Mr. DOCKERY. What is the amount of the postal receipts?

Mr. PETERS. In 1897 the gross postal receipts were $64,000 and the net $31,000. In 1898 the gross receipts were $75,000 and the net receipts $38,000. Recently we have arranged so that we receive some of the postal benefits that were formerly given to our sister city across the line, and the net receipts are now about $5,000 a month.

The bill as amended was laid aside to be reported to the House with a favorable recommendation.

PUBLIC BUILDING, BALTIMORE, MD.

Mr. MERCER. I now call up the bill (S. 710) to provide for the purchase of additional land in the square now occupied by the custom-house in the city of Baltimore, Md., and for the erection of a new public building thereon for the accommodation of the Government service in said city.

The bill was read, as follows.

Be it enacted, etc., That in order to acquire title to additional property in the block or square upon which stands the United States custom-house, in the city of Baltimore, State of Maryland, and to give additional space for the accommodation of the Government service in said custom-house building, the Secretary of the Treasury, acting for and on behalf of the Government of the United States, is hereby authorized and directed to acquire, by purchase or condemnation, a certain lot or piece of ground, with the buildings thereon, in the said city of Baltimore, State of Maryland, now owned and lately occupied by the Merchants' National Bank of Baltimore; and the sum of $125,000, or so much thereof as may be necessary, is hereby appropriated for that purpose out of any money in the Treasury not otherwise appropriated.

SEC. 2. That after having acquired the lot or parcel of ground specified in the preceding section, the Secretary of the Treasury is hereby further authorized and directed to cause to be erected upon the enlarged site, consisting of the property already owned by the Government, and the additional lot authorized to be purchased as aforesaid, reserving such space as it may be deemed necessary to reserve for approaches to said building, a substantial and commodious new fireproof building, including heating apparatus, vaults, elevator service, and approaches, adequate for the use and accommodation of the United States custom-house service, internal-revenue service, subtreasury, and other Government offices, excepting the post-office, in the said city of Baltimore. The plans, specifications, and full estimates for said building shall be previously made and approved by the Secretary of the Treasury, according to law, and the cost of said building, exclusive of the site, shall not exceed in the aggregate the sum $1,500,000; and the Secretary of the Treasury shall not approve any plan or plans for said building the cost of which will exceed, when completed, the said sum of $1,500,000.

The amendments recommended by the committee were read as follows:

In line 13, page 2, section 1, strike out all after the word "Baltimore," up to and including the word "appropriated," in line 16, all in section 1, and insert in lieu thereof the following words: "and the Secretary of the Treasury shall not pay for such additional property an amount in excess of the sum of one hundred thousand dollars."

Strike out section 2.

Amend the title by striking out the words, "and for the erection of a new public building thereon."

Mr. PAYNE. Mr. Chairman, I want to ask the gentleman from Nebraska a question.

Mr. MERCER. Certainly.

Mr. PAYNE. Only a short time ago there was a proposition made to Congress to allow the old building, the old United States building, to stand in Baltimore and to be rented for the use of the county court. It was stated then that it might just as well be used for that purpose, for there was plenty of land, and it did not make any fire risks, or anything of that kind; that it was far enough removed from the new building so that there was no risk. Now, has the chairman of the committee investigated that matter and found it absolutely necessary to purchase this land for an addition to the Government property?

Mr. MERCER. I will state to the gentleman from New York that the land in the city of Baltimore owned by the Government of the United States is in the shape of a letter H, and the Government has title to all that letter H except this one leg. It is this one leg the bill provides for the purchase of, and unless this bill pass there is nothing to prevent any private corporation or any individual from erecting any kind of a building on this particular leg of the H. If it were done, it would destroy the beauty, the harmony, and the usefulness of such Government buildings as would be erected on the present site.

Mr. PAYNE. Has the old Government building been removed?

Mr. MERCER. The old Government building is there and is occupied—one of the worst rookeries I ever saw.

Mr. PAYNE. Is it occupied by the county and city courts of the city of Baltimore?

Mr. McINTIRE. The gentleman refers to the old court-house building of that city. It is remote from the proposed construction for the new custom-house, and there is a provision requiring that when the city courts get through with that building it shall be torn down. It is a small square structure, built over sixty years ago. It is remote from the present custom-house.

Mr. PAYNE. Is it not on the same site?

Mr. McINTIRE. It is seven blocks off, adjoining the new post-office. It is quite remote from this ground.

Mr. PAYNE. Can they not get enough money out of the sale of that old building to buy this ground, or must the city of Baltimore have the use of that building forever?

Mr. McINTIRE. It is expected that when they get done with it it will be pulled down, and perhaps some time will be annexed to the post-office itself, which shortly will be required for post-office purposes.

Mr. PAYNE. They were to tear it down in two or three years. [Cries of "Vote!"] Then I understand it is not all beauty and harmony.

Mr. MERCER. Not exactly.

Mr. McINTIRE. It is an absolute necessity, as the gentleman has told you.

Mr. CANNON. Is there a building there now?

Mr. PAYNE. Is the report a lengthy one? [Cries of "Vote!"]

Mr. MERCER. There is a report, I will say to the gentleman from New York.

Mr. HICKS. The gentleman from Nebraska might state the result of our investigation.

Mr. PAYNE. I think I had better have the report read in my time.

Mr. MERCER. It is better to have the report read.

Mr. PAYNE. I would like to know whether it is all for beauty and harmony.

Mr. MERCER. It is for usefulness as well.

A MEMBER. I heard the gentleman use that word.

Mr. PAYNE. I will not ask for the reading of the report.

The CHAIRMAN. The question is on agreeing to the amendment.

The question was taken; and the amendments were agreed to.

Mr. MERCER. I move that the bill as amended be laid aside with a favorable recommendation.

The motion was agreed to.

PUBLIC BUILDING AT CLINTON, IOWA.

Mr. MERCER. I now call up the bill (H. R. 11965) to provide for the purchase of a site and the erection of a public building thereon at Clinton, in the State of Iowa.

The bill was read, as follows:

Be it enacted, etc., That the Secretary of the Treasury be, and he is hereby, authorized and directed to acquire, by purchase, condemnation, or otherwise, a site, and cause to be erected thereon a suitable building, including

fireproof vaults, heating and ventilating apparatus, and approaches, for the use and accommodation of the United States post-office and other Government offices, in the city of Clinton and State of Iowa, the cost of said site and building, including said vaults, heating and ventilating apparatus, and approaches, complete, not to exceed the sum of $100,000.

Proposals for the sale of land suitable for said site shall be invited by public advertisement in one or more of the newspapers of said city of largest circulation for at least twenty days prior to the date specified in said advertisement for the opening of said proposals.

Proposals made in response to said advertisement shall be addressed and mailed to the Secretary of the Treasury, who shall then cause the said proposed sites, and such others as he may think proper to designate, to be examined in person by an agent of the Treasury Department, who shall make written report to said Secretary of the results of said examination, and of his recommendation thereon, and the reasons therefor, which shall be accompanied by the original proposals and all maps, plats, and statements which shall have come into his possession relating to the said proposed sites.

If, upon consideration of said report and accompanying papers, the Secretary of the Treasury shall deem further investigation necessary, he may appoint a commission of not more than three persons, one of whom shall be an officer of the Treasury Department, which commission shall also examine the said proposed sites, and such others as the Secretary of the Treasury may designate, and grant such hearings in relation thereto as they shall deem necessary; and said commission shall, within thirty days after such examination, make to the Secretary of the Treasury written report of their conclusions in the premises, accompanied by all statements, maps, plats, or documents taken by or submitted to them, in like manner as hereinbefore provided in regard to the proceedings of said agent of the Treasury Department; and the Secretary of the Treasury shall thereupon finally determine the location of the building to be erected.

The compensation of said commissioners shall be fixed by the Secretary of the Treasury, but the same shall not exceed $6 per day and actual traveling expenses: *Provided, however*, That the member of said commission appointed from the Treasury Department shall be paid only his actual traveling expenses.

The building shall be unexposed to danger from fire by an open space of at least 40 feet on each side, including streets and alleys.

The amendment recommended by the committee was read, as follows:

On page 1, strike out the words "one hundred" and insert in lieu thereof the word "seventy-five."

Mr. CURTIS of Iowa. Mr. Chairman, I believe the House will permit this bill to go through without the amendment recommended by the committee, and I trust that the committee will also give its consent. I can state the reason, if the House desires me to do so, why, in my opinion, the bill should be allowed to pass as it was introduced.

Mr. HENDERSON. I think that Western face ought to have its own way without any speech.

Mr. CURTIS of Iowa. I will say, Mr. Chairman, that this bill was reported in three former Congresses. As it was introduced in each Congress it provided for $150,000, and in every instance, I believe, it was reported at $100,000. Therefore, believing that $100,000 would be the amount that this Congress would allow, I introduced the bill with a provision for $100,000. The committee saw fit to recommend $75,000. I reside in that city. It has a population of from 27,000 to 30,000. It is the fourth or fifth in the State in commercial importance and located on the greatest trunk line of railroad, perhaps, west of Chicago.

Mr. STEELE. It is the only city of Iowa that has not a public building?

Mr. CURTIS of Iowa. Of its size.

Mr. HENDERSON. If my colleague will allow me, it was pretty well understood the committee cut a little hard when they cut it down to $75,000. [Cries of "Vote!"]

The question was taken on the amendment of the committee; and the Chairman announced that the ayes appeared to have it.

Mr. CURTIS of Iowa. Division.

The committee divided; and there were—ayes 31, noes 68.

So the amendment of the committee was rejected.

Mr. MERCER. I now move that the bill be laid aside to be reported to the House without amendment and with a favorable recommendation.

The motion was agreed to.

PUBLIC BUILDING AT CARROLLTON, KY.

Mr. MERCER. I now call up the bill (H. R. 1663) for the erection of a public building at Carrollton, Ky.

The Clerk read the bill, as follows:

Be it enacted, etc., That the Secretary of the Treasury be, and he is hereby, authorized and directed to purchase or otherwise provide a site for and cause to be erected thereon a suitable building, with a fireproof vault therein, for the accommodation of the post-office at the city of Carrollton, Ky. The plans, specifications, and full estimates of said building shall be previously made and approved according to law, and shall not exceed for the site and building complete the sum of $25,000: *Provided*, That the site leave the building unexposed to danger from fire in adjacent buildings by an open space of not less than 40 feet, including streets and alleys: *Provided further*, That no part of said sum shall be available until a valid title to the site for said building shall be vested in the United States, nor until the State of Kentucky shall have ceded to the United States exclusive jurisdiction over the same, during the time the United States shall be the owner of the same, for all purposes except the administration of the criminal laws of said State and the service of civil process therein.

With the following committee amendment:

Strike out all after the word "alleys" in line 14.

Mr. LOUD. Mr. Chairman, I would like to inquire for what purpose this building is to be used?

Mr. MERCER. I will refer the gentleman from California to the gentleman from Kentucky [Mr. BERRY].

Mr. LOUD. Does not the chairman of the committee know?

Mr. MERCER. Yes; but the gentleman from Kentucky can give the gentleman more information.

Mr. BERRY. What does the gentleman want to know?

Mr. LOUD. I ask for what purpose the building is to be used?

Mr. BERRY. It is for a Government post-office and a stamp depot. There are three or four large distilleries there, and the receipts of those distilleries for a week would build the building. [Laughter.]

Mr. LOUD. What is the population of Carrollton?

Mr. BERRY. About 3,500.

Mr. LOUD. And I see it has the enormous postal receipts of $3,197.

Mr. BERRY. They pay $600 a year rent for a post-office and $200 rent for a stamp depot and a place for the board of pension commissioners. It will be thorough economy for the Government to build a building there.

Mr. LOUD. Of course. I think this is a departure, Mr. Chairman, that never has been taken by this House. Here is a little country town doing a business and should have a population of 2,500 or 3,000 people, as is apparent from its postal receipts. Just contemplate the erection of a post-office building in a town with the total postal receipts of about $3,000 a year. I suppose, of course, that the bill will go through, because the committee has reported it; but I want to say in perfect candor to the chairman of the committee and to the committee that it is an outrage upon the public Treasury greater than has been perpetrated by this House or any that will succeed it.

Mr. PAYNE. I would like to ask if it is the policy of the Committee on Public Buildings to erect public buildings in towns of 2,500 inhabitants having no court-house? If that is so, I have at least 20 towns in my district better entitled to a public building than this is. I would like to understand on what theory the committee reported a bill of this kind.

Mr. BERRY. Let me say to the gentleman from New York that the town of Carrollton lies at the mouth of the Kentucky River; that it has four great distilleries, which bring a revenue to the Government of $4,000 or $5,000, and it has the largest tobacco warehouse in the country. There is slack-water navigation of the Kentucky River there, which is being carried on under the auspices of the United States and is almost completed, which extends 235 miles into the most fertile portion of the State, and Carrollton will be the base of the supplies in that large and beautiful country.

Mr. MERCER. I yield to the gentleman from New York [Mr. PAYNE].

Mr. PAYNE. Mr. Chairman, I have nothing more to say, except to protest against passing a bill of this kind. Gentlemen cry, "Vote!" "Vote!" The gentleman from Kentucky is a popular member of this House, a friend to all of us; but I do not think for that reason we ought to pass a bill of this kind. It may be a pretty city, as he says; there are thousands of such cities, but that does not entitle them to a public building at the Government expense. It may be that there are large receipts from the distilleries, but it is not the people of this town that pay those receipts. They are paid by people all over the United States.

If there is any good reason for a public building there, I am willing to vote for the bill, but if there is no reason beyond what has been stated to this House, we ought to vote the bill down. We ought to stop and draw the line somewhere on these public buildings.

Mr. BERRY. The gentleman from New York makes a mistake when he says this is not a county town. It is the county seat.

Mr. PAYNE. The gentleman from Kentucky is mistaken. I did not say it was not a county seat; I said that it had no United States court there.

Mr. BERRY. This town is situated at the mouth of the Kentucky River, which is being improved, as I have said, by slack-water navigation for over 200 miles, and when that is completed it will be a large entry port of trade for this portion of the country and from the Indiana side of the river. It is one of the oldest towns in the State. The valley of the Kentucky River for hundreds of miles will make its base of supplies the town of Carrollton. The gentleman has not in New York any territory that will produce what this territory does about the city of Carrollton. I think this is a reasonable amount and it will be economy for the Government to erect a building there of its own.

The CHAIRMAN. The question is on agreeing to the amendment recommended by the committee.

The amendment was agreed to.

Mr. MERCER. I move the bill be laid aside with a favorable recommendation.

The question on laying the bill aside with a favorable recommendation was taken; and on a division (demanded by Mr. PAYNE) there were 85 ayes and 15 noes.

So the motion was agreed to.

Mr. MERCER. I move that the Committee of the Whole now rise and report back to the House the various bills acted upon by the committee, with the action thereon.

The motion was agreed to.

The committee accordingly rose; and the Speaker having resumed the chair, Mr. SHERMAN reported that the Committee of the Whole House on the state of the Union, having had under consideration bills of the House of the following titles, had directed him to report the same favorably with amendment and that, as amended, they do pass:

A bill (H. R. 10969) for the erection of a public building in the city of Blair, Nebr.

A bill (H. R. 1088) to provide for the erection of a public building at Elizabeth City, N. C.

A bill (H. R. 1139) to provide for a building for the use of the post-office, office of the superintendent of the Hot Springs Reservation, and other civil offices in the city of Hot Springs, Ark.

A bill (H. R. 521) for the erection of a public building at Fitchburg, Mass.;

A bill (H. R. 11314) to provide for a public building at New Iberia, La.;

A bill (H. R. 5974) to provide for the purchase of a site and the erection of a building thereon at Bluefield, in the State of West Virginia;

A bill (H. R. 10962) to provide for the purchase of a site and the erection of a public building thereon at Joliet, in the State of Illinois;

A bill (H. R. 447) for the erection of a custom-house and post-office building at Brunswick, Ga.;

A bill (H. R. 4076) for enlarging the public building at Topeka, Kans.;

A bill (H. R. 484) providing for the erection of an addition to the United States custom-house and post-office building in the city of Dubuque, Iowa;

A bill (H. R. 6) to increase the limit of cost for the purchase of site and the erection of a public building at Omaha, Nebr.;

A bill (H. R. 5536) appropriating money for an annex to the Federal building at Jackson, Miss.;

A bill (H. R. 4306) for the erection of a public building in the city of Elgin, Ill.;

A bill (H. R. 11056) authorizing and directing the construction of an addition to the United States post-office in the city of Minneapolis, Minn.;

A bill (H. R. 11360) for the erection of a public building at Creston, Iowa;

A bill (H. R. 11141) for the erection of a public building at Annapolis, Md.;

A bill (H. R. 11162) to provide for the construction of a public building at the city of Janesville, Wis.;

A bill (H. R. 1631) to provide for the purchase of a site, and the erection of a public building thereon, at Rome, in the State of New York;

A bill (H. R. 9077) to supplement and amend an act entitled "An act for the erection of a new custom-house in the city of New York, and for other purposes," approved March 3, 1891;

A bill (H. R. 11686) providing for the purchase of additional property for the use of the post-office and other Government offices in the city of Brooklyn, State of New York;

A bill (H. R. 2129) to provide for the erection of a public building at Kansas City, Kans.; and

A bill (H. R. 1663) for the erection of a public building at Carrollton, Ky.

Mr. SHERMAN also reported that the Committee of the Whole House on the state of the Union, having had under consideration bills of the House of the following titles, had directed him to report the same favorably without amendment, and that said bills do pass:

A bill (H. R. 11861) for the erection of a public building at Elmira, N. Y.;

A bill (H. R. 11883) for the purchase of a site, and the erection of a public building thereon, in the city of New Brunswick, N. J.;

A bill (H. R. 11728) to remove the fire limit from the post-office at Bridgeport, Conn.;

A bill (H. R. 75) providing for the erection of an addition to the United States public building at Canton, Ohio.;

A bill (H. R. 11530) authorizing the extension of the post-office building at Springfield, Mass.; and

A bill (H. R. 11965) to provide for the purchase of a site, and the erection of a public building thereon, at Clinton, in the State of Iowa.

Mr. SHERMAN also reported that the Committee of the Whole House on the state of the Union, having had under consideration bills of the Senate of the following titles, had directed him to report the same favorably with amendment, and that as amended said bills do pass:

An act (S. 1964) for the erection of a public building for the use of the custom-house and post-office at Newport News, in the district of Newport News, Va.;

An act (S. 1273) for a public building at the city of Altoona, Pa., and appropriating money therefor;

An act (S. 706) to provide for the purchase of a site for and the erection of a public building at Oakland, in the State of California;

An act (S. 1056) to provide for a public building at Cleveland, Ohio;

An act (S. 926) to provide for the erection of a public building at Beaumont, Tex.;

An act (S. 1271) for a public building at the city of Wilkesbarre, Pa., and appropriating money therefor;

An act (S. 1896) to provide for the purchase of a site, and for the erection of a public building thereon, at Salt Lake City, the capital of the State of Utah;

An act (S. 164) to provide for the construction of a public building at Butte City, Mont.;

An act (S. 146) to provide for the erection of a public building at Indianapolis, Ind.;

An act (S. 346) providing for the erection of a public building at the city of Seattle, in the State of Washington;

An act (S. 88) to provide for the purchase of sites for public buildings in the cities of Hastings and Norfolk, in the State of Nebraska, and for other purposes;

An act (S. 2048) for the erection of a public building at Fergus Falls, Minn.; and

An act (S. 710) to provide for the purchase of additional land in the square now occupied by the custom-house in the city of Baltimore, Md., and for the erection of a new public building thereon for the accommodation of the Government service in said city.

Mr. SHERMAN also reported that the committee having had under consideration the following bill of the House, recommend that it lie on the table:

A bill (H. R. 2) to provide for the erection of a public building at Indianapolis, Ind.

Mr. POWERS. I rise to a parliamentary inquiry.

The SPEAKER. The gentleman will state it.

Mr. POWERS. Under the special order, would a motion be now in order that when the House adjourns to-day it adjourn to meet at 10 o'clock to-morrow morning?

The SPEAKER. It would not be.

Mr. POWERS. Would it be in order to move a recess?

The SPEAKER. The Chair thinks not—under the special order.

Mr. POWERS. I ask unanimous consent, then, that the terms of the special order be varied, so that a motion may be made to adjourn until 10 o'clock to-morrow morning.

Mr. PAYNE and others objected.

ENROLLED BILLS SIGNED.

The SPEAKER announced his signature to enrolled bills of the following titles:

S. 4571. An act to extend Rhode Island avenue; and

S. 4700. An act to receive arrearages of taxes due the District of Columbia to July 1, 1897, at 6 per cent per annum, in lieu of penalties and costs.

And then, on motion of Mr. MERCER (at 5 o'clock and 20 minutes p. m.), the House adjourned.

EXECUTIVE COMMUNICATIONS, ETC.

Under clause 2 of Rule XXIV, the following executive communications were taken from the Speaker's table and referred as follows:

A letter from the Secretary of War, transmitting a letter from the Chief of Engineers, with a copy of a report relating to estimate of cost of extension of the channel of Bridgeport Harbor, Connecticut—to the Committee on Rivers and Harbors, and ordered to be printed.

A letter from the Secretary of War, transmitting a letter from the Chief of Engineers, with an accompanying memorandum, relating to purchase of certain land near Harlem River—to the Committee on Rivers and Harbors, and ordered to be printed.

A letter from the Secretary of War, transmitting a list of names of civilian engineers employed between July 1, 1897, and June 30, 1898, on river and harbor work—to the Committee on Rivers and Harbors, and ordered to be printed.

A letter from the Secretary of War, transmitting an abstract of the militia force of the United States for the year 1898—to the Committee on the Militia, and ordered to be printed.

A letter from the Secretary of the Treasury, transmitting a copy of a communication from the Secretary of the Interior submitting an estimate of deficiency in the appropriation for "Fees and expenses of examining surgeons" for the present fiscal year—to the Committee on Appropriations, and ordered to be printed.

REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS.

Under clause 2 of Rule XIII, bills and resolutions of the following titles were severally reported from committees, delivered to the Clerk, and referred to the several Calendars therein named, as follows:

Mr. MERCER, from the Committee on Public Buildings and Grounds, to which was referred the bill of the House (H. R. 3588) to provide for the purchase of a site and the erection of a public building thereon at Pekin, in the State of Illinois, reported the same with amendment, accompanied by a report (No. 2018); which said bill and report were referred to the Committee of the Whole House on the state of the Union.

Mr. HILBORN, from the Committee on Public Buildings and Grounds, to which was referred the bill of the House (H. R. 4928) to provide for the purchase of a site and the erection of a public building thereon at Eureka, in the State of California, reported the same with amendment, accompanied by a report (No. 2014); which said bill and report were referred to the Committee of the Whole House on the state of the Union.

Mr. BANKHEAD, from the Committee on Public Buildings and Grounds, to which was referred the bill of the House (H. R. 425) for the erection of a public building in the city of Hopkinsville, Ky., reported the same with amendment, accompanied by a report (No. 2015); which said bill and report were referred to the Committee of the Whole House on the state of the Union.

Mr. JENKINS, from the Committee on the Judiciary, to which was referred the bill of the House (H. R. 11955) to amend sections 820 and 821 of the Revised Statutes of the United States, reported the same without amendment, accompanied by a report (No. 2016); which said bill and report were referred to the House Calendar.

Mr. BURLEIGH, from the Committee on Public Buildings and Grounds, to which was referred the bill of the House (H. R. 5520) for the erection of a new public building at Burlington, Vt., reported the same with amendment, accompanied by a report (No. 2018); which said bill and report were referred to the Committee of the Whole House on the state of the Union.

Mr. LANHAM, from the Committee on the Judiciary, to which was referred the bill of the House (H. R. 11160) to authorize the appointment of one or more clerks of the district courts of the United States within and for the eastern district of Virginia, to validate their acts, and prescribe where the records shall be kept, reported the same with amendment, accompanied by a report (No. 2019); which said bill and report were referred to the House Calendar.

Mr. HARMER, from the Committee on the Library, to which was referred the bill of the House (H. R. 11181) to provide for the erection of a memorial to Sergt. Charles Floyd, reported the same without amendment, accompanied by a report (No. 2022); which said bill and report were referred to the Committee of the Whole House on the state of the Union.

Mr. GILLET of New York, from the Committee on Public Buildings and Grounds, to which was referred the bill of the House (H. R. 500) for the erection of a public building at Lockport, N. Y., reported the same with amendment, accompanied by a report (No. 2023); which said bill and report were referred to the Committee of the Whole House on the state of the Union.

Mr. UPDEGRAFF, from the Committee on the Judiciary, to which was referred the bill of the Senate (S. 5259) defining the jurisdiction of the circuit and district courts of the United States in certain cases, reported the same with amendment, accompanied by a report (No. 2024); which said bill and report were referred to the House Calendar.

Mr. HICKS, from the Committee on Public Buildings and Grounds, to which was referred the bill of the House (H. R. 2313), to appropriate the sum of $75,000 to purchase a site and erect a public building at Shamokin, Pa., reported the same with amendment, accompanied by a report (No. 2025); which said bill and report were referred to the Committee of the Whole House on the state of the Union.

Mr. MERCER, from the Committee on Public Buildings and Grounds, to which was referred the bill of the House (H. R. 5364) to provide for the purchase of a site for a public building in the city of Kearney, in the State of Nebraska, and for other purposes, reported the same with amendment, accompanied by a report (No. 2026); which said bill and report were referred to the Committee of the Whole House on the state of the Union.

He also, from the same committee, to which was referred the bill of the House (H. R. 1068) providing for the erection of a public building at the city of Plattsmouth, Nebr., and for other purposes, reported the same with amendment, accompanied by a report (No. 2027); which said bill and report were referred to the Committee of the Whole House on the state of the Union.

Mr. HICKS, from the Committee on Public Buildings and Grounds, to which was referred House bill 416, reported in lieu thereof a bill (H. R. 12019) to provide for the erection of a public building at Grand Haven, in the State of Michigan, accompanied by a report (No. 2028); which said bill and report were referred to the Committee of the Whole House on the state of the Union.

Mr. MERCER, from the Committee on Public Buildings and Grounds, to which was referred the bill of the House (H. R. 11919) to construct a public building at Oskaloosa, Iowa, and for other purposes, reported the same with amendment, accompanied by a report (No. 2041); which said bill and report were referred to the Committee of the Whole House on the state of the Union.

Mr. WEYMOUTH, from the Committee on Public Buildings and Grounds, to which was referred the bill of the Senate (S. 2097) to grant to the mayor and council of Wilmington, Del., the use of certain real estate in said city on which is situated the building recently occupied for Federal purposes, reported the same with amendment, accompanied by a report (No. 2048); which said bill and report were referred to the Committee of the Whole House on the state of the Union.

REPORTS OF COMMITTEES ON PRIVATE BILLS AND RESOLUTIONS.

Under clause 2 of Rule XIII, private bills and resolutions of the following titles were severally reported from committees, delivered to the Clerk, and referred to the Committee of the Whole House, as follows:

Mr. HENRY of Mississippi, from the Committee on War Claims, to which was referred House bill 11947, reported in lieu thereof a resolution (House Res. No. 391) for the relief of the legal representatives of Alfred Duplantier, deceased, accompanied by a report (No. 2020); which said resolution and report were referred to the Private Calendar.

He also, from the same committee, to which was referred House bill 11456, reported in lieu thereof a resolution (House Res. No. 392) for the relief of the legal representatives of Benjamin Roach, deceased, accompanied by a report (No. 2021); which said resolution and report were referred to the Private Calendar.

Mr. KERR, from the Committee on Invalid Pensions, to which was referred the bill of the Senate (S. 2965) granting an increase of pension to Lewis E. Humpton, reported the same without amendment, accompanied by a report (No. 2029); which said bill and report were referred to the Private Calendar.

Mr. BOTKIN, from the Committee on Invalid Pensions, to which was referred the bill of the Senate (S. 4982) granting an increase of pension to Amanda F. Jumper, reported the same with amendment, accompanied by a report (No. 2030); which said bill and report were referred to the Private Calendar.

Mr. STURTEVANT, from the Committee on Invalid Pensions, to which was referred the bill of the House (H. R. 3298) granting a pension to Rebecca Paulding Meade, widow of Rear-Admiral Richard W. Meade, late of the United States Navy, reported the same with amendment, accompanied by a report (No. 2031); which said bill and report were referred to the Private Calendar.

Mr. MIERS of Indiana, from the Committee on Invalid Pensions, to which was referred the bill of the House (H. R. 4249) to place on the pension roll the name of Samuel B. Koontz, reported the same with amendment, accompanied by a report (No. 2032); which said bill and report were referred to the Private Calendar.

Mr. GIBSON, from the Committee on Invalid Pensions, to which was referred the bill of the Senate (S. 1827) granting an increase of pension to Stephen M. Davis, reported the same without amendment, accompanied by a report (No. 2033); which said bill and report were referred to the Private Calendar.

Mr. MIERS of Indiana, from the Committee on Invalid Pensions, to which was referred the bill of the House (H. R. 3155) granting a pension to Kitty Ann Loggins, reported the same with amendment, accompanied by a report (No. 2034); which said bill and report were referred to the Private Calendar.

Mr. YOST, from the Committee on Claims, to which was referred the bill of the House (H. R. 10814) for the relief of the owners of the British ship *Foscolia* and cargo, reported the same without amendment, accompanied by a report (No. 2037); which said bill and report were referred to the Private Calendar.

Mr. CARMACK, from the Committee on Claims, to which was referred the bill of the Senate (S. 3119) for the relief of Mary A. Swift, reported the same without amendment, accompanied by a report (No. 2038); which said bill and report were referred to the Private Calendar.

Mr. STURTEVANT, from the Committee on Claims, to which was referred the bill of the House (H. R. 11047) to refer the claim of the owner of the brig *Robert and Mary* to the Court of Claims, reported the same without amendment, accompanied by a report (No. 2039); which said bill and report were referred to the Private Calendar.

Mr. YOST, from the Committee on Claims, to which was referred the bill of the House (H. R. 8306) for the relief of Z. C. Church, reported the same with amendment, accompanied by a report (No. 2040); which said bill and report were referred to the Private Calendar.

Mr. CASTLE, from the Committee on Invalid Pensions, to which was referred the bill of the House (H. R. 11363) to increase pension of John Linch, reported the same with amendment, accompanied by a report (No. 2042); which said bill and report were referred to the Private Calendar.

He also, from the same committee, to which was referred the bill of the House (H. R. 5209) to grant a pension to Mrs. Belle Shumard, widow of Dr. George G. Shumard, late surgeon, United States Volunteers, reported the same with amendment, accompanied by a report (No. 2043); which said bill and report were referred to the Private Calendar.

Mr. GIBSON, from the Committee on Invalid Pensions, to which was referred the bill of the House (H. R. 6681) to increase the pension of Jere Smith, reported the same with amendment, accompanied by a report (No. 2044); which said bill and report were referred to the Private Calendar.

Mr. SULLOWAY, from the Committee on Invalid Pensions, to which was referred the bill of the Senate (S. 4975) granting an increase of pension to Washington Sweatt, reported the same without amendment, accompanied by a report (No. 2045); which said bill and report were referred to the Private Calendar.

Mr. BOTKIN, from the Committee on Invalid Pensions, to which was referred the bill of the House (H. R. 5328) granting a pension to Patrick O'Shea, reported the same with amendment, accompanied by a report (No. 2046); which said bill and report were re erred to the Private Calendar.

Mr. GIBSON, from the Committee on Invalid Pensions, to which was referred the bill of the Senate (S. 3005) granting a pension to Zenas T. Haines, reported the same without amendment, accompanied by a report (No. 2047); which said bill and report were referred to the Private Calendar.

ADVERSE REPORTS.

Under clause 2 of Rule XIII, adverse reports were delivered to the Clerk, and laid on the table, as follows:

Mr. DRIGGS, from the Committee on Invalid Pensions, to which was referred the bill of the Senate (S. 3059) increasing the pension of Isaiah Mitchell, reported the same adversely, accompanied by a report (No. 2035); which said bill and report were laid on the table.

Mr. RAY of New York, from the Committee on Invalid Pensions, to which was referred the bill of the Senate (S. 618) granting an increase of pension to Philip T. Greely, reported the same adversely, accompanied by a report (No. 2036); which said bill and report were laid on the table.

CHANGE OF REFERENCE.

Under clause 2 of Rule XXII, the Committee on Invalid Pensions was discharged from the consideration of the bill (H. R. 11896) for the relief of Mary E. Bell; and the same was referred to the Committee on Pensions.

Under clause 2 of Rule XXII, committees were discharged from the consideration of the following papers; which were thereupon referred as follows:

Papers relating to the claim of Lucinda Stamper—Committee on Invalid Pensions discharged, and referred to the Committee on War Claims.

Also, papers relating to the claim of Lucy A. Branham—Committee on Invalid Pensions discharged, and referred to the Committee on Military Affairs.

Also, papers relating to House bill for the relief of John Minohan—Committee on Invalid Pensions discharged, and referred to the Committee on Military Affairs.

PUBLIC BILLS, RESOLUTIONS, AND MEMORIALS INTRODUCED.

Under clause 3 of Rule XXII, bills, resolutions, and memorials of the following titles were introduced and severally referred as follows:

By Mr. JENKINS: A bill (H. R. 12020) to amend an act entitled "An act to reimburse the governors of States and Territories for expenses incurred by them in aiding the United States to raise and organize and supply and equip the Volunteer Army of the United States in the existing war with Spain," approved July 8, 1898—to the Committee on Military Affairs.

By Mr. MARSH: A bill (H. R. 12021) to amend and reenact the act of February 12, 1887, being chapter 129 of the Supplement to the Revised Statutes of the United States, volume 1, entitled "An act to amend section 1661 of the Revised Statutes, making annual appropriation to provide arms and equipments for the militia"—to the Committee on the Militia.

By Mr. KNOWLES: A bill (H. R. 12022) to provide for the purchase of a site and the erection of a public building thereon at Deadwood, in the State of South Dakota—to the Committee on Public Buildings and Grounds.

By Mr. CURTIS of Iowa: A bill (H. R. 12023) authorizing an extension of the tracks of the Belt Railway Company—to the Committee on the District of Columbia.

By Mr. DOVENER: A bill (H. R. 12031) to provide for the purchase of a site and for the erection of a public building thereon at the city of Wheeling, State of West Virginia—to the Committee on Public Buildings and Grounds.

By Mr. FITZGERALD: A bill (H. R. 12035) to provide for the purchase of a site and the erection of a public building at Boston, Mass.—to the Committee on Public Buildings and Grounds.

By Mr. TODD: A joint resolution (H. Res. 357) to erect a monument to the memory of Capt. Charles Vernon Gridley in the Arlington National Cemetery—to the Committee on the Library.

By Mr. HOPKINS: A joint resolution (H. Res. 358) to amend section 25 of the act passed June 13, 1898, entitled "An act to provide ways and means to meet war expenditures, and for other purposes"—to the Committee on Ways and Means.

By Mr. HENRY of Mississippi: A resolution (House Res. No. 391) for the relief of the legal representatives of Alfred Duplantier, deceased—to the Committee on War Claims.

Also, a resolution (House Res. No. 392) for the relief of the legal representatives of Benjamin Roach, deceased—to the Committee on War Claims.

PRIVATE BILLS AND RESOLUTIONS INTRODUCED.

Under clause 1 of Rule XXII, private bills and resolutions of the following titles were introduced and severally referred as follows:

By Mr. LENTZ: A bill (H. R. 12024) to increase pension of Henry Canode—to the Committee on Invalid Pensions.

By Mr. SPRAGUE: A bill (H. R. 12025) for the relief of Horace P. Williams—to the Committee on War Claims.

By Mr. WARNER: A bill (H. R. 12026) to increase the pension of Thomas Crinigan—to the Committee on Invalid Pensions.

Also, a bill (H. R. 12027) to increase the pension of John J. McCormick—to the Committee on Invalid Pensions.

By Mr. WARD: A bill (H. R. 12028) to grant a pension to Hemon P. Wilber—to the Committee on Invalid Pensions.

Also, a bill (H. R. 12029) to pension Charles McNeal—to the Committee on Invalid Pensions.

Also, a bill (H. R. 12030) to pension Amos Tennant—to the Committee on Invalid Pensions.

By Mr. FARIS: A bill (H. R. 12032) for relief of George Roth—to the Committee on Military Affairs.

By Mr. HOWE: A bill (H. R. 12033) granting a pension to Mary A. Kennedy—to the Committee on Invalid Pensions.

By Mr. TATE: A bill (H. R. 12034) to pension Martha A. Mason, widow of Charles Mason—to the Committee on Pensions.

Also, a bill (H. R. 12036) to pension Robert A. Tanner—to the Committee on Invalid Pensions.

Also, a bill (H. R. 12037) for the relief of Enos M. Gribble—to the Committee on Invalid Pensions.

Also, a bill (H. R. 12038) for the relief of Thomas J. Benton—to the Committee on War Claims.

By Mr. CURTIS of Kansas: A resolution (House Res. No. 390) to continue Fred W. Hedge as messenger in charge of heavy mail wagon—to the Committee on Accounts.

PETITIONS, ETC.

Under clause 1 of Rule XXII, the following petitions and papers were laid on the Clerk's desk and referred as follows:

By Mr. ADAMS: Petitions of John F. Starr and others, W. A. Brown and others, Frank Getty and others, all citizens of the State of Pennsylvania, against the seating of Brigham H. Roberts as a Representative from Utah—to the Committee on Elections No. 1.

By Mr. BRODERICK: Petitions of O. Jeckzer and 207 citizens of Templin, Kans., Clemens Blocken and 197 citizens of St. Benedict, Kans., in favor of the establishment of postal savings banks—to the Committee on the Post-Office and Post-Roads.

By Mr. CLARKE of New Hampshire: Petition of the Woman's Christian Temperance Union, Methodist Episcopal, Free Baptist, and Advent churches, of Whitefield, N. H., in favor of the passage of the Ellis bill, Hepburn bill, Gillet bill, and to continue the present liquor laws of Alaska—to the Committee on Alcoholic Liquor Traffic.

Also, petition of the Woman's Christian Temperance Union, Methodist Episcopal, Free Baptist, and Advent churches, of Whitefield, N. H., and the Woman's Christian Temperance Union of Haverhill, N. H., to prohibit interstate gambling by telegraph, telephone, or otherwise—to the Committee on the Judiciary.

Also, petition of the Woman's Christian Temperance Union of Grantham and North Grantham, N. H., to maintain prohibition in Alaska and Indian Territory—to the Committee on Alcoholic Liquor Traffic.

By Mr. COWHERD (by request): Petition of the Methodist Episcopal Preachers' Meeting of Kansas City, Mo., against the seating of Brigham H. Roberts as a Representative from Utah—to the Committee on Elections No. 1.

By Mr. CRUMP: Petition of the Methodist Episcopal and Congregational churches and Woman's Christian Temperance Union of Cheboygan, Mich., to prohibit the sale of liquor in canteens, in immigrant stations, and in Government buildings—to the Committee on Alcoholic Liquor Traffic.

Also, petition of the Congregational and Methodist Episcopal churches and Woman's Christian Temperance Union of Cheboygan, Mich., asking for the passage of the Clark bill prohibiting the seating of a polygamist in Congress—to the Committee on Elections No. 1.

By Mr. DAVIDSON of Wisconsin: Petition of Post No. 7, Grand Army of the Republic, of Omro, Wis., urging the passage of Senate bill No. 3356, relating to civil-service appointments—to the Committee on Reform in the Civil Service.

Also, resolution of South Greenville Grange, No. 225, of Neenah, Wis., in favor of the Hanna-Payne bill to increase American shipping—to the Committee on the Merchant Marine and Fisheries.

Also, protest of Cigar Makers' Union No. 168, of Oshkosh, Wis., against territorial expansion—to the Committee on Foreign Affairs.

Also, petition of the Congregational Church of Aurorahville, Wis., to prohibit the transmission by mail or interstate commerce of pictures or descriptions of prize fights—to the Committee on Interstate and Foreign Commerce.

Also, petitions of the Methodist Episcopal and Congregational churches of Menasha; Presbyterian, Methodist, and Baptist Church societies of Neenah, and the Congregational Church of Pine River, Wis., to prohibit the sale of liquor in canteens, in immigrant stations, and in Government buildings—to the Committee on Alcoholic Liquor Traffic.

By Mr. DOCKERY: Petition of William Folgate and other citizens of Gentry County, Mo., in favor of the establishment of postal savings banks—to the Committee on the Post-Office and Post-Roads.

By Mr. FARIS: Petition of fourth-class postmasters of Morgan and Hendricks counties, Ind., urging the passage of House bills Nos. 4930 and 4931, for increase of compensation—to the Committee on the Post-Office and Post-Roads.

Also, petition of the Young People's Society of Christian Endeavor of Danville, Ind., favoring the passage of a bill prohibiting the sale of alcoholic liquors in Government buildings, etc.—to the Committee on Alcoholic Liquor Traffic.

By Mr. GRAHAM: Petitions of the Christian Church of Bellevue, Pa., J. H. Craig, pastor, Presbyterian Church; and United Presbyterian Church of Avalon, Pa.; Young People's Christian Union of Carnegie; United Presbyterian, Methodist Episcopal, and Presbyterian churches and the Woman's Christian Temperance Union of Emsworth, Pa., to prohibit the sale of liquor in canteens, in immigrant stations, and in Government buildings—to the Committee on Alcoholic Liquor Traffic.

By Mr. GROUT: Petitions of William C. White, of Middlesex, Vt., and 31 other fourth-class postmasters, urging the passage of House bills Nos. 4930 and 4931, relating to the compensation of fourth-class postmasters—to the Committee on the Post-Office and Post-Roads.

By Mr. HEMENWAY: Petitions of J. Handy and 186 citizens of Anderson, Ind., also of numerous other citizens of the State of Indiana, in favor of the establishment of postal savings banks—to the Committee on the Post-Office and Post-Roads.

By Mr. HEPBURN: Petitions of Hon. Paul Maclain, editor of the Creston Daily Gazette, and 47 professional and business men of Creston, Afton, and Union County, Iowa; Hon. Lewis Miles, United States district attorney for the southern district of Iowa, and 21 citizens of Wayne County; Hon. J. M. Junkin, attorney and member of the Iowa senate, and 28 citizens of Montgomery County; Marion F. Stokey and 40 citizens of Decatur County; Judge A. Story and 8 lawyers of Adair County; Maj. C. A. Stanton and leading citizens of Centerville; Hon. H. M. Towner, judge of the third judicial district of Iowa, and 18 lawyers of Adams County; J. H. Jamison and 31 other attorneys of Clark County; Hon. William Eaton and 27 citizens of Fremont County; Hon. James A. Penick and 200 citizens of Lucas County; Hon. T. E. Clark and 52 citizens of Page County; Hon. J. P. Flick and 18 citizens of Taylor County; R. H. Spence and 60 citizens of Ringgold County, all in the State of Iowa, praying for the holding of terms of the Federal courts at Creston, Iowa—to the Committee on the Judiciary.

By Mr. HITT: Petition of fourth-class postmasters of the Ninth Congressional district of Illinois, for the passage of House bills Nos. 4930 and 4931—to the Committee on the Post-Office and Post-Roads.

By Mr. HOPKINS: Petition of fourth-class postmasters of Grundy County, Ill., asking for the passage of House bills Nos. 4930 and 4931, increasing the compensation of fourth-class postmasters—to the Committee on the Post-Office and Post-Roads.

By Mr. HULL: Petition of the board of managers of the Bidwell Deaconess Home, of Des Moines, Iowa, against the seating of Brigham H. Roberts as a Representative from Utah—to the Committee on Elections No. 1.

By Mr. KERR: Petitions of A. B. Adams and 203 citizens of Levering, Ohio, and J. A. McMillan and 197 citizens of Cedarville, Ohio, favoring the establishment of postal savings banks—to the Committee on the Post-Office and Post-Roads.

By Mr. LACEY: Petitions of the Presbyterian Young People's Society of Christian Endeavor of Colfax, Iowa, and Christian Endeavor Society of the Christian Church of Kellogg, Iowa, protesting against the seating of Brigham H. Roberts as a Representative from Utah—to the Committee on Elections No. 1.

By Mr. LLOYD: Petition of citizens of Lewis County, Mo., in favor of the establishment of postal savings banks—to the Committee on the Post-Office and Post-Roads.

Also, petitions of fourth-class postmasters in the First Congressional district of Missouri, urging the passage of House bills Nos. 4930 and 4931, for increase of compensation—to the Committee on the Post-Office and Post-Roads.

By Mr. McDOWELL: Petitions of I. D. Luke and 206 citizens of New Bedford, Ohio, T. C. Roche and 200 citizens of Coshocton, Ohio, in favor of the establishment of postal savings banks—to the Committee on the Post-Office and Post-Roads.

By Mr. MEEKISON: Petitions of E. B. Doud and 200 citizens of Ney, Ohio, J. C. Waltimour and 202 citizens of Deshler, Ohio, in favor of the establishment of postal savings banks—to the Committee on the Post-Office and Post-Roads.

By Mr. MINOR: Petitions of P. H. Peso and 201 citizens of Stephenville, Wis., and T. Ryan and 199 citizens of Stanton, Wis., urging the establishment of postal savings banks—to the Committee on the Post-Office and Post-Roads.

By Mr. MOON: Papers to accompany House bill for the relief of William Miller—to the Committee on Military Affairs.

By Mr. ODELL: Petition of fourth-class postmasters in Orange County, N. Y., in favor of House bills Nos. 4930 and 4931, relating to the compensation of fourth-class postmasters—to the Committee on the Post-Office and Post-Roads.

By Mr. PERKINS: Petitions of 9 fourth-class postmasters of the Eleventh Congressional district of Iowa, asking for the passage of House bills Nos. 4930 and 4931, increasing the compensation of fourth-class postmasters—to the Committee on the Post-Office and Post-Roads.

Also, petition of 5 citizens of the Eleventh Congressional district of Iowa, protesting against the stamp tax on checks given to farmers for grain—to the Committee on Ways and Means.

Also, resolution of the Live Stock Exchange, Sioux City, Iowa, with reference to the inspection of live cattle and dressed beef—to the Committee on Agriculture.

Also, petitions of 34 citizens of Idagrove and 17 citizens of Sioux City, Iowa, requesting that the word "male" be omitted from the proposed constitution of Hawaiia—to the Committee on the Territories.

By Mr. RIDGELY: Petition of W. B. Howalt and 206 citizens of Morehead, James Z. Crassley and 200 citizens, and Henry Hartzell and 110 citizens of Mulberry, Kans., in favor of the establishment of postal savings banks—to the Committee on the Post-Office and Post-Roads.

By Mr. ROBINSON of Indiana: Petition of E. M. Keyser and other citizens of Fort Wayne, Ind., relating to the sale of liquors in Government buildings, etc.—to the Committee on Alcoholic Liquor Traffic.

By Mr. WM. ALDEN SMITH: Petition of R. D. Bacon and 202 citizens of West Olive, Mich., favoring the establishment of postal savings banks—to the Committee on the Post-Office and Post-Roads.

By Mr. TODD: Letter of C. A. Nimock, favoring an appropriation of $5,000 for a monument in Arlington National Cemetery to the memory of the late Capt. Charles Vernon Gridley, United State Navy—to the Committee on the Library.

SENATE.

WEDNESDAY, *February 8, 1899.*

Prayer by the Chaplain, Rev. W. H. MILBURN, D. D.

The Secretary proceeded to read the Journal of yesterday's proceedings, when, on motion of Mr. RAWLINS, and by unanimous consent, the further reading was dispensed with.

BRAZOS RIVER IMPROVEMENT.

The VICE-PRESIDENT laid before the Senate a communication from the Secretary of War, in response to a resolution of the 28th ultimo, transmitting a letter from the Chief of Engineers, together with a report from Col. Henry N. Robert, Corps of Engineers, president of the Board of Engineers appointed under the provisions of the river and harbor act of June 3, 1898, containing information relative to the survey and estimates for the improvement of the mouth of the Brazos River near Velasco, Tex., etc.; which, with the accompanying papers, was referred to the Committee on Commerce, and ordered to be printed.

WASHINGTON, ALEXANDRIA AND MOUNT VERNON RAILWAY.

The VICE-PRESIDENT laid before the Senate the annual report of the Washington, Alexandria and Mount Vernon Railway Company, of the District of Columbia; which was referred to the Committee on the District of Columbia, and ordered to be printed.

MESSAGE FROM THE HOUSE.

A message from the House of Representatives, by Mr. W. J. BROWNING, its Chief Clerk, announced that the House had passed a concurrent resolution to print 1,000 additional copies of the Report of the Superintendent of Indian Schools for 1898, etc.; in which it requested the concurrence of the Senate.

ENROLLED BILLS SIGNED.

The message also announced that the Speaker of the House had signed the following enrolled bills; and they were thereupon signed by the Vice-President.

A bill (S. 4571) to extend Rhode Island avenue; and

A bill (S. 4709) to receive arrearages of taxes due the District of Columbia to July 1, 1897, at 6 per cent per annum, in lieu of penalties and costs.

MEMORIAL ADDRESSES ON THE LATE SENATOR MORRILL.

Mr. ROSS. Mr. President, I wish to announce that at the close of the reading of Washington's Farewell Address by the junior Senator from Colorado [Mr. WOLCOTT], made the special order for February 22 next, I shall request that the legislative business be laid aside that Senators may pay fitting tribute to the memory of the late Senator MORRILL, of Vermont. This announcement is made after an understanding with those who have in charge the paramount business of the Senate, and it is agreeable to them.

Mr. GORMAN. We did not hear on this side the date named by the Senator from Vermont.

The VICE-PRESIDENT. February 22, at the conclusion of the reading of Washington's Farewell Address.

PETITIONS AND MEMORIALS.

Mr. JONES of Arkansas presented the petitions of T. C. Potter and 202 other citizens of Picayune, Ark., and the petitions of A. R. McKinney and 200 other citizens of Cherry Valley, Ark., praying for the establishment of postal savings bank depositories; which were referred to the Committee on Post-Offices and Post-Roads.

Mr. ROSS presented the petitions of Z. T. Austin and 216 other citizens of Burlington, Vt., praying for the establishment of postal savings bank depositories; which were referred to the Committee on Post-Offices and Post-Roads.

Mr. GRAY presented a petition of the legislature of Delaware, praying that an appropriation be made to provide a channel in the Delaware River of the depth of 30 feet; which was referred to the Committee on Commerce, and ordered to be printed in the RECORD, as follows:

Senate joint resolution urging the Congress of the United States to provide a channel of the depth of 30 feet in the Delaware River.

Whereas the commercial and industrial interests of States bordering on the Delaware River require that the channel of said river should be such as to permit modern deep-draft steamships to navigate the waters thereof, thereby placing the ports of entry upon said river on an equality with other ports on the Atlantic coast which now have channels of 30 feet or more: Therefore, be it

Resolved by the senate and house of representatives of the State of Delaware in general assembly met, That the senate and house of representatives of the State of Delaware hereby urge and request the Congress of the United States to enact such legislation at its present session as will provide a channel in the Delaware River of the depth of 30 feet.

Resolved, That copies of this resolution be sent to the Senate and House of Representatives of the United States.

Passed at Dover, January 23, 1899.

CHAS. H. SALMON,
President pro tempore of the Senate.

THEODORE F. CLARK,
Speaker of the House of Representatives.

Approved this the 2d day of February, A. D. 1899.

EBE W. TUNNELL, *Governor.*

Mr. GALLINGER presented a petition of the Woman's Christian Temperance Union of East Washington, N. H., praying for the enactment of legislation to prohibit interstate gambling by telegraph, telephone, or otherwise; which was referred to the Committee on the Judiciary.

He also presented a petition of the Woman's Christian Temperance Union of East Washington, N. H., praying for the enactment of legislation to prohibit the transmission by mail or interstate commerce of pictures or descriptions of prize fights; which was referred to the Committee on the Judiciary.

He also presented a petition of the Woman's Christian Temperance Union of East Washington, N. H., and a petition of the Woman's Christian Temperance Union of Concord, N. H., praying for the enactment of legislation to prohibit the sale of liquor in canteens of the Army and Navy and of Soldiers' Homes, and in immigrant stations and Government buildings; which were referred to the Committee on Military Affairs.

Mr. SEWELL presented petitions of the congregations of the Emanuel Baptist Church, the Calvary Presbyterian Church, the Trinity Methodist Episcopal Church, the North Baptist Church, the Tabernacle Methodist Episcopal Church, the Bethany Methodist Episcopal Church, the State Street Methodist Episcopal Church, and the Christ Free Church, and of Union Council, No. 82, Order of United American Mechanics, all of Camden; of 17 citizens of Mount Holly, and of the Woman's Christian Temperance Union of Tuckerton, all in the State of New Jersey, praying for the enactment of legislation to prohibit the sale of liquor in canteens of the Army and Navy and of Soldiers' Homes, and in immigrant stations and Government buildings; which were referred to the Committee on Military Affairs.

Mr. PLATT of New York presented a petition of the congregation of the Methodist Episcopal Church of Rochester, N. Y., praying for the maintenance of the prohibition law in Alaska and to extend it to our new, half-civilized dependencies; which was referred to the Committee on Territories.

He also presented a petition of the congregation of the Reformed Church of Fort Plain, N. Y., praying for the enactment of legislation to prohibit the interstate transmission of lottery messages and other gambling matter by telegraph, telephone, or otherwise; which was referred to the Committee on the Judiciary.

He also presented petitions of the congregations of the Reformed Church of Fort Plain, the Reformed, the Presbyterian, the Baptist, and the Methodist churches of Jamaica, Long Island; of the Methodist, Baptist, and Congregational churches of Newark Valley, and the First Baptist, the State Street Methodist Episcopal, and the First Congregational churches of Ithaca, all in the State of New York, praying for the enactment of legislation to prohibit the sale of intoxicating liquors in Government buildings; which were referred to the Committee on Public Buildings and Grounds.

He also presented petitions of the New York State Woman's Christian Temperance Union, of sundry citizens of Buffalo, and of Rev. George D. Spaulding and 139 other citizens of Syracuse, all in the State of New York, praying for the enactment of legislation to prohibit the sale of liquor in canteens of the Army and Navy and of Soldiers' Homes, and in immigrant stations and Government buildings; which were referred to the Committee on Military Affairs.

Mr. PENROSE presented a petition of 26 citizens of Scranton, Pa., praying for the passage of the eight-hour bill; which was referred to the Committee on Education and Labor.

He also presented petitions of the congregations of the Presbyterian Church of Lansdowne; the Central Reformed Presbyterian Church, of Allegheny; the Twelfth United Presbyterian Church, of Pittsburg; the Mount Washington Methodist Episcopal Church, of Pittsburg; the First Pentecostal Church, of Pittsburg; the Mount Washington Baptist Church, of Pittsburg; the Presbyterian Church of Avalon; the United Presbyterian Church of Avalon; the United Presbyterian Church of Allegheny; the Christian Church of Bellevue; the Baptist Church of Wilkinsburg; the Methodist Episcopal Church of Wilkinsburg; the United Brethren Church of Wilkinsburg; the Presbyterian Church of Wilkinsburg; the Reformed Presbyterian Church of Wilkinsburg; the Ninth United Presbyterian Church, of Allegheny; the Eleventh United Presbyterian Church, of Allegheny; the First Christian Church, of Allegheny; the First Congregational Church, of Allegheny; the United Presbyterian Church of Emsworth; the Presbyterian Church of Emsworth; the Methodist Episcopal Church of Emsworth; the First United Presbyterian Church, of Allegheny; the

North Avenue Methodist Episcopal Church, of Allegheny; the Presbyterian Church of God, of Mechanicsburg; the West Alexandria Methodist Episcopal Church, of Washington; the Second United Presbyterian Church, of Indiana; the Christian Church of Indiana; the board of trustees of the Free Methodist Church of Indiana; the First Baptist Church and the Young People's Society of Christian Endeavor of the First Baptist Church, of Indiana; the First United Presbyterian Church and the Rimersburg and Widnoon Presbyterian churches, of Clarion and Armstrong counties; of 42 citizens of Indiana; of James L. O'Neill Post, No. 337, Grand Army of the Republic, Department of Pennsylvania, of Cookport; of the Woman's Christian Temperance unions of Solebury, Williamsport, Wyalusing, Wakefield, Allegheny City, Allegheny County, Wilkinsburg, Emsworth, Marionville, and Springtown; of the Young Woman's Christian Temperance Union of Mechanicsburg; of Our Young People's Christian Union of Carnegie; the Epworth League of Marionville; the Epworth League of Spring City; the Epworth League of Mechanicsburg; the Yardley Union of Bucks County; of Myrtle Cross Lodge No. 176, of Wilkinsburg; of Wilkinsburg Castle, No. 140; of Pioneer Tent No. 1, Order of Rechabites, of Pittsburg; of Anchor Lodge, No. 39, Independent Order of Good Templars, of Pittsburg; of Charles S. Whitworth Post, No. 89, Grand Army of the Republic, Department of Pennsylvania, of Apollo, and of the Presbyterian Congregation of Rochester, all in the State of Pennsylvania, praying for the enactment of legislation to prohibit the sale of liquor in canteens of the Army and Navy and of Soldiers' Homes, and in immigrant stations and Government buildings; which were referred to the Committee on Military Affairs.

Mr. BATE presented a petition of the Cotton Exchange of Memphis, Tenn., praying for a continuance of the appropriation providing for the Southern fast mail; which was referred to the Committee on Post-Offices and Post-Roads.

Mr. PASCO presented a petition of Local Union No. 102, Typographical Union, of Jacksonville, Fla., praying for the passage of the eight-hour bill; which was referred to the Committee on Education and Labor.

Mr. SIMON presented a petition of the congregation of Simpson Chapel, of Benton County, Oreg., praying for the enactment of legislation to prohibit the transmission by mail or interstate commerce of pictures or descriptions of prize fights; which was referred to the Committee on the Judiciary.

He also presented a petition of the congregation of Simpson Chapel, of Benton County, Oreg., praying for the enactment of legislation to prohibit the sale of liquor in canteens of the Army and Navy and of Soldiers' Homes, and in immigrant stations and Government buildings; which was referred to the Committee on Military Affairs.

Mr. McBRIDE presented a petition of 229 citizens of Albany, Oreg., praying for the enactment of legislation to prohibit the sale of liquor in canteens of the Army and Navy and of Soldiers' Homes, and in immigrant stations and Government buildings; which was referred to the Committee on Military Affairs.

Mr. ALLEN presented a memorial of the Central Labor Union of Omaha, Nebr., remonstrating against the passage of the Army reorganization bill; which was referred to the Committee on Military Affairs.

He also presented a petition of the Central Labor Union of Omaha, Nebr., praying for the enactment of legislation to prevent the Government from admitting advertisements into Government reports; which was referred to the Committee on Printing.

Mr. COCKRELL presented a petition of the Commercial Club of Kirksville, Mo., praying that an increase in the appropriation be made for the agricultural exhibit at the Paris exposition in 1900; which was referred to the Committee on Appropriations.

He also presented a petition of the Commercial Club of Kansas City, Mo., praying for the enactment of legislation to provide improved mail facilities for the West and Southwest; which was referred to the Committee on Appropriations.

He also presented a petition of the Commercial Club of Kirksville, Mo., praying for the enactment of legislation to increase American shipping; which was ordered to lie on the table.

He also presented a petition of 89 citizens of Magnet, Mo., and a petition of sundry citizens of Auburn, N. Y., praying for the enactment of legislation to prohibit the sale of liquor in canteens of the Army and Navy and of Soldiers' Homes, and in immigrant stations and Government buildings; which was referred to the Committee on Military Affairs.

He also presented a petition of the Business Men's League of St. Louis, Mo., praying that an appropriation be made for the holding of a world's fair in St. Louis in 1903 in commemoration of the one hundredth anniversary of the Louisiana purchase; which was referred to the Select Committee on International Expositions.

Mr. GEAR presented a petition of the congregation of the Congregational Church of Riceville, Iowa, praying for the maintenance of the prohibition law in the Territory of Alaska; which was referred to the Committee on Territories.

He also presented petitions of the congregations of the Congregational Church of Riceville, the United Presbyterian Church of Ainsworth, and the Baptist Church of Ainsworth, all in the State of Iowa, praying for the enactment of legislation to prohibit the sale of liquor in canteens of the Army and Navy and of Soldiers' Homes, and in immigrant stations and Government buildings; which were referred to the Committee on Military Affairs.

PERSONNEL OF THE NAVY AND MARINE CORPS.

Mr. HALE. I move, by the direction of the Committee on Naval Affairs, to recommit to that committee the bill (H. R. 10403) to reorganize and increase the efficiency of the personnel of the Navy and Marine Corps of the United States.

The motion was agreed to.

LAKE SCHUTTE CEMETERY CORPORATION.

Mr. HANSBROUGH. I am directed by the Committee on Public Lands, to whom was referred the bill (S. 5431) granting the south half of northwest quarter of section 30, township 162 north, range 72 west, to the Lake Schutte Cemetery Corporation, of Dunseith, N. Dak., for cemetery purposes, to report it with an amendment, and I ask unanimous consent for its present consideration. It is a very short bill.

There being no objection, the Senate, as in Committee of the Whole, proceeded to consider the bill.

The amendment of the Committee on Public Lands was to strike out all after the enacting clause and insert:

That the following described tract of land, situate in the county of Rolette, State of North Dakota, namely, the south half of northwest quarter of section 30, township 162 north, range 72 west, be, and the same is hereby, granted and conveyed to the Lake Schutte Cemetery Corporation, of Dunseith, N. Dak., upon the payment of $1.25 per acre by said corporation to the United States, to have and to hold said lands to its use and behoof forever, for cemetery purposes.

The amendment was agreed to.

The bill was reported to the Senate as amended, and the amendment was concurred in.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

LANDS AT VICTOR, COLO.

Mr. HANSBROUGH. I am directed by the Committee on Public Lands, to whom was referred the bill (H. R. 11142) granting to the mayor of the city of Victor, in the county of El Paso and State of Colorado, the right to enter certain lands, therein described, for city purposes, to report it back favorably without amendment.

Mr. TELLER. I ask that the bill may be put on its passage. It is simply to allow the city of Victor to take about 160 acres for water purposes where a dam has already been erected.

There being no objection, the Senate, as in Committee of the Whole, proceeded to consider the bill.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

SARAH K. M'LEAN.

Mr. DAVIS. I ask unanimous consent for the present consideration of the bill (S. 3200) for the relief of Sarah K. McLean, widow of the late Lieut. Col. Nathaniel H. McLean.

Mr. ALLEN. I wish the Senator would let us get through with the morning business. I have no objection to the bill, but I have a bill that I would like to introduce.

Mr. DAVIS. This bill has passed the Senate three times at previous sessions.

Mr. ALLEN. All right.

The VICE-PRESIDENT. Is there objection to the present consideration of the bill called up by the Senator from Minnesota?

Mr. TILLMAN. Is the morning business closed?

The VICE-PRESIDENT. The morning business is not concluded.

Mr. TILLMAN. Had we not better get through with that before we undertake to pass bills?

The VICE-PRESIDENT. The Senator from Minnesota has asked unanimous consent for the present consideration of the bill. Is there objection?

Mr. DAVIS. It is a bill which has passed the Senate heretofore three times.

Mr. TILLMAN. Could not the Senator wait until we get through with the routine business?

Mr. DAVIS. I will be very much obliged to the Senator if he will yield.

Mr. TILLMAN. I want to submit an amendment to an appropriation bill; but of course I will give way to the Senator.

There being no objection, the Senate, as in Committee of the

Whole, proceeded to consider the bill. It directs the proper accounting officers to settle and adjust to Sarah K. McLean, widow of the late Lieut. Col. Nathaniel H. McLean, all back pay and emoluments that would have been due and payable to Nathaniel H. McLean as a major from July 23, 1864, to the date of his reinstatement, March 3, 1875, and appropriates the amount found due by that adjustment.

The bill was reported to the Senate without amendment, ordered to be engrossed for a third reading, read a third time, and passed.

REMOVAL OF SNOW AND ICE.

Mr. McMILLAN. I am directed by the Committee on the District of Columbia, to whom was referred the bill (H. R. 12009) to provide for the removal of snow and ice in the city of Washington, in the District of Columbia, to report it with amendments; and as it is a matter of great importance just now, I ask that the bill may be put on its passage. It will take but a moment.

There being no objection, the Senate, as in Committee of the Whole, proceeded to consider the bill.

The amendments of the Committee on the District of Columbia were, in line 8, page 1, before the word "dollars," to strike out "two thousand" and insert "ten thousand;" and in line 1, page 2, before the word "thousand," to strike out "one" and insert "two;" so as to make the bill read:

Be it enacted, etc., That the following sums are hereby appropriated, out of any money in the Treasury not otherwise appropriated, to be immediately available, for the following objects, namely: For cleaning snow and ice from cross walks and gutters, under the act approved March 2, 1895, $10,000; one-half of said sum to be paid out of the revenues of the District of Columbia, and the other half out of the Treasury of the United States.

For the removal of snow and ice, to be disbursed under the direction of the officer in charge of public buildings and grounds in and around Washington, D. C., $2,000.

Mr. McMILLAN. I ask that a letter from the president of the Board of District Commissioners be read. It explains the necessity for having this amount put at their disposal. The bill passed the House before the recent heavy snow fall.

The VICE-PRESIDENT. The Secretary will read as requested.

The Secretary read as follows:

EXECUTIVE OFFICE, COMMISSIONERS DISTRICT OF COLUMBIA,
Washington, February 7, 1899.

DEAR SIR: The Commissioners of the District of Columbia have the honor to state that, owing to the additional heavy snow falls, the appropriation of $2,000, passed by the House February 5, will be utterly inadequate to carry out the law for the removal of snow from the cross walks and gutters, etc.

An appropriation of at least $10,000 should be made to properly execute the law; and the Commissioners earnestly request your committee to use its best endeavors to have such an amount appropriated.

With the heavy fall of snow and the accompanying cold weather the demands for charity have been enormously increased. The charity organizations have sent to the contractor for removal of the snow at least 500 more men than can be put to work under the small appropriation pending, and therefore, besides meeting a public necessity, the appropriation requested would be a most potent factor in allaying the cries of poverty.

Very respectfully,

JOHN B. WIGHT,
President Board of Commissioners, District of Columbia.

Hon. WILLIAM B. ALLISON,
Chairman Committee on Appropriations, United States Senate.

The VICE-PRESIDENT. The question is on agreeing to the amendments of the Committee on the District of Columbia.

The amendments were agreed to.

The bill was reported to the Senate as amended, and the amendments were concurred in.

The amendments were ordered to be engrossed and the bill to be read a third time.

The bill was read the third time, and passed.

MAPS OF ALASKA.

Mr. LODGE. I am directed by the Committee on Printing, to whom was referred the joint resolution (S. R. 239) authorizing the Director of the Geological Survey to prepare a map of Alaska, showing all known topographic and geologic features, etc., to report it with amendments, and I ask for its present consideration.

There being no objection, the Senate, as in Committee of the Whole, proceeded to consider the joint resolution.

The amendments of the Committee on Printing were, in line 4, to strike out the words "a map" and insert "maps;" in line 8, to strike out "forty" and insert "twenty;" in line 9, to strike out "map" and insert "maps;" in the same line, after the word "printed," to strike out "ten" and insert "five;" in line 10, to strike out "twenty" and insert "ten;" in line 11, to strike out "ten" and insert "five;" in line 12, to strike out "map" and insert "maps;" and in line 14, to strike out "$3,000" and insert "$4,200;" so as to make the joint resolution read:

Resolved by the Senate and House of Representatives, etc., That the Director of the Geological Survey is hereby authorized and directed to prepare maps of Alaska, showing all known topographic and geologic features, including what is known of the gold-bearing rocks, and a text of the same, the text to contain also an explanation of the best known routes and methods of reaching the gold fields; 20,000 copies of the maps and text to be printed, 5,000 for the use of the Senate, 10,000 for the use of the House of Representatives, and 5,000 for distribution by the Geological Survey; and the Director is authorized to have said maps and text prepared and printed in the engraving and printing division of the Geological Survey; and $4,200 is hereby appropriated for the purpose; and that this appropriation be made immediately available.

Mr. WOLCOTT. I should like to ask from what committee this comes?

The VICE-PRESIDENT. The Committee on Printing.

Mr. WOLCOTT. I should like to ask if it has been referred to the Special Committee on the Geological Survey for action?

Mr. LODGE. It has not. It is a bill simply for printing; that is all.

Mr. WOLCOTT. I ask the chairman of the Committee on Printing if it is solely a matter for the Committee on Printing? No such sturdy beggar ever comes before Congress as the Geological Survey. It is always something somewhere for which an appropriation of money is to be made.

I should like to know if all these surveys have been so made that there will be no further expense except a publication of the map itself. Will there be any expense incurred in making this survey or planning these routes? We have had all this for years.

Mr. President, years ago I tried unsuccessfully for two years to limit these appropriations or to help cut down the vast sums that the Geological Survey takes from the Treasury of the United States every year, more than half of which is for exact duplication of the mapping of the Geodetic Survey, and there is always something toward the end of a session that comes in, even outside of the vast appropriations that come through the Interior Department, for the Geological Survey. I should like to ask if $4,200 covers all the outlay the Government is going to be under for these maps? It is only a year ago that we had a pretty good map of the Yukon district and the Alaskan country.

Mr. LODGE. I will explain, Mr. President. Last year a map was published covering all the region that had then been surveyed. The print of that report and map was entirely exhausted. There was a very great demand for it, as the Senator will easily understand. Last summer a very much larger survey was made, covering a large tract of country up to the line of the Yukon and covering a great deal of country that had never been surveyed before. This is simply to print the result of the surveys that have been made. It has nothing to do with any future survey. It is only to print a new edition of the old map with the additional information gained in the recent surveys.

Mr. WOLCOTT. May I ask the Senator a question? Is the Senator certain that it is not accompanied in its passage through the Senate by some provision in one of the appropriation bills that there shall be some sum expended for the purpose of making some of these maps?

Mr. LODGE. It relates only to surveys in the past. Of course the Committee on Printing has absolutely no authority to authorize the printing of anything that is not prepared and ready. All of this material is ready; it is all made.

Mr. ALLEN. Mr. President——

Mr. WOLCOTT. If the Senator from Nebraska will pardon me a moment, as the chairman of the Committee on Appropriations has just come in, I ask him whether or not it is a fact that the Geological Survey are asking increased appropriations this year on account of Alaska work? Of course they are for some work, but are they asking it for Alaska work?

Mr. ALLISON. I have no doubt they are asking for increased appropriations.

Mr. WOLCOTT. Neither have I.

Mr. ALLISON. But to what extent I can not state. I am not quite familiar with the items at this moment.

Mr. WOLCOTT. It is a sure thing that wherever they are surveying they are asking for additional appropriations.

Mr. ALLEN. I should like to ask the Senator from Massachusetts if since the publication of the last map and the last report of the survey there have not been extensive additional surveys made?

Mr. LODGE. There have been. It is for the publication of a new edition with all the additional surveys and with the maps brought up to the results of the additional surveys that this is asked. It provides for nothing in the future; it authorizes nothing in the future. It is simply to print the results of the work done last year under last year's appropriation.

Mr. ALLEN. Then, with the permission of the Senator from Colorado, I desire to submit that it is entirely proper and in keeping with the acquisition of necessary knowledge that the maps should be revised and the report of the surveys published from time to time, until the work in Alaska is complete.

Mr. WOLCOTT. If this appropriation has passed the eagle eye of the Senator from Nebraska, I will withdraw my objection, Mr. President.

Mr. ALLEN. Mr. President, it has passed my eagle eye.

Mr. CARTER. As I understand the Senator from Massachusetts, it is the purpose of this resolution to make available for public use information heretofore collected in addition to that which appears on the former map.

Mr. LODGE. It is to make available for public use material collected in the surveys of last summer, appropriated for in the last act. It is to make useful and available and within reach of the public the surveys which we have caused to be made, and which have been made under existing appropriations. The joint resolution was introduced by the Senator from West Virginia [Mr. ELKINS], whom I do not see here this morning. I went into the matter very thoroughly, and I have an exact estimate of the cost, which is embodied in the appropriation, and which I do not think is excessive. It is not a large amount. Of course I know nothing about the Geological Survey appropriations. All the committee are called to pass upon in the matter of printing is whether the document seems to them to deserve publication and whether there is a demand adequate for its publication. There certainly is a great demand for this information.

Mr. WOLCOTT. I can say to the Senator from Massachusetts that none of us know much about the appropriations for the Geological Survey except that they increase with giant strides year after year, and somehow they always get through.

Mr. TILLMAN. Will the Senator from Massachusetts allow me to ask him a question?

Mr. LODGE. Certainly.

Mr. TILLMAN. If we are not to print the result of the surveys, had we not better stop the surveying?

Mr. LODGE. I should think it useless to make surveys unless we were going to make the information that is acquired available to the public, when the public desires to have it.

Mr. TILLMAN. I will say to the Senator from Colorado that I think he should direct his attention to curtailing the work of the Geological Survey rather than to curtailing the printing of that work.

Mr. WOLCOTT. I will say to the Senator from South Carolina that this is $4,200 to print maps of work for which appropriation was made, we are told, last year. Next year there will be another increased appropriation to extend the roads a little farther to where there may be some other gold fields possibly, or some other stage routes. This work has been done only at the threshold of Alaska. They will have Alaska platted as carefully as the city of New York is with streets and alleys if we let them keep on. This map simply marks one stage in the internal progressive development of the Geological Survey; that is all.

Mr. ALLEN. I submit that it is perfectly proper that the revised work of the Survey should be published from year to year as the work progresses. How else can it be completed? It is impossible to make a complete survey of the district of Alaska in one year. A map that was valuable a year ago has no special value this year unless it contains the additional surveys and a report upon those surveys.

Mr. President, I regard the work done by the Geological and Geodetic Surveys as the most valuable done in the United States.

Mr. WOLCOTT. I hope I may interrupt the Senator long enough to ask him not to connect the two. The Geodetic Survey is making a plan of the United States upon a certain scale. The Geological Survey is making identically the same map upon an entirely different scale.

Mr. ALLEN. I know; but they are cooperating to a large extent.

Mr. WOLCOTT. No; I do not think they are cooperating. They are overlapping to a very large extent, but not cooperating.

Mr. ALLEN But we have large possessions in Alaska about which but little is known to the public at this time. I would regard it as an important and necessary work for the Government of the United States to take up the whole subject of providing accurate maps of the different States, Territories, and districts of the United States for the public at a minimum cost. Each year as these surveys progress, as new information comes into the possession of those charged with acquiring it, the maps should be revised, and the information should be published, although it costs many thousands of dollars to do it.

The joint resolution was reported to the Senate as amended, and the amendments were concurred in.

The joint resolution was ordered to be engrossed for a third reading, read the third time, and passed.

The title was amended so as to read: "A joint resolution authorizing the Director of the Geological Survey to prepare maps of Alaska, showing all known topographic and geologic features, and so forth."

REPORTS OF COMMITTEES.

Mr. RAWLINS, from the Committee on Claims, to whom was referred the bill (S. 2408) to remove a suspension upon the disbursement of an appropriation, reported it without amendment and submitted a report thereon, and moved that it be referred to the Committee on Appropriations; which was agreed to.

Mr. WOLCOTT, from the Committee on Post-Offices and Post-Roads, to whom was referred the amendment submitted by Mr. MORGAN February 7, 1899, extending the franking privilege to all mail matter transported between any of the Hawaiian Islands and the United States, intended to be proposed to the Post-Office appropriation bill, reported it with amendments, and moved that it be referred to the Committee on Appropriations and printed; which was agreed to.

Mr. HALE. By direction of the Committee on Naval Affairs, I report back the bill (H. R. 10403) to reorganize and increase the efficiency of the personnel of the Navy and Marine Corps of the United States with additional amendments. I ask that the bill be placed upon the Calendar. It will, of course, be reprinted with the new amendments.

The VICE-PRESIDENT. The bill will be placed on the Calendar and the order to print will be made as requested.

Mr. WARREN, from the Committee on Irrigation and Reclamation of Arid Lands, to whom was referred the amendment submitted by himself February 4, 1899, proposing to appropriate $100,000 for construction along Piney Creek, Wyoming, of three reservoirs, and $150,000 for the construction of a reservoir on the South Platte River, in Colorado, etc., intended to be proposed to the river and harbor appropriation bill, reported favorably thereon, and moved that it be referred to the Committee on Commerce and printed; which was agreed to.

He also, from the Committee on Claims, to whom was referred the bill (S. 4870) for the relief of George W. Weston, reported it without amendment, and submitted a report thereon.

He also, from the same committee, to whom was referred the bill (S. 5000) for the relief of the owners of the British ship *Foscolia* and cargo, reported it without amendment, and submitted a report thereon.

Mr. SPOONER, from the Committee on the Judiciary, to whom was referred the bill (H. R. 7094) providing an additional circuit judge in the Third judicial circuit, reported it without amendment.

BENJAMIN F. JONES.

Mr. TELLER. I am directed by the Committee on Claims, to whom was referred the bill (H. R. 5717) for the relief of Benjamin F. Jones, to report it without amendment. The bill involves only $97, and I ask that it may be put on its passage.

There being no objection, the Senate, as in Committee of the Whole, proceeded to consider the bill. It proposes to pay to Benjamin F. Jones, late postmaster at Beauregard, Miss., or his legal representatives, $97, in consideration of loss and services.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

The preamble was agreed to.

Mr. BERRY. I should like to ask unanimous consent to put upon its passage a short bill to change the time of holding courts in Arkansas.

Mr. BATE. Is the morning business over?

The VICE-PRESIDENT. The morning business is not concluded. Reports of committees are still in order.

CHARLES T. PLUNKETT.

Mr. MARTIN. I am directed by the Committee on Claims, to whom was referred the bill (H. R. 886) for the relief of Charles T. Plunkett, of Lynchburg, Va., to report it without amendment, and I ask unanimous consent for its present consideration. It will take a very few moments.

There being no objection, the Senate, as in Committee of the Whole, proceeded to consider the bill. It proposes to pay to Charles T. Plunkett $104.50, being amount of sundry drafts, all dated January 26, 1893, to the following-named parties: R. B. Coffman, $1.70; E. H. Price, $1.90; R. E. Carroll, $28; J. H. Mowatt, $18; J. H. Mowatt, $21.90; J. H. Mowatt, $11.10; J. H. Mowatt, $21.90. But said drafts must be surrendered to the Secretary of the Treasury. Plunkett must give bond in the penalty of double the amount, with security approved by the Secretary of the Treasury, conditioned to indemnify the United States against any loss arising out of the payment of the drafts.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

RENEWAL OF PENSIONS.

Mr. GALLINGER. I desire to report an original bill from the Committee on Pensions, and to ask for its immediate consideration. The purpose of the bill is to restore to the pension rolls the men who lost their pensions in consequence of enlisting in the war with Spain.

The bill (S. 5465) authorizing the renewal of pensions to certain soldiers, sailors, and marines who served during the war with

Spain was read the first time by its title, and the second time at length, as follows:

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That all pensions suspended by reason of enlistment in the military or naval service or Marine Corps of the United States during the war with Spain shall be renewed to the respective pensioners on application after discharge from the service aforesaid, the renewal to commence from the date of discharge: *Provided*, That the application therefor be filed within one year after such date.

The VICE-PRESIDENT. Is there objection to the present consideration of the bill?

There being no objection, the bill was considered as in Committee of the Whole.

Mr. GALLINGER. Mr. President, I desire to occupy but a moment in making a statement. This bill was drafted at the Bureau. It is a fact that the soldiers who were drawing pensions and who enlisted and performed service in the war with Spain not only lost their pensions during the time of that service, but they have permanently lost their pensions. The bill provides that they shall be restored to the rolls at the rate they were receiving when they enlisted for that service.

Mr. COCKRELL. From what date?

Mr. GALLINGER. From the date of their discharge.

Mr. HOAR. May I have the attention of the chairman of the Committee on Pensions for a moment?

Mr. GALLINGER. Certainly.

Mr. HOAR. I suppose every Senator will approve the purpose of the bill, but it has occurred to me whether it could require an application for restoration.

Mr. GALLINGER. I will say to the Senator that the Commissioner of Pensions so rules. He says the existing law absolutely compels him to remove from the rolls the names of those men.

Mr. HOAR. I understand; but their names are already on the rolls. Everyone knows without imputing any delay to anybody in the Pension Office that these applications sometimes do not get attended to for months and years, at any rate not for a long time, and the man and his family suffer for want of the pension. I know of one case, that of a man the nature of whose disability was such that it multiplied by five the risk of his dying in the recent war. I will not undertake to state the nature of his disability, but he was a very frail man. He was among my own near neighbors. He went into the late war in spite of this infirmity of his, where the chances were very great indeed that it would be made fatal by the hardships of the war. Now, why should not all men be put right back, and if hereafter there is any evidence that they are not really infirm and under disability the office will do what they have done in other cases.

Mr. GALLINGER. As I understand the Senator, he would have the words "on application after discharge from the service aforesaid" stricken out?

Mr. HOAR. And that it shall be done by the office.

Mr. GALLINGER. I am inclined to agree with the Senator that that is desirable, and I will move to strike out the words "on application after discharge from the service aforesaid," so that the bill will read:

That all pensions suspended by reason of enlistment in the military or naval service or Marine Corps of the United States during the war with Spain shall be renewed to the respective pensioners, the renewal to commence from the date of discharge: *Provided*, That the application therefor be filed within one year after such date.

Mr. HOAR. When is the application to be renewed?

Mr. GALLINGER. From the date of the discharge.

Mr. HOAR. Yes; from the date of the discharge.

The amendment was agreed to.

Mr. TILLMAN. I should like to have some information from the Senator from New Hampshire as to how this thing comes about and how many men are affected by this proposed legislation. In other words, it looks to me as though no man who served in the civil war and who got a pension would be able to enlist in the war with Spain.

Mr. GALLINGER. The Senator is technically right on that point, but there were a few who did enlist. It is a very small number.

Mr. TILLMAN. Do you mean privates?

Mr. GALLINGER. Privates. I know a few cases of that kind, perhaps two or three.

Mr. TILLMAN. Down our way they would not take men in the recent war volunteers above a certain age, nothing like 50 years of age, and there is no man——

Mr. HOAR. They were officers.

Mr. TILLMAN. But the Senator from New Hampshire said enlisted men. He did not say volunteers.

Mr. GALLINGER. There is no difference that I can see between enlisting and volunteering. They have to enlist in order to volunteer. There was no drafting.

Mr. TILLMAN. Are any of these officers?

Mr. GALLINGER. The cases that I am familiar with are not officers; but my attention has been called to one officer.

Mr. HOAR. Will the Senator yield to me?

Mr. HARRIS. I will state, for the information of the Senator from South Carolina, that I personally know of a number of officers who have lost their pensions by service in the recent war. They were not subjected to any very great physical examination; in fact, to none at all. The officers were volunteers, and they lost the pensions which they were receiving by reason of disabilities incurred in the civil war.

Mr. TILLMAN. I am not objecting to that; but it simply occurred to me that it was an anomalous proposition, that a man who had been disabled in the other war, thirty-five years ago, should be able now to resume active service in this war. That is something I do not understand.

Mr. GALLINGER. Mr. President, the fact is, that a few have been accepted by the Government under those circumstances. It is no fault of the men.

Mr. TILLMAN. Of course it is no fault of the men; but the question is whether there was any fault in granting them pensions.

Mr. GALLINGER. I do not know how that may be.

Mr. HOAR. If it at any time appears that a man is not disabled so that he is entitled to a pension, the Pension Office always had a right, and still possesses the right, to inquire into the facts of the case; but there are cases like those stated of persons who, having severe physical disabilities, went into this war and incurred the hardship and the danger incident to war, the danger being multiplied fivefold by the fact of the disability previously incurred. I know of one such case myself.

Mr. GALLINGER. If the Senator will permit me, we will assume that General Butler had been a Union soldier instead of a Confederate soldier and lost a limb on the battlefield, yet he was appointed in this war. His pension would have been taken from him if he had been drawing one, and I think in such a case it ought to be restored.

Mr. TILLMAN. I am not objecting, and I do not propose to object. I simply rose to get some information as to how it was that a man who was drawing a pension by reason of disability incurred thirty-five years ago could go into this last war and be able to enter the service at all.

Mr. SPOONER. Take the case of General Butler.

Mr. GALLINGER. I have just suggested that.

Mr. SPOONER. If a one-legged Union soldier went into the war who was drawing a pension from the United States, should he be punished if he enlisted again?

Mr. TILLMAN. I was just trying to get some information about it; that is all.

Mr. ALLEN. If the Senator will permit me, I wish to inquire what would be the pensionable status of General Butler at the conclusion of his service in our Army, and the pensionable status of other Confederate veterans who served during this war?

Mr. GALLINGER. That, I think, has not been adjudicated. I presume that if they incurred disabilities in the war with Spain they would then become pensionable under our law.

Mr. ALLEN. Has any bill been framed by the Pension Committee or by the Military Committee, that the Senator knows of, for the release of such a disability?

Mr. GALLINGER. I am not aware of any such action being taken. It is not the function of the Pension Committee to do that.

I desire to offer an amendment to the bill, if I am in order. I send the amendment to the desk.

Mr. TILLMAN. Inasmuch as an illustration has been brought up here as a possible justification for this proceeding as to General Butler, from my own State, who volunteered, although he was minus a leg, which he lost in the other war, I would ask now whether General Butler, being disabled, undoubtedly, is eligible to a pension for his service in this recent war? I do not know that he is asking for it; I know he is not; but at the same time I merely want to find out what his status would be.

Mr. GALLINGER. Well, Mr. President, when we reach that we will consider it. The Government will deal justly with General Butler, no doubt.

The VICE-PRESIDENT. The amendment proposed by the Senator from New Hampshire [Mr. GALLINGER] will be stated.

The SECRETARY. In line 8, after the word "enlistment," it is proposed to insert "or service."

The amendment was agreed to.

The bill was reported to the Senate as amended, and the amendments were concurred in.

The bill was ordered to be engrossed for a third reading, read the third time, and passed, as follows:

Be it enacted, etc., That all pensions suspended by reason of enlistment or service in the military or naval service or Marine Corps of the United States during the war with Spain shall be renewed to the respective pensioners, the renewal to commence from the date of discharge: *Provided*, That the application therefor be filed within one year after such date.

BILLS INTRODUCED.

Mr. ALLEN introduced a bill (S. 5466) for the erection of a public building at the city of York, in the State of Nebraska; which was read twice by its title, and, with the accompanying papers, referred to the Committee on Public Buildings and Grounds.

Mr. MORGAN introduced a bill (S. 5467) for the relief of B. G. Chandler; which was read twice by its title, and referred to the Committee on Claims.

Mr. MONEY. I introduce a bill with the request that it may be appropriately referred. I think it should go to the Committee on Military Affairs, but as I am not sure, I ask that it be read in full.

The bill (S. 5468) providing for exhuming and the return to the United States for proper burial of the remains of the captain, crew, and passengers of the *Virginius*, executed in Cuba November 7 and 8, 1873, was read the first time by its title and the second time at length, as follows:

Be it enacted, etc., That the operation of the act approved July 8, 1898, making appropriation "to enable the Secretary of War, in his discretion, to cause to be transported to their homes the remains of officers and soldiers who die at military camps or who are killed in action or die in the field at places outside of the United States," be extended to include the exhuming of the remains, if the graves can be identified, and returning for sepulture to the United States of the captain and 36 of the crew of the *Virginius* and 16 others captured on that ship, who were shot under color of military condemnation at Santiago de Cuba November 7 and 8, 1873, though claiming and claimed to be American citizens: *Provided*, That if the graves of these unfortunates are identified and it is impracticable to return their remains to the United States, measures shall be taken for careful reinterment in a plat properly inclosed and marked.

Mr. MONEY. I think the bill should go to the Committee on Military Affairs.

The VICE-PRESIDENT. The bill will be referred to the Committee on Military Affairs, in the absence of objection.

Mr. KENNEY introduced a bill (S. 5469) granting an increase of pension to Edwin S. Anderson; which was read twice by its title, and referred to the Committee on Pensions.

Mr. CARTER introduced a bill (S. 5470) authorizing the placing of the name of Johnson V. D. Middleton upon the retired list of the United States Army with the rank of colonel; which was read twice by its title, and referred to the Committee on Military Affairs.

Mr. GEAR introduced a bill (S. 5471) granting a pension to Jacob E. Wilson; which was read twice by its title, and, with the accompanying paper, referred to the Committee on Pensions.

He also introduced a bill (S. 5472) granting a pension to Ferdinand Buckholz; which was read twice by its title, and, with the accompanying papers, referred to the Committee on Pensions.

Mr. HARRIS introduced a bill (S. 5473) granting to the Wichita and Southern Railway Company a right of way across the Kansas, Osage, Creek, and Choctaw reservations, in the Indian Territory; which was read twice by its title, and referred to the Committee on Indian Affairs.

Mr. PENROSE introduced a joint resolution (S. R. 242) authorizing foreign exhibitors at the Commercial Exposition to be held in Philadelphia, Pa., in 1899, to bring to this country foreign laborers from their respective countries for the purpose of preparing for and making their exhibits, under regulations prescribed by the Secretary of the Treasury; which was read twice by its title, and, with the accompanying paper, referred to the Committee on Finance.

AMENDMENTS TO APPROPRIATION BILLS.

Mr. LODGE submitted an amendment directing the Secretary of the Treasury to cause the Commissioner of Internal Revenue to reopen and reexamine the refunding claims of the Eastern Railroad Company, of the State of Massachusetts, for taxes erroneously paid by them, etc., intended to be proposed by him to the general deficiency appropriation bill; which was ordered to be printed, and, with the accompanying papers, referred to the Committee on Appropriations.

He also submitted an amendment proposing to appropriate $4,460 for the printing of 9,000 copies of a "Calendar of Miscellaneous Letters" by the Department of State, intended to be proposed by him to the sundry civil appropriation bill; which was ordered to be printed, and, with the accompanying papers, referred to the Committee on Appropriations.

Mr. SEWELL submitted an amendment proposing to appropriate $18,000 for the improvement of Beach Thoroughfare, at and near the meeting of tide from Absecon and Egg Harbor inlets, New Jersey, intended to be proposed by him to the river and harbor appropriation bill; which was referred to the Committee on Commerce, and ordered to be printed.

He also submitted an amendment proposing to appropriate $10,000 for the improvement of Absecon Inlet, New Jersey, and a further appropriation, not to exceed $500,000, for the completion of the improvement in accordance with the plans submitted by the Board of Engineers, intended to be proposed by him to the river and harbor appropriation bill; which was referred to the Committee on Commerce, and ordered to be printed.

Mr. GORMAN submitted an amendment authorizing the Secretary of the Senate to pay the sum of $1,500 to Annie E. Maccubbin, widow of William M. Maccubbin, who was killed in the discharge of his duties as a painter in the Capitol, intended to be proposed by him to the sundry civil appropriation bill; which was referred to the Committee on Appropriations, and ordered to be printed.

Mr. PERKINS submitted an amendment proposing to increase the appropriation for continuing the improvement of the Sacramento River, California, from $184,000 to $214,000, and further proposing to appropriate $35,000 for the maintenance of that river, intended to be proposed by him to the river and harbor appropriation bill; which was referred to the Committee on Commerce, and ordered to be printed.

Mr. CARTER submitted an amendment proposing to appropriate $5,000,000 for continuing the improvement of reservoirs and canals to conduct water thereto from streams in the respective arid and semiarid land States and Territories, intended to be proposed by him to the river and harbor appropriation bill; which was referred to the Committee on Irrigation and Reclamation of Arid Lands, and ordered to be printed.

Mr. KENNEY submitted an amendment proposing to pay $625.85 to the adjutant-general of the State of Delaware for use and damages done to armory and personal property belonging to that State by the United States Army, intended to be proposed by him to the Army appropriation bill; which was referred to the Committee on Military Affairs, and ordered to be printed.

Mr. TILLMAN. I present an amendment intended to be proposed by me to the river and harbor appropriation bill, proposing to appropriate $50,000 for the improvement of Congaree River from Columbia, S. C., to Granby, S. C., a distance of 2 miles, by the construction of a lock and dam at Granby. I move that the amendment, together with the accompanying paper, be printed and referred to the Committee on Commerce.

The motion was agreed to.

Mr. GEAR submitted an amendment proposing to appropriate $50,000 to complete a levee along the west bank of the Mississippi River, commencing at the mouth of Flint Creek, in Des Moines County, Iowa, along the west bank of that river to the mouth of the Iowa River, in Louisa County, Iowa, intended to be proposed by him to the river and harbor appropriation bill; which was referred to the Committee on Commerce, and ordered to be printed.

He also submitted an amendment proposing to appropriate $50,000 to construct a levee on the west side of the Mississippi River, commencing at the bluff above the city of Fort Madison, Lee County, Iowa, along the west bank of that river to the mouth of Skunk River, intended to be proposed by him to the river and harbor appropriation bill; which was referred to the Committee on Commerce, and ordered to be printed.

He also submitted an amendment proposing to appropriate $50,000 to construct a levee along the west bank of the Mississippi River, from the mouth of the Iowa River, in Louisa County, Iowa, to the city of Muscatine, Muscatine County, Iowa, intended to be proposed by him to the river and harbor appropriation bill; which was referred to the Committee on Commerce, and ordered to be printed.

Mr. BUTLER submitted an amendment proposing to appropriate $6,500 for improving Inland Waterway between Beaufort Harbor and New River, North Carolina, intended to be proposed by him to the river and harbor appropriation bill; which was referred to the Committee on Commerce, and ordered to be printed.

He also submitted an amendment proposing to appropriate $10,000 for continuing the improvement and maintenance of the Neuse River, North Carolina, intended to be proposed by him to the river and harbor appropriation bill; which was referred to the Committee on Commerce, and ordered to be printed.

He also submitted an amendment proposing to appropriate $2,000 for improving Black River, North Carolina, intended to be proposed by him to the river and harbor appropriation bill; which was referred to the Committee on Commerce, and ordered to be printed.

He also submitted an amendment proposing to appropriate $5,000 for improving Neuse River, North Carolina, at and below Newbern, intended to be proposed by him to the river and harbor appropriation bill; which was referred to the Committee on Commerce, and ordered to be printed.

He also submitted an amendment proposing to appropriate $8,500 for improving Town Creek, Brunswick County, N. C., intended to be proposed by him to the river and harbor appropriation bill; which was referred to the Committee on Commerce, and ordered to be printed.

He also submitted an amendment proposing to appropriate $10,750 for continuing the improvement and maintenance of Fish Creek, North Carolina, intended to be proposed by him to the river and harbor appropriation bill; which was referred to the Committee on Commerce, and ordered to be printed.

He also submitted an amendment proposing to appropriate

$200,000 for continuing the improvement of Cape Fear River, North Carolina, at and below Wilmington, intended to be proposed by him to the river and harbor appropriation bill; which was referred to the Committee on Commerce, and ordered to be printed.

He also submitted an amendment proposing to appropriate $5,000 for continuing the improvement and maintenance of Contentnea Creek, North Carolina, intended to be proposed by him to the river and harbor appropriation bill; which was referred to the Committee on Commerce, and ordered to be printed.

He also submitted an amendment proposing to appropriate $2,500 for improving Trent River, North Carolina, intended to be proposed by him to the river and harbor appropriation bill; which was referred to the Committee on Commerce, and ordered to be printed.

He also submitted an amendment proposing to appropriate $20,000 for continuing the improvement and maintenance of Pamlico and Tar rivers, North Carolina, intended to be proposed by him to the river and harbor appropriation bill; which was referred to the Committee on Commerce, and ordered to be printed.

He also submitted an amendment proposing to appropriate $10,000 for continuing the improvement of and $2,500 for the maintenance of Cape Fear River, North Carolina, above Wilmington, intended to be proposed by him to the river and harbor appropriation bill; which was referred to the Committee on Commerce, and ordered to be printed.

Mr. STEWART submitted an amendment proposing to aid the public-land States in the reclamation of the desert lands therein, and more especially to enable them to secure a revenue wherewith the lands granted to them by section 4 of the act of Congress approved August 18, 1894, may be fully and effectively reclaimed, etc., intended to be proposed by him to the sundry civil appropriation bill; which was referred to the Committee on Irrigation and Reclamation of Arid Lands, and ordered to be printed.

PERSONNEL OF NAVY AND MARINE CORPS.

Mr. STEWART submitted an amendment intended to be proposed by him to the bill (H. R. 10403) to reorganize and increase the efficiency of the personnel of the Navy and Marine Corps of the United States; which was referred to the Committee on Naval Affairs, and ordered to be printed.

RESERVOIRS FOR IRRIGATION PURPOSES.

Mr. WARREN submitted the following resolution; which was considered by unanimous consent, and agreed to:

Resolved, That the Secretary of Agriculture be, and hereby is, requested to furnish for the use of the Senate such information as he may possess regarding the practical usefulness of reservoirs to agriculture in the irrigated region of the United States, especially as affecting the distribution of water to crops, the area and value of reclaimed land, and the stability and profitableness of farming where irrigation is practiced.

NATIONAL CENTENNIAL CELEBRATION.

Mr. HOAR submitted the following resolution; which was considered by unanimous consent, and agreed to:

Resolved, That the select committee on so much of the President's message as relates to the celebration in 1900 of the establishment of the Government in the District of Columbia be authorized to act in relation thereto with any committee that may be appointed by the President, the House of Representatives, or the citizens of said District to make arrangements for said purpose.

COMMITTEE SERVICE.

Mr. JONES of Arkansas. In view of the pendency of the census bill and the absence of several Senators on this side of the Chamber who are members of that committee, it is important that some temporary appointments shall be made in the room of those Senators who are absent. I ask unanimous consent that the absent Senators, the Senator from Indiana [Mr. TURPIE], the Senator from California [Mr. WHITE], and the Senator from Utah [Mr. CANNON] may be excused from service on that committee during their absence, and that in the room of Senator TURPIE, Senator TURLEY be put on the committee temporarily; that in the room of Senator WHITE, Senator TILLMAN be placed on the committee, and that in the room of Senator CANNON of Utah, Senator RAWLINS of Utah be temporarily appointed.

The VICE-PRESIDENT. The Senate has heard the suggestion of the Senator from Arkansas of filling temporary committee vacancies. Is there objection?

Mr. ALLEN. Is that the Census Committee?

Mr. JONES of Arkansas. Yes, sir.

Mr. ALLEN. That, I think, leaves the Census Committee composed exclusively of Republicans and Democrats, with no Populist member. Does the Senator from Arkansas think that an act of justice?

Mr. JONES of Arkansas. I am willing that the Senator from Nebraska [Mr. ALLEN] shall serve upon the committee.

Mr. ALLEN. No; I do not want to serve.

Mr. JONES of Arkansas. Then, I hope the Senator will suggest the name of somebody else who will go upon the committee.

The VICE-PRESIDENT. In the absence of objection, the order asked for by the Senator from Arkansas [Mr. JONES] will be made.

Mr. ALLEN. I was simply making the suggestion.

Mr. JONES of Arkansas. The Senator from South Dakota [Mr. PETTIGREW] is a member of the committee.

Mr. ALLEN. If that is so, very well.

COURTS AT BATESVILLE, ARK.

Mr. BERRY. I again ask unanimous consent for the consideration of the bill (S. 5319) to change and fix the time of holding the terms of the district and circuit courts at Batesville, Ark. I made the request some time ago, and I hope the bill will now be considered, as it is very short.

Mr. ALLEN. Mr. President——

The VICE-PRESIDENT. The Senator from Arkansas [Mr. BERRY] has made a request.

Mr. BERRY. I have asked unanimous consent for the consideration and passage of a bill which is of interest to my State. Two other bills have been passed since I gave way, and if the Senator from Nebraska objects——

Mr. ALLEN. No, sir; I recognize that the Senator from Arkansas has the right of way. He has been on the floor two or three times, and I withdraw my objection as to him.

Mr. ALLISON. Is the morning business concluded, Mr. President?

The VICE-PRESIDENT. The morning business is not concluded. The Senator from Arkansas has asked unanimous consent to take up the bill (S. 5319) to change and fix the time of holding the terms of the district and circuit courts at Batesville, Ark. Is there objection?

Mr. ALLISON. If the bill takes no time, I shall not object.

There being no objection, the Senate, as in Committee of the Whole, proceeded to consider the bill. It provides that the United States circuit and district courts shall hereafter be held at Batesville, Ark., on the fourth Monday in May and the second Monday in December of each year instead of the times now fixed by law.

The bill was reported to the Senate without amendment, ordered to be engrossed for a third reading, read the third time, and passed.

REPORT OF SUPERINTENDENT OF INDIAN SCHOOLS.

The VICE-PRESIDENT laid before the Senate the following concurrent resolution of the House of Representatives; which was referred to the Committee on Printing:

Resolved by the House of Representatives (the Senate concurring), That there be printed 1,000 additional copies of the Report of the Superintendent of Indian Schools for 1898, the same to be delivered to the Commissioner of Indian Affairs for the use of his office.

INDIAN APPROPRIATION BILL.

Mr. ALLISON. I ask the Senate to proceed to the consideration of the Indian appropriation bill.

The VICE-PRESIDENT. By virtue of the unanimous-consent agreement made yesterday, the bill referred to by the Senator from Iowa is before the Senate.

The Senate, as in Committee of the Whole, resumed the consideration of the bill (H. R. 11217) making appropriations for the current and contingent expenses of the Indian Department and for fulfilling treaty stipulations with various Indian tribes for the fiscal year ending June 30, 1900, and for other purposes.

The VICE-PRESIDENT. The pending question is on the amendment submitted by the Senator from South Dakota [Mr. PETTIGREW], which will be stated.

The SECRETARY. After the committee amendment already adopted, following line 15 on page 42, it is proposed to insert:

The Secretary of the Interior is hereby authorized to appoint a register of deeds for each of the Five Civilized Tribes in Indian Territory, said appointees to be residents of Indian Territory; and the registers of deeds so appointed shall have power, with the approval of the Secretary of the Interior, to appoint deputies, and they shall possess and exercise all the powers of registers of deeds as provided by the statutes of the State of Arkansas; and the statutes of the State of Arkansas in relation to all records kept by registers of deeds shall be in full force in said Indian Territory. The Secretary shall make the rules and regulations necessary to carry this provision into effect.

Mr. JONES of Arkansas. Mr. President, it seems to me that this would be an entirely improper provision in this bill. In the first place, the law already provides for the registration of all papers that should be matters of record in the Indian Territory. To change the present system would not be wise. It had best be consistent and uniform. The people of that country understand where the registrations take place now, and I think it would be unwise to make any modification of the plan. Besides that, within the last few weeks the commission which we have down in the Indian Territory have made an agreement with the Cherokees, and one of the provisions of the agreement is that—

All instruments of writing required by law to be recorded shall be filed with the clerk or deputy clerk at the court in Cherokee Nation nearest the property to which such instrument relates, and it shall be the duty of such officer to file or record the same.

This agreement, negotiated by what is known familiarly as the Dawes Commission, and agreed to by the Cherokee Indians, has been overwhelmingly ratified by a popular vote in that nation, and it remains for the Government of the United States to determine whether or not it will ratify the agreement. If it does, then here is a provision for the registration of deeds which is directly antagonistic to the one now proposed to be put in this appropriation bill. For that reason I think it will be unwise and improper to have this change made, and I hope the Senator from South Dakota will withdraw the amendment.

Mr. PLATT of Connecticut. May I ask the Senator from Arkansas a question as to his understanding of the amendment?

Mr. JONES of Arkansas. Certainly.

Mr. PLATT of Connecticut. As I heard the amendment read, it provides for appointing registrars for the Five Civilized Tribes. It does not say how many, or at what points, or at how many points, or how many deputies, or where they shall be located.

Mr. JONES of Arkansas. So I understand. It will be absolutely in the discretion of the Secretary of the Interior to appoint as many as he pleases and at whatever places he pleases. None of these would be put where the courts are held unless the Secretary chose to so order. It seems to me that the plan is altogether impracticable from every standpoint.

Mr. PLATT of Connecticut. It is very crude, to say the least. If there is going to be any change there, it ought to be defined as to where the places should be, and how many registrars there should be.

Mr. JONES of Arkansas. I fully agree to that.

Mr. PETTIGREW. Mr. President, the Senator asserts that the law already provides for recording deeds. I should like to know what that statute is, if the Senator has it convenient. I was not aware of any such provision.

Mr. PLATT of Connecticut. I think the law provides that the clerks of the courts shall be the registrars.

Mr. JONES of Arkansas. They are the recorders ex officio.

Mr. PETTIGREW. I think that only applies to chattel mortgages, etc., though I am not sure about it.

Mr. JONES of Arkansas. I think it covers all registrations. That is my recollection of the law, though I have not looked at it especially during the last day or two. Registration is being had there of all papers necessary to be recorded. There can be no doubt about that. There has been no complaint whatever from that Territory that I have ever heard of on this matter. If the registration is not entirely satisfactory, I do not know of it.

Mr. PETTIGREW. There are a good many things the Senator from Arkansas does not hear, although I am well aware that he is many-eared and argus-eyed, and this is one of them.

Mr. JONES of Arkansas. I am quite willing to admit that there are many things down there that I do not know of.

Mr. PETTIGREW. If the Senator from Connecticut can find the statute which has been referred to, I shall be glad to see it.

Mr. PLATT of Connecticut. I may not be able to find it in a moment.

Mr. PETTIGREW. My impression is that there is no provision made for the recording of deeds. The land in that country has heretofore been held in common, the patents running to the tribe, and therefore there were no conveyances. There were leases made, and we have provided for a record of chattel mortgages and liens upon personal property. I am not aware, although I may be mistaken, of any provision of law for the registration or recording of deeds.

Recent legislation provides for a division of those lands among the members of the tribes, and the treaties and agreements with the Chickasaws, Choctaws, and Creeks provide that these Indians may sell one-quarter of their holdings in a limited term of years, another quarter within a limited term of years thereafter, and so on until they have sold within twenty years three-quarters of their lands. The remaining quarter they can not alienate until after twenty years. During that time that portion shall be held inalienable, untaxable, and it can not be used as security for debt. Therefore the necessity for a registration of the deeds is apparent and exists; and if these transfers are made, some place should be provided where a record can be kept.

I understand the entire Territory is divided into counties, and an amendment to my amendment providing that each county shall have a register of deeds would be entirely appropriate, so as to be convenient, and so that the people there can examine titles—for instance, town lots. We provide for the platting and sale of town lots all over that country, and there are a great many towns, some of them having a population of several thousand. These town lots, which have heretofore been held and acquired under leases or held by sufferance, are now to be divided up and sold to the people who have improvements upon them. Some provision should be made and some place designated for the recording of these deeds. There is no question about it, and there is no time for delay in regard to it.

It seems to me the provision is, therefore, exceedingly important and a matter of great convenience to the people of that Territory.

Mr. RAWLINS. Will the Senator yield for a question?

Mr. PETTIGREW. I yield to the Senator.

Mr. RAWLINS. Is there any provision of law relating to the Indian Territory, that when deeds are recorded such recording shall impart notice?

Mr. PETTIGREW. This amendment will cover that by enacting that the provision of the laws of Arkansas shall apply.

Mr. RAWLINS. The whole scope of the amendment is simply to authorize the Secretary of the Interior to appoint these registrars.

Mr. PETTIGREW. To appoint one registrar for each of the five tribes. It also provides for the appointment of deputies, and then provides that the laws of Arkansas shall be extended over that country as to the duties of the officers, as to the force of record, notices, etc. The amendment covers all those questions.

Mr. JONES of Arkansas. My impression is, although I can not now turn to the law, that that is already the case, that the laws of Arkansas relating to registration are applicable in that Territory, that in the first act extending the laws of Arkansas over the Territory that was embraced. I have never heard any complaint of this sort being made about registration.

As to the point suggested by the Senator from South Dakota, that there is to be very soon a change in the condition of things down there, the Senator must bear in mind that that can not be within a year, nor within two years; that there must be a division of that land before any title can go to any of these Indians, and until then there will be no occasion for the recording of a solitary deed.

Mr. PETTIGREW. Oh, no; the town sites will be at once platted and conveyances made.

Mr. JONES of Arkansas. The provision which was made for that is amply sufficient.

Mr. PETTIGREW. Of course, if the laws of Arkansas have heretofore been extended over that entire Territory, it obviates the necessity of this provision, but if that be the case, I am not aware of it. Perhaps it is true. I admit that I have not carefully examined that question.

Mr. JONES of Arkansas. I believe it is true, and this is a matter of so much importance that I can not consent to its going in without further examination than it has had. I therefore make the point of order against the amendment.

Mr. PETTIGREW. Of course, that is an argument which I can not overcome. It is undoubtedly subject to the point of order because it is legislation.

That point is made as a last resort always. Whenever a Senator is run into a hole absolutely on the merits of the question he raises a point of order, and, of course, I have to succumb.

Mr. JONES of Arkansas. That part of the Senator's argument does not require any reply, so far as I am concerned.

I offer an amendment now to come in after line 9, on page 46, and I hope the chairman of the committee will be willing to permit it to go into the bill. I call the attention of the Senator from Iowa to the amendment I offer.

The VICE-PRESIDENT. The Chair calls attention to the fact that the last amendment has not been disposed of. What does the Senator from South Dakota desire to have done with his amendment?

Mr. PETTIGREW. If the Chair is going to decide that the amendment is in order, I should like to have it adopted.

The VICE-PRESIDENT. The Chair is about to decide the other way.

Mr. PETTIGREW. If the Chair is about to decide the other way, I should like to have the amendment withdrawn.

The VICE-PRESIDENT. The amendment is withdrawn. The amendment proposed by the Senator from Arkansas [Mr. JONES] will now be stated.

The SECRETARY. On page 46, after line 9, it is proposed to insert:

That the attorneys employed by the Cherokee Nation to defend the suit now pending in the Court of Claims, brought by the Delaware Indians against said nation, may appear and defend said suit under any authority conferred by said Cherokee Nation, and with the consent of said nation the Court of Claims may determine the compensation to be paid said attorneys and with the consent of the Cherokee Nation jurisdiction is hereby conferred on said court for this purpose: *Provided*, That no liability shall be incurred by the United States on account of such employment.

The amendment was agreed to.

Mr. PETTIGREW. I offer the amendment which I send to the desk. It has the favorable report of the Committee on Indian Affairs. I shall ask at some later time to amend the amendment, if it becomes a part of the bill, and after the bill is reported to the Senate, by striking out the provision on page 5 of the printed amendment for the payment of attorneys' fees.

The VICE-PRESIDENT. The amendment will be stated.

The SECRETARY. It is proposed to insert at the end of the bill the following:

That the annuities of the Sisseton and Wahpeton bands of Dakota or Sioux Indians arising under the treaty of July 23, 1851, between said bands of Indians and the United States, which annuities were declared forfeited by the act of Congress entitled "An act for the relief of persons for damages sustained by reason of depredations and injuries by certain bands of Sioux Indians," approved February 16, 1863, be, and the same are hereby, restored and continued to July 1, 1902, the date of the expiration of said treaty of July 23, 1851, as though said act of Congress had never been passed: *Provided*, That from the amount of the unpaid installments of annuities arising under the said treaty of July 23, 1851, as found by the Secretary of the Interior in his "Statement No. 13," on page 21 of Senate Document No. 68 of the second session of the Fifty-fifth Congress, there shall be deducted the sum of $579,741.29, being the amount expended for the benefit of said Indians in pursuance of the treaty with them proclaimed May 2, 1867. There shall also be deducted from the amount of the unpaid installments of said annuities, as found in said "Statement No. 13," the sum of $615,778.37, being the amount of annuities arising under said treaty of July 23, 1851, provided for by the agreement with said Indians of December 12, 1889, and the amount of the unpaid installments of said annuities as found by the Secretary of the Interior as aforesaid, after making the deductions therefrom as herein provided, shall be placed to the credit of said bands of Indians on the books of the Treasury and bear interest at the rate of 3per cent per annum and shall be subject at all times to appropriation by Congress for the use and benefit of said Indians: *Provided*, That of the amount placed to the credit of said Indians on the books of the Treasury as herein provided there be, and hereby is, appropriated, out of any money in the Treasury not otherwise appropriated, the sum of $400,000, out of which sum so appropriated the Secretary of the Interior shall pay attorneys' fees, in accordance with contracts with said Indians, on the amount placed to their credit up to July 1, 1902, as herein directed, and the balance remaining after payment of said fees shall be paid, per capita, to said Indians or expended for their benefit, as the Secretary of the Interior may direct: *Provided further*, That this act and all its benefits shall apply to and include all Dakota or Sioux Indians who were members of said Sisseton and Wahpeton bands of Dakota or Sioux Indians at the time of the making of said treaty of July 23, 1851, and their descendants, whether of the full Indian or mixed blood, who are living in any part of the United States.

SEC. 2. That the annuities of the Medawakanton and Wahpakoota bands of Sioux Indians, otherwise known as the Santee Sioux Indians, arising under and by virtue of the treaties with them of September 29, 1837, and August 5, 1851, between said bands of Indians and the United States, which annuities were declared forfeited by the act of Congress approved February 16, 1863, be, and the same are hereby, restored to said Indians and their descendants residing in the United States, to the full extent and effect as if said act of Congress attempting to forfeit the same had never been passed, all of said annuities so restored to commence from the last payment of the same actually made and not diverted to other uses under any of said treaties and to continue until the expiration of the same by the terms of said treaties; and the Secretary of the Interior is hereby directed to state an account between the United States and the said bands of Indians, giving them credit for the unpaid installments of annuities arising under and by virtue of the abovenamed treaties made with them, and charging them under and by virtue of said treaties since the passage of said act of Congress of February 16, 1863, and the amount, if any, found due them under and by virtue of the treaties of August 5, 1851, up to and including the 1st day of July, 1902, and the amount, if any, found due them by virtue of the said treaty of September 29, 1837, shall be placed to their credit on the books of the Treasury, of which amount found due and placed to their credit as herein provided there shall be, and hereby is, appropriated the sum of $300,000, to be immediately available, and out of which sum so appropriated the Secretary of the Interior shall pay attorneys' fees on the amount found due said Indians and placed to their credit on the books of the Treasury in accordance with contracts with said Indians approved by the Secretary of the Interior and on file in the office of the Commissioner of Indian Affairs, and the balance of the sum so appropriated remaining after paying attorneys' fees as herein authorized shall be paid per capita to said Indians, and the balance of the amount found due to said Indians and placed to their credit on the books of the Treasury as herein provided and not hereby appropriated shall bear interest at the rate of 4 per cent per annum, and shall at all times be subject to appropriation by Congress for the use and benefit of said Indians: *Provided further*, That this act and all its benefits shall apply to and include all Dakota or Sioux Indians who were members of said Medawakanton and Wahpakoota bands of Dakota or Sioux Indians at the time of the making of said treaty of August 5, 1851, and their descendants, whether of the full Indian or mixed blood, who are living in any part of the United States: *And provided further*, That no person who was actually and openly engaged in hostilities during the Sioux outbreak of 1862 shall be entitled to share in the benefits of this act.

Mr. ALLISON. This is clearly new legislation and general legislation, and I make the point of order that it can not be offered to the pending bill.

Mr. PETTIGREW rose.

Mr. ALLISON. I will withhold the point of order until the Senator from South Dakota shall have addressed the Senate.

Mr. PETTIGREW. I wish simply to discuss briefly the point of order.

Mr. President, this amendment carries an appropriation. It comes from the Committee on Indian Affairs. It relates to a subject as to which an investigation was provided for in the Indian appropriation bill two years ago, and therefore is carrying out the provisions of existing law, and I think comes within the rule.

On April 7, 1898, I find certain statements in the RECORD. An amendment was offered to the sundry civil bill. The Senator from Iowa [Mr. ALLISON] raised the point of order. The amendment offered was as follows:

For the deepening and widening of the canal leading through the bay of Mobile, from the wharves at Mobile to the lower bay, to provide a harbor of refuge for ships in time of war, $200,000, to be immediately available.

This amendment carried not only an appropriation, but also legislation. The Senator from Iowa raised the point of order against the amendment on the ground that it had not received a favorable report from the Committee on Commerce. The Senator from Iowa [Mr. ALLISON] said:

It has been reported and referred to the Committee on Military Affairs. So if this matter is a matter connected with the national defense it has gone now by the order of the Senate to the proper and appropriate committee having that subject in charge.

The rules of the Senate are reasonable rules, not only for the convenience of the Senate but for the procuration of adequate information respecting the subjects which are brought before the Senate. We are told now, and I am notified as chairman of the Committee on Appropriations, that if this amendment is allowed to go into the bill it will be followed by numerous similar amendments, all placed upon the ground that they are justifiable and necessary for the national defense. Therefore the Senator from Alabama now opens a new field of investigation, wherein it will be necessary for the Senate, without the intervention of a committee, to decide as between all the harbors and all the rivers and all the lakes of our country, with a seacoast of 6,000 miles in extent, as to which of those harbors, which of those rivers, and which of those lakes are necessary to be improved for the purpose of national defense.

Mr. President, the reason of the rule is clear and adequate to exclude this amendment from this appropriation bill. I repeat what I said last night at the close of the session, that if any of these things are necessary to be done for the national defense there is not a Senator on this floor or a member elsewhere who will for a moment hesitate to grant all that may be necessary to promote that national defense.

Then the Senator from Iowa further said:

But if the Secretary of War does recommend the amendment, that does not make it in order in any sense, because if that were so, then all that would be necessary in order to secure the adoption of an amendment upon this appropriation bill would be for the Secretary of War to say that this or that improvement ought to be made under such limitations and conditions as to the Secretary of War might seem wise and proper. So by putting this amendment upon this bill we open up the entire field of river and harbor appropriations. Therefore, whilst I sympathize with the Senators from Alabama in their desire for the adoption of the amendment, I am directed by the Committee on Appropriations unanimously to make the point of order against it, it not being an amendment which comes here under the rules of the Senate with the consent of a standing committee of the Senate, and it not having been referred, as it should have been, to a standing committee and reported favorably to the Committee on Appropriations.

Therefore the point of order was well taken in that case, but in this case the amendment has been referred to a committee of the Senate—the Committee on Indian Affairs—and by that committee reported favorably by a unanimous vote of the committee and referred several days ago to the Committee on Appropriations.

Then the Senator from Alabama [Mr. MORGAN] made this statement:

Mr. President, there are two ways under our rules of getting an amendment before the Senate and making it in order. One is by the recommendation of a standing committee and the other is by the recommendation of the head of a Department. The head of a Department, looking at this precise amendment, indorses his recommendation on the back of it with a single qualification, which, of course, we are willing to accept by way of amendment. So if that does not bring it in order, it is impossible to get anything in order before the Senate which does not meet the consent of the Committee on Appropriations, which have not anything to do with recommending amendments.

I wish to make a point right there, Mr. President. The Committee on Appropriations is a committee for the expenditure of money, limited to such expenditure by the laws as they exist. This committee continually puts on new propositions which are not provided for by the laws as they exist, and it has no right to do it. It is not one of the powers of that committee to make a recommendation for an appropriation. It is one of the regular standing legislative committees of this body that has that right, and not the Appropriations Committee. Still they violate that rule continually and with impunity. The Senator from Iowa [Mr. ALLISON] quotes that committee as being opposed to this amendment, and supposes, or leaves the inference very clear, that unless the Committee on Appropriations shall also recommend an amendment it is not in order before this body.

Now, I wish to say to the honorable chairman of that committee—for whom I have the most intense respect, and whose administration of that high office I have looked upon with admiration for many years—that he had better look out when he and his committee, which undertake to monopolize all the powers of this Senate, go to the point of insisting that their recommendations are of value and that nobody's else is; they had better look out.

I do not think it is necessary to read what follows, for it is with regard to the distribution of appropriation bills.

Mr. ALLISON. That has been disposed of.

Mr. PETTIGREW. As the Senator from Iowa says, that has been disposed of by distributing the appropriation bills among various committees of this body. The Senator from Iowa on that occasion further said:

Will the Senator allow me a moment?

Mr. MORGAN. Yes.

Mr. ALLISON. The Senator wholly misapprehends what I stated, or what I intended to state, if he assumes that the Committee on Appropriations expects to make a point of order upon every amendment which does not meet its own approval. On the contrary, when, under our rules, a standing committee of this body recommends an appropriation and has it referred under the rules for a single day to the Committee on Appropriations, it is in order.

Now, this amendment carries an appropriation; it was referred to the Committee on Indian Affairs, and afterwards reported by it favorably, and then sent to the Committee on Appropriations within the rule.

Mr. President, before the ruling of the Chair is announced upon the point of order, I desire to present the facts which reach to the merits of this amendment.

In 1851 the Government of the United States made an agreement with the Sioux Indians of Minnesota, the Sisseton, and Wahpeton Indians, who are interested in this amendment. By that agreement those Indians ceded to the United States between seventeen and eighteen million acres of land, embracing the best part of the State of Minnesota agriculturally and a large portion of the State of Iowa.

The price that we agreed to pay was 10 cents an acre, and we

agreed to make the payments in installments of so many thousand dollars every year for fifty years, not as interest upon the principal sum, but as an extinguishment of the obligation of the Government. We agreed to pay the Sisseton and Wahpetons about $75,000 a year, and we took possession of the property which they ceded to the United States, they ceding all the lands which they owned in Minnesota and Iowa except a narrow strip about 10 miles in width upon the upper waters of the Minnesota River, retaining their right, their title—whatever an Indian title is—the right of possession to a vast area in North and South Dakota. We made the payment of $75,000 a year until 1862, and then the Minnesota outbreak occurred, and in 1863 the Congress of the United States passed a bill forfeiting the right of these Indians to the annuities, confiscating the property of the Indians, on the ground that they had engaged in the Minnesota massacre, confiscating the payments to become due and covering the sum back into the Treasury. Under that act this sum of money which belongs to these people will in the year 1901 be covered back into the Treasury of the United States.

These Indians, the Sisseton and Wahpetons, were not engaged in the Minnesota massacre. So great was the wrath owing to the horrible and atrocious acts by the Indians of Minnesota at that time that Congress did an injustice to these people without stopping to investigate the question. Not only that, but they moved the Winnebagoes, not one of whom was engaged in the Minnesota massacre, from their homes in the Blue Earth country in Minnesota, taking them by force and confiscating their property also.

The Sissetons and Wahpetons, as a band, not only did not engage in the Minnesota massacre, but their chief enlisted 275 of the Indians of the tribe and they fought under General Sibley against the other Indians of Minnesota and Dakota in defense of the frontier and as allies of the United States. Some of the young men of this band, a few in number, did undoubtedly join the hostile forces, as well as some of the young men of the Santee tribe, the Medawakantons and Wahpakootas. Quite a large number of the two latter tribes were engaged in the massacre. But as far as the Sissetons and Wahpetons are concerned, practically but a very few of them were engaged in the Minnesota massacre. Upon this subject I propose to read a letter of General Sibley, who was in command of the United States troops during the outbreak. In a letter of January 13, 1878, he says:

> I have the best reason for knowing that as a general rule the chiefs and headmen of these divisions not only had no sympathy with those of their kindred who took part in the massacre, but exerted themselves to save the lives of the whites then in the country and joined the forces under my command as scouts, and rendered signal and faithful service in my campaign against the hostile Sioux and subsequently in guarding the passes to the settlements against raiding parties of their own people.
>
> I have always regarded the sweeping act of confiscation referred to as grossly unjust to the many who remained faithful to the Government and whose lives were threatened and their property destroyed as a result of that fidelity.
>
> Having been in command of the forces which suppressed the outbreak and punished the participators in it, I became, necessarily, well informed as to the conduct of the bands and the individuals who took part for or against the Government during the progress of the war, and I have repeatedly, in my official dispatches, called the attention of the Government to the great injustice done the former class by including them in the former legislation which deprived them of their annuities.
>
> H. H. SIBLEY,
> *Late Brevet Major-General, United States Volunteers.*

This letter refers to the Sissetons and Wahpetons, of whom I speak. Not only that, but Chief Renville fought under General Sibley, and from the day this conflict was over Renville and these Indians have protested against the unjust confiscation of their property and have asked to have it restored. Yet, in spite of this fact, these Indians were driven from the confines of Minnesota, and they escaped to the prairies of Dakota. They did not dare to join the hostile Indians, because of their course and conduct in fighting their relatives, the other tribes of Sioux. They were afraid to return to Minnesota, because of the hostile feeling against all Indians. For several years they wandered as homeless, starving people over those prairies, finding it very difficult to secure subsistence, many of them dying of starvation; and yet for years they guarded by their presence the frontier and prevented the inroads of hostile Indians upon the sparse settlements of western Minnesota and of southeastern Dakota.

Recognizing this fact, in 1867 Congress appointed a commission to make an agreement with these people, and that agreement was made and submitted to the Senate. I read the preamble to the agreement and a portion of the treaty, which will be found in the Statutes of the United States for 1868:

> Whereas it is understood that a portion of the Sisseton and Wahpeton bands of Santee Sioux Indians, numbering from 1,200 to 1,500 persons, not only preserved their obligations to the Government of the United States during and since the outbreak of the Medawakantons and other bands of Sioux in 1862, but freely periled their lives during that outbreak to rescue the residents on the Sioux Reservation, and to obtain possession of white women and children made captives by the hostile bands; but that another portion of said Sisseton and Wahpeton bands, numbering from 1,000 to 1,200 persons, who did not participate in the massacre of the whites in 1862, fearing the indiscriminate vengeance of the whites, fled to the great prairies of the Northwest, where they still remain.

This accounts for nearly 2,500 of these Indians. One thousand six hundred and fifty live on a reservation in South Dakota and between 1,000 and 1,100 live upon a reservation in North Dakota. I read further from this treaty, which was adopted by the Senate of the United States:

> Whereas Congress, in confiscating Sioux annuities and reservations, made no provision for the support of these, the friendly portion of the Sisseton and Wahpeton bands, and it is believed that they have been suffered to remain homeless wanderers, frequently subject to intense suffering from want of subsistence and clothing to protect them from the rigors of a high northern latitude, although at all times prompt in rendering service when called upon to repel hostile raids and to punish depredations committed by hostile Indians upon the persons and property of the whites.

This treaty, of which I have read the preamble, was adopted unanimously by the Senate, and the facts therein related were therefore agreed to. The treaty was made by commissioners representing the United States. Article III of said treaty provides:

> For and in consideration of the cession above mentioned—

Which I have not read—

> and in consideration of the faithful and important service said to have been rendered by the friendly bands of Sisseton and Wahpeton Sioux here represented, and also in consideration of the confiscation of all their annuities, reservations, and improvements.

The treaty provides as follows:

> To enable said Indians to return to an agricultural life under a system in operation on the Sioux Reservation in 1862, it is agreed that there shall be expended for the benefit of the Indians entitled to locate farms on the Lake Traverse Reservation for the year 1867, $350,000; for the year 1868, $250,000; for the year 1869, $100,000; for the year 1870, $50,000, and $30,000 annually thereafter; and to enable the Indians on said reservation to return at once to their agricultural habits and life, and be enabled to cultivate a crop the coming season, the expenditures set forth in the schedule hereunto attached shall be made at as early a day as possible.

We made then, in 1867, with those people a treaty by which, in consideration of the confiscation of their annuities, we agreed to pay them these large sums of money. If this provision had been carried out, it would have furnished the Sisseton and Wahpeton Indians with $2,800,000 up to the present time. The payment of $30,000 a year under this stipulation was to continue forever.

In consideration of this treaty the Indians came in and went upon their lands in eastern Dakota and undertook to obtain a living by tilling the soil. The treaty came to the Senate of the United States, and the Senate of the United States did what it has done with those Indians since 1802, since the first treaty was ever made; they struck out that provision and ratified the treaty. They struck out the provision giving them compensation for their forfeited annuities, which the Senate of the United States, by the preamble which they adopted, agreed were unjustly and wrongfully forfeited and confiscated, and then proceeded, after taking away the compensation, to adopt the treaty and except from the Indians all the grants made under it; for under the treaty of 1867 they had granted the right of way for railroads and wagon roads across the vast area of land which they owned in North and South Dakota.

These Indians could not again go to war. They never had been at war with the United States. They had waited patiently from 1863 to 1867 and suffered untold hardships, as was well known. Then when the Government commissioners made a treaty which did them partial justice, the Senate of the United States violates the treaty and strikes out the provision.

I say we have done this with every treaty made with these people since 1802. It would hardly have been marveled at if they had gone to war, and it is astonishing that they did not. Yet they remained in peace with the Government in spite of the bad faith, in spite of broken promises, in spite of violated pledges.

The treaty also provided in Article VII, that for the Indians at Devils Lake in North Dakota, who were also Sissetons and Wahpetons and Santees or Medawakantons—

> An agent shall be appointed for said bands, who shall be located at Lake Traverse; and wherever there shall be 500 persons located permanently upon the Devils Lake Reservation there shall be an agent or other competent person appointed to superintend the agricultural, educational, and mechanical interests of said Indians, and thereafter there shall be expended to aid said Indians in their agricultural improvements and civilization, for the first year, $100,000; for the second year, $200,000; for the third year, $100,000; for the fourth year, $50,000; and $30,000 annually thereafter—

making a total sum up to the present time of $1,250,000. The Sissetons and Wahpetons under the provision which I have previously read would have received up to the present time $1,550,000, making the total amount $2,800,000, a very much larger sum than they will receive if their annuities are restored and the treaty of 1851 carried out at this late day. But the Senate struck out that provision for the Indians at Devils Lake and then ratified the treaty. Congress took everything that these Indians ceded to the Government under this treaty and struck out every single consideration for the cession on the part of the Indians.

It is simply another chapter of our dealings with the Indian nations. It has been marked by bad faith on the part of the white people. I never knew a wild Indian to tell a falsehood or break a promise until he had been partially civilized by coming in contact with the white people of this country.

It seems to me that all our recent talk about the good we are going to do with the partially colored races of the Tropics can be reasonably looked upon with grave suspicion on their part if they have ever acquired any knowledge of the good we have done the American Indian. If we are no better adapted to the civilization and Christianization of the people of the Philippines than we have been to the civilization and Christianization at short range of the American Indian, if we pursue a course so dishonest, so full of broken pledges and perfidy, with regard to these newly acquired countries as we have pursued with regard to the American Indian, we can expect to have, during all time, continued war in those countries, as we have had, nearly all the time since our history commenced, with the few scattered tribes of Indians on this continent.

It appears to me the time has come, if we are going to reach out into the conquered countries of the world to give them a government which we think is better than the one they are able to furnish for themselves, when we should begin to carry out in good faith our agreements and our contracts with the Indians of our own country. There is not one single page in all the history with regard to our dealings with the Sisseton and Wahpeton Indians that is not a discredit to the Government of the United States.

In 1872 these Indians, having moved to a reservation in the State of South Dakota embracing a tract of land of about one and a half million acres and laying claim to a country of about 8,000,000 acres outside of this reservation, made another agreement with the Government of the United States.

It was said that they had no title to the 8,000,000 acres, and we appointed a commission who were to investigate the question of their title to that country and report to the Senate of the United States; and if they decided that they had a title, to treat with them for the extinguishment of the title. This commission made an exhaustive report. They went into the whole question of the rights of these people to the area of land which they claimed and decided that their title was as complete as any Indian title to any country in the United States, and they made an agreement with these same people by which we were to pay 10 cents an acre in installments of $80,000 a year for ten years. That agreement came to the Senate of the United States and was ratified, for a wonder, without amendment which took away the consideration to be paid the Indians while accepting all of the benefits which accrued to the Government from the ratification of the treaty. It was the first instance where we have made a treaty with these people and did as we agreed. We ratified the treaty and we paid for ten years $80,000 a year to these people.

In 1882, that payment having all been made, it left these Indians with a tract of country of about a million and a half of acres. In 1889 we made an agreement with these people by which they sold to the Government nearly 1,000,000 acres of what remained. Chief Renville was then living. He had led his Indians, under General Sibley, in the war which followed the massacre of 1862, against the other Indians of the plains, and when we approached him for the purpose of purchasing the remaining lands, they having taken lands in severalty, they refused to sell; they refused to hold a conference; they refused to enter into any agreement. Chief Renville said that he would not talk with our commissioners until justice had been done and their rights restored and their property returned to them.

Finally a compromise was reached by which we agreed to pay them $350,000 and $18,000 additional each year until 1901; that is, our commissioners finally agreed with Renville that they would take his band of 275 soldiers who fought under Sibley and calculate how many and what relation they held to the whole number of Indians. It was decided that they were equal to one-fourth, and therefore one-quarter of the amount of money which was due the tribe, and so, reluctantly forced by the position taken by Chief Renville, we agreed to pay and have paid these Indians one-quarter of the amount of these forfeited annuities.

Mr. DAVIS. And that is to be deducted from the remainder.

Mr. PETTIGREW. And that is to be deducted, under this bill, from the remainder of the sum due the tribe. Under that treaty, then, we simply recompensed only the soldiers and their families, leaving out three-quarters of the tribe, who were entirely loyal; leaving out the balance of the tribe, who were as loyal as these men. We made a compromise, drove a hard bargain, and bought the remainder of this reservation.

There was nothing in that treaty that in terms provided that this should be a settlement of the whole question, but when the bill reached the Senate of the United States, when it came in here for ratification, the Senate of the United States placed in the law ratifying the treaty a provision that the payment should be a settlement of the whole controversy; that it should be a complete settlement for the claim of these Indians for all these annuities. That never went back for ratification on the part of the Indians.

We never pretended to ask their consent. We simply wanted to place once more upon the statutes of the United States an illustration of the manner in which we have heretofore dealt with the Indians of this country, and so we have again placed this provision in law intending to bar these people. We did not ask their consent; there is nothing of the sort in the treaty or agreement; but we undertake to bar their future claim. At the time when the agreement was made, one of the parties who made the agreement was a practicing attorney in the city of Washington, and these Indians, back in 1889, entered into a contract with this attorney to prosecute their claim for the remainder of these annuities, for the other three-fourths justly and fairly due them, and they have been pushing this matter ever since. No more just claim was ever presented to the Senate of the United States.

By the act of purchase of 1889 these people became citizens of the State of South Dakota. They are voters. They have the same rights and privileges of any white citizen of that State. They are my constituents. They have a right to my services and my assistance. I would press their claim and their rights with the same zeal and energy that I would press the claim and the rights of an equal number of white settlers in that country. If an equal number of white settlers had been treated by any other body than the Congress of the United States as these Indians have been treated, it would have aroused the indignation of the world—it would have attracted the attention of the civilized world—and yet, because they are Indians, we refuse to restore their rights and grant to them that which they are entitled to receive.

Some one has said that these people are not entitled to this money because they were rebels engaged in armed resistance to the United States. I think the Senator from Iowa [Mr. ALLISON], when this question was up in the last session of Congress, took this position. If it were true, Mr. President—and it is not true—that these people were engaged in war against the Government of the United States, still I know of no provision by which we have any right to forfeit their property. Under the Constitution of the United States no forfeiture for treason can extend beyond the lives of the persons engaged in the treasonable act.

Mr. ALLEN. Will the Senator from South Dakota permit me to call attention in this connection to the fact that there are now only 17 of the persons alive who participated in the massacre of 1862, and they are all beyond 70 years of age?

Mr. PETTIGREW. That is, who live within the limits of the United States.

Mr. ALLEN. Yes, sir.

Mr. PETTIGREW. There are some of the Indians who belong to the Medawakanton and Wahpakoota bands, who escaped to Canada and have remained there since, who were engaged in the Minnesota massacre. Twenty-nine were hung at Mankato, not the Sissetons and Wahpetons, for no Sisseton or Wahpeton was ever hung or punished for his connection with the Minnesota massacre, because they were not connected with it, but of the other two bands, quite a large number of their young men having been engaged in the massacre, 29 were hanged at Mankato, their women and children were taken to Keokuk, Iowa, and afterwards returned to the State of Nebraska. Then the other Sissetons and Wahpetons, who were not engaged in the massacre, who had been peaceable and had rescued women and children, the other Medawakantons and Wahpakootas, or, as we now call them, the Santees, were gathered together in the State of Nebraska, and it is proposed to restore the annuities to them. But this amendment provides that no Indian engaged in the massacre shall receive one dollar of this money. Nearly all of those who were not killed by the forces of the United States or hanged escaped to Canada and have remained there ever since, and to them we offer no relief.

So I say that even if it can be construed that an Indian tribe can commit treason against the Government of the United States, the forfeiture of property can not extend beyond the life of the person committing the act of treason. But these Indians, the Sissetons and Wahpetons, committed no act against the Government of the United States. They fought on our side against their own kindred. They enlisted in the Army of the United States. Therefore our act in forfeiting these annuities was particularly outrageous and unjust, and certainly that unjust act ought to be rectified. I have examined this question with great care, and I am unable to find one single scintilla of proof which justifies this forfeiture in any particular.

I listened to the remarks of the Senator from Iowa during the last session of this Congress, and I must say that he absolutely misapprehends the facts in this case, and it seemed to me did not touch the question.

The VICE-PRESIDENT. The Chair must call the attention of the Senate to the fact that the hour of 2 o'clock has arrived, and it is his duty to lay the unfinished business before the Senate, which will be stated.

The SECRETARY. A bill (S. 1575) to amend an act entitled "An act to regulate commerce."

Mr. ALLISON. I ask that the unfinished business may be informally laid aside until the completion of the Indian appropriation bill.

The VICE-PRESIDENT. Is there objection to the request?

The Chair hears none, and the unfinished business is informally laid aside. The Senator from South Dakota will proceed.

Mr. PETTIGREW. Mr. President, I do not care to discuss this question further. Of these Indians, about 1,700 are located in South Dakota; in Nebraska, about 1,000; in North Dakota, about 1,000, and in the State of Minnesota, about 1,000. Every representative from every one of those States having examined this question agrees with me in regard to the facts. The Senators from Minnesota, both of them residents of that State since the Minnesota massacre, or since a very short period after the Minnesota massacre, look upon this question as I look upon it. Every person who has investigated this question acknowledges that injustice has been done.

General Sibley, in his letter of 1878, said explicitly that he had means of knowing (and he did know it, because these men served under him against their own people) that a great injustice had been done in the sweeping forfeiture of their property. The Senate of the United States, in making the treaty of 1867, proceeded to declare that the forfeiture was an outrage, and although they struck out all the compensation which was to go to these people, they ratified this treaty and allowed the declaration that the forfeiture of 1863 was wrong. The only reason that can be given to justify that act—for there is nothing in the debates—is that they would keep the money in the Treasury, whether it belonged there or not. And, Mr. President, I venture to say that no other argument can be made to-day against the passage of this amendment. The only argument that can be presented is that this money wrongfully in the Treasury, belonging to these people, shall stay there because the sum is large.

Mr. ALLISON. Mr. President, I do not care to enter, and of course I will not enter, into an argument as to the merits or demerits of this question. Here is a plain and absolute repeal of three or four statutes at least upon this question. It is general legislation, and therefore it can not be considered upon an appropriation bill for the current expenditures of the Government.

Mr. PETTIGREW. I should like to hear from the Senator from Nebraska [Mr. ALLEN] and the Senators from Minnesota on this subject before the point of order is disposed of.

Mr. ALLISON. I of course do not wish to cut off a reasonable discussion of the merits of this claim.

Mr. ALLEN. I have some constituents who are deeply interested in this matter.

Mr. ALLISON. I know the Senator has; I understood that.

Mr. ALLEN. I desire to be heard before final action is taken on it.

Mr. ALLISON. Therefore I will withhold the point of order for the time being; but I hope the Senator will not go so much into the merits of this matter as to consume the day.

Mr. ALLEN. Mr. President, I think this matter ought to be discussed fully. It is not a light matter. It is not a matter that ought to be whistled down the wind with a wave of the hand.

Mr. ALLISON. I do not propose to wave it down in that way. It is not a new matter. It is a matter that has been discussed over and over again for the last twenty years. I am perfectly willing that the Senator from Nebraska shall occupy whatever time he chooses. I can not, of course, cut him off. I waive the point of order.

Mr. ALLEN. Without undertaking to be in the slightest degree offensive or personal, I will say that the point of order is the usual resort of the Committee on Appropriations in masking behind a rule that does not mean what it is construed to mean.

The Senator from Iowa and every lawyer in this body knows that the proposed amendment is not general legislation. If a man should walk into any court of this country and speak of a provision of law that applied to a specific tribe of Indians or a specific individual or specific corporations as general legislation, his education, as a lawyer at least, would be looked upon with some degree of suspicion.

Mr. President, the distinction between general legislation and specific legislation is as distinct and well marked as the distinction between the North and the South Pole. I have known the Senator from Iowa for over a third of a century, and I know he is a good lawyer, or at least he used to be, and he recognizes these distinctions.

General legislation, according to the law books, is that kind of legislation which takes up a general subject affecting a general class, or all persons within the sovereignty of the legislative branch affected or that may be affected by its provisions. For instance, a bill to regulate and control transportation companies in the State of New Jersey or in the State of Nebraska, all companies—not one, but all similarly situated—having similar interests and where the necessity for controlling all of them exists as much as for controlling one, is general legislation; or a bill within either of those jurisdictions that would apply to all persons, that was general, universal, extending to all individuals and all interests, would be general legislation.

But suppose the legislature of one of those States should pass an act granting a charter to certain specific individuals or conferring on them certain franchises, or regulating the affairs of a particular subdivision, would my honorable friend from Iowa claim that to be general legislation? If he would——

Mr. ALLISON. Does the Senator ask me a question?

Mr. ALLEN. I say, would the Senator claim that to be general legislation?

Mr. ALLISON. Undoubtedly. A public-building bill is excluded from these appropriations. All matters that require statutory provisions are general legislation in the meaning of this rule.

Mr. ALLEN. Mr. President, there is no precedent of the kind. I beg to differ from the Senator upon that point, although he has had much more experience in legislative life than I. My experience has extended over thirty years at the bar. I realize fully that the Senator from Iowa intends to mask himself behind this flimsy, rickety rule. He wants an opportunity to escape responsibility, and here is a good chance to do it. I say to him that the distinction I make between general and specific legislation is universal and without an exception in this country or in any other country where the English language is spoken and English jurisprudence in force. Is a law that pertains to a particular tribe of Indians general legislation? The Senator knows it is not, unless this rule is in violation of all the rules laid down by the courts. I think this is the most convenient rule for the Committee on Appropriations to enable it to escape the performance of its duties that could possibly be adopted.

But before I refer to the rule, Mr. President, I want to refer to another matter in connection with this subject that is generally understood. It seems to be taken for granted by the Committee on Appropriations, whether it be in charge of the Republican or the Democratic party (there is no distinction so far as that is concerned), that it is their duty to prevent the allowance of all honest claims that are presented to either branch of Congress, as far as that can be done by twisting and warping and dislocating the rule, so that at the end of a Congress their particular political party may be said by the world to have administered the Government a little cheaper than the other party. There is the animus. There is the motive. The sparring for political advantage, for party advantage, is the mainspring to these objections. Does it not occasionally dawn upon that great committee that they owe an obligation to the honest claimants of this Government, to which even partisan advantage should give way?

What is this wonderful Rule XVI?

1. All general appropriation bills shall be referred to the Committee on Appropriations, except bills making appropriations for rivers and harbors, which shall be referred to the Committee on Commerce; and no amendments shall be received to any general appropriation bill, the effect of which will be to increase an appropriation already contained in the bill, or to add a new item of appropriation, unless it be made to carry out the provisions of some existing law, or treaty stipulation, or act, or resolution previously passed by the Senate during that session; or unless the same be moved by direction of a standing or select committee of the Senate, or proposed in pursuance of an estimate of the head of some one of the Departments.

Every sentence is in the disjunctive conjunctive form.

This amendment was moved "by direction of a standing committee of the Senate," the Committee on Indian Affairs, and therefore comes clearly within the language and purpose of the first subdivision of this rule.

What is the next subdivision?

2. All amendments to general appropriation bills moved by direction of a standing or select committee of the Senate, proposing to increase an appropriation already contained in the bill, or to add new items of appropriation; shall, at least one day before they are considered, be referred to the Committee on Appropriations, and when actually proposed to the bill no amendment proposing to increase the amount stated in such amendment shall be received, in like manner amendments proposing new items of appropriation to river and harbor bills shall, before being considered, be referred to the Committee on Commerce.

This proposed amendment was referred more than one day to the Committee on Appropriations before it was offered, and that subdivision of the rule has been complied with.

The third subdivision is:

3. No amendment which proposes general legislation shall be received to any general appropriation bill, nor shall any amendment not germane or relevant to the subject-matter contained in the bill be received; nor shall any amendment to any item or clause of such bill be received which does not directly relate thereto; and all questions of relevancy of amendments under his rule, when raised, shall be submitted to the Senate and be decided without debate; and any amendment to a general appropriation bill may be laid on the table without prejudice to the bill.

The other, subdivision 4 of the rule, applies to private claims, and has no bearing whatever upon this question. It is, then, behind the third subdivision of that rule that the distinguished Senator from Iowa has planted his batteries upon the supposition that this is general legislation.

Mr. President, it does seem to me that neither the Senator from Iowa nor any other man who has given attention to the distinction between general and private or general and specific legislation can for one moment stand in this presence and claim this to be general legislation. Here is a provision that applies simply to one tribe of Indians as to their particular status with reference

to certain property or certain claims against the Government of the United States. It is not a provision extending to all the Indians within the United States, but it has reference to the estate, to the tribal rights and the individual rights of a given tribe of Indians, and any law that it undertakes to repeal or to modify is no broader in its scope and purpose than the proposed amendment itself; and the distinguished Senator from Iowa, to sustain his point of order, is compelled to take the ridiculous and nonsensical attitude that it is general legislation.

I do not know that anything is to be gained by arguing this question. When a man denies absolutely that 2 and 2 make 4 and declares that they make 5 or 3, he is hardly in a frame of mind to be reasoned with. The only thing to do, I suppose, is to permit him to persist in his false conclusion.

Mr. President, I want to speak briefly upon the merits of this question, and see if I can not convince the Senator from Iowa that he ought to withdraw his objection.

The history of what is called the New Ulm massacre of 1862 would furnish a very fruitful subject for a novel. It is interesting from a historic standpoint, and I shall undertake before I conclude to lay the circumstances of its inception before the Senate and before the country.

These Indians are the only tribe of Indians in all the history of this country, from the landing of the Pilgrims to this time, who rest under the ban of the displeasure of this Government. The Modocs in their treacherous war upon the settlers and soldiers of this country and all the cruelties of the Sioux, the Apaches, the Arapahoes, and other savage tribes have been forgiven, and this Government has extended amnesty to every tribe of Indians in this country except the Santee Sioux and the Sissetons and Wahpetons. They alone incur the displeasure of the Government because it will cost two or three million dollars to pay them what is justly due them under treaty stipulations. If it were only two or three hundred thousand dollars, Rule XVI might be viewed in an entirely different light.

I propose to read the affidavits of two of the individuals who participated in the Sioux war in Minnesota in 1862.

STATE OF NEBRASKA, KNOX COUNTY,
Santee Agency, ss:

Joseph Kitto, being first duly sworn, deposes and says: That he is 70 years of age and resides at the Santee Agency, Nebr., and is a member of the Mdewakantonwan tribe of Sioux Indians, who formerly resided at Redwood Falls, Minn., before the Sioux outbreak of 1862.

Let me say here that the Medawakantons and the Wahpekootas form now a confederacy known as the Santee-Sioux Indians, and I shall speak of them as Santees hereafter. The affidavit continues:

He does give this testimony to the best of his knowledge and memory regarding the event herein recited: That there were 8 different companies of Sioux Indians who were bound together under the name of Mdewakantonwan and Wahpekute by Government treaties; that there were 7 bands of Sioux Indians, as follows: Magayuteani, Kiyuska, Heminican, Hoyatatonwanna, Tintatonwan, Oyatesica, and Kapoja, together called Mdewakantonwan, and 1 band called Wahpekute, making 8 bands under two names as Mdewakantonwan and Wahpekute Sioux Indians; that at the time of the outbreak of 1862 three of the bands of the Mdewakantonwan of Sioux Indians were at the east end of the Redwood Agency and did not know of the outbreak and were not participants in the massacre at the agency. They are as follows: Wahpekute, Heminican, and Kiyuska, who were innocent of the outbreak. While the bands Kapoja (their chief being Little Crow by name), who lived next to the agency, and right west of it, were the first band who made a charge upon the agency, and the band of Tintatonwans were the second to take part in the massacre.

This affiant was sick at the time, and had to lean upon a crutch for support, and as he woke up on the morning of the outbreak he saw people going to the agency to exterminate the whites who came to his house and asked him to join in the massacre; but he refused to do so, and asked them not to take any part in this hard task.

I may say that this affidavit is drawn by an Indian, which accounts for some of its peculiarities. The affidavit continues:

But his efforts were all in vain, and as he was unable to be about everyone that he met he tried to prevent from participating in the massacre, but the deed was done before he could get force enough procured to prevent it. Affiant further saw at that time some men who were members of the Wahpetonwans and Sissetons, who were foremost in the massacre, and they were Ahanzi, chief of the Wahpetonwan, Bad Lightning, Wasicuntanka, Wahacukamaza, etc. Affiant further testifies that he was an eyewitness to the massacre, and saw Sissetons and Wahpetonwans who bore arms and engaged in the massacre, and this affiant further states that he was at Mankato, Minn., when General Sibley was making an investigation in regard to the outbreak, and by witnesses.

Thirty-eight men were hung as murderers, and out of that number 13 were Wahpetonwans, and not one Sisseton was hung, because the Sissetons were all living at the west extreme of the reservation, where they could and did get away; and many of the Sissetons who took part in the massacre fled to the British Possessions, and are there to-day; and many were shot down as they returned from the British Possessions at Fort Wadsworth by scouts who were left in charge of said fort. Affiant further states that he is one of the men who was sentenced to be imprisoned at Davenport, Iowa, for a term of four years, and while there there were over 100 deaths occurred among the prisoners on account of hard usage and improper diet. And further affiant saith not.

JOSEPH (his x mark) KITTO, Sr.

Subscribed in my presence and sworn to before me this 31 day of January, A. D. 1890.
[SEAL.] B. J. YOUNG, *Notary Public.*

(Expiration of my commission, January 9, A. D. 1900, in and for Knox County, Nebr.)

The next affidavit was made by a man having more experience than Mr. Kitto. The affidavit is as follows:

THE STATE OF NEBRASKA, COUNTY OF KNOX,
Santee Sioux Agency, ss:

Robert Hakewaste, being first duly sworn, deposes and says that he is 67 years of age and resides at the Santee Sioux Agency, Nebr.; that he is a member of the Mdewakantonwan tribe of Sioux Indians, who formerly resided at Redwood Falls, Minn., before the Sioux outbreak of 1862; that he recollects the treaty of 1851 that was entered into between the United States Government and the tribe of Mdewakantonwan Sioux Indians in which he was a party to the agreement. After the agreement or treaty was ratified, he recollects having received an annuity of $20 per annum, and which was paid to all members of the Mdewakantonwan and Wahpekute Sioux Indians for eight years until the outbreak occurred. According to the best of his knowledge and belief, the outbreak was caused by four young men. One of these young men, who was a distant relative of affiant, Kaomdeniyeyedan by name, made the following statement regarding the cause of the outbreak.

And here is the interesting part of it:

There were eleven of us who started out to trap about the lake regions in Minnesota. As we were going along we came to a farmhouse where by the roadside a hen was setting. A young man by the name of Pazaiyapa said he was going to take the hen and eggs to eat, which Nagiwicakte did not think was right, as there was not a very friendly feeling between the Indians and the whites, at which Pazaiyapa was enraged and said that Nagiwicakte was a coward, and there was a hot conversation between them, and finally they were divided into two companies—Nagiwicakte, Kaomdeniyeyedan, Sungigidan, and Waste formed one party and Pazaiyapa and six others made the other party. They parted, calling each other cowards, and left each other. Nagiwicakte, who took pains to prevent Pazaiyapa from disturbing the setting hen, came to a farm and with his friends sat down by the road to smoke. As they were smoking they heard rapid firing of guns in the direction which Pazaiyapa took, at which Nagiwicakte grunted for disappointment, and thinking that Pazaiyapa after all was a brave man had charged upon some white people. This was about noon when they came to the farm, and just as the successive reports of the guns ceased there were two white men came out of the woods, each with an ax on his shoulder, and came by Nagiwicakte and his companions. The white men said "how" and we said "how" in response, and just as they passed us Kaomdeniyeyedan took his gun and shot at one of them. He shot him dead and shot the other also as he started to run, and then we all started toward the barn and took some horses that stood in the barn and rode them home by midnight.

Now, while we were thinking that Pazaiyapa had charged upon some white people, they had, as a matter of fact, come to a covey of prairie chickens, which they were shooting, and we heard the rapid reports of the gun, but Kaomdeniyeyedan thought that Pazaiyapa was braver than himself and had shot some white people before Kaomdeniyeyedan; that to the best of my knowledge and belief, and according to my memory, this statement was related to me by Kaomdeniyeyedan as I have repeated it. And, furthermore, inasmuch as these young men were relatives of both Mdewakantonwans and Wahpetonwans, all of the four bands started in together to do the fatal deed on the morning of August 18, 1862, called the Sioux outbreak; that he was in the midst of the outbreak during the whole time, which lasted about seven weeks, and he is one of the few who did not participate in the trouble, but tried to prevent said outbreak with all of his influence and energy; that the outbreak occurred on the morning of August 18, 1862, at Redwood Falls, where the Mdewakantonwans and Wahpekutes were residing, and that the outbreak occurred at Yellow Medicine on the next morning, where the Sissetons and Wahpetonwans were residing. As we were forced along the Minnesota River by the soldiers, those who desired to be friendly and have peace stopped and put up their tents and sent two mixed bloods—Thomas Robinson and Thomas A. Robertson, who were both Mdewakantonwans by birth—to make peace with the United States officers.

When it was accomplished by them we gave ourselves up into the hands of Gen. H. H. Sibley; and to the best of my knowledge and belief and according to my memory none of the Sissetons and Wahpetonwans were in our midst to make peace with the United States officers. As we were in the hands of General Sibley, we were brought back to Mankato, Minn., and 38 men were sentenced to death at Mankato, Minn.; and I remember that there were some Wahpetonwans among those who were hung, but do not remember just how many, and all those who were not condemned to death were sentenced to be imprisonad at Davenport, Iowa, for a term of four years. There were 400 persons imprisoned, and many were Sissetons and Wahpetonwans. After the term of imprisonment had expired the prisoners were returned to their respective agencies, and are there to-day as living monuments, and are there to testify that the Sissetons and Wahpetonwans are just as guilty as the Mdewakantonwans and Wahpekutes were; and to the best of my knowledge and belief there were only 22 men who participated in the massacre of 1862, or were eyewitnesses to the outbreak, living at the Santee Agency.

And further affiant saith not.

ROBERT (his x mark) HAKEWÁSTE.

Subscribed in my presence and sworn to before me this 31 day of January, A. D., 1890.
[SEAL.] B. J. YOUNG, *Notary Public.*

(Expiration of my commission, January 9, A. D. 1900, in and for Knox County, Nebr.)

At another place it is made to appear from the testimony of Rev. James Garvie, a graduate of one of the Indian schools and a gentleman of a good deal of learning, that there are eighteen or nineteen of these men alive. Now it is proposed to make all these Indians responsible for the act of their ancestors, when there is only a handful of those ancestors now living, all old men, who are living upon the charity not only of this Government, but upon the charity of the people among whom they reside. All the others, all the membership of these tribes of Indians are those who were children and noncombatants at the time of this affair of 1862. Of course they were dealt with severely, and properly so. No one makes any excuse for them in that respect. Those who were guilty were tried and condemned and hanged. But, Mr. President, it was not the proper thing for this Government to do, without consulting those who were innocent of any participation in the unfortunate affair of New Ulm, to undertake to repeal the treaty rights and take away from those people, and especially from those who had nothing to do with the massacre, the property interests that came to them by virtue of the treaty.

These Indians at one time held hundreds of thousands of acres of the finest land in Minnesota. That was recognized by the Government. At a time when they knew nothing of the value of their land, when they had not come in contact to any great extent with the white man, and, therefore, had not been corrupted, this Government undertook to treat with them, and secured their land for 10 cents an acre, never to be paid, but they were to receive the interest on 10 cents an acre for those lands. It was a legalized larceny; it was larceny according to law. You could not punish anybody for it, because there was an understanding between the tribe and the officers of the Government.

Then the conscience of some of the officers of this Government quickened a little, Mr. President—and I have always been curious to know who they were, for it seems to have been the single exception in our entire history—and the Government was induced to allow those Indians 30 cents an acre, or the interest on 30 cents an acre, to be paid annually. Yet the Government of the United States took all those hundreds of thousands of acres of the finest land that lies within the body of the Commonwealth of Minnesota and sold them to actual settlers for $1.25 an acre, thus defeating the Indians out of 95 cents on every acre. Is it not just that the Government should allow these Indians at least what it received for their lands?

Then, what became of the Indians? They were taken to the banks of the Missouri River and placed upon sand bars, upon places impossible of cultivation, and they are there to-day, struggling and eking out an existence, while the Committee on Appropriations is skulking and hiding around behind Rule XVI to get rid of an obligation to pay them.

The history of these Indians, Mr. President, is a very attractive history. They were probably one of the last bands of Indians to be overcome and conquered by the Government. They are not the bloodthirsty creatures they have been held up to be. I have known some of them for over forty years. They are kind, hospitable, and, I am glad to say, the most of them intelligent. They are peaceable and law abiding, but they have been shattered, reduced, and humiliated by this Government.

If this Government ever owed an honest dollar in the world, it owes these Indians at least two million and a half of dollars. Why does not the Government pay this money? Is there anything brave or manly, or anything to be commended, in the conduct of the dominant race of this country in refusing justice to these people, simply because they have the physical power to do so? No man is brave or generous or just in the true sense who takes advantage of his physical power to inflict wrong and injustice upon the weak and the humble; yet that is just exactly what we have been doing for years.

The Senator from Iowa does not question the correctness of this claim. He does not insinuate that these people are not justly entitled to the money that would go to them under the provisions of this amendment. He simply hies himself to the labyrinths of Rule XVI and gets behind it and occasionally peeps out, expecting the Vice-President to help him out on the rule, that his party may be saved from the disaster and disgrace of being charged with appropriating more money than the Democratic party appropriated heretofore.

There is a party in this country which has some honesty instead of too much politics, and that party, Mr. President, is the Populist party. It is a game of hide and seek, shuttlecock and battledoor, the Republican party skirmishing to keep the appropriations down, regardless of the merits of claims, that they may go to the country and sing their praises, saying, "Look at us; we beat the Democrats; we administered this Government for less money than the Democrats did." When the chairmanship of the Appropriation Committee changes from the distinguished Senator from Iowa [Mr. ALLISON] to my honorable friend the Senator from Missouri [Mr. COCKRELL] the same game goes on. There is a change nominally in the chairmanship of the committee. There is no change in the policy. The Senator from Iowa and the Senator from Missouri keep the chairmanship in the family.

If there were any question about the honesty of the pending claim, I would not insist upon its adoption. If the Senator from Iowa or any other member of the Committee on Appropriations can offer a word in objection to the honesty of the claim, I say frankly I will withdraw any advocacy of its allowance. It is an honest claim. These poor people are dependent upon this Government to do justice to them. They are looking forward from time to time, hoping and expecting that a great political party, which says it stands at the head of civilization and leads the march, will be able to yield some kind of justice, some kind of recognition of their rights.

Mr. President, has it come to this, that in the Congress of the United States honesty counts for nothing, fair dealing counts for nothing? Are honesty and fair dealing to be set aside and the man who would advocate their application to be regarded as a fogy, if nothing worse, that mere party advantage may be secured? I had supposed, sir, that in dealing with great questions like this, where we were convinced that the people were at our mercy, we could at least break the bonds of partisan allegiance long enough to do them justice, but it seems not. What the Sioux Indian wants to do is to get into politics, and he ought to go to voting against some of the gentlemen who are voting against his interest.

Every one of these men is a citizen. They are voters. The Senator from South Dakota is right when he says they are voters and citizens, with all the rights and all the obligations of citizenship. If they only numbered a million or two and voted on the right side or held the balance of power and made some slight menace, you would see the Democratic party and the Republican party, like rats, scudding to safety and voting for the allowance of the claim. But they are a broken, humble, humiliated people of an inferior race, and their rights are to be discarded because they have no political power or insignificant political power.

Mr. President, I have made a thorough study of the rights of these people since I have occupied a position in this Chamber. Many of them are constituents of mine. I think I know individually almost every male adult Indian of the Santee tribe. They reside in the judicial district over which I used to preside. I have been brought in contact with them for years. It would be a marvel to the people of the East to see the progress those people have made in point of civilization through the agency of Christianizing influence. The course of this Government to the Indian tribes forms one of the most disgraceful chapters of American history. They have been systematically robbed. They have been driven from their homes from time to time. They have had their property rights taken from them without the slightest excuse and without the slightest compensation. They have been driven from jungle to jungle and from fastness to fastness, until their ranks have been decimated by war and their property taken by plunder; and they are broken, helpless, and humble.

Mr. President, the removal, through or by the instrumentality of the troops of the United States, of the Ponca Indians from their reservation in northern Nebraska, a reservation they had occupied for years and where the great majority of them had been born, is a thing as to which every honest man ought to feel that he and the nation of which he is a part have been disgraced. There was not the slightest cause for the removal. They were not a warlike people. They were always the friends of the whites. They had performed arduous service for our Government during our wars with the Sioux. They had been as faithful, as honest, and as true to the people of this nation as a child is honest and true to its parents; and yet, Mr. President, this Government sent troops to the Ponca Reservation and forced many of the men, women, and children there to leave for a new home in the Indian Territory.

If you, sir, had witnessed that scene it would have brought tears to your eyes. They fell down upon their breasts, and cried and moaned and begged the troops to leave them there. There were the memories of their birth; there were their homes, as dear to them as the home of the Senator from Iowa [Mr. ALLISON] is to him, or my home is to me; around their cabins clustered the memories of the family. They were taken by military force and carried to the Indian Territory. But I thank God they had the courage to come back. There they have rebuilded their homes; there they are staying; from there it will never be within the power of the Government of the United States to remove them again.

Mr. President, I have report after report, as you can see, amounting to dozens, document after document, giving the whole history of the rights of these Indians against the Government. I do not know what will become of their claim. I have hoped heretofore that Congress would rise to a sense of the duty of the Government to these people and take up this claim and allow it, or at least a portion of it. But I say honestly I am very doubtful if these people ever get anything. They are at the mercy of this Government. They have no means of enforcing their rights in court. We hold them like Mohommed's coffin, suspended between heaven and earth. We will not let them go to court, nor will we grant them the money to which they are entitled. If that is not the highest species of grand larceny known to the history of the world, I should like to know what it is. If there were any doubt about the honesty of this claim, if that question were mooted, there might be some cause for the Committee on Appropriations to resort to some subterfuge, as they usually do in resorting to this rule, to get rid of the amendment. But there is no doubt about its honesty.

Mr. DAVIS. Mr. President, I am so appreciative of the importance of proceeding with the utmost dispatch with all business that I shall be very brief in discussing the pending question. I will premise by saying that it is a matter which concerns the people of four States only, the two Dakotas, Minnesota, and Nebraska. It is a subject upon which the Senators from those States are entirely agreed. It is one with which most of them have had perfect knowledge concerning the merits and equities of the case. If it can be left to them or if their opinions are entitled to due weight, there can be no doubt entertained.

Mr. President, the substance of the situation is just this: By the treaty of 1851 the United States agreed to pay in installments to the Sioux Nation a certain sum of money, the last payment to be made in 1901, I think. The Sioux Nation was divided into four bands, and in 1862 one of those bands went to war with the United States and a scene of great devastation and slaughter was exhibited in my own State. In the following year, in the indiscriminate indignation which was visited upon all the Sioux Nation of Indians, the Congress, without any process of law whatever, arbitrarily confiscated the payments to be made between that date and 1901.

Now, the fact was, and nothing is better known in the history of my own State where the tragedy occurred, that three of those bands took no part in the massacre. It was perpetrated entirely by the Santees, and as public opinion and knowledge have become better acquainted with the subject, the conscience of those States, and my own State especially, has been aroused to the conviction that reparation shall be made and justice be done.

I knew Gabriel Renville very well. He first called my attention to this subject when I was governor of Minnesota, in 1874 and 1875. He was a great man in his way, and was a good man from any point of view. His young men fought on our side in the same Indian war. They rescued sixty white women and children from the hands of Little Crow and his band, then waging war against us. He sent his young men into the armies of the United States during the war of the rebellion. Mr. President, with the knowledge of the people of those States upon this subject, a subject which has been deliberated upon by them for more than twenty-five years, concerning which there is not a shadow of a doubt as to the fact or the merits, where is the justice or fairness of endeavoring to interpose between the execution of an act of justice a special rule invoked by the Committee on Appropriations?

Mr. President, I do not want to take any time; it is very important that nobody should, beyond what is strictly necessary. But I wish to ask, in all fairness, is this general legislation? What is this amendment? It purposes to deal with a special fund, nothing general in its character, but with a special fund in the Treasury of the United States, dedicated by the treaty of 1851 to a particular tribe of Indians. It is nothing which in the least degree tends to affect any general interest or any general considerations in this country. There are a great many things which can be perceived a great deal easier than they can be defined, and who would say, looking to a measure of this kind, if it came up as an abstract proposition, or what court would say that an amendment of this character was general legislation concerning two or three thousand Indians about equally divided upon various reservations in four States? What general proposition or feature is there about it? Take the bill itself now under consideration. On page 31 there is this clause:

> For twelfth of thirteen installments of $18,400 each, to be paid per capita, as per third article of agreement with the Sisseton and Wahpeton Indians—

So much money.

Would anybody call that general legislation? That gives these Indians a fourth of the money. This amendment proposes to give the three-fourths that we claim has unjustly and inequitably been withheld.

Mr. President, I will not—it would be impertinence for me to undertake to enlarge upon the consecutive and exceedingly clear statement of these facts which has been made by the Senator from South Dakota [Mr. PETTIGREW]. It will pass into history as a perfect historical statement of these events. It is perfectly certain, from the want of denial of the concurrent testimony of all people who know anything about this matter—about the equities of this claim—that it is going to pass some time. Why not do it now? What is the use of putting up the bar of a rule of doubtful application in this case, and of very doubtful equity in its interposition in many cases?

Mr. ALLISON. Mr. President, the Senator from Minnesota [Mr. DAVIS] makes a very strong appeal to the Committee on Appropriations to withhold the point of order as respects the pending amendment. I do not wish to go into this question. It will be one of serious debate when it comes before the Senate. The Senator from Minnesota himself states that for twenty-five years this matter has been before the public, before the Congress, before the people of these States. It is one that should be treated as other subjects are treated in this body and in the other House. We have an Indian Affairs Committee that deals with questions of legislation in respect to Indian affairs. The Senator from Nebraska [Mr. ALLEN] and the Senator from South Dakota [Mr. PETTIGREW] have been members of that committee for years, and now in the expiring days of the session they ask that there shall be put on the pending appropriation bill one of the most important private matters of legislation presented during this session.

With sympathy for those Senators as to this important question, which I am willing and ready to debate with them at any time when it is properly before the Senate, I must insist upon the point of order which I have made.

Mr. PETTIGREW. Mr. President, on page 31 of the bill is a provision as follows:

> For twelfth of thirteen installments of $18,400 each, to be paid per capita, as per third article of agreement with the Sisseton and Wahpeton Indians, dated September 12, 1889, ratified by act of March 3, 1891, $18,400.

The history of that item is this: When we made the treaty of 1889 with these Indians, Chief Renville would not make the treaty or would not talk with us until we had at least restored the annuities to those Indians who fought under General Sibley. Therefore we estimated the amount due the 275 who fought under Chief Renville and who were entitled to this money, and we appropriated three hundred and fifty or three hundred and seventy-five thousand dollars in cash and then provided that they should receive $18,400 each year until 1901. In other words, we appropriated in a lump sum one-fourth of the annuities due these Indians up to 1889, and then we provided that we would appropriate each year until 1901 the sum of $18,400, which is just one-quarter the annual payment due these Indians under the old agreement.

My amendment simply restores the other three-fourths to the Indian tribe. It does not seem to me to be general legislation, and it does come within the rule. The Committee on Indian Affairs have reported this measure unanimously, not only as a separate bill, but as an amendment to the pending bill. Two years ago we reported an amendment to accomplish this same purpose, and in conference it was agreed that we should investigate the matter. A committee of the Indian Department or the Secretary of the Interior detailed some one, and he investigated this matter and reported the amount due these people. That report is here. Now, in pursuance of that report, we propose to make the payment, carrying out the provisions of the existing law and carrying out the provisions of this law to its fullest extent. Here is a recognition that one-fourth of it is due. Now we propose to place the other three-fourths upon the bill.

The VICE-PRESIDENT. The amendment has the appearance of being in order in respect to that provision of the first section of the rule which provides that certain items may be admitted in an appropriation bill "when moved by direction of a standing or select committee," etc. This amendment is not thus admitted under that reference from the Committee on Indian Affairs, because the point is made by the Senator from Iowa [Mr. ALLISON] that it is new and general legislation, and therefore obnoxious to the third section of the rule.

The first section of the proposed amendment repeals the statute of 1863, which forfeited certain annuities, and now restores by this amendment those old forfeited annuities and continues them and makes appropriations for them.

The second section restores annuities which were also declared forfeited February 16, 1863, as if that act had never been passed, and makes new appropriations therein, and legislates generally upon the subject.

Every provision of the amendment indicates general legislation of the broadest character on this whole Indian subject, and the amendment is therefore obnoxious to the rule, and can not, in the opinion of the Chair, be properly considered.

The bill was reported to the Senate as amended, and the amendments were concurred in.

The amendments were ordered to be engrossed and the bill to be read a third time.

The bill was read the third time, and passed.

LEGISLATIVE, ETC., APPROPRIATION BILL.

Mr. CULLOM. I ask that the unfinished business be temporarily laid aside and that the Senate proceed to the consideration of the bill (H. R. 11414) making appropriations for the legislative, executive, and judicial expenses of the Government for the fiscal year ending June 30, 1900, and for other purposes.

There being no objection, the Senate, as in Committee of the Whole, proceeded to consider the bill, which had been reported from the Committee on Appropriations with amendments.

Mr. CULLOM. I ask that the first formal reading of the bill be dispensed with and that the committee amendments be first considered and disposed of as they are reached in the reading of the bill.

The VICE-PRESIDENT. If there be no objection, that course will be pursued.

The Secretary proceeded to read the bill.

The first amendment of the Committee on Appropriations was, under the subhead "Senate," on page 7, line 10, after the word "dollars," to insert "skilled laborer, $1,000;" and in line 11, before the word "thousand," to strike out "eight" and insert "nine;" so as to make the clause read:

> Document room: For superintendent of the document room (Amzi Smith), $3,000; first assistant in document room, $1,600; two assistants in document room, at $1,440 each; clerk to superintendent of document room, $1,440; skilled laborer, $1,000; in all, $9,920.

The amendment was agreed to.

The next amendment was, on page 7, line 24, to increase the number of conductors of elevators under the Architect of the Capitol from three to five; and on page 8, line 3, to increase the total

appropriation for chief engineer, assistant engineers, etc., under the Architect of the Capitol from $20,125 to $22,525.

The amendment was agreed to.

Mr. CULLOM. I was instructed by the Committee on Appropriations, on page 8, line 5, before the word "annual," to strike out "thirty-five" and insert "forty;" so as to read:

For 40 annual clerks to Senators who are not chairmen of committees, etc.

The amendment was agreed to.

Mr. CULLOM. Then the total at the end of the paragraph should be changed. I move to strike out "$52,500" and insert "$60,000."

The amendment was agreed to.

The reading of the bill was continued.

The next amendment was, on page 10, line 1, to increase the number of privates on the Capitol police force from seven to twenty-five; and in line 3, page 10, to increase the total appropriation for the force of the Capitol police from $52,120 to $69,400.

The amendment was agreed to.

The next amendment was, on page 16, after line 24, to insert:

To continue the appointment of a special messenger named in and authorized by the resolution adopted by the House of Representatives December 18, 1897, from March 4, 1899, to January 4, 1900, inclusive, at $100 per month; in all, $1,000.

The amendment was agreed to.

The next amendment was, on page 18, line 1, to increase the salary of the stenographers to committees, House of Representatives, from $4,000 to $5,000; and, in line 3 to increase the total appropriation for stenographers to committees, House of Representatives, from $9,200 to $11,200.

The amendment was agreed to.

The next amendment was, under the head of "Library of Congress," on page 20, line 16, to insert "one assistant (in charge of Smithsonian deposit), $1,500;" so as to read:

For Librarian of Congress, $5,000; chief assistant librarian, $4,000; assistant librarian (superintendent of reading room), $3,000; assistant, $2,000; two assistants, at $1,500 each; one assistant (in charge of Smithsonian deposit), $1,500.

The amendment was agreed to.

The next amendment was, on page 21, line 9, to reduce the number of assistants at $1,500 each for the Library of Congress from four to three; so as to read:

Three assistants, at $1,500 each.

The amendment was agreed to.

The next amendment was, on page 21, line 12, after the word "clerk," to insert "who shall also be superintendent of art gallery;" in line 13, after the word "thousand," to strike out "two hundred and fifty" and insert "five hundred;" so as to read:

Chief clerk, who shall also be superintendent of art gallery, $2,500.

Mr. CULLOM. I hope the Senate will disagree to that amendment.

The amendment was rejected.

The next amendment was, on page 21, line 15, before the word "assistants," to strike out "superintendent of art department, $2,000."

Mr. CULLOM. I hope that amendment will be disagreed to also.

The amendment was rejected.

The VICE-PRESIDENT. The Chair calls the attention of the Senator from Illinois to line 14, where the word "three" is stricken out and "four" inserted, so as to read: "Four assistants, at $900 each."

Mr. CULLOM. That is a part of the amendment which I desire to have disagreed to.

The amendment was rejected.

The next amendment was, on page 21, line 18, to increase the apporpriation for superintendent of periodical department from $1,500 to $2,000.

The amendment was agreed to.

Mr. TILLMAN. Mr. President, I note the absence of a quorum in the Senate.

The VICE-PRESIDENT. The absence of a quorum being suggested by the Senator from South Carolina, the Secretary will call the roll.

The Secretary called the roll; and the following Senators answered to their names:

Allen,	Deboe,	McBride,	Rawlins,
Allison,	Fairbanks,	Mallory,	Ross,
Bacon,	Foraker,	Mantle,	Sewell,
Bate,	Gear,	Martin,	Shoup,
Berry,	Gray,	Mills,	Simon,
Burrows,	Hale,	Mitchell,	Smith,
Butler,	Hanna,	Money,	Spooner,
Carter,	Hansbrough,	Morgan,	Stewart,
Chandler,	Harris,	Murphy,	Teller,
Clay,	Hawley,	Perkins,	Tillman,
Cockrell,	Hoar,	Platt, Conn.	Turner,
Cullom,	Jones, Ark.	Platt, N. Y.	Warren.
Davis,	Jones, Nev.	Pritchard,	

Mr. TILLMAN. My colleague [Mr. McLAURIN] is absent on account of illness.

The VICE-PRESIDENT. Fifty-one Senators having answered to their names, a quorum is present.

Mr. CULLOM. I understand that there is a desire for an executive session. I will ask the Senate to let the consideration of the legislative appropriation bill go on until we get through with the Library items. There is only a page or two more, and I think it will take but a few minutes. The Secretary will read, beginning in line 17, page 21.

The Secretary resumed the reading of the bill. The next amendment was, on page 21, line 24, to increase the appropriation for assistant to superintendent of music department from $900 to $1,000.

The amendment was agreed to.

The next amendment was, on page 22, line 6, to reduce the total appropriation for the Library of Congress from $96,510 to $96,260.

Mr. CULLOM. The total there should be $97,110 instead of $96,510. I move that amendment to the amendment.

The amendment to the amendment was agreed to.

The amendment as amended was agreed to.

The reading of the bill was continued to page 23, line 4, the last clause read being the following proviso:

Provided, That on and after the 1st day of July, 1899, no person shall be entitled to a copyright, unless the copies deposited with the Librarian of Congress, of such copyright book or other article, or the photograph deposited of a work of the fine arts, shall be of such substantial and permanent paper or substance and ink or impression as shall be according to such standard as shall be from time to time established and approved by the said Librarian.

Mr. HOAR. My attention has been called at this moment to the clause just read. If my recollection be not at fault, the present copyright law does not deprive a person of a copyright who has innocently failed to comply strictly with the conditions, but imposes a certain fine equal to double the value of the book, or something of that sort. There was one very interesting case which came up, the case of Mrs. Jefferson Davis, whose copyright got into the power of the publisher, and it required special relief from Congress to avoid the doubt occasioned by one part of the old copyright law. I think, however, the law was with her.

This clause seems to provide that it is an absolute forfeiture of the copyright unless the photograph or book be of a substantial and permanent character as to paper or substance and ink or impression, according to a standard to be from time to time established and approved by the Librarian. I should like to inquire of my friend from Illinois if that is quite safe or just to citizens.

Mr. CULLOM. It appears that under the present law the person who wants a copyright upon a book or any other thing entitled to be copyrighted, in making the application has to file his book or whatever it may be, and the substantial difference, I think, between this provision and the present law is the word "substantial." The proviso reads:

Provided, That on and after the 1st day of July, 1899, no person shall be entitled to a copyright, unless the copies deposited with the Librarian of Congress, of such copyright book or other article, or the photograph deposited of a work of the fine arts, shall be of such substantial and permanent paper or substance and ink or impression as shall be according to such standard as shall be from time to time established and approved by the said Librarian.

I do not remember how different the present law is, but that would seem to be a reasonable requisite in order to entitle a man to a copyright. This provision, I might say, was inserted by the House, and the committee on the part of the Senate did not see any reason why it should be changed.

Mr. PLATT of Connecticut. I do not at this moment, my attention having been first called to this provision, know whether it ought to be allowed to stand in the bill or not. The whole matter of copyright is quite technical; that is, the conditions which authorize a person to obtain a copyright. I think this illustrates, or may illustrate, one of the difficulties of having committees that do not have such matters in charge, to wit, the Committee on Appropriations, undertake to amend laws like the copyright law.

The thing that strikes me about this provision is that it is not right to deprive a man of a copyright of his book, of his magazine article, of his newspaper article, of his dramatic or musical composition, and of the various other things as to which he is entitled to copyright unless he complies with such a "standard as shall be from time to time established and approved by the said Librarian" as to the quality of paper on which his book or his dramatic or musical composition shall be printed—and I think that may be in typewriting—or as to what shall be the substance and character of the board on which the photograph is printed or affixed; and that unless he complies with those arbitrary regulations, issued from time to time by the Librarian, he shall not be entitled to a copyright. For instance, the Librarian may say that in order to entitle a person to a copyright for a book it shall be printed on paper of such a weight, be made according to a certain formula, and be glazed or unglazed or partially glazed, otherwise he shall not have a copyright for his book.

Mr. CULLOM. The Senator from Connecticut, I believe, is chairman of the Committee on Patents?

Mr. PLATT of Connecticut. Which has charge also of copyrights.

Mr. CULLOM. I should be glad if the Senator would state exactly what the law is.

Mr. PLATT of Connecticut. The Senator from Massachusetts [Mr. HOAR] has the law before him.

Mr. HOAR. Mr. President, I had occasion to go over this matter very carefully a few years ago, and I think I can answer the question myself.

Mr. PLATT of Connecticut. I am quite willing the Senator from Massachusetts shall do so, because he has the Revised Statutes before him and I have not.

Mr. HOAR. If I can have the attention of the Senate for a moment——

Mr. CULLOM. Before the Senator makes his explanation let me give the reason which was given in another body why this provision should be made:

Mr. PARKER of New Jersey. Mr. Chairman, this amendment is technically but not substantially subject to a point of order. The present law provides that two copies of every copyrighted book and a copy or photograph of works of art which may be copyrighted shall be deposited in the Library. Of late chemical and other improvements have resulted in the deposit of publications printed upon such paper as rots after a year or two, publications printed with inks which change and fade, and photographs which do not endure. In this way the object of the law, which was to provide for permanent records, is defeated. There is no difficulty in printing as permanent records for the Library at least one or two copies of any copyrighted work, and I think that when we grant a copyright this requirement should be made. For this reason, and because of the urgent desire of the Librarian of Congress for the enactment of such a provision, I have submitted this amendment.

I thought I would read that so as to show the basis on which the provision was adopted by the House of Representatives.

Mr. HOAR. If I can have the attention of my friend from Illinois and of the Senate, I think I can satisfy them that the excellent gentleman who made that argument in another place did not quite get hold of the whole case.

It is not necessary to say that a copyright may be of extreme importance and value. It may be the only property of some man of genius or some woman of genius. Nobody wants, for the limited time for which our copyrights last, to curtail the right of another in what is the most absolute product of a human being, the product of his brain. Nobody doubts about that. The present law is this:

SEC. 4959. The proprietor of every copyright book or other article shall deliver at the office of the Librarian of Congress, or deposit in the mail addressed to the Librarian of Congress at Washington, D. C., within ten days after its publication, two complete printed copies thereof, of the best edition issued, or description or photograph of such article as hereinbefore required, and a copy of every subsequent edition wherein any substantial changes shall be made.

That might make it a question whether the failure to deliver the copies would forfeit the entire copyright, or whether, if the man or woman had made a mistake, or there had been accidental delay, or the thing had failed to get to the Library through the post-office within two months, that omission might be supplied. That is made clear by the following section of the Revised Statutes, which is:

SEC. 4960. For every failure on the part of the proprietor of any copyright to deliver or deposit in the mail either of the published copies, or description or photograph, required by sections 4956 and 4959, the proprietor of the copyright shall be liable to a penalty of $25.

We have changed that, I think, in a later statute which makes the penalty double the value of the article. So it is clear that the owner continues to be the proprietor of the copyright within the intent of the law; and even if he had accidentally failed to do this thing he does not by this accident forfeit his copyright property, which may be worth $10,000, but only has this penalty of $25 attached to him, or, as the law is now, double the value of the book or other article.

This bill provides:

That on and after the 1st day of July, 1899, no person shall be entitled to a copyright unless the copies deposited with the Librarian of Congress of such copyright book or other article, or the photograph deposited of a work of the fine arts, shall be of such substantial and permanent paper or substance and ink or impression as shall be according to such standard as shall be from time to time established and approved by the said librarian.

So if, in absolute ignorance, or if by mistake or accident, the owner of the copyright fails within the time to make this deposit, and to deposit a book printed in ink which will not change, or on paper which will not rot, although the author knows nothing about it, he loses his entire property.

It is not the requisition that I object to; it is extending, what I do not think the gentleman who offered this amendment intended, the penalty from a mere fine of $25 to the absolute forfeiture of the whole property.

Mr. CULLOM. I ask the Senator whether, in his judgment, a person making application for a copyright, if he fails to file the proper copy, and so forth, in the first instance, would not have another chance?

Mr. HOAR. He would have no chance, according to this provision; and if I can have the attention of Senators for one moment there is a very interesting bit of history which is worth relating.

Mrs. Jefferson Davis prepared a very elaborate life of her husband. It is delicate to speak of such things, and perhaps I should not do so; but her property in that copyright was a very important resource to her in her old age. General Gordon, formerly a very distinguished and honored member of this body, came into the Senate just before he left the Senate—at any rate it was during the last moments of President Harrison's Administration—and stated that the publishers of that work had themselves failed to make the proper deposit to save the copyright of Mrs. Davis, and they claimed, although it was their business to make the deposit and she trusted them to do so as her agents, that the copyright was gone and that she was absolutely in their power, and they undertook to compel her to submit to some very hard and onerous terms.

She was in great distress. She came to Congress, and a bill was passed relieving her from that disability, which was signed by President Harrison, in the President's room out there, within thirty seconds of 12 o'clock, and the bill, with the President's signature affixed, was brought to General Gordon, who sat, I think, in the very seat at which I am now standing, waiting for the inauguration of the new President; and the lady's property was saved.

It is a question of some doubt, I think, whether the property could have been held to be forfeited, but it would have exposed this lady to a very severe and uncomfortable lawsuit for recovery.

This provision enacts the injustice which the act of Congress passed at that time was intended to remedy. If I recollect aright, it was to the effect that the failure to make this deposit should not be treated as a forfeiture of the property, but only that the Government might recover a penalty of double the value of the book sought to be copyrighted. Inadvertently, I have no doubt, this proposition of the House of Representatives repeals the law passed at that time and makes clear what seems to me a most flagrant injustice, to wit, that a mere accidental failure to file a work with the Librarian should forfeit the entire property.

Mr. CULLOM. As some Senators wish an executive session, I desire to say that that proviso may be passed over for the time being until we see whether we can not agree upon something more definite.

Mr. HOAR. Very well, but why not strike out the provision and let it go to conference?

Mr. CULLOM. We can consider the matter when the bill again comes up. I desire that the reading of the bill shall proceed, so that I may have one or two more amendments disposed of before we get through with the portion of the bill which is now being read.

The reading of the bill was resumed at line 4, on page 23, and continued to the end of line 19 of the items for "Increase of Library of Congress."

Mr. CULLOM. I offer an amendment which I send to the desk, to come in after the word "dollars," at the end of line 19, on page 23.

The PRESIDING OFFICER (Mr. BURROWS in the chair). The amendment proposed by the Senator from Illinois will be stated.

Mr. GORMAN. Before that amendment is read, I should like to know what became of the provision which was under consideration in relation to copyrights?

Mr. CULLOM. That has been passed over for the present.

Mr. GORMAN. It is already incorporated in the bill as it came from the other House.

Mr. CULLOM. Certainly.

Mr. PLATT of Connecticut. An amendment can be offered at a later stage.

Mr. CULLOM. Certainly; an amendment to that provision can be offered later.

Mr. GORMAN. Very well.

The PRESIDING OFFICER. The amendment of the Senator from Illinois [Mr. CULLOM] will be stated.

The SECRETARY. On page 23, after line 19, it is proposed to insert:

For binding and replacing law books damaged or destroyed in the recent explosion in the Capitol, $2,000, or so much thereof as may be necessary.

The amendment was agreed to.

The reading of the bill was resumed. The next amendment of the Committee on Appropriations was, on page 23, line 21, after the word "business," to strike out "one thousand five hundred" and insert "two thousand;" so as to read:

For contingent expenses of the Library, including the copyright business, $2,000.

The amendment was agreed to.

The reading of the bill was resumed and continued to the end of the clauses making appropriations for "Custody, care, and maintenance of Library building and grounds," on page 25, line 6.

Mr. CULLOM. I yield now to allow an executive session to be had, if desired.

Mr. PRITCHARD. I move that the Senate proceed to the consideration of executive business.

Mr. HOAR. I desire to report a bill before the Senate goes into executive session. It is a bill which the Judiciary Committee authorized me to report some time ago and which I have not been able to do, because of the absence of the Senator from Indiana [Mr. TURPIE]. It is merely a bill changing the place of holding terms of the courts in Indiana.

Mr. PRITCHARD. I yield to the Senator for that purpose.

The PRESIDING OFFICER. In the absence of objection, the Chair will receive the report at this time.

COURTS AT HAMMOND, IND.

Mr. HOAR. I am directed by the Committee on the Judiciary, to whom was referred the bill (H. R. 10563) to provide for the holding of terms of the district and circuit courts of the United States at Hammond, Ind., to report it favorably. I ask unanimous consent for its present consideration.

There being no objection, the Senate, as in Committee of the Whole, proceeded to consider the bill.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

CONSIDERATION OF PENSION BILLS.

Mr. GALLINGER. The Senator from North Carolina [Mr. PRITCHARD] yields to me to make a request. I ask unanimous consent that on Saturday next after the routine morning business, the time intervening until 2 o'clock, if so much time shall be necessary, be devoted to the consideration of the Pension Calendar, with the understanding that if the Committee on Appropriations desires to have an appropriation bill considered, the order will not be regarded as in force.

The PRESIDING OFFICER. The Senator from New Hampshire asks unanimous consent that on Saturday next, after the regular routine morning business of the Senate, the time from the close of that business until 2 o'clock may be devoted to the consideration of pension cases on the Calendar, not to interfere with appropriation bills. Is there objection? The Chair hears none, and it is so ordered.

Mr. PRITCHARD. I now renew my motion that the Senate proceed to the consideration of executive business.

Mr. FAIRBANKS. I ask the Senator to yield to me for a few moments.

Mr. PRITCHARD. I withdraw the motion for the present.

PERSONAL EXPLANATION.

Mr. FAIRBANKS. Mr. President, during my absence from the Senate yesterday some statements were made while the Indian appropriation bill was under consideration reflecting upon the character of an eminent and honored citizen of my State, and I think it due to him that the statements should not stand uncorrected.

In the course of the debate the following colloquy occurred with reference to the commission to negotiate with the Crow, Flathead, and other Indians:

Mr. CARTER. If the Senator will permit me to inject a remark at that point, the amendment presented by me on my own motion was that which permitted the Secretary of the Interior to exercise authority without any equivocation or question, discontinuing this entire commission, if he elected so to do. The amendment proposing to extend the time or the life of the commission to January 1, 1900, was presented in behalf of an absent Senator, the Senator from Indiana [Mr. FAIRBANKS], and I think I ought, in justice to myself, to make that statement at this time as a part of the Senator's very appropriate remarks.

Mr. PETTIGREW. And the member of the commission from Indiana is, I understand, the most worthless member of the whole commission. [Laughter.] It is reported that in Montana last year when employed upon this work he was constantly intoxicated and utterly unfit to fill any position under the Government. I have this information from a very prominent and important citizen of the State of Montana, and yet it is proposed to perpetuate this commission and continue this commissioner two months longer, in order that he may continue to draw $10 a day, spend his summers in Montana and his winters in Washington, and do nothing.

Mr. ALLISON. Mr. President, in justice to the absent Senator from Indiana, I think I ought to say that that Senator regards the member of the commission from the State of Indiana as one of the most efficient members, if not the most efficient member, of the commission, who ought to be continued, whatever may happen to the other members of the commission. So I trust the Senator from South Dakota will not too freely indulge in criticism against a person who is not able to defend himself here.

Mr. PETTIGREW. Mr. President, I withdraw my remarks [laughter]—which are undoubtedly true—for the purpose of protecting—I do not know whether it is the Senator from Indiana or the commissioner from Indiana that I ought to protect. Certainly, if the Senator from Indiana thinks this man is one of the most efficient members of this commission, there is an additional argument why the commission should be abolished, for I can not imagine what kind of men the other two can possibly be if this man is the most efficient member of the commission. However, I withdraw my remarks.

Later the Senator from South Dakota [Mr. PETTIGREW] further said:

They (the commissioners) have been swinging around through the West for several years, spending their summers in the mountain regions, where it was cool, and their winters here in Washington.

Mr. President, I would not say for one moment that the statements made by the honorable Senator from South Dakota reflecting upon the character of a citizen of my State were made with the intention of injuring him. They were undoubtedly made upon the Senator's impression as to their truth, but I say deliberately, Mr. President, that they are absolutely without foundation in fact.

The impression conveyed that the member of the commission from Indiana has been spending his winters in Washington is also unfounded.

It is no slight matter, Mr. President, for a Senator of the United States to stand here upon this floor and strike down the character of any man within the limits of the Republic, however humble he may be. I do not have it in my heart to lightly strike at the characters that other men have sought to build up.

The reputation of the gentleman referred to is as dear to that gentleman as is the reputation of any Senator to himself, and I shall not permit the insinuation to pass without, in as public a manner as the charge was made, pronouncing it unfounded in fact. It is perhaps due to the commissioners concerned that a letter from the Commissioner of Indian Affairs covering their work should be read. I offer it for that purpose.

The PRESIDING OFFICER. The Secretary will read as requested.

The Secretary proceeded to read the letter.

Mr. FAIRBANKS. The Senator from North Carolina [Mr. PRITCHARD] informs me that he has some pressing business in executive session, and while I should like to have the letter read in the hearing of the Senate, as it is somewhat lengthy, if the Senate consents, I am willing that it shall be printed in the RECORD without reading.

The PRESIDING OFFICER. If there be no objection, the letter will be printed in the RECORD. The Chair hears none, and that order is made.

The letter referred to is as follows:

DEPARTMENT OF THE INTERIOR, OFFICE OF INDIAN AFFAIRS,
Washington, January 17, 1899.

SIR: I am in receipt of your communication dated January 16, 1899, in which you request information as to the duties performed by the Crow, Flathead, etc., Commission, the length of time in service, and whether or not it is necessary that said commission should be continued, and if so, how long.

In reply you are advised that said commission was appointed under a clause in the Indian appropriation act approved June 10, 1896 (29 Stats., 341), for the purpose of negotiating with certain Indians in the States of Montana, Idaho, Utah, and Washington for the surrender of portions of their respective reservations, and for such modifications of existing treaties as might be deemed desirable.

Instructions were given to the commission, composed of Mr. John B. Goodwin, Mr. Charles G. Hoyt, and Mr. Benjamin F. Barge, on August 31, 1896, and these gentlemen entered upon duty soon thereafter.

This was an entirely new commission, composed of gentlemen who had not theretofore been connected with the Indian service.

The commission opened negotiations with the Fort Hall Indians in Idaho, in September, 1896, and was engaged on that reservation and on the Yakima Reservation, in Washington, until November, 1897. During this time one council was also held with the Flathead Indians in Montana. In May, 1897, Mr. James H. McNeely was appointed on the commission in the place of Mr. John B. Goodwin, resigned.

In November, 1897, the commission was directed by the Secretary of the Interior to commence negotiations with the Uintah Indians in Utah with the view of securing lands for the settlement of the Uncompahgre Indians thereon. In January, 1898, an agreement was concluded with these Indians, which agreement was satisfactory to this Department.

Mr. Barge was then ordered to come to this city with the agreement and for consultation. Mr. McNeely was granted leave of absence without pay, and Mr. Hoyt returned to the Fort Hall Reservation, where he concluded an agreement in February, 1898. This agreement also received the approval of the Department. The commission then returned to the Yakima Reservation. There are a large number of Indians belonging to the Yakima Nation who have never resided upon that reservation, but have lived on the public domain in the State of Washington, in the vicinity of the reservation, and elsewhere in that State. It was deemed important by this office that as many of these Indians as possible should be induced to remove to the reservation and take allotments there, to which they were entitled under their treaty. The commission was therefore instructed to visit these nonreservation Indians in their various localities for the purpose of persuading them to make their home upon the reservation, and a special agent was assigned the duty of alloting lands to such Indians as could be induced to take them.

As a result of these efforts, between four and five hundred Indians took allotments upon the reservation. This work was performed on the part of the commission by the chairman, Mr. Barge, while the other two members of the commission, Messrs. Hoyt and McNeely, proceeded to the Flathead Reservation, which they reached in the latter part of April, 1898. They held various councils with the different bands of Indians located on that reservation. This work occupied their time until October of last year, when they went to the Crow Reservation, holding their first council with the Crow Indians October 31, 1898, Mr. Barge being still engaged in his duties on the Yakima Reservation. Soon afterwards Mr. Hoyt was ordered to come to this city for the purpose of consultation regarding certain complaints made by the Crow Indians with reference to the actions of one of their former agents, Mr. McNeely being granted leave of absence without pay.

A part of these matters have been satisfactorily adjusted during Mr. Hoyt's presence. While the commission has actually concluded but two agreements, they have unquestionably done much work which will bear fruit in the coming year if they be allowed to continue in the service. To those who are familiar with the methods of the Indians the difficulty of inducing them to surrender their lands, of overcoming their prejudices, and removing their various causes of complaint, it is not surprising that no more tangible results have been secured. Negotiations with Indians are always tedious and require great patience and perseverence. There is nothing in this office to indicate that this commission has been dilatory in the work or has failed to prosecute it with diligence and faithfulness. The Department has been kept advised of their movements and of their work by weekly reports.

As already indicated, very considerable progress has been made with the Yakimas, Crows, and Flatheads, negotiations with whom are deemed the most important of all those which were authorized, with the possible exception of the Fort Hall Indians. It can not be expected, however, that a suc-

cessful termination of the negotiations with each of these tribes can be completed within the time fixed by existing law, the 1st of April next. It is deemed important that this commission should be continued until these negotiations can be brought to a termination. The length of time required for this purpose, in the opinion of this office, is one year from the 1st of April next.

Very respectfully,

W. A. JONES, *Commissioner.*

Hon. J. A. HEMENWAY,
House of Representatives.

Mr. PRITCHARD. I renew my motion, Mr. President.

Mr. PETTIGREW. In view of what has occurred, I think I am entitled to make a very brief explanation.

The PRESIDING OFFICER. Does the Senator from North Carolina withdraw his motion?

Mr. PRITCHARD. I will withhold the motion, Mr. President, but I hope the Senator from South Dakota will be brief.

Mr. PETTIGREW. Mr. President, I am still of the opinion that what I said in regard to the commissioner from Indiana is correct, except as to the statement of spending the winter in Washington. I was informed, however, on credible authority, that he was here, and that he had solicited indorsements for a continuance of this commission.

I was also informed, on good authority, that he was intoxicated in Montana, and I know of my own knowledge that this commission has performed no valuable service to the Government.

While I dislike very much to assail the character of any man, yet, when a public servant is employed to do a public duty and fails to do that duty, but, on the contrary, disgraces the position which he occupies, he has a right to expect to be assailed and to have his course criticised, especially if he undertakes to continue in the service and to draw money from the Treasury of the United States.

I do not believe that I have done this man any injustice; and until I am thoroughly convinced that I have I shall allow my statement to stand. When I am convinced that I have done an injustice I shall be very glad to make amends, to withdraw what I have said, and to apologize, for that matter. I would not do him any injustice intentionally or purposely; but I do believe that this commission, or two members of the commission at least, have pursued a course which has withdrawn from them the right to expect the respect of the Senate of the United States or anybody connected with it.

Mr. FAIRBANKS. I think it would be only fair for the Senator from South Dakota to give the names of his informants for the information of the Senate.

EXECUTIVE SESSION.

Mr. PRITCHARD. I now renew my motion that the Senate proceed to the consideration of executive business.

The motion was agreed to; and the Senate proceeded to the consideration of executive business. After one hour and forty-two minutes spent in executive session the doors were reopened, and (at 5 o'clock and 50 minutes p. m.) the Senate adjourned until to-morrow, Thursday, February 9, 1899, at 12 o'clock meridian.

NOMINATIONS.

Executive nominations received by the Senate February 8, 1899.

GENERAL APPRAISER.

William B. Howell, of New Jersey, to be general appraiser of merchandise, to succeed George H. Sharpe, resigned.

SURVEYOR.

Fenton W. Gibson, of Louisiana, to be surveyor for the port of New Orleans, in the State of Louisiana, to succeed S. D. Ellis, whose term of office has expired by limitation.

APPRAISER.

Frank N. Wicker, of Louisiana, to be appraiser of merchandise in the district of New Orleans, in the State of Louisiana, to succeed Charles F. Alba, removed.

ASSISTANT APPRAISER.

James H. Ducote, of Louisiana, to be assistant appraiser of merchandise in the district of New Orleans, in the State of Louisiana, to succeed E. P. Prudhomme, removed.

SPECIAL EXAMINER OF DRUGS, ETC.

George W. McDuff, of Louisiana, to be special examiner of drugs, medicines, and chemicals in the district of New Orleans, in the State of Louisiana, to succeed Alexander G. Maylie, removed.

ASSISTANT TREASURER.

Charles J. Bell, of Louisiana, to be assistant treasurer of the United States at New Orleans, La., to succeed D. M. Kilpatrick, whose term of office has expired by limitation.

MELTER AND REFINER.

H. Dudley Coleman, of Louisiana, to be melter and refiner of the mint of the United States at New Orleans, La., to succeed Lewis Guion, removed.

APPOINTMENT IN THE ARMY.

To be brigadier-general.

Col. William Sinclair, Seventh Artillery, vice Patterson, retired from active service.

APPOINTMENTS IN THE VOLUNTEER ARMY.

Second Regiment Volunteer Engineers.

Second Lieut. Frank S. Clark, to be first lieutenant, vice Klapp, appointed regimental quartermaster.

Sergt. George J. Harman, Company F, Second United States Volunteer Engineers, to be second lieutenant, vice Clark, promoted.

PROMOTIONS IN THE NAVY.

Asst. Surg. Reginald K. Smith, to be a passed assistant surgeon in the Navy, from the 3d day of April, 1898, to fill a vacancy existing in that grade.

Asst. Surg. Jacob C. Rosenbleuth, to be a passed assistant surgeon in the Navy, from the 14th day of October, 1898, to fill a vacancy existing in that grade.

CONFIRMATIONS.

Executive nominations confirmed by the Senate February 8, 1899.

ASSISTANT TREASURER.

George A. Marden, of Massachusetts, to be assistant treasurer of the United States at Boston, Mass.

COLLECTOR OF INTERNAL REVENUE.

Joseph E. Lee, of Florida, to be collector of internal revenue for the district of Florida.

MARSHAL.

Charles K. Darling, of Massachusetts, to be marshal of the United States for the district of Massachusetts.

HOUSE OF REPRESENTATIVES.

WEDNESDAY, *February 8, 1899.*

The House met at 12 o'clock m. Prayer by the Chaplain, Rev. HENRY N. COUDEN.

The Journal of yesterday's proceedings was read and approved.

L. O. MADDUX.

On motion of Mr. EVANS, by unanimous consent, the Committee on Ways and Means was discharged from further consideration of the bill (H. R. 11195) for the relief of L. O. Maddux, doing business as Maddux, Hobart & Co.; and the same was referred to the Committee on Claims.

REPRINT OF REPORT, ETC.

Mr. PAYNE. Mr. Speaker, I ask unanimous consent that the report of the Committee on Merchant Marine and Fisheries on the shipping bill, together with the views of the minority of the committee, be reprinted, the entire supply having been exhausted.

The SPEAKER. In the absence of objection, that order will be made.

There was no objection.

UNITED STATES COURTS IN TEXAS.

Mr. SLAYDEN. I ask unanimous consent for the present consideration of House bill 11495.

The bill was read, as follows:

A bill (H. R. 11495) entitled "An act to amend section 3 of an act entitled 'An act to change the time and place for the district and circuit courts of the northern district of Texas,'" approved June 11, 1896.

Be it enacted, etc., That all actions or proceedings now pending in the courts of the northern or western district of Texas against parties residing in either of the counties from which process is made returnable to the courts to be held at Fort Worth, San Angelo, and Abilene, respectively, may, on the application of either party to such actions or proceedings, be transferred to the court at which said proceedings would be returnable as provided in this act; and in case of such transfer all papers and files therein, with copies of all journal entries, shall be transferred to the office of the deputy clerk of the said court, and the same shall proceed in all respects as if originally commenced in said court.

The amendments reported by the committee were read, as follows:

After the word "assembled," in line 2, insert these words: "That section 3 of the act entitled 'An act to change the time and places for the district and circuit courts of the northern district of Texas' be so amended as to read as follows."

Amend the title so as to read: "A bill to amend section 3 of an act entitled 'An act to change the time and place for the district and circuit courts of the northern district of Texas,' approved June 11, 1896."

There being no objection, the House proceeded to the consideration of the bill.

The amendments reported by the committee were agreed to.

The bill as amended was ordered to be engrossed and read a third time; and it was accordingly read the third time, and passed.

On motion of Mr. SLAYDEN, a motion to reconsider the last vote was laid on the table.

RIGHT OF WAY THROUGH INDIAN TERRITORY, ETC.

Mr. FISCHER. I ask unanimous consent for the present consideration of House bill 9946.

The bill was read, as follows:

A bill (H. R. 9946) to amend an act entitled "An act to authorize the Muskogee, Oklahoma and Western Railroad Company to construct and operate a line of railway through Oklahoma and the Indian Territory, and for other purposes."

Be it enacted, etc., That said railroad company shall cause maps, upon a scale of 1 inch per mile, showing the route of its located main line and branches through said allotted lands, and through the lands of the several Indian nations in the Indian Territory through which its main line and two branches are authorized to pass, to be filed in the office of the Secretary of the Interior and also in the office of the principal chief of such Indian nation; and when any map or maps are so filed showing the route of said railroad or either of its two branches, as herein provided, it shall be lawful for said railroad company to begin the construction of its railroad or either of its two branches through the lands of any Indian nation in the said Indian Territory where its map or maps are so filed, and where it is authorized to construct its railroad or its two branches: *Provided*, That the chief engineer of said railroad company shall certify, under oath, to the Secretary of the Interior the date of completion of said railroad or either of its two branches through the lands of any Indian nation through which it is authorized to construct its railroad; and said railroad company shall begin the work of constructing its railway in any Indian nation through which it is authorized to pass within six months from the time of filing its plat through that Indian nation with the Secretary of the Interior and with the principal chief of said nation, or such location shall be null and void: *And provided further*, That the said railroad and its two branches shall be constructed within the time limited by the act to which this is amendatory.

The amendment reported by the committee was read, as follows:

Add as a new section the following:

"SEC. 2. That section 1 of the act of which this act is amendatory is hereby amended by striking out the following words: 'The eastern boundary of the Oklahoma Territory, south of the Canadian River,' and insert in lieu thereof the words 'On the Red River near the confluence of said Red River and the Wichita River.'"

Mr. SULZER. I wish to ask the gentleman from New York [Mr. FISCHER] whether this bill has been favorably reported from a committee of this House?

Mr. FISCHER. It has been unanimously reported, and I am instructed to call it up.

Mr. SULZER. Is this the merely formal kind of a bill usually passed with regard to eminent domain through Indian reservations?

Mr. FISCHER. It complies with all the usual requirements. The amendment has been attached to the bill by the committee, so as to make it conform to all other bills of similar character.

The SPEAKER. It is a public bill.

Mr. FISCHER. Yes, sir. It simply amends a bill heretofore passed and permits this railroad company to file its map in sections rather than to file a map of the entire system, a requirement which would make it impossible under present conditions to build the road. The Indian Bureau favors the bill.

Mr. COWHERD. The gentleman will allow me to state that the bill definitely locates one end of the road.

Mr. SULZER. Will the bill in any way take away, without consent of the Indians, any of the Indian lands in the reservation? I am opposed to any infringement on the property rights of the Indians. They have no one to speak for them here, and we should be just and fair.

Mr. FISCHER. On the contrary, it requires a deposit of $50 a mile before condemnation proceedings may be entered upon.

There being no objection, the House proceeded to the consideration of the bill.

The amendment reported by the committee was agreed to.

The bill as amended was ordered to be engrossed for a third reading; and it was accordingly read the third time, and passed.

On motion of Mr. FISCHER, a motion to reconsider the last vote was laid on the table.

REPORT OF SUPERINTENDENT OF INDIAN SCHOOLS FOR 1898.

Mr. PERKINS. Mr. Speaker, I ask unanimous consent for the present consideration of the concurrent resolution I send to the desk.

The SPEAKER. The resolution will be read, subject to objection.

The Clerk read as follows:

Resolved by the House of Representatives (the Senate concurring), That there be printed 1,000 additional copies of the Report of the Superintendent of Indian Schools for 1898, the same to be delivered to the Commissioner of Indian Affairs for the use of his office.

Mr. PERKINS. There is a letter from the Secretary of the Interior accompanying this resolution, which I will not ask to have read, but will ask consent to have printed in the RECORD, as explanatory of the resolution.

The SPEAKER. Without objection, the letter will be printed, to accompany the resolution.

There was no objection.

The letter referred to is as follows:

DEPARTMENT OF THE INTERIOR,
Washington, January 26, 1899.

SIR: I have the honor, at the request of the Commissioner of Indian Affairs, to inclose herewith, for consideration by the Committee on Printing, the draft of a concurrent resolution providing for the printing of additional copies of the report of the superintendent of Indian schools for 1898. In making this request the Commissioner says that "The entire edition of this report already published has been exhausted, while there are already on hand a large number of unfilled applications for it, and they keep coming in each day. The edition is hardly large enough to provide the copies needed for Indian school employees and for libraries which are on the regular mailing list."

Under existing laws only 1,000 copies of this report can be printed for the use of this Department, except upon the special order of Congress. The work has already been stereotyped, so that the expense of printing another edition will be small.

In view of these facts, I concur with the Commissioner of Indian Affairs in recommending that an additional edition of a thousand copies be printed for the use of his office, and will be glad to have the resolution introduced in the House in order that it may be properly referred.

Very respectfully,
C. N. BLISS,
Secretary.

Hon. GEORGE D. PERKINS,
Chairman of the Committee on Printing, House of Representatives.

Mr. PERKINS. This resolution, I will state, Mr. Speaker, involves an expenditure of only $182.

There being no objection, the resolution was considered, and agreed to.

On motion of Mr. PERKINS, a motion to reconsider the last vote was laid on the table.

ELECTION OF REPRESENTATIVES.

Mr. CORLISS. Mr. Speaker, I am requested by the Committee on the Election of President and Vice-President and Members of Congress to call up from the Speaker's table the bill (S. 5088) to amend section 27 of the Revised Statutes, relative to the apportionment and election of Representatives, a similar bill having been reported favorably by the committee, and ask its present consideration.

The SPEAKER. The Clerk will report the bill called up by the gentleman from Michigan.

The bill was read, as follows:

Be it enacted, etc., That section 27 of the Revised Statutes of the United States of 1878 be amended so as to read as follows:

"All votes for Representatives in Congress must be by written or printed ballot, or voting machine the use of which has been duly authorized by the State law; and all votes received or recorded contrary to this section shall be of no effect."

Mr. McRAE. Mr. Speaker, I would like, before consent is given to consider this matter, for the gentleman to explain in what particular this changes the law as it now exists?

Mr. GROSVENOR. The right to object should be reserved.

Mr. CORLISS. I yield to the gentleman from Minnesota [Mr. STEVENS] who introduced the bill to explain it.

The SPEAKER. The Chair understands the right of objection is reserved.

Mr. STEVENS of Minnesota. Mr. Speaker, this bill was introduced by myself at the request of a number of gentlemen interested in the introduction of voting machines in the various States. The only change in the present law is as follows:

The statute as it now stands reads as follows:

All votes for Representatives in Congress must be by written or printed ballots, and all votes received or recorded contrary to this section shall be of no effect.

This proposed amendment provides this addition to the statute, after the word "ballots:"

Or by voting machine the use of which has been duly authorized by the State law.

Now, the reason is, that the statute as it now exists makes it doubtful whether or not voting machines can be used at Congressional elections. Quite a number of the States have a provision allowing the use of such machines, but they are not used to any large extent, because it has been considered doubtful whether or not they can be used, as I have said, in Congressional elections.

The question has been raised in one of the contests pending before this House, and was considered by the Committee on Elections No. 2 in the contested-election case of Ryan *vs.* Brewster, in which case the committee considered the use of such machines as doubtful.

Mr. KLEBERG. Is the use left optional to the State?

Mr. STEVENS of Minnesota. Yes; to States and municipalities.

Mr. GAINES. Did I understand the gentleman to say that this question had been determined by Elections Committee No. 2 in the case he refers to?

Mr. STEVENS of Minnesota. That is my recollection.

Mr. GAINES. The gentleman is mistaken as to the committee, at all events. That case was before Elections Committee No. 3, of which I happen to be a member.

Mr. STEVENS of Minnesota. I thought it was the other committee, No. 2.

Mr. GAINES. And besides that, we did not pass on the question to which the gentleman has referred at all, but settled the

case on another point. Since that case has been determined by the House the supreme court of the State of New York held the law allowing the use of these machines to be unconstitutional.

Mr. SULZER. That is right.

Mr. GAINES. Now, Mr. Speaker, I do not want to appear at all obnoxious or disagreeable in a matter of this kind. But I do not think that we have time to-day to give consideration to a question so important as this is. I say candidly and frankly to the gentleman that this question is one that will and should require considerable time for discussion in the House, in my judgment.

Mr. SHAFROTH. As the matter is left optional with the States, I do not see what possible objection there can be to the request. What harm can possibly result from it? There is nothing contained in the bill that imposes the obligation of the use of these machines upon the States.

Mr. GAINES (continuing). And further, Mr. Speaker, as far as I have investigated the matter, I do not believe that any State, outside of New York, has adopted the use of these machines, and there it has been declared unconstitutional. The committee did not pass on the question of the propriety of the use of these machines under the statute, but found in favor of the contestee on other grounds.

Mr. SULZER. And let me state, in addition, that the State of New York has not adopted a voting machine.

Mr. GAINES. I regret exceedingly that I will have to object to the consideration of the bill.

Mr. CORLISS. Then, Mr. Speaker, I demand the regular order.

The SPEAKER. The regular order, unless the special order is called for, will be the further consideration of this bill, which has just been read by the Clerk.

Mr. CORLISS. I want members to understand that the only change made by this bill is this: The present law provides that in the election of members of Congress the ballot must be either written or printed. The proposed amendment simply adds the words "or machine lawfully adopted by a State." In Massachusetts the use of voting machines has been authorized, and in the last election in the city of Boston machines were about to be used, having been authorized by the State and city, but in consequence of this Federal statute the project was discontinued. In several States in this country, particularly in New York, the machine has been successfully used. It has been used in one precinct in my city. This law recognizes no particular machine, but simply permits the use of a machine instead of a printed or written ballot, if the State authorizes its use.

Mr. GAINES. Mr. Speaker, a parliamentary inquiry.

The SPEAKER. The gentleman from Michigan has the floor, unless the parliamentary inquiry relates to his speaking.

Mr. CORLISS. The present Federal statute interfered with the use of machines in the election in the city of Boston, and compelled that city to dispense with the use of a machine that had been adopted. I can see no harm and much good to result from the adoption of this measure. The committee having it under consideration were unanimous in recommending the adoption of this bill. It has passed the Senate. It will jeopardize no interests, and will preserve the rights of the State in controlling the use of the machine. It is optional with the State, and can not be used until the State adopts that method. This does not attempt to say what kind of a machine shall be used. There are five or six States, Massachusetts, New York, Minnesota, Michigan, and, I think, California, as well as other States, which have authorized the use of machines, and in municipal, county, and State elections they have been used, but this statute forbids their use in the election of members of Congress. I trust the bill will be passed.

Mr. BARLOW. Mr. Speaker——

Mr. CORLISS. I yield to the gentleman from California [Mr. BARLOW] five minutes.

Mr. BARLOW. I hope there will be no objection to this bill. It simply authorizes the States to use voting machines if they wish to do so. In the State of California we have appointed a commission, and they have investigated the machine and reported to the legislature, and their report is now under consideration. They are anxious that this bill shall be passed, so that the question can not be raised as to the legality of a Congressional election where machines are used.

Mr. McRAE. Why should we authorize the States? Can not the States control their own elections and say how the ballots shall be cast?

Mr. BARLOW. That question was considered in the committee, and they thought the passage of this bill could do no harm.

Mr. GAINES. Did the committee have the opinion of the supreme court of New York upon this question?

The SPEAKER. To whom does the gentleman from California yield?

Mr. BARLOW. One at a time; any of them. I yield to the gentleman from Tennessee.

Mr. GAINES. Did the committee have the opinion of the supreme court of New York on this question before them?

Mr. BARLOW. I do not believe that question was raised in the committee.

Mr. GAINES. You ignored the opinion of the supreme court of New York entirely, did you?

Mr. BARLOW. I believe it was raised by one of the members of the committee from New York.

Mr. GAINES. You are not familiar with the opinion, are you?

Mr. BARLOW. No, sir.

Mr. GAINES. Well, that machine and the manner in which it worked was held by the court to be unconstitutional.

Mr. BARLOW. I do not see how there can be any objection to letting the States adopt the system that they want, and in order to do this we must pass this bill.

Mr. DOCKERY. If this bill becomes a law, it becomes somewhat important to control the machines, does it not?

Mr. BARLOW. This bill does not touch that question at all.

Mr. CORLISS. I yield to the gentleman from Colorado [Mr. SHAFROTH].

Mr. SHAFROTH. I hope there will be no objection on this side of the House to the passage of this measure. As the law stands at the present time, I understand that votes cast for a Representative in Congress can not be counted unless they are by printed or written ballots. This bill simply provides that the States may be permitted to use machines, or any machine that they desire, for casting votes in Congressional elections.

Mr. GAINES. Have not the States already the right to prepare the ballots?

Mr. SHAFROTH. There is a statute of the United States that does not authorize this mode.

Mr. GAINES. Have not the States the right and power to prepare their ballots?

Mr. SHAFROTH. Certainly.

Mr. GAINES. Then what right have Congress to say that a machine shall be used, if the State has the sovereign control over the question?

Mr. SHAFROTH. What harm can it do to pass this bill?

Mr. GAINES. The State already has the power.

Mr. SHAFROTH. I am not sure, as a matter of fact, that it has the power.

Mr. GAINES. Is it your judgment the State has not the power?

Mr. SHAFROTH. I do not care whether my opinion is one way or the other. There is respectable authority that holds that a State has not that power as against the statute of the United States which provides that votes for Representatives must be only by printed or written ballots, and all doubt in the matter ought to be removed. We ought not to have members of Congress voted for by a system under which they may not be entitled to a seat here. This bill simply authorizes the States to adopt a machine of this kind. If the State wants to adopt that system of election, and wants to go to that expense, it ought to have that privilege.

Mr. GAINES. You want to impose a burden on the State for these machines.

Mr. SHAFROTH. I never heard of this bill until it was called up. I do not care anything about the machines. I do not know the name of any of the machines or who owns them. It seems to me that this law, which only authorizes the State to adopt a system of balloting it may desire, is an absolutely safe measure.

Mr. GAINES. Have not the States already that power?

Mr. SHAFROTH. Under the statutes of the United States the votes for Representatives can not be counted when recorded by a machine.

Mr. GAINES. If you are not undertaking to compel the States to pay for these machines, why do you want to give them a right that they already have?

Mr. SHAFROTH. It is a question as to whether they have the right.

Mr. GAINES. The State——

The SPEAKER. The gentleman from Tennessee is out of order.

Mr. LACEY. I wish to ask the gentleman from Colorado a question.

The SPEAKER. Does the gentleman from Colorado yield to the gentleman from Iowa?

Mr. SHAFROTH. I do.

Mr. LACEY. Have you any machines in Colorado?

Mr. SHAFROTH. No.

Mr. CORLISS. I yield three minutes to the gentleman from Ohio.

Mr. GROSVENOR. Mr. Speaker, this is a very important matter, sprung suddenly upon the House. I had a promise from a member that an objection should have been made, or I certainly should have objected, because I know no more about the bill than I can learn here.

Mr. SULZER. Objection was made.

The SPEAKER. The gentleman from New York is not in order.

Mr. GROSVENOR. I am not complaining. Now, it is stated a State may provide by law for using these machines in certain localities. It would certainly occur, I think, on every hand that to force by law voting by a machine in the rural districts of the country would be absurd; yet, under a provision of the constitution of Ohio, the law can not be put into one precinct unless it is put into every voting precinct in the State. The provision of the constitution is that the laws shall be uniform in their operation throughout the State. That is the great fundamental law of Ohio and of many other States in the Union. So you are limited by the very terms of the constitutional provision to either exclude the balloting machine from the State or else give it to every voting place in the State.

Mr. SIMPSON. Will this law compel the State of Ohio to adopt that machine?

Mr. GROSVENOR. I do not so understand it.

Mr. SIMPSON. It leaves every State free to adopt this system if they want to.

Mr. GROSVENOR. I believe there is machine politics enough in this country now without any more of it.

Mr. CORLISS. Mr. Speaker, in answer to the gentleman from Ohio, I want to state that in the Fifty-fourth Congress a contest was made in consequence of the use of a machine in the State of New York, but fortunately the written and printed ballots cast gave the member a majority as well as the ballots that were cast by the machine, and that question did not affect his right to a seat in this House. Now, the gentleman from Tennessee says that the States ought to control the law of Congress. The law of our nation provides how members of this House shall be elected——

Mr. GAINES. Mr. Speaker, I can not hear what the gentleman says.

The SPEAKER. The gentleman from Tennessee makes the point of order that the House is not in order. Gentlemen will cease conversation.

Mr. CORLISS. Mr. Speaker, I desire to emphasize the difference between the present statute and this amendment. The present statute provides how members of this House shall be elected. That controls the State so far as an election for Congress is concerned. The States desire to elect their officers in a different way, and I and the committee, recognizing the right of a State to dictate in an election of their Representatives here, have recommended this law, in order that a State may elect members to this House by the same method as they elect their governor or any other officer of the State——

Mr. SMITH of Kentucky. I desire to ask the gentleman a question.

Mr. CORLISS (continuing). The State to adopt this at its option.

The SPEAKER. Does the gentleman from Michigan yield to the gentleman from Kentucky?

Mr. CORLISS. I do.

Mr. SMITH of Kentucky. If the section of the Revised Statutes is repealed, will not the States have authority to regulate their own elections?

Mr. CORLISS. I for one am not prepared to repeal national legislation in reference to the election of Congressmen; and that question is not here. The question is whether we will permit States to elect members of Congress as they elect their officers in the States.

Mr. GAINES. Will the gentleman allow me to ask him a question?

Mr. CORLISS. No; I can not yield to the gentleman from Tennessee. He has occupied——

The SPEAKER. The gentleman from Michigan declines to yield.

Mr. CORLISS. He has occupied more time in the consideration of this measure than I have, or any other member of this House, and I think the House has got tired of the gentleman from Tennessee.

Mr. GAINES. I do not doubt the gentleman is tired of hearing the truth.

Mr. CORLISS. Now, Mr. Speaker, I move the previous question.

The SPEAKER. The gentleman from Michigan demands the previous question.

The question was taken on ordering the previous question.

The SPEAKER. The Chair is in doubt.

The House divided; and there were—ayes 117, noes 33.

So the previous question was ordered.

The SPEAKER. The question is on ordering the bill to a third reading.

The question was taken; and the Speaker announced that the ayes seemed to have it.

Mr. SULZER. Division.

The House divided; and there were—ayes 97, noes 44.

So the bill was ordered to a third reading; and it was accordingly read the third time.

The SPEAKER. The question is on the passage of the bill.

The question was taken; and the Speaker announced that the ayes seemed to have it.

Mr. GAINES. The yeas and nays, Mr. Speaker.

The question was taken on ordering the yeas and nays.

The SPEAKER. Twenty-four gentlemen have arisen—not a sufficient number; the yeas and nays are refused, and the bill is passed.

On motion of Mr. CORLISS, a motion to reconsider the vote by which the bill was passed was laid on the table.

Mr. CORLISS. Mr. Speaker, I move that the House bill lie on the table.

The SPEAKER. Without objection, the House bill will lie on the table.

WAR REVENUE ACT.

Mr. HOPKINS. Mr. Speaker, I ask for the present consideration of H. Res. 358, which I send to the Clerk's desk.

The resolution was read, as follows:

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That an act passed June 13, 1898, entitled "An act to provide ways and means to meet war expenditures, and for other purposes," be amended by adding to the end of Schedule A, section 25, the following: "Whenever any bond or note shall be secured by a mortgage, but one stamp shall be required to be placed upon such papers: *Provided*, That the stamp duty placed thereon shall be the highest rate required for said instruments, or either of them."

The SPEAKER. This requires unanimous consent.

Mr. HOPKINS. Then I ask unanimous consent for its consideration.

Mr. SWANSON. I object to that and call for the regular order.

Mr. HOPKINS. This will take but a moment.

Mr. SWANSON. I must object, and I call for the special order.

Mr. HOPKINS. Very well, Mr. Speaker, I will withdraw the resolution.

Mr. MERCER. Mr. Speaker, I call up the special order.

The SPEAKER. The Chair understands that the revenue bills were not excepted out of the regular order; only appropriation bills.

Mr. MERCER. Mr. Speaker, by the action of the House on yesterday in Committee of the Whole certain bills with amendments were reported to the House with a favorable recommendation. I am informed by the clerks at the desk that those bills have been arranged with reference to a certain classification, and in order to save the clerks any inconvenience, I desire to take the bills up in the order in which they appear in the RECORD, page 1588, and I ask that House bill 10959, with the amendment recommended by the Committee of the Whole, be now placed upon its passage, and I ask for the previous question upon the bill and amendment.

Mr. DOCKERY. Mr. Speaker, I desire to ask the gentleman a question.

Mr. RICHARDSON. I reserve the point of order.

Mr. DOCKERY. I desire to ask the gentleman whether it is proposed to first consider the bills reported from the Committee of the Whole?

Mr. MERCER. Yes.

Mr. DOCKERY. It is not the gentleman's purpose to offer a motion that the House resolve itself into Committee of the Whole to consider the other bills for public buildings on the Calendar?

Mr. MERCER. It is; just as soon as we finish the consideration and the passage of these bills reported to the House by the Committee of the Whole yesterday.

Mr. DOCKERY. All of them?

Mr. MERCER. Yes.

Mr. RICHARDSON. That will take the remainder of the day.

Mr. MERCER. It will not take the remainder of the day unless the gentleman from Missouri and the gentleman from Tennessee take up too much time talking.

The SPEAKER. The gentleman from Nebraska moves for the previous question on the bill and amendments.

Mr. RICHARDSON. A point of order, Mr. Speaker.

The SPEAKER. The gentleman will state it.

Mr. RICHARDSON. The point of order I make is that under the special order reported these two days should be devoted to the consideration of these bills, and I take it for granted that a regular motion would be to go into Committee of the Whole to consider the bills.

The SPEAKER. The Chair will hear any argument upon that.

Mr. RICHARDSON. I have no argument to make. I am addressing myself to the general consideration for the special order.

Mr. SWANSON. Mr. Speaker, I would like to ask the gentleman from Nebraska, the chairman of the committee, a question. The special order provides that we shall consider such bills as are indicated by the Committee on Public Buildings and Grounds, and I would like to ask the gentleman whether that committee has indicated to him that it desires the passage of these bills at this time. I understand it is controlled by the wishes of the majority of the Committee on Public Buildings and Grounds, and consequently the procedure had under the special order should be according to the wishes of a majority of that committee.

The SPEAKER. The Chair thinks that he will accept the action of the chairman as the action of the committee.

Mr. SWANSON. I simply ask the chairman that question whether the Committee on Public Buildings and Grounds has indicated the method of procedure this morning.

Mr. QUIGG. Mr. Speaker, I suppose this discussion is by unanimous consent?

The SPEAKER. It is.

Mr. QUIGG. I object.

Mr. HENDERSON. Mr. Speaker, a parliamentary inquiry.

The SPEAKER. The gentleman will state it.

Mr. HENDERSON. If the House should go into Committee of the Whole now, and continue in session until half past 5, and then recommend certain bills to the House, under the rule will the bills so recommended be unfinished or privileged, afterwards to be considered in the House?

The SPEAKER. That has not been the custom of the House.

Mr. DOCKERY. Mr. Speaker, if this motion should be adopted, it would practically prevent the remainder of the bills being considered in Committee of the Whole.

Mr. QUIGG. I call for the regular order.

The SPEAKER. The Chair thinks the remark of the gentleman from Missouri is not a parliamentary inquiry and hardly an observation to be made. The question is, Will the House order the previous question?

Mr. PAYNE. The title of this bill has not been read.

The SPEAKER. The Clerk will read the title of the bill.

The Clerk read as follows:

A bill (H. R. 10009) for the erection of a public building in the city of Blair, Nebr.

The SPEAKER. The question is on ordering the previous question.

Mr. RICHARDSON. I make the point of order that the bill has not been read. We are entitled to hear the bill.

The SPEAKER. Does the gentleman say that after a bill has been reported by the Committee of the Whole it must be read?

Mr. RICHARDSON. I think so, sir.

The SPEAKER. If the gentleman will furnish an authority to the Chair——

Mr. RICHARDSON. If the reading of the bill is demanded in the House, I understand it should be read.

The SPEAKER. It would be read, if demanded, after being ordered to be engrossed and read a third time.

Mr. RICHARDSON. I understand that before the House is ever called upon to vote on any paper the paper must be read, if the reading is demanded.

The SPEAKER. But this bill has been twice read.

Mr. RICHARDSON. Not in the House. It has never been read in the House.

The SPEAKER. If the gentleman can produce any authority in support of his position, the Chair will sustain his point; if the gentleman can not produce any such authority, the Chair will adhere to his own opinion.

Mr. RICHARDSON. The authority I adduce, Mr. Speaker, is the rule providing that before the House can be called upon to vote upon any proposition it must be read to the House. This bill has not been read to the House.

The SPEAKER. The gentleman has seen so many appropriation bills passed without reading, after having been reported from the Committee of the Whole House, that the Chair thinks he should recognize at once the custom of the House in this regard.

Mr. RICHARDSON. The reading in such cases is waived by unanimous consent. We scarcely ever read an appropriation bill even the first time.

The SPEAKER. This is not a question of unanimous consent.

Mr. COOPER of Texas. Would it be in order, Mr. Speaker, to ask unanimous consent that all bills reported from the Committee of the Whole yesterday and now on the Calendar may be considered in bulk and passed?

The SPEAKER. The Chair thinks it would not be in order.

Mr. DOCKERY addressed the Chair.

The SPEAKER. The Chair will hear the gentleman from Missouri on the point of order.

Mr. DOCKERY. I do not desire to discuss the point of order raised by the gentleman from Tennessee, but merely to ask whether there are any amendments reported to this bill.

The SPEAKER. There is an amendment. The question is on ordering the previous question on the bill and amendment.

Mr. MERCER. Mr. Speaker, I understand it is the intention of certain members to filibuster anyway; but at the request of a large number of gentlemen on the floor, I withdraw the motion I have made, and instead I move that the House now resolve itself into Committee of the Whole for the consideration of public-building bills as reported by the Committee on Public Buildings and Grounds. [Applause.] And I give notice, Mr. Speaker, that I will ask the committee to rise at 4 o'clock.

Several MEMBERS. Oh, no!

Mr. MERCER. Yes, I will.

The SPEAKER. The gentleman from Nebraska moves that the House resolve itself into Committee of the Whole on the state of the Union for the consideration of bills under the special order.

The motion was agreed to.

The House accordingly resolved itself into Committee of the Whole on the state of the Union, Mr. SHERMAN in the chair.

WASHINGTON PUBLIC LIBRARY.

The CHAIRMAN. The House is in Committee of the Whole on the state of the Union for the purpose of considering bills reported by the Committee on Public Buildings and Grounds.

Mr. MERCER. I call up House bill 11712.

Mr. BANKHEAD. I understood that the chairman would call up bills in the order in which they appear on the record.

The CHAIRMAN. The Clerk will report the bill.

The bill (H. R. 11712) to provide a site for a building for the Washington Public Library was read, as follows:

Be it enacted, etc., That authority is hereby conferred upon a commission, to consist of the Commissioners of the District of Columbia, the officer in charge of public buildings and grounds, and the president of the board of trustees of the Washington Public Library, to cause to be erected upon Mount Vernon square, in the city of Washington, in the District of Columbia, a building for the use of the Washington Public Library, with funds to be contributed by Andrew Carnegie: *Provided*, That such building shall be commenced within twelve months and completed within two years from the passage of this act: *And provided further*, That no liability shall be incurred by the United States or the District of Columbia for the cost of the erection of said building.

SEC. 2. That said commission shall invite 10 architects or firms of architects, of conspicuous ability and experience, to submit competitive designs for the said building, upon a carefully drawn programme, said competition to be adjudged by said commission acting with two other persons to be selected by the competing architects. The architect, or firm of architects, whose design shall thus be adjudged most acceptable shall be employed as architect of the building, to act under the direction of the office of construction hereinafter provided for, and to furnish all designs and drawings required for the construction of the building and personal services requisite for their artistic execution. Said architect shall receive as full compensation for the said designs, drawings, and personal services the sum of 3 per cent of the total cost of said building, to be paid from time to time as the work progresses; and all designs and drawings furnished by him for the said building shall become the property of the District of Columbia.

SEC. 3. That the construction of said building shall be placed in charge of an officer of the Government especially qualified for the duty, to be appointed by the aforesaid commission, who shall receive for his additional services an increase of 40 per cent in his present salary, to be paid out of the appropriations made for the said building, and he shall disburse the funds under rules to be prescribed by the said commission, make all contracts, and employ all necessary personal services not herein otherwise provided for.

The amendments reported by the committee were read, as follows:

In line 12, page 1, strike out the word "two" and insert in lieu thereof the word "three."

In line 21, page 2, strike out the word "in" and insert in lieu thereof the word "of."

In line 22, page 2, strike out the words "the appropriation made for the said building" and substitute therefor the words "any available funds."

Mr. MERCER. Mr. Chairman, I ask that the report be read.

The report (by Mr. MERCER) was read, as follows:

The Committee on Public Buildings and Grounds, to whom was referred the bill (H. R. 11712) providing for a site for the Washington Public Library, have considered the same and report:

Washington City until recently has been without a public library. Mr. Andrew Carnegie, in response to an application made on behalf of the trustees of the Washington Public Library, agreed to give $250,000 for the erection of a suitable building, provided Congress would furnish a site. Much discussion has been had in the public press and by individuals regarding the selection of a proper location. The trustees of the library have appeared before the committee and stated that the location proposed in this bill is a most excellent one for the purpose named. It seems to be the most suitable public ground available for library purposes. Mount Vernon Square, although used for some time past as a public park or reservation, seems to be free from the rule to which Congress has heretofore adhered, that public parks shall be exempt from occupancy by the erection of buildings.

Your committee have visited this site personally and are of the opinion that such a library building as is contemplated to be located in the center of this square would improve the appearance of the same. A large majority of the residents on the borders of the square and on the streets and avenues radiating from it are heartily in favor of the erection of the library building. Since Mr. Carnegie's offer was made thousands of volumes have been donated for its use, not only by local residents but by distinguished people from various sections of the Union. It is confidently expected that as soon as space is furnished the accumulation of books will be very rapid. Present accommodations of the library are already entirely inadequate for the demands upon it. The selection of the site named involves no appropriation from the public Treasury.

Mr. DOCKERY. Mr. Chairman——

Mr. MERCER. I yield to the gentleman from Missouri.

Mr. DOCKERY. I have not kept close watch on the proceedings in this regard, but it seems that a bill has already passed on this subject. Has not the Senate passed such a bill?

Mr. MERCER. No; such a bill is pending, but it has not yet been passed.

Mr. DOCKERY. This is an exceedingly important measure, and I am not prepared to say that this bill is not an entirely wise one. Before we adjourn on the 4th of March Congress should make some provision for the purpose of utilizing this donation for the city, and I hope, therefore, the gentleman will make a full statement of this measure.

Mr. MERCER. I desire to make such a statement, Mr. Chairman, and took the floor for that purpose.

Mr. DOCKERY. I hope the gentleman will do so.

Mr. MERCER. If the committee will give me its attention for a few moments I will state all the facts in my possession in relation to this proposition.

As you know from the daily papers, Mr. Andrew Carnegie, of Pittsburg, has stated to the library trustees of the city of Washington, and to the citizens generally, that if Congress will provide a site for the purpose, he will construct at his own expense a library building on such site, to cost not less than $250,000. Mr. B. H. Warner, one of the trustees of the library here, says that it is possible that this sum may be raised even to $500,000.

The proposition now before the committee was reported favorably by the District Committee in the Senate and reported to the Senate, and, after being argued in that body for one day, still remains unacted upon.

As to the site suggested, the Commissioners of the District of Columbia recommend the use of Mount Vernon Square for this purpose. The library people recommend the selection, nearly all of the citizens of Washington recommend and indorse the selection of this site, and the committee, after a personal inspection, is of opinion that it is the very best in the city of Washington available for the purpose of building such a library as Mr. Andrew Carnegie contemplates erecting.

Gentlemen will notice by the diagram that I hold in my hand that the inside square of Mount Vernon, within the paving lines, contains 112,500 square feet, and the library building, at a maximum, will not exhaust of that area over about 37,500 square feet. So that if the erection of the building is permitted at that point it will not interfere with the parking on either side.

This square does not come under the head of the ordinary park reservations in the city. It is made up from the intersection of various streets which converge at that point, namely, K street, between Seventh and Ninth, New York avenue, and Massachusetts avenue, all of these streets intersecting at that point, and have been turned into a park, constituting what is known as Mount Vernon Square.

At one time it was a market place. Those persons who were familiar with Washington some years ago will remember that Mr. Shepherd, famous then and since for public improvements in the city of Washington, in the nighttime tore down the market buildings, razed them—every house—to the ground, and made a vacant space of the locality where the market formerly stood.

It may be said also in this connection that more street railways converge at this point than at any other point in the city of Washington. It is, therefore, convenient of access from all parts of the city. It is centrally located, in an almost exclusively residence portion of the city. There are some business houses on Seventh street and Ninth street, but at this point where the building is proposed to be erected it is almost entirely surrounded by residences.

The construction of the library building in the center of this square will give magnificent light on all sides of the building, and will not at all injure the reservation as a public park, because it only occupies a few thousand square feet in the center, so that the park will remain as before, all around it.

In addition to that, there is no real-estate speculation in a proposition of this kind, although there may be in the opposition to it.

And I desire to say, Mr. Chairman, that when the sentiment of the people of Washington can harmonize so completely on a proposition of this kind, it would seem to demand favorable consideration at the hands of Congress. This building is something that the people of the city of Washington need and should have had many years ago—I mean an available city library. It is a shame and a disgrace that the capital of the nation is not in possession of a public library building at this time. Every city in the United States, even of one-half the population of the city of Washington, is blessed with such a structure; and there is no reason why this city should not share in the enjoyment of that privilege, especially as it does not cost the Government a cent, coming as this does as a gift from a public-spirited citizen.

Mr. ROBINSON of Indiana. Let me ask the gentleman if the people at large are expected to pay their proportion of this expense?

Mr. MERCER. No, sir; nobody will be required to pay a cent. It is to be paid for out of a contribution made by Mr. Carnegie.

Mr. ROBINSON of Indiana. And the site is to be paid for by the citizens of Washington?

Mr. MERCER. The property belongs to the Government. There is a proviso of law already controlling the existing city library here, a small structure where some books are packed away in an old building, which is inconvenient and unsuitable in every respect.

Mr. ROBINSON of Indiana. And the expenses are not to be paid by the public Treasury?

Mr. MERCER. No, sir; by the people here.

I yield to the gentleman from Missouri [Mr. DOCKERY].

Mr. DOCKERY. The gentleman, of course, desires to be accurate. The Washington Public Library is supported out of the joint revenues of the people of the United States and the District of Columbia.

Mr. MERCER. I beg the gentleman's pardon. I misunderstood. I was told that it was maintained exclusively out of the revenues of the District of Columbia. I will say to the gentleman from Indiana that the expense of this library, year by year, is paid from the revenues of the United States and the District of Columbia jointly.

Mr. ROBINSON of Indiana. Each one pays half.

Mr. DOCKERY. I am in full sympathy with the Carnegie proposition, as I have understood it. This contemplates, as I understand, the acceptance of Mr. Carnegie's gift for the establishment of a library here.

Mr. MERCER. Yes.

Mr. DOCKERY. Acting as a board of aldermen for the city, we should make the necessary provision to utilize that gift, but I do not sympathize with the criticism of the gentleman when he says that this District is without the privileges of a library.

Mr. MERCER. I meant a library which was accessible to the public.

Mr. DOCKERY. We not only have the great National Library, but five or six of the Departments have libraries. A large part of this population are employed in the Government service, and there are now, as I recall it, about 1,000,000 volumes in the different Departments of the Government, which are available and accessible to the employees of the Government. But aside from that, I am very anxious to take the necessary steps to secure for the people of this splendid capital city the donation that is proposed to be made by Mr. Andrew Carnegie. I have not had an opportunity to examine carefully the provisions of this bill, and know nothing personally of the desirability of the proposed site, but I suppose that the bill has been properly guarded and the site fairly well selected. Unless something to the contrary is shown, I shall favor the bill.

Mr. MERCER. I will say that the amendments submitted by the committee were recommended by the Commissioners of the District of Columbia after conference with the trustees. Mr. Chairman, I move the adoption of the committee amendments.

Mr. MUDD. Will the gentleman yield to me for one minute?

Mr. MERCER. I yield to the gentleman from Maryland.

Mr. MUDD. I rose for the purpose of offering an amendment to this bill. My amendment contemplated the selection of a site on the south side of Pennsylvania avenue, instead of the site proposed in the bill; but as the chairman and other members of the committee are unanimously of the opinion that any change in the site at this time will unduly delay and possibly jeopardize the reaching of an agreement upon the question of a site, I, of course, not wishing to place any impediment in the way of an early agreement by which we may avail ourselves of the munificent donation of Mr. Carnegie, will refrain from offering an amendment.

Mr. MERCER. I ask for a vote on the committee amendments.

The committee amendments were agreed to.

On motion of Mr. MERCER, the bill as amended was ordered to be laid aside to be reported to the House with a favorable recommendation.

PUBLIC BUILDING, JOPLIN, MO.

Mr. MERCER. I yield to the gentleman from Alabama [Mr. BANKHEAD].

Mr. BANKHEAD. The next bill in order is the only bill reported from the State of Alabama. In my anxiety to oblige gentlemen who had bills in which they were very much interested I, as a member of the committee, consented that this bill should take a low place on the Calendar. At the same time, I had promised my friend from Missouri [Mr. BENTON] that I would endeavor to secure a favorable place on the Calendar for a bill for a public building at Joplin, Mo. I was unable to do that at the time, but I want to make amends now by asking the chairman of the committee to substitute the Joplin bill for the Alabama bill, and I will take his place on the Calendar.

Mr. MERCER. I call up the bill (S. 244) to provide for the purchase of a site and the erection of a public building thereon at Joplin, in the State of Missouri.

The bill was read, as follows:

Be it enacted, etc., That the Secretary of the Treasury be, and he is hereby, authorized and directed to acquire, by purchase, condemnation, or otherwise, a site, and cause to be erected thereon a suitable building, including fireproof vaults, heating and ventilating apparatus, elevators, and approaches, for the use and accommodation of the United States post-office and other Government offices in the city of Joplin and State of Missouri, the cost of said site and building, including said vaults, heating and ventilating apparatus, elevators, and approaches, complete, not to exceed the sum of $100,000.

Proposals for the sale of land suitable for said site shall be invited by public advertisement in one or more of the newspapers of said city of largest circulation for at least twenty days prior to the date specified in the said advertisement for the opening of said proposals.

Proposals made in response to said advertisement shall be addressed and mailed to the Secretary of the Treasury, who shall then cause the said proposed sites, and such others as he may think proper to designate, to be examined in person by an agent of the Treasury Department, who shall make written report to said Secretary of the results of said examination, and of

his recommendations thereon, and the reasons therefor, which shall be accompanied by the original proposals and all maps, plats, and statements which shall have come into his possession relating to the said proposed sites.

If, upon consideration of said report and accompanying papers, the Secretary of the Treasury shall deem further investigation necessary, he may appoint a commission of not more than three persons, one of whom shall be an officer of the Treasury Department, which commission shall also examine the said proposed sites, and such others as the Secretary of the Treasury may designate, and grant such hearings in relation thereto as they shall deem necessary; and said commission shall, within thirty days after such examination, make to the Secretary of the Treasury written report of their conclusion in the premises, accompanied by all statements, maps, plats, or documents taken by or submitted to them, in like manner as herein before provided in regard to the proceedings of said agent of the Treasury Department; and the Secretary of the Treasury shall thereupon finally determine the location of the building to be erected.

The compensation of said commissioners shall be fixed by the Secretary of the Treasury, but the same shall not exceed $6 per day and actual traveling expenses: *Provided, however*, That the member of said commission appointed from the Treasury Department shall be paid only his actual traveling expenses.

No money shall be used for the purpose mentioned until a valid title to the site for said building shall be vested in the United States, nor until the State of Missouri shall have ceded to the United States exclusive jurisdiction over the same, during the time the United States shall be or remain the owner thereof, for all purposes except the administration of the criminal laws of said State and the service of civil process therein. The building shall be unexposed to danger from fire by an open space of at least 40 feet on each side, including streets and alleys.

The Committee on Public Buildings and Grounds recommended the following amendments:

Strike out the word "elevators" wherever the same appears in the bill.

In line 12, page 1, strike out the words "one hundred" and insert in lieu thereof the word "fifty," so that the cost of site and building will be limited to $50,000.

On page 3 strike out all after the word "expenses," in line 10, up to and including the word "therein," in line 18.

Mr. MADDOX. Mr. Chairman——

Mr. MERCER. I yield to the gentleman from Georgia.

Mr. MADDOX. How much time?

Mr. MERCER. I thought the gentleman desired to ask a question.

Mr. MADDOX. I want about fifteen minutes, and you will save time by allowing me that much.

Mr. MERCER. Would not ten minutes do the gentleman?

Mr. MADDOX. Possibly I may conclude what I have to say in ten minutes.

Mr. MERCER. I yield to the gentleman from Georgia [Mr. MADDOX] ten minutes.

Mr. MADDOX. Mr. Chairman, as I said yesterday, these bills were reported night before last and appeared in yesterday morning's Journal. It was impossible then to investigate these bills and see whether there was real merit in them or not. The chairman of the committee informed us that he had given all these matters very careful consideration; that if he had erred at all it was on account of the economy that they had exercised in the preparation of the bills. Now, Mr. Chairman, I want to call the attention of gentlemen of the House to what I think is of interest to every man in the House, because since last night I have studied this question somewhat.

Now, it seems from yesterday's proceedings that so far as the action of this committee is concerned there is no regularity; there seems to be no rule by which this committee has acted. You remember one reason that our chairman gave us why a bill should pass was that a member of the committee had introduced it! Now, it occurs to me that if this committee had a rule, as all other committees have, by which they are controlled, we could understand them better. If these buildings are to be erected on a basis of the receipts of the office, it would seem that every first-class post-office in this country that has no public building, unless there is a Federal court required to be held there, or it is a port of entry, should first have a public building; the second-class offices should have them in the next place. A second-class office should have a public building before a third-class office. Now, it seems to me that is a matter that could be regulated and done with some system. But what has been done? I want to call your attention to a few facts that probably you do not know.

I have before me the Postal Guide of 1899, issued within the last month. It will be understood that the salary of a postmaster is determined by the amount of gross receipts of the office; also the class to which it belongs. Up to a certain point they are third-class offices; up to another point they are second-class; beyond that they are first-class offices. Now, what is the condition of affairs? I find upon examination we have 170 first-class offices in the United States. We have 134 public buildings in those cities, and we have 48 first-class offices that have no public building at all. Now, next we have 785 second-class post-offices. Out of that 785 second-class post-offices 97 have public buildings; there are 698 that have no public buildings. Of 3,017 third-class post-offices 26 have public buildings, leaving 2,991 without any public building.

Now, gentlemen, the first building that was to be called up in this logrolling scheme to put these bills through was Blair, Nebr. It pays its postmaster $1,700, and is a third-class office. Now, in fixing the salary for a first-class office they have to pay over $40,000 in annual receipts before they can rank as first class. I will ask the gentleman from California if I am not correct?

Mr. LOUD. Forty thousand dollars.

Mr. MADDOX. Now, here are 43 first-class offices that are not provided for, and yet Carrollton, Ky., with a salary of $1,400, and Bluefield, W. Va., where the salary is $2,000, are provided with public buildings among these bills, when there are so many of these first-class offices that pay $40,000 in receipts that have none.

Mr. MERCER. Will the gentleman permit an inquiry?

Mr. MADDOX. Certainly.

Mr. MERCER. Your residence is Rome, Ga.?

Mr. MADDOX. That is right. They have a public building, and I did not have the honor of securing the appropriation.

Mr. MERCER. You are not sorry about it?

Mr. MADDOX. I am not.

Mr. MERCER. No!

Mr. MADDOX. I want to say another thing. We have 17,000 people there now.

Mr. MERCER. You only had 6,000 when you got the public building.

Mr. MADDOX. We have them now, and we had them before that building was complete, and the income of that office has long since paid for it. I am trying to give you the facts. And they have already reported a bill favorably for Carrollton, that pays $1,400 to its postmaster.

Now, I want to know what my friends from Kentucky will have to say to their constituents when they go back home and say they did not get an appropriation for a public building. There are 28 offices in the State of Kentucky that pay from $1,000 to $1,200 more than Carrollton, Ky., pays its postmaster. You Kentuckians, what are you going to say to your constituents when you go back home and say you could not get a public building, when you put far more into the Treasury than Carrollton? Twenty-eight offices alone in that State pay more than Carrollton. In my own State there are 45 offices that pay from one hundred to a thousand dollars more. In my own Congressional district there are three cities that pay more than Blair or Carrollton. What am I to say to them?

Mr. HANDY. If the gentleman will pardon me a suggestion, I have found a reason why Bluefield should have a public building that I did not know yesterday. The building is located in West Virginia in the county of Mercer [laughter], and I believe that the building ought to be there on account of that city being in Mercer County.

Mr. LOUD. I want to say the gentleman from Georgia has not got offices enough in Kentucky. There are 38 out of a total of 60.

Mr. MADDOX. I am informed there are 38. I ran over this matter hurriedly. Now, the question is, gentlemen of the House, How is it that a man can go to this committee—I do not understand that the gentleman from Kentucky [Mr. BERRY] is a member of the committee—how is it that he can go down to that committee with that little town and get an appropriation for a public building when here are 43 first-class post-offices that are overlooked in this country?

Mr. POWERS. He told them about the distilleries. [Laughter.]

Mr. MADDOX. I am informed that he told them about the distilleries. Every member of this House is interested in this transaction. If it is the business of men to come here simply because they are popular and have got a pull, and that they can work in with the Committee on Public Buildings and have money appropriated for little towns, I want to know it. If that is the way to do it, we will know how to represent our people.

Mr. LOUD. Gentlemen urge this as a matter of economy to build a public building in places of this size. Under the law the Department is prohibited from paying more than $400 a year for rent of a third-class office.

Mr. MADDOX. Certainly; and here we are making appropriation without any system, without any method, simply gathering influence enough to rush these measures through this House.

Mr. MOODY. I would like to ask the gentleman a question, if he will yield.

Mr. MADDOX. Certainly.

Mr. MOODY. Has the gentleman investigated these bills sufficiently to inform the House how many are for first-class post-offices, how many for second-class post-offices, and how many for third-class post-offices?

Mr. GROSVENOR. And how many for fourth-class offices?

Mr. MADDOX. Of those bills now pending?

Mr. MOODY. Yes.

Mr. MADDOX. I am sorry to say I have not gone through them, but there are a large number that are not for first-class offices.

The CHAIRMAN. The time of the gentleman from Georgia has expired.

Mr. MADDOX. I would like to have a few minutes more.

Mr. DOCKERY. I ask that the gentleman's time be extended five minutes.

Mr. MERCER. I will yield five minutes more to the gentleman from Georgia.

Mr. MOODY. I trust the gentleman from Georgia will put in his remarks something that will show the classification of these buildings in respect of whether they are first, second, third, or fourth class offices.

Mr. MADDOX. I will endeavor to do that. I have a list of the offices here, the first-class offices, which have no public buildings at present. Now, I say to gentlemen that of all the times in the world when this Congress ought not to appropriate money for public buildings, this is the time. There is no doubt about that.

I have never captiously objected to any meritorious bill in this House; but how is it, when we are borrowing money, issuing bonds, when we have got a stamp on every contract in the country—and there is no effort being made to repeal these direct-tax laws, and it is not at all probable that they will be in the near future—how is it that gentlemen can justify themselves in coming in here with a log-rolling scheme and propose to give ten or twelve million dollars, no knowing how much it will eventually cost, for these public buildings, when an enormous deficiency is staring us in the face in spite of the sale of bonds and the highest tax rate the country ever knew?

I am astonished at another thing. The great watchdog of the Treasury on the other side of the House, who has been sitting on the money bags and guarding them with such vigilance—we have not heard a word from him to stop this business.

Mr. LLOYD. He is in Joliet. [Laughter.]

Mr. MADDOX. It is said he has got a slice of the pork, and he is horned off. I noticed another thing yesterday, but I do not know why the gentleman did it. After the committee had under consideration and reported favorably three bills for the State of New York, then the leader on that side came walking into the Hall and proposed to stop these appropriations. [Laughter.] Now, that was a little singular, that he should have caught on to the business just at that time. [Laughter.] After New York had got out of it all she wanted, then it ought to be stopped right there.

Now, I have to say that if all members were in their seats in this House they would pick out the meritorious bills here presented, and those they would pass and the others they would kill. That is what I think they would do, and I have confidence enough in the members of the House that if they understood the situation as it is they would do that; and I do hope and trust that enough of them will be here when it comes to the passage of these bills and defeat those that ought not to pass.

Mr. MERCER. Mr. Chairman, all I desire to say is that Rome, Ga., the home of the gentleman from Georgia [Mr. MADDOX], had $50,000 appropriated when it had a little over 6,000 population and was a second-class post-office. [Laughter.]

Mr. MADDOX. What reply is that to the argument I have made? I have stated that when that building was erected we had 17,000 people.

Mr. MERCER. I did not know whether the gentleman from Georgia was angry because of the comparison or on account of the editorial in this morning's Post.

Mr. HANDY. Let me suggest to the gentleman from Georgia that any argument he may make against these bills is answered by pointing to the public building at Rome, just as any argument that I made yesterday was answered by pointing to the public building at Dover, Del. It all depends on where the gentleman lives who makes the objection. [Laughter.]

Mr. MADDOX. I submit some statements that I think will throw some light on the question. Exhibit A shows the rules for classifying the offices and determining the salary. Exhibit B shows the bills favorably considered and reported to the House and the amount of the appropriations proposed. Exhibit C shows the amount of money proposed, by States. Exhibit D shows the amounts proposed to be appropriated by some of the bills and the amounts previously appropriated for the same cities or towns.

EXHIBIT A.

Postmasters' salaries are adjusted and fixed according to the gross receipts of the office, as follows:

Gross receipts.	Salary.
First class:	
$40,000 and not exceeding $45,000	$3,000
$45,000 and not exceeding $60,000	3,100
$60,000 and not exceeding $80,000	3,200
$80,000 and not exceeding $110,000	3,300
$110,000 and not exceeding $150,000	3,400
$150,000 and not exceeding $200,000	3,500
$200,000 and not exceeding $260,000	3,600
$260,000 and not exceeding $330,000	3,700
$330,000 and not exceeding $400,000	3,800
$400,000 and not exceeding $450,000	3,900
$450,000 and not exceeding $500,000	4,000
$500,000 and not exceeding $600,000	5,000
$600,000 and upward	6,000

EXHIBIT A—Continued.

Gross receipts.	Salary.
Second class:	
$8,000 and not exceeding $9,000	$2,000
$9,000 and not exceeding $10,000	2,100
$10,000 and not exceeding $11,000	2,200
$11,000 and not exceeding $13,000	2,300
$13,000 and not exceeding $16,000	2,400
$16,000 and not exceeding $20,000	2,500
$20,000 and not exceeding $24,000	2,600
$24,000 and not exceeding $30,000	2,700
$30,000 and not exceeding $35,000	2,800
$35,000 and not exceeding $40,000	2,900
Third class:	
$1,900 and not exceeding $2,100	1,000
$2,100 and not exceeding $2,400	1,100
$2,400 and not exceeding $2,700	1,200
$2,700 and not exceeding $3,000	1,300
$3,000 and not exceeding $3,500	1,400
$3,500 and not exceeding $4,200	1,500
$4,200 and not exceeding $5,000	1,600
$5,000 and not exceeding $6,000	1,700
$6,000 and not exceeding $7,000	1,800
$7,000 and not exceeding $8,000	1,900

EXHIBIT B.

State and city.	Amount.	Class.	Salary on Jan. 1, 1899.
ALABAMA.			
Anniston	$100,000	Second	$2,400
ARKANSAS.			
Hot Springs	78,000	Second	2,600
CALIFORNIA.			
Stockton	81,900	Second	2,800
Oakland	250,000	First	3,300
Total	331,900		
COLORADO.			
Leadville	50,000	Second	2,600
CONNECTICUT.			
Norwich	100,000	Second	2,800
FLORIDA.			
Tampa	100,000	Second	2,700
GEORGIA.			
Macon	25,000	First	3,100
Columbus	50,000	Second	2,700
Brunswick	50,000	....do	2,400
Total	125,000		
ILLINOIS.			
Joliet	100,000	First	3,000
Elgin	100,000	....do	3,200
Streator	50,000	Second	2,400
Freeport	75,000	....do	2,700
Monmouth	47,000	....do	2,500
Total	372,000		
INDIANA.			
Indianapolis	1,200,000	First	3,800
IOWA.			
Dubuque	100,000	First	3,200
Creston	50,000	Second	2,300
Oskaloosa	50,000	....do	2,500
Clinton	100,000	....do	2,700
Total	300,000		
KANSAS.			
Topeka	85,000	First	3,300
Kansas City	150,000	....do	3,200
Total	235,000		
KENTUCKY.			
Carrollton	25,000	Third	1,400
LOUISIANA.			
New Iberia	50,000	Third	1,800
MARYLAND.			
Annapolis	100,000	Second	2,400
Baltimore	1,500,000	First	6,000
Total	1,600,000		
MASSACHUSETTS.			
Fitchburg	100,000	First	3,000
Springfield	20,000	....do	3,500
Lawrence	100,000	....do	3,100
Total	220,000		

EXHIBIT B—Continued.

State and city.	Amount.	Class.	Salary on Jan. 1, 1899.
MICHIGAN.			
Menominee	$50,000	Second	$2,500
MINNESOTA.			
Minneapolis	55,000	First	5,000
Fergus Falls	75,000	Second	2,200
St. Cloud	50,000	do	2,400
Total	175,000		
MISSISSIPPI.			
Jackson	31,000	Second	2,500
MONTANA.			
Butte City	200,000	First	3,100
MISSOURI.			
Joplin	50,000	Second	2,500
NEBRASKA.			
Blair	50,000	Third	1,700
Omaha	1,800,000	First	3,700
Hastings	13,000	Second	2,500
Norfolk	7,000	do	2,000
Total	1,870,000		
NEW JERSEY.			
New Brunswick	100,000	Second	2,900
NEW YORK.			
Lockport	50,000	Second	2,700
Elmira	185,000	First	3,200
Rome	50,000	Second	2,700
New York City	1,750,000	First	8,000
Brooklyn	20,000	do	6,000
Jamestown	75,000	do	3,000
Total	2,130,000		
NORTH CAROLINA.			
Winston	50,000	Second	2,700
Elizabeth City	50,000	Third	1,800
Total	100,000		
OHIO.			
Canton	15,000	First	3,200
Cleveland	2,200,000	do	6,000
Total	2,215,000		
OREGON.			
Salem	100,000	Second	2,400
PENNSYLVANIA.			
Altoona	125,000	First	3,000
Wilkesbarre	125,000	do	3,200
Total	250,000		
SOUTH DAKOTA.			
Aberdeen	87,000	Second	2,400
TENNESSEE.			
Bristol	50,000	Second	2,300
TEXAS.			
Beaumont	75,000	Second	2,300
Abilene	75,000	Third	1,900
Total	150,000		
UTAH.			
Salt Lake City	500,000	First	3,300
VERMONT.			
Newport	50,000	Third	1,800
VIRGINIA.			
Newport News	75,000	Second	2,500
WASHINGTON.			
Seattle	300,000	First	3,400
WEST VIRGINIA.			
Bluefield	45,000	Second	2,000
WISCONSIN.			
Janesville	75,000	Second	2,700
Eau Claire	50,000	do	2,700
Total	125,000		

EXHIBIT C.

Amount of money, by States, proposed to be appropriated by pending bills above mentioned.

SOUTHERN STATES.			
Alabama	$100,000	Tennessee	$50,000
Arkansas	78,000	Texas	150,000
Florida	100,000	Virginia	75,000
Georgia	125,000	West Virginia	45,000
Kentucky	25,000		
Louisiana	50,000	Total	2,529,000
Maryland	1,600,000		
Mississippi	31,000	Average	194,538.46
North Carolina	100,000		
WESTERN STATES.			
California	$331,000	Ohio	$2,215,000
Colorado	50,000	Oregon	100,000
Illinois	372,000	South Dakota	87,000
Indiana	1,200,000	Utah	500,000
Iowa	300,000	Washington	300,000
Kansas	235,000	Wisconsin	125,000
Michigan	50,000		
Minnesota	175,000	Total	8,160,000
Montana	200,000		
Missouri	50,000	Average	480,000
Nebraska	1,870,000		
EASTERN STATES.			
Connecticut	$100,000	Vermont	$50,000
Massachusetts	220,000		
New Jersey	100,000	Total	2,850,000
New York	2,130,000		
Pennsylvania	250,000	Average	475,000

EXHIBIT D.

Appropriations previously made and appropriations proposed to be made by this Congress.

Name of city.	Appropriations previously made.	Proposed appropriations by this Congress.
Stockton, Cal	$75,000.00	$81,900.00
Columbus, Ga	104,000.00	50,000.00
Macon, Ga	140,448.00	25,000.00
Indianapolis, Ind	598,734.31	1,200,000.00
Dubuque, Iowa	228,989.61	100,000.00
Topeka, Kans	349,153.14	85,000.00
Springfield, Mass	150,152.97	20,000.00
Minneapolis, Minn	657,289.45	55,000.00
Jackson, Miss	118,388.25	31,000.00
Omaha, Nebr	1,647,050.46	*1,800,000.00
Brooklyn, N. Y	1,922,680.42	20,000.00
New York City	16,151,257.06	1,750,000.00
Canton, Ohio	106,271.51	15,000.00
Cleveland, Ohio	711,656.22	2,200,000.00
Salt Lake City	75,000.00	500,000.00

*Increased to.

Mr. MERCER. The gentleman from Delaware is uneasy again this morning, I see.

Mr. HANDY. "The gentleman from Delaware" is on the rampage again this morning.

Mr. MERCER. I yield to the gentleman from Missouri [Mr. BENTON].

Mr. BENTON. Mr. Chairman, in view of the remarks made a few moments ago by the gentleman from Georgia [Mr. MADDOX], I feel that I ought to make a short statement of the facts as to this bill. It may be true, as I have been told, that it is the intention of the powers to permit but few bills to pass. The town of Joplin, Mo., was, twenty-five years ago, merely a wide place in the road. In 1890 it had a population of 10,000. According to the vote there last fall, which was about 4,400, there are 22,000 people in the city. There are four great trunk lines of railway running through this town—the Missouri Pacific, the St. Louis and San Francisco, the Kansas City, Memphis and Birmingham, and the Kansas City, Pittsburg and Gulf. The town is the center of the great zinc-producing part of the country. Last year there was marketed from that place $7,000,000 worth of zinc and lead. The business of that town last year was $15,400,000.

The Government is now paying for a post-office there $800 rent, and for offices of United States commissioner, United States marshal, and United States revenue collector $700, making the rent paid there by the Government $1,500 a year.

The increase of the town in population and business has arisen from the discovery of immense deposits of zinc in that locality. Within a radius of 15 miles from the town there is a population of 100,000. The business of the post-office is a pretty fair indication of the growth of the place. Three years ago the post-office business was $11,200; in 1897 it was $13,046, and for the fiscal year ending last June, as I was informed yesterday by a telegram from Assistant Postmaster Heath, the post-office business was $17,313. This is one of the few places in the West where we have prosperous times. [Cries of "Vote!" "Vote!"]

Mr. PAYNE. Mr. Chairman, a moment ago the gentleman from Georgia said that "the gentleman from New York"—referring to myself—had waited until after the passage of three bills giving public buildings to the State of New York, and had then

made objection to a bill authorizing a public building in the State of Kentucky. The fact is that neither "the gentleman from New York" nor his district is any more interested in any of those bills passed for the State of New York than is the gentleman from Georgia or his district. The passage of any of those bills makes no difference to the people of my district. So that what the gentleman from Georgia said in that respect was entirely gratuitous. I happened to hear the report read in regard to the Kentucky bill, which prompted the remarks I made; and I have no apology for making them. [Cries of "Vote!" "Vote!"]

The question being taken, the amendments reported by the committee were agreed to; and then, on motion of Mr. MERCER, the bill as amended was laid aside to be favorably reported.

PUBLIC BUILDING AT LAWRENCE, MASS.

Mr. MERCER. I call up House bill 524.

The bill (H. R. 524) to erect a public building at Lawrence, Mass., was read, as follows:

Be it enacted, etc., That the Secretary of the Treasury be, and he is hereby, authorized and directed to purchase, acquire by condemnation, or otherwise provide a site and cause to be erected thereon a substantial and commodious building, with fireproof vaults, for the use and accommodation of the post-office and for other Government uses at Lawrence, Mass. The site and building thereon, when completed upon plans and specifications to be previously made and approved by the Secretary of the Treasury, shall not exceed in cost the sum of $200,000; nor shall any site be purchased until estimates for the erection of a building which will furnish sufficient accommodation for the transaction of the public business, and which shall not exceed in cost the balance of the sum herein limited after the site shall have been purchased and paid for, shall have been approved by the Secretary of the Treasury; and no purchase of site nor plan for said building shall be approved by the Secretary of the Treasury involving an expenditure exceeding the said sum of $200,000 for site and building; and the site purchased shall leave the building unexposed to danger from fire by an open space of at least 40 feet, including streets and alleys: *Provided*, That no part of said sum shall be expended until a valid title to the said site shall be vested in the United States, nor until the State of Massachusetts shall cede to the United States exclusive jurisdiction over the same, during the time the United States shall be or remain the owner thereof, for all purposes except the administration of the criminal laws of said State and the service of civil process therein.

The amendments reported by the committee were read, as follows:

In lines 11 and 20 strike out "two" and insert in lieu thereof "one;" so that limit of cost of site and building shall be $100,000.

Strike out all after the word "alleys," in line 24.

Mr. MADDOX. I should like to have the report read.

Mr. MERCER. Certainly; let the report be read.

Mr. LLOYD. I suggest that in these cases instead of having the report read the Representative from the locality where the building is to be erected should make a statement of the facts of the case. That would save a great deal of time.

Mr. MERCER. The suggestion is a very good one. I am willing to do anything to accommodate the House and save time. I yield to the gentleman from Massachusetts [Mr. KNOX].

Mr. KNOX. Mr. Chairman, I am very glad indeed to have an opportunity of making a statement here instead of having this case rest entirely upon the report. A favorable report for a post-office building in Lawrence, Mass., was made as early as the Fifty-first Congress, and the report now before us is substantially the same as that report, made as long ago as 1890. Sir, if there is a meritorious bill among all these public-building bills which have been reported, I am perfectly willing to submit this bill as such. Lawrence is to-day a city of 60,000 people. We have the same post-office building there that we had thirty-five years ago. Our city is one of the largest manufacturing cities not only in Massachusetts, but in the United States. It is the sixth city in size in our Commonwealth. Haverhill, on the one side of it, with considerably less population than our city, has a public building, and Lowell, on the other side of us, has also a public building. Since 1847, when our city was founded, the population has grown to 60,000.

I wish I could take the time to explain to the committee the condition of the present post-office building. It is in the rear part of an old building, and has no front entrance, and is not in any respect large enough to accommodate the business. It has been condemned by every inspector who was ever there; and the last time the lease was renewed the inspector went around through the city and endeavored to find some more commodious quarters for the office.

And a word now in answer to the gentleman from Georgia [Mr. MADDOX]. The receipts of the post-office there are over $50,000 a year, and it is a first-class office.

Mr. MADDOX. I have it here on the list. [Cries of "Vote!" "Vote!"]

Mr. MERCER. I ask a vote on the amendments.

The question being taken on the amendments of the committee, they were agreed to.

The bill as amended was, on motion of Mr. MERCER, laid aside to be reported to the House with the recommendation that it do pass.

PUBLIC BUILDING, STREATOR, ILL.

Mr. MERCER. I call up for consideration the bill (H. R. 431) to provide for the purchase of the site and the erection of a public building thereon at Streator, in the State of Illinois.

The bill was read, as follows:

Be it enacted, etc., That the Secretary of the Treasury be, and he is hereby, authorized and directed to acquire, by purchase, condemnation, or otherwise, a site, and to contract for the erection and completion thereon of a suitable building, including fireproof vaults, heating and ventilating apparatus, elevators, and approaches, for the use and accommodation of the United States post-office and other Government offices, in the city of Streator and State of Illinois, the cost of said site and building, including said vaults, heating and ventilating apparatus, elevators, and approaches, complete, not to exceed the sum of $100,000.

Proposals for the sale of land suitable for said site shall be invited by public advertisement in one or more of the newspapers of said city of largest circulation for at least twenty days prior to the date specified in said advertisement for the opening of said proposals.

Proposals made in response to said advertisement shall be addressed and mailed to the Secretary of the Treasury, who shall then cause the said proposed sites, and such others as he may think proper to designate, to be examined in person by an agent of the Treasury Department, who shall make written report to said Secretary of the results of said examination and of his recommendation thereon and the reasons therefor, which shall be accompanied by the original proposals and all maps, plats, and statements which shall have come into his possession relating to the said proposed sites.

If, upon consideration of said report and accompanying papers, the Secretary of the Treasury shall deem further investigation necessary, he may appoint a commission of not more than three persons, one of whom shall be an officer of the Treasury Department, which commission shall also examine the said proposed sites, and such others as the Secretary of the Treasury may designate, and grant such hearings in relation thereto as they shall deem necessary; and said commission shall, within thirty days after such examination, make to the Secretary of the Treasury written report of their conclusions in the premises, accompanied by all statements, maps, plats, or documents taken by or submitted to them, in like manner as hereinbefore provided in regard to the proceedings of said agent of the Treasury Department; and the Secretary of the Treasury shall thereupon finally determine the location of the building to be erected.

The compensation of said commissioners shall be fixed by the Secretary of the Treasury, but the same shall not exceed $6 per day and actual traveling expenses: *Provided, however*, That the member of said commission appointed from the Treasury Department shall be paid only his actual traveling expenses.

No money shall be used for the purpose mentioned until a valid title to the site for said building shall be vested in the United States, nor until the State of Illinois shall have ceded to the United States exclusive jurisdiction over the same, during the time the United States shall be or remain the owner thereof, for all purposes except the administration of the criminal laws of said State and the service of civil process therein.

The building shall be unexposed to danger from fire by an open space of at least 40 feet on each side, including streets and alleys.

The committee recommend the adoption of the following amendments:

In line 7 strike out "elevators."

In line 13 strike out "one hundred" and insert "fifty;" thus limiting cost of site and building to $50,000.

On page 3 strike out lines 12 to 19, inclusive.

Mr. MERCER. There is an additional amendment which should be included, in line 1, page 2, to strike out the word "elevators." I ask the reading of the report, as it is very brief.

The report (by Mr. MERCER) was read, as follows:

The Committee on Public Buildings and Grounds, to whom was referred the bill (H. R. 431) providing for the purchase of a site and the erection of a public building thereon at Streator, Ill., having considered the same, make the following report:

Streator is a city of from 18,000 to 20,000 people; it is only 30 years old; it is a railroad center, having six railroads entering it; it is a mining and manufacturing city; its mines employ from 3,000 to 4,000 men, and its manufacturing institutions about 2,000; about 1,400 people are engaged in manufacturing glass, there being the largest bottle factory at this city to be found in the United States; it is in the midst of a great agricultural section; it is 90 miles from Chicago, in the most populous county in the State of Illinois outside of Cook County (Chicago), and is the largest city in the Eleventh Congressional district of Illinois.

The necessity for a public building at Streator is evident. There is no building in the city suitable for post-office necessities. Property in the city is valuable and rents are high. The city is a very prosperous one and rapidly growing.

The receipts for the year ending June 30, 1896, were $14,483.86.

To furnish reasonable and adequate facilities for the post-office at Streator it is necessary that the Government either contract with a private individual to construct a building for its use there or that the Government build one for itself. For the reasonable convenience of the people and for the proper and orderly transaction of the business of the Government at Streator, as well as from the standpoint of economy, the Government should construct its own building at that point.

The amendments recommended by the committee were agreed to.

The bill as amended was, on motion of Mr. MERCER, laid aside to be reported to the House with the recommendation that it do pass.

PUBLIC BUILDING, JAMESTOWN, N. Y.

Mr. MERCER. I now call up for consideration the bill (H. R. 4313) for the erection of a public building in the city of Jamestown.

The bill was read, as follows:

Be it enacted, etc., That the Secretary of the Treasury be, and he is hereby, authorized and directed to purchase, acquire by condemnation, or otherwise provide a site, and cause to be erected thereon a suitable, commodious, and substantial building, including fireproof vaults, heating and ventilating apparatus, and approaches, for the use and accommodation of the United States post-office and other Government offices in the city of Jamestown and State of New York, the cost of the site and the building, including fireproof vaults,

heating and ventilating apparatus, and approaches, complete, not to exceed the sum of $150,000.

Proposals for the sale of land suitable for said site shall be invited by public advertisement in one or more of the newspapers of said city for at least fourteen days prior to the date specified in the advertisement for opening the proposals.

The proposals made in response to said public advertisement, at the time named in the advertisement or within ten days subsequent thereto, shall be received, opened, and considered by a commission of three persons, who shall be appointed by the Secretary of the Treasury; and it shall be the duty of said commissioners to forward to the Secretary of the Treasury, within forty days from the date named in the advertisement for opening the proposals, a written report, with the original proposals, maps, etc., and the oaths prescribed by act of Congress approved June 23, 1874, and to definitely state in said report the site selected by them, and their selection of the site shall be final; and each commissioner shall be allowed a compensation for his services of an amount within the discretion of the Secretary of the Treasury, said compensation not to exceed $200 and actual traveling expenses to each commissioner.

The building shall be unexposed to danger from fire by an open space of at least 25 feet on each side, including streets and alleys.

The committee recommend the adoption of the following amendments:

Strike out, in line 13, the words "one hundred and fifty" and insert in lieu thereof the words "seventy-five," making limit of cost of site and building $75,000.

In like 37 strike out "twenty-five" and insert "forty."

The amendments were considered and agreed to.

The bill as amended was, on motion of Mr. MERCER, laid aside to be reported to the House with a recommendation that it do pass.

PUBLIC BUILDING, STOCKTON, CAL.

Mr. MERCER. I now call up the bill (H. R. 11882) to increase the limit of the cost for the erection of a public building at Stockton, Cal., and making provision for the acquisition of additional land or a new site therefor.

The bill was read, as follows:

Be it enacted, etc., That the amount heretofore fixed as the limit of the cost for the erection of a public building by the United States Government in Stockton, Cal., be, and the same is hereby, increased by $81,900, making the aggregate cost thereof $156,900.

SEC. 2. That the officers of the United States Government having charge of the erection of public buildings are authorized and required to be governed by the limitation hereby prescribed in making contracts for the erection of said building: *Provided*, That the Secretary of the Treasury be, and he is hereby, authorized to acquire, by purchase, condemnation, or otherwise, an additional piece or parcel of land adjacent to the present site of said building, of such size as may be necessary to provide for the site of said building or the future extension thereof, at a cost not to exceed $10,000; or if, in his judgment, the interests of the Government will be better subserved thereby, in case such adjacent lands can not be procured for a reasonable sum, to exchange the present site for one of suitable size, or to sell the present site and with the proceeds thereof to purchase a suitable site, using, in connection with such exchange or purchase, so much as may be necessary of said sum of $81,900, not to exceed the sum of $10,000, which shall be available for that purpose.

Mr. MERCER. Mr. Chairman, I suggest, in view of the fact that the report accompanying this bill is quite lengthy, that the gentleman from California who introduced the bill be allowed to explain its provisions.

Mr. DE VRIES. Mr. Chairman, the city of Stockton is situated in San Joaquin County, Cal., and has a population of approximately 25,000 people. The Stockton post-office is a second-class office with a free-delivery system. The employees of the office number 15 and the receipts of the office are something over $32,000 per annum.

There is also located at Stockton a United States land office, which will be likewise accommodated by the proposed building. It has been recommended by the Secretary of the Treasury repeatedly to the Appropriations Committee of this House. I will not trespass further upon the time of the House. [Applause.]

Mr. McDOWELL. Mr. Chairman——

The CHAIRMAN. Does the gentleman from Nebraska yield to the gentleman from Ohio?

Mr. MERCER. I yield to the gentleman.

Mr. McDOWELL. I have no doubt that the bill now before the House is a meritorious one. I do not rise to speak against it; but I want to say some things concerning some questions that have already arisen this morning and that arose about the bills yesterday. First, I will refer to the RECORD of yesterday. When the bill for Blair, Nebr., was under consideration, the gentleman from Iowa [Mr. LACEY] propounded this question to the gentleman from Nebraska, the chairman of the committee:

Mr. LACEY. I want to ask the gentleman a question.
The CHAIRMAN. Does the gentleman from Nebraska yield to the gentleman from Iowa?
Mr. MERCER. I yield to the gentleman.
Mr. LACEY. I should like to ask the gentleman what the population of Blair was as shown by the last census?
Mr. MERCER. About 5,000 now.
Mr. DOCKERY. How many?
Mr. MERCER. About 5,000.
Mr. LACEY. What were the postal receipts?
Mr. MERCER. Fourteen thousand dollars gross.

Now, in examining the Postal Guide, the post-office report for the last fiscal year, and the census reports, I obtain these facts: The population of Blair in 1890 was 2,069. The post-office is a third-class post-office, the salary for the last fiscal year was $1,600, with clerk hire $56.56. The amount paid for rent, fuel, and light for the last fiscal year was $295. The gross receipts, according to the postmaster's report for the last fiscal year, were $5,690.75. It therefore shows that the chairman has been in error to the amount of about $9,000 in the gross receipts.

Mr. LOUD. That is not much.

Mr. McDOWELL. I am not opposed to passing bills here that are meritorious, but it does seem to me that there are several bills in this lot that ought to be cut out.

The gentleman from Massachusetts [Mr. MOODY] asked a question as to the number of bills for third-class post-offices. Favorable recommendation was given yesterday to four of such bills: Blair, Nebr.; Elizabeth City, N. C.; New Iberia, La., and Carrollton, Ky., all third-class post-offices. Upon an examination of the facts as to the first two, it shows that they are the worst bills in their character. They were placed high up on the list undoubtedly because it was thought they would probably have a better chance to get through. Now, the facts in regard to Elizabeth City, N. C.——

Mr. LOUD. Before the gentleman passes over the case of Blair, of course, he wants to be absolutely accurate. The facts are bad enough. The receipts of the post-office called Blair were $5,690.75.

Mr. McDOWELL. That is true, by the 1898 report. The 1898 report for Elizabeth City, N. C., shows that the amount paid for rent, fuel, and light was only $308, and the gross receipts were $6,235.57. I am satisfied that if the members would give careful consideration to these bills recommended for third-class post-offices, they would not pass this House.

On motion of Mr. MERCER, the bill was ordered to be laid aside to be reported to the House with a favorable recommendation.

PUBLIC BUILDING AT FREEPORT, ILL.

Mr. MERCER. Mr. Chairman, I call up the bill (H. R. 84) to provide for the erection of a public building at Freeport, Ill.

The bill was read, as follows:

Be it enacted, etc., That the Secretary of the Treasury be, and he is hereby, authorized and directed to purchase, acquire by condemnation, or otherwise provide a site and cause to be erected thereon a substantial and commodious building, with fireproof vaults, for the use and accommodation of the post-office and other governmental uses at Freeport, Ill. The site and building thereon, when completed upon plans and specifications to be previously made and approved by the Secretary of the Treasury, shall not exceed in cost the sum of $100,000; nor shall any site be purchased until estimates for the erection of a building which will furnish sufficient accommodations for the transaction of the public business, and which shall not exceed in cost the balance of the sum herein limited after the site shall have been purchased and paid for, shall have been approved by the Secretary of the Treasury; and no purchase of site or plan for said building shall be approved by the Secretary of the Treasury involving an expenditure exceeding the said sum of $100,000 for site and building; and the site purchased shall leave the building unexposed to danger from fire by an open space of at least 40 feet, including streets and alleys: *Provided*, That no part of said sum shall be expended until a valid title to the said site shall be vested in the United States, nor until the State of Illinois shall cede to the United States exclusive jurisdiction over the same, during the time the United States shall be or remain the owner thereof, for all purposes except the administration of the criminal laws of the said State and for the service of civil process therein.

The Committee on Public Buildings and Grounds recommended the following amendments:

In line 11 strike out "one hundred" and insert "seventy-five."
In line 20 make the same amendment.
Strike out all after the word "alleys," in line 23.

Mr. BARTLETT. Mr. Chairman——

Mr. MERCER. I yield to the gentleman from Georgia.

Mr. BARTLETT. I understood yesterday that when these bills were acted upon they were to be considered in the order in which they were reported to the House, as shown on pages 1519 and 1520 of the RECORD. Now, I notice that course is not being pursued this morning. May I ask the gentleman what peculiar merit this bill has that it should be taken out of its order as reported in the RECORD?

Mr. MERCER. We are taking these up in the order in which we think they should be considered.

Mr. BARTLETT. The gentleman stated yesterday that they were going to take them up in the order in which they appeared in the list printed in the RECORD. The gentleman stated that in answer to a question which I put to him. Of course, if there are reasons which are satisfactory to the chairman of the committee and the members of this committee why this bill should have preference over others, I have nothing to say, but it looks to me as though we all ought to take the same chance and have the same opportunity.

Mr. DOCKERY. Well, let me suggest to the gentleman from Georgia that his complaint seems to be somewhat reasonable, inasmuch as it may be true that the report in this case has not been printed. I do not know about that.

Mr BARTLETT. Oh, yes, it has.

Mr. DOCKERY. At 11.30 yesterday morning I applied at the room of the Committee on Public Buildings and Grounds, and at that time was unable to secure a single report upon any of the 71 bills reported yesterday, and I noted that this bill, which has been called to my attention, is perhaps the last but one of those reported.

I do not know in whose district the public building is located;

but I do suggest to my good friend from Nebraska, for whom I have the very kindest feelings, that this method of procedure will inevitably, whether justly or unjustly, put the committee under suspicion of favoritism. I know something of the large heart of my distinguished friend from Nebraska, and it does seem to me that these bills ought to come up in the order in which they are reported.

Mr. MERCER. If the gentleman from Illinois [Mr. HITT] could be permitted to make some remarks upon this bill the members might better understand its merits.

Mr. DOCKERY. I did not know whose bill it was, but if you are going to favor anybody, I do not know of any gentleman whom I would prefer to favor rather than the gentleman from Illinois.

Mr. BARTLETT. I had the floor.

Mr. DOCKERY. I beg your pardon.

Mr. BARTLETT. I yielded to you.

Mr. HITT. May I give you a word of explanation?

The CHAIRMAN. The gentleman from Nebraska had the floor and yielded to the gentleman from Missouri.

Mr. MERCER. I yield now to the gentleman from Missouri.

Mr. BARTLETT. The gentleman from Nebraska yielded to me, and I yielded to the gentleman from Missouri for a moment.

Mr. DOCKERY. I will yield the floor and take my chance of recovering it, because I am not quite through.

The CHAIRMAN. The Chair thinks the statement of the gentleman from Georgia is correct. The gentleman from Nebraska yielded to the gentleman from Georgia and the gentleman from Georgia yielded to the gentleman from Missouri.

Mr. BARTLETT. He asked me if he could interrupt me.

The CHAIRMAN. Now, when the gentleman from Missouri shall have finished the gentleman from Georgia will retain the floor.

Mr. DOCKERY. I understand the gentleman from Illinois desires to make a statement.

Mr. HITT. I will make a brief statement. There are special reasons, I may state, for considering that bill, it being one of the first brought before the committee. It was one of the first introduced in Congress this session, and the gentleman from Alabama [Mr. BANKHEAD], former chairman of the committee, had reported it favorably to a previous Congress. It was placed by the chairman first, he advised me some time ago, on the list at a place—I have forgotten the number, but nearer the top—and I called attention to the fact that it had been misplaced by some accident and put near the bottom. He said he could not then replace it where it had been, but would place it as nearly as possible where it had been.

Mr. BARTLETT. Now, Mr. Chairman, I desire to withdraw any criticism that I may have made. The gentleman's statement is satisfactory to me.

Mr. DOCKERY. Mr. Chairman, the gentleman from Illinois is incapable of doing anything that could be properly criticised as favoritism, and I think the members of the committee would not desire to take any such action, and never indicated that they had any such purpose.

Mr. MERCER. I think the gentleman from Missouri never thought of doing it.

Mr. DOCKERY. I know. I merely suggested that members of the committee were possibly in that situation. Yet I have no reason for saying that they are; but gentlemen are familiar with the method of transacting business here, and know that along the line of consideration some bills will not reach the stage of final passage. It is now 2 o'clock.

Mr. MERCER. Time is going.

Mr. DOCKERY. I know it is going, and I want it to go long enough so that the House can impartially consider every bill reported from that committee.

Mr. MERCER. We seem to be considering them very carefully, do we not?

Mr. DOCKERY. I do; but I want to suggest to the gentleman that he realizes from the pressure here and there that a number of the bills can not reach the stage of final passage. He knows that some of the bills of necessity will require a little further consideration in the House, and I shall not hold myself responsible for any——

Mr. LOUD. I would like to make a suggestion to the gentleman from Missouri.

Mr. DOCKERY. I yield to the gentleman from California.

Mr. LOUD. The gentleman from Georgia was stating that they should be taken up somewhat in the order of their merit. This is evidently a very meritorious bill, for the receipts were $29,000; and when we take one for Blair, and another for Carrollton, I think it was, where there was a $3,000 office, I think that this bill of merit ought to go into its proper place.

Mr. DOCKERY. I want to apologize as to the bill offered in behalf of Freeport, Ill. My own opinion is, to come down to serious statement, that this bill, in view of the statement of the gentleman from Illinois, should have been advanced very much farther up on the list than it has been.

Mr. MERCER. I now ask for a vote on the committee amendments.

Mr. DOCKERY. The report has not been read.

Mr. HITT. I will make a short statement.

The amendments of the committee were agreed to.

Mr. MERCER. I now move that the bill as amended be laid aside with a favorable recommendation.

The motion was agreed to.

PUBLIC BUILDING AT TAMPA, FLA.

Mr. MERCER. Mr. Chairman, I call up the bill (H. R. 414) for the erection of a public building at Tampa, Fla.

The Clerk read as follows:

Be it enacted, etc., That the Secretary of the Treasury be, and he is hereby, authorized and directed to purchase, acquire by condemnation, or otherwise provide a site for, and cause to be erected, a suitable building, with proper fireproof vaults therein, for the accommodation of the courts of the United States, post-office, custom-house, and other Government offices, at the city of Tampa, Fla. The site and building thereon, when completed upon plans and specifications to be previously made and approved by the Secretary of the Treasury, shall not exceed the cost of $300,000, nor shall any site be purchased until estimates for the erection of a building which will furnish sufficient accommodations for the transaction of the public business, and which shall not exceed in cost the balance of the sum herein limited after the site shall have been purchased and paid for, shall have been approved by the Secretary of the Treasury; and no purchase of site nor plan for said building shall be approved by the Secretary of the Treasury involving an expenditure exceeding the sum of $300,000 for site and building: *Provided*, That no money to be appropriated for this purpose shall be available until a valid title to the site of said building shall be vested in the United States, to be approved by the Attorney-General, and until the State of Florida shall have ceded to the United States exclusive jurisdiction over the same, during the time the United States shall be or remain the owner thereof, for all purposes except the administration of the criminal laws of said State and the service of any civil process therein: *Provided*, That the site shall leave the building unexposed to danger from fire in adjacent buildings by an open space of not less than 40 feet, including streets and alleys, around the same.

With the following committee amendments:

In line 12 strike out the word "three" and insert "one."

In line 21 on page 2 strike out the word "three" and insert "one."

Mr. MERCER. Mr. Chairman, the report is comparatively short and it can be read in a few moments, unless the gentleman from Florida [Mr. SPARKMAN] desires to make a statement. I will yield to him for that purpose.

Mr. SPARKMAN. Mr. Chairman, the bill provides for a public building for the use of the court-house, the customs department, internal-revenue department, and the post-office in the city of Tampa. Tampa is a port of entry and delivery. It has the United States court—two sessions there each year. It has a custom-house and an internal-revenue department from which something in the neighborhood of $1,000,000 are collected each year and turned into the United States Treasury. It also has a post-office from which forty-odd thousand dollars were collected and turned into the Treasury last year. I am sure no one can find any fault with this b ll on account of the large amount that may be appropriated for its construction. If any error has been committed at all, it has been in making the limit $100,000 instead of $300,000, as originally mentioned in the bill. I can myself see no reason why the bill should not receive a favorable recommendation from the committee.

The committee amendments were agreed to.

The bill as amended was laid aside to be reported to the House with a favorable recommendation.

PUBLIC BUILDING AT BRISTOL, TENN.

Mr. MERCER. Mr. Chairman, I call up the bill (H. R. 2314) to erect a custom-house and post-office building in the city of Bristol, State of Tennessee.

The Clerk read the bill, as follows:

Be it enacted, etc., That the Secretary of the Treasury be, and he hereby is, authorized and directed to purchase suitable grounds in the city of Bristol, State of Tennessee, and cause to be erected thereon a suitable public building for the custom-house, post-office, and United States commissioner's office. The cost of the site and buildings thereon, when completed, shall not be more than $100,000, the plans and specifications to be previously made and approved by the Secretary of the Treasury: *Provided*, That no money appropriated for this purpose shall be available until a valid title for the grounds for said building shall be vested in the United States, nor until the State of Tennessee shall cede to the United States exclusive jurisdiction over the same, except in the administration of the criminal laws of said State and the service of any civil process therein; nor shall any site be purchased until estimates of a building which will furnish sufficient accommodations for the purposes aforesaid, and which shall not exceed in cost the balance of the sum herein limited after the site has been purchased and paid for, shall have been approved by the Secretary of the Treasury, and no purchase of site nor plan for said building shall be approved by said Secretary involving an expenditure exceeding the said sum of $100,000 for the site and building. The site so purchased shall leave the building unexposed to danger from fire by a space of at least 40 feet, including streets and alleys.

SEC. 2. That the sum of $100,000 be, and the same is hereby, appropriated, out of any money in the Treasury not otherwise appropriated, to be used and expended in the purchase of said grounds and erection of said building.

With the following amendments recommended by the committee:

In line 4 strike out the word "purchase" and insert in lieu thereof the words "accept as a donation."

heating and ventilating apparatus, and approaches, complete, not to exceed the sum of $150,000.

Proposals for the sale of land suitable for said site shall be invited by public advertisement in one or more of the newspapers of said city for at least fourteen days prior to the date specified in the advertisement for opening the proposals.

The proposals made in response to said public advertisement, at the time named in the advertisement or within ten days subsequent thereto, shall be received, opened, and considered by a commission of three persons, who shall be appointed by the Secretary of the Treasury; and it shall be the duty of said commissioners to forward to the Secretary of the Treasury, within forty days from the date named in the advertisement for opening the proposals, a written report, with the original proposals, maps, etc., and the oaths prescribed by act of Congress approved June 23, 1874, and to definitely state in said report the site selected by them, and their selection of the site shall be final; and each commissioner shall be allowed a compensation for his services of an amount within the discretion of the Secretary of the Treasury, said compensation not to exceed $20 and actual traveling expenses to each commissioner.

The building shall be unexposed to danger from fire by an open space of at least 25 feet on each side, including streets and alleys.

The committee recommend the adoption of the following amendments:

Strike out, in line 13, the words "one hundred and fifty" and insert in lieu thereof the words "seventy-five," making limit of cost of site and building $75,000.

In like 37 strike out "twenty-five" and insert "forty."

The amendments were considered and agreed to.

The bill as amended was, on motion of Mr. MERCER, laid aside to be reported to the House with a recommendation that it do pass.

PUBLIC BUILDING, STOCKTON, CAL.

Mr. MERCER. I now call up the bill (H. R. 11882) to increase the limit of the cost for the erection of a public building at Stockton, Cal., and making provision for the acquisition of additional land or a new site therefor.

The bill was read, as follows:

Be it enacted, etc., That the amount heretofore fixed as the limit of the cost for the erection of a public building by the United States Government in Stockton, Cal., be, and the same is hereby, increased by $81,900, making the aggregate cost thereof $156,900.

SEC. 2. That the officers of the United States Government having charge of the erection of public buildings are authorized and required to be governed by the limitation hereby prescribed in making contracts for the erection of said building: *Provided*, That the Secretary of the Treasury be, and he is hereby, authorized to acquire, by purchase, condemnation, or otherwise, an additional piece or parcel of land adjacent to the present site of said building, of such size as may be necessary to provide for the site of said building or the future extension thereof, at a cost not to exceed $10,000; or if, in his judgment, the interests of the Government will be better subserved thereby, in case such adjacent lands can not be procured for a reasonable sum, to exchange the present site for one of suitable size, or to sell the present site and with the proceeds thereof to purchase a suitable site, using, in connection with such exchange or purchase, so much as may be necessary of said sum of $81,900, not to exceed the sum of $10,000, which shall be available for that purpose.

Mr. MERCER. Mr. Chairman, I suggest, in view of the fact that the report accompanying this bill is quite lengthy, that the gentleman from California who introduced the bill be allowed to explain its provisions.

Mr. DE VRIES. Mr. Chairman, the city of Stockton is situated in San Joaquin County, Cal., and has a population of approximately 25,000 people. The Stockton post-office is a second-class office with a free-delivery system. The employees of the office number 15 and the receipts of the office are something over $32,000 per annum.

There is also located at Stockton a United States land office, which will be likewise accommodated by the proposed building. It has been recommended by the Secretary of the Treasury repeatedly to the Appropriations Committee of this House. I will not trespass further upon the time of the House. [Applause.]

Mr. McDOWELL. Mr. Chairman——

The CHAIRMAN. Does the gentleman from Nebraska yield to the gentleman from Ohio?

Mr. MERCER. I yield to the gentleman.

Mr. McDOWELL. I have no doubt that the bill now before the House is a meritorious one. I do not rise to speak against it; but I want to say some things concerning some questions that have already arisen this morning and that arose about the bills yesterday. First, I will refer to the RECORD of yesterday. When the bill for Blair, Nebr., was under consideration, the gentleman from Iowa [Mr. LACEY] propounded this question to the gentleman from Nebraska, the chairman of the committee:

Mr. LACEY. I want to ask the gentleman a question.
The CHAIRMAN. Does the gentleman from Nebraska yield to the gentleman from Iowa?
Mr. MERCER. I yield to the gentleman.
Mr. LACEY. I should like to ask the gentleman what the population of Blair was as shown by the last census?
Mr. MERCER. About 5,000 now.
Mr. DOCKERY. How many?
Mr. MERCER. About 5,000.
Mr. LACEY. What were the postal receipts?
Mr. MERCER. Fourteen thousand dollars gross.

Now, in examining the Postal Guide, the post-office report for the last fiscal year, and the census reports, I obtain these facts: The population of Blair in 1890 was 2,069. The post-office is a third-class post-office, the salary for the last fiscal year was $1,600, with clerk hire $56.56. The amount paid for rent, fuel, and light for the last fiscal year was $295. The gross receipts, according to the postmaster's report for the last fiscal year, were $5,690.75. It therefore shows that the chairman has been in error to the amount of about $9,000 in the gross receipts.

Mr. LOUD. That is not much.

Mr. McDOWELL. I am not opposed to passing bills here that are meritorious, but it does seem to me that there are several bills in this lot that ought to be cut out.

The gentleman from Massachusetts [Mr. MOODY] asked a question as to the number of bills for third-class post-offices. Favorable recommendation was given yesterday to four of such bills: Blair, Nebr.; Elizabeth City, N. C.; New Iberia, La., and Carrollton, Ky., all third-class post-offices. Upon an examination of the facts as to the first two, it shows that they are the worst bills in their character. They were placed high up on the list undoubtedly because it was thought they would probably have a better chance to get through. Now, the facts in regard to Elizabeth City, N. C.——

Mr. LOUD. Before the gentleman passes over the case of Blair, of course, he wants to be absolutely accurate. The facts are bad enough. The receipts of the post-office called Blair were $5,690.75.

Mr. McDOWELL. That is true, by the 1898 report. The 1898 report for Elizabeth City, N. C., shows that the amount paid for rent, fuel, and light was only $308, and the gross receipts were $6,235.57. I am satisfied that if the members would give careful consideration to these bills recommended for third-class post-offices, they would not pass this House.

On motion of Mr. MERCER, the bill was ordered to be laid aside to be reported to the House with a favorable recommendation.

PUBLIC BUILDING AT FREEPORT, ILL.

Mr. MERCER. Mr. Chairman, I call up the bill (H. R. 84) to provide for the erection of a public building at Freeport, Ill.

The bill was read, as follows:

Be it enacted, etc., That the Secretary of the Treasury be, and he is hereby, authorized and directed to purchase, acquire by condemnation, or otherwise provide a site and cause to be erected thereon a substantial and commodious building, with fireproof vaults, for the use and accommodation of the post-office and other governmental uses at Freeport, Ill. The site and building thereon, when completed upon plans and specifications to be previously made and approved by the Secretary of the Treasury, shall not exceed in cost the sum of $100,000; nor shall any site be purchased until estimates for the erection of a building which will furnish sufficient accommodations for the transaction of the public business, and which shall not exceed in cost the balance of the sum herein limited after the site shall have been purchased and paid for, shall have been approved by the Secretary of the Treasury; and no purchase of site or plan for said building shall be approved by the Secretary of the Treasury involving an expenditure exceeding the said sum of $100,000 for site and building; and the site purchased shall leave the building unexposed to danger from fire by an open space of at least 40 feet, including streets and alleys: *Provided*, That no part of said sum shall be expended until a valid title to the said site shall be vested in the United States, nor until the State of Illinois shall cede to the United States exclusive jurisdiction over the same, during the time the United States shall be or remain the owner thereof, for all purposes except the administration of the criminal laws of the said State and for the service of civil process therein.

The Committee on Public Buildings and Grounds recommended the following amendments:

In line 11 strike out "one hundred" and insert "seventy-five."
In line 20 make the same amendment.
Strike out all after the word "alleys," in line 23.

Mr. BARTLETT. Mr. Chairman——

Mr. MERCER. I yield to the gentleman from Georgia.

Mr. BARTLETT. I understood yesterday that when these bills were acted upon they were to be considered in the order in which they were reported to the House, as shown on pages 1519 and 1520 of the RECORD. Now, I notice that course is not being pursued this morning. May I ask the gentleman what peculiar merit this bill has that it should be taken out of its order as reported in the RECORD?

Mr. MERCER. We are taking these up in the order in which we think they should be considered.

Mr. BARTLETT. The gentleman stated yesterday that they were going to take them up in the order in which they appeared in the list printed in the RECORD. The gentleman stated that in answer to a question which I put to him. Of course, if there are reasons which are satisfactory to the chairman of the committee and the members of this committee why this bill should have preference over others, I have nothing to say, but it looks to me as though we all ought to take the same chance and have the same opportunity.

Mr. DOCKERY. Well, let me suggest to the gentleman from Georgia that his complaint seems to be somewhat reasonable, inasmuch as it may be true that the report in this case has not been printed. I do not know about that.

Mr BARTLETT. Oh, yes, it has.

Mr. DOCKERY. At 11.30 yesterday morning I applied at the room of the Committee on Public Buildings and Grounds, and at that time was unable to secure a single report upon any of the 71 bills reported yesterday, and I noted that this bill, which has been called to my attention, is perhaps the last but one of those reported.

I do not know in whose district the public building is located;

but I do suggest to my good friend from Nebraska, for whom I have the very kindest feelings, that this method of procedure will inevitably, whether justly or unjustly, put the committee under suspicion of favoritism. I know something of the large heart of my distinguished friend from Nebraska, and it does seem to me that these bills ought to come up in the order in which they are reported.

Mr. MERCER. If the gentleman from Illinois [Mr. HITT] could be permitted to make some remarks upon this bill the members might better understand its merits.

Mr. DOCKERY. I did not know whose bill it was, but if you are going to favor anybody, I do not know of any gentleman whom I would prefer to favor rather than the gentleman from Illinois.

Mr. BARTLETT. I had the floor.

Mr. DOCKERY. I beg your pardon.

Mr. BARTLETT. I yielded to you.

Mr. HITT. May I give you a word of explanation?

The CHAIRMAN. The gentleman from Nebraska had the floor and yielded to the gentleman from Missouri.

Mr. MERCER. I yield now to the gentleman from Missouri.

Mr. BARTLETT. The gentleman from Nebraska yielded to me, and I yielded to the gentleman from Missouri for a moment.

Mr. DOCKERY. I will yield the floor and take my chance of recovering it, because I am not quite through.

The CHAIRMAN. The Chair thinks the statement of the gentleman from Georgia is correct. The gentleman from Nebraska yielded to the gentleman from Georgia and the gentleman from Georgia yielded to the gentleman from Missouri.

Mr. BARTLETT. He asked me if he could interrupt me.

The CHAIRMAN. Now, when the gentleman from Missouri shall have finished the gentleman from Georgia will retain the floor.

Mr. DOCKERY. I understand the gentleman from Illinois desires to make a statement.

Mr. HITT. I will make a brief statement. There are special reasons, I may state, for considering that bill, it being one of the first brought before the committee. It was one of the first introduced in Congress this session, and the gentleman from Alabama [Mr. BANKHEAD], former chairman of the committee, had reported it favorably to a previous Congress. It was placed by the chairman first, he advised me some time ago, on the list at a place—I have forgotten the number, but nearer the top—and I called attention to the fact that it had been misplaced by some accident and put near the bottom. He said he could not then replace it where it had been, but would place it as nearly as possible where it had been.

Mr. BARTLETT. Now, Mr. Chairman, I desire to withdraw any criticism that I may have made. The gentleman's statement is satisfactory to me.

Mr. DOCKERY. Mr. Chairman, the gentleman from Illinois is incapable of doing anything that could be properly criticised as favoritism, and I think the members of the committee would not desire to take any such action, and never indicated that they had any such purpose.

Mr. MERCER. I think the gentleman from Missouri never thought of doing it.

Mr. DOCKERY. I know. I merely suggested that members of the committee were possibly in that situation. Yet I have no reason for saying that they are; but gentlemen are familiar with the method of transacting business here, and know that along the line of consideration some bills will not reach the stage of final passage. It is now 2 o'clock.

Mr. MERCER. Time is going.

Mr. DOCKERY. I know it is going, and I want it to go long enough so that the House can impartially consider every bill reported from that committee.

Mr. MERCER. We seem to be considering them very carefully, do we not?

Mr. DOCKERY. I do; but I want to suggest to the gentleman that he realizes from the pressure here and there that a number of the bills can not reach the stage of final passage. He knows that some of the bills of necessity will require a little further consideration in the House, and I shall not hold myself responsible for any——

Mr. LOUD. I would like to make a suggestion to the gentleman from Missouri.

Mr. DOCKERY. I yield to the gentleman from California.

Mr. LOUD. The gentleman from Georgia was stating that they should be taken up somewhat in the order of their merit. This is evidently a very meritorious bill, for the receipts were $29,000; and when we take one for Blair, and another for Carrollton, I think it was, where there was a $3,000 office, I think that this bill of merit ought to go into its proper place.

Mr. DOCKERY. I want to apologize as to the bill offered in behalf of Freeport, Ill. My own opinion is, to come down to serious statement, that this bill, in view of the statement of the gentleman from Illinois, should have been advanced very much farther up on the list than it has been.

Mr. MERCER. I now ask for a vote on the committee amendments.

Mr. DOCKERY. The report has not been read.

Mr. HITT. I will make a short statement.

The amendments of the committee were agreed to.

Mr. MERCER. I now move that the bill as amended be laid aside with a favorable recommendation.

The motion was agreed to.

PUBLIC BUILDING AT TAMPA, FLA.

Mr. MERCER. Mr. Chairman, I call up the bill (H. R. 414) for the erection of a public building at Tampa, Fla.

The Clerk read as follows:

Be it enacted, etc., That the Secretary of the Treasury be, and he is hereby, authorized and directed to purchase, acquire by condemnation, or otherwise provide a site for, and cause to be erected, a suitable building, with proper fireproof vaults therein, for the accommodation of the courts of the United States, post-office, custom-house, and other Government offices, at the city of Tampa, Fla. The site and building thereon, when completed upon plans and specifications to be previously made and approved by the Secretary of the Treasury, shall not exceed the cost of $300,000, nor shall any site be purchased until estimates for the erection of a building which will furnish sufficient accommodations for the transaction of the public business, and which shall not exceed in cost the balance of the sum herein limited after the site shall have been purchased and paid for, shall have been approved by the Secretary of the Treasury; and no purchase of site nor plan for said building shall be approved by the Secretary of the Treasury involving an expenditure exceeding the sum of $300,000 for site and building: *Provided*, That no money to be appropriated for this purpose shall be available until a valid title to the site of said building shall be vested in the United States, to be approved by the Attorney-General, and until the State of Florida shall have ceded to the United States exclusive jurisdiction over the same, during the time the United States shall be or remain the owner thereof, for all purposes except the administration of the criminal laws of said State and the service of any civil process therein: *Provided*, That the site shall leave the building unexposed to danger from fire in adjacent buildings by an open space of not less than 40 feet, including streets and alleys, around the same.

With the following committee amendments:

In line 12 strike out the word "three" and insert "one."

In line 21 on page 2 strike out the word "three" and insert "one."

Mr. MERCER. Mr. Chairman, the report is comparatively short and it can be read in a few moments, unless the gentleman from Florida [Mr. SPARKMAN] desires to make a statement. I will yield to him for that purpose.

Mr. SPARKMAN. Mr. Chairman, the bill provides for a public building for the use of the court-house, the customs department, internal-revenue department, and the post-office in the city of Tampa. Tampa is a port of entry and delivery. It has the United States court—two sessions there each year. It has a custom-house and an internal-revenue department from which something in the neighborhood of $1,000,000 are collected each year and turned into the United States Treasury. It also has a post-office from which forty-odd thousand dollars were collected and turned into the Treasury last year. I am sure no one can find any fault with this bill on account of the large amount that may be appropriated for its construction. If any error has been committed at all, it has been in making the limit $100,000 instead of $300,000, as originally mentioned in the bill. I can myself see no reason why the bill should not receive a favorable recommendation from the committee.

The committee amendments were agreed to.

The bill as amended was laid aside to be reported to the House with a favorable recommendation.

PUBLIC BUILDING AT BRISTOL, TENN.

Mr. MERCER. Mr. Chairman, I call up the bill (H. R. 2314) to erect a custom-house and post-office building in the city of Bristol, State of Tennessee.

The Clerk read the bill, as follows:

Be it enacted, etc., That the Secretary of the Treasury be, and he hereby is, authorized and directed to purchase suitable grounds in the city of Bristol, State of Tennessee, and cause to be erected thereon a suitable public building for the custom-house, post-office, and United States commissioner's office. The cost of the site and buildings thereon, when completed, shall not be more than $100,000, the plans and specifications to be previously made and approved by the Secretary of the Treasury: *Provided*, That no money appropriated for this purpose shall be available until a valid title for the grounds for said building shall be vested in the United States, nor until the State of Tennessee shall cede to the United States exclusive jurisdiction over the same, except in the administration of the criminal laws of said State and the service of any civil process therein; nor shall any site be purchased until estimates of a building which will furnish sufficient accommodations for the purposes aforesaid, and which shall not exceed in cost the balance of the sum herein limited after the site has been purchased and paid for, shall have been approved by the Secretary of the Treasury, and no purchase of site nor plan for said building shall be approved by said Secretary involving an expenditure exceeding the said sum of $100,000 for the site and building. The site so purchased shall leave the building unexposed to danger from fire by a space of at least 40 feet, including streets and alleys.

SEC. 2. That the sum of $100,000 be, and the same is hereby, appropriated, out of any money in the Treasury not otherwise appropriated, to be used and expended in the purchase of said grounds and erection of said building.

With the following amendments recommended by the committee:

In line 4 strike out the word "purchase" and insert in lieu thereof the words "accept as a donation."

In line 8 strike out the letter "s" in the word "buildings."
In line 9 strike out the words "one hundred" and insert in lieu thereof the word "fifty."
In line 25 strike out the words "one hundred" and insert in lieu thereof the word "fifty;" so that limit of cost of site and building shall be $50,000.
Strike out all after the word "Treasury," in line 11, up to and including the word "therein," in line 17.
Strike out section 2.
In lines 17 and 18 strike out "purchased" and substitute "accepted."
In line 21 substitute "accepted" for the words "purchased and paid for."
In lines 22 and 23 strike out the words "purchase of site nor."
In line 26 substitute "accepted" for "purchased."
Amend the title by adding after the word "to" the words "accept a site as a donation and," and after the word "erect" add "thereon."

Mr. MERCER. Mr. Chairman, I yield to the gentleman from Tennessee [Mr. BROWNLOW].

Mr. BROWNLOW. Mr. Chairman, Bristol is a city of 13,000 population. It has a second-class post-office, a free-delivery system, and is a large manufacturing town, with a business last year amounting to $14,000,000. It is the terminal point of five railroads, three of which are trunk lines, aggregating 18,000 miles. There is one tobacco factory there which pays to the Government $95,000 annually in revenue, besides other sources of revenue to the United States Government.

Mr. LOUD. I would like to ask the gentleman from Tennessee how much of a custom-house there is at Bristol?

Mr. BROWNLOW. We have none.

Mr. LOUD. The bill provides for a post-office and custom-house.

Mr. BROWNLOW. It was intended originally to have a collector of customs there, and there is a bill pending for that purpose before the present Congress. This is a growing wholesale town, and very rapidly growing. This place had a population in 1880 of 3,600; in 1890 the population had grown to 9,550. A local census now gives over 13,000.

Mr. LOUD. I see the receipts of the post-office there are $12,000. Rent, light, and fuel cost the Government now $600.

Mr. BROWNLOW. I will say to the gentleman from California that the post-office building now is in an out-of-the-way part of the city, wholly inadequate for the business of the post-office, and if it is attempted to rent a suitable building in a proper and convenient part of the city it will cost $1,200 or $1,500 per annum.

Mr. LOUD. Perhaps so, but this is not in the line of economy, because it will cost more than the $600 to take care of it and furnish light and fuel.

Mr. BROWNLOW. I will say further to the gentleman from California that the city government at Bristol has donated a lot for this public building which cost $10,000 or $12,000.

The amendments recommended by the committee were agreed to.

The bill as amended was laid aside to be reported to the House with a favorable recommendation.

PUBLIC BUILDING AT ANNISTON, ALA.

Mr. MERCER. Mr. Chairman, I now call up the bill (H. R. 10804) for the erection of a public building at Anniston, Ala.

The bill was read, as follows:

Be it enacted, etc., That the Secretary of the Treasury be, and he is hereby, authorized and directed to purchase or otherwise provide a site, which shall cost not exceeding $10,000, and cause to be erected thereon a substantial and commodious building, with fireproof vaults, for the use and accommodation of the post-office, and for other Government uses, at Anniston, Ala. The building thereon, when completed upon plans and specifications to be previously made and approved by the Secretary of the Treasury, shall not exceed in cost the sum of $50,000, nor shall any site be purchased until estimates for the erection of a building which will furnish sufficient accommodations for the transaction of public business, and which shall not exceed in cost the sum of $50,000, after the site shall have been purchased and paid for, shall have been approved by the Secretary of the Treasury; and no purchase of site nor plan for said building shall be approved by the Secretary of the Treasury involving an expenditure exceeding the said sum of $60,000 for site and building; and the site purchased shall leave the building unexposed to danger from fire by an open space of at least 40 feet, including streets and alleys: *Provided*, That no part of said sum shall be expended until a valid title to the said site shall be vested in the United States, nor until the State of Alabama shall cede to the United States exclusive jurisdiction over the same, during the time the United States shall be or remain the owner thereof, for all purposes except the administration of the criminal laws of said State and the service of civil process therein.

With the following committee amendments:

In line 5 strike out the words "which shall not cost exceeding $10,000."
In line 12, after the word "dollars," insert "including cost of site."
In line 1, page 2, after the word "dollars," insert "including cost of site," and strike out "after the site shall have been purchased and paid for."
In line 5, page 2, strike out "sixty" and insert "fifty."
Strike out all after and including the word "*Provided*," in lines 8 and 9.

Mr. MERCER. Mr. Chairman, I yield to the gentleman from Alabama [Mr. BANKHEAD].

Mr. BANKHEAD. Mr. Chairman, this bill provides for the erection of a post-office simply in the city of Anniston. There are no United States courts there and no other public department except the United States commission. The post-office receipts in 1887 were about $12,000; in 1898 they were $21,000—almost double. It is a very rapidly growing city in mineral development, is a large railroad center, and its future is a very bright one. The people of Alabama are contemplating having the Federal court held there, but I do not know whether that will be done or not.

The amendments recommended by the committee were agreed to.

The bill as amended was laid aside to be reported to the House with a favorable recommendation.

PUBLIC BUILDING AT NORWICH, CONN.

Mr. MERCER. Mr. Chairman, I now call up the bill (H. R. 4595) for the erection of a public building at Norwich, Conn.

The bill was read, as follows:

Be it enacted, etc., That the Secretary of the Treasury be, and he is hereby authorized and directed to acquire, by purchase, condemnation, or otherwise, a site, and cause to be erected thereon a suitable building, including fireproof vaults, heating and ventilating apparatus, elevators, and approaches, for the use and accommodation of the United States post-office and other Government offices, in the city of Norwich and State of Connecticut, the cost of said site and building, including said vaults, heating and ventilating apparatus, elevators, and approaches, complete, not to exceed the sum of $100,000.

Proposals for the sale of land suitable for said site shall be invited by public advertisement in one or more of the newspapers of said city of largest circulation for at least twenty days prior to the date specified in the advertisement for the opening of said proposals.

Proposals made in response to said advertisement shall be addressed and mailed to the Secretary of the Treasury, who shall then cause the said proposed sites, and such others as he may think proper to designate, to be examined in person by an agent of the Treasury Department, who shall make written report to said Secretary of the results of said examination and of his recommendation thereon and the reasons therefor, which shall be accompanied by the original proposals and all maps, plats, and statements which shall have come into his possession relating to said proposed sites.

If, upon consideration of said report and accompanying papers, the Secretary of the Treasury shall deem further investigation necessary, he may appoint a commission of not more than three persons, one of whom shall be an officer of the Treasury Department, which commission shall also examine the said proposed sites and such others as the Secretary of the Treasury may designate, and grant such hearings in relation thereto as they shall deem necessary; and said commission shall, within thirty days after such examination, make to the Secretary of the Treasury written report of their conclusion in the premises accompanied by all statements, maps, plats, or documents taken by or submitted to them, in like manner as hereinbefore provided in regard to the proceedings of said agent of the Treasury Department; and the Secretary of the Treasury shall thereupon finally determine the location of the building to be erected.

The compensation of said commissioners shall be fixed by the Secretary of the Treasury, but the same shall not exceed $6 per day and actual traveling expenses: *Provided, however*, That the member of said commission appointed from the Treasury Department shall be paid only his actual traveling expenses.

No money appropriated by this act shall be available, except as hereinbefore provided, until a valid title to the site for said building shall be vested in the United States, nor until the State of Connecticut shall have ceded to the United States exclusive jurisdiction over the same, during the time the United States shall be or remain the owner thereof, for all purposes except the administration of the criminal laws of said State and the service of civil process therein.

After the said site shall have been paid for and the sketch plans and detailed estimates for the building shall have been prepared by the Supervising Architect and approved by the Secretary of the Treasury, the Secretary of the Interior, and the Postmaster-General, the balance of said appropriation shall be available for the erection and completion of the building, including fireproof vaults, heating and ventilating apparatus, and approaches.

The building shall be unexposed to danger from fire by an open space of at least 40 feet on each side, including streets and alleys.

Mr. DOCKERY. I would be glad to hear the report read.

Mr. MERCER. I will yield to the gentleman from Connecticut [Mr. RUSSELL] to make a statement.

Mr. DOCKERY. I would like to have some explanation.

Mr. RUSSELL. Mr. Chairman, the city of Norwich is the largest city in eastern Connecticut. According to the census of 1890 it had a population of more than 24,000. It has considerably increased since, both in business and population. The net receipts of the post-office there are from $15,000 to $16,000 per annum. It has a large money-order department, the money-order business amounting to $160,000 per annum. It is a large manufacturing town and a railroad center. This bill has been favorably reported in two or three Congresses. The location of the present post-office is unsatisfactory and the office is insufficient; it has been increased in accommodations by change of lease once or twice in five years, and the Department is now seeking additional accommodations.

Mr. DOCKERY. What did the gentleman state the post-office receipts were?

Mr. RUSSELL. The net receipts of the post-office, according to the last report, which I have here, are about $16,000.

Mr. DOCKERY. Is there any Federal court there?

Mr. RUSSELL. No Federal court.

Mr. DOCKERY. Any United States collector there?

Mr. RUSSELL. There is a deputy collector, and there is an internal-revenue collector.

Mr. DOCKERY. What is the amount of the annual collections by the deputy collector?

Mr. RUSSELL. I can not answer that question. This town is the headquarters of the deputy collector for the district of Rhode Island and Connecticut. The amount of the whole collections in that district I can not state.

Mr. DOCKERY. Any United States marshal there?

Mr. RUSSELL. There is a deputy United States marshal. [Cries of "Vote!" "Vote!"]

The amendments reported by the committee were agreed to; and the bill as amended was, on motion of Mr. MERCER, laid aside to be reported favorably.

PUBLIC BUILDING AT ABERDEEN, S. DAK.

Mr. MERCER. I call up Senate bill 109, for the erection of a public building at Aberdeen, S. Dak.

The bill was read, as follows:

Be it enacted, etc., That the Secretary of the Treasury be, and he is hereby, authorized and directed to purchase or acquire by condemnation proceedings, or otherwise, a site for, and cause to be erected thereon, a suitable building, with fireproof vaults therein, for the accommodation of the post-office and other Government offices at the city of Aberdeen, S. Dak.

The plans, specifications, and full estimates for said building shall be previously made and approved according to law, and shall not exceed for the site and building complete the sum of $100,000: *Provided*, That the site shall leave the building unexposed to danger from fire in adjacent buildings by an open space of not less than 40 feet, including streets and alleys; and no money appropriated for this purpose shall be available until a valid title to the site for said building shall be vested in the United States, nor until the State of South Dakota shall have ceded to the United States exclusive jurisdiction over the same, during the time the United States shall be or remain owner thereof, for all purposes, except the administration of the criminal laws of said State and the service of civil process therein.

SEC. 2. That the sum of $100,000 be, and the same is hereby, appropriated out of any money in the Treasury not otherwise appropriated, to be used and expended for the purpose provided in this act.

The amendments reported by the committee were read, as follows:

In lines 11 and 12 strike out the words "one hundred" and insert in lieu thereof "eighty-seven;" so that limit of entire cost shall be $87,000.

Strike out all after the word "alleys," in line 15.

Mr. KNOWLES rose.

Mr. DOCKERY. I prefer that the report be read in these cases.

The CHAIRMAN. If there be no objection, the report will be read.

The report (by Mr. MERCER) was read, as follows:

The Committee on Public Buildings and Grounds, to whom was referred the bill (S. 109) for the erection of a public building at Aberdeen, S. Dak., have considered the same, and append hereto the report from the Secretary of the Treasury on the bill when the same was pending in the Senate, which is adopted by this committee and made a part of this report.

Your committee recommend that Senate bill 109 do pass with the following amendments:

In lines 11 and 12 strike out the words "one hundred" and insert in lieu thereof "eighty-seven;" so that limit of entire cost shall be $87,000.

Strike out all after the word "alleys," in line 15.

Mr. MERCER. I yield to the gentleman from South Dakota [Mr. KNOWLES].

Mr. KNOWLES. Mr. Chairman, Aberdeen is the second city in South Dakota. It has about 6,000 population. It is the seat of the United States circuit and district courts, United States land office, post-office, United States commissioner, and deputy collector of internal revenue. The gross receipts of the post-office last year were $13,279, nearly one-half of which were net receipts. The city has three trunk lines of railway, reaching every point of the compass in South Dakota and adjoining States, and is the natural distributing point for that section. It has a very large wholesale trade with all the cities and towns of the Northwest.

The Government is now paying nearly $4,000 per year as rent for very poor accommodations for its courts, post-office, and land office. The rents paid represent interest upon an investment of $125,000, while we only ask $87,000. I believe it will be good economy to pass this bill. That is all I care to say.

Mr. MERCER. I ask for a vote on the amendments.

The question being taken, the amendments were agreed to.

The bill as amended was, on motion of Mr. MERCER, laid aside to be reported favorably.

PUBLIC BUILDING AT MENOMINEE, MICH.

Mr. MERCER. I call up House bill 2056, for the erection of a public building at Menominee, Mich.

The bill was read, as follows:

Be it enacted, etc., That the Secretary of the Treasury be, and he is hereby, authorized and directed to purchase or acquire by condemnation a site for, and cause to be erected thereon, a suitable building, with fireproof vaults therein, for the accommodation of the post-office and other Government offices at Menominee, State of Michigan. The plans, specifications, and full estimates for said building shall be previously made and approved according to law, and shall not exceed, for the site and building complete, the sum of $50,000, which sum is hereby appropriated out of any moneys in the Treasury not otherwise appropriated: *Provided*, That the site shall leave the building unexposed to danger from fire in adjacent buildings by an open space of not less than 40 feet, including streets and alleys; and no money appropriated for the purpose shall be available until a valid title to the site for said building shall be vested in the United States.

The amendments reported by the committee were read, as follows:

Strike out, beginning in line 11, after the word "dollars," all down to and including the word "appropriated," in line 13.

Strike out all after the word "alleys," in line 16.

Mr. DOCKERY. Let us have the report read.

The CHAIRMAN. In the absence of objection, the report will be read.

The report (by Mr. MERCER) was read, as follows:

The Committee on Public Buildings and Grounds, to whom was referred the bill (H. R. 2056) for the erection of a public building at Menominee, Mich., respectfully report as follows:

Menominee, the county seat of Menominee County, is situated on Green Bay, at the mouth of the Menominee River, and has a population of 16,000, being the metropolis of what is known as the Upper Peninsula of Michigan and ranking twelfth in size among cities of the State. It is a point of great commercial importance, but is noted chiefly for the manufacture and shipment of timber products, in which it stands first in the United States. Three hundred million feet of lumber, besides laths and shingles, are annually manufactured here, and 4,000 men are employed by the sawmills and other factories within the city limits.

The city has the Holly system of waterworks, an efficient paid fire department, electric lighting throughout the city, 15 miles of electric street railway, and 10 miles of paved streets.

Four railroad lines touch at Menominee, 11 trains arriving and departing daily, and 3 steamboat lines make regular trips to this port during season of navigation.

There are 2 daily and 4 weekly newspapers published in the city, which have a large circulation.

Menominee is a second-class free-delivery post-office, employing 6 carriers and 3 clerks. The office now occupies a single storeroom containing about 2,000 square feet, half of which is set apart as a lobby, the balance being used for the entire business of the office, including money-order and registry departments.

By reference to the report of the Auditor for the Post-Office Department for the fiscal year ending June 30, 1895, the following will be observed regarding the business of the Menominee office for that year: Gross receipts, $14,256.29; salary, $2,400; clerk hire, $1,900; rent, light, and fuel, $608.94; other incidental expenses, $22.72; free delivery, $4,919.28; total expenses, $9,850.94; leaving a net revenue of $4,405.35. It is believed that a space of about 5,000 square feet, properly arranged with separate compartments for each department of the service, will soon be actually required for carrying on the rapidly increasing business of this office. The rent of the present quarters is $700 per annum.

Menominee has a customs office, which is in charge of a deputy collector and inspector, and at present has no place of business owned by the Government.

The city is situated on an excellent harbor, is surrounded by a fertile farming country, and is rapidly growing in population and business.

Your committee believe that the efficiency of the public service will be advanced by the passage of the bill, and therefore report same to the House with the recommendation that it pass with the following amendments:

Strike out, beginning in line 11, after the word "dollars," all down to and including the word "appropriated," in line 13.

Strike out all after the word "alleys," in line 16.

Mr. LLOYD. Are there any United States officers located at this place?

Mr. MERCER. I yield to the gentleman from Michigan [Mr. SHELDEN] that he may answer any inquiries.

Mr. SHELDEN. There is a deputy collector of customs at Menominee.

Mr. LLOYD. Is there any Federal court?

Mr. SHELDEN. No, sir. The Federal courts are located at Marquette.

Mr. MERCER. I ask for a vote on the amendments.

The amendments were agreed to.

The bill as amended was, on motion of Mr. MERCER, laid aside to be reported favorably.

PUBLIC BUILDING AT SALEM, OREG.

Mr. MERCER. I call up the bill (H. R. 5528) to provide for the construction of a public building at Salem, Oreg.

The bill was read, as follows:

Be it enacted, etc., That the Secretary of the Treasury be, and he is hereby, authorized and directed to purchase a site for and cause to be erected thereon a suitable building for the accommodation of the post-office and other Government offices at the city of Salem, in the State of Oregon; and plans, specifications, and full estimates for said building shall be previously made and approved according to law, and shall not exceed for the site and building complete the sum of $100,000: *Provided*, That the site shall leave the building unexposed to danger from fire in adjacent buildings by an open space of not less than 40 feet, including streets and alleys; and no money appropriated for this purpose shall be available until a valid title to the site of said building shall be vested in the United States, nor until the State of Oregon shall have ceded to the United States exclusive jurisdiction over the same, during the time the United States shall be or remain the owner thereof, for all purposes except the administration of the criminal laws of said State and the service of civil process therein; nor shall any site be purchased until estimates for the erection of a building which will furnish sufficient accommodations for the transaction of the public business, and which shall not exceed in cost the balance of the sum herein limited after the site shall have been purchased and paid for, shall have been approved by the Secretary of the Treasury; and no purchase of site nor plan for said building shall be approved by the Secretary of the Treasury involving an exenditure exceeding the said sum of $100,000 for site and building.

The amendment reported by the committee was read, as follows:

Add after the word "purpose," in line 14, the following: "except for the ordinary preliminary expenses."

Mr. LLOYD. I call for the reading of the report.

The report (by Mr. MERCER) was read, as follows:

The Committee on Public Buildings and Grounds, to whom was referred the bill (H. R. 5528) to provide for the construction of a public building at Salem, Oreg., submit the following report:

This bill is for a public building at Salem, Oreg. It has been favorably reported by the Supervising Architect of the Treasury Department. Like bills have several times passed the Senate, and several times this committee has recommended in former Congresses the construction of a public building at Salem, Oreg.

In the Fifty-first Congress the committee reported in favor of $100,000, as follows:

"The city of Salem is the capital of Oregon, a State larger than New York and Pennsylvania combined. Salem has within its immediate post-office delivery 20,000 people. The city enumeration shows an increase of population within the past two years of 50 per cent. All the State buildings are here, and required to be for the future by the terms of the State constitution. Large and costly State buildings are provided for all the departments of the State. The supreme court holds its sessions in Salem. It is the second city of the State in population and wealth. It has miles of street railways, numerous banking, educational, business, and manufacturing institutions. It has a letter-carrier system. Its commerce from its steamboat and railway traffic is large. It is in the great Willamette Valley. Efforts will be made for the establishment of United States courts here. In view of the foregoing facts the committee beg leave to report Senate bill No. 78 with amendments, and recommend that it do pass."

In the Fifty-second Congress the committee again favorably reported a bill for said building, and also in the Fifty-third Congress.

Your committee further represent that since those reports the capital city of Oregon has increased largely in population, and there is a greater demand for such building, inasmuch as the postal business has greatly increased.

There never has been a public building constructed in this capital city by the General Government.

Your committee therefore recommend the passage of H. R. 5523 with the following amendment:

Add after the word "purpose," in line 14, the following: "except for the ordinary preliminary expenses."

The amendment reported by the committee was agreed to; and the bill as amended was, on motion of Mr. MERCER, laid aside to be reported favorably.

PUBLIC BUILDING AT ST. CLOUD, MINN.

Mr. MERCER. I call up the bill (H. R. 4113) for the erection of a public building at St. Cloud, Minn.

The bill was read, as follows:

Be it enacted, etc., That the Secretary of the Treasury be, and he is hereby, authorized and directed to acquire, by gift, purchase, or condemnation or otherwise, a site for, and cause to be erected thereon, a suitable building, including fireproof vaults, heating and ventilating apparatus, elevators, and approaches, for the use and accommodation of the United States land office, post-office, and other Government offices at the city of St. Cloud, in the State of Minnesota. The site and building thereon, with its appurtenances, when completed upon plans and specifications to be previously made and approved by the Secretary of the Treasury, shall not exceed in the aggregate the sum of $100,000; that no money appropriated for the purpose aforesaid shall be available until a valid title to the site for said building shall be vested in the United States, nor until the State of Minnesota shall have ceded to the United States exclusive jurisdiction over the same, during the time the United States shall be or remain the owner thereof, for all purposes except the administration of the criminal laws of the State and the service of civil process therein.

SEC. 2. That the sum of $100,000 be, and the same is hereby, appropriated, out of any money in the Treasury not otherwise appropriated, to be used and expended for the purpose of this act.

The amendments reported by the committee were read, as follows:

Strike out the word "elevators" wherever it appears in the bill.

In line 14 strike out "one hundred" and insert "fifty;" so that the limit of cost will be $50,000.

Strike out all after the word "dollars," in line 14.

The amendments were agreed to.

Mr. MORRIS. There is an error in the bill which needs to be corrected. I move to amend by inserting after the word "Minnesota," in line 10, the words "the cost of," so as to read, "the cost of the site and building."

The amendment was agreed to.

On motion of Mr. MERCER, the bill as amended was laid aside to be reported favorably.

PUBLIC BUILDING AT ABILENE, TEX.

Mr. MERCER. Mr. Chairman, I now call up for consideration the bill (S. 927) to provide for the erection of a public building at Abilene, Tex.

The bill was read, as follows:

Be it enacted, etc., That the Secretary of the Treasury be, and he is hereby, authorized and directed to acquire, by purchase, condemnation, or otherwise, a site, and cause to be erected thereon a suitable building, including fireproof vaults, heating and ventilating apparatus, elevators, and approaches, for the use and accommodation of the United States post-office, court-house, and other Government offices in the city of Abilene and State of Texas, the cost of said site and building, including said vaults, heating and ventilating apparatus, elevators, and approaches, not to exceed $100,000. No part of said sum shall be available until a valid title to the site for said buildings shall be vested in the United States, nor until the State of Texas shall have ceded to the United States exclusive jurisdiction over the same, during the time the United States shall be or remain the owner thereof, for all purposes except the administration of the criminal laws of said State and the service of civil process therein. The said building shall be unexposed to danger from fire by an open space of at least 40 feet on each side, including streets and alleys.

The committee recommended the adoption of the following amendments:

Strike out the word "elevators," in lines 7 and 11.

Strike out "one hundred," in line 12, and insert in lieu thereof "seventy-five."

Strike out all after the word "dollars," in line 12, up to and including the word "therein," in line 19.

Mr. LLOYD. Mr. Chairman, I ask for the reading of the report.

The report (by Mr. MERCER) was read, as follows:

The Committee on Public Buildings and Grounds, having had under consideration the bill (S. 927) to provide for the erection of a public building at Abilene, Tex., adopt the following report, made by the Senate Committee on Public Buildings and Grounds:

"Abilene, where it is proposed by the pending bill to erect a public building, is a city of recent origin. It is situated on the Texas and Pacific Railroad, in Taylor County, Tex., in a region rapidly settling up. A few years ago it was not in existence. It has to-day a population of about 5,000, and is increasing as the surrounding country increases from the influx of population from the other States of the Union. A term of the Federal court for the northern district of Texas is held at Abilene. This court was formerly held at Graham, but for the greater convenience of those interested in that court it was removed in 1896 to the city of Abilene. It is necessary for the accommodation of that court that a building should be erected in which to transact its business and also to conduct the business of the post-office."

Your committee recommend that Senate bill 927 do pass with these amendments:

Strike out the word "elevators," in lines 7 and 11.

Strike out "one hundred," in line 12, and insert in lieu thereof "seventy-five."

Strike out all after the word "dollars," in line 12, up to and including the word "therein," in line 19.

Mr. MERCER. I yield to the gentleman from Texas [Mr. STEPHENS].

Mr. STEPHENS of Texas. Mr. Chairman, Abilene, I will state for the information of the committee, is the largest city in the northwestern part of the State of Texas. It is a new city, with a rapidly growing population, situated 180 miles west of Fort Worth and between three and four hundred miles east of El Paso.

A term of the Federal court for the northern district of Texas is held there, and it is an important star-route center, a number of mail routes running from that point all through that region of country. There is also an agricultural experiment station. [Cries of "Vote!" "Vote!"]

There is no Federal building in the city, and the buildings now rented by the Government and used by it are wholly unfitted for the purposes of a court-house and post-office, and the rents paid by the Government for the buildings used are heavy. This building is badly needed from every standpoint, and the bill should be passed.

Mr. MERCER. I ask a vote on the amendments recommended by the committee.

The amendments were considered, and agreed to.

The bill as amended was, on motion of Mr. MERCER, laid aside to be reported to the House with the recommendation that it do pass.

PUBLIC BUILDING, LEADVILLE, COLO.

Mr. MERCER. I now call up the bill (H. R. 2879) providing for the purchase of a site and the erection of a public building at Leadville, Colo.

The bill was read, as follows:

Be it enacted, etc., That the Secretary of the Treasury be, and he is hereby, authorized and directed to acquire, by purchase, condemnation, or otherwise, a site, and cause to be erected thereon a suitable building, including fireproof vaults, heating and ventilating apparatus, for the use and accommodation of the United States post-office and other Government offices in the city of Leadville and State of Colorado, the cost of said site and building, including said vaults, heating and ventilating apparatus, complete, not to exceed the sum of $100,000.

Proposals for the sale of land suitable for said site shall be invited by public advertisement in one or more of the newspapers of said city of largest circulation for at least twenty days prior to the date specified in said advertisement for the opening of said proposals.

Proposals made in response to said advertisement shall be addressed and mailed to the Secretary of the Treasury, who shall then cause the said proposed sites, and such others as he may think proper to designate, to be examined in person by an agent of the Treasury Department, who shall make written report to said Secretary of the results of said examination and of his recommendation thereon and the reasons therefor, which shall be accompanied by the original proposals and all maps, plats, and statements which shall have come into his possession relating to the said proposed site.

If, upon consideration of said report and accompanying papers, the Secretary of the Treasury shall deem further investigation necessary, he may appoint a commission of not more than three persons, one of whom shall be an officer of the Treasury Department, which commission shall also examine the said proposed sites, and such others as the Secretary of the Treasury may designate, and grant such hearings in relation thereto as they shall deem necessary; and said commission shall within thirty days after such examination make to the Secretary of the Treasury written report of their conclusion in the premises, accompanied by all statements, maps, plats, or documents taken or submitted to them in like manner as hereinbefore provided in regard to the proceedings of said agent of the Treasury Department, and the Secretary of the Treasury shall thereupon finally determine the location of the building to be erected.

The compensation of said commissioners shall be fixed by the Secretary of the Treasury, but the same shall not exceed $5 per day and actual traveling expenses: *Provided, however*, That the member of said commission appointed from the Treasury Department shall be paid only his actual traveling expenses.

No money shall be used for the purpose mentioned until a valid title to the site for said building shall be vested in the United States, nor until the State of Colorado shall have ceded to the United States exclusive jurisdiction over the same, during the time the United States shall be or remain the owner thereof, for all purposes except the administration of the criminal laws of said State and the service of civil process therein.

The building shall be unexposed to danger from fire by an open space of at least 40 feet on each side, including streets and alleys.

Mr. DOCKERY. I ask for the reading of the report in that case.

The report (by Mr. MERCER) was read, as follows:

The Committee on Public Buildings and Grounds, to whom was referred the bill (H. R. 2879) providing for the purchase of a site and the erection of a public building thereon at Leadville, Colo., respectfully recommend the passage of said bill.

Leadville is one of the greatest mining towns in the world. It first sprang into existence in 1877, when the rich deposits of silver were first discovered in that locality. It has grown to be a city of from 12,000 to 15,000 population. It has passed the stage of a camp. It has now as many substantial stone and brick structures as any similar town of its size. It has always been recognized as being one of the permanent mining cities ever since the discovery of ore in its vicinity.

There has been produced in Leadville metals of the value of $253,000,000, which consist of gold, silver, lead, iron, iron sulphides, and siliceous ores. It was thought a few years ago that Leadville was purely a silver-mining district, but deep mining in Leadville has produced a large number of strikes of gold-bearing veins, and now the output of gold from Leadville is approximately that of the silver output. The Little Johnny mine in one day raised $100,000 in gold while it was being worked by a force of not to exceed 40 men.

Notwithstanding that during the year 1896 what are called the down-town mines, which generally produce a very large per cent of the ore mined in that section, were not worked on account of being filled with water, due to strike troubles, the total production for the district was $9,000,000.

As to the permanency of the ore veins in that district, and consequently of the city of Leadville, a committee of experts recently said:

"The continuous work of a century to come will not exhaust the Leadville

mines; the productive area, as far as demonstrated, shows an extent of 28 square miles. The continuity of these ore channels has been proven; the future will be greater than the past has ever been."

Leadville has three trunk lines of railroad passing through it. They are the Denver and Rio Grande Railroad, the Atchison, Topeka and Santa Fe, and the Denver, South Park and Gunnison Railroad. These railroads operate daily trains over their lines. Surveys and part construction of other lines have been made.

It has also large smelting works, which handle thousands of tons of ore each year. Four thousand miners are continuously employed in the immediate vicinity of Leadville.

The gross postal receipts for Leadville in the year 1898 were $23,091.57. The report of the Auditor for the Post-Office Department shows that there have been constructed public buildings for the United States in 74 towns which have less postal receipts than the city of Leadville. A United States land office is also located at Leadville, which does a very large business and needs a good deal of office room.

Your committee therefore recommend the passage of said bill with the following amendments:

Strike out the words "one hundred," in the eleventh line of the first page of said bill, and insert in lieu thereof the word "fifty."

Also strike out lines 49 to 56, inclusive, on the third page of said bill.

The amendments recommended by the committee were agreed to.

The bill as amended was, on motion of Mr. MERCER, laid aside to be reported to the House with a favorable recommendation.

MESSAGE FROM THE SENATE.

The committee informally rose; and Mr. GROSVENOR having taken the chair as Speaker pro tempore, a message from the Senate, by Mr. PLATT, one of its clerks, announced that the Senate had passed bill and joint resolution of the following titles; in which the concurrence of the House was requested:

S. 5388. An act granting the right of way through Indian reservations to the Choctaw, Oklahoma and Gulf Railroad Company; and

S. R. 230. Joint resolution providing for the printing of the reports of Robert P. Porter, special commissioner of the United States, on the industrial and commercial conditions of Cuba and Porto Rico.

The message also announced that the Senate had passed without amendment bills of the following titles:

H. R. 11143. An act granting to the mayor of the city of Victor, in the county of El Paso and State of Colorado, the right to enter certain lands therein described for city purposes;

H. R. 10398. An act providing for the entry free of customs duties of certain bells presented by Edwin M. Stanton to the Iowa Agricultural College, of Ames, Iowa;

H. R. 8396. An act to correct the military record of William D. Kurfiss;

H. R. 5715. An act for the relief of Benjamin F. Jones;

H. R. 886. An act for the relief of Charles T. Plunkett, of Lynchburg, Va.; and

H. R. 375. An act to remove the charge of desertion standing against Dennis Fitzpatrick.

The message also announced that the Senate had passed with amendments the bill (H. R. 12009) to provide for the removal of snow and ice in the city of Washington, in the District of Columbia.

REMOVAL OF SNOW AND ICE FROM THE STREETS OF WASHINGTON.

Mr. CANNON. Mr. Speaker, before the committee resumes its session I want to move to concur in two amendments of the Senate to the snow and ice appropriation, the bill H. R. 12009. Gentlemen understand the conditions that exist here, and I hope there will be no objection to the motion.

Mr. DOCKERY. It ought to be adopted. The amendment simply increases the amount for the removal of snow and ice, and I hope there will be no objection.

The SPEAKER pro tempore. The amendments will be read.

The amendments of the Senate were read, as follows:

In line 8 strike out "two" and insert "ten."
In line 13 strike out "one" and insert "two."

The amendments were considered and agreed to.

On motion of Mr. CANNON, a motion to reconsider the vote by which the amendments were agreed to was laid on the table.

The Committee of the Whole resumed its session.

PUBLIC BUILDING AT NEWPORT, VT.

Mr. MERCER. I now call up the bill (H. R. 2598) for the erection of a public building at Newport, Vt.

The bill was read, as follows:

Be it enacted, etc., That the Secretary of the Treasury be, and he is hereby, authorized and directed to purchase a site for and cause to be erected thereon a suitable building, with fireproof vaults therein, for the United States courts, post-office, custom-house, and other Government offices, at Newport, in the county of Orleans and State of Vermont. The plans, specifications, and full estimates for said building shall be previously made and approved according to law, and shall not exceed, for the site and building complete, the sum of $50,000: *Provided*, That the site shall leave the building unexposed to danger from fire in adjacent buildings by an open space of not less than 40 feet, including streets and alleys; and no money appropriated for this purpose shall be available until a valid title to the site for said building shall be vested in the United States, nor until the State of Vermont shall have ceded to the United States exclusive jurisdiction over the same, during the time the United States shall be or remain the owners thereof, for all purposes except the administration of the criminal laws of said State and the service of civil process therein.

Mr. MERCER. I yield to the gentleman from Vermont [Mr. GROUT].

Mr. GROUT. Mr. Chairman—— [Cries of "Vote!" "Vote!"]

Mr. MERCER. Then I ask a vote on the amendment.

Mr. GROUT. If the committee do not want any further information, I am ready for a vote.

Mr. DOCKERY. But we do want some explanation of this bill.

Mr. GROUT. Very well. I was just about to make it.

This makes provision for the erection of a building in the new collection district in what is known as the Memphramagog district, Vermont. The State was formerly a single district, but was found unwieldy and has recently been divided.

It is a very important district, and the first year the total duties assessed and collected amounted to $5,969,054.72. The total value of merchandise entering there was $10,949,747, and the total number of cars examined during the year was 19,977.

There are four great railways entering this district from Canada, namely, the Maine Central, the Grand Trunk, the Boston and Maine, and the Canadian Pacific. All of these empty their immense importations into this district, and make it in the volume of its imports the second collection district in New England; second only to Boston.

Mr. DOCKERY. What is the population?

Mr. GROUT. The town itself, with its outlying suburbs partly in another town, has an estimated population of some five or six thousand people, say within half or three-fourths of a mile of the post-office.

Mr. DOCKERY. Is there a Federal court established there?

Mr. GROUT. No; but there ought to be, and I will tell you the reason why: Because the business in that judicial district arises mainly from customs transactions on the frontier, and the witnesses and parties in many cases have to go from 110 to 150 miles to attend court in cases where prosecutions follow a violation of the revenue laws. There ought to be a court there to avoid this expense. It would be a great economy in the expenditure of public money to provide one, so that these suits could be settled at that point. It will be an easy matter to provide for a term of court there, the reasons for it are so abundant.

Mr. TAWNEY. What are the postal receipts?

Mr. GROUT. I can not tell you.

Mr. STEELE. Six thousand and ninety-six dollars.

Mr. GROUT. But the customs duties collected and assessed were over $5,000,000, almost six millions in a single year, and can the gentleman say that such a business is not entitled to a decent office?

Mr. DOCKERY. The gentleman from Vermont [Mr. GROUT] is an old legislator, and he knows, without any statement on my part, that the customs receipts throw no light on this particular question. Of course, that is a point where goods from Canada come into the United States, and necessarily there is a large amount of customs dues, but what are the postal receipts?

Mr. GROUT. They say $6,000. I have not looked it up. I want to say to the gentleman from Missouri that I think customs receipts throw a very strong, clear light on this question. We are appropriating millions of dollars at this very time for a custom-house in New York, and you have just provided for a custom-house for Newport News, Va., where the business is less than at Newport, Vt.

Mr. DOCKERY. The gentleman is certainly in error as to postal receipts, because he says, including the outlying districts, the population is only five or six thousand.

Mr. GROUT. I am giving the estimate as stated by a gentleman who appeared before the committee; also the statement of the gentleman from Indiana [Mr. STEELE], who apparently spoke from the book, for he read from it just now.

Mr. DOCKERY. What is the salary of the postmaster?

Mr. GROUT. I can not tell you. It is a third-class office. But, I repeat, the main reason for this building is the large customs business transacted at that point, second in the volume of duties assessed only to that of Boston in all New England. The gentleman should remember that custom-houses, as well as post-office buildings, are erected by the Government. There are 11 customs districts in Massachusetts, and all of them, outside of the Boston district, put together do less than one-twentieth the business that is done in this district, and I presume every one has a public building—many of them certainly have. There are 13 customs districts in the State of Maine with, I presume, 12 public buildings, and the amount of imports in them all for the year 1898 was barely more than the imports into the Memphremagog district. Connecticut has five election districts, and the business in them all is less than half as much, and so I might go on, but enough.

The customs business creates the main necessity for this building, though the post-office furnishes considerable revenue and needs accommodations, now being in a private house for want of suitable accommodations; and it is plain that if the United States

courts were held there, it would save large expense to the Government in witness debentures and marshals' fees. But a custom-house is the main thing wanted; and if a $5,000,000 business will not justify it, I do not know what will.

Mr. MERCER. I ask for a vote on the amendments.

The committee amendments were agreed to.

Mr. MERCER. I move that the bill as amended be laid aside to be reported to the House with a favorable recommendation.

The question being taken, on a division (demanded by Mr. GREENE of Nebraska) there were—ayes 73, noes 7.

Accordingly the bill was laid aside to be reported to the House with a favorable recommendation.

PUBLIC BUILDING AT EAU CLAIRE, WIS.

Mr. MERCER. I call up the bill (H. R. 477) to provide for the purchase of a site and the erection of a public building thereon at the city of Eau Claire, in the State of Wisconsin.

The bill was read, as follows:

Be it enacted, etc, That the Secretary of the Treasury be, and he is hereby, authorized and directed to acquire, by purchase, condemnation, or otherwise, a site, and cause to be erected thereon a suitable building, including fireproof vaults, heating and ventilating apparatus, elevators, and approaches, for the use and accommodation of the United States courts, post-office, land office, and other Government offices in the city of Eau Claire and State of Wisconsin, the cost of said site and building, including said vaults, heating and ventilating apparatus, elevators, and approaches, complete, not to exceed the sum of $150,000.

No site shall be purchased until estimates for the erection of a building which will furnish sufficient accommodations for the transaction of the public business, and which shall not exceed in cost the balance of the sum herein limited, after the site shall have been purchased and paid for, shall have been approved by the Secretary of the Treasury; and no purchase of site nor plan of said building shall be approved by the Secretary of the Treasury involving an expenditure exceeding the sum of $150,000 for site and building; and the site purchased shall leave the building unexposed to danger from fire by an open space of at least 40 feet, including streets and alleys: *Provided*, That no part of said sum shall be expended until a valid title to the said site shall be vested in the United States, nor until the State of Wisconsin shall cede to the United States exclusive jurisdiction over the same, during the time the United States shall be or remain the owner thereof, for all purposes except the administration of the criminal laws of said State and the service of civil process therein.

The Committee on Public Buildings and Grounds recommended the following amendments:

Strike out the word "elevators" wherever it appears in the bill.

In line 13, page 1, strike out the words "one hundred and."

In line 21, page 2, strike out the word "one," and in line 22, same page, strike out the words "hundred and;" so that limit of cost of site and building shall be $50,000.

Strike out all after the word "alleys," in line 25.

Mr. MERCER. I yield to the gentleman from Wisconsin [Mr. GRIFFIN].

Mr. GRIFFIN. Mr. Chairman, the locality in which it is proposed to construct a public building under this bill had in 1880 a population of 10,177 and in 1890 17,000. A term of the Federal court is held in that city annually. It has a United States land office in which the records of four offices are kept. [Cries of "Vote!" "Vote!"]

The amendments recommended by the committee were agreed to.

The bill as amended was ordered to be laid aside to be reported to the House with a favorable recommendation.

PUBLIC BUILDING AT MACON, GA.

The next business was the bill (H. R. 10753) to provide for enlarging and improving the United States Government building at Macon, Ga., and to appropriate $25,000 therefor.

The Clerk read as follows:

Strike out all after the enacting clause and insert the following:

"That the Secretary of the Treasury be, and he is hereby, authorized and directed to cause the post-office and court-house building at Macon, Ga., to be extended and enlarged so as to provide necessary accommodations for the post-office, courts, and other branches of the Government service, and to purchase additional ground on Third street, in his discretion, for this purpose, and that the total cost of all said improvements, changes, and repairs, including the purchase price of an additional site, shall not exceed the sum of $58,000.

Mr. DOCKERY. Let us have the report read, Mr. Chairman, if it is in order to hear anything at all about these bills.

Mr. MERCER. I will yield to the gentleman from Georgia [Mr. BARTLETT] to make a statement.

Mr. DOCKERY. I should be willing to hear a statement in lieu of the report, but over and over again gentlemen who have attempted to make explanations have been disturbed by the cry of "Vote!" I hope that will not be repeated, because if it is I shall have to insist on the reading of the report.

Mr. BARTLETT. Mr. Chairman, I shall be very brief. I assure the gentleman from Missouri and members of the House that this bill is a worthy one. This appropriation is asked for after a careful examination by the Treasury Department, through a special agent sent for that purpose, and the exact amount which he reported to be necessary has been recommended. [Cries of "Vote!" "Vote!"]

The amendment recommended by the committee was agreed to.

The bill as amended was ordered to be laid aside to be reported to the House with a favorable recommendation.

PUBLIC BUILDING AT MONMOUTH, ILL.

Mr. MERCER. I call up the bill (H. R. 8587) for the erection of a public building at Monmouth, Ill.

The bill was read, as follows:

Be it enacted, etc., That the Secretary of the Treasury be, and he is hereby, authorized and directed to acquire, by gift, purchase, or otherwise, a site for, and cause to be erected thereon, a suitable building, including fireproof vaults, heating and ventilating apparatus, and approaches, for the use and accommodation of the United States post-office and other Government offices at the city of Monmouth, in the State of Illinois. The site and building thereon, with its appurtenances, when completed upon plans and specifications to be previously made and approved by the Secretary of the Treasury, shall not exceed in the aggregate the sum of $50,000. That no money appropriated for the purpose aforesaid shall be available until a valid title to the site for said building shall be vested in the United States, nor until the State of Illinois shall have ceded to the United States exclusive jurisdiction over the same, during the time the United States shall be or remain the owner thereof, for all purposes except the administration of the criminal laws of the State and the service of civil process therein.

SEC. 2. That the sum of $50,000 be, and the same is hereby, appropriated, out of any money in the Treasury not otherwise appropriated, to be used and expended for the purposes of this act.

The Committee on Public Buildings and Grounds recommended the following amendments:

In line 13 strike out the word "fifty" and insert the word "forty-seven."

Strike out all of line 13 after the word "dollars," and also strike out all of lines 14, 15, 16, 17, 18, 19, and 20, in section 1.

Strike out all of section 2.

Insert the following after "dollars," in line 13, page 1:

"The building shall be unexposed to danger from fire by an open space of at least 40 feet on each side, including streets and alleys."

Mr. DOCKERY. I ask for the reading of the report.

The CHAIRMAN. Without objection, the Clerk will read the report.

The report (by Mr. MERCER) was read, as follows:

The Committee on Public Buildings and Grounds, to whom was referred the bill (H. R. 8587) for the erection of a public building at Monmouth, Ill., submit the following report:

Monmouth, Ill., is a city of between 10,000 and 11,000 people, situated in Warren County, on the main line of the Chicago, Burlington and Quincy Railroad, and also the Iowa Central, and the Rockford, Rock Island and St. Louis branch of the Burlington system, with two more railroads in prospect for the near future.

Monmouth has now the largest pottery in the world, besides numerous other manufactories of large extent. Monmouth College, one of the best known educational institutions of the West, is located here, and there is every prospect that in the next ten years the city will have double its present population. Monmouth has also a beautiful new county court-house, completed two years ago at a cost of $140,000, a beautiful structure, and also has other fine private and public buildings. During the past ten years there has been an enormous increase of postal receipts at Monmouth, as the following figures will indicate:

Postal receipts, year ending June 30—

1888	$10,634.85
1898	16,667.85

The following letter from the Acting Secretary of the Treasury regarding the proposed building is here submitted:

TREASURY DEPARTMENT, OFFICE OF SECRETARY,
Washington, D. C., January 17, 1899.

SIR: In reply to your letter of the 12th instant, requesting a report in connection with House bill 8587, providing for the acquisition of a site and the erection thereon of a suitable building for the use and accommodation of the United States post-office and other Government offices at Monmouth, Ill., at a cost not to exceed $50,000, I have the honor to advise you that from computations made in this Department, based upon data which have been collected with a view to ascertaining the requirements of the public service at Monmouth, it is estimated that a suitable building, about 80 feet by 50 feet in dimensions, consisting of basement and one story, of fireproof construction, including heating apparatus, fireproof vaults, and approaches, affording sufficient space for the post-office, can be constructed for $42,000, exclusive of the cost of site.

It is estimated that land suitable for a site of sufficient size to allow for the usual 40-foot fire limit, and for a 30-foot extension to the building in the future, can be secured for $5,000. In this connection you are advised that, as it is considered desirable that the building should be unexposed to danger from fire in adjacent buildings, it is suggested that the following paragraph be added to the bill in question:

"The building shall be unexposed to danger from fire by an open space of at least 40 feet on each side, including streets and alleys."

Estimated cost of site	$5,000
Estimated cost of building	42,000
Total	47,000

Your attention is respectfully invited to the prohibition contained in said bill, that "no money appropriated for the purpose aforesaid shall be available until a valid title to the site for said building shall be vested in the United States, nor until the State of Illinois shall have ceded to the United States exclusive jurisdiction over the same," etc.

This prohibition will prevent the payment, until after the acquisition of a site, of the customary preliminary expenses, such as advertising, the traveling and subsistence expenses of the agent of this Department who may be detailed to examine and report upon the suitability of such sites as may be offered, etc. Unless it is intended that such items should not be paid promptly, it is suggested that the provision of section 355, Revised Statutes of the United States, are ample to prevent the purchase of a site until the State has ceded to the United States jurisdiction over the same, or the erection thereon of any building until the Attorney-General has passed favorably on the title thereto, and it is respectfully suggested, therefore, that the prohibitory clause referred to be stricken from the bill, or that the ordinary preliminary expenses be excepted from its operations.

Respectfully, yours,

O. L. SPAULDING, *Acting Secretary.*

The CHAIRMAN COMMITTEE ON
PUBLIC BUILDINGS AND GROUNDS,
House of Representatives.

Therefore your committee recommend that the bill do pass, amended as follows:

In line 13 strike out the word "fifty" and insert the word "forty-seven."

Strike out all of line 13 after the word "dollars," and also strike out all of lines 14, 15, 16, 17, 18, 19, and 20, in section 1.

Strike out all of section 2

Insert the following after "dollars," in line 13, page 1:

"The building shall be unexposed to danger from fire by an open space of at least 40 feet on each side, including streets and alleys."

The amendments recommended by the committee were agreed to.

The bill as amended was ordered to be laid aside to be reported to the House with a favorable recommendation.

PUBLIC BUILDING, OSKALOOSA, IOWA.

Mr. MERCER. I call up the bill (H. R. 11919) to construct a public building at Oskaloosa, Iowa, and for other purposes.

The bill was read, as follows:

Be it enacted, etc., That the Secretary of the Treasury is hereby authorized and directed to acquire, by purchase or otherwise, a site and to cause to be erected thereon a substantial and suitable building, for use of the post-office and other Government purposes, at Oskaloosa, Iowa. The site and building, when complete, shall not cost to exceed $50,000. The site shall not be purchased until estimates for the erection of the building, suitable and sufficient for the public purpose, costing not to exceed the residue of the sum herein limited after the purchase and payment for the site, shall have first been approved by said Secretary; and the cost of building and site is limited to said sum of $50,000: *Provided*, That no part of said sum shall be expended until a valid title to said site shall be vested in the United States, nor until the State of Iowa shall cede exclusive jurisdiction over the said site to the United States, for all purposes except the administration of the criminal laws of said State and the service of civil process therein.

Mr. DOCKERY. I ask for the reading of the report, Mr. Chairman.

The CHAIRMAN. Without objection, the Clerk will read the report.

The report (by Mr. MERCER) was read, as follows:

The Committee on Public Buildings and Grounds, having had under consideration House bill 11919, report back the same with amendment and recommend that it do pass.

Oskaloosa is the county seat of Mahaska County, Iowa, in the center of a fertile region in the midst of the principal coal deposits of Iowa. The county of Mahaska is the leading coal-producing county of the State, and has a present population of about 33,000 souls. The city of Oskaloosa has a present population of 11,000, and is a prosperous and growing city with paved streets, electric lights, gaslights, waterworks, and all the modern conveniences of a city of its class. It is a railway center, having two lines of the Iowa Central, two lines of the Rock Island, and one line of the Chicago, Burlington and Quincy Railway centering there. Its growth has been constant since the city was first laid out, but has been quite rapid for the last five years.

Its postal receipts for the last fiscal year, ending June 30, 1898, were $18,530.80.

It has had the carrier system in operation for a number of years. It has 2 colleges, 6 large schoolhouses, and many manufactories. The yearly meetings of the Society of Friends for the State of Iowa is located there, and is annually attended by the people of that church from all parts of the United States.

The post-office facilities have been supplied in rented buildings heretofore.

The population in 1880 was 4,598; in 1890 it was 6,558, and the State official census in 1895 showed a population of 8,551, which has increased since that time to fully 11,000.

Amend by striking out the proviso.

The amendment recommended by the committee was agreed to.

Mr. MERCER. I move that the bill as amended be laid aside with a favorable recommendation.

The motion was agreed to.

PUBLIC BUILDING, WINSTON, N. C.

Mr. MERCER. I now call up the bill (H. R. 1859) to provide for a public building at Winston, N. C.

The bill was read, as follows:

Be it enacted, etc., That the Secretary of the Treasury be, and he is hereby, authorized and directed to acquire, by purchase, condemnation, or otherwise, a site, and cause to be erected thereon a suitable building for the use and accommodation of the United States post-office and other Government offices in the city of Winston and State of North Carolina. The cost of said site and building shall not exceed the sum of $75,000; which sum is hereby appropriated for said purpose out of any moneys in the United States Treasury not otherwise appropriated.

The amendments recommended by the committee were read, as follows:

Strike out the word "seventy-five" and insert in lieu thereof the word "fifty," so that the limit of cost of site and building shall be $50,000.

Strike out all after "dollars," in line 10.

The CHAIRMAN. The question is on agreeing to the amendments.

Mr. DOCKERY. I would like to have the report read.

Mr. LINNEY. I have a careful analysis of the report in my hand, which I will give to the House.

Mr. DOCKERY. If the House will hear it.

Mr. LINNEY. The population of Winston is 16,000. It has doubled since 1880. The internal-revenue collections this year were $1,000,000—larger than they have been in any one year. Winston has paid the United States Government in five years $3,380,164.33. The postal receipts are $26,000. The tobacco factories are 54, with an annual output of $5,000,000. The cotton factories have doubled since the passage of the McKinley bill. [Laughter and cries of "Vote!"]

Mr. KITCHIN. It had one before it passed and has two now.

The amendments recommended by the committee were agreed to.

Mr. MERCER. I now move that the bill as amended be laid aside with a favorable recommendation.

The motion was agreed to.

PUBLIC BUILDING, COLUMBUS, GA.

Mr. MERCER. I now call up the bill (H. R. 1079) to enlarge and improve the United States public building at Columbus, Ga.

The bill was read, as follows:

Be it enacted, etc., That there shall be appropriated the sum of $50,000, out of any money in the Treasury not otherwise appropriated, for the purpose of making betterments to the United States public building at Columbus, Ga., as follows: To purchase the necessary additional strip of ground east of the lot on which the present building stands and construct an annex, to enlarge the post-office on first floor, and correspondingly enlarge the court room above.

Mr. MERCER. I ask for a vote on the amendment.

Mr. DOCKERY. I would be glad to have the report read, or an explanation made.

Mr. MERCER. I beg pardon; I thought the report had been read. I yield to the gentleman from Georgia.

Mr. ADAMSON. I ask the Clerk to read the report.

The report (by Mr. BANKHEAD) was read, as follows:

The Committee on Public Buildings and Grounds, to whom was referred the bill (H. R. 1079) to enlarge and improve the United States public building at Columbus, Ga., report as follows:

The committee finds that the present court room in this public building is wholly inadequate for the purposes intended. The arrangement of the building is faulty, and the accommodations entirely too small for the transaction of public business, making the improvements and additions asked for absolutely necessary. The office of the marshal is on the ground floor, the court room on the floor above, and the jury rooms on the third floor, all of which is exceedingly inconvenient. The western division of the northern district of Georgia, in which this building is located, embraces 18 counties, and the attendance upon the terms of the court from this large area is large and the business is important.

The committee recommend the following substitute:

Strike out all after the enacting clause and insert the following:

"That the Secretary of the Treasury be, and he is hereby, authorized and directed to cause the post-office and court-house building at Columbus, Ga., to be extended and enlarged so as to provide necessary accommodations for the post-office, courts, and other branches of the Government service, and to purchase additional ground, in his discretion, at a cost not to exceed $50,000, including all necessary repairs to the present structure and cost of additional ground."

Mr. BERRY. Mr. Chairman, I have no doubt that this is a very meritorious bill coming from the great State of Georgia, and Columbus, no doubt, is a very important town; but the gentleman from Georgia [Mr. MADDOX] sought occasion to make some remarks in my absence——

Mr. ADAMSON. I am the gentleman from Georgia representing this bill.

Mr. BERRY. But it comes from the State of Georgia. I had no opportunity yesterday to explain to this House some assertions that were made against the town of Carrollton, and I want to say to gentlemen upon this floor [cries of "Vote!"] that the town of Carrollton is one of the busiest little corporations in the State of Kentucky, with two large national banks with deposits of $600,000. [Cries of "Vote!"] They have their waterworks, the finest in Kentucky, lifting the water 300 feet above the level of Kentucky River. They have electric lights; and I do not want it to be intimated that I endeavored to pass through this House a proposition not reasonable and fair as between the Government and the people in asking for the construction of a building costing $25,000. It is not half as much as they have paid for a court-house. In a county of 100,000 acres, with a hundred miles of free turnpikes, and with fine buildings scattered all over the county, I want to say, gentlemen, that it is a good proposition.

The amendments of the committee were agreed to.

Mr. MERCER. I move that the bill as amended be laid aside with a favorable recommendation.

The motion was agreed to.

Mr. MERCER. I now move that the committee rise and report back to the House the bills and the several amendments, and with the recommendation that as amended the bills do pass.

PUBLIC BUILDING, LOCKPORT, N. Y.

Mr. WADSWORTH. Pending that motion, I ask unanimous consent that the bill H. R. 500 be taken up and considered and recommended to the House for passage.

The CHAIRMAN. The gentleman from New York asks unanimous consent that the bill H. R. 500 be taken up. Is there objection? [After a pause.] The Chair hears none.

The Clerk read as follows:

Be it enacted, etc., That the Secretary of the Treasury be, and he is hereby, authorized and directed to acquire, by purchase, condemnation, or otherwise, a site, and cause to be erected thereon a suitable building, including fireproof vaults, heating and ventilating apparatus, elevators, and approaches, for the use and accommodation of the United States post-office and other Government offices, in the city of Lockport and State of New York, the cost of said site and building, including said vaults, heating and ventilating apparatus, elevators, and approaches, complete, not to exceed the sum of $60,000.

Proposals for the sale of land suitable for said site shall be invited by public advertisement in one or more of the newspapers of said city of largest circulation for at least twenty days prior to the date specified in the advertisement for the opening of said proposals.

Proposals made in response to said advertisement shall be addressed and mailed to the Secretary of the Treasury, who shall then cause the said proposed sites, and such others as he may think proper to designate, to be examined in person by an agent of the Treasury Department, who shall make written report to said Secretary of the results of said examination, and of

his recommendation thereon and the reasons therefor, which shall be accompanied by the original proposals and all maps, plats, and statements which shall have come into his possession relating to said proposed site.

If, upon consideration of said report and accompanying papers, the Secretary of the Treasury shall deem further investigation necessary, he may appoint a commission of not more than three persons, one of whom shall be an officer of the Treasury Department, which commission shall also examine the said proposed sites and such others as the Secretary of the Treasury may designate, and grant such hearings in relation thereto as they shall deem necessary; and said commission shall, within thirty days after such examination, make to the Secretary of the Treasury written report of their conclusion in the premises, accompanied by all statements, maps, plats, or documents taken by or submitted to them, in like manner as hereinbefore provided in regard to the proceedings of said agent of the Treasury Department; and the Secretary of the Treasury shall thereupon finally determine the location of the building to be erected.

The compensation of said commissioners shall be fixed by the Secretary of the Treasury, but the same shall not exceed $6 per day and actual traveling expenses: *Provided, however*, That the member of said commission appointed from the Treasury Department shall be paid only his actual traveling expenses

No part of said sum shall be expended, except ordinary preliminary expenses, until a valid title to the site for said building shall be vested in the United States, nor until the State of New York shall have ceded to the United States exclusive jurisdiction over the same, during the time the United States shall be or remain the owner thereof, for all purposes except the administration of the criminal laws of said State and the service of civil process therein. The building shall be unexposed to danger from fire by an open space of at least 40 feet on each side, including streets and alleys.

The amendments recommended by the committee were read, as follows:

Amend by striking out, in line 12, the words "one hundred" and substituting the word "fifty," and adding, in line 50, after the word "expended," "except ordinary preliminary expenses," and as so amended do pass.

Strike out the word "elevators" wherever it appears in the bill.

Mr. GROSVENOR. Mr. Chairman——

Mr. WADSWORTH. Mr. Chairman——

The CHAIRMAN. Does the gentleman yield?

Mr. GROSVENOR. I rise to a parliamentary inquiry. From what committee does this bill come?

Mr. WADSWORTH. From the Committee on Public Buildings and Grounds.

Mr. GROSVENOR. When was it reported?

Mr. WADSWORTH. The chairman can speak to that.

Mr. MERCER. It was reported yesterday; but the gentleman gets it up by unanimous consent.

Mr. DOCKERY. Is there any report on it?

Mr. WADSWORTH. The report has been printed, and all in due form.

Mr. DOCKERY. The gentleman from North Carolina [Mr. KITCHIN] has a bill, and it seems to me——

Mr. GROSVENOR. There are a great many other bills. I have not any.

The CHAIRMAN. The question is on agreeing to the amendments recommended by the committee.

Mr. KITCHIN. Pending that, I ask unanimous consent——

Mr. CLARDY. I ask unanimous consent that this committee——

The CHAIRMAN. After we shall have disposed of this the Chair will submit the requests.

The amendments of the committee were agreed to.

Mr. WADSWORTH. I move that the bill as amended be laid aside with a favorable recommendation.

The motion was agreed to.

Mr. MERCER. Mr. Chairman, I move that the Committee of the Whole now rise and report back to the House the various bills acted upon by the committee with the action thereon.

Mr. KITCHIN. I ask the gentleman to withhold that motion for a moment.

Mr. MERCER. I desire to say to gentlemen that the Committee on Public Buildings and Grounds intend to ask for another day for that committee.

The question was taken on the motion of Mr. MERCER that the committee rise; and on a division (demanded by Mr. DOCKERY, Mr. KITCHIN, and others) there were—ayes 75, noes 68.

Mr. DOCKERY. Tellers, Mr. Chairman.

Tellers were ordered; and the Chair appointed as tellers Mr. MERCER and Mr. DOCKERY.

The House again divided; and there were—ayes 79 noes 51.

So the motion was agreed to.

The committee accordingly rose; and the Speaker having resumed the chair, Mr. SHERMAN reported that the Committee of the Whole House on the state of the Union, having had under consideration bills of the House of the following titles, had directed him to report the same favorably with amendment, and that as amended they do pass:

A bill (H. R. 11712) to provide a site for a building for the Washington Public Library;

A bill (H. R. 534) to erect a public building at Lawrence, Mass.;

A bill (H. R. 431) to provide for the purchase of a site and the erection of a public building thereon at Streator, in the State of Illinois;

A bill (H. R. 4313) for the erection of a public building at the city of Jamestown, N. Y.;

A bill (H. R. 84) to provide for the erection of a public building at Freeport, Ill.;

A bill (H. R. 414) for the erection of a public building at Tampa, Fla.;

A bill (H. R. 2314) to erect a custom-house and post-office building in the city of Bristol, State of Tennessee;

A bill (H. R. 10804) for the erection of a public building at Anniston, Ala.;

A bill (H. R. 4595) for the erection of a public building at Norwich, Conn.;

A bill (H. R. 2056) for the erection of a public building at Menominee, Mich.;

A bill (H. R. 5528) to provide for the construction of a public building at Salem, Oreg.;

A bill (H. R. 4113) for the erection of a public building at St. Cloud, Minn.;

A bill (H. R. 2879) providing for the purchase of a site and the erection of a public building thereon at Leadville, Colo.;

A bill (H. R. 2593) for the erection of a public building at Newport, Vt.;

A bill (H. R. 477) to provide for the purchase of a site and the erection of a public building thereon at the city of Eau Claire, in the State of Wisconsin;

A bill (H. R. 8587) for the erection of a public building at Monmouth, Ill.;

A bill (H. R. 10753) to provide for enlarging and improving the United States Government building at Macon, Ga., and to appropriate $25,000 therefor;

A bill (H. R. 11919) to construct a public building at Oskaloosa, Iowa, and for other purposes;

A bill (H. R. 1859) to provide for a public building at Winston, N. C.;

A bill (H. R. 1079) to enlarge and improve the United States public building at Columbus, Ga.; and

A bill (H. R. 500) for the erection of public building at Lockport, N. Y.

Mr. SHERMAN also reported that the Committee of the Whole House on the state of the Union, having had under consideration a bill of the House of the following title, had directed him to report the same favorably without amendment, and that said bill do pass:

A bill (H. R. 11882) to increase the limit of the cost for the erection of a public building in Stockton, Cal., and making provision for the acquisition of additional land or a new site therefor.

Mr. SHERMAN also reported that the Committee of the Whole House on the state of the Union, having had under consideration bills of the Senate of the following titles, had directed him to report the same favorably with amendment, and that as amended said bills do pass:

An act (S. 244) to provide for the purchase of a site and the erection of a public building thereon at Joplin, in the State of Missouri;

An act (S. 109) for the erection of a public building at Aberdeen, S. Dak.; and

An act (S. 927) to provide for the erection of a public building at Abilene, Tex.

Mr. MOODY. Mr. Speaker, a parliamentary inquiry.

The SPEAKER. The gentleman will state it.

Mr. MOODY. Would it be in order for any gentleman, first obtaining the floor, to move that of the bills reported from the Committee of the Whole House those relating to cities and towns where the post-office is of the first class be first considered in the House?

The SPEAKER. The Chair thinks not.

Mr. LOUD. Mr. Speaker, I would like to ask a parliamentary question.

The SPEAKER. The gentleman from California will state it.

Mr. LOUD. In what order would the bills come regularly before the House?

The SPEAKER. The impression of the Chair is that they would come in the order reported by the Journal of yesterday.

Mr. LOUD. Would that be the order in which they are reported from the Committee of the Whole?

The SPEAKER. In the order in which they are recorded in the Journal.

Mr. LOUD. That would be the order in which they were brought before the committee?

The SPEAKER. The Chair is informed that that would not be the order, the bills having been classified in the Journal.

Mr. LOUD. In what manner of classification, may I ask?

The SPEAKER. The report will be found on page 1751 of the RECORD.

Mr. MERCER. Mr. Speaker, I ask unanimous consent that the bills be considered in the House in the order in which they were recommended favorably in the Committee of the Whole. I think that is the fairest proposition.

The SPEAKER. The gentleman from Nebraska asks that the bills be considered in the House in the order in which they were

recommended favorably by the Committee of the Whole House. Is there objection? [After a pause.] The Chair hears none.

PUBLIC BUILDING AT NEWPORT NEWS, VA.

Mr. MERCER. Mr. Speaker, I ask to take up Senate bill 1964, for the erection of a public building for the use of the custom-house and post-office in the district of Newport News, Va.

The SPEAKER. The Clerk will read the amendments.

The Clerk read the amendments.

Mr. MERCER. Now, Mr. Speaker, I ask for the previous question upon the bill and amendments.

Mr. MOODY. Will the gentleman from Nebraska yield for a suggestion?

Mr. MERCER. I will yield to the gentleman from Massachusetts.

Mr. MOODY. It is evident that if there is resistance to all of these bills indiscriminately, very few of them can pass. Although I have no interest in any one bill, I do not want to bring about that result. The suggestion I make is that with respect to all bills the gentleman asks unanimous consent of the House that five minutes shall be allotted to explanation, one-half to be controlled by the gentleman himself and one-half by the gentleman in opposition, if he wishes, simply for the purpose of stating the salient facts—the population of the town, the receipts of the post-office, whether there is a session of the court, or a custom-house or not in the place. If that is done, I do not believe there will be any disposition to antagonize any bill that is meritorious, certainly not on my part.

Mr. HOPKINS. Let me suggest that the report in every one of these cases has been printed and shows all those facts.

Mr. MOODY. That is quite true; and although I have attended substantially the full two days, yet I can not carry in my mind all these facts. I for one propose to vote with some sort of a general system about it.

Mr. HOPKINS. The gentleman can take the RECORD and look at it.

Mr. SHAFROTH. I would like to suggest to the gentleman from Massachusetts [Mr. MOODY] that if we allow five minutes on each side to each bill, only twelve bills can be passed before the special order elapses, and those, of course, will be the first twelve.

Mr. MOODY. Well, say two minutes.

Mr. MERCER. In reply to the gentleman from Massachusetts, I would say we have scarcely two hours to consider these bills.

Mr. GROSVENOR. The gentleman will appreciate the fact that if the yeas and nays are demanded we may not be able to pass more than three of these bills.

Mr. MERCER. That is true enough.

Mr. GREENE of Nebraska. Will the gentleman from Nebraska allow me a suggestion?

Mr. MERCER. Certainly.

Mr. GREENE of Nebraska. Does not the gentleman think he would save time by allowing five minutes on a side?

Mr. MERCER. There is not time.

Mr. GREENE of Nebraska. Does not the gentleman think he will pass more bills in that way than if he attempts to pass them without it?

Mr. MERCER. Mr. Speaker, I will suggest that when we come to a bill that is objectionable, it will be in order to ask that that bill be laid aside temporarily. I will ask for the previous question on the bill and amendments.

Mr. DOCKERY. Before the gentleman does that I would be glad if some arrangement could be made.

The SPEAKER. The gentleman from Nebraska asks for the previous question.

Mr. DOCKERY. Pending that——

The SPEAKER. Does the gentleman from Nebraska yield?

Mr. MERCER. I yield to the gentleman for a suggestion.

Mr. DOCKERY. Just a moment. It is obvious to me, Mr. Speaker, that some of these bills are entitled to the favorable action of the House, but I am fully satisfied that a good many of them should not be approved, especially in view of the fact that the deficiency in our current revenues for the present fiscal year will be perhaps $150,000,000, and our expenses during the coming year will amount to not less than $675,000,000. I hope, therefore, the gentleman will agree to the proposition that as each bill is reached three to five minutes be allowed on either side in explanation of the measure, if such time be desired.

Mr. MERCER. Well, Mr. Speaker, I wish to be fair in this matter. I have given all the leeway I possibly could in Committee of the Whole for the discussion of these bills. They have been thoroughly ventilated, both by the reading of the reports and by the statements of the members. In order to obviate any criticism, I will agree that in case it should become necessary on any bill, four minutes be allowed for the discussion of the bill before the previous question will be considered as ordered.

Mr. LIVINGSTON. Allow me a suggestion. It is evident that only a few of these bills can be passed this afternoon. Now, to be perfectly fair toward all of them, why not let this business go over for to-day and attempt to pass none of them now, but ask for another day, and then take them all up and pass them?

Mr. MERCER. We will let that matter take care of itself later on.

Mr. LIVINGSTON. But if you go on now and pass a dozen of these bills to-day, we may not be able to get another day for action on the rest.

Mr. DOCKERY. I withdraw my suggestion.

Mr. MERCER. I ask the previous question upon the bill and amendments.

The previous question was ordered.

The amendments reported from the Committee of the Whole were agreed to.

The SPEAKER. The question is on ordering this Senate bill as amended to a third reading.

The question was decided in the affirmative, there being on a division (called for by Mr. CLARDY)—ayes 107, noes 5.

So the bill was ordered to a third reading.

Mr. CLARDY. Now, Mr. Speaker, I demand the reading of the engrossed bill.

The SPEAKER. This is a Senate bill and does not have to be engrossed in the House. The Clerk will read the bill.

The bill was read.

The bill was then passed.

On motion of Mr. MERCER, a motion to reconsider the last vote was laid on the table.

PUBLIC BUILDING AT BLAIR, NEBR.

Mr. MERCER. Mr. Speaker, in view of the criticism made in reference to the bill for a public building at Blair, Nebr., now pending before the House—and I will say that Blair is on an equal footing with a great many cities which have had public-building bills reported for them—I ask unanimous consent to publish in the RECORD as part of my remarks some statistics in regard to public-building bills which will be of considerable interest not only to members of the present Congress, but to members of future Congresses.

Statement showing authorization of public buildings, by States and cities, with population of city in 1890, cost of building, and grade of post-office.

State and city.	Population.	Cost.	Grade.
ALABAMA.			
1. Birmingham	26,178	$350,393.98	1
2. Huntsville	7,995	90,699.30	2
3. Mobile	81,076	453,737.91	
4. Mobile marine hospital		76,699.31	1
5. Montgomery	21,883	167,074.25	1
Total	87,132	1,138,604.75	
ARKANSAS.			
1. Fort Smith	11,311	125,513.66	2
2. Helena	5,189	85,000.00	3
3. Little Rock	25,874	375,659.85	1
4. Texarkana	3,528	102,223.36	2
Total	45,902	688,396.87	
CALIFORNIA.			
1. Los Angeles	50,395	170,000.00	1
2. Sacramento	26,386	310,000.00	1
3. San Francisco	298,997	1,400,000.00	
4. San Francisco custom-house		885,496.83	
5. San Francisco marine hospital		153,935.37	
6. San Francisco, old appraiser's stores		111,585.37	1
7. San Francisco, new appraiser's stores		887,762.30	
8. San Francisco branch mint		2,240,310.80	
9. San Francisco subtreasury		418,571.80	
10. San Jose	18,060	200,220.50	1
11. Stockton	14,424	75,000.00	2
Total	408,262	6,852,882.97	
COLORADO.			
1. Denver	106,719	630,536.99	
2. Denver branch mint		95,247.60	1
3. Denver mint building		500,000.00	
4. Pueblo	24,558	300,000.00	1
Total	131,271	1,534,784.59	
CONNECTICUT.			
1. Bridgeport	48,866	251,055.37	1
2. Hartford	53,230	859,101.65	1
3. Middletown	9,013	40,436.06	2
4. New Haven	81,298	434,631.63	1
5. New London	13,757	107,234.92	2
Total	206,164	1,692,459.63	
DELAWARE.			
1. Dover	3,061	70,651.01	3
2. Wilmington	61,431	300,000.00	1
3. Wilmington custom-house		70,658.45	
Total	64,492	440,709.46	

Statement showing authorization of public buildings, etc.—Continued.

State and city.	Population.	Cost.	Grade.
FLORIDA.			
1. Jacksonville	17,201	$275,000.00	1
2. Key West	18,080	120,633.21	2
3. Key West marine hospital		57,802.57	
4. Pensacola	11,750	211,244.07	2
5. St. Augustine	4,742	45,214.06	2
6. Tallahassee	2,934	85,134.60	3
Total	54,707	795,028.51	
GEORGIA.			
1. Atlanta	65,533	427,944.76	1
2. Atlanta Exposition		50,000.00	
3. Augusta	33,300	158,159.22	1
4. Columbus	17,303	104,000.00	2
5. Macon	22,746	140,448.99	1
6. Rome	6,697	50,000.00	2
7. Savannah	43,189	759,359.33	1
Total	188,768	1,689,912.30	
IDAHO.			
1. Boise City	2,311	200,000.00	2
2. Boise City assay office		75,551.62	
Total	2,311	275,551.62	
ILLINOIS.			
1. Aurora	19,688	100,088.72	2
2. Bloomington	20,484	75,000.00	1
3. Cairo	10,324	316,000.21	2
4. Cairo marine hospital		106,691.63	
5. Chicago	1,099,850	5,597,278.64	
6. Chicago exposition		400,000.00	
7. Chicago marine hospital		560,937.98	1
8. Chicago appraiser's stores		415,986.81	
9. Chicago barge office		3,748.64	
10. Danville	11,491	100,242.00	2
11. Galesburg	15,264	82,500.00	1
12. Galena	5,635	90,626.22	2
13. Peoria	41,024	309,904.42	1
14. Quincy	31,494	180,534.39	1
15. Rockford	23,584	100,000.00	1
16. Rock Island	13,634	75,000.00	2
Total	1,283,482	8,514,539.66	
INDIANA.			
1. Evansville	50,756	348,479.75	1
2. Evansville marine hospital		102,922.25	
3. Fort Wayne	35,393	247,411.80	1
4. Indianapolis	105,436	598,734.31	1
5. Lafayette	16,243	80,276.30	1
6. Madison	8,936	50,000.00	2
7. New Albany	21,059	108,665.63	2
8. South Bend	21,819	75,000.00	1
9. Terre Haute	30,217	187,930.71	1
Total	340,615	1,789,420.79	
IOWA.			
1. Burlington	22,565	125,000.00	1
2. Cedar Rapids	18,020	130,000.00	1
3. Council Bluffs	21,474	251,597.25	1
4. Davenport	26,872	125,000.00	1
5. Des Moines	50,093	583,248.20	1
6. Dubuque	30,311	238,989.61	1
7. Fort Dodge	4,871	76,576.70	2
8. Keokuk	14,401	163,151.53	2
9. Ottumwa	14,001	44,029.20	2
10. Sioux City	37,806	275,000.00	1
Total	240,114	2,002,592.49	
KANSAS.			
1. Atchison	13,963	100,131.15	2
2. Emporia	7,551	10,000.00	2
3. Fort Scott	11,946	111,642.89	2
4. Leavenworth	19,768	193,499.50	2
5. Salina	6,149	97,448.70	2
6. Topeka	31,007	349,153.14	1
7. Wichita	23,853	208,776.04	1
Total	114,237	1,070,651.42	
KENTUCKY.			
1. Covington	37,371	312,697.44	2
2. Frankfort	7,892	127,692.21	2
3. Lexington	21,567	140,134.62	1
4. Louisville	161,129	1,244,702.87	1
5. Louisville marine hospital		119,222.35	
6. Newport	24,918	75,000.00	2
7. Owensboro	9,837	54,531.48	2
8. Paducah	12,797	142,637.09	2
9. Richmond	5,073	100,000.00	3
Total	280,584	2,335,618.06	
LOUISIANA.			
1. Alexandria	2,861	60,000.00	3
2. Baton Rouge	10,478	100,000.00	2
3. Monroe	3,256	74,594.17	2

Statement showing authorization of public buildings, etc.—Continued.

State and city.	Population.	Cost.	Grade.
LOUISIANA—continued.			
4. New Orleans	242,039	$4,793,286.67	
5. New Orleans branch mint		714,200.64	
6. New Orleans quarantine warehouse		52,742.15	1
7. New Orleans "Jump" boarding station		17,235.75	
8. New Orleans marine hospital		162,090.57	
9. Opelousas	1,572	47,555.85	3
10. Shreveport	11,979	116,040.08	2
Total	272,185	6,137,754.88	
MAINE.			
1. Augusta	10,527	200,693.47	1
2. Bangor	19,103	245,661.23	1
3. Bath	8,723	137,575.38	2
4. Belfast	5,294	58,286.57	2
5. Castine	987	20,530.69	4
6. Eastport	4,908	120,680.61	3
7. Ellsworth	4,804	39,403.47	3
8. Houlton	4,015	66,059.05	3
9. Kennebunk	3,172	4,465.76	3
10. Lewiston	21,701	84,525.48	2
11. Machias	2,035	36,356.31	3
12. Portland	36,425	437,287.94	
13. Portland custom-house		554,356.96	1
14. Portland marine hospital		164,676.83	
15. Waldoboro	3,505	28,495.65	3
16. Rockland	8,174	158,018.74	2
17. Vanceboro custom office	870	6,145.04	
18. Wiscasset	1,733	41,401.69	
Total	135,976	2,401,620.87	
MARYLAND.			
1. Baltimore	434,439	2,097,222.13	
2. Baltimore appraiser's stores		295,276.33	
3. Baltimore marine hospital		132,392.38	1
4. Baltimore court-house		252,528.68	
5. Baltimore custom-house		769,402.79	
6. Cumberland	12,729	75,000.00	2
Total	447,168	3,621,722.31	
MASSACHUSETTS.			
1. Barnstable		42,320.11	4
2. Boston	448,477	6,001,062.31	
3. Boston custom-house		1,390,334.02	1
4. Boston marine hospital		444,249.02	
5. Brockton	27,294	75,000.00	1
6. Fall River	74,398	542,006.06	1
7. Gloucester	24,651	63,040.30	2
8. Haverhill	27,412	83,000.00	1
9. Lowell	77,696	200,000.00	1
10. Lynn	55,727	125,000.00	1
11. New Bedford	40,733	200,930.41	1
12. Newburyport	13,947	35,879.54	2
13. Springfield	44,179	150,152.97	1
14. Salem	30,801	45,739.17	1
15. Taunton	25,448	75,000.00	2
16. Vineyard Haven		28,076.47	3
17. Worcester	84,655	399,406.20	
Total		9,991,191.97	
MICHIGAN.			
1. Bay City	27,839	201,743.86	2
2. Detroit	205,876	1,500,000.00	
3. Detroit custom-house		349,970.62	1
4. Detroit marine hospital		141,774.80	
5. Grand Rapids	60,278	224,330.77	1
6. Jackson	20,798	105,000.00	1
7. Kalamazoo	17,953	76,434.69	1
8. Lansing	13,102	119,467.88	1
9. Marquette	9,093	107,236.83	2
10. Port Huron	13,543	259,830.34	2
11. Saginaw	46,322	100,000.00	1
Total	434,704	3,185,789.79	
MINNESOTA.			
1. Duluth	33,115	270,344.23	1
2. Mankato	8,838	100,000.00	2
3. Minneapolis	164,738	657,289.45	1
4. St. Paul	133,156	1,284,169.20	1
5. Winona	18,208	160,208.35	
Total	358,055	2,471,991.23	
MISSISSIPPI.			
1. Aberdeen	3,449	80,199.57	3
2. Jackson	5,920	118,388.25	2
3. Meridian	10,624	80,000.00	2
4. Oxford	1,546	68,940.89	3
5. Vicksburg	13,373	110,132.36	2
Total	34,912	457,661.05	
MISSOURI.			
1. Hannibal	12,857	139,633.71	2
2. Jefferson City	6,742	155,196.33	2
3. Kansas City	132,716	1,702,785.40	1
4. St. Joseph	52,324	305,956.61	1

Statement showing authorization of public buildings, etc.—Continued.

State and city.	Population.	Cost.	Grade.
MISSOURI—continued.			
5. St. Louis	451,770	$6,099,389.79	
6. St. Louis, appraiser's stores		588,984.33	1
7. St. Louis marine hospital		456,658.33	
8. Sedalia	14,068	49,988.21	2
9. Springfield	21,850	155,000.00	2
Total	602,327	9,713,594.71	
MONTANA.			
1. Helena	13,824	300,000.00	
2. Helena assay office		61,325.38	2
Total	13,824	361,325.38	
NEBRASKA.			
1. Beatrice	13,836	65,112.73	2
2. Fremont	6,747	60,017.28	2
3. Lincoln	55,154	217,668.20	1
4. Nebraska City	11,494	110,986.47	2
5. Omaha	140,452	1,647,050.46	1
6. South Omaha	8,062	100,000.00	2
Total	235,745	2,200,835.14	
NEVADA.			
1. Carson City branch mint	3,950	434,370.38	
2. Carson City		146,412.23	3
Total	3,950	580,782.61	
NEW HAMPSHIRE.			
1. Concord	17,004	232,128.00	1
2. Manchester	44,126	254,045.62	1
3. Portsmouth	9,827	226,145.52	2
Total	70,947	712,320.04	
NEW JERSEY.			
1. Camden	58,313	225,000.00	1
2. Jersey City	163,003	71,383.05	1
3. Newark	181,830	716,000.00	1
4. Paterson	78,347	200,000.00	1
5. Perth Amboy	9,512	3,374.06	2
6. Trenton	57,458	423,451.83	1
7. Hoboken	43,648	76,871.11	
Total	592,111	1,716,080.05	
NEW MEXICO.			
1. Santa Fe	6,185	70,124.78	2
NEW YORK.			
1. Albany	94,923	823,904.82	1
2. Auburn	25,858	200,547.48	1
3. Binghamton	35,005	153,932.81	1
4. Brooklyn	806,343	1,922,680.92	1
5. Buffalo	255,664	2,000,000.00	1
6. Canandaigua, lease	5,868	30,000.00	2
7. Newburg	23,087	100,000.00	1
8. New York	1,515,301	9,741,661.47	
9. New York custom-house		1,000,000.00	
10. New York subtreasury		1,480,650.29	
11. New York assay office		766,293.75	
12. New York revenue dock and Barge Office		294,856.48	1
13. New York, No. 23 Pine street		10,803.66	
14. New York, Ellis Island immigrant station		630,183.20	
15. New York, surgeon's house and dispensary		808.21	
16. New York appraiser's warehouse		2,220,000.00	
17. Ogdensburg	11,662	249,856.15	2
18. Oswego	21,842	156,605.73	2
19. Plattsburg	7,010	85,408.17	2
20. Poughkeepsie	22,206	118,035.49	1
21. Rochester	133,896	600,095.37	1
22. Syracuse	88,143	408,277.45	1
23. Suspension Bridge		37,674.32	
24. Troy	60,956	528,950.00	1
25. Utica	44,007	421,557.64	1
26. Watertown	14,725	77,957.01	
Total	3,166,496	24,068,728.42	
NORTH CAROLINA.			
1. Asheville	10,235	100,484.21	2
2. Charlotte	11,557	92,144.69	
3. Charlotte assay office		74,454.84	2
4. Greensboro	3,317	71,288.65	2
5. Newburn	7,843	75,000.00	2
6. Ocracoke	466	9,227.07	2
7. Raleigh	12,678	302,550.32	2
8. Reidsville	2,690	25,014.63	3
9. Wilmington	20,056	286,916.83	
10. Wilmington marine hospital		49,173.14	2
11. Wilmington wharves and warehouses		25,118.25	
12. Statesville		77,094.42	
Total		1,125,067.05	
NORTH DAKOTA.			
1. Fargo	5,664	100,000.00	2

Statement showing authorization of public buildings, etc.—Continued.

State and city.	Population.	Cost.	Grade.
OHIO.			
1. Akron	27,601	$75,000.00	1
2. Canton	26,189	106,271.51	1
3. Cincinnati	296,908	5,854,285.49	
4. Cincinnati marine hospital		119,381.93	1
5. Cleveland	261,353	587,513.09	
6. Cleveland marine hospital		124,143.13	1
7. Columbus	88,150	329,980.81	1
8. Dayton	61,220	162,850.43	1
9. Lima	15,981	60,000.00	2
10. Portsmouth	12,304	75,847.18	2
11. Sandusky	18,471	99,469.52	2
12. Springfield	31,895	144,695.41	1
13. Toledo	81,434	445,293.27	1
14. Youngstown	33,220	75,000.00	2
Total	975,816	8,259,641.77	
OREGON.			
1. Astoria	6,184	92,190.29	2
2. Portland	46,385	1,150,985.99	1
Total	52,569	1,243,176.28	
PENNSYLVANIA.			
1. Allegheny	105,287	425,000.00	1
2. Beaver Falls	9,735	50,000.00	2
3. Chester	20,226	80,000.00	2
4. Erie	40,634	293,671.31	1
5. Harrisburg	39,385	421,867.50	1
6. Lancaster	32,011	100,697.47	1
7. Philadelphia	1,046,964	6,248,244.19	
8. Philadelphia, additional		91,000.00	
9. Philadelphia custom-house		225,000.00	
10. Philadelphia, old mint		487,273.18	
11. Philadelphia appraiser's stores		667,593.29	1
12. Philadelphia lazaretto		29,236.93	
13. Philadelphia marine hospital		1,394.05	
14. Philadelphia new mint		2,000,000.00	
15. Pittsburg	238,617	1,966,915.41	1
16. Reading	58,661	184,209.86	1
17. Scranton	75,215	265,667.02	1
18. Williamsport	27,132	223,076.85	1
19. Pottsville	14,117	60,000.00	2
20. York	20,793	86,000.00	1
Total	1,728,777	13,926,852.04	
RHODE ISLAND.			
1. Bristol	5,478	39,817.90	3
2. Newport	19,457	51,671.01	1
3. Providence	132,146	324,910.10	
4. Providence appraiser's stores		17,934.14	1
5. Pawtucket	27,633	75,000.00	2
Total	184,714	509,333.15	
SOUTH CAROLINA.			
1. Charleston	54,955	564,000.00	
2. Charleston custom-house		3,103,337.00	1
3. Charleston clubhouse		49,059.16	
4. Columbia	15,332	425,543.96	2
5. Greenville	8,607	102,000.00	2
Total	78,914	4,243,941.21	
SOUTH DAKOTA.			
1. Sioux Falls	10,177	165,000.00	2
TENNESSEE.			
1. Chattanooga	29,100	282,598.09	1
2. Clarksville	7,924	50,000.00	2
3. Jackson	10,039	73,149.59	2
4. Knoxville	22,535	417,740.09	1
5. Memphis	64,495	506,591.21	
6. Memphis marine hospital		99,118.28	1
7. Nashville	76,168	468,096.68	
8. Nashville Exposition		30,000.00	1
Total	210,261	2,007,293.94	
TEXAS.			
1. Austin	14,575	193,332.85	1
2. Brownsville	6,134	56,579.89	3
3. Dallas	38,067	283,075.42	1
4. El Paso	10,338	208,119.39	2
5. Fort Worth	23,076	215,000.00	1
6. Galveston	29,084	464,089.56	1
7. Houston	27,557	92,164.53	1
8. Jefferson	3,072	53,075.28	3
9. Paris	8,254	104,172.88	2
10. San Antonio	37,673	214,969.85	1
11. Tyler	6,908	58,877.14	2
12. Waco	14,445	110,673.97	1
Total	220,193	2,064,110.76	
UTAH.			
1. Salt Lake City	44,843	75,000.00	1

Statement showing authorization of public buildings, etc.—Continued.

State and city.	Population.	Cost.	Grade.
VERMONT.			
1. Burlington	14,590	$90,214.27	1
2. Montpelier	4,100	161,651.81	2
3. Rutland	11,700	99,469.06	2
4. St. Albans	7,771	155,000.00	2
5. Windsor	1,846	98,848.95	3
Total	40,127	605,184.09	
VIRGINIA.			
1. Abingdon	1,674	90,245.35	3
2. Alexandria	14,339	96,366.45	2
3. Danville	10,305	128,956.13	2
4. Harrisonburg	2,732	116,324.79	3
5. Lynchburg	19,709	139,077.45	1
6. Norfolk	34,871	533,678.99	1
7. Petersburg	22,680	126,656.39	2
8. Richmond	81,388	512,455.80	1
9. Roanoke	16,159	75,000.00	2
10. Staunton	6,975	77,726.53	2
Total	210,802	1,896,487.77	
WASHINGTON.			
1. Port Townsend	4,558	252,297.25	3
2. Port Townsend marine hospital		30,000.00	
Total	4,558	282,297.25	
WEST VIRGINIA.			
1. Charleston	6,742	152,031.86	2
2. Clarksburg	3,008	86,702.18	3
3. Martinsburg	7,226	90,000.00	2
4. Parkersburg	8,408	255,535.00	2
5. Wheeling	34,522	175,910.41	1
Total	59,906	760,179.54	
WISCONSIN.			
1. Ashland	9,956	100,040.75	2
2. Madison	13,426	363,907.38	1
3. Milwaukee	204,468	2,255,000.00	1
4. Racine	21,014	100,000.00	1
5. Oshkosh	22,836	102,400.00	2
6. Sheboygan	16,359	54,700.00	
Total	287,059	2,976,054.13	
WYOMING.			
1. Cheyenne	11,690	250,000.00	2
ALASKA.			
1. Mary Island custom-house		7,948.43	
2. Sand Point custom-house		7,930.59	
3. St. Paul and St. George Island seal fisheries		6,012.21	
4. Sitka custom-house		21,642.90	
5. Sitka warehouse and wharf		14,145.45	
6. Wrangel custom-house		1,898.76	
7. Unalaska custom-house		1,000.00	
8. Kadiak custom-house		827.31	
Total		61,405.65	
DISTRICT OF COLUMBIA.			
1. Treasury		7,317,670.14	
2. Engraving and Printing		549,497.77	
3. Supervising Architect building		24,774.51	
4. Butler Building		275,000.00	
5. Richards property		155,000.00	
6. Post-office		3,065,490.77	
7. Georgetown post-office and custom-house		79,665.39	

Amount of money appropriated for public buildings in the United States approximately to date.

SOUTHERN STATES.

States.	Population.	Amount asked.	Amount appropriated.
Alabama	1,513,017	$25,000	$1,138,604.75
Arkansas	1,128,179	75,000	688,396.87
Florida	391,422	75,000	795,028.51
Georgia	1,837,353	200,000	1,089,912.30
Kentucky	1,858,635	25,000	2,395,618.06
Louisiana	1,118,587	50,000	6,137,754.88
Maryland	1,042,390	200,000	3,021,722.31
Mississippi	1,289,600	25,000	457,661.05
North Carolina	1,617,947	50,000	1,129,067.05
South Carolina	1,151,149	55,000	4,243,941.21
Tennessee	1,767,518	50,000	2,007,293.94
Texas	2,235,523	180,000	2,064,110.76
Virginia	1,655,980	50,000	1,896,487.77
West Virginia	762,794	100,000	760,179.54

WESTERN STATES.

California	1,208,130	$656,900	$6,852,882.97
Colorado	412,198	50,000	1,534,784.59
Illinois	3,826,341	450,000	8,514,539.66

Amount of money appropriated for public buildings, etc.—Continued.

WESTERN STATES—continued.

States.	Population.	Amount asked.	Amount appropriated.
Indiana	2,192,404	$1,000,000	$1,780,420.79
Iowa	1,911,896	175,000	2,002,562.49
Kansas	1,427,096	155,000	1,070,651.42
Michigan	2,093,889	155,000	3,185,789.79
Minnesota	1,301,826	205,000	2,471,991.23
Missouri	2,679,184	50,000	9,713,594.71
Montana	132,159	100,000	361,325.38
Nebraska	1,058,910	840,000	2,200,835.14
North Dakota	182,719		100,000.00
Ohio	3,672,316	2,115,000	8,259,641.77
Oregon	313,767	50,000	1,243,176.28
South Dakota	328,808	50,000	165,000.00
Utah	207,905	550,000	75,000.00
Washington	349,390	750,000	282,297.25
Wisconsin	1,686,880	250,000	2,976,054.13
Wyoming	60,705		250,000.00

EASTERN STATES.

Connecticut	746,258	$325,000	$1,092,459.63
Massachusetts	2,238,943	200,000	9,991,196.97
New Hampshire	376,530	50,000	712,320.04
New Jersey	1,444,933	650,000	1,716,080.05
New York	5,997,853	1,125,000	24,068,728.42
Pennsylvania	5,258,014	328,000	13,926,852.05
Rhode Island	345,506	150,000	509,333.15
Vermont	1,665,980	125,000	605,184.09

One word further, Mr. Speaker. Owing to misinformation given to me about the gross receipts of the post-office at Blair, I did make a misstatement yesterday. I withdraw the statement I then made in regard to gross receipts, because I find from the tabulated statistics that an error was committed, and I ask that the RECORD be corrected in that particular. The gross receipts are something over $6,000 for last year.

Now, Mr. Speaker, I ask that this bill be temporarily laid aside and that we take up the bill for a public building at Altoona, Pa.

The SPEAKER. The gentleman from Nebraska asks leave to print in the RECORD certain statistics, as indicated. Is there objection? The Chair hears none. The gentleman also asks consent that this bill be laid aside temporarily.

Mr. LOUD. I object. I think this question might as well be determined now as by and by.

The Clerk read as follows:

A bill (H. R. 10909) for the erection of a public building in the city of Blair, Nebr.

The SPEAKER. The question is first on the amendments, which the Clerk will report.

The amendments reported from the Committee of the Whole on the state of the Union were read.

Mr. GROSVENOR. I would be glad if the gentleman from Nebraska would yield to me a moment for a personal matter.

Mr. MERCER. Certainly.

Mr. GROSVENOR. Mr. Speaker, the suggestion of the gentleman from Nebraska about a mistake in figures reminds me that I ought to say to the House that having suddenly taken charge of a bill yesterday for an absent colleague, and having hurriedly read the report (I refer to the case of Canton, Ohio), I stated that the post-office there had been built twenty-five years ago, when the population was 25,000. In point of fact the post-office was built eight years ago, and at that time the population was 25,000. Twenty-five years ago Canton had not a population of 10,000.

Mr. MERCER. I move that the bill for the erection of a public building at Blair, Nebr., be laid aside temporarily; and on that I ask the previous question.

Mr. HANDY. I make the point of order that that motion is not in order at this time. If the gentleman requested a permanent retirement of the bill it would be a different matter.

The SPEAKER. The Chair thinks that that is not one of the regular motions which the rules permit.

Mr. MERCER. Would it be in order to move that the bill be laid aside permanently?

Mr. LOUD. The gentleman can move to lay it on the table.

Mr. MERCER. The gentleman from Delaware seems to be in favor of having this bill passed. I therefore ask that the bill be placed on its passage. I call for the previous question on the bill and amendments. I have done all that I could to get the bill out of the way of other members.

The SPEAKER. The gentleman from Nebraska demands the previous question on the bill to its passage.

The question was taken; and on a division (demanded by Mr. HANDY) there were—ayes 114, noes 25.

Mr. HANDY. Mr. Speaker, I make the point of order that there is no quorum present.

The SPEAKER (having counted the House). One hundred and ninety-seven members are present—a quorum.

So the previous question was ordered.

The SPEAKER. The first question is on the amendments reported from the Committee of the Whole.

Mr. HANDY. Mr. Speaker, I demand a separate vote on the amendments.

The SPEAKER. A separate vote being demanded, the Clerk will report the first amendment.

The Clerk read as follows:

Page 1, line 5, strike out the words "cause to be erected thereon" and insert "to contract for the construction and completion thereon of a."

The question was taken; and on a division (demanded by Mr. HANDY) there were—ayes 100, noes 1.

So the amendment was agreed to.

The SPEAKER. The Clerk will report the next amendment.

The Clerk read as follows:

In line 7, page 1, after the word "building," insert the words "with fireproof vaults therein."

The question was taken: and on a division (demanded by Mr. HANDY) there were—ayes 95, noes 1.

So the amendment was agreed to.

The SPEAKER. The Clerk will read the next amendment.

The Clerk read as follows:

Page 1, line 12, strike out the word "fifty" and insert the words "forty-three" in lieu thereof.

The amendment was agreed to.

The next amendment was read, as follows:

Page 2, line 8, strike out the word "fifty" and insert "forty-three."

The amendment was agreed to.

The question recurred on the engrossment and third reading of the bill.

The question was taken: and on a division (demanded by Mr. HANDY) there were—ayes 103, noes 34.

Mr. LOUD and Mr. HANDY. Let us have the yeas and nays.

The yeas and nays were ordered.

The question was taken; and there were—yeas 104, nays 81, answered "present" 10, not voting 156; as follows:

YEAS—104.

Adamson,	Davis,	Hitt,	Overstreet,
Aldrich,	De Vries,	Hopkins,	Quigg,
Baker, Md.	Dick,	Howard, Ga.	Reeves,
Bankhead,	Dinsmore,	Howell,	Ridgely,
Barham,	Dorr,	Kerr,	Robertson, La.
Bartlett,	Dovener,	Knowles,	Robinson, Ind.
Belford,	Eddy,	Kulp,	Shafroth,
Brantley,	Ermentrout,	Lacey,	Shattuc,
Broussard,	Faris,	Lamb,	Shelden,
Brown,	Fischer,	Lawrence,	Skinner,
Brownlow,	Fletcher,	Lewis, Ga.	Smith, Ill.
Brundidge,	Foss,	Lewis, Wash.	Smith, Wm. Alden
Bull,	Fowler, N. C.	Linney,	Sparkman,
Burke,	Gibson,	Little,	Sperry,
Burleigh,	Gillet, N. Y.	Livingston,	Stephens, Tex.
Burton,	Graff,	Low,	Strode, Nebr.
Butler,	Graham,	Lybrand,	Sutherland,
Capron,	Griffin,	McIntire,	Tongue,
Catchings,	Grout,	Mann,	Van Voorhis,
Cochrane, N. Y.	Hartman,	Marsh,	Wadsworth,
Codding,	Henderson,	Maxwell,	Wanger,
Cooper, Tex.	Henry, Conn.	Mercer,	Warner,
Cooper, Wis.	Hepburn,	Miller,	Weymouth,
Crump,	Hicks,	Morris,	White, N. C.
Curtis, Kans.	Hilborn,	Mudd,	Williams, Pa.
Davey,	Hill,	Olmsted,	Wilson.

NAYS—81.

Allen,	De Graffenreid,	McDowell,	Spalding,
Baker, Ill.	Dockery,	McLain,	Spight,
Ball,	Fitzgerald,	Maddox,	Stallings,
Barlow,	Fox,	Miers, Ind.	Steele,
Barney,	Greene, Mass.	Moody	Stewart, N. J.
Bell,	Greene, Nebr.	Moon,	Strait,
Botkin,	Hager,	Osborne,	Strowd, N. C.
Bradley,	Handy,	Otey,	Sturtevant,
Brenner, Ohio	Hay,	Payne,	Sulzer,
Broderick,	Hemenway,	Pierce, Tenn.	Talbert,
Castle,	Henry, Tex.	Powers,	Tate,
Clardy,	Kirkpatrick,	Pugh,	Updegraff,
Clark, Mo.	Kitchin,	Ray,	Vandiver,
Clarke, N. H.	Kleberg,	Rhea,	Vincent,
Clayton,	Landis,	Royse,	Walker, Mass.
Connolly,	Lanham,	Settle,	Wheeler, Ky.
Cowherd,	Lentz,	Shuford,	Williams, Miss.
Cox,	Littauer,	Sims,	Zenor.
Crumpacker,	Lloyd,	Slayden,	
Davidson, Wis.	Loud,	Smith, Ky.	
De Armond,	Lovering,	Snover,	

ANSWERED "PRESENT"—10.

Adams,	McCleary,	Norton, S. C.	Swanson.
Bennett,	McEwan,	Otjen,	
Griffith,	Mahon,	Sherman,	

NOT VOTING—156.

Acheson,	Belden,	Bentelle, Me.	Clark, Iowa
Alexander,	Belknap,	Brewer,	Cochran, Mo.
Arnold,	Benner, Pa.	Brewster,	Colson,
Babcock,	Benton,	Bromwell,	Connell,
Bailey,	Berry,	Brosius,	Cooney,
Baird,	Bingham,	Brucker,	Corliss,
Barber,	Bishop,	Brumm,	Cousins,
Barrett,	Bland,	Campbell,	Cranford,
Barrows,	Bodine,	Cannon,	Cummings,
Bartholdt,	Boose,	Carmack,	Curtis, Iowa
Beach,	Boutell, Ill.	Chickering,	Dalzell,
Danford,	Howard, Ala.	Mahany,	Simpson,
Davenport,	Howe,	Marshall,	Smith, S. W.
Davison, Ky.	Hull,	Martin,	Southard,
Dayton,	Hunter,	Meekison,	Southwick,
Dolliver,	Hurley,	Mesick,	Sprague,
Driggs,	Jenkins,	Meyer, La.	Stark,
Elliott,	Jett,	Mills,	Stevens, Minn.
Ellis,	Johnson, Ind.	Minor,	Stewart, Wis.
Evans,	Johnson, N. Dak.	Mitchell,	Stokes,
Fenton,	Jones, Va.	Newlands,	Stone,
Fitzpatrick,	Jones, Wash.	Norton, Ohio	Sulloway,
Fleming,	Joy,	Odell,	Tawney,
Foote,	Kelley,	Ogden,	Tayler, Ohio
Fowler, N. J.	Ketcham,	Packer, Pa.	Taylor, Ala.
Gaines,	King,	Parker, N. J.	Terry,
Gardner,	Knox,	Pearce, Mo.	Thorp,
Gillett, Mass.	Latimer,	Pearson,	Todd,
Griggs,	Lester,	Perkins,	Underwood
Grosvenor,	Lorimer,	Peters,	Vehslage,
Grow,	Loudenslager,	Prince,	Walker, Va.
Gunn,	McAleer,	Richardson,	Ward,
Hamilton,	McCall,	Rixey,	Weaver,
Harmer,	McClellan,	Robb,	Wheeler, Ala.
Hawley,	McCormick,	Robbins,	White, Ill.
Heatwole,	McCulloch,	Russell,	Wilber,
Henry, Ind.	McDonald,	Sauerhering,	Wise,
Henry, Miss.	McRae,	Shannon,	Yost,
Hinrichsen,	Maguire,	Showalter,	Young.

So the bill was ordered to be engrossed and read a third time.

The following pairs were announced:

Until further notice:

Mr. JOY with Mr. CARMACK.

Mr. ELLIS with Mr. STOKES.

Mr. YOUNG with Mr. TODD.

Mr. JENKINS with Mr. ELLIOTT.

Mr. BARTHOLDT with Mr. OGDEN.

Mr. DANFORD with Mr. FITZPATRICK.

Mr. ODELL with Mr. KING.

Mr. LORIMER with Mr. SWANSON.

Mr. MCEWAN with Mr. VEHSLAGE.

Mr. DALZELL with Mr. RICHARDSON.

Mr. RUSSELL with Mr. MCCLELLAN.

Mr. BARRETT with Mr. CRANFORD.

Mr. HENRY of Indiana with Mr. GRIFFITH.

Mr. BISHOP with Mr. BRUCKER.

Mr. PEARSON with Mr. NORTON of Ohio.

Mr. WARD with Mr. DAVIS.

Mr. BENNETT with Mr. GAINES.

Mr. BOUTELL of Illinois with Mr. GRIGGS.

Mr. SAUERHERING with Mr. BALL.

Mr. BELDEN with Mr. JETT.

Mr. WISE with Mr. NORTON of South Carolina.

Mr. WEAVER with Mr. MARSHALL.

Mr. BEACH with Mr. HUNTER.

For this day:

Mr. KETCHAM with Mr. BENNER of Pennsylvania.

Mr. MAHON with Mr. STARK.

Mr. BINGHAM with Mr. BAILEY.

Mr. ADAMS with Mr. CUMMINGS.

Mr. SAMUEL W. SMITH with Mr. HENRY of Mississippi.

Mr. SOUTHARD with Mr. HINRICHSEN.

Mr. STONE with Mr. COCHRAN of Missouri.

Mr. WALKER of Virginia with Mr. LESTER.

Mr. BELKNAP with Mr. MAGUIRE.

Mr. BROMWELL with Mr. MEEKISON.

Mr. BRUMM with Mr. BREWER.

Mr. CONNELL with Mr. CATCHINGS.

Mr. OTJEN with Mr. MCRAE.

Mr. PEARCE of Missouri with Mr. TERRY.

Mr. CANNON with Mr. JONES of Virginia.

Mr. SHANNON with Mr. BODINE.

Mr. MCCLEARY with Mr. FLEMING.

The following pair was announced on this vote:

Mr. HARMER with Mr. MCALEER.

Mr. MCCLEARY (having previously voted in the negative). I find that I am paired, and I desire to withdraw my vote.

The SPEAKER. The gentleman's vote will be withdrawn.

Mr. ADAMS. I am paired with the gentleman from New York, Mr. CUMMINGS, and wish to answer "present."

The SPEAKER. The gentleman will be recorded present.

Mr. SWANSON (having previously voted in the affirmative). I am paired with the gentleman from Illinois, Mr. LORIMER. I wish to withdraw my vote and answer "present."

The SPEAKER. The gentleman's vote will be withdrawn.

The result of the vote was then announced as above recorded.

The SPEAKER. The bill is ordered to be read a third time.

Mr. DOCKERY. Pending that, I move to recommit the bill to the Committee on Public Buildings and Grounds.

The SPEAKER. The Clerk will read the bill a third time.

Mr. LOUD. Mr. Speaker, I was on my feet in time to call for the reading of the engrossed bill.

The SPEAKER. The gentleman from California calls for the reading of the engrossed bill. The engrossed bill is not here, and the bill will have to be laid aside.

Mr. DOCKERY. I move that the House do now adjourn.

Mr. HICKS. Oh, no; let us take up the next bill. Altoona, Pa., is the next one. [Laughter.]

The question being taken on the motion to adjourn, on a division (demanded by Mr. DOCKERY) there were—ayes 57, noes 103.

Mr. CLARDY. Mr. Speaker, I ask for the yeas and nays.

The yeas and nays were ordered.

The question was taken; and there were—yeas 45, nays 152, answered "present" 7, not voting 147; as follows:

YEAS—45.

Allen,	Cowherd,	Maddox,	Strowd, N. C.
Baird,	Cox,	Maxwell,	Sturtevant,
Baker, Ill.	Dayton,	Rhea,	Sulzer,
Barlow,	De Graffenreid,	Royse,	Talbert,
Bishop,	Dockery,	Settle,	Taylor, Ala.
Bland,	Greene, Nebr.	Shuford,	Underwood,
Botkin,	Hay,	Sims,	Vandiver
Brenner, Ohio	Henry, Tex.	Slayden,	Wheeler, Ky.
Castle,	Kleberg,	Smith, Ky.	Williams, Miss.
Clardy,	Lentz,	Spight,	
Clark, Mo.	Lloyd,	Stallings,	
Clayton,	McDowell,	Strait,	

NAYS—152.

Adams,	De Vries,	Hull,	Peters,
Adamson,	Dick,	Kelley,	Pierce, Tenn.
Aldrich,	Dinsmore,	Kerr,	Powers,
Babcock,	Dorr,	Kitchin,	Prince,
Baker, Md.	Dovener,	Knowles,	Pugh,
Ball,	Ermentrout,	Knox,	Quigg,
Bankhead,	Evans,	Lacey,	Ray,
Barham,	Faris,	Lamb,	Reeves,
Bartlett,	Fischer,	Landis,	Rixey,
Belford,	Fletcher,	Lanham,	Robertson, La.
Belknap,	Foss,	Lewis, Ga.	Robinson, Ind.
Bell,	Fowler, N. C.	Linney,	Shelden,
Berry,	Fox,	Littauer,	Showalter,
Brantley,	Gardner,	Little,	Simpson,
Broderick,	Gibson,	Livingston,	Skinner,
Bromwell,	Gillet, N. Y.	Loud,	Smith, Ill.
Broussard,	Graff,	Lovering,	Smith, S. W.
Brown,	Graham,	Low,	Smith, Wm. Alden
Brownlow,	Greene, Mass.	McCulloch,	Snover,
Brumm,	Griffin,	McIntire,	Southard,
Brundidge,	Grout,	McLain,	Spalding,
Bull,	Hager,	Mahon,	Sparkman,
Burleigh,	Hamilton,	Mann,	Sperry,
Burton,	Hartman,	Marsh,	Stark,
Butler,	Hawley,	Mercer,	Steele,
Cannon,	Heatwole,	Meyer, La.	Stephens, Tex.
Clarke, N. H.	Henderson,	Miers, Ind.	Stewart, N. J.
Codding,	Henry, Conn.	Miller,	Stone,
Connolly,	Henry, Miss.	Mitchell,	Strode, Nebr.
Cooper, Tex.	Hepburn,	Moody,	Sutherland,
Cooper, Wis.	Hicks,	Moon,	Tate,
Crump,	Hilborn,	Morris,	Tongue,
Crumpacker,	Hill,	Mudd,	Van Voorhis,
Curtis, Iowa	Hitt,	Olmsted,	Wadsworth,
Curtis, Kans.	Hopkins,	Otey,	Wanger,
Davey,	Howard, Ga.	Overstreet,	White, N. C.
Davis,	Howe,	Payne,	Wilson,
De Armond,	Howell,	Perkins,	Zenor.

ANSWERED "PRESENT"—7.

Bennett,	Griffith,	McEwan,	Sherman.
Gaines,	Kirkpatrick,	Norton, S. C.	

NOT VOTING—147.

Acheson,	Cranford,	Joy,	Ridgely,
Alexander,	Cummings,	Ketcham,	Robb,
Arnold,	Dalzell,	King,	Robbins,
Bailey,	Danford,	Kulp,	Russell,
Barber,	Davenport,	Latimer,	Sauerhering,
Barney,	Davidson, Wis.	Lawrence,	Shafroth,
Barrett,	Davison, Ky.	Lester,	Shannon,
Barrows,	Dolliver,	Lewis, Wash.	Shattuc,
Bartholdt,	Driggs,	Lorimer,	Southwick,
Beach,	Eddy,	Loudenslager,	Sprague,
Belden,	Elliott,	Lybrand,	Stevens, Minn.
Benner, Pa.	Ellis,	McAleer,	Stewart, Wis.
Benton,	Fenton,	McCall,	Stokes,
Bingham,	Fitzgerald,	McCleary,	Sulloway,
Bodine,	Fitzpatrick,	McClellan,	Swanson,
Booze,	Fleming,	McCormick,	Tawney,
Boutell, Ill.	Foote,	McDonald,	Tayler, Ohio
Boutelle, Me.	Fowler, N. J.	McRae,	Terry,
Bradley,	Gillett, Mass.	Maguire,	Thorp,
Brewer,	Griggs,	Mahany,	Todd,
Brewster,	Grosvenor,	Marshall,	Updegraff,
Brosius,	Grow,	Martin,	Vehslage,
Brucker,	Gunn,	Meekison,	Vincent,
Burke,	Handy,	Mesick,	Walker, Mass.
Campbell,	Harmer,	Mills,	Walker, Va.
Capron,	Hemenway,	Minor,	Ward,
Carmack,	Henry, Ind.	Newlands,	Warner,
Catchings,	Hinrichsen,	Norton, Ohio	Weaver,
Chickering,	Howard, Ala.	Odell,	Weymouth,
Clark, Iowa	Hunter,	Ogden,	Wheeler, Ala.
Cochran, Mo.	Hurley,	Osborne,	White, Ill.
Cochrane, N. Y.	Jenkins,	Otjen,	Wilber,
Colson,	Jett,	Packer, Pa.	Williams, Pa.
Connell,	Johnson, Ind.	Parker, N. J.	Wise,
Cooney,	Johnson, N. Dak.	Pearce, Mo.	Yost,
Corliss,	Jones, Va.	Pearson,	Young.
Cousins,	Jones, Wash.	Richardson,	

So the motion to adjourn was rejected.

The following additional pair was announced:

Mr. KIRKPATRICK with Mr. BURKE for the remainder of this day.

The result of the vote was announced as above recorded.

Mr. MERCER rose.

Mr. DOCKERY. I move that when the House adjourn to-day it be to meet on Friday next.

Mr. HOPKINS. I make the point that that is dilatory.

The SPEAKER. The gentleman from Nebraska is recognized.

Mr. STRODE of Nebraska. Mr. Speaker——

Mr. MERCER. Mr. Speaker, I call up the next bill.

Mr. STRODE of Nebraska. I wish to have the roll call corrected. I answered to the first call, and I am told that my name was called on the second roll call.

The SPEAKER. The gentleman from Nebraska [Mr. STRODE] is not recorded. Did he vote?

Mr. STRODE of Nebraska. I did on the first roll call—voted "no."

The SPEAKER. The gentleman will be recorded.

The Clerk called the name of Mr. STRODE of Nebraska, and he voted in the negative.

Mr. BELKNAP. Mr. Speaker, I voted "no" on this call, but I learn since that I am paired. I wish to withdraw my vote, if it is not too late.

The SPEAKER. The result of the vote has been announced. The gentleman from Nebraska——

Mr. MERCER. Mr. Speaker, I desire to know what the parliamentary situation is at this time.

The SPEAKER. The gentleman from Nebraska has the floor. [Laughter.]

Mr. DOCKERY. I move that when the House adjourn to-day it be to meet on Friday next.

Mr. HOPKINS. Mr. Speaker, I make the point that that is dilatory.

The SPEAKER. The gentleman from Nebraska has the floor.

Mr. MERCER. Mr. Speaker, if we can have some order I will try to be heard.

The SPEAKER. The House will be in order.

Mr. QUIGG. A parliamentary inquiry.

The SPEAKER. The House will first be in order.

Mr. MERCER. Mr. Speaker, I call up the Senate bill 1273, reported favorably from the Committee of the Whole House on the state of the Union, with the amendments, and ask the previous question on the bill and amendments to its passage.

Mr. DOCKERY. Pending that, I desire to submit a motion for the decision of the Chair. I move that when the House adjourn to-day it be to meet on Friday next.

Mr. HOPKINS. I make the point of order that that is a dilatory motion.

The SPEAKER. The Chair thinks it is.

Mr. DOCKERY. I will not deny that it is so intended.

Mr. LOUD. The bill has not been reported, so far as I have heard, Mr. Speaker.

The SPEAKER. The Clerk will report the bill.

The Clerk read as follows:

A bill (S. 1273) for a public building at the city of Altoona, Pa., and appropriating money therefor, with amendments.

Mr. DOCKERY. I ask for the reading of the bill.

The SPEAKER. The Clerk will report the amendments.

Mr. HANDY. A parliamentary inquiry.

The SPEAKER. The gentleman will state it.

Mr. HANDY. The gentleman submitted a motion for the previous question.

The SPEAKER. The gentleman submitted a motion for the previous question, and the Chair is having the bill read as a guide to gentlemen how to vote on that question.

Mr. HANDY. Thank you, sir.

Mr. HENDERSON. Regular order.

The amendments recommended by the committee were read, as follows:

Strike out, in line 5, page 1, the words "cause to be erected thereon a" and insert in lieu thereof the words "to contract for the erection and completion thereon of a."

In line 22, page 2, strike out all after the word "alleys."

The SPEAKER. The gentleman from Nebraska asks the previous question.

Mr. DOCKERY. A parliamentary inquiry.

The SPEAKER. The gentleman will state it.

Mr. DOCKERY. Are we entitled to the reading of the bills?

The SPEAKER. The Chair thinks the bill has been read the proper number of times. The House is entitled to the reading of the amendments, because the House committed the bill to the committee, and it has reported it back with amendments. The bill has been technically read a first and second time.

Mr. DOCKERY. I am quite willing to accept the judgment of the Chair.

The SPEAKER. The question is on the demand for the previous question.

The question was taken; and the Speaker announced that the ayes seemed to have it.

Mr. DOCKERY, Mr. HANDY, and others. Division!

The House divided; and there were—ayes 125, noes 37.

Mr. HANDY. Mr. Speaker, I ask for the yeas and nays.
The yeas and nays were ordered.
Mr. LENTZ. Mr. Speaker, I move that the House do now adjourn.
The SPEAKER. The Chair thinks that motion is dilatory.
The question was taken; and there were—yeas 153, nays 35, answered "present" 7, not voting 156; as follows:

YEAS—153.

Acheson,	Dorr,	Lacey,	Ray,
Adams,	Dovener,	Lamb,	Reeves,
Adamson,	Eddy,	Landis,	Ridgely,
Aldrich,	Ermentrout,	Lanham,	Rixey,
Ball,	Evans,	Lentz,	Robertson, La.
Bankhead,	Faris,	Lewis, Ga.	Robinson, Ind.
Barham,	Fenton,	Lewis, Wash.	Royse,
Bartlett,	Fischer,	Linney,	Shafroth,
Belford,	Fletcher,	Littauer,	Shelden,
Belknap,	Foss,	Little,	Sherman,
Bell,	Fowler, N. C.	Livingston,	Showalter,
Bennett,	Gibson,	Low,	Skinner,
Brantley,	Gillet, N. Y.	McCulloch,	Smith, Ill.
Broderick,	Graff,	McIntire,	Smith, S. W.
Bromwell,	Graham,	McLain,	Smith, Wm. Alden
Broussard,	Greene, Mass.	Mahany,	Spalding,
Brown,	Griffin,	Mahon,	Sperry,
Brownlow,	Grosvenor,	Mann,	Stark,
Brumm,	Grout,	Marsh,	Steele,
Brundidge,	Grow,	Maxwell,	Stephens, Tex.
Bull,	Hager,	Mercer,	Stewart, N. J.
Burleigh,	Hamilton,	Minor,	Stone,
Burton,	Handy,	Mitchell,	Strode, Nebr.
Butler,	Hartman,	Moody,	Sutherland,
Capron,	Hawley,	Morris,	Tate,
Clarke, N. H.	Henderson,	Mudd,	Tawney,
Cochrane, N. Y.	Henry, Miss.	Olmsted,	Taylor, Ala.
Codding,	Hepburn,	Otey,	Van Voorhis,
Cooper, Tex.	Hicks,	Overstreet,	Wadsworth,
Cooper, Wis.	Hilborn,	Packer, Pa.	Walker, Mass.
Cowherd,	Hill,	Parker, N. J.	Wanger,
Cox,	Hitt,	Payne,	Warner,
Crump,	Hopkins,	Perkins,	Weymouth,
Crumpacker,	Howard, Ga.	Peters,	Williams, Miss.
Curtis, Kans.	Howell,	Pierce, Tenn.	Williams, Pa.
Davis,	Hull,	Powers,	Zenor.
Dayton,	Kitchin,	Prince,	
De Vries,	Knox,	Pugh,	
Dick,	Kulp,	Quigg,	

NAYS—35.

Allen,	De Graffenreid,	McDowell,	Smith, Ky.
Baker, Ill.	Dockery,	Maddox,	Spight,
Barlow,	Fox,	Miers, Ind.	Stallings,
Botkin,	Gaines,	Moon,	Sulzer,
Brenner, Ohio	Greene, Nebr.	Rhea,	Talbert,
Clardy,	Hay,	Settle,	Underwood,
Clark, Mo.	Henry, Tex.	Shuford,	Updegraff,
Clayton,	Kleberg,	Sims,	Wheeler, Ky.
Connolly,	Lloyd,	Slayden,	

ANSWERED "PRESENT"—7.

Bishop,	McEwan,	Otjen,	Swanson.
Kirkpatrick,	Norton, S. C.	Richardson,	

NOT VOTING—156.

Alexander,	Corliss,	Johnson, Ind.	Pearson,
Arnold,	Cousins,	Johnson, N. Dak.	Robb,
Babcock,	Cranford,	Jones, Va.	Robbins,
Bailey,	Cummings,	Jones, Wash.	Russell,
Baird,	Curtis, Iowa	Joy,	Sauerhering,
Baker, Md.	Dalzell,	Kelley,	Shannon,
Barber,	Danford,	Kerr,	Shattuc,
Barney,	Davenport,	Ketcham,	Simpson,
Barrett,	Davey,	King,	Snover,
Barrows,	Davidson, Wis.	Knowles,	Southard,
Bartholdt,	Davison, Ky.	Latimer,	Southwick,
Beach,	De Armond,	Lawrence,	Sparkman,
Belden,	Dinsmore,	Lester,	Sprague,
Benner, Pa.	Dolliver,	Lorimer,	Stevens, Minn.
Benton,	Driggs,	Loud,	Stewart, Wis.
Berry,	Elliott,	Loudenslager,	Stokes,
Bingham,	Ellis,	Lovering,	Strait,
Bland,	Fitzgerald,	Lybrand,	Strowd, N. C.
Bodine,	Fitzpatrick,	McAleer,	Sturtevant,
Booze,	Fleming,	McCall,	Sulloway,
Boutell, Ill.	Foote,	McCleary,	Tayler, Ohio
Boutelle, Me.	Fowler, N. J.	McClellan,	Terry,
Bradley,	Gardner,	McCormick,	Thorp,
Brewer,	Gillett, Mass.	McDonald,	Todd,
Brewster,	Griffith,	McRae,	Tongue,
Brosius,	Griggs,	Maguire,	Vandiver,
Brucker,	Gunn,	Marshall,	Vehslage,
Burke,	Harmer,	Martin,	Vincent,
Campbell,	Heatwole,	Meekison,	Walker, Va.
Cannon,	Hemenway,	Mesick,	Ward,
Carmack,	Henry, Conn.	Meyer, La.	Weaver,
Castle,	Henry, Ind.	Miller,	Wheeler, Ala.
Catchings,	Hinrichsen,	Mills,	White, Ill.
Chickering,	Howard, Ala.	Newlands,	White, N. C.
Clark, Iowa	Howe,	Norton, Ohio	Wilber,
Cochran, Mo.	Hunter,	Odell,	Wilson,
Colson,	Hurley,	Ogden,	Wise,
Connell,	Jenkins,	Osborne,	Yost,
Cooney,	Jett,	Pearce, Mo.	Young.

So the previous question was ordered.
The Clerk announced the following additional pairs:
For this day:
Mr. ACHESON with Mr. FITZGERALD.
Mr. MESICK with Mr. WILSON.
Mr. SNOVER with Mr. STROWD of North Carolina.

Mr. SWANSON. Mr. Speaker, I am recorded in the affirmative. I find I am paired with the gentleman from Illinois, Mr. LORIMER, and I desire to withdraw my vote and vote "present."
Mr. SHERMAN. Mr. Speaker, I have voted "present" on all three votes to-day upon the theory that I was paired. I have ascertained that I am not paired, and I now desire to be recorded in the negative on the votes to adjourn, and in the affirmative on the other votes.
Mr. SHERMAN's name was called, and he voted "aye."
The result of the vote was then announced as above recorded.
The SPEAKER. The question is now on agreeing to the amendments.
The amendments were agreed to.
Mr. DOCKERY. One moment, Mr. Speaker. I understood that the gentleman from Nebraska [Mr. MERCER] was to make a motion that the House adjourn. The previous question having been ordered, the bill would come up to-morrow, would it not?
The SPEAKER. The Chair thinks it would.
Mr. HICKS. Mr. Speaker, a parliamentary inquiry.
The SPEAKER. The gentleman will state it.
Mr. HICKS. If the House adjourns now, in what position will the bill be left?
Mr. HENDERSON. The previous question having been ordered.
The SPEAKER. The Chair has answered the question, that it goes over until to-morrow, the previous question having been ordered.
Mr. MERCER. Mr. Speaker, I move that the House do now adjourn.
The SPEAKER. The gentleman from Nebraska moves that the House do now adjourn. Pending that motion, the Chair will submit the report of the Committee on Enrolled Bills.

ENROLLED BILLS.

Mr. HAGER, from the Committee on Enrolled Bills, reported that they had examined and found truly enrolled bill of the following title:
H. R. 12009. An act to provide for the removal of snow and ice in the city of Washington, in the District of Columbia.
The SPEAKER announced his signature to enrolled joint resolutions and bill of the following titles:
S. R. 218. Joint resolution authorizing the Secretary of the Navy to receive for instruction at the Naval Academy, at Annapolis, Ricardo Yglesias, of Costa Rica.
S. R. 219. Joint resolution authorizing the Secretary of the Navy to receive for instruction at the Naval Academy at Annapolis Alberto Valanzuela Montoya, of Colombia; and
S. 2768. An act to grant lands to the State of Alabama for the use of the Industrial School for Girls of Alabama and of the Tuskegee Normal and Industrial Institute.

SENATE BILL AND JOINT RESOLUTION REFERRED.

Under clause 2 of Rule XXIV, Senate bill and joint resolution of the following titles were taken from the Speaker's table and referred to their appropriate committees as indicated below:
S. 5388. An act granting the right of way through Indian reservations to the Choctaw, Oklahoma and Gulf Railroad Company—to the Commitees on Indian Affairs.
S. R. 230. Joint resolution providing for the printing of the reports of Robert P. Porter, special commissioner of the United States, on the industrial and commercial conditions of Cuba and Porto Rico—to the Committee on Printing.

LEAVE OF ABSENCE.

By unanimous consent, leave of absence was granted to Mr. ELLIS, indefinitely, on account of sickness.
The motion of Mr. MERCER was then agreed to; and accordingly the House (at 5 o'clock and 21 minutes p. m.) adjourned until to-morrow at 12 o'clock noon.

EXECUTIVE COMMUNICATIONS, ETC.

Under clause 2 of Rule XXIV, the following executive and other communications were taken from the Speaker's table and referred as follows:
A letter from the Secretary of the Treasury, transmitting a copy of a communication from the Supervising Architect submitting an estimate of appropriation for additional accommodations for postal services in the custom-house and post-office building at Newark, N. J.—to the Committee on Public Buildings and Grounds, and ordered to be printed.
A letter from the Secretary of the Treasury, transmitting a copy of a communication from the Commissioners of the District of Columbia submitting an estimate of deficiency in the appropriation for contingent and miscellaneous expenses—to the Committee on Appropriations, and ordered to be printed.
A letter from the president of the Washington, Alexandria and Mount Vernon Railway Company, submitting the third annual report—to the Committee on the District of Columbia, and ordered to be printed.

REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS.

Under clause 2 of Rule XIII, bills and resolutions of the following titles were severally reported from committees, delivered to the Clerk, and referred to the several Calendars therein named, as follows:

Mr. WEYMOUTH, from the Committee on Public Buildings and Grounds, to which was referred the bill of the Senate (S. 479) to provide for the purchase of a site and the erection of a public building thereon at Nashua, in the State of New Hampshire, reported the same with amendment, accompanied by a report (No. 2049); which said bill and report were referred to the Committee of the Whole House on the state of the Union.

Mr. GRIFFIN, from the Committee on Military Affairs, to which was referred the bill of the House (H. R. 11879) to amend an act entitled "An act to suspend the operation of certain provisions of law relating to the War Department, and for other purposes," reported the same with amendment, accompanied by a report (No. 2050); which said bill and report were referred to the Committee of the Whole House on the state of the Union.

Mr. DAVIS, from the Committee on Interstate and Foreign Commerce, to which was referred the bill of the House (H. R. 11736) granting the right and authority to the Pensacola and Northwestern Railroad Company, a company organized under the laws of the States of Florida and Alabama, to build one bridge over each of the following-named rivers in the State of Alabama, namely, the Alabama River, the Warrior River, the Sipsey River, and the Tennessee River; the said bridges to be used and operated for and in behalf of the Pensacola and Northwestern Railroad Company to carry freight and passengers by rail and otherwise, reported the same without amendment, accompanied by a report (No. 2051); which said bill and report were referred to the House Calendar.

Mr. ADAMSON, from the Committee on Interstate and Foreign Commerce, to which was referred the bill of the Senate (S. 5126) to authorize the St. Louis, Siloam and Southern Railroad Company, of Missouri and Arkansas, to construct a bridge across White River, in the State of Arkansas, reported the same without amendment, accompanied by a report (No. 2052); which said bill and report were referred to the House Calendar.

Mr. STEWART of New Jersey, from the Committee on Interstate and Foreign Commerce, to which was referred the bill of the Senate (S. 5144) authorizing and directing the Secretary of the Treasury to donate one set of life-saving beach apparatus to the Imperial Japanese Society for Saving Life from Shipwreck, reported the same without amendment, accompanied by a report (No. 2053); which said bill and report were referred to the Committee of the Whole House on the state of the Union.

Mr. FLETCHER, from the Committee on Interstate and Foreign Commerce, to which was referred the bill of the House (H. R. 11677) to authorize the construction of a bridge across the Monongahela River at Morgantown, in the State of West Virginia, reported the same with amendment, accompanied by a report (No. 2055); which said bill and report were referred to the House Calendar.

Mr. TAWNEY, from the Committee on Reform in the Civil Service, to which was referred the bill of the Senate (S. 3256) in reference to the civil-service appointments thereunder, reported the same without amendment, accompanied by a report (No. 2056); which said bill and report were referred to the House Calendar.

Mr. BARHAM, from the Committee on Interstate and Foreign Commerce, to which was referred the bill of the House (H. R. 11731) to construct a telephone from Trinidad light-house to Trinidad, in Humboldt County, Cal., reported the same without amendment, accompanied by a report (No. 2057); which said bill and report were referred to the Committee of the Whole House on the state of the Union.

Mr. CURTIS of Kansas, from the Committee on Indian Affairs, to which was referred the bill of the House (H. R. 11882) granting the right of way through Indian reservations to the Choctaw, Oklahoma and Gulf Railroad Company, reported the same without amendment, accompanied by a report (No. 2058); which said bill and report were referred to the House Calendar.

Mr. COWHERD, from the Committee on the District of Columbia, to which was referred the bill of the Senate (S. 4159) relative to the payment of claims for material and labor furnished for District of Columbia buildings, reported the same without amendment, accompanied by a report (No. 2059); which said bill and report were referred to the House Calendar.

Mr. SOUTHARD, from the Committee on Naval Affairs, to which was referred the joint resolution of the House (H. Res. 339) authorizing the President of the United States to appoint Osman Deignan a naval cadet at Annapolis, reported the same with amendment, accompanied by a report (No. 2060); which said resolution and report were referred to the House Calendar.

Mr. CURTIS of Iowa, from the Committee on the District of Columbia, to which was referred the bill of the House (H. R. 11937) to amend section 5 of an act entitled "An act to provide for the opening of alleys in the District of Columbia," approved July 22, 1892, reported the same without amendment, accompanied by a report (No. 2062); which said bill and report were referred to the House Calendar.

He also, from the same committee, to which was referred the bill of the House (H. R. 11799) to amend the act of Congress approved July 8, 1898, entitled "An act to incorporate the Washington and University Railroad Company of the District of Columbia," reported the same without amendment, accompanied by a report (No. 2063); which said bill and report were referred to the House Calendar.

Mr. JENKINS, from the Committee on the District of Columbia, to which was referred the bill of the House (H. R. 11924) to quitclaim all interest of the United States of America in and to lot 4, square 1113, in the city of Washington, D. C., to William H. Dix, reported the same without amendment, accompanied by a report (No. 2064); which said bill and report were referred to the Committee of the Whole House on the state of the Union.

He also, from the same committee, to which was referred the joint resolution of the Senate (S. R. 34) authorizing the Commissioners of the District of Columbia to alter, amend, or repeal certain health ordinances, reported the same without amendment, accompanied by a report (No. 2066); which said resolution and report were referred to the House Calendar.

Mr. MUDD, from the Committee on the District of Columbia, to which was referred the bill of the House (H. R. 11439) to incorporate the Frederick Douglass Memorial and Historical Association, reported the same with amendment, accompanied by a report (No. 2070); which said bill and report were referred to the House Calendar.

Mr. MERCER, from the Committee on Public Buildings and Grounds, to which was referred the bill of the House (H. R. 8587) for the erection of a public building at Monmouth, Ill., reported the same with amendment, accompanied by a report (No. 2071); which said bill and report were referred to the Committee of the Whole House on the state of the Union.

REPORTS OF COMMITTEES ON PRIVATE BILLS AND RESOLUTIONS.

Under clause 2 of Rule XIII, private bills and resolutions of the following titles were severally reported from committees, delivered to the Clerk, and referred to the Committee of the Whole House, as follows:

Mr. KERR, from the Committee on Invalid Pensions, to which was referred the bill of the Senate (S. 4231) granting an increase of pension to Millie A. Berry, reported the same without amendment, accompanied by a report (No. 2054); which said bill and report were referred to the Private Calendar.

Mr. OSBORNE, from the Committee on Claims, to which was referred the bill of the House (H. R. 11340) for the relief of David Tweed, reported the same with amendment, accompanied by a report (No. 2061); which said bill and report were referred to the Private Calendar.

Mr. JENKINS, from the Committee on the District of Columbia, to which was referred the bill of the Senate (S. 3909) for the relief of Mrs. Harriet A. Ferguson, reported the same without amendment, accompanied by a report (No. 2065); which said bill and report were referred to the Private Calendar.

He also, from the same committee, to which was referred the bill of the House (H. R. 11503) for the relief of Christiana Dengler, reported the same without amendment, accompanied by a report (No. 2067); which said bill and report were referred to the Private Calendar.

Mr. HENRY of Connecticut, from the Committee on Invalid Pensions, to which was referred the bill of the Senate (S. 2652) granting an increase of pension to Emma V. Gile, reported the same without amendment, accompanied by a report (No. 2068); which said bill and report were referred to the Private Calendar.

Mr. BARBER, from the Committee on Invalid Pensions, to which was referred the bill of the House (H. R. 7636) granting a pension to Martha M. De Vou, reported the same with amendment, accompanied by a report (No. 2069); which said bill and report were referred to the Private Calendar.

Mr. HICKS, from the Committee on Patents, to which was referred the bill of the House (H. R. 11504) to extend certain patents of Seth H. Smith, reported the same with amendment, accompanied by a report (No. 2072); which said bill and report were referred to the Private Calendar.

CHANGE OF REFERENCE.

Under clause 2 of Rule XXII, the Committee on Invalid Pensions was discharged from the consideration of the bill (H. R. 12037) for the relief of Enos M. Gribble; and the same was referred to the Committee on Military Affairs.

PUBLIC BILLS, RESOLUTIONS, AND MEMORIALS INTRODUCED.

Under clause 3 of Rule XXII, bills, resolutions, and memorials of the following titles were introduced and severally referred as follows:

By Mr. CLARK of Missouri (by request): A bill (H. R. 12039) for the relief of certain Indians in the Indian Territory who desire to sell their lands and improvements and emigrate elsewhere— to the Committee on Indian Affairs.

By Mr. OTJEN: A bill (H. R. 12041) to permit volunteer regiments to retain their colors—to the Committee on Military Affairs.

By Mr. SIMPSON: A bill (H. R. 12042) granting right of way through Indian reservations in the Indian Territory and Oklahoma Territory—to the Committee on Indian Affairs.

By Mr. CURTIS of Iowa (by request): A bill (H. R. 12043) for the extension of Le Droit avenue NW.—to the Committee on the District of Columbia.

By Mr. KERR: A bill (H. R. 12044) to amend section 4832 of the Revised Statutes of the United States so as to admit the officers and soldiers of the war with Spain to the National Home for Disabled Volunteer Soldiers at Dayton, Ohio—to the Committee on Military Affairs.

By Mr. CURTIS of Kansas: A bill (H. R. 12057) granting to the Wichita and Southern Railway Company a right of way across the Kansas, Osage, Creek, and Choctaw reservations, in the Indian and Oklahoma Territories—to the Committee on Indian Affairs.

By Mr. UNDERWOOD: A joint resolution (H. Res. 359) authorizing the transfer of Assistant Naval Constructor Richmond Pearson Hobson from the Construction Corps to the line of the United States Navy—to the Committee on Naval Affairs.

By Mr. BARHAM: A memorial from the legislature of California, favoring the construction and governmental ownership of the Nicaragua Canal—to the Committee on Interstate and Foreign Commerce.

PRIVATE BILLS AND RESOLUTIONS INTRODUCED.

Under clause 1 of Rule XXII, private bills and resolutions of the following titles were introduced and severally referred as follows:

By Mr. BURTON: A bill (H. R. 12040) granting an increase of pension to Hester S. Crane—to the Committee on Pensions.

Also, a bill (H. R. 12045) granting extension of time on letters patent 268401—to the Committee on Patents.

By Mr. BRENNER of Ohio: A bill (H. R. 12046) to pension William H. Champion, late sergeant-major of First District of Columbia Volunteer Infantry, and second lieutenant, Second District of Columbia Volunteer Infantry—to the Committee on Invalid Pensions.

By Mr. COOPER of Texas: A bill (H. R. 12047) for the relief of the Sam Allen Lumber Company, of Corrigan, Tex.—to the Committee on Claims.

By Mr. HAMILTON: A bill (H. R. 12048) granting a pension to Richard Dobson—to the Committee on Invalid Pensions.

By Mr. KNOX: A bill (H. R. 12049) granting an increase of pension to Mason Knapp—to the Committee on Invalid Pensions.

By Mr. LAWRENCE: A bill (H. R. 12050) to amend the military record of C. F. Clark—to the Committee on Military Affairs.

By Mr. MUDD: A bill (H. R. 12051) increasing pay of Franklin Pennington in Mexican war—to the Committee on War Claims.

By Mr. MIERS of Indiana: A bill (H. R. 12052) for the relief of George A. Exline—to the Committee on War Claims.

By Mr. STALLINGS: A bill (H. R. 12053) granting a pension to Garrette Stanley—to the Committee on Invalid Pensions.

By Mr. SPALDING: A bill (H. R. 12054) granting an increase of pension to Harriet V. Gridley, widow of the late Charles V. Gridley, captain, United States Navy—to the Committee on Pensions.

By Mr. SPARKMAN: A bill (H. R. 12055) for the relief of Lawrence Palmer—to the Committee on War Claims.

By Mr. WEYMOUTH: A bill (H. R. 12056) granting a pension to Mary M. Hitchcock—to the Committee on Invalid Pensions.

By Mr. BARNEY: A resolution (House Res. No. 393) that Clerk of the House pay Robert J. Whittleton $123.06 for services in enrolling room—to the Committee on Accounts.

PETITIONS, ETC.

Under clause 1 of Rule XXII, the following petitions and papers were laid on the Clerk's desk and referred as follows:

By the SPEAKER: Petition of the Political Equality Club, of Jamestown, N. Y., asking for equal suffrage rights for women in Hawaii—to the Committee on the Territories.

By Mr. ARNOLD: Petition of postmasters in Clarion County, Pa., asking for the passage of a bill increasing the compensation of fourth-class postmasters—to the Committee on the Post-Office and Post-Roads.

By Mr. BARNEY: Communication of Robert J. Whittleton, relating to a claim for services—to the Committee on Accounts.

By Mr. BINGHAM: Petition of citizens of Philadelphia, Pa., and resolutions of Diligent Council, No. 4, Junior Order United American Mechanics, of Philadelphia, opposing the appropriation of public money to sectarian purposes—to the Committee on Appropriations.

By Mr. CATCHINGS: Petition of William A. Glean and others, asking the creation of a tribunal to adjudicate claims of American citizens against the Spanish Government—to the Committee on the Judiciary.

By Mr. CHICKERING: Petition of the Methodist Episcopal Church of Henderson, N. Y., to prohibit the transmission by mail or interstate commerce of pictures or descriptions of prize fights—to the Committee on Interstate and Foreign Commerce.

Also, petition of the Methodist Episcopal Church of Henderson, N. Y., to prohibit the sale of liquor in canteens and in immigrant stations and Government buildings—to the Committee on Alcoholic Liquor Traffic.

By Mr. CLARKE of New Hampshire: Petitions of the Woman's Christian Temperance unions of Derry and Haverhill, N. H., praying for the abolition of the sale of liquor in the United States Army, Government buildings, etc.—to the Committee on Alcoholic Liquor Traffic.

By Mr. GRAHAM: Petitions of the First Christian Church, W. J. Lhamon, pastor; North Avenue Methodist Episcopal Church, First United Presbyterian, Seventh United Presbyterian, Ninth United Presbyterian, and Eleventh United Presbyterian churches, Central Reformed Presbyterian Church, First Congregational Church, Nixon Street Baptist Church, and Allegheny, Swift, and McDonald Woman's Christian Temperance unions, all of Allegheny, Pa., to prohibit the sale of intoxicating liquors in canteens and in immigrant stations and in Government buildings—to the Committee on Alcoholic Liquor Traffic.

Also, memorial of David Lubin, on behalf of various State granges and chambers of commerce of certain cities, urging the passage of the Hanna-Payne shipping bill—to the Committee on the Merchant Marine and Fisheries.

By Mr. HITT: Petition of Theodore Stanton, urging a supplemental treaty for the purchase of the Caroline and other groups of islands—to the Committee on Foreign Affairs.

Also, resolution of Cigar Makers' Union No. 157, of Belvidere, Ill., favoring the passage of House bill No. 7389, known as the eight-hour bill—to the Committee on Labor.

By Mr. LLOYD: Petition of fourth-class postmasters in the First Congressional district of Missouri, urging the passage of House bills Nos. 4930 and 4931, relating to the compensation of fourth-class postmasters—to the Committee on the Post-Office and Post-Roads.

Also, petition of citizens of Scotland County, Mo., in favor of the establishment of postal savings banks—to the Committee on the Post-Office and Post-Roads.

By Mr. LYBRAND: Petitions of N. P. Havitt and 207 citizens of Woodstock, Wesley Brown and 50 citizens of Flat, R. L. Peirce and 20 citizens of Whetstone, T. R. Ellis and 19 citizens of New Martinsburg, T. T. Hemington and 35 citizens of Specht, Frank Hiser and 18 citizens of Carrothers; W. B. Weed and others, of Obal; Mary Bigelow and others, of Palmyra; S. C. Templin and others, of Calla; A. F. Richards and others, of Hillsboro; Theo. Kerlin and others, of Greensburg; R. E. Gano and others, of Windham; W. D. Root and others, of Gracey; P. W. Miller and others, of Logansville; P. Y. Brown and others, of Negley, all in the State of Ohio, in favor of the establishment of postal savings banks—to the Committee on the Post-Office and Post-Roads.

By Mr. MAHON: Petition of the Method st Episcopal Church of Alexandria, Pa., to prohibit the sale of liquor in canteens and in immigrant stations and Government buildings—to the Committee on Alcoholic Liquor Traffic.

By Mr. MANN: Petition of citizens of North Harvey, Ill., favoring the Ellis bill to prohibit the sale of liquor in canteens and immigrant stations and Government buildings—to the Committee on Alcoholic Liquor Traffic.

Also, resolution of the board of directors of the John Crerar Library, Chicago, Ill., favoring an appropriation for an international catalogue of scientific literature—to the Committee on Appropriations.

By Mr. MAXWELL: Petitions of fourth-class postmasters of Dixon and Cedar counties, Nebr., for the passage of House bills Nos. 4930 and 4931—to the Committee on the Post-Office and Post-Roads.

By Mr. RAY of New York: Petition of the Clara M. Selkreg Woman's Christian Temperance Union, of Ithaca, N. Y., to prohibit the sale of liquor in canteens, in immigrant stations, and in Government buildings—to the Committee on Alcoholic Liquor Traffic.

By Mr. ROBINSON of Indiana: Petition of letter carriers of Fort Wayne, Ind., favoring an equalization of salaries of carriers in cities—to the Committee on the Post-Office and Post-Roads.

By Mr. SHELDEN: Petitions of P. Casey and 207 citizens of Fayette; Frances A. Bishop and 200 citizens of Laird, Mich., in favor of the establishment of postal savings banks—to the Committee on the Post-Office and Post-Roads.

By Mr. STARK: Petition of J. E. Murphy and 70 citizens of Odell, Nebr., urging the establishment of postal savings banks—to the Committee on the Post-Office and Post-Roads.

Also, resolution of the Central Labor Union of Omaha, Nebr., protesting against the publication of advertisements in Government reports—to the Committee on Labor.

By Mr. STONE: Protest of citizens of Oil City, Pa., against the seating of Brigham H. Roberts as a Representative from Utah—to the Committee on Elections No. 1.

Also, petitions of the Woman's Christian Temperance unions of Sanford and Warren, Methodist Episcopal Church, Epworth League, Christian Endeavor Society of the First Presbyterian Church of Warren, and East Branch Union, of Warren County, Pa., for the passage of the Ellis bill to prohibit the sale of liquor in canteens and in immigrant stations and Government buildings—to the Committee on Alcoholic Liquor Traffic.

By Mr. SUTHERLAND: Papers to accompany House bill No. 11434, for the relief of William B. Parsons—to the Committee on Invalid Pensions.

Also, petition of George Mitchell and 134 citizens of Clay County, Nebr., for the passage of a bill appropriating money to pay for the treatment of furloughed soldiers of the Spanish-American war by home physicians—to the Committee on Military Affairs.

Also, petitions of C. W. Whitney and 206 citizens of Republican City, E. Tuttle and 199 citizens of Waterbury, and citizens of Lisco, Rising City, Long Pine, Randolph, Nesbit, and Riverdale, Nebr., favoring the establishment of postal savings banks—to the Committee on the Post-Office and Post-Roads.

By Mr. TATE: Petition of Robert A. Tanner, of Skeinah, Ga., for a pension—to the Committee on Invalid Pensions.

Also, petition of Enos M. Gribble, for relief—to the Committee on Invalid Pensions.

By Mr. YOUNG: Petition of the United States Export Association, of New York, in favor of the Hanna-Payne bill to increase American shipping—to the Committee on the Merchant Marine and Fisheries.

Also, petition of the Army and Navy Union, favoring the passage of a bill to promote the efficiency of the clerical force of the Navy—to the Committee on Naval Affairs.

SENATE.

THURSDAY, *February 9, 1899.*

Prayer by the Chaplain, Rev. W. H. MILBURN, D. D.

The Secretary proceeded to read the Journal of yesterday's proceedings, when, on motion of Mr. TELLER, and by unanimous consent, the further reading was dispensed with.

MESSAGE FROM THE HOUSE.

A message from the House of Representatives, by Mr. W. J. BROWNING, its Chief Clerk, announced that the House had agreed to the amendments of the Senate to the bill (H. R. 12009) to provide for the removal of snow and ice in the city of Washington, in the District of Columbia.

The message also announced that the House had passed the following bills:

A bill (S. 3684) for the relief of Joseph Tousaint, alias Touzin; and

A bill (S. 5088) to amend section 27 of the Revised Statutes, relative to the apportionment and election of Representatives.

ENROLLED BILLS SIGNED.

The message also announced that the Speaker of the House had signed the following enrolled bills and joint resolutions; and they were thereupon signed by the Vice-President:

A bill (S. 2768) to grant lands to the State of Alabama for the use of the Industrial School for Girls of Alabama and of the Tuskegee Normal and Industrial Institute;

A bill (H. R. 12009) to provide for the removal of snow and ice in the city of Washington, in the District of Columbia;

A joint resolution (S. R. 218) authorizing the Secretary of the Navy to receive for instruction at the Naval Academy, at Annapolis, Ricardo Yglesias, of Costa Rica; and

A joint resolution (S. R. 219) authorizing the Secretary of the Navy to receive for instruction at the Naval Academy, at Annapolis, Alberto Valenzuela Montoya, of Colombia.

PETITIONS AND MEMORIALS.

The VICE-PRESIDENT presented a memorial of the American Copyright League, on behalf of the authors, publishers, and owners of literary properties throughout the United States, remonstrating against any alteration of the existing copyright laws of the United States whereby the Librarian of Congress or any official can arbitrarily fix any standard for the quality of paper, ink, or for the method of printing matter for which copyright shall be applied for; which was referred to the Committee on Patents.

Mr. GALLINGER presented a petition of the Woman's Christian Temperance Union of Epping, N. H., praying for the maintenance of the prohibition law in Alaska and the Indian Territory, and to extend it to our new, half-civilized dependencies; which was referred to the Committee on Territories.

He also presented a petition of the Woman's Christian Temperance Union of Epping, N. H., praying for the enactment of legislation to prohibit the transmission by mail or interstate commerce of pictures or descriptions of prize fights; which was referred to the Committee on the Judiciary.

Mr. PLATT of New York presented a petition of Myron M. Fish Post, No. 406, Department of New York, Grand Army of the Republic, of Ontario, N. Y., praying that pensionable minor children who are insane, idiotic, or otherwise permanently disabled, may be granted the same pension as is given to the soldier or sailor who has seen service; which was referred to the Committee on Pensions.

He also presented petitions of the Farmington Quarterly Meeting of Friends, of the Woman's Christian Temperance Union of Brooklyn, and of Ira D. Sankey and sundry other citizens of Brooklyn, all in the State of New York, praying for the enactment of legislation to prohibit the sale of liquor in canteens of the Army and Navy and of Soldiers' Homes, and in immigrant stations and Government buildings; which were referred to the Committee on Military Affairs.

He also presented the petitions of Edwin A. Brand and 200 other citizens of Jeffersonville; of George Palmer and 200 other citizens of Croton Lake, and of A. J. Hinman and 200 other citizens of Stockbridge, all in the State of New York, praying for the establishment of postal savings-bank depositories; which were referred to the Committee on Post-Offices and Post-Roads.

Mr. HANSBROUGH presented a petition of the legislature of North Dakota, praying for the adoption of an amendment to the Constitution of the United States providing for the election of United States Senators by direct vote of the people; which was referred to the Committee on Privileges and Elections, and ordered to be printed in the RECORD, as follows:

Concurrent resolution and memorial of the senate and house of representatives of the State of North Dakota, to the Senate and House of Representatives of the United States, asking for the election of a United States Senator by a direct vote of the people.

Whereas experience has demonstrated that the interests of the people would be best served by the election of United States Senators by a vote of the people of the various States: Therefore, be it

Resolved by the house of representatives of the State of North Dakota (the senate concurring), That our Representatives in Congress are hereby requested to use all honorable means to secure the submission of an amendment to the Constitution of the United States, providing for the election of United States Senators by a direct vote of the people.

Resolved further, That copies of this resolution, properly attested, be sent to our Representatives in Congress of the United States.

Resolved further, That a copy of the foregoing resolution, duly signed and certified, be sent to the proper officials of the several States in the Union, together with the request, hereby expressed, that such resolution be laid before the legislative assembly of each such State, to be by it approved at the discretion thereof, and notice of such approval communicated, when given, to the Senators and Representatives acting for such State in the Congress of the United States.

THOMAS BAKER, JR.,
Speaker of the House.

Attest:
J. G. HAMILTON, *Chief Clerk.*

J. M. DEVINE,
President of the Senate.

Attest:
J. O. SMITH, *Secretary of the Senate.*

Mr. HANSBROUGH presented a petition of sundry citizens of Milton, N. Dak., praying for the enactment of legislation to prohibit the sale of liquor in canteens of the Army and Navy and of Soldier's Homes, and in immigrant stations and Government buildings; which was referred to the Committee on Military Affairs.

Mr. PERKINS presented a petition of the legislature of California, relative to the construction and ownership of the Nicaragua Canal; which was ordered to lie on the table, and be printed in the RECORD, as follows:

Senate joint resolution No. 10, relative to construction and ownership of the Nicaragua Canal.

Whereas the construction of the Nicaragua Canal would be of immense value to the people of the Pacific coast, and especially to the people of the State of California, as it would afford greater protection to this coast in time of war, open new lines of trade and commerce in time of peace, tend to cheapen transportation to foreign and Atlantic seaboard markets, build up new enterprises everywhere within our State, and largely tend to maintain old ones, greatly increase our population, and thus enhance our wealth and multiply our resources, and establish a shorter line of oceanic communication between the United States and its po-sessions in the Orient; and

Whereas there is now pending in the Congress of the United States a measure providing for the construction of the Nicaragua Canal by the United States Government;

Resolved by the senate of the State of California (the assembly thereof concurring), That our Senators in Congress be instructed, and our members of the House of Representatives of the United States be requested, to earnestly support the passage of this measure; and be it further

Resolved, That we favor the absolute ownership and operation of the said Nicaragua Canal by the United States Government.

Resolved, That his excellency, the governor, is hereby requested to forward to each of our Senators and Representatives in Congress a copy of this resolution.

THOMAS FLINT, JR.,
President pro tempore of the Senate.
ALDEN ANDERSON,
Speaker of the Assembly.

Attest:
C. F. CURRY, *Secretary of State.*
Adopted in senate January 23, A. D. 1899.

F. J. BRANDEN,
Secretary of the Senate.
Adopted in assembly February 1, A. D. 1899.

C. W. KYLE,
Chief Clerk of the Assembly.

This resolution was transmitted by the governor this 3rd day of February, A. D. 1899.

W. I. FOLEY,
Private Secretary of the Governor.

STATE OF CALIFORNIA, DEPARTMENT OF STATE.

I, C. F. Curry, secretary of state of the State of California, do hereby certify that I have carefully compared the annexed copy of Chapter VIII, being Senate joint resolution No. 10, legislature 1899, with the original now on file in my office, and that the same is a correct transcript therefrom, and of the whole thereof. Also, that this authentication is in due form and by the proper officer.

Witness my hand and the great seal of State, at office in Sacramento, Cal., the 3rd day of February, A. D. 1899.

C. F. CURRY,
Secretary of State,
By J. HUESCH, *Deputy.*

Mr. PERKINS presented a petition of the Labor Council of San Francisco, Cal., praying that the treaty of peace be modified so as to secure to the people of the Philippine Islands their freedom and independence from the interference of any nation; which was referred to the Committee on Foreign Relations.

He also presented the petition of Rev. D. R. Jones and sundry other citizens of Oakland, Cal., and a petition of sundry citizens of Oakland, Cal., praying for the enactment of legislation to prohibit the sale of liquor in canteens of the Army and Navy and of Soldiers' Homes, and in immigrant stations and Government buildings; which were referred to the Committee on Military Affairs.

Mr. BURROWS presented petitions of 326 citizens of Petoskey; of the Baptist Young People's Union, the Young People's Society of Christian Endeavor, and the Epworth League, all of Sturgis; of the congregations of the Methodist Episcopal Church, the Friends' Church, and the Presbyterian Church, all of Tecumseh; of sundry citizens of Saline; of the congregations of the Methodist Episcopal Church of Parkeville, the Methodist Church of Azalia, the Church of Christ of Algonac, and the Methodist Episcopal Church of Algonac; of 114 citizens of Sault Ste. Marie, and of the State Congress of Mothers, of Wayne County, all in the State of Michigan, praying for the enactment of legislation to prohibit the sale of liquor in canteens of the Army and Navy and of Soldiers' Homes, and in immigrant stations and Government buildings; which were referred to the Committee on Military Affairs.

Mr. ALLEN presented the memorial of David Lubin, of San Francisco, Cal., on behalf of the State granges of California, Oregon, Illinois, Washington, Missouri, Virginia, and Pennsylvania, and the Central Labor unions of New York and Chicago, remonstrating against the passage of Senate bill No. 5024, for the protection of American shipping, and suggesting certain modifications; which was ordered to lie on the table.

Mr. PENROSE presented petitions of sundry citizens of Scranton, Pa., praying for the passage of the eight-hour bill; which was referred to the Committee on Education and Labor.

He also presented a petition of the Woman's Club of Pittsburg, Pa., praying for the enactment of legislation to prevent the desecration of the American flag; which was referred to the Committee on the Judiciary.

Mr. FORAKER presented the petitions of S. N. Weeks and 205 other citizens of Mount Orab, Ohio, praying for the establishment of postal savings bank depositories; which were referred to the Committee on Post-Offices and Post-Roads.

Mr. PETTUS. I present the petition of William A. Glean and Louis M. Glean, and sundry other citizens of the United States, who, at the breaking out of the late insurrection in the island of Cuba, were temporarily residing on that island and engaged in business, praying that the present Congress of the United States will provide some tribunal which shall have jurisdiction of claims resulting from the damages incurred by people on the island of Cuba during the late war with Spain. I move that the petition be referred to the Committee on the Judiciary.

The motion was agreed to.

Mr. MCMILLAN presented a petition of the Northern Mineral Mine Workers' Progressive Union, of Negaunee, Mich., praying for the passage of the eight-hour bill; which was referred to the Committee on Education and Labor.

Mr. THURSTON presented a petition of sundry citizens of Central City, Nebr., praying for the enactment of legislation to prohibit the sale of liquor in canteens of the Army and Navy and of Soldiers' Homes, and in immigrant stations and Government buildings; which was referred to the Committee on Military Affairs.

He also presented a petition of sundry citizens of Crawford, Nebr., praying for the maintenance of prohibition in the Territory of Alaska; which was referred to the Committee on Territories.

Mr. FRYE presented a petition of Winthrop Grange, No. 209, Patrons of Husbandry, of Winthrop, Me., praying for the enactment of legislation to increase American shipping; which was ordered to lie on the table.

BRUNSWICK, GA., HARBOR IMPROVEMENT.

Mr. VEST presented sundry papers, being a comparison of cost of deepening ocean bars with cost of ocean bar improvement at Brunswick, Ga., together with an analysis and a statement of the methods pursued by C. P. Goodyear at Brunswick, Ga., in the transaction of his work on the outer bar; which were referred to the Committee on Commerce.

REPORTS OF COMMITTEES.

Mr. JONES of Arkansas. I am directed by the Committee on Indian Affairs, to whom was referred the bill (H. R. 10049) to ratify and confirm an agreement with the Comanche, Kiowa, and Apache tribes of Indians in Oklahoma Territory, and to open their reservation for settlement, to report it without amendment.

Mr. PLATT of Connecticut. I desire to state that I do not concur in that report.

The VICE-PRESIDENT. The bill will be placed on the Calendar.

Mr. ALLEN, from the Committee on Indian Affairs, to whom was referred the bill (S. 4225) to give a preference right of entry to persons procuring a cancellation of fraudulent or double allotments to Indians, reported it with an amendment.

He also, from the same committee, to whom was referred the bill (S. 3687) for the establishment of ordinary wagon roads and animal trails across Indian reservations, and for other purposes, reported it without amendment.

Mr. GALLINGER, from the Committee on Pensions, to whom was referred the bill (S. 757) granting an increase of pension to John Smith, reported it with amendments, and submitted a report thereon.

He also (for Mr. ROACH), from the same committee, to whom was referred the bill (H. R. 8754) granting an increase of pension to Lemon Holton, reported it with an amendment, and submitted a report thereon.

Mr. BURROWS, from the Committee on Finance, to whom was referred the bill (H. R. 10997) to amend section 3287 of the Revised Statutes of the United States, concerning the drawing off, gauging, marking, and removal of spirits, reported it without amendment.

Mr. MANTLE, from the Committee on Indian Affairs, to whom was referred the bill (H. R. 6670) setting apart a certain tract of land in Oklahoma Territory to the Stella Friends Academy and Church Association, reported it without amendment.

Mr. HANNA, from the Committee on Pensions, to whom was referred the bill (H. R. 4838) granting an increase of pension to Elizabeth V. Litzenberg, reported it with amendments, and submitted a report thereon.

He also, from the same committee, to whom was referred the bill (H. R. 2122) increasing the pension of William R. Christy, reported it with amendments, and submitted a report thereon.

He also, from the same committee, to whom was referred the bill (H. R. 5461) granting a pension to Elizabeth H. Bowen, reported it with amendments, and submitted a report thereon.

He also, from the same committee, to whom was referred the bill (H. R. 2171) granting a pension to Wilhelmina Barth, reported it with amendments, and submitted a report thereon.

He also, from the same committee, to whom was referred the bill (H. R. 5762) granting an increase of pension to Joel W. Gibson, reported it with amendments, and submitted a report thereon.

Mr. LINDSAY, from the Committee on Pensions, to whom was referred the bill (S. 5264) granting an increase of pension to W. B. Carniff, reported it with amendments.

Mr. VEST, from the Committee on Commerce, to whom was referred the bill (S. 5258) to authorize the construction of a bridge across the Missouri River at the city of Yankton, S. Dak., reported it with amendments.

He also, from the same committee, to whom was referred the bill (S. 5355) authorizing the Aransas Harbor Terminal Railway Company to construct a bridge across the Corpus Christi Channel, known as the Morris and Cummings Ship Channel, in Aransas County, Tex., reported it with amendments.

He also, from the same committee, to whom was referred the bill (S. 5332) granting the right and authority to the Pensacola and Northwestern Railroad Company, a company organized under the laws of the States of Florida and Alabama, to build one bridge over each of the following-named rivers in the State of Alabama, namely, the Alabama River, the Warrior River, the Sipsey River, and the Tennessee River; the said bridges to be used and operated for and in behalf of the Pensacola and Northwestern Railroad Company to carry freight and passengers by rail and otherwise, reported it with amendments.

Mr. PETTUS, from the Committee on Military Affairs, to whom was referred the bill (S. 4382) to establish a national military park to commemorate the campaign, siege, and defense of Vicksburg, reported it without amendment.

Mr. PLATT of Connecticut, from the Committee on Indian Affairs, to whom was referred the bill (H. R. 11098) to extend and amend the provisions of an act entitled "An act to grant the right of way to the Kansas, Oklahoma Central and Southwestern Railway Company through the Indian Territory and Oklahoma Territory, and for other purposes," approved December 21, 1893, and also to extend and amend the provisions of a supplemental act approved February 15, 1897, entitled "An act to extend and amend an act entitled 'An act to grant the right of way to the Kansas, Oklahoma Central and Southwestern Railway Company through the Indian Territory and Oklahoma Territory, and for other purposes,'" reported it without amendment.

Mr. MARTIN, from the Committee on Claims, to whom was referred the bill (H. R. 1959) for the allowance of certain claims reported by the accounting officers of the United States Treasury Department, reported it without amendment.

He also, from the same committee, to whom was referred the bill (S. 4904) for the relief of the owners and officers of the brig *Olive Frances*, and others on board said brig, reported it without amendment, and submitted a report thereon.

He also, from the Committee on Naval Affairs, to whom was referred the amendment submitted by Mr. BURROWS on the 7th instant, authorizing the Secretary of the Navy to pay 50 per cent additional for all work in excess of eight hours performed by laborers, workmen, and mechanics at United States navy-yards and naval stations between March 18, 1898, and October 31, 1898, intended to be proposed to the naval appropriation bill, reported favorably thereon with the recommendation that it be proposed as an amendment to the general deficiency appropriation bill, and moved that it be referred to the Committee on Appropriations, and printed; which was agreed to.

Mr. MASON, from the Committee on Claims, to whom was referred the bill (S. 5020) to revive and amend an act to provide for the collection of abandoned property and the prevention of frauds in insurrectionary districts within the United States, and acts amendatory thereof, reported it with an amendment, and submitted a report thereon.

Mr. MANTLE, from the Committee on Public Buildings and Grounds, to whom was referred the amendment submitted by himself on the 1st instant, proposing to appropriate $75,000 for the purchase of a site for a public building in the city of Butte, Mont., intended to be proposed to the sundry civil appropriation bill, reported it with an amendment, submitted a report thereon, and moved that it be referred to the Committee on Appropriations, and printed; which was agreed to.

Mr. CARTER, from the Committee on Military Affairs, reported an amendment proposing to appropriate $4,350 for payment to the board of county commissioners of Custer County, Mont., in full settlement of all demands against the United States for the construction of a steel bridge across the Tongue River for the accommodation of the Fort Keogh Military Reservation, in that State, intended to be proposed by him to the Army appropriation bill, submitted a report thereon, and moved that it be referred to the Committee on Appropriations, and printed; which was agreed to.

He also, from the same committee, to whom the subject was referred, submitted a report, accompanied by a bill (S. 5482) for the relief of the county of Custer, State of Montana; which was read twice by its title.

Mr. SEWELL, from the Committee on Appropriations, to whom was referred the bill (H. R. 11717) making appropriations for the support of the Military Academy for the fiscal year ending June 30, 1900, reported it with amendments, and submitted a report thereon.

REPORT OF SUPERINTENDENT OF INDIAN SCHOOLS.

Mr. LODGE, from the Committee on Printing, to whom was referred the following concurrent resolution of the House of Representatives, reported it without amendment, and it was considered by unanimous consent and agreed to:

Resolved by the House of Representatives (the Senate concurring), That there be printed 1,000 additional copies of the Report of the Superintendent of Indian Schools for 1898, the same to be delivered to the Commissioner of Indian Affairs for the use of his office.

BUREAU OF ENGRAVING AND PRINTING INVESTIGATION.

Mr. LODGE, from the Committee on Printing, to whom was referred the resolution submitted by Mr. MASON on the 7th instant, reported it without amendment, and it was considered by unanimous consent and agreed to, as follows:

Resolved, That 2,000 copies of the letters of transmittal, the report of the Treasury Department committee which investigated the Bureau of Engraving and Printing in 1897, the reply of the Director of the Bureau thereto, and the rejoinder of Mr. Lyman, chairman of the investigating committee, be printed for the use of the Senate.

SIOUX CITY AND OMAHA RAILWAY.

Mr. ALLEN. I should like unanimous consent to call up for present consideration the bill (S. 5076) authorizing the Sioux City and Omaha Railway Company to construct and operate a railway through the Omaha and Winnebago Reservation, in Thurston County, Nebr., and for other purposes.

Mr. HANSBROUGH. I suggest to the Senator——

Mr. ALLEN. It will not lead to any debate.

Mr. HANSBROUGH. Morning business has not yet closed, I understand.

Mr. LINDSAY. I shall not object to the bill being called up, but I wish to introduce a bill.

Mr. ALLEN. I was simply following the precedent of yesterday morning, when six bills were passed before the last order of business was reached. I withdraw the request, however, for the time being.

BILLS INTRODUCED.

Mr. LINDSAY introduced a bill (S. 5474) granting a pension to Ellen Hardin Walworth; which was read twice by its title, and referred to the Committee on Pensions.

Mr. HARRIS introduced a bill (S. 5475) authorizing the Gulf and Northern Railroad Company to construct and operate a railroad through the Indian Territory and Territory of Oklahoma, and for other purposes; which was read twice by its title, and referred to the Committee on Indian Affairs.

Mr. LODGE introduced a bill (S. 5476) to grant the right of way to the Arkansas Valley and Gulf Railroad Company for the purpose of constructing a railroad, and for other purposes; which was read twice by its title, and referred to the Committee on Indian Affairs.

Mr. FORAKER introduced the following bills; which were severally read twice by their titles, and, with the accompanying papers, referred to the Committee on Pensions:

A bill (S. 5477) granting a pension to Henry Justus;

A bill (S. 5478) granting a pension to Mary Ann Shea; and

A bill (S. 5479) granting a pension to Elizabeth Woerz.

Mr. HANNA introduced a bill (S. 5480) to provide for the erection of a public building in the city of Zanesville, Ohio; which was read twice by its title, and referred to the Committee on Public Buildings and Grounds.

Mr. SULLIVAN introduced a bill (S. 5481) to correct the military record of H. L. B. Hovis; which was read twice by its title, and referred to the Committee on Military Affairs.

PERSONNEL OF NAVY AND MARINE CORPS.

Mr. CHANDLER submitted an amendment intended to be proposed by him to the bill (H. R. 10403) to reorganize and increase the efficiency of the personnel of the Navy and Marine Corps of the United States; which was referred to the Committee on Naval Affairs, and ordered to be printed.

AMENDMENTS TO APPROPRIATION BILLS.

Mr. MCMILLAN submitted an amendment proposing to appropriate $350,000 to be expended by the Secretary of the Treasury for the purchase of the real estate formerly the property of the Corcoran Art Gallery, at the corner of Pennsylvania avenue and Seventeenth street NW., intended to be proposed by him to the sundry civil appropriation bill; which was referred to the Committee on Public Buildings and Grounds, and ordered to be printed.

Mr. MCENERY submitted an amendment proposing to appropriate $200,000 for extending the revetment in Lake Providence Reach, Louisiana, intended to be proposed by him to the river and harbor appropriation bill; which was referred to the Committee on Commerce, and ordered to be printed.

He also submitted an amendment proposing to increase the appropriation for improving the mouth and passes of Calcasieu River, Louisiana, from $35,000 to $100,000, intended to be proposed by him to the river and harbor appropriation bill; which was referred to the Committee on Commerce, and ordered to be printed.

Mr. BATE submitted an amendment proposing to appropriate $12,000 to purchase and equip a snag boat to be used in the Cumberland River above and below Harpeth Shoals, intended to be proposed by him to the river and harbor appropriation bill; which was referred to the Committee on Commerce, and ordered to be printed.

Mr. PERKINS submitted an amendment authorizing the Secretary of the Treasury to adjust and pay the accounts of the Cape Smythe Whaling and Trading Company for supplies furnished and services rendered in rescuing, housing, feeding, clothing, and caring for shipwrecked whalers in the Arctic seas in 1897 and 1898, intended to be proposed by him to the sundry civil appropriation bill; which was referred to the Committee on Commerce, and ordered to be printed.

Mr. CHANDLER submitted an amendment authorizing the Commissioners of the District of Columbia to permit the Batcheller Pneumatic Company, of the District of Columbia, on such terms as they may prescribe, to open and excavate the streets of Washington on such lines as the Postmaster-General may approve, intended to be proposed by him to the Post-Office appropriation bill; which was referred to the Committee on the District of Columbia, and ordered to be printed.

Mr. LINDSAY submitted an amendment proposing to increase the number of locks and dams in the Big Sandy River, Kentucky and West Virginia, from one to two, and also to increase the appropriation for the construction of the same from $220,000 to $470,000, intended to be proposed by him to the river and harbor appropriation bill; which was referred to the Committee on Commerce, and ordered to be printed.

Mr. TILLMAN submitted an amendment proposing to appropriate $5,000 to enable the Secretary of Agriculture to investigate and report on the cost of making tea and the best methods of cultivating and preparing the same for market, etc., intended to be proposed by him to the Agricultural appropriation bill; which was ordered to lie on the table, and to be printed.

Mr. GEAR submitted an amendment authorizing the Secretary of War to accept on behalf of the Government for military purposes 400 acres of land within 5 miles of the corporate limits of Des Moines, Iowa, providing, in his judgment, it is suitable for an army post, intended to be proposed by him to the Army appropriation bill; which was referred to the Committee on Appropriations, and ordered to be printed.

Mr. FORAKER submitted an amendment proposing to appropriate $20,230 for the office of assistant treasurer at Cincinnati, Ohio, intended to be proposed by him to the legislative, executive, and judicial appropriation bill; which was referred to the Committee on Appropriations, and ordered to be printed.

He also submitted an amendment proposing to appropriate $2,500 for one assistant solicitor, Department of State, and also to reduce the number of clerks of class 4 in the office of the Attorney-General, Department of Justice, from 7 to 6, intended to be proposed by him to the legislative, executive, and judicial appropriation bill; which was referred to the Committee on Appropriations, and ordered to be printed.

PERSONNEL OF NAVY AND MARINE CORPS.

On motion of Mr. HALE, it was

Ordered, That there be printed for the use of the Senate 1,000 copies of bill (H. R. 10408) to reorganize and increase the efficiency of the personnel of the Navy and Marine Corps of the United States, as reported to the Senate February 8, 1900.

BOWMAN ACT AND OTHER CLAIMS.

Mr. TELLER submitted the following report:

The committee of conference on the disagreeing votes of the two Houses on the amendment of the Senate to the bill (H. R. 4926) for the allowance of certain claims for stores and supplies reported by the Court of Claims under the provisions of the act approved March 3, 1883, and commonly known as the Bowman Act, and for other purposes, having met, after full and free conference have been unable to agree.

HENRY M. TELLER,
WM. M. STEWART,
S. PASCO,
Managers on the part of the Senate.
THADDEUS M. MAHON,
THEOBOLD OTJEN,
JAMES D. RICHARDSON,
Managers on the part of the House.

Mr. TELLER. I move that the Senate still further insist on its amendments and ask for a further conference with the House of Representatives on the disagreeing votes of the two Houses.

The motion was agreed to.

By unanimous consent, the Vice-President was authorized to appoint the conferees on the part of the Senate at the further conference; and Mr. TELLER, Mr. STEWART, and Mr. PASCO were appointed.

MESSAGE FROM THE HOUSE.

A message from the House of Representatives, by Mr. W. J. BROWNING, its Chief Clerk, announced that the House had passed the bill (S. 2673) for the relief of William A. Cowles.

The message also announced that the House had passed the bill (S. 1964) for the erection of a public building for the use of the custom-house and post-office at Newport News, in the district of Newport News, Va., with amendments in which it requested the concurrence of the Senate.

The message further announced that the House had passed the following bills; in which it requested the concurrence of the Senate:

A bill (H. R. 9946) to amend an act entitled "An act to authorize the Muskogee, Oklahoma and Western Railroad Company to construct and operate a line of railway through Oklahoma and the Indian Territory, and for other purposes;" and

A bill (H. R. 11495) to amend section 3 of an act entitled "An act to change the time and places for the district and circuit courts of the northern district of Texas," approved June 11, 1896.

LEGISLATIVE, EXECUTIVE, AND JUDICIAL APPROPRIATION BILL.

Mr. CULLOM. If there is no further morning business, I ask the Senate to proceed to the consideration of the legislative, executive, and judicial appropriation bill, which we were considering yesterday evening. When the bill is taken up, I will yield to the Senator from Nebraska [Mr. ALLEN].

There being no objection, the Senate, as in Committee of the Whole, resumed the consideration of the bill (H. R. 11414) making appropriations for the legislative, executive, and judicial expenses of the Government for the fiscal year ending June 30, 1900, and for other purposes.

Mr. CULLOM. I yield to the Senator from Nebraska, with the understanding that there will be no debate upon the bill he wishes to have considered.

Mr. ALLEN. There will be no debate whatever.

SIOUX CITY AND OMAHA RAILWAY.

The VICE-PRESIDENT. The legislative appropriation bill being temporarily laid aside, the Senator from Nebraska asks for the present consideration of the bill (S. 5076) authorizing the Sioux City and Omaha Railway Company to construct and operate a railway through the Omaha and Winnebago Reservation, in Thurston County, Nebr., and for other purposes. Is there objection?

There being no objection, the Senate, as in Committee of the Whole, proceeded to consider the bill.

The bill was reported to the Senate without amendment, ordered to be engrossed for a third reading, read the third time, and passed.

PRESIDENTIAL APPROVAL.

A message from the President of the United States, by Mr. O. L. PRUDEN, one of his secretaries, announced that the President had on the 8th instant approved and signed the act (S. 5047) to revive, reenact, and amend an act to authorize the construction of a bridge across the Missouri River at or near the city of Lexington, Mo.

PROMOTIONS IN THE NAVY AND MARINE CORPS.

Mr. CHANDLER. I ask unanimous consent for the consideration of the bill (S. 5006) to restore to their original status as to promotion officers of the Navy and Marine Corps who lost numbers by reason of the advancement of other officers for exceptional and meritorious service during the war with Spain.

Mr. CULLOM. I will yield to the Senator from New Hampshire, with the understanding that if the bill leads to debate I can object later.

Mr. CHANDLER. This bill was considered on the 23d of January, and it was laid aside in order that some amendments might be suggested by the Senator from North Carolina [Mr. BUTLER]. He has made his suggestions, which have been submitted to the Navy Department and approved. I now ask for the passage of the bill with the amendments that I send to the desk.

The VICE PRESIDENT. Is there objection to the present consideration of the bill?

There being no objection the Senate, as in Committee of the Whole, proceeded to consider the bill.

The VICE-PRESIDENT. The amendments will be stated.

Mr. GORMAN. And then let the bill be read as proposed to be amended.

The amendments were, in line 9, page 1, after the word "advanced," to insert the words "to higher grades;" on page 2, line 1, to strike out the words "regarded as additional members of their grades and shall be appropriately so designated upon the official Navy list" and insert "carried thereafter as additional to the numbers of each grade to which they may at any time be promoted;" in line 5, page 2, after the word "him," to insert "and all advancements made by reason of war service shall be appropriately so designated upon the official Navy list;" in line 9, page 2, before the word "retirement," to insert "promotion;" and in line 10, before the word "retirement," to insert the word "promotion;" so as to make the bill read:

Be it enacted, etc., That the advancement in rank of officers of the Navy and Marine Corps, whensoever made, for service rendered during the war with Spain, pursuant, respectively, to the provisions of sections 1506 and 1605 of the Revised Statutes, shall not interfere with the regular promotion of officers otherwise entitled to promotion, but officers so advanced to higher grades by reason of war service shall be carried thereafter as additional to the numbers of each grade to which they may at any time be promoted; and each such officer shall hereafter be promoted in due course, contemporaneously with and to take rank next after the officer immediately above him; and all advancements made by reason of war service shall be appropriately so designated upon the official Navy lists: *Provided, however*, That no promotion shall be made to fill a vacancy occasioned by the promotion, retirement, death, resignation, or dismissal of any officer who, at the time of such promotion, retirement, death, resignation, or dismissal, is an additional member of his grade under the provisions of this act.

The amendments were agreed to.

The bill was reported to the Senate as amended, and the amendments were concurred in.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

The title was amended so as to read: "A bill to restore to their original status as to promotion officers of the Navy and Marine Corps losing numbers by reason of the advancement of other officers for exceptional and meritorious service during the war with Spain."

CORPUS CHRISTI CHANNEL BRIDGE.

Mr. MILLS. I ask unanimous consent to call up the bill (S. 5355) authorizing the Aransas Harbor Terminal Railway Company to construct a bridge across the Corpus Christi Channel, known as the Morris and Cummings Ship Channel, in Aransas County, Tex., reported a few minutes ago by the Senator from Missouri [Mr. VEST] from the Committee on Commerce.

Mr. CULLOM. I will yield to the Senator from Texas with the understanding that there will be no debate.

Mr. MILLS. There will be no debate. If there is any, I will withdraw the bill.

The VICE-PRESIDENT. Is there objection to the present consideration of the bill?

There being no objection, the Senate, as in Committee of the Whole, proceeded to consider the bill, which had been reported from the Committee on Commerce with an amendment, to strike out all after the enacting clause and insert:

That the act entitled "An act authorizing the Aransas Harbor Terminal Railway Company to construct a bridge across the Corpus Christi Channel, known as the Morris and Cummings Ship Channel, in Aransas County, Tex.," approved May 4, 1896, is hereby reenacted; and section 5 of the said act is hereby amended to read as follows:

"Sec. 5. That this act shall be null and void if actual construction of the bridge herein authorized be not commenced within one year and completed within three years from May 4, 1899."

The amendment was agreed to.

The bill was reported to the Senate as amended and the amendment was concurred in.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

The title was amended so as to read: "A bill to amend an act entitled 'An act authorizing the Aransas Harbor Terminal Railray Company to construct a bridge across the Corpus Christi Channel, known as the Morris and Cummings Ship Channel, in Aransas County, Tex.'"

LIGHT VESSEL FOR CHESAPEAKE BAY.

Mr. GORMAN. I ask for the consideration of the bill (H. R. 5019) for a light vessel off Tail of Horse Shoe, Chesapeake Bay.

There being no objection, the Senate, as in Committee of the Whole, proceeded to consider the bill.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

FRANCHISES IN CUBA AND PORTO RICO.

The VICE-PRESIDENT laid before the Senate the following message from the President of the United States; which was read and, with the accompanying papers, ordered to lie on the table, and to be printed:

To the Senate of the United States:

I transmit herewith, in response to a resolution of the Senate of the 2d instant, requesting information "whether any franchises or concessions of any character are being or have been granted by any municipality in Cuba and Porto Rico since the military occupation thereof by the United States," etc., a report from the Secretary of War and accompanying papers.

WILLIAM MCKINLEY.

EXECUTIVE MANSION, *February 9, 1899.*

PUBLIC BUILDING AT NEWPORT NEWS, VA.

The VICE-PRESIDENT laid before the Senate the amendments of the House of Representatives to the bill (S. 1964) for the erection of a public building for the use of the custom-house and post-office at Newport News, in the district of Newport News, Va.

Mr. MARTIN. I move that the Senate nonconcur in the amendments of the House of Representatives and request a conference with the House on the disagreeing votes of the two Houses.

The motion was agreed to.

By unanimous consent, the Vice-President was authorized to appoint the conferees on the part of the Senate; and Mr. WARREN, Mr. FAIRBANKS, and Mr. MONEY were appointed.

HOUSE BILLS REFERRED.

The bill (H. R. 9946) to amend an act entitled "An act to authorize the Muskogee, Oklahoma and Western Railroad Company to construct and operate a line of railway through Oklahoma and the Indian Territory, and for other purposes," was read twice by its title, and referred to the Committee on Indian Affairs.

The bill (H. R. 11495) to amend section 3 of an act entitled "An act to change the time and places for the district and circuit courts of the northern district of Texas," approved June 11, 1896, was read twice by its title, and referred to the Committee on the Judiciary.

ORDER OF BUSINESS.

Mr. CULLOM. I have agreed to yield to the Senator from Oregon [Mr. MCBRIDE]. I wish to state that I have tried to be as liberal in giving Senators an opportunity to have bills passed as I think I ought to be called upon to be, and I hope after the Senator from Oregon gets the attention of the Senate the Senate may allow me to go on with the appropriation bill.

LAUNCH FOR CUSTOMS SERVICE AT ASTORIA, OREG.

Mr. MCBRIDE. I ask for the present consideration of the bill (S. 5086) for the purchase or construction of a steam launch for the customs service at and in the vicinity of Astoria, Oreg.

There being no objection, the Senate, as in Committee of the Whole, proceeded to consider the bill, which had been reported from the Committee on Commerce with amendments.

The amendments were, in line 5, after the word "suitable," to strike out "steam;" after the word "launch," in the same line, to insert "of such motive power as may be determined by the Secretary of the Treasury;" and in line 7 to strike out the words "four thousand dollars" and insert "$2,500, or so much thereof as may be necessary;" so as to make the bill read:

Be it enacted, etc., That the Secretary of the Treasury be, and he is hereby, authorized to purchase or have constructed for the customs service a suitable launch, of such motive power as may be determined by the Secretary of the Treasury, for use at and in the vicinity of Astoria, Oreg., and the sum of $2,500, or so much thereof as may be necessary, is hereby appropriated and made immediately available to purchase or build such vessel.

The amendments were agreed to.

The bill was reported to the Senate as amended, and the amendments were concurred in.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

The title was amended so as to read: "A bill for the purchase or construction of a launch for the customs service at and in the vicinity of Astoria, Oreg."

LEGISLATIVE, EXECUTIVE, AND JUDICIAL APPROPRIATION BILL.

The Senate, as in Committee of the Whole, resumed the consideration of the bill (H. R. 11414) making appropriations for the legislative, executive, and judicial expenses of the Government for the fiscal year ending June 30, 1900, and for other purposes.

Mr. CULLOM. While the Senate had the bill under consideration yesterday I think we reached the twenty-fifth page, including the first six lines on that page. Beginning with the Botanic Garden, I hope the reading will proceed.

Mr. GORMAN. I ask the Senator from Illinois in charge of the bill whether it would not be well to go back to the provision for the copyright department of the Library of Congress and strike out the proviso, so as to allow it to go into conference? Manifestly it must be amended, and there is no other way by which an amendment can be made.

Mr. CULLOM. I have determined to do that. I think that that proviso should be stricken from the bill, so that we may, in conference, ascertain exactly what kind of a provision ought to be placed there. I myself am not satisfied with that proviso.

Mr. GORMAN. Nor am I.

Mr. PLATT of Connecticut. That course will be entirely satisfactory to me. There is very short time when a bill is under consideration to fix up a matter of this sort and get it right.

Mr. CULLOM. I move that the proviso in the provision relating to the copyright department beginning in the twentieth line of the twenty-second page be stricken out.

The VICE-PRESIDENT. The Senator from Illinois moves to strike out the proviso beginning in the twentieth line on page 22 and ending with the third line on page 23, in the following words:

Provided, That on and after the 1st day of July, 1899, no person shall be entitled to a copyright, unless the copies deposited with the Librarian of Congress, of such copyright book or other article, or the photograph deposited of a work of the fine arts, shall be of such substantial and permanent paper or substance and ink or impression as shall be according to such standard as shall be from time to time established and approved by the said Librarian.

Mr. GORMAN. I trust that that proviso will be stricken out. The intention of the authors of the proviso is a very good one, so far as it relates to the character of paper upon which these things shall be printed. There can not be any question about the fact that, with the new processes we are having in the manufacture of all the paper which is used for Government purposes, one-third of it at least will absolutely decay and be gone in less than four or five years.

I do not oppose the proviso on account of the provision as to the character of the paper, because I believe it to be a wise one; but it is so broad, as was stated by the Senator from Connecticut [Mr. PLATT] and the Senator from Massachusetts [Mr. HOAR] yesterday, that it will probably impair the rights of people and put in jeopardy their productions.

I wish to say here, before the bill passes the Senate, that I trust some provision as to the character of the paper will be retained. I think that is eminently proper. I believe that on account of the desire for economy a great many of our public documents that are being printed will, in ten years from now, absolutely fall to pieces. Therefore I hope that provision in the proviso will be retained when the bill goes to conference.

Mr. COCKRELL. What was the suggestion of the Senator from Connecticut? He is familiar with questions of patents and copyrights.

Mr. GORMAN. Yes; that is on another matter.

Mr. PLATT of Connecticut. If the proviso is to go out now to be fixed up in conference, I will endeavor to look into it. It seemed to me there was trouble in providing that the right to a copyright should depend upon regulations to be fixed from time to time by the Librarian. It did not seem to me as if a man ought to be dependent upon certain rules published by the Librarian from time to time for his copyright and lose his copyright if those rules were not complied with. People who want to obtain copyrights will not know of those rules. The provision contemplates that the rules shall be changed from time to time, and that people shall lose absolutely their copyright unless such rules are complied with. I think the matter may be arranged so as to subserve the purpose in view.

Mr. CULLOM. My objection, upon looking into the subject, is that it leaves such a wide discretion in this appointee, the Librarian. He might change his purpose and idea from month to month, and we ought to pass some definite law upon the subject and not leave so much discretion in the officer. Therefore I am willing that the proviso shall go out and that it shall be subject to further consideration in conference.

Mr. PLATT of Connecticut. I should like in the meantime to have an opportunity of consulting with gentlemen who have given this matter of copyright the greatest consideration. There will be plenty of time when the bill is in conference.

Mr. COCKRELL. Then it is the understanding that there is to be some provision here, and that it ought not to be a rule of the Department, but there ought to be a law defining substantially what class of paper shall be used.

Mr. CULLOM. That is my view of the case.

Mr. COCKRELL. It is an outrage to accept some of the kinds that are presented.

Mr. CULLOM. I hope a vote will be taken on my motion to strike out the proviso.

The amendment was agreed to.

The reading of the bill was resumed. The next amendment of the Committee on Appropriations was, under the head of "Executive," on page 26, line 2, after the word "dollars," to strike out "one clerk of class 4" and insert "four clerks of class 4;" in line 3, before the word "clerks," to strike out "five" and insert "two;" in line 5, after the word "dollars," to insert "doorkeeper and messenger to the secretary to the President, $1,400;" in line 7, before the word "doorkeepers," to strike out "four" and insert "three," and in line 13, before the word "hundred," to strike out "forty-three thousand seven" and insert "forty-four thousand five;" so as to make the clause read:

For compensation to the following in the office of the President of the United States: Secretary, $5,000; two assistant secretaries, at $2,800 each; executive clerk, $2,200; executive clerk and disbursing officer, $2,000; four clerks of class 4; two clerks of class 3; steward, $1,800; usher to the President, $1,800; chief doorkeeper, $1,800; doorkeeper and messenger to the secretary to the President, $1,400; three doorkeepers, at $1,200 each; four messengers, at $1,200 each; two messengers, at $900 each; watchman, $900; fireman, $720; laborer, $720; in all, $44,540.

The amendment was agreed to.

The next amendment was, under the head of "Department of State," on page 27, line 16, to increase the number of clerks of class 1 from sixteen to twenty-one; and in line 22, to increase the total appropriation for compensation of the Secretary of State, etc., from $125,270 to $131,270.

The amendment was agreed to.

The next amendment was, on page 28, line 2, to increase the appropriation for books and maps, and books for the library, Department of State, from $1,500 to $3,000.

The amendment was agreed to.

The next amendment was, under the head of "Treasury Department, division of loans and currency," on page 32, line 13, to increase the number of assistant messengers from one to two; in line 14, to increase the number of laborers from five to six; and on page 33, line 1, to increase the total appropriation for the division of loans and currency from $67,649 to $69,029.

The amendment was agreed to.

The next amendment was, on page 33, line 12, after the word "dollars," to insert "clerk, $900;" and in line 14, after the word "thousand," to insert "nine hundred;" so as to make the clause read:

Miscellaneous division: For chief of division, $2,500; assistant chief of division, $2,000; one clerk of class 4; one clerk of class 3; two clerks of class 1; clerk, $1,000; clerk, $900; and one assistant messenger; in all, $12,920.

The amendment was agreed to.

The next amendment was, on page 34, line 16, after the word "each," to strike out "one clerk" and insert "two clerks;" in line 17, after the word "four," to strike out "one clerk of class 3;" and in line 19, before the word "dollars," to strike out "ten thousand eight hundred," and insert "eleven thousand;" so as to make the clause read:

Offices of disbursing clerks: For two disbursing clerks, at $2,500 each; two clerks of class 4; one clerk of class 2; and one clerk, $1,000; in all, $11,000.

The amendment was agreed to.

The reading of the bill was continued to the end of the clauses making appropriations for "Office of the Supervising Architect," on page 35, line 12.

Mr. COCKRELL. I should like to ask the Senator from Illinois to what extent the provision on pages 34 and 35 has been carried out in the Treasury Department? The provision reads:

And the services of skilled draftsmen, civil engineers, computers, accountants, assistants to the photographer, copyists, and such other services as the Secretary of the Treasury may deem necessary and specially order, may be employed in the office of the Supervising Architect exclusively to carry into effect the various appropriations for public buildings, to be paid for from and equitably charged against such appropriations: *Provided*, That the expenditures on this account for the fiscal year ending June 30, 1900, shall not exceed $210,000; and that the Secretary of the Treasury shall each year in the annual estimates report to Congress the number of persons so employed and the amount paid to each.

To what extent has that been carried out? In other words, when a public building is authorized to be erected, does the Supervising Architect of the Treasury under this provision employ draftsmen to complete the drawings, the plans, the specifications, and the estimates, so that the Supervising Architect can advertise and make a contract for the completion of the entire building within a given reasonable time?

Mr. CULLOM. All that I know about the subject is found in the Book of Estimates, on page 353:

APPENDIX B.

In connection with the estimates for "Salaries, Office of Supervising Architect."

List of employees in Office of Supervising Architect, Treasury Department, and amounts paid each, during the fiscal year ended June 30, 1898, from appropriations for public buildings, furnished under requirements of the act of Congress approved March 15, 1898, Statutes at Large, volume 30, page 288.

Then follows a long list of names, the positions the persons occupy, the salaries they get, and I think, if it could be run down to the end, it would show exactly where the money goes in connection with each public building.

Mr. COCKRELL. But what has been the effect of the requirement or authorization? Has it hastened the completion of public buildings?

Mr. CULLOM. I confess I am not able to state whether it has or not.

Mr. COCKRELL. We authorize the construction of a public building and limit the cost. The building goes on year after year, and there is no reason on earth why there should be such delay.

Mr. CULLOM. I agree with the Senator fully; but that seems to have been the state of the case for a good many years.

Mr. COCKRELL. It has been the case indefinitely—at least, for a long time.

Mr. CULLOM. I suppose if we had time to investigate the report in the Book of Estimates it might explain very much of this matter, but that is all I know about it.

Mr. COCKRELL. We have a public building on Pennsylvania avenue, the city post-office building; we have a building at Kansas City, which has been under construction I do not know how long; and there are other public buildings which will require years and years to complete. No individual and no corporation in this country which constructs a building of that kind ever lets it hang on their hands, year after year, with a superintendent and a parcel of employees drawing salaries out of the appropriation, thus reducing the amount that is actually put into the building.

Mr. CULLOM. I fully agree with the Senator that that has been the history of all our public buildings under the system which has been pursued for an indefinite time. I have myself always felt that when a building was begun by the Government its construction ought to be vigorously prosecuted until it is completed and the people who had been employed discharged. I suppose such employees will be discharged if they ever get a public building finished, but they never seem to succeed to that extent.

Mr. COCKRELL. They seldom get a building finished. I see in another branch having coequal authority with this body a large number of bills have been passed for the erection of public buildings. Those buildings cost from $50,000 to $100,000 or $200,000 or more. There is no reason in the world why a $50,000 building, a $100,000 building, a $150,000 building, or a $200,000 building should not be completed in one season. Any individual can do it, and if the Supervising Architect of the Treasury can not secure persons who can draw the plans, specifications, and details of such work we ought to take the construction of public buildings out of his hands and place it in the hands of somebody who will do it.

Mr. CULLOM. I agree to that fully.

Mr. GALLINGER. Mr. President, in that connection I wish to say that I have been very much interested of late to notice that when we propose to erect public buildings we now provide that private architects shall enter into competition in the matter of furnishing plans, as was provided in the case of the Library building, and I think a similar provision was made for the public building in Chicago. In other words, Mr. President, we have this bureau in the Treasury Department and we have a very expensive force there, and not only are we dawdling along in reference to the erection of public buildings, but we are now commencing the policy of taking from them the work which under the law properly belongs to them.

I recall the circumstance that when a Supervising Architect was recently appointed it was done under the civil-service rules. A man came here, a very distinguished architect, who has erected some of the finest buildings in this country. He had not written a letter with his own hand in five years, he told me, but he is one of the most distinguished architects in the United States. He was put down to a table and compelled to write without cessation seven or eight hours, and of course he did not pass a very good examination.

Mr. COCKRELL. Will the Senator permit me to ask him a question?

Mr. GALLINGER. Certainly.

Mr. COCKRELL. Do I understand that a civil-service examination was held for Supervising Architect of the Treasury?

Mr. GALLINGER. Certainly; and the man who occupies that position to-day is a product of the civil-service system of the United States. After obtaining that position by a civil-service examination, which, to my mind, is an absurdity, we are now discrediting him and saying that he is not competent to make plans for a public library in Washington or a public building in Chicago, but that we must let out the job to an architect who could not pass the civil-service examination. That is all I care to say on the matter.

Mr. CULLOM. I want to add to what the Senator has said that I tried very hard to bring about some sort of system by which an Architect could be chosen without going through that performance, because no first-class architect would agree to it. The result is that we have got the kind of a man who has been described—I do not know who he is—and no community as to which a bill has passed for the erection of a first-class public building is willing to trust to the Supervising Architect to build it. So it is in Chicago. We have an architect for the public building there who is a first-class architect, and he is in charge of that building because, so far as I was concerned, and so far as the people there were concerned, we were unwilling to leave it in the hands of an architect such as was usually selected by whoever might be the Secretary of the Treasury.

So I agree with all that has been said about this matter, and I sincerely hope that some of these days we may agree upon a plan that will result in securing an architect who is capable of taking charge of public buildings and constructing them within a reasonable time and in a proper way.

Mr. GALLINGER. Or else abolish the office.

Mr. CULLOM. Yes; or else abolish the office. I agree to that.

Mr. COCKRELL. Mr. President, judging from the declarations made in the Senate occasionally, and those made by my good friend from New Hampshire [Mr. GALLINGER], and those made in another body not a thousand miles distant, the civil-service law must be a terrible failure, for all the sins of maladministration are charged to that law. I want to defend that law, although it may not need a defense. It is not the civil-service law, I say to my friend from New Hampshire, that is to blame for a Supervising Architect being subjected to such an examination under it, but it is the President of the United States.

Mr. GALLINGER. Mr. President, I do not know that I go that far in agreeing with my friend, but on general principles I agree with him that it is somebody outside of the law. I have never very seriously attacked the original civil-service law; in fact, I am in favor of it.

Mr. COCKRELL. All right.

Mr. GALLINGER. But what I have attacked has been this aggression, this reaching out, this grasping of power and bringing under the law classes and individuals who, in my judgment, never were intended to be included in the law and never ought to have been included in it.

Mr. COCKRELL. In that I heartily agree with the Senator from New Hampshire. He is exactly right. It is not the law, but it is the executive authority which takes these places and puts them within the provisions of the law. It is within the hands of the President at this moment to make any change he chooses.

Mr. ALLISON. Will the Senator inform the Senate when the Supervising Architect of the Treasury was placed under the civil-service law?

Mr. COCKRELL. I have no idea when, and it is a matter of profound indifference to me whether it was done by the predecessor of the present incumbent of the Presidential office or done by the present incumbent. By whomsoever done, it was unnecessary and unjustifiable, in my opinion.

Mr. GALLINGER. It was done for the first time, I will say to the Senator, when the present incumbent of the Supervising Architect's Office received his appointment. I know that from the fact that a friend of mine, a very distinguished architect, came here seeking that position, and, to his surprise, he found that he had to go through a civil-service examination.

Mr. COCKRELL. When was the present Supervising Architect appointed?

Mr. GALLINGER. I should say two or three years ago, I think, as I remember the matter.

Mr. CULLOM. This situation, I think, prevailed under the previous Administration, but I am not sure when it began.

Mr. GALLINGER. It never prevailed before the appointment of the present incumbent, I will say to the Senator, whenever that may have been.

Mr. COCKRELL. But the present incumbent, my recollection is, was appointed by the present President of the United States.

Mr. ALLISON. As I understand, he was appointed under an order spreading the blanket of the civil-service law over the Office of Supervising Architect.

Mr. COCKRELL. Under President Cleveland's order?

Mr. ALLISON. I think so.

Mr. COCKRELL. Then it was the duty of the present incumbent of the Presidential office, if he did not approve of that order, to refuse to carry it out, to rescind it. The orders of one President, under the civil-service law, have no binding force upon his successor, and his successor has ample authority to make any change or modification he may desire.

Mr. President, I desire to express my hearty approval of what the Senator from New Hampshire [Mr. GALLINGER] has said in regard to the administration of the civil-service law. The order extending the operation of that law to its present scope is, in my opinion, the most deleterious action which could have been taken. The idea of putting a messenger, or a watchman, or a laborer, or a copyist, or a cook, or any employee of that kind under the civil-service law is to me supremely ridiculous. I see no justification for it. The selection of an officer of the character necessary to fill the position of Supervising Architect, with all his responsibility, should never be left to a mere technical examination. It is too important an office for that. There are millions and hundreds of millions of dollars intrusted to his expenditure, and in the large cities where public buildings have been authorized they are commenced and they are hardly ever completed. Before such buildings are completed they run almost through two or three Administrations. That is not done in the private affairs of individuals and corporations and bodies that erect large buildings, and there is no reason why it should be done by the Treasury Department of the United States.

It is just as easy in these buildings to draw the plans and specifications entire for the whole work, let it out by contract, and have it completed within a given time as it is to do it by piecemeal. Now a contract is let out for a part of a building, and when that part is done then a contract will be let out for another part of it, and so it goes, one part waiting upon another, instead of having a contract made such as can be made and such as is made by individuals and corporations in the construction of great buildings.

If there is not a change for the better, I shall insist that we devise some other plan of constructing public buildings than the plan we have pursued, which has proved such an ignominious and disgraceful failure.

Mr. STEWART. Mr. President, I never have discussed the civil-service law, but during the last twelve years I have heard it discussed almost every week, certainly every month, and sometimes every day. Senators get up and say that the law is all right, that it is a very good law, but it is always badly executed. A law that is always badly executed, a law that nobody can execute satisfactorily to the public, must be a very peculiar law.

The law has many defects, but the fundamental defect in this law is the secrecy with which it can be executed. I do not care what law you put upon the statute book, if the operations under it can not be viewed or understood by the public, if it is a secret operation, it will grow into corruption. That is human nature.

It is said that the examinations under this law are not honestly carried out. To say that is a reflection upon those who execute the law. There never was a system in human affairs which was secret, which conferred office or property upon men through secret operations, which did not grow into corruption; and I do not believe while human nature remains the same as it is now that this system of examination and arrangement, whereby persons can come under the civil-service law and get into Government employment, will be honestly administered or can be honestly administered. It is impossible from the very nature of things. Men will be dismissed who ought not to be dismissed. They will be dismissed under the pretense that there is no employment for them and others will be put in their places. That has been done by all Administrations.

Sometimes we find two or three hundred good clerks discharged because it is said there is no employment for them; but you go down to the Departments where they were employed and you find that others have got their places. In many cases worthy clerks have been reduced after they have won their way up, and, while they are doing the work, new clerks who have been appointed and who are occupying higher places are unable to do the work. In the very nature of the case, so much secrecy will lead to bad results; and it can not be prevented.

Another advantage is that of keeping people in office or having a pretext for keeping them in by spreading this law over them. You hear every Administration complained of. You hear it constantly; and it will always occur so long as this uncertain secret system prevails. We do not want any such secret system in our Government. It is against the genius of our institutions; it is unfair; it does not secure the best service.

Everybody says the way the law is administered is bad, but there is something good about the law itself. Why was the law passed? It was because there was a demand for something of the kind in the public press, and those who were out of power raised such a storm in favor of what they called "the merit system" that the politicians were afraid to criticise it; and when anybody does

criticise it or the manipulators in office, the people who want to deprive others of influence will at once pounce upon them through the newspapers.

I do not believe this system is as good as the one it supplanted. That system had defects, and its main defect was the secrecy connected with it. When members of Congress recommended individuals for office, their recommendations were not submitted to the public. They were often verbal. If members of Congress were allowed to nominate the different officers, if those nominations were made public, and there was a period of thirty days in which they might be considered, so that protests might be made against such appointments by persons who believed the nominees were unfit, and then the Departments should decide, without any verbal communication between members of Congress and the Departments, all this scandal about officers would be entirely removed, or at least would be so modified as to be harmless.

I believe that members of Congress are the best judges of the qualifications of officers in their districts. They know the men best; and if they were held to public accountability, good members of Congress would be elected and they would be on a more independent basis than they are now. They should nominate, and the nominations should be published in the respective districts, so that the people would know all about them. If members of Congress were held to such accountability, we should have better government, better selections, and better officers. The incompetent and inefficient persons who come in under the civil-service law are too numerous to contemplate. Talk to the head of any Department, and he will tell you that.

I say the administration under the system is just as good as we could expect it to be. Those possessing executive authority do just as we would naturally suppose they would do. They grasp for power under the law, which affords them a shield, and the executive officer is enabled to cover his appointees with this blanket. They all do it. Our Executives have not been bad men. In ordinary business they have been alwayshonest men, but still this law is a temptation to do wrong, to circumvent somebody. If it is so at the top, what do you expect it is down at the bottom, where the subs are to determine in secret whether or not men are qualified for office?

What can you expect of them if you complain of the Chief Executive using his office to cover up and keep in power his friends? If he will do it, do you not suppose those below him, into whose hand no man can look and whose reasons no man can understand—for the work is done entirely in secret—will do wrong? Of course they will. The law invites it. It invites people to follow the instincts of human nature and covers them with a blanket of secrecy, so that they can indulge their desire for power and favoritism. The law ought to be openly executed, publicly executed, and it can not be publicly executed when it is full of secrecy. It is a bad law in a republic.

I am opposed to the civil-service law. I believe it has done more harm than good, and will continue to injure the Government, injure the service, so long as it remains on the statute books, building up an aristocracy of incompetents in the Departments, furnishing a cloak for keeping them in and furnishing machinery whereby suspicion is thrown upon the Departments all the while. Every man you meet complains of the injustice of the Departments, the injustice of the Administration. There is more heartburning against this Government, more keenly felt injury, on account of the operations of this statute than from any other statute. I hope the time will come when there will be courage enough to take hold of this subject and apply reforms so pressingly necessary to avoid these constant complaints on every side. It is said, "The law is good, but they do not execute it." The execution is just as good as the law is, and the execution of it is just as good as human nature is when it has a chance to do wrong without detection.

Mr. CULLOM. Mr. President, there is no amendment before the Senate, and I hope we may now proceed with the reading of the bill.

Mr. PERKINS. Mr. President, I wish to say one word in relation to the Supervising Architect; not to criticise civil-service reform or to criticise the qualifications of the Supervising Architect. I do not pretend to know anything about his qualifications, but it is the result to which I desire to direct attention. A tree is known by its wood or the fruit it bears.

Congress has appropriated a million and some odd hundred thousand dollars for a site for a building in the city and county of San Francisco. The building is to cost two or three million dollars or more. It is to contain the post-office, it is to hold the land office, the subtreasury, the different courts of California, and the circuit court in that city. The building should be an ornament to the city and a credit to the Government. The plans have been submitted to the judges who compose that circuit and judicial district, which embraces four States and three Territories. Their criticism of the plan is that it is not suited for the purposes of a court room; that the library room, the offices of the marshal, and the general arrangements of the building are such that they are not suitable to be occupied by our United States courts.

The plan was submitted to architects in San Francisco, and they revised it and made an estimate of the cost of changing the interior part of the building, and the estimate of its cost. That was submitted to the Supervising Architect in this city. He went over it and said he knew what they required better than the people did themselves. Yet these judges are appointed for life; they hold their positions, not as the result of civil-service examination, but by reason of their judicial knowledge, by reason of their high character and standing as lawyers and citizens of the country. They will now have jurisdiction of our new possessions in the Pacific Ocean as well as of Alaska and Arizona, the States of Washington, Oregon, and California. Yet the Supervising Architect, although they have sat upon the bench for years and years, says they do not know what kind of a court room they should occupy; that they have no knowledge of the requirements of the jury rooms, of the waiting rooms, of the marshal's room or the library; but they must take this plan, the Architect says, without any back talk.

Our people felt so wrought up and indignant at this action that they have said, "We will ourselves raise a fund and donate it to the Government for the purpose of planning a building whose exterior shall be pleasing to the eye and which shall compare favorably with the private buildings erected by private capital in our city. We will have the plan so arranged—we will have the architect so arrange the different court rooms, that they will be acceptable to the judges, convenient to the jurors and the litigants who there assemble from time to time to have their cases adjudicated." I have a picture of the building proposed, as it appears in the report of the Supervising Architect. I submit it to any impartial critic. I want to say parenthetically, although perhaps it is not necessary for me to say so, that I am not versed in architecture. Yet I know Grecian from Gothic; I know Byzantine from Moorish architecture; but I know, what is better than all, that which is agreeable and pleasing to the sight and the senses.

There are in San Francisco one thousand buildings whose exterior, as compared with the proposed building, are as a painting by one of the masters compared to a chromo, and yet we must take this. We can appropriate the money for this purpose, but the building must be constructed against the protest of the judges of the court, against the protest of our people. The building must be thus constructed, and we must make appropriations for it, because the Supervising Architect, who has passed a civil-service examination, says he knows what we want.

Mr. TILLMAN (examining picture). Is this the picture of the building which the Senator from California has so eloquently described?

Mr. PERKINS. That is the picture. It is in the Supervising Architect's report.

Mr. TILLMAN. It looks like a cotton factory.

Mr. PERKINS. Our jail in San Francisco is a pleasant picture as compared with that. We have a half dozen power houses that generate power to run printing presses more beautiful to the eye than that splendid picture here, submitted as a work of art by this architect.

I did not intend to say anything about this matter at the present time, as it is not the time or the occasion, but I could not resist, after hearing the remarks of my friend the Senator from New Hampshire. At the proper time I shall propose that the people of San Francisco, public spirited as they are, may raise the money by public subscription to pay an architect, one of our architects in San Francisco, who has grown up from an office boy to his present high position, and who has constructed some of those magnificent buildings, to design a building. The design shall not cost the Government a cent. I hope when the proper time comes that those of you who have looked at the picture of this beautiful structure will join me in saying that such a monstrosity shall not be erected in the great metropolis of the Pacific coast, where the Pacific Ocean sings the sunset song of the nation.

Mr. CULLOM. I hope the reading of the bill will be proceeded with. There is no amendment pending before the Senate.

Mr. GORMAN. Mr. President, I have no word of criticism of the present occupant of the office of Supervising Architect of the Treasury. I know nothing of him. I take it for granted he is as competent a man as can be had for the compensation allowed for this office, $4,500 per annum. I had nothing to do with the mode of his appointment and I have no criticism to make upon it. But I think it would be a wise and proper thing if Congress at this session were to increase the compensation of the Supervising Architect of the Treasury, and so enable the President or the Secretary of the Treasury, without regard to the technical examination by the Civil Service Commission, to appoint a proper man to that position, with sufficient power to control his office. I see no reason why we should not do it. I believe in economy at the right places.

Mr. President, this bill bristles from the first chapter to the last with increased appropriations for clerks. How many new men are provided for I do not know, and I think it would be a very difficult matter for any Senator or member to ascertain just the number of small offices it is proposed to increase.

The organization of the Office of the Supervising Architect has been imperfect for a long time. It is imperfect now. It stands with the second executive office in control held by a man whom the Secretary of the Treasury can not reach directly, nor can he select his successor without reference to examination.

I assert without fear of contradiction that there are but few men, sufficiently skilled, who would submit themselves to technical examination before the appointment was tendered to them. It is an embarrassment to the Government. I happen to be informed from some familiarity with that office, and I do not hesitate to say now, upon the floor of the Senate, that the man who is in charge of the executive branch of it—I do not mean the Architect, but his assistant—if he were in my employ, would not remain five minutes. Yet he is held there because he is under the civil service. That is one reason. There may be others of a general and political nature.

It is known to everybody that no such mismanagement has taken place in any other Department of the Government. Yet in this very bill you have an extraordinary provision, such as ought not to be found in any appropriation bill for any of these offices. It provides that the expenditures on account of those who will be employed in providing plans and for the superintendence of these buildings shall be paid out of the general fund, the appropriation for public buildings not to exceed $200,000 per annum. It is a lump appropriation. It is true it is always provided that the Secretary of the Treasury shall in his annual estimate report to Congress the number of men and the compensation of the persons so employed. But that ought to be placed upon a business basis, as every other Department of the Government is placed, making him estimate for the number of clerks, the number of draftsmen, the number of engineers he desires to employ, and let us appropriate for them and place them all under the Secretary of the Treasury, and then hold him responsible for the work.

I should like to ask the Senator in charge of the bill, as we are proceeding here to increase the number of officers, how many clerks and messengers and other small employees have we increased in this bill over last year, if he has the data before him?

Mr. CULLOM. As the Senator from Maryland makes an inquiry of me, I can read the report which has been made in connection with the bill. It does not give fully the number of clerks increased, but the statement is as follows:

Amount of estimates for 1900	$24,335,005.86
Amount of House bill	23,229,937.46
Increase recommended by Senate committee (net)	171,040.00
Amount as reported to the Senate	23,400,977.46

Then the increases by the Senate are as follows:

Senate	$3,400
Capitol police	17,280
House of Representatives	3,000
Library of Congress (net)	250
Executive Office	800
Department of State	7,500

So it goes on to state the increases. I do not know whether the Senator from Maryland desires that I should read all of the report.

Mr. GORMAN. No.

Mr. CULLOM. As to salaries increased, there are 20 by the House, concurred in by the Senate, making $5,120; 8 salaries increased by the Senate committee, amounting to $4,050; total salaries increased, 28; amount, $9,170; 4 salaries reduced by the House and concurred in by the Senate committee; net increase, 24 in number. There is what the Senator desires to know. The net increase in clerks is 24 in number, and it amounts to $8,470. Then I have a large number of other statements in connection with the subject, but there are very few increases of salary. There is a considerable increase in the number of clerks, as the result of appeals made by the heads of Departments and by the chiefs of bureaus, showing the condition of the work and the necessity for greater service.

As the Senator from Maryland is himself a member of the committee, I think he knows that the subcommittee and the full committee have tried to keep down the expenses of the Government in the branches to which this bill refers as much as we could, but we could not consistently close our eyes and ears to the statements of conditions in these Departments which seemed to demand that they should have more force or get further behind with the work as the result of duties that have come upon the Government within the last year. Is that satisfactory to the Senator?

Mr. GORMAN. I am very much indebted to the Senator from Illinois, so far as he has gone. That we have been increasing the compensation of some of the clerks and other officers already employed to the number the Senator has stated, I am aware. But the increased number of clerks and small offices authorized under the bill far exceeds, in my judgment, the number stated by the distinguished Senator from Illinois for the reason that we have provisions covering these appointments. Take the one before us now, where the number of clerks to be employed does not appear. It says:

That the expenditures on this account—

In the Architect's Office for the employment of persons—

shall not exceed during the fiscal year ending June 30, 1900, $200,000.

How many that will employ is a matter as to which we can not form an estimate. I am aware that there is great pressure, and Congress has treated it liberally, for temporary clerks in the Departments, particularly the War Department and the Navy Department and the Treasury Department, growing out, as one of the provisions proclaims, of the conditions brought on by the war with Spain. A little later on as we proceed with this measure we will have to make provision for an extraordinary number of clerks for the Departments to adjust the accounts which are being kept of the collection of revenue in Cuba and Porto Rico, and, I suppose, in the Philippines. So we are going to have—we are beginning it now; we have begun it with a lump appropriation, growing out of the civil administration of these colonies of ours—large appropriations. Then will come the specific appropriations for them, all of which will swell up this bill. It is larger now than any bill of like character that has ever been presented to the American Congress.

Mr. CULLOM. The amount reported by the Senate committee is $23,400,977.46.

Mr. GORMAN. Yes; it is a greater amount than we have had at any time since 1886, and then it was $21,376,708.70. Now it is nearly $24,000,000. We have laid the foundation for entering upon a system which is largely to increase the appropriations from year to year. If it continues at the same ratio in which it has gone on for the last six months, I suppose the next session of Congress will present a bill of $26,000,000, or about $26,000,000. While doing all this, of which no complaint is to be made now, except to note the fact——

Mr. SPOONER. Will the Senator from Maryland allow me to interrupt him? The war created the necessity for some additional expense, clerical and all that.

Mr. GORMAN. Yes; the war has caused an expenditure of about $400,000,000 so far.

Mr. SPOONER. I mean that some of the items in the pending bill are attributable to that cause.

Mr. GORMAN. As a matter of course. We have liberally provided for them and have not finished providing for them, for I have no doubt that the Senator from Illinois a little later on will bring in another provision which will be necessary, growing out of our superintendence and our management of the business of the islands nearest to us—Cuba and Porto Rico. That will all come. It comes with an increased amount every time a new proposition is made.

Mr. FAULKNER. Is it not a fact that the increases caused by the recent war, for which appropriations are made in this bill, are really permanent and not temporary increases?

Mr. GORMAN. Part of these expenditures are permanent. How long they are to continue I do not know, but on the face of the papers and the estimates they are of a temporary nature. How long are we to continue the possession? I say to the Senator from West Virginia that the creation of these offices are all new, and in addition to that, as to the temporary appropriations—at least, I trust they are temporary—I do not know how long they are to continue. I think no man living can know. The auditing of every account of every military officer in Cuba has to be done. We are collecting all the revenues of that island. We have a most extraordinary condition of affairs for this country, that the War Department and its officers are supervising the customs and collecting the revenue and disbursing the money, I suppose, as they may be ordered. The accounts are to be audited by the Auditor of the Treasury for the War, State, and Navy Departments, and, of course, we are appropriating money to audit these accounts.

I do not know anything about the general scheme upon which we have entered. It is so thoroughly new to the American people and to the consideration of Congress that I confess I am in the condition of the gentleman who wanted to know where he was at. I confess that I do not know where the money in the Treasury of the United States, the money of the people of the United States, is going or how it is getting out of the Treasury. If money comes in, I am not aware of that fact, but I do know that we are called upon here, by the very provisions of this bill, to take the money of the people of the United States to pay for the auditing of accounts of money collected, as it is held, for the people who reside in the island of Cuba. Why this auditing and the expense of it should not be charged directly to the revenues that are being collected in the island I do not know. I believe that this case, like all others, will grow, taking from our Treasury money to pay for the clerks and auditors, and it will run up until we have another separate

department for the adjustment of the accounts of all these islands that have come within our jurisdiction.

Now, while we are doing all that, spending our money liberally—to what extent to-day I do not know, and I am sure the Senator from Illinois can not know—we are confronted with a matter which comes home to our own people and in which everybody is interested. Are we to continue this system in the Treasury Department, lame and impotent as it is, and make no proper provision for the Architect of the Treasury and his assistants, or for putting it upon a business basis? I only wanted to call attention to the fact. I know the decree has gone forth. As I have stated heretofore, I have no criticisms to make. I call attention to the fact that we have entered into an entirely new line of action and thought in doing it. I should like to see greater attention paid to affairs in which the American people are so directly interested and as to which they have, for the time being, permitted the branch of the Government which assumes control of all these other matters to go on and pay out of our revenues the cost of collecting taxes and revenues in the island of Cuba.

Mr. CULLOM. Mr. President, there is no amendment before the Senate, and I shall therefore say only a word. I appreciate the remarks of the Senator from Maryland, that when these appropriations are made it is difficult to cut them off, even after the occasion for them has in any degree passed away. The bill in many of its provisions has tried to anticipate the time when these extraordinary expenditures of money for clerks, etc., shall pass away. There are provisions limiting the appropriations to a given time. But we find ourselves involved in extra expenses on account of the war, on account of the general situation which is new, and which we all hope, at least, will pass by in a very short time, when much of the expenditures provided for in the pending bill for clerk hire and for other purposes to carry on the Government shall have passed away.

As to the Architect's Office, we all agree that that has been badly managed and that there ought to be a new law providing for the conduct of that office and getting rid of the present mode of selecting the Architect. I do not know who is in the office now, and if I have said anything which reflects upon any individual I hope it may be understood that I do not know the gentleman. I have had no occasion to have anything to do with the office during the present Administration, or at least since a very short time after the Administration came in, when I tried to bring about a general arrangement and secure the appointment of some man who would not have to go through a civil-service examination, because the very best architects in the country declined to do that.

Now, Mr. President, I hope the reading of the bill will be proceeded with.

Mr. COCKRELL. In response to what the Senator from Illinois said, I will state that neither do I know the Supervising Architect. I do not even know his name. I do not know that I ever heard it.

Mr. CULLOM. Nor I either.

Mr. COCKRELL. What I have said has no reference to him personally, but it is to the system of administration that has existed there ever since I have known the office.

Mr. CULLOM. That is my feeling about it.

Mr. COCKRELL. It has been one continuous system, and no one has made any improvement upon it.

The reading of the bill was resumed at line 13, page 35. The next amendment of the Committee on Appropriations was, under the subhead "Office of Comptroller of the Treasury," on page 35, line 20, to increase the number of expert accountants from two to four; in line 21, to increase the number of clerks of class 4, from three to four; in line 22, after the word "two," to insert "typewriter and copyist, $1,000;" and in line 24, to increase the total appropriation for the Office of Comptroller of the Treasury from $44,760 to $51,560.

The amendment was agreed to.

The reading of the bill was resumed; and the next paragraph was read, as follows:

Clerks and other employees provided for for the office of the Comptroller of the Treasury and for the offices of the six Auditors of the Treasury for the several Executive Departments shall be exclusively engaged on the work of said offices from the passage of this act and until the close of the fiscal year 1900.

Mr. CULLOM. I desire to amend the paragraph at the top of page 36 so as to read:

Clerks and other employees provided for the offices of the Comptroller of the Treasury and of the six Auditors of the Treasury for the several Executive Departments, etc.

I move to strike out "for" where it occurs the second time in line 1 and to add the letter "s" to the word "office," in the same line, striking out the words "for the offices," in the second line.

The SECRETARY. In line 1, page 36, strike out the word "for" where it last appears; in the same line strike out the word "office" and insert the word "offices;" and in line 2 strike out the words "for the offices;" so as to make the paragraph read:

Clerks and other employees provided for the offices of the Comptroller of the Treasury and of the six Auditors of the Treasury for the several Executive Departments shall be exclusively engaged on the work of said offices from the passage of this act and until the close of the fiscal year 1900.

Mr. GORMAN. I trust the Senator from Illinois will agree to strike out the entire provision embraced in lines 1 to 6. It is the first time that the provision has appeared in the law. It is an entirely new provision, and prohibits the transfer of clerks from one office to another. I do not know where it originated.

Mr. CULLOM. The purpose of the amendment I have suggested is to allow transfers between the office of the Comptroller and the offices of the six Auditors.

Mr. GORMAN. I know. I do not know where this provision comes from, but here is a prohibition generally upon the transfer of clerks.

Mr. CULLOM. Only as between themselves.

Mr. GORMAN. Yes, as between themselves; but that, I think, is a very unwise provision. Take the matter that we just passed through—the issuing of the bonds. Three hundred or four hundred clerks were employed, and the Secretary of the Treasury, under the general law, had a right to detail for the work skilled men whom he knew to be capable. So with the auditing of some of these accounts. Those skilled clerks were placed at the head of divisions which were composed of the new and untried clerks who came in. It seems to me there ought not to be any restriction placed on the head of a great Department to limit his right to transfer clerks to any office. If he finds a man in the Treasurer's office who is skilled in a particular branch, and it is necessary to have him audit the accounts in the Post-Office Department or the War Department, he should be free to make the assignment. It does seem to me that we had better leave the matter in the discretion of the Cabinet officers without this provision. It never has appeared before, and the result will be, I fear, that you will be compelled a little later on to increase the number of clerks.

Mr. CULLOM. I am unable to see that the provision which the Senator desires stricken out interferes with any part of the administration of the Treasury Department except as between the Comptroller of the Treasury and the several Auditors.

Mr. GORMAN. Very good.

Mr. CULLOM. The purpose is to allow the transfer as between themselves, so that they can catch up with their work in the different Auditors' offices and in the office of the Comptroller of the Treasury. I think it is a good provision as far as that goes.

Mr. GORMAN. It is restrictive. It provides, as the Senator proposes to modify it, that the clerks in the Office of the Comptroller of the Treasury and in the offices of the six Auditors shall be engaged exclusively on the work of one of those offices.

Mr. CULLOM. Yes; until the close of 1900.

Mr. GORMAN. Very good; until the close of 1900. I say that is a restriction upon the head of the Treasury Department that ought not, in my judgment, to be made by Congress as an ironclad rule. It is a matter which ought to be left to the head of that Department. He may have a skilled man in the Comptroller's Office whom he desires to put into the customs division temporarily or to assign to look after the adjustment of the accounts that are now coming up through the War Department, and he, of course, will exercise fair judgment, as I take it. I do not see any reason in the world except that two heads, the Auditor for the Post-Office Department and the Comptroller, may not want to be interfered with by their chief. I think it is unsafe legislation.

Mr. CULLOM. For the sake of looking into it more thoroughly I will consent to the paragraph going out of the bill.

Mr. GORMAN. That is right.

The PRESIDING OFFICER (Mr. GALLINGER in the chair). The amendment will be stated.

The SECRETARY. It is moved to strike out from line 1 to line 6, inclusive, on page 36, in the following words:

Clerks and other employees provided for for the office of the Comptroller of the Treasury and for the offices of the six Auditors of the Treasury for the several Executive Departments shall be exclusively engaged on the work of said offices from the passage of this act and until the close of the fiscal year 1900.

The amendment was agreed to.

The next amendment of the Committee on Appropriations was, in the clause "For Office of Auditor for Treasury Department," on page 36, line 13, after the word "each," to strike out "one clerk, $900" and insert "three clerks, at $900 each;" and in line 19, to increase the total appropriation for Office of Auditor for Treasury Department from $118,200 to $120,000.

The amendment was agreed to.

The next amendment was, in the clause "For Office of Auditor for War Department," on page 37, line 10, to increase the number of clerks at $900 each from two to five; and in line 14, to increase the total appropriation for Office of Auditor for War Department from $297,200 to $299,900.

The amendment was agreed to.

The reading of the bill was continued to line 24, page 37.

Mr. CULLOM. By direction of the committee I move to insert the following paragraph at the end of line 24:

For the temporary employment of such additional clerks and messengers as in the judgment of the Secretary of the Treasury may be required in the Office of the Auditor for the War Department for the prompt and efficient examination and auditing of the accounts of revenues collected and disbursed by military authorities in the West India islands occupied by the United States forces, $25,000, to be available from and after April 1, 1900: *Provided*, That the Secretary of the Treasury shall on the first Monday in January, 1901, report to Congress the number of persons employed and the amount paid to each under this appropriation.

The PRESIDING OFFICER. Is there objection to the amendment?

Mr. COCKRELL. I do not object to it, but I ask that the amendment may be read again. We have already one provision there.

The amendment was again read.

The PRESIDING OFFICER. The question is on agreeing to the amendment proposed by the Senator from Illinois [Mr. CULLOM].

The amendment was agreed to.

The PRESIDING OFFICER. The hour of 2 o'clock having arrived, it is the duty of the Chair to lay before the Senate the unfinished business, which will be stated.

The SECRETARY. A bill (S. 1575) to amend an act entitled "An act to regulate commerce."

Mr. CULLOM. I ask that the unfinished business be temporarily laid aside until the disposition of the pending appropriation bill.

The PRESIDING OFFICER. Is there objection to the request of the Senator from Illinois? The Chair hears none. The unfinished business will be temporarily laid aside.

The Secretary resumed the reading of the bill. The next amendment of the Committee on Appropriations was, in the clause for "Office of Auditor for Navy Department," on page 38, line 8, to increase the number of clerks at $900 each from 2 to 5, and in line 11 to increase the total appropriation for Office of Auditor for Navy Department from $62,720 to $65,420.

The amendment was agreed to.

The next amendment was, in the clause for "Office of Auditor for Interior Department," on page 39, line 2, to increase the number of clerks at $900 each from 3 to 7, and in line 6 to increase the total appropriation for Office of Auditor for Interior Department from $157,040 to $160,640.

The amendment was agreed to.

The next amendment was, in the clause for "Office of Auditor for the Post-Office Department," on page 39, line 25, to increase the number of clerks of class 1 from 90 to 92; on page 40, line 1, to increase the number of clerks at $1,000 each from 68 to 70, and in the same line to increase the number of clerks at $900 each from 11 to 16; in line 5 to increase the number of money-order assorters at $720 each from 22 to 23, and in line 10 to increase the total appropriation for Office of Auditor for Post-Office Department from $524,560 to $534,180.

The amendment was agreed to.

The next amendment was, in the clause for "Office of the Treasurer," on page 41, line 8, to increase the number of clerks of class 2 from 14 to 16 and in line 20 to increase the total appropriation for Office of the Treasurer from $288,441.60 to $291,241.60.

The amendment was agreed to.

The next amendment was, in the clause for "Office of the Commissioner of Internal Revenue," on page 44, line 12, to increase the number of clerks at $900 each from 37 to 40, and in line 14 to increase the total appropriation for Office of the Commissioner of Internal Revenue from $254,940 to $257,640.

The amendment was agreed to.

The next amendment was, in the clause making appropriations "For Bureau of Immigration," on page 50, line 2, after the word "dollars," to insert "clerk of class 1:" and in line 8 to increase the total appropriation for the Bureau of Immigration from $12,934.44 to $14,134.44.

The amendment was agreed to.

The reading of the bill was continued to the end of the clause, from line 7 to line 23, on page 52.

Mr. ALLEN. I do not understand the last paragraph. I should like to have the Secretary read it again.

The Secretary read as follows:

For washing and hemming towels, for the purchase of awnings and fixtures, window shades and fixtures, alcohol, benzine, turpentine, varnish, baskets, belting, bellows, bowls, brooms, buckets, brushes, canvas, crash, cloth, chamois skins, cotton waste, door and window fasteners, dusters, flower garden, street, and engine hose, lace leather, lye, nails, oils, plants, picks, pitchers, powders, stencil plates, hand stamps and repairs of same, stamp ink, spittoons, soap, matches, match safes, sponges, tacks, traps, thermometers, tools, towels, towel racks, tumblers, wire, zinc, and for black, smithing, repairs of machinery, removal of rubbish, sharpening tools, advertising for proposals, and for sales at public auction in Washington, D. C., of condemned property belonging to the Treasury Department, payment of auctioneer fees, and purchase of other absolutely necessary articles, $8,000.

Mr. ALLEN. Is that an appropriation relating to the office of the Inspector-General of the Steamboat-Inspection Service?

The PRESIDING OFFICER. It is under the following head:

For contingent expenses of the Treasury Department, including all buildings under control of the Treasury in Washington, D. C.

Mr. ALLEN. I do not know, of course, what this paragraph means, but it seems to go into details quite extensively and to provide for a great many things for the various subordinate bureaus of the Treasury Department. I think it ought to be again emphasized, so that the people of the United States who read the CONGRESSIONAL RECORD and who pay the taxes will be fully informed as to where their money goes, and will understand, if any surplus money comes into the Treasury, the debts of the Government are not paid with it, but that the money is expended—

For washing and hemming towels, for the purchase of awnings and fixtures, window shades and fixtures, alcohol—

It does not say in exactly what form, and I do not know whether it is pure alcohol or whether it is the different forms in which it appears in the market—

benzine, turpentine, varnish, baskets, belting, bellows, bowls, brooms, buckets, brushes, canvas, crash, cloth, chamois skins, cotton waste, door and window fasteners, dusters, flower garden, street, and engine hose, lace leather, lye, nails, oils, plants—

I should like to ask the Senator from Iowa what kind of plants these are?

Mr. ALLISON. The Senator from Nebraska has spoken so quietly that I did not quite catch his meaning.

Mr. ALLEN. I notice one of the items provided for in this paragraph is for the purchase of plants.

Mr. ALLISON. Yes, sir.

Mr. ALLEN. And I wanted to know what kind of plants they are to be, whether ornamental house plants for the edification of clerks and the higher officers or whether they are something that are useful and necessary?

Mr. ALLISON. I understand that they are plants that are used in small spaces about the Treasury Department, and for public purposes.

Mr. ALLEN. That is, ordinary house plants, little shrubs, flowers, etc.?

Mr. ALLISON. Yes, sir: that is what I understand.

Mr. ALLEN. I notice also——

Mr. CHANDLER. What clause of the bill is the Senator from Nebraska commenting upon, may I ask?

Mr. ALLEN. I am commenting upon the clause from line 7 to line 23 on page 52 of this bill.

I notice also, Mr. President, that the bill provides for "picks." I do not know whether they are toothpicks or what they are.

Mr. CHANDLER. "Picks" are undoubtedly to be used in weather of this kind. We do not have much such weather, but occasionally it is necessary to have picks.

Mr. ALLEN. I suggest to the Senator from New Hampshire that the word is very indefinite. There are a great many kinds of picks. There are picks and pickaxes.

Mr. CHANDLER. This means ice picks, I will say to the Senator.

Mr. ALLEN. I did not know but that it meant toothpicks. Then it continues:

Pitchers, powders—

That word "powders" is very suspicious. What is it, Mr. President?

Mr. ALLISON. It does look suspicious, Mr. President, but it has been in this bill for twenty years; even, I think—back to the time when the Senator from New Hampshire [Mr. CHANDLER] was Assistant Secretary of the Treasury.

Mr. ALLEN. What kind of "powders" are these? I should like to have the Senator from Iowa explain.

Mr. ALLISON. I suppose they are powders for cleansing.

Mr. CHANDLER and Mr. GORMAN. Dover's powders. [Laughter.]

Mr. ALLEN. Does that mean insect powder, gunpowder, or what?

Mr. ALLISON. I take it they are insect powders—necessary things to maintain the purity of the rooms in that building.

Mr. ALLEN. The Senator from Maryland suggests that they might possibly be Dover's powders.

Mr. ALLISON. It is possible, but I do not think so.

Mr. ALLEN. I suppose these powders are to be used by the clerks, of course.

Mr. ALLISON. Does the Senator wish to strike out "powders?" I think it will be unwise to do it.

Mr. ALLEN. I am in the very laudable occupation of seeking knowledge from those who possess it, and I have called upon the Senator from Iowa for that reason.

Mr. ALLISON. I have no doubt they are powders that are used in cleansing and keeping clean the apartments in the building. I suppose so, at least.

Mr. ALLEN. Why not provide for an apothecary shop there, and let the word "powders" go out?

Mr. ALLISON. Probably there is not room for an apothecary shop there.

Mr. ALLEN. The clause continues:

Stencil plates, hand stamps, and repairs of same, stamp ink, spittoons—

I admit that the spittoons are necessary [laughter]—

soap, matches, match safes, sponges, tacks, traps—

Mr. CHANDLER. The Senator ought to dwell upon that word "traps." [Laughter.]

Mr. ALLEN. There are a great many kinds of traps. There are some political traps.

Mr. ALLISON. I think those are included. [Laughter.]

Mr. ALLEN. I have no doubt of it, but I do not want any unwary constituent of mine to be caught in them.

Mr. ALLISON. The Senator will notice also that "towels" are provided for.

Mr. ALLEN. If the towels and soap and sponges were all put together and could be used for political purposes, I have no doubt they would be necessary there. Then we find—

Thermometers, tools, towels, towel racks, tumblers—

There is a suspicious word, "tumblers"—

wire, zinc, and for blacksmithing, repairs of machinery, removal of rubbish, sharpening tools, advertising for proposals, and for sales at public auction in Washington, D. C., of condemned property belonging to the Treasury Department, payment of auctioneer fees, and purchase of other absolutely necessary articles.

That is still more suspicious. But, Mr. President, speaking seriously of this matter—and I desire to speak seriously if I am capable of doing so—it does seem to me as though we were going into the details here quite extensively, and it does seem to me that many of these things, while they are little things and while possibly they do not cost much, are absolutely useless, and their allowance is the setting of a bad example.

There are, however, certain questions which I should like to ask the Senator from Iowa, and which I think ought to be answered, and on which the country ought to have some information. What is the aggregate increase of clerks under this bill over the same bill of a year ago?

Mr. ALLISON. I have not the exact figures before me, but they are on the table, and I will submit them later. There are but few increases of clerks, except those temporary clerks, the necessity for whom has arisen owing to the war with Spain.

Mr. ALLEN. I ought to have embraced in my question the increase of employees and officers as well as clerks.

Mr. ALLISON. Mr. President——

Mr. FORAKER. If the Senator from Iowa will allow me, a while ago, while the Senator was probably not in the Chamber, that question was asked by the Senator from Maryland [Mr. GORMAN] of the Senator from Illinois [Mr. CULLOM] then in charge of the bill, and his explanation, after consulting the data given him by the clerk of the committee, was that the increase in the number of clerks was 24, I believe, and the aggregate increase of expenditure on that account was about $8,000.

Mr. ALLISON. I have not the report of the committee now before me.

Mr. ALLEN. I did not understand the statement to embrace the total increase of clerks, additional officers, and other persons to be given employment under the terms of this bill. I think the Senator from Illinois answered that question technically as applied to clerks alone, but I understand——

Mr. ALLISON. I will speak in a general sense now, because I do not have before me the increases in detail; but there are very few increases of clerks provided for in the bill, except the continuance until March, 1900, of those temporary clerks who were authorized by the act of 1898 providing for temporary clerks in the different Departments on account of the war.

Mr. ALLEN. What difference is there between the total appropriations under this bill and the like bill of a year ago?

Mr. ALLISON. What is the increase?

Mr. ALLEN. Yes; what is the increase?

Mr. ALLISON. There is a printed statement accompanying the bill showing the increases made by the bill.

Mr. ALLEN. That statement has not, I think, been laid upon the tables of the Senators.

Mr. ALLISON. I have the statement before me now. The amount of the estimates for 1900 was $24,365,005.86. The amount appropriated by the bill as it came from the House of Representatives was $23,229,937.46. The increase recommended by the Senate committee is $171,040.

Mr. ALLEN. There is an increase, I see here, of about a million dollars.

Mr. ALLISON. The amount appropriated under the act of 1899 was $21,625,846.65; the amount of legislative, etc., items in other acts, $1,328,526.50. The total of the legislative, etc., appropriation bill for 1899, this current year, was $22,954,373.15. Then follow the changes recommended by the committee and the amounts appropriated by the bill as it came from the House in detail. This is Senate Report No. 1525 of this session.

Mr. ALLEN. In 1899 the total appropriation was $21,625,846.65, and this year the appropriation amounts to $22,954,373.15—quite an increase in the amount.

Mr. ALLISON. There is an increase by this bill over the bill for the year 1899 of $446,604.31.

Mr. ALLEN. I should judge it was a little more from this statement, but I have not figured up the amounts. However, there is something of an increase. Now, the question in my mind is, What has arisen to make this increase necessary?

Mr. ALLISON. The increase is largely because of the war with Spain. There are some other increases, such as increases in the Post-Office Department, arising out of the fact that we have had two very prosperous years in that Department, requiring an additional force. There is also a slight increase in the Patent Office, arising from the fact that the number of applications for patents has increased during the last year or two. I do not recall any other Department where there are increases in the number of clerks.

Mr. ALLEN. The Senator from Maryland [Mr. GORMAN] calls my attention to the fact that there is an increase here of over $2,000,000 as compared with the bill for 1899.

Mr. ALLISON. I do not quite understand where the Senator from Maryland gets his figures. The appropriation for the year 1899 was $21,625,846.65. Then there were other legislative appropriations in other acts amounting to $1,328,526.50, making a total of $22,954,373.15.

Mr. CHILTON. Will any of those things be in other acts this year?

Mr. ALLISON. No, sir; they are all in this bill because they relate to supplemental appropriations for clerical force arising out of the war with Spain. If Senators will examine the pending bill with care, they will discover that there are no considerable increases, except as I have stated, unless they have been made necessary because of the war with Spain.

Mr. ALLEN. How could appropriations in this bill be increased by the war with Spain?

Mr. ALLISON. It is supposed that the force in the War Department and in the offices of the accounting officers of the Treasury Department will require until the 1st of March, 1900, to close up the accounts of the regiments mustered out, those that are being mustered out, and all the settlements arising out of the enormous expenditures of the war with Spain.

Mr. ALLEN. Mr. President, I desire to call the attention of the Senator from Iowa to the fact—I can not give him the exact numbers, but relatively the numbers—that to-day, with only three volunteer corps in the field (and I do not know but two and one-half, a fraction of a corps), we have some twenty-odd volunteer major-generals, drawing a salary of $7,500 a year each from the Government. I say "twenty-odd," but that is possibly too large. Certainly, however, we have more than twenty brigadier-generals, while we have no earthly use for more than eight or ten. We have nearly seventy extra paymasters, and there is not to exceed, as I am told, four of them in the field doing anything. They are drawing $2,500 a year each from this Government for sitting around Washington and other places toasting their feet at a good fire and eating and drinking and making merry at the expense of the Government. We have over fifty assistant adjutants-general, as useless as two tails to a cat, with no occupation for them whatever. We have got captains and commissary-generals and majors and lieutenants galore, enough to furnish officers for nearly all the armies of the entire civilized world, and not a single step is being taken to-day to muster these men out of the service of the United States. I suppose all these men are being fostered and fed by the provisions of this bill.

Mr. ALLISON. Well, Mr. President, if the Senator will allow me, I will say to him that I have no special knowledge respecting the utility of the major-generals, the brigadier-generals, the paymasters, the quartermasters, etc., but I take it they are all engaged in the work laid out for them about a year ago. But, however that may be, not one of them is provided for in this bill in any way. They are not mentioned anywhere in the bill. When the Army appropriation bill comes up for consideration, it will be pertinent to make inquiry as to the number of major generals and other military officers provided for and the necessity for such provision; but in this bill I assure the Senator no provision is made for the salaries of any one of them. This is wholly a bill providing for civilian employees in the Departments at Washington.

Mr. ALLEN. I thought, however, if the major-generals, the brigadier-generals, and the other officers were reduced in number, we might curtail the number of clerks over in the War Office, and therefore I made the suggestion, thinking that they might be provided for in this bill.

Mr. ALLISON. Indirectly perhaps that might be done in time, but the major-generals who are mustered out must have their accounts settled——

Mr. ALLEN. That is true.

Mr. ALLISON. And the paymasters must have their accounts settled, and they ought to be settled promptly.

Mr. ALLEN. That is true; but it does not take seventy extra paymasters to pay them off.

Mr. ALLISON. I do not know whether the paymasters are in excess or not.

Mr. ALLEN. They are largely in excess.

Mr. ALLISON. I am glad to have the information.

Mr. ALLEN. And the adjutants-general are largely in excess of the number required.

Mr. ALLISON. I am also glad to have that information.

Mr. ALLEN. And the commissaries of subsistence are also largely in excess of the number required.

Mr. ALLISON. I know incidentally that regiments are being mustered out, and I suppose the major-generals, brigadier-generals, quartermasters, etc., are being mustered out correspondingly; but I do not know.

Mr. ALLEN. There are a number of those gentlemen without commands to-day; their commands are mustered out, and they are not mustered out.

Mr. ALLISON. I was not aware of that.

Mr. ALLEN. No doubt they will all be mustered out in time, but does it take a year after the mustering out of a brigade of troops to muster out its commander?

Mr. ALLISON. I should think not, but I do not know.

Mr. ALLEN. It strikes me it could be done in fifteen minutes, and his accounts settled in an hour.

Mr. ALLISON. I should think it would take more than an hour to settle the accounts.

Mr. ALLEN. Not if it were done as it ought to be done. Here is a whole regiment of clerks provided for in this bill that it would be absolutely unnecessary to provide for if the Government would attend to its duty in mustering out these men.

Mr. ALLISON. I should be glad to have the Senator point out where a regiment of clerks is provided for in this bill.

Mr. ALLEN. The Senator says extra clerks were made necessary by the war. I admit that; and when I go to the War Department I see them; I see strange faces. The building is like a hive of bees; they swarm there.

Mr. ALLISON. They are very busy bees in that building.

Mr. ALLEN. Very busy, no doubt, paying some of these gentlemen their salaries who have no commands.

I simply wanted to make these observations about this bill. It was passing through very quietly; and whenever a bill passes the Senate without eliciting any objection or any comment, it is, to my mind, a very suspicious circumstance. The Senator from Illinois [Mr. CULLOM] was in charge of the bill. The Senator from Illinois is a diplomat, as is my amiable friend from Iowa [Mr. ALLISON]. This bill has been framed in the Committee on Appropriations, and not a living soul has been called in, so far as I know, to be consulted with as respects any of its provisions. I am not speaking for myself. I do not expect to be consulted. My politics are of such a character as to exclude me, except under great stress. If my vote was needed to carry out some of these measures, I might be talked with a little; but I would not be invited into the sanctum of sanctorums, where all these great schemes of taxation and appropriation originate.

I want to make this observation: There is a settled, fixed, unalterable purpose to increase the expenses of this Government as far as the taxpayers will submit to it. There has never been the slightest attempt by Congress since I have occupied a seat in this Chamber to reduce taxation. When a few of us have talked in favor of pursuing the same business methods as respects the public business that a prudent business man would pursue in the conduct and preservation of his fortune, we have been looked upon as greenhorns, if we have not been absolutely characterized as such. Here is this Government owing millions and hundreds of millions of dollars. The national debt, the interest-bearing debt, is increasing by the hundreds of millions each year. Is there any thought upon the part of the Committee on Appropriations of meeting these obligations as they fall due and thus ridding the taxpayers of this country of the incubus of an interest-bearing debt? Not the slightest, so far as anybody knows. It gives no concern. Nobody is interested in that.

Mr. President, there are a hundred million dollars or more due from this Government, not in the form of any obligation, to those who have honestly rendered services to it, and you can not get Congress to pass a bill to pay those debts. If you make a report from the Committee on Claims of a bill for the allowance of fifty or sixty thousand dollars for some honest claimant who has given his money and his services to this Government, you can not muster a corporal's guard here to pass the bill to pay him. This Government has created more bankrupts by its dereliction and its dishonesty in the payment of its small bills than any other government on the face of the earth. But if some man has a bond which bears interest, we are very apt to protect our honor.

Mr. President, I have hoped that the time would come when this Government would be free of debt. I have hoped for the time when there would be no such thing known in this country as the holder of a Government bond; when we could say truthfully that this Government of ours, with all its power and resources, under a wise and judicious and honest statesmanship, had freed itself from all obligations, and our people were free from the burden of a constant, gnawing, interest-bearing indebtedness. Yet there seems to be no purpose whatever to do it. Just the moment a few hundred thousand dollars of surplus money get into the Treasury every man is running his arm into the Treasury clear up to his shoulder to pull it out in the form of useless appropriations, so that it can not be used to discharge honest obligations. For that purpose an army of more than useless clerks and subordinates is provided for annually. This Government has in this city to-day 10,000 persons on its pay rolls who do not render one hour of honest service a day to the Government—supernumeraries, favorites, flunkeys, the favored classes, the shabby genteel, who must be supported at the public expense.

Mr. ALLISON. I do not think there are 10,000 employees under the Government in the city of Washington.

Mr. ALLEN. I should say there were many more.

Mr. ALLISON. I only instance that to show the accuracy of the Senator's statement.

Mr. CHANDLER. There are just about 10,000 in all, I think.

Mr. ALLISON. I do not think there is quite that number.

Mr. ALLEN. I do not feel quite squelched by that statement.

Mr. ALLISON. Very nearly.

Mr. ALLEN. Suppose there are a thousand. Suppose there are ten, or a hundred. The principle is the same. It is a nice thing to appropriate the money of the taxpayers of this country to support these idle people at public expense. But it is not honest statesmanship. It is not the discharge of public duties as they ought to be discharged. Sir, you can go to almost any one of these Departments, and I do not mean to speak disrespectfully of them, because it has been so for years, and it is getting worse—the Secretaries themselves many times not knowing it, and I doubt if there is one to-day who knows it—and you will be sent to a clerk who sometimes takes a half hour to sign his name to a document. They are infirm. They were incapable when they went there. They reached their positions by favoritism. They have grown more incapable year by year, and they are living upon the taxpayers of this country, not for services performed, but through the favoritism of some person in authority.

And so, Mr. President, the drama goes on from year to year. The thing is growing larger and larger. The farmers of Iowa and Nebraska and all over this country can work and save and deny their families many times almost the absolute necessaries of life and their children the opportunity for an education that these incapable people may live at the expense of the Government. I deem it necessary and proper to make this statement before the bill goes through.

Mr. CHANDLER. Mr. President, I shall not undertake to follow the Senator from Nebraska [Mr. ALLEN] through the wide field of discourse over which he has ranged. It is undoubtedly true that there are some extravagant expenditures being made by the Government. It is undoubtedly true that there are in certain Departments of the Government, in certain branches of the public service, more employees than are necessary, and it is the duty of the Appropriations Committees in the two Houses of Congress to limit and reduce such expenditures and to reduce the number of employees wherever they can do so.

The charge of the Senator from Nebraska, however, is altogether too general to have any effect, either in this Chamber or in the country. The Senator from Nebraska has been here now nearly six years, and he has not, to my knowledge, ever proposed a specific economy in the public expenditures since he first took his seat in this Chamber. If he has done so, I shall be very glad to have him state what is the precise economy which he has offered and advocated.

Mr. ALLEN. If the Senator from New Hampshire will permit me, I am not a member of the Committee on Appropriations. I have never been invited to give the benefit of my valuable services to that committee. I have no doubt it would have improved it somewhat if I had been there; but I have called attention in every session of Congress during my service here to the extravagance of these appropriations. I have always directed my remarks more particularly to my friend the Senator from Iowa [Mr. ALLISON], because he has been at the head of that committee most of the time and because I knew him to be possessed of all useful and necessary information on the subject. When I had done that, when I had directed his attention to these matters, and he sees fit, as the head of his party, to wander off into by and forbidden pathways, his party and himself must be responsible, not I.

Mr. CHANDLER. Mr. President, it is frequently difficult for me to understand the Senator from Nebraska. I do not know what the "by and forbidden pathways" are to which he alludes

as being frequented by the Senator from Iowa. He says that he has, over and over again, suggested to the Senator from Iowa that there ought to be more economy in the public expenditures. That may be true. But the Senator from Nebraska never has pointed out any specific reduction in the public service or in public expenditures that ought to be made. The Senator from Iowa is just as faithful and conscientious a public servant as is the Senator from Nebraska. If he has not been able, in response to these repeated speeches of the Senator from Nebraska, always general and never particular, to cause economies enough in the public service to suit the Senator from Nebraska or his speeches, it must be because the Senator from Nebraska is mistaken and not the Senator from Iowa.

Mr. President, I did not rise to criticise the Senator from Nebraska. I have no objection whatever to these general discourses upon public questions with which the Senator from Nebraska enlightens the Senate. He does it eloquently and with force and energy, and I am sorry that he is disappointed in the net result which comes from these speeches of his. I did rise to say, however, that the section of the pending bill which caused the Senator from Nebraska to begin his speech——

Mr. ALLEN. Which occasioned my wrath?

Mr. CHANDLER. No; the Senator has not been wrathy. The Senator can be wrathy upon occasion. He has not been wrathy to-day. He has only indulged in admonition, in one of his repeated admonitions to the Appropriations Committee to procure more economy in the public service. The Senator began his discourse in connection with page 52 of the present appropriation bill, and about that I wish to say a word.

Mr. ALLEN. Does not the Senator think that an admonition to gentlemen possessing the great ability and experience of the members of the Committee on Appropriations ought to be sufficient? It would hardly be in keeping for me to do more than to call attention in plain language to some threatened or existing evil to gentlemen like the Senator from Iowa [Mr. ALLISON] and the Senator from Illinois [Mr. CULLOM]. The disparity in our services, the disparity in our ages, the disparity in our abilities, would hardly warrant me in going further with those gentlemen.

Mr. CHANDLER. That will hardly do. The Senator is intelligent and industrious, and if there are specific extravagances in connection, with the public service which he has discovered during all these years, he could have pointed them out; he could have offered amendments; he could have made specific suggestions. Instead of that, the Senator has only given one more of his tongue lashings of the Committee on Appropriations, and has not shown one single dollar of public expenditure that he thinks a faithful and economical Committee on Appropriations could save. Has the Senator ever done that particular thing in his six years of service?

Mr. ALLEN. I desire to suggest to the Senator from New Hampshire that I possess what the Senator, I feel, fails fully to appreciate, some degree of modesty in doing so.

Mr. CHANDLER. I have heard the Senator from Nebraska say over and over and over again in this Chamber that he is an humble and modest man, but I never discovered it in any way except in his own statements on that subject. The Senator to-day has said to the chairman of the Committee on Appropriations that notwithstanding all these six years of discipline and admonition by the Senator from Nebraska he has not succeeded in so economizing the public service as to suit the Senator from Nebraska. But the Senator from Nebraska has gone on and charged that the public service is full of extravagance, and the Senator said thousands and tens of thousands of unnecessary employees were upon the pay rolls of the Government within the District of Columbia. Now, did the Senator say that or did he not?

Mr. ALLEN. Yes; he said that. The Senator from New Hampshire has gone far enough for me to call his attention to the fact that he is mistaken. If the Senator will turn back to the records of Congress of a year ago, he will find that I made the distinct charge and supported it by evidence, and it has never yet been investigated, that in the Railway Mail Service alone there was a fraud on this Government annually of over $9,000,000. I introduced a resolution for the investigation of that charge. It has gone up the chimney.

Mr. CHANDLER. That is not a specific complaint.

Mr. ALLEN. What is specific?

Mr. CHANDLER. That is not a specific allegation. Does the Senator from Nebraska think that he can get up and say to the Congress of the United States, "You pay $30,000,000 annually for railway mail service, and I say it is $9,000,000 too much," and then say that the Committee on Appropriations has not done its duty because it has not stricken off $9,000,000 immediately upon the say-so of the Senator from Nebraska?

Mr. ALLEN. I introduced the evidence showing that it arose through frauds in weighing the mails. As I understand, the mail contracts are made once in every four years. A certain time is set apart when the mails are weighed for a month or more, and that is taken to be the average for four years.

Mr. CHANDLER. I hope the Senator will not make a speech on that subject in the middle of my discourse.

Mr. ALLEN. I will not. I will yield in a moment. I called attention to the specific charge that there was fraud in the weighing of those mails; that old almanacs were shipped at the expense of the railroads, they paying the postage; that all kinds of paper junk were shipped, they paying the postage, and that there was a fraud to the knowledge of the officers of the Government and the railroads themselves of $9,000,000. I submitted that evidence to the committee of which the Senator from New Hampshire is a member, and I have never heard from it yet.

Mr. CHANDLER. The Senator did not send the evidence to the Committee on Post-Offices and Post-Roads, according to my recollection. He sent such papers as he had to the Committee on Appropriations, and the Committee on Appropriations a year ago called witnesses before them and made an investigation. They did not find that they could sweep off of the public expenditures instantly at one blow, without further investigation, $9,000,000. So they provided for the appointment of a postal commission. The postal commission is now engaged in the investigation of the subject to which the Senator alludes, and, I have no doubt, in due time will make a report which will or ought to be satisfactory to the Senator from Nebraska. If reductions in the public expenditures can be made, after investigation, they will no doubt be made.

The only point I make is that they can not be made as the result of one sweep of the hand of the Senator from Nebraska, nor as a consequence of these general diatribes of his with which he entertains the Senate and with which he maltreats the Committee on Appropriations of this body.

Mr. ALLEN. I hope the Senator from New Hampshire——

Mr. CHANDLER. I should like to go on and finish my speech.

Mr. ALLEN. I hope the Senator from New Hampshire will yield to me for a moment.

Mr. CHANDLER. After I get through. I do not like the Senator to——

Mr. ALLEN. I wish the Senator would recall the word "diatribes."

Mr. CHANDLER. Yes, sir; and I will substitute the word "admonitions."

Mr. ALLEN. That is right.

Mr. CHANDLER. I will say another one of his periodical admonitions, which he says fall on the deaf ears of the Committee on Appropriations. The Committee on Appropriations sits here year after year doing its duty as the committee understands it, subject all the time to these comments and criticisms, and not the "d-i," but the "a-d"——

Mr. ALLEN. That is right.

Mr. CHANDLER. The admonitions of the Senator from Nebraska, and the world prospers and gets on very well, notwithstanding the Senator from Nebraska is so much dissatisfied with it.

Mr. ALLEN rose.

Mr. CHANDLER. I want to go on and make the brief remark I intended to make and which I would have made long ago if the Senator from Nebraska had not interrupted me so constantly and so persistently. That is, that page 52 illustrates the true principle of appropriations, which is, that they should be specific. It may suit Senators to go over all these items and ridicule them, but the true spirit which should govern the Appropriations Committees and the Congress is to be found upon that very page. The danger of extravagant appropriations is in general appropriations. Safety in public expenditures is in specific appropriations; and the Committee on Appropriations of the Senate and the Committee on Appropriations of the House, as I understand their policy, seek always to make specific appropriations. It is the true principle of appropriation. I hope where general appropriations now prevail, specific appropriations will be substituted for them wherever that can be done consistently with the public service in the opinion of the Committee on Appropriations.

Mr. President, the Senator from Maryland [Mr. GORMAN], a member of the Committee on Appropriations, has done much in the direction of insisting upon specific appropriations for the conduct of the public service. He has very properly called the attention of the Senate and of the chairman of the committee to the fact that here were certain allowances for clerks that were not specific. The Senator from Maryland very properly showed us where there is danger in connection with the public service—that is, in these general appropriations of so many thousands or so many hundreds of thousands or so many millions of dollars to be expended in the discretion of the heads of the Departments. Those expenditures are dangerous. The President and the heads of Departments are overcome by importunity to make expenditures or to give employment to individuals, and before the Congress is aware of it extravagant expenditures are indulged in.

But the fault of the appropriation bills is not in their specific nature, such as the items which appear on page 52 of this bill. The fault is in these general appropriations where discretion is given to heads of Departments to spend so much money in the

employment of individuals or otherwise, in accordance with their judgment. I have always felt that the Committee on Appropriations was disposed to do its duty in this particular regard. I know the Senator from Maryland has always insisted upon a specific appropriation where an appropriation could be made specific, and herein, I take occasion to say, is the true method of securing economy in the public expenditures, and not, I repeat, although the Senator from Nebraska is absent from his seat, in general complaints and outcries against extravagance in public expenditures and criticisms of the Committee on Appropriations, who, considering the work they have had to do, have done as well as could be expected under all the conditions of the public service during the last two or three years.

Mr. HOAR. I think I ought to move an executive session, if the Senator from Illinois will agree that this is a convenient time to have the motion made.

Mr. CULLOM. I will yield to allow a motion for an executive session to be made at this time.

EXECUTIVE SESSION.

Mr. HOAR. I move that the Senate proceed to the consideration of executive business.

The motion was agreed to; and the Senate proceeded to the consideration of executive business. After two hours and fifteen minutes spent in executive session the doors were reopened.

RENEWAL OF PENSIONS.

Mr. GALLINGER. Mr. President, I desire to enter a motion to reconsider the vote by which the Senate yesterday passed the bill (S. 5465) authorizing the renewal of pensions to certain soldiers, sailors, and marines who served during the war with Spain.

The VICE-PRESIDENT. The motion will be entered.

Mr. GALLINGER. I move that the House of Representatives be requested to return the bill to the Senate.

The motion was agreed to.

MEMORIAL ADDRESSES ON THE LATE REPRESENTATIVE SIMPKINS.

Mr. LODGE. Mr. President, I give notice that on Saturday, the 18th of February, at 4 o'clock p. m., I shall call up the resolutions of the House of Representatives relative to the death of Hon. JOHN SIMPKINS, late a Representative from the State of Massachusetts.

Mr. GEAR. I move that the Senate adjourn.

The motion was agreed to; and (at 5 o'clock and 30 minutes p. m.) the Senate adjourned until to-morrow, Friday, February 10, 1899, at 12 o'clock meridian.

NOMINATIONS.

Executive nominations received by the Senate February 9, 1899.

COLLECTOR OF CUSTOMS.

George A. Curran, of Maine, to be collector of customs for the district of Passamaquoddy, in the State of Maine, to succeed George M. Hanson, whose term of office will expire by limitation March 3, 1899.

PROMOTIONS IN THE ARMY.

Pay Department.

Lieut. Col. Frank M. Coxe, deputy paymaster-general, to be assistant paymaster-general with the rank of colonel, February 1, 1899, vice Carey, appointed Paymaster-General.

Maj. Albert S. Towar, paymaster, to be deputy paymaster-general with the rank of lieutenant-colonel, February 1, 1899, vice Coxe, promoted.

APPOINTMENT IN THE ARMY.

Pay Department.

Capt. Theodore Mosher, Twenty-second Infantry, to be paymaster with the rank of major, February 1, 1899, vice Towar, promoted.

APPOINTMENTS IN THE VOLUNTEER ARMY.

Fifth Regiment Volunteer Infantry.

First Lieut. John W. Wright, to be captain, vice Walker, resigned.

Second Lieut. Thomas W. Trainer, to be first lieutenant, vice Wright, promoted.

First Sergt. Samuel C. Samuels, Company M, to be second lieutenant, vice Trainer, promoted.

CONFIRMATIONS.

Executive nominations confirmed by the Senate February 9, 1899.

PROMOTION IN THE REVENUE-CUTTER SERVICE.

Third Lieut. Randolph Ridgely, jr., of Georgia, to be a second lieutenant in the Revenue-Cutter Service of the United States.

APPOINTMENT IN THE REVENUE-CUTTER SERVICE.

Cyrus B. Fengar, of Connecticut, to be a third lieutenant in the Revenue-Cutter Service of the United States.

POSTMASTERS.

William Bennett, to be postmaster at Hartford, in the county of Van Buren and State of Michigan.

Darwin M. Bainbridge, to be postmaster at Clinton, in the county of Lenawee and State of Michigan.

John Amesse, to be postmaster at Lake Linden, in the county of Houghton and State of Michigan.

Frank P. Heath, to be postmaster at Plainwell, in the county of Allegan and State of Michigan.

Charles Delamere, to be postmaster at South Haven, in the county of Van Buren and State of Michigan.

John F. Chisholm, to be postmaster at Grand Marais, in the county of Alger and State of Michigan.

William Fitzgibbons, to be postmaster at Saranac, in the county of Ionia and State of Michigan.

Charles H. Loomis, to be postmaster at Sparta, in the county of Kent and State of Michigan.

Henry L. Hess, to be postmaster at Three Oaks, in the county of Berrien and State of Michigan.

Andrew W. Craig, to be postmaster at Camden, in the county of Oneida and State of New York.

James M. Scarritt, to be postmaster at Hudson, in the county of Lenawee and State of Michigan.

Charles W. Pullen, to be postmaster at Milan, in the county of Washtenaw and State of Michigan.

HOUSE OF REPRESENTATIVES.

THURSDAY, *February 9, 1899.*

The House met at 12 o'clock m. Prayer by the Chaplain, Rev. HENRY N. COUDEN.

The Journal of yesterday's proceedings was read, corrected, and approved

JOSEPH TOUSAINT, ALIAS TOUZIN.

Mr. SWANSON. Mr. Speaker, I ask unanimous consent for the present consideration of the bill (S. 3684) for the relief of Joseph Tousaint, alias Touzin.

The Clerk read the bill, as follows:

Be it enacted, etc., That Joseph Tousaint, alias Touzin, having served as a teamster with the United States Army during the war of the rebellion, and with the Regular Army before the late war, be, and he is hereby, relieved from any disability under the laws of the United States Army from any defect of naturalization, and is hereby authorized to prosecute Indian depredation claim No. 8099, now pending in the United States Court of Claims, and to receive judgment therein, the same as if he had been naturalized under the laws of the United States at the date of the loss.

Mr. SULZER. Is there a report upon this?

Mr. SWANSON. There is a unanimous report from the Committee on the Judiciary.

Mr. SULZER. Mr. Speaker, I would like to have the report read.

The Clerk read the report (by Mr. UPDEGRAFF), as follows:

The Committee on the Judiciary, to whom was referred the bill (S. 3684) for the relief of Joseph Tousaint (or Touzin), have considered the same and beg leave to make the following report:

It appears from the records of the War Department and from other evidence laid before the committee that Joseph Tousaint, who sometimes spelled his name "Touzin," is a French Canadian by birth, who emigrated to the United States at the age of 13 years with his father. It does not appear whether or not the father was ever naturalized. Joseph, when a young man and still under the age of majority, joined the expedition of Gen. A. S. Johnston against the Mormons in 1858, and served as a teamster attached to the national forces for about six months, at the end of which period he was honorably discharged. Afterwards, during the civil war, he served again in the same capacity in the United States Army for eighteen months or more, and, having reached the grade of wagon master, was honorably discharged at the close of hostilities.

It seems that during the progress of the war Tousaint, being then at New Orleans while that city was under military control, undertook to have himself naturalized by taking certain oaths before the military officers, and he has since supposed and regarded himself as a naturalized citizen, voting without challenge at elections and being generally looked upon by the community as a citizen.

It appearing that no record can be found of the supposed naturalization proceedings at New Orleans, and it appearing also doubtful whether such proceedings were, in point of law, effective to naturalize the man, the purpose of the present bill is to remedy any possible defect in Tousaint's naturalization and to make his intent effective.

As the petitioner has, since the close of the last war and prior to the year 1891, sustained a loss by Indian depredations, as he alleges, it is by the committee deemed just to accomplish his naturalization by an act of Congress, so as to make the same relate back to the date of his alleged loss, and thereby give him an opportunity to prove his claim under the Indian depredation act of 1891.

Under judicial construction of that statute, naturalization at the present date in the usual way would not qualify the petitioner to maintain his suit, and, in view of Tousaint's military service, his bona fide attempt to become

a citizen in 1863, and his evident belief that such attempt was effective, the committee consider it only just to relieve him of a disability which is merely technical and give to him an opportunity to establish any claim which he may have against Indian depredators.

The SPEAKER. Is there objection to the present consideration of the bill?

Mr. TAWNEY. I would like to inquire of the gentleman from Virginia if it is contemplated merely to remove the disability on account of his not being a naturalized citizen?

Mr. SWANSON. I will state to the gentleman that this man came to this country when he was 13 years old and served in the Mormon and civil wars, and thought he took out naturalization papers in New Orleans. It was ascertained that no record could be found of them. Subsequently he was depredated on by some Indians and, as I understand, the Government does not have to pay it, but it comes out of the Indian fund. He brought suit in the United States court to recover it, and that act has been construed to apply only to citizens of the United States, and he not having been naturalized is thereby barred from bringing suit.

Mr. TAWNEY. I thought the bill went further than to remove the disability.

Mr. SWANSON. No further; it authorizes him as a naturalized citizen to institute the suit, and if his claim is just and right he can get judgment, and if not, he will be debarred.

Mr. LOUD. How long ago was the gentleman depredated on?

Mr. SWANSON. It is not stated in the report. I know nothing about his claim, the justice or injustice of it. The Committee on the Judiciary state in the report that it is a technicality that bars him from having his rights adjudicated in the courts of the United States.

Mr. LOUD. The effect of the bill would remove every bar and disability?

Mr. SWANSON. What bar?

Mr. LOUD. Every bar that exists—time and all that.

Mr. SWANSON. I have no objection to the bill being amended, simply confining it to naturalization. I think that is all the bill does.

The SPEAKER. Is there objection to the present consideration of the bill? [After a pause.] The Chair hears none.

The bill was ordered to be engrossed and read a third time; and being read the third time, it was passed.

On motion of Mr. SWANSON, a motion to reconsider the vote whereby the bill was passed was laid on the table.

MESSAGE FROM THE SENATE.

A message from the Senate, by Mr. PLATT, one of its clerks, announced that the Senate had passed bills of the following titles; in which the concurrence of the House was requested:

S. 5465. An act authorizing the renewal of pensions to certain soldiers, sailors, and marines who served during the war with Spain.

S. 5431. An act granting the south half of northwest quarter of section 30, township 162 north, range 72 west, to the Lake Schutte Cemetery Corporation, of Dunseith, N. Dak., for cemetery purposes.

S. 5319. An act to change and fix the time of holding the terms of the district and circuit courts at Batesville, Ark.

S. 3200. An act for the relief of Sarah K. McLean, widow of the late Lieut. Col. Nathaniel H. McLean.

S. R. 239. Joint resolution authorizing the Director of the Geological Survey to prepare maps of Alaska, showing all known topographic and geologic features, etc.

The message also announced that the Senate had agreed to the report of the committee of conference on the disagreeing votes of the two Houses on the amendment of the Senate to the bill (H. R. 4936) for the allowance of certain claims for stores and supplies reported by the Court of Claims under the provisions of the act approved March 3, 1883, and commonly known as the Bowman Act, and for other purposes: and had further insisted upon its amendment, and asked a further conference with the House and had appointed Mr. TELLER, Mr. STEWART, and Mr. PASCO as the conferees on the part of the Senate.

The message also announced that the Senate had passed with amendments the bill (H. R. 11217) making appropriations for the current and contingent expenses of the Indian Department and for fulfilling treaty stipulations with various Indian tribes for the fiscal year ending June 30, 1900, and for other purposes, in which the concurrence of the House was requested.

The message also announced that the Senate had passed without amendment the following resolution:

Resolved by the House of Representatives (the Senate concurring), That there be printed 1,000 additional copies of the Report of the Superintendent of Indian Schools for 1898, the same to be delivered to the Commissioner of Indian Affairs for the use of his office.

The message also announced that the Senate had passed without amendment bills of the following titles:

H. R. 10563. An act to provide for the holding of terms of the district and circuit courts of the United States at Hammond, Ind.; and

H. R. 5019. An act for a light vessel off Tail of Horse Shoe, Chesapeake Bay.

SENATE BILLS REFERRED.

Under clause 2 of Rule XXIV, Senate bills and joint resolution of the following titles were taken from the Speaker's table and referred to their appropriate committees as indicated below:

S. 5465. An act authorizing the renewal of pensions to certain soldiers, sailors, and marines who served during the war with Spain—to the Committee on Pensions.

S. 5431. An act granting the south half of northwest quarter of section 30, township 162 north, range 72 west, to the Lake Schutte Cemetery Corporation, of Dunseith, N. Dak., for cemetery purposes—to the Committee on the Public Lands.

S. 3200. An act for the relief of Sarah K. McLean, widow of the late Lieut. Col. Nathaniel H. McLean—to the Committee on Claims.

S. R. 239. Joint resolution authorizing the Director of the Geological Survey to prepare maps of Alaska showing all known topographic and geologic features, etc.—to the Committee on Printing.

ENROLLED BILLS SIGNED.

Mr. HAGER, from the Committee on Enrolled Bills, reported that they had examined and found truly enrolled bills of the following titles; when the Speaker signed the same:

H. R. 375. An act to remove the charge of desertion standing against Dennis Fitzpatrick;

H. R. 10398. An act providing for the entry, free of customs duties, of certain bells presented by Edwin M. Stanton to the Iowa Agricultural College, of Ames, Iowa;

H. R. 8336. An act to correct the military record of William D. Kurfiss;

H. R. 11142. An act granting to the mayor of the city of Victor, in the county of El Paso and State of Colorado, the right to enter certain lands, therein described, for city purposes;

H. R. 5715. An act for the relief of Benjamin F. Jones;

H. R. 886. An act for the relief of Charles T. Plunkett, of Lynchburg, Va.; and

H. R. 10563. An act to provide for the holding of terms of the district and circuit courts of the United States at Hammond, Ind.

AMENDMENT OF WAR REVENUE BILL.

Mr. HOPKINS. I desire to report from the Committee on Ways and Means for present consideration the joint resolution (H. Res. 358) to amend section 25 of the act passed June 3, 1898, entitled "An act to provide ways and means to meet war expenditures, and for other purposes." This is a privileged resolution, and I ask that it be considered in the House instead of in Committee of the Whole on the state of the Union.

The joint resolution was read, as follows:

Resolved by the Senate and House of Representatives, etc., That an act passed June 13, 1898, entitled "An act to provide ways and means to meet war expenditures, and for other purposes," be amended by adding to the end of Schedule A, section 25, the following: "Whenever any bond or note shall be secured by a mortgage, but one stamp shall be required to be placed upon such papers: *Provided*, That the stamp duty placed thereon shall be the highest rate required for said instruments, or either of them."

Mr. MOODY. I make the point of order that this resolution should be considered in the Committee of the Whole on the state of the Union.

Mr. HOPKINS. I have just asked unanimous consent that it be considered in the House.

Mr. MOODY. As in Committee of the Whole?

Mr. HOPKINS. As in Committee of the Whole. I presume the gentleman has no objection to that.

Mr. MOODY. No, sir.

The SPEAKER. The gentleman from Illinois [Mr. HOPKINS] asks unanimous consent that this joint resolution be considered in the House as in Committee of the Whole. Is there objection?

There was no objection.

Mr. HOPKINS. I desire to move an amendment, so as to make this amendatory legislation conform to the language of the war revenue bill. I move to strike out, after the word "stamp," in line 9, the word "duty" and insert the word "tax."

Mr. McRAE. I hope the gentleman from Illinois [Mr. HOPKINS] will explain what this bill means. In its language it refers simply to a certain schedule, and the purpose of the bill is not apparent.

Mr. HOPKINS. Its purpose is to make the law as now on the statute book conform to the intention of Congress. When the war revenue bill was framed by the Committee on Ways and Means, it was supposed that the tax imposed on mortgages and notes would require only one stamp for the two instruments in any given transaction. But the Treasury Department has construed the act as requiring a stamp on the note as well as on the mortgage. Thus

there is double taxation on those instruments; and great complaint in regard to this has been made by farmers, by small dealers, and by people generally who give mortgages.

This question was considered not only by our committee, but by the committee of conference between the two Houses when the original act was pending; and, as I have said, the general understanding was that only one tax would be imposed. But, owing to the construction placed upon the act by the Department, it is now necessary to pass this amendatory legislation, so as to make the law conform to the original purpose.

Mr. TAWNEY. As I understand the effect of this joint resolution, it simply relieves these instruments from double taxation.

Mr. HOPKINS. Yes, sir.

Mr. McRAE. While it may be, and doubtless is, perfectly just to grant relief in these particular cases, the committee has overlooked another class of cases in which double taxation is imposed. I refer to leases of property where notes are taken for monthly, quarterly, or annual rent. In such cases the lease and the notes pertaining thereto are both taxed. I regret that the Committee on Ways and Means in looking into this question have not so framed this bill so as to give relief in this class of cases as well as in the case of mortgages.

Mr. HOPKINS. I ask a vote on my amendment.

Mr. COX. Will the gentleman allow me a moment?

Mr. HOPKINS. I yield to the gentleman for a question.

Mr. COX. I desire to call the attention of the gentleman having this matter in charge to a very grievous misconstruction that has grown up in my State in connection with the war revenue act. In the pending joint resolution gentlemen are undertaking to remedy double taxation, and I approve of the measure. There is no question it is right. But I desire to call attention to similar injustice which occurs in my State, where real estate of minors, for instance, is disposed of by sale under decree of court. Under our practice a certain number of days are allowed parties to advance the bid. In the case of each bid notes are executed, and when subsequent bids are made another set of notes is drawn. Thus there may be half a dozen advances of the bids. Now, it has been held that in such cases each set of notes is subject to taxation, so that taxation may be imposed half a dozen times on the same sale. I hope that the committee, in considering this question of duplicate taxation, will adopt some measure to cure this evil. There ought to be but one tax in such cases.

Mr. HOPKINS. I have no doubt that if the matter referred to by the gentleman from Tennessee were brought to the attention of the Department it could be corrected there.

Mr. COX. The gentleman will pardon me. I have already written to the Department on the subject.

Mr. HOPKINS. Well, if the gentleman will go to the Department and explain the case, I have no doubt the evil will be corrected there without further legislation.

Mr. PAYNE. Allow me to say a word in regard to the question presented by the gentleman from Tennessee. The matter of which he speaks was fully considered by the Committee on Ways and Means, and by the committee of conference when the war revenue bill was pending between the two Houses; and it seemed to us there was no way to protect the Government against fraud in transactions of that kind where there was a continuous loan except by such a provision as that embraced in the bill; that if we undertook to provide specially for such cases there would be so many notes claimed as constituting a continuous loan that many notes which ought to be subject to taxation would escape it. For that reason it was thought to be impracticable to provide for such cases as the gentleman from Tennessee has referred to. But the matter covered by the pending resolution is simply a question of double taxation. At present when a note or bond is given for a debt, a stamp duty is imposed; and if a mortgage is given as collateral security for the same debt, that mortgage must also pay a stamp tax. The object of this joint resolution is to relieve that class of debtors.

Mr. COX. If the gentleman will pardon me a moment——

Mr. PAYNE (continuing). And just here I want to say, Mr. Speaker, that the original internal-revenue act, passed in a time of war, made a similar provision to that which is now sought to be amended by the pending bill, and afterwards Congress amended it so that one set of stamps only should be required for these deeds or mortgages—a stamp upon the mortgage—that being the higher grade of taxation.

Mr. COX. I agree with the gentleman, but would like his attention to this point.

Mr. PAYNE. If the gentleman will permit me a moment.

Now, the committee did not desire to take up the various other questions which were presented in connection with the revenue bill at this session of Congress, for the reason that it was believed there would be no time to consider them in the other body, and it would of course have to consider them before they could become law, and therefore thought it better simply to relieve debtors borrowing money from the double taxation imposed at present. We think this is a measure which can probably get through both Houses of Congress, and thus afford the relief suggested during this present session.

Mr. COX. Now, if the gentleman will pardon me, I agree with him most thoroughly. But my question is not the one to which he has made response. He speaks of a continuous loan. It is not at all a continuous loan.

But in order to make it as plain as I can, let me make this single statement to him, in the form of a suggestion: Suppose land is put up and sold by a decree of the court, which is our practice at home; then the purchaser will go and execute his notes, which are not binding until the sale has been confirmed by the chancellor or the presiding judge. Now, pending that confirmation of sale another purchaser can come and advance the bid and substitute his notes; another purchaser may come and make a still further advance and substitute his notes, and so on indefinitely; and there is, under the operation of this law, or may be, a continuous taxation upon the same transaction. It is that to which I have referred.

I would like to ask the gentleman to answer that.

Mr. SULZER. Will the gentleman from New York permit me to ask him a question?

Mr. PAYNE. Well, I am only holding the floor by the courtesy of the gentleman from Illinois.

Mr. SULZER. Will my friend from Illinois yield to permit me to ask the gentleman from New York a question?

Mr. HOPKINS. Mr. Speaker, I ask the previous question on the bill and amendment.

Mr. KNOX. Mr. Speaker, I hope the gentleman will allow me to ask him a question. I am in favor of the bill and desire simply to get some additional information upon the measure.

Mr. HOPKINS. I yield to the gentleman from Massachusetts for a question.

Mr. KNOX. The bill does not provide, as I read it, on which instrument—whether the mortgage or the note—the stamp shall be placed. It seems to me that that omission should be supplied.

Mr. HOPKINS. It will be placed on the one paying the highest rate.

Mr. PAYNE. That is correct.

Mr. KNOX. Under the old law it was required to be placed on the mortgage.

Mr. PAYNE. And it would be so in this case, that paying the higher rate.

Mr. KNOX. I would ask the gentleman if he does not think that the bill should state specifically where it should be placed?

Mr. HOPKINS. This is identical with the language of the old law, and a construction has been already placed upon that enactment.

Mr. KNOX. That is a criminal construction, where a failure to affix the stamp is shown?

Mr. PAYNE. If the gentleman will permit me, the tax on the mortgage is the higher tax, and the stamp will necessarily be placed there.

The SPEAKER. The gentleman from Illinois demands the previous question.

Mr. MOODY. Mr. Speaker, I make the point of order that the demand for the previous question does not lie in the House when sitting as a Committee of the Whole on the state of the Union.

The SPEAKER. The Chair thinks that the practice has been different. It has been frequently done.

Mr. SULZER. Before the gentleman from Illinois demands the previous question, will he yield to me for an inquiry?

Mr. HOPKINS. I yield to the gentleman.

Mr. SULZER. I would like to ask the gentleman, as he is a member of the Ways and Means Committee, this question: Now that peace has been declared and war terminated, how much longer is it contemplated to keep up the war taxes? It seems to me the war taxes should now be repealed; at all events, some of the most oppressive of them.

Mr. HOPKINS. Well, Mr. Speaker, that is not pertinent to the question now pending.

Mr. SULZER. Answer, please. The people of the country are anxious to know about this matter. The additional tax on beer should be repealed at once. When do you intend to take some action on this matter?

Mr. HOPKINS. I am not here for purposes of cross-examination on matters foreign to the subject before the House.

I insist on the demand for the previous question.

Mr. SULZER. Mr. Speaker, I wish to submit a parliamentary inquiry.

Mr. MOODY. Will the Chair permit me——

The SPEAKER. The Chair hopes gentlemen will confine themselves to parliamentary inquiries.

Mr. MOODY. I desire to submit one, and perhaps apprehend

the answer in advance; but I wish to ask whether, if the previous question should be ordered, it will be admissible to make amendments to the bill?

The SPEAKER. The Chair thinks it would not.

Mr. SULZER. Do I understand the Chair to hold that the bill can not be amended?

The SPEAKER. The Chair did not.

Mr. SULZER. Then permit me to ask, as a matter of parliamentary inquiry, if an amendment is in order?

The SPEAKER. Not pending the demand for the previous question.

Mr. SULZER. Well, if the previous question is voted down, will the bill be subject to amendment?

The SPEAKER. It would, if the House saw fit to amend it.

Mr. SIMS. I want to ask the gentleman a question.

Mr. HOPKINS. I ask for a vote on the motion for the previous question.

The previous question was ordered.

The pending amendment was agreed to.

The joint resolution as amended was ordered to be engrossed and read a third time; and it was accordingly read the third time, and passed.

On motion of Mr. HOPKINS, a motion to reconsider the last vote was laid on the table.

FORT SMITH AND WESTERN RAILROAD COMPANY, INDIAN TERRITORY.

Mr. LITTLE. Mr. Speaker, I ask unanimous consent for the present consideration of the bill (H. R. 11916) to authorize the Fort Smith and Western Railroad Company to construct and operate a railway through the Choctaw and Creek nations, in the Indian Territory, and for other purposes.

The bill was read. It provides:

That the Fort Smith and Western Railroad Company, a corporation created under and by virtue of the laws of the State of Arkansas, be, and the same is hereby, invested and empowered with the right of locating, constructing, owning, equipping, operating, using, and maintaining a railway and telegraph and telephone line through the Choctaw and Creek nations, in the Indian Territory, beginning at a point to be selected by said company on the western boundary line of the State of Arkansas at or near the city of Fort Smith, in Sebastian County, in said State, and running thence by the most feasible and practicable route in and through that part of the Indian Territory known as the Choctaw Nation in a southwesterly and westerly direction through the counties of Skullyville, San Bois, Gaines, and Tobucksy, and crossing the Missouri, Kansas and Texas Railway, in said Choctaw Nation, at or near South Canadian; continuing thence westerly to the South Canadian River; continuing thence northwesterly and through the Creek Nation, Indian Territory, to a point on the western boundary thereof near the Sac and Fox Agency, said line forming a continuous line of railway with the line of said railway company which continues westward from said boundary line of the Creek Nation, as above set forth, into and through Oklahoma Territory, to Kingfisher, in said Oklahoma Territory, with a switch or spur line from the nearest feasible point on said line in the Choctaw Nation to a connection with the St. Louis and San Francisco Railroad, at a point between Cedars Station and Backbone Tunnel, of about 8 miles in length, with the right to construct, use, and maintain such tracks, turn-outs, and sidings as said company may deem it to their interest to construct along and upon the right of way and depot grounds herein provided for.

The SPEAKER. Is there objection to the present consideration of the bill?

Mr. SULZER. I should like to ask if this bill complies with all the regulations regarding the protection of the Indians?

Mr. LITTLE. It absolutely complies with all the rules in that regard, and has the approval of the Secretary of the Interior. It provides ample compensation for all interests involved. It provides that twice the appraised value of the land must be paid into court before the land can be occupied.

Mr. SULZER. Has it the approval of the Secretary of War?

Mr. LITTLE. Not the Secretary of War. The War Department has nothing to do with it. It crosses no navigable river. It comes under the jurisdiction of the Department of the Interior and the Indian Office. The bill is perfectly meritorious. The railroad is intended to be constructed at once.

Mr. SULZER. All I want to know is if it protects the rights of the Indians.

Mr. LITTLE. There can be no doubt about that.

Mr. MAXWELL. Mr. Speaker, the Indians have no representative in this Hall. I have no desire to object to a good bill—one that protects their rights as well as those of the railroad company—but I was unable to gather the full force of the provision for compensation. As I understood it, it was inadequate to protect the rights of the Indians. I would ask if there is a report accompanying this bill?

The SPEAKER. There is.

Mr. LITTLE. Mr. Speaker, I will say for the information of the gentleman from Nebraska that the bill protects absolutely the rights of the Indians and compensates them fully for all the property that may be taken. The bill is in the form of other bills which have passed the House on various occasions, and it has the approval of the Secretary of the Interior. The parties who hold this charter contemplate the early construction of the road. It provides for paying mileage upon its trackage to the Indian tribes. Then it provides for compensation for the property taken. It provides for appraisers, and that double the amount of the appraised value shall be paid into court before the lands can be occupied. I assure my friend from Nebraska that it absolutely protects and fairly compensates all the interests in that Territory. It reaches only the Five Civilized Tribes. It does not reach any of the allotted lands or anything of that sort. I hope my friend will not object. I shall be glad to answer any additional questions if the gentleman desires it.

Mr. MAXWELL. As I understood the provision with regard to taking an appeal, it seemed to me that it was inadequate.

Mr. LITTLE. Oh, no; that is ample. In that country they have a different system of courts. That provision has the approval of the Indian Bureau.

The SPEAKER. Is there objection?

There was no objection.

The bill was ordered to be engrossed and read a third time; and it was accordingly read the third time, and passed.

On motion of Mr. LITTLE, a motion to reconsider the last vote was laid on the table.

RIGHT OF WAY THROUGH NEZ PERCES RESERVATION.

Mr. CURTIS of Kansas. Mr. Speaker, I ask unanimous consent for the present consideration of the bill (H. R. 11685) granting the right of way through certain land in the former Nez Perces Reservation, in the State of Idaho.

The bill was read, as follows:

Be it enacted, etc., That the right of way is hereby granted to the extent of 75 feet in width through the lands in the former Nez Perces Indian Reservation, in the State of Idaho, reserved for agency purposes, and also through any other lands within said former reservation not subject to the general right-of-way act of March 3, 1875, to any duly incorporated and organized railroad company proposing to build through said lands; and it shall be the duty of the Secretary of the Interior to fix the amount of compensation to be paid for the lands so appropriated, and the time and manner of the payment thereof; and the location of said line shall be subject to the approval of the Secretary of the Interior.

The SPEAKER. Is there objection to the present consideration of the bill?

Mr. STEELE. Mr. Speaker, I rise to make a little inquiry. This seems to be for any railroad. It is a very indefinite proposition.

Mr. CURTIS of Kansas. There are three or four roads that want a right of way over that reservation.

Mr. McEWAN. I would like to ask a question. What committee reports this bill?

Mr. CURTIS of Kansas. It is reported by the Committee on Indian Affairs.

Mr. McEWAN. Unanimously?

Mr. CURTIS of Kansas. Unanimously. There were three or four bills upon the same question, and the chairman of the committee thought it best to introduce one bill covering the whole matter.

Mr. McEWAN. This is practically a general bill?

Mr. CURTIS of Kansas. It is for this one reservation. There is a general bill, including all reservations, that I desire to call up later.

Mr. STEELE. Mr. Speaker, I have had an explanation made to me by the chairman of the Committee on Indian Affairs which satisfies me, and I withdraw any further objection.

The SPEAKER. Is there objection? [After a pause.] The Chair hears none.

The bill was ordered to be engrossed for a third reading; and being engrossed, it was accordingly read the third time, and passed.

On motion of Mr. CURTIS of Kansas, a motion to reconsider the vote by which the bill was passed was laid on the table.

Mr. CURTIS of Kansas. Mr. Speaker, I have another bill of a general character that I want to call up.

The SPEAKER. The Chair will have to recognize the gentleman later.

RELIEF OF CERTAIN HOMESTEAD SETTLERS IN FLORIDA.

Mr. SPARKMAN. Mr. Speaker, I ask unanimous consent for the present consideration of the bill (S. 4690) for the relief of certain homestead settlers in Florida.

The bill was read, as follows:

Be it enacted, etc., That any qualified homestead claimant who was in good faith actually occupying a homestead claim under the laws of the United States in the State of Florida in the month of September, A. D. 1896, and who was by, through, or on account of a storm which passed through said State during said month driven from or compelled to leave such homestead, may within one year from the passage of this act return to such homestead claim and proceed to perfect title thereto as though absence therefrom had not occurred.

The amendment recommended by the committee was read, as follows:

In line 9, after the word "leave," insert the words "and to remain away from."

The SPEAKER. Is there objection to the present consideration of the bill?

Mr. SPARKMAN. I ask that the report be read.

Mr. LOUD. I would like to know how this bill would read with the amendment.

The SPEAKER. The Clerk will read the bill as it would appear when amended.

The Clerk read as follows:

Who was by, through, or on account of a storm which passed through said State during said month driven from or compelled to leave and to remain away from such homestead, may within one year from the passage of this act return, etc.

Mr. McEWAN. Mr. Speaker, I desire to ask the gentleman if the purpose of this bill is only to preserve the continuity of occupation that was prevented by the storm? Is that all?

Mr. SPARKMAN. That is all, sir.

The SPEAKER. Is there objection? [After a pause.] The Chair hears none.

The amendment recommended by the committee was agreed to.

The bill as amended was ordered to a third reading; and it was accordingly read the third time, and passed.

REPEAL OF SECTIONS 820 AND 821, REVISED STATUTES.

Mr. JENKINS. Mr. Speaker, I ask unanimous consent for the present consideration of the bill which I send to the desk.

The Clerk read as follows:

A bill (H. R. 11955) to amend sections 820 and 821 of the Revised Statutes of the United States.

Be it enacted, etc., That sections 820 and 821 of the Revised Statutes of the United States, codifying the act of June 17, 1862, which disqualify persons otherwise qualified from serving as grand or petit jurors in the courts of the United States who have taken up arms or joined in any insurrection or rebellion against the United States, and prescribing an oath to be taken by talesmen challenged for such cause affirming that affiant had not joined in any insurrection or rebellion against the United States, be, and the same are hereby, repealed; and that hereafter no person shall be disqualified for any service in any court or in any branch or department of the Government of the United States on account of participation in the civil war of 1861 to 1865.

The SPEAKER. Is there objection to the present consideration of the bill? [After a pause.] The Chair hears none.

The bill was ordered to be engrossed for a third reading; and being engrossed, it was accordingly read the third time, and passed.

On motion of Mr. JENKINS, a motion to reconsider the vote by which the bill was passed was laid on the table.

BRIDGE ACROSS THE MONONGAHELA RIVER AT MORGANTOWN, W. VA.

Mr. DAYTON. Mr. Speaker, I ask unanimous consent for the present consideration of the bill which I send to the desk.

The Clerk read as follows:

A bill (H. R. 11677) to authorize the construction of a bridge across the Monongahela River at Morgantown, in the State of West Virginia.

Be it enacted, etc., That the assent of the United States of America is hereby given to the county court of Monongalia County, W. Va., a corporation under the laws of said State, to construct and maintain a bridge over the Monongahela River at Morgantown, in said State.

SEC. 2. That the bridge shall be so constructed that a free and unobstructed passage may be secured to all vessels and other water craft navigating said river; and any bridge constructed under this act shall be located and built under and subject to such regulations for the securing of navigation of said river as the Secretary of War shall prescribe; and to secure that object the said county court shall submit to the Secretary of War, for his examination and approval, the designs and drawings of the bridge, piers, and approaches, and a map of the location, giving, for the space of at least 1 mile above and 1 mile below the proposed location, the topography of the banks of the river, the shore lines at high and low water, and the direction and strength of the current at all stages, and the soundings, accurately showing the bed of the stream, and the location of other bridge or bridges, wharfs, landings, or ferries, and shall furnish such other information as shall be required for a full and satisfactory understanding of the subject; and until said plan and location of the bridge are approved by the Secretary of War the bridge shall not be commenced or built; and after such approval by the Secretary of War the approved plans and designs for the bridge shall not be deviated from or added to, either during the construction or after the completion of the bridge, until the proposed change shall have been submitted to the Secretary of War and received his approval: and the said bridge shall be at all times so kept and managed as to offer reasonable and proper means for the passage of vessels under said bridge: and if at any time the navigation of said river shall in any manner be obstructed or impaired by the bridge authorized by this act to be constructed, the Secretary of War shall have authority, and it shall be his duty, to require said company to alter and change said bridge at its own expense in such manner as may be proper to secure free and complete navigation without impediment; and if upon reasonable notice to said county court to make such change or improvements, the said county court fails to do so, the Secretary of War shall have authority to make the same, and shall thereupon institute proceedings in the circuit court of the United States in and for the district in which said bridge is located for the recovery of the cost thereof: *Provided*, That nothing in this act shall be so construed as to repeal or modify any of the provisions of law now existing in reference to the protection of the navigation of rivers, or to exempt this bridge from the operation of the same.

SEC. 3. That any bridge built under this act and subject to its limitations shall be a lawful structure and shall be recognized and known as a post route, upon which also no higher charge shall be made for the transmission over the same of the mail, the troops and munitions of war of the United States than the rate per mile paid for the transportation over the public highways leading to said bridge, and it shall enjoy the rights and privileges of other post roads of the United States: and equal privileges in the use of said bridge shall be granted to all telegraph and telephone companies, and the United States shall have the right of way across said bridge and its approaches for said postal-telegraph purposes.

SEC. 4. That this act shall be null and void if actual construction of the bridge herein authorized be not commenced within two years and completed within three years from the date hereof.

The amendments recommended by the committee were read, as follows:

Section 2, page 3, line 3, strike out the remaining part of section 2 after the word "impediment."

In section 4, line 3, strike out the words "two years" and insert in lieu thereof the words "one year."

Add the following section:

"SEC. 5. That the right to alter, amend, or repeal this act is hereby expressly reserved."

The SPEAKER. Is there objection to the present consideration of the bill?

Mr. McEWAN. Reserving the right to object, I would like to ask the gentleman one question. Is the wording regulating the right of navigation the same as in bills of this kind?

Mr. DAYTON. Yes, sir; it is the same and has been approved of by the War Department.

Mr. McEWAN. That part is all right. My question is whether the wording giving the right of navigating the river is the same as in other bridge bills.

Mr. DAYTON. I have followed one of them.

Mr. TODD. I would also like to ask the gentleman whether this bridge is a matter of present public necessity, whether it is intended for the general public, whether it is intended for a railroad bridge, and whether the public are to get the use of it or some corporation?

Mr. DAYTON. In answer to that question I will say, Mr. Speaker, to this House that the county court of the county of Monongahela, the body that has control of the fiscal affairs of the county, asks for the building of this bridge for public purposes—for a wagon-road bridge—and it is not for a corporation, but for the public. It is not a railroad bridge at all. It is simply getting the assent of Congress to the building of this bridge: it is really to be built by the people themselves and for the people.

Mr. TODD. This bridge will be owned by the public?

Mr. DAYTON. Entirely so; and the purpose is to make it a free bridge.

The SPEAKER. Is there objection? [After a pause.] The Chair hears none.

The amendments recommended by the committee were agreed to.

The bill as amended was ordered to be engrossed for a third reading; and being engrossed, it was accordingly read the third time, and passed.

On motion of Mr. DAYTON, a motion to reconsider the vote by which the bill was passed was laid on the table.

HOMER D. M'GRAW.

Mr. CLAYTON. Mr. Speaker, I ask unanimous consent for the present consideration of the bill (H. R. 4790) for the relief of Homer D. McGraw, Lee County, Ala.

The Clerk read the bill, as follows:

Be it enacted, etc., That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay to Homer D. McGraw, of Lee County, Ala., the sum of $130.90, to reimburse said McGraw for the like sum of money which he, as the owner and operator of distillery No. 39, situated near Opelika, Lee County, Ala., on the 4th day of April, 1896, sent to the collector for the district of Alabama, at Birmingham, Ala., to pay the tax on three packages of spirits Nos. 90, 97, and 98, at that time in the bonded warehouse of the said Homer D. McGraw, but before the said tax-paid stamps were received by said McGraw, and before said spirits were released from said warehouse, such warehouse was consumed by fire, supposed to be of incendiary origin, and said three packages of spirits for which said stamps were bought were consumed, and the stamps never canceled.

The SPEAKER. Is there objection to the present consideration of the bill?

Mr. PAYNE. Reserving the right to object, I should like to have the gentleman explain it.

Mr. CLAYTON. Mr. Speaker, the claimant was the owner and operator of a distillery in Lee County, Ala., and bought certain stamps of the revenue collector, whose office was in Birmingham, and ordered them to be sent by mail. Before the stamps reached him a fire occurred in the warehouse where the whisky was stored, consuming the spirits, and hence the stamps which were bought for these particular packages were never used, because the particular packages were destroyed by fire. He now asks the Treasury Department to redeem those stamps. The Secretary of the Treasury was of the opinion that he could not redeem the stamps under section 3426 of the Revised Statutes, because they were special taxes provided for under section 3295 of the Statutes. The claim is an entirely just and a proper one, and this is the only way in which the claimant can be reimbursed.

Mr. PAYNE. The bill simply provides that the Secretary of the Treasury may redeem the stamps?

Mr. CLAYTON. That the claimant shall be reimbursed.

Mr. PAYNE. Mr. Speaker, I understand from the gentleman from Alabama that while they had the stamps before the committee they have been mislaid. They were for use in this particular distillery, and of course can not be used again, and the amount is only $136. Under these circumstances I will not insist on the amendment.

The SPEAKER. Is there objection to the present consideration of the bill?

There was no objection.

The bill was ordered to be engrossed and read a third time; and being read the third time, was passed.

REIMBURSEMENT OF GEORGE W. M'KINSEY.

Mr. STEELE. Mr. Speaker, I ask unanimous consent for the present consideration of the bill (H. R. 1800) to reimburse George W. McKinsey, postmaster at Kokomo, Ind., for money paid out by him as said postmaster.

The Clerk read the bill, as follows:

Be it enacted, etc., That the Secretary of the Treasury be, and is hereby, authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to George W. McKinsey, postmaster at Kokomo, Ind., the sum of $713, said amount being paid out by him as such postmaster for clerk hire, rents, gas, light, and fuel, all of which was necessary to carry on and conduct properly the business of said post-office.

With the following committee amendments:

Strike out the words "seven hundred and thirteen dollars" and insert "six hundred and twenty dollars and twenty cents."

Mr. LOUD. Mr. Speaker, reserving the right to object, I would like to have the report read.

Mr. STEELE. I would like to have the report read.

The Clerk read the report (by Mr. MINOR), as follows:

The Committee on Claims, to whom was referred the bill (H. R. 1800) for the payment of a sum of money therein named for the reimbursement of one George W. McKinsey, a resident of Kokomo, Ind., report:

Your committee find the following to be the facts in the case: George W. McKinsey was the postmaster at Kokomo, Ind., from July 1, 1889, to November 19, 1890. On July 1, 1889, the post-office at Kokomo, Ind., was raised from an office of the third class to one of the second class, and at that time came under the postal provisions which provide for the payment of all rents, lights, fuel, and clerk hire in such office by the Government. That between July 1, 1889, and January 1, 1890, he paid from his own funds a large amount of money for said rents, lights, fuel, and clerk hire. He was compelled to do this by reason of the Government having failed to provide for these items during the time stated, amounting to about two quarters, or six months.

The foregoing statement is borne out by the Postmaster-General, whose letter we append hereto.

This bill provides for the payment of $713, but the committee desire to submit the following amendment, in order that the bill may conform to the statement submitted by the Postmaster-General. When such amendment shall have been adopted we recommend the passage of the bill.

Amend by striking out all after the word "of," in the sixth line, down to and including the word "thirteen," in the seventh line of the printed bill, and insert in lieu thereof the words "six hundred and twenty dollars and twenty cents;" so as to read as follows: "There is hereby appropriated to George W. McKinsey, postmaster at Kokomo, Ind., the sum of $620.20."

POST-OFFICE DEPARTMENT,
OFFICE OF THE FIRST ASSISTANT POSTMASTER-GENERAL,
SALARY AND ALLOWANCE DIVISION,
Washington, D. C., March 9, 1896.

SIR: In reply to your communication of the 3d instant, inclosing House bill 2883, for the relief of George W. McKinsey, late postmaster at Kokomo, Ind., I find upon examination of accounts on file in this Department that Mr. McKinsey filed the following vouchers in excess of his regularly authorized allowances for the period from July 1, 1889, to January 20, 1890:

Clerk hire	$680.47
Rent	165.55
Fuel and light	4.66
Total	850.68

upon which a credit of $137.68 has been allowed by the Auditor's Office, leaving a balance of $713.

The records of this office show that the Kokomo office was advanced from third to second class July 1, 1889, but that the allowance for clerk hire was not increased until January 1, 1890, upon which date an allowance at the rate of $1,300 per annum was made, which was fully up to the average granted offices of a similar grade for the said purpose. It would appear, therefore, that Mr. McKinsey has a meritorious claim for the following amounts:

Clerk hire (difference between $400 and $1,300 per annum):		
Third quarter of 1889	$225.00	
Fourth quarter of 1889	225.00	
		$450.00
Rent, fuel, and light (actual excess covered by vouchers):		
Third quarter of 1889	75.00	
Fourth quarter of 1889	75.00	
First quarter of 1890 (to January 20)	20.21	
		170.21
Total for clerk hire, rent, fuel, and light		620.21

Very respectfully,

F. H. JONES,
First Assistant Postmaster-General.

Hon. E. S. MINOR,
House of Representatives.

The SPEAKER. Is there objection to the present consideration of the bill?

Mr. BERRY. I object to the consideration.

The SPEAKER. Objection is made.

Subsequently Mr. STEELE said: I understand that the gentleman who objected before to the bill I asked to have considered has withdrawn his objection.

The SPEAKER. The Clerk will again report the bill.

The bill (H. R. 1800) to reimburse George W. McKinsey, postmaster at Kokomo, Ind., for money paid out by him as said postmaster was again read.

The SPEAKER. Is there further objection to the consideration of this bill?

Mr. DOCKERY. I wish the gentleman from Indiana would state the reasons, if there be any, for the passage of this bill. "The watchdog of the Treasury," the gentleman from California [Mr. LOUD], was on guard at the time, and I was not giving attention when the report was read.

Mr. STEELE. The report was read. The facts as there stated are, in brief, these: In 1888 there was a very rapid growth of population at Kokomo, which made it necessary for this postmaster, a very poor man, to incur additional expense by the employment of clerks. The population increased within about a year from 2,500 to 11,000. This was about the time of the expiration of his term. The Postmaster-General has certified that expenses to the amount of $620.21 were actually incurred by this postmaster, and that he ought to be reimbursed.

Mr. DOCKERY. Was this additional clerical service authorized by the Department?

Mr. STEELE. Oh, yes.

Mr. DOCKERY. Before the expense was incurred?

Mr. STEELE. It has been authorized; there is no question about that.

Mr. DOCKERY. Why was it not paid at the time?

Mr. STEELE. Because there was no estimate for it in the year in which it occurred. It was an oversight on the part of this man.

Mr. DOCKERY. Well, I will not object. I overheard the gentleman from California say that there was an error of some kind and that he thought the bill should be passed.

The SPEAKER. Is there objection?

Mr. SIMS. The gentleman from Indiana will allow me to say that I worked about six months for recognition on a bill of mine, and when I was recognized the gentleman from Indiana very kindly objected.

Mr. STEELE. I do not remember having objected to the gentleman's request.

Mr. SIMS. I can show the gentleman the record. But I will not return evil for evil. I will not object to the gentleman's bill, although that is the way he treated me. The bill seems to be a meritorious one.

The SPEAKER. The Chair hopes that every member of the House who sees anything objectionable in any of these bills will exercise his right and do his duty in making objection. He thinks with the gentleman from Tennessee that no member ought to be influenced by any personal feeling in a matter of this kind or ought to be anywhere called to account for making objection. Is there objection? The Chair hears none.

The House proceeded to the consideration of the bill.

The amendment reported by the committee was agreed to.

The bill as amended was ordered to be engrossed and read a third time; and it was accordingly read the third time, and passed.

On motion of Mr. STEELE, a motion to reconsider the vote by which the bill was passed was laid on the table.

GRANT OF LANDS TO BOULDER, COLO.

Mr. SHAFROTH. Mr. Speaker, I ask unanimous consent for the present consideration of the bill H. R. 11455.

The Clerk read the bill, as follows:

Be it enacted, etc., That there is hereby granted to the city of Boulder, a municipal corporation, in the county of Boulder, in the State of Colorado, for park purposes and for the use and benefit of said city, subject to all valid entries made prior to the passage hereof, the following-described lands, to wit:

The southwest quarter of section 26 and the west half of the southeast quarter of section 26, and the southeast quarter of the southeast quarter of section 26; also the west half of section 35 and the north half of the northeast quarter and the south half of the southeast quarter of section 35, in township 1 north, range 71 west of the sixth principal meridian; also the northwest quarter of the northwest quarter of section 2, and the south half of the north half of section 2, and the south half of section 2; also the southwest quarter of the northwest quarter and the west half of the southwest quarter of section 1; also the north half of the north half of section 11; also the west half of the northwest quarter of section 12; also the southwest quarter of section 12, in township 1 south, of range 71 west of the sixth principal meridian, containing 1,800 acres, more or less; subject, however, to any lawful rights or claims to any part or parts of said lands which may have accrued prior to the passage of this act.

SEC. 2. That said city shall never alienate any part of said lands, and shall, within twelve months after the passage of this act, distinctly mark the boundaries of said lands, and shall, as far as practicable, protect and preserve all the native trees now growing on said lands, and protect other trees thereon.

SEC. 3. That upon proper proofs in the United States land office at Denver, Colo., that said boundaries have been distinctly marked by said city, as hereinbefore stated, and that said city by its corporate authorities accepts the aforementioned grant on the conditions aforestated, the Secretary of the Interior is hereby authorized, empowered, and directed to issue to said city of Boulder a patent of said lands, in which patent shall be recited the above-stated purposes, conditions, and limitations.

With the following amendment recommended by the committee:

Insert a new section at the end of said bill, to read as follows:

"Sec. 4. That said lands shall be forfeited to the United States if, within three years from the passage hereof, the said city of Boulder has not begun to use the same for the purposes granted, or if at any time said city shall for a period of three years cease to use the same for such purposes."

Mr. DALZELL. Mr. Speaker, reserving the right to object, I should like to hear some explanation of the bill.

Mr. SHAFROTH. Mr. Speaker, the land that is sought to be granted to the city of Boulder consists of about 1,800 acres of mountainous land. All of it is precipitous, mountainous, and consisting of rocks. Few trees grow there, and it is of no value whatever for agricultural purposes. It lies within about 1 mile of the city of Boulder, and yet it has never been located upon for homestead purposes, or for preemption purposes, or for mining purposes. If it were of any value for any of these purposes, it would have been taken up long ago. It, however, can be made into a park with drives winding around the mountain. It will make very beautiful drives, with splendid scenery, and will give fine views of the surrounding country, and for that reason I wish it granted to the city of Boulder so they can construct these roads.

Mr. DALZELL. What committee reported the bill?

Mr. SHAFROTH. The Committee on Public Lands.

Mr. PERKINS. What is the size of the city of Boulder?

Mr. SHAFROTH. It has about 7,000 population. The University of the State of Colorado is located there; and in addition, the Chautauqua Assembly is held there every summer, bringing there about 15,000 visitors from all parts of the United States. On this account, as well as others, it is very desirable that this park be established.

Mr. PERKINS. The city has the resources to make this improvement?

Mr. SHAFROTH. Oh, yes.

Mr. DALZELL. What is the land worth?

Mr. LACEY. It is not worth anything now.

Mr. SHAFROTH. I yield to the gentleman from Iowa [Mr. LACEY].

Mr. LACEY. Within the boundaries of this proposed park there is, I understand, one tract of 40 acres upon which a filing has been made, and it is proposed by the committee to amend the bill so as to exclude that tract from the provisions of the bill.

Mr. SHAFROTH. The amendment provides that this land shall be "subject to all valid entries made prior to its passage."

Mr. LACEY. As I understand, the land is now substantially worthless, but can be utilized for park purposes.

Mr. DOCKERY. Does the Department recommend the passage of this bill?

Mr. SHAFROTH. Yes, sir. It is recommended by the Commissioner of the Land Office.

There being no objection, the House proceeded to the consideration of the bill.

The amendments reported by the committee were agreed to.

The bill as amended was ordered to be engrossed and read a third time; and it was accordingly read the third time, and passed.

On motion of Mr. SHAFROTH, a motion to reconsider the last vote was laid on the table.

POST-OFFICE AT BRIDGEPORT, CONN.

Mr. HILL. I ask unanimous consent for the present consideration of the bill (H. R. 11728) to remove the fire limit from the post-office at Bridgeport, Conn.

The bill was read, as follows:

Be it enacted, etc., That chapter 421 of the acts of the first session Fiftieth Congress, entitled "An act for the erecting of a public building at Bridgeport, Conn.," is hereby amended by striking out the words "and the site purchased shall leave the building unexposed to danger from fire by an open space of at least 40 feet, including streets and alleys."

Mr. HILL. The report in this case is very short. It can be read if anybody wishes it.

The SPEAKER. The Clerk will read the report, the right to object being reserved.

The report (by Mr. MERCER) was read, as follows:

The Committee on Public Buildings and Grounds, to whom was referred the bill (H. R. 11728) amending an act for the erection of a public building at Bridgeport, Conn., respectfully report that they have had said bill under consideration and recommend its adoption.

The building as now constructed stands at a street corner and is bounded on two sides by highways and on the other sides by an open space of 40 feet in accordance with the provisions of the original act. Necessity compels and the Fifty-fourth Congress provided for an addition, but the appropriation therefor is not sufficient for the erection of such addition and the purchase at present valuation of 40 feet of additional ground. It is the belief of the committee that with a proper fire wall erected in the rear the needed addition can be safely constructed on the ground now owned by the Government, and in this opinion the Treasury Department coincide, and therefore advise the passage of this bill repealing the fire-limit clause.

Mr. DOCKERY. I would be glad if the gentleman from Connecticut would give us some explanation of this bill.

Mr. HILL. It is simply a question of saving the Government $25,000.

Mr. DOCKERY. I wish the gentleman would explain the matter.

Mr. HILL. If the fire limit be removed in this case, as proposed, this building will still have 40 feet space on each of three sides, and the fire wall will be built simply in the rear of the building.

Mr. DOCKERY. As I understand, this bill is clearly in the interest of the Government.

Mr. HILL. Absolutely; and its passage has been advised by the Treasury Department and the Attorney-General.

Mr. DOCKERY. It involves no appropriation?

Mr. HILL. None whatever.

Mr. HANDY. Is this bill one of those considered yesterday?

Mr. HILL. It ought not to have been considered yesterday.

Mr. HANDY. Was it?

Mr. HILL. It was one of the bills favorably reported.

Mr. HANDY. Then I think it ought to stand its chance with the others.

Mr. HILL. The simple question is whether we are willing to save the Government $25,000. The Attorney-General and the Treasury Department have recommended that the bill be passed.

Mr. LOUD. The fact that the bill saves money to the Government is, of course, a very serious objection! [Laughter.]

Mr. HILL. I will admit that; the question is merely one of economy.

There being no objection, the House proceeded to the consideration of the bill; which was ordered to be engrossed and read a third time; and it was accordingly read the third time, and passed.

On motion of Mr. HILL, a motion to reconsider the last vote was laid on the table.

LIGHT AND FOG SIGNAL, SABINE BANK, TEXAS.

Mr. COOPER of Texas. Mr. Speaker, I ask unanimous consent for the present consideration of the bill (H. R. 2060) for the establishment of a light and fog signal on or near Sabine Bank, Texas.

The SPEAKER. The bill will be read, subject to the right of objection.

The bill was read at length.

Mr. COOPER of Texas. There are a number of amendments recommended by the committee, which I ask to have read before the question of consideration is presented.

The amendments were read at length.

Mr. DOCKERY. I understand the amendments strike out the appropriation clause?

Mr. COOPER of Texas. Yes. The bill provides only, in its present form, an authorization for the construction of the light-house and fog-signal station at the point indicated.

Mr. McEWAN. I would like to have the report read before consent is given for the consideration of the bill.

The report was read at length.

The SPEAKER. Is there objection?

Mr. McEWAN. I would like to ask the amount proposed to be applied to this purpose?

Mr. COOPER of Texas. Fifty thousand dollars; but that amount is not appropriated.

Mr. LOUD. I understand the Secretary replies that that will not be sufficient.

Mr. COOPER of Texas. My recollection of the report is that it is stated to be sufficient.

The SPEAKER. The first question is, Is there objection to the present consideration?

Mr. FARIS. I object.

WILLIAM A. COWLES.

Mr. STURTEVANT. Mr. Speaker, I ask unanimous consent for the present consideration of the bill (S. 2673) for the relief of William A. Cowles.

The SPEAKER. The bill will be read, after which the Chair will ask if there be objection.

The bill was read, as follows:

Be it enacted, etc., That the Secretary of the Treasury is required to pay to William A. Cowles the sum of $1,000, out of any money in the Treasury not otherwise appropriated, in full for his services as an employee of the United States from March 1, 1878, to November 1, 1878, in the geographical surveys west of the one hundredth meridian, under the direction of Lieut. George M. Wheeler.

Mr. DOCKERY. Reserving the right to object, pending the reading of the report, I would like to have some explanation of this matter.

Mr. STURTEVANT. I would like to have the report read, as it explains the bill fully.

The report (by Mr. STURTEVANT) was read, as follows:

The Committee on Claims, to whom was referred the bill (S. 2673) for the relief of William A. Cowles, having had the same under consideration, beg leave to make the following report:

The payment to Mr. Cowles of $1,000, as provided for in this bill, is to cover his usual salary, at the rate of $125 per month, as an assistant topographer in the United States Geographic Survey, under Lieut. George M. Wheeler, from March 1, 1878, to November 1, 1878, during which period he was suspended from the rolls because he was confined to a hospital, the result of a painful accident that occurred to him while assisting in building a topographical monument on the peak of the Sierra Nevada, California, breaking both of his legs.

The Department strongly recommends this allowance, as will be seen from the accompanying indorsements forwarded by the Secretary of War, as follows:

UNITED STATES SENATE,
Washington, D. C., January 31, 1899.

SIR: Senate bill No. 992 has been referred to me as a subcommittee of the Committee on Claims for report. I should be greatly obliged if you would give me your opinion of said bill.

I inclose herewith the bill.

Yours, respectfully, WM. M. STEWART.

The SECRETARY OF WAR.

[First indorsement.]

OFFICE CHIEF OF ENGINEERS, UNITED STATES ARMY,
February 4, 1899.

Respectfully referred to Maj. G. M. Wheeler, retired, with request that he furnish such information as he can in regard to this claim, as the records of this office furnish no information in the matter.

By command of Brigadier-General Casey:

GEO. W. GOETHALS,
Captain, Corps of Engineers.

[Second indorsement.]

WASHINGTON, D. C., *February 5, 1899.*

Respectfully referred to Lieut. M. M. Macomb, Fourth Artillery, formerly in charge of the field party of the United States geographical surveys west of one hundredth meridian, with which Mr. Cowles was serving when the accident occurred which led to the disability causing his suspension from duty, with the request that he will furnish any information he may have bearing on this case.

GEO. M. WHEELER,
Major, United States Army, Retired.

[Third indorsement.]

WASHINGTON, D. C., *February 25, 1899.*

Respectfully returned with the following remarks:

Mr. Cowles was serving with my field party when the accident occurred which disabled him. I was present at the time. It was on the afternoon of September 6, 1877, on a peak of the Sierra Nevada, California, at the headwaters of the Carson River. We were closing our day's work by building a monument to mark our station for future reference.

While engaged in this duty Mr. Cowles detached a small piece of stone, which unexpectedly and without warning caused the fall of an avalanche of rock, which crashed down the side of the peak, carrying Mr. Cowles with it. That he escaped with his life was a miracle. As it was, he suffered compound comminuted fracture of both legs below the knee, and was apparently crippled for life. Surgical aid could not be procured short of Genoa, Nev., nearly 60 miles north of us. To this village Mr. Cowles was transported over rough trails and mountain roads, and his legs could not be set until more than three days after the accident occurred. The surgeon was not a skilled one, and after three months of suffering it was found that a false union had formed in one leg and that it would be necessary to break it again and reset it. As Mr. Cowles could now be moved, it was decided to take him East when the party returned home. Accordingly, in December Mr. Cowles was taken to St. Joseph's Hospital, Chicago, Ill., where the final operation of resetting was performed.

For many months Mr. Cowles was quite helpless, and was frequently troubled by the fact that splinters of bone would be thrown off by the injured limbs, causing him great suffering. He was therefore obliged to give up his profession of topographical engineer and seek other means of support.

The records of the geographical surveys west of the one hundredth meridian show that the pay of Mr. Cowles was stopped March 1, 1878, and that he was not taken on the office force again until November 1, 1878 (a period of eight months), and then only temporarily. Mr. Cowles's record in the field and office was excellent, and I considered him a rising young topographer.

He was poor and entirely dependent upon the practice of his profession for his support.

He was engaged in the execution of his duty when the unfortunate and unexpected accident occurred which disabled him.

His claim for compensation is to cover the eight months during which he was unemployed because of said accident, and it is at the rate of $125 per month, which was the usual rate of pay allowed topographers of Mr. Cowles's experience, and which would have been increased to a higher figure for increased length of satisfactory service.

I think that Mr. Cowles's claim is a moderate one, that it is eminently just, and should be paid.

M. M. MACOMB,
First Lieutenant, Fourth Artillery.

[Fourth indorsement.]

WASHINGTON, D. C., *February 27, 1899.*

Respectfully returned to the Chief of Engineers, United States Army, inviting attention to the statements in the third indorsement by M. M. Macomb, first lieutenant, Fourth Artillery, the chief of the field party in which Mr. Cowles was serving when the accident that disabled him occurred.

This was a most exceptionable case, which, from circumstances entirely beyond his control, not alone prevented this young assistant topographer from performing the duties necessary to the service, and thereby receive the pay upon which he was dependent for his support, but withdrew him permanently and for life from advancement in the field of his chosen profession, thus relegating him to office occupation, such as computer, draftsman, etc.

My retained paper not being accessible, I am unable to verify by this means the monthly rate of compensation he would have received from March 1, 1878, to November 1, 1878, but to the best of my knowledge and belief this would have been $125 per month (subject to increase from length and excellence of service), and in my judgment the sum of $1,000 is the least that he should be compensated for the period involved.

His claim is most equitable, eminently just, and should be paid.

GEO. M. WHEELER,
Major, United States Army, Retired.

[Fifth indorsement.]

OFFICE OF CHIEF OF ENGINEERS, UNITED STATES ARMY,
February 28, 1899.

Respectfully returned to the Secretary of War, inviting attention to the third and fourth indorsements hereon, from which it appears that the claim is eminently just.

THOS. LINCOLN CASEY,
Brigadier-General Chief of Engineers.

[Sixth indorsement.]

WAR DEPARTMENT, *February 28, 1899.*

Respectfully returned to the Committee on Claims, United States Senate, inviting attention to the foregoing indorsements hereon.

DANIEL S. LAMONT,
Secretary of War.

From the foregoing it appears that the injuries received by Mr. Cowles were while he was in the active discharge of his duties; that he underwent great physical suffering, and that they put an end to his career as a rising young topographer and permanently crippled him for life.

In view of the indorsement of the War Department, the committee recommend the passage of the bill.

Mr. DOCKERY. Mr. Speaker, this is obviously a just claim, and I have no further objection to make.

The SPEAKER. Is there objection to the present consideration of the bill?

There was no objection.

Mr. PERKINS. Is this claimant now living?

Mr. STURTEVANT. He is now living.

The bill was ordered to a third reading, and being read the third time, was passed.

On motion of Mr. STURTEVANT, a motion to reconsider the last vote was laid on the table.

RELIEF OF CERTAIN TOBACCONISTS, LYNCHBURG, VA.

Mr. OTEY. Mr. Speaker, I ask unanimous consent for the present consideration of the bill (H. R. 11785) for the relief of certain tobacconists of Lynchburg, Va.

The SPEAKER. The bill will be read, subject to the right of objection.

The bill was read as follows:

Be it enacted, etc., That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money in the Treasury not already appropriated, the following sums to the respective parties, being amounts of the 5 per cent penalty accruing by reason of special internal-revenue taxes not being paid on or before August 1, 1898: To W. A. Ford & Co., Lynchburg, Va., $325.58; to Hancock Bros. & Co., Lynchburg, Va., $287.19; to Snead Carrington Tobacco Company, Lynchburg, Va., $13.87; to Allen Bros. Tobacco Company, Lynchburg, Va., $154.32.

The SPEAKER. Is there objection to the present consideration of the bill?

Mr. LOUD. I would like to hear the report read, or have some explanation, before consent is given.

The SPEAKER. The Clerk will read the report.

The report (by Mr. RIXEY) was read, as follows:

The Committee on Claims, to whom was referred the bill (H. R. 11785) entitled "A bill for the relief of certain tobacconists of Lynchburg, Va.," beg leave to submit the following report, and recommend that said bill do pass.

The facts on which this bill asking for relief is based are as follows:

The daily transactions in the purchase of stamps for manufactured tobacco are very large, and it has been the custom of all collectors to accept certified checks for these daily purchases. This custom continued after the office was moved from Lynchburg to Alexandria, and no restriction was placed on the purchase of stamps by means of certified checks. The war-revenue bill provided for a 3-cent tax on all tobacco on hand, under certain restrictions, and this tax was required to be paid on or before August 1, 1898.

The tobacconists of Lynchburg sent these certified checks, which reached the collector at Alexandria on Saturday, Monday being August 1. The collector made no objection, but when on Monday, August 1, he went to make a deposit he was told by the bank that it would charge exchange for collecting. The collector therefore returned the checks, and hence, under the law, the penalty of 5 per cent was made operative on these manufacturers.

The Department of Internal Revenue advised them to pay it, though a hardship, and apply for its refunding on their form No. 46. This they did, but the Commissioner, after a thorough investigation, decided that he could not afford the relief. In other words, no authority was lodged in either him or the Secretary of the Treasury to refund the amount. But it was a case of such manifest hardship that he would cordially recommend Congressional relief.

Your committee are therefore of opinion that the respective amounts should be refunded, and that the bill for their relief should be passed with the following amendment:

In line 10, after the word "twenty," strike out the word "five" and insert "three."

Attention is called to letter of Commissioner, with inclosures, which are hereto appended as a part of this report.

TREASURY DEPARTMENT, OFFICE OF THE SECRETARY,
Washington, D. C., January 31, 1899.

SIR: I have the honor to transmit herewith copy of letter of the Commissioner of Internal Revenue, reporting on H. R. bill No. 11785, "for the relief of certain tobacconists of Lynchburg, Va.," which, he states, was referred to him by the acting chairman of your committee at the instance of Hon. PETER J. OTEY, M. C.

Respectfully, yours, L. J. GAGE,
Secretary.

Hon. CHARLES N. BRUMM,
Chairman Committee on Claims, House of Representatives.

TREASURY DEPARTMENT,
OFFICE COMMISSIONER OF INTERNAL REVENUE,
Washington, D. C., January 31, 1899.

SIR: Please find inclosed the letter of Hon. PETER J. OTEY, M. C., addressed to the chairman of the House Committee on Claims January 30, a copy of House bill No. 11785, "for relief of certain tobacconists of Lynchburg, Va.," and the letter of January 26, from Acting Commissioner Wilson to Mr. OTEY, relating thereto, all of which are referred by the acting chairman of the committee to the Commissioner for reply.

The papers are herewith respectfully submitted with the cordial recommendation that the proposed relief be granted for the reasons stated in the letter to Mr. OTEY.

The sum collected from W. A. Ford & Co. appears from our records to be $323.58, and not $325.58.

Respectfully, yours, N. B. SCOTT,
Commissioner.

The SECRETARY OF THE TREASURY.

TREASURY DEPARTMENT,
OFFICE COMMISSIONER OF INTERNAL REVENUE,
Washington, D. C., January 26, 1899.

SIR: Yours of yesterday calls attention to the matter of the penalties paid by the Lynchburg tobacco manufacturers. I find, to my surprise and regret, that the letter I had directed to be written has been delayed until now.

The difficulty to be met is the entire absence of any authority in internal-revenue legislation under which the collection of the 5 per cent penalty for delay in payment of taxes, after due demand has been made, can be waived or the penalty refunded after collection. At the time of the money panic in the summer of 1893 there were heavy taxpayers who had provided for the payment of their taxes by checks on local banks or drafts on distant banks which the collectors, who had customarily accepted the same, suddenly refused, under the extraordinary conditions, to receive; and as cash was very difficult to raise, the ten days allowed for payment expired, and the 5 per cent penalty accrued before payment could be made.

Appeals for relief from the 5 per cent penalty were necessarily refused for lack of authority, but this office stood ready to recommend Congressional relief.

The Lynchburg cases are very similar to those, and should Congress see fit to relieve them this office will cordially carry out the measure.

The amounts collected as penalties are as follows:

W. A. Ford & Co	$323.58
Allen Brothers Tobacco Company	154.32
Hancock Bros. & Co	287.19
Snead Carrington Tobacco Company	15.87
	780.96

Respectfully, yours,

G. W. WILSON, *Acting Commissioner.*

Hon. PETER J. OTEY,
Member of Congress, House of Representatives, Washington, D. C.

Mr. LOUD. The bill seems to conform with the amounts recommended by the Secretary.

There is one provision, however, that, while I do not seriously object to myself, I think a peculiar one. It appropriates money out of the Treasury not "already appropriated." I do not know where you will get it. [Laughter.]

Mr. DOCKERY. The gentleman might lose the entire bill in that way.

Mr. McRAE. I would suggest that he incorporate the words "not otherwise appropriated" for the language in the bill.

Mr. DOCKERY. There seems to be a mortgage on all now in sight.

The SPEAKER. The Clerk will report the amendment recommended by the committee.

The amendment was again reported.

The SPEAKER. Is there objection to the present consideration of the bill?

There was no objection.

Mr. OTEY. Mr. Speaker, I ask to amend the bill by inserting in place of the word "already," in the fifth line, the word "otherwise," so as to read "not otherwise appropriated."

The SPEAKER. Without objection, the modification will be made.

There was no objection.

The amendment of the committee was agreed to.

The bill as amended was ordered to be engrossed and read a third time; and it was accordingly read the third time, and passed.

On motion of Mr. OTEY, a motion to reconsider the last vote was laid on the table.

Z. C. CHURCH.

Mr. LINNEY. Mr. Speaker, I ask unanimous consent for the present consideration of the bill (H. R. 8306) for the relief of Z. C. Church.

The bill was read, as follows:

Be it enacted, etc., That the Secretary of the Treasury is hereby authorized and directed to pay Z. C. Church, of Soda Hill, State of North Carolina, the sum of $151.47, out of any money in the Treasury not otherwise appropriated, being the amount paid by said Z. C. Church, a distiller, for three first-proof spirit stamps Nos. A 191078 to 191080, but which were not used by said distiller, because the spirits upon which the tax was to be paid were destroyed in the burning of the said distiller's warehouse after the purchase of the stamps, but before the stamps were attached to the casks containing said spirits: *Provided*, That said stamps shall be returned to the Commissioner of Internal Revenue before the claim is paid.

The SPEAKER. Is there objection to the present consideration of the bill?

Mr. LOUD. Reserving the right to object, I should like to ask if this is recommended by the Department?

Mr. LINNEY. Yes; by both the Commissioner and the Secretary of the Treasury.

Mr. LOUD. I think anyone who pays an internal-revenue tax on whisky in the State of North Carolina ought to have it refunded.

Mr. LINNEY. We pay more than any State in the Union except Virginia in excess of what we get back in the shape of pensions. Many of the States receive in pensions more than they pay in internal-revenue taxes.

Mr. DOCKERY. And drink less. [Laughter.]

Mr. LINNEY. And drink less.

The SPEAKER. Is there objection to the present consideration of the bill?

There was no objection.

The bill was ordered to be engrossed and read a third time; and it was accordingly read the third time, and passed.

On motion of Mr. LINNEY, a motion to reconsider the last vote was laid on the table.

CLERKS OF UNITED STATES COURTS, EASTERN DISTRICT OF VIRGINIA.

Mr. LAMB. Mr. Speaker, I ask unanimous consent for the present consideration of the bill (H. R. 11160) to authorize the appointment of one or more clerks of the district courts of the United States within and for the eastern district of Virginia, to validate their acts, and prescribe where the records shall be kept.

The bill was read.

The SPEAKER. Is there objection to the present consideration of the bill?

Mr. LOUD. Mr. Speaker, reserving the right to object—I could not understand the bill from the reading. Will the gentleman make an explanation?

Mr. LAMB. Would the gentleman like to have the report read?

Mr. LOUD. I should just as soon have a brief explanation.

Mr. LAMB. These clerks have been appointed and held office for a number of years. A legal objection was raised some weeks ago, and this bill is to provide that there shall be only one clerk, to be appointed by the judge of the district court, and said clerk may have as many deputies as may be necessary, to be appointed as now provided by law, and to legalize the former acts of these clerks. It is a plain, simple request, and the Attorney-General, in a letter attached to the bill, says it is all right. I do not think there can possibly be any objection.

Mr. LOUD. Is it not a dangerous provision to permit the appointment of as many deputies as he sees fit?

Mr. LAMB. It is to be according to law. There is to be one clerk for the district, and a deputy at Alexandria, and one at Norfolk.

The SPEAKER. Is there objection to the present consideration of the bill?

Mr. MAXWELL. I have no desire to object, but it seems to me that the language of the bill is too broad and general, and that there is danger in it. I think there ought to be some limitation.

Mr. LAMB. I do not think the bill is open to that objection. These clerks have been de facto clerks all the time, and we only desire to make good their official acts during the whole period.

Mr. MAXWELL. The bill ought to say so more specifically. I ask the gentleman to correct it in that regard. I do not desire to object.

The SPEAKER. The Chair will suggest that the gentleman might make an amendment limiting it.

Mr. BARTLETT. Mr. Speaker, I do not desire to interfere, but the appointment of clerks is usually made by the circuit judge. This bill does an unusual thing in permitting the district judge to appoint clerks for both the circuit and district courts. The circuit judge usually appointed the clerks both in the circuit and district courts, and the deputies are appointed by the clerk of the circuit court.

Mr. LAMB. You are mistaken about that. Each judge appoints his own clerks.

The SPEAKER. The Chair understood that this bill had the approval of the Committee on the Judiciary.

Mr. LAMB. It has the entire approval of the Committee on the Judiciary. In my judgment there can be no objection to the bill.

Mr. HAY. I should like to ask whether this gives the district judge the power of appointing the clerk for both the circuit and the district court?

Mr. LAMB. It gives him the power to appoint the clerk for his court. Of course he holds sessions of both courts.

Mr. HAY. I did not so understand it.

The SPEAKER. Is there objection to the present consideration of the bill?

Mr. MAXWELL. I object to that broad, sweeping language. Let it go over until to-morrow morning and I will examine it.

The SPEAKER. Does the gentleman from Nebraska object?

Mr. MAXWELL. I object unless that language is modified.

FRANK J. BURROWS.

Mr. PACKER of Pennsylvania. Mr. Speaker, I ask unanimous consent for the present consideration of the bill (S. 1515) for the relief of Frank J. Burrows.

The bill was read, as follows:

Be it enacted, etc., That the Postmaster-General be, and he is hereby, authorized and directed to cause the account of Frank J. Burrows, late postmaster at Williamsport, State of Pennsylvania, to be credited with the sum of $4,022, and that he cause said credit to be certified to the Auditor of the Treasury for the Post-Office Department, being on account of loss of $3,500 in postage stamps and $522 in postal funds by robbery of said post-office on the 30th day of August, 1884, it appearing that said loss was without fault or negligence on the part of said late postmaster. And the said sum of $4,022 is hereby appropriated, out of any moneys in the Treasury not otherwise appropriated, to pay said claim.

The SPEAKER. Is there objection?

Mr. LOUD. I must call for the reading of the report, while I have an opportunity to read it over. I think this bill has earmarks of something that I recognize; and I reserve the right to object.

The SPEAKER. The right to object is reserved. The Clerk will read the report.

The Clerk proceeded to read the report.

Mr. LOUD. I see enough of the bill to recall my memory of it. I shall object to it.

The SPEAKER. Objection is made.

LEGAL REPRESENTATIVES OF EDWIN DE LEON.

Mr. DOLLIVER. Mr. Speaker, I desire unanimous consent for the consideration of the bill (S. 1357) for the relief of the legal representatives of Edwin De Leon, deceased, late consul-general of the United States in Egypt.

The bill was read, as follows:

Be it enacted, etc., That the sum of $479.11 be paid to the legal representatives of Edwin De Leon, deceased, late consul-general of the United States in Egypt, by the Secretary of the Treasury, out of any moneys not otherwise appropriated, being the balance due him on adjustment of his official accounts by the First Comptroller of the Treasury of the United States of America.

Mr. DOCKERY. I would be glad to have the gentleman explain why it has not been paid. It seems to be an adjudicated balance?

Mr. DOLLIVER. It is an adjudicated balance, and was once appropriated, but it has been covered into the Treasury because not called for. The heirs of Edwin De Leon are two old ladies, now 80 and 75 years of age, respectively, in a hospital in this city, apparently without friends, and they have called my attention to it. The bill is unanimously reported by the committee and has been for several Congresses.

Mr. DOCKERY. Does it appear from the report that this balance has been found by the accounting officers of the Treasury?

Mr. DOLLIVER. Yes, sir.

Mr. DOCKERY. Undoubtedly?

Mr. DOLLIVER. Undoubtedly.

Mr. DOCKERY. How much does the bill carry?

Mr. DOLLIVER. The sum mentioned in the bill is $479.11. The claim was recommended by Secretary Evarts, and has been before this committee since the Fifty-first Congress.

Mr. SULZER. It ought to pass.

Mr. DOLLIVER. I think so. They have no friends, apparently, and I called the bill up because I am acquainted with them.

Mr. SULZER. They evidently have a good friend in you.

The report (by Mr. MCEWAN) is as follows:

The Committee on Claims, to whom was referred the bill (S. 1357) for the relief of legal representatives of Edwin De Leon, have had the same under consideration and respectfully submit the following report:

The bill proposes to pay to the legal representatives of Edwin De Leon, late consul-general of the United States in Egypt, the sum of $479.11, balance due him on ad ustment of his official accounts by the First Comptroller of the Treasury of the United States. The claimant was appointed consul-general for Egypt and its dependencies in March, 1853, and continued to act as such till February 28, 1861. It appears from the report of the First Comptroller of the Treasury that "the final balance due to him to that date was $479.11," and this balance has never been paid, but "was covered into the surplus fund." This balance, as appears by a statement of the First Comptroller, stands to Mr. De Leon's credit now, and "payment can not be made without special legislation, for the reason given."

Believing that the amount claimed by Mr. De Leon ought to be paid, the committee recommend the passage of the bill.

The SPEAKER. Is there objection? [After a pause.] The Chair hears none.

The bill was ordered to a third reading; and it was accordingly read the third time, and passed.

On motion of Mr. DOLLIVER, a motion to reconsider the vote by which the bill was passed was laid on the table.

INVESTIGATION OF LEPROSY.

Mr. CORLISS. Mr. Speaker, I ask unanimous consent for the present consideration of the bill (S. 2904) for the investigation of leprosy.

Mr. DOCKERY. The regular order——

The SPEAKER. Is the regular order called for? The Chair did not so understand.

Mr. DOCKERY. I intended to call——

Mr. CORLISS. Permit this to be considered. It will take no more than a moment.

Mr. DOCKERY. I thought we could dispose of a little unfinished business.

The SPEAKER. The Clerk will report the bill; the demand for the regular order is withdrawn.

The Clerk read as follows:

Be it enacted, etc., That the Supervising Surgeon-General of the Marine-Hospital Service, under the direction of the Secretary of the Treasury, shall appoint a commission of medical officers of the Marine-Hospital Service to investigate the origin and prevalence of leprosy in the United States, and to report upon what legislation is necessary for the prevention of the spread of this disease; the expenses of this investigation, not exceeding the sum of $5,000, to be paid from the fund for preventing the spread of epidemic diseases.

Mr. HANDY. Reserving the right to object, I would like to have the report read.

Mr. CORLISS. I ask that the report on the House bill be read.

Mr. CANNON. It seems to me that if it is to take time, Mr. Speaker, I will have to call for the regular order.

The SPEAKER. Does the gentleman demand the regular order?

Mr. CANNON. It seems to me that it will take more time than it ought to take to-day.

The SPEAKER. The gentleman from Illinois demands the regular order

PUBLIC BUILDING, ALTOONA, PA.

Mr. HICKS. Mr. Speaker, the regular order being demanded, I respectfully submit that the unfinished business is the consideration of the bill (S. 1273) for a public building at the city of Altoona. The previous question had been ordered, and I ask that the bill be placed on its final passage.

The SPEAKER. The question is on the amendments. The Clerk will for the information of the House report the title of the bill.

Mr. DOCKERY. The amendments were agreed to.

Mr. HICKS. The amendments were agreed to in committee and, I think, in the House.

The SPEAKER. They were not agreed to in the House. The Clerk will report the title of the bill.

The Clerk read as follows:

A bill (S. 1273) for a public building at the city of Altoona, Pa., and appropriating money therefor.

The SPEAKER. The question is on agreeing to the amendments reported by the Committee of the Whole.

The question was taken; and the amendments were agreed to.

The bill as amended was ordered to a third reading; and it was accordingly read the third time, and passed.

On motion of Mr. HICKS, a motion to reconsider the vote by which the bill was passed was laid on the table.

Mr. MCRAE. Mr. Speaker, in connection with the bill just passed I suggest that the title ought to be amended if the appropriation be stricken out.

The SPEAKER. The attention of the gentleman from Pennsylvania is called to this. Should not the title be amended?

Mr. MCRAE. The bill is for a public building at Altoona, Pa., and appropriating money therefor. If the appropriation is stricken out, "and appropriating money therefor" should be stricken out of the title.

Mr. HICKS. I ask leave to amend the title to conform to the bill, if necessary.

The SPEAKER. If there be no objection, an amendment will be made in the title striking out the reference to appropriation.

There was no objection, and it was so ordered.

PUBLIC BUILDING, BLAIR, NEBR.

The SPEAKER. The Clerk will read the engrossed copy of the House bill called for yesterday (H. R. 10969) for the erection of a public building at Blair, Nebr.

The Clerk read the engrossed bill at length.

Mr. DOCKERY. Mr. Speaker, I move to recommit this bill to the Committee on Public Buildings and Grounds.

Mr. CANNON. I would suggest that the gentleman from Nebraska [Mr. MERCER] is not here; and if my friend from Missouri will allow me, I want to get to the consideration of the sundry civil bill.

Mr. DOCKERY. I am entirely content with that, but I would like some understanding that this bill shall go over to a fixed time.

Mr. CANNON. Say until next Tuesday or Wednesday.

Mr. HANDY. Mr. Speaker, I call for the regular order.

The SPEAKER. The regular order is demanded.

Mr. CANNON. Mr. Speaker, is not a motion in order to postpone the consideration of this bill until next Tuesday?

The SPEAKER. It is not in order after the previous question has been ordered, because it is a motion made when the bill is not under consideration. When the previous question is ordered, consideration has ceased.

Mr. LOUD. A parliamentary inquiry, Mr. Speaker.

The SPEAKER. The gentleman will state it.

Mr. LOUD. Mr. Speaker, would not the motion of the gentleman from Illinois [Mr. CANNON] to go into Committee of the Whole take precedence over the motion to recommit?

The SPEAKER. It would not. The question is on the motion of the gentleman from Missouri to recommit the bill to the Committee on Public Buildings and Grounds.

Mr. HICKS. Mr. Speaker, I ask unanimous consent that it be held open until next Tuesday. The gentleman from Nebraska [Mr. MERCER] is not here.

Mr. HANDY. The motion for the previous question was made by the gentleman from Nebraska, and it was ordered on his own motion.

The SPEAKER. The gentleman from Pennsylvania asks unanimous consent that the bill be postponed until Tuesday next.

Mr. HANDY. I ask for the regular order.

The SPEAKER. The regular order is demanded.

Mr. MAHANY. Mr. Speaker, I call the attention of the gentleman from Illinois [Mr. CANNON] and the gentleman from Pennsylvania [Mr. HICKS] to the fact that the gentleman from Nebraska [Mr. MERCER] has just entered the Hall.

Mr. DOCKERY. I was quite willing that the bill should go over until to-morrow; but as the gentleman is here now, there is no necessity for a postponement on that account.

The SPEAKER. The gentleman from Missouri moves that the bill be recommitted to the Committee on Public Buildings and Grounds, and that is the question now before the House.

The question was taken; and on a division (demanded by Mr. MERCER) there were—ayes 65, noes 60.

Mr. MERCER. Tellers, Mr. Speaker.

Tellers were ordered.

Mr. WILLIAMS of Mississippi. Mr. Speaker, if it is in order, I would now ask for the yeas and nays.

The yeas and nays were ordered.

The question was taken; and there were—yeas 90, nays 108, answered "present" 15, not voting 138; as follows:

YEAS—90.

Baker, Ill.	Fletcher,	McDowell,	Sims,
Ball,	Fowler, N. C.	Maddox,	Slayden,
Bell,	Fox,	Meekison,	Smith, Ky.
Bland,	Gaines,	Miers, Ind.	Spight.
Botkin,	Greene, Nebr.	Miller,	Stallings,
Brenner, Ohio	Handy,	Moon.	Steele,
Brewer,	Hay,	Olmsted,	Stewart, N. J.
Brewster,	Hemenway,	Osborne,	Stewart, Wis.
Broderick,	Henry, Tex.	Otey,	Strait,
Brosius,	Hull,	Otjen,	Strowd, N. C.
Burke,	Hunter,	Payne,	Talbert,
Clardy,	Johnson, Ind.	Pierce, Tenn.	Tawney,
Clark, Mo.	Kirkpatrick,	Pugh,	Thorp,
Connolly	Kleberg,	Ray,	Todd,
Cooney,	Lamb,	Rhea,	Underwood,
Cowherd,	Lanham,	Richardson,	Updegraff,
Cox,	Lentz,	Ridgely,	Walker, Mass.
Crumpacker,	Lester,	Rixey,	Wheeler, Ky.
Davidson, Wis.	Littauer,	Robb,	Williams, Miss.
De Graffenreid,	Lloyd,	Robinson, Ind.	Wilson,
Dockery,	Loud,	Royse,	Zenor.
Fitzgerald,	Lovering,	Settle,	
Fleming,	McCormick,	Shuford,	

NAYS—108.

Adamson,	Davis,	Hilborn,	Mudd,
Aldrich,	Dayton,	Hill,	Newlands,
Arnold,	De Vries,	Hitt,	Overstreet,
Baker, Md.	Dick,	Hopkins,	Packer, Pa.
Barham,	Dorr,	Howard, Ga.	Perkins,
Bartlett,	Eddy,	Howe,	Reeves,
Belford,	Ermentrout,	Howell,	Shafroth,
Belknap,	Evans,	Kerr,	Shattuc,
Berry,	Faris,	Ketcham,	Shelden,
Bingham,	Fischer,	Knowles,	Sherman,
Boutelle, Me.	Foss,	Knox,	Showalter,
Broussard,	Gardner,	Kulp,	Smith, S. W.
Brown,	Gibson.	Lacey,	Smith, Wm. Alden
Brownlow,	Gillet, N. Y.	Lewis, Ga.	Snover,
Brundidge,	Graff,	Linney,	Southard,
Bull,	Graham,	Little,	Spalding,
Burleigh,	Greene, Mass.	Livingston,	Sparkman,
Burton,	Griffin,	Loudenslager,	Stephens, Tex.
Butler,	Grosvenor,	Lybrand,	Stevens, Minn.
Cooper, Tex.	Grout,	McCulloch,	Strode, Nebr.
Cooper, Wis.	Hamilton,	McDonald,	Sulzer,
Cousins,	Harmer,	McIntire,	Sutherland,
Crump,	Hartman,	Mahany,	Swanson,
Cummings,	Henry, Conn.	Maxwell,	Tate,
Curtis, Iowa	Henry, Miss.	Mercer,	Van Voorhis,
Curtis, Kans.	Hepburn,	Mills,	Wadsworth,
Davenport,	Hicks,	Morris,	Weymouth.

ANSWERED "PRESENT"—15.

Adams,	Codding,	Hinrichsen,	Meyer, La.
Bishop,	Dalzell,	Latimer,	Norton, S. C.
Brumm,	Elliott,	Maguire,	Russell.
Carmack,	Griffith,	Mahon,	

NOT VOTING—138.

Acheson,	Cochrane, N. Y.	Kelley,	Sauerhering,
Alexander,	Colson,	King,	Shannon,
Allen,	Connell,	Kitchin,	Simpson,
Babcock,	Corliss,	Landis,	Skinner,
Bailey,	Cranford,	Lawrence,	Smith, Ill.
Baird,	Danford,	Lewis, Wash.	Southwick,
Bankhead,	Davey,	Lorimer,	Sperry,
Barber,	Davison, Ky.	Low,	Sprague,
Barlow,	De Armond,	McAleer,	Stark,
Barney,	Dinsmore,	McCall,	Stokes,
Barrett,	Dolliver,	McCleary	Stone,
Barrows,	Dovener,	McClellan,	Sturtevant,
Bartholdt,	Driggs,	McEwan,	Sulloway,
Beach,	Ellis,	McLain,	Tayler, Ohio
Belden,	Fenton,	McRae,	Taylor, Ala.
Benner, Pa.	Fitzpatrick,	Mann,	Terry,
Bennett,	Foote,	Marsh,	Tongue,
Benton,	Fowler, N. J.	Marshall,	Vandiver,
Bodine,	Gillett, Mass.	Martin,	Vehslage,
Booze,	Griggs,	Mesick,	Vincent,
Boutell, Ill.	Grow,	Minor,	Walker, Va.
Bradley,	Gunn,	Mitchell,	Wanger,
Brantley,	Hager,	Moody,	Ward,
Bromwell,	Hawley,	Norton, Ohio	Warner,
Brucker,	Heatwole,	Odell,	Weaver,
Campbell,	Henderson,	Ogden,	Wheeler, Ala.
Cannon,	Henry, Ind.	Parker, N. J.	White, Ill.
Capron,	Howard, Ala.	Pearce, Mo.	White, N. C.
Castle,	Hurley,	Pearson,	Wilber,
Catchings,	Jenkins,	Peters,	Williams, Pa.
Chickering,	Jett,	Powers,	Wise,
Clark, Iowa	Johnson, N. Dak.	Prince,	Yost,
Clarke, N. H.	Jones, Va.	Quigg,	Young.
Clayton,	Jones, Wash.	Robbins,	
Cochran, Mo.	Joy,	Robertson, La.	

So the motion to recommit was rejected.

The following pairs were announced:

Until further notice:

Mr. SAUERHERING with Mr. BULL.

Mr. BOUTELL of Illinois with Mr. GRIGGS.

Mr. BELDEN with Mr. JETT.

Mr. WISE with Mr. NORTON of South Carolina.

Mr. WEAVER with Mr. MARSHALL.

Mr. JOY with Mr. CARMACK.

Mr. JENKINS with Mr. ELLIOTT.

Mr. HENRY of Indiana with Mr. GRIFFITH.

Mr. BISHOP with Mr. BRUCKER.

Mr. PEARSON with Mr. NORTON of Ohio.

Mr. WARD with Mr. DAVIS.

Mr. BARTHOLDT with Mr. OGDEN.

Mr. DANFORD with Mr. FITZPATRICK.

Mr. ODELL with Mr. KING.

Mr. MCEWAN with Mr. VEHSLAGE.

Mr. RUSSELL with Mr. MCCLELLAN.

Mr. BARRETT with Mr. CRANFORD.

Mr. ELLIS with Mr. STOKES.

For this day:

Mr. ACHESON with Mr. BAIRD.

Mr. BARBER with Mr. TAYLOR of Alabama.

Mr. ADAMS with Mr. MCRAE.

Mr. CANNON with Mr. JONES of Virginia.

Mr. HEATWOLE with Mr. CATCHINGS.

Mr. HURLEY with Mr. CLAYTON.

Mr. MCCLEARY with Mr. DAVEY.

Mr. MOODY with Mr. DE ARMOND.

Mr. PRINCE with Mr. DINSMORE.

Mr. LORIMER with Mr. LEWIS of Washington.

Mr. SOUTHWICK with Mr. ROBERTSON of Louisiana.

Mr. YOUNG with Mr. MCLAIN.

Mr. CODDING with Mr. ALLEN.

Mr. PEARCE of Missouri with Mr. COCHRAN of Missouri.

Mr. BEACH with Mr. BENTON.

Mr. DOVENER with Mr. BRADLEY.

Mr. HENDERSON with Mr. BRANTLEY.

Mr. WANGER with Mr. MAGUIRE.

Mr. BABCOCK with Mr. VANDIVER.

Mr. WHITE of Illinois with Mr. TERRY.

Mr. HARMER with Mr. MCALEER.

On this question:

Mr. MAHON with Mr. STARK.

The result of the vote was announced as above stated.

The SPEAKER pro tempore (Mr. LACEY). The question is now on the passage of the bill.

Mr. DOCKERY. I move to lay the bill on the table.

The SPEAKER pro tempore. That motion is not in order at this time.

Mr. DOCKERY. Does the Chair hold that my motion is not in order?

The SPEAKER pro tempore. Not after the previous question is ordered.

Mr. MERCER. I call for the regular order.

The SPEAKER pro tempore (having put the question on the passage of the bill). The "ayes" appear to have it.

Mr. DOCKERY. I call for a division.

The question being again taken, there were—ayes 68, noes 57.

Mr. DOCKERY. I call for the yeas and nays.

The yeas and nays were ordered, 41 members voting in favor thereof.

The question was taken; and there were—yeas 104, nays 79, answered "present" 6, not voting 162; as follows:

YEAS—104.

Adams,	Davis,	Hopkins,	Mudd,
Adamson,	Dayton,	Howard, Ga.	Newlands,
Aldrich,	De Vries,	Howe,	Otey,
Arnold,	Dick,	Howell,	Overstreet,
Barham,	Dorr,	Kerr,	Perkins,
Belford,	Eddy,	Ketcham,	Peters,
Belknap,	Ermentrout,	Knox,	Powers,
Benton,	Faris,	Kulp,	Quigg,
Berry,	Fischer,	Lacey,	Reeves,
Broderick,	Fletcher,	Lewis, Ga.	Ridgely,
Broussard,	Fowler, N. C.	Linney,	Robertson, La.
Brownlow,	Gardner,	Little,	Sherman,
Brundidge,	Gibson,	Livingston,	Showalter,
Bull,	Gillet, N. Y.	Loudenslager,	Simpson,
Burleigh,	Graff,	Lybrand,	Smith, Wm. Alden
Burton,	Graham,	McCulloch,	Sparkman,
Butler,	Griffin,	McDonald,	Stephens, Tex.
Cooper, Tex.	Grout,	McIntire,	Stevens, Minn.
Cooper, Wis.	Hamilton,	Mahany,	Stewart, Wis.
Corliss,	Hartman,	Marsh,	Strode, Nebr.
Cousins,	Henry, Conn.	Maxwell,	Sutherland,
Crump,	Hepburn,	Mercer,	Swanson,
Cummings,	Hicks,	Meyer, La.	Tongue,
Curtis, Iowa	Hilborn,	Mills,	Van Voorhis,
Curtis, Kans.	Hill,	Mitchell,	Wanger,
Davenport,	Hitt,	Morris,	Weymouth.

NAYS—79.

Allen,	De Graffenreid,	Littauer,	Settle,
Baker, Ill.	Dockery,	Lloyd,	Shuford,
Ball,	Evans,	Loud,	Sims,
Bland,	Fitzgerald,	McCormick,	Slayden,
Botkin,	Fleming,	McDowell,	Smith, Ky.
Brenner, Ohio	Fox,	Maddox,	Spalding,
Brewer,	Greene, Nebr.	Meekison,	Spight,
Brosius,	Hager,	Miers, Ind.	Steele,
Burke,	Handy,	Moon,	Stewart, N. J
Clardy,	Hay,	Osborne,	Strowd, N. C.
Clark, Mo.	Hemenway,	Payne,	Sulzer,
Clarke, N. H.	Henry, Tex.	Pierce, Tenn.	Talbert,
Cochran, Mo.	Hinrichsen,	Pugh,	Tate,
Connolly,	Hunter,	Ray,	Thorp,
Cooney,	Johnson, Ind.	Rhea,	Updegraff,
Cowherd,	Kirkpatrick,	Richardson,	Walker, Mass.
Cox,	Kleberg,	Rixey,	Williams, Miss.
Crumpacker,	Lamb,	Robb,	Wilson,
Dalzell,	Lanham,	Robinson, Ind.	Zenor.
De Armond,	Lentz,	Royse,	

ANSWERED "PRESENT"—6.

Elliott,	Mahon,	Olmsted,	Wise.
Griffith,	Norton, S. C.		

NOT VOTING—162.

Acheson,	Cochrane, N. Y.	Kelley,	Shattuc,
Alexander,	Codding,	King,	Sheldon,
Babcock,	Colson,	Kitchin,	Skinner,
Bailey,	Connell,	Knowles,	Smith, Ill.
Baird,	Cranford,	Landis,	Smith, S. W.
Baker, Md.	Danford,	Latimer,	Snover,
Bankhead,	Davey,	Lawrence,	Southard,
Barber,	Davidson, Wis.	Lester,	Southwick,
Barlow,	Davison, Ky.	Lewis, Wash.	Sperry.
Barney,	Dinsmore,	Lorimer,	Sprague,
Barrett,	Dolliver,	Lovering,	Stallings,
Barrows,	Dovener,	Low,	Stark,
Bartholdt,	Driggs,	McAleer,	Stokes,
Bartlett,	Ellis,	McCall,	Stone,
Beach,	Fenton,	McCleary,	Strait,
Belden,	Fitzpatrick,	McClellan,	Sturtevant,
Bell,	Foote,	McEwan,	Sulloway,
Benner, Pa.	Foss,	McLain,	Tawney,
Bennett,	Fowler, N. J.	McRae,	Tayler, Ohio
Bingham,	Gaines,	Maguire,	Taylor, Ala.
Bishop,	Gillett, Mass.	Mann,	Terry,
Bodine,	Greene, Mass.	Marshall,	Todd,
Booze,	Griggs,	Martin,	Underwood,
Boutell, Ill.	Grosvenor,	Mesick,	Vandiver,
Boutelle, Me.	Grow,	Miller,	Vehslage,
Bradley,	Gunn,	Minor,	Vincent,
Brantley,	Harmer,	Moody,	Wadsworth,
Brewster,	Hawley,	Norton, Ohio	Walker, Va.
Bromwell,	Heatwole,	Odell,	Ward,
Brown,	Henderson,	Ogden,	Warner,
Brucker,	Henry, Ind.	Otjen,	Weaver,
Brumm,	Henry, Miss.	Packer, Pa.	Wheeler, Ala.
Campbell,	Howard, Ala.	Parker, N. J.	Wheeler, Ky.
Cannon,	Hull,	Pearce, Mo.	White, Ill.
Capron,	Hurley,	Pearson,	White, N. C.
Carmack,	Jenkins,	Prince,	Wilber,
Castle,	Jett,	Robbins,	Williams, Pa.
Catchings,	Johnson, N. Dak.	Russell,	Yost,
Chickering,	Jones, Va.	Sauerhering,	Young.
Clark, Iowa	Jones, Wash.	Shafroth,	
Clayton,	Joy,	Shannon,	

So the bill was passed.

The following additional pairs were announced:

Mr. SAMUEL W. SMITH with Mr. HENRY of Mississippi.

Mr. BROWN with Mr. BROMWELL.

Mr. BENNETT with Mr. GAINES.

Mr. BRUMM. Mr. Speaker, I desire to be recorded as "present."

The result of the vote was then announced as above recorded.

On motion of Mr. MERCER, a motion to reconsider the last vote was laid on the table.

SUNDRY CIVIL APPROPRIATION BILL.

Mr. CANNON. Mr. Speaker, I move that the House resolve itself into Committee of the Whole House on the state of the Union for the purpose of considering general appropriation bills.

The motion was agreed to.

The House accordingly resolved itself into Committee of the Whole House on the state of the Union, Mr. SHERMAN in the chair.

Mr. CANNON. I will ask the Clerk, Mr. Chairman, to report the title of the sundry civil appropriation bill.

The Clerk read as follows:

A bill (H. R. 12008) making appropriations for the sundry civil expenses of the Government for the fiscal year ending June 30, 1900, and for other purposes.

Mr. CANNON. I ask unanimous consent to dispense with the first formal reading of the bill.

There was no objection.

Mr. CANNON. Mr. Chairman, if I can have the attention of the committee for a very few minutes I will make a general statement of the provisions of the pending bill. If gentlemen will send for the report, No. 1940, and examine it, they will find that although it is brief, substantially it analyzes the provisions of the bill.

The regular estimates submitted for the public service in connection with this bill are $51,024,859.75. The bill recommends the appropriation of $42,928,101.14, and in addition to that amount, which is a reduction from the estimates of about $7,000,000 in round numbers, there is an item of $20,000,000 to carry out the obligation of the treaty between the United States and Spain recently entered into. This would make the bill carry altogether almost $63,000,000 of appropriation.

I will not speak further of the specific recommendations of the bill, but will leave that part of the discussion until we have reached the various paragraphs for consideration under the five-minute rule.

I want, however, in connection with the general statement, to crave the attention of the committee for a very few brief moments while I speak of appropriations, proposed legislation, and revenues of the Government to meet the same. And I commend the members of the committee, if they have not done so, to a careful reading of the report of the Secretary of the Treasury covering the estimates of the revenues and expenditures of the Government for the current fiscal year and the coming fiscal year. I hold the report in my hand, and gentlemen will find much of interest and much food for serious reflection when they come to examine the report, if they have not already done so. And I ask attention now when I criticise the report from the standpoint of revenues and expenditures for the first seven months of this year.

The Secretary, in this report, estimates the deficit in the revenues for the current year, closing on the 30th day of June next, in round numbers at $112,000,000. In my judgment that estimate, although proper at the time it was made, is not an accurate estimate in the light of the facts which appear after the expiration of the first seven months of that fiscal year and the light of the immediate future covered by a period of five months in addition. This estimate of the deficiency in the revenues made by the Secretary in a report prepared in October or November last averages $9,333,000 in round numbers a month The actual deficit, however, on February 1—the present month—is shown by the Treasury statement to be $93,151,000, or an average per month for the first seven months of the current fiscal year of $13,307,000, which will equal for the entire fiscal year $159,000,000 of a deficit, instead of the $112,000,000 as shown by the estimates originally made. And let me call the attention of the House also to the fact that this $159,000,000 deficit in the revenues does not take into account the $20,000,000—an item for which is in the bill under consideration—to be paid to Spain under the treaty of Paris.

Necessarily, Mr. Chairman, when the Secretary made his estimates he could not have taken into account that item which is now under consideration. So that it seems to be a conservative estimate at this time to place the deficiencies for the year at not one dollar less than $159,000,000; and I repeat, I am very clear that that is a conservative estimate, rather below the amount than above it.

Now, another step. The available cash balance in the Treasury on the 1st of February, this month, including the one hundred millions of gold reserve, was $274,000,000. Two hundred millions of those dollars were put in the Treasury by the war loan. Deducting the average monthly excess of expenditures over revenues for the remaining five months of the fiscal year from the cash balance of February 1 and there is left, including the one hundred millions of gold reserve, $208,000,000, or a net cash balance by this estimate, which is conservative, available for ordinary expenses, of $108,000,000.

In other words, at the expiration of this fiscal year there will be in the Treasury $108,000,000 in excess of the $100,000,000; or, in other words, all but $8,000,000 of the war loan will have been expended.

I may say, however, before leaving this year, that these estimates do not deal with the sinking fund. The sinking fund will not be cared for. That amounts to $51,000,000, in round numbers, for the current year, and $53,000,000, in round numbers, for the coming fiscal year.

Mr. LENTZ. Will the gentleman permit a question, please?

Mr. CANNON. Certainly.

Mr. LENTZ. Do I understand that we shall not only use the $200,000,000 that we have borrowed, but in addition half a million of war revenue in the same fiscal year?

Mr. CANNON. I mean this: That at the end of this fiscal year all the revenues collected in the fiscal year will have been expended and that the war loan of $200,000,000 will have been expended substantially, excepting $8,000,000.

Or, to put it in another way, again: At the end of this fiscal year we can not hope to have in the Treasury to exceed $208,000,000, one hundred millions of which is for the gold reserve and one hundred and eight millions available for ordinary expenses.

Mr. SIMPSON. Is that taking into account the $20,000,000 which we are to pay Spain? Is that included in that estimate?

Mr. CANNON. Oh, yes.

Mr. SIMPSON. That is taken into account?

Mr. CANNON. Oh, yes; this takes that into account. I may possibly have been led into a slight error, and if I have been I

will, in the revision of my remarks, be strictly accurate. I was thinking about the matter from another standpoint, and it may be that I am wrong in stating that substantially all of the war loan will be exhausted, because when the war loan was placed in the Treasury there may have been more than $208,000,000 there. I will examine that and make my statement in the RECORD literally correct.

I will state further, that we are appropriating now for the coming fiscal year. The Secretary of the Treasury, in making his estimates for the service of the coming fiscal year, estimates the expenditures, exclusive of the sinking fund, which is $53,000,000, as follows: Expenditures, $641,000,000 in round numbers. This includes the expenses of the postal service. Revenues, as estimated, almost $611,000,000, showing a deficit for the coming fiscal year of $30,000,000.

Yet I call the attention of the committee to the fact that in estimating the expenses for 1900 the Secretary could not possibly have foreseen or included in his figures many elements of expenditure that must follow our occupation of the Philippines, and many other complications that may arise, growing out of the war with Spain and under the treaty with Spain. For we have assumed and must settle claims of our citizens for losses in Cuba, and it is estimated that claims of this character are already on file in the State Department amounting, in round numbers, to $25,000,000.

Nor could the Secretary of the Treasury, nor did he, in making his estimates, take into consideration the increase of the Navy. On the contrary, he only took into consideration the ordinary maintenance of the Navy and the work of the construction of a new navy authorized prior to this session of Congress.

Yet we are informed by the papers, and I apprehend with substantial accuracy, that the Committee on Naval Affairs will be constrained to report to this House a bill that will provide for the construction of from ten to twelve battle ships and cruisers.

I am not objecting to such recommendations. I only call attention to them. For in the changed condition growing out of the war with Spain, following as a logical sequence, comes an army sufficient for our present territory and sufficient to care for the outlying territory. And with that war and its results comes not only the maintenance of the magnificent Navy which sheds so much honor and luster upon our flag and upon our arms, but comes a permanent policy of maintaining that Navy and enlarging it by the construction of additional battle ships and cruisers. [Applause.] And when you speak of a battle ship, you speak of from six to seven million dollars for the construction and the armament, and you speak, by way of maintenance and repairs for the twenty years of its life, of 5 per cent annually of its cost.

There comes with it an increase of the personnel. "Am I in favor of this?" Yes. Causes which make it necessary for the United States to maintain, pending the present condition and that immediately in front of us, a sufficient army and a sufficient navy are behind us, and no man can or, in my judgment, ought to fail to meet the situation. But it is the part of wisdom, it is the part of common prudence, while we realize what is the present condition and what is in front of us, to see to it, in the enormous expenditures that are upon us and that are to come upon us, that we plant our footsteps with wisdom and that no dollar goes from the Treasury of the United States except as it goes for an efficient public service; that we take account of all cost, and that as we authorize expenditures we see to it, if we go beyond the means of the present revenue, that we also provide for a proper increase of revenue.

Mr. DOCKERY. Will the gentleman allow me?

Mr. CANNON. Yes.

Mr. DOCKERY. The gentleman is making my speech and to that extent limiting debate.

Mr. CANNON. Quite a compliment from my friend.

Mr. DOCKERY. I desire to ask him whether he includes in the estimated expenditures for the next fiscal year—which will probably amount to $675,000,000 or $700,000,000—any expenditure on account of the provisions of the Hanna-Payne subsidy bill?

Mr. CANNON. Well, I had no thought——

Mr. LIVINGSTON. Or the Nicaragua Canal?

Mr. CANNON (continuing). I had no thought when I rose, in my discussion of this matter, to speak of legislation that would promote the efficiency of the merchant marine, nor had I thought of discussing, in this connection, legislation that would construct a great waterway across the Isthmus and would unite in marriage the Pacific and the Atlantic. But as my friend has challenged me, I will say that the estimates of the Secretary of the Treasury and the facts that have transpired since those estimates were made show a deficiency of $159,000,000 for this fiscal year that, in my judgment, is as sure to come as the 30th day of June comes; and the estimates of the Secretary showing a deficiency for the coming fiscal year of $30,000,000, I feel very sure, is under the fact, or what the fact will be, and not over. And in that matter there was not taken into consideration the treaty with Spain, and the payment of $20,000,000, and the $25,000,000 damages to American citizens for property destroyed in Cuba, and a score of other matters that arise out of changed conditions.

Mr. PAYNE. Will the gentleman allow me to ask him a question?

Mr. CANNON. In a moment.

Nor do these estimates include any expenditure for aid to the merchant marine or the construction of the Nicaragua Canal, or, for that matter, for a further increase in the Navy. Now I yield to my friend.

Mr. PAYNE. How much does the Secretary of War include in your estimate for the military establishment for the coming year?

Mr. CANNON. I have given it—the exact amount of the estimates as passed upon, and I am discussing——

Mr. PAYNE. The gentleman did not refer to the details.

Mr. CANNON (continuing). The estimates of the Secretary of the Treasury.

Mr. PAYNE. How much did he estimate?

Mr. CANNON. For the military establishment $145,000,000, and for the War Department $42,000,000.

Mr. PAYNE. Does the gentleman think any such amount will be necessary for the coming year for the military establishment?

Mr. CANNON. In my judgment, yes; because when you go over for the coming year, I will say to the gentleman from New York, there are large expenditures that were made this year that will not be met or paid during the current year. Not only next year, but for some years, we will have them coming in as the results of the war with Spain; expenditures that certainly will have to occur from time to time.

Mr. HOPKINS. These will be small amounts comparatively, will they not?

Mr. CANNON. Compared with what we have expended for the Army during the time of war, yes; but in the aggregate large.

Now I want to finish answering the gentleman from Missouri. After proper consideration, wise and thorough discussion, and full information, I am quite ready to shake hands with my party friends upon this side of the House and say that we will give apt encouragement by legislation or by appropriation, or both, to the merchant marine [applause], and after full discussion, proper treaties to be made with foreign countries, notably Nicaragua and Costa Rica, and after we have all read the bill, and after we can approximate what the cost is to be, as an individual I am quite in favor of shaking hands with Representatives and wisely preparing and assisting in the enactment of a provision that will construct the Nicaraguan Canal. [Applause.] But I am not willing to do either, the canal being estimated at a cost of from $115,000,000 to $200,000,000, and the other variously estimated at from $150,000,000 to $160,000,000——

A MEMBER. Per annum?

Mr. CANNON. No; in the aggregate—until we have given it proper consideration. And when we provide for these great expenditures, I insist there shall go, hand in hand with the provision, apt legislation that will give the money necessary to meet the expenditures. [Applause.]

Mr. CARMACK. Will the gentleman allow me a question?

Mr. CANNON. I will.

Mr. CARMACK. I want to understand the gentleman's position. I understand him that on account of the new burdens and responsibilities we have taken upon ourselves abroad we shall hereafter spend less money at home?

Mr. CANNON. No; I can hardly see how my friend could have gotten such an understanding. We never will spend less money in the United States than was expended, in my judgment, in the fiscal year prior to the war with Spain. I do not stand here now, nor shall I in the future stand here, seeking to cripple an efficient service to a great and growing people [applause]; a people that has doubled its population and one-half more since 1860. But I do stand here as one of the representatives of the people and say that, in my judgment, while revenues and appropriations should be sufficient for an efficient public service within our borders, and should and must be sufficient to maintain our obligations in the outlying territory, the care of which we are charged with under the treaty, while every dollar should be given, yet I will object here if it is proposed to enter upon new lines of expenditure until they have been fully considered by the House of Representatives, and real debate and consideration held touching them; and even then unless there is already upon the statute book or hand in hand with the legislation there goes upon the statute book legislation that will give the money necessary to meet the expenditures. [Applause.]

Mr. DOCKERY. The gentleman, as I understand him, would not favor the consideration of such a great measure as the Nicaragua Canal upon an appropriation bill, such as the river and harbor bill?

Mr. CANNON. I will say to my friend here now, this being the 9th day of February, when every minute and every hour of every legislative day from now until the 4th of March and many of the

nights are absolutely required for the consideration of that legislation and appropriations that must be enacted, if we are not to have a special session of Congress, that it is impossible to give intelligent and fair and proper consideration to any bill that would construct the Nicaragua Canal or would give efficient aid to a merchant marine.

Mr. FOX rose.

Mr. GROSVENOR rose.

Mr. CANNON. In a moment I will yield to the gentleman from Ohio. I will yield now to the gentleman from Mississippi.

Mr. FOX. In view of the great deficit in revenue to meet the appropriations that have been made, and in view of the statement of the gentleman that he is not in favor of great additional appropriations unless there goes hand in hand a provision sufficient to raise the necessary revenue, I want to ask the gentleman how that revenue will be raised?

Mr. CANNON. Oh, well, we will discuss that when we come to it. During the next Congress I hope to have time enough to intelligently consider and fully discuss it, and when my friend from New York [Mr. PAYNE] who so ably heads that great committee that recommends legislation and provides ways and means has properly reported the proposed legislation, if any is required, we will then consider it. I can not undertake now to go into the details. Now I yield to the gentleman from Ohio.

Mr. GROSVENOR. I want to suggest to the gentleman from Illinois, the chairman of the committee, whether he is not assuming that one of the great committees of this House, the Committee on Interstate and Foreign Commerce, has been idle and derelict in its duty in the matter of the Nicaragua Canal when he undertakes to say that we are unenlightened upon so important a question as that? According to the public prints that committee has made almost a constant study of the question during the whole of this session of Congress.

Mr. CANNON. In reply to the gentleman from Ohio, I want to say that he can not torture any remark I make into a reflection upon that great committee, presided over so honorably and so ably by the gentleman from Iowa [Mr. HEPBURN]. What is a committee?

Mr. GROSVENOR. Some committees seem to be all-controlling and all-absorbing. [Laughter.]

Mr. CANNON. Some committees seem to be all-controlling and all-absorbing; and some members seem to be flippant at times rather than wise. [Laughter.]

I have no doubt that that great committee has performed and is performing its function. I am not charging it with want of knowledge or with being derelict in its duty. But I do say that if that committee could multiply itself tenfold in strength and tenfold in wisdom there is no time in the next three weeks, with the great amount of business that must be done, for that committee to place itself so in touch with this House and the country as to determine intelligently, efficiently, and safely upon legislation touching that great work. That is all I desire to say on that point.

Mr. HEPBURN. I wish to ask the gentleman from Illinois whether he meant to make explicitly and definitely the statement—and coming from him it means a great deal to this House—that in his judgment there will be no opportunity for the consideration of the measure that he has within the last few moments been discussing—the Nicaragua Canal?

Mr. CANNON. I will say to my friend that I am but one member of this House. In speaking I speak only for myself. I do not voice any other member. I voice only my own opinions. I do not reflect the sentiments of others. I do believe, upon my own responsibility, for reasons which convince my mind and which I am willing to submit to the candid judgment of members of this committee and the House, that it is absolutely impossible to intelligently consider and legislate concerning either of those great propositions in the coming three weeks, burdened as we are with this great block of legislation and appropriation that must pass if an extraordinary session of Congress is to be avoided.

Mr. HEPBURN. Will the gentleman from Illinois permit me to ask him a further question? Will he state to the House what number of appropriation bills are yet to be acted on by the House of Representatives—primarily, I mean?

Mr. CANNON. There is a sundry civil bill now under consideration; the fortification bill, not yet reported; the general deficiency bill, which is an exceedingly large one (or will be, from a casual examination of the estimates), not yet reported or even prepared; there is the naval bill, not yet reported; there is the Army bill, not yet reported. None of these have received consideration in the House.

A MEMBER. Five bills in all.

Mr. CANNON. Five, I believe.

Mr. WM. ALDEN SMITH. I would like to ask my friend from Illinois whether he meant to be understood as saying that he would not favor the passage of a bill authorizing the construction of the Nicaragua Canal until the revenues of the Government were sufficient to pay for it, or until the revenues of the country, upon the estimates that have been made, would with apparent certainty meet such an expenditure?

Mr. CANNON. Oh, when I make a general statement about a present condition my friend certainly can not misinterpret my remark. What I aimed to say and do say is this, that I have been heretofore and am now in favor of following that policy which will construct the Nicaragua Canal—construct it by the United States upon a zone of territory that Uncle Sam owns from the center of the earth up to the sky. [Applause.] And I want to see to it that that proposition when enacted is so considered that the proper means will be provided for the construction of the work.

Mr. WM. ALDEN SMITH. Just one other question.

Mr. CANNON. Certainly.

Mr. WM. ALDEN SMITH. I wish to ask the gentleman from Illinois this question: When the question is the construction of a great public work of this character, which is to benefit the future and posterity as much as the present, and when a feasible plan has been agreed upon by the committee to whom the subject has been referred, would the gentleman from Illinois, chairman of the Committee on Appropriations, consider it unwise for the Government to obligate itself to meet such an emergency in our affairs, when everything is favorable, as would warrant the construction of such a canal at this time?

Mr. CANNON. Oh, when that bill comes before the House for consideration, I, as one member, shall stand here doing all that I can to secure consideration and legislation touching the same—not as an enemy of the proposition, but as a friend; but I will not be swept off my feet now or hereafter by people who profess to be better friends of that measure than I am, and thereby allow legislation to go upon the statute books that in the fullness of time will embarrass the great work rather than forward it.

Mr. WM. ALDEN SMITH. The object of my inquiry was merely this: I thought I understood the chairman of the Appropriations Committee to say that it would be unwise to engage in a work of that character and importance, involving so large an expenditure, while the revenues are in their present condition. And I object, sir, to being foreclosed by the chairman of the Committee on Appropriations from the right, as I believe we have the right, to have this bill come in here from its proper committee and be considered and passed upon its merits. The only object of my inquiry was to avoid misrepresentation, to see to it that at least I should be put right in favoring a proposition so generally indorsed throughout the country, and a proposition which I believe both the political parties in national conventions have indorsed again and again. [Applause.]

Mr. CANNON. My friend, under the guise of obtaining the floor for a question, has made a speech, an exception, and an objection. I will not say, as some judges do who have the time—and I have this time—"Let the exception be noted." I will not say that, because I am always glad to yield to my friend from Michigan; but in common with him I am a member of this House and quite as good a friend of this great improvement as he is; and in the best interests of that improvement I do not believe that in the existing condition of the country, just at the close of the war, with all these matters in front of us that must be met, and with our present revenues—I do not believe it is within the bounds of human possibility to consider intelligently in an hour or two hours or a day the proposed legislation.

Mr. WM. ALDEN SMITH. Just one more question, if the gentleman from Illinois is willing.

Mr. CANNON. I yield for a question, if my friend will confine himself to that.

Mr. WM. ALDEN SMITH. I will ask my friend from Illinois whether he would not consider it wise for our Government to make use of the opportunity which seems to be open under present treaty rights with Nicaragua and Costa Rica and avail itself of a time when there are so few foreign and domestic complications surrounding us, to undertake a great work of this character now, even if we have to issue bonds to pay for it and mortgage the future revenues of the country to meet such a wise expenditure? [Applause.]

Mr. CANNON. Oh, well, when the occasion arises I will meet that question, and I will meet that speech, which, of course, would be a good one if a man were talking "glittering generalities" in an after-dinner effort. [Laughter.] I will meet it now by saying that here we are in a condition that we must face. But when we come to discuss the new legislation, to enact legislation to meet these conditions, we must be able to adopt the highest, the wisest, and the best course, after mature consideration, and I do not intend, Mr. Chairman, to enter into the discussion of that question at this time, or until it becomes essential. I should not have alluded to it at all now had it not been for the question of my friend from Missouri [Mr. DOCKERY.]

Here we are, sir, responsible for the performance of the trust which has been reposed in us by our constituents, and I do not

believe, with this mass of business to which I have referred before us and that must be done, that we can properly consider that great question in the next three weeks.

Mr. WM. ALDEN SMITH. Will the gentleman not answer the question whether he would, in the prosecution of this great work, be willing to bond the Government?

Mr. CANNON. I will say to my friend that whenever the time comes to construct the canal, and when you or I or anybody else can state what it will cost and when we can secure the title to the necessary territory upon which we will build it, which involves the purchase, or negotiation for the purchase, under the operation of a treaty which must be negotiated—when you or I or anybody else can state what that will be, then we will consider that question, and I will be with you ready for my share of the work.

Mr. WM. ALDEN SMITH. Will you bond the Government for this great improvement which the people desire accomplished?

Mr. CANNON. I will join hands with you to raise proper means to pay the expenses of the Government, and if necessary I will bond the Government, although I would much rather raise the necessary amount by taxation. [Applause.]

But, Mr. Chairman, that question is not before us now. I repeat, I did not intend to discuss it at all except for the suggestion of my friend from Missouri.

Mr. LEWIS of Washington. Will the gentleman allow an interruption just here?

Mr. CANNON. I will yield for a question only. I say this most respectfully to my friend from Washington, for I have already consumed more time than I intended to consume.

Mr. LEWIS of Washington. I desire to ask the distinguished chairman of the Committee on Appropriations—not that I ask him to speak for his party, but for himself individually—in view of the statement of the impoverishment of the Government, the deficit in its income, and the probability of a very large deficit during the coming fiscal year, whether he does not apprehend that there must be a necessity for an early issue of bonds by the Government?

Mr. CANNON. I will say in reply to my friend from Washington that I believe we can support the Navy and a sufficient army—with a minimum of not less than 50,000 men and a maximum of not exceeding 100,000 men—support the civil establishment, perform our duties well, in our present territory and in the outlying territories, out of the present revenues as they come this year and next, with the amount now in the Treasury, without any increase in taxation. But if that is done, I will state to my friend, if we accomplish that, we have got to see to it that no great appropriation or appropriations go through Congress that are not required for the best interests of the Government in the immediate future. [Applause.] Because if you undertake to perform work which involves the application of millions of dollars of additional expenditure you must resort to additional taxation or issue bonds to raise the money.

Mr. SIMS. I would like to ask the gentleman from Illinois a question, with his consent.

Mr. CANNON. Certainly.

Mr. SIMS. In view of the present state of the expenditures and the condition of the Treasury, I will ask if there is any probability, or even possibility, of a reduction of taxation at the present time?

Mr. CANNON. In my judgment, Mr. Chairman—my friend, I believe, is in the next Congress, and myself, and we will serve there together—we will serve and return to our constituents before there will be any reduction of taxation as it now stands on the statute books.

Mr. SIMS. That question is being continually asked me, and I had hoped my friend from Illinois would be able to help me to answer it.

Mr. CANNON. I am only giving my own judgment, and I beg gentlemen to remember that I am in no sense speaking for the great Committee of Ways and Means, which makes a specialty of revenues.

Mr. DOCKERY. If my friend will allow me one other question. Has the gentleman, in the estimates of income and expenditures, taken into account any item of income that may arise from Porto Rico, or Cuba, or other possessions?

Mr. CANNON. I have not; and for the reason that there is a large expenditure that must be met touching our outlying territory. For instance, the maintenance of the Army and Navy, and certain improvements with reference to harbors and other matters of that kind. The revenues coming from these territories are collected and will continue to be collected by the existing military governments and expended by the same in these territories, and that condition of affairs will necessarily continue until at some time in the future Congress in its wisdom has made some disposition of them with reference to the local administration and laws within them.

Mr. DOCKERY. Just one other question. If I understand the position of the gentleman aright, in respect to two important propositions, it is this: He simply favors the orderly consideration, in the usual way, with ample time for debate and amendment, of both the propositions—the proposition to construct the Nicaragua Canal and also the proposition commonly known as the "Hanna-Payne ocean subsidy" scheme.

Mr. CANNON. Precisely, and when I say, in reply to the gentleman's question, that I favor ample time, I do not mean anything more than sufficient time. Not a minute beyond the time necessary for the House to consider properly those great questions do I as an individual legislator desire. That much, I, as one member, insist upon for myself, and I believe every other member will do the same.

Mr. STEELE. Without obstruction?

Mr. CANNON. Oh, without obstruction!

Mr. LIVINGSTON. Will my colleague, the chairman of the committee, yield to me?

Mr. CANNON. Certainly.

Mr. LIVINGSTON. If the chairman of the committee is through with his general statement, I wish to ask a question.

Mr. CANNON. I believe I have stated all I desire to state in the way of general debate. I did not intend to consume more than ten minutes at the outside when I began to address the committee, and gentlemen of the committee are quite as much responsible as I am for my having consumed so much time, because of their apparent interest in the subject, as evidenced by their questions.

Mr. FLEMING. We have been delightfully entertained.

Mr. LIVINGSTON. I desire to bring to the attention of my colleague, the chairman of the committee, the item on page 2 of the bill, for an immigrant station at Ellis Island, New York. The bill carries $390,850, to be paid out of the fund now in the Bureau of Immigration. There is only $209,000 in that fund, and the Gardner bill, which passed this House recently, making our immigration laws applicable to Hawaii, left out the head tax. In other words, we get no fees in Hawaii for all the expenses that we may incur in the administration of our immigration laws there. In addition to that, this bill carries over $100,000 more than we have on hand in the fund. Now, I want to suggest to the chairman whether we could not in this bill increase the head tax from $1 to $2?

Mr. CANNON. Oh, in my judgment that is a matter of legislation which, under the rules, ought not to go upon a general appropriation bill. As to the amount of money necessary to meet the appropriation from the head tax, we will discuss that under the five-minute rule. I think there will be quite enough by the time it is expended, but if there be any doubt about it we can make the appropriation directly from the Treasury.

Mr. LIVINGSTON. Not if your statement is true that we have a large deficit.

Mr. CANNON. Now, Mr. Chairman, I will yield the floor, reserving any time that may be left to me.

The CHAIRMAN. The gentleman from Illinois reserves the balance of his time, which is six minutes.

MESSAGE FROM THE SENATE.

The committee informally rose; and the Speaker having taken the chair, a message from the Senate, by Mr. PLATT, one of its clerks, announced that the Senate had disagreed to the amendments of the House of Representatives to the bill (S. 1964) for the erection of a public building for the use of the custom-house and post-office at Newport News, Va., asked a conference with the House on the disagreeing votes of the two Houses thereon, and had appointed Mr. WARREN, Mr. FAIRBANKS, and Mr. MONEY as the conferees on the part of the Senate.

The message also announced that the Senate had passed the following resolution:

Resolved, That the Secretary be directed to request the House of Representatives to return to the Senate the bill (S. 5465) authorizing the renewal of pensions to certain soldiers, sailors, and marines who served during the war with Spain.

SUNDRY CIVIL APPROPRIATION BILL.

The committee resumed its session.

Mr. McRAE. Mr. Chairman, I thank the gentleman from Illinois [Mr. CANNON] for his candid admission that the present receipts, even with the war tax, is not sufficient to pay the expenses of the Government as now administered. I agree with him that we must reduce expenditures, but I do not agree with him as to how this shall be done. This bill is a large one—larger than it ought to be—but, except in a few respects, it is as the law directs. It is more than half as large as the one against which he has animadverted. He has in a single day often passed bills involving more money than will be necessary for the building of the Nicaragua Canal, if we can trust the commission appointed to ascertain the feasibility and to estimate the cost.

I believe, Mr. Chairman, that we have now perhaps the only chance the United States will have within the next ten or fifteen years to build, control, and own the Nicaragua Canal, for the concession under which the Senate bill proposes to have it built will expire in October. It should be built under the control of and for the Government, and as soon as possible.

I have opposed the annexation of all these foreign territories,

and I think yet it is unwise to annex them; but it does not lie in the mouths of those who have supported the proposition to annex them and to increase the Army in order to control them to say that we do not now need the Nicaragua Canal. If we are to extend our possessions to include the Philippines, then the canal is a necessity.

I stand ready now and at any time to join my friend in every effort to reduce expenses, and in this I think I can speak for this side of the Chamber.

Let me suggest that the proper way to prevent a deficiency in the Treasury is to reduce your high prohibitory tariff to a revenue basis and then reduce the many exorbitant salaries and dispense with the numerous supernumeraries who hang around the Departments, this Capitol, and other offices of the Government. When you have done this, then get rid of all the extravagant Army officers and discharge the volunteer soldiers, reduce the Army to what it was before we declared war, and let them return to civil life, and then we shall be able to raise sufficient revenue to defray the legitimate expenses of the Government economically administered and have money to build the Nicaragua Canal and make other necessary improvements. The expense of the Army provided for by the Hull bill for a single year, and which is a clear loss, would more than build the canal.

Mr. Chairman, when the war with Spain began there was in the Treasury over $200,000,000 of available cash, the proceeds of the bond sale made by Mr. Cleveland. This Congress authorized the issue of $400,000,000 of bonds and $100,000.000 of interest-bearing certificates. Two hundred millions of the bonds were issued, but very little, if any, of the money received for them reached the Treasury before the protocol had been signed, and we closed a war lasting one hundred and thirteen days with an increased debt of $200,000,000 and an increased annual war tax of about the same amount, and yet we stand face to face with a deficiency.

The second Dingley bill authorized the issue of $300,000,000 more bonds than have been issued, and it is my deliberate judgment, expressed here, that the Army will not be mustered out until the expenditures authorized on account of the war make it necessary to issue them. When that has been done, I think Congress will realize the value of Treasury notes and the free coinage of silver as against the gold standard and bonds. The first thing we need is enlargement of our redemption money, and then an increase in our greenbacks as the country grows. Contracting coinage and expanding business will ruin any people, and we can not continue it much longer.

I appeal to gentlemen upon this side of the House as well as those upon the other side to join in the reduction of all unnecessary expenditures whenever an opportunity presents itself. The estimates which come to us from the Treasury Department indicate that we will have in the next year $150,000,000 to $160,000,000 of deficit, notwithstanding the heavy war taxes that our people must bear. Another remedy I would suggest to the gentleman from Illinois [Mr. CANNON] is to so amend the Constitution as to authorize the Government of the United States to lay its taxing hand upon the incomes of the wealthy of the country. [Applause.]

Millions upon millions of dollars escape taxation. The burdens of the Government, both in times of peace and of war, press heavily upon the shoulders of the common people of this country, and as they grow poorer and poorer their consumption gets less, and thereby the income of the Government is less; and yet a few thousand who own the millions escape taxation either for ordinary expenses or the expenses of the war. The Government takes the son of the widow and takes your son and my son and musters them into the Army of the United States to defend the flag of the Government, but when we ask to lay the hand of the Government upon the income of the wealthy, the Supreme Court says, "No; that is sacred."

Let us tax incomes, reduce the expenditure, and we will soon have a condition in the Treasury that will enable us to build the Nicaragua Canal and improve every harbor and important waterway in the United States. Confine our Government to this continent, as our fathers intended we should, and eschew all others like the Philippine Islands. Why, Mr. Chairman, the item for the purchase of the Philippines is one-third of all this bill.

Mr. GAINES. Will the gentleman permit me to ask him a question?

Mr. McRAE. Certainly.

Mr. GAINES. Is it not a fact that during our past wars we had the right to levy an income tax and did so?

Mr. McRAE. Certainly; and the Supreme Court held it was constitutional. But recently money has become so prominent and manhood so cheap that the Supreme Court of the United States has held that we can not lay a tax upon incomes.

Mr. WHEELER of Kentucky. Before you take your seat, you stated a few moments ago that the Secretary of the Treasury was authorized to issue $300,000,000 of additional bonds.

Mr. McRAE. I ought to have said two hundred millions of additional bonds and one hundred millions of interest-bearing certificates.

Mr. WHEELER of Kentucky. I understood that was what you meant. Is it not a fact that the Treasury Department in the sale of the two hundred millions were authorized to issue them for the specific purpose of prosecuting the war with Spain, and did not that authority cease with the termination of the war?

Mr. McRAE. I think it did, but the Administration will not terminate the war until it gets ready, and you will find the Secretary of the Treasury will construe it so that they can issue the additional bonds to pay for the Philippines and for the war against the Filipinos. Mr. Cleveland issued $260,000,000 in bonds under the resumption act more than twenty years after the resumption act was passed and for an entirely different purpose.

Mr. WHEELER of Kentucky. The point I intended to make was, I was about to express a hope that the gentleman from Arkansas would not honor and dignify the claims of gentlemen on the other side to the right of the Administration now to issue these bonds after the war has been concluded.

Mr. McRAE. I have not attempted to dignify this, but to warn the Congress of the danger of what is contemplated. They have violated the spirit of the law with reference to the enlistment of volunteers. They are holding the volunteers in the Army, when it was specifically declared in advance that the volunteer soldiers should be mustered out as soon as hostilities ceased. They are holding now more than 125,000 soldiers, when the Hull bill provides for a minimum of 50,000 and a maximum of 100,000.

Mr. MIERS of Indiana. Mr. Chairman, this session has drawn to within less than four weeks of its close. The time has come when it is difficult to separate the good from the bad, when legislation that is just and has in it much merit has tacked onto it other legislation that is so difficult to separate that we can scarcely pass on the one without the inclusion of the other.

Mr. Chairman, for the remaining three weeks it behooves members of this House who represent the people to be on the watch-tower. The last two days and a half we have been considering 78 bills, as it were, in one. These 78 bills carried appropriations of over $8,000,000. It meant that every bill that was just and meritorious would be defeated unless gentlemen interested in the meritorious measures should vote for those that neither commended themselves to the conscience of the members nor of the public.

Mr. Chairman, it is already conceded that the expenditures of these two years, closing with the Fifty-fifth Congress, will be over a billion dollars, outside of the expenditures enacted for the Spanish war, the greatest amount ever expended by any Congress; and the chairman of the Committee on Appropriations, able, efficient, and always honest, stands before you and says the deficiency will be what? One hundred millions of dollars? Yes; $159,000,000 for the fiscal year now about ending. Does it not, therefore, behoove us to look carefully and see where the billion dollars is going; aye, more, where are the billion dollars to come from? Somebody must earn it before it can be placed in the Treasury, and everyone knows this burden must be borne by the people.

The bill we are now considering carries appropriations to the amount of nearly $63,000,000. It was printed and committed to the Committee of the Whole House on the 7th day of February—only day before yesterday. Who has had the opportunity to investigate it? Perhaps the Committee on Appropriations, possibly some of the older members, who, by reason of long service, may anticipate what the bill would include; but who is there outside who has had the opportunity to properly investigate this bill of 112 pages of printed matter? And this one is no exception to all the other appropriation bills.

Mr. Chairman, I have not had the opportunity to go through this bill in detail. I find the first item carries an appropriation of $231,000 for a post-office at Buffalo, N. Y. It carries an appropriation of $398,850 for an immigrant station at Ellis Island, New York; tender for the Thirteenth light-house district, $100,000; supplies for light-houses, $450,000; repairs of light-houses, $600,000; salaries of keepers of light-houses, $740,000; and thus it goes. I find upon following the investigation further that in this single appropriation bill of $42,000,000, outside of the war expenditure of $20,000,000, $5,000,000 and more is to be expended in the great Empire State of New York alone. And that is not all this bill carries. It carries its proportion of the expenses of the Federal courts, that is put down in this bill at nearly $5,000,000, and this is confessedly $2,000,000 less than what the actual expenses will be.

Mr. BRADLEY. Will the gentleman permit an interruption?

Mr. MIERS of Indiana. Yes.

Mr. BRADLEY. Does not the gentleman know that more than one-half of the revenue which is obtained from the customs duties of the United States is obtained through the great port of entry and port of exit in the city of New York?

Mr. MIERS of Indiana. Certainly; and the people all over the country pay for it. But if my friend from New York will abide a moment, he will find that I am not saying either wrong of him or of his constituents. I have nothing to say against the great Empire

State nor any other State. I have not had the opportunity, as I said, to thoroughly investigate, but I find in this bill appropriations to be expended in that one State alone of over $6,000,000.

I may not say it is right. Why? I may not say that it is unjust. Why? Because I have not had sufficient opportunity to investigate the matters entering into the expenditures. I only use these items to illustrate—they may or may not be necessary. Seven hundred and forty thousand dollars to be paid for the repairs, etc., of one light-house. The appropriation for light-houses may be right. I do not know; but the point I want to make is that we need more time to investigate, so that every member might know for himself whether or not the expenditure is a public necessity. The gentleman from Nebraska [Mr. MAXWELL] at the early part of this session introduced a resolution providing that Congress should meet following the election in March, so that there would be time for investigation.

I only say to you that by reason of these enormous expenditures, whether necessary or not, the people's representatives have put their hands into the Treasury to the extent of over $1,000,000,000. In view of the rush of business at the close of sessions, I am heartily in favor of the resolution offered by the gentleman from Nebraska, in order that there may not be this undue rush of business. This resolution, like many others, has slept the sleep that knows no waking in the committee to which it was referred.

The undue haste at the close of the session carrying these enormous appropriations makes this the most expensive and most extravagant session of Congress ever held, appropriating over a billion of dollars, and the people are burdened with high taxes beyond their ability to pay, and yet there is an annual deficit of over $159,000,000. This is a government by the people; yet the people govern through their representatives. For one, representing and voting for nearly 50,000 electors, about one-quarter of a million of people, I protest against these extravagant public expenditures.

My voice and vote shall always be for the least appropriation commensurate with an efficient public service. The Government should pay every just demand and should erect adequate public buildings in which to do the public business. The Representative who votes knowingly to appropriate one dollar out of the public Treasury that is not needed for an economic administration of the Government commits a crime that is kin to treason itself. The people ought to and will hold them to a strict account for their every vote and action. This is a long-suffering people, but willing to pay all just demands and should not be burdened beyond that.

This is the greatest Republic on earth. Its rich valleys and fertile fields are dotted all over with fat cattle and herds of every kind. Its resources are inexhaustible. It produces more gold and silver than any other country. Our people are intelligent and patriotic. Yet many are in debt and barely able to carry the burden, much of it placed there by extravagant public expenditures. The people are looking for a time when these burdens will be lessened—and they are looking to their Representatives. Can this expectation be met by a largely increased standing army and by larger and larger appropriations? Everyone knows it can not. It can only be done by a close adherence to the spirit of the founders and by trimming every appropriation to the lowest point possible. Who is there among us who dares to look his constituents in the face and do less?

We boast of a magnificent school system, beginning with the common schools and ending with our great colleges and universities. Ours is a God-fearing and a Christian people, and all over the broad land the church spires point toward heaven. Our people are kind-hearted and humane. With the fire of our forefathers burning in their hearts, they believe the lives of brave people are worth preserving; that independence is better than bondage. From all parts of this broad country, from every State, city, town, and hamlet, the demand came that the United States should heed the cry of humanity and lend a helping hand to the struggling Cubans, and with the spirits of the forefathers burning in the hearts of the men who direct the affairs of our Government all differences were laid aside, and as one man the people's representatives declared that Cuba is and of right should be free, and directed the President of the United States to enforce the decree by the use of the Army and Navy.

The world has been given the example of an unselfish Christian nation waging a war, expending her millions, and sending forth her great Army and Navy to suffer and do battle for humanity's sake without any personal interest, without any motive of gain or aggrandizement. We have demonstrated the courage and skill of the noble men who compose our Army and Navy, and yet not in these nor in all of them combined lies our strength or our chief glory. Our national perpetuity, our strength, and chief glory depend upon the spirit of Americanism as taught by our fathers—an honest government economically administered, giving every one the fullest right to the benefit of his own labor and the very broadest liberty consistent with the greatest good to the greatest number. Make every appropriation the very smallest consistent with an efficient public service. Make the laws so that they bear alike on the rich and the poor. Do not burden the masses with unnecessary and unjust public expenditures, nor make laws that grant privileges to a few and unduly burden the many. Deal with the people in the spirit of the Golden Rule, and they will carry the burdens without complaint and will fight the country's battles, and we will have no need of a large standing army in times of peace.

It was that confidence thus inspired and the spirit of Americanism that caused the response to the President's call which filled the quota, and as many more turned away, in less than sixty days, and in less than one hundred days we had a patriotic, self-sacrificing, and the most terrific Army that ever went forth to do battle for any country, except the heroes of the war of 1861.

[Here the hammer fell.]

Mr. McRAE. I yield the gentleman five minutes more.

Mr. MIERS of Indiana. At the same time built up a Navy that was not only our pride, but the admiration of the world, and in four months had wiped the Spanish fleet from off the face of the earth. If the people's representatives are true to the spirit of the forefathers, its perpetuity is established and the genius of our institution, as well as the spirit of Americanism, will not only abide with us, but will take hold on all our new possessions and extend to the entire Western Hemisphere.

I think we may with propriety at this time, when our people are generally making a special study of the Constitution, and are reading anew the famous Declaration of Independence and drinking deep at the fountain of the spirit of Americanism as taught by the forefathers, and upon which the corner stone of this Republic was so firmly builded, say to the Philippines, "We will never consent that you be turned back to the cruel Spaniards; nor will we abandon you to the nations of the Old World, that they may pounce down upon you and divide your possessions among themselves."

Mr. GAINES. Does the gentleman mean to compliment the other side by saying they are really reading the Constitution now?

Mr. MIERS of Indiana. I mean to say, Mr. Chairman, that I believe in this broad land not only members on this floor, but the yeomanry all over this country are not only reading the Constitution, but they are drinking deep the spirit of Americanism. Nor will America subjugate you; you will be treated as our allies, as you were in the great war for humanity and personal liberty. We will defend you against cruel Spain, against the nations of the Old World, and even against the greed of certain interests in our own land. Yes, if need be, we will defend you against yourselves. We will leave our flag to float over you, and our Army to protect it and you, until you can learn more of the spirit of Americanism and the meaning of the American flag; until you learn that where the American flag floats it means the broadest liberty to all consistent with the greatest good to the greatest number; that liberty means the spirit of the Golden Rule. When you can stand alone we will bring our flag home, but leave with you the spirit of the American flag and of Americanism, and let its influence permeate not only the new possessions, but the entire Western Hemisphere; and if you can not comprehend this spirit and are unfit for self-government, we will profit by what light we may receive and in the spirit of our founders and of the Golden Rule take such action as an enlightened conscience may dictate. While we are applying the spirit of the fathers and of the Golden Rule to the Philippines, let us not forget that our duty to the people of the States is even more pressing. [Applause.]

Mr. TALBERT. Mr. Chairman, as some allusion has been made on this floor during the discussion of this sundry civil appropriation bill to what is known as the ship-subsidy bill, I crave the indulgence of the House while I address myself for a while to the consideration of that measure as it has been considered before the Committee on the Merchant Marine and Fisheries, of which I am a member, and having signed a minority report against it. The bill is entitled "A bill to promote the commerce and increase the foreign trade of the United States, and to provide auxiliary cruisers, transports, and seamen for Government use when necessary." The main provision of this bill is this, without giving the lengthy generalities and details of the same:

The Secretary of the Treasury is hereby authorized and directed to contract with the owner or owners of any vessel of the United States hereinbefore described, and registered for foreign trade, for the payment to said owner or owners for a period of twenty years, and subject to the provisions of this act, out of any money in the Treasury not otherwise appropriated, the sums following, namely:

(a) On each entry of a sail or steam vessel not exceeding 16 entries in any twelve consecutive months, subject to paragraph (c) of section 6 of this act, 1½ cents per gross ton for each 100 nautical miles not exceeding 1,500 nautical miles sailed outward bound and 1½ cents per gross ton for each 100 nautical miles not exceeding 1,500 nautical miles sailed homeward bound, and 1 cent per gross ton for each 100 nautical miles over 1,500 nautical miles sailed either outward or homeward bound.

Mr. Chairman, as a member of the Committee on Merchant Marine and Fisheries, to whom this bill was referred, I feel called upon to enter my protest against its passage, whether it avails anything or not. The minority report, signed by myself and the

other Democratic members of the committee, fully sets forth my reasons for opposing this measure. But so unjust and vicious are its provisions that I am unwilling to stop there without adding yet other words of condemnation from the floor of the House of Representatives. When I look back over the legislative record of the Republican party, back into the seventies or later, many things come trooping through my mind, and as I meditate I can but think of the Crédit Mobilier, the national-bank swindle, the Pacific Mail subsidy, the press-gag law, the Indian frauds, the straw contracts, the mineral-land swindle, the Alaska fur-seal swindle, and others too numerous to mention.

These and many other infamies of a more recent occurrence, such as the striking down of silver and issuing bonds, are only a part of the record of the immaculate Republican party away back in the past. And still they come. They pile the pyramid of infamies higher by the proposed Army increase, which will cost from $100,000,000 to $200,000,000 per year in taxation, upon the public. Now they cap the climax by proposing a scheme in the shape of a ship subsidy, more monstrous perhaps than all the other deviltry, if possible, combined, thus entailing for twenty years at least an indefinite amount of money, anywhere from $200,000,000 to $400,000,000 per year, in taxation upon a people already groaning under burdens near the point of inability to further pay the demands of greedy and remorseless plutocratic tyrants. And for what? Simply to enable shipbuilders and shipowners to carry on their private business at a greater profit, and this money, too, to be wrung from the hard earnings of all other classes. Why do I say the amount is indefinite? Because while computed by cents there is no limit to the number of ships to be built or corporations that may avail themselves of the bounty.

Mr. Chairman, why not give the farmer, the mechanic, the blacksmith, and all classes of laborers a similar pull on the Treasury to enable them to better carry on their business? They have as much right to a subsidy as the ship builder and owner. But, sir, none are entitled to it according to the principles of our Government. So let none have it, but let every business stand or fall upon its own merits. Who have asked for this legislation? The farmer, mechanic, and laborer generally have asked for no such special privilege, and they are not willing that any other class shall have it, because it is not right, it is not just to tax one industry to build up another. Then let us see who have come here asking for this favor, and then you can better judge as to what class will be the beneficiaries. Only those who expect corresponding benefit from it. Here they are; they speak for themselves.

In the first place, ex-Senator George F. Edmunds, a great corporation lawyer, a representative of the shipbuilders and shipowners of the United States, came here and went before the committee and pleaded with all his eloquence for the passage of the bill. Then came Mr. G. S. Griscom, the representative of the International Navigation Company, and asked for it and pleaded with all the earnestness of his heart for it. Mr. E. C. Stratton, a representative of the Board of Underwriters and the American Bureau of Shipping, of New York, appeared in behalf of the measure, and talked and talked and talked for it. Mr. F. J. Kimball, representing the Norfolk and Western Railway, next addressed the committee upon the merits of the measure. Then came Mr. Theodore C. Search, president of the National Association of Manufacturers of the United States, and proved conclusively that the bill would greatly benefit his side of the house. After him, Mr. Frank Thurber, president of the United States Export Association, made an exhaustive argument for his people, claiming for them their slice of the pie. Mr. Frank J. Firth, representing the Lake Carriers' Association at Buffalo, then had his say in advocacy of the scheme. In addition to these gentlemen, Mr. Thomas Clyde, of New York, Mr. Alexander B. Smith, Mr. T. W. Hyde, and E. Platt Stratton, all came forward to take "sugar in theirn" [laughter], of course representing like interests. And "lastly, but not leastly," came Mr. Arthur Sewall, of Maine, whom a good many of us supported for Vice-President in the last campaign—God forgive us! [laughter]—came forward and actually advocated the passage of the measure, as he said, "not for the ship builders or owners, but to build up a merchant marine." Great Scott! if it is not for ship builders and owners, who, in the name of God, is it for? [Laughter and applause on the Democratic side.] Mr. Sewall knows it is for that class alone and their tributaries, the other great public carriers of the country. They all know that it will be class legislation in the truest sense. Now you see men representing corporations worth over $20,000,000 asking for aid from the Treasury. Greedy, greedier, greediest!

Yes, sir; this crowd framed the bill and brought it here, and now they want it passed for their own benefit and profit. They continued to visit the committee room until they obtained a favorable report thereon from a majority of the committee, and now they hope to have it rushed through the House under the same plea.

Not a single farmer, mechanic, or laboring man from any source has asked for such a piece of legislation. In so many words, this measure proposes to take from the pockets of the great mass of the people enough money each year to make a handsome profit to be put into the pockets of such men as have asked for the enactment of such a bill. Do the farmers and workingmen of this country desire this thing? Let them answer for themselves through one of their Representatives, who, on being asked their opinion, said, "I can only say that the infamy of the Army bill is only surpassed by the ship subsidy in a further increase of taxation on the producing people and is fast forcing them to the point of inability to pay the demands of taxation."

I say, sir, they are arrayed against such injustice, and are tired of being "saddled to be ridden to death by a privileged class ready booted and spurred to do the riding." There will be a day of severe reckoning before long if this continual heaping up of wrongs is not stopped.

Mr. Chairman, of all the barefaced, undisguised, audacious attempts to rob the people in the interest of a few shipbuilders, this bill is without a parallel in the long and black history of Republican subsidy legislation. If the public conscience had not become hardened, if the country was not prepared by experience, the mere proposition to pay out of the public Treasury millions of dollars—how many millions no man can estimate—(which has the sanction of the majority of the Committee on Merchant Marine and Fisheries, and which will doubtless have the approval of a majority of the Republicans in this Congress) would arouse the just indignation of the taxpayers and compel the corporations behind this scheme to abandon it without the simple formality of the briefest consideration in this House. But times have changed. Effrontery has taken the place of conscience.

However monstrous the scheme to use the public money to create and advance individual enterprise, it goes, and the more flagrant it is, the more it goes. Not long ago the men behind this subsidy scheme would not have dared to show their faces before a committee of the House in support of such a transparent scheme to enrich themselves at the public expense. But they have learned the value of cheek and effrontery, that it is only another name for patriotism and public spirit, and now in these expansion times of national greatness they stalk into the committee room with a prepared bill and with the air of not only shipowners, but owners of the public Treasury, and signify their willingness to aid the Government in rebuilding the shipping industry which they themselves have purposely destroyed. The devil himself never had more presumption and impertinence, and no doubt will give it up if he ever examines the bill, for it is robbery unadulterated, pure and simple. [Laughter.]

They submit to the committee a measure of their own concoction, a bill conceived in their own interests, and matured solely with a view to their own enrichment. A majority of the committee accept the measure. I do not intend to reflect upon the committee individually or collectively. I hold each and every member of the committee in the highest personal esteem, and knowing them all to be men of the highest integrity, I am all the more surprised that this measure has been accepted by them with the eagerness and alacrity of avowed championship. This bill is to be rushed through the House at this short session, practically without discussion, certainly without consideration. Why this indecent and hot haste, at this trying hour in the nation's history, to take from its coffers the millions of dollars put there by the honest, patriotic, impoverished taxpayer? Why railroad this scheme through Congress in its dying hours, involving as it does Government obligations that mean a quarter of a century of robbery and spoils? If they were disposed to be fair, why is it that they are not willing for longer discussion?

If the old and new Democratic hostility to Government subsidies needed any vindication, this shipbuilders and shipowners' scheme affords it. What, Mr. Chairman, is this Republican attempt to rebuild a dead industry, long ago destroyed by partisan and sectional Republican legislation, to cost the taxpayers? No man can tell. The alleged estimates are purely conjectural and theoretic. It is a speculation on Government money supplied by honest and suffering labor. What the subsidy will amount to in the course of time is guesswork. It may run into the billions. And to think that the great mass of the people are to be made to pay this bounty, for bounty it is, by the sweat of their brow to enrich a few, and a very few at that. Why not give the farmer a bounty to better enable him to carry on his farming, as he is losing yearly in his business? He, in his forlorn condition, does not ask for it. And remember, too, that this goes to a few wealthy men and rich corporations, with their millions behind them, who come to the Treasury of the people and boldly ask this bounty. It is shameless and ridiculous!

There is no assurance, no promise, no, not even an intimation, that billions of dollars of the people's hard-earned money will not be consumed in this shipbuilders' scheme to build their vessels at the public expense. The pending bill amounts to exactly that and nothing less. And you have as much right to build coaches for

the railroad company as to build ships for the shipowner. With the largest export trade of any nation on the earth Congress is invoked to build a fleet of ships in private shipyards for individuals engaged in the shipping business in the New England States. Why do I use the word build? Because in a short time after building a ship enough money will soon be fleeced from the Treasury to pay for building the vessel.

No doubt, Mr. Chairman, it will be a good thing for the shipbuilders in Maine and other New England shipyards. I have no doubt if the inducement is sufficient the ocean will be white with sails from these shipyards. Eleven South Atlantic States have had in the past only about $15,000,000, while the same number of North Atlantic States have had over $50,000,000 in general appropriations of different kinds.

The title of the bill in part is "to promote the commerce and increase the foreign trade of the United States," and, as though that designation too freely disguised its purpose, it is added hypocritically "and to provide auxiliary cruisers, transports, and seamen for Government use when necessary." I do not blame the New England shipbuilders in the least. An idle shipyard is about as profitless as the average farming in my country. But a Congress that abuses the confidence and trust of the whole people by wasting the public money or by diverting it to the uses of individuals in the promotion of private enterprises will be held to the fullest responsibility. I know it is the habit of Republican leaders to sneer at this sort of talk, but they will scoff once too often before they realize the consequences of such pernicious class legislation as this bill proposes to create in the future.

I am opposed, Mr. Chairman, to any form of subsidy. It is contrary, in any shape or form whatever, to the spirit of our institutions, and is unwarranted by the organic law of this country. This is a trite saying, I know, and it is ridiculed as old fogyism; but if I am not woefully at fault in my reflection, the time is not far distant when this old, threadbare subsidy issue must be met and decided once for all time by the people who bear the burden. It may be all right now to speak of it as a "platform platitude;" but pass this bill, fasten upon the country a quarter of a century of irritating and unconstitutional taxation imposed by this scheme, and there will not be enough left of this Republican Congress in 1900 to call for tellers on the bill to repeal it. I am not opposed to the establishment or the revival of our foreign trade through American ships. I am, on the contrary, heartily in favor of the largest possible trade in that direction and the employment of the largest number of American ships in that trade. It is more than desirable. I concede its great importance as a trade winner, and from the standpoint of American enterprise; but let it be built up by the energy and perseverance and industry of those persons who see fit to embark in the business, just as every other business should be carried on in this country. It was a dastardly policy in the Republican party to strike it down, destroy it, annihilate it utterly by proscriptive, sectional protection legislation. Having destroyed to a certain extent the trade by a short-sighted and narrow policy, you now seek to revive it by raiding the Treasury of the country. [Applause on the Democratic side.]

I appreciate the embarrassment of our Republican friends, Mr. Chairman, in this dilemma, in handling this question, and I am sorry that they have not had the frankness and candor to confess their dereliction like honest, courageous men. It is not like the distinguished Republican leader, the chairman of the Committee on Merchant Marine and Fisheries, to dodge behind a possible war emergency in dealing with a public question that ought to stand on its own merits. "To provide auxiliary cruisers, transports, and seamen for Government use when necessary!" This is not the manly, American way of meeting this question. This country will never fight a foreign war with subsidized ships, manned by subsidized seamen. This was not the case at Manila and Santiago. [Applause.]

Our Navy is the admiration of the world to-day. Its achievements at Manila and at Santiago command unstinted praise from foeman and friend. There is no prouder page in our history than Dewey's record at Manila and Schley's incomparable seamanship at Santiago. "The man behind the gun" at Manila and Santiago was an enlisted American sailor, and his bravery and gunnery have invested the American Navy with imperishable luster. [Applause.] It is a sacrilege now to couple with his name and deeds the effort to create an auxiliary service under the hateful and un-American name of subsidy. In the name of the brave American sailor I would ask the House to amend the title of the bill by striking from it the words I have quoted. If you intend, my Republican friends, to vote these millions into the pockets of individual shipowners, as you have the power to do, do it openly and aboveboard.

Do not, I beg you, reflect upon the valor and seamanship of the American Navy by even the suggestion of a subsidized auxiliary service in time of war. Another foreign war is too remote to justify the contemplation even of conditions that would demand the need of an auxiliary service. In the meantime there is unlimited money for the enlargement of the American Navy until it ranks with the greatest naval power in the world. The question of reviving our foreign trade by subsidizing American ships, Mr. Chairman, is not a new one. It has confronted almost every Congress in some form or other for a great many years. Apart from my opposition to subsidy legislation in general, I find the measure before the House essentially obnoxious and wholly indefensible. The expenditure of the money under this bill will be nothing less than profligacy. It can not be justified. It can not be defended. There is no excuse for it. No public necessity demands it. Pass this bill, will you? And when you do, you say to the world that you intend to build up a privileged class in free America. It will simply be a reckless abuse of power on the part of Congress, deserving the utter condemnation of all fair-minded men.

Only the International Navigation Company, a subsidized corporation composed of foreign and American capitalists, is "the man behind the gun," and the aim is straight at the vitals of the National Treasury, with possibly the assistance of Huntington and his Pacific Mail companies, and later on to be joined by a number of other corporations to be knocking at the door for bounty. This aggression upon the Treasury now finds its excuse in the agitation following the recent conflict with Spain. The time is opportune for the agitation of every alleged scheme looking to the glorification of the American flag. The agitators are no doubt amazed at their success in passing this bill through the committee with so much ease and forcing its passage through the House with so much expedition.

It is indeed, Mr. Chairman, a most extraordinary accomplishment even in these piping times of patriotic impulse. You know, Mr. Chairman, and we all know, that there are scores of important public bills on the Calendar of this House that must die with the expiration of this Congress. There are important measures of the greatest public interest demanding consideration and action. There are scores of bills on the Private Calendar of infinitely greater merit than this shipbuilder's scheme. No rule has been invoked in the interest of their consideration and in furtherance of absolute justice to aggrieved and wronged claimants. Many of these claims are hoary with age. Many of the claimants have died in the almshouse, while the Government, through the arbitrary rules of this House, denies the common justice of an honest and binding obligation.

This happens, Mr. Chairman, year after year, Congress after Congress. And as the days for the consideration of these claims in this Congress can be numbered on the fingers of one hand, we see a distinguished Republican leader obtain the floor and demand the adjournment of the House from Thursday until Saturday, thus striking from the Calendar one of the few remaining chances for the consideration of these claims. But how is it with the big shipowner and big shipbuilder when he presents his claim? With what distinguished consideration is the International Navigation Company received when the president of that American-British corporation brings along his little bill and demands its immediate passage! Why, the demand is obsequiously complied with. The bill goes whirling through the committee and is hurried to the House Calendar, promptly referred to the Committee on Rules, and we know the rest, as the tune now goes; or if not referred directly to the Committee on Rules this committee was consulted.

In the ordinary course of legislative procedure it would have taken two or three Congresses to reach this stage of its completion. But Mr. Griscom, president of the International Navigation Company, is no common, ordinary, everyday sort of a pauper. He does not enjoy the luxury and distinction of standing at the lobby doors of this House and buttonholing members. Oh, no. He comes here like a patriot, by way of the White House, and with the approval of the chairman of the Republican National Committee. In fact, he says himself he is a patriot. It costs the International Navigation Company, he says, $104,000 a year to carry the American flag. In other words, Mr. Griscom's pride in the American flag costs his American-British corporation over $100,000 every year it floats that flag.

If that is not true patriotism, Mr. Chairman, then what is it? Or is it the initiation of the American-British alliance about which so much has been said in the public prints? But if this bill becomes a law, Mr. Chairman, Mr. Griscom's patriotism will find its abundant reward in the stupendous dividends of the International Navigation Company. There was a time, Mr. Chairman, when this corporation did business exclusively under foreign flags. It started business in 1873 under the Belgian flag and under a Belgian subsidy. It continues to float that flag, and nobody will ever "haul down that flag" until the Belgian subsidy is exhausted. It hoisted the American flag under a postal subsidy in 1889, and has managed to get along and live and lose over $100,000 per year for the glory of floating that flag.

But that is not all. There is still a greater glory ahead. If this bill becomes a law, the International Navigation Company will build, President Griscom says, five 12,000-ton ships within ten years, representing an investment of over $7,500,000. And why not? There is no limit to this subsidy. It is an order from the

Government without restriction. The bill appears to mean one thing, and means anything and everything. Only the beneficiaries understand it and appreciate its opportunities. In my judgment, Mr. Chairman, after a very careful and painstaking examination of the bill in all its scope and bearings, after hearing patiently all that has been said in support of it by the people who are to be benefited by it, it is a most reckless and profligate piece of class legislation, and in my opinion, sir, it will be condemned by the American people. Other companies will follow suit building ships, and so it goes—the people are robbed and grow poorer and poorer.

I am opposed to taking money out of one man's pocket to protect another in his business. I am opposed to giving to these shipowners and shipbuilders money from the United States Treasury to carry on their private business. It is a privilege that should not be granted to any corporation or to any individual citizen. If it is given to one, the other should have it. The citizen does not ask it, and it should not be given to the corporation because it asks it. How long will such unfair and unjust discrimination be tolerated by a patient and long-suffering people? I believe I voice the sentiment of the great mass of people when I oppose this measure. They are patriotic; they are liberty-loving; but I do not believe they will much longer endure such barefaced discrimination. They may be driven to desperation by such policies. In their interest let us kill this bill.

Let me say, in conclusion, as I have before said, that unless the voice of the people is heard and heeded, sooner or later they may be driven to desperation, and appearing, not by proxy, but in person, at the gates of justice, demand their rights "in a mood incapable of reason, for when the flag of wrath and desperation is raised it is then too late to reason." [Applause on the Democratic side.]

Mr. PAYNE. Mr. Chairman, I move that the committee now rise.

The motion was agreed to.

The committee accordingly rose; and the Speaker having resumed the chair, Mr. SHERMAN reported that the Committee of the Whole House on the state of the Union, having had under consideration the sundry civil appropriation bill, had come to no resolution thereon.

Mr. PAYNE. Mr. Speaker, I move that the House do now adjourn.

Mr. SHERMAN. I hope the gentleman will withdraw that for a moment to enable me to get the Indian bill into conference.

Mr. PAYNE. I withdraw it temporarily.

INDIAN APPROPRIATION BILL.

Mr. SHERMAN. Mr. Speaker, I ask unanimous consent that the Senate amendments to the Indian appropriation bill be nonconcurred in, and that a conference thereon be asked with the Senate.

Mr. DOCKERY. I do not see any member of the minority of the committee present, but I presume that this is satisfactory to them?

Mr. SHERMAN. It is.

The SPEAKER. Is there objection to the request of the gentleman from New York?

There was no objection.

The Senate amendments were nonconcurred in.

The SPEAKER. The Clerk will announce the appointment of the conferees on the part of the House.

The Clerk read as follows:

Mr. SHERMAN, Mr. CURTIS of Kansas, and Mr. LITTLE.

RETURN OF BILL TO SENATE.

The SPEAKER. The Chair will also lay before the House at this time a request of the Senate for the return of a bill.

The Clerk read as follows:

Resolved, That the Secretary be directed to request the House of Representatives to return to the Senate Senate bill (No. 5465) authorizing the renewal of pensions to certain sailors, soldiers, and marines who served during the war with Spain.

The SPEAKER. If there be no objection, the bill will be returned to the Senate.

There was no objection.

IMPERIALISM AND TERRITORIAL EXPANSION.

Mr. FLEMING. Mr. Speaker, I ask consent of the House at this time to print in the RECORD a short supplemental statement, covering only two pages in manuscript, in connection with the speech I delivered on the 27th of January, simply elaborating certain legal propositions then set forth.

Mr. PERKINS. I think there is no objection to the request of the gentleman from Georgia.

The SPEAKER. The Chair hears no objection.

The additional argument presented by Mr. FLEMING is as follows:

Mr. FLEMING. Mr. Speaker, I wish to make a short supplementary statement in reference to a legal proposition embodied in my speech against the policy of imperialism published in the RECORD of January 28, 1899.

In that speech I enumerated certain personal and civil rights that would attach, under the Constitution of the United States, to the inhabitants of our new possessions, whether we call them "Territories" or "colonies."

In connection with my argument, I used language (RECORD, page 1289) which might be construed to mean that those personal and civil rights were possessed by citizens of the States by virtue of the Constitution of the United States, and not by virtue of the constitutions of the several States. I do not mean to be so understood. Substantially all the rights enumerated by me are guaranteed by the several State constitutions, and the Supreme Court has many times decided that the first ten amendments to the Constitution, which contain most of the guaranties of personal and civil rights, were intended as restrictions on the powers of Congress alone, and did not affect the powers of the States one way or the other. So that it may be said generally that these rights are enjoyed by citizens of States under the protection of their State constitutions and by citizens of Territories under the protection of the Constitution of the United States.

The use I made of the legal proposition in applying it to citizens of Territories was entirely correct, and the argument stands intact, but I desired to make this statement lest I might lead some one into error on the side issue as to the source from which the citizens of States derive protection for their personal and civil rights.

If a State should undertake to deny to its citizens any of the well-recognized personal and civil rights, it is not at all impossible that protection might still be justly claimed under the Constitution of the United States. But that would seem to be a purely academic question which will probably never reach a practical issue.

LEAVE OF ABSENCE.

By unanimous consent, leave of absence was granted as follows:

To Mr. GAINES, indefinitely, on account of sickness in his family.

To Mr. LOW, for three days, on account of important business.

And then, on motion of Mr. PAYNE (at 4 o'clock and 57 minutes p. m.), the House adjourned.

EXECUTIVE COMMUNICATIONS, ETC.

Under clause 2 of Rule XXIV, the following executive communications were taken from the Speaker's table and referred as follows:

A letter from the Secretary of the Treasury, transmitting a copy of a communication from the Secretary of the Interior submitting additional estimate of appropriation for purchase of reindeer for Alaska and instruction of natives in their management—to the Committee on Appropriations, and ordered to be printed.

A letter from the Secretary of the Treasury, transmitting a statement of the expenditures in the United States Coast and Geodetic Survey for the year ending June 30, 1898—to the Committee on Appropriations, and ordered to be printed.

REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS.

Under clause 2 of Rule XIII, bills and resolutions of the following titles were severally reported from committees, delivered to the Clerk, and referred to the several Calendars therein named, as follows:

Mr. BABCOCK, from the Committee on the District of Columbia, to which was referred the bill of the House (H. R. 11733) to prevent the sale of intoxicating liquors on Sunday in the District of Columbia, reported the same with amendment, accompanied by a report (No. 2073); which said bill and report were referred to the House Calendar.

Mr. FLETCHER, from the Committee on Interstate and Foreign Commerce, to which was referred the bill of the House (H. R. 11732) to authorize the Grand Rapids Water Power and Boom Company, of Grand Rapids, Minn., to construct a dam and bridge across the Mississippi River, reported the same with amendment, accompanied by a report (No. 2075); which said bill and report were referred to the House Calendar.

Mr. PAYNE, from the Committee on Ways and Means, to which was referred the bill of the Senate (S. 5186) to amend an act entitled "An act to amend the statutes in relation to immediate transportation of dutiable goods, and for other purposes," approved June 10, A. D. 1880, by extending the privileges of the first section thereof to the subport of Miami, Fla., reported the same without amendment, accompanied by a report (No. 2079); which said bill and report were referred to the Committee of the Whole House on the state of the Union.

He also, from the same committee, to which was referred House bill 11915, reported in lieu thereof a bill (H. R. 12064) to encourage the holding of a Pan-American Exposition on the Niagara frontier, within the county of Erie or Niagara, in the State of

New York, in the year 1901, accompanied by a report (No. 2080); which said bill and report were referred to the Committee of the Whole House on the state of the Union.

Mr. RICHARDSON, from the Committee on the District of Columbia, to which was referred the joint resolution of the Senate (S. R. 231) providing for the further distribution of the Compiled Statutes of the District of Columbia, reported the same without amendment, accompanied by a report (No. 2081); which said resolution and report were referred to the House Calendar.

Mr. FERGUSSON, from the Committee on the Territories, to which was referred the bill of the House (H. R. 12005) authorizing the Territory of New Mexico to create an additional indebtedness to finish and furnish her Territorial capitol, reported the same without amendment, accompanied by a report (No. 2082); which said bill and report were referred to the House Calendar.

REPORTS OF COMMITTEES ON PRIVATE BILLS AND RESOLUTIONS.

Under clause 2 of Rule XIII, private bills and resolutions of the following titles were severally reported from committees, delivered to the Clerk, and referred to the Committee of the Whole House, as follows:

Mr. HENRY of Mississippi, from the Committee on War Claims, to which was referred House bill 3773, reported in lieu thereof a resolution (House Res. No. 395) for the relief of Mary E. Gray, of Canton, Madison County, Miss., accompanied by a report (No. 2076); which said resolution and report were referred to the Private Calendar.

Mr. MIERS of Indiana, from the Committee on Invalid Pensions, to which was referred the bill of the Senate (S. 4248) granting an increase of pension to Lewis Kyle, reported the same with amendment, accompanied by a report (No. 2077); which said bill and report were referred to the Private Calendar.

Mr. STURTEVANT, from the Committee on Invalid Pensions, to which was referred the bill of the House (H. R. 8658) granting an increase of pension to Mrs. Susan Stedman, reported the same without amendment, accompanied by a report (No. 2078); which said bill and report were referred to the Private Calendar.

Mr. CARMACK, from the Committee on Claims, to which was referred the bill of the House (H. R. 10577) for payment of $54 to V. Baldwin Johnson for 15 tons of coal, reported the same without amendment, accompanied by a report (No. 2083); which said bill and report were referred to the Private Calendar.

ADVERSE REPORTS.

Under clause 2 of Rule XIII, Mr. GIBSON, from the Committee on Invalid Pensions, to which was referred the bill of the House (H. R. 11199) granting a pension to John Humphries, late a private, Company G, Forty-seventh Regiment New York Volunteers, in war of the rebellion, reported the same adversely, accompanied by a report (No. 2084); which said bill and report were laid on the table.

PUBLIC BILLS, RESOLUTIONS, AND MEMORIALS INTRODUCED.

Under clause 3 of Rule XXII, bills, resolutions, and memorials of the following titles were introduced and severally referred as follows:

By Mr. PARKER of New Jersey: A bill (H. R. 12058) to authorize a one-story addition to the post-office at Newark, N. J.—to the Committee on Public Buildings and Grounds.

By Mr. GROSVENOR: A bill (H. R. 12059) to provide for the purchase of a site and the erection of a public building at Chillicothe, Ohio—to the Committee on Public Buildings and Grounds.

By Mr. DAVIS: A bill (H. R. 12060) to provide for the publication and distribution of 100 maps of the United States to the public schools in each Congressional district—to the Committee on Printing.

By Mr. GROUT: A bill (H. R. 12061) to grade substitute letter carriers—to the Committee on the Post-Office and Post-Roads.

By Mr. CURTIS of Iowa: A bill (H. R. 12062) to distinctively designate parcels of land in the District of Columbia for the purposes of assessment and taxation—to the Committee on the District of Columbia.

By Mr. HEPBURN: A bill (H. R. 12063) to create the central division of the southern district of Iowa for judicial purposes, and to fix the time and place for holding court therein—to the Committee on the Judiciary.

By Mr. HEATWOLE: A joint resolution (H. Res. 360) providing for remodeling the Hall of the House of Representatives, and for other purposes—to the Committee on Ventilation and Acoustics.

By Mr. HARTMAN: A resolution (House Res. No. 394) relating to clerks for Members and Delegates—to the Committee on Accounts.

By Mr. HENRY of Mississippi, from the Committee on War Claims: A resolution (House Res. No. 395) for the relief of Mary E. Gray, of Canton, Madison County, Miss.—to the Committee of the Whole House.

By Mr. HOWELL: A resolution (House Res. No. 396) that the Clerk of the House of Representatives pay Edwin B. H. Tower for services for page for April, 1897—to the Committee on Accounts.

By Mr. LOUD: A joint memorial from the legislature of the State of California, favoring the construction of the Nicaragua Canal—to the Committee on Interstate and Foreign Commerce.

PRIVATE BILLS AND RESOLUTIONS INTRODUCED.

Under clause 1 of Rule XXII, private bills and resolutions of the following titles were introduced and severally referred as follows:

By Mr. DAVIS: A bill (H. R. 12065) increasing the pension of Esther A. C. Hardee—to the Committee on Pensions.

By Mr. FITZGERALD: A bill (H. R. 12066) to pension Mrs. Walter E. Spicer, widow of Walter E. Spicer, late in the postal service of the United States at Guantanamo, Cuba—to the Committee on Invalid Pensions.

By Mr. HAWLEY: A bill (H. R. 12067) for the relief of Henry L. Breneman and the Galveston National Bank, of Galveston, Tex.—to the Committee on Claims.

By Mr. HENRY of Mississippi (for Mr. WHEELER of Alabama): A bill (H. R. 12068) for the relief of Mrs. Annie J. Bassett—to the Committee on Claims.

By Mr. HOWELL: A joint resolution (H. Res. 361) for the relief of ex-Naval Cadet George H. Mather—to the Committee on Naval Affairs.

PETITIONS, ETC.

Under clause 1 of Rule XXII, the following petitions and papers were laid on the Clerk's desk and referred as follows:

By Mr. ADAMS: Petition of the Credit Men's Association of Philadelphia, Pa., urging the passage of the Caffery national quarantine bill, known as Senate bill No. 2680—to the Committee on Interstate and Foreign Commerce.

By Mr. ARNOLD: Petition of the Presbyterian Church of Phillipsburg, Pa., to prohibit the transmission by mail or interstate commerce of pictures or descriptions of prize fights—to the Committee on Interstate and Foreign Commerce.

Also, petition of the Presbyterian Church of Phillipsburg, Pa., favoring the passage of a bill prohibiting the sale of alcoholic liquors in Government buildings, etc.—to the Committee on Alcoholic Liquor Traffic.

By Mr. BINGHAM: Petition of citizens of Philadelphia, Pa., opposing the appropriation of public money for sectarian purposes—to the Committee on Appropriations.

By Mr. BOUTELL of Illinois: Resolution of the board of directors of the John Crerar Library, Chicago, Ill., for an international catalogue of scientific literature—to the Committee on the Library.

By Mr. CLARKE of New Hampshire: Petitions of the Woman's Christian Temperance unions of Derry, East Washington, and Ashland, N. H., in favor of the passage of the Ellis bill and to continue the present liquor laws of Alaska—to the Committee on Alcoholic Liquor Traffic.

Also, petitions of the Woman's Christian Temperance unions of Concord, Ashland, and East Washington, N. H., to prohibit interstate gambling by telegraph, telephone, or otherwise—to the Committee on Interstate and Foreign Commerce.

Also, petitions of the Woman's Christian Temperance unions of Ashland and East Washington, N. H., to prohibit the reproduction of prize fights and the interstate transmission of devices for the same—to the Committee on the Judiciary.

By Mr. CRUMP: Petitions of B. R. Cole and 201 citizens of Big Rapids, Mich., in favor of the establishment of postal savings banks—to the Committee on the Post-Office and Post-Roads.

By Mr. DALZELL: Resolutions of the Presbytery of Allegheny, Synod of Pennsylvania, against the seating of Brigham H. Roberts as a Representative from Utah—to the Committee on Elections No. 1.

By Mr. ERMENTROUT: Memorial of David Lubin, of the State of California, asking for an export duty on agricultural staples along with subsidy to shipping—to the Committee on the Merchant Marine and Fisheries.

By Mr. GILLET of New York: Petitions of W. E. Drake and 200 citizens of Buena Vista, Vernon C. Huey and 200 citizens of Reading Center, Frank S. Dean and 200 citizens of Wellsburg, N. Y., in favor of the establishment of postal savings banks—to the Committee on the Post-Office and Post-Roads.

By Mr. GRAHAM: Petitions of the Presbyterian Church, Methodist Episcopal Church, Reformed Presbyterian Church, United Presbyterian Church, Baptist Church, Castle No. 140, Myrtle Cross Lodge No. 176, and Woman's Christian Temperance Union, all of Wilkinsburg, Pa., to prohibit the sale of liquor in canteens, in immigrant stations, and in Government buildings—to the Committee on Alcoholic Liquor Traffic.

Also, memorial of the Presbytery of Allegheny, Pa., J. L. Milligan, stated clerk, against the seating of Brigham H. Roberts as a Representative from Utah—to the Committee on Elections No. 1.

By Mr. GRIFFITH: Petition of the executive officers of the missionary societies of the Baptist, Congregational, Episcopal, Methodist, Presbyterian, and Reformed churches, against the seating of Representative-elect Brigham H. Roberts, of Utah—to the Committee on Elections No. 1.

By Mr. GROUT: Petition of William G. Foss, of Wells River, Vt., and 13 others, fourth-class postmasters, in favor of House bills Nos. 4930 and 4931, relating to the compensation of fourth-class postmasters—to the Committee on the Post-Office and Post-Roads.

By Mr. HENRY of Connecticut: Petition of the Woman's Christian Temperance Union of New Britain, Conn., relating to the sale of liquors in Government buildings, etc.—to the Committee on Alcoholic Liquor Traffic.

By Mr. HENRY of Mississippi (for Mr. WHEELER of Alabama): Papers to accompany House bill for the relief of Annie J. Bassett—to the Committee on Claims.

By Mr. HOWE: Remonstrance of the Presbytery of Brooklyn, N. Y., N. W. Wells, clerk, against the seating of Brigham H. Roberts as a Representative from Utah—to the Committee on Elections No. 1.

By Mr. JENKINS: Petitions of Woodward & Lothrop and 30,000 citizens of the District of Columbia, to place the police of said District under the eight-hour system—to the Committee on the District of Columbia.

By Mr. JOY: Petition of Col. R. M. Kelly and 11 others, asking that a medal of honor be awarded to Capt. George M. Jackson—to the Committee on the Library.

By Mr. KERR: Petition of the Wesleyan Methodist Church of Fargo, Ohio, asking for the passage of the Clark bill prohibiting the seating of a polygamist in Congress—to the Committee on Elections No. 1.

By Mr. KIRKPATRICK: Petitions of the Presbyterian Church of Shawnee, Pa., Woman's Christian Temperance Union, and First Presbyterian Church, and Epworth League of Pen Argyle, Pa., to prohibit the sale of liquor in canteens, in immigrant stations, and in Government buildings—to the Committee on Alcoholic Liquor Traffic.

By Mr. LENTZ: Petition of J. H. Bristol and other citizens of the State of Ohio, asking for free rural mail delivery—to the Committee on the Post-Office and Post-Roads.

Also, petitions of James C. Belt and 203 citizens of Pickerington, Ohio, in favor of the establishment of postal savings banks—to the Committee on the Post-Office and Post-Roads.

By Mr. LLOYD: Petition of fourth-class postmasters in Schuyler County, Mo., in favor of House bills Nos. 4930 and 4931, relating to the compensation of fourth-class postmasters—to the Committee on the Post-Office and Post-Roads.

Also, petition of citizens of Macon County, Ga., in favor of the establishment of postal savings banks—to the Committee on the Post-Office and Post-Roads.

By Mr. LOUDENSLAGER: Petitions of 25 churches, representing a membership of over 9,000, and temperance societies, lodges, and prominent merchants and manufacturers of 15 cities and towns in the First Congressional district of New Jersey, urging the passage of House bill No. 7937, known as the Ellis bill, to prohibit the sale of liquor in canteens and immigrant stations and Government buildings—to the Committee on Military Affairs.

Also, protest of D. H. Burge and other citizens of Vineland, N. J., against the seating of Brigham H. Roberts as a Representative from Utah—to the Committee on Elections No. 1.

By Mr. NEWLANDS: Petition of Genoa Lodge, No. 5, Independent Order of Good Templars, and other citizens of Genoa, Nev., relating to the sale of liquors in Government buildings, etc.—to the Committee on Alcoholic Liquor Traffic.

By Mr. PAYNE: Petitions of D. A. Daniels and 200 citizens of Friendship, William Kuttruff and 200 citizens of West Walworth, G. B. Walton and 200 citizens of Crystal Springs, N. Y., favoring the establishment of postal savings banks—to the Committee on the Post-Office and Post-Roads.

Also, petition of the Farmington Quarterly Meeting of Friends, of Collins, N. Y., to continue the present liquor laws of Alaska—to the Committee on Alcoholic Liquor Traffic.

By Mr. PRINCE: Petition of J. O. Slyter and 29 citizens of Aledo, Ill., against the seating of Brigham H. Roberts as a Representative from Utah—to the Committee on Elections No. 1.

By Mr. ROBINSON of Indiana: Petition of Rev. Luther L. Folger and 71 citizens of Albion, Ind., against the seating of Representative-elect B. H. Roberts, of Utah—to the Committee on Elections No. 1.

By Mr. SHERMAN: Petition of William P. Dodge and 200 citizens of Prospect, N. Y., in favor of the establishment of postal savings banks—to the Committee on the Post-Office and Post-Roads.

Also, petition of Mr. L. Knight and other citizens of the State of New York, to prohibit the importation and manufacture of cigarettes—to the Committee on Interstate and Foreign Commerce.

By Mr. SMITH of Kentucky: Petition of H. C. Martin and other fourth-class postmasters in Hart County, Ky., in favor of House bill No. 4931, relating to the compensation of fourth-class postmasters—to the Committee on the Post-Office and Post-Roads.

By Mr. SPRAGUE: Memorial of certain citizens of the State of Massachusetts, referees in bankruptcy, suggesting amendments to the bankruptcy law—to the Committee on the Judiciary.

By Mr. STRODE of Nebraska (by request): Protest of the Omaha Central Labor Union of Omaha, Nebr., against the publication of advertisements in the Bulletin of American Republics—to the Committee on Labor.

By Mr. SULLOWAY: Petitions of the Woman's Christian Temperance unions of Epping, N. H., and Haverhill, Mass., for the passage of the Hepburn bill prohibiting the transmission by mail or interstate commerce of pictures and descriptions of prize fights—to the Committee on Interstate and Foreign Commerce.

Also, petition of the Woman's Christian Temperance Union of Epping, N. H., to prohibit the sale of liquor in canteens and in immigrant stations and Government buildings—to the Committee on Alcoholic Liquor Traffic.

By Mr. WADSWORTH: Petitions of H. L. Gress and 200 other citizens of Bidwell, J. W. Parks and 117 citizens of Corfu, and George Coffin and 230 citizens of Queensbury, N. Y., favoring the establishment of postal savings banks—to the Committee on the Post-Office and Post-Roads.

By Mr. WANGER: Petitions of the Woman's Christian Temperance unions of Wakefield, Solebury, Yardley, Bryn Mawr, Yerkes, and Collegeville, Pa.; Ursinus College and Christian Endeavor Society of Collegeville, Pa.; Oak Street Methodist Episcopal Church and Trinity Reformed Church, Zook Post, No. 11, of Norristown, Pa., and Lieut. John H. Fisher Post, No. 101, Grand Army of the Republic, of Hatboro, Pa., to abolish the sale of liquors in Government buildings—to the Committee on Alcoholic Liquor Traffic.

SENATE.

FRIDAY, *February 10, 1899.*

Prayer by the Chaplain, Rev. W. H. MILBURN, D. D.

The Secretary proceeded to read the Journal of yesterday's proceedings, when, on motion of Mr. ALLEN, and by unanimous consent, the further reading was dispensed with.

MESSAGE FROM THE HOUSE.

A message from the House of Representatives, by Mr. W. J. BROWNING, its Chief Clerk, announced that the House had disagreed to the amendments of the Senate to the bill (H. R. 11414) making appropriations for the current and contingent expenses of the Indian Department and for fulfilling treaty stipulations with various Indian tribes for the fiscal year ending June 30, 1900, and for other purposes, asks a conference with the Senate on the disagreeing votes of the two Houses thereon, and had appointed Mr. SHERMAN, Mr. CURTIS of Kansas, and Mr. LITTLE managers at the conference on the part of the House.

The message also returned to the Senate, in compliance with its request, the bill (S. 5465) authorizing the renewal of pensions to certain soldiers, sailors, and marines who served during the war with Spain.

The message further announced that the House had passed the bill (S. 1357) for the relief of the legal representatives of Edwin De Leon, deceased, late consul-general of the United States in Egypt.

The message also announced that the House had passed the following bills, with amendments in which it requested the concurrence of the Senate:

A bill (S. 1273) for a public building at the city of Altoona, Pa., and appropriating money therefor; and

A bill (S. 4690) for the relief of certain homestead settlers in Florida.

The message further announced that the House had passed the following bills and joint resolution; in which it requested the concurrence of the Senate:

A bill (H. R. 1800) to reimburse George W. McKinsey, postmaster at Kokomo, Ind., for money paid out by him as said postmaster;

A bill (H. R. 4790) for the relief of Homer D. McGraw, Lee County, Ala.;

A bill (H. R. 8306) for the relief of Z. C. Church;

A bill (H. R. 10969) for the erection of a public building in the city of Blair, Nebr.;

A bill (H. R. 11455) granting to the city of Boulder, in the State of Colorado, certain land for park purposes and for the preservation of the native trees on said lands;

A bill (H. R. 11677) to authorize the construction of a bridge across the Monongahela River at Morgantown, in the State of West Virginia;

A bill (H. R. 11685) granting the right of way through certain lands in the former Nez Perces Reservation, in the State of Idaho;

A bill (H. R. 11728) to remove the fire limit from the post-office at Bridgeport, Conn.;

A bill (H. R. 11785) for relief of certain tobacconists of Lynchburg, Va.;

A bill (H. R. 11916) to authorize the Fort Smith and Western Railroad Company to construct and operate a railway through the Choctaw and Creek nations, in the Indian Territory, and for other purposes;

A bill (H. R. 11955) to amend sections 820 and 821 of the Revised Statutes of the United States; and

A joint resolution (H. Res. 358) to amend section 25 of the act passed June 13, 1898, entitled "An act to provide ways and means to meet war expenditures, and for other purposes."

ENROLLED BILLS SIGNED.

The message also announced that the Speaker of the House had signed the following enrolled bills; and they were thereupon signed by the Vice-President:

A bill (H. R. 375) to remove the charge of desertion standing against Dennis Fitzpatrick;

A bill (H. R. 886) for the relief of Charles T. Plunkett, of Lynchburg, Va.;

A bill (H. R. 5715) for the relief of Benjamin F. Jones;

A bill (H. R. 8336) to correct the military record of William D. Kurfiss;

A bill (H. R. 10398) providing for the entry, free of customs duties, of certain bells presented by Edwin M. Stanton to the Iowa Agricultural College, of Ames, Iowa;

A bill (H. R. 10563) to provide for the holding of terms of the district and circuit courts of the United States at Hammond, Ind.; and

A bill (H. R. 11142) granting to the mayor of the city of Victor, in the county of El Paso and State of Colorado, the right to enter certain lands, therein described, for city purposes.

CREDENTIALS.

Mr. PLATT of New York presented the credentials of Chauncey Mitchell Depew, chosen by the legislature of New York a Senator from that State for the term beginning March 4, 1899; which were read and ordered to be filed.

Mr. ELKINS. I present extracts from the journal of the senate of West Virginia, of January 24, 1899, relative to the election of Nathan B. Scott as a Senator from that State. I move that the papers be placed on the files of the Senate to accompany the credentials of the Senator-elect which were presented by me a few days ago.

The VICE-PRESIDENT. It will be so ordered.

PETITIONS AND MEMORIALS.

Mr. MITCHELL presented a petition of Local Union No. 6799, Bicycle Workers' Union, of Kenosha, Wis., and a petition of Local Union No. 304, Cigar Makers' International Union, of Racine, Wis., praying for the passage of the eight-hour bill; which were referred to the Committee on Education and Labor.

He also presented the memorials of Albert Bach & Co. and 10 other citizens; of A. W. Brunn and 17 other citizens; of C. H. Fichesdorff and 17 other citizens; of Bert Williams and 19 other citizens; of John C. Mann and 19 other citizens; of Thomas Bardon and 19 other citizens; of C. Strouse and 19 other citizens; of H. F. Cowdin and 19 other citizens; of H. A. McDonald and 19 other citizens; of W. C. Owen and 19 other citizens, and of C. J. Medburg and 1 other citizen, all in the State of Wisconsin, remonstrating against the passage of the anti-scalping ticket bill; which were ordered to lie on the table.

Mr. ALLEN presented the memorial of C. C. Cobb and sundry other business men of York, Nebr., remonstrating against the continuation of the Trans-Mississippi Exposition at Omaha, in that State; which was referred to the Select Committee on International Expositions.

He also presented a petition of the Second United Presbyterian Congregation of Pawnee City, Nebr., praying for the enactment of legislation to prohibit the interstate transmission of lottery messages and other gambling matter by telegraph; which was referred to the Committee on the Judiciary.

He also presented a petition of the congregation of the First Presbyterian Church of Pawnee City, Nebr., and a petition of the congregation of the First United Presbyterian Church of Pawnee City, Nebr., praying for the enactment of legislation to prohibit the sale of intoxicating liquors in Government buildings; which were referred to the Committee on Public Buildings and Grounds.

Mr. JONES of Arkansas. I present a memorial signed by M. B. Winchester, A. C. Campbell, and a number of other citizens of Crittenden County, Ark., remonstrating against the passage of Senate bill 5343, and praying that the bridge company owning the bridge across the Mississippi River at Memphis shall, instead of being relieved from the obligation of providing a wagon way across that bridge, be required to comply with the law as it now exists, which they say has never been done. I move that the memorial be referred to the Committee on Commerce.

The motion was agreed to.

Mr. PLATT of New York presented a petition of the Woman's Christian Temperance Union of Owego, N. Y., and a petition of the Sons of Temperance of Willimantic, Conn., praying for the enactment of legislation to prohibit the sale of intoxicating liquors in all Government buildings; which were referred to the Committee on Public Buildings and Grounds.

He also presented a petition of sundry citizens of Madrid, N. Y., and a petition of the Methodist Episcopal Preachers' Meeting of Rochester, N. Y., praying for the enactment of legislation to prohibit the sale of liquor in canteens of the Army and Navy and of Soldiers' Homes, and in immigrant stations and Government buildings; which were referred to the Committee on Naval Affairs.

He also presented a petition of the Woman's Christian Temperance Union of Willimantic, Conn., praying for the enactment of legislation to raise the age of protection for girls to 18 years in the District of Columbia and the Territories; which was ordered to lie on the table.

He also presented a petition of the Woman's Christian Temperance Union of Willimantic, Conn., and a petition of the Sons of Temperance of Willimantic, Conn., praying for the enactment of legislation to prohibit the interstate transmission of lottery messages and other gambling matter by telegraph; which were referred to the Committee on the Judiciary.

He also presented a petition of the Woman's Christian Temperance Union of Willimantic, Conn., and a petition of the Sons of Temperance of Willimantic, Conn., praying for the enactment of legislation to protect State anti-cigarette laws by providing that cigarettes imported in original packages on entering any State shall become subject to its laws; which were referred to the Committee on the Judiciary.

Mr. ROSS presented a petition of the Woman's Christian Temperance Union of Strafford Corner, N. H., praying for the enactment of legislation to prohibit the sale of liquor in canteens of the Army and Navy and of Soldiers' Homes, and in immigrant stations and Government buildings; which was referred to the Committee on Military Affairs.

Mr. TILLMAN. I present the memorial of David Lubin, of San Francisco, Cal., on behalf of the State granges of California, Oregon, Illinois, Washington, Missouri, Virginia, and Pennsylvania; the Farmers' National Congress; the Central Labor unions of Chicago and New York; the Chambers of Commerce of San Francisco, Portland, and Seattle; the Board of Trade of Bath, Me., and of hundreds of subordinate granges throughout the United States, in relation to the protection of agricultural staples by a bounty on export and shipping in the foreign trades, and advocating an amendment to the bill (S. 5034) to promote the commerce and increase the foreign trade of the United States, and to provide auxiliary cruisers, transports, and seamen for Government use when necessary.

I move that the memorial be printed as a document and referred to the Committee on Commerce.

The motion was agreed to.

Mr. McLAURIN presented the petitions of J. C. Bissell and 19 other citizens, of G. E. Bunn and 19 other citizens, of W. D. Morgan and 19 other citizens, of W. Hazardy and 19 other citizens; of Harris Livingston and 18 other citizens, of Simon Fogarty and 18 other citizens, of E. Hugerlet and 18 other citizens, of W. McIntosh & Sons and 18 other citizens, of Langley Brothers and 17 other citizens, of James P. Hartnett and 16 other citizens, of M. Drake & Son and 15 other citizens, of Melchers & Co. and 15 other citizens, of Lee Loeb and 18 other citizens, and of I. Blank and 17 other citizens, all in the State of South Carolina, remonstrating against the passage of the anti-scalping ticket bill; which were ordered to lie on the table.

Mr. BATE presented a petition of the Merchants' Exchange of Memphis, Tenn., praying for the continuance of the appropriation for the fast-mail service from the North to the South and Southwest; which was referred to the Committee on Appropriations.

Mr. LINDSAY presented a petition of the congregation of the Central Christian Church, of Lexington, Ky., praying for the enactment of legislation to prohibit the sale of liquor in canteens of the Army and Navy and of Soldiers' Homes, and in immigrant stations and Government buildings; which was referred to the Committee on Military Affairs.

Mr. FRYE presented a petition of the Board of Trade of Portland, Me., praying for the enactment of legislation to provide for the reorganization of the consular and diplomatic service; which was referred to the Committee on Commerce.

He also presented the petition of Rev. Walter Canham and sundry other citizens of West Scarboro, Me., praying for the enactment of legislation to prohibit the sale of liquor in canteens of the Army and Navy and of Soldiers' Homes, and in immigrant stations

and Government buildings; which was referred to the Committee on Military Affairs.

He also presented the petition of Rev. Walter Canham and sundry other citizens of West Scarboro, Me., praying for the enactment of legislation to prohibit the transmission by mail or interstate commerce of pictures or descriptions of prize fights; which was referred to the Committee on the Judiciary.

Mr. MILLS presented the memorials of Gus A. Graebner and 19 other citizens of San Antonio, of J. A. Enper and 48 other citizens, of M. Schwed and 18 other citizens, of P. Leavensen and 18 other citizens, of R. P. Benham and 42 other citizens, of E. M. Brown and 19 other citizens, of C. B. Wolf and 17 other citizens, of R. M. Hahn and 18 other citizens, of W. C. Akard and 17 other citizens, and of A. J. McMahon and 19 other citizens, all in the State of Texas, remonstrating against the passage of the anti-scalping ticket bill; which were ordered to lie on the table.

Mr. PETTUS presented the petition of Thomas R. Ryan and 53 other citizens of Hartselle, Ala., and the petition of J. W. Garner and sundry other citizens of Tuskaloosa, Ala., praying for the establishment of postal savings-bank depositories; which were referred to the Committee on Post-Offices and Post-Roads.

Mr. BERRY presented the memorials of J. F. Read and 18 other citizens, of W. J. Murphy and 20 other citizens, of C. J. Hanks and 17 other citizens, of J. Adler and 18 other citizens, of Frank Ottenheimer and 19 other citizens, of L. E. Webster and 19 other citizens, of J. Allan and 19 other citizens, of C. Weaver and 19 other citizens, of J. Vail and 19 other citizens, of J. K. Barnes and 19 other citizens, of L. D. Blossom and 19 other citizens, of G. Eot and 19 other citizens, and of T. P. Aydlet and 14 other citizens, all in the State of Arkansas, remonstrating against the passage of the anti-scalping ticket bill; which were ordered to lie on the table.

Mr. COCKRELL presented a petition of the Board of Trade of Kansas City, Mo., praying for the immediate construction of the Nicaragua Canal by the Government; which was ordered to lie on the table.

He also presented a petition of the Board of Trade of Kansas City, Mo., praying that an appropriation be made for the deepening of the Southwest Pass at the mouth of the Mississippi River; which was referred to the Committee on Commerce.

Mr. FAULKNER presented the memorials of J. A. Hughes and 19 other citizens, of Elliott Northcut and 18 other citizens, and of D. E. Abbott and 17 other citizens, all in the State of West Virginia, remonstrating against the passage of the anti-scalping ticket bill; which were ordered to lie on the table.

Mr. CAFFERY presented the memorials of K. Mann and 16 other citizens, of E. J. Barrett and 16 other citizens, of C. M. Brahle and 18 other citizens, of H. C. Manning and 18 other citizens, of C. W. Siler and 19 other citizens, of C. E. Burnett and 19 other citizens, of S. M. Alexander and 19 other citizens, of Joe Stomberg and 19 other citizens, of C. H. Goodrich and 19 other citizens, of L. S. Meyers and 19 other citizens, of T. Hohn and 19 other citizens, and of W. A. Brandar and 19 other citizens, all in the State of Louisiana, remonstrating against the passage of the anti-scalping ticket bill; which were ordered to lie on the table.

Mr. FAIRBANKS presented a petition of the legislature of Indiana, praying that a fair and liberal service pension be granted to every Union veteran soldier of the civil war who is not already on the pension rolls; which was referred to the Committee on Pensions, and ordered to be printed in the RECORD, as follows:

Concurrent house resolution No. 1.

Resolved by the house of representatives of the general assembly of the State of Indiana (the senate concurring), That the Senators and Representatives of the State of Indiana in the National Congress be requested to favor and assist in securing a fair and liberal service pension to every Union veteran soldier of the civil war not already a pensioner, regardless of any disability accruing from said service or since, whenever such soldier shall have arrived at the age of 62 years.

We, the undersigned, secretary of the senate and principal clerk of the house of representatives of the Sixty-first General Assembly of the State of Indiana, now in session, do hereby certify that the above and foregoing is a true and complete copy of concurrent house resolution No. 1, duly adopted by said general assembly on the 29th day of January, 1899.

Attest:

WILL C. CONVERSE,
Secretary Senate.
FRED KIMBLEY,
Principal Clerk House of Representatives.

Mr. FAIRBANKS presented a memorial of Local Union No. 62, Cigar Makers' International Union, of Richmond, Ind., remonstrating against the extension of the sovereignty of the United States over the Philippines in any event, and over any other foreign territory without the free consent of the inhabitants thereof; which was referred to the Committee on Foreign Relations.

He also presented a petition of the Business Men's Association of Evansville, Ind., praying for the passage of the anti-scalping ticket bill; which was ordered to lie on the table.

Mr. ELKINS presented petitions of W. B. Baker and 203 other citizens of Orpha, W. Va., and of J. L. Dotson, jr., and 200 other citizens of Vaughan, W. Va., praying for the establishment of postal savings-bank depositories; which were referred to the Committee on Post-Offices and Post-Roads.

HARBOR OF REFUGE AT CAPE LOOKOUT, NORTH CAROLINA.

Mr. PRITCHARD. I present a statement of facts in relation to the establishment of a harbor of refuge at Cape Lookout, North Carolina, or at a point near to and south of Cape Hatteras. I move that the statement be referred to the Committee on Commerce.

The motion was agreed to.

MONETARY LAWS, ETC.

Mr. TELLER. I present the memorial of Anson Wolcott, of Wolcott, Ind., relative to the monetary laws and monetary condition of the United States. It is a very valuable and carefully prepared paper, and I move that it lie on the table and that it be printed as a document.

The motion was agreed to.

REPORTS OF COMMITTEES.

Mr. SHOUP (for Mr. GALLINGER), from the Committee on Pensions, to whom was referred the bill (S. 3766) granting an increase of pension to Nancy M. Lindsey, reported it with an amendment, and submitted a report thereon.

He also (for Mr. GALLINGER), from the same committee, to whom was referred the bill (H. R. 8445) granting a pension to Joseph N. Harmon, reported it without amendment, and submitted a report thereon.

He also (for Mr. GALLINGER), from the same committee, to whom was referred the bill (H. R. 6502) granting increase of pension to William Rolley, reported it without amendment, and submitted a report thereon.

He also (for Mr. GALLINGER), from the same committee, to whom was referred the bill (H. R. 9234) increasing the pension of George Blakesley, reported it without amendment, and submitted a report thereon.

He also (for Mr. GALLINGER), from the same committee, to whom was referred the bill (H. R. 5805) for the relief of Col. George G. Pride, reported it with amendments, and submitted a report thereon.

He also (for Mr. GALLINGER), from the same committee, to whom was referred the bill (H. R. 835) granting a pension to William B. Matchett, reported it without amendment, and submitted a report thereon.

Mr. LINDSAY, from the Committee on Pensions, to whom was referred the bill (H. R. 9314) granting an increase of pension to Isaac Stephens, reported it without amendment, and submitted a report thereon.

He also, from the same committee, to whom was referred the bill (H. R. 1675) granting a pension to Alice Smith, reported it with amendments, and submitted a report thereon.

Mr. TELLER, from the Committee on Claims, to whom was referred the bill (S. 4817) for the relief of the New York, New Haven and Hartford Railroad Company, reported it without amendment, and submitted a report thereon.

Mr. WARREN, from the Committee on Public Buildings and Grounds, to whom was referred the bill (S. 2657) to provide for the purchase of a site and the erection of a public building thereon in the city of Selma, in the State of Alabama, reported it with an amendment.

Mr. McMILLAN, from the Committee on the District of Columbia, to whom was referred the bill (S. 4881) for the extension of electric-lighting conduits in the District of Columbia, reported it with an amendment.

WASHINGTON PUBLIC LIBRARY.

Mr. McMILLAN. From the Committee on the District of Columbia I report certain amendments to the bill (S. 5289) to provide a site for a building for the Washington Public Library. As the bill was read on a former day—the 26th of January—and went over under some objection, I ask the unanimous consent of the Senate to call it up and have it considered, because it is a measure of very great importance.

Mr. CULLOM. Will it not lead to debate?

Mr. McMILLAN. It will take but a few minutes, I think. It is a matter of very great importance to the people of the District of Columbia.

Mr. CULLOM. Can it not wait another day? I wish to get up the appropriation bill as soon as possible.

Mr. McMILLAN. I feel certain there will be no debate about it. The bill has been read, and these are amendments which I was instructed by the Committee on the District of Columbia to report.

Mr. CULLOM. The bill has been already read, and if there is to be no discussion upon it I will consent to its consideration.

The VICE-PRESIDENT. The Senator from Michigan reports from the Committee on the District of Columbia sundry amendments to the bill (S. 5289) to provide a site for a building for the Washington Public Library, and asks unanimous consent that the amendments be acted upon at this time, the bill having been read heretofore. Is there objection?

Mr. VEST. Let the amendments be read.

Mr. JONES of Arkansas. Has the morning business been concluded?

The VICE-PRESIDENT. Reports of committees are being made. This is a report from the Committee on the District of Columbia.

Mr. JONES of Arkansas. I hope the Senator from Michigan will not press the consideration of that bill for the time being. After disposing of the morning business perhaps more Senators will be present. I understand that there are several Senators now absent who wish to be present when this matter is considered. I do not know about it myself, and I have no personal objection to its being considered at this time, but I think its consideration had better be deferred until after the routine business.

Mr. McMILLAN. I ask that the amendments may be read, so that Senators may understand how it is proposed to amend the bill.

Mr. JONES of Arkansas. I have no objection to the amendments being read.

Mr. COCKRELL. Have the amendments just been reported this morning?

Mr. McMILLAN. They have just been reported.

Mr. JONES of Arkansas. Let the amendments be read and let the bill lie over.

Mr. COCKRELL. Let the amendments be read.

Mr. CULLOM. If there is no further morning business, I wish the Senate to resume the consideration of the legislative, etc., appropriation bill.

Mr. JONES of Arkansas. There is further morning business to transact if we can get to it.

Mr. CULLOM. Let the morning business proceed, then.

The VICE-PRESIDENT. Is objection made to the present consideration of the bill?

Mr. COCKRELL. Let the amendments be read. There is no objection, I think, to reading the amendments.

The VICE-PRESIDENT. The amendments reported by the committee will be stated.

The SECRETARY. It is proposed to insert as section 1 of the bill the following:

That the Commissioners of the District of Columbia be, and they are hereby, authorized and directed to acquire by purchase or condemnation a site for the Washington Public Library, at a cost of not to exceed $250,000, to be paid wholly from the revenues of the District of Columbia. In case the said Commissioners shall be unable to purchase a site as aforesaid, the said Commissioners shall, within ninety days from the date of the passage of this act, begin suit for the condemnation of the land required for such purpose; and said proceeding shall be prosecuted under and in accordance with the provisions of those sections of chapter 57 of the Compiled Statutes of the United States in force in the District of Columbia concerning the condemnation of lands in said District for school sites, in so far as the same may apply.

That payment of the sum or sums of money adjudged to be due and payable for lands taken under its provisions shall be made by the Treasurer of the United States, ex officio commissioner of the sinking fund of the District of Columbia, upon the warrant of the said Commissioners, out of the revenues of the District of Columbia; and a sufficient sum to pay such judgments and awards, not to exceed $250,000, is hereby appropriated out of the revenues of the District.

The VICE-PRESIDENT. Is the Senate ready for the question on agreeing to the amendment?

Mr. HOAR. I should like to ask the Senator from Michigan whether he regards this limitation of $250,000 as essential? It seems to me that it presents a very grave constitutional question. We can not condemn private property for public use without a provision for its compensation. It has been held that a provision that just compensation——

Mr. COCKRELL. We can not hear on this side.

Mr. HOAR. It has been held——

Mr. COCKRELL. I insist that we shall have order before we proceed with business.

The VICE-PRESIDENT. The Chair will request order on the part of Senators.

Mr. HOAR. My question was to the chairman of the Committee on the District of Columbia, whether he cares to retain in this amendment the limitation to a certain sum. It seems to me that it presents a very grave constitutional question. You can not constitutionally take private property for public uses without compensation. It has been held very frequently, as we all know, that it is a sufficient provision for compensation to provide for the payment from the public Treasury of a sum awarded by a judicial tribunal to adjust the matter. But to say before that tribunal has been called in that the man shall be compensated only a certain limited sum, even if the jury should hold that there was twice that sum due, it seems to me to make a very serious doubt upon the validity of the process under the Constitution.

I suppose it makes no practical difference in this case, because I suppose the chairman knows generally the nature of the property and there is no danger of its being found to be worth more; but I do not see how you can say that if you take my property for public use you shall pay me for it a sum not exceeding $10.

Mr. McMILLAN. The idea was——

Mr. PLATT of Connecticut. Can not the Government withdraw its condemnation proceedings at any time?

Mr. HOAR. I doubt very much whether the Government can withdraw its condemnation proceedings. Certainly it ought not, after an individual has been put to the charge and the property condemned. It takes possession of it; it goes on to adjudge it, and it is not fair to the individual that it should back out then a year or two afterwards.

Mr. CULLOM. If there is to be debate upon this bill I shall ask that it go over.

Mr. HOAR. I presume the Senator from Michigan will consent to withdraw that particular limitation. Otherwise——

Mr. McMILLAN. I think there will be no objection to doing so.

Mr. HOAR. Just strike out the limitation of any fixed sum.

Mr. COCKRELL. Mr. President, I have a more serious objection against striking out the limitation than the Senator from Massachusetts has reason in favor of striking it out.

Mr. CULLOM. The bill is not up for consideration.

Mr. COCKRELL. The question of constitutional law I do not think can arise in this case. It is simply a limitation upon the Commissioners of the District of Columbia that they shall not select and proceed to condemn any property that will be valued at over $250,000. It has been almost a universal rule in regard to the condemnation of property that we fix a limit beyond which it shall not go. We say here that it shall not cost over $250,000. Condemnation proceedings are commenced. They get a set of appraisers that put the property that we believe ought not to cost over $250,000 at $500,000. Then we simply abandon the proceedings; that is all.

Mr. HOAR. No; the Senator will pardon me. That would be true if the condemnation were not consummated until after the amount had been ascertained, if it were for a preliminary ascertainment, but in this case the provision is express that there shall be a condemnation and that then, after the condemnation, this ascertainment shall be made. That is the reason——

Mr. COCKRELL. But the amendment does not provide for the condemnation of any specific piece of ground. They select the ground and institute proceedings; and if those proceedings are not approved, then they select other ground.

Mr. HOAR. I do not think it reads so, if the Senator will look at the proposed amendment.

Mr. COCKRELL. We have always put in such a provision. It has gone into the appropriation bill twenty times.

Mr. HOAR. I understand.

Mr. COCKRELL. In fact there are instances where we limit the amount to be paid to $10, in order to make the persons who have the land which ought to be condemned donate it instead of insisting upon a big price. In a number of cases in the District of Columbia appropriation bill we limited the amount to be paid to $10.

Mr. McMILLAN. The object of this provision was to prevent the Commissioners from spending more than $250,000. They may spend as much less as they see fit, but the amount is not to exceed $250,000.

Mr. VEST. Mr. President, this will eventuate like it always has eventuated in preceding cases. We order the property to be condemned. Then the appraisers select a piece property, and under that appraisement put it at $300,000 or $400,000 instead of $250,000, and invariably they come to Congress and, either by a special act, but most generally through a general appropriation act, have the amount increased so as to meet the appraisement that has been made.

Waiving any constitutional argument in regard to the matter, I want to say to the chairman of the committee who reports this amendment that I am opposed to taking any other site except the Mount Vernon Square site. It is not right to abandon that site now and to make the people of this District pay $250,000 when there is almost general consent that the Mount Vernon Square site is the best that can be taken. I hope the Senator will not press the amendment.

Mr. CHANDLER. Mr. President, I have not heard the reasons assigned why the Mount Vernon Square site should not be taken. I agree with the Senator from Missouri that the library building ought to be put upon the Mount Vernon Square site. It is large enough, and I know of no legal reason or business reason or common-sense reason for not putting the library building there. I wish to hear stated to the Senate the reason why we are to buy or provide for buying an unknown site somewhere, anywhere, and paying $250,000 for it instead of getting a site free.

Mr. CULLOM. I object to the consideration of the bill at this time.

The VICE-PRESIDENT. Objection is made to the further consideration of the bill at this time, and it goes over.

STATE EXPENSES FOR VOLUNTEER ARMY.

Mr. WARREN. I am unanimously directed by the Committee on Military Affairs, to whom was referred the bill (S. 5260) to amend an act entitled "An act to reimburse the governors of States and Territories for expenses incurred by them in aiding the United States to raise and organize and supply and equip the Volunteer Army of the United States in the existing war with Spain," approved July 8, 1898, to report it with amendments.

This is a bill which I think every Senator and every State is interested in. Indeed, the interest has been such that some eight or ten bills and resolutions on this subject have been introduced and sent to the committee. It is to make provision so that the Government can pay to the States, the governors of States, and others the amounts that are standing due and have been appropriated for, but can not be paid because of conditions which have been developed and technicalities and difficulties found in the administration of the law. The auditing and disbursing officers can not, under the law and under their oath and bond, audit and pay many of these accounts, which are admittedly just and long since due.

I therefore report the bill, and in view of the importance of its getting to the other side of the Capitol soon, I ask for its immediate consideration.

The VICE-PRESIDENT. The Senator from Wyoming reports from the Committee on Military Affairs, with amendments, the bill indicated by him and asks unanimous consent for its present consideration.

Mr. BATE. I ask what committee recommends it?

Mr. WARREN. The Committee on Military Affairs.

Mr. CULLOM. I am willing to have the bill read, and if there is no discussion upon it, I shall not object to its consideration.

The VICE-PRESIDENT. Is there any objection? The Chair hears none, and the bill will be read subject to objection.

Mr. JONES of Arkansas. The bill will be read subject to objection?

The VICE-PRESIDENT. Certainly.

The Secretary read the bill.

The VICE-PRESIDENT. The amendments of the committee will be stated.

Mr. ALLISON. Is the bill now being considered?

The VICE-PRESIDENT. The bill is now being considered, subject to objection.

Mr. ALLISON. It is a very important bill, and it relates to matters in every State of the Union. I have not had time to examine the bill. I should prefer that the bill be printed, with the amendments, and that it go over for a day.

Mr. CULLOM. If objection is made——

Mr. ALLISON. I do not object to the consideration of the bill, but as its details are important I think it would be better to have it printed, in order that Senators may have an opportunity of examining it.

Mr. WARREN. I wish to make a suggestion. If it could go over and come up in the morning hour to-morrow, I think it would be well to have it go over. But I suggest that this measure has been carefully considered by the Department and by the committee, and with the appeals that have come from the different States I think Senators will appreciate my haste for consideration. It is my desire to get the bill to the other end of the Capitol and have it become a law without being compelled to offer it as a rider to some appropriation bill.

Mr. ALLISON. I quite agree with the Senator from Wyoming, and I only desire for myself an opportunity to examine the provisions as they stand with the amendments.

Mr. PETTUS. I desire to suggest to the Senator in charge of the bill that he has probably omitted an amendment as to the limitation for presentation.

Mr. ALLISON. The 1st of July, 1899, is the time named in the bill.

Mr. PETTUS. It ought to have been the 1st of January, 1900.

Mr. WARREN. It has been amended as the Senator from Alabama suggests.

Mr. ALLISON. Very well.

Mr. WARREN. That point is covered by an amendment.

The VICE-PRESIDENT. The amendments have not yet been read. Is there objection to the present consideration of the bill?

Mr. ALLISON. For the moment I object. I would be glad to have the amendments printed in the RECORD and the bill and amendments printed, so that we may see them, and then I shall be perfectly willing that it shall be taken up to-morrow morning, or even later to-day, or at any other time.

Mr. HOAR. I wish the Senator who has charge of the bill would look at the phrase reimbursing the governors before it comes up again. I understand that phrase has been used sometimes in legislation. It seems to me a very singular way of speaking of reimbursing the States to say that the governors shall be reimbursed. If he should die, it would go to his executor.

Mr. PASCO. The governors have made the advances under the law.

Mr. WARREN. In many cases the governors have made these advances personally.

Mr. PASCO. They have been made by the governors under the existing law, and not by the States.

Mr. TELLER. They were not made by the States.

Mr. PASCO. The States could not do it, because the legislatures were not in session.

The VICE-PRESIDENT. The Chair understands the request to be that the bill be laid over until to-morrow morning and that the amendments offered be printed. Is there objection to that course? The Chair hears none.

Mr. WARREN. And it is to come up in the regular course of the morning business to-morrow.

Mr. ALLISON. I hope that will be done.

The VICE-PRESIDENT. To-morrow morning. That is the understanding.

The amendments reported from the Committee on Military Affairs are as follows:

In section 1, page 2, line 2, after the word "ninety-eight," to strike out the following proviso: "*Provided*, That no reimbursement shall be made for expenses incurred after August 12, 1898. And;" and in line 5, before the word "That," to strike out "further."

In section 2, page 2, line 22, after the word "faith," to strike out "volunteer for service" and insert "present himself for enrollment."

Add the following proviso at the end of section 2:

"*And provided further*, That the provisions of this section shall apply also to individual volunteers who presented themselves in good faith for enrollment in the Volunteer Army of the United States."

In section 3, page 3, line 7, after the word "afterwards," to strike out "be" and insert "have been."

In section (4) 6, page 3, line 12, after the word "before," to strike out "July" and insert "January;" in the same line, after the word "first," to strike out "eighteen" and insert "nineteen;" and in the same line, after the word "hundred," to strike out "and ninety-nine."

Insert the following two sections:

"SEC. 4. That the expenses incurred by the governors of States in carrying out the provisions of this act shall be reimbursed and paid to them, notwithstanding any unsettled accounts, claims, or indebtedness of the United States against their States, and without prejudice to such unsettled accounts: *And further provided*, That where an officer of the Army detailed as mustering officer for volunteers purchased equipment necessary for the comfort of the men in camp or rendezvous, and said equipment was subsequently taken into the United States service by said volunteers and no receipts given to such military officer, the certificate to that effect of the governor of the State or Territory to which the volunteers belonged shall be held sufficient to authorize the settlement of such accounts.

"SEC. 5. That the Secretary of the Treasury be, and is hereby, authorized to pay, out of any money in the Treasury not otherwise appropriated, the just and proper account or claim of any railroad, transportation company, or person who has, at the request of the Quartermaster-General of the Army, or his agents, or at the request of any United States mustering officer or other officer authorized by the Secretary of War to enroll, muster, or mobilize volunteers for the war with Spain, for transportation of men or troops from place of enrollment to point of rendezvous, and also to pay such just and proper accounts as may be presented for transportation back from point of rendezvous to place of enrollment of men who volunteered in good faith and were rejected on account of disqualification as found by medical officers duly appointed by the War Department: *Provided*, That the amount allowed and paid for such transportation shall not be in excess of the rates charged for transporting troops of the United States under like circumstances.

"All claims under the provision of this act must be filed in the office of the Auditor for the War Department, and must be supported by proper vouchers or other conclusive evidence of interest."

So as to make the bill read:

Be it enacted, etc., That the act entitled "An act to reimburse the governors of States and Territories for expenses incurred by them in aiding the United States to raise and organize and supply and equip the Volunteer Army of the United States in the existing war with Spain," approved July 8, 1898, be so amended that the Secretary of the Treasury shall be, and is hereby, authorized to allow, in the settlement of the claims of the governors of States and Territories for reimbursement under the provisions of the said act, expenses incurred after as well as before July 8, 1898: *Provided*, That no reimbursement shall be made for service of members of the National Guard or organized militia of any State or Territory who were not accepted into the Volunteer Army of the United States as of the same grade.

SEC. 2. That under the appropriation made by said act the Secretary of the Treasury is hereby authorized to reimburse the governor of any State or Territory for reasonable expenses incurred by him in the actual transportation of the members of organized militia or National Guard of his State from the place of company, battalion, or regimental rendezvous to the State rendezvous or place designated for examination and acceptance of the members of such organization into the Volunteer Army of the United States, and the actual transportation from the State rendezvous to their respective company, battalion, or regimental rendezvous of such men as were rejected for lack of physical qualifications: *Provided*, That no reimbursement shall be made for the transportation of any man who did not in good faith present himself for enrollment in the Volunteer Army of the United States: *And provided further*, That the provisions of this section shall apply also to individual volunteers who presented themselves in good faith for enrollment in the Volunteer Army of the United States.

SEC. 3. That nothing in said act of July 8, 1898, shall be so construed as to prohibit the reimbursement of the governor of any State or Territory for reasonable expenses incurred in the subsistence of the members of any organization of the organized militia or National Guard of his State or Territory after having been called out by the governor on or after April 25, 1898: *Provided*, That such organization shall afterwards have been accepted into the Volunteer Army of the United States.

SEC. 4. That the expenses incurred by the governors of States in carrying out the provisions of this act shall be reimbursed and paid to them, notwithstanding any unsettled accounts, claims, or indebtedness of the United States against their States, and without prejudice to such unsettled accounts: *And provided further*, That where an officer of the Army, detailed as mustering officer for volunteers, purchased equipment necessary for the comfort of the men in camp or rendezvous, and said equipment was subsequently taken into the United States service by said volunteers and no receipts given to such military officer, the certificate to that effect of the governor of the State or Territory to which the volunteers belonged shall be held sufficient to authorize the settlement of such accounts.

SEC. 5. That the Secretary of the Treasury be, and is hereby, authorized to pay, out of any money in the Treasury not otherwise appropriated, the just and proper account or claim of any railroad, transportation company, or person who has at the request of the Quartermaster-General of the Army or his agents, or at the request of any United States mustering officer or other officer authorized by the Secretary of War to enroll, muster, or mobilize volunteers for the war with Spain, for transportation of men or troops from place of enrollment to point of rendezvous, and also to pay such just and proper accounts as may be presented for transportation back from point of rendezvous to place of enrollment of men who volunteered in good faith and were rejected on account of disqualification as found by medical officers

duly appointed by the War Department: *Provided*, That the amount allowed and paid for such transportation shall not be in excess of the rates charged for transporting troops of the United States under like circumstances.

All claims under the provision of this act must be filed in the office of the Auditor for the War Department, and must be supported by proper vouchers or other conclusive evidence of interest.

SEC. 6. That all claims for reimbursement under this act or the act of July 8, 1898, shall be presented in itemized form to the Treasury Department on or before January 1, 1900, or be forever barred.

Mr. CULLOM. I ask the Senate to proceed to the consideration of the legislative, executive, and judicial appropriation bill.

The VICE-PRESIDENT. The introduction of bills is next in order.

Mr. CULLOM. I trust that I shall soon be able to get the bill up.

BILLS INTRODUCED.

Mr. JONES of Arkansas introduced a bill (S. 5483) making an appropriation for the support of the W. T. Whitaker Orphan Home, in the Indian Territory; which was read twice by its title, and referred to the Committee on Indian Affairs.

Mr. MURPHY introduced a bill (S. 5484) granting a pension to John Daly; which was read twice by its title, and referred to the Committee on Pensions.

Mr. MCMILLAN introduced a bill (S. 5485) to designate distinctively parcels of land in the District of Columbia for the purposes of assessments and taxation; which was read twice by its title, and, with the accompanying paper, referred to the Committee on the District of Columbia.

Mr. FAULKNER introduced a bill (S. 5486) for the extension of Le Droit avenue NW.; which was read twice by its title, and referred to the Committee on the District of Columbia.

Mr. TILLMAN introduced a bill (S. 5487) to establish a Branch Home of the National Home for Disabled Volunteer Soldiers at Castle Pinckney, in Charleston Harbor, South Carolina, for the use of disabled officers and enlisted men of the Volunteer Army and Navy of the United States; which was read twice by its title, and referred to the Committee on Military Affairs.

Mr. MASON introduced a bill (S. 5488) for the relief of Thomas Sherman, of Culpeper County, Va., which was read twice by its title, and referred to the Committee on Claims.

ELECTION OF SENATORS BY THE PEOPLE.

Mr. ALLEN. I introduce a joint resolution which I ask be read at length and lie on the table for the time being.

The joint resolution (S. R. 243) proposing an amendment to the Constitution of the United States, providing for the election of United States Senators by a direct vote of the people, was read the first time by its title and the second time at length, as follows:

Resolved by the Senate and House of Representatives in Congress assembled, That whereas two-thirds of both Houses of Congress deem it expedient and necessary to amend section 3, Article I, of the Constitution; therefore it is hereby recommended that the following amendment be, and the same is hereby, proposed to the legislatures of the several States of the United States, which, when ratified by three-fourths of such legislatures, shall become a part of the Constitution of the United States, namely: That section 3, Article I, be amended as follows:

Strike out of the third section of Article I the following words: "The Senate of the United States shall be composed of two Senators from each State, chosen by the legislature thereof, for six years; and each Senator shall have one vote," and insert in lieu thereof the following:

"The Senate of the United States shall be composed of two Senators from each State, chosen for six years; and each Senator shall have one vote. The Senators shall be chosen by the legislatures of the several States unless the people of any State, either through the legislature or by the constitution thereof, shall provide for the election of United States Senators by a direct vote of the people, and then, in such case, and during the existence of such statutory or constitutional provision, United States Senators shall be elected in such State at large by a direct vote of the people; a plurality shall elect, and the electors shall have the qualifications requisite for electors of the most numerous branch of the State legislature."

Mr. ALLEN. I ask that the joint resolution lie on the table, subject to call. I desire to address the Senate at a later date upon it.

The VICE-PRESIDENT. Is there any objection to the order? The Chair hears none.

AMENDMENT TO RIVER AND HARBOR BILL.

Mr. WARREN submitted an amendment proposing to appropriate $50,000 for preliminary surveys or examinations to be made of one or more reservoir sites in each arid and semiarid State, etc., intended to be proposed by him to the river and harbor appropriation bill; which was referred to the Committee on Irrigation and Reclamation of Arid Lands, and ordered to be printed.

GEORGE W. HARDWICK.

Mr. GEAR. I respectfully request that an order be made by the Senate allowing George W. Hardwick to withdraw from the files of the office of the Secretary of the Senate the discharge papers of George W. Hardwick, for whom a bill was introduced January 14, 1890, to remove the charge of desertion, and that a copy be made of said discharge and left in the files of the Senate.

The VICE-PRESIDENT. It will be so ordered.

FIRST SOUTH DAKOTA VOLUNTEER INFANTRY.

Mr. PETTIGREW submitted the following resolution; which was considered by unanimous consent, and agreed to:

Resolved, That the Secretary of War be, and he hereby is, directed to inform the Senate what pattern of guns, or small arms, have been issued to the members of the First South Dakota Volunteer Infantry, now at Manila; and if these guns are of the pattern known as Springfield rifles, he is directed to give the date of manufacture and the effective range of the guns; also, the kind of powder used by said regiment of volunteers.

DOCTRINE OF THE DECLARATION OF INDEPENDENCE.

Mr. ALLEN. I submit a resolution for which I ask present consideration.

The resolution was read, as follows:

Resolved, That the Senate of the United States unhesitatingly approves and reaffirms the doctrine of the Declaration of Independence, "that all men are created equal," and "that they are endowed by their Creator with certain inalienable rights; that among these are life, liberty, and the pursuit of happiness," and "that to secure these rights, governments are instituted among men, deriving their just powers from the consent of the governed; that whenever any form of government becomes destructive to these ends, it is the right of the people to alter or abolish it, and to institute new government, laying its foundation on such principles and organizing its powers in such form as to them shall seem most likely to effect their safety and happiness;" and be it further

Resolved, That said doctrine is not, in its application, to be confined to the people of the United States, but is universal and extends to all peoples, wherever found, having a distinct and well-organized society and territory of their own.

The VICE-PRESIDENT. Is there objection to the present consideration of the resolution?

Mr. CHANDLER. I ask that the resolution may go over.

Mr. ALLEN. What is the request of the Senator from New Hampshire?

The VICE-PRESIDENT. Objection is made, and the resolution lies over.

PERSONNEL OF NAVY AND MARINE CORPS.

Mr. JONES of Arkansas submitted the following resolution; which was considered by unanimous consent, and agreed to:

Resolved, That the Secretary of the Navy be directed to send immediately to the Senate a concise estimate of the total annual cost of the personnel of the officers of the Navy under House bill No. 10493 as reported with amendments to the Senate from the Committee on Naval Affairs on February 8, compared with the cost of such personnel under existing laws, excluding any additional force employed during the late war; and also a like estimate of the cost of 22,500 seamen and apprentices compared with the cost of the regular force of seamen and apprentices; and a further like estimate of the cost of the personnel, including the officers and men of the Marine Corps under said bill, compared with the cost of such personnel under existing laws, excluding any temporary increase during the late war.

NATIONAL MILITARY PARK AT VICKSBURG.

Mr. CULLOM. The Senator from Mississippi [Mr. MONEY] desires consent to call up a bill, and I make no objection.

Mr. MONEY. I ask unanimous consent to call up for present consideration the bill (H. R. 4382) to establish a national military park to commemorate the campaign, siege, and defense of Vicksburg.

I wish to say that this measure has been memorialized in twelve different States of the Union, and that twenty-five States of the thirty-five then existing had troops participating in the action at Vicksburg. The bill is recommended by every encampment of the Grand Army of the Republic and every association of Confederate veterans, so far as I have heard. I presume that no objection will be made to it.

There being no objection, the Senate, as in Committee of the Whole, proceeded to consider the bill.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

INDIAN APPROPRIATION BILL.

Mr. ALLISON. I ask the Chair to lay before the Senate the action of the House of Representatives on the Indian appropriation bill.

The VICE-PRESIDENT laid before the Senate the action of the House of Representatives disagreeing to the amendments of the Senate to the bill (H. R. 11217) making appropriations for the current and contingent expenses of the Indian Department and for fulfilling treaty stipulations with various Indian tribes for the fiscal year ending June 30, 1900, and for other purposes, and asking for a conference with the Senate on the disagreeing votes of the two Houses thereon.

Mr. ALLISON. I move that the Senate insist upon its amendments and agree to the conference asked for by the House of Representatives.

The motion was agreed to.

By unanimous consent, the Vice-President was authorized to appoint the conferees on the part of the Senate; and Mr. ALLISON, Mr. PERKINS, and Mr. COCKRELL were appointed.

POLICY REGARDING THE PHILIPPINE ISLANDS.

Mr. MCENERY. I ask unanimous consent that a day be fixed for the vote to be taken on Senate joint resolution No. 240, which was introduced by me. If there be no objection, I suggest that the vote be taken on Monday next immediately after the close of the routine morning business.

The VICE-PRESIDENT. The Senator from Louisiana asks unanimous consent that on next Monday after the routine morning business the vote may be taken on the joint resolution (S. R. 240) declaring the purpose of the United States toward the Philippine Islands. Is there objection?

Mr. MALLORY. I should like to inquire if the request is that a vote shall be taken?

The VICE-PRESIDENT. That a vote shall be taken.

Mr. MALLORY. And no debate allowed?

The VICE-PRESIDENT. The Chair puts the request as made by the Senator from Louisiana, that the vote be taken on next Monday, immediately after the routine morning business. Is there objection?

Mr. MALLORY. I object.

The VICE-PRESIDENT. Objection is made.

LEGISLATIVE, EXECUTIVE, AND JUDICIAL APPROPRIATION BILL.

Mr. CULLOM. I move that the Senate proceed to the consideration of the legislative, executive, and judicial appropriation bill.

The motion was agreed to; and the Senate, as in Committee of the Whole, resumed the consideration of the bill (H. R. 11414) making appropriations for the legislative, executive, and judicial expenses of the Government for the fiscal year ending June 30, 1900, and for other purposes.

The reading of the bill was resumed on page 52, at line 23, and continued to the end of the clause making appropriations for the "Office of assistant treasurer at Cincinnati," from line 5 to line 15, on page 56.

Mr. FORAKER. Yesterday I gave notice of an amendment which I intended to offer and which I now propose to this bill. The amendment is to strike out the clause from line 5 to line 15, both inclusive, on page 56, being the provision relating to the "Office of assistant treasurer at Cincinnati," and to insert the amendment which I send to the desk.

I want to say in support of the amendment that it increases the total amount of the appropriation for that office about $1,400 and distributes the appropriation so as to meet the requirements of the office better than the distribution for salaries as heretofore allowed.

Mr. CULLOM. Regularly, the Senator's amendment can not be considered under the rule until after the reading of the bill has been completed and the amendments of the Committee on Appropriations disposed of. I understand, however, that the Senator desires to leave the city, and I shall on that account make no objection to the consideration of his amendment now.

Mr. FORAKER. I am much obliged to the Senator for waiving the objection.

Mr. COCKRELL. Let the amendment be stated.

The SECRETARY. On page 56 it is proposed to strike out the clause from line 5 to line 15, as follows:

Office of assistant treasurer at Cincinnati: For assistant treasurer, $4,500; cashier, $2,000; bookkeeper, $1,800; receiving teller, $1,500; check clerk, and interest clerk, at $1,200 each; two clerks, at $1,200 each; two clerks, at $1,000 each; two night watchmen, at $720 each; messenger, $600; watchman, $120; in all, $18,760.

And in lieu thereof to insert:

Office of assistant treasurer at Cincinnati: For assistant treasurer, $4,500; cashier, $2,250; bookkeeper, $1,800; receiving teller, $1,600; check clerk, $1,500; interest clerk, $1,400; two clerks, at $1,200 each; two clerks, at $1,000 each; one day watchman, at $840, and one day watchman, at $720; one night watchman, at $600; one clerk and stenographer, at $720; in all, $20,230.

Mr. ALLEN. I should like to ask if there is any proposed change by this amendment except to increase the salaries of these officers?

Mr. FORAKER. I did not understand the inquiry of the Senator.

Mr. ALLEN. I understand the Senator's amendment goes no further than to raise the salaries of these officers.

Mr. CULLOM. I think it increases the number of clerks by one at least.

Mr. FORAKER. It drops out one employee.

Mr. COCKRELL. Let the amendment be again read, so that we may see what the changes are.

Mr. FORAKER. If the Senator will allow me, I can state in a moment what the changes are.

Mr. COCKRELL. Very well.

Mr. FORAKER. The amendment, if adopted, will increase the total appropriation for that office by the amount of $1,470. Seven hundred and twenty dollars of that amount is for a stenographer. That office has never been allowed a stenographer. Every other office of that character in the United States, I understand, is provided with a stenographer, and certainly one is very necessary there.

The other increases, amounting to a little over $700, are, first, an increase of $250 to the cashier. The cashier has a receiving teller to assist him, but no paying teller, as is usual in other assistant subtreasuries. His work has therefore been more than is required of cashiers in any other subtreasury, and yet he is paid less—being paid only $2,000 a year—than any other cashier in any other subtreasury in the United States. At New Orleans the cashier is paid $2,250 and is allowed the practical help of which I spoke. In most of the other subtreasuries—as, for instance, at Baltimore and San Francisco, where practically about the same amount of work is done—the subtreasurers are paid $2,250, $2,500, and $3,000, respectively, and are given this additional help to which I have referred.

Then, in addition to the increase of $250, there is an increase to the receiving teller of $100 and an increase to the check clerk of only a similar amount, I believe. I have not the memoranda before me, as I thought I had; but the increases are slight, and are asked for upon the recommendation of the Treasury Department, and upon the recommendations to that Department by the assistant treasurer, who is trying to organize his office in such a way as that he may properly correlate these assistants to each other, and give them only the compensation to which they are entitled.

Mr. ALLEN. Mr. President——

Mr. FORAKER. I want to say, before the Senator from Nebraska interrupts me, that the total amount allowed the assistant treasurer at Cincinnati for the conduct of the office is less than is allowed to any other assistant treasurer in the United States.

Mr. CAFFERY. What is the increased appropriation which the Senator asks?

Mr. FORAKER. Fourteen hundred and seventy dollars, and $720 of that is for a stenographer alone. The assistant treasurer now employs and pays out of his own pocket his stenographer, and has done so for a long time.

Mr. ALLEN. Are the hours of labor of the cashier lengthened in consequence of his not having a paying teller?

Mr. FORAKER. I think in that office they work from the time they commence in the morning until they get through with the day's business, no matter how late that may require them. They have no regular hour at which they quit without regard to whether their work is done or not.

The cashier is a very faithful man who has been there for a great many years, and whose services have been regarded by the Treasury Department as entitling him to more compensation than he has been heretofore allowed. He has been allowed only $2,000, and that is all he is getting now. He has no assistant paying teller, as other cashiers have, and gets $250 less than any other cashier gets in any other subtreasury.

Mr. ALLEN. I do not dispute the Senator's statement at all. I admit the statement is in accordance with the facts, as the Senator is in a position to know; but the question with me was, whether the circumstances are not such in that office as to make $2,000 a fair compensation for the entire labor performed?

Mr. FORAKER. No; I will say to the Senator, from all that I can learn about the subject, that the compensation is not adequate. The man who holds that office is a very superior man; the labors required of him are very arduous; they are exceedingly responsible. There is constantly on hand at that subtreasury some five or six or seven or eight millions of money. It requires a good class of ability to satisfactorily discharge the duties of such a position.

Mr. ALLEN. I am perfectly willing, if there are any good things going around, that a man from Ohio shall have them. [Laughter.]

Mr. FORAKER. I am very much obliged to the Senator from Nebraska, but I only want them for those who are entitled to them.

Mr. COCKRELL. Mr. President——

Mr. FORAKER. I want to say a word, if the Senator from Missouri will allow me, before I yield to his interruption.

The bill as reported by the committee provides, as the law heretofore has done, for a watchman at $120. That is the only watchman which the law has ever provided for there.

Mr. CULLOM. At $720.

Mr. FORAKER. No; it is $120.

Mr. CULLOM. In the bill?

Mr. FORAKER. Yes; $120 in the bill for a watchman. I ask to strike that out altogether, and I ask, instead of a messenger, that we may have a night watchman at a salary of $600.

Mr. CULLOM. I will state that the bill already provides for two watchmen.

Mr. FORAKER. Two night watchmen? So it does.

Mr CULLOM. One day watchman and one night watchman, at $720 each.

Mr. FORAKER. I think the Senator from Illinois is mistaken. I see the bill provides for two night watchmen, but that is a mistake, for the two night watchmen provided for have been used as day watchmen, and there ought to be a difference in salaries allowed. One of them goes on duty at 6 o'clock in the morning and remains until late in the afternoon, and then the other relieves him and remains on duty only until 10 o'clock at night.

Mr. CULLOM. I see I was mistaken. I was looking at the provision in the bill relating to the subtreasury at New Orleans.

Mr. FORAKER. From that time on the building is watched simply by the policeman who watches two or three blocks, acting as a sort of private policeman at night for a number of business places. I so provide in the amendment as that it will be properly arranged for one day watchman at $840, one day watchman at $720, and one night watchman at $600, and then strike out the provision of $120 for a watchman. I want to dispense with him.

Mr. COCKRELL. I want to say that I am opposed to this

amendment. There are a number of subtreasuries, one at Baltimore, one at Boston, one at Chicago, one at Cincinnati, one at New Orleans, one at New York, one at Philadelphia, one at St. Louis, and one at San Francisco. In all these offices, as they were presented to the Committees on Appropriations in the House of Representatives and in the Senate, there were applications and recommendations for an increase of the clerical force or of the employees, and for an increase of salaries. The Committee on Appropriations gave full and fair consideration to all the recommendations, estimates, proposals, and amendments which were offered, and the only changes recommended by the Senate committee were the addition of two clerks and one watchman, on page 58, at the subtreasury in New York. That was all the additional force we recommended. We made no other changes. We left the appropriations and provisions for the assistant treasuries at Baltimore, at Boston, at Chicago, at Cincinnati, at New Orleans, at Philadelphia, at St. Louis, and at San Francisco unchanged. Now, if you make a change at one of these subtreasuries, it will necessitate changes at other subtreasuries, because all will claim that they are entitled to the same compensation.

There are no fixed titles or designations to the employees in the subtreasuries, and therefore there can be no relative comparison of the salaries of these different officers. In one place such an officer is called a cashier, in another place chief clerk and cashier, in another place paying cashier and accounting cashier, and in another coin clerk. All these different designations are used. So it is impossible to fix the compensation of these employees by a grade or classification as is done in the executive branches here, where we have clerks at $1,000, clerks of class 1 at $1,200, clerks of class 2 at $1,400, clerks of class 3 at $1,600, and clerks of class 4 at $1,800. You can not make that designation as to these outside offices.

In addition to that, the Senator from Ohio asks for the appointment of a stenographer, which is the creation of a new office. I understood the Senator to say that he asked for that because all the other subtreasurers had stenographers. In that, by inadvertence, the distinguished Senator was mistaken, because there is no stenographer provided by law for the subtreasurer at New Orleans; there is none at Philadelphia—and that is a much larger city, as I understand, than is Cincinnati, and does a much greater amount of business—there is none at San Francisco, and there is none at the subtreasury in the city of St. Louis.

If the subtreasurer at Cincinnati is entitled to a stenographer because other subtreasurers have been given stenographers, I shall certainly insist upon the subtreasurer at St. Louis having one, because St. Louis is certainly equal in importance to Cincinnati. I do not think it would be wise or appropriate to adopt the Senator's amendment. I think, too, that Ohio ought to be satisfied with the distinguished honors that have been conferred upon her and with the numerous and multitudinous appointments which have been received by the good people of Cincinnati and the other parts of the State of Ohio in all branches of the public service, from copyists and messengers up to the highest office in the gift of the American people.

Mr. FORAKER. The Senator from Missouri must allow me to say that that argument does not appeal to this Senator from Ohio.

Mr. COCKRELL. Then the other Senator from Ohio must have more than ought to belong to any one Senator. [Laughter.]

Mr. FORAKER. If the Senator has concluded, I want to say a word in reply.

Mr. COCKRELL. I have concluded for the present.

Mr. FORAKER. When I made the statement I did a while ago, that I understood a stenographer was provided for each of these subtreasuries, I supposed that was true according to the text of the bill. Since I made that statement my attention has been called to the fact that there is not that provision as to each and every one of these subtreasuries, but my information is that clerks who are not named as stenographers are drawn upon, so that the subtreasurers are supplied with stenographers.

Mr. COCKRELL. Allow me a suggestion just there.

Mr. FORAKER. Yes.

Mr. COCKRELL. There is no doubt but that in every branch of the service there are stenographers who are not designated as such, and we decline to so designate them, because when you call a man a stenographer he will not do anything else; but if you call him a clerk and he is a stenographer, you can put him on stenographic work, or clerical work, or anything you choose. That is the reason why we have not named these clerks in the other departments there as stenographers strictly, because if you do you get no other service from them at all.

Mr. FORAKER. The fact is, as I understand it and as I stated it a moment ago, that each subtreasurer is provided, in the way I now state and in the way in which the Senator from Missouri agrees with me, with a stenographer, but neither in that way nor in any other has the subtreasurer at Cincinnati ever been supplied with a stenographer. The only stenographer provided is paid for out of the pocket of the assistant treasurer himself. He appreciates the honor that has come to Ohio, but he does not want to pay for it at that rate.

So far as concerns St. Louis having a stenographer, I have not any objection to their having one if they have not one there. I think they ought to have one, and I will agree that the bill shall be amended, so far as I am concerned, to give St. Louis a stenographer, especially so named.

Now, while it is true that these employees of the various assistant treasurers are not so designated in the bill as that a comparison can in every respect be made of the one with the other, yet in certain respects they are sufficiently named, and certain facts do sufficiently appear to admit of comparison, which I think ought to be conclusive in favor of Cincinnati in this matter.

To begin with, we were not before the committee with this matter, as we should have been. That, however, is not the fault of the committee. So this subtreasury has had no hearing until now. It is not the fault of the committee that such hearing was not had. It was not my fault. I was so occupied with other matters that it was impossible for me to attend to it. I am bringing it up now only because I have had no hearing heretofore. I believe if we had been before the committee I could have pointed out that this assistant treasurer should be supplied now with what other subtreasurers were supplied with when they were present and we were not, so far as concerns a stenographer, so named.

Inasmuch as the Senator from Missouri [Mr. COCKRELL] has spoken of Baltimore and New Orleans, I will call attention to the fact that the cashier at Baltimore is given under that name as his compensation $2,500, and then he is supplied, as I am informed, with the help of which I spoke a while ago, both a receiving and a paying teller, although they are not so named here. At Chicago the cashier gets $2,500 and he has a paying teller who gets $1,800, and other help to correspond. I do not think it is fair to compare Chicago with Cincinnati, as the business at Chicago is very much larger than that which is done at Cincinnati. But I call attention to New Orleans. That office has a cashier, especially so named, who gets a salary of $2,250. More business is done in Cincinnati, I am informed, than is done at the assistant treasurer's office in New Orleans, and certainly the cashier at Cincinnati should receive as much. In addition to that, he has specifically provided for him a receiving and a paying teller at $2,000 each, making $6,250 for the cashier and his immediate help at that office.

Now, I call attention to the aggregates. The aggregate allowance at Baltimore for the whole office is $23,800, while by this bill the allowance at Cincinnati is but $18,760. The total allowance at New Orleans is $20,490, and so I might run on through the bill pointing out in that way what I stated a moment ago in a general way, that the total allowance to the subtreasury at Cincinnati for the conduct of that office will be less with these amendments which I have proposed than is allowed by the bill to each and every one of these other offices; and the allowance to various clerks as provided in the amendment will not be in excess, but in every respect, except only in one instance, will be less, if the amendment is adopted, than the allowances for similar clerks and employees at the other places. It is in view of these considerations and because the requirements of the office really demand it that I have proposed the amendment, and I hope the Senate will adopt it.

Mr. CULLOM. Mr. President, I merely desire to say a word, and to point out exactly what the amendment proposes as compared with the paragraph of the bill with reference to the assistant treasurer at Cincinnati. There is no change in the salary of the assistant treasurer; that is left as the bill has it. A cashier is provided for there already, although I think the Senator from Ohio intimated that they did not have one. There is a cashier provided for in the bill.

Mr. FORAKER. No; I said a cashier, but not a paying teller to help him.

Mr. CULLOM. Oh! One of the propositions of the amendment is to raise the salary of the cashier from $2,000 to $2,250. The bookkeeper provided for in the bill is allowed to stand. The bill provides that the receiving teller shall have a salary of $1,500. The amendment proposes to increase that salary to $1,600. The check clerk and interest clerk get $1,200 each. As to the check clerk the salary is to be increased from $1,200 to $1,500, and the interest clerk's salary is to be increased from $1,200 to $1,400. Then there are provided two clerks——

Mr. COCKRELL. The bill provides a check clerk and an interest clerk at $1,200 each.

Mr. CULLOM. Yes; the amendment proposes that the check clerk shall have $1,500 and the interest clerk $1,400.

Mr. COCKRELL. Oh, yes.

Mr. CULLOM. The two clerks at $1,200 each stand as they are in the bill. Then it is provided by the amendment that there shall be one clerk and stenographer at $720. While that is the provision of the amendment, I desire to call the attention of the Senator from Ohio and the Senate to the fact that the estimate is for only $500 for that clerk. Then it is provided in the amendment that there shall be one day watchman at $840 and another day watchman at $720. The bill, as it stands, provides for two

night watchmen at $720 each. The amendment proposes that the messenger provided for in the bill shall be dropped out.

Mr. FORAKER. That he shall be called a night watchman at $600.

Mr. CULLOM. I was going to state that a night watchman was to take the place of the messenger, so that it altogether foots up $1,470 increase in the paragraph with reference to the subtreasury at Cincinnati over the amount allowed by the bill as it stands.

Mr. President, I merely desired to call the attention of the Senate to the exact changes, and to say that the committee have tried to avoid the increase of salaries where it did not seem to be absolutely necessary to do so. I am sorry that the Senator from Ohio at this time in the consideration of the bill should come forward with a number of increases. I think we ought not to consent to their being incorporated in the bill. So far as I am personally concerned, I would have no objection to a clerk and stenographer at the allowance provided by the estimate.

Mr. FORAKER. The Senator from Illinois certainly knows the fact that you can not for $500 a year get a clerk and stenographer who is well enough qualified to do work in an office of that character in a city like Cincinnati.

Mr. COCKRELL. You can get one for $600.

Mr. FORAKER. You can not for $600. A good stenographer in Cincinnati gets $15 or $20 a week. Nobody gets any less than that, and it runs up to a hundred dollars a month. It is very difficult to get an accomplished and capable stenographer and clerk for less than $1,200; certainly not for less than $1,000.

Mr. CULLOM. If the Senator from Ohio would be satisfied with the provision for the extra clerk and stenographer at $720, I would consent to it, so far as I am concerned; but I think the other amendments ought not to be adopted.

Mr. FORAKER. I hope the Senator from Illinois will not drive me to an alternative. I should like to have all these amendments agreed to. They have not been made merely for the sake of increasing salaries. They have been made for the purpose of doing justice to employees. Some of these men have been there for twenty years, working faithfully all that time. They are accomplished and are absolutely necessary. It would be difficult to supply their places. I suppose they will now stay there as long as they live, as they have remained this long, but I feel that it is only an act of justice to them. The assistant treasurer there, who is well qualified to judge of the value of the services, feels that they ought to have the compensation indicated by the amendment; and the assistant treasurer ought to organize the office, and ought to be allowed to organize the office, for the sake of efficiency, as the amendment proposes. I hope the Senate will accept the whole amendment. It makes a difference of only $700. Certainly in the conduct of an office involving so many million dollars, rendering such a public service, it is not an unreasonable request, particularly in view of the fact that we will then still be below any other subtreasury in the United States.

Mr. CULLOM. I suppose that is true as to the aggregate, but while I am not familiar with the exact amount of business done at Cincinnati, I am inclined to think it is one of the smaller offices of the country.

Mr. FORAKER. I do not myself know exactly, except that I have been told that it compares about equally with Baltimore; probably with New Orleans.

Mr. CULLOM. I do not know that I can say any more with reference to the matter. The amendment includes a large number of different items, and I should think we ought to have a vote upon each separate item, so that if any one of them is voted in by the Senate it will not include all the others. For instance, take the increase of the salary of the cashier. I should oppose that as one of the increases that ought not to be allowed at this time.

Mr. FORAKER. I think, if the Senator from Illinois insists upon his objection, that I will accept his offer, if it is still open, and be content.

Mr. COCKRELL. Mr. President, I wish to say to the Senator from Ohio that the considerations which he has urged in behalf of the increase of the salaries of these employees have been urged upon the committee from almost every branch of the service. Here are men who have served eight, ten, fifteen, or twenty years faithfully and efficiently. They are still there, and they think that because of their long service their salaries should now be increased. We have to resist appeals of that class coming from every branch of the service every year on every appropriation bill without exception. It is not pleasant for us to resist them.

Mr. CULLOM. I understand the Senator from Ohio is willing, if he can be allowed a clerk and stenographer, to withdraw the other parts of the amendment.

Mr. COCKRELL. I understand that. Now that the Senator from Ohio has withdrawn the other parts of the amendment, I was going to say when I got up that if the assistant treasurer at Cincinnati has no clerk who can perform the duties of a stenographer, I am willing that he shall have one, but I do not want to give it as a stenographer. I should say clerk and stenographer.

Mr. FORAKER. Very well.

Mr. CULLOM. Those are the proper words.

Mr. FORAKER. I have no objection to that.

Mr. COCKRELL. Then he can do any duty.

Mr. CULLOM. That is the phraseology of the amendment as now proposed.

Mr. COCKRELL. I want it to go in in that way, because we have found by experience that it is not wise to give just one title to a man where that employment and kind of work may not consume all his time, because he would claim that he has no right to do the work of other clerks, that he is not a clerk.

I wish to remind the Senator from Illinois that at no distant day, if I find that the office at St. Louis has not a clerk who can perform the duties of a stenographer, I shall want the same addition made there.

Mr. CULLOM. The amendment which the Senator from Ohio proposes I desire to have come in just before the words "night watchman," in line 12.

The PRESIDING OFFICER (Mr. CHILTON in the chair). The amendment will be stated.

The SECRETARY. At the end of line 11, page 56, it is proposed to insert:

One clerk and stenographer, at $720.

The amendment was agreed to.

Mr. CULLOM. The total, with that amendment adopted, will amount to $19,480.

The SECRETARY. In line 14, page 56, it is proposed to strike out "$18,760" and insert "$19,480."

The amendment was agreed to.

The reading of the bill was resumed. The next amendment of the Committee on Appropriations was, in the clause "For office of assistant treasurer at New York," on page 58, line 9, after the word "dollars," to insert "and two clerks;" in line 20, to increase the number of watchmen at $720 each from seven to eight; and in line 21, to increase the total appropriation for the office of the assistant treasurer at New York from $203,160 to $205,680.

The amendment was agreed to.

The next amendment was, on page 61, after line 12, to strike out:

And the Secretary of the Treasury is hereby authorized, in his discretion, to supply the mint at Carson with silver bullion for conversion into standard silver dollars and all smaller denominations of silver.

If in the discretion of the Secretary of the Treasury the mint at Carson, Nev., be not operated as a coinage mint during the whole or any part of the fiscal year 1900, the foregoing appropriations for said mint shall only be available during the fiscal year 1900, or such part of said year as the said mint is not operated for coinage purposes, for maintaining the same as an assay office, and as follows:

For assayer in charge, who shall also perform the duties of melter, $2,000; assistant assayer and one clerk, at $1,500 each; for wages of workmen and watchmen, $7,500; for incidental and contingent expenses, $3,000; in all, $15,500.

The amendment was agreed to.

The next amendment was, on page 62, to increase the salary of assayer in charge of mint at Denver, Colo., from $2,500 to $3,000; in line 11, after the word "each," to insert "one clerk, $1,200;" and in line 12, to increase the total appropriation for the mint at Denver, Colo., from $12,350 to $14,050.

The amendment was agreed to.

The next amendment was, on page 62, line 14, to increase the appropriation for wages of workmen at the mint Denver, Colo., from $20,000 to $22,000.

The amendment was agreed to.

The next amendment was, on page 62, line 16, to increase the appropriation for incidental and contingent expenses of the mint at Denver, Colo., from $5,000 to $6,000.

The reading of the bill was continued to the end of line 10, page 63.

Mr. MCENERY. I offer an amendment, which I desire to have read.

The SECRETARY. In line 25, page 62, it is proposed to strike out the words "three thousand five hundred dollars" and insert "four thousand five hundred dollars;" so as to read:

Mint at New Orleans, La.:
For superintendent, $4,500.

Mr. CULLOM. I hope the amendment will not be agreed to. That salary is $3,500.

Mr. MCENERY. Mr. President, I offer the amendment simply for the reason that recently the business of the mint at New Orleans has been very largely increased, and it will be further increased because of the requirements for coinage for Cuba and Porto Rico. Besides that, I understand the original appropriation was made when the superintendent of the mint had a residence in the mint. Since then the increase of the business of the mint has been so great that it has been necessary to give up the residence rooms for the purpose of the business of the mint. The output of the mint has increased over a million dollars a year. The loss of residence, the increase of business, the increase of responsibility, I think, justify this increase, so as to make the salary

equal to that of the superintendent of the assay office in New York and the salary of the superintendent of the mint in Philadelphia and at San Francisco, in each of which cases it is $4,500 a year.

Mr. CULLOM. I raise the point of order that the increase is not estimated for. The officer is getting just what is estimated for, and therefore the amendment is not in order. It would change the existing law. It is not recommended by anybody.

The PRESIDING OFFICER. The Chair will ask the Senator from Illinois whether any of the other alternatives of the rule has been complied with?

Mr. CULLOM. Nothing has been heard of it until just now.

The PRESIDING OFFICER. It is not moved by direction of a standing or select committee of the Senate?

Mr. CULLOM. No, sir.

The PRESIDING OFFICER. Unless the Senator from Louisiana desires to be heard, the Chair will be forced to sustain the point of order.

Mr. COCKRELL. The Book of Estimates shows whether there is any estimate.

Mr. McENERY. I do not propose to press the amendment or to call for a vote on it unless it meets with the judgment of the Senator in charge of the bill.

Mr. CULLOM. I have here the Book of Estimates, showing that the officer is getting just what the estimate provides for, and there has been no preliminary action taken with a view of increasing his salary.

The next amendment was, on page 63, line 14, under the subhead "Mint at New Orleans, La.," to increase the appropriation for incidental and contingent expenses, including wastage of operative officers and loss on sale of sweeps, from $8,000 to $20,000.

Mr. CULLOM. In line 13, after the word "including," I move to insert the word "repairs;" so as to make the paragraph read:

For incidental and contingent expenses, including repairs, wastage of operative officers, and loss on sale of sweeps, $20,000.

Mr. COCKRELL. I suggest that the Senator insert "and repairs" after the word "sweeps" in line 14; so as to read:

For incidental and contingent expenses, including wastage of operative officers and loss on sale of sweeps and repairs, $20,000.

Mr. CULLOM. That will do. It will come in there better.

The amendment to the amendment was agreed to.

The amendment as amended was agreed to.

The next amendment was, in the clause for "Assay office at Seattle, Wash.," on page 67, line 13, after the word "dollars," to insert "clerk, $1,200;" and in line 14 to increase the total appropriation for assay office at Seattle, Wash., from $4,000 to $5,200.

The amendment was agreed to.

The next amendment was, on page 67, line 17, to increase the appropriation for wages of workmen, rent, and contingent expenses at the assay office at Seattle, Wash., from $16,000 to $18,000.

The amendment was agreed to.

The next amendment was, under the subhead "Government in the Territories," on page 67, line 22, to increase the number of commissioners for the Territory of Alaska from nine to ten; in the same line, after the word "Kadiak," to insert "and one of whom shall reside in Forty-Mile mining district;" and on page 68, line 2, to increase the total of the appropriation for officers for the Territory of Alaska from $30,000 to $31,000.

The amendment was agreed to.

The Secretary resumed the reading of the bill, and read to line 11 on page 68, the last paragraph read being as follows:

Territory of Arizona: For governor, $2,600; chief justice and three associate judges, at $3,000 each; secretary, $1,800; interpreter and translator in the executive office, $500; in all, $16,900.

Mr. COCKRELL. I wish to say that, in my judgment, these appropriations for interpreters ought not to be made. We have had possession of Arizona and New Mexico ever since 1847, I may say. That is fifty-one years. If the inhabitants of those Territories have not yet learned to speak the English language, it is time that they were made to do so. I thought we had put an end to that business some years ago when we prohibited the publication of the laws and proceedings of the Territorial assembly in the Spanish language, requiring them to be published in the English language. Yet I see that we still have these interpreters.

In a Territory that has been possessed by the United States as long as New Mexico and Arizona have been we ought not to have any occasion for the use of an interpreter. It is in the bill now. My attention was not directed to it at the time when the bill was considered in the committee. I glanced over it and I did not notice those words. I intended before the consideration of the bill by the Senate to have a provision made that no such thing should be done, but it is in the bill now, and I want to give notice that hereafter I shall oppose an appropriation for any such purpose. They are American citizens, practically, born upon American soil, under the American flag, and owing allegiance to it. Our national language is the English language, and yet we have got to employ somebody to interpret what they say. I think it is time to stop it.

Mr. CULLOM. I agree with the Senator; but I remember that a few years ago, when we were in some controversy over the admission of New Mexico, a judge in that Territory told me that no case could be tried in the Territory without an interpreter; that witnesses and other people connected with the court and the trial could not speak anything but Spanish.

Mr. COCKRELL. I have no doubt that that is true, and that condition of affairs will remain just as long as we permit them to go on in the way they have been going.

Mr. CULLOM. I think that is true.

Mr. COCKRELL. That is the reason why I want to put a stop to it, so that if they are not able to speak the English language and be understood, they shall have no right to go into the courts there and testify in matters.

Mr. CULLOM. I suppose if a man who can not speak the English language has a case in court he ought to have a chance of trying it somehow.

Mr. COCKRELL. He ought to learn the English language.

Mr. CULLOM. I agree with the Senator. The time surely will come very soon when we can dispense with this class of men.

The reading of the bill was resumed. The next amendment was, on page 69, line 15, to increase the appropriation for contingent expenses of the Territory of Oklahoma, etc., from $500 to $1,000.

The amendment was agreed to.

The next amendment was, under the head of "War Department," in the clause for "Office of the Secretary," on page 70, line 5, to increase the number of clerks of class 4 from four to five; and in line 14 to increase the total appropriation for the Office of the Secretary from $99,050 to $100,850.

The amendment was agreed to.

The next amendment was, on page 71, line 7, after the word "on," to strike out "and after the passage of this act" and insert "or before July 1, 1899;" so as to make the paragraph read:

For the employment during the nine months beginning July 1, 1899, of such additional temporary force of clerks, messengers, laborers, and other assistants as in the judgment of the Secretary of War may be proper and necessary to the prompt, efficient, and accurate dispatch of official business in the War Department and its bureaus, to be allotted by the Secretary of War to such bureaus and offices as the exigencies of the needs of the service may demand, $450,000. Persons in the classified service of the Government shall not be eligible to appointment under this appropriation, or to be transferred from any position in the classified service to positions paid hereunder; and any appointments or employments heretofore so made and payable from appropriations of this character for additional employees rendered necessary because of increased work incident to the war with Spain shall be vacated on or before July 1, 1899.

Mr. GORMAN. I ask the Senator in charge of the bill why this amendment was made?

Mr. CULLOM. That change in the bill was made by the committee on the ground that if the bill was left to stand just as the House passed it all these clerks would be taken out of the service at once. They can not be placed elsewhere in the service without giving the Department a little time within which to carry out what evidently ought to be done. These men were selected and put in this temporary employment because of their special fitness, and it would hardly be fair that they should be dropped out of the service because they had been taken out of the regular line and put over the new men who came into the Department to perform extraordinary work. So the committee thought that we ought to give from the time of the passage of this act to the 1st of July to enable the Department to place them where they ought to be.

Mr. GORMAN. If I understand the operation of the order of the War Department under the special act of last year, they have taken clerks already in the classified service, say at a compensation of $1,200, and assigned them to other duties under this temporary employment at $1,500, $1,800, or $2,000, whatever it may be, I have not the exact figures, but they were transferred at an increased salary.

All that the provision as it comes from the House does, I understand, is to stop that practice, which was never contemplated, to say the least of it, and simply to restore the men who have been so temporarily appointed back to their positions at the salary provided for by law.

It occurs to me that there is no injustice in having the act go into operation immediately after the passage of this act, because I think it is concurred in by everybody that the provision that the Secretary of War made was rather an extraordinary one and was never contemplated by either House of Congress when the lump sum was placed in his hands for the employment of temporary clerks. It was a way of increasing salaries that I think never was contemplated.

I have no earthly objection in any case to making a fair provision for men who are competent. I know that in that Department, as in all the others, the men who have grown up in the service, who understand all the details of the Department, are very poorly paid. But I do believe that the compensation ought to be fixed in all these cases, and it was certainly outside of the idea we had in view when we made a lump appropriation to employ extra men that thereby there should be a large increase of salaries in the permanent force of the Department.

I think we ought to adhere to the House provision. It was considered by the committee, if I may say so here, and by a House that is entirely friendly to the Department and with no disposition to hamper it in any way. Very properly, in my judgment, the House made a rule in this case which has been the law in all other cases.

The war with Spain is over; it is past; and I hope not only in this case but in some others we may get back to a reasonable and fair administration of the Government. In the legislation of the last session, which I intend to call attention to later on, we passed acts authorizing, for instance, the promotion of a lieutenant in the Army so as to make him a colonel so long as he was assigned to a division of the War Department, and the provision of the law is that their pay as colonels—the pay of a colonel given to a lieutenant—shall last one year after the declaration of peace. So with these civilians. It was done in a hurry. It was done under circumstances where it could not be combated at the time. But now that has passed in so far as the war with Spain is concerned. We may have other wars, and probably we have other wars on hand, but with Spain, at all events, that condition has ceased.

I hope we will now come back to this provision, which I am very glad the House of Representatives have inserted, and reduce the compensation of these men, reducing it to that provided for by law, and not permit $100,000, as we are doing in this case, or $450,000 to be added in this way for favorites in the Department. I think it is demoralizing the service. It is creating a favoritism there which runs all through the Department and gives serious trouble.

I therefore trust that the Senator in charge of the bill will permit this provision to stand just as it came to us from the House of Representatives and let the law go into operation immediately upon the passage of this act.

TICKET BROKERAGE.

The PRESIDING OFFICER (Mr. CLAY in the chair). The hour of 2 o'clock having arrived, the Chair lays before the Senate the unfinished business, which will be stated.

The SECRETARY. A bill (S. 1575) to amend an act entitled "An act to regulate commerce."

Mr. CULLOM. I ask that the unfinished business be temporarily laid aside and that we continue the consideration of the bill now before the Senate.

The PRESIDING OFFICER. Is there objection to the request of the Senator from Illinois? The Chair hears none, and the request is granted.

HOUSE BILLS REFERRED.

The following bills and joint resolution were severally read twice by their titles, and referred to the Committee on Finance:

A bill (H. R. 4790) for the relief of Homer D. McGraw, Lee County, Ala.;

A bill (H. R. 8306) for the relief of Z. C. Church;

A bill (H. R. 11785) for relief of certain tobacconists of Lynchburg, Va.; and

A joint resolution (H. Res. 358) to amend section 25 of the act passed June 13, 1898, entitled "An act to provide ways and means to meet war expenditures, and for other purposes."

The following bills were severally read twice by their titles, and referred to the Committee on Public Buildings and Grounds:

A bill (H. R. 10969) for the erection of a public building in the city of Blair, Nebr.; and

A bill (H. R. 11728) to remove the fire limit from the post-office at Bridgeport, Conn.

The following bills were severally read twice by their titles, and referred to the Committee on Indian Affairs:

A bill (H. R. 11685) granting the right of way through certain lands in the former Nez Perces Reservation, in the State of Idaho; and

A bill (H. R. 11916) to authorize the Fort Smith and Western Railroad Company to construct and operate a railway through the Choctaw and Creek nations, in the Indian Territory, and for other purposes.

The bill (H. R. 11455) granting to the city of Boulder, in the State of Colorado, certain lands for park purposes and for the preservation of the native trees on said lands was read twice by its title, and referred to the Committee on Public Lands.

The bill (H. R. 11677) to authorize the construction of a bridge across the Monongahela River at Morgantown, in the State of West Virginia, was read twice by its title, and referred to the Committee on Commerce.

The bill (H. R. 11955) to amend sections 820 and 821 of the Revised Statutes of the United States was read twice by its title, and referred to the Committee on the Judiciary.

The bill (H. R. 1800) to reimburse George W. McKinsey, postmaster at Kokomo, Ind., for money paid out by him as said postmaster was read twice by its title, and referred to the Committee on Post-Offices and Post-Roads.

HOMESTEAD SETTLERS IN FLORIDA.

The PRESIDING OFFICER laid before the Senate the amendment of the House of Representatives to the bill (S. 4690) for the relief of certain homestead settlers in Florida; which was, in line 9, after the word "leave," to insert "and to remain away from."

Mr. PASCO. This bill is a very important one to some people in my State. The amendment made to the bill in the House of Representatives is not an important one. It will be entirely harmless. I move that it be concurred in.

The motion was agreed to.

PUBLIC BUILDING AT ALTOONA, PA.

The PRESIDING OFFICER laid before the Senate the amendments of the House of Representatives to the bill (S. 1273) for a public building at the city of Altoona, Pa., and appropriating money therefor; which were, on page 1, line 5, to strike out "cause to be erected thereon, a" and insert "to contract for the erection and completion of a;" on page 2, line 22, to strike out all after the word "alleys" down to and including the word "therein," in line 29; and to amend the title so as to read: "A bill for a public building at the city of Altoona, Pa."

Mr. COCKRELL. Is that a bill which was passed by the Senate and amended by the House of Representatives?

Mr. PENROSE. It is a bill which has been passed by the Senate and has been amended in the other House, as I understand, in a technical and verbal manner only.

Mr. COCKRELL. Let the amendments be again stated, so that we may understand the matter.

Mr. PENROSE. I think they are merely verbal and technical.

The PRESIDING OFFICER. The amendments proposed by the House of Representatives will be again stated.

The SECRETARY. On page 1, line 5, before the word "suitable," the House of Representatives struck out the words "cause to be erected thereon, a" and inserted "to contract for the erection and completion of a;" and on page 2, line 22, after the word "alleys," the House of Representatives struck out:

And that no money appropriated for this purpose shall be available until a valid title to the site for said building shall be vested in the United States, nor until the State of Pennsylvania shall have ceded to the United States exclusive jurisdiction over the same, during the time the United States shall be or remain the owner thereof, for all purposes except the administration of the criminal laws of the said State and the service of civil process therein

So as to make the bill read:

Be it enacted, etc., That the Secretary of the Treasury be, and he is hereby, authorized and directed to purchase by private sale or secure by condemnation a site for, and to contract for the erection and completion of a suitable building, with fireproof vaults therein, for the accommodation of the United States district and circuit courts, post-office, and other Government offices, at the city of Altoona, in the county of Blair and State of Pennsylvania. The plans, specifications, and full estimate for said building shall be previously made and approved according to law, and shall not exceed, for the site and building, complete, the sum of $125,000; nor shall any site be purchased until estimates for the erection of a building which will be sufficient accommodations for the transaction of the public business, and which shall not exceed in cost the balance of the sum herein limited, after the site shall have been purchased or condemned and paid for, shall have been approved by the Secretary of the Treasury: *Provided*, That the site shall leave the building unexposed to danger from fire in adjacent buildings by an open space of not less than 40 feet, including streets and alleys.

Mr. COCKRELL. Is the last part stricken out in the proviso?

The PRESIDING OFFICER. The Chair is so informed.

Mr. COCKRELL. It seems to me we have inserted that provision in every such bill that we have ever passed. I ask that the bill may be printed with the amendments of the House of Representatives, and that it lie upon the table, so that it can be called up again. I want to examine it. That seems to me a very strange amendment.

Mr. PENROSE. I am perfectly willing that that course may be pursued. I will state to the Senator from Missouri that my colleague [Mr. QUAY] is familiar with the amendments and that I only made the motion in his absence.

Mr. COCKRELL. Let the bill and amendments be printed and lie upon the table.

Mr. PENROSE. Certainly.

The PRESIDING OFFICER. The bill and amendments will lie upon the table and be ordered to be printed.

PRESIDENTIAL APPROVALS.

A message from the President of the United States, by Mr. O. L. PRUDEN, one of his secretaries, announced that the President had on the 9th instant approved and signed the following acts:

An act (S. 290) granting a pension to Charlotte Poe;

An act (S. 304) granting a pension to Henry Farmer;

An act (S. 383) granting an increase of pension to William W. Tumblin, of Bradford County, Fla.;

An act (S. 717) granting an increase of pension to Eva W. Brannan;

An act (S. 943) granting a pension to Jane B. Johnston;

An act (S. 1183) granting a pension to John Green;

An act (S. 1974) granting a pension to Charles H. Streeter;

An act (S. 2002) granting an increase of pension to Byron R. Pierce;

An act (S. 2015) granting a pension to Lillian M. Yost;
An act (S. 2729) granting a pension to Lydia E. Bowers;
An act (S. 2786) granting a pension to Martha E. Huddleston;
An act (S. 3002) to pension William Russell for services in Oregon Indian wars;
An act (S. 3534) granting an increase of pension to Annie E. Joseph;
An act (S. 4246) granting an increase of pension to Margaret Love Skerrett;
An act (S. 4422) granting an increase of pension to George W. Gould;
An act (S. 4622) granting an increase of pension to John S. Beaty;
An act (S. 4871) granting an increase of pension to Eleazer Smith; and
An act (S. 5224) to extend the time for the construction of a bridge across the Missouri River at or near the city of Boonville, Mo., by the Boonville and Howard County Bridge Company.

The message also announced that the President of the United States had on this day approved and signed the following acts:
An act (S. 4571) to extend Rhode Island avenue; and
An act (S. 4700) to receive arrearages of taxes due the District of Columbia to July 1, 1897, at 6 per cent per annum, in lieu of penalties and costs.

LIGHT AND FOG-SIGNAL STATION IN NARRAGANSETT BAY.

Mr. CULLOM. The Senator from Michigan [Mr. MCMILLAN], who is engaged in the Committee on Commerce during the session, is anxious to have a bill passed, and I yield to him.

Mr. MCMILLAN. It is a bill of about five or six lines.

Mr. COCKRELL. What is the bill?

Mr. MCMILLAN. It is the bill (H. R. 26) for the establishment of a light and fog-signal station on or near Hog Island Shoal, Narragansett Bay, Rhode Island, and contains only a few lines. I ask unanimous consent for its present consideration.

There being no objection, the Senate, as in Committee of the Whole, proceeded to consider the bill. It proposes to establish on or near Hog Island Shoal, Narragansett Bay, Rhode Island, a light and fog-signal station, to take the place of the light vessel now there, at a cost not to exceed $35,000.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

Mr. MCMILLAN. I am very much obliged to the Senator from Illinois.

Mr. CULLOM. Very well. Now let the appropriation bill be proceeded with.

LEGISLATIVE, EXECUTIVE, AND JUDICIAL APPROPRIATION BILL.

The Senate, as in Committee of the Whole, resumed consideration of the bill (H. R. 11414) making appropriations for the legislative, executive, and judicial expenses of the Government for the fiscal year ending June 30, 1900, and for other purposes, the pending question being on the amendment of the Committee on Appropriations, on page 71, line 7, to strike out the words "and after the passage of this act" and to insert "or before July 1, 1899."

Mr. CULLOM. Mr. President, these clerks were detailed by the Secretary for this particular work because of their qualifications for the work and because some experienced clerks were needed in order to carry on the work being done by new men and persons put into the service who were not familiar with the public service at all. They are in the classified service, and unless the Department can have a little time after the law takes effect to place them again it will be doing a great injustice, as the committee thought, to those men. While I am just as anxious as the Senator from Maryland to close up the service of men when they are not needed, if there are any such men in the service, he will agree with me that it would be very unfair and unfortunate if these men should now be discharged before they could be taken care of in their old places in some way or other.

Mr. GORMAN. The Senator misunderstands me. I have no disposition whatever to curtail the number of clerks that are absolutely necessary to close up the work incident to the war or to discharge any one of them. The suggestion that I made is not to discharge a single employee. It only prohibits, as the House has sent it to us, the payment of extra compensation to gentlemen who are already in the service of the Government under the classified service and who have fixed salaries. It merely provides that after the passage of this act they shall not receive more salary than that which the law provides. That is all. Not a single man is to be disturbed by the bill as it comes from the House. It is only a question whether we shall permit that extraordinary thing to continue—the increasing of the salaries of permanent employees out of a lump appropriation for a temporary purpose.

Mr. CULLOM. I think that we would be doing an injustice if we should let the provision stand as it passed the House, and I hope that the words "or before July 1, 1899," will be retained.

Mr. SEWELL. Will the Senator from Illinois allow me to ask him a question?

Mr. CULLOM. Certainly.

Mr. SEWELL. Does this refer to what is known as the roll established by the Secretary of the Treasury for old men?

Mr. CULLOM. No; it has no relation to that at all.

Mr. SEWELL. What does it refer to?

Mr. CULLOM. The first part of the paragraph under consideration, found on page 70 of the bill, is as follows:

> For the employment during the nine months beginning July 1, 1899, of such additional temporary force of clerks, messengers, laborers, and other assistants as in the judgment of the Secretary of War may be proper and necessary to the prompt, efficient, and accurate dispatch of official business in the War Department and its bureaus, to be allotted by the Secretary of War to such bureaus and offices as the exigencies of the needs of the service may demand, $450,000.

In order to make that additional force effective, which was composed of new men, men inexperienced in public affairs or in that kind of work, the Secretary detailed from the classified service a number of experienced clerks to take charge of the force and carry it on for the time being. Now the time has come when we want to get rid of them, and unless the Secretary can have a little time after the passage of this act, say until the 1st of July next, to replace those classified clerks, it would be very much to their detriment.

Mr. SEWELL. It was absolutely necessary, in order to instruct the additional force, to have these men detailed.

Mr. CULLOM. That is right.

Mr. SEWELL. And they ought to be restored to their former positions.

Mr. COCKRELL. In the last session of this Congress, at the beginning of hostilities, knowing that the clerical and other work in some of the Departments would be largely increased thereby, we provided for the employment of a temporary force in the Departments. That was intended as a force additional to the regularly employed clerks who were in the classified service, with salaries from $900 a year up to $1,800.

When this law was enacted and the Departments began to select the employees, a number of clerks with salaries, say, at $1,000 or $1,200 or $1,400 were anxious to go into this temporary service at a higher rate, in a class above, which was practically equivalent to a promotion. I understand that they were advised that they would have to take all the risks as to being placed back in their original positions. I am not certain, but my recollection is that the vacancies made by their being taken out were filled by promotions.

Mr. CULLOM. I think that is correct.

Mr. COCKRELL. And a clerk of the next lower grade was appointed, as a matter of course, under the civil-service law. The effect of the provision as it was passed by the House of Representatives would be to discharge from this temporary roll those who had gone into the temporary service in that way; perhaps it would not discharge them, but it would preclude the possibility of their being transferred back to their old positions. I have no idea that either House of Congress anticipated this method of administering that law; certainly the House of Representatives did not, or they would not have made the language so emphatic in this provision.

The only excuse that can be given is that here were quite a number of temporary employees, persons who had not been in the service, some of whom, at least, were doubtless not familiar with the business they had to transact. This was a new force; it was not organized, and the Departments thought it would be wise, as we have been advised, to let some of the more experienced clerks, who were familiar with the business, be placed in connection with the new clerks to assist them and show them how the work should be done. That is the only excuse, and under some circumstances I am not certain but that the action would be justifiable.

It seems to me that the new clerks ought to have had some experienced clerks associated with them. I do not know how the Departments disposed of these clerks. I do not know whether they were put under experienced chiefs of divisions having charge of this business. If that was done, then there was no necessity for the detail of any clerks. If, however, they were kept as a separate force and were not made a part and parcel of the existing divisions, so that they would come under the jurisdiction of the old chiefs, it was best to have some one having experience placed in charge of them; and we think that probably under the circumstances the Departments were at least justifiable, and that it might be well to extend the time until July 1, so that if vacancies occur the clerks who have been transferred to the temporary roll, or who have accepted appointments on the temporary roll—because there was no civil-service examination—who had resigned their places in the regular service, might have an opportunity of being reinstated under the law which authorizes the reinstatement of anyone who has resigned within one year after the resignation. Therefore this time was given. We thought it was a matter of clemency and of leniency to let it be done in that way.

The PRESIDING OFFICER. The question is on agreeing to the amendment.

The amendment was agreed to.

The reading of the bill was resumed with the clause making

appropriations for the "Record and Pension Office," at line 9, on page 71.

The next amendment of the Committee on Appropriations was, in the clause making appropriations for the "Office of the Adjutant-General," on page 72, line 13, after the word "dollars," to insert "clerk to the Adjutant-General, $1,800;" and in line 18 to increase the total appropriation for Office of the Adjutant-General from $159,280 to $161,080.

The amendment was agreed to.

The reading of the bill was resumed, and continued to the end of line 25, on page 75.

Mr. ALLEN. I should like to ask the Senator in charge of this bill whether the reports referred to here to be made by the engineers have heretofore been made? The bill provides:

That the expenditures on this account for the fiscal year ending June 30, 1900, shall not exceed $72,000; and that the Secretary of War shall each year, in the annual estimates, report to Congress the number of persons so employed and the amount paid to each.

Mr. ALLISON. I understand such reports have heretofore been made. They are made annually.

Mr. ALLEN. I was not aware that there were any reports of that kind on file in the document room.

Mr. ALLISON. They are required each year. I understand they are found in the report of the Chief of Engineers. If the Senator will turn to the Book of Estimates, he will find the reports on page 363.

Mr. ALLEN. I wish to suggest an amendment to this paragraph, to come after the words "number of persons so employed"——

Mr. ALLISON. I suggest to the Senator from Nebraska that the committee amendments are being now considered, and that his amendment, under the agreement, is not in order.

Mr. ALLEN. That may be true.

Mr. ALLISON. It is not in order at this time; but later on the Senator will have an opportunity to offer it.

Mr. ALLEN. It may be true that the amendment is not strictly in order; but it is a mere verbal amendment, and I thought possibly the Senator might be willing to accept it. The amendment is to the effect that I want the character of the services of these persons reported as well as their salaries. Here we authorize the employment of a lot of persons for clerical purposes, whose duties are not specified by this bill, and necessarily must be specified to some extent by the appointing power. The character of their respective offices is not known; the services they are to perform are unknown; and the Secretary of War is not required to even report the character of the services performed by these men. A very essential thing for the country to know and for Congress to know, in my judgment, is what services these persons have rendered the Government, and then we could judge at another time whether their services could be properly dispensed with or not.

Mr. President, I desire to enter my protest, feeble as it is and necessarily must be, against any provision in a bill authorizing the employment indiscriminately of a great number of persons without it being made known before the bill is passed that their services are or will be necessary. We are in the habit of passing bills here authorizing some head of a Department to employ an army of clerks, to create subordinate offices without number, and to fix their compensation without the slightest information as to the duties to be performed or whether those officers and employees are necessary to conduct the public business or not. We have no right to complain under such circumstances of irregularities in the Departments.

I know of no reason, Mr. President, why this great Government of ours should not be run like a great machine. I do not mean a political machine, but a piece of mechanism, where every portion has a peculiar function to perform, which is necessary to the exercise of the entire power of the Government. I know of no reason, Mr. President, and I shall die without knowing any reason, why a vast army and horde of unnecessary employees are constantly pensioned upon this Government.

If any man in this country, I care not how wealthy he may be, would conduct his private business as the Appropriations Committees of the respective Houses of Congress conduct the business of the United States, he would be a hopeless bankrupt inside of twenty-four months, yet because the country is large, and because the great masses of our countrymen can not occupy the galleries from day to day, as the chronic habitues do, and witness the transaction of the public business; because they are isolated to a great extent and must depend largely upon the press for their information, which is always imperfect, it seems to be taken for granted that their money can be spent like the pouring out of the waters of a river, not for the benefit of the country, but for the benefit of individuals and particular interests.

I do not know how long this thing will continue. It certainly will continue until the people rise in their might and in their just indignation and overturn this whole system and turn out of power every man, high or low, who gives aid or comfort to this method of transacting the business of our country.

Mr. President, one of the weak features of a government like this is continuing in authority men so long that they absolutely forget, if they ever knew, that they are a part and parcel of the great struggling masses of their country. They become isolated in feeling and in fact. They have no sympathy with the masses of their kind; or, if they have any, it is a kind of sickly, maudlin, sentimental sympathy; it is not effectual.

That is one of the blots upon the institutions of this country as respects our Federal judiciary. We appoint men to the Supreme Court of the United States and to the subordinate judicial positions throughout the United States who at the time possibly have some slight knowledge of the wants and wishes of the masses of their countrymen, and especially in the States and communities where they reside; but, sir, they are there for life unless you can find a House of Representatives that will prefer articles of impeachment against them and a Senate that will expel them from their positions. They are secure in their salaries; secure from any accountability to the people whose rights they pass upon.

It is but a short time until their recollections of their early surroundings fade out like a transformation scene, and immediately they become sleek and give evidences of waxing fat and growing great, and they can not deal with anybody or associate with anybody unless he be a great railroad magnate, or a bank president, or a stock broker, or some other kind of money gambler. The result is, when the ordinary citizen, 2,000 miles from the scene where one of these courts is held, walks upon the two-dollar-and-a-half carpet which covers the court room, he goes crouching and cringing as a criminal would in the presence of a great dictator, instead of walking with his head erect like an American citizen in a court where he expected justice to be given him.

Mr. President, it may be somewhat divergent from the subject-matter or the text of these remarks, but I will say that the only tribunal which to-day stands between the masses of the people of this country and ruin is the State judiciary; and the State judiciary will do itself honor when it resists with every power in its hands the encroachments of a ruthless Federal judiciary.

Here we have the delightful spectacle of a case brought into a State court, with limitless jurisdiction, being changed to a Federal court, before it ever comes to issue, before there is a thing to be tried, by the order of some obscure fellow who enjoys a pull and gets himself onto the circuit or district bench of the United States, not on account of his great wisdom as a lawyer, but because he is the dependent of some man in power.

I have no desire, Mr. President, to refer to the present condition in the Senate—that would now be improper—but the Senate of the United States has much blame resting upon its shoulders concerning the appointment of the Federal judiciary of this country. We have the power to say "no." The man who comes into this presence to be confirmed as a judge should be a judge by nature as well as a judge by education, and he should, above all things, be a gentleman, which is necessary in every walk of life. Yet, Mr. President, since I have served here I will say that dozens of men have been confirmed upon party grounds who enjoyed no other qualification for a judicial position than that they were the political dependents and favorites of some man or some men in power, who were wholly as unqualified, from a judicial standpoint or from the standpoint of judicial temper, as a Five Points pettifogger.

I offer the amendment which I send to the desk.

Mr. ALLISON. I am not in charge of the bill; but the understanding was when the bill was first taken up that the amendments of the Committee on Appropriations should be first considered. The Senator from Nebraska will have ample opportunity, however, to offer his amendment later.

Mr. ALLEN. Every rule, Mr. President, has its exceptions, and I did not know but the Senator would be willing to make an exception as to this mere verbal amendment.

Mr. ALLISON. I think if we make one exception, we shall be obliged to make others. The Senator from Illinois [Mr. CULLOM] is in charge of the bill, and I felt as though I would not like to interfere with the rule which has been adopted.

Mr. ALLEN. I understand the rule was interfered with a few moments ago.

Mr. CULLOM. I yielded for special reasons. The Senator from Ohio [Mr. FORAKER] was going to leave the city, and so would not have an opportunity to offer his amendment later.

Mr. ALLEN. I have never found any of these special reasons applied to me in any case, at least thus far, and I do not expect them to apply now.

Mr. HOAR. I rise to a parliamentary inquiry, Mr. President.

The PRESIDING OFFICER. The Senator from Massachusetts will please state his parliamentary inquiry.

Mr. HOAR. I should like to know what is the pending question?

The PRESIDING OFFICER. The pending question is an amendment offered by the Senator from Nebraska [Mr. ALLEN] to the bill, which has not yet been stated.

Mr. HOAR. Do I understand the Senator from Nebraska is still proceeding with his remarks?

Mr. ALLEN. I had reached a point where I thought I would yield the floor.

Mr. HOAR. I made the inquiry because I did not wish to interfere with the Senator's remarks. Other Senators have spoken, and I want to know whether the Senator from Nebraska has concluded. When a proper time arrives it will be my duty to move an executive session.

Mr. ALLEN. I should be perfectly willing to yield now to the Senator from Massachusetts for that purpose.

Mr. HOAR. I move that the Senate proceed to the consideration of executive business.

Mr. CULLOM. Will the Senator from Massachusetts allow me to make a remark before the motion is put?

The PRESIDING OFFICER. Does the Senator from Massachusetts withdraw his motion?

Mr. HOAR. I do.

Mr. CULLOM. I am not going to resist the motion of the Senator at a proper time at least, but I want to say that I am very anxious that the pending bill shall be concluded to-morrow, as I shall be compelled to be away the first part of the following week.

Mr. ALLEN. I think this bill ought to be thoroughly discussed before it is passed.

Mr. CULLOM. I am not opposing a thorough discussion of it.

Mr. ALLEN. It is a very important bill.

Mr. CULLOM. I know it is.

Mr. CHANDLER. Let there be an agreement that it shall be concluded before adjournment to-morrow.

Mr. CULLOM. All I desire—I would not ask that but for the fact that I am going away, to be gone two or three days——

Mr. ALLEN. I would not consent to the request of the Senator from New Hampshire. There are two or three provisions of the bill that ought to be ventilated.

Mr. CHANDLER. Will the Senator from Nebraska agree that the bill shall be concluded before we adjourn to-morrow?

Mr. ALLEN. I think not.

Mr. CHANDLER. I wish the Senator would do that.

Mr. CULLOM. If the Senator from Nebraska declines to consent, I give notice that I will endeavor to call up the bill very early after the meeting of the Senate to-morrow, in the hope that we may be able to get through with it during the day.

Mr. CHANDLER. Will the Senator from Illinois insist on finishing the bill to-morrow?

Mr. CULLOM. I shall, unless it is perfectly obvious that it can not be done without keeping us here too late.

Mr. CHANDLER. It can be done. A majority of the Senators will stay here to finish the bill to-morrow.

Mr. ALLEN. I do not wish to put myself in antagonism to the wishes of the distinguished Senator from Illinois, I feel that that would hardly be proper courtesy. But there is morning business from to-day which will come up to-morrow, and if necessary I think the full two hours should be taken to consider it. The Government is not suffering by the failure to pass the pending bill. It will be passed before Congress adjourns.

Mr. CHANDLER. There are a great many other bills to be passed before Congress adjourns.

Mr. ALLEN. I do not doubt, so far as I am concerned, that every appropriation bill will be passed before Congress adjourns.

Mr. CULLOM. I am satisfied that when to-morrow comes the Senator from Nebraska will not interpose to the extent——

Mr. ALLEN. I shall not interpose any captious objection.

Mr. ALLISON. I am sure the only thing the Senator from Nebraska desires is ample opportunity to debate the bill; and I hope that will be given.

Mr. ALLEN. That is all I desire.

PACIFIC CABLE SYSTEM.

The PRESIDING OFFICER laid before the Senate a message from the President of the United States; which was read, as follows:

To the Senate and House of Representatives:

As a consequence of the ratification of the treaty of peace between the United States and Spain and its expected ratification by the Spanish Government, the United States will come into possession of the Philippine Islands on the farther shores of the Pacific. The Hawaiian Islands and Guam becoming United States territory and forming convenient stopping places on the way across the sea, the necessity for speedy cable communication between the United States and all these Pacific islands has become imperative. Such communication should be established in such a way as to be wholly under the control of the United States, whether in time of peace or of war. At present the Philippines can be reached only by cables which pass through many foreign countries, and the Hawaiian Islands and Guam can only be communicated with by steamers, involving delays in each instance of at least a week. The present condition should not be allowed to continue for a moment longer than is absolutely necessary.

So long ago as 1865 reference was made in an Executive message to Congress to the necessity for cable communication between the United States and Hawaii. This necessity has greatly increased since then. The question has been discussed in the Fifty-second, Fifty-fourth, and Fifty-fifth Congresses, in each of which some effort has been made looking toward laying a cable, at least as far as the Hawaiian Islands. The time has now arrived when a cable in the Pacific must extend at least as far as Manila, touching at the Hawaiian Islands and Guam on the way. Two methods of establishing this cable communication at once suggest themselves. First, construction and maintenance of such a cable by and at the expense of the United States Government, and second, construction and maintenance of such a cable by a private United States corporation under such safeguards as Congress shall impose.

I do not make any recommendations to Congress as to which of these methods would be the more desirable. A cable of the length of that proposed requires so much time for construction and laying that it is estimated that at least two years must elapse after giving the order for the cable before the entire system could be successfully laid and put in operation. Further deep-sea soundings must be taken west of the Hawaiian Islands before the final route for the cable can be selected. Under these circumstances it becomes a paramount necessity that measures should be taken before the close of the present Congress to provide such means as may seem most suitable for the establishment of a cable system.

I commend the whole subject to the careful consideration of the Congress and to such prompt action as may seem advisable.

WILLIAM McKINLEY.

EXECUTIVE MANSION,
Washington, February 10, 1899.

Mr. HALE. Some of the considerations suggested by the message have been considered by the Committee on Naval Affairs and others by the Committee on Appropriations. I suggest, as immediate action or action at a near day is necessary, that the message be referred to the Committee on Appropriations.

Mr. CHANDLER. And printed.

Mr. HALE. And printed.

The PRESIDING OFFICER. The message will be printed and referred to the Committee on Appropriations.

MISSOURI RIVER BRIDGE AT YANKTON, S. DAK.

Mr. PETTIGREW. I ask unanimous consent for the present consideration of the bill (S. 5258) to authorize the construction of a bridge across the Mississippi River at the city of Yankton, S. Dak.

There being no objection, the Senate, as in Committee of the Whole, proceeded to consider the bill; which was read.

Mr. HOAR. Mr. President, I should like to make one observation, which I think would be greatly to the convenience of the Senate. We have these bridge bills coming before the Senate every little while. They are long bills, composed of several sections, and contain identically the same provisions. It seems to me the Committee on Commerce ought to report that So and So are authorized to construct a bridge, subject to the provisions of such a statute or chapter, referring to it. Thus they could, in two or three lines, save the Senate all this trouble. For instance, one containing all these conditions: The right of repeal, the right of taking tolls, the right of the Government forces to pass over it, the right of the Secretary of War to modify, the provisions about draws, and so on. If one such bill were properly drawn, then always after it we could say A B may construct a bridge at such a place, subject to the provisions of that act. I hope the committee will take notice of this observation.

Mr. CHANDLER. Would it be any trouble, I ask the Senator from South Dakota, to change this special bill into a general bill to answer the purpose of this case and all others?

Mr. HOAR. I do not mean exactly a general bill, but, having all these provisions in some bill, every other special bill should refer to it instead of copying it.

Mr. CHANDLER. Would not the Senator from South Dakota be willing to have it done in this bill?

Mr. PETTIGREW. Not this evening.

The bill was reported from the Committee on Commerce with amendments. The first amendment was, in section 1, page 1, line 9, after the word "and" where it occurs the first time, to insert "to;" so as to read:

And to lay on and over said bridge, etc.

The amendment was agreed to.

The next amendment was, in the same section, on page 2, line 2, after the word "and" where it occurs the first time, to insert "to;" so as to read:

And to build, erect, and lay on and over said bridge, etc.

The amendment was agreed to.

The next amendment was, in the same section, page 2, in line 16, after the word "such," to strike out "rules, regulations, and;" in line 17, after the word "for," to insert "such;" and in the same line, after the word "transit," to strike out "and transportation;" so as to make the proviso read:

Provided, That the Secretary of War may at any time prescribe such rates of toll for such transit over said bridge as may be deemed proper and reasonable.

The amendment was agreed to.

The next amendment was, in section 2, page 3, line 1, after the word "superstructure," to strike out "with straight girders;" so as to read:

Provided, That if the same shall be made of unbroken continuous spans, it shall not be in any case of less elevation than 50 feet above extreme high-water mark, as understood at the point of location, to the lowest part of the superstructure.

The amendment was agreed to.

The next amendment was to insert the following additional proviso at the end of section 2:

And provided further, That the bridge herein authorized to be constructed shall not be built within less than 1 mile of any other bridge across said Missouri River.

The amendment was agreed to.

The next amendment was, in section 3, page 4, line 24, before the word "construction," to strike out "such" and insert "its;" on page 5, line 1, after the word "bridge," to insert "or its accessory works;" in line 2, after the word "War," to strike out "substantially" and insert "unreasonably;" in line 5, after the word "bridge," to insert "or its accessory works;" so as to read:

That no bridge shall be erected or maintained under the authority of this act which shall at any time substantially or materially obstruct the free navigation of said river; and no bridge shall be commenced or built under this act until the location thereof and the plans and specifications for its construction shall have been submitted to and approved by the Secretary of War; and any change in the plan of its construction or any alteration in the bridge after its construction shall be subject to the like approval; and whenever said bridge or its accessory works shall, in the opinion of the Secretary of War, unreasonably obstruct the free navigation of said river he is hereby authorized to cause such change or alteration of said bridge or its accessory works to be made as will effectually obviate such obstruction.

The amendment was agreed to.

The next amendment was, in section 3, page 5, line 16, after the word "touches," to insert:

And the bridge shall not be opened to traffic until all piling and other false work used in constructing the bridge shall have been wholly removed to the satisfaction of the Secretary of War.

The amendment was agreed to.

The next amendment was, in section 6, page 6, line 9, after the word "within," to strike out "two years" and insert "one year;" and in line 10, before the word "years," to strike out "four" and insert "three;" so as to make the section read:

SEC. 6. That this act shall be null and void if actual construction of the bridge herein authorized be not commenced within one year and completed within three years from the date hereof.

The amendment was agreed to.

The bill was reported to the Senate as amended, and the amendments were concurred in.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

FOURTH ARKANSAS MOUNTED INFANTRY.

Mr. HOAR. I renew my motion.

Mr. JONES of Arkansas. I ask the Senator from Massachusetts to withhold his motion for a moment.

Mr. HOAR. I am between two raging lions, the Senator from Illinois [Mr. CULLOM] and the Senator from North Carolina [Mr. PRITCHARD]; and the lions are not chained. I must therefore decline to yield unless the Senator from Arkansas gets the consent of both of those Senators.

Mr. JONES of Arkansas. There is no doubt that both of those Senators will consent. The bill will detain the Senate but a very short time. It is a House bill. There are amendments proposed by the Senate committee, and it must be passed now if there is any hope of its becoming a law this session. It is justice long delayed to something like 100 or 150 old Federal soldiers in Arkansas. It is a matter that will commend itself to the judgment of every member of the Senate and about which there can be no controversy. It will occupy the attention of the Senate, in my opinion, not more than three minutes. I ask unanimous consent that the Senate proceed to the consideration of the bill (H. R. 9219) for the relief of the Fourth Arkansas Mounted Infantry.

There being no objection, the Senate, as in Committee of the Whole, proceeded to consider the bill, which had been reported from the Committee on Military Affairs with amendments, which were, on page 2, line 4, after the word "appoint," to insert "and detail a competent and experienced officer of the United States Army;" in line 5, before the word "referee," to strike out "a" and insert "as;" in line 6, before the word "authority," to strike out "with" and insert "who shall have;" on page 3, line 12, before the word "shall," to strike out "referee" and insert "officer;" in the same line, after the word "receive," to strike out "such;" and in the same line, after the word "compensation," to strike out "as the Secretary of War shall deem reasonable, together with" and insert "for;" so as to make the bill read:

Be it enacted, etc., That the Secretary of War be, and is hereby, authorized and directed to appoint and detail a competent and experienced officer of the United States Army as referee, who shall have authority to administer oaths, who shall give notice of the times and places of taking testimony in the State of Arkansas or elsewhere, if necessary, that claimants and their witnesses may appear before him, and shall carefully examine into the facts and take proof upon the claims for service of the members of the Fourth Arkansas Mounted Infantry, and return the same, together with his report thereon, to the Secretary of War; and that the Secretary of War is hereby directed to pay such claims to the members of said regiment, or to their heirs, as he shall be satisfied are due under the joint resolution of Congress approved March 18, 1870. Said officer shall receive compensation for actual expenses incurred under the provisions hereof.

The amendments were agreed to.

The bill was reported to the Senate as amended, and the amendments were concurred in.

The amendments were ordered to be engrossed and the bill to be read a third time.

The bill was read the third time, and passed.

The preamble was agreed to.

Mr. JONES of Arkansas. I move that the Senate request a conference with the House of Representatives on the bill and amendments.

The motion was agreed to.

By unanimous consent, the Presiding Officer was authorized to appoint the conferees on the part of the Senate.

EXECUTIVE SESSION.

Mr. HOAR. I renew my motion that the Senate proceed to the consideration of executive business.

The motion was agreed to; and the Senate proceeded to the consideration of executive business. After two hours and ten minutes spent in executive session the doors were reopened.

CLEARWATER SHORT LINE RAILWAY.

Mr. HEITFELD. I ask unanimous consent for the present consideration of the bill (S. 5427) granting to the Clearwater Short Line Railway Company a right of way through the Nez Perces Indian lands in Idaho.

There being no objection, the Senate, as in Committee of the Whole, proceeded to consider the bill.

Mr. PETTUS. I move to amend the bill by inserting, on page 2, line 16, after the word "occupants," the words "or owners;" and in line 17, after the word "occupant," the words "or owner;" so as to make the first clause of section 3 read:

That before said railroad shall be constructed through any land, claim, or improvement held by individual occupants or owners according to any treaties or laws of the United States compensation shall be made such occupant or owner or claimant for all property to be taken or damage done by reason of the construction of such railroad.

The amendment was agreed to.

The bill was reported to the Senate as amended, and the amendment was concurred in.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

Mr. LINDSAY. I move that the Senate adjourn.

The motion was agreed to; and (at 5 o'clock and 25 minutes p. m.) the Senate adjourned until to-morrow, Saturday, February 11, 1899, at 12 o'clock meridian.

NOMINATIONS.

Executive nominations received by the Senate February 10, 1899.

THIRD SECRETARIES OF EMBASSY.

Samuel Morrill, of Massachusetts, to be third secretary of the embassy of the United States at Paris, France, to fill an original vacancy.

H. Percival Dodge, of Massachusetts, to be third secretary of the embassy of the United States at Berlin, Germany, to fill an original vacancy.

Spencer F. Eddy, of Illinois, to be third secretary of the embassy of the United States at London, England, to fill an original vacancy.

ASSOCIATE JUSTICE.

Clinton F. Irwin, of Illinois, to be associate justice of the supreme court of the Territory of Oklahoma, vice John C. Tarsney, to be removed.

UNITED STATES ATTORNEY.

Frank L. Coombs, of California, to be attorney of the United States for the northern district of California, vice Henry S. Foote, whose term will expire February 20, 1899.

ASSISTANT COMMISSIONER OF THE GENERAL LAND OFFICE.

William A. Richards, of Wyoming, to be Assistant Commissioner of the General Land Office, vice Frank W. Mondell, resigned.

INDIAN AGENT.

James McLaughlin, of North Dakota, to be an Indian inspector, to take effect January 19, 1899, at the expiration of his term of office. (Reappointment.)

POSTMASTERS.

Oregon D. M. Gaddis, to be postmaster at Kingman, in the county of Mohave and Territory of Arizona, the appointment of a postmaster for the said office having, by law, become vested in the President on and after January 1, 1899.

Samuel J. Geddes, to be postmaster at Willcox, in the county of Cochise and Territory of Arizona, the appointment of a postmaster for the said office having, by law, become vested in the President on and after January 1, 1899.

C. Kate Holt, to be postmaster at Clifton, in the county of Graham and Territory of Arizona, the appointment of a postmaster for the said office having, by law, become vested in the President on and after January 1, 1899.

Ernest H. Simpson, to be postmaster at Williams, in the county

of Coconino and Territory of Arizona, in the place of T. A. Fleming, removed.

James Gillis, to be postmaster at Pleasanton, in the county of Alameda and State of California, the appointment of a postmaster for the said office having, by law, become vested in the President on and after October 1, 1898.

William G. Hawley, to be postmaster at San Jose, in the county of Santa Clara and State of California, in the place of J. W. Ryland, whose commission expired August 24, 1898.

George F. Hirsch, to be postmaster at Longbeach, in the county of Los Angeles and State of California, in the place of F. L. Wingard, whose commission expired January 18, 1899.

Ranney G. Foster, to be postmaster at New Hartford, in the county of Litchfield and State of Connecticut, in the place of F. P. Marble, whose commission expired August 24, 1898.

John H. Guernsey, to be postmaster at Waterbury, in the county of New Haven and State of Connecticut, in the place of D. E. Fitzpatrick, whose commission expired May 5, 1898.

Nathaniel P. Noyes, to be postmaster at Stonington, in the county of New London and State of Connecticut, in the place of Herman Atwood, whose commission expired January 21, 1899.

Clarence F. Buck, to be postmaster at Monmouth, in the county of Warren and State of Illinois, in the place of S. S. Hallam, whose commission expired January 28, 1899.

Albert W. Errett, to be postmaster at Kewanee, in the county of Henry and State of Illinois, in the place of E. D. Mayhew, whose commission expires February 13, 1899.

William McMeekin, to be postmaster at Galva, in the county of Henry and State of Illinois, in the place of J. W. Olson, whose commission expires March 2, 1899.

Daisy D. Erwin, to be postmaster at Bourbon, in the county of Marshall and State of Indiana, in the place of Matthew Erwin, resigned.

Earl M. Cass, to be postmaster at Sumner, in the county of Bremer and State of Iowa, in the place of J. M. Johnston, whose commission expired December 17, 1898.

Joseph A. Farrell, to be postmaster at Mason City, in the county of Cerro Gordo and State of Iowa, in the place of W. E. Miller, removed.

John B. Johnson, to be postmaster at Bancroft, in the county of Kossuth and State of Iowa, in the place of C. J. Pettibone, whose commission expired February 5, 1899.

William N. Oursler, to be postmaster at Odebolt, in the county of Sac and State of Iowa, in the place of W. W. Shanks, deceased.

Stephen Tabor, to be postmaster at Independence, in the county of Buchanan and State of Iowa, in the place of W. H. Chamberlin, whose commission expired January 30, 1899.

James W. Powell, to be postmaster at National Military Home, in the county of Leavenworth and State of Kansas, in the place of F. F. Metschan, removed.

John B. Weller, to be postmaster at Bardstown, in the county of Nelson and State of Kentucky, in the place of G. M. Talbott, whose commission expired January 10, 1899.

George W. Whitworth, to be postmaster at Jeanerette, parish of Iberia and State of Louisiana, in the place of G. A. Druilhet, whose commission expired January 9, 1899.

George H. Roberts, to be postmaster at Springvale, in the county of York and State of Maine, in the place of E. E. Harris, whose commission expired January 15, 1899.

Sewell M. Moore, to be postmaster at Cambridge, in the county of Dorchester and State of Maryland, in the place of R. G. Henry, whose commission expired December 12, 1898.

Ermina L. Evans, to be postmaster at Ashburnham, in the county of Worcester and State of Massachusetts, in the place of Ermina L. Evans, whose commission expired January 21, 1899. (Reappointment.)

Martin A. Minchin, to be postmaster at Braintree, in the county of Norfolk and State of Massachusetts, in the place of Alfred Southworth, whose commission expired January 21, 1899.

Harley Prentiss, to be postmaster at Reading, in the county of Middlesex and State of Massachusetts, in the place of M. F. Charles, whose commission expired February 6, 1899.

John W. Sproul, to be postmaster at Abington, in the county of Plymouth and State of Massachusetts, in the place of M. G. Smith, whose commission expired January 21, 1899.

W. H. Brunson, to be postmaster at St. Johns, in the county of Clinton and State of Michigan, in the place of H. D. McCabe, whose commission expires February 25, 1899.

Sylvester H. Gray, to be postmaster at Muskegon, in the county of Muskegon and State of Michigan, in the place of L. B. Smith, whose commission expired February 6, 1899.

William Kaiser, to be postmaster at Faribault, in the county of Rice and State of Minnesota, in the place of Alfred E. Haven, whose commission expired January 12, 1898.

William C. King, to be postmaster at Hastings, in the county of Dakota and State of Minnesota, in the place of A. J. Schaller, whose commission expires February 13, 1899.

Peter L. Ring, to be postmaster at Appleton, in the county of Swift and State of Minnesota, in the place of J. S. Ewers, whose commission expired December 12, 1898.

Samuel Sweningsen, to be postmaster at Austin, in the county of Mower and State of Minnesota, in the place of A. B. Hunkins, removed.

James E. Everett, to be postmaster at Yazoo City, in the county of Yazoo and State of Mississippi, in the place of M. L. Reddoch, removed.

John N. Bishop, to be postmaster at Ironton, in the county of Iron and State of Missouri, the appointment of a postmaster for the said office having, by law, become vested in the President on and after October 1, 1898.

Abraham M. Johnson, to be postmaster at Belton, in the county of Cass and State of Missouri, the appointment of a postmaster for the said office having, by law, become vested in the President on and after October 1, 1898.

David B. Ormiston, to be postmaster at Linneus, in the county of Linn and State of Missouri, the appointment of a postmaster for the said office having, by law, become vested in the President on and after October 1, 1898.

Rufus B. West, to be postmaster at Caruthersville, in the county of Pemiscot and State of Missouri, the appointment of a postmaster for the said office having, by law, become vested in the President on and after October 1, 1898,

Samuel J. Wilson, to be postmaster at Macon, in the county of Macon and State of Missouri, in the place of Jennie T. Dessert, removed.

Alice J. Steele, to be postmaster at David City, in the county of Butler and State of Nebraska, in the place of Samuel H. Steele, resigned.

Gilman A. Wheeler, to be postmaster at West Derry (late Derry Depot), in the county of Rockingham and State of New Hampshire, in the place of J. W. Bean, superseded.

Edward D. Taylor, to be postmaster at Orange Valley, in the county of Essex and State of New Jersey, in the place of John Galligan, whose commission expires February 16, 1899.

Clarence M. Alvord, to be postmaster at Livonia Station, in the county of Livingston and State of New York, in the place of John Peel, jr., removed.

John F. Dinkel, to be postmaster at Irvington, in the county of Westchester and State of New York, in the place of J. A. Hall, deceased.

Winsor B. French, to be postmaster at Saratoga Springs, in the county of Saratoga and State of New York, in the place of E. P. Howe, whose commission expired December 11, 1898.

Thomas B. Gibson, to be postmaster at Walden, in the county of Orange and State of New York, in the place of W. D. Sloan, whose commission expired January 23, 1899.

Emmett C. Grant, to be postmaster at Farmer, in the county of Seneca and State of New York, in the place of De Witt C. McKeel, whose commission expires March 2, 1899.

Michael Halligan, to be postmaster at Rouses Point, in the county of Clinton and State of New York, in the place of Ralph Crook, whose commission expired February 6, 1899.

Benjamin E. Jones, to be postmaster at Nunda, in the county of Livingston and State of New York, in the place of C. J. Swain, whose commission expired February 8, 1899.

Irving L'Hommedieu, to be postmaster at Medina, in the county of Orleans and State of New York, in the place of J. D. Brennan, whose commission expired August 24, 1898.

Nelson E. Ransom, to be postmaster at Little Falls, in the county of Herkimer and State of New York, in the place of A. O. Casler, whose commission expired December 11, 1898.

James M. Requa, to be postmaster at Tarrytown, in the county of Westchester and State of New York, in the place of Isaac Requa, resigned.

Florence M. Wheeler, to be postmaster at Hammondsport, in the county of Steuben and State of New York, in the place of G. H. Wheeler, deceased.

John E. Crymes, to be postmaster at Waynesville, in the county of Haywood and State of North Carolina, the appointment of a postmaster for the said office having, by law, become vested in the President on and after October 1, 1898.

John S. Metcalf, to be postmaster at Lakota, in the county of Nelson and State of North Dakota, in the place of E. T. Hutchinson, whose commission expired December 12, 1898.

Homer S. Kent, to be postmaster at Chagrin Falls, in the county of Cuyahoga and State of Ohio, in the place of Frank Bradley, whose commission expired January 28, 1899.

Wesley B. Lang, to be postmaster at Manchester, in the county of Adams and State of Ohio, in the place of A. M. Jones, whose commission expired May 28, 1898.

George E. McDonald, to be postmaster at Minerva, in the county of Stark and State of Ohio, in the place of S. E. Morehead, whose commission expired January 17, 1899.

Tanner R. Snowden, to be postmaster at Wellsville, in the

county of Columbiana and State of Ohio, in the place of W. R. Lawson, whose commission expired January 28, 1899.

William H. Surles, to be postmaster at East Liverpool, in the county of Columbiana and State of Ohio, in the place of M. E. Miskall, whose commission expired January 10, 1899.

Marion F. Davis, to be postmaster at Union, in the county of Union and State of Oregon, in the place of Amos K. Jones, deceased.

Christian Bach, to be postmaster at Kingston, in the county of Luzerne and State of Pennsylvania, in the place of Henry Vanscoy, whose commission expired June 29, 1898.

John M. Chase, jr., to be postmaster at Clearfield, in the county of Clearfield and State of Pennsylvania, in the place of J. M. Bloom, whose commission expires February 14, 1899.

Merrick Davidson, to be postmaster at Emlenton, in the county of Venango and State of Pennsylvania, in the place of M. E. Eakin, whose commission expired January 10, 1899.

Moses A. Foltz, to be postmaster at Chambersburg, in the county of Franklin and State of Pennsylvania, in the place of W. R. Houser, whose commission expired January 24, 1899.

Edward W. Hannum, to be postmaster at Swarthmore, in the county of Delaware and State of Pennsylvania, in the place of Arthur Beardsley, whose commission expires March 2, 1899.

Edwin F. Luckenbach, to be postmaster at Mauch Chunk, in the county of Carbon and State of Pennsylvania, in the place of G. W. Esser, whose commission expired January 21, 1899.

C. Edwin Michael, to be postmaster at Nazareth, in the county of Northampton and State of Pennsylvania, in the place of G. W. Cope, whose commission expired January 10, 1899.

William J. Noll, to be postmaster at Myerstown, in the county of Lebanon and State of Pennsylvania, in the place of R. E. Weigley, whose commission expired January 10, 1899.

G. Clinton Williams, to be postmaster at Spring City, in the county of Chester and State of Pennsylvania, in the place of J. F. Leidy, whose commission expired January 21, 1899.

Evan J. Edwards, to be postmaster at Bowdle, in the county of Edmunds and State of South Dakota, the appointment of a postmaster for the said office having, by law, become vested in the President on and after January 1, 1899.

H. G. C. Rose, to be postmaster at Millbank, in the county of Grant and State of South Dakota, in the place of G. C. Middlebrook, whose commission expires February 13, 1899.

William F. Millican, to be postmaster at Rockwood, in the county of Roane and State of Tennessee, the appointment of a postmaster for the said office having, by law, become vested in the President on and after January 1, 1899.

Charles Meighan, to be postmaster at Ogden, in the county of Weber and State of Utah, in the place of George H. Islaub, whose commission expired December 17, 1898.

Buel J. Derby, to be postmaster at Burlington, in the county of Chittenden and State of Vermont, in the place of W. E. Hall, whose commission expired January 18, 1899.

Emeroy G. Page, to be postmaster at Hyde Park, in the county of Lamoille and State of Vermont, in the place of T. H. Page, deceased.

Charles N. Matheny, to be postmaster at St. Marys, in the county of Pleasants and State of West Virginia, the appointment of a postmaster for the said office having, by law, become vested in the President on and after January 1, 1899.

C. C. Glass, to be postmaster at River Falls, in the county of Pierce and State of Wisconsin, in the place of Roderick McGregor, whose commission expired January 10, 1899.

Nicholas T. Martin, to be postmaster at Mineral Point, in the county of Iowa and State of Wisconsin, in the place of R. M. Crawford, whose commission expired January 12, 1898.

WITHDRAWAL.

Executive nomination withdrawn February 10, 1899.

Thomas P. Macfarlane, to be postmaster at Kingston, in the State of Pennsylvania.

CONFIRMATIONS.

Executive nominations confirmed by the Senate February 10, 1899.

CONSUL.

James H. Worman, of New York, to be consul of the United States at Munich, Bavaria.

SPECIAL EXAMINER OF DRUGS, ETC.

George W. McDuff, of Louisiana, to be special examiner of drugs, medicines, and chemicals in the district of New Orleans, in the State of Louisiana.

SURVEYOR.

Fenton W. Gibson, of Louisiana, to be surveyor for the port of New Orleans, in the State of Louisiana.

PROFESSOR OF MATHEMATICS.

Mr. Thomas J. J. See, a citizen of Minnesota, to be a professor of mathematics in the Navy.

PROMOTIONS IN THE MARINE CORPS.

Capt. Francis H. Harrington, to be a major in the Marine Corps, from the 10th day of August, 1898.

First Lieut. Charles H. Lauchheimer, to be a captain in the Marine Corps, from the 10th day of August, 1898.

Second Lieut. John H. Russell, to be a first lieutenant in the Marine Corps, from the 10th day of August, 1898.

First Lieut. Henry C. Haines, to be a captain in the Marine Corps, from the 11th day of August, 1898.

Second Lieut. Thomas S. Borden, to be a first lieutenant in the Marine Corps, from the 11th day of August, 1898 (subject to the examinations required by law).

First Lieut. George Barnett, to be a captain in the Marine Corps, from the 11th day of August, 1898.

Second Lieut. John T. Myers, to be a first lieutenant in the Marine Corps, from the 11th day of August, 1898 (subject to the examinations required by law).

PROMOTIONS IN THE NAVY.

Lieut. (Junior Grade) Volney O. Chase, to be a lieutnant in the Navy, from the 13th day of January, 1899.

Ensign William C. Cole, to be a lieutenant (junior grade) in the Navy, from the 13th day of January, 1899.

Asst. Surg. Moulton K. Johnson, to be a passed assistant surgeon in the Navy, from the 12th day of November, 1898.

APPOINTMENTS IN THE ARMY.

To be brigadier-general.

Col. William Sinclair, Seventh Artillery.

To be assistant surgeon with the rank of first lieutenant.

William Jephtha Calvert, of Kentucky, January 30, 1899.

MEDICAL DEPARTMENT.

To be assistant surgeons with the rank of first lieutenant.

Louis Thales Hess, of Pennsylvania, January 30, 1899.
Clarence Beacom Millhoff, of Pennsylvania, January 30, 1899.
Christopher Clark Collins, of Virginia, January 30, 1899.

PROMOTIONS IN THE ARMY.

MEDICAL DEPARTMENT.

Capt. Henry P. Birmingham, assistant surgeon, to be surgeon with the rank of major, December 15, 1898.

CORPS OF ENGINEERS.

To be first lieutenants.

Second Lieut. William D. Conner, July 5, 1898.
Second Lieut. John C. Oakes, July 5, 1898.

CAVALRY ARM.

Second Lieut. Alexander M. Davis, Eighth Cavalry, to be first lieutenant, January 20, 1899.

INFANTRY ARM.

Lieut. Col. James W. Powell, Fifteenth Infantry, to be colonel, January 16, 1899.

Maj. Constant Williams, Nineteenth Infantry, to be lieutenant-colonel, January 16, 1899.

Capt. Frederick H. E. Ebstein, Twenty-first Infantry, to be major, January 16, 1899.

First Lieut. Abraham P. Buffington, Thirteenth Infantry, to be captain, January 7, 1899.

Second Lieut. Arthur R. Kerwin, Twenty-fourth Infantry, to be first lieutenant, January 7, 1899.

Second Lieut. George S. Goodale, Twenty-third Infantry, to be first lieutenant, January 7, 1899.

Second Lieut. Benjamin M. Hartshorne, jr., Tenth Infantry, to be first lieutenant, January 7, 1899.

APPOINTMENTS IN THE VOLUNTEER ARMY.

SECOND REGIMENT VOLUNTEER ENGINEERS.

Second Lieut. Charles Kern, to be first lieutenant.
Sergt. Robert M. Fulweiler, Company B, to be second lieutenant.

FIFTH REGIMENT VOLUNTEER INFANTRY.

First Lieut. Philip H. Stern, to be captain.
Second Lieut. Thomas L. Anglin, to be first lieutenant.
Sergt. Maj. John J. Lipop, to be second lieutenant.

TENTH REGIMENT VOLUNTEER INFANTRY.

To be second lieutenants.

Thomas Grant, of Georgia, to fill an original vacancy, July 21, 1898.

Lucien H. White, of Georgia, to fill an original vacancy, July 21, 1898.

SECOND REGIMENT VOLUNTEER ENGINEERS.

Second Lieut. Frank S. Clark, to be first lieutenant.

Sergt. George J. Harman, Company F, Second United States Volunteer Engineers, to be second lieutenant.

SEVENTH REGIMENT VOLUNTEER INFANTRY.

To be first lieutenants.

Sergt. John Fred James, Company A, Third Virginia Volunteers, to fill an original vacancy, July 19, 1898.

William H. Butler, of Missouri, to fill an original vacancy, July 13, 1898.

James G. Horton, of Missouri, to fill an original vacancy, July 26, 1898.

James B. Coleman, of Missouri, to fill an original vacancy, July 26, 1898.

John E. Perry, of Missouri, to fill an original vacancy, July 26, 1898.

Leon Jordan, of Missouri, to fill an original vacancy, July 26, 1898.

Thomas Campbell, of Missouri, to fill an original vacancy, July 26, 1898.

Edward G. McAfee, of Iowa, to fill an original vacancy, July 26, 1898.

James H. Sykes, of Arkansas, to fill an original vacancy, July 26, 1898.

William O. Emory, of Arkansas, to fill an original vacancy, July 26, 1898.

Charles H. Morgan, of Missouri, to fill an original vacancy (since honorably discharged), July 26, 1898.

Raphael T. Brown, of Tennessee, to fill an original vacancy (since resigned), July 26, 1898.

To be second lieutenant.

Stephen T. Guy, of Tennessee, to fill an original vacancy (since resigned), July 26, 1898.

SECOND REGIMENT VOLUNTEER CAVALRY.

To be chaplain.

Henry G. Golden, of Wyoming, to fill an original vacancy (since mustered out), June 19, 1898.

THIRD REGIMENT VOLUNTEER ENGINEERS.

To be captains.

Lyle F. Bellinger, of Georgia, to fill an original vacancy, July 13, 1898.

Frank L. Averill, of District of Columbia, to fill an original vacancy, July 13, 1898.

William B. Thomas, of Georgia, to fill an original vacancy, July 13, 1898.

Carleton W. Sturtevant, of Missouri, to fill an original vacancy, July 13, 1898.

George F. Stickney, of Kentucky, to fill an original vacancy, July 13, 1898.

John Henry Westerfield, of Kentucky, to fill an original vacancy, July 13, 1898.

William J. Hardee, of Louisiana, to fill an original vacancy (since resigned), July 13, 1898.

THIRD REGIMENT VOLUNTEER ENGINEERS.

Second Lieut. Samuel Dibble, jr., to be first lieutenant.

Sergt. Henry Gordon Strong, Company M, to be second lieutenant.

SECOND REGIMENT VOLUNTEER INFANTRY.

To be second lieutenant.

Bradner D. Slaughter, of Nebraska.

POSTMASTERS.

Thomas M. Morsey, to be postmaster at Warrenton, in the county of Warren and State of Missouri.

John H. Heath, to be postmaster at Pattonsburg, in the county of Daviess and State of Missouri.

Moses M. Adams, to be postmaster at Seneca, in the county of Newton and State of Missouri.

James A. McAvoy, to be postmaster at Lander, in the county of Fremont and State of Wyoming.

Thomas Sharp, to be postmaster at Wellsville, in the county of Montgomery and State of Missouri.

Frederick C. Sasse, to be postmaster at Brunswick, in the county of Chariton and State of Missouri.

Harry L. Sack, to be postmaster at South St. Joseph, in the county of Buchanan and State of Missouri.

George E. Johnson, to be postmaster at North Tarrytown, in the county of Westchester and State of New York.

H. R. Every, to be postmaster at Athens, in the county of Greene and State of New York.

Justus B. Abbott, to be postmaster at Gouverneur, in the county of St. Lawrence and State of New York.

John D. Smith, to be postmaster at Catskill, in the county of Greene and State of New York.

Mary L. McRoberts, to be postmaster at Tompkinsville, in the county of Richmond and State of New York.

William B. Leroy, to be postmaster at Cohoes, in the county of Albany and State of New York.

Benjamin F. Boothe, to be postmaster at Brigham, in the county of Boxelder and State of Utah.

Van R. Sprague, to be postmaster at McArthur, in the county of Vinton and State of Ohio.

James S. Morley, to be postmaster at Andover, in the county of Ashtabula and State of Ohio.

Fred M. Kelly, to be postmaster at Needles, in the county of San Bernardino and State of California.

Thomas E. Byrnes, to be postmaster at San Mateo, in the county of San Mateo and State of California.

Lindley M. Baldwin, to be postmaster at Whittier, in the county of Los Angeles and State of California.

Cyrus A. Crisiip, to be postmaster at Spencer, in the county of Roane and State of West Virginia.

H. H. Youngken, to be postmaster at Santa Paula, in the county of Ventura and State of California.

Francis M. Ordway, to be postmaster at Merced, in the county of Merced and State of California.

HOUSE OF REPRESENTATIVES.

FRIDAY, *February 10, 1899.*

The House met at 12 o'clock m. Prayer by the Chaplain, Rev. HENRY N. COUDEN.

The Journal of the proceedings of yesterday was read and approved.

BIG THREE RAILROAD COMPANY, INDIAN TERRITORY.

Mr. CLARDY. Mr. Speaker, I ask unanimous consent for the present consideration of the bill which I send to the Clerk's desk.

The bill (H. R. 11409) to entitle and authorize the Big Three Railroad Company to construct, own, and operate a main and branch of railway in Indian and Oklahoma Territories was read. It provides that the Big Three Railroad Company, a corporation created under and by virtue of the laws of the State of Arkansas, be, and the same is hereby, authorized, invested, and empowered with the right of locating, constructing, owning, equipping, operating, using, and maintaining a railway, telegraph, and telephone line through the Indian and Oklahoma Territories, beginning at a point to be selected by said railroad company at or near the west line of Little River County, Ark., and running thence over the most practicable and feasible route through the Choctaw, Chickasaw, Creek, and Seminole nations, Indian Territory; thence through the Territory of Oklahoma to Oklahoma City and Guthrie, in said Territory, with a branch line to begin at or near the line of Oklahoma and Indian Territories and running south through Oklahoma and Indian Territories to Sherman, Tex., with the right to construct, use, and maintain such tracks, turn-outs, sidings, and extensions as said company may deem to its interest to construct and maintain along and upon the right of way and depot grounds herein provided for.

The amendments recommended by the Committee on Indian Affairs were read.

The SPEAKER. Is there objection to the present consideration of the bill?

Mr. TAWNEY. Mr. Speaker, I desire to ask the gentleman what railroad company this is?

Mr. CLARDY. The Big Three Railroad Company.

Mr. TAWNEY. What is the Big Three Railroad Company? I desire to know whether it was incorporated under that name, or whether several railroads are operating under that name by common consent.

Mr. CLARDY. My understanding is that it is incorporated by that name in the State of Arkansas.

Mr. McRAE. That is correct.

Mr. CLARDY. The president lives in my district. He is the only party whom I know anything about in connection with the matter.

Mr. McRAE. That is the name of the corporation.

Mr. TAWNEY. Mr. Speaker, I desire to ask if the gentleman would have any objection to the consideration of a general bill which has been reported from the same committee, and which will obviate the necessity of giving consideration to these private bills for rights of way through the Indian Territory? If that bill could be considered at this time, the whole matter could then be placed in the hands of the Department, and the rights of those interested could be protected. Otherwise——

Mr. CLARDY. A great many bills of this kind have already passed at this session.

Mr. McRAE. If the general bill can be passed, this bill need not be passed by the Senate.

Mr. TAWNEY. If the gentleman has no objection to the consideration of the general bill, I think we had better take that up first.

Mr. CLARDY. Let us get through with this first.

Mr. TAWNEY. This whole subject is a matter that ought to be carefully scrutinized by the House.

Mr. McRAE. You can take up the general bill after the passage of this one.

Mr. CLARDY. I wish to say that this bill has received as careful consideration as any bill could receive, in my opinion.

Mr. TAWNEY. I observe one thing, that the evidence of indebtedness need only be filed in the office of the Secretary of the Interior. That is no protection to creditors at all in the locality in which the road is operated. The general rule is that these evidences of indebtedness, such as mortgages, and so forth, shall be recorded in the several counties through which the road is operated.

Mr. CLARDY. This bill has been indorsed by the Interior Department and has been especially recommended by the Commissioner of Indian Affairs, and the amendments which he suggested have all been put in the bill.

Mr. McRAE. This is the Indian Territory, an unorganized government so far as the United States are concerned. Of course there must be some place where these mortgages should be recorded, and the universal practice in such cases has been to require them to be recorded in the office of the Secretary of the Interior, subject to the inspection of all concerned.

Mr. TAWNEY. But there is nothing in the act itself requiring the recording of these evidences of indebtedness in the several counties.

Mr. McRAE. There are no counties.

Mr. TAWNEY. Well, in the Territory.

Mr. McRAE. There is no place there, except for the Indians, and we have no right to require those officers to do anything.

Mr. TAWNEY. Surely there is a land office.

Mr. McRAE. Oh, no; there is no land office. This is the Indian country, and the lands are owned by the Indians.

Mr. TAWNEY. I understand it is the Indian country.

Mr. McRAE. There is no land office there at all.

Mr. CLARDY. This bill is recommended by the Department of the Interior, and especially by the Commissioner of Indian Affairs.

Mr. TAWNEY. Why not pass a general bill?

Mr. BRUCKER. Quite a number of bills have been passed granting rights of way through the Indian Territory and Oklahoma, and I should like to ask whether this bill is in the usual form?

Mr. CLARDY. It is. I think it is in a better form than most of them.

Mr. BRUCKER. It struck me in listening to the reading of the bill that there was much more to it than there has been to many of the bills of this kind which have passed.

Mr. CLARDY. Every point is safeguarded.

Mr. BRUCKER. This provides for mortgaging the road, condemnation proceedings, and the payment of awards and securities?

Mr. ALLEN. They all have that.

Mr. McRAE. This is a provision that they all have and should have.

Mr. BRUCKER. I do not remember that the other bills passed were as lengthy as this or that they contained these provisions.

Mr. McRAE. The compensation has been increased from what it was prior to this year. Prior to this year the amount of annual tax was $15 per mile, but on account of the settlement of the country it has increased to $25 per mile.

Mr. BRUCKER. With that statement, I have no objection.

Mr. TAWNEY. Mr. Speaker, I object.

ORDER OF BUSINESS.

Mr. CURTIS of Kansas. I ask unanimous consent for the consideration of this bill.

Mr. CANNON. I ascertain that the bill will take some time to consider.

Mr. CURTIS of Kansas. There are but a few pages of the bill.

Mr. CANNON. But a gentleman has said to me that he intends to discuss it.

Mr. CURTIS of Kansas. I withdraw my request.

Mr. CANNON. I move that the House resolve itself into Committee of the Whole House on the state of the Union on the sundry civil bill, and pending that——

Mr. CLARDY. Will the gentleman withdraw his objection?

Mr. TAWNEY. No.

The SPEAKER. Objection was made by the gentleman from Minnesota to the bill that was before the House.

Mr. CANNON. And pending that motion, I would be glad to know of the gentleman of the minority in charge of this bill [Mr. McRAE] if we can not agree for the closing of general debate? I would like to have as early a close as practicable at this stage of the session.

Mr. McRAE. In one moment I will answer. [After a pause.] I suggest seven hours.

Mr. CANNON. Well, I will say to my friend that it seems to me that general debate ought to be closed to-day. Suppose that we say——

Mr. McRAE. That would only give us four hours and a half.

Mr. CANNON. That is right; and still, after the general debate comes the five-minute debate; and I am very anxious to get on with this bill. I would be glad if my friend would say that general debate should conclude with this legislative day, and then the House, if necessary, could sit beyond 5.

Mr. McRAE. Well, I make this suggestion in answer to that, that we close general debate with this day, and that we have three hours debate on the twenty-million Philippine paragraph when we reach it.

Mr. CANNON. I would rather not make that agreement, because we may not desire it. I will say to my friend, touching the twenty-million paragraph, when it is reached in the five-minute rule, we all recognize the fact that if gentlemen desire we will take something of time; and I feel quite sure that any reasonable time—say thirty, sixty, or ninety minutes—my friend and I can agree about it without a motion to close debate.

Mr. HENDERSON. Can not that be debated to-day?

Mr. CANNON. I have no doubt it will be, somewhat.

Mr. McRAE. I hope the gentleman will agree now, so that those who desire to speak on that subject may reserve their remarks until then and give us, say, two hours—one on each side.

Mr. CANNON. I would not agree as to that time now, but I am quite sure my friend and myself, when we reach that point, could agree about it. There will be no desire to shorten debate arbitrarily unless there is a waste of time; but my friend can see, as well as I can, the importance of disposing of the bill as early as possible. Maybe one or both of us would want to have quite a short debate when we reached it, and here is the 10th of February. I think my friend had better——

Mr. HENDERSON. And four other general appropriation bills to pass the House?

Mr. CANNON. Yes.

Mr. McRAE. I understood from the gentleman from Illinois that there would be pretty long general debate upon this bill, and I have promised to try to secure time for a number of gentlemen, if I could, and they will be quite disappointed if they fail to get in. Let us have two hours on the twenty-million paragraph and we will be satisfied on this side.

Mr. CANNON. I would rather not agree to two hours.

Mr. BRUCKER. Mr. Speaker, I demand the regular order.

Mr. CANNON. Then, pending the motion that the House resolve itself into Committee of the Whole House on the state of the Union, I move that all general debate on the sundry civil bill be closed with the end of this legislative day; and on that I demand the previous question.

Mr. DOCKERY. Pending that——

Mr. HENDERSON. Regular order.

Mr. DOCKERY. Leave the paragraph for twenty millions open for future agreement.

Mr. CANNON. I would rather not.

Mr. McRAE. Will you not leave the debate on the paragraph for twenty millions open, to be determined when reached?

Mr. CANNON. I prefer not. I am quite sure my friends will recollect the way these bills have been handled that we can agree about it when we reach it. I would rather not make any agreement now.

Mr. HENDERSON. Regular order, Mr. Speaker.

Mr. WALKER of Massachusetts. I would like to ask the gentleman——

The SPEAKER. The regular order is demanded. The gentleman from Illinois moves that the House resolve itself into Committee of the Whole House on the state of the Union on the sundry civil appropriation bill; and, pending that, moves that all general debate be closed with the legislative day; and on that asks the previous question.

The previous question was ordered.

The SPEAKER. The question now is on limiting debate in Committee of the Whole with the end of the legislative day.

The question was taken and the motion of Mr. CANNON was agreed to.

Mr. CANNON. Mr. Speaker, one word before the question is put. The gentleman from Massachusetts [Mr. MOODY] desires very much that I shall ask unanimous consent that gentlemen may extend their remarks in the RECORD.

Mr. HENDERSON. And I want to add to that that it shall be done within five days.

The SPEAKER. The Chair understands that that will be limited to gentlemen who address the House. Is there objection to the request of the gentleman from Illinois, that members may extend their remarks in the RECORD for five days? [After a pause.] The Chair hears none.

The question was then taken on Mr. CANNON'S motion, that the

House resolve itself into Committee of the Whole on the state of the Union for the consideration of the sundry civil bill.

The motion was agreed to; and accordingly the House resolved itself into the Committee of the Whole on the state of the Union (Mr. SHERMAN in the chair) for the consideration of general appropriation bills.

SUNDRY CIVIL APPROPRIATION BILL.

Mr. MOODY. Mr. Chairman, I yield such portion of my time as he may desire to the gentleman from Pennsylvania [Mr. BROSIUS], and I reserve the remainder of my time, if there be any.

Mr. BROSIUS. Mr. Chairman, the sum of $20,000,000 appropriated by this bill to carry into execution the stipulations of the treaty, looked at with the natural eye, disconnected with all circumstances, seems like a large sum. But placed in the scale of the verities and weighed against those higher considerations which make for the duty, the moral grandeur, and glory of this Republic, it is a mere bagatelle and drops out of consideration.

I listened yesterday with unusual satisfaction to some brief remarks from the gentleman from Indiana [Mr. MIERS] which, in my judgment, were as sound in principle and as noble in patriotism as they were elevated in morals. I take great pleasure, Mr. Chairman, in directing public attention to those brief utterances, and I will read from the RECORD one passage from them as a sample:

"The world has been given the example of an unselfish Christian nation waging a war, expending her millions, and sending forth her great Army and Navy to suffer and to do battle for humanity's sake without any personal interest, without any motive of gain or aggrandizement."

There were other observations made by the distinguished gentleman equally sound, equally noble, and equally elevated. I take them for my text this morning to place the discussion of this transcendent theme on a higher plane than it has yet been placed by those who have debated it. I was pleased with the observations of my friend from Indiana, particularly because they did not revise, revamp, and reiterate the argument that I have heard so often from that side of the Chamber, and sometimes on this, that it would be very wicked and wrong and unpatriotic for this Republic to compel by force, against the will of the people, the annexation of the Philippine Islands to the United States. Since no one has ever proposed such a policy, I sweep from the floor of debate all that kind of argument in the simple language of Abraham Lincoln, in replying to his distinguished rival, Senator Douglas, when he said:

"Does the gentleman expect to stand in majestic dignity and pass through his apotheosis and become a god by his antagonism to a proposition which neither man nor mouse in all God's creation has ever advocated?"

I was pleased in another respect that the gentleman from Indiana [Mr. MIERS] did not invoke the stupendous argument which is so frequently invoked by gentlemen on that side of the Chamber, the traditions of the fathers.

TRADITION.

Have the traditions of the past any claim upon us that should cause us to falter in that forward movement to which we are counseled by the wisdom of the present? It was the wise reflection of the philosophic Buckle "that of all the ways in which truth has been distorted, there is none that has worked so much harm as an exaggerated respect for the past." As a guide to our footsteps it may be useful, but as a manacle on our limbs it can only cripple our movement and hinder progress. Jefferson, the original American expansionist, suggested that this country would not tolerate the Gothic idea of looking backward instead of forward for our improvements in government or religion, or consulting the annals of our ancestors for the duties we owe the present.

History abounds in illustrations of the fatality of submissive acquiescence in the traditions of the fathers. For ages the dicta of the ecclesiastical sages of the past were followed, under the delusion that they were superior in piety and excelled in wisdom all other men, and so the patristic errors in theology, science, and learning were perpetuated and human knowledge and progress halted for centuries. If I would assert that it is impossible there should be inhabitants on the opposite side of the earth, I would be adhering to the traditions of the fathers and could cite so notable an authority as St. Augustine.

After the obstacles the geographic traditions of the patristic fathers had thrown in the way of maritime adventure and discovery were overcome, says Dr. Draper, their ethnological traditions led to one of the monumental tragedies of history. It was believed by the Spaniards, for the fathers had so declared it, that the people of Asia, Africa, and Europe, descending through the sons of Noah, Shem, Ham, and Japheth, comprised all the people on the earth of Adamic descent. When they found the New World inhabited, a question arose: What was the lineage of these new people?

The voice of the fathers was altogether against their Adamic descent. St. Augustine had denied the globular form of the earth; and there could be no human beings outside of Asia, Africa, and Europe, since none are mentioned in the Scriptures. So the Spaniards, following the traditions of the fathers, proceeded to treat the natives of South America as outside the pale of the Adamic race and enslaved and murdered them by the millions. Blind adherence to the traditions of the fathers made the Spaniards easily the greatest assassins of the human race the world has ever known. This suggests the admonition—and I only allude to it because it is so suggestive—that we shun the example of Spain lest by our adherence to the supposed traditions of the fathers we dishonor the American Republic and discredit American civilization.

The fathers themselves needed no admonitions of this character. They knew that each century must do its own thinking. They would have agreed with Dr. Abbott, that if one generation has no Washington or Jefferson or Hamilton it must create them or die. They were wise enough to judge opinions as they judged coins—considering much less whose inscriptions they bore than what metal they were made of; that soundness of opinions was more to be valued than their antiquity. Their minds were free from the shackles of the past. They knew that new occasions teach new duties; that blind adherence to tradition is neither patriotism nor wisdom nor courage, but intellectual slavery and moral cowardice; and they accordingly turned their backs upon the past, broke the tyranny of tradition, made their own precedents, blazed a new pathway, and gave to the family of nations a new birth. The lesson of it all which I desire to emphasize is that every great question must come to the touchstone of the present. To-day, and not a hundred years ago, is the judgment day for the question of American expansion.

EXPANSION HAS BEEN THE HABIT OF THE REPUBLIC.

But it remains to be said that this policy is not in violation of the traditions of the fathers of the Republic, as strenuously contended in some quarters. Our policy for a hundred years has been one of expansion. We have expanded from the Alleghenies to the Golden Gate and far out into the Pacific Sea. The eagle's wings have grown until they are 8,000 miles from tip to tip.

Mr. Seeley, a philosophic and discriminating English writer, says: "In the United States we have the most striking example of confident and successful expansion. Those colonies, which when they parted from us did but fringe the Atlantic seaboard, have covered with their States and Territories, first, the mighty Mississippi Valley, next the Rocky Mountains, and then the Pacific coast, and all this without shaking their political system." "The greatness of the United States," says he, "is the best proof that a state may become immensely large and yet prosper. The Union is a great example of a system under which an indefinite number of provinces are firmly held together without any of the inconveniences which have been felt in other cases."

It must not be forgotten that when the Union was formed the United States did not own a foot of land on this continent. The public domain was owned by individual States under grants from the British Crown. In 1780 Congress passed a resolution recommending to the several States to cede their unappropriated lands to the United States. Later in the same year Congress passed another resolution that the lands ceded to the United States by any particular State should be disposed of for the common benefit of the United States. This was the initial step in the American policy of expansion. Agreeably to this policy and under this legislative sanction Virginia, in 1784, ceded to the United States the territory northwest of the Ohio River. This extended domain was under Congressional government until the States carved out of it were admitted to the Union.

Wisconsin, the last of that splendid galaxy of States, was governed as a Territory sixty-one years, the inhabitants having no voice in their government save as Congress in its wisdom permitted them. Alabama and Mississippi, formed from territory ceded to the United States by South Carolina, were long governed as Territories. Louisiana, purchased of France in 1803, enjoyed nine years of Territorial pupilage. I need not pursue our later Territorial history. In all these and similar cases the President appointed the governors and judges, whose salaries were paid out of the public Treasury of the United States. No power was exercised by the people in their own government save as Congress in its wisdom permitted.

This Government was as absolute, as despotic as Congress chose to make it. They were possessions of the United States and were under the jurisdiction and sovereignty of the United States, domain and people alike. They had no independence, no right of self-government, no power to declare their own sovereignty or to choose whom their sovereign should be. They were in abject vassalage to a power, a sovereignty which they had no voice in choosing. The bulk of our domain has been acquired in the same way by cession from a foreign sovereignty.

The inhabitants came with the land as if attached to it, possessing themselves no attributes of sovereignty. The Philippines have come to us in the same way by cession of the sovereignty possessing them. In themselves they possessed none of the attributes of

sovereignty and are now under the sovereignty of the United States which succeeded to that of Spain. There is no more warrant for the contention that the people of the Philippines are vested with sovereignty than that the inhabitants of California were vested with sovereignty the day after the execution of the treaty with Mexico by which that territory was acquired.

FEDERAL SOVEREIGNTY ABSOLUTE OVER TERRITORY.

So that not only has it been the policy of the United States from the beginning to acquire territory, as illustrated by the instances I have named, together with more recent ones with which we are all familiar, but we have always exercised without question absolute sovereignty over the people occupying the acquired territory Mr. Jefferson and many other able statesmen of his day, and some of later periods, held that this power of sovereignty was perpetual—necessarily so—for they denied any constitutional warrant for the admission of a State excepting such as were formed out of territory belonging to the nation at the time of the adoption of the Constitution. This view was strenuously insisted upon by many able statesmen in different periods of our history.

In 1811 Josiah Quincy, in the House of Representatives, in the debate on the bill for the admission of Louisiana, said: "This bill which is now proposed to be passed has this assured principle for its basis, that the Congress, without recurrence to conventions of the people in the States or to the legislatures of the States, are authorized to admit new partners to a share of the political power in countries out of the original limits of the United States. Now, this assumed principle I maintain to be altogether without any sanction of the Constitution. I declare it to be a manifest and atrocious usurpation of power, of a nature dissolving, according to undeniable principles of moral law, the obligations of our national compact, and leading to all the awful consequences which flow from such a state of things."

Mr. McMasters, speaking of this argument, says: "Mr. Quincy insisted that we had no right to throw the liberty and property of this people into hodgepodge with the wild men on the Missouri, nor with the mixed though more respectable Anglo-Hispano-Gallo-Americans who bask on the sands at the mouth of the Mississippi." The bill passed notwithstanding this speech, and everybody knows that 20 States lying without the original limits of the United States have since been admitted to the Union, and, singularly enough, the Constitution still lives and the Union survives.

When the bill to authorize the President to establish a Territorial government for Oregon was under discussion, Mr. Dickerson, Senator from New Jersey, said that Oregon could never become a State and would have to remain a colony, and that a colonization system was something the United States had never yet adopted, and he hoped never would adopt. "Is this Territory of Oregon," said he, "ever to become a State, a member of this Union? Never. The Union is already too extensive. The distance from Washington to the mouth of the Columbia is 4,650 miles. A member of Congress coming from Oregon would have to travel 9,300 miles, and this, at $8 for each 20 miles, the sum allowed by law to Congressmen, would make his journey cost the Government $3,720. If he were to travel 30 miles a day steadily he would spend 306 days in coming to the seat of Government and returning to his home."

Senator Benton in the same debate argued that this Republic should have limits. Westward the ridge of the Rocky Mountains was a natural and everlasting boundary. Along the back of this ridge the westward limit of this Republic should be drawn and "the statue of the fabled god Terminus should be raised upon its highest peak, never to be thrown down."

Senator McDuffie, of South Carolina, said: "I do not wish to tempt the people to form settlements there. I wish this to be a great empire grown up by the natural course of civilization and the natural extension of population. I thank God even more for placing the Rocky Mountains there. I believe if it had not been for those mountains we would have been already in the Pacific."

Mr. McMasters suggests in connection with these quotations that the drift of evil influence was mistaken. Even while he spoke the tide of immigration was beginning to set toward the uninhabitable country which lay beyond the impassable mountains. Seven years from the day on which Senator McDuffie addressed the Senate the Delegate from the Territory of Oregon was sitting in the House of Representatives.

So late as 1850, in a speech in this House, in the Thirth-ninth Congress, Mr. Stevens, of Pennsylvania, discussed the question of the right of sovereignty of the United States over territory and people acquired by cession. In that discussion he said:

"For sixty years and upward, after the passage of the ordinance of 1787 and the adoption of the Constitution, no one seriously doubted the right of Congress to control the whole legislation of the Territories, to establish territorial governments, create courts, fix the tenure of the judges and other officers, in short to exercise all acts of municipal as well as political legislation. For sixty years all that authority has been exercised over the Northwestern territory, the Southwestern territory, over Louisiana, Florida, and Oregon. In the meantime the question had been definitely and conclusively settled by all the branches of the Government—by Presidents, by Congresses, by repeated decisions of the Supreme Court of the United States. Elementary writers—Story, Rawle, and others—had so laid down the law.

"By the law of nations, when a nation acquires territory, either by conquest or treaty, it becomes subject to the will of the acquiring power. The laws of such power, however, do not spread over it until some express legislation. In the meantime their own laws remain in full force. Not unfrequently such subject-provinces are for a long time governed by very different laws from the country to which they become attached. Canada and other British provinces are to this day. But the very fact of acquisition gives to the sovereign power of the acquiring State all power to legislate for such acquisitions. It requires no constitutional or treaty provision. Wherever the legislative power of the new sovereign is placed, whether in king, parliament, or Congress, there is the whole and only power to govern them.

"Our Constitution places the legislative power in Congress. Consequently, Congress has exclusive power over the territories newly acquired. The Constitution itself does not extend to them, and can have no influence upon them, except so far as it creates and defines the legislative organ of the sovereign will of the nation. None of the officers in the Territories hold by a constitutional tenure. No law of the United States was ever supposed to be extended to any of the Territories by the mere force of the Constitution. The provision for the return of fugitive slaves does not extend to the Territories. Any slave escaping or being taken into New Mexico or California would be instantly free. Hence by the act of 1793 express provision for the subject was made with regard to the Territories which we then had."

NO ABANDONMENT OF AMERICAN PRINCIPLES.

It may, then, be asserted with absolute confidence that to hold possession and exercise sovereignty over the islands in such form and by such agencies as Congress prescribes is not an abandonment of the American principle of self-government for the European principle of conquest. This mode of governing territories and possessions of the United States is as old as the Government itself. All our Territories have been the subjects of Congressional government, with but little regard to the principle of the consent of the governed.

The capital city of the Republic is so governed to-day. If they are not capable of self-government, we must govern them in the best way possible until they can govern themselves. If we can not govern them in accordance with the principles of a New England town meeting, as Colonel Roosevelt suggests, then it is our duty to find out the principles in accordance with which we can govern them, and apply those. The idea of government by any other than American ideals is not proposed by the Administration any more than is forcible annexation of the islands to the United States.

THE FATHERS COVETED TERRITORIAL ACQUISITIONS.

Jefferson not only desired Cuba, but Canada as well, and saw no insuperable difficulties in the Constitution to the attainment of so desirable an acquisition. Not only the fathers, but the sons of the fathers had the same hunger and thirst for the righteousness of empire. In 1854 President Pierce directed Buchanan, Mason, and Soulé, our ministers at London, Paris, and Madrid, to meet in some European city to confer in regard to the best means of getting possession of Cuba. Accordingly they met at Ostend.

The result of their deliberations was transmitted to our Government in a dispatch known as the Ostend manifesto. In that dispatch it was said: "The time has arrived when the interests of Spain are as seriously involved in the sale as those of the United States in the purchase of the island, and that the transaction would be equally honorable to both nations. They said the United States ought to purchase Cuba with as little delay as possible, for it is as necessary to the North American Republic as any of its present members, and that it belongs as naturally to that great family of States of which the Union is the providential nursery. Indeed, without it the Union can never enjoy repose nor possess reliable security."

But I had not completed my observations on the traditions of the fathers. Jefferson had some scruples at first about the constitutional warrant for the purchase, but he soon disposed of them, and in his message to the special session of Congress convened to act on the treaty no allusion was made to the subject. He entertained no doubt of the wisdom of the purchase, and was not alarmed at the growth of our domain. Alluding to the apprehension some were under of danger to the Union from the enlargement of our territory, he said: "But who can limit the extent to which the federative principle can operate effectively? The larger the association the less will it be shaken by local passions."

Cuba he desired and confidently expected to obtain. He said: "When we have Cuba, I would go no farther in that direction.

I would erect a column in the southernmost limit of the island and inscribe on it a ne plus ultra as to us in that direction. We should then have only to include the North (that is, Canada) in our Confederacy, which would be, of course, in the first war, and we should have such an empire for liberty as she has never surveyed since the creation, and I am persuaded that no Constitution was ever so well calculated as ours for extensive empire and self-government. But if Spain, dead to the voice of her own interest, and actuated by stubborn pride and a false sense of honor, should refuse to sell Cuba to the United States, then the question will arise, What ought to be the course of the American Government under such circumstances?"

It was also declared in that memorable document "That self-preservation is the first law of nature with states as well as with individuals, and we must apply this great law to Cuba; and if we preserve our own conscious rectitude and our own self-respect we can afford to disregard the censures of the world." That reveals the character of the ethical principles governing the Democratic party. That was the way they poulticed their consciences before entering upon some piece of enormous rascality.

Buchanan, after his nomination for President, in 1856, said he was not opposed to territorial expansion; that our necessities might require us to make other acquisitions; that the acquisition of Cuba was very desirable now, and was likely to become a national necessity. "If," said he, "I can settle the slavery question and then add Cuba to the Union, I shall be willing to give up the ghost and let Breckinridge take the Government." The Democratic national platform of 1860, adopted at Charleston, contained this resolution:

"*Resolved*, That the Democratic party are in favor of the acquisition of the island of Cuba on such terms as shall be honorable to ourselves and just to Spain."

I trust I have made it clear what principle has been recognized through our entire history touching the power of the Government over Territories, as well as the policy and traditions of our people in respect to expansion. And if those who criticise and condemn the policy of the President would reflect upon the demonstrated wisdom of the expansion of our territory in the past and the glorious growth and splendid achievements it made possible, and would doubt a little of the fallibility of their views and defer a little to the judgment of others, they would come to the conclusion of a very excellent man who once opposed expansion but now says: "When I survey the past and recall the misgivings which far-sighted statesmen had at the time of acquiring new territory in the Mississippi Valley, of taking on fresh responsibilities with Louisiana, of contesting the Oregon line, of welcoming Texas, and crossing the Rio Grande, I am taught by the impressive lessons of our past that, in the language of Hosea Bigelow, 'We don't know all things down in Judee.'"

THE ETHICS OF EXPANSION.

But, Mr. Chairman, I desire to direct attention to some higher considerations. It may be true that there is no decalogue for nations, and that the Sermon on the Mount was not addressed to states. The Christian world, however, rejoices to know that in the evolution of international morals we have reached a time when nations can not dispense with a distinct ethical warrant for their treatment of each other. If we trace the stream of civilization from its first faint glimmering to the present splendor of its altruistic development, we can easily see how marked has been its growth on the ethical side. Steadily has the basis for social and political union widened with the lapse of ages, progressively extending the area of fraternal feelings and moral obligations. John Fisk has shown how the ideas of duty, humanity, and brotherhood, once confined to blood relationship and to the clan, have become expanded and ennobled until they embrace states, empires, mankind.

How marked the contrast between this side of the life of English-speaking nations and that of the most civilized peoples of antiquity. The most enlightened Greeks and Romans exhibited a revolting callousness and brutality toward the people of other nations. Mr. Mahaffy assures us that they were scarcely superior to the savages of the present day in those nobler and kindlier feelings which are the redeeming side of human character. Plato, we are told, never recognized rights on the part of the barbarian; and Aristotle, the most sober and comprehensive thinker of antiquity, classed war with the chase as two species of the art of acquisition. When we see that it is amongst the races which have risen to the grandest preeminence that the greatest development of the humanitarian feeling has been observed; that it is a part of the progress of the most advanced people, and a chief constituent in their glory; when we note how sensible we have become that this is an ethical world, a divine universe, God's workshop, in which the moral law is as unfailing as the law of gravitation in the material world; when we see that the universal hope is that this Republic may be placed on the foundations of righteousness where the ages will not prevail against it, that it may become the foremost nation to recognize that equity, justice, humanity, are the winning forces of civilization, the moral trade winds of the universe, we may well inquire what is the purpose, the function of this altruistic development in connection with the tendency to expansion which American civilization exhibits? Is there not warrant for the assumption that the United States have a mission to guide this force of humanitarian feeling to beneficent ends in the amelioration and civilization of the inferior people within the sphere of our influence?

History until recently has been largely the story of fighting. War at the beginning of the historical period was the normal, if not necessary, condition of nations. Leaping the ages, we behold an era in which it is not the trade of nations, and, indeed, but infrequently employed even as the ultima ratio in their disputes, which are mostly composed by peaceful arbitrament. For every war, every act of aggression, a civilized country feels it necessary to put forward justifying reasons based upon moral grounds. It is stated by a recent writer that in every modern instance of interference—those, for example, of the European powers with Crete, of Great Britain in the Soudan, and of the United States in Cuba—there was advanced a justification having to a greater or less extent an ethical basis, a humanitarian purpose, as the rescue of the oppressed, the cessation of cruelty, the stopping of intermittent massacres and the horrors of civil war.

We behold an era in which it is prosecuted for pacific ends, when "We draw the sword for peace and smite to save." The Revolutionary war, says Mr. Fisk, was fought for the pacific principle of equal representation; the war of secession in behalf of the pacific principle of federalism. The war with Spain we know was waged in behalf of the pacific principles of liberty, justice, and humanity. In each case victory advanced the principles of peace. This progressive development on the ethical side of civilization, based on the solidarity of the human race, is destined to go on in accordance with the providential order until war ceases upon the earth.

Already it is under the ban of Christendom. Civilized man, remembering its inhumanity, its "splendid murder," its ghastly terrors, its terrible compensations, contemplates it with undisguised horror. Yet there are occasions when it must be tolerated as the choice of evils. When the objects are such as engage the favor and secure the alliance of just powers in heaven and earth, when necessary to crush wickedness, destroy tyrants and rescue society from evils incomparably greater than itself, war becomes a high and responsible duty. When offered by the hand of necessity or commanded by humanity, said Sir Philip Sidney, not otherwise, it must be accepted.

Our encounter with Spain was no rash and fruitless war, waged for wanton glory, territorial aggrandizement, commercial gain, or other selfish or sordid purpose. We entered upon the undertaking for the grandest and noblest purpose that ever moved a nation to arms.

Rabbi Krauskopf did not put it too strongly when he said: "What monument, what inscription, will or can do justice to our American heroes and martyrs who fell on Cuban soil and died in American camps, not in our own country's defense, but for liberty for other nations and for the rights of other people and for the salvation of another continent?"

We struck the blow in the name of liberty, justice, and humanity. We took the sword to redress the wrongs of others, not our own, and gave the world a sublime illustration of how nations as well as men in their ascent pass from the plane of the struggle for their own lives to that of the struggle for the lives of others, from self-regarding to other-regarding motives, a distinctly higher level. Service for others at the call of humanity is the noblest exercise of power and marks the highest outlook of national purpose and conscience.

From this point of view the war with Spain appears to be unexampled in history, not alone in its origin, but in its results as well; and if our expectations are not disappointed, it can not fail to be regarded by the dispassionate judgment of mankind, as far as the United States are concerned, as one of the few totally disinterested, stainless, and wholly virtuous acts recorded in the history of the race. It may sound like rhapsody, but it is not when Edward Everett Hale declares "that in one hundred days God has set forward the civilization of the world one hundred years."

I have no doubt that even this extravagant hope will be, in a large measure, realized if we have the nerve to embrace our opportunity and the heroism to meet manfully the duties and responsibilities which the results of the war impose. If the same elevated purpose and altruistic spirit shall characterize the last as gave just renown to the first act of the drama, immeasurable good will come to ourselves, to the inferior peoples involved, and to mankind. To ourselves in raising our Republic into prominence as a coequal with the great world powers, and making it a conspicuous factor in the world problems which loom in the near future, giving us that influential place among nations which belongs to a people who stand distinctly for freedom, humanity,

justice, progress—the essential principles of Western civilization. To the people of the islands of the sea in their gradual instruction in the art of right living and in the principles of just government, in having planted among them the essential spirit of American institutions, education, law, order, industry, commerce, and self-control. To all mankind in the impetus it will give to the development of those principles and qualities which are the product of the ethical system on which Christian civilization is founded, and which have, through the ages and by the rivalries of races, advanced toward that altruistic ideal which is the goal toward which humanity has tended from the beginning.

THE SITUATION.

I need not dwell upon the facts which constitute the situation to which we are to apply the ethical principles which in this age of the world ought to regulate the conduct of nations. That the situation is one we did not see from the beginning does not lessen our responsibility. It is characteristic of important enterprises to lead to results not contemplated in the initial steps. It is a maxim of diplomacy that "no war ever left a nation where it found it." Our relations with Cuba and Porto Rico need not engage our attention at this time, for our duty in respect to them is so clear as to be free from difficulty. We must take care of them until they can take care of themselves. The policy of the Government for three-quarters of a century imposes this duty.

Under that policy no other European nation can succeed to the rights of Spain in any of her former dependencies in the Western Hemisphere. The Philippine Islands, however, present a different question in that it is free from some limitations which simplify the West Indian question and is complicated by some considerations from which the latter is entirely free. We can not be said ever to have had a policy with respect to possessions in the Pacific Ocean or elsewhere outside this hemisphere. It has never been conceived that changes in possessions or modifications in government in the Eastern Hemisphere could be dangerous to our peace and safety or a manifestation of an unfriendly disposition toward the United States. The Philippine Islands, therefore, present a new question, unhampered by traditional policy or preconceived opinion, and it is to be treated on grounds of general reasoning in the light of its own circumstances and conditions with absolute fidelity to good morals and to our obligations to our own people and the inhabitants of the islands.

I do not think there is any ethical warrant for the vain jingo boast that the American flag should never be hauled down. That depends on whether it was properly put up. The form of statement which is agreeable to reason and compatible with morals is that where the flag of freedom is once rightfully planted it shall never be replaced by an emblem of despotism, and at all times and in every place it must stand for just, humane, and righteous government.

The maintenance of this just and conservative attitude involves not only a change in the direction we have been sailing, but the putting on of more sail as well. My sense of the gravity of the situation can not be better expressed than in the words of Jefferson to Monroe, which were, no doubt, the origin of the Monroe doctrine:

"The question," said Jefferson, "is the most momentous which has ever been offered for my contemplation since that of independence; that made us a nation; this sets our compass, and points the course which we are to steer through the ocean of time opening on us." The ethical warrant, the humanitarian motive, and altruistic spirit of our undertaking set the compass that points the way we are to go. Indeed, it is not too much to say that the obligations of duty toward mankind as well as toward the people who have been brought within the sphere of our influence and our own future usefulness imperiously demand that we hold and defend our title to the possession and sovereignty of the Philippines until we have fully accomplished the moral purpose which inspired our undertaking in the beginning and rounded out the noble destiny upon which we are just entering.

That some rough surgery may become necessary, as Colonel Roosevelt suggests, must not deter us from a manifest duty. We had some rough surgery in our country in coercing a portion of our own people to acquiesce in the government of the Union. We must undergo this ordeal if necessity imposes it in any portion of our wide domain. We have never shrunk from it in the past and never will in the future. That our way is beset with dangers no one doubts, but these must be incentives, not deterrents. It may be as Judge Grosscup suggests, that a providential hand, gloved in the smoke of battle, is leading us out of our isolation on to a moral elevation where we can see more clearly the pointing of the finger of duty and destiny, and from which a wider outlook will open a view of the way we are to advance as the evangel of liberty, the messenger of civilization and hope to the inhabitants of our new possessions.

COMMERCIAL SPIRIT.

I have said nothing of the commercial advantage which the policy of expansion wisely pursued will bring to us, because no thrifty policy of selfishness, no action with respect to the Philippines, whose motive is the pursuit of gain, without more, could justify the assumption of the stupendous responsibilities which the policy of expansion imposes. No results which are recorded in the merchant's ledger or on the balance sheets of commerce, without more, can give validity to the course we are pursuing.

But that course being justified by other and higher grounds, the fact that the situation carries on its wings a double blessing will not diminish the satisfaction with which we contemplate the new character we are taking on. That the gates of the East are open and all the possibilities of world commerce solicit us is a fact we can all look at with undisguised complacency. This, too, though incidental to our main purpose has its ethical side. Commerce is an apostle of peace, the forerunner of civilization. There is much truth in Judge Grosscup's reflections on this point. He says: "Civil liberty and better culture follow the lead of commerce. By creating new wants it stirs new aspirations. By giving to men new surroundings it quickens new character of thought. It reaches a people on their human side, and having thus obtained a permanent foothold, opens to them a higher civilization. If Anglo-Saxon law ever takes root in Asiatic soil, if the people of that far-off continent ever rise to the individual ennoblement and dignity that constitute the distinguishing feature of the English-speaking race, if true popular institutions ever come to supplant the present species of paternal despotism, if the religion of Christianity, like the light of the sun swallowing up in its effulgence other lights, displaces their crude religions, these will come to pass because the primal germs will have been borne in upon the tide of commerce. In the character of her rising commerce is bound up the future civilization of the Asiatic people." This is indeed an alluring picture of the possibilities in the way of world beneficence which opens to the march of American expansion.

Henry Buckel shows how contact with nations removes ignorance, which is a powerful cause of hatred and war. It is the true bond of charity and an influential teacher of moral lessons. Every new railroad laid down, every new steamship which plows the wave, is a guaranty of peace. The advantages of what has been called oceanic civilization are not to be overlooked. Europe entered upon this after the discovery of America. Till then the ocean was a boundary; then it became a pathway. Till then the Mediterranean Sea was the seat of the world's industry and civilization. The maritime countries always enjoyed commercial supremacy and excelled in knowledge and progress, because, as Mr. Seeley says, they reaped the benefits of the "civilizing sea."

England achieved the commercial primacy of the world because she was mistress of the sea. Columbus transferred the seat of trade and civilization from the center to the western coast of Europe by making the Atlantic instead of the Mediterranean the highway of commerce. There is a lesson for ourselves as well as the Philippines in the fact noticed by historians that the sea gave an intellectual stimulus to the western nations. Holland took the lead in scholarship as well as commerce. Dr. Draper has shown that when the commercial Phœnicians were masters of the Mediterranean Sea, Europe was in a state of barbarism. When the early Greeks became endued with the commercial spirit their intellect awoke and expanded with their commerce.

The arts flourished, science had its birth, education was encouraged, and schools of philosophy established. Not only this, but the cause of the rapid propagation of Christianity in its first ages we are assured lay in the extraordinary facilities existing among the commercial communities scattered round the shores of the Mediterranean Sea. Through the ages commercial activity has been in a marked degree conducive to the propagation of thought through the constant excitement to intellectual activity. So, too, the history of the reaction of the New World upon the Old illustrates how the sea became the theater of some of the most stupendous results in the evolution of the world's commerce and civilization, and the star actors in that splendid drama were sea powers. Among all the powers of Europe which competed for the New World, success came to that one which most cultivated the sea and whose march, as the song declares, "was on the ocean wave."

THE ETHICAL REQUIREMENTS OF THE SITUATION.

Now what are the ethical requirements of the situation? There were four possible alternatives presented: either to send the Philippines back under the yoke of Spain or dispose of them to other powers, or abandon them to anarchy and misgovernment to become at last the prey of any government that deemed them worth a struggle to possess, or lastly, take care of them ourselves until they are capable of taking care of themselves. From a necessity arising from natural conditions they are wards of the civilized and enlightened powers whose duty it is to give them good government and promote their advancement in civilization. The United States being in possession legitimately are in honor and good morals bound to hold control in trust for civilization, and discharge the duties which dominion and responsibility impose.

The ratification of the treaty will make us responsible for law and order in the Philippines before all the world. This obligation we solemnly assumed when we destroyed Spanish authority and accepted a cession of Spain's title and sovereignty. We are morally bound to provide them with the best government their condition will admit of. This duty can not be performed by leaving the people to govern themselves in any way they can. We must teach them the ways of good government. We must make conditions favorable to the growth of intelligence, integrity, and honest living. We must teach them self-control, obedience to law, and make them capable of self-government before we abandon them to the tender mercies of mercenary adventurers, unscrupulous military leaders, or to become a casus belli to involve the world in war. The national honor is involved in the manner in which we fulfill these responsible obligations. The eyes of the world are upon us, and for the character of our conduct and the elevation of our principles we must answer to the deliberate judgment of enlightened Christendom.

There is but one safe path. The conscience of the American people must control our policy and guide its administration. The problem is not how to escape our responsibilities—any coward can solve such a problem—but how to meet them; not how to use these new possessions for our own benefit, but for their own and the world's. We must be the most conscientious of all nations in our national actions. Scruples of conscience should deter us from a wrong act. Neither the interest nor the glory of the nation should be an excuse for an unjust act. We have duties to the weal of the human race. What we do may give a facility to commerce, a stimulus to shipbuilding, an encouragement to intercourse, and therefore to civilization, which would give our action just title to rank among those acts whose beneficence justify them, but that is not enough to justify us. We must find our justification in the higher motives of liberty, humanity, justice—duties we owe the people who have by the fortunes of war come under our protection—and the more sacrifice we make in discharging them the greater the glory that redounds to us.

This should be our guiding principle, for in it is lodged the power and potency of the humanitarian purpose in our Eastern policy. The government we set up must be for the benefit of the people governed, not the government that will conduce most to the benefit of the United States, nor to some fraction of the people of the islands, or to the revolutionary, adventurous, and ambitious leaders, but to the body of the people who inhabit the islands. Their peace, happiness, growth, education, and civilization are the first objects of our solicitude, and all the agencies employed should bend to these beneficent ends.

The government of an inferior race is a trust, and the ruling and protecting people must never forget that they are in a position of trustees and bound like them to serve the objects of the trust. I agree with Dr. Lyman Abbott that to attempt to govern these islands for our own benefit exclusively, to utilize them for our trade, and exploit them for our commercial advantage merely, would be to reenact the folly, if not to repeat the crime, of Spain. And any such attempt, however disguised, the patriotism and conscience of the American people should promptly repudiate and condemn.

But no such policy is proposed. No one is more sensible of the true nature of the problem of our Eastern policy than the President of the United States. He recognizes more perhaps than any other man the claims of our moral obligations to these weak people, dependent upon us for civilized modes of life, law, order, justice, and liberty, so that they may grow into civilization and become capable of self-government. He knows that all power to do this is lodged in the Congress of the United States, and he insists that it shall be exercised in subjection to the great principles of justice, humanity, and liberty, whose sanction is necessary to the validity of our administration. The agencies we employ are but means to an end, and that end the civilization of the people and their capability to maintain stable government themselves, after which, without their solicitation to remain, our helping hand should be withdrawn.

That the President does not promulgate a policy for the future, whose conditions and requirements no one can foresee, does not justify the criticism that he is taking a "leap in the dark." On the contrary, it shows the superior wisdom which guides his course. Happily for the country, he is not a man who is daunted by dangers. He is a man of nerve, capable, courageous, and conscientious, and I can easily hear his noble and undaunted spirit retorting upon cavilers and critics—

> I accept the peril;
> I prefer to walk in sublime dread,
> Rather than crawl in safety.

These high considerations must be our guide in the Oceanic policy we are about entering upon. No maxims of prudence, no considerations of economy, no sordid purpose can stand in the way of those ethical principles which alone afford justification for our new departure. We enter upon no unholy rivalry for the possessions of others. We have no adversary in all the world to which the old threat can be applied, "Delenda est Carthago." Dr. Abbott expresses the full scope of our purpose—to put an end to foreign tyranny, to terminate domestic anarchy, to establish the foundations of just and stable government and build the superstructure as fast and as far as the conditions of population make it possible.

We seek to destroy no country that we may rear an empire upon its ruins. We propose only to take care of our own possessions and protect and safeguard the weak and defenseless until they are capable of self-government. We will be a knight of chivalry among nations, bringing valor, heroism, and statesmanship to the rescue of the victims of oppression and wrong and teaching the world that liberty and law, right and justice shall be lords paramount within the sphere of American influence.

In carrying forward our new and enlarged policy, which is made necessary by the new relations in which we stand to the world, and the new obligations to humanity and civilization we have assumed, we propose cultivating peaceful relations with all the world, so that the increased commerce, for which we are an honorable candidate, will not be a cause of disturbance or war, but will, as Adam Smith said it ought to be among nations, as individuals, a bond of union and friendship. We are advancing according to the higher altruistic law governing the development of States and nations and the growth of empire; we are moving in harmony with that providential order by which all races are to come under the reign of a higher social régime. Civilization can not spare any portions of the earth to the waste of barbarism; savage tribes can not forever cumber the richest parts of our heritage. They must become civilized or become extinct.

I accept the thought of Henry Wilson, uttered a quarter of a century ago in the Senate of the United States, when he said: "I believe, sir, that every race God has made is capable of improvement, of civilization, of elevation, of Christianity, whether they dwell in the temperate or tropical regions of the earth. I believe Christian civilization will not be limited to lines of latitude, but will make the tour of the globe—lifting up all races and conditions of men. * * * I have undoubting faith that every portion of this globe is to be the home of civilized man. * * * This doctrine that the Tropics are doomed, that the people who now inhabit or are hereafter to inhabit them are destined by the inexorable hand of nature to perpetual deterioration, that the men of other climes and races who go into these doomed regions to carry capital, science, skill, and Christianity are to go down with them, is a doctrine contrary to God's Holy Word, to the aspirations and hopes of humanity. It is anti-republican and anti-Christian, and ought never to be entertained by an American statesman or uttered in the Congress of a nation that believes in the fatherhood of God and the brotherhood of man."

So I believe this is the goal toward which the moral forces of this vital, organic, divine universe, the beneficent Power that is in and over all, is certainly tending. He who opposes this progress fights against the nature of things, contends with God, and must wage a losing battle. In this majestic march from height to height of world beneficence we must not forget that America can only establish the legitimacy of her title to that leadership which belongs to the English-speaking people by so minding her footsteps and guarding her action that every page of our annals will reveal elevation of mind, rectitude of purpose, integrity of principles, and supremacy of conscience, thus certifying to all the world that we are moving on the everlasting lines of equity, truth, humanity, and liberty, following the foreshadowings of the ethical method of God in human history.

Now, Mr. Chairman, I think I have said enough. At some length and some pains I have answered the leading arguments which from time to time have been advanced against the policy of the Administration in respect to "expansion," and I have tried to lift the great theme above the pages of the merchant's ledger or the balance sheets of commerce and place it in the companionship of those higher considerations upon which the true grandeur of the Republic must ever depend.

CONCLUSION.

If we adhere to these principles and aspire after these high ideals, the outcry of the alarmist, the shibboleth "imperialism" used by those who think it safe to sail by the light on the stern of the ship, can produce no terror in those who are not affrighted by the inviting prospect of our country's greatness. Imperialism is not incompatible with federalism. Germany is a federal, yet an imperial monarchy. We are a federal, but we may still be an imperial republic, deserving and holding the noblest primacy that can ever crown a nation, the primacy of humanity, justice, and liberty, going boldly forward to the completion of our destiny, carrying free thought, free speech, free press, free religion, and free government to every people under our flag who are capable of such blessings, and when they are not, making them so as speedily as possible by such civilizing agencies as have for their object the care, comfort, and culture of the human race, and then show the

world an example of the only imperialism suitable to this Republic, the imperialism of man.

This is the imperial spirit James Bryce advises us to cultivate, not a spirit of vain glory or aggression or defiance, but a spirit of pride and joy in the extension of our language, our literature, our laws, our institutions, our commerce over the vast spaces of the earth and the farthest islands of the sea, with a sense of the splendid opportunities and solemn responsibilities that extension carries with it.

I have faith to believe that we will be equal to our opportunities and worthy the grand and noble destiny that awaits us. We have but to remember what it is the primal duty of Americans never to forget, "That man is more than nations, that wisdom is more than glory, that virtue is more than dominion of the sea, and that justice is the supreme good."

Lord, God of hosts, be with us yet,
Lest we forget, lest we forget.

[Applause.]

In closing I give my countrymen this sentiment:

And so I give you all the ship of state,
Freedom's last venture is her priceless freight,
God speed her, keep her, bless her, while she steers
Amid the breakers of unsounded years.
Lead her through danger's paths with even keel
And guide the honest hand that holds her wheel.

[Applause.]

In the lap of the Orient, mother of nations, I fling this pearl of poesy:

Mother Asia, we stand at your threshold.
In far immemorial yore
We left you, great Mother of Nations,
And now we return to your door.
We have circled the seas and their islands,
We have found us new worlds in the main,
We have found us young brides o'er the alien tides—
Now we come to our mother again.

We wandered through ages unnumbered,
We were mad with the fever to roam,
But the new flag that waves at Manila
Proclaims that your sons have come home.
There are weeds in the Gardens of Morning,
There are mildew and dearth and decay,
And your blind days are drear and your heart has grown sore,
The years that your sons were away.

But turn your old eyes to the seaward
Where the flag of the West is discerned.
Be glad, gray old Mother of Nations,
The youth of the world has returned.
They come with the wealth of their wanderings,
They come with the strength of their pride:
Now, old mother, arise and lift up your dim eyes—
Behold your strong sons at your side.

They will toil in your Gardens of Morning,
They will cleanse you of mire and fen;
You shall hear the glad laughter of children,
You shall see the strong arms of young men.
New hope shall come back to your borders,
Despair from your threshold is spurned,
A new day shall rise in your Orient skies—
The youth of the world has returned.

—*Sam Walter Foss.*

[Loud applause.]

Mr. FLEMING. Will the gentleman allow me to ask him a question?

Mr. BROSIUS. I now desire to return the balance of my time to the gentleman from Massachusetts [Mr. MOODY].

Mr. FLEMING. Will the gentleman allow me to ask him a question?

Mr. BROSIUS. I have no time.

The CHAIRMAN. The gentleman from Massachusetts has fifteen minutes remaining.

Mr. FLEMING. I think he might allow me to ask him one question, if the gentleman from Pennsylvania would permit it. I only want to ask him if he does not——

The CHAIRMAN. The gentleman from Pennsylvania does not seem to yield.

Mr. BROSIUS. If I had anything to yield, it would give me the profoundest satisfaction; but I have nothing to yield; and if anybody will yield it to me, I will be delighted to yield to my friend.

Mr. FLEMING. I want to ask the gentleman a question, if I can get the time.

Mr. DOCKERY. I will give you thirty seconds.

Mr. FLEMING. I simply want to ask the gentleman——

Mr. BROSIUS. I may not be able to answer it in thirty seconds.

Mr. FLEMING. I wanted to ask the gentleman from Pennsylvania——

Mr. MOODY. This does not come out of my time?

The CHAIRMAN. It does not.

Mr. FLEMING. If he does not think that the prose interpretation of this poetry is simply this, that the boys in Asia—old mother Asia—that went out to war, they want them to come back with rifles and cannon to shoot down the boys that stayed at home?

Mr. BROSIUS. I do not.

Mr. DOCKERY. Mr. Chairman, it is not my purpose at this time to make a complete exhibit of the Treasury situation. Later in the session I will do so. I desire, however, at this moment to congratulate the House and the country on the fact that the distinguished chairman of the Committee on Appropriations on yesterday performed a duty which, if it had been discharged earlier in the session, might have saved millions to the people of the United States. The gentleman from Illinois [Mr. CANNON] submitted a Treasury exhibit which disclosed a mortgaged Treasury and a rapidly decreasing Treasury surplus.

As I am to yield most of my time to one of my colleagues, I desire but a moment to emphasize one or two statements of that exhibit. We have now in the Treasury, as shown by the report of the Secretary, $273,233,629.29. Two hundred millions of this cash balance was realized from the sale of bonds. The Secretary of the Treasury in his last annual report estimated the probable deficiency at the close of the current fiscal year at $112,000,000. That estimate, as shown by the gentleman from Illinois on yesterday, is clearly an inaccurate one, because the deficiency on the 1st of this month amounted to $93,151,000, and if the same rate of expenditure shall be maintained during the remainder of the fiscal year the deficiency will, as stated by the gentleman from Illinois, amount to $159,000,000. This estimated deficiency is entirely exclusive of the $20,000,000 carried in this bill for the payment due to the Spanish Government under the treaty which has just been ratified by the Senate.

The actual expenditures of the Government for the last fiscal year amounted to $532,381,201.35. Of this amount, $56,000,000 was on account of the war with Spain.

The Secretary of the Treasury estimates that the expenditures for the present fiscal year will be $689,874,647.37, and for the ensuing fiscal year $610,958,112.

The estimated deficiency of $30,000,000 for the next fiscal year is manifestly an underestimate of at least $37,000,000, as is shown by the gentleman from Illinois.

It is obvious, therefore, that if there be no unusual obligations imposed upon the Treasury there will be a deficiency of at least $67,000,000 at the close of the fiscal year ending June 30, 1900.

Mr. Chairman, I desire to call attention to this deficiency because it is entirely exclusive of the $20,000,000 for the payment on account of the Philippines, and is entirely exclusive of the increased expenditure authorized by the Navy personnel bill, which will add, it is admitted, $2,100,000, and in my opinion $2,500,000, annually to the total of our expenditures. This deficiency is also exclusive of the cost of twelve new war ships, which, according to the newspaper reports, are included in the naval bill to be reported to the House in a few days.

Mr. SMITH of Kentucky. And what will they cost?

Mr. DOCKERY. A battle ship fully equipped costs from five to six million dollars, and a cruiser from three to four millions.

The naval bill, according to rumor, carries three battle ships. The deficiency is also exclusive of the Cuban claims which, under the treaty just ratified, may be filed against the United States, $25,000,000 of such claims having already been filed against our Government. It is also exclusive of the $10,923,900 liabilities for public buildings, which received favorable consideration in Committee of the Whole a few days ago. It is also exclusive of the amount necessary to meet the requirements of what is known as the Hanna-Payne ocean subsidy bill, a liability which will aggregate, if that legislation is consummated, not less than $165,000,000 during the next twenty years, and probably reaching as high as $300,000,000.

This deficiency is also exclusive of the amount necessary to construct the Nicaragua Canal, estimated all the way from $115,000,000 to $200,000,000. So that, Mr. Chairman, it must be obvious to the House that during the coming fiscal year, even though we should now call a halt upon lavish expenditures, there must be another bond issue to meet the obligations of the National Treasury.

It was with real pleasure, therefore, that I heard the belated statement of the gentleman from Illinois, the chairman of the Committee on Appropriations. It was with much pleasure that I heard "the voice of one crying in the wilderness" across the aisle, warning his party associates that the time had come for the application of rigid economy to the expenditures of this great Government.

Mr. LOUD. Would not that have been better if it had come before the appropriation for public buildings?

Mr. DOCKERY. I think so; and yet I do not desire to criticise my good friend, because he is not now present. Yes, I think it would have been more effective then than now. When the previous question was demanded on Wednesday last on the first bill reported from the Committee of the Whole, a bill to give Blair, Nebr., a public building costing $43,000, I was permitted to make this statement:

Mr. DOCKERY. Just a moment. It is obvious to me, Mr. Speaker, that some of these bills are entitled to the favorable action of the House, but I am

fully satisfied that a good many of them should not be approved, especially in view of the fact that the deficiency in our current revenues for the present fiscal year will be perhaps $150,000,000, and our expenses during the coming year will amount to not less than $675,000,000.

I then estimated the deficiency at $150,000,000. The chairman's estimate is now $9,000,000 larger.

That warning, Mr. Chairman, I made when confronted with an overwhelming majority favorable to the public-building bills then pending. I knew then that the Treasury deficiency for this fiscal year would be at least $150,000,000, and that the total expenditures would aggregate not less than $675,000,000 for the coming fiscal year. I uttered that word of warning to the House when facing an organized raid upon the Treasury to secure the construction of public buildings—some of them worthy, but many of them absolutely without merit.

But, Mr. Chairman, I am glad even now to have the powerful and efficient aid of my friend from Illinois, the chairman of the Committee on Appropriations. My words have not been forceful enough to reach this House and perhaps not sufficiently potent to challenge the attention of the country, but, reenforced, as they are, by the gentleman from Illinois, I indulge the hope that during the remaining days of this session we may return to the principles of economy which command a reduction of expenditures wherever that result can be accomplished without injury to the public service.

Sir, I remember that just after the civil war Congress reveled and rioted for a time in the substance of the people; I recall that period when our expenditures reached startling proportions; I remember that, following that period, came the memorable Forty-fourth Congress. That Congress, in response to the command of the people (for they had been aroused), reduced the annual expenditures of the Government by $30,000,000.

Let me predict, Mr. Chairman, there will be another Forty-fourth Congress soon. It will not, it is true, be designated technically by that number, and I do not know whether it will be the Fifty-seventh Congress or the Fifty-eighth; but, nevertheless, a Congress will be elected and sent here—perhaps the Fifty-seventh, certainly the Fifty-eighth—animated by the spirit of the Representatives who controlled that memorable Forty-fourth Congress; and it will reduce Federal expenditures so that labor may be less heavily burdened than it is under existing conditions. [Applause.]

Mr. JOHNSON of Indiana. I want to ask the gentleman this question: How is it going to be possible ever to cut down expenses under the foreign policy, the policy of expansion, inaugurated by this Administration? Does not the gentleman know that the necessary and direct effect of that policy is that we must greatly augment in the future our appropriations and our expenses?

Mr. DOCKERY. I will say to the distinguished gentleman from Indiana that I recognize that, so far as the military and naval establishments are concerned, this foreign policy necessarily involves a large increase of expenditure. Yet I do believe, if the people send a Congress here that will reenact the Holman rule, permitting the repeal of legislation upon appropriation bills, that Congress can succeed in largely reducing the expenses of the Government. I share with my friend from Indiana the apprehension of constantly augmenting expenditures on account of the military and naval establishments being placed upon a war footing to maintain the foreign policy of this Administration.

Mr. JOHNSON of Indiana. In other words, we are to cut down the necessary expenses of this people for their internal affairs in order to build up a great Army and Navy to sustain an iniquitous foreign policy.

Mr. DOCKERY. I think the gentleman from Indiana is substantially correct in that statement. But I want to say to him that somewhere—whether it be along the line of domestic expenditures or along the line of appropriations for our military and naval establishments—somewhere the pruning knife must be applied, else we must reach out again and lay additional tax burdens upon the people, who are already heavily weighted with taxation.

Congress can not lay the burden upon wealth, because the Supreme Court interposes a decision that an income tax is unconstitutional. If this policy of constantly adding to our expenditures by unwise legislation is continued and the present foreign policy maintained, Congress may be coerced into reducing the expenses of our domestic establishment so as to meet the demands of our Army and Navy upon a war footing in time of peace.

I do not agree with this policy of the Republican party. I do not expect, however, that any appeal of mine will influence the other side of the House. I do not think my appeals will avail much, although a number of gentlemen on that side of the Chamber during the recent public-building raid upon the Treasury stood valiantly for economy in national expenditures. I hardly expect to secure very many recruits from Republican Representatives here, but I do appeal to gentlemen on this side—especially to the Representatives from the South, descendants of the men who for sixty long years controlled and dominated the policies of this Government.

Sir, say what you may about "the old South," about its haughty and aristocratic leaders (as they are characterized by some), it nevertheless is true that while they were ofttimes prodigal in their own personal expenditures, yet so thoroughly were they imbued with the fundamental doctrines of the Democratic party during the long period in which they guided its destinies they still guarded the National Treasury against extravagance and corruption. Mr. Chairman, I appeal to-day especially to the descendants of those illustrious men—members of the great party in which we are honored with membership—I appeal to them to stand by the cardinal tenets of our organization at this perilous time when there is a growing disposition to revel and to riot in the money of the people. [Applause.]

MESSAGE FROM THE SENATE.

The committee informally rose; and Mr. GROSVENOR having taken the chair as Speaker pro tempore, a message from the Senate, by Mr. PLATT, one of its clerks, announced that the Senate had passed without amendment bill of the following title:

H. R. 4382. An act to establish a national military park to commemorate the campaign, siege, and defense of Vicksburg.

The message also announced that the Senate had passed the following bills; in which the concurrence of the House was requested.

S. 5355. An act to amend an act entitled "An act authorizing the Aransas Harbor Terminal Railway Company to construct a bridge across the Corpus Christi Channel, known as the Morris and Cummings ship channel, in Aransas County, Tex.;"

S. 5086. An act for the purchase or construction of a launch for the customs service at and in the vicinity of Astoria, Oreg.;

S. 5076. An act authorizing the Sioux City and Omaha Railway Company to construct and operate a railway through the Omaha and Winnebago Reservation, in Thurston County, Nebr., and for other purposes; and

S. 5006. An act to restore to their original status as to promotion officers of the Navy and Marine Corps losing numbers by reason of the advancement of other officers for exceptional and meritorious service during the war with Spain.

SUNDRY CIVIL APPROPRIATION BILL.

The committee resumed its session.

Mr. DE ARMOND. Mr. Chairman, my distinguished colleague [Mr. DOCKERY] has called the attention of the House and, I hope, of the country, to the state of affairs at present existing, which may be ignored here now, but which certainly must be made note of at no distant time. Ever since this Congress began there has been a degree of recklessness in public expenditure which, in ordinary times and under ordinary circumstances, truly would be appalling. It seems to make no difference to some gentlemen how great expenditures are, or how heavy may be the burdens upon the people in order to meet them.

My colleague, who is exceedingly well informed upon these matters, and whose remarks, however brief, deserve the careful consideration of those who would be enlightened on the subject treated, hopes that under the leadership of the chairman of the Committee on Appropriations there may be, in the declining hours of this session, a turning toward economy and from extravagance. That, in my judgment, is a vain hope. That leadership is a leadership toward economy in public expenditure when that economy does not interfere with the leader. But when economy does not subserve his purposes, then he can lead or follow, as the case may be, in the direction of reckless and extravagant expenditure, as fast and as far as any.

The suggestion of the gentleman from Indiana [Mr. JOHNSON] that, by the imperial policy entered upon by the party in power, there will be created a necessity for extraordinary expenditures which must swell the total, is one, too, that may be ignored here and now, but one, Mr. Chairman, that certainly will challenge the attention of the people of the United States, when they come to pay the increased taxes, which surely will be necessarily imposed to meet the burdens fixed upon them by the increased outlay, and the issuance of bonds; and the question arises, How are these taxes to be raised? How are the extraordinary obligations of the Government made in this manner to be met? There is no one upon the other side of the House who has addressed himself to the question, who seems ready to answer it, or to be able to furnish information.

There is a blind crusade toward something, they know not what. They have started out on new paths; they are plowing strange fields; they seem to be intoxicated with the spectacle opening up before them; utterly indifferent to the facts, or absolutely ignorant as to whether they are nearing the precipice or the morass; led on by false lights and following devious ways, instead of going straight ahead under the guidance of that light which for a hundred years American statesmen have followed, with results so fruitful of good to our country and to the human race.

In this time, Mr. Chairman, of great extravagance, how strange it is that the party in power, if it wishes to deal fairly with the people, shows no thought of their burdens and avoids a recurrence,

so natural, to that species of legislation which will cast part of the load of taxation upon the wealth of the nation, upon the people who are best able to bear it. Why have we not tried, in this emergency, the raising of funds for the war by the agency of a just income tax? It is true that the Supreme Court of the United States decided—overruling the precedents and disregarding the principles of a hundred years to do it—that the income-tax provision in the Wilson bill is unconstitutional; and yet there is a saving clause even in that decision, which points to the fact that in times of public necessity, to meet war expenditures, such legislation would be constitutional.

When legislation to raise money to carry on the war was to be enacted, our friends on the other side scornfully rejected the proposition, which came from this side, for the imposition of this just, equal legislation—an income tax. Instead of that they are willing to place the additional annual burden of fifty millions, or a hundred millions or more, as the case may be, upon the heavily burdened taxpayers of the country, who are least able to bear the taxation, instead of applying a just principle which would operate equally and fairly upon all.

Now, when the plaintive cry of the chairman of the Committee on Appropriations is raised, urging simply a little economy here and there, but nowhere in the region where he is interested, the endeavor to turn to an available, a just means of taxation, which would meet the requirements without imposing any burden on the masses of the people—the income tax, so fruitful for the Treasury of the United States—we are met with a gleeful denial that such a provision shall ever be enacted into law by the United States.

I understand from the remarks of the gentleman from Pennsylvania [Mr. BROSIUS] that he favors this imperial policy which has been entered upon; that he fears that, within the narrow confines of the United States of America, there is not room enough to grow and expand: that population is becoming too dense; that there is too much jostling of man against man; that we need a broader field for our future operations; and that we must seek amongst those islands, thousands of miles away in the Philippine Archipelago, a new field in which to grow and expand and perform and work out the destiny which has been set before us.

We owe an extraordinary duty, it seems, to the Filipinos. A year ago, perhaps hardly one among twenty intelligent people of the country had more than the vaguest knowledge that such people existed at all; and, even at this hour, the wisest of the expansionists will differ by hundreds as to the number of islands embraced in this remarkable find. A few, it is true, may know something about the number, and little else; and yet, with the limited knowledge possessed upon so important a subject and all that it involves, we are to appropriate the money, $20,000,000, to acquire the Spanish title to these almost unknown possessions.

We are about making an investment in real estate, and about purchasing some chattels expected to go with the real estate. Are we buying 2,000 islands? They do not know. Only a thousand? They can not tell you. But 500? Perhaps; but they must investigate further before they can say. At all events, we need them! At all events, we can not grow and expand and meet the requirements of "manifest destiny," unless we have those distant islands of the sea.

What are we to do with them? Oh, they do not know. They do not attempt to tell us. Every one of them, I believe, who has spoken in a way that might be regarded as oracular, with the exception of the distinguished gentleman from Pennsylvania [Mr. BROSIUS], took especial pains to declare that he had no knowledge of the purposes of the Administration; that he knew not what was to be done; that especially he wished the House and the country to understand that he spoke only for himself.

An occasional one would be quite well satisfied that, pursuing this track of manifest destiny as he thought he saw it, we would achieve great success in the Orient; we would attach to this country permanently, with the blessed chains of affection and under the shadowing folds of the grand old flag, those distant islands and that distant people. Another, also without authority to speak for anybody, confining his remarks to himself and binding nobody else, was quite well satisfied that in a comparatively short time we would retire with honor from the Philippines, somehow, in some way, turning over those islands to the inhabitants.

Somebody suggests that the President ought to have a policy and ought to disclose it. Why, no, they say, the President ought not to have a policy. Simply give him the Army. Give him all the Army he wants. Give him all the Navy he calls for. Give him all the money that you can rake and scrape. "I have confidence in the President," say the gentlemen. That is an answer to everybody and everything. What is the President going to do, or what is to be the result? What is to be the cost? They do not know. They do not even speculate upon it except along the lines of glittering generalities. But they do say, as all-sufficient, "I have confidence in the President. I can trust the President."

Why, the Constitution and our constituents, Mr. Chairman, have placed some trust in us. It may not be well reposed, but yet we came here of our own volition, and in many instances made a considerable effort to come. [Laughter.] And really we are charged with some duties, now that we are here.

I am not one of those who are going to indulge in harsh criticism of the President because he has not declared some policy. I believe that the Presidential policy ought to be the policy of the Congress of the United States; his duty, simply to execute the laws that we make. [Applause on the Democratic side.]

I believe the duty to declare a policy is here. The Congress ought to declare what is to be done. The Congress ought to fix the bounds and the limits. The Congress ought to confer power and withhold power. Instead of that, this gentleman and the other gentleman on the other side does not know anything about what the purposes are; but he has confidence in the President! Therefore he is in favor of making the Army a hundred thousand men; would make it 500,000 if the President suggested it. He is in favor of stumbling along in the dark blindfolded, because he has confidence in the President!

Here is a proposition now to appropriate $20,000,000. A short little paragraph, but it means $20,000,000 from the American people, when expenditures are outstripping receipts. It means a draft of $20,000,000 upon the industries, the hopes, and the possessions of the people, not only in the present, but in the future. Twenty millions of dollars—a mere bagatelle! Twenty millions of dollars for the acquisition of that territory and that people.

The gentleman from Pennsylvania [Mr. BROSIUS] suggests that we will remain over there a long time. We are to go as the pioneers of commerce, and commerce is to draw in its wake civilization and Christianity. Here is the grand procession, in the regular order. The flag of the United States of America, far away from its home, far away from republican territory, far in the Orient—the home of the race, the gentleman suggests. And then the beneficent march behind it of commerce, civilization, and Christianity! And what may happen here meanwhile? How shall our people here fare? Oh, it is enough upon that point to say, as gentlemen do say, "I have confidence in the President. I am willing to trust the President." [Laughter on the Democratic side.]

Mr. Chairman, if this $20,000,000 is to be appropriated now, why ought not this House to fix the bounds and the limits? Do you propose to take in those Philippine Islands as a part and a parcel of our domain, part and parcel of the territory of the United States, to endure and to continue such as long as we can hold them? If you do, say so. If you do not, say not. If you do not know, then why the hot haste for your legislation; why the extraordinary demand for a very large army?

Why the imperious spirit here and in the other end of the Capitol, which rejects all suggestion of amendment; which at the same time that it proclaims that you know not whether your policy is to be temporary or permanent, that you know not whether you are to acquire this territory as a permanent acquisition or for a short time, yet demands the Army permanently; insists upon an army of a hundred thousand men; causes the huge expenditures that are made directly, and the greater expenditures that will follow in their wake, through the extravagance and recklessness and general demoralization which certainly must attend this loose legislation and looser policy? You want so many things permanently; but what will you do with them, how long will you use them? Oh, excuse you from saying anything about that! The President has not informed you, and you do not know.

It has been suggested that the President did not bring on this Spanish war. Perhaps not. Ought the President, therefore, to have an opportunity to make war perpetual? Has the President such an opportunity, or ought one to be made for him?

It is not quite true, however, that the President did not have anything to do with bringing on the Spanish-American war. The President had a great deal to do with it. The sentiment of the country, the sentiment of the Senate, the sentiment of the House, was overwhelming in favor of that measure of justice and decency which would have found expression in the recognition of Cuban belligerency.

The Administration stood against it, and against it stood its agent and henchman, the effective servant of the Administration here, the gentleman who presides over the deliberations of this House. Injustice has been done the Speaker, in the country. Of course I do not take upon myself the duty of setting him right, because he can set himself right, if he chooses to do so. It has gone to the country that the Speaker of the House was opposed to the war. On the contrary, no man in the country, no dozen men in the country, did so much to bring about the war, to make the conditions which made war inevitable, as the Speaker of this House. He did it by suppressing debate; he did it by suppressing the judgment and the sentiment and the conscience of men upon the other side of this Chamber. He did it here in this House, with the iron hand.

Some supposed that he would not be so subservient to the wishes

and so ready in compliance with the demands or the purposes of the Administration. Certainly they must have been mistaken about it. Had the President been here himself, he could not have done, and he would not have done, what was done for him by the representative of his party in the Speaker's chair. He would not have attempted to suppress the judgment and the conscience of the House, and to be himself the whole House. He would not have dammed up the waters until a flood was inevitable.

Why, two things, notwithstanding the opinion of my colleague on the subject—I refer to Mr. CLARK—two things, more than all other things, brought about the war; but really the prime one thing was the suppression of the House of Representatives by the Speaker of the House. The House of Representatives would have declared and done what was American and what should have been done; what was humane, patriotic, and noble; and the House of Representatives was prevented from doing it. And then indignation was abroad in the country. The desire to do what ought to be done increased with every obstacle placed in the way of its execution.

Then came about the condition of things that, in order to appease public sentiment, in order to allure the American people into the belief that something American was to be done, the ill-starred battle ship *Maine*, with the consent and approval of Spain, was sent to Havana; and, unforeseen by every American, the Administration and everybody in the country, that ship was sent to the bottom of Havana Bay, with the brave men who manned her. Then American patriotism and American courage and American manhood rose and swelled above all the petty bounds, above all the obstacles that could be thrown in the way. Then, with the wild tumult and outburst of American patriotism, the war came. Then we were hurried and carried into the war.

But no matter how we got into war; no matter who put us into the war, are we to continue perpetually in warfare? Who can tell when peace will reign in those islands, provided we take up the Spanish title, such as it is, and with it take up also the Spanish policy of repression and aggression; provided we throw to the winds as we cross the calm Pacific into tropical storms the principles which have made us great, and there impose upon a distant people a government which they do not desire?

Who knows how long this may last? Who knows how many gallant American soldiers may be laid in their last resting places close by the shore of this or that island, as vainly they attempt to push into the interior and conquer it, as for two hundred years Spaniards have fought and died and not conquered the interior of a single one of those islands? Then if you do conquer, if you do subdue, if you do bring peace to those islands, what have you? What are you going to do with islands or islanders? How are you going to deal with them, except under the Constitution of the United States? Can you, on the contrary, operate outside of the Constitution? Is that your design?

Are you going to throw the Constitution to the winds? Are you going to turn your backs on the teachings of your fathers? Is the experience of one hundred years to be thrown away, only to establish a new and distinct form of government from that our fathers made, and which it is our duty to uphold because we know well it is blessed? There is no easy stopping in the downward course if you once enter upon it.

Some gentlemen think a great work of patriotism was accomplished when the treaty with Spain was ratified, without the declaration of any policy, without amendment; that it is a mighty triumph of American patriotism. Why ought it to have been ratified without amendment, provided amendment would make it better? The question of whether amendment would make it better or not is a debatable one. The man who thinks it would, certainly displays as much character and ability, in standing for that which he believes is right, as the other man who accepts blindly, relying on the President in excuse for recklessly plunging into the dark, by ratification without qualification.

I feared, I fear now, that following the ratification of that treaty will come the appeal to American pride and American vanity: Shall we part with a portion of our territory? Shall we declare that what we have attempted we can not do? Shall we confess in the face of the world that we are unequal to the task we have assumed?

Gentlemen, what are you going to do? Are you going to perpetuate a military government in the Philippines? If not, how long is your reign to endure? Who is to fix its bounds; who is to terminate it? Upon what basis is it to be terminated?

Who is to make the laws for the Philippines? Who is to make the laws for Porto Rico? Who is to make the laws for Cuba? No power or agency is supplied or suggested so far, except the will of the President of the United States. You may be willing to transfer to him the legislative power, you may be willing to tear the Constitution to shreds, in your confidence in your present Chief Executive, but I certainly am not willing to do so. The harm done may not be so much in specific acts of the President as in the evils sure to flow from autocratic rule.

You are luring the American people into the belief and hope that they can depart with safety, and probably with profit, from the principles to which they and their fathers before them adhered through storm and sunshine, in peace and in war, with this party and that party dominant, as parties rose and fell, for over one hundred years. When once you have broken the image in the heart of self-governing American manhood, when once you have torn down the altar at which American freeman have worshiped, it may be you can set up again the image, and it may be you can build anew the altar; but history is against it. Every milestone in the progress of the race, upward or downward, since the world began, is mutely eloquent in admonition to us. The chronicles of the ages are big with the lesson that when republics turn toward imperialism, turn backward, it is only a question of time when the end will come.

What a magnificent domain we have! How broad the area of the forty-five free States and the four or five Territories that constitute the birthright of American citizenship! And yet do we need more! What for? Who is crowded? Where does population press upon population? Where are our energies impaired or dwarfed because our population is too dense? Why, in many parts of the country the virgin soil is hardly yet broken. Primeval forests and prairie grass yet remain where a hundred millions could dwell unhampered. The bowels of the earth are full almost to bursting with their richness of mineral wealth.

Upon every hand, whether in the fullness of maturity or the virgin freshness of budding promise, the grandeur of American opportunity invites every American citizen, under the protecting folds of our own flag, within the sacred guardianship of our own Constitution, to renewed effort for expansion and growth and glory in our own home country and hemisphere. And upon all this, recklessly, in the dark, knowing not where you are going, having fixed for yourselves no bounds, utterly ignorant of the results that may follow, you are turning your backs. You take the road through the graveyard of republics without being able to tell, without caring even to ask, where, when, or how you will stop or be stopped.

Now, how much better it would be, it seems to me, for the party in control of the Government and for the nation if the President, its Chief Executive, were constrained to use his powers—if the Government in all its branches would employ its energies—toward holding the American people in loving trust in their own country; to help our countrymen to dwell upon the glories to be won here, in view of the glories that have been won here; to help them to look forward to the coming years of their own lives, and in blissful hope to the lives of their children and their children's children, anticipating the growth of our great Republic, with the Western Hemisphere big enough for it. That would be better far than chasing phantoms in the China Sea.

In this magnificent domain, this splendid heritage, this rich and glorious territory devoted and dedicated to freedom, we are working out the grandest experiment in free government and the elevation of mankind ever known or ever dreamed of by sage, seer, or poet. But all this is to be abandoned. Twenty million dollars for two thousand islands, or one thousand islands, or five hundred islands, and for eight or ten or twelve million people! Twenty million dollars! Twenty million dollars from these white American citizens—$20,000,000 from these Caucasian freemen—$20,000,000 from the toiling American patriots—to buy troubles far away, to be added to the troubles at home, and to intensify them!

Can there be no pause in this progress downward? Must you grope and plunge in darkness? Will you not stop? Will you not think? Will you not determine where you are going; whether you wish to go so far?

Mr. Chairman, how easy it would be even now, in this late day of the session, upon this very bill, to put into the law of the country what you desire to do. Do you wish to hold these islands permanently?

Then away with all this talk about getting out of them as soon as possible, about leading those people onward and upward until they shall be capable of taking care of themselves. Let the American public know, if you can, what they have to face. Let them see the worst from the beginning. If, upon the contrary, it be your purpose to depart from these islands in a year, two years, or five years—to depart from them in a reasonable time—why can not you declare it and make it law? Why can you not declare yourselves and assure the country, by legislation upon this bill?

Are you going to educate the Filipinos up until they reach the average of American citizenship? A hundred years—aye, a thousand years—any period this side of the millennium—will find your task uncompleted. Are you going to educate them up to the point when they shall be capable of self-government? What do you mean by self-government? Do you propose to hold those people until there can be formed in their islands a government the equal of ours? If so, vain is your task; idle is your dream.

Such a thing never can be accomplished, and you know it. But self-government does not involve the idea of having a government as good as the best. Self-government, as far as we are concerned with the Filipinos and their islands, if we will be just to our own

people and faithful to the principles which have been laid down for our government and which the fathers followed, means simply to let those people take care of themselves, free from interference on our part. "But," somebody says, "the islands will be overrun. A stronger power will come in and subdue the Filipinos." Are we to stand as guardians for them? Who limits our guardianship to the Philippine Islands? Why not stand guardian for the Chinese? Why not plunge into the jungles of Africa? Why not go into far Central America?

The gentleman from Pennsylvania [Mr. BROSIUS] suggests that if we are to be the leading nation of the Anglo-Saxon race, we must undertake these tasks and perform them. Sir, our tasks are here. Our duty is to our own people. [Applause.] When we have builded a greater republic here, when we have advanced in the development of our resources, when we have furnished the steady light for the guidance of the world, then we shall have performed well our part in history. Here is our theater. Here Providence has cast our lot. Here is the scene of our duty. Here is the field of the glorious achievements of our fathers. Here is the arena for our children. Why seek to enlarge it in the Old World? Why seek to add to it that which never can be harmonized with it?

Some gentlemen suggest that the Filipinos shall not come in as citizens of the United States. That is a confession of the whole offense. What, then, do you want with them? What is to be their relation to the people of this country, if they are not to become citizens of the United States? I do not wish them to be citizens of the United States. I do not believe in lowering the level of citizenship so that they can reach it. I do not believe in adding to the bulk of illiteracy, of venality, of corruption, that which is to come in by the incorporation of the Filipinos.

But do you say, "Let us hold them?" What a magnificent spectacle that would be to the rest of the world! What a travesty upon republicanism for the giant Republic, the exemplar Republic, the Republic in the van, to go into the business of holding colonies and subduing and governing people as the monarchies, absolute and despicable, do!

What encouragement, Mr. Chairman, could we thus afford to struggling humanity the world over? How many thousands, aye, how many millions of people, have looked across the dark scenes of the present, hoping to see the brighter light of the future—hoping to see the gleam of the star of liberty blazing in the great Republic of America, in the western world, and trusting that thence the inspiration would come, teaching that man can govern himself, and inviting the brave, the resolute, the true, the generous, to escape from onerous conditions existing and partake of that liberty which we Americans long have enjoyed.

What message shall we send out to those people if, instead of continuing the champion of personal liberty, we now turn to be the oppressor? How shall we hope to maintain a Government such as we have so long boasted of—a Government of freemen by freemen—if the Government itself is to engage in the business of subjugating and oppressing the Filipinos, lately our allies, in another hemisphere? How shall we hope, after having taken up the business of protecting the oppressed and affording an asylum to the weak and suffering throughout the whole world, to escape condemnation, if in turn, we, ourselves, adopt a policy of subjugation and force rule?

But here are practical questions. What are the results to be? What the benefits? What is the return which is to come to us for the abandonment of the principles of our forefathers and the policy of our Government? The trade returns manifestly will be insignificant. We are told that we will secure "the trade of those islands." Ah, Mr. Chairman, if our people could have the opportunity which would come to them under just laws, to sail the seas with freedom, and participate in the commerce of other lands, under wise and proper legislation, there would be no trouble about commercial progress.

Under wise regulations the commercial instincts of the people will take care of our interests. Our manufacturers, our farmers, our tradesmen, our laboring people, all can win anywhere in the markets of the world, if the restrictions which now hamper them are removed. They need not fear competition with any other nation on the face of the earth. There is no necessity for the acquisition of these Asiatic islands. There is no menace to our present security, for lack of territory. The hopes for the future do not rest upon such course as the party in power blindly would force upon the people. There is nothing of an inducement in the future, to warrant us in incurring all of the dangers of this scheme in the far East, and flying from the inviting fields which are challenging our energies in the Western World.

Will you not, my friends, before going to a point from which you can not return, even if you would, declare in this very bill that your hold in the Philippines is only a temporary one; that we are there by the chance of war and the necessity of circumstances, rather than by design on our part, or in pursuit of a policy in the direction of imperialism; that soon, and we hope very soon, the prows of our vessels will be turned toward our own land—"the land of the free and the home of the brave"—that soon the last of our heroic soldiers will be on their way to the American shores; that through us soon the Filipinos will have that liberty which we claim to prize so highly—freedom to govern themselves, well or ill, according to their own ability? If that be done now, the benedictions of the people of the land we leave will be mingled with the benedictions of our own people, to whose shores we return; and the President and the party in power will receive the approbation of the populace of the entire United States, simply for doing what it ought to be natural and easy to do.

But, on the contrary, you seem to be turning away from the opportunities which present themselves. You are trampling upon the opportunity fate has brought to you. You are refusing to do for humanity what seems to have been allotted to you to do. You are plunging into an unfathomed gulf, knowing not and seemingly not caring where your landing will be or what will happen.

If the President of the United States, if the Congress of the United States, would authoritatively proclaim to the entire world that we are not usurpers; that we believe in republican principles and the republican doctrines to which we have adhered for so many years; that we are not turning our backs on the ark of safety which so long has protected us—it would be well. In giving liberty to the yellow men of the Philippine Islands we would simply be acting in harmony with the traditions and policies of our own people. Our example then would be grand and unique in the history of the world.

Let us hope—although I fear the hope is vain, but I wish it were otherwise—let us hope that the shackles which bind the House may be riven, and the American Representative, realizing that he is here where he should speak and act for probably 200,000 American people, may rise to the dignity of the occasion and the honorable position in which he is placed, assert his manhood and, acting in behalf of the constituency behind him, sustain the principles and the doctrines of the Constitution of the United States. I am for free government here, opposed to oppression the wide world over.

No expressions about who will haul down the flag affect me. No talk about "manifest destiny," which is concealed from everybody, even those who speak upon it, amounts to argument or reason. If we are true to our trust we will hesitate, we will halt, we will turn back, before we hurl our American fellow-citizens into a sea of debt and overwhelm them with a flood of difficulties.

It is not too late to retrace the false steps taken in haste. Much of the vantage ground was lost, much was lost to America, when the treaty was ratified without amendment or condition. But all is not yet lost. But a little while hence, let this Congress expire, let matters drift on, and then, I warn you now, you will find men rising up here and there and everywhere, and out of pride, or vanity if you please to call it so, protesting against parting with territory "which belongs to us."

They will say, "It is ours. We bought it. We shed blood for it. We hold it. We will not confess that our venture is a failure. Perhaps we ought not to have entered upon this project; perhaps we ought not to have engaged in this enterprise; but we are in it, and we will fight it through. We will endure and suffer; we will risk our fabric of government and the hope not only of coming generations here, but of humanity upon it."

Let us not stumble along blindfolded until the fact, that we never have parted with any territory once regarded as our own, may be used as an argument and a sentiment against doing what is certain, if we persist in this course of imperialism, soon to be proved necessary for our own welfare—to get away from the Orient and devote our energies to our own country and hemisphere, to the protection and the upbuilding of our own institutions at home. [Applause on the Democratic side.]

Mr. LIVINGSTON. Mr. Chairman——

The CHAIRMAN (Mr. BENNETT). For what purpose does the gentleman rise?

Mr. LIVINGSTON. Whom does the Chair recognize?

The CHAIRMAN. The Chair will recognize the gentleman from Kentucky upon the other side [Mr. PUGH].

Mr. PUGH. Reserving the remainder of my time, I desire to yield thirty minutes to the gentleman from Massachusetts [Mr. GILLETT].

Mr. GILLETT of Massachusetts. Mr. Chairman, as one who would much rather pay $20,000,000 to be honorably rid of the Philippines than to pay $20,000,000 for them, I wish briefly to state my reasons for voting for this appropriation, and I feel that I have the more title to do so because it seems to me rather a gross case of larceny on the part of the Appropriations Committee to control this resolution and to take it from the committee to which I belong.

The rules of this House provide that the relations of the United States with foreign nations, including appropriations therefor, shall go to the Committee on Foreign Affairs, which language would certainly include this payment; but I suppose the Committee

on Appropriations, with their natural proclivity for appropriating, seeing this little item of $20,000,000 lying about, appropriated it, as they would a vacant clerkship, and I am ready to admit that it probably is the simplest and the best way to bring it before the House, and that it makes little difference.

I do not arise now because I have a speech to deliver, for I only reached here from a necessary absence this morning and unexpectedly find this subject up, so that I am entirely unprepared; but no one whom I have heard or read has exactly expressed my views, and as this is the last opportunity before the Philippines pass from the sphere of foreign affairs into that of territories, I wish to state my opinion of the transfer.

I have heard some abuse of the Administration here and some sarcasm even on this side of the House, with which I do not at all sympathize. Through the critical times before the breaking out of the war and during its magnificent progress the President had not only my hearty support, but my enthusiastic admiration. At the time of the signing of the protocol I considered the annexation of the Philippines undesirable and unwise, and I had good reason to think I was still in full accord with the Administration.

I have not at all changed my opinions, but I recognize that to continue always of the same opinion is no proof of being right and that new facts and changed conditions may properly alter conclusions. I have entire confidence in the high purpose and patriotism of the Administration; and although I have not approved its recent policy of ratifying the treaty without any declaration of our future intentions, yet that issue is now past and the future will determine its wisdom.

Originally I did not see why we should take anything more than the harbor of Manila, or at most the island of Luzon. The other islands we had not captured or invaded. We were under no obligation to them, and they could easily be ignored. Any acquisition there more than a harbor and port seemed to me a misfortune, bringing to us a half-civilized people impossible of assimilation, a country fertile indeed, but with a climate unfit for our citizens or soldiers, and a difficulty of administration which would put to test our republican virtues.

I fear that it will be difficult to maintain a pure government at such a distance without the restraining influence of an alert press and a powerful public opinion, and a general publicity such as obtains here. And I fear that the habitual denial of the equality of men and the consent of the governed, which will be necessary there, will react here at home, and may tend to make us less mindful of these fundamental bulwarks of our strength.

Every thoughtful American citizen will agree that our future safety and prosperity and greatness depend upon our respect for these inherited principles. And to hold territories when we can not apply these principles at all will be apt to raise at home questions of their vitality, and create a doubt whether here, too, caste and inequality and subserviency should not flourish. The expense of such possessions we are already feeling. I see that one of our prominent military authorities said yesterday in New York that our probability of war was increased a hundred per cent.

Our Army and Navy must grow in proportion. The war revenue is still insufficient for our expenses. And for it all I see no compensating advantage. To gain our share in the trade of the East a great port like Manila is sufficient without encumbering ourselves with other islands. So that on merely selfish grounds I was opposed to these larger acquisitions. But the argument was urged with force, Can we turn these people back to the tyranny of Spain? We owe a duty to them dating from our accidental connection which we can not ignore. That duty we could have well admitted and assumed and yet not incorporated these people into our Republic.

To my mind this has been the serious mistake. The treaty should have been so framed or so amended that we should only assume a temporary protectorate as in Cuba, so that when they were fit for self-government we could set them free if we wished it and must if they wished it. That would have been in strict accord with the humanitarian spirit in which we declared the war. It would have saved us the battle which I have just heard is raging to-day between our soldiers and the Filipinos.

Of course when the armed conflict is on, every American's sympathy and support is with the American soldier. We all glory in their bravery and perpetual success. Yet we all feel, too, that conflict with those to whom we wish to bring peace and freedom and improvement is deplorable and pitiful. It reminds us of the satirical remark of one of our colleagues months ago, "We are going to carry them the Bible in one hand and the shotgun in the other; and if they will not subscribe to one, we will shoot the down with the other."

I trust the blame for this collision is all with our antagonists. Certainly I shall believe so until the contrary is proved. And yet we must remember that one of the weaknesses of military administration is that the best soldier is not always also the most tactful diplomat. Indeed, we have recently had graphic illustration that a very high position in the Army does not always accompany temperance of language or self-restraint. [Laughter.]

Even in this House I have heard remarks about our allies whose wisdom I questioned. A fortnight ago the gentleman from Ohio [Mr. GROSVENOR] and the gentleman from Indiana [Mr. JOHNSON] had a controversy as to whether Aguinaldo was a second George Washington or a second Benedict Arnold. I do not know which was right; I do not believe either of them does, though both think they do. That is one of the troubles with our new venture, that although we have got beyond Mr. Dooley's uncertainty as to whether the Philippines are islands or canned goods, it is very difficult to get definite knowledge.

But inasmuch as Aguinaldo was at that time our ally, the most important personage in the island, the commander of a large force which his personality had assembled and with which we wished friendship, it seemed to me that it was much more politic to call him George Washington than Benedict Arnold; and though I should never have characterized the gentleman from Indiana as a diplomatic person, he was more discreet than the gentleman from Ohio.

The argument has been put forward elsewhere that although we do not want the Philippines permanently, and by holding them until they were fit for self-government we should be doing our whole duty to them and relieving ourselves, yet it was better not to bind ourselves to that in advance, but to wait until the time for release came.

But in that way we expose ourselves to the suspicion of acting selfishly and graspingly. Perhaps we can afford to be, regardless of the opinion of the rest of the world; but there was one people to whom we might well have given a formal pledge of our disinterestedness, and that was the Filipinos themselves. Then I greatly fear that unless settled in advance there will always be reasons for postponing the settlement. The selfish interests of investors and capitalists and speculators in the new territory will always oppose it.

Those who sincerely desire a great expansion of our power, who see us the center of a great colonial empire, will always oppose it. They say nothing now, except "Wait until the time comes;" but for them the time will never come. I do not wish to see this country a great military power. Before this war proved our martial skill and valor, we were the greatest world power, not by force of arms, but by the influence of our ideas and principles, which have acted more on other nations and achieved more change and progress in this century than all the armaments of the world.

Then, too, the cry, "Don't haul down the flag," will always be used to prevent abandoning the islands, but every successful nation has often hauled down its flag. It is not a mark of weakness or of cowardice, but often shows a loftier courage and a nobler heroism than was required to raise it. We shall haul down our flag in Cuba, but I suspect that unless we had made our declaration of that purpose at the beginning of the war we should never achieve it. I feel that if we were consulting only our own interests, Cuba would be a far more advantageous acquisition for us than all the other dependencies of Spain combined. But because of a resolution which had no binding force except on our honor no one has suggested yielding to that temptation, and no one, I trust, ever will.

If we should ever desire to separate from the Philippines, it is uncertain how under the present treaty we could accomplish it. Our Constitution provides for admitting new States, for taking new territory, and we have tested its provisions in that regard, but it does not provide for setting off portions of our territory, unless the provision "to dispose of" territory covers it. We have thus far no guide of experience. And we are similarly at a loss what constitutional rights the people of this new territory have.

Whether they have all the rights of citizens, including immigration, trial by jury, etc., whether customs duties there must be the same as here, are all unsettled and great divergence of opinion already appears. I think those who reserve their judgment are most discreet. On doubtful questions of constitutional law, applying the words of the Constitution to facts which it framers certainly did not have in mind, men always have been governed largely by their wishes.

If a question is very doubtful, one's mind may well be swayed by what he thinks is for the good of the State. Men might argue in opposition to annexation that it gave the natives all the rights of citizens, who, after annexation was accomplished, would hold it most undesirable that they should have a citizen's constitutional rights. Most important and difficult constitutional questions will now arise. One good result may be that it will turn men's thoughts again to the study of the Constitution, and possibly once more, as in former days, make party divisions depend on constitutional interpretations.

Albert Gallatin wrote in 1841:

> The objects to which our faculties are applied have a necessary influence over our minds. How diminutive, nay, pitiful those appear which now engross public attention and for which parties contend when compared with those for which the founders of the Republic staked their fortunes and their lives.

Possibly the renewed study of the Constitution may do us more good than the harm I dread from our new territories.

I shall at the proper time offer an amendment declaring that we do not contemplate permanent sovereignty of the Philippines. I am aware it will be of doubtful efficacy, that the appropriate time was at Paris or in the Senate. By a statement then, it seems to me, all our duty to the Filipinos, our missionary purposes could have been effected, and most of our embarrassments avoided. But a declaration now might bind us in honor to free them if they wished.

I shall, however, at all events vote for this appropriation. I recognize that the Constitution gives the Senate power to make treaties; that by their vote this treaty is now a law of the land, and under it this twenty millions is due to Spain, and I shall vote to discharge that legal debt. I do it with regret that the form of the treaty is not different, that the slight changes which would have removed my objections and relieved us from such a permanent burden and made improbable our present state of war were not made, but I can only hope my forebodings may not be realized. [Applause on the Republican side.]

MESSAGE FROM THE PRESIDENT.

The committee informally rose; and Mr. GROSVENOR having taken the chair as Speaker pro tempore, a message in writing from the President of the United States was communicated to the House of Representatives by Mr. PRUDEN, one of his secretaries, who also informed the House that the President had approved and signed bills and joint resolution of the following titles:

On February 4, 1899:

H. R. 312. An act granting a pension to Ellen Wright;

H. R. 2026. An act granting a pension to Sarah A. Halter;

H. R. 4973. An act granting a pension to Jacob N. Atherton;

H. R. 6635. An act granting a pension to George B. Stone;

H. R. 4973. An act granting a pension to May J. Brown;

H. R. 5069. An act granting a pension to Jacob N. Atherton;

H. R. 2867. An act granting an increase of pension to Henry C. Briggs;

H. R. 8037. An act granting a pension to Lizzie Waltz;

H. R. 5402. An act to increase the pension of Louis Hirsch;

H. R. 8862. An act granting an increase of pension to Jorden Thomas;

H. R. 4173. An act granting an increase of pension to Rebecca Otis;

H. R. 8299. An act granting an increase of pension to Thomas S. Tefft;

H. R. 9295. An act granting an increase of pension to Justin O. Hottenstein;

H. R. 6411. An act granting an increase of pension to Henry K. Opp;

H. R. 3790. An act to remove the charge of desertion against John Willoughby;

H. R. 7561. An act to correct the military record of William P. Brassington;

H. R. 11157. An act making appropriations for the payment of invalid and other pensions of the United States for the fiscal year ending June 30, 1900, and for other purposes; and

H. R. 11116. An act to authorize the Little River Valley Railway Company to construct and operate a railway through the Choctaw and Chickasaw nations, in the Indian Territory, and branches thereof, and for other purposes.

On February 8, 1899:

H. R. 637. An act for the benefit of J. C. Rudd;

H. R. 10666. An act authorizing the Secretary of the Interior to permit the use of the buildings of Fort Supply Military Reservation by Oklahoma Territory for an insane asylum;

H. R. 774. An act for the relief of Samuel D. Hubbard;

H. R. 2274. An act to remove the charge of desertion from the military record of Daniel Straw, late private, Company F, Twenty-sixth Massachusetts Volunteers;

H. R. 10912. An act for adjusting clothing account for deceased soldiers in certain cases; and

H. R. 6901. An act to prevent the abatement of certain actions.

On February 9, 1899:

H. R. 11487. An act making appropriations for the diplomatic and consular service for the fiscal year ending June 30, 1900;

H. R. 11036. An act to restore Capt. Robert W. Dowdy to the active list of the Army;

H. R. 967. An act to correct the war record of George W. McBride;

H. Res. 344. Joint resolution granting authority to the Republic of Venezuela to send a cadet to West Point Military Academy;

H. R. 10316. An act granting a pension to Georgie Smiley; and

H. R. 10509. An act to authorize the Missouri and Kansas Telephone Company to construct and maintain lines and offices for general business purposes in the Ponca, Otoe, and Missouria Reservation, in the Territory of Oklahoma.

SUNDRY CIVIL APPROPRIATION BILL.

The committee resumed its session.

Mr. PUGH. Mr. Chairman, I yielded to my friend from Massachusetts for the purpose of addressing the committee, but I would not have it understood by the House that I therefore indorse his argument as to the policy of the Government with respect to the Philippine Islands, and much less would I have it understood that I approve the sentiment he has enunciated that the committee of which I have the honor to be a member has been guilty of grand larceny. In the hope that I may find an opportunity on some occasion to refute the charges, I yield five minutes to the gentleman from Iowa [Mr. HEPBURN].

Mr. GILLETT of Massachusetts. Before the gentleman from Iowa proceeds, I only wish to say that I have no doubt that the gentleman from Kentucky understood how serious my charges were. [Laughter.]

Mr. PUGH. Of course I was not disposed to give a serious interpretation to the remark.

Mr. HEPBURN. Mr. Chairman, I will occupy the five minutes allotted to me to give notice that at the proper time in the consideration of this bill I will offer, as an additional section or otherwise, as may be deemed best, the following, which I send to the Clerk's desk and ask to have read:

The Clerk read as follows:

Be it enacted, etc., That the President of the United States be, and is hereby, authorized to acquire, by purchase from the States of Costa Rica and Nicaragua, for and in the behalf of the United States, such portion of territory now belonging to Costa Rica and Nicaragua as may be desirable and necessary to excavate, construct, control, and defend a canal of such depth and capacity as will be sufficient for the movements of ships of the greatest tonnage and draft now in use, from a point near Grey Town, on the Caribbean Sea, via Lake Nicaragua, to Brito, on the Pacific Ocean; and such sum as may be necessary to make such purchase is hereby appropriated out of any money in the Treasury not otherwise appropriated.

SEC. 2. That when the President has secured the territory in section 1 referred to he shall direct the Secretary of War to excavate and construct a canal and waterway from a point on the shore of the Caribbean Sea, near Grey Town, by way of Lake Nicaragua, to a point near Brito, on the Pacific Ocean. Such canal shall be of sufficient capacity and depth as that it may be used by vessels of the largest tonnage and greatest depth now in use, and it shall be supplied with all necessary locks and other appliances to meet the necessities of vessels passing from Grey Town to Brito; and the Secretary of War shall also construct such safe and commodious harbors at the termini of said canal and such fortifications for defense as will be required for the convenience and safety of all vessels desiring the use of said canal.

SEC. 3. That in making surveys for and in the construction of said canal and harbors, the President may detail such number of engineer officers of the Army and Navy or employ such civil engineers as may be necessary, and may require of them the performance of such professional duties as he may desire. The Secretary of War shall have power to enter into contracts for the performance of all or such portion of the work as may be necessary to most speedily and advantageously complete the construction of said canal and harbors.

SEC. 4. That in the excavation and construction of said canal the San Juan River and Lake Nicaragua, or such parts of each as may be available, shall be used.

SEC. 5. That in any negotiations with the States of Costa Rica or Nicaragua the President may have, the President is authorized to guarantee to said States the use of said canal and harbors, upon such terms as may be agreed upon, for all vessels owned by said States or by citizens thereof.

SEC. 6. That the sum of $115,000,000, or so much thereof as may be necessary, is hereby appropriated, out of any money in the Treasury not otherwise appropriated, for the completion of the work herein authorized, said money to be drawn from the Treasury from time to time, as the same shall be needed, upon warrants of the President made and verified by the chief engineer in charge of the work and approved by the Secretary of War.

Mr. HEPBURN. I desire, Mr. Chairman, as explanatory of the motive for offering this proposition as an amendment to the pending bill, to refer to the statement made on yesterday by the chairman of the Committee on Appropriations, which I assume is an authoritative statement, although not made as such, that it was not the intention to allow this bill to which the amendment refers to be considered by this Congress. I shall therefore offer this amendment with a view to meeting what I regard as the necessities of the situation.

I know, sir, that it is entirely possible, under the rules of the House, to prevent the consideration of the measure as an independent proposition, and hence I desire to have it incorporated in this bill.

Mr. PUGH. I reserve the remainder of my time.

Mr. LIVINGSTON. Mr. Chairman, I yield twenty minutes to the gentleman from Georgia [Mr. ADAMSON] and the remainder of the hour allotted to me to the gentleman from Alabama [Mr. UNDERWOOD].

Mr. PUGH. Will the gentleman from Georgia allow me a moment so that I may yield to the gentleman from Pennsylvania [Mr. GROW], who wishes to make a single suggestion?

Mr. LIVINGSTON. Certainly.

Mr. PUGH. I yield two minutes to the gentleman from Pennsylvania [Mr. GROW].

Mr. GROW. Mr. Chairman, I do not rise to discuss the pending bill, but I take the floor only for the purpose of noticing a remark made by the gentleman from Massachusetts [Mr. GILLETT], to which I desire to call the attention of the committee, namely, that if we take these islands and declare that we shall undertake to govern them temporarily, but shall leave them

when the people are satisfied that we should leave them, a condition is offered which places us in a very embarrassing position. Suppose they are never satisfied that we should leave them. How are you to get them out?

Mr. ADAMSON. Mr. Chairman, for many years the project of severing the American Isthmus to connect the two oceans by a ship canal has been a prolific subject of popular discussion, furnishing fine field for promoters, lively speculation in concessions, and the most thorough and comprehensive advertising that ever exploited any enterprise.

Rival projects have of course retarded one another, while it is suggested that transisthmian and transcontinental railroads have displayed considerable activity and probably some liberality in disseminating the impression that none of the canal projects ought to or could succeed.

It is not possible to exaggerate the magnitude nor the importance of the undertaking nor the glory of the achievement when completed.

The ancients regarded engineering skill as exhausted in the creation of Lake Mœris. Monarchy, genius, and wealth united all their power in the earth to pile stones into pyramids, and humanity gazed in awe and wonder at the supposed limit of human accomplishment. The Augustan age, favored by luxury and power as well as great learning, laid out splendid roads and erected handsome villas, created seas and demolished mountains, and compassed land and sea to increase the splendor and greatness of a people claiming to enjoy the highest condition of human civilization and progress. But it was reserved for the present century, dominated by the Anglo-Saxon race, to glorify the lofty achievements of that genius which demonstrates the kinship of man with Omnipotence. Having subdued and utilized all the elements, having harnessed the lightning to annihilate distance by instant communication and to operate vehicles, which, while warming, lighting, and transporting the passengers, almost typify a veritable chariot of fire; having pierced the granite base of the eternal mountains for the thundering passage of the engines of commerce; having bridled the ocean and the winds around us, and analyzed the stars in the heavens above us, we now prepare to rend in twain the mighty continent of the West by an interoceanic canal that will eliminate one-third of the voyage around the world and unite as in one place the eastern and western shores of this mighty country. Exhaustive surveys and estimates have demonstrated the practicability of opening a canal by the aid of Lake Nicaragua and the San Juan River, where is found the lowest depression in the Cordillera Mountains, about 110 feet above the sea level, coupled with the great advantage of vast lakes, thousands of miles in extent, occupying the summit and insuring abundant water supply to flood the necessary locks.

By the work of many promoters and agitators traversing this country and the world, a popular demand has been created that this canal be constructed, and legislative and civic organizations have taken action favoring its construction. But it is unfortunate that the method of its construction has not been definitely pointed out, nor is intelligent discrimination always had as to the different characters of canal, as to construction, ownership, and control. Great prominence has been given to the commercial benefits which are promised by the completion of the enterprise. That would be a good reason to induce commercial people to embark in the venture and construct the canal with their own money.

But, unfortunately, money is chary of risk. It is too conservative. Under the present financial system it does not embark in doubtful enterprises. It alone of all things requires government to provide for its safe investment and profitable use. When its holders venture for a profit less than outright robbery, they want the security of the Government's bond or bank stock. When any great enterprise is to be undertaken, even for individual emolument, they demand that the Government undertake it, though patriotically willing to takes its bonds if they can be bought low at good interest, but they do not want any of the hazard of the enterprise. They are very solicitous about the honor and faith of the Government, to the end that it may maintain a standard that would augment in value while multiplying the dollars in their pockets, but they experience no qualms of conscience when many millions of dollars go out from their country's Treasury for the benefit of favorites.

True, capitalists organize companies and send out promoters, who are defined to be "men who sell what they have not to people who do not want it and who have nothing when they get it." They talk very largely about the honesty and wealth of the incorporators, thereby seeking to delude the people who do not know how these fraudulent corporations are organized, nor the difference between what a man owns individually and the little that he pays in or becomes liable for by taking stock in a corporation. The world has been full of this kind of stuff for years, the rich men speculating in concessions and talking about canals instead of putting their money in and constructing the canal, while in the main the millions that have been expended and stolen were obtained by blarney from the poor; and while the Panama ditch stands as the grave where were buried the hopes and pittances of poor people who were beggared through their deluded investments, it also stands as a monument to incompetency and corruption which will perhaps deter similar private subscriptions for generations to come.

So, in my judgment, if a ship ever sails across the Isthmus, its way will have to be opened by this or some other government or combination of governments. I utterly repudiate as an economic and political heresy the idea that this Government has constitutional power, even with the consent of the Central American Governments, to construct that canal primarily for the use of commerce. If it were built by private capital or by other nations untrammeled by constitutional limitations, this Government could properly participate in a guaranty of neutrality, and in such case it is folly to confuse the subject by talking of our exclusive ownership and control. We could only exercise those rights in case our Government constructed the canal for its own use; and we could only justify its construction at the public cost on the ground that its use was a military and naval necessity.

I am willing that the Government should undertake it for that reason. If incidental commercial benefits result to our fellow-citizens, I will rejoice; and if we could remain at peace with the world so as to offer universal use of the canal and secure tolls enough to make profitable returns to the Government for its investment, it would be exceedingly fortunate. It is assumed that our Government would never undertake to penetrate with this canal the territory of any government which has not fully and voluntarily consented thereto.

That being true, the safe and honorable course to pursue is to proceed according to the Hepburn bill to negotiate directly and fairly with the isthmian Governments, which, understanding better than we do the obligations and complications arising out of the many concessions previously made, are much better prepared to judge the present status of those matters and deal intelligently, fairly, and conclusively with all the various concessionaires. If those Governments are willing that we should construct a governmental canal, they can find a way either by negotiation or by decree and arbitration to annul and conclude every concession hitherto granted, so as to remove all cloud from their right and power and enable them to authorize us to construct, maintain, control, and defend the canal.

They are sovereign as far as their strength will maintain their sovereignty, and have the right to vacate and brush away all unexecuted concessions upon indemnifying the grantees for loss or damage. Their sovereignty will be respected as much more potent if supported by our great Republic as the beneficiary thereof. Of course it is to be expected that whatever reasonable amount those Governments should properly expend in clearing their titles and enabling them to convey to us the desired rights could be reimbursed in the lump sums which we would pay to those Governments for the concessions granted us.

Mr. Chairman, while I have no objection to the construction of the canal by private and corporate capital if among the holders thereof honesty and courage to do so could be mustered up under the authority of any of the 124 concessions heretofore granted, in which case it would be right and proper for our Government to participate in guaranteeing the neutral and uninterrupted use of the canal by all people and all nations; yet I can never vote for this Government to embark as stockholder or partner in any of those enterprises, based on commercial and corporate plans, for various reasons, in discussing which it is perhaps immaterial to advert to any concessions antedating that of the Maritime Canal Company, though the shades of many supposed-to-be-defunct spirits are wandering about and enlivening the atmosphere with reminders of rights and privileges largely imaginary or entirely forgotten.

Those whisperings would be fanned into a tumult and those spirits would be transformed into insatiable demons of greed if the United States should commit the unpardonable folly of undertaking to satisfy all the claims which cupidity and the lobby could invest with apparent necessity to our construction of the canal. I understand that claims have been filed attempting to rejuvenate concessions musty from the decay and damp of half a century. For one I decline to involve my country in such a broil of contention and riot of corruption.

There is no good reason for placing the Government in a corporation to be looted by officials, harassed by litigants, obstructed and interfered with by courts—a proposed course wholly unjustified by principle if for commercial purposes, and entirely unnecessary if for governmental purposes. Whatever it may properly do for the public good the Government can do better in its own name and through its own instrumentality.

I refuse utterly to subscribe to the proposition to prosecute the enterprise under the charter and claims of the Maritime Canal

Company. Though I have sought diligently for some plausible pretext to adapt and extend that concession to meet the requirements of the situation, yet the more I have studied it the more surely has the conviction grown that that concession did not authorize, but utterly prohibited, the acquirement of necessary privileges and property by this Government. It is equally certain that it did not authorize the acquisition of stock in the corporation by any government except those in Central America, which were invited to take 5 per cent of the stock.

In Articles VII and VIII of the Costa Rican concession and Articles VIII and IX of the Nicaraguan concession it is made apparent that only isthmian governments are invited to take stock, and it is stipulated in language substantially identical that "in no case shall the concessions be transferred to any foreign government or any foreign public power," nor shall the association "transfer to any foreign government or public power any part of the lands granted." Such "transfers can be made to private parties only under the same restrictions." Both the spirit and language of the instruments would be violated by the proposed subterfuge of seeking through majority stock of the corporation the benefit of rights and franchises, ownership of which is utterly prohibited.

In some instances where corporate influence is potent with the judiciary that legal device has been used in judicial interpretation to nullify constitutional prohibitions. Even if the doctrine were technically tenable that prohibited ownership of a franchise may rightfully be made available by acquiring major interest in the stock of a corporation designed for its control, yet it would be the refinement of evasion, and could not be wise or honorable, for this great Republic to base its conduct in the greatest work of all the ages on so ungenerous and contemptible a subterfuge to evade the positive language and clear intent to protect two weak sister Republics, to which it is proposed to issue but 6½ per cent of the entire capital stock, which are not likely to acquiesce in such views of the matter, and would probably refuse to accept any stock in the corporation or participate in an organization in the management of which they would have no power.

Mr. Chairman, the scheme of involving the Government in the plans and fortunes, or misfortunes, of the Maritime Canal Company provides for securing the United States for money used in constructing the canal by declaring a lien upon the assets and franchises and empowering the President in case of default to forfeit everything to the United States without judicial or other action, thereby vesting full title in the United States. That raises several important questions. If the United States can legally own 93½ per cent of the stock, it should actually pay in, not merely loan, 93½ per cent of the capital stock ordinarily. But in this case the concessions themselves constitute full payment on the stock and all possible assessments as to the 6½ per cent reserved to the Republics of Nicaragua and Costa Rica.

All future assessments having thus been satisfied in advance, their stock is not answerable for any assessments, and the other stockholders must not only pay in all the capital stock but meet all future assessments. Then there could never be a debt or a loan for any money the owner of the 93½ per cent stock might see fit to invest in the canal. This is clearly in accord with the purpose of the stipulations of those two Republics. There can be no serious pretense that the possibility of loss or forfeiture of their interests was ever provided for or contemplated in the grants by those Governments.

Again, if valid title can not be acquired by transfer, how can it be done by forfeiture? And, furthermore, if title can not be legally acquired by transfer or forfeiture, how can a lien be valuable or available? It is by no means necessary to conclude that those Governments would not consent for us to construct a canal under a new concession imposing different terms and based on an adequate price; but the point is that that particular concession, considering its terms and the price paid for it, does not justify the construction of the canal by this Government on the lines proposed. Consent was obtained in 1884 for us to build a governmental canal for a price no greater than the amount now demanded by the promoters of the Maritime Canal scheme, something less than $5,000,000. At a reasonable price and on fair terms another concession can be negotiated.

Waving considerations of principle, it is not wise to rely on the forfeited rights of that company and its hopes of extension. They are not tenable before a board of arbitration or a court of law. If we take them, we take them with notice that they have been declared forfeited by the decree of Nicaragua. The suggestion that we ignore that notice and override that decree, "holding a club over" that little Government, as often forcibly expressed, is unworthy the brain or the tongue of an American statesman. This Government can not honorably force upon a weak government recognition of a claim in support of which we would not with equal readiness go to war with the most powerful government or combination of governments on earth, and which no reputable lawyer would support in court.

The publication of such unworthy suggestions is taken advantage of by rival powers and made the text and pretext to arouse the jealousy of our sister republics and fill them with misgivings as to our intentions with regard to their prerogatives, sovereignty, and permanence, they being constantly persuaded into distrust that in our peculiar combination of expansion as to territory and contraction as to currency, liberty, and opportunity we desire to absorb and utilize them as provinces in which to station, support, and reward an innumerable army of political favorites. Let us assure them that, while we have made a great noise about the acquisition of a few trifling, refuse islands that no other respectable nation has coveted for a thousand years, they were all wrested from the control and oppression of a despot professedly in the interest of liberty, and we will never deflour the liberty and prosperity nor disregard the rights and interests of any sister republic, however limited in territory or insignificant in military strength.

If we consume much time and spend $5,000,000 of money to acquire the imaginary rights and assets of the Maritime Canal Company, who can tell how much time and money will be requisite to dispose of the Grace syndicate? It appears to have the only existing concession from Nicaragua of any value, but it has nothing from Costa Rica. Its contract for concession declares that the Maritime Canal Company has forfeited its right, and that its concession, together with its claims to property, will terminate next October, and that contract authorizes the Grace syndicate to negotiate with the Maritime Canal Company for an earlier termination and surrender of its claims. The Grace contract would allow a transfer to this Government by consent of Nicaragua, but we are left in the dark as to the possible cost of that consent. But that concession provides for a neutral canal for commercial purposes, and would require further negotiation to make it available for Government control.

It is stated without denial that the question of securing an extension by the Maritime Company has never so much as been mentioned in Central America. Its friends and the projects they suggest admit, and even the Senate bill provides, that further negotiation be had to make its concession available. Notwithstanding adroit efforts to keep it in the background, the question forces itself on us, after having reimbursed the Maritime Canal Company and taken possession of its so-called rights and assets, then how much more money and how much more time will be necessary to satisfy the Grace syndicate and secure their concession? Those people are evidently preparing for a hold-up of tremendous proportions. If "rats desert a sinking ship," their instinct also finds the cheese.

Hon. Warner Miller, who exploited this scheme throughout the world and knows more about it than any other man, tearfully regrets persuading poor men into the enterprise, but admits that he had placed "some eggs in another basket" himself by taking stock with the Grace syndicate. I do not mean to call him a rat, however "sly and old," but I think that he can be relied on as a weathercock, and when he spies a storm I should fear to put to sea. It is said, I do not know how truly, that $100,000 furnished to Nicaragua in time of need, when the Maritime Canal Company was unable to respond to the call, secured this Grace concession. If that be true, it could not be difficult for Nicaragua, in case public policy demanded it, to make handsome indemnity to these people, cancel that contract, and arrange to have a canal constructed instead of permitting an eternal speculation about uncertain concessions and the greater uncertainty about raising money.

The worst feature about that Grace concession is that it was contracted for in violation of the stipulation in the canal company's concession not to grant another during its existence; and the only plausible ground on which the Maritime Canal Company could base a demand for extension is the bad faith apparently practiced by Nicaragua a year before the expiration of their concession by declaring it forfeited, negotiating another, and thereby placing an active competitor in the field to operate against all possibility of success if any existed. I oppose buying out anybody unless we are satisfied with the goods and find a clear title. Even if we knew how many millions the Grace syndicate is arranging to strike the United States Treasury for, and were sure that Nicaragua would consent, we are not certain that Nicaragua would agree to such amendment as would authorize a Government canal—the only kind we can rightfully construct—nor that Costa Rica would concur. Therefore we should go direct to those two Governments in the outset, negotiate for what we need, and leave them to deal with previous contracts and concessionaires.

I shall not discuss the diplomatic situation as affected by the Clayton-Bulwer treaty. It is assumed that if difficulties exist the State Department would proceed to remove them by proper and timely negotiation to amend or abrogate that treaty. Even if altered conditions have not rendered that treaty obsolete, and England still insists that it bars the construction of the canal under Government control, yet it is believed that with proper assurances of fair and universal use of the canal England would yield her consent to its construction by our Government. She knows what some of our people seem not to have learned, that in us looms up

her only rival in power and her only dangerous competitor in business. She knows that while friendly with us she will be satisfied, if accorded fair treatment, to risk her chances of dealing with the balance of mankind, and she feels confident that in the event of a quarrel with us she would be able with her navy to seize the canal and appropriate it to her own purposes. Whether correct or not, these are doubtless her opinions and would probably incline her consent to our construction of the canal.

Our committee eliminated the original provision for the acquirement of sovereignty, as I think, wisely, for our only object is to operate, control, and defend a canal, and does not necessarily involve the necessity and responsibility for governing additional territory. There ought to be little difficulty in arranging to police the canal, with its appurtenances and environments, in time of peace, while existing and possible treaties supplementing international law could be relied upon for the disposition of all criminal trials as well as the transaction of all civil business. If our citizens ramble into that section, they may take their chances of protection, if their conduct deserves it, just as they do when traveling in other foreign lands. There is no force in the contention that because Congress chartered the Maritime Canal Company it is incumbent on us to champion the claims of that company, regardless of their merits, and pay for the privilege. The promiscuous creation of corporations is a small business for Congress to engage in at best, especially when the courts and State legislatures afford such splendid facilities for their manufacture.

If it should be now determined that by assuming their paternity Congress also becomes responsible for the bantlings and is expected to wage their battles, regardless of right or wrong, and stand ready to buy out their promoters whenever they wish to unload, it will greatly strengthen the position of those who contend that the Government ought to abstain from such works of supererogation and confine itself to the business of governing within the powers delegated to it and limited to the purposes of its creation. If the General Government is to take up the cudgel in behalf of all exploded enterprises in which its adventurous citizens have embarked, and all other governments adopt the same policy, "pandemonium" would indeed "reign supreme" early and universal; and if all the concessionaires were backed by strong governments insisting on their rights to rend the Isthmus with canals and deplete the various governmental treasuries, imagination alone can depict the unutterable state of confusion, strife, and robbery. Reductio ad absurdum ought to place an everlasting quietus on that ridiculous argument.

If commercial interests would construct a neutral canal which our Navy and Army could in common with all other people and nations use, when necessary, on fair terms, it would remove the apparent demand for its construction by our Government. If we have anything to do with providing the means of construction, our Government must own and exclusively control. If the canal is not necessary to the naval use of the Government, we ought to dismiss the subject from consideration. If, as some conspicuous authority contends, we are not financially able to undertake the work, of course we will be driven to abandon the enterprise, however necessary.

I take no stock in the sensational claims that recent events and new territory have made the demand for the canal imperative. If that were the only argument, it would be more prudent to forego the pleasures and luxuries promised to some enthusiasts by our new possessions, and in that case we ought to lop off while we can, wisely and properly, those prolific and promising hotbeds of disease, speculation, patronage, expense, and corruption, thereby saving the cost of the canal, as well as the expense, slaughter, and humiliation of holding and governing vassal colonies.

If we undertake it from governmental necessity, we must beware of the increased temptations which its possession might offer us to enter upon a career of war and conquest. Increased facilities and opportunities afforded by its existence and readiness for use, rather than stimulate to reckless combat, ought to prove one of the elements of preparation which would discourage and avert the levying of wars against us. I believe with Jefferson that we have territory enough for our growth and glory for thousands of years. If we can return and adhere to our traditional policy of confining our attention to our own affairs and development, scrupulously abstaining from quarrel or alliances with foreign powers, while dealing justly and seeking to maintain friendship with all, "grim-visaged war" no longer will "lift his horrid, front" to distract and destroy, but give place to the benign reign the dulcet strains and inviting opportunities of enduring peace.

True, we are expert and valorous in battle. Our wars, foreign and civil, have given to history revelations of genius and bravery unrivaled in military annals. We have little reason to doubt that success and glory would attend our arms if we could see in combat and carnage the fulfillment of our high destiny; but we, above all people, have capacity to demonstrate that "peace hath her victories no less renowned than war." Our fertile country, vast in extent, salubrious in climate, varied in products of field, mill, and mine, invites every talent and inclination to pursue fortune and happiness in a labyrinth of industrial avenues, affording endless and numberless opportunities.

Despite restrictive laws limiting our trade and unequal financial legislation, discriminating against general business and production, our commerce, domestic and foreign, equals in volume the balance of the world combined. Our material force and resources exceed those of every other country. Our instructed citizens, equipped for mental work, surpass in grade and number those of any other nation, past or present. The stock from which our people descended—sturdy, honest, and intelligent—improved under the institutions of this favored land, has developed a population whose character and attainments will never find a rival beneath the stars. It has been remarked that in discovering America to revive and renew the energies and resources of a worn and wasted world, heaven exhausted its bounty to man. Our country combines the blessings, exempt from the disadvantages, of all others. Her mines rival Golconda. Her balmy sunlight and gorgeous sunsets and cloud pictures and draperies surpass the beauty and genial glow of Italian skies.

Our sparkling water and invigorating breezes insure health and delight, while our rivers enrich and water the land through which they bear our commerce to the seas; we love our towering mountains, heaven-kissed; we honor our noble men, heaven-blessed; and with unspeakable devotion we adore our matchless women, radiant in beauty, while excelling in virtue and every womanly charm of person, mind, and heart. While in the terrible art of war we shall maintain our prowess, it is only in the balmy sunshine of peace that we may reasonably hope to correct our politics by restoring government to the control of the people, reenacting the equable laws of finance and tariff which permitted general prosperity, and so stimulate industry, genius, and good morals as to verify the melodious prophecy—

> Columbia, Columbia, to glory shall rise,
> The queen of the world and the child of the skies.

[Loud applause.]

Mr. LIVINGSTON. I yield the remainder of my time to the gentleman from Alabama [Mr. UNDERWOOD].

The CHAIRMAN. If the gentleman from Georgia will permit, the gentleman from Kentucky [Mr. PUGH] desired to yield a few moments to the gentleman from Ohio, as the Chair understood. If that is satisfactory to the gentleman from Georgia——

Mr. LIVINGSTON. Perfectly.

Mr. MOODY. Mr. Chairman, I intended to yield to the gentleman from Ohio [Mr. GROSVENOR].

The CHAIRMAN. The Chair understood that the gentleman from Ohio was anxious to have his time now.

Mr. LIVINGSTON. How much time does the gentleman from Massachusetts yield to the gentleman from Ohio?

Mr. MOODY. Fifteen minutes.

Mr. LIVINGSTON. That is satisfactory.

Mr. MOODY. I yield fifteen minutes, or so much thereof as he may need, to the gentleman from Ohio [Mr. GROSVENOR].

[Mr. GROSVENOR addressed the committee. See Appendix.]

Mr. PUGH. Mr. Chairman, I have an arrangement by which the gentleman from Georgia is to come next.

Mr. LIVINGSTON. I yield forty minutes, the remainder of my time, to the gentleman from Alabama [Mr. UNDERWOOD].

Mr. UNDERWOOD. Mr. Chairman, we are working in the twilight hour of a fast dying Congress. Before we return again to our constituents it may be well to consider what of good or ill has this Congress accomplished for the people of the United States. Two years ago, when the Republican party was returned to power, it came reeking with pledges and promises as to what it would accomplish for the people of our country.

I ask the gentlemen who control legislation, who occupy the other side of this Chamber, and who hold allegiance to the standard of the Republican party, whether or not they have fulfilled their pledges and kept their promises? In the brief time that is allowed me for this discussion I can not review all the issues that were prominent in the campaign of 1896 for which you gave your pledges of relief, but let me call your attention to one or two of the most important of these.

On account of the Supreme Court of the United States having declared the income tax unconstitutional our Wilson-Gorman tariff bill did not raise sufficient revenue to meet the expenditures of our Government. The cry raised by your party in the Fifty-fourth Congress and on the stump in the campaign that followed was that it was necessary for you to be returned to power in order that you might pass a high-tariff bill to wipe out the deficiency in the Treasury and to put the Government on a business basis.

What was the result? Immediately after the inauguration of President McKinley he called this Congress together in extraordinary session. We were in session over four months solely for the purpose of passing a tariff bill. After long and harassing delays the Dingley bill was enacted into law. It was promised by its friends

that within six months after its passage it would raise far more revenue than was necessary to meet the current expenses of the Government. What has been the result? Nearly two years have gone by, and not for one single hour since the Dingley bill became a law has it raised sufficient revenue to meet the current expenses of the Government.

I do not include in this the extraordinary expenses growing out of the war, but I mean those ordinary expenses that we had to meet before the declaration of war with Spain. Instead of the Dingley bill improving the condition of the Treasury, it has gone from bad to worse, until now it is not raising as much revenue as the Wilson-Gorman bill during the last month it was on the statute books, and to-day, according to the statement of the Secretary of the Treasury, there is a deficiency of $112,000,000.

According to the statement of the distinguished chairman of the Committee on Appropriations [Mr. CANNON], there will be a deficiency at the end of this fiscal year of $159,000,000. What has become of the promise you made to the country to pass a tariff bill that would meet the current expenses of the Government and put the Treasury on a business basis? You will return to your constituents endeavoring to hide your broken promise in the clamor for Asiatic expansion and the smoke and turmoil of battles in the Orient, where the men you have been chosen to represent are dying far away from home in an effort to conquer uncivilized and heathen tribes.

Again, one of the great issues in the campaign of 1896 was the question of establishing a monetary system for this country. The Democratic party promised that if it was returned to power it would reenact on the statute books an act for the free and unlimited coinage of both gold and silver. We were defeated. You promised that if you were returned to power you would bend your energies toward a reformation of the currency of this country. Have you kept the promise? Nearly two years have gone by and nothing has been done.

The Committee on Banking and Currency has not even reported a bill of any kind for the consideration of the House. You have pleaded guilty to the charge of your incapacity to legislate on this great and momentous question by calling your party together in caucus and resolving that you could do nothing and appointing a committee to advise some future Congress what it ought to do.

In other words, you have violated every pledge that you have made to the people of the United States in reference to granting relief by a reformation of the currency laws of our country; but there is one promise that you made before you were returned to power, and one that the chairman of the Committee on Merchant Marine and Fisheries has repeatedly made on the floor of this House, and that was that you would so amend the navigation laws of this country as to increase the merchant marine of the United States and furnish the farmers and manufacturers of this country ships with which to carry their surplus products to foreign markets.

The surplus crops of those who have been engaged in producing wheat and cotton have always found their markets in foreign countries, and in recent years our great manufacturers who produce the steel and iron, the boots and shoes, the farming implements, the manufactured cotton and woolen goods, and other manufactured articles have been compelled to seek foreign markets for a portion of their output or close down their works and shut their doors against their employees for a portion of the year.

I am informed by those engaged in the business that there has not been a single day within the preceding year when a ship arriving in Mobile, Pensacola, or Savannah could not secure a cargo of pig iron from the Birmingham district for foreign markets. One of the greatest obstacles that have been in the way of our securing this foreign trade has been our inability to secure ships to carry our freight to foreign markets, and I therefore, representing as I do a district that is largely interested in the export trade, awaited with impatience the promise that you made to increase the American merchant marine.

Finally, a few weeks ago, you did report a bill that comes before the House with the pretense that it was intended to build up the merchant marine to the position it occupied before the civil war when the American flag proudly carried our commerce to the four quarters of the globe.

What is this bill that is known to the public at large as the Hanna-Payne subsidy bill, and bears the title on the Calendar of H. R. 11312? It is a pretense and a fraud. Instead of its provisions being for the interest of the merchant marine of the country, its sole effective provision is to give an increased bounty to one single corporation.

Your glittering promises to aid the manufacturing and shipping interests of the country have resolved themselves into a raid on the Treasury in the interest of a corporation whose capacity for plundering the public Treasury knows no bounds. I make this assertion with the bill before me, and I intend to prove it by facts and figures that can not be disputed.

Let us consider the details of this bill, known as H. R. 11312. It proposes on its face to pay a subsidy to the owner or owners of any vessel registered by an American citizen or citizens, including corporations, that is sailing between ports in this country and ports of foreign nations, and it authorizes the Secretary of the Treasury to contract with said owners of said vessels for the payment for twenty years, out of any money in the Treasury not otherwise appropriated, the following subsidies:

On each entry of a sail or steam vessel, not exceeding 16 entries in any twelve consecutive months, 1½ cents per gross ton for each 100 nautical miles not exceeding 1,500 nautical miles sailed outward bound, and 1¼ cents per gross ton for each 100 miles not exceeding 1,500 miles sailed homeward bound, and 1 cent per gross ton for each 100 nautical miles over 1,500 nautical miles sailed either outward or homeward bound.

This is the first (*a*) clause in this subsidy bill. The second (*b*) is:

Steam vessels which may be suitable for carrying the mails of the United States or as auxiliaries to the forces of the United States in time of war or other need, if of the following tonnage and capable of maintaining the following rates of speed under the conditions hereinafter provided, shall, in addition to the compensation provided in paragraph (*a*) of this section, receive compensation per gross ton, for each 100 nautical miles sailed both outward and homeward bound, at the following rates, namely:

Vessels over 1,500 gross tons:

First. Fourteen knots and less than 15 knots, 1 cent per gross ton.

Second. Fifteen knots and less than 16 knots, 1.1 cents per gross ton.

Third. Sixteen knots or over, 1.2 cents per gross ton.

Vessels over 3,000 gross tons:

Fourth. Seventeen knots and less than eighteen knots, 1.4 cents per gross ton.

Fifth. Eighteen knots and less than 19 knots, 1.6 cents per gross ton.

Sixth. Nineteen knots or over, 1.8 cents per gross ton.

Vessels over 8,000 gross tons:

Seventh. Twenty knots and less than 21 knots, 2 cents per gross ton.

Eighth. Twenty-one knots or over, 2.3 cents per gross ton.

The bill provides that vessels receiving this subsidy shall carry the United States mails free, and also that any vessel now having a contract with the Government to carry the mails may, on application to the Postmaster-General, be released from such contract.

The following table shows the subsidies that will be received under the terms of the bill; for which I am indebted to the American Economist:

Compensation under (a), section 1.—Steam or sail of any tonnage.

Ports.	Distance in miles.	Each ton, cents. (Multiplier.)	Hundred miles. (Multiplicand.)	Computed product.	Total per ton.	Per 1,000 tons.	Per round trip.	2,000 tons. Round trip.	3,000 tons. Round trip.	4,000 tons. Round trip.
				Cents.	*Cents.*					
Portland to Liverpool	2,778	1.5	15	22.5	35.28	$352.80	$705.60	$1,411.20	$2,116.80	$2,822.40
		1	12.78	12.78						
Boston to Havre	2,942	1.5	15	22.5	36.92	369.20	738.40	1,476.80	2,215.20	2,953.60
		1	14.42	14.42						
Boston to Montevideo	5,738	1.5	15	22.5	64.88	648.80	1,297.60	2,595.20	3,892.80	5,190.40
		1	42.38	42.38						
New York to Liverpool	3,010	1.5	15	22.5	37.6	376.00	752.00	1,504.00	2,256.00	3,008.00
		1	15.1	15.1						
New York to Rio Janeiro	4,778	1.5	15	22.5	55.28	552.80	1,105.60	2,211.20	3,316.80	4,422.40
		1	32.78	32.78						
New York to Hongkong	16,000	1.5	15	22.5	167.5	1,675.00	3,350.00	6,700.00	10,050.00	13,400.00
		1	145	145						
Philadelphia to Liverpool	3,100	1.5	15	22.5	39.1	391.00	782.00	1,564.00	2,346.00	3,128.00
		1	16.6	16.6						
Baltimore to Liverpool	3,324	1.5	15	22.5	40.74	407.00	814.00	1,628.00	2,444.40	3,259.20
		1	18.24	18.24						

Compensation under (a), section 1.—Steam or sail of any tonnage—Continued.

Ports.	Distance in miles.	Each ton, cents. (Multiplier.)	Hundred miles. (Multiplicand.)	Computed product.	Total per ton.	Per 1,000 tons.	Per round trip.	2,000 tons. Round trip.	3,000 tons. Round trip.	4,000 tons. Round trip.
				Cents.	*Cents.*					
Baltimore to Rio Janeiro	4,840	1.5	15	22.5	55.9	$559.00	$1,118.00	$2,236.00	$3,354.00	$4,472.00
		1	33.4	33.4						
Charleston to Liverpool	3,500	1.5	15	22.5	42.5	425.00	850.00	1,700.00	2,550.00	3,400.00
		1	20	20						
Savannah to Havre	3,631	1.5	15	22.5	43.81	438.10	876.20	1,752.40	2,628.60	3,504.80
		1	21.31	21.31						
New Orleans to Liverpool	4,553	1.5	15	22.5	53.03	530.30	1,060.60	2,121.20	3,181.80	4,242.40
		1	30.53	30.53						
New Orleans to Havre	4,639	1.5	15	22.5	53.89	538.90	1,077.80	2,155.60	3,233.40	4,311.20
		1	31.39	31.39						
Galveston to Liverpool	4,730	1.5	15	22.5	54.8	548.00	1,096.00	2,192.00	3,288.00	4,384.00
		1	32.3	32.3						
Galveston to Havre	4,816	1.5	15	22.5	55.66	556.60	1,113.20	2,226.40	3,339.60	4,452.80
		1	33.16	33.16						
San Francisco to Yokohama	4,564	1.5	15	22.5	53.14	531.40	1,062.80	2,125.60	3,188.40	4,251.20
		1	30.64	30.64						
San Francisco to Hongkong	6,080	1.5	15	22.5	68.3	683.00	1,366.00	2,732.00	4,098.00	5,464.00
		1	45.8	45.8						
San Francisco to Manila	6,254	1.5	15	22.5	70.04	700.40	1,400.80	2,801.60	4,202.40	5,603.20
		1	47.54	47.54						
San Francisco to Melbourne	6,954	1.5	15	22.5	77.04	770.40	1,540.80	3,081.60	4,622.40	6,163.20
		1	54.54	54.54						
San Francisco to Batavia	7,613	1.5	15	22.5	83.63	836.30	1,672.60	3,345.20	5,017.80	6,690.40
		1	61.13	61.13						
Port Townsend to Nagasaki	4,746	1.5	15	22.5	54.96	549.60	1,099.20	2,198.40	3,297.60	4,396.80
		1	32.46	32.46						
Port Townsend to Canton	5,834	1.5	15	22.5	65.84	658.40	1,316.80	2,633.60	3,950.40	5,267.20
		1	43.34	43.34						
Port Townsend to Sydney	6,804	1.5	15	22.5	75.54	755.40	1,510.80	3,021.60	4,532.40	6,043.20
		1	53.04	53.04						
Port Townsend to Manila	5,968	1.5	15	22.5	67.19	671.90	1,343.80	2,687.60	4,031.40	5,375.20
		1	44.69	44.69						
Port Townsend to Batavia	7,328	1.5	15	22.5	80.78	807.80	1,615.60	3,231.20	4,846.80	6,462.40
		1	58.28	58.28						

Compensation under (b), section 1.

STEAMERS OVER 1,500 AND UNDER 3,000 TONS, 14 TO 15 KNOTS.

Ports.	Distance in miles.	Each ton, cents. (Multiplier.)	Hundred miles. (Multiplicand.)	Computed product.	Per ton by (a). (Added.)	Per total ton by (b).	Per 1,501 tons.	Per round trip.	Per 2,999 tons.	Per round trip.
				Cents.	*Cents.*	*Cents.*				
New York to Liverpool	3,010	1.5	15	22.5	37.6	67.7	$1,016.17	$2,032.34	$2,030.33	$4,060.64
		1	15.1	15.1	30.1					

ADDITION FOR 15 TO 16 KNOT SPEED.

New York to Liverpool	3,010	1.5	15	22.5	37.6	70.71	1,052.20	2,104.40	2,102.30	4,204.60
		1	15.1	15.1	33.11					

ADDITION FOR 16 KNOTS OR OVER IN SPEED.

New York to Liverpool	3,010	1.5	15	22.5	37.6	73.72	1,106.53	2,213.06	2,210.86	4,421.72
		1	15.1	15.1	36.12					

ADDITION FOR STEAMERS OVER 3,000 AND UNDER 5,000 TONS, 17 TO 18 KNOTS.

New York to Liverpool	3,010	1.5	15	22.5	37.6	79.74	a 2,392.99	4,785.98	b 6,375.37	12,750.74
		1	15.1	15.1	42.14					

ADDITION FOR 18 TO 19 KNOTS SPEED.

New York to Liverpool	3,010	1.5	15	22.5	37.6	85.76	2,573.65	5,147.30	6,859.94	13,719.88
		1	15.1	15.1	48.16					

ADDITION FOR 19 KNOTS OR OVER IN SPEED.

New York to Liverpool	3,000	1.5	15	22.5	37.6	91.78	2,754.31	5,508.62	7,341.48	14,682.96
		1	15.1	15.1	51.18					

ADDITION FOR STEAMERS OVER 5,000 AND UNDER 10,000 TONS, 20 TO 21 KNOTS.

New York to Liverpool	3,010	1.5	15	22.5	37.6	97.8	c 7,824.97	15,649.94	d 9,779.02	19,558.04
		1	15.1	15.1	60.2					

ADDITION FOR 21 KNOTS OR OVER IN SPEED.

New York to Liverpool	3,010	1.5	15	22.5	37.6	106.83	8,547.46	17,094.92	10,681.93	21,363.86
		1	15.1	15.1	69.23					

a 3,001 tons. b 7,999 tons. c 8,001 tons. d 9,999 tons.

On its face the above looks like it would increase and benefit American shipping; but we have tried an experiment along that line. Let us make a comparison of the experiment tried in the past with the results to be obtained under the present bill.

On March 3, 1891, the Congress of the United States passed a bill entitled "An act to provide for ocean mail service between the United States and foreign ports and to promote commerce." Under the terms of this bill the Postmaster-General was authorized to make contracts with steamships having an American register, for the term of ten years, to carry the United States mail to foreign ports. Under the provisions of this act the ships to carry the mail were divided into four classes:

The first class to be capable of maintaining a speed of 20 knots an hour and to have a gross registered tonnage of not less than 8,000 tons, to receive $4 a mile for each outward voyage.

The second class to be capable of maintaining a speed of 16 knots an hour and to have a gross registered tonnage of not less than 5,000 tons, to receive $2 a mile for each outward voyage.

The third class to be capable of maintaining a speed of 14 knots an hour and to have a gross registered tonnage of not less than 5,000 tons, to receive $1 a mile for each outward voyage.

The fourth class to be capable of maintaining a speed of 12 knots an hour and to have a gross registered tonnage of not less than 1,500 tons, to receive 66⅔ cents a mile for each outward voyage.

The Postmaster-General was authorized to advertise for contracts for the carrying of the mail under this act, and, as shown hereinafter, endeavored to make contracts for the carrying of the mail to many ports in Europe, South America, and Asia; but at the present time there are only five of these contracts in existence, which will be referred to hereafter.

Before going into a comparison between the present law and the proposed law let me state that the miles paid for under the act of 1891 are statute miles, and the miles to be paid for under the Hanna-Payne subsidy bill are knots or nautical miles. This should be borne in mind in making the calculation.

One of the contracts in force under the act of 1891 is known as Route No. 36, "O. M. S.," between New York and La Guaira, Venezuela. The contractor is the Red "D" Line, with the *Caracas*, a vessel of 14 knots and 2,584 tons gross, and the *Philadelphia*, a vessel of 14 knots and 2,520 tons gross. It makes 36 trips a year of 2,258 statute miles outward bound, equal to a total of 81,288 statute miles, and as these vessels come under the third class, it receives a dollar a mile, or $81,288.

The average tonnage of these two steamers is 2,552 gross tons, and under the Hanna-Payne bill for the same service they will receive the following amounts. The distance of 2,258 statute miles is equal to 1,963.4 knots, or nautical miles.

Under clause (*a*) these vessels will receive 1½ cents per gross ton for each 100 miles up to 1,500, or 22½ cents per gross ton, and 1 cent per gross ton for each 100 miles over 1,500, or 4.63 cents, a total of 27.13 cents under clause (*a*), but as the vessel is over 14 knots and 1,500 tons, it receives in addition 1 cent for each 100 miles per gross ton under clause (*b*), making 19.63 cents, or a total of 46.76 cents per gross ton, which, multiplied by the average tonnage of 2,552 tons, makes a total of $1,159.32 for each single trip.

As there are 36 round trips or 72 single trips made by the line, it will receive, during the course of a year, $83,471, from which subtract the $81,288 now received under the present mail contract, and it shows that the increase compensation under the Hanna-Payne bill will be $2,183 each year, or an average of $60.60 for each round trip.

Therefore for a vessel of this class it will practically receive the same amount under either of these bills.

The Government also has a contract with the American Navigation Company for carrying the mail on route No. 74, "O. M. S.," from Boston to Port Antonio and from Philadelphia to Port Antonio. The contractor runs in this service four vessels—the *Dewey*, *Sampson*, *Schley*, and *Farragut*—each of 2,100 gross tons, the *Sampson* having a speed of 14 knots and the other three vessels having a speed of 15 knots an hour.

The distance from Boston to Port Antonio is 1,588 statute miles, and from Philadelphia to Port Antonio is 1,642 statute miles. These vessels come under the fourth class of the mail contract, and receive 66⅔ cents a mile for each outward-bound trip. They make 78 trips a year between Boston and Port Antonio and 26 trips a year between Philadelphia and Port Antonio. The compensation received under the present contract is $123,569 a year.

Under the Hanna-Payne subsidy bill they will receive $153,062, or an increase over the present law of $29,000, or $141.80 for each single trip, which makes the compensation paid under this, the fourth class of the present law, amount to practically the same that is paid under the Hanna-Payne bill.

The Government has no contracts made under the second class of the act of 1891, which is $2 a mile for each outward-bound trip; but under the first class it has a contract with the International Navigation Company, carrying the mail between New York and Southampton, England, known as route No. 57. Under this contract it makes 52 trips a year of 3,641 statute miles outward bound, or a total of 189,332 statute miles at $4 a mile, and receives a total compensation of $757,328.

The vessels employed in this service are the *New York*, 21 knots, 10,802 tons gross; the *Paris*, 21 knots, 10,794 tons gross; the *St. Louis*, 23 knots, 11,629 tons gross; the *St. Paul*, 20 knots, 11,629 tons gross. This makes an average of 21 knots and 11,213½ tons gross for each vessel. Under the Hanna-Payne bill the compensation received will be as follows:

The distance in knots or nautical miles is 3,166. Under clause (*a*) of the bill they will receive 1½ cents for each 100 miles up to 1,500, or 22½ cents, and 1 cent for each 100 miles above 1,500 miles, or 16.66 cents, making a total of 39.16 cents received under clause (*a*), but under clause (*b*) a vessel of this kind receives in addition 2.3 cents per gross ton for each 100 miles, which amounts to 72.81 cents, or a total compensation per gross ton of 1.11\frac{97}{100}$ for each single trip.

This amount multiplied by the 11,213 tons amounts to a compensation of $12,555 for each single trip, or for the 52 round trips, or 104 single trips, amounts to $1,305,740 for each year, or an increase compensation over the present contract of $548,312 each year, amounting to $10,544 for each round trip.

It will be seen from the above that vessels of the third and fourth class receive practically the same subsidy under the present law as they will receive under the proposed law, but that vessels of the first class will receive nearly double the compensation under the proposed law that they do under the present law. As the two laws are based on a different system, you can not make a fair comparison without examining the exact tonnage, as provided in the present law, and compare it with the same tonnage in the proposed law.

I have made an estimate of what would be received under the law of 1891 and under the Hanna-Payne bill by a vessel of each class making a single trip between New York and Liverpool—a distance of 3,010 nautical miles or 3,450 statute miles. The comparison is as folows:

First class, 20 knots, 8,000 tons, at $4 each statute mile, 3,450 miles×by $4—outward-bound trip—equal to	$13,800
1.5×15 =22.50=37.6 } 1 ×15.1=15.1 =60.2 } =97.8 cents×8,000 tons=$7,824—round trip	15,648
Difference per round trip	1,848
Second class, 16 knots, 5,000 tons, at $2 each statute mile, 3,450 miles×by $2—outward-bound trip	$6,900
1.5×15 =22.50=37.6 } 1 ×15.1=15.10=36.12 } =73.72 cents×5,000 tons=$3,686—round trip	7,372
Difference per round trip	472
Third class, 14 knots, 2,500 tons, at $1 each statute mile, 3,450 miles×$1—outward-bound trip	3,450
1.5×15 =22.50=37.60 } 1 ×15.1=15.10=30.1 } =67.7 cents×2,500 tons=$1,692—round trip	3,384
Difference per round trip (in favor of contract)	76
Fourth class, 12 knots 1,500 tons, at 66⅔ cents per statute mile, 3,450 miles×by 66⅔ cents outward-bound trip	$2,297
1.5 ×15 =22.50 } 1.15×15.1=15.10 } =37.6 cents ×1,500=$564—round trip	1,128
Difference per round trip (in favor of contract)	1,069

From the above figures it is shown that although the compensation is largely increased under the first class, slightly increased under the second class, that vessels of the third and fourth class will not receive as much compensation for each trip under the proposed law as they do under the present law.

Again, to carry out the analysis, let me call your attention to the fact that during the time Mr. Wanamaker was Postmaster-General of the United States he advertised to make a contract for carrying the mail of the United States from San Francisco to Hongkong, a distance of 6,080 nautical miles, or 6,992 statute miles. The vessels were of the third class and received $1 a mile for each outward-bound trip, or $6,992.

I have not been able to ascertain what was the tonnage and speed of these vessels, but as they came under the third class they were required to have a speed of 14 knots and 2,500 gross tons. Such a vessel for this distance would receive 68.38 cents under clause (*a*) and 60.81 cents under clause (*b*) of the proposed bill, or a total of 1.29\frac{19}{100}$ per gross ton each 100 miles, a compensation of $6,455 per round trip, or $537 less than they receive under the present law.

Another contract made by Mr. Wanamaker was from New York

to Rio Janeiro, in South America, a distance of 4,778 nautical miles or 5,495 statute miles. The vessel receiving the contract was of the fourth class, and under the present law a vessel of this class would receive $3,656.66; under the Hanna-Payne bill it would receive $1,873.50, or a difference in favor of the present law for each round trip of $1,783.16.

After these contracts between San Francisco and Hongkong and New York and Rio Janeiro had been in operation for some years the companies holding the contracts were unable to carry them out on account of losing money, and the contracts were canceled. To-day we have no mail route in operation under the act of March 3, 1891, to any Asiatic port or South American port.

What conclusion are we to reach from the comparisons above made? In my judgment there can be but one, and that is for vessels of the third and fourth class there will be no increased compensation under the Hanna-Payne bill above that of the present law, but for vessels of the first class there will be a very large increase.

Now, how does this affect commerce? We know that the great commerce of the world, the heavy freights, such as iron and steel, manufactured cotton and woolen goods, cotton, wheat, and lumber, are not carried by the "greyhounds of the ocean" that are intended for passenger traffic, but by steam or sailing vessels that have a speed of from 10 to 14 knots an hour and a tonnage of from 1,000 to 3,000 tons. This class of vessels occupies the same position in reference to ocean freight that the freight train does in reference to freight on land.

On the other hand, the great "ocean greyhounds," such as the *New York* and *St. Louis*, occupy the same position in reference to transportation that the modern express train does to land freight. Although they may carry some heavy freight, they are primarily intended for passengers, light express packages, and mail.

My contention is that a subsidy whose benefits will only be received by this class of vessels will not materially increase the American shipping or freight facilities. On the other hand, the Hanna-Payne bill gives no more compensation, nor as much, to the class of vessels that really carry the freight as does the present law, and the present law has proven a failure in that respect.

In 1892 Postmaster-General Wanamaker advertised for contracts to carry the mail from New York to Liverpool, from New York to Southampton, New York to Antwerp, New York to Buenos Ayres, New York to Rio, Newport News to Rio, New York to Tuxpan, New York to Havana, New York to Santiago de Cuba, San Francisco to Hongkong, Mobile to Colon, and many other foreign ports, until in the aggregate they have advertised for over seventy routes to carry the mail to European, South American, and Asiatic ports, with the result that we have only five of these routes in existence at present—No. 36, New York to La Guaira; No. 57, New York to Southampton; No. 69, New York to Tuxpan, and No. 74, Boston and Philadelphia to Port Antonio.

Can it be for a moment contended that, when we have strenuously endeavored for eight years to increase our commerce under a law on the statute book that provides that every vessel of from 12 to 14 knots and from 1,500 to 2,500 tons shall receive a greater compensation than that provided for under the Hanna-Payne bill and have utterly and disastrously failed in the undertaking, the Hanna-Payne bill will be successful as to this class of vessels?

Now, as to the first class of vessels, under clause *b* of the bill, there is no question that the compensation will be greatly increased, but this class of vessels are not serviceable and could not be operated profitably or successfully between Asiatic and South American ports and this country. I have no doubt that the Postmaster-General honestly endeavored to carry out the present law, but there was no chance to secure vessels of the first class to carry the mail to South American and Asiatic ports.

After eight years of experiment we find that they have made but one contract with vessels of this class for European ports, and the presumption is that on any other route vessels of that class did not find the contract profitable.

It may be contended that the present law is not intended to pay a subsidy to steamships, but merely to compensate them for carrying the mail. This is not true. I find in the report of the Superintendent of Foreign Mails that during the last year the International Navigation Company, under its contract with the Government, carried 68,000,000 grams of letters and 610,000,000 grams in prints, and received as compensation therefor $580,800; that the Cunard line received compensation for carrying United States mail, but not under a subsidy contract, because it is an English line, and carried 110,000,000 grams in letters and 680,000,000 grams of prints, and received therefor $172,000. In other words, the Cunard line carried more mail than the International Navigation Company, and yet the International Navigation Company received $408,000 more for the same service than did the Cunard line.

Again, on page 17 of the report referred to above, I find that the Superintendent of Foreign Mails says: "The mails for Great Britain and the Continent of Europe are dispatched by every fast steamer; and when two fast steamers sail on the same day or succeeding days, the mails are, as a rule, assigned to the one whose previous speed record gives reason to believe that it will deliver the mails sooner on the other side of the Atlantic.

Other things being equal, preference is given to steamers sailing under the flag of the United States, and especially to those under contract with this Department, at a compensation of $4 a mile traveled from New York to Southampton. Steamers flying the flag of the United States, but not under contract, are allowed for their service all the postage collected on the mails they carry from this country; that is to say, 5 cents a half ounce, $1.60 a pound (or $3,200 a short ton), for letters and post cards, and 1 cent for 2 ounces, 8 cents a pound (or $160 a short ton), for other articles.

"In the case of a steamer conveying the mails under a foreign flag compensation is allowed at the rate of 44 cents a pound (or $880 a short ton) for letters and post cards, and 4½ cents a pound (or $90 a short ton) for other articles, calculated on the actual net weight of the mails conveyed."

In the light of the facts stated before, there can be no question that the bill now before the House known as the Hanna-Payne subsidy bill is brought here for one purpose, and for one purpose only, and that is to increase the compensation now paid to the International Navigation Company.

I have carefully read the hearings before the Committee on the Merchant Marine and Fisheries, that reported the bill to the House, and found that the witnesses examined were almost all of them interested in this company; that the attorney for this company, a man of distinguished ability, has prepared the bill, and that nearly every amendment that was offered in the committee and accepted by it was proposed by him.

There are other reasons that incline me to this belief. There is a claim made in the report of the committee that this bill is in the interest not only of American shipbuilders and shipping, but also in the interest of the American sailor. A comparison of the bill with the present law refutes that proposition.

Under the act of March 3, 1891, vessels carrying the mail are required for the first two years of their contract to have one-fourth of their crew Americans. For the next three years one-third must be Americans, and after that one-half must be American sailors. The contract with the International Navigation Company is over five years old, and therefore, under the law, they are required to have one-half of their crew American seamen; but as they are obliged to pay the American more than the French, Spanish, or Italian sailor, this provision of the law has become burdensome to them, and they provide in the new bill, the Hanna-Payne bill, that only one-fourth of the seamen must be Americans, which, of course, is a great reduction from the number they were required to have under the act of 1891. Yet, with unblushing effrontery, they claim in their report that the bill is intended to increase the number of American sailors.

Again, under the act of March 3, 1891, each vessel was required to carry one boy under the age of 21 for each 1,000 gross tons and one for each majority fraction, to be educated in seamanship and rank as petty officers. This provision of the law has also become burdensome to them, because in their bill, prepared by the officers and agents of the International Navigation Company and known as H. R. 11312, it provides that a vessel shall carry one boy for each 1,000 tons gross, to be trained in seamanship, engineering, or other maritime knowledge.

As each of the vessels of the International Navigation Company, as shown in the figures above, has a majority fraction over the division of 1,000 gross tons, they will be enabled to dispense with the training and education of four of these boys.

In other words, under the present law they are required to carry and educate 46 boys in seamanship and to give them the rank of petty officers, but under the new law they will be required to carry only 42 boys, give them no rank, and train them in engineering and other maritime knowledge. I suppose the "other maritime knowledge" includes washing the decks, waiting on the tables, or some other employment less expensive to the company than that given young men who rank as petty officers.

We might infer from the report made by the Republican members of the Committee on the Merchant Marine and Fisheries accompanying the Hanna-Payne bill that our Government has never tried the experiment of aiding the merchant marine with grants of money, when, on the contrary, it has done a great deal of this. From 1850 to 1858 it paid the Collins Line $5,212,001, and the four steamers probably cost the company less than $3,000,000, so that the Government in the course of eight years presented the company with its entire fleet and two and a quarter millions to operate it with, but yet the line collapsed.

From 1867 to 1877 the Pacific Mail received for its China and Japan service $4,583,333. From 1850 to 1860 there was paid for the service between San Francisco and Panama $3,467,763. Between New York and Aspinwall, from 1848 to 1860, there was paid $2,889,510. From New York to Havre, Southampton, and Bremen there was paid between 1848 and 1858 $2,893,960, and in the next ten years an additional sum of $906,724.

From 1866 to 1876 John Roach's Brazil Line received $150,000 a year, and the renewal of the subsidy was defeated in the Congress of the United States by the Republicans and Protectionists, with no prejudices against subsidies, on the ground that the line did not materially increase our exports, while our imports by it had immensely increased. In all, the Roach Line received a million and a half dollars in ten years, and down to 1899 the subsidies paid by the Government amounted to more than $35,000,000.

It therefore can not be contended that the proposition to pay mail subsidies is a new experiment in this country. It has been repeatedly tried, and has repeatedly failed, but at this time the shipping interests, recognizing that the manufacturing interests of the country are demanding that the walls which prevent them from reaching out for foreign trade shall be battered down, are rushing to the front with the present bill, and are supporting it merely as a pretense and a disguise to attract the attention of the country in that direction and to prevent them from passing legislation that is really intended in the interest of our fast expanding foreign trade.

There is but one law that will answer the purpose, and that is the law that England has tried and which has proven a success. We must have free ships. Until we repeal the navigation laws of our country and adopt the same liberal policy that England and Germany have adopted we need not expect an improvement in our merchant marine.

Even our high tariff laws are detrimental to the increase of our foreign trade. To illustrate: I find that the iron and steel manufacturers of this country are competing successfully in the markets of England and Germany with the manufacturers of those countries at their own doors, and yet we are not able to compete with them in the markets of France. The French nation are large importers of pig iron, steel rails, and other iron and steel articles, but we are deprived of this market.

You ask why? It is because France has a maximum and minimum tariff rate, and the difference in the duty on pig iron amounts to about $1.50 a ton and on steel rails about $11 a ton. England, Germany, and Belgium, our great competitors, are charged the minimum rate, whereas the American manufacturers are charged the maximum rate. On account of this discrimination we are not able to compete with them in the French market.

You ask why France has thus discriminated against us? France has answered the question herself. They say that we do not give them the "favored-nation" clause in our commercial treaties with them, because we discriminate against them as to the importation of French laces and wines and other exports from that country. In other words, the great iron and steel manufacturers of America must be barred out of the French market in order that a few lace and wine merchants in this country may be protected.

Another reason why our merchant marine does not expand is on account of the discriminating port regulations charged at the ports in this country. Foreign ships are excluded from our coastwise trade, something that England has never done. A tramp steamer will not come to the United States, where it can only get a foreign cargo, if it can go to a South American or European port, where it has the chance of getting either a foreign cargo or a cargo for some other port in the same country.

The proposed bill is not intended to expand American shipping in the interest of American manufacturers. It is intended to give an immense subsidy to the International Navigation Company, and probably pay a subsidy to a few tramp steamers that are now owned by American citizens.

The vicious feature of the bill is that it will not increase American shipping, but that if it becomes a law we will not be able to get rid of it for the next twenty years, for according to its provisions Congress may only amend or repeal the act subject to the obligation of the contracts existing at the time of such amendment or repeal.

Therefore a contract made to-day, no matter of what little service it may be to the people of the United States, no matter how onerous it may be in its burdens, can not be repealed, and will have to be borne for the next twenty years.

I opened this speech by calling your attention to some of the pledges that you made to your constituents which are yet unfilled, but before concluding allow me to call your attention to a few things for which this Congress will live in history.

It will go down in history as the Congress that has increased the taxes on the people to a greater extent than any Congress since the civil war, as the Congress that has made greater appropriations and drafts on the public Treasury than any Congress since the civil war, and as the Congress that has authorized the only issue of bonds since the resumption of specie payments, the issue during Cleveland's Administration not having been issued with the consent of Congress, but under the old law.

With its numerous raids on the Treasury in the way of appropriations, and the burdens it has laid on the people by increased taxes, we may well ask what are the principles that hold the Republican party together, what are the principles for which your followers contend? In the light of recent events we may well conclude that the only cord that binds your party together is the cohesive strength of public plunder. [Applause.]

Mr. McRAE. I would inquire of the gentleman from Kentucky if he desires to go on now?

Mr. PUGH. I desire to yield twenty-five minutes to the gentleman from Pennsylvania.

[Mr. KIRKPATRICK addressed the committee. See Appendix.]

Mr. McRAE. I yield the ten minutes remaining to this side to the gentleman from Ohio [Mr. LENTZ].

Mr. LENTZ. Mr. Chairman, yesterday the gentleman from Illinois [Mr. CANNON] suggested an enormous deficit in the immediate future, and it occurred to me that it might be advisable to call attention to the fact that the Administration could within the past forty-eight hours have saved this Government $78,375.

A short time since we saw the statement throughout the press of the United States that a brigadier-general in the regular establishment of our Army had said of the Commanding General of the Army the following. I read from the Washington Times of Wednesday last:

> He lies in his throat, he lies in his heart, he lies in every hair of his head and every pore of his body; he lies willfully, deliberately, intentionally, and maliciously.

The man who uttered these words pleaded guilty to the offense, and upon that the President of the United States made this significant declaration:

> The accused, after a trial by court-martial composed of officers of high rank and distinguished services, has been found guilty of conduct unworthy of an officer holding a commission of the United States and obnoxious to the highest degree to the discipline and good order of the military establishment.

Now, gentlemen, if General Sherman or General Grant or General Sheridan, after their distinguished services to the country, had asked for a leave of absence exceeding thirty days in a single year, to make a trip around the world or to investigate the military institutions of Europe, what would have been the law that would have been applied to them? I read from the military laws, section 621, these words:

> Officers when absent on account of sickness or wounds, or lawfully absent from duty and on waiting orders, shall receive full pay; when absent with leave, for other causes, full pay during such absence not exceeding in the aggregate thirty days in one year, and half pay during such absence exceeding thirty days in one year.

The most distinguished officer in the Army of the United States can not receive a leave of absence exceeding thirty days without suffering a reduction of one-half of his pay.

Now, by way of punishment—aye, by way of reward for this obnoxious conduct on the part of the brigadier-general—the President of the United States says to him what the President could not have said to General Sherman or General Grant, "I give you six years' leave of absence; go act as a traveling man for the beef trust, if you choose; go tender your services to the plutocracy and money power for the next six years, and this Government will pay you $5,500 a year." Thirty-three thousand dollars in the next six years will be taken out of the public Treasury for a man who has been guilty of the grossest insult that has ever been perpetrated in the American Army in the history of it from the days of Washington down to this hour. [Applause on the Democratic side.]

That is not all. It is stated by the Adjutant-General that the brigadier-general will have reached the retiring age within a few days after the six years are up. In other words, if he had reached the age of 64 in five years, then the suspension would have been five years; if he had reached it in four years, then the suspension would have been four years. But it is so arranged in this suspension that the brigadier-general comes back to the full glory of the American epaulets of a brigadier a few days before he is 64 years of age, and then he is to be retired under the law—section 620—which will pay him three-fourths annually of $5,500, which will amount to $4,125 a year.

As his expectancy from the age of 64 is eleven years, in that eleven years he will receive $45,375 additional out of the Treasury of the public; in all, $33,000 and $45,375, making $78,375 for a man who says to the Commanding General of the Army that "he lies in every pore, lies in every hair, lies in his throat, and in his heart," when the Commanding General had simply told the truth; and there are 50,000 privates that will testify that they were fed rotten meat that they could not stomach. [Applause.] That meat caused diseases and death, and we had it certified here in the enormous, outrageous death roll in the camps in our own home States. Seventy-eight thousand three hundred and seventy-five dollars to a man who will never render another day's service to the United States!

This suspension is so arranged that this man will draw $78,000 out of your Treasury without being on duty a single day. Have

you ever heard of any such thing? Is there an American officer to-day in the service who could not afford to accept that punishment? There is not a lieutenant, not a captain, not a brigadier-general that would fail to accept a leave of absence until a few days before being 64 years of age and then retire and get to draw three-fourths pay for the rest of his life. My friends, there is not a Congressman on the floor of this House that could not afford to accept this punishment of $5,500 a year for the next six years, without doing anything, and $4,125 a year for the next eleven. [Applause.] There is not a Senator over at the other end of the Capitol that could not afford this punishment. There is not a man on the Supreme Bench of the United States that could not afford to be punished by such an enormous punishment as this! [Laughter.]

Let us all be punished to-morrow morning! [Laughter.] Seventy-eight thousand three hundred and seventy-five dollars for calling the Commander of the Army a "liar in every pore." Why, sir, if he had called the President of the United States a liar "in his throat and in his heart and in every pore," I suppose he would have got a million dollars! [Laughter.] What lieutenant in the Army will not read this report and think that the best way to promote himself will be to call his commanding officer a liar and take the discipline, take the punishment? Aye, my friends, it is apparent here that a reward has been given the man who attacks General Miles in such language as this. I am not a defender of General Miles, but I want to say that he took Porto Rico with a loss of three men in a campaign of nineteen days, when he was directed to meet 17,000 Spaniards, armed with Mausers, and directed to meet them on the military road; and instead of doing that he came in at the other end of the island and took Porto Rico almost without loss of blood on our side.

If we are to award military heroes for distinguished service and for saving the lives and health of our boys, then General Miles stands preeminent in this war, equaled only by Dewey and Schley. If we are proud of the history of America, and if we are proud of Andrew Jackson and his brilliant victory at New Orleans, we must couple with Andrew Jackson in military and naval services the names of Dewey and Schley and General Miles. The slaughter at Santiago was four times as large as they dared to report it. In the first report, the first day we were told we lost 500 killed and wounded; the next day we were told it was 1,100; the next day we were told it was 1,600, and finally we were told that the entire list of killed and wounded at Santiago was 2,000, to say nothing of the thousands that have been forever demoralized and diseased by the rotten beef that they had given them in the camps.

Truth forever on the scaffold;
Wrong forever on the throne.

Hence it is in order to hang General Miles. Let the inquisition begin. Let none but cuckoos speak about the President, and meanwhile do everything possible to discredit the Commanding General of the Army. [Applause.]

The CHAIRMAN. The time of the gentleman has expired.

Mr. MOODY. I move that the committee rise.

The motion was agreed to.

The committee accordingly rose; and the Speaker having resumed the chair, Mr. SHERMAN, Chairman of the Committee of the Whole House on the state of the Union, reported that that committee had had under consideration the sundry civil appropriation bill, and had come to no resolution thereon.

CABLE COMMUNICATION BETWEEN UNITED STATES AND PACIFIC ISLANDS.

The SPEAKER. The Chair will lay before the House a message from the President of the United States.

The Clerk read as follows:

To the Senate and House of Representatives:

As a consequence of the ratification of the treaty of peace between the United States and Spain and its expected ratification by the Spanish Government, the United States will come into possession of the Philippine Islands on the farther shores of the Pacific. The Hawaiian Islands and Guam becoming United States territory and forming convenient stopping places on the way across the sea, the necessity for speedy cable communication between the United States and all these Pacific islands has become imperative. Such communication should be established in such a way as to be wholly under the control of the United States whether in time of peace or of war. At present the Philippines can be reached only by cables which pass through many foreign countries, and the Hawaiian Islands and Guam can only be communicated with by steamers, involving delays in each instance of at least a week. The present condition should not be allowed to continue for a moment longer than is absolutely necessary.

So long ago as 1885 reference was made in an Executive message to Congress to the necessity for cable communication between the United States and Hawaii. This necessity has greatly increased since then. The question has been discussed in the Fifty-second, Fifty-fourth, and Fifty-fifth Congresses, in each of which some effort has been made looking toward laying a cable at least as far as the Hawaiian Islands.

The time has now arrived when a cable in the Pacific must extend at least as far as Manila, touching at the Hawaiian Islands and Guam on the way. Two methods of establishing this cable communication at once suggest themselves: First, construction and maintenance of such a cable by and at the expense of the United States Government; and second, construction and maintenance of such a cable by a private United States corporation under such safeguards as Congress shall impose.

I do not make any recommendations to Congress as to which of these methods would be the more desirable. A cable of the length of that proposed requires so much time for construction and laying that it is estimated that at least two years must elapse after giving the order for the cable before the entire system could be successfully laid and put in operation. Further, deep-sea soundings must be taken west of the Hawaiian Islands before the final route for the cable can be selected. Under these circumstances it becomes a paramount necessity that measures should be taken before the close of the present Congress to provide such means as may seem most suitable for the establishment of a cable system.

I commend the whole subject to the careful consideration of the Congress and to such prompt action as may seem advisable.

WILLIAM MCKINLEY.

EXECUTIVE MANSION,
Washington, February 10, 1899.

Mr. MOODY. Mr. Speaker, I move that the House do now adjourn.

Mr. GIBSON. Give us a night session; we need it.

The question was taken; and the Speaker being in doubt, the House divided.

Mr. MOODY. Mr. Speaker, pending the announcement of the vote, I desire to submit a parliamentary inquiry. Under the order adopted to-day for the extending of general debate on this bill to the whole of the legislative day, my inquiry is whether, under the rules, if we do not adjourn, but take a recess, it would not be in order in the evening session to enter upon general debate on this bill?

Mr. MCRAE. I will say that there is no disposition on this side to use the night session for general debate.

Mr. DOCKERY. We do not want to interfere with pension legislation.

Mr. SIMPSON. No; we are the friends of the soldier. [Laughter.]

Mr. CANNON. "I am an Englishman." [Laughter.]

Mr. ALLEN. I desire to say, Mr. Speaker, that there is no knowing what we may want to do by the time the night comes on. [Laughter.]

The SPEAKER. In answer to the parliamentary inquiry, the Chair thinks that under the vote of the House general debate would be in order.

Mr. MCRAE. By unanimous consent could not that be modified?

The SPEAKER. It could.

Mr. DOCKERY. There is no intention to use the night session for general debate.

The SPEAKER. That may be, but the Chair thinks the expression used was "the legislative day."

Mr. MCRAE. I am sure the language of the gentleman from Illinois [Mr. CANNON], when he said that he would be willing to extend the time beyond 5 o'clock, clearly indicated that general debate was to close at 5 o'clock.

Mr. CANNON. I did not think of this being Friday.

The SPEAKER. I do not think any member of the House thought about it.

Mr. CANNON. Well, Mr. Speaker, I ask unanimous consent that general debate be now closed.

There was no objection.

Mr. MOODY. Mr. Speaker, I want to say that in making the motion to adjourn, I supposed I was conforming to the desire of the Committee on Invalid Pensions. I had no other desire or intention.

The SPEAKER. On this question the ayes are 22 and the noes are 52, and the House determines not to adjourn.

ENROLLED BILLS SIGNED.

The SPEAKER. The Chair will lay before the House the report of the Committee on Enrolled Bills.

Mr. HAGER, from the Committee on Enrolled Bills, reported that they had examined and found truly enrolled bill of the following title; when the Speaker signed the same:

H. R. 5019. An act for a light vessel off Tail of Horse Shoe, Chesapeake Bay.

The SPEAKER announced his signature to enrolled bills of the following titles:

S. 5088. An act to amend section 27 of the Revised Statutes, relative to the apportionment and election of Representatives;

S. 3684. An act for the relief of Joseph Tousaint, alias Touzin; and

S. 2673. An act for the relief of William A. Cowles.

SENATE BILLS REFERRED.

Under clause 2 of Rule XXIV, Senate bills of the following titles were taken from the Speaker's table and referred to their appropriate committees as indicated below:

S. 5355. An act to amend an act entitled "An act authorizing the Aransas Harbor Terminal Railway Company to construct a bridge across the Corpus Christi Channel, known as the Morris and Cummings Ship Channel, in Aransas County, Tex."—to the Committee on Interstate and Foreign Commerce.

S. 5086. An act for the purchase or construction of a launch for the customs service at and in the vicinity of Astoria, Oreg.—to the Committee on Interstate and Foreign Commerce.

S. 5076. An act authorizing the Sioux City and Omaha Railway Company to construct and operate a railway through the Omaha and Winnebago Reservation, in Thurston County, Nebr., and for other purposes—to the Committee on Indian Affairs.

S. 5006. An act to restore to their original status as to promotion officers of the Navy and Marine Corps losing numbers by reason of the advancement of other officers for exceptional and meritorious service during the war with Spain—to the Committee on Naval Affairs.

APPOINTMENTS UNDER CIVIL SERVICE.

The SPEAKER. The Chair will lay before the House the following resolution.

The Clerk read as follows:

Resolved, That the Senate be requested to furnish the House of Representatives a duplicate copy of the engrossed bill of the Senate (S. 3256) in reference to the civil service and appointments thereunder, the same having been lost or misplaced.

The resolution was agreed to.

EULOGIES ON THE LATE HON. JUSTIN S. MORRILL.

Mr. GROUT. Mr. Speaker, I ask present consideration of the resolution which I send to the Clerk's desk.

The Clerk read as follows:

Resolved, That Wednesday, the 22d day of February, 1899, be set apart for the purpose of paying tribute to the memory of Hon. JUSTIN S. MORRILL, late a Senator from the State of Vermont.

The resolution was agreed to.

LEAVE OF ABSENCE.

By unanimous consent, leave of absence was granted as follows:

To Mr. BISHOP, for one week, on account of important business.

To Mr. GRIFFITH, for four days, on account of sickness.

To Mr. OTEY, indefinitely, on account of sickness.

The SPEAKER. The hour of 5 o'clock having arrived, under the rules the House stands in recess until 8 o'clock this evening, and the gentleman from Iowa [Mr. LACEY] will act as Speaker pro tempore.

EVENING SESSION.

The recess having expired, the House, at 8 o'clock p. m., resumed its session, Mr. LACEY in the chair as Speaker pro tempore.

ORDER OF BUSINESS.

The SPEAKER pro tempore. The Clerk will report the rule under which this session is held.

The Clerk read as follows:

The House shall on each Friday, at 5 o'clock p. m., take a recess until 8 o'clock, at which evening session private pension bills, bills for the removal of political disabilities, and bills removing charges of desertion only shall be considered; said evening session not to extend beyond 10 o'clock and 30 minutes.

MRS. LUCRETIA TYLER SEMPLE.

Mr. LOUDENSLAGER. Having had a conference with the gentleman from Virginia [Mr. LAMB], who is interested in Senate bill 1576, I ask unanimous consent that the proceedings by which that bill was ordered to a third reading, read the third time, and passed, and by which a motion to reconsider was laid on the table, be vacated; that the bill be amended by striking out the word "fifty," in line 7, and inserting "thirty," and that thus amended the bill be put on its passage.

The title of the bill was read, as follows:

A bill (S. 1776) to increase the pension of Mrs. Lucretia Tyler Semple.

There being no objection, the proceedings by which the bill was previously ordered to a third reading, read the third time, and passed, and by which a motion to reconsider the vote on the passage was laid on the table, were vacated; and the bill, amended by striking out "fifty" and inserting "thirty," was ordered to a third reading, read the third time, and passed.

On motion of Mr. LOUDENSLAGER, a motion to reconsider the last vote was laid on the table.

ORDER OF BUSINESS.

Mr. TALBERT. Before the House goes into Committee of the Whole, I want to ask unanimous consent that during this evening all bills for the removal of charges of desertion or for the removal of political disabilities be passed over on the Calendar; also that all bills for the increase of pensions be passed over, and that we first take up bills asking for original pensions and afterwards take up bills for the increase of pensions and bills for the removal of charges of desertion——

Mr. RAY of New York. I trust my friend from South Carolina will not insist on the latter part of his proposition, that all bills granting original pensions be given a preference over those granting increase of pension. We can readily dispose of all these pension bills without undertaking to make any such discrimination. And the bills asking for increase of pensions are just as deserving as the others. In every case reported, those bills, if passed, will relieve actual suffering.

Mr. TALBERT. I submit to the chairman of the committee that if there are only a few——

Mr. RAY of New York. The gentleman does not understand me. The bills for removal of charges of desertion I care nothing about, but the gentleman from South Carolina has coupled with his request a proposition that first we take up cases of original pensions, passing over till afterwards bills for increase of pensions. Now, I say that such a provision would mix up our business. It would take more time to sort out the bills in the manner suggested by the gentleman than it would to pass those of both classes. I repeat that the bills reported for increase of pensions are deserving cases. Every such bill is one which, if passed, will relieve actual distress and misery.

Mr. TALBERT. Then, Mr. Speaker, I confine my request to bills for the removal of charges of desertion.

Mr. PACKER of Pennsylvania. Why should such bills be passed over? There are only a few of them on the Calendar, and some of them very meritorious—cases which have been very carefully considered by the committee.

Mr. TALBERT. I will say to my friend from Pennsylvania [Mr. PACKER] that I do not believe we should pass a single bill for the removal of charges of desertion or for the increase of any pension either until we have devised some means of putting a stop to the awful expenses of the Government, which are now being piled up mountain high. I am willing, however, when we come to a meritorious case, that it be passed without opposition.

Mr. PACKER of Pennsylvania. Very well.

Mr. TALBERT. I submit, however, that we ought not to stand here and consider bills for removing charges of desertion when we are now engaged in a war and pensions will be piled up mountain high.

The SPEAKER pro tempore. The gentleman from South Carolina asks unanimous consent that in the order of business for this evening private bills for the removal of charges of desertion be passed over. Is there objection?

Mr. BRUCKER. Reserving the right to object, I desire to say, in answer to a statement made by the chairman of the Committee on Invalid Pensions [Mr. RAY of New York], that with reference to cases of removing charges of desertion he cared nothing——

Mr. RAY of New York. The gentleman misunderstood what I meant to say. I do not have desertion cases in charge. I look solely to pension business.

Mr. BRUCKER. Now, Mr. Speaker, the request which the gentleman from South Carolina has just made has been submitted session after session, and been in a measure acceded to. I have a number of bills pending before the Committee on Military Affairs for the removal of charges of desertion. I have examined those cases. They are in the interest of old soldiers who live in my district. They are meritorious cases.

I have pressed their cases time after time before the Military Committee. I have been met by the statement by different members of that committee that there was no use in considering the cases in the committee, no matter how meritorious; that there was no use in reporting them to the House, because if they were reported, they would be passed over without consideration by that body. I was met by the statement that they could not be considered in the House, and hence my bills have been ignored.

Now, to me, and to many an old soldier who fought gallantly during the civil war, and now living in my district, their cases are of just as much importance to them and to me as some of the favored petty pension cases which are reported here to-night.

Why, Mr. Speaker, we have passed over six Friday night pension sessions during this session of Congress. I have looked over the Calendar and find——

Mr. RAY of New York. Mr. Speaker, is this question of unanimous consent debatable?

The SPEAKER pro tempore. It is not, except by consent.

Mr. RAY of New York. I raise the point of order that it is not debatable.

The SPEAKER pro tempore. The Chair sustains the point of order.

Mr. BRUCKER. Then I object to the request of the gentleman from South Carolina.

Mr. BELKNAP. I trust the gentleman from Michigan will except this member from the Committee on Military Affairs, for that statement at least.

Mr. BRUCKER. If I am in order, Mr. Chairman, I wish to say that I did not intend to include every member of the committee, and will except the gentleman from Illinois.

Several MEMBERS. Regular order!

Mr. RAY of New York. If this matter is settled, I move that the House resolve itself into Committee of the Whole House for the purpose of considering business on the Private Calendar under the rule.

The question was taken; and on a division (demanded by Mr. TALBERT) there were—ayes 22, noes 1.

Mr. TALBERT. No quorum, Mr. Speaker.

The SPEAKER pro tempore. The Chair will proceed to count the House.

Before the count was completed,

Mr. TALBERT. Mr. Speaker, if I may be permitted, I move, pending the question of no quorum——

Mr. BRUCKER. Regular order!

Mr. TALBERT (continuing). That we pass over the bills for the removal of charges of desertion, if that motion is in order.

The SPEAKER pro tempore. The motion is not in order, the Chair would state.

Mr. BRUCKER. I object, and demand the regular order.

Mr. TALBERT. I raise the point of order that the motion is in order.

Mr. RAY of New York. I would like to ask the gentleman from South Carolina if he would not agree to let members call up their own bills?

The SPEAKER pro tempore. The House is dividing on the other question, and the point of no quorum is still pending.

Mr. BRUCKER. Then I demand the regular order.

Mr. RAY of New York. I would like consent to ask the gentleman from South Carolina——

Mr. BRUCKER. Regular order!

Mr. TALBERT. Then, Mr. Speaker, I withdraw the point of no quorum.

Now I renew the motion that we pass over all of these bills for the removal of charges of desertion.

The SPEAKER pro tempore. The Chair will state the result of the question which has just been submitted to the House.

Mr. COOPER of Texas. I join with the gentleman from New York in asking that we proceed now with the Calendar.

The SPEAKER pro tempore. The Chair will state the result of the motion just submitted.

The motion that the House resolve itself into Committee of the Whole House, to consider bills on the Calendar under the rule, is agreed to.

The House accordingly resolved itself into Committee of the Whole House, Mr. CONNOLLY in the chair.

The CHAIRMAN. The House is now in Committee of the Whole to consider bills under the rule which has been read.

Mr. RAY of New York. Mr. Chairman, before going into Committee of the Whole I would like to ask a question, whether the gentleman from South Carolina would not consent that only those cases be taken up where the member who introduced the bill is present to look after it?

The CHAIRMAN. What motion does the gentleman make?

Mr. RAY of New York. I desire to ask unanimous consent, and I appeal particularly to the gentleman from South Carolina, if he will not consent to allow those bills to be taken up for consideration for removal of charges of desertion where the member interested in the bill is present to take charge of it upon the floor of the House?

Mr. JETT. Mr. Chairman, I can not agree to the suggestion of the gentleman from New York, even if the gentleman from South Carolina consents. I would not like to sit here silently and see such an agreement entered into. I am not interested personally in any of the bills, and have reported one or two from the committee that I think are absolutely meritorious, and I would like to see some action taken on them if any action is to be taken upon any such bills to-night.

Mr. RAY of New York. Would it not satisfy the gentleman, then, to call up the bills for his friends who are specially interested in them?

Mr. JETT. Yes; that would satisfy me, so far as I am concerned.

Mr. TALBERT. Mr. Chairman, I am unwilling to sit here or stand here at this day and time, when our soldiers are being slaughtered, when we are engaged in a war, when men are being promoted for gallantry upon the battlefield—I am unwilling to be a party to pensioning those who have proved themselves to be cowards and who have turned their backs to the flag; and if gentlemen will consider the matter I do not believe they will insist to-night upon bringing up any measures here for the removal of charges of desertion.

We already have a tremendous pension roll, amounting to over $150,000,000. We have passed a bill here for the increase of the Army which will call for possibly another $150,000,000, making in the neighborhood of $300,000,000 for the military establishment of this country, more than is paid by any nation upon the face of the earth for its military establishment. Yet we continue to go on here recklessly sitting as a court of appeals for those who do not deserve pensions, who can not get them at the Pension Bureau, who come here and ask alms at the hands of this House.

I am opposed to it, and I think it is nothing but right and proper that we should first consider those who are asking for original pensions, who have never had any increase, and who ought to have pensions. Then we can take up those cases in which the charge of desertion was illegally made and consider them and remove the charge, if they deserve to have it removed, and let them also have pensions.

Only a few days ago, Mr. Chairman, I believe, a resolution was passed in the Senate relieving those soldiers who had gone into the Spanish-American war and letting them come back again onto the pension roll. If they were drawing pensions on account of being unable to earn a livelihood, I should like to know how it was that they were enabled to get into the Spanish-American war and yet at the end of that war come out and be restored to the pension roll. It is these fraudulent pensions and these outrageous claims that I have resisted here night after night, and I believe I am right.

A few days ago we had a combine here which passed a river and harbor bill, when men on both sides of this House joined together to rob the people and plunder the Treasury. Only a day or two ago we had what was termed the "hog combine" on public buildings, a still more flagrant robbery than the other combine.

We go on piling up these debts mountain high. I think the time has come when we should halt, when we should at least consider the advisability of acting as a court of appeals, to give pensions to those who do not deserve them and who can not get them under the general laws, which I think are sufficiently liberal to enable any man who ought to have a pension to go and get it.

The CHAIRMAN. The gentleman from South Carolina objects.

Mr. RAY of New York. I think he will not object. I ask unanimous consent, and I trust I can have attention while I make the request. The gentleman from South Carolina is to be commended always for opposing any legislation which is improper.

Now, I ask unanimous consent that only those cases to remove charges of desertion be taken up to-night where the member interested is present, and such cases as the gentleman from Illinois [Mr. JETT] indicated that he had in charge for one or two of his colleagues.

I trust the gentleman will not object to that, because he can fight any bill if it appears to him to be unmeritorious.

Mr. TALBERT. I do not wish to appear in a rôle of contrariness, or obstinacy, or anything of that sort, and therefore I accept that as an amendment.

Mr. BRUCKER. Now, Mr. Chairman——

The CHAIRMAN. Is there objection to the request of the gentleman from New York [Mr. RAY] for unanimous consent?

Mr. BRUCKER. Pending the unanimous consent, I desire to say that in the interest of many old soldiers who live in my district, whose claims are pending and have been pending for two years before the Committee on Military Affairs, and never have been reported out of that committee simply because the House would not consider them, because these objections to their consideration were raised, I object myself. I want these claims all to go together.

The CHAIRMAN. The gentleman from Michigan objects.

Mr. TALBERT. Well, Mr. Chairman, he is the most contrary man that I have ever struck. [Laughter.] I do not know what to do with him. I do not believe he wants to consider any pensions himself. That is what is the matter with Hannah. [Laughter.] I myself want every old soldier who deserves a pension to have one, even if he has to come here to the court of appeals, as I call it. If he can prove to our satisfaction that he ought to have it, I am willing that this court here should give it to him.

Mr. BRUCKER. I would like to ask the gentleman from South Carolina a question.

Mr. TALBERT. Certainly, my friend, my good-natured friend. I will answer a question.

Mr. BRUCKER. Has the gentleman from South Carolina during my two years' service ever noticed that I was absent on a Friday evening session?

Mr. TALBERT. I have never. I meant this as a piece of pleasantry. You are always present.

Mr. BRUCKER. Did the gentleman from South Carolina ever see me obstructing pension legislation?

Mr. WALKER of Massachusetts. I make the point of order——

Mr. TALBERT. I have been always able to understand the gentleman heretofore, but I must admit that I do not understand him to-night. Why, Mr. Chairman, we can not hear anything. [Laughter.]

The CHAIRMAN. The Clerk will report the first bill.

JOHN P. HENDERSON.

The first business on the Private Calendar was the bill (H. R. 8306) to remove the charge of desertion from the military record of John P. Henderson and to grant him an honorable discharge.

The bill was read, as follows:

Be it enacted, etc., That the Secretary of War be, and he is hereby, authorized and directed to remove the charge of desertion standing against John P. Henderson, who enlisted as a private in Company H, One hundred and twenty-fourth Indiana Volunteer Infantry, and to grant to said John P. Henderson an honorable discharge.

Mr. TALBERT. Mr. Chairman, I would like to have the report read in this case.

The report (by Mr. BROWNLOW) was read, as follows:

The Committee on Military Affairs, to whom was referred the bill (H. R. 836) for the relief of John P. Henderson, have had the same under consideration and beg leave to report as follows:

John P. Henderson was enrolled March 5, 1864, and mustered into service March 15, 1864, as a private in Company H, One hundred and twenty-fourth Indiana Infantry, to serve three years. He was captured by the enemy August 25, 1864, in front of Atlanta; was confined at Florence, S. C., whence he escaped November 26, 1864; was sent from Fort Columbus, New York Harbor, to Annapolis, Md., January 25, 1865; reported at Camp Parole, Maryland, January 27, 1865, and was transferred to College Green Barracks February 1, 1865. He appears to have been furloughed some time during the month of February, 1865, but failed to return from that furlough.

The committee further report that the testimony shows that at the time he was furloughed he went to Detroit, Mich., and from there to Lapeer, Mich.; then back to Detroit. From there he went to Chicago, to which place his aunt had removed while he was a soldier, and remained there until July, 1865. Before he enlisted his parents were both dead, and he was not 16 years of age, and the aunt he went to Chicago to find had brought him up since the death of his parents. At the time he was granted the furlough, and for some years afterwards, he was sick with the scurvy and with rheumatism and general debility, and at different times since, and by 1870 he had lost nearly all of his upper teeth by reason of the scurvy.

In July, 1865, the war was over, and his uncle, James Platt, was going to California, and took said John P. Henderson with him, thinking the climate would restore him to health. In 1886 or 1887 he applied to and received from the adjutant-general of Indiana a certificate of service, which he filed with his pension application.

The committee further report that the testimony shows that when he returned on a furlough and succeeded in finding his aunt, who had brought him up, he was not aware and did not know (the war being about over when his furlough expired, which was by the latter part of July, 1865) that it was necessary for him to return; that his aunt and uncle and friends all told him that nothing was necessary to be done, and that the Government had no further use for him and did not want him, and, being a boy and not knowing anything about military rules or order under such circumstances, he listened to and took the advice of his uncle and aunt and friends and went to California, where he remained for some years.

Your committee submit, in view of the testimony, that John P. Henderson is entitled to the relief prayed for, and the bill is therefore reported favorably, with a recommendation that it do pass with the following amendment:

Add after the word "discharge," in line 8, the following:

"*Provided*, That no pay, bounty, or other emoluments shall become due or payable by virtue of the passage of this act."

Mr. TALBERT. Mr. Chairman, I would like to ask if the gentleman who introduced this bill is present?

Mr. MERCER. Mr. Chairman, I take especial delight in informing my friend that I introduced it. Not being successful in the combine he referred to a few moments ago, I hope my genial friend will allow this bill to pass.

Mr. TALBERT. The gentleman stopped the mill too soon is the reason why he was not successful. I would ask the gentleman to make a statement, as I gather from the reading of the report there is just a statement from the supposed deserter, and no evidence accompanying it, but just simply his own statement.

Mr. MERCER. Oh, no.

Mr. TALBERT. It seems to me in a case of this kind the committee ought to be supplied with better evidence than the mere statement of the party interested.

Mr. MERCER. There are plenty affidavits on file which make out this case. It is on this evidence and testimony that the report is made. This man to-day is in very bad health. I saw him in Omaha last fall just before I left, and he is very badly debilitated now. He entered the Army in 1864, when 16 years of age, a mere boy.

He has lost all his upper teeth, as the testimony shows, walks with a cane, and is not long for this world. It is only a short time ago that he found out that this charge was against him at all; and the Grand Army people in Omaha have written me and the post to which he belongs has passed resolutions in his favor, and it seems a very worthy case, so far as I know. I hope the bill will be laid aside with a favorable recommendation.

The CHAIRMAN. The question is on the amendment recommended by the committee.

Mr. BRUCKER. I would like to ask the gentleman a question.

Mr. MERCER. Certainly.

Mr. BRUCKER. I notice that this case was reported from the Committee on Military Affairs on April 11 last year.

Mr. MERCER. Yes, sir.

Mr. BRUCKER. And the case was reported to the House at that time, was it not?

Mr. MERCER. Undoubtedly. It says, "Committed to the Committee of the Whole House April 11, 1898."

Mr. BRUCKER. And that case has been on this Calendar ever since?

Mr. MERCER. It has been passed by right along, the House refusing to consider charges of desertion.

Mr. BRUCKER. And for that reason the Committee on Military Affairs have not reported these cases removing the charge of desertion?

Mr. MERCER. I did not know that until I heard the gentleman state it to-night.

Mr. TALBERT. I would like to ask the gentleman from Nebraska if the object of the claimant in this bill is to get a pension or does he just want this stigma removed?

Mr. MERCER. I understand it is to have the stigma removed.

Mr. TALBERT. Nothing else?

Mr. MERCER. That is all I know of. He does not like the stigma. [Laughter.]

Mr. TALBERT. I would ask if the gentleman would offer the usual amendment—that no pay or emolument shall accrue?

Mr. MERCER. The committee have reported that amendment with the bill.

Mr. TALBERT. He did not join any other command after he left his regiment?

Mr. MERCER. No, sir.

Mr. TALBERT. You do not know that he ever received any bounty?

Mr. MERCER. I move that the bill be laid aside with a favorable recommendation.

The CHAIRMAN. The question is on the amendment recommended by the committee.

Mr. BRUCKER. Mr. Chairman, the fact that this bill was reported from the Committee on Military Affairs on April 11, 1898, simply confirms the statement I made a moment ago in support of my position that I did not desire to give my consent to passing over all these cases on the Calendar for the removal of the charge of desertion.

Now, I did not do that captiously nor for the purpose of hindering or delaying the consideration of cases. I did that, and do it for the purpose of protecting myself and for the purpose of protecting the old soldiers—my constituents. It has come to this pass, that the members of this House who have a particular pull upon some certain members of the Committee on Military Affairs or the Committee on Invalid Pensions can get bills reported from those two committees that those who have not can not.

I notice from this Calendar that there has been a few bills reported from the Committee on Military Affairs since January 1, even since I was informed the committee would not consider and report these bills. Why they should make this statement to me and then turn around and report a bill for some other member is beyond my comprehension. Let me say this, that the gentleman who introduced this bill, for whom this committee reported the bill, happened to be the chairman of the Committee on Public Buildings——

Mr. MERCER. I will say to the gentleman——

Mr. BRUCKER (continuing). I do not know why that should be any reason why the Committee on Military Affairs should consider a bill introduced by him sooner than a bill introduced by myself. I represent a constituency made up as largely of the old-soldier element as any constituency in the United States, and I think I have their confidence; and I am here, and have been here, looking after their interests, and that is what I am doing to-night. I propose, if this Committee on Military Affairs report bills removing the charge of desertion, they shall even up and report as many of my bills, proportionately to the number in there, as they report bills that have been introduced by any other member of this House, and the same is true with reference to the Committee on Invalid Pensions.

Mr. RAY of New York. Does the gentleman——

The CHAIRMAN. Does the gentleman from Michigan yield to the gentleman from New York?

Mr. BRUCKER. Not at present.

Mr. RAY of New York. The gentleman had better not, because he knows he is not telling the truth.

Mr. BRUCKER. I did not yield for a question from the gentleman from New York, nor did I yield for an insult.

Mr. RAY of New York. You got that.

Mr. BRUCKER. Certainly, and nothing else could have been expected, nothing else from that source. No, I did not intend to go into any detailed statement with reference to the conduct of the chairman of the Committee on Invalid Pensions. But the House is aware of the fact—at least those who have taken any interest in pension legislation—that the honored chairman of that committee, during the dying hours of the second session of this Congress, took advantage of the opportunity to herald to the country that the Democratic side of this House had been opposing pension legislation. He took advantage of the situation to criticise a member on this side of the Chamber who was absent. And yet the fact is patent and stands out, admitted by all, that during this session of Congress the honored chairman who is such a "great friend" of the Union soldier, so anxious to pass these private pension bills, has allowed to slip by six different pension nights.

I say to the chairman of that committee, who undertakes to hurl the lie in my teeth, I simply say to him that a statement like that coming from him is simply beneath my contempt. I say to him that if he had been interested in securing pension legislation for the old soldiers of this country he would not have allowed six pension nights to go by without a session and have reported but 60 pension bills during this session out of 6,000 now pending before that committee.

Now, Mr. Chairman, I have not any interest aside from the one

common to us all in the particular case pending before the committee at the present time. I have not a doubt but what it is a meritorious claim for the removal of the charge of desertion, and that the bill ought to pass. God knows it slept long enough in the Committee on Military Affairs, and God knows it has slept long enough here. It would have slept beyond the period of this session had I not interposed an objection to unanimous consent that it go over again to-night, and I hope the bill will pass.

Mr. MIERS of Indiana. Mr. Chairman, I ask unanimous consent, in order that we may get out of this trouble, that each member be permitted to call up one bill and let that be passed upon.

Mr. RAY of New York. Oh, no, Mr. Chairman; the bills are on the Calendar and they must be considered in their regular order, and I object.

Now, Mr. Chairman, I shall not let this opportunity go by to reply to the gentleman from Michigan [Mr. BRUCKER]. In the first place, he started out with a tirade against the Committee on Military Affairs. As to what has been done or not done by that committee I will say nothing, for I know nothing. I have not been a member of that committee, but it consists of eminent and honorable gentlemen. They have reported much valuable and important legislation.

Now, in regard to the Committee on Invalid Pensions, he turns his venomous tongue against that committee and insinuates that there has been favoritism in the reporting of bills from that committee, and that some man must have a pull to get a report from that committee. That I resent, and I resent it now and here. I say to the country and to the members of this House that among the bills introduced by the gentlemen of this House, first considered and first reported, were more than one presented by the gentleman from Michigan [Mr. BRUCKER] who made that insinuation against the Committee on Invalid Pensions.

He was treated better than some members of that committee in the reporting of bills, and his bills were put through the House early. Now, in his zeal and in his anger, and perchance in his ignorance, he has reiterated a charge that since the meeting of this session of Congress the Committee on Invalid Pensions has "reported out" some 60 bills only. We have passed already more than 60 bills reported during this session, and they now lie in the Senate unacted upon.

We have now upon the Calendar something like fifty more bills reported from the Committee on Invalid Pensions. Since the meeting of this session of Congress I have drawn with my own hand more than 125 reports from that committee upon pension bills. And it is fortunate for the gentleman and for the House and for the country that before he came here to-night to make the speech he has made against pensions and pensioners his constituents passed upon his case.

Mr. BRUCKER. Now, Mr. Chairman, I do not desire to reply to any of the mean, contemptible, underhand flings indulged in by the gentleman from New York. It seems that he desires, enjoys, and relishes the rolling of these invectives as sweet morsels under his tongue. I simply want to say this in reply to the statement of the gentleman from New York: He is well aware of the fact that of the bills reported from his committee a large number are bills that have come over from the Senate after passing muster through the Committee on Pensions of that body; and the large number of bills to which he calls our attention are not the work of this committee.

In conclusion let me say that the gentleman does not refute the statement I made that he deliberately allowed six Friday nights to pass by without any meeting of the House for pension business—no session held at all. He could have insisted upon the consideration of pension business upon every one of those six Friday nights. He does not dispute the fact that slumbering in his committee room to-day are something like five or six thousand of these bills. No; he prefers to make a personal attack, going outside of the record to indulge in street-gutter slang, and that, too, from a man occupying the "high and exalted" position of the chairman of the Committee on Invalid Pensions of the House of Representatives. And, with that, Mr. Chairman, I leave this matter.

Mr. TALBERT. Now, Mr. Chairman, this is just what I attempted in the beginning of the session to-night to avoid—this everlasting talk and talk and talk about the removal of charges of desertion. I knew it would come to that, and hence I wanted to keep these cases out of the way and let the deserving old soldiers come in. And now it may be that a half dozen of them have died while we are here trying to remove the stigma of the charges of desertion from this man. This is what I tried to prevent. And now I feel like saying:

> Thou canst not say I did it; never shake
> Thy gory locks at me.

[Laughter.]

And I want to say there is danger of talking too much. I am reminded of the story of a man who died in a far-off city. His brothers were telegraphed to come and get his remains. They telegraphed to an undertaker to embalm the body, to put it in a nice casket with a nice suit of clothing upon it, and they would come after it. The undertaker did as directed. The brothers of the dead man came on. They went to the undertaker's shop; they looked through the glass of the casket, and lo and behold! the dead man's mouth was wide open, and he had no teeth. Then one said to the other, "Well, brother Tom, that is not our brother; our brother had teeth."

So they told the undertaker they would not take the body. Then the undertaker carried the casket into a back room, took out the body, took off the nice suit of clothes, and put the corpse into a pine box; and that undertaker was heard to say: "You damned fool! If you had kept your mouth shut, you might have had a decent burial."

Now, then, here you are with your mouth open, trying to remove charges of desertion from men who do not deserve it; men who were cowards, who turned their back on their country, while there may be some old soldier dying, in want and penury, while waiting for his pension.

Mr. WALKER of Massachusetts. Mr. Chairman, I raise the question of order that it is out of order on the floor to introduce in the debates here a story that is so old as to be unsavory. [Laughter.]

Mr. TALBERT. I did not expect anything else from my venerable friend from Massachusetts, Mr. Chairman.

I have read somewhere in the Book of Proverbs about "a whip for a horse, a bridle for an ass, and a rod for the back of a fool." I do not want to put my friend from Massachusetts in either category, so I will leave him alone, because I do not know whether he is a horse, a jackass, or a fool, or a combination of all. [Laughter.]

Mr. GREENE of Nebraska. Mr. Chairman, I hope I will have the attention of the committee for a few moments to make a proposition. I have taken up no time whatever in any Friday night meeting during the present Congress, although I think I have attended every meeting held. I have not had any lavish amount of bills reported of the many introduced by myself during the entire two years of my service here. But I have made no complaint of it and make none now. I have thought that the committee was doing the best it could under existing circumstances.

But I rise to a question, if it be in order, or to make a request. I feel sure that there are a number of very meritorious claims on the Calendar where soldiers ask pensions. I ask unanimous consent that we may first consider those cases.

Would it not be better—do we not all believe that it would be better, when we stop to think of it—to pass the pension cases first, and pass over the cases of desertion as they are reached and take them up another night, or to-night after we get through with the pension cases, if there is time? Or if anybody is to get a pension, is it not better that these old soldiers should be considered who are in want and whose demand has been pending before us for so long a time? If anybody is to wait, let it be these men who are desirous of having these charges against them removed, rather than the men who are absolutely suffering for the pension that is due them by the Government. I know of some instances where there are meritorious and deserving men absolutely helpless because of the delay in granting the pensions to which they are entitled. Now, I would like very much to see some relief given to these people.

Mr. BRUCKER. Is not that just what I have been trying to do for a year past?

Mr. GREENE of Nebraska. I ask that the bill under consideration be now disposed of and that we pass over the cases of desertion and take up the pension bills.

I will ask my colleague from Nebraska, in order to get the pension claims through, if he will not consent to withdraw the case now before the committee, for the removal of a charge of desertion, and let the cases of deserving pensioners be first disposed of?

Mr. MERCER. In response to my colleague, I will say I know this case personally. He is a man of family, with children, a good soldier, and we can pass this bill while we are talking about it. It is an entirely deserving case.

Mr. GREENE of Nebraska. But if we pass this there will be others behind it unless we make this order.

Mr. MERCER. Besides that, this bill is in order on the Calendar.

Mr. GREENE of Nebraska. It will not put a dollar in the pocket of this man nor a loaf of bread in his larder to pass it; while there are numerous meritorious cases of soldiers and their widows actually suffering for the necessaries of life, because they can not get the relief to which they are entitled.

Mr. MERCER. It will not take a minute to pass this bill through the committee.

Mr. GREENE of Nebraska. But there are thirty-five others, as I understand, to follow it in a row. And I wanted to ask unanimous consent, if the gentleman does not withdraw this case, in justice to these men, as I believe, that we then take up the claims of pensioners first, and then, of course, after the pension

claims are disposed of, if there is any further time, to take up these cases and act upon them.

Now I do not want to take up any time of the committee, but I ask unanimous consent that that course be adopted.

The CHAIRMAN. Is there objection to the request of the gentleman from Nebraska?

Mr. BRUCKER. I object.

Mr. VANDIVER. Mr. Chairman, it seems to me quite evident from what has transpired here to-night that we will not be allowed to transact any business at all except by unanimous consent.

Now I want to ask unanimous consent for a proposition that I do not think any man in the House will object to. I want to ask unanimous consent that we take up first on the Calendar all of those pension claims; and if there are any deserving claimants for the removal of charges of desertion growing out of the Mexican war—I think there are perhaps a few of the latter class of claims—it seems to me that if they are ever to be attended to at all it must be to-night.

I ask unanimous consent, then, that these bills, relating to the Mexican war pensions, and for the removal of the charge of desertion, if there be any on account of that war, be taken up for consideration.

Mr. RIDGELY. After this one is disposed of.

Mr. RAY of New York. I want to say to the gentleman that the pension bills on the Calendar, first in order, are those making provision for Mexican war pensions and Indian wars. They are ahead of all the others.

Mr. VANDIVER. But not ahead of the bills for the removal of the charge of desertion.

Mr. RAY of New York. That is probably so, but they are ahead of all of the other pension cases.

Mr. VANDIVER. Will not the gentleman consent to take up those cases growing out of the Mexican war before these cases of desertion?

Mr. RAY of New York. The gentleman seems to be under the impression that I am a member of the Committee on Military Affairs. I am not. Other gentlemen——

Mr. VANDIVER. I did not hear any member of that committee objecting.

Mr. RAY of New York. Other gentlemen have charge of those bills. The gentleman from Michigan [Mr. BRUCKER] a few moments ago referred to the fact that I said I cared nothing for the bills relating to charges of desertion. What I meant was, that as chairman of the Committee on Invalid Pensions, I had no charge or control over those bills and no knowledge of them. Those gentlemen who are interested in the desertion cases must take care of them and take charge of them.

Mr. VANDIVER. Mr. Chairman, I do not yield for any further explanation. If the gentleman wishes to make an objection to the request I have made, he can do so.

Mr. RAY of New York. No, I do not.

Mr. VANDIVER. Let some other man object then, or let the request be granted.

The CHAIRMAN. Is there objection to the request made by the gentleman from Missouri?

Mr. BRUCKER. What is the request?

The CHAIRMAN. Will the gentleman state his request again?

Mr. VANDIVER. I request simply that we first take up those pension claims growing out of the Mexican war. There are a few of them to be considered, and I do not think the gentleman will object to that.

Mr. BRUCKER. I understand the chairman of the Committee on Invalid Pensions has already stated that most of the cases that follow are claims arising out of the Mexican and Indian wars.

Mr. SIMS. They are the first.

Mr. McRAE. I ask that the cases arising out of the Indian wars be included.

Mr. VANDIVER. They come next. Then let the others come on. We will make provision for them as we get to them.

The CHAIRMAN. Will the gentleman state distinctly what his request is?

Mr. VANDIVER. My request is that those claims growing out of the Mexican war be taken up first.

Mr. MEYER of Louisiana. There are seventeen of them first on the Calendar and I hope the gentleman will not object to that.

The CHAIRMAN. Is there objection?

Mr. BRUCKER. Mr. Chairman, for the purpose of being consistent, I object. Let us clean up the Calendar as we go along.

Mr. SIMS. I want to make a request that I think the House will not object to; that is, that we take up such cases for the removal of charges of desertion as are represented by members here to-night who want them considered. That certainly is fair, and if there is objection to that we might as well move to adjourn.

Mr. TALBERT. That is already the order, as I understand it.

Mr. SIMS. No; that was objected to.

The CHAIRMAN. Is there objection to the request made by the gentleman from Tennessee?

Mr. BRUCKER. Mr. Chairman, pending that request—the gentleman from South Carolina [Mr. TALBERT] is correct in one portion of his statement and incorrect in the other. That request——

Mr. WALKER of Massachusetts. Never mind.

Mr. BRUCKER. Now, if the gentleman from New York wants the floor, I yield.

Mr. RAY of New York. The gentleman from New York has said nothing, sir.

Mr. BRUCKER. Well, some one on that side did.

The CHAIRMAN. The request is, Will the House give unanimous consent to the request of the gentleman from Tennessee [Mr. SIMS]?

Mr. BRUCKER. Pending that, let me make this statement, that unanimous consent was asked that cases of desertion be passed over where the parties introducing the bill were not present, and I objected. Now, for the purpose of being consistent, I again object.

Mr. VANDIVER. Mr. Chairman——

Mr. COOPER of Texas. Mr. Chairman——

Mr. GIBSON. Regular order!

The CHAIRMAN. The regular order is demanded. The question is on the amendments to the bill read by the Clerk.

The amendments were agreed to.

The bill as amended was ordered to be laid aside to be reported to the House with a favorable recommendation.

JAMES GEISSINGER.

The next business on the Private Calendar was the bill (H. R. 5758) to remove the charge of desertion from the record of James Geissinger.

The bill was read, as follows:

Be it enacted, etc., That the Secretary of War be, and he is hereby, authorized and directed to remove the charge of desertion now borne on the records of the War Department against the name of James Geissinger, formerly a member of Company A, Seventy-second Regiment of Ohio Volunteer Infantry.

Mr. TALBERT. I ask for the reading of the report.

The report (by Mr. BELKNAP) was read, as follows:

The Committee on Military Affairs, to whom was referred for consideration House bill 5758, respectfully report as follows:

This bill is for the purpose of removing the charge of desertion now borne on the records of the War Department against the name of James Geissinger, enrolled as private in Company A, Seventy-second Ohio Infantry. We have made careful examination of the records and sworn testimony submitted, and find that the said Geissinger enlisted October 18, 1861, at the age of 16 years, and served under such enrollment until January 1, 1864, when he reenlisted as a veteran volunteer in the same company and regiment.

It is established that he was a brave, faithful, enthusiastic soldier, performing with cheerful fidelity every duty until October 19, 1864, when he is reported as "deserted" on the military records.

The evidence shows that Private Geissinger at that time was with his company in the State of Missouri, with other troops, in pursuit of the Confederate general (Price) and his forces.

For some time previous to this Geissinger had been suffering from diarrhea and consequent debility, but with indomitable spirit had kept up and remained in line with his comrades in their constant and continued marches through Arkansas and Missouri until on a forced march after night near Sedalia, Mo., his strength gave out. He reported to the officer in command of his company, Lieut. J. F. Herrington, who sent him to the major of the regiment. The major told him that every ambulance was full, that there were no other means of transportation, and advised him to do the best he could for himself.

For a while Geissinger struggled along with the troops until about midnight, when he sank from exhaustion and was left by the roadside in a semi-conscious condition. He fell asleep and did not awaken until the next day, alone and with no knowledge of the location of his comrades. He started to find them, but, weak with debility and hunger, could not go far. Applying at a house for food and information, he was told it would be impossible to reach his command on account of the guerrillas and bushwhackers infesting the region.

He, however, started out to make the attempt, wandering through woods and byways for several days, when his strength failed and he was compelled to give up the attempt, and found a stopping place with a kindly farmer, where he remained until January, 1865, when he started out again in search of his company, but the difficulties were so great—the country infested with scattered guerrilla bands; having no means, weak in body, and ignorant of the country and the location of the forces of either army—that he became discouraged from attempting to face the dangerous risk of trying to reach his regiment, and decided to wait until an opportunity should arise to either bring the Army near him or carry him in safety to the Union lines.

This he did until, within a few months, Lee surrendered and the war closed. In his youth and inexperience Geissinger was ignorant of the necessity of his being regularly mustered out of the service; hence did not after that seek to return to his regiment. While in one way it has no direct bearing on this case, we deem it well to say that Geissinger's father and three of his brothers served in the Union Army, and were honorably discharged, except two of his brothers, who were killed in battle.

Finally, your committee finds that James Geissinger was a patriotic youth, a diligent, faithful, conscientious soldier; that his separation from his company was beyond his control; that he imperiled his life in his attempt to rejoin his command, and made every reasonable effort to complete his full term of enlistment, and we therefore recommend that the bill do pass with the following amendment:

Add after the word "Infantry," in line 7, the following:

"*Provided*, That no pay, bounty, or other emoluments shall become due or payable by virtue of the passage of this act."

Mr. TALBERT. Now, Mr. Chairman, I ask if the gentleman who introduced the bill is present? If not, I ask that it be passed over and put at the foot of the Calendar.

Mr. SIMS. Pending that question, I ask unanimous consent

that all bills removing the charge of desertion be passed over for to-night and that we take up pension bills.

The CHAIRMAN. The gentleman from Tennessee requests that all other bills removing the charge of desertion be passed over.

Mr. BRUCKER. Mr. Chairman, I object to that.

Mr. SIMS. We may as well adjourn, then.

The CHAIRMAN. The question is on agreeing to the amendment recommended by the committee.

Mr. TALBERT. I move that the bill be laid aside with an unfavorable report. I ask unanimous consent to pass it over and put it at the foot of the Calendar, as there is nobody here to represent the bill.

Mr. GIBSON. Let us agree to that.

The CHAIRMAN. The gentleman from South Carolina asks unanimous consent that the bill be passed over. Is there objection?

Mr. BRUCKER. I object to that.

The amendment recommended by the committee was agreed to.

Mr. TALBERT. I ask that the bill be laid upon the table.

The CHAIRMAN. That motion is not in order.

Mr. TALBERT. I move that it be reported to the House with the recommendation that it lie on the table.

The question was taken; and the Chairman announced that the noes seemed to have it.

Mr. TALBERT. Division, Mr. Chairman.

The committee divided; and there were—ayes 1, noes 20.

Mr. TALBERT. No quorum, Mr. Chairman.

The CHAIRMAN. Evidently there is not a quorum present.

Mr. ROBINSON of Indiana. Regular order!

Mr. HICKS. Mr. Chairman, this seems to be a meritorious case from the reading of the report. I think it would be a better plan that the request of the gentleman from South Carolina should be agreed to, and let the bill lie over by unanimous consent.

Mr. COOPER of Texas. Mr. Chairman, I ask unanimous consent for the present consideration of the bill H. R. 8179.

The CHAIRMAN. There is not a quorum present. The point has been made by the gentleman from South Carolina.

Mr. RIDGELY. Mr. Chairman, pending the count for a quorum I wish to appeal to the gentleman who raised the question of no quorum to withdraw the point.

Mr. TALBERT. Mr. Chairman, I withdraw the point of no quorum on the solicitation of gentlemen; but I would like the chairman of the committee to explain and state whether or not there are certificates bearing out the statements made by the claimant in this case, or if we are to pass it on the ipse dixit of this man himself, provided it suits the gentleman from Massachusetts; but if it does not, I withdraw the remark.

Mr. WALKER of Massachusetts. What was the gentleman's remarks?

Mr. TALBERT. I do not want to do anything that is not pleasant to my distinguished friend. [Laughter.]

The CHAIRMAN. The Chair will state the question pending before the committee. The question is whether or not the bill shall be laid aside with a favorable recommendation.

Mr. TALBERT. A parliamentary inquiry. Is the regular clincher upon that, too?

Mr. BELKNAP. The amendment is on the bill.

Mr. TALBERT. That no pay or emolument shall become due by reason of the passage of the bill. He only wants the stigma removed.

Mr. WALKER of Massachusetts. We are only looking after the stigmas.

The bill was ordered to be laid aside with a favorable recommendation.

LEVI M. TRUITT.

Mr. COOPER of Texas. Mr. Chairman, I ask unanimous consent of the committee for its consideration of the bill H. R. 8179. Now, Mr. Chairman, I want to state to this committee——

The CHAIRMAN. What is the Calendar number?

Mr. COOPER of Texas. The Calendar number is 1132, a bill for the relief of Levi M. Truitt.

Mr. Chairman, I want to state to this committee that I have been a member of Congress six years. I never have had a pension bill passed, nor have I ever objected to the consideration of a bill. I ask the unanimous consent of the committee to consider this bill.

The CHAIRMAN. The gentleman from Texas asks unanimous consent for the consideration of the bill called up by him.

Mr. BRUCKER. Mr. Chairman, pending the request for unanimous consent I want to say that the gentleman from Texas who makes this request for unanimous consent is a member of my own political party, has a seat on this side of the Chamber, and there is no gentleman in the House to whom I would sooner grant a courtesy of that kind than the gentleman from Texas; but I am here for the purpose of cleaning up this Calendar and getting rid of bills that have been here for months and months; and for that reason I object.

The CHAIRMAN. The gentleman from Michigan objects. [Cries of "Regular order!"]

JAMES M'KENZIE.

The next business on the Private Calendar was the bill (H. R. 3804) for the relief of James McKenzie.

The Clerk read the bill, as follows:

Be it enacted, etc., That the Secretary of War is authorized to remove the charge of desertion standing against James McKenzie, of Company D, First Battalion Eleventh United States Infantry, and issue to him an honorable discharge to date from August 26, 1865.

With the following committee amendment:

Add the following:

"*Provided*, That no pay, bounty, or other emoluments shall become due or payable by virtue of the passage of this act."

Mr. TALBERT. Mr. Chairman, I call for the reading of the report.

Mr. RIDGELY. Will not a statement from the chairman of the committee answer the gentleman's purpose as well?

Mr. BELKNAP. I will say to the gentleman from Kansas that this was so long ago that I can not remember the details. I do not remember whose bill it is, and I would ask the Chairman to state whose bill it is.

The CHAIRMAN. The gentleman from Iowa, Mr. HULL.

Mr. BRUCKER. I would like to ask the gentleman from Illinois [Mr. BELKNAP] when this bill was reported?

Mr. BELKNAP. Not at this session, but I can not give the date.

Mr. BRUCKER. Does not the Calendar, which the gentleman has before him, state when it was?

Mr. BELKNAP. It does; April 18, 1898.

Mr. SIMS. Mr. Chairman, if the motion is in order, the gentleman who introduced the bill is not here pressing it, and I move it be temporarily laid aside.

Mr. BELKNAP. I want to say to the gentleman from Tennessee [Mr. SIMS] that the gentleman from Iowa [Mr. HULL] is chairman of the Committee on Military Affairs, of which I am a member. I went home with him in the street car to-night, and he is suffering from a very bad throat. Members all know that he is not strong now.

Mr. SIMS. Oh, well, if the gentleman from Iowa made the request of the gentleman from Illinois to look after his bill for him, all right.

The CHAIRMAN. Does the gentleman from Tennessee withdraw his motion?

Mr. SIMS. Certainly.

The Clerk read the report (by Mr. BELKNAP), as follows:

The Committee on Military Affairs, having had under consideration the bill (H. R. 3804) for the relief of James McKenzie, would respectfully report the same back to the House with the recommendation that the bill do pass, with the following amendment:

Add after the word "sixty-five," in line 7 of the bill, the following:

"*Provided*, That no pay, bounty, or other emoluments shall become due or payable by virtue of the passage of this act."

The committee find the facts in this case to be as follows:

The soldier enlisted on November 8, 1864, in Company A, Third Battalion, Eleventh United States Infantry; he was subsequently transferred to Company B, First Battalion of the same regiment: the records show him to have deserted on August 26, 1865, and that he never returned to his command. On March 6, 1866, he again enlisted in Company F, Third Battalion, Twelfth United States Infantry, serving honorably until March 6, 1869, when he was discharged by reason of expiration of term of enlistment. On September 11, 1883, the War Department furnished the soldier a discharge to date from August 26, 1865. While this discharge was not in terms a dishonorable discharge, the Commissioner of Pensions in his ruling has decided that it is a discharge without honor.

The soldier states in his behalf that in August, 1865, he received a letter from his father stating that he (his father) was at the point of death and wanted to see the soldier before he died. The soldier states that his captain gave him a leave to go home for fifteen days. During this leave he was taken sick and unable to leave home for six months. He wrote to his captain to this effect, but received no answer.

In the spring of 1866, when he again became able for military duty, he went to New York City and reported to the recruiting officer that he was a member of the Eleventh Infantry, and asked the recruiting officer to notify the captain of his company in the Eleventh that it was his intention to enlist in the Twelfth United States Infantry, and he did so enlist, supposing the record would be properly made and it would be satisfactory.

Your committee, after a careful consideration of this case, are of the opinion that the soldier left his command with no intention of deserting, and that he voluntarily returned with the intention of going back into the Army without knowing that he was doing wrong by enlisting in another regiment instead of going back to his proper regiment.

Mr. TALBERT. Mr. Chairman, it seems from the reading of the report, if I heard it correctly—there was so much talking I could not hear very well—that this soldier deserted and reenlisted. The presumption is that he did that to receive a bounty. Possibly he may have enlisted two or three times and received a bounty each time. I submit that it is not a meritorious claim.

Mr. MIERS of Indiana. I would suggest to the gentleman from South Carolina that the report says that he had three years' service, which is a good, long, valuable service; and if the committee passed it, I would be willing to rely on the committee.

Mr. TALBERT. Lucifer was once an angel of light, but he turned to darkness. [Laughter.]

Mr. MIERS of Indiana. I do not quite see the application.

Mr. TALBERT. Benedict Arnold was once a good soldier, but he turned traitor.

Mr. CASTLE. Let me suggest to the gentleman from South Carolina that the United States Government never paid any bounty, and the report shows that this man enlisted in the Regular Army.

Mr. BELKNAP. He did, in the Regular Army.

Mr. CASTLE. Bounties were only paid by counties and States.

Mr. TALBERT. Mr. Chairman, I move that that bill be reported to the House with a recommendation that it lie on the table.

The question was taken; and on a division (demanded by Mr. TALBERT) there were—aye 1, noes 18.

So the motion was rejected.

Mr. TALBERT. Mr. Chairman, I do not want to make the point of no quorum, but I want to suggest to members that this is quite a thin House for legislation. [Laughter.]

Mr. BOTKIN. I submit, Mr. Chairman, that we are not legislating very much to-night.

Mr. TALBERT. I should like to know what dictionary the gentleman gets his definition from.

The amendment recommended by the committee was agreed to.

The bill as amended was then laid aside to be reported to the House with a favorable recommendation.

JAMES ROCHE.

The next business was the bill (H. R. 2412) to amend the military record of James Roche.

The bill was read, as follows:

Be it enacted etc., That the Secretary of War be, and he is hereby, authorized and directed to amend the military record of James Roche so as to show him honorably discharged from Company K, One hundred and fifty-fifth New York Volunteers, and to grant him such honorable discharge.

The Committee on Military Affairs recommend the following amendment:

Provided, That no pay, bounty, or other emoluments shall become due or payable by virtue of the passage of this act.

Mr. BURKE. Mr. Chairman, I have seldom ever obtruded myself or my views upon this House. I am going to make a motion, but before doing it, let me in all frankness and in candor say to each member here present that we have been here one hour and a quarter and there have been three bills removing the charge of desertion passed the House. There are, so I am told, 37 other bills, and it must be perfectly apparent to every member present that we can accomplish very little here to-night.

Every member who is present to-night is here for some object. Business has brought him here. I am here, my friend is here, we are all here for a certain object; and my motion is this, and I do trust that my friend from Michigan and the distinguished gentleman from New York will not object, in view of the surroundings. I move that every member present be permitted to call up one bill by unanimous consent, and after we shall have finished that we shall return to the Calendar where we have left it and proceed with removing charges of desertion. Gentlemen, that is fair; there is nothing wrong in that. If I thought there were, I would not submit it.

Mr. PACKER of Pennsylvania. Does that include all bills?

Mr. BURKE. One member shall call up any bill he wishes to on the Calendar.

Mr. RAY of New York. No; that can not be done to-night.

Mr. BURKE. While I am here I want to say this, Mr. Chairman: I agree thoroughly with the suggestions made by the gentleman from South Carolina [Mr. TALBERT]. I have a contempt for a deserter, and I believe the House of Representatives and the American people ought to give relief first to the old soldiers and to the wives and children of the old soldiers before they are called upon to give relief to men who deserted the flag in the hour of danger.

I have a contempt for such a class of men as that. If it were left to me individually, I would never vote to remove the charge of desertion standing against the name of any man in the United States, I care not who he may be. I believe we ought to pass this bill in justice to the soldier, in justice to his widow, and in justice to his children. I ask the gentleman not to object.

Mr. RAY of New York. Now, Mr. Chairman, I have been here every Friday night, when we have had a meeting of the House, to take care of this legislation. I have noticed this—and I call attention to it emphatically—that when a gentleman gets a bill on the Calendar he attends these Friday night sessions; and he never attends them unless he has a bill on the Calendar.

Mr. BURKE. If that remark is intended to apply to me, I wish to say to the gentleman that I attended the meeting of this House last Friday night, and I had no bill on the Calendar.

Mr. RAY of New York. Then the gentleman has been here twice.

Mr. BURKE. Yes; twice. There have been only two or three meetings of the committee—I am not sure how many.

Mr. COOPER of Texas. I want to say to the gentleman from New York that it is very evident he is incorrect in his statement, because bills are now pending on the Calendar that have no one here to represent them.

Mr. GREENE of Nebraska. The gentleman from New York will allow me to say for one that I have been here, I think, every Friday night.

Mr. RAY of New York. And you have a bill on the Calendar to-night.

Mr. GREENE of Nebraska. But I have been here every Friday night when there has been a meeting of the House during the present session of Congress. That is my recollection. And certainly I have not had a bill on the Calendar every Friday night.

Mr. VANDIVER. Will the gentleman from New York allow me——

Mr. RAY of New York. I will yield to the gentleman in a moment. Let me say that last Friday night we had a meeting here, and we cleared up every bill on the Calendar. When we came here there was no time spent in talking except when the gentleman from South Carolina asked for some explanation of a bill; when the explanation was given, we went on. We passed last Friday night over fifty bills; and one night when we proceeded in the same way we passed over sixty. Now we came here to-night at 8 o'clock, and the very first thing that was started was talk, talk, talk, and quarrelings, and reflections, first upon the Committee on Military Affairs and then upon other committees, then reflections upon individual members.

There are on this Calendar about 20 bills for soldiers of the Mexican and Indian wars, nearly all of them from the South. I want to say to my Democratic friends on the other side of the House that they have nearly the same number of bills on the Calendar that the Republicans have. I know whom those bill represent. They come from Texas and Mississippi and almost every State of the South.

We have to-night spent an hour and twenty minutes in talk, each member trying to get his bill ahead of the others. Now, if we had spent this time in considering the bills in their regular order, the desertion bills would have been out of the way, the Mexican war pension bills would have been out of the way, and by 10 o'clock every bill upon the Calendar that could be considered here to-night would have been through the Committtee of the Whole, and by half past 10 o'clock they would have been through the House and ready to go to the Senate.

Now, I appeal to gentlemen, as each case is taken up, to listen either to the report or to a statement of the case, and to pass the bill and then go on, thus doing all we can to-night; and next Friday night let us come here with a determination to pursue the same course, and by half past 10 o'clock you will have the Calendar cleared. That is the way to do business. Now I will yield to the gentleman from Missouri [Mr. VANDIVER] for a question.

Mr. VANDIVER. My purpose was not so much to ask a question as to make this statement: That I think the gentleman from New York has done quite as much talking to-night as anybody else, and has consumed quite as much time. I am sure that for my part I have done very little, and what little I have done was for the purpose of expediting business rather than retarding it.

The gentleman started out by saying that he had been here every Friday night when we had had a meeting. Now, without intending to reflect upon anybody or irritate anybody, I should like to know why it is that with five or six thousand pension bills before the Committee on Invalid Pensions we have had no other meeting during these past weeks. I believe this is only the second or the third meeting during this session of Congress.

Mr. RAY of New York. Now, Mr. Chairman, let me answer the gentleman. The House of Representatives has had nearly one hundred of its bills constantly before the Senate not acted upon. We have now something like eighty pension bills before the Senate awaiting its action.

Mr. VANDIVER. Well, let the Senate be responsible for the delay.

Mr. RAY of New York (continuing). And before the Senate disposes of them we will have eighty more ready for them. We will have, at all events, from eighty to one hundred bills unacted upon by the Senate all the time.

Mr. VANDIVER. I would like to ask if the gentleman from New York would consider it a reasonable answer to an objection as to any other bill that might be pending that we should not pass it or give it attention now because we have reason to suspect that the Senate would not consider it? Is that a reason to stop legislation here? I want some better reason why there has not been an opportunity to get rid of all of these bills.

The CHAIRMAN. The Chair will submit the question of the gentleman from Texas, that each member present be allowed to call up one bill.

Mr. RAY of New York. I have already objected to that, Mr. Chairman, and renew the objection.

The CHAIRMAN. But the question is now on the motion of the gentleman from Texas, which is not subject to objection.

The motion was agreed to.

Mr. BRUCKER. I raise the point of order that it is not in order to entain the motion.

The CHAIRMAN. The Chair thinks it is in order.

Mr. BURKE. It is too late now, as the motion has once been submitted to the House, and the Chair announced that it had been carried.

The CHAIRMAN. The Chair will again submit the motion, as there was some confusion before.

The question was taken on the motion of Mr. BURKE; and it was agreed to.

Mr. COOPER of Texas. Then I suppose the order proposed would be the alphabetical order of the members present?

The CHAIRMAN. The Chair will state first that the bill (H. R. 2412) to amend the military record of James Roche was being considered by the committee, and the first question will be on the amendments proposed by the committee to that bill.

The amendments were agreed to.

The bill as amended was laid aside to be reported to the House with the recommendation that it do pass.

ORDER OF BUSINESS.

Mr. COOPER of Texas. I now call up the bill H. R. 8179——

Mr. McRAE. Mr. Chairman, I suggest that we have some order, or the call of the roll, in this business.

Mr. RAY of New York. I make the point of order that the committee can not change the order of the bills on the Calendar or the calling of the bills, except by unanimous consent. The rule of the House requires that when we go into Committee of the Whole the bills shall be taken up in their order on the Calendar.

Mr. McRAE. The gentleman is mistaken. We have repeatedly laid aside bills and taken up others.

Mr. RAY of New York. Only by unanimous consent. The rule requires the bills to be taken up in their order.

The CHAIRMAN. The Chair overrules the point of order. The rule provides:

In the Committee of the Whole House business on their Calendars may be taken up in the regular order, or in such order as the Committee may determine.

Mr. COOPER of Texas. Then I am in order in my request.

Mr. ROBINSON of Indiana. Mr. Chairman, I move that the bills be called in their order on the Calendar, and where the member is present that the bill be considered.

The motion was agreed to.

EMILY M'LAINE.

The first bill on the Calendar was the bill (H. R. 11420) to pension Emily McLaine.

Mr. McRAE. Mr. Chairman, I call for the reading of the bill.

The bill was read, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he hereby is, authorized and directed to place upon the pension roll the name of Emily McLaine, widow of M. T. McLaine, late a private in Capt. Samuel Moore's Company, D, First Arkansas Volunteers, Mounted Gun Men, 1836 (called out for the protection of the Sabine frontier), and pay her a pension of $12 per month.

The committee recommended the adoption of the following amendments:

Change the spelling of the claimant's and soldier's surname to "McLain."
In line 9 strike out "twelve" and insert "eight."
Amend the title so as to read: "A bill granting a pension to Emily McLain."

The amendments were agreed to.

The bill as amended was laid aside to be reported to the House with a favorable recommendation.

LEVI M. TRUIT.

The next business on the Calendar was the bill (H. R. 8179) for the relief of Levi M. Truitt.

Mr. COOPER of Texas. Mr. Chairman, I ask the consideration of that bill.

The bill was read, as follows:

Be it enacted, etc., That the Secretary of the Interior is hereby authorized and directed to place upon the pension roll the name of Levi M. Truitt, a soldier in the Mexican war, and is authorized and directed to pay to the said Levi M. Truitt the sum of $12 per month as pension.

The committee recommended the adoption of the following amendments:

Change the spelling of the claimant's surname to "Truit."
Strike out all after the word "war" in line 5 and substitute therefor the words "and pay him a pension at the rate of $12 per month."
Amend the title so as to read: "A bill granting a pension to Levi M. Truit."

The amendments were agreed to.

The bill as amended was laid aside to be reported to the House with the recommendation that it do pass.

JUDITH DOHERTY.

The next business was the bill (H. R. 11899) granting a pension to Judith Doherty.

The bill was read, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of Judith Doherty, widow of William F. Doherty, late a corporal in Captain Russell's company, First Regiment Volunteer Mounted Gunmen, West Tennessee, Indian war of 1818, and pay her a pension at the rate of $8 per month.

The bill was ordered to be laid aside to be reported to the House with a favorable recommendation.

ALBERT PUTNAM.

Mr. LACEY. Mr. Chairman, the next bill on the Calendar is that to pension Albert Putnam. My colleague [Mr. HULL] had charge of that bill. He has been ill a good deal of the time lately and unable to be here at the day sessions of the House. He asked that in case such an order was made as has been made this evening he might be excused from the effect of it. Of course members all know the situation.

The CHAIRMAN. The gentleman from Iowa [Mr. LACEY] asks unanimous consent that the succeeding bill may be taken up, notwithstanding the absence of the gentleman who introduced it in consequence of his sickness. Is there objection?

There was no objection.

The bill (H. R. 9702) granting a pension to Albert Putnam, Company E, Twenty-first United States Infantry, was read, as follows:

Be it enacted, etc., That the Secretary of the Interior is hereby authorized and directed to place upon the pension roll of the United States at $12 per month, under the limitations and regulations of the Pension Bureau, Albert Putnam, late a member of Company E, Twenty-first United States Infantry.

The Committee on Pensions recommended the following amendments:

Strike out of the title all after the word "Putnam."
Strike out all after the enacting clause and substitute therefor the following:
"That the Secretary of the Interior be, and he is hereby, authorized and directed to place upon the pension roll, subject to the provisions and limitations of the pension laws, the name of Albert Putnam, late of Company E, Twenty-first United States Infantry, and pay him a pension at the rate of $12 per month."

The amendments recommended by the committee were agreed to.

The bill as amended was ordered to be laid aside to be reported to the House with a favorable recommendation.

FLORA STANTON KALK.

Mr. JENKINS. Mr. Chairman, the bill (S. 4775) granting a pension to Flora Stanton Kalk has been passed over. I represent that bill. I introduced a similar bill in the House, but the House committee adopted the Senate bill. Am I not entitled under the order made this evening to call up the bill?

The CHAIRMAN. The Chair holds that under the order made by the House the gentleman, being present, can call up the bill.

The bill was read, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of Flora Stanton Kalk, and infant children, widow of First Lieut. Frank Green Kalk, late of the Fifth United States Infantry.

The Committee on Pensions recommended the following amendments:

In line 6 strike out "and infant children," and after the word "Infantry," in line 8, add the words "and pay her a pension at the rate of $17 per month."

The amendments recommended by the committee were agreed to.

The bill as amended was ordered to be laid aside to be reported to the House with a favorable recommendation.

ROBERT FLOWER.

The next business was the bill (H. R. 7632) to remove the charge of desertion from the military record of Robert Flower.

The bill was read, as follows:

Be it enacted, etc., That the Secretary of War be, and he is hereby, authorized and directed to remove from the rolls and records of the War Department the charge of desertion now standing against the name of Robert Flower, late a private in Company E of the Seventy-ninth Regiment of New York Volunteers, and to issue to said Robert Flower a certificate of honorable discharge from said organization.

The Committee on Military Affairs recommended the following amendment:

Insert at the end of the bill the following:
"*Provided*, That no pay, bounty, or other emoluments shall become due or payable by virtue of the passage of this act."

The amendment recommended by the committee was agreed to.

The bill as amended was ordered to be laid aside to be reported to the House with a favorable recommendation.

GEORGE BROWN.

Mr. CURTIS of Kansas. Mr. Chairman, the bill H. R. 10385 has been passed over. I introduced that bill and have been present here this evening. I was called out into the lobby for a few moments and the bill was passed over during that time. I ask unanimous consent to return to that bill.

The CHAIRMAN. The Chair thinks the gentleman is entitled to have his bill called up.

The bill (H. R. 10385) for the relief of George Brown was read, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place upon the pension roll the name of George Brown, late of Company G, Tenth United States Cavalry, and Company M, Ninth United States Cavalry, and pay him a pension at the rate of $12 per month.

The Committee on Pensions recommended that the title of the bill be amended so as to read: "A bill granting a pension to George Brown."

The amendment recommended by the committee was agreed to.

The bill as amended was ordered to be laid aside to be reported to the House with a favorable recommendation.

WILLIAM MOORE.

Mr. JETT. I ask to take up the bill (H. R. 11615) removing the charge of desertion from the record of William Moore, Company I, Twenty-third Regiment Kentucky Volunteers, No. 1061 on the Calendar. It appears to have been passed over. The gentleman who introduced the bill is not present, but wished me to look after it.

Mr. GREENE of Nebraska. You can not take it up under the order which has been adopted.

The CHAIRMAN. The Chair thinks that would not come within the order of the House.

HARRIETTE F. HOVEY.

Mr. WARNER. Mr. Chairman, I call up the bill S. 2616, No. 1157 on the Calendar.

The bill (S. 2616) granting a pension to Harriette F. Hovey was read, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of Harriette F. Hovey, widow of Charles E. Hovey, late colonel of the Thirty-third Regiment Illinois Volunteers and brevet major-general of volunteers, and pay her a pension at the rate of $30 per month.

The bill was ordered to be laid aside to be reported to the House with a favorable recommendation.

JOHN M. PALMER.

Mr. RAY of New York. Mr. Chairman, I call attention to the bill S. 5342, Calendar No. 1156. The House bill was introduced by the gentleman who now occupies the chair [Mr. CONNOLLY], and I think it is right that that should be considered.

The bill (S. 5342) granting a pension to John M. Palmer was read, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll the name of John M. Palmer, late major-general, United States Volunteers, and pay him a pension at the rate of $100 per month.

The Committee on Invalid Pensions recommended the following amendments:

In line 4, after the word "roll," insert the words "subject to the provisions and limitations of the pension laws."

In line 6 strike out the words "one hundred" and insert the word "fifty."

Mr. ROBINSON of Indiana. Let us have the report on that bill, Mr. Chairman.

The CHAIRMAN. Does the gentleman desire the report read?

Mr. ROBINSON of Indiana. Yes; I desire the report read on that.

The report (by Mr. RAY of New York) was read, as follows:

The Committee on Invalid Pensions, to whom was referred the bill (S. 5342) granting a pension to John M. Palmer, late a major-general in the volunteer service of the United States during the war of the rebellion, have examined the same and all the evidence relating thereto and most respectfully report:

The Senate act proposes to pension at $100 per month John M. Palmer, of Springfield, Ill.

The act as amended and reported to the House proposes to pension him at $50 per month.

The beneficiary of this bill, John M. Palmer, was elected colonel of the Fourteenth Regiment Illinois Volunteer Infantry on the 9th day of May, 1861; was made brigadier-general of volunteers, and later was made major-general of volunteers. He resigned in September, 1866, having held many important commands, including that of the Fourteenth Army Corps in the Atlanta campaign and the military department of Kentucky, and having participated in many important battles. His military service was valuable and most honorable. Prior to the war he held civil offices, including that of probate judge, and after the war held many civil offices, including that of United States Senator from the State of Illinois.

Nearly always an officeholder and always strictly honest, he finds himself now, in his eighty-second year, retired to private life without means or income, broken in health, blind in one eye and rapidly losing the sight of the other. It is not claimed, however, that his present physical or financial condition in any way results from his army service.

Under the general law applicable to all soldiers of the Republic in like condition (the disability not being of service origin), he is entitled to a pension of $12 per month and no more.

Were his present disabilities of service origin, he would be entitled to a pension of $50 per month; and should his disabilities (were they of service origin) so increase as to require the frequent and periodical attendance of a third person, that pension could be increased to $50 per month.

We are not to pension General Palmer because he has been a distinguished man in civil life, but because he was a most capable, brave, and efficient officer during the civil war. When a United States Senator General Palmer was for many years chairman of the Committee on Pensions in that body, and while he was always just and liberal in his treatment of the old soldiers, his comrades in arms, he was consistent and believed that equality is equity, and was always opposed to large and sentimental pensions, based on social standing and political pull, for a few favored ones, while the great mass of the brave and needy only draw $12 per month when totally disabled from earning a living by reason of disease not contracted in the service.

Fifty dollars per month is all that General Palmer himself will approve, for he wants no different treatment accorded him than the Government accords others of equal rank in the service and equal need now. That sum will afford him a reasonable support and lift him above want. The thousands of his old comrades in arms, equally brave and equally in necessitous circumstances, must be remembered and a reasonable provision made for them by special legislation when exceptional cases of great merit are presented.

The Senate act is therefore reported back with the recommendation that it pass when amended.

Mr. ROBINSON of Indiana. I desired the reading of this report in order to emphasize to the House the situation here presented. Here is an applicant for a pension who, under the law, is not entitled to it. It is urged in his favor that he is old, decrepit, and unable to make a living. The same grounds might be urged in favor of every soldier of the late war who receives no pension to-day.

General Palmer was in public life a man of eminence; and while the old soldiers who have four or five thousand bills before the Invalid Pensions Committee of this House are waiting they could urge the same reasons for the consideration of their bills as are presented here. They did not have the advantage of large salaries in public office to support those dependent upon them in affluence and to enable them to save something for a rainy day.

So we find a situation here based largely on sentimentality, because it can not be claimed under any construction of the law that General Palmer is entitled to a pension. Why is he entitled to a pension any more than thousands of soldiers who are knocking now at the door of the Committee on Invalid Pensions and knocking at the door of the Committee on Pensions? Can it be said by reason of his age that he is entitled to it?

I have here also a bill—it was presented in the Senate anterior to the one before the House—for a worthy soldier, Gen. Albert P. Godding, who is insane, deaf, debilitated, and incapacitated both in mind and body by reason of heavy cannonading in battles through which he passed; and his bill was passed in the Senate long before this bill. It passed that body long, long ago. He is left to die insane, a charge practically upon the public, and will be buried by the public maybe without any consideration of his claim by the Invalid Pension Committee.

Now, if there is any case under the sun where the line should be drawn, where care should be used in voting the public money, it is a case such as is presented here. Private soldiers who may have been of less age than General Palmer have fought their battles; many were wounded; and they do not seek nor receive the consideration that is sought by the applicant. Not only that, but here we have the spectacle presented of having a wedge entering in our Government policy. One precedent will create another. They soon accumulate and constitute law. What yesterday was fact, to-day is custom. So that if you pension one who is not entitled to a pension, how can you avoid the irresistible conclusion that you must pension all?

Mr. RAY of New York. The gentleman would not desire, I know, to lead himself, the House, or the country into error.

Mr. ROBINSON of Indiana. I did not catch the gentleman's statement.

Mr. RAY of New York. You would not desire to lead the House, the country, or yourself into error.

Mr. ROBINSON of Indiana. If there is any fact you have, I would be glad for you to state it.

Mr. RAY of New York. You have stated once or twice, inadvertently, I know, that General Palmer under no circumstances would be entitled to a pension.

Mr. ROBINSON of Indiana. Under the law.

Mr. RAY of New York. Why, certainly. Under the law he is entitled to a pension of $12 a month.

Mr. ROBINSON of Indiana. I understood from the reading of the report he was not entitled to a pension of $12 only.

Mr. RAY of New York. What is given above $12 is an increase on account of rank and pecuniary necessity.

Mr. ROBINSON of Indiana. And now it is sought to pension him at the rate of $50 a month?

Mr. RAY of New York. That is right. By way of an increase, on account of rank and his blindness.

Mr. ROBINSON of Indiana. What would he be entitled to?

Mr. RAY of New York. Twelve dollars per month. Now, if the gentleman will permit me, you have referred to Mr. Godding. He is insane; he is in an institution for the insane. We have here a Government Hospital for the Insane. He is in St. Elizabeth's and is taken care of by the United States, and having the very best care that can be given to any human being. He has no one on earth dependent upon him and no family, and the public is taking care of him.

Mr. ROBINSON of Indiana. I appeal to the gentleman, who was a soldier himself, whether a man who went through the civil war, as did hundreds of thousands of soldiers, ought to-day to be a public charge, or when he is laid away ought he to be buried at the expense of the public?

Mr. RAY of New York. Will you permit me right there?

Mr. ROBINSON of Indiana. Certainly; an interruption does not embarrass me.

Mr. RAY of New York. The gentleman and I will not quarrel over this. Now, then, the gentleman that you refer to, Mr. Godding, is insane. He can not be taken care of in a private family; he must be kept in a place designed for the care of the insane, and that is where he is now. If he had a pension of a thousand dollars a month he could not have any better attention; if he had a pension of a thousand dollars a day he could not be taken out of

that asylum; he would have to remain where he is. The United States Government is taking care of him now.

Remember that General Palmer is blind and poor.

Mr. ROBINSON of Indiana. Now, I have never criticised——

Mr. LACEY. I would also like to make an additional suggestion. St. Elizabeth's is a national place, and Mr. Godding is being taken care of by the National Government.

Mr. ROBINSON of Indiana. In response to the suggestion that we need to hurry along, I have only this to say, that we have been denied evenings for pension consideration, and gentlemen should use their efforts to secure them hereafter.

Mr. SIMPSON. Now, I would like to suggest to the gentleman that if he talks too long and takes up too much time in answering gentlemen we will not reach this case that I have, to pension a very worthy dependent widow.

Mr. ROBINSON of Indiana. There will not be any unnecessary waste of time——

Mr. SIMPSON. So that we can get to this widow.

Mr. ROBINSON of Indiana. I suggest that the remedy might be sought at a future Friday night meeting.

Mr. SIMPSON. No; this has got to go through to-night or it will not go through at all.

Mr. ROBINSON of Indiana. I have not complained of the Committee on Invalid Pensions having presented to the House bills unworthy, nor have I complained because they have presented too many bills. Outside of this special bill, which I do not believe has merit, I believe the Invalid Pensions Committee has done good work in the small number of bills they have presented, and they never have presented enough. I want to call the attention of the House to the simple fact that we have not had a chance to consider, as the House of Representatives ought, the Godding bill, which is not here present; and I do not believe the statement by the gentleman from New York [Mr. RAY] excuses a failure to present that bill. I also call to the attention of the House another case presented to me by a Grand Army post of Indiana:

To the Congress of the United States of America:

We, the members of Judson Kilpatrick Post, No. 45, Department of Indiana, Grand Army of the Republic, through the officers of said post, send greeting and would show:

That a member of this post, Comrade Charles Allen, who was a private in Company B, Fourth Regiment Michigan Volunteers, was granted a pension over twenty years ago, at the rate of $4 per month, to date from the 1st day of July, 1864, and continued to receive such pension until the 15th day of July, 1892, at which date he was granted $8 per month under the act of June 27, 1890, to date from the 17th day of November, 1890, and was paid at the rate of $8 per month to the 4th day of May, 1896.

That on the 27th day of May, 1896, a new certificate, under the act of June 27, 1890, was issued, "in lieu of certificate dated July 15, 1892, to recover erroneous payments under general law," on the margin of which certificate was the following entry:

"Deduct all payments under act of June 27, 1890, and recover at the rate of $4 per month from July 1, 1864, to date of last payment under general law."

Which is construed by the pension agent at Indianapolis to mean that all pension paid him from July 1, 1864, to the 17th day of November, 1890, to wit, $1,336.40, is to be recovered back, and that he is to receive no further pay until his present rate at $8 per month shall have amounted to the said $1,336.40, which, as said pension agent has figured it, will be the August payment in 1909, at which time there will be due him $5.87. (?)

Comrade Allen is now past 60 years old, is poor, has no income of any kind, except what he earns by days' work, has a family to support, and will in all probability be dead before the year 1909.

He served three years in said Fourth Regiment Michigan Volunteers, participating in all the campaigns and battles during that time that the regiment was in, and now in his old age, when he actually needs the help, to have the small pension of $8 per month stopped on him, and worse, that he be compelled to pay back all he had received at $4 per month, is, in the opinion of his comrades, not only unjust, but cruelly wrong.

And we appeal to the Congress of the great Government he gave the best years of his life to preserve, to right this great wrong by at once placing his name on the pension roll for at least $8 per month, from the 4th day of May, 1896.

We notice a move is about to be made to place the name of Gen. John M. Palmer on the pension roll at $100 per month. We don't object to this, but simply ask that at the same time, the name of poor old comrade Charles Allen be also placed on the roll—not at $100 per month, but at $8, as above prayed for. We ask this in justice, and we ask it because it is right. And for this we will ever pray.

By command of the post:

LEWIS KIRKWOOD,
Post Commander.

Official:
W. H. LEMMON, *Post Adjutant.*
FREMONT, IND., *January 21, 1899.*

Mr. TALBERT. I would like to ask the chairman of the committee what is the condition of General Palmer?

Mr. RAY of New York. General Palmer, if my recollection serves me, is 82 years old, or 84, and he is nearly blind.

Mr. TALBERT. Has he no taxable property?

Mr. RAY of New York. He has not—not a cent in the world.

Mr. TALBERT. No plantation?

Mr. RAY of New York. Not a cent; no property whatever, unless we have been outrageously lied to.

Mr. TALBERT. Have you nothing more than the simple statements?

Mr. RAY of New York. Oh, yes; we have affidavits and letters and statements from those who know him.

Mr. TALBERT. And he has no taxable property in the world?

Mr. RAY of New York. That is what they say; and he is absolutely blind in one eye and nearly blind in the other.

Mr. ROBINSON of Indiana. Mr. Chairman, I ask unanimous consent to annex to my remarks a statement by the Grand Army post, not against this bill, but in connection with my remarks.

The CHAIRMAN. Without objection, the request of the gentleman from Indiana will be granted.

There was no objection.

Mr. BRUCKER. Mr. Chairman, I call attention to the fact that this bill to pension General Palmer, who was the candidate of the so-called Sound-Money Democracy for President in 1896, was introduced within the last thirty days, and has already reached this stage of its passage.

Mr. TALBERT. Mr. Chairman, I move to amend the amount fixed in the bill by making it $90 instead of $50.

The question was taken; and the amendment offered by Mr. TALBERT was rejected.

The amendments recommended by the committee were agreed to.

Mr. TALBERT. Mr. Chairman, I move that the $50 be paid in silver. [Laughter.]

The bill was laid aside to be reported to the House with a favorable recommendation.

WILLIAM MOORE.

The next business was the bill (H. R. 11615) removing the charge of desertion from William Moore, Company I, Twenty-third Regiment Kentucky Volunteers.

The Clerk read the bill, as follows:

Be it enacted, etc., That the Secretary of War be, and he is hereby, directed to remove the charge of desertion from the military record of William Moore, late a member of Company I, Twenty-third Kentucky Infantry Volunteers, and grant to him an honorable discharge.

SEC. 2. That no pay or allowance shall become due by reason of the passage of this act.

The bill was laid aside to be reported to the House with a favorable recommendation.

ANDREW J. SNOWDEN.

The next business was the bill (H. R. 2293) granting a pension to Andrew J. Snowden, of Nebraska.

The Clerk read the bill, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place upon the pension roll the name of Andrew J. Snowden, late of Company B, Fifteenth United States Infantry, and allow him a pension at the rate of $35 per month from and after the passage of this act, the same to be in lieu of pension certificate No. 90316, for meritorious services during the war of the rebellion and on account of suffering from gunshot wounds.

The committee amendments were as follows:

In line 4 strike out "upon" and insert in lieu thereof "on."

In line 4, after "roll," insert "subject to the provisions and limitations of the pension laws."

In line 6 strike out "allow" and insert "pay."

In lines 6 and 7 strike out "thirty-five" and insert in lieu thereof "twenty-five."

Strike out all after "month," in line 7, and insert "in lieu of the pension he is now receiving."

Amend the title so as to read: "A bill granting an increase of pension to Andrew J. Snowden."

The amendments recommended by the committee were agreed to.

The bill as amended was laid aside to be reported to the House with a favorable recommendation.

CATHARINE C. GOODRICH.

The next business was the bill (H. R. 10355) to pension Catharine C. Goodrich according to the military rank of her husband.

The Clerk read the bill, as follows:

Be it enacted, etc., That from the date of the death of her husband, Catharine C. Goodrich, widow of Charles H. Goodrich, late of the First Regiment of Ohio Volunteer Cavalry, and whose military record has been corrected so as to give him the rank of a first lieutenant of Company M in said regiment, to take effect from the 29th day of June, 1865, is hereby pensioned at the rate of $18 per month, less the amount of pension she has already received as his widow.

The committee amendments were as follows:

Strike out all after the enacting clause and insert the following:

"That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of Catharine C. Goodrich, widow of Charles H. Goodrich, late first lieutenant Company M, First Regiment Ohio Volunteer Cavalry, and pay her a pension at the rate of $17 per month in lieu of that she now receives."

Amend the title so as to read: "A bill granting an increase of pension to Catharine C. Goodrich."

The committee amendments were agreed to.

The bill was laid aside to be reported to the House with a favorable recommendation.

CATHERINE EAKIN.

The next business was the bill (H. R. 9059) to pension Catherine Eakin.

The Clerk read the bill, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll the name of Catherine Eakin, widow of Alexander McI. Eakin, of Company D, One hundred and seventy-ninth New York Infantry, and pay her a pension of $12 per month.

The committee amendments were as follows:

In line 4, after "roll," insert "subject to the provisions and limitations of the pension laws."

In line 7, after "pension," insert "at the rate."

Amend the title so that it will read: "A bill granting a pension to Catherine Eakin."

The amendments recommended by the committee were agreed to.

The bill as amended was laid aside to be reported to the House with a favorable recommendation.

AMANDA WILLMARTH.

The next business was the bill (H. R. 10858) granting an increase of pension to Amanda Willmarth.

The Clerk read the bill, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of Amanda Willmarth, widow of James D. Willmarth, late of Companies B and C, Seventy-sixth Regiment New York Volunteers, and pay her a pension at the rate of $50 per month in lieu of the pension she is now receiving.

The committee amendment was as follows:

In line 8 strike out "fifty" and insert "eighteen."

The amendment recommended by the committee was agreed to.

The bill as amended was laid aside to be reported to the House with a favorable recommendation.

JAMES PORTER.

The next business was the bill (H. R. 10803) granting an increase of pension to James Porter.

The Clerk read the bill, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place the name of James Porter, late of Company K, Thirty-second Regiment Ohio Volunteer Infantry, on the pension roll of the United States, at the rate of $30 per month in lieu of the pension he is now receiving, under the limitations and regulations of the Pension Bureau.

The amendments recommended by the committee were as follows:

In line 4, after "place," insert "on the pension roll, subject to the provisions and limitations of the pension laws."

In line 6 strike out "on the pension roll of the United States" and insert "and pay him a pension."

In line 7 strike out "thirty" and insert "twenty."

Strike out all after "receiving," in line 8.

The committee amendments were agreed to.

The bill as amended was laid aside to be reported to the House with a favorable recommendation.

THOMAS J. HAUGHEY.

The next business was the bill (S. 821) to increase the pension of Thomas J. Haughey.

The Clerk read the bill, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, directed to place upon the pension roll the name of Thomas J. Haughey, a soldier in both the Mexican war and the war of the rebellion, and pay him a pension of $30 per month in lieu of any pension which he now receives.

The bill was laid aside to be reported to the House with a favorable recommendation.

JAMES J. MARCHER.

The next business was the bill (H. R. 8749) for the relief of James J. Marcher.

The Clerk read the bill, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place upon the pension roll the name of James J. Marcher, late of Company E, First California Cavalry Volunteers, and to grant to him a pension of $72 per month, subject to the conditions and limitations of the pension laws.

With the following committee amendments:

In line 4, after "roll," insert "subject to the provisions and limitations of the pension laws."

Line 6, strike out "to grant to" and insert "pay."

Lines 6 and 7, strike out "seventy-two" and insert "twenty."

Strike out all after "month," line 7.

Amend the title so it will read: "A bill granting a pension to James J. Marcher."

The committee amendments were agreed to.

The bill as amended was laid aside to be reported to the House with a favorable recommendation.

AMANDA F. JUMPER.

The next business was the bill (S. 4982) granting an increase of pension to Amanda F. Jumper.

The bill was read, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of Amanda F. Jumper, widow of the late Alden H. Jumper, major, Twenty-sixth Regiment Indiana Volunteer Infantry, and pay her a pension at the rate of $25 per month in lieu of the pension she is now receiving.

The amendment reported by the committee was read, and agreed to, as follows:

In line 6 strike out "twenty-five" and insert "twenty."

The bill as amended was laid aside to be reported favorably.

NANCY SHALEY.

The next business was the bill (H. R. 10241) granting a pension to Nancy Shaley.

The bill was read, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place the name of Nancy Shaley, widow of Thomas Shaley, late of Company H, Eleventh Regiment of Kentucky Cavalry Volunteers, on the pension roll, and pay her a pension at the rate of $8 per month.

The amendment reported by the committee was read, and agreed to, as follows:

In line 7, after "roll," insert "subject to the provisions and limitations of the pension laws."

The bill as amended was laid aside to be reported favorably.

KITTY ANN PATTERSON.

The next business was the bill (H. R. 3155) granting a pension to Kitty Ann Loggins.

The bill was read, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of Kitty Ann Loggins, widow of Isaiah Loggins, late private of Company D, Twenty-eighth Regiment United States Colored Infantry, and pay her a pension at the rate of $12 per month.

The amendments reported by the committee were read, and agreed to, as follows:

In line 6 strike out "Loggins" and insert "Patterson."

After "Loggins," in line 7, insert "or Patterson."

In line 8, after the word "Infantry," insert the words "and pay her a pension."

In line 8 strike out the word "twelve" and insert the word "eight."

Amend title by striking out "Loggins" and inserting "Patterson."

The bill as amended was laid aside to be reported favorably.

ARBA CAPRON.

The next business was the bill (H. R. 7046) granting an increase of pension to Arba Capron, of North Topeka, Kans.

The bill was read, as follows;

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to increase and pay a pension of $50 per month, in lieu of the pension now received, to Arba Capron, of North Topeka, Kans., late of Company I, Fiftieth New York Volunteer Engineers; said increased pension to be subject to the provisions and limitation of the pension laws.

The amendments reported by the committee were read, and agreed to, as follows:

In lines 4 and 5 strike out "to increase and pay a pension of $50 per month, in lieu of the pension now received, to" and insert in lieu thereof "to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of."

In line 6 strike out "of North Topeka, Kans."

Strike out all after "Engineers," in line 7, and insert "and pay him a pension at the rate of $24 per month, in lieu of that he now receives."

Amend the title so it will read: "A bill granting an increase of pension to Arba Capron."

The bill as amended was laid aside to be reported favorably.

STEPHEN M. DAVIS.

The next business was the bill (S. 1827) granting an increase of pension to Stephen M. Davis.

The bill was read, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of Stephen M. Davis, late private in Company A, Second Regiment North Carolina Mounted Infantry, and pay him a pension at the rate of $12 per month, in lieu of that he is now receiving.

The bill was laid aside to be reported favorably.

LAVINIA M. PAYNE.

The next business was the bill (H. R. 2574) to increase the pension of Mrs. L. M. Payne.

The bill was read, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place the name of Lavinia M. Payne, who was a nurse in the Medical Department of the United States Volunteers, upon the pension roll at the rate of $30 per month, in lieu of that at which she was pensioned by certificate No. 870279, subject to the laws and regulations governing the granting and issuing of pensions to army nurses and the general provisions of the United States pension laws in other respects.

The amendments reported by the committee were read, and agreed to, as follows:

Line 6, after "roll," insert "and pay her a pension."

Line 6 strike out "thirty" and insert "twenty-four."

Strike out all after "she," line 7, and insert "now receives."

Amend the title so it will read: "A bill granting an increase of pension to Lavinia M. Payne."

The bill as amended was laid aside to be reported favorably.

BELLE SHUMARD.

The next business was the bill (H. R. 5209) to grant a pension to Mrs. Belle Shumard, widow of Dr. George G. Shumard, late surgeon, United States Volunteers.

The bill was read, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, directed to place the name of Mrs. Belle Shumard, widow of Dr. George G. Shumard, late surgeon, United States Volunteers, and medical director of the district of Kentucky, on the pension rolls, and pay her the sum of $50 per month.

The amendments reported by the committee were read, and agreed to, as follows:

Strike out all after the enacting clause and insert the following:

"That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of Belle Shumard, widow of George G. Shumard, late surgeon, United States Volunteers, and pay her a pension at the rate of $25 per month."

Amend the title so it will read: "A bill granting a pension to Belle Shumard."

The bill as amended was laid aside to be reported favorably.

ISOM GIBSON.

Mr. DINSMORE. Mr. Chairman, I ask consent to consider the bill (S. 4854) granting a pension to Isom Gibson.

The CHAIRMAN. Without objection, the bill will be read.

The bill was read, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of Isom Gibson, of Company B, commanded by Captain Bateman, Arkansas Volunteers, Sabine disturbances, and pay him a pension at the rate of $12 a month.

Mr. DINSMORE. I move that the bill be reported favorably to the House.

The motion was agreed to; and the bill was laid aside to be reported favorably.

JERE SMITH.

The next business was the bill (H. R. 6681) to increase the pension of Jere Smith.

The bill was read, as follows:

Be it enacted, etc., That the Secretary of the Interior is hereby authorized and directed to place the name of Jere Smith, a sergeant of Company F, Thirteenth Regiment of Tennessee Cavalry, on the pension roll at the rate of $35 per month, in lieu of the pension he is now receiving.

The amendments reported by the committee were read, and agreed to, as follows:

In line 4, after "place," insert "on the pension roll, subject to the provisions and limitations of the pension laws."

In lines 5 and 6 strike out "on the pension roll at the rate of $35 per month" and insert "and pay him a pension at the rate of $18 per month."

Amend the title so as to read: "A bill granting an increase of pension to Jere Smith."

The bill as amended was laid aside to be reported favorably.

MILLIE A. BERRY.

The next business on the Private Calendar was the bill (S. 4231) granting an increase of pension to Millie A. Berry.

The bill was read, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of Millie A. Berry, widow of R. C. Berry, late first lieutenant of Company F, Seventy-seventh Ohio Volunteer Infantry, and pay her a pension at the rate of $17 per month in lieu of the pension she is now receiving.

The bill was laid aside to be reported to the House with the recommendation that it do pass.

PATRICK O'SHEA.

Mr. RAY of New York. Mr. Chairman, I desire to say to the members of the House that General CATCHINGS is sick. He has a very worthy soldier in his district whose bill is on this Calendar. The case is No. 1200 on the Calendar. I ask unanimous consent that it be considered now.

Mr. MIERS of Indiana. All right.

There was no objection.

The bill was read, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll the name of Patrick O'Shea, late of Company K, Twenty-seventh Missouri Volunteer Mounted Infantry, and to pay him a pension at the rate of $12 per month, subject otherwise to the provisions and limitations of the act of June 27, 1890.

The committee recommended the adoption of the following amendments:

In line 4, after "roll," insert "subject to the provisions and limitations of the pension laws."

Strike out all after "month," in line 8.

The amendments were agreed to.

The bill as amended was laid aside to be reported to the House with a favorable recommendation.

MRS. SUSAN STEDMAN.

The next business on the Private Calendar was the bill (H. R. 8568) granting an increase of pension to Mrs. Susan Stedman.

The bill was read, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he hereby is, authorized and directed to increase the pension of Mrs. Susan Stedman, widow of Kinsley Stedman, late a private in Company H, Eighty-third Regiment Pennsylvania Volunteers, from $8, the amount now received by said widow, to $15 per month.

The bill was laid aside to be reported to the House with a favorable recommendation.

ANNIE CUSACK.

The next business on the Calendar was the bill (H. R. 10605) to increase the pension of Annie Cusack.

The bill was read, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place the name of Annie Cusack, widow of Patrick Cusack, late captain, Ninth Cavalry, United States Army, on the pension roll, and pay her a pension of $20 per month in lieu of that which she is now receiving.

The committee recommended the adoption of the following amendment:

Insert after the word "roll," in line 6, the words "subject to the provisions and limitations of the pension laws;" and after the word "pension," in line 7, insert the words "at the rate."

The amendments were considered, and agreed to.

The bill as amended was laid aside to be reported to the House with a favorable recommendation.

ORDER OF BUSINESS.

Mr. RAY of New York. I move that the committee now rise and make report of the bills to the House.

The motion was agreed to.

The committee accordingly rose; and Mr. LACEY having resumed the chair as Speaker pro tempore, Mr. CONNOLLY reported that the Committee of the Whole House, having had under consideration sundry bills on the Private Calendar under the rule, had directed him to report them to the House with various recommendations.

BILLS PASSED.

Bills of the House of the following titles, reported from the Committee of the Whole with amendments, were considered, the amendments severally agreed to, and the bills as amended ordered to be engrossed and read a third time; and they were accordingly read the third time, and passed:

H. R. 8506. A bill to remove the charge of desertion from the military record of John P. Henderson and to grant him an honorable discharge;

H. R. 5758. A bill to remove the charge of desertion from the record of James Geissinger;

H. R. 3804. A bill for the relief of James McKenzie;

H. R. 2412. A bill to amend the military record of James Roche;

H. R. 11420. A bill to pension Emily McLain;

H. R. 8179. A bill for the relief of Levi M. Truitt;

H. R. 7902. A bill granting a pension to Albert Putnam, Company E, Twenty-first United States Infantry;

H. R. 7632. A bill to remove charge of desertion from the military record of Robert Flower;

H. R. 2293. A bill granting a pension to Andrew J. Snowden, of Nebraska;

H. R. 10355. A bill to pension Catharine C. Goodrich according to the military rank of her husband;

H. R. 9059. A bill to pension Catherine Eakin;

H. R. 10803. A bill granting an increase of pension to James Porter;

H. R. 8749. A bill for the relief of James J. Marcher;

H. R. 10241. A bill granting a pension to Nancy Shaley;

H. R. 3155. A bill granting a pension to Kitty Ann Patterson;

H. R. 7046. A bill granting an increase of pension to Arba Capron, of North Topeka, Kans.;

H. R. 2574. A bill to increase the pension of Mrs. L. M. Payne;

H. R. 5209. A bill to grant a pension to Mrs. Belle Shumard, widow of Dr. George G. Shumard, late surgeon, United States Volunteers;

H. R. 6681. A bill to increase the pension of Jere Smith;

H. R. 5328. A bill granting a pension to Patrick O'Shea;

H. R. 10605. A bill to increase the pension of Annie Cusack; and

H. R. 10858. A bill granting an increase of pension to Amanda Willmarth.

Bills of the House of the following titles, reported from the Committee of the Whole without amendment, were considered, ordered to be engrossed and read a third time; and being read the third time, were passed:

H. R. 11899. A bill granting a pension to Judith Doherty;

H. R. 10385. A bill for the relief of George Brown;

H. R. 11615. A bill removing the charge of desertion from the record of William Moore, Company I, Twenty-third Regiment Kentucky Volunteers; and

H. R. 8568. A bill granting an increase of pension to Mrs. Susan Stedman.

Bills of the Senate of the following titles, reported from the Committee of the Whole House with amendments, were considered, the amendments severally agreed to, and the bills as amended were ordered to a third reading; and being read the third time, were passed:

S. 4775. An act granting a pension to Flora Stanton Kalk;

S. 5342. An act granting a pension to John M. Palmer;

S. 4982. An act granting an increase of pension to Amanda F. Jumper; and

S. 4854. An act granting a pension to Isom Gibson.

Bills of the Senate of the following titles, reported to the Committee of the Whole without amendment, were considered, and

ordered to a third reading; and being read the third time, were passed:

S. 2616. An act granting a pension to Harritte F. Hovey;

S. 821. An act to increase the pension of Thomas J. Hanjhey;

S. 1827. An act granting an increase of pension to Stephen M. Davis; and

S. 4231. An act granting an increase of pension to Millie A. Berry.

CHAUNCEY A. BRADLEY.

Mr. RAY of New York. Mr. Speaker, in view of the fact that a short time is yet remaining before the close of the evening session, I would like to ask unanimous consent to take up for consideration the Senate bill Calendar No. 1171 for present consideration. I refer to the bill S. 4630.

The SPEAKER pro tempore. The gentleman from New York asks unanimous consent to call up the bill Calendar No. 1171, S. 4630. Is there objection?

There was no objection.

Mr. RAY of New York. I ask unanimous consent that it be considered in the House as in Committee of the Whole.

The SPEAKER pro tempore. The gentleman asks unanimous consent that the bill be considered in the House as in Committee of the Whole. Is there objection?

There was no objection.

The bill (S. 4630) granting an increase of pension to Chauncey A. Bradley was read, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of Chauncey A. Bradley, late private in Company A, One hundred and fourteenth Regiment New York Volunteer Infantry, and pay him a pension of $30 per month in lieu of the pension he is now receiving.

The Committee on Invalid Pensions recommended the following amendment; which was read, and agreed to:

In line 8, after the word "pension," insert "at the rate."

The bill as amended was ordered to a third reading; and it was accordingly read the third time, and passed.

THOMAS MULLEN.

Mr. McRAE. Mr. Speaker, I have a bill here in a very meritorious case, and I ask unanimous consent for its present consideration.

The SPEAKER pro tempore. The gentleman from Arkansas asks unanimous consent for the present consideration of a bill which will be reported by the Clerk.

The bill (H. R. 1417) for the relief of Thomas Mullen was read, as follows:

Be it enacted, etc., That the Secretary of War be, and is hereby, authorized and directed to remove the charge of desertion now standing upon the records of the War Department against the name of Thomas Mullen, of Wallaceburg, Ark., late member of Company G, First New York Mounted Rifles Volunteers, and grant him an honorable discharge as of the 29th day of November, 1865.

The SPEAKER pro tempore. Is there objection to the present consideration of the bill?

There was no objection.

The following amendment, recommended by the Committee on Military Affairs, was read, and agreed to:

Insert at the end of the bill the following:

"*Provided*, That no pay, bounty, or other emoluments shall become due or payable by virtue of the passage of this act."

The bill as amended was ordered to be engrossed and read a third time; and it was accordingly read the third time, and passed.

Mr. RAY of New York. As to each of the bills passed to-night I move to reconsider the vote by which the bill passed, and I move to lay that motion on the table.

The SPEAKER pro tempore. The gentleman from New York asks unanimous consent that a motion to reconsider the vote by which each of the bills was passed this evening be laid on the table. If there be no objection, it will be so ordered.

There was no objection.

The SPEAKER pro tempore. The hour of 10.30 o'clock having arrived, the House, under the rule, stands adjourned until to-morrow at 12 o'clock noon.

EXECUTIVE COMMUNICATIONS, ETC.

Under clause 2 of Rule XXIV, the following executive communications were taken from the Speaker's table and referred as follows:

A letter from the Secretary of the Treasury, transmitting a copy of a communication from the Treasurer of the United States relating to pay for overtime work among certain employees of his Department—to the Committee on Appropriations, and ordered to be printed.

A letter from the Secretary of War, transmitting a letter from the Chief of Engineers relating to legislation on the subject of the pay of civilian employees to engineer officers on the staff of department commanders—to the Committee on Appropriations, and ordered to be printed.

A letter from the Secretary of War, transmitting the petition of certain citizens residing along the Chattahoochee River for continuation of issue of rations by the Government—to the Committee on Appropriations, and ordered to be printed.

REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS.

Under clause 2 of Rule XIII, bills and resolutions of the following titles were severally reported from committees, delivered to the Clerk, and referred to the several Calendars therein named, as follows:

Mr. LACEY, from the Committee on the Public Lands, to which was referred the bill of the House (H. R. 11737) granting the right of way to the Pensacola and Northwestern Railroad Company over and through the United States naval and military reservations near Pensacola, in the State of Florida, reported the same with amendment, accompanied by a report (No. 2085); which said bill and report were referred to the Committee of the Whole House on the state of the Union.

He also, from the same committee, to which was referred the bill of the House (H. R. 11971) to authorize the Commissioner of the General Land Office to cause public lands to be surveyed in certain cases, reported the same with amendment, accompanied by a report (No. 2086); which said bill and report were referred to the Committee of the Whole House on the state of the Union.

Mr. CUMMINGS, from the Committee on the Library, to which was referred the bill of the Senate (S. 1160) to authorize the erection of a statue of the late President Abraham Lincoln at Gettysburg, Pa., reported the same without amendment, accompanied by a report (No. 2087); which said bill and report were referred to the Committee of the Whole House on the state of the Union.

Mr. KLEBERG, from the Committee on the Public Lands, to which was referred the bill of the House (H. R. 11110) to extend the time for the completion of the incline railway on West Mountain, Hot Springs Reservation, reported the same with amendment, accompanied by a report (No. 2088); which said bill and report were referred to the House Calendar.

Mr. HAWLEY, from the Committee on Interstate and Foreign Commerce, to which was referred House bill 11796, reported in lieu thereof a bill (H. R. 12075) authorizing the Aransas Harbor Terminal Railway Company to construct a bridge across the Corpus Christi Channel, accompanied by a report (No. 2089); which said bill and report were referred to the House Calendar.

Mr. CURTIS of Iowa, from the Committee on the District of Columbia, to which was referred the bill of the Senate (S. 5391) to provide for an appropriate national celebration of the establishment of the seat of government in the District of Columbia, reported the same without amendment, accompanied by a report (No. 2090); which said bill and report were referred to the Committee of the Whole House on the state of the Union.

REPORTS OF COMMITTEES ON PRIVATE BILLS AND RESOLUTIONS.

Under clause 2 of Rule XIII, private bills and resolutions of the following titles were severally reported from committees, delivered to the Clerk, and referred to the Committee of the Whole House, as follows:

Mr. BELKNAP, from the Committee on Military Affairs, to which was referred the bill of the House (H. R. 11053) to correct the military record of Lieut. Edward B. Howard, reported the same with amendment, accompanied by a report (No. 2091); which said bill and report were referred to the Private Calendar.

Mr. McDONALD, from the Committee on Military Affairs, to which was referred the bill of the House (H. R. 11294) to correct the relative rank of Richard R. Steedman, captain, Eleventh Infantry, United States Army, reported the same without amendment, accompanied by a report (No. 2092); which said bill and report were referred to the Private Calendar.

CHANGE OF REFERENCE.

Under clause 2 of Rule XXII, the Committee on Invalid Pensions was discharged from the consideration of the bill (H. R. 12066) to pension Mrs. Walter E. Spicer, widow of Walter E. Spicer, late of the postal service of the United States at Guantanamo, Cuba; and the same was referred to the Committee on Pensions.

PUBLIC BILLS, RESOLUTIONS, AND MEMORIALS INTRODUCED.

Under clause 3 of Rule XXII, bills, resolutions, and memorials of the following titles were introduced and severally referred as follows:

By Mr. CURTIS of Kansas: A bill (H. R. 12069) authorizing the Kansas, Oklahoma and Texas Railway Company to construct and operate a railway through the Indian Territory and Oklahoma Territory, and for other purposes—to the Committee on Indian Affairs.

By Mr. HOWARD of Georgia: A bill (H. R. 12070) for the erection of a post-office building at Athens, Ga.—to the Committee on Public Buildings and Grounds.

By Mr. WEYMOUTH: A bill (H. R. 12071) to equalize the pay of letter carriers—to the Committee on the Post-Office and Post-Roads.

By Mr. BANKHEAD: A bill (H. R. 12072) to authorize the construction of a wagon bridge across the Warrior River in Tuscaloosa County, State of Alabama—to the Committee on Interstate and Foreign Commerce.

By Mr. HICKS: A bill (H. R. 12073) for a public building at the city of Johnstown, Pa.—to the Committee on Public Buildings and Grounds.

By Mr. FENTON: A bill (H. R. 12074) to provide for the purchase of a site and the erection of a public building thereon at Ironton, in the State of Ohio—to the Committee on Public Buildings and Grounds.

By Mr. HAWLEY, from the Committee on Interstate and Foreign Commerce: A bill (H. R. 12075) to amend an act entitled "An act authorizing the Aransas Harbor Terminal Railway Company to construct a bridge across the Corpus Christi Channel, known as the Morris and Cummings Ship Channel, in Aransas County, Tex."—to the House Calendar.

By Mr. CATCHINGS: A bill (H. R. 12076) to purchase Wilson Park, District of Columbia—to the Committee on Public Buildings and Grounds.

By Mr. BINGHAM (by request): A bill (H. R. 12083) for the purchase of a lot in Brookland, D. C., for use as a school yard—to the Committee on Appropriations.

By Mr. BABCOCK: A joint resolution (H. Res. 362) making an appropriation of $5,000 for clearing the Potomac River of ice—to the Committee on Appropriations.

By Mr. BRODERICK: A resolution (House Res. No. 397) in relation to the consideration of a bill of the Senate (S. 3729), with House committee amendments, on Tuesday, February 14, 1899—to the Committee on Rules.

By Mr. JOHNSON of North Dakota: A memorial from the State of North Dakota senate and assembly, favoring the election of United States Senators by direct vote—to the Committee on Election of President, Vice-President, and Representatives in Congress.

PRIVATE BILLS AND RESOLUTIONS INTRODUCED.

Under clause 1 of Rule XXII, private bills and resolutions of the following titles were introduced and severally referred as follows:

By Mr. BURLEIGH: A bill (H. R. 12077) granting an increase of pension to Charles N. Smiley—to the Committee on Invalid Pensions.

By Mr. FOWLER of North Carolina: A bill (H. R. 12078) granting an increase of pension to Catharine Stone—to the Committee on Pensions.

By Mr. GRAFF: A bill (H. R. 12079) granting a pension to Noah Myers—to the Committee on Invalid Pensions.

By Mr. MAHON: A bill (H. R. 12080) for the allowance of certain claims reported by the accounting officers of the United States Treasury Department—to the Committee on War Claims.

By Mr. STALLINGS (for Mr. WHEELER of Alabama): A bill (H. R. 12081) for the relief of Frank Goodwin—to the Committee on Appropriations.

By Mr. VINCENT: A bill (H. R. 12082) for the relief of Robert H. Semple—to the Committee on Military Affairs.

PETITIONS, ETC.

Under clause 1 of Rule XXII, the following petitions and papers were laid on the Clerk's desk and referred as follows:

By Mr. ALEXANDER: Protest of the Baptist Ministers' Conference of Buffalo, N. Y., against the seating of Brigham H. Roberts as a Representative from Utah—to the Committee on Elections No. 1.

Also, petition of soldiers and citizens of Buffalo, N. Y., asking for the passage of the Ellis bill to forbid the sale of intoxicating beverages in all Government buildings—to the Committee on Alcoholic Liquor Traffic.

By Mr. BINGHAM: Petition of citizens of Armbrust, Big Spring, Grover, Lick Run Mills, Sibleyville, and Spring Church, Pa., favoring the establishment of postal savings banks—to the Committee on the Post-Office and Post-Roads.

By Mr. BROSIUS: Petitions of the Christian Endeavor Society of Salisbury, and various churches and societies in Lancaster County, Pa., favoring the Ellis bill—to the Committee on Alcoholic Liquor Traffic.

By Mr. BUTLER (by request): Petitions of H. N. Price and 200 citizens of Grant, Joseph H. Paschall and 200 citizens of Ward, R. A. Covert and 201 citizens of Rices Landing, Pa., in favor of the establishment of postal savings banks—to the Committee on the Post-Office and Post-Roads.

Also, petition of the Monthly Meeting of Friends of New Garden, and the Woman's Christian Temperance Union of Avondale, Pa., to forbid interstate gambling by telegraph or telephone—to the Committee on the Judiciary.

Also, petitions of certain citizens of Oxford, Presbyterian, Baptist, and Methodist churches and Society of Friends of Oxford, Epworth League of Spring City, Meeting of Friends of New Garden, and Woman's Christian Temperance Union of Avondale, Pa., churches and societies of Montoursville, Pa., and 10 churches of Westchester, Pa., and various Woman's Christian Temperance unions of Delaware County, Pa., in favor of the Ellis bill—to the Committee on Alcoholic Liquor Traffic.

By Mr. CAPRON: Petitions of Joseph F. Baggs and 46 citizens of Woodville, R. I., urging the establishment of postal savings banks—to the Committee on the Post-Office and Post-Roads.

By Mr. CUMMINGS: Papers to accompany House bill No. 1260, for the relief of Carl P. Larson—to the Committee on Military Affairs.

By Mr. DALZELL: Petition of the Chamber of Commerce of New York, in favor of the reorganization of the consular service—to the Committee on Foreign Affairs.

By Mr. ERMENTROUT: Petitions of F. W. Maurer and 201 citizens of Pine Grove, Pa., Charles B. Bertolet and 210 citizens of Athol, Pa., and Martin P. Curley and 210 citizens of Flynn, Pa., in favor of the establishment of postal savings banks—to the Committee on the Post-Office and Post-Roads.

By Mr. GRAHAM: Petitions of Mount Washington Methodist Episcopal Church and Mount Washington Methodist Protestant Church, First Pentecostal Church, Mount Washington Baptist Church, Twelfth United Presbyterian Church, Anchor Lodge, No. 39, Independent Order of Good Templars; Pioneer Tent, No. 1, Rechabites, all in the city of Pittsburg, Pa., to prohibit the sale of liquor in canteens, in immigrant stations, and in Government buildings—to the Committee on Alcoholic Liquor Traffic.

Also, circular of the Indian Rights League, asking that a definite plan be provided for measurements of lumber among the Chippewa Indians—to the Committee on Indian Affairs.

By Mr. GROUT: Petition of Asa D. Gilmore, of Weston, Vt., and 46 other fourth-class postmasters, urging the passage of House bills Nos. 4930 and 4931, for increase of compensation—to the Committee on the Post-Office and Post-Roads.

Also, resolutions adopted by the Vermont Society of Colonial Dames, Caroline M. Smalley, president, favoring the passage of laws to further restrict the practice of polygamy—to the Committee on the Judiciary.

By Mr. HITT: Petition of citizens of Anamosa, Jones County, Iowa, for woman suffrage in the Hawaiian Islands—to the Committee on the Territories.

By Mr. JOHNSON of North Dakota: Petition of J. M. Wylie, C. W. Callinge, and 14 other citizens of North Dakota, in opposition to the sale of liquor in canteens, prize fighting, and polygamy—to the Committee on Alcoholic Liquor Traffic.

By Mr. KERR: Petition of the Methodist Episcopal Church of Collins, Ohio, to prohibit the sale of liquor in Government buildings, etc.—to the Committee on Alcoholic Liquor Traffic.

By Mr. LACEY: Remonstrance of Rev. J. W. McPlace and other citizens of Bloomfield, Iowa, against the seating of Brigham H. Roberts as a Representative from Utah—to the Committee on Elections No. 1.

By Mr. LITTAUER: Petitions of George Vanderpool and other citizens of Mayfield, N. Y., in favor of the establishment of postal savings banks—to the Committee on the Post-Office and Post-Roads.

By Mr. MAHON (by request): Petition of C. H. Cordukes and 52 citizens of Aiken, David C. Lambert and 191 citizens of Daley, P. M. Kilmer and 201 citizens of Kilmer, H. K. Aurondt and 209 citizens of Waterstreet, Pa., in favor of the establishment of postal savings banks—to the Committee on the Post-Office and Post-Roads.

By Mr. OVERSTREET: Petition of H. L. Whitehead and 31 citizens of Indianapolis, Ind., favoring the passage of the Ellis bill—to the Committee on Alcoholic Liquor Traffic.

Also, resolution of the Anti-Saloon League of Indiana, thanking the House for its action in forbidding the "Army canteen"—to the Committee on Alcoholic Liquor Traffic.

By Mr. RUSSELL: Resolutions of the New Haven, Conn., Medical Association, relative to the reorganization of the Medical Corps of the United States Army—to the Committee on Military Affairs.

Also, resolutions of Gideon Wells Naval Veteran Association of Connecticut, favoring House bill No. 10403, known as the naval personnel bill—to the Committee on Naval Affairs.

By Mr. SHOWALTER: Petition of the Presbyterian Church of Rochester, Pa., in favor of the Ellis bill—to the Committee on Alcoholic Liquor Traffic.

By Mr. STONE: Petitions of Peter Arp and 18 citizens of Warren County, B. F. Hall and 39 citizens of Northampton County, George W. Bollinger and 26 citizens of Rockspring, H. J. Brown and 19 citizens of Flemington, C. L. Shantz and 40 citizens of Berks County, John O. Jones and 13 citizens of Wyoming County, A. E. Foster and 37 citizens of McKean County, J. W. Keisel and 41 citizens of Pike County, J. W. Kepler and 19 citizens of Clinton County, S. L. Snyder and 9 citizens of Millerstown, J. A. Mossman and 37 citizens of Mercer County, Mrs. W. L. Graham, J. W. McIlwain and other citizens of Lycoming County, Mrs. H. Hulings and 14 citizens of Cheswick, W. J. Griffin and 14 citizens of Sullivan County; J. H. Witmer and others, of Dauphin County, R. B. Kirchner and others, of Westmoreland County, all in the State of Pennsylvania, favoring postal savings banks—to the Committee on the Post-Office and Post-Roads.

By Mr. TERRY: Resolution of the Commercial League of Fort Smith, Ark., favoring the speedy connection of the Port Arthur Canal with the Gulf of Mexico—to the Committee on Railways and Canals.

By Mr. WEYMOUTH: Papers to accompany House bill granting an increase of pension to William B. Paul—to the Committee on Invalid Pensions.

By Mr. YOUNG: Petition of the Credit Men's Association of Philadelphia, Pa., urging the passage of the Caffery national quarantine bill—to the Committee on Interstate and Foreign Commerce.

SENATE.

SATURDAY, *February 11, 1899.*

Prayer by the Chaplain, Rev. W. H. MILBURN, D. D.

The Secretary proceeded to read the Journal of yesterday's proceedings, when, on motion of Mr. HANSBROUGH, and by unanimous consent, the further reading was dispensed with.

HEALTH OF SOLDIERS IN THE PHILIPPINE ISLANDS.

The VICE-PRESIDENT laid before the Senate a communication from the Secretary of War, transmitting, in response to a resolution of the 20th ultimo, a letter from the Surgeon-General of the Army, submitting a report and tabulated statements concerning deaths and sickness of soldiers in the Philippine Islands; which, with the accompanying papers, was referred to the Committee on Military Affairs, and ordered to be printed.

MESSAGE FROM THE HOUSE.

A message from the House of Representatives, by Mr. W. J. BROWNING, its Chief Clerk, announced that the House had passed the following bills:

A bill (S. 821) to increase the pension of Thomas J. Haughey;

A bill (S. 1827) granting an increase of pension to Stephen M. Davis;

A bill (S. 2616) granting a pension to Harriette F. Hovey;

A bill (S. 4231) granting an increase of pension to Millie A. Berry; and

A bill (S. 5186) to amend an act entitled "An act to amend the statutes in relation to immediate transportation of dutiable goods, and for other purposes," approved June 10, A. D. 1880, by extending the privileges of the first section thereof to the subport of Miami, Fla.

The message also announced that the House had passed the following bills, with amendments; in which it requested the concurrence of the Senate:

A bill (S. 4775) granting a pension to Flora Stanton Kalk; and

A bill (S. 5342) granting a pension to John M. Palmer.

The message further announced that the House had passed the following bills, each with an amendment; in which it requested the concurrence of the Senate:

A bill (S. 1776) to increase the pension of Mrs. Letitia Tyler Semple;

A bill (S. 4630) granting an increase of pension to Chauncey A. Bradley;

A bill (S. 4854) granting a pension to Isom Gibson; and

A bill (S. 4982) granting an increase of pension to Amanda F. Jumper.

The message also announced that the House insists upon its amendment to the bill (S. 1964) for the erection of a public building for the use of the custom-house and post-office at Newport News, in the district of Newport News, Va., disagreed to by the Senate; agrees to the conference asked for by the Senate on the disagreeing votes of the two Houses thereon, and had appointed Mr. MERCER, Mr. HICKS, and Mr. BANKHEAD managers at the conference on the part of the House.

The message further announced that the House insists upon its disagreement to the amendment of the Senate to the bill (S. 4936) for the allowance of certain claims for stores and supplies reported by the Court of Claims under the provisions of the act approved March 3, 1883, and commonly known as the Bowman Act, and for other purposes; agrees to a further conference asked for by the Senate on the disagreeing votes of the two Houses thereon, and had appointed Mr. MAHON, Mr. OTJEN, and Mr. RICHARDSON managers at the conference on the part of the House.

The message also requested the Senate to furnish the House with a duplicate copy of the engrossed bill of the Senate (S. 3256) in reference to the civil service and appointments thereunder, the same having been lost or misplaced.

The message further announced that the House had passed the following bills; in which it requested the concurrence of the Senate:

A bill (H. R. 1417) for the relief of Thomas Mullen;

A bill (H. R. 2293) granting an increase of pension to Andrew J. Snowden;

A bill (H. R. 2412) to amend the military record of James Roche;

A bill (H. R. 2574) granting an increase of pension to Lavinia M. Payne;

A bill (H. R. 3155) granting a pension to Kitty Ann Patterson;

A bill (H. R. 3804) for the relief of James McKenzie;

A bill (H. R. 5209) granting a pension to Belle Shumard;

A bill (H. R. 5328) granting a pension to Patrick O'Shea;

A bill (H. R. 5758) to remove the charge of desertion from the record of James Geissinger;

A bill (H. R. 6681) granting an increase of pension to Jere Smith;

A bill (H. R. 7046) granting an increase of pension to Arba Capron;

A bill (H. R. 7632) to remove the charge of desertion from the military record of Robert Flower;

A bill (H. R. 7902) granting a pension to Albert Putnam;

A bill (H. R. 8179) granting a pension to Levi M. Truit;

A bill (H. R. 8506) to remove the charge of desertion from the military record of John P. Henderson, and to grant him an honorable discharge;

A bill (H. R. 8568) granting an increase of pension to Mrs. Susan Stedman;

A bill (H. R. 8749) granting a pension to James J. Marcher;

A bill (H. R. 9059) granting a pension to Catherine Eakin;

A bill (H. R. 10341) granting a pension to Nancy Shaley;

A bill (H. R. 10355) granting an increase of pension to Catharine C. Goodrich;

A bill (H. R. 10385) granting a pension to George Brown;

A bill (H. R. 10605) to increase the pension of Annie Cusack;

A bill (H. R. 10803) granting an increase of pension to James Porter;

A bill (H. R. 10858) granting an increase of pension to Amanda Willmarth;

A bill (H. R. 11420) granting a pension to Emily McLain;

A bill (H. R. 11615) removing the charge of desertion from the record of William Moore, Company I, Twenty-third Regiment Kentucky Volunteers; and

A bill (H. R. 11899) granting a pension to Judith Doherty.

ENROLLED BILLS SIGNED.

The message also announced that the Speaker of the House had signed the following enrolled bills; and they were thereupon signed by the Vice-President:

A bill (S. 3673) for the relief of William A. Cowles;

A bill (S. 3684) for the relief of Joseph Tousaint, alias Touzin;

A bill (S. 5088) to amend section 27 of the Revised Statutes, relative to the apportionment and election of Representatives; and

A bill (H. R. 5019) for a light vessel off Tail of Horse Shoe, Chesapeake Bay.

CREDENTIALS.

Mr. VEST. Mr. President, I present the credentials of my colleague [Mr. COCKRELL] for his fifth term in the Senate.

The credentials of FRANCIS MARION COCKRELL, chosen by the legislature of Missouri a Senator from that State for the term beginning March 4, 1899, were read and ordered to be filed.

PETITIONS AND MEMORIALS.

Mr. TELLER presented the memorials of M. Newman and 53 other citizens, of F. S. Brown and 18 other citizens, of W. J. McNamara and 18 other citizens, E. J. Fort and 18 other citizens, M. Storms and 18 other citizens, Douglas Patullo and 18 other citizens, the Marx Merchants Company and 18 citizens, L. T. Boutwell and 18 other citizens, George J. Ribber and 18 other citizens, Henry Small and 19 other citizens, H. Stein and 19 other citizens, H. S. Deane and 19 other citizens, J. M. Lomery and 19 other citizens, H. G. Smith and 19 other citizens, J. F. Meyer and 19 other citizens, H. Jackson and 19 other citizens, H. F. Stringfeller and 19 other citizens, Charles Horan and 19 other citizens, Louis Zimmerman and 19 other citizens, A. T. Levy and 19 other citizens, P. A. Wagner and 19 other citizens, Hamilton & Kendrick and 19 other citizens, R. Le Bert and 19 other citizens, C. L. Thompson and 19 other citizens, W. W. C. Hyde and 19 other citizens, E. E. Sommers and 19 other citizens, W. W. Andrews and 19 other citizens,

E. J. Casey and 19 other citizens, B. A. Bios and 19 other citizens, W. G. Smith and 19 other citizens, J. W. But and 19 other citizens, H. Bishop and 19 other citizens, H. C. Worthington and 19 other citizens, A. F. Carlson and 19 other citizens, George E. Green and 19 other citizens, O. B. Marble and 19 other citizens, S. B. McClusken and 19 other citizens, William Hutchinson and 19 other citizens, A. G. Stephens and 19 other citizens, G. H. Cherry and 19 other citizens, and of Forbes & Stormberg and 19 other citizens, all in the State of Colorado, remonstrating against the passage of the anti-scalping ticket bill; which were ordered to lie on the table.

Mr. MURPHY presented the memorials of L. W. Stevens and 17 other citizens, J. D. Shields and 17 other citizens, E. Heath, jr., and 17 other citizens, Julius I. Block and 17 other citizens, E. B. Meyer and 17 other citizens, A. P. Heinez and 17 other citizens, Spencer L. Jackson and 18 other citizens, Cecil L. Saunders and 18 other citizens, I. Lewin and 18 other citizens, M. C. Robinson and 18 other citizens, H. T. Sheldon and 18 other citizens, Will Fairbank and 18 other citizens, C. C. Greenlee and 18 other citizens, Hampton Shay and 18 other citizens, J. P. Moore and 18 other citizens, W. Davidson and 18 other citizens, J. W. Dooley and 18 other citizens, J. Breckwoldt and 18 other citizens, W. W. Robertson and 18 other citizens, Fred W. Morlock and 18 other citizens, Theodore Auerhahn and 14 other citizens, Peter Abels and 5 other citizens, E. A. Schuman and 6 other citizens, S. U. Nelson and 6 other citizens, E. M. Goldsmith and 16 other citizens, J. Cook and 16 other citizens, F. R. Might and 16 other citizens, I. Guntzberger and 16 other citizens, F. Luckenbach and 16 other citizens, Charles Miller and 16 other citizens, P. H. Bragdon and 16 other citizens, J. Brown and 16 other citizens, Peter Grace and 16 other citizens, Edward F. Reynolds and 16 other citizens, C. C. Rout and 12 other citizens, J. Henry Giles and 15 other citizens, Julius Hoertz and 10 other citizens, Charles C. Hattmeyer and 25 other citizens, J. W. Ullman and 51 other citizens, J. G. Price and 53 other citizens, S. J. Bogan and 52 other citizens, Louis Converse and 52 other citizens, T. N. Bigling and 53 other citizens, B. J. Mann and 52 other citizens, W. G. Gordon & Co. and 52 other citizens, W. W. Baker and 52 other citizens, B. B. Usher and 52 other citizens, David J. Stein and 52 other citizens, C. A. Leffermann and 52 other citizens, M. S. Crawford and 52 other citizens, F. T. Somers and 52 other citizens, A. H. Stebbins and 52 other citizens, Sinton Pedlow, Lee Gideon and 19 other citizens, W. B. Marx and 19 other citizens, E. Milspaw and 19 other citizens, H. S. Jerome and 19 other citizens, M. M. Marshall and 19 other citizens, A. T. Johnson and 19 other citizens, A. C. Hartwell and 19 other citizens, L. Salo & Son and 19 other citizens, Joseph Callahan and 19 other citizens, L. J. Marks and 19 other citizens, A. P. Dutton and 19 other citizens, H. Jarmouth and 19 other citizens, H. C. Chambers and 19 other citizens, John E. Valck and 19 other citizens, M. C. Grant and 19 other citizens, M. Toney Heyman and 19 other citizens, Samuel B. Newman and 19 other citizens, J. S. Bowman and 19 other citizens, A. L. Hatch & Co. and 19 other citizens, E. L. Browne and 19 other citizens, Paul Reineman and 19 other citizens, B. S. Fletcher and 19 other citizens, E. M. Scott and 19 other citizens, S. J. Epstein and 19 other citizens, J. H. Kissam and 19 other citizens, Norwood D. Plummer and 19 other citizens, C. L. Kenpow and 19 other citizens, William Patterson and 19 other citizens, James J. Worthington and 19 other citizens, S. J. Epstein and 19 other citizens, P. A. Konen and 19 other citizens, C. A. Forker and 19 other citizens, E. H. Elliott and 19 other citizens, Felix B. Lippman and 19 other citizens, John E. Hogeman and 19 other citizens, H. N. Woodbury and 19 other citizens, A. F. Allen Brown and 19 other citizens, D. S. Bacon and 19 other citizens, E. C. Davis and 19 other citizens, F. O. Graham and 19 other citizens, A. Nestler and 19 other citizens, R. S. McMahon and 19 other citizens, Samuel B. Hiller and 19 other citizens, E. C. Peck and 19 other citizens, Charles T. Sprague and 19 other citizens, Charles H. Gray and 19 other citizens, M. H. Selkirk and 19 other citizens, D. MacRorie and 19 other citizens, C. W. Baldwin and 19 other citizens, W. R. Shute and 19 other citizens, and of John H. Sutliff and 293 other citizens, all in the State of New York, remonstrating against the passage of the anti-scalping ticket bill; which were ordered to lie on the table.

Mr. PLATT of Connecticut presented petitions of the congregations of the First Congregational Church, the Second Congregational Church, the Advent Church, and the Baptist Church, all of Winsted, in the State of Connecticut, praying for the enactment of legislation to prohibit the sale of liquor in canteens of the Army and Navy and of Soldiers' Homes, and in immigrant stations and Government buildings; which were referred to the Committee on Military Affairs.

Mr. NELSON presented memorials of Crookston Council, No. 88, United Commercial Travelers of America, of Crookston; of Frank Weyhart and 35 other citizens, of C. M. Burton and 37 other citizens, of R. M. Martin and 34 other citizens, of A. F. Brayton and 57 other citizens, of C. M. Burton and 19 other citizens, of H. A. Olson and 13 other citizens, of J. Crowley and 19 other citizens, of G. R. Laybourn and 19 other citizens, of J. E. Willcut and 19 other citizens, of C. L. Smiley and 19 other citizens, of W. L. Parsons and 19 other citizens, of H. C. Johnstone and 19 other citizens, of G. P. Ryuck and 19 other citizens, of C. C. Marsh and 19 other citizens, of A. D. L. Johnstone and 19 other citizens, of Charles D. Bentley and 19 other citizens, and of Charles Schumann and 19 other citizens, all in the State of Minnesota, remonstrating against the passage of the anti-scalping ticket bill; which were ordered to lie on the table.

Mr. McENERY presented the memorials of F. W. Courtney and 39 other citizens, of A. B. Winford and 20 other citizens, of Charles Kaiser and 14 other citizens, J. N. Young and 17 other citizens, Charles F. Melchert and 17 other citizens, William Bassett and 31 other citizens, S. Leopold and 18 other citizens, J. P. Snyder and 18 other citizens, A. B. Kennedy and 18 other citizens, James Henry and 18 other citizens, E. Leberman and 18 other citizens, M. Kauffman and 18 other citizens, F. Fletcher and 19 other citizens, Watson E. Johnston and 19 other citizens, C. F. Simmons and 19 other citizens, E. E. Colell and 19 other citizens, R. F. Curtin and 19 other citizens, A. C. Antrim and 19 other citizens, Alec Anderson and 19 other citizens, E. D. Moulin and 19 other citizens, Eugene Brazier and 19 other citizens, Willis X. Hackett and 19 other citizens, W. J. Lester and 19 other citizens, Victor E. De Long and 19 other citizens, G. P. Wilson and 19 other citizens, C. A. Kaiper and 19 other citizens, C. B. Ayers and 19 other citizens, J. E. Sharp and 19 other citizens, John Behrend and 19 other citizens, M. W. Humphrey and 19 other citizens, W. Williamson and 19 other citizens, G. F. Kleinberger and 19 other citizens, L. D. Buy, sr., and 19 other citizens, John T. Whiteley and 19 other citizens, Robert Hand and 38 other citizens, Charles A. Bujac and 19 other citizens, John Palmer and 19 other citizens, Watson S. Johnson and 19 other citizens, Louis F. Anaya and 19 other citizens, A. Goodpastor and 19 other citizens, J. E. Eakina and 19 other citizens, A. P. Purcell and 19 other citizens, G. M. Alexander and 19 other citizens, L. S. Meyers and 19 other citizens, and of Joe Stormberg, jr., and 19 other citizens, all in the State of Louisiana, remonstrating against the passage of the anti-scalping ticket bill; which were ordered to lie on the table.

Mr. BURROWS presented the memorials of James P. Judge and 57 other citizens, of Michael Hogan and 52 other citizens, of J. M. Halloway and 22 other citizens, W. J. Griffin and 17 other citizens, E. J. Harris and 20 other citizens, J. W. Westcott and 18 other citizens, Walter L. Cree and 18 other citizens, A. L. Rogers and 18 other citizens, P. B. O'Brien and 18 other citizens, H. Jackson and 18 other citizens, J. B. Wilkins and 19 other citizens, M. B. Allen and 19 other citizens, F. O. Rossman and 19 other citizens, James Spencer and 19 other citizens, N. McAuliffe and 19 other citizens, W. H. Harrison and 19 other citizens, J. R. O'Grady and 19 other citizens, J. B. Colvan and 19 other citizens, L. Jacob and 19 other citizens, A. H. Bacon and 19 other citizens, William C. Spietz and 19 other citizens, C. W. Perry and 19 other citizens, G. H. Gale and 19 other citizens, A. Marx and 19 other citizens, L. A. Tabor and 19 other citizens, William H. Halstead and 19 other citizens, W. T. Bailey and 19 other citizens, George B. Hall and 19 other citizens, A. Van Deusen and 19 other citizens, C. W. Wagner and 19 other citizens, J. W. Lyon and 19 other citizens, C. A. Hendrick and 19 other citizens, F. E. Logan and 19 other citizens, J. E. Hanna and 19 other citizens, N. W. Cheever and 19 other citizens, H. G. Prettyman and 19 other citizens, Truman Hubbard and 19 other citizens, J. W. Brooks and 19 other citizens, F. E. Dunster and 19 other citizens, C. G. Thomas and 19 other citizens, and of J. O. Banks and 19 other citizens, all in the State of Michigan, remonstrating against the passage of the anti-scalping ticket bill; which were ordered to lie on the table.

Mr. TILLMAN. Mr. President, I do not think there is a quorum in the Chamber.

The VICE-PRESIDENT. The Senator from South Carolina suggests the absence of a quorum of the Senate. The Secretary will call the roll.

The Secretary called the roll, and the following Senators answered to their names:

Aldrich,	Elkins,	Lodge,	Pettigrew,
Allen,	Faulkner,	McBride,	Pettus,
Allison,	Frye,	McEnery,	Platt, Conn.
Bacon,	Gear,	McMillan,	Pritchard,
Bate,	Hale,	Mallory,	Rawlins,
Berry,	Hansbrough,	Mantle,	Ross,
Burrows,	Harris,	Martin,	Shoup,
Caffery,	Heitfeld,	Mason,	Stewart,
Carter,	Hoar,	Mills,	Teller,
Chandler,	Jones, Ark.	Murphy,	Thurston,
Chilton,	Jones, Nev.	Nelson,	Tillman,
Cockrell,	Kenney,	Pasco,	Vest,
Cullom,	Kyle,	Penrose,	Warren,
Deboe,	Lindsay,	Perkins,	Wellington.

Mr. WARREN. I desire to state in behalf of my colleague [Mr. CLARK], who is absent, that he is at the bedside of a very

sick father. I make this observation now so that the cause of his absence hereafter may be known.

The VICE-PRESIDENT. Fifty-six Senators have answered to their names. A quorum is present.

Mr. LODGE presented the memorials of J. W. Frank and 12 other citizens, of A. C. Higgins and 17 other citizens, and of C. H. Osuhmn and 13 other citizens, all in the State of Massachusetts, remonstrating against the passage of the anti-scalping ticket bill; which were ordered to lie on the table.

He also presented petitions of the congregations of the Methodist Episcopal and the Protestant Episcopal churches of Watertown, Mass., and of the Woman's Christian Temperance Union of Berkley, Mass., praying for the enactment of legislation to prohibit the sale of intoxicating liquors in Government buildings; which were referred to the Committee on Public Buildings and Grounds.

He also presented petitions of the congregations of the Methodist Episcopal and Protestant Episcopal churches of Watertown, Mass., praying for the enactment of legislation to raise the age of protection for girls to 18 years in the District of Columbia and the Territories; which were ordered to lie on the table.

He also presented a petition of the Central Labor Union of Adams, Mass., and a petition of Local Division No. 22, Amalgamated Association of Street-Railway Employees, of Worcester, Mass., praying for the passage of the eight-hour bill; which were referred to the Committee on Education and Labor.

He also presented a petition of the Woman's Christian Temperance Union of Strafford Corner, N. H., praying for the enactment of legislation to prohibit interstate gambling by telegraph, telephone, or otherwise; which was referred to the Committee on the Judiciary.

Mr. COCKRELL presented a petition of the Board of Trade of Kansas City, Mo., praying for the enactment of legislation to facilitate and expedite the speedy connection of Port Arthur Canal with the waters of the Gulf of Mexico; which was referred to the Committee on Commerce.

He also presented the memorials of E. M. McKee and 10 other citizens, of E. M. Whitson and 11 other citizens, B. F. Black and 15 other citizens, E. F. Hogan and 36 other citizens, A. J. Byington and 14 other citizens, G. B. Fox and 13 other citizens, James Montague and 13 other citizens, W. E. Sharp and 14 other citizens, R. Carson and 14 other citizens, R. E. Lee Bailey and 16 other citizens, J. J. Devine and 16 other citizens, A. G. Bolms and 17 other citizens, W. W. Burge and 17 other citizens, Charles Hogle and 17 other citizens, D. Rankin and 17 other citizens, W. H. Roberts and 18 other citizens, M. H. Brown and 18 other citizens, Finley Rock and 18 other citizens, the Klemine Realty and Financial Company and 18 citizens, J. Miller and 18 other citizens, O. K. White and 18 other citizens, D. T. Smith and 18 other citizens, R. S. Anderson and 18 other citizens, E. E. Wilson and 18 other citizens, Claude McCheeley and 19 other citizens, George Radell and 19 other citizens, George Speer and 19 other citizens, Owen J. O'Brien and 19 other citizens, E. F. Hohnes and 19 other citizens, B. Kaufman and 19 other citizens, H. F. Wheeler and 19 other citizens, R. T. Wolf and 19 other citizens, Alexander J. Campan and 19 other citizens, William J. Langdon and 19 other citizens, A. D. Bauer and 19 other citizens, Virgie L. Johnson and 19 other citizens, L. H. Smith and 19 other citizens, and of Robert Alexander and 19 other citizens, all in the State of Missouri, remonstrating against the passage of the anti-scalping ticket bill; which were ordered to lie on the table.

He also presented a memorial of Local Union No. 95, Cigar Makers' International Union, of St. Joseph, Mo., remonstrating against the annexation of the Philippine Islands; which was referred to the Committee on Foreign Relations.

He also presented a memorial of the Ministers' Evangelical Alliance, of St. Louis, Mo., remonstrating against any appropriation being made for sectarian schools; which was ordered to lie on the table.

Mr. CULLOM presented the petition of Dr. S. J. Jones, president of the National Pure Food Association, of Chicago, Ill., praying for the appointment of a pure-food commission; which which was referred to the Committee on Agriculture and Forestry.

He also presented a petition of the Baptist Young People's Association of the Baptist Church, of Clinton, Ill., and a petition of the congregation of the College Church, of Wheaton, Ill., praying for the maintenance of the prohibition law in the Territory of Alaska; which were referred to the Committee on Territories.

He also presented the petition of Edward T. Lee, of Illinois, praying for the adoption of an amendment to the Constitution of the United States repealing the thirteenth, fourteenth, and fifteenth amendments thereto; which was referred to the Committee on the Judiciary.

He also presented a petition of the Moline Club, of Moline, Ill., and a petition of the Winter Wheat Millers' League, of Indianapolis, Ind., praying for the enactment of legislation to increase American shipping; which were ordered to lie on the table.

He also presented memorials of the Hyde Park Saloon Keepers' Union, of Chicago; of the Macon County Liquor Dealers' and Personal Library Association, of Decatur; of the Duetschur Wirths Verein, of Chicago; of the Northwest Chicago Wirths Verein, of Chicago; of the Liquor Dealers' Association of Peru; of the Liquor Dealers' Protective Association of Danville; of the Liquor Dealers' State Protective Association, of Rock Island; of the De Kalb Liquor Dealers' Association, of Sycamore; of the Liquor Dealers' Protective Association of Streator; of the Saloon Keepers' Association of Kankakee, and of the Liquor Dealers' Protective Association of Blue Island, all in the State of Illinois, remonstrating against additional restrictions being placed on the retail liquor dealer having distilled liquors in jugs, bottles, etc.; which were referred to the Committee on Finance.

He also presented the memorial of Harry C. Gano, State president of the American Protective Association, of Chicago, Ill., remonstrating against the appropriation of any money for sectarian schools; which was ordered to lie on the table.

He also presented petitions of sundry citizens of Canton, of the managing committee of the Amalgamated Society of Carpenters and Joiners of Chicago; of the Tri-City Labor Congress, of Rock Island; of Federal Labor Union, No. 7110, of Galva; of Walter J. Torney Lodge, No. 6, Amalgamated Association of Iron, Steel, and Tin Workers, of Joliet; of Local Union No. 15, Coopers' International Union, of Chicago; of the Carpenters' District Council of Chicago; of Local Union No. 237, Machinery, Agricultural, and Bench Molders' Union, of Moline; of Local Union No. 10, United Brotherhood of Carpenters and Joiners, of Chicago; of the International Society of Machinists of Chicago; of Local Union No. 2, Journeymen Bakers and Confectioners' Union, of Chicago; of Local Union No. 7129, Printers and Operators' Union, of Chicago; of the Elgin Cooperative Society, of Elgin; of Local Union No. 174, Cigar Makers' International Union, of Joliet; of Hall of Gene City Lodge, No. 317, International Association of Machinists, of Quincy; of Local Union No. 44, Iron Molders' Union, of Quincy, and of Local Union No. 6, Metal Polishers, Buffers, Platers, and Brass Workers' International Union, of Chicago, all in the State of Illinois, and of Local Union No. 529, United Brotherhood of Carpenters and Joiners, of Galveston, Tex., praying for the passage of the eight-hour bill; which were referred to the Committee on Education and Labor.

He also presented a petition of the Political Equality Club, of Jamestown, N. Y., praying that the right of suffrage be granted to women in Hawaii; which was referred to the Select Committee on Woman Suffrage.

Mr. McMILLAN presented a petition of the congregation of the Scotten Avenue Baptist Church, of Detroit, Mich., praying for the enactment of legislation to protect State anti-cigarette laws by providing that cigarettes imported in original packages on entering any State shall become subject to its laws; which was referred to the Committee on the Judiciary.

He also presented petitions of the congregations of the United Presbyterian Church of Martin, of the Congregational Church of Cooper, and of the Scotten Avenue Baptist Church, of Detroit, and of the Woman's Christian Temperance Union of Cooper, all in the State of Michigan, praying for the enactment of legislation to prohibit the sale of intoxicating liquors in all Government buildings; which were referred to the Committee on Public Buildings and Grounds.

He also presented a petition of the State Woman's Christian Temperance Union of Michigan, and a petition of 88 citizens of Detroit, Mich., praying for the enactment of legislation to prohibit the sale of liquor in canteens of the Army and Navy and of Soldiers' Homes, and in immigrant stations and Government buildings; which were referred to the Committee on Military Affairs.

He also presented a petition of the Summer School of Social Problems, of Saratoga, N. Y., praying for the enactment of a Sunday-rest law for the District of Columbia; which was referred to the Committee on the District of Columbia.

He also presented petitions of the congregations of St. Mark's Lutheran Church and the McKendree Methodist Episcopal Church and of the Washington Preachers' Meeting of the Methodist Episcopal Church, all in the city of Washington, D. C., praying for the enactment of legislation to raise the age of protection for girls to 18 years in the District of Columbia and the Territories; which were ordered to lie on the table.

Mr. RAWLINS presented the memorials of H. T. Roberts and 13 other citizens, of W. J. Moore and 19 other citizens, Rev. B. F. Clay and 19 other citizens, and of J. W. Clark and 24 other citizens, all in the State of Utah, remonstrating against the passage of the anti-scalping ticket bill; which were ordered to lie on the table.

REPORTS OF COMMITTEES.

Mr. McMILLAN, from the Committee on the District of Columbia, to whom was referred the bill (H. R. 10222) to authorize the extension of the Metropolitan Railroad, reported it with amendments and submitted a report thereon.

Mr. MARTIN, from the Committee on the District of Columbia, to whom was referred the bill (S. 5374) for the relief of Christiana Dengler, reported it without amendment, and submitted a report thereon.

Mr. HANSBROUGH, from the Committee on the District of Columbia, to whom was referred the bill (S. 5418) for the relief of John A. Narjes, reported it without amendment.

Mr. TELLER, from the Committee on Claims, to whom was referred the bill (H. R. 321) for the relief of the Berdan Firearms Manufacturing Company, asked to be discharged from its further consideration, and that it be referred to the Committee on Patents; which was agreed to.

Mr. WARREN, from the Committee on Irrigation and Reclamation of Arid Lands, to whom was referred the amendment proposing to appropriate $50,000 for preliminary surveys or examinations to be made of one or more reservoir sites in each arid and semiarid State, etc., submitted by himself on the 10th instant, intended to be proposed to the river and harbor appropriation bill, reported favorably thereon, and moved that it be referred to the Committee on Commerce, and printed; which was agreed to.

He also, from the same committee, to whom was referred the amendment proposing to appropriate $5,000,000 for continuing the improvement of reservoirs and canals to conduct water thereto from streams in the respective arid and semiarid land States and Territories, submitted by himself on the 8th instant, reported favorably thereon, and moved that it be referred to the Committee on Commerce, and printed; which was agreed to.

Mr. CAFFERY, from the Committee on Commerce, to whom was referred the bill (H. R. 11440) to locate the office of the deputy collector of the port of East Pascagonia, Miss., at Scranton, Miss., reported it without amendment.

Mr. SHOUP, from the Committee on Territories, to whom was referred the bill (H. R. 8571) to define and punish crimes in the district of Alaska and to provide a code of criminal procedure for said district, reported it with an amendment, and submitted a report thereon.

Mr. PERKINS. I am instructed by the Committee on Education and Labor, to whom was referred the bill (H. R. 11247) to extend the anti-contract labor laws of the United States to Hawaii, to report it back. I introduced a similar bill some weeks since, which was referred to the Committee on Immigration. That committee has that bill under consideration and is prepared to make a report on Monday morning next. I therefore report this bill back, and ask that it may be referred to the Committee on Immigration.

The VICE-PRESIDENT. That change of reference will be made, in the absence of objection.

COMMITTEE ON MILITARY AFFAIRS.

Mr. HAWLEY. I am instructed by the Committee on Military Affairs to ask that that committee may have leave to sit during the sessions of the Senate—a mere formal request.

The VICE-PRESIDENT. Is there objection to the request made by the Senator from Connecticut? The Chair hears none, and that order is made.

BILLS INTRODUCED.

Mr. HOAR. I introduce a bill relating to the election of Senators. I do not expect that the bill can get attention during the present Congress, but I desire to have it introduced; and I should like to have the first part, which shows the purpose of the measure, read and then the whole bill published in the RECORD.

The bill (S. 5489) relating to the election of Senators was read the first time by its title, the second time as requested, and referred to the Committee on Privileges and Elections, and ordered to be printed in the RECORD, as follows:

Be it enacted, etc., That chapter 1, section 15, of the Revised Statutes of the United States, relating to the election of Senators, is hereby amended by adding at the end of section 15 the following words: "If no person shall have received such majority after seven separate ballots in such joint assembly, one of such ballots at least having been taken on each of seven separate days, the person who receives a plurality of all the votes cast on the next ballot, or, if there be no plurality, on the first subsequent ballot where any person shall have a plurality, a majority of all the members of both houses being present and voting, shall be declared duly elected;" so said section will read as follows:

"SEC. 15. Such election shall be conducted in the following manner: Each house shall openly, by a viva voce vote of each member present, name one person for Senator in Congress from such State, and the name of the person so voted for, who receives a majority of the whole number of votes cast in each house, shall be entered on the journal of that house by the clerk or secretary thereof; or if either house fails to give such majority to any person on that day the fact shall be entered on the journal. At 12 o'clock meridian of the day following that on which proceedings are required to take place as aforesaid, the members of the two houses shall convene in joint assembly and the journal of each house shall then be read, and if the same person has received a majority of all the votes in each house he shall be declared duly elected Senator. But if the same person has not received a majority of the votes in each house, or if either house has failed to take proceedings as required by this section, the joint assembly shall then proceed to choose, by a viva voce vote of each member present, a person for Senator, and the person who receives a majority of all the votes of the joint assembly, a majority of all the members elected to both houses being present and voting, shall be declared duly elected. If no person receives such majority on the first day, the joint assembly shall meet at 12 o'clock meridian of each succeeding day during the session of the legislature and shall take at least one vote until a Senator is elected. If no person shall have received such majority after seven separate ballots in such joint assembly, one of such ballots at least having been taken on each of seven separate days, the person who receives a plurality of all the votes cast on the next ballot, or if there be no plurality, on the first subsequent ballot where any person shall have a plurality, a majority of all the members of both houses being present and voting, shall be declared duly elected."

Mr. McMILLAN introduced a bill (S. 5490) to regulate licenses for theaters and other entertainments in the District of Columbia; which was read twice by its title, and referred to the Committee on the District of Columbia.

Mr. FRYE introduced a bill (S. 5491) to extend the privileges of section 4216 of the Revised Statutes to the yacht *Andria;* which was read twice by its title, and referred to the Committee on Commerce.

Mr. McENERY introduced a bill (S. 5492) for the relief of Amire R. Hertzog, of Natchitoches, La., for stores and supplies taken from her by the military forces of the United States during the war for the suppression of the rebellion; which was read twice by its title, and referred to the Committee on Claims.

He also introduced a bill (S. 5493) for the relief of Eliza M. Parrott, of St. Landry Parish, La., for supplies taken from her by the military forces of the United States for their use during the war for the suppression of the rebellion; which was read twice by its title, and referred to the Committee on Claims.

Mr. NELSON introduced a bill (S. 5494) to authorize the Grand Rapids Water Power and Boom Company, of Grand Rapids, Minn., to construct a dam and bridge across the Mississippi River; which was read twice by its title, and referred to the Committee on Commerce.

Mr. THURSTON (by request) introduced a bill (S. 5495) to authorize the Secretary of War to purchase for governmental and industrial use at Rock Island Arsenal, Rock Island, Ill., a testing machine for tension and compression; which was read twice by its title, and referred to the Committee on Military Affairs.

AMENDMENTS TO APPROPRIATION BILLS.

Mr. PETTIGREW submitted an amendment proposing to appropriate $434,305.71, to be expended by the Secretary of the Treasury in paying the balance of awards made to the loyal Seminole Indians under the direction of the Secretary of the Interior, with interest thereon, etc., intended to be proposed by him to the general deficiency appropriation bill; which was referred to the Committee on Indian Affairs, and ordered to be printed.

He also submitted an amendment proposing to appropriate $10,000 for a psycho-physical laboratory and for the collection of sociological and abnormal or pathological data and for necessary printing, etc., intended to be proposed by him to the sundry civil appropriation bill; which was referred to the Committee on Appropriations, and ordered to be printed.

He also submitted an amendment relative to the claims of all persons who may have heretofore or may hereafter settle upon that portion of the Great Sioux Indian Reservation which was opened up to settlement under and by virtue of the act of March 2, 1889, etc., intended to be proposed by him to the sundry civil appropriation bill; which was referred to the Committee on Public Lands, and ordered to be printed.

Mr. HANSBROUGH submitted an amendment proposing to appropriate $6,000 to defray the expenses of a commission to negotiate with the Devils Lake Band of Sioux Indians in North Dakota, for the cession and relinquishment to the United States of whatever right or interest they may have in and to any and all land in that State, etc., intended to be proposed by him to the sundry civil appropriation bill; which was referred to the Committee on Indian Affairs, and ordered to be printed.

Mr. TILLMAN submitted an amendment proposing to increase the appropriation for vegetable pathological investigations in the Department of Agriculture from $22,500 to $27,500, etc., intended to be proposed by him to the agricultural appropriation bill; which was referred to the Committee on Agriculture and Forestry, and ordered to be printed.

REORGANIZATION OF THE ARMY.

Mr. KENNEY submitted an amendment intended to be proposed by him to the Army reorganization bill; which was referred to the Committee on Military Affairs, and ordered to be printed.

PERSONNEL OF THE NAVY AND MARINE CORPS.

Mr. STEWART submitted an amendment intended to be proposed by him to the Navy personnel bill; which, with the accompanying statement, was referred to the Committee on Naval Affairs, and ordered to be printed.

Mr. TILLMAN submitted an amendment intended to be proposed by him to the Navy personnel bill; which was referred to the Committee on Naval Affairs, and ordered to be printed.

HOUSE BILLS REFERRED.

The following bills were severally read twice by their titles, and referred to the Committee on Military Affairs:

A bill (H. R. 1417) for the relief of Thomas Mullen;

A bill (H. R. 2412) to amend the military record of James Roche;
A bill (H. R. 3804) for the relief of James McKenzie;
A bill (H. R. 5758) to remove the charge of desertion from the record of James Geissinger;
A bill (H. R. 7632) to remove the charge of desertion from the military record of Robert Flower;
A bill (H. R. 8506) to remove the charge of desertion from the military record of John P. Henderson and to grant him an honorable discharge; and
A bill (H. R. 11615) removing the charge of desertion from the record of William Moore, Company I, Twenty-third Regiment Kentucky Volunteers.

The following bills were severally read twice by their titles, and referred to the Committee on Pensions:

A bill (H. R. 2293) granting an increase of pension to Andrew J. Snowden;
A bill (H. R. 2574) granting an increase of pension to Lavinia M. Payne;
A bill (H. R. 3155) granting a pension to Kitty Ann Patterson;
A bill (H. R. 5209) granting a pension to Belle Shumard;
A bill (H. R. 5328) granting a pension to Patrick O'Shea;
A bill (H. R. 6681) granting an increase of pension to Jere Smith;
A bill (H. R. 7046) granting an increase of pension to Arba Capron;
A bill (H. R. 7902) granting a pension to Albert Putnam;
A bill (H. R. 8179) granting a pension to Levi M. Truit;
A bill (H. R. 8568) granting an increase of pension to Mrs. Susan Stedman;
A bill (H. R. 8749) granting a pension to James J. Marcher;
A bill (H. R. 9059) granting a pension to Catherine Eakin;
A bill (H. R. 10241) granting a pension to Nancy Shaley;
A bill (H. R. 10355) granting an increase of pension to Catharine C. Goodrich;
A bill (H. R. 10385) granting a pension to George Brown;
A bill (H. R. 10305) to increase the pension of Annie Cusack;
A bill (H. R. 10303) granting an increase of pension to James Porter;
A bill (H. R. 10858) granting an increase of pension to Amanda Willmarth;
A bill (H. R. 11420) granting a pension to Emily McLain; and
A bill (H. R. 11899) granting a pension to Judith Doherty.

THE CIVIL SERVICE.

The VICE-PRESIDENT laid before the Senate the request of the House of Representatives to be furnished a duplicate copy of the engrossed bill of the Senate (S. 3256) in reference to the civil service and appointments thereunder, the same having been lost or misplaced; and by unanimous consent the request was ordered to be complied with.

ELECTION OF SENATORS BY THE PEOPLE.

The VICE-PRESIDENT. The Chair lays before the Senate a resolution coming over from yesterday, introduced by the Senator from Nebraska [Mr. ALLEN].

Mr. ALLEN. The joint resolution (S. R. 243) proposing an amendment to the Constitution of the United States providing for the election of United States Senators by a direct vote of the people I should like to have lie over until Monday, when I shall ask to address the Senate in support of it. I should like to have the Senate resolution laid before the Senate this morning as unfinished business.

DOCTRINE OF THE DECLARATION OF INDEPENDENCE.

The VICE-PRESIDENT. The Chair lays before the Senate the resolution submitted yesterday by the Senator from Nebraska [Mr. ALLEN], and which was laid over until this morning. The resolution will be read.

The Secretary read the resolution submitted yesterday by Mr. ALLEN, as follows:

Resolved, That the Senate of the United States unhesitatingly approves and reaffirms the doctrine of the Declaration of Independence, "that all men are created equal," and "that they are endowed by their Creator with certain inalienable rights; that among these are life, liberty, and the pursuit of happiness," and "that to secure these rights, governments are instituted among men, deriving their just powers from the consent of the governed; that whenever any form of government becomes destructive to these ends, it is the right of the people to alter or abolish it, and to institute new government, laying its foundation on such principles and organizing its powers in such form as to them shall seem most likely to effect their safety and happiness;" and be it further

Resolved, That said doctrine is not, in its application, to be confined to the people of the United States, but is universal and extends to all peoples, wherever found, having a distinct and well-organized society and territory of their own.

Mr. CHANDLER. What is the request of the Senator from Nebraska in reference to this resolution, the consideration of which I objected to yesterday?

Mr. ALLEN. The resolution comes over this morning for consideration as unfinished business, and it is now properly before the Senate for disposition, I suppose.

Mr. CHANDLER. There are many resolutions of this kind before the Senate. The Senator from Louisiana [Mr. MCENERY] made a request that the resolution offered by him should be acted upon on Monday next, and I now renew that request in this form: That on Monday, at 3 o'clock, the Senate take up for consideration the resolution of the Senator from Louisiana [Mr. MCENERY], the resolution offered by the Senator from Mississippi [Mr. SULLIVAN], the resolution which the Senator from Missouri [Mr. VEST] offered and on which there has been so much debate; that all these resolutions be acted upon seriatim, and that the Senate remain in session until they are disposed of, beginning at 3 o'clock on Monday next.

Mr. CULLOM. What is the resolution referred to?

Mr. CHANDLER. I ask unanimous consent that the resolution offered by the Senator from Louisiana [Mr. MCENERY] and all the resolutions of a similar character be taken up on Monday next at 3 o'clock in the afternoon, and acted upon seriatim and disposed of before adjournment.

Mr. CULLOM. I hope the Senator will put the date off a little further, so that we can get rid of at least two or three of the appropriation bills, that they may go to the other House for consideration and we may make some progress in getting rid of them. We shall have time after that, perhaps, to consider these outside questions. That can be done between times, I might say, and not interfere with the appropriation bill.

Mr. CHANDLER. I was opposed to acting upon any resolutions of this kind before the treaty was ratified. I thought it extremely proper that as soon as the treaty was ratified the Senate should make a declaration if a majority of its members desired to do so. I so said always; I so say now; and in furtherance of this purpose, which I know many Senators have at heart, I make this request. The resolution of the Senator from Georgia [Mr. BACON] I ought not to have forgotten. There are, however, so many of these resolutions laying down principles for the guidance of the United States in the future that I may be excused for not remembering them all. But I include them all in my request. I ask that at 3 o'clock on Monday all be taken up and acted upon before the adjournment of the Senate; and I will say——

Mr. BACON. What does the Senator mean by "acted upon?"

Mr. CHANDLER. That they be debated and——

Mr. BACON. That they be voted upon?

Mr. CHANDLER. And voted upon before adjournment.

Mr. HALE. Without debate, I suggest.

Mr. CHANDLER. With such debate as may be consistent with final action before adjournment. I will say to the Senator——

Mr. CULLOM. Can not the Senator postpone the date one or two days?

Mr. CHANDLER. I do not think we shall expedite the business of the Senate by postponing the disposition of those resolutions any further.

Mr. CULLOM. I am not expressing any opposition to the resolutions, but I do think, in the interest of carrying on the business of the Senate, that which has to be done to a successful conclusion before the 4th of March, it would facilitate the transaction of business if we should put off the consideration of the resolutions for another day or two.

Mr. CHANDLER. The Senator from Illinois will see that if we begin at 3 o'clock on these resolutions we shall dispose of them before midnight, and then the Senator can go on with the appropriation bill, if, indeed, we do not pass it to-day. I see no reason why we should not pass the pending appropriation bill to-day.

Mr. CULLOM. I fully expect the Senate to pass the bill now under consideration to-day, but there is another one that ought to be considered after the pending bill is taken care of.

Mr. ALLEN. If I can——

Mr. CHANDLER. I will not put off my request for any appropriation bill. I ask that at 3 o'clock on Monday we may go on with these resolutions.

Mr. ALLEN. If I can be permitted to wedge in a word between the Senator from New Hampshire and the Senator from Illinois, I should like to ask the Senator from New Hampshire what has become of the agreement that is said to have been made with the Senator from Louisiana [Mr. MCENERY] that his resolution should be taken up and voted on immediately after the treaty was ratified.

Mr. CHANDLER. I did not know that there had been any agreement, Mr. President.

Mr. ALLEN. I observe the continued absence of one of the chieftains of that evening who was leading the Republican forces, and I did not know but that possibly our friends on the other side were waiting for his return.

Mr. HOAR. Will the Senator speak a little louder? I do not hear him very distinctly.

Mr. ALLEN. I am doing the best I possibly can.

Mr. HOAR. I rise, then, to a question of order, and I ask for order in the Senate Chamber. The Senator from Nebraska certainly has a voice that ought to be heard. Yet I can not hear him.

Mr. ALLEN. I have a severe cold.

Mr. HOAR. I do not think the difficulty is with the Senator's voice, but it is on account of the noise in the Chamber.

Mr. BACON. We can not hear the Senator from Massachusetts. We do not know on this side what he said.

Mr. ALLEN. It ought not to take long in the Senate of the United States to reenact the Declaration of Independence, especially when it is quoted literally in the pending resolution.

Mr. ALLISON. Then the Senator would be willing to have an immediate vote, I take it?

Mr. ALLEN. I would be willing to have an immediate vote. I do not want to debate the resolution.

Mr. ALLISON. Then why ask for a prolongation of time?

Mr. ALLEN. The Declaration of Independence has been debated so often that it strikes me it does not need much elucidation at this time.

Mr. CHANDLER. I will state to the Senator from Iowa that my request is in the interest of the other resolutions as well. I do not think that we should distribute the votes upon these resolutions along from time to time through the rest of the session, but that we should dispose of them all at once. That is the reason why I made the request I did.

Mr. ALLISON. Then let us have a vote on them all at once.

Mr. CHANDLER. Let us have a vote on them all at once, beginning at 3 o'clock on Monday. That is what I ask the Senate to agree to.

Mr. ALLEN. I ask unanimous consent for a present vote on the pending resolution, without debate.

Mr. CHANDLER. I ask first that the Vice-President submit to the Senate my request, that all the resolutions be disposed of, beginning at 3 o'clock on Monday.

Mr. ALLEN. Will not the Senator from New Hampshire withdraw his request for the time being and let us take a vote on the pending resolution?

Mr. STEWART. Mr. President, if there is to be a vote on the Declaration of Independence, I should like to hear some reason stated why there is a necessity for such a vote. If it is asked to be preserved by being voted for, I want to know the reason for that. Has the Declaration of Independence been abolished?

Mr. BACON. I suggest to the Senator from Nevada that possibly the Senator from Nebraska thinks the vote we took the other day was in conflict with the Declaration of Independence, and consequently it is necessary to renew our allegiance.

Mr. ALLEN. No, Mr. President.

Mr. STEWART. The Declaration of Independence, it is said, must be renewed. If we are going to renew that and repromulgate it, there ought to be some reason given for it, or the people will think we are fooling away the time that should be devoted to their interests.

Mr. MASON. Mr. President, I wish to interrupt the Senator, with his permission.

Mr. ALLEN. How did I get off the floor, Mr. President?

Mr. MASON. Will the Senator from Nebraska yield for a moment? I should like to answer the suggestion of the Senator from Nevada.

Mr. STEWART. I shall not yield for an answer to my suggestion. To give a good reason for reenacting the Declaration of Independence the Senator from Illinois would have to take several days before the country would be satisfied that there is a necessity for such action. I can not yield that much time.

Mr. MASON. No; I will give it all in half a minute. It is merely for the purpose of convincing the Filipinos that when we kill them we are simply giving them the blessings of liberty and that we are still for the Declaration of Independence.

The VICE-PRESIDENT. The Senator from Nebraska has the floor.

Mr. ALLEN. Mr. President, I desire to say in reply to the suggestion of the Senator from Georgia [Mr. BACON], which I fully appreciate, that I was not moved to present this resolution because of the vote on the treaty had in this Chamber the other day. I see no conflict whatever between that vote and the Declaration of Independence. I gave my vote to ratify the treaty; and I am a believer in every principle of the Declaration of Independence.

But, Mr. President, so much has been said in this branch of Congress and in the other, so much agitation has been indulged in by the press of the country, that I thought it not an unwise course to present the substance of the doctrines of the Declaration of Independence by quoting the language of that great charter literally, and asking the Senate of the United States, by a quiet vote, to declare the allegiance not only of the Senate, but of the people to the doctrines therein contained. I did not have the faintest conception when I presented this resolution that the Senate would hesitate for a moment to discuss the contents of the resolution or to reexamine the doctrines of the Declaration of Independence, but I thought that it would adopt the resolution without any controversy.

Mr. BACON. Will the Senator from Nebraska permit me to ask him a question?

Mr. ALLEN. Yes, sir.

Mr. BACON. The Senator from Nebraska said that he noted the absence of one of the chieftains who led the Republicans the other day. I presume that he referred to the Senator from Rhode Island [Mr. ALDRICH]. I wish to ask the Senator from Nebraska what was the particular contest to which he alluded in which he said the Senator from Rhode Island led the Republicans?

Mr. ALLEN. The Senator to whom I referred and whose name I have not called—nor shall I call it or refer to the State he has the honor to represent in this Chamber—was very active upon the floor, so far as I could observe, in rallying the forces in support of the ratification of the treaty. In his efforts I fully concurred, and with him I heartily sympathized.

Mr. HOAR. May I make a suggestion to the Senator from Nebraska?

Mr. ALLEN. Yes, sir.

Mr. HOAR. It is that the Senator from Rhode Island now absent moved one of the resolutions—the one known as the McEnery resolution. I think it was moved by that Senator immediately upon the ratification of the treaty.

Mr. ALLEN. I have made no reference whatever to the Senator from Rhode Island. I had supposed, or did suppose at the time, and my belief in that fact was strengthened by what the junior Senator from Illinois [Mr. MASON] said a few days ago, that there was a distinct understanding among our Republican friends that the resolution of the Senator from Louisiana should be taken up and voted upon without any hesitancy and without delay. I was not a party to that understanding. I do not know, in fact, that it exists except as I infer that it exists, and I conclude from what the Senator from Illinois [Mr. MASON] said that there was such an agreement.

Mr. President, if there was any understanding, express or implied, with the Senator from Louisiana that his resolution should be voted upon and he was induced to vote for the ratification of the treaty with a distinct understanding that his resolution, expressive of certain doctrines, should be passed almost concurrently with it, then it occurs to me that good faith requires the taking up of that resolution without delay and submitting it to the Senate for a vote.

Mr. PLATT of Connecticut. Will the Senater from Nebraska allow me to interrupt him?

Mr. ALLEN. I will.

Mr. PLATT of Connecticut. I have heard a great deal said in this Chamber about some agreement made with the Senator from Louisiana by some one. I desire to say that, so far as I am concerned, I knew of no such agreement and I know of no such agreement. If anything of that sort happened I was not consulted, and I know that numerous other Republican Senators were not consulted any more than myself. I do not know anything about the fact charged. I want to say that, so far as I am concerned, I am not a party to any agreement, I am not bound by any agreement.

Mr. ALLEN. I am not making any charge against the Senator from Connecticut. Knowing him as I do, I would be bound to acquit him in my own mind without any protest on his part. I have every reason to believe that if he had been a party to the agreement he would insist upon its being lived up to in good faith. But it was charged in this Chamber a few days ago, and it has not been contradicted or denied, that there was an understanding upon the Republican side of this Chamber that the resolution of the Senator from Louisiana should be taken up and considered. Mr. President, all the evidence is to that effect. There is nothing to contradict it.

Now, I was not a party to that agreement. If there was such an agreement, I knew nothing about it. I am not bound by it. I am not a Republican, thank God, and I am not bound by its caucuses or decrees. But if such an agreement exists, good faith among men requires its observance.

I am not specially interested in the passage of the resolution of the Senator from Louisiana, although I heartily concur in its declarations and in its doctrines. Mr. President, in the light of the agitation that has been going on, and in the light of the circumstances under which the treaty of Paris was ratified here a few days ago, I am concerned only in having the Senate of the United States once more, without any lengthy debate, declare that the doctrines of the Declaration of Independence are still in force in this country.

Mr. STEWART. I should like to make an inquiry of the Senator from Nebraska, if he knows. This agreement is new to me. I know nothing about it. What was the date of it with reference to the war now raging in the Philippine Islands?

Mr. ALLEN. The date of what?

Mr. STEWART. Of the agreement, if there was an agreement.

Mr. ALLEN. I suppose it was made here the day we voted on the treaty.

Mr. STEWART. Was it made before or after hostilities broke out in the Philippine Islands?

Mr. ALLEN. I do not know anything about that.

Mr. STEWART. War might abrogate an agreement of that kind. War abrogates laws and changes conditions.

Mr. ALLEN. I do not know anything about that.

Mr. STEWART. If there was an agreement, I should want to know the date.

Mr. ALLEN. Mr. President, there is no war in the Philippine Islands.

Mr. STEWART. Is there no war when 4,000 people were killed in one battle?

Mr. ALLEN. Very well; it is not a war within the legal definition of war. It is a rebellion, if it is anything, at this time.

Mr. STEWART. It is a state of hostilities.

Mr. ALLEN. I know nothing about this agreement, as I said to the Senate a moment ago, and which I suppose the Senator from Nevada heard, except such evidences as I found existing on this floor the day we voted upon the treaty and such revelations as were made by the junior Senator from Illinois [Mr. MASON] a day or two after that. I understood that Senator to say that there was such an agreement. I have yet to hear a Senator on the other side of the Chamber or on this side deny it, and when a reputable witness testifies to a fact and it is uncontradicted by any other evidence, I take it for granted that the statement must be taken as true. But I am not concerned, as I said, in that matter at all, further than to observe that there seems to be a disposition to get away from the McEnery resolution as rapidly and as quietly as possible.

I have presented this resolution. It quotes the substance of the Declaration of Independence literally. There is no change in its language. There is an absolute embodiment by quotation of the great doctrines of the Declaration of Independence in the resolution.

Now, if the Senate of the United States, under those circumstances, wants to vote it down, or wants to send it into the caverns of this great Capitol to remain throughout the ages with millions of other valuable documents that have gone there, I am perfectly willing it shall do so.

Mr. CHANDLER. Mr. President, we do not wish to send into the tomb of the Capulets, to which the Senator from Missouri [Mr. VEST] so frequently alludes in this Chamber, either the resolution of the Senator from Missouri or the resolution of the Senator from Nebraska, or that presented by the Senator from Louisiana, or the resolution offered by the Senator from Georgia. We wish a vote upon them.

Mr. MASON. Or even my little resolution.

Mr. CHANDLER. Or even the mild and moderate, tender and affectionate resolution of the Senator from Illinois, which I came so near forgetting. Mr. President, we want them all disposed of. It is appropriate that the Senate should dispose of them.

The Senator from Nebraska speaks of an agreement. I made no agreement with anybody. The remark needs qualification. I made no agreement with anyone except that I did state I had been endeavoring for ten days to secure a vote upon the resolution offered by the Senator from Georgia. I thought, as the Senator from Georgia well knows, that after unanimous consent had been given to vote upon the treaty on Monday it would be courteous and wise to agree to preliminary votes upon these resolutions, and I so stated.

Mr. President, if the Senator from Nebraska wants confessions, I will say that I had informed Senators that I myself was willing to vote for the resolution offered by the Senator from Kentucky [Mr. LINDSAY]. There is another series of resolutions that I had forgotten. I had expressed a willingness to vote for the resolution as finally offered by the Senator from Kentucky. I had expressed a willingness to vote for the resolution offered by the junior Senator from Mississippi [Mr. SULLIVAN] and for the resolution offered by the Senator from Louisiana [Mr. MCENERY]. I thought the best way to dispose of the whole question, instead of passing upon all of the resolutions separately, would be to take up some one of them and, by means of motions to amend, dispose of the whole series of propositions.

Mr. RAWLINS. Mr. President——

Mr. CHANDLER. And I said to the Senator from Louisiana, and I said to other Senators, that immediately after the ratification of the treaty, as I had been willing to vote to do before the ratification of the treaty, I would vote to go on to dispose of these declaratory resolutions. I now yield to the Senator from Utah.

Mr. RAWLINS. May I ask the Senator from New Hampshire if his request for unanimous consent goes to the point of having all of these resolutions voted upon at one and the same time, in order that all our bargains may be fulfilled by one vote?

Mr. CHANDLER. I do not know what bargain the Senator made, I am sure. I would not advise him to make bargains in reference to matters pending in the Senate, and I hope he has not made any.

Mr. RAWLINS. I have not made any.

Mr. CHANDLER. Unless he should tell me what one he refers to, I could not answer.

Mr. RAWLINS. I do not know; but reference has been made to the fact that somebody has made bargains in relation to some of these resolutions; as to which one or how many of them, I do not know.

Mr. CHANDLER. Mr. President, I made no bargains. I have stated a purpose, and I propose to carry out the purpose which I stated to the best of my ability. If the Senator has made any bargain, I hope—although he ought not to have made it—that he will carry it out and make no other.

Mr. RAWLINS. To whom does the Senator refer as having made any bargain?

Mr. CHANDLER. I only referred to the bargain to which the Senator alluded.

Mr. RAWLINS. I did not allude to any bargain except that to which other Senators have alluded.

Mr. CHANDLER. I beg pardon of the Senator. When he spoke of "all the bargains which we had made" or "all our bargains," I supposed he meant that he himself had been connected with some bargain, and I wish to disclaim any connection with it myself.

Mr. RAWLINS. The point of my inquiry is this: Is it the proposition of the Senator to take a vote upon all these resolutions at one and the same time?

Mr. CHANDLER. All at one and the same time seriatim, and to dispose of them all, beginning at 3 o'clock on Monday.

Mr. ALLEN. As a bargain must have a consideration to bind it, will the Senator from New Hampshire be kind enough to state what the consideration was?

Mr. CHANDLER. Therein there was not a bargain, because there was no consideration for it.

Mr. ALLEN. I thought there was.

Mr. CHANDLER. And that is the distinction. I stated a purpose, Mr. President; other Senators stated the same purpose; and for one I am willing to do now as I was willing to do a week before the treaty was ratified in the Senate of the United States, to give an opportunity to vote upon all these questions. I think it is fair to do that, and I hope my request will be acceded to by the Senate.

Mr. LODGE. Mr. President, I merely wish to say that a week ago the Foreign Relations Committee endeavored to get unanimous consent for voting on all the then pending resolutions, and they endeavored several times afterwards to get votes upon those resolutions. The reasons of our failure were perfectly obvious, and there is no need of going into it. I should now be very glad personally, as a week ago I should have been very glad, to vote on and dispose of all these resolutions. But I do not think it is quite fair to take what is certainly one of the latest resolutions offered and dispose of that first. Some of these resolutions have been long before the Senate. I think the only fair way is to agree upon a time, as proposed by the Senator from New Hampshire, when the Senate will take up all the resolutions and give a vote on each one of them. I think every Senator who offered a resolution on that important subject is entitled to have a vote upon it, and I think the only fair way to give unanimous consent is so that all the resolutions may be taken up, and not one apart from the others.

Mr. BERRY. Will the Senator from Massachusetts permit me to ask him a question?

Mr. LODGE. Certainly.

Mr. BERRY. Do I understand the Senator to say that the Foreign Relations Committee in the Senate made a request for unanimous consent, or that there is anything in the RECORD to show anything of that kind?

Mr. LODGE. I think the request was made in open Senate more than once by the chairman of the Committee on Foreign Relations.

Mr. BERRY. On last Friday?

Mr. LODGE. Before last Friday.

Mr. BERRY. I will state that in my opinion the RECORD will show nothing of the kind. It will not show that any such request was ever made in open Senate, either on last Friday or before last Friday.

Mr. LODGE. The Foreign Relations Committee met upon Wednesday. That is why I gave that date.

Mr. BERRY. I do not know what the Foreign Relations Committee did while in committee, but I am speaking about the record of the proceedings of the Senate.

Mr. LODGE. My recollection was that on that very day, before we went into executive session, the first attempt was made to get a vote on the resolution of the Senator from Georgia.

Mr. BERRY. My recollection is that an effort was made continuously, at least for several days, by the Senator from Georgia to get unanimous consent, and objection was made. The last objection, I think, was made by the Senator from Montana [Mr. CARTER]. I do not think the Senator from Massachusetts can find

anything in the RECORD to show that the Foreign Relations Committee or any one who was in favor of the treaty at any time, either on last Friday or before, ever made any request for unanimous consent to get a vote on the resolution.

Mr. TILLMAN. Mr. President, I should like to ask the Senator from New Hampshire and the Senator from Massachusetts, who, I understand, are—well, I will not say "the managers of this matter," but they have the subject under control, and possibly represent the gentleman who made the pledges, the absent Senator from Rhode Island [Mr. ALDRICH], who, I understand, has gone to Europe—whether or not, in their knowledge, promises were made before the vote was taken on the treaty that if certain Senators would vote a certain way they would pass the resolution offered by the Senator from Louisiana [Mr. MCENERY]?

Mr. CHANDLER. In the first place, I will say as to the Senator from Rhode Island [Mr. ALDRICH] that he is not in good health, and had arranged some time ago to go to Europe by the advice of his physician. He is not now here, and I can not answer for him. But, Mr. President, I know of no agreement whatever that Senators should vote in any particular way on any resolution.

I have stated before that I had reached the conclusion that I would vote in favor of three different resolutions, if any of them came up for a vote; and I have always said that I would endeavor to get a vote upon all those resolutions, beginning with the resolution of the Senator from Georgia [Mr. BACON]; but I know of no agreement made by any Senator as to how he would vote upon any particular resolution.

Mr. TILLMAN. Mr. President——

Mr. CULLOM. If the Senator will allow me, I should like to know exactly what the question now before the Senate is?

The VICE-PRESIDENT. A request for unanimous consent for a vote upon the resolutions referred to on Monday next at 3 o'clock.

Mr. TILLMAN. Mr. President, since the statement just made by the Senator from New Hampshire [Mr. CHANDLER] I feel called upon to ask the Senator from Illinois [Mr. MASON] to tell us to what pledges or promises or agreements he alluded to the day before yesterday that had been—well—not carried out; and that if they were not carried out, he would feel that he had been buncoed?

Mr. MASON. Mr. President, it is with some degree of reluctancy that I take the witness stand; but I desire, before testifying in this case, to be granted immunity. I desire, however, an opportunity to see whether the Senate of the United States will give the unanimous consent asked for.

Mr. HOAR. May I ask the Senator from Illinois whether he means that he is going to turn State's evidence? [Laughter.]

Mr. MASON. That would answer the question which I have declined to answer.

Mr. President, the Senator from New Hampshire [Mr. CHANDLER] asked unanimous consent that we be permitted to vote upon these resolutions. I had a resolution that I spoke to more than a month ago—a month ago yesterday—and I have asked continually for unanimous consent that a vote might be had on it. I had no agreement that the Senate would give it. The friends of the treaty objected at first, and when the friends of the treaty got ready to vote, the enemies of the treaty objected; and so, between the upper and nether millstone, my resolution has gone in the usual way to the Senatorial graveyard and I have kissed it goodbye; but I have been led to believe by the friends of the treaty that we should have an opportunity to vote upon the resolution of the Senator from Louisiana.

I can not say that the bunco is continued until I find who objects and ascertain whether agreements that were made will be kept or not. The gentleman with whom I had the talk is not present in the Chamber, and I shall not testify in his absence. I will state that an agreement was had, so far as I understood it; and I am charging no gentleman upon this floor at that time with any breach of faith. I say now, however, if the request of the Senator from New Hampshire is granted, there can be no occasion for further discussion and no further occasion for the exchange of courtesies on either side.

I understand the position to be a simple position. Why thrash old straw? Why not pass upon all these questions now by agreeing to the request now made by the Senator from New Hampshire? If we can have unanimous consent, there will be no need of discussing this matter. In the presence of this great calamity, with our country at war with natives who have never injured us, at war with natives who have been our allies within the last six months, following the example set by the illustrious Weyler in the destruction of villages, I hope there will be no occasion to seek party advantage on either side. Let us be given at least an opportunity to express ourselves, and then let Senators vote on either side as they please. I ask that in fair play; and, so far as I am concerned, I believe there is a disposition in the Senate now to give us that opportunity, as requested by the Senator from New Hampshire.

Mr. BACON obtained the floor.

Mr. LODGE. Mr. President——

The VICE-PRESIDENT. Does the Senator from Georgia yield?

Mr. BACON. I yield to the Senator from Massachusetts if he desires to speak.

Mr. LODGE. I merely wish to say that I spoke of Wednesday last in referring to the Committee on Foreign Relations, the day that committee met. I was mistaken in supposing that the request for unanimous consent came from the chairman of the committee. I now find that the request for unanimous consent came from the Senator from Georgia [Mr. BACON]. The chairman of the Foreign Relations Committee then said:

> Mr. DAVIS. So far as I am authorized to speak, there is no objection to a vote upon the joint resolution now—

That is, the joint resolution of the Senator from Georgia—

> There has been no dilatory intention in anything which has been done.

That was the attitude of the Foreign Relations Committee last Wednesday, and has been their attitude ever since. They have interposed no objection to a vote on any of the resolutions. They were ready to vote then, and they are ready to vote now. As I said before, all I desire is that the resolutions shall have an equal and fair chance.

Mr. BERRY. If the Senator from Georgia will permit me, I wish to say that I stated a while ago that the Senator from Georgia had pressed consideration of his resolution during all of last week—not every day, but at different times—and that no proposition to allow a vote upon the resolution came from the friends of the treaty prior to a week ago yesterday; and the RECORD bears me out in what I say.

Mr. LODGE. I withdrew the statement as to where the proposition came from. The proposition came from the Senator from Georgia, and was consented to by the chairman of the Committee on Foreign Relations.

Mr. BACON. Mr. President, I do not desire to go into the question which was raised by the Senator from Massachusetts [Mr. LODGE]. It is sufficient to say in reply to it that while that was stated by the chairman of the Committee on Foreign Relations, the vote was prevented on that day and on the succeeding day by Senators on the other side of the Chamber who favored the treaty and were not willing that there should be a vote upon the resolutions.

With reference to the request of the Senator from New Hampshire [Mr. CHANDLER], that we should have unanimous consent to vote upon these resolutions, I desire to say a word. In the first place, I desire to suggest to the Senate that whatever resolutions are passed now should be considered with very great care, because they will be the enunciation by the Senate of the permanent policy which it is understood and intended that this Government shall pursue relative to the Philippine Islands.

With reference to the various resolutions, if they are proposed to be taken up seriatim, there are some of them to which I would consent that there should be a vote without discussion, and there are others that I would not make such a consent about.

In reference to the resolutions which I had the honor to introduce, I am perfectly content now, as I have been for weeks past, that the Senate shall at any time vote upon them without discussion.

In the same way, with reference to the resolutions offered by the Senator from Nebraska [Mr. ALLEN], I would be willing to take a vote without discussion, although I may be pardoned for suggesting that I think the resolutions which he has introduced would more correctly speak the truth if he would amend them by saying that "the principles embodied in the Declaration of Independence ought to be now binding upon the people of the United States;" for I very much question, in view of recent events, whether a declaration that they are binding would be strictly correct.

Mr. President, in reference to the resolutions offered by the Senator from Louisiana [Mr. MCENERY], I desire to say that, while I am ready to take them up for consideration at any time, I would not consent to a vote upon them without discussion.

Mr. TILLMAN. And amendment.

Mr. BACON. And amendment. My reason for that is that I think an analysis of those resolutions will show that they are the most vicious resolutions, the most objectionable resolutions which have been introduced here, and that they are not entitled to the support of anyone who does not believe in a permanent colonial policy with reference to the Philippine Islands. In other words, a discussion of those resolutions and an analysis of those resolutions will show that if strictly pursued, whether they require it or not, they will authorize and justify a permanent colonial policy in the Philippine Islands. Resolutions embodying such a proposition, of course, Mr. President, can not be allowed to pass the Senate without a discussion as to whether or not it is true that such is the effect of the resolutions.

Therefore, while I am ready to vote without discussion upon the resolutions introduced by myself, while I am ready to vote

without discussion upon the resolutions offered by the Senator from Nebraska [Mr. ALLEN], while I am ready to vote without discussion upon the resolutions offered by the Senator from Illinois [Mr. MASON], while I am ready to vote, as the Senator from West Virginia [Mr. FAULKNER] suggests, also on the resolutions offered by the Senator from Kentucky [Mr. LINDSAY], I am not ready to vote for them without discussion and without proposals of amendment, because I do not think they exactly express——

Mr. FAULKNER. If the Senator will permit me, I do not understand that the unanimous consent asked for by the Senator from New Hampshire involves the voting on any of these resolutions without amendment. They are all open to amendment by reason of the unanimous consent.

Mr. BACON. But not to discussion.

Mr. FAULKNER. But not to discussion.

Mr. BACON. I am not willing to vote upon the resolutions offered by the Senator from Kentucky without discussion, nor am I willing to vote on the resolutions offered by the Senator from Louisiana without discussion, and I do not see why there should be an effort made to embody so many of these resolutions in the unanimous-consent agreement. If the Senator desires to ask unanimous consent for each one of these resolutions, then we will give a response as to each of them. I have indicated the ones I am ready to vote upon without discussion and without amendment, if you please, but as to the others I shall claim the right both of discussion and of amendment.

Mr. CARTER. Mr. President, this résumé of the history of the few days just passed is but calculated to lead to the same mischievous results that have followed this discussion, or this feature of it, from the inception of the debate on the treaty with Spain. It has seemed to me at every hour of the debate unwise and impolitic to discuss in this forum the terms of a surrender for our Army assailed by the rebels at Manila. Those people, in arms against the authority of the United States, voluntarily appealed from the civil forum to the arbitrament of war. Let that appeal be first determined in the forum selected by the men who are firing on our flag to-day.

Mr. President, the people of the United States will, after due consideration and in due time, determine upon a policy humane in itself and in perfect harmony with the spirit of our institutions and Constitution for the final disposition of the Philippine Islands and the people who reside upon them. At this moment certain Senators desire to force the issue and compel our flag to be lowered on those islands in the presence of a vicious and apparently unrelenting foe. The people of this country will not submit to that course of procedure. It is not in harmony with the past action of the American people upon any question. They have never been driven and they never will be driven one inch upon any public question relating to either foreign or domestic policy.

The purposes, apparently, of presenting these resolutions at the present time may be considered as twofold—first, to pledge the people of the United States for all time in the future to be true to themselves, their traditions, their laws, and the Constitution of the country. That pledge is unnecessary. It is an insinuation in and of itself upon the integrity of purpose and the patriotism of the people of the United States.

The second purpose of the resolutions—they are all about the same—must of necessity be the holding out of a flag of truce and the begging of terms from the men who fired upon the line of American troops surrounding the city of Manila.

The way to impress the Oriental people is not to beg for terms. Our kindness has been construed to mean weakness. Our discussion has been construed to indicate a temporizing policy. Let these questions be settled in the forum selected by the insurgents on the island of Luzon. When settled there, they can trust, without doubt as to the ultimate result, the conscience, the intelligence, and the love of justice and liberty prevailing throughout these United States.

I would not pass any resolution offering terms or seeking consideration at the hands of any body of men who voluntarily flew in the face of the proclamation of the President and fired upon the flag of this country. Wheresoever that flag may have been floating, or may float in the future, it must be treated with respect, and can not be fired upon with impunity.

Mr. President, this discussion about bargains, deals, and dickers does not comport with the dignity of this body, according to my conception of its true dignity. It does seem to me if any Senator desires the resolutions voted upon he has a perfect right to ask for the vote to be taken; and it is the right of any Senator here, in the exercise of the ordinary prerogatives of his office, to insist upon further discussion or upon reasonable delay. I am not prepared to-day to vote on any resolution. I am not prepared to object to the consideration of all of them.

Mr. STEWART. Mr. President, since the consideration of the resolution of the Senator from Louisiana has been objected to, there can not be unanimous consent for the taking of a vote upon it without discussion; and I believe that is the only resolution with reference to which it is claimed that there is any kind of agreement. I know nothing of any agreement to vote upon any of the resolutions by unanimous consent.

I wish to say that, under the circumstances, before any resolution is voted upon I desire to make a few remarks. I want my position understood with regard to this matter. A vote on any one of the resolutions might greatly misrepresent me if I voted for it in its present shape, and if I voted against it my vote might be misunderstood. So, being at liberty, since objection has been made, to be heard upon the subject, I will now give notice that when the resolutions come up, I shall submit some remarks upon the whole subject of the expansion of our territory.

I do not think expansion has been fully discussed. There seems to be a cowardice in treating the subject. There does not appear to be perfect freedom in the discussion. Senators appear to be under restraint. I think it is premature to discuss the question now. It will be time enough in the next year or two to do that. I do not think we need any discussion upon the subject; but whenever there is an occasion for it, whenever we are to be committed upon any of these propositions, I think we ought to consider all sides of the question.

It may be possible that the people of the United States will be unwilling to give up what they have acquired by war; it may be that there will be what they consider some commercial advantages which they will want to retain. It may be that they will not deal entirely with the sentimental side of the question. They may want to take some practical view of it.

Let them have time to think the matter over. I do not think we should forestall them as to what we will do with these islands; I think it is entirely premature to do that now. Six months or a year or two or three years hence will develop the facts, and the American Government will be better able to deal with it when they have a full knowledge of the facts than they are now, with the limited knowledge they have.

I think the passage of these resolutions would forestall the action of the Government in the future, and it is entirely premature to do that. It is not certain that the fact that we secure sugar lands in those islands enough to supply ourselves and the world with sugar would be detrimental——

Mr. ALLEN. Will the Senator permit me to interrupt him a moment?

Mr. STEWART. No; not now.

It is not certain that having tobacco lands enough to have the monopoly of the tobacco and cigars of the world would be detrimental to this country; it is not certain that having coffee lands enough to supply our country with coffee would be detrimental to us; and it is not certain that if those islands were annexed they would disturb our political institutions, because certainly nobody would allow the people there to vote or to take part in the government of this country until they were qualified; and that would take considerable time. New Mexico has been a Territory for fifty years, and she is still kept out. She is still in a condition of pupilage, and not yet ripe for statehood. They have not understood the English language or our institutions sufficiently to justify us in admitting them, because we know that republican principles can not be expressed in any language but the English language; and we know that freedom is expressed in the English language, and in no other language.

Mr. TILLMAN. Mr. President——

Mr. STEWART. I decline to be interrupted.

The VICE-PRESIDENT. The Senator from Nevada declines to be interrupted.

Mr. TILLMAN. But if the Senator will allow me, he has been here thirty years and he is no youngster here, so that he certainly can submit to an interruption.

Mr. STEWART. Certainly I can submit to an interruption greatly to my advantage, but probably to the disadvantage of the Senator from South Carolina. [Laughter.]

Mr. TILLMAN. Then the Senator does not object to having some of his propositions elucidated a little more fully than he is elucidating them?

Mr. STEWART. I do object to it in my speech—you can have your time later—because, in the first place, I do not think the Senator from South Carolina has got information enough to elucidate the subject.

Mr. TILLMAN. Let me prove that.

Mr. STEWART. No; I want to proceed. I am not going to be interrupted.

Mr. TILLMAN. You object to a man showing that he knows a little something about a proposition.

Mr. STEWART. It can not be allowed under the rules that two Senators shall have the floor at the same time.

Mr. TILLMAN. I thought I might enlighten the Senator, in view of the fact that he has been absent for some time and did not have anything to do with this matter.

Mr. STEWART. I have been reading the Senator's speeches,

and I am certain he can not give me any light on the subject [laughter], and I do not expect a great deal of information from those who have spoken most frequently on this subject, because, though I have been absent, I have been reading their speeches.

I do not think all the reasons for retaining what we have acquired by the war have been given, and the assumption that our institutions would be interfered with by people who can not participate in them for a century or two under any circumstances, however diligently we may go to work to educate them, I do not believe is well founded. Besides, whenever there is any danger of our system being disturbed by them it will be within the power of this Government to deliver itself from any such danger. The people of the United States are not going to have their institutions endangered by incorporating into the body politic sections of country inhabited by people who are incapable of maintaining republican institutions. That question can be met, and will be met, when it comes.

I have heard it suggested here that the Filipinos would interfere with our labor system. It seems to me that impression is founded in profound ignorance or want of investigation. There never has been in the history of the world emigration of laborers from the tropical to the temperate zone. I have heard the Chinese alluded to as if they had done it. That is not true. The Chinese who have come to this country come from a climate entirely similar to ours. You never see any of the Formosans or southern Chinese, who live in a tropical climate, coming here.

Such a thing never happened, and it never will. They do not go from India to England, nor from the tropical portions of Africa to England, although they are under the English Government. A case can not be cited where the inhabitants of the Tropics have gone to a temperate zone to labor, and they are not coming here to labor. The difficulty is they do not labor enough at home. It has frequently happened that men have gone from temperate to tropical zones to labor, but not with great success; they do not stay there long. So the labor question is eliminated by nature.

Then, again, if we have these islands with their tropical productions, which are our main imports, we shall have the balance of trade in our favor. Heretofore it has been against us, owing to the importations of tropical products, such as sugar, coffee, and tobacco. The balance of trade against us of two or three hundred million dollars a year, perhaps, has come from these tropical productions. I do not propose at this time to go into details. These products come from that source where we can be supplied, and if we are supplied by a part of our own country, we should not have to pay the money out to foreigners.

Besides that so far from being against American labor, it would be greatly in favor of American labor, for we would manufacture everything that those people require. Manufacturing is always done in the temperate zone, always has been, and always will be; and it will not be done elsewhere. We would have the exclusive trade, and we should have an enormous trade in supplying them with our productions and our manufactures. The American people, in view of these facts, may come to the conclusion that we want to keep all the islands when that question is open to consideration. It seems premature to preclude ourselves as to the question by any resolution when no action is required. Let us wait until action is required; and then act in view of the condition of things that may then be developed and understood.

I hope when these resolutions come up we shall have a fair and free discussion of them, not jump in the dark and pass vague resolutions committing the Government to propositions which we may want to repudiate hereafter.

I am glad that the resolutions are not going to come up by unanimous consent, although I should not have objected myself, because I was not here and did not know what arrangement had been made.

Mr. MASON. I desire to interrupt the Senator for a moment.

Mr. STEWART. Not now. I do not want to break any arrangement which anybody has made, and since the Senator from Georgia has objected to the resolution of the Senator from Louisiana, the whole thing is opened, and I give notice that the resolutions will be debated when they are called up.

Mr. MASON. I rose to ask the Senator from Nevada a question. I did not understand that anybody objected to the request for unanimous consent.

Mr. STEWART. Yes. The Senator from Georgia objected to the request for unanimous consent for a vote on the resolution of the Senator from Louisiana.

The VICE-PRESIDENT. The request has not yet been put to the Senate.

Mr. MASON. That is the way I understood it.

Mr. MCENERY. Mr. President, referring to the criticisms of the Senator from Georgia [Mr. BACON] on the resolutions I introduced relative to the future policy of this Government toward the Philippines, I desire only to say a few words. They are in effect identical with the policy declared in reference to the island of Cuba. The moment the Spanish troops left the island of Cuba, just at that moment the entire sovereignty of the United States passed over every inch of the soil of that island. Notwithstanding that there was a mere relinquishment of sovereignty by Spain, the actual sovereignty passed to the Government of the United States. There is not a community that does not owe allegiance to some government, and every Cuban owes allegiance to the Government of the United States. The Government of the United States has authority, has power, it has all the manifestations of sovereignty, internal and external, with reference to that island. If those people to-day commit an offense against any foreign power, who is responsible—the people of Cuba directly, or the Government of the United States? We control the courts, the revenues of the island, and we have in our hand the destiny of that people.

So it is with the Philippine Islands. The word "cede" has practically no significance so far as practical effects are concerned. In the Philippine Islands the Government of the United States would to-day exercise the same authority over all those islands were it not for the resistance now inaugurated against the authority of the Government of the United States. In reference to Cuba the resolution was that this Government pledged to the Cuban people a stable government. It went no further than that, promising to remit that island to them when a stable government should be established. Who is to judge of the stability of that government? The people of the United States. There is no limit given within which that discretion shall be exercised. It may be, as said by the Senator from Georgia with reference to the Philippine Islands, permanent and forever unless this Government, in its discretion, says that they have a stable government and that it is willing to turn the islands over to them.

These resolutions are not so strong as the resolutions in reference to the island of Cuba. They simply declare that the Government of this country intended by the ratification of this treaty of peace not to permanently annex those islands as an integral part of the territory of the United States. What objections can gentlemen on this side of the Chamber have to that declaration? Every utterance they have made has been against annexation. Now, here is a declaration committing this Government, at least for the present, against incorporating those people into the citizenship of the United States and of annexing their territory as an integral part of the territory of the United States. That is what they have been clamoring for. There will go probably into the next Democratic platform a declaration against annexation. What inconsistency! To proclaim against it here and put it in a platform and to go before their people and demand a policy of nonannexation!

Now, as to the latter part of the resolution, it gives this Government discretion just as it does in the case of the island of Cuba—a discretion to determine when those people have learned the principles of self-government and when they shall be able to take care of themselves. The resolution was left purposely open to give the Government of this country a wide discretion in the disposition of those islands. We can not tell what the future may bring forth. It may be a few years, it may be a quarter of a century, it may be a century before those people can learn the principles of self-government. If within that period or within the near future they develop that capacity, then we can turn those islands over to them. But, on the contrary, if they desire to become annexed to the Government of the United States, as in the case of Hawaii, then the discretion is left open for this Government to accept their proposition.

I see nothing in the resolutions that would authorize this Government to deal differently with these people than it is now dealing with the people of Cuba.

Mr. President, I ask unanimous consent, so long as it is the intention to discuss this resolution, that it be considered next Tuesday at 2 o'clock, and that a vote be taken before adjournment on that day.

The VICE-PRESIDENT. The Senator from New Hampshire [Mr. CHANDLER] has asked for a unanimous-consent agreement, which the Chair will put first.

Mr. BACON. I understand the request of the Senator from Louisiana to be that the resolution be taken up at 2 o'clock on Tuesday.

Mr. MCENERY. On Tuesday.

Mr. BACON. And that it be voted on before adjournment. I have no objection to that request.

The VICE-PRESIDENT. The Senator from New Hampshire made the first request of the Senate.

Mr. CHANDLER. In view of the suggestion of the Senator from Louisiana, I will change the day, putting my request in the same form, but substituting Tuesday instead of Monday.

Mr. ALLEN. I understand that the request of the Senator from Louisiana is in substance the request of the Senator from New Hampshire.

Mr. CHANDLER. There is one day's difference.

The VICE-PRESIDENT. The Senator changes the hour, also.

Mr. CHANDLER. I ask to have my request stated.

Mr. ALLISON. The request of the Senator from Louisiana embodies only his own resolution, while the request of the Senator from New Hampshire includes all resolutions.

Mr. CHANDLER. The Chair will kindly state my request as modified.

The VICE-PRESIDENT. Unanimous consent is asked that on Tuesday next, at 2 o'clock p. m., the joint resolution, No. 240, introduced by the Senator from Louisiana [Mr. McENERY], and all other resolutions on the same subject, whether joint resolutions or Senate declarations, be taken up for consideration and be disposed of before adjournment on that day. That is the request of the Senator from New Hampshire [Mr. CHANDLER]. Is there objection?

Mr. BACON. Which is the one we are to act upon now; that request or the request of the Senator from Louisiana?

The VICE-PRESIDENT. The Senator from New Hampshire made the first request, then the Senator from Nebraska made another, and the Senator from Louisiana a third request.

Mr. VEST. Mr. President, I should like, with the permission of the Senate, to say a few words in regard to this request. I shall make no objection to the request, and have been too ready at any time to vote upon any or all of the resolutions, including the one submitted by myself. I am bound to say, however, that action upon any of these resolutions now seems to me very much like sending for an eminent physician after the patient is dead. I have been told that just after the last war a large convention was held in a certain State of the Union at which a prominent gentleman offered resolutions, some thirty days after the surrender at Appomattox, declaring that the colored people were entitled to their freedom. He supplemented the offering of the resolutions with the remark that thirty years before in another convention at another place he had offered the same resolutions. A ragged Confederate interrupted him by saying, "Mr. Chairman, it seems to me the first resolution was thirty years too soon, and I will swear the last resolution is thirty days too late." [Laughter.]

Mr. President, what can be a broader farce than our passing a resolution in regard to the policy of the United States when we have already declared that policy at the mouth of cannon, in the rattling of musketry, and are shooting our doctrine into the people of the Philippine Islands as fast as possible? Why shall we now, after we have put into practical operation our intention in this matter, declare by resolutions what we intend to do when we are already doing what we intend to do? When the peace treaty, as it is termed, the treaty of Paris, was ratified by the Senate, it followed logically and absolutely that if the people of the Philippine Islands resisted the terms of that treaty, which was a cession of their country to the United States, they must be coerced into submission. There was not an intelligent man who did not know that every one of us who dared to make any protest against the coercion of the Filipinos would be denounced, if not as a traitor, then, in the language of the Senator from Montana, as engaging in what was dangerously near to treason. There was not a single man in the United States of average intelligence who did not know that the logical result of the treaty would be that it should be carried out by such means as were necessary to the last extremity of the military power of this country.

All of us, possibly, have heard of that Irish nobleman, a very brilliant man, but who had the unfortunate faculty of becoming the debtor of every tradesman within reach. He was approached by one of his creditors with the request that he settle his bill. He said he did not have the money to settle it. "Well," said the creditor, "give me your note, and make it payable whenever you please." "With the greatest pleasure," said his lordship; and he immediately wrote a note for the full amount, payable one day after judgment. [Laughter.]

Mr. President, the Senator from Louisiana [Mr. McENERY] proposes that we adopt a resolution declaring that whenever we think that the people of the Philippine Islands are fit for self-government we will give it to them. Is that the meaning of the Declaration of Independence, that all governments derive their just powers from whom and from what? From the consent of the governor, from the consent of the victor? As I have read it, it is from the consent of the governed; and I assert here to-day that the meaning of that Declaration is that there is not a people upon the face of the earth so poor, so ignorant, so degraded that they are not entitled to choose their own government, be it good or bad, republican or monarchical.

I put this question now to every Senator on this floor: If we are to determine when these people are to have the right of self-government, then what becomes of the declaration that the consent of the governed confers just power upon the government? Oh, it is said, but we did the same thing as to Cuba. We did nothing of the sort. We pledged ourselves to restore order in Cuba, so the people could determine upon their form of government. Have we done that as to the Philippines? On the contrary, we have changed the declaration and forced Spain to cede to us the absolute ownership of the islands, and we are to pay $20,000,000 ex gracia for that cession. We do not say that we will restore order, enforce law, or let those people choose their own government, but they are our property. They belong to us and we can do with them as we please.

Therefore, Mr. President, I shall make no objection to voting upon these resolutions, because they are simply brutum fulmen. They amount to nothing. We have already declared what we intend to do by what we are doing; and in my judgment it is a travesty upon legislation to ask to take the time of the Senate to attempt to cajole the American people by pretending that we intend to do anything else than what we are doing now.

Mr. TILLMAN. I wish to ask the Senator from Missouri, if he will be kind enough to answer before he sits down, if it is not apparent that the pressing of these resolutions to a vote now is merely to carry out a pledge made before the vote on the treaty came about?

Mr. VEST. I know nothing about any pledge. I have simply heard the statement of the Senator from Illinois, and I believe what that Senator says to be true. I have nothing to say in regard to any pledge, as I was not a party to it.

Mr. ALLEN. Mr. President, this discussion is drifting away somewhat from the resolution before the Senate, but I shall not protract it to any extent, because I desire a disposition of the resolution before the morning hour expires. I can not resist the temptation to respectfully differ with the junior Senator from Missouri [Mr. VEST] as respects our attitude toward those islands. I voted for the ratification of the treaty, and I have no apology to make here or elsewhere for doing so. It was my honest conviction that to open up negotiations by a rejection of the treaty or an amendment of its terms might lead to dangerous complications and dangerous consequences; and I preferred to have the whole question within our jurisdiction, so that we might, in accordance with the Declaration of Independence, enable the Filipinos to set up a home government of their own.

Mr. President, our attitude in the Philippine Islands is a military attitude altogether. There is no civil power there. We have held those islands and will hold them by virtue of the military power of this Government until Congress, carrying out a duty imposed upon it by the Constitution, shall formulate and see that there is adopted a system of civil government for those people. I think that position can not be successfully contradicted.

Mr. President, the Senator from Montana [Mr. CARTER] finds some fault with the adoption of any resolution upon the subject of our attitude toward the Philippine Islands. The Senator from Montana manifests considerable hostility to the Filipinos, and with much of that I sympathize. He wants to use the Army and the Navy first to destroy them before any form of government is set up there. I draw the line at that. I thought, while listening to the honorable Senator from Montana in his ferocious assault upon the Filipinos here a few moments ago, that this Government ought to employ his services as a warrior and send him over to that country, that his plume, like that of Henry of Navarre, might wave in front of the battle. There is not the slightest cause to make sport or game of these resolutions. They embrace vital principles of government that must be settled; and no attempt to raise the flag of discontent in this Chamber, let me say to the honorable Senator from Montana, will ever obscure the money question as an issue in Montana or any of the intermountain States.

Mr. President, I wish to call attention to the remarkable attitude of the Senator from Nevada [Mr. STEWART], whom I have been led to believe in the years gone by was a Populist. To my utter surprise I find this morning that he has joined what an associate of ours in the House of Representatives called "plutogols." I do not know how it is spelled.

Mr. MASON. It is not spelled.

Mr. ALLEN. That is the way it is pronounced. The Senator from Illinois can spell it.

Mr. MASON. It is not spelled at all.

Mr. ALLEN. It is just spoken.

Mr. MASON. It is just spoken.

Mr. ALLEN. The Senator from Nevada, if he will permit me the expression, is inclined to be bloodthirsty this morning. He wants to array the Army and Navy against somebody. The Senator from Nevada says that possibly we will give these people a government in two or three years from now; possibly we may not; and I was wondering at the time whether it would be possible for the great gang of agents sent to the Philippine Islands, into Cuba, and into Porto Rico, by what my friend and I know as the money power, to search for gold mines and silver mines and copper mines and locate them within two or three years, so that we can change the form of government at the expiration of that time, would succeed. I am informed that these islands swarm to-day with the agents of this power, and that while certain gentlemen talk about holding the flag over those islands, in fact the purpose of holding the flag there is that they can get control of

the valuable property on those islands before it comes down and another flag goes up. I do not say that is true; I do not know whether it is or not; but I am told that it is true.

Mr. President, a duty is imposed upon us by our occupancy of the Philippine Islands that we can not escape. I would not incorporate those people into the body of our population or make citizens of them at this time. I fully concur in what I understand to be the policy of the President of the United States, to hold them for such reasonable time that the influences and education of this Government may prepare them in some slight degree for the duties of an independent republican form of government. That furnishes no excuse for their assault upon the duly constituted authorities in those islands. That comes from their lack of knowledge. It comes possibly from those who have given them bad advice. I think it does largely. But whether they be responsible or irresponsible, the first great lesson they must learn is obedience to the duly constituted authorities of the islands until the sovereignty changes from that authority to them.

It is to be regretted, it is to be deeply regretted, that there has been any necessity for the use of the Army or the Navy there; but out of it all, out of the struggle and out of the bloodshed that has taken place in the Philippine Islands, let us hope and pray that a new and better civilization may come and the blessings of civil liberty be in time extended to those people.

I ask for the adoption of the resolution.

Mr. CAFFERY. Mr. President, when the Senator from Nevada [Mr. STEWART] had the floor I attempted to ask him a question, which he very brusquely brushed aside. It was whether in his view the sugar from the Philippine Islands would come into the United States free of duty, as he stated that in his opinion it might not be unwise for the United States to take in islands which raise so much of that article. But the discussion took a broader range after other Senators took the floor.

I want to draw the attention of the Senate to the marked difference between the resolution adopted in regard to Cuba and the resolutions pending in regard to the Philippine Islands. In our declaration of war we acknowledged the people of Cuba as a free and independent people. We proceeded further to say that we would help those people organize a stable form of government. In the negotiations of the treaty with Spain we required the relinquishment of Spanish sovereignty over the island of Cuba. In my opinion, that sovereignty lodged in the people whom the United States declared to be free. We acknowledged the germ of government in Cuba by acknowledging the people of the island to be free and independent. We therefore sanctioned the principle that they were capable of government by an acknowledgment through a vote in this Chamber recognizing the belligerency of the Cubans in their war with Spain.

Mr. President, the whole fabric of our Government is based upon the idea that sovereignty lodges in the people and nowhere else. We acknowledged that principle in regard to Cuba. We have not, and, in my opinion, will not acknowledge it in regard to the Philippine Islands. We bought those people as so much merchandise. We have bought them and the territory that they inhabit for $20,000,000. We have not done that with the island of Cuba. There is the most marked distinction between the two cases. We do not acknowledge that there is a germ of national life in the Philippine Islands. We have acknowledged that that germ exists in Cuba and we are assisting the Cubans to form a stable government.

Now, a government is nothing more than the organ of the sovereign will of any people. We have entirely disregarded any claim whatever of the Philippine people to any government whatever other than the government that we choose to impose upon them. There is a difference between the two cases. The statement of the Senator from Nevada raises, in my opinion, a very important question as to whether or not we will pursue in regard to the Philippine Islands what is termed the open-door policy or whether we must pursue the policy that obtains of free trade between each and every portion of the United States, including the Philippines, and closing the door to other nations, so far as our tariff laws can do so.

I believe the position is taken by some of the friends of the treaty that we can hold these islands perpetually as an appanage of the United States, without subjecting them or without their being subjected to the operation of our tariff laws; in other words, that we can impose a tariff upon the products coming from the Philippines to the United States, just as we do in regard to the products coming from foreign countries. It is a question, I think, of very great moment to the people of the United States whether we can alter the Constitution itself, which prescribes that all duties, taxes, and imposts shall be uniform throughout the United States; whether we can hold these islands perpetually, and place upon the products coming from them just such taxes as we please. I understand that to be the doctrine held by some of the members of the Senate and a great many on the outside of the Senate.

If that is the doctrine, it ought to be debated in these resolutions. We ought to know where we stand. We ought to know whether or not the sugar, the rice, the hemp, and other products coming from the islands can come in with a duty or without a duty. That is a very material consideration for the people of my State. Some of them down there seem to be under the impression that the products of the islands can be taxed by the Congress of the United States as if they did not belong to the domain of the United States. I believe that is a wrong impression. I believe that taxation must be uniform. I know there are judicial precedents holding that view, and I believe that the precedents are in exact conformity with the Constitution of the United States.

I do not believe that there is any parallel whatever in the case of Cuba and the case of the Philippine Islands. The concluding clause of the resolution introduced by my colleague [Mr. McENERY] gives the United States ample power to dispose of these islands whenever the United States sees proper to do it. We are under no guarantee whatever to them. We have taken them. We do not propose to give them self-government. We only propose in the resolution offered by my colleague to prepare them for local government, and in due time to dispose of them according to the best interests of the people of the United States. That may be to sell them; it may be to alienate them. The term "dispose" would imply that we are to get rid of them. That is not a proper term to use if we are going to incorporate them. To "dispose" looks toward getting rid of them, selling them, alienating them, and not to incorporating them. But, Mr. President, interests will grow up and around the Philippines which will prevent us from letting them go.

The Senator from Nevada says that there is no danger of competition from these islands; that the labor of the Tropics does not come to the temperate zone, and vice versa. That may be true, but if there is a condition of free trade existing between the United States and the Philippine Islands, what is to prevent American capital from exploiting the resources of that country through Malay labor and bringing the product here to compete with American labor?

Mr. STEWART. Mr. President——

Mr. CAFFERY. I decline to be interrupted.

The VICE-PRESIDENT. The Senator from Louisiana will proceed.

Mr. CAFFERY. Now, Mr. President, there is the danger point for our labor. If a condition of free trade exists, and in my opinion it must exist, between the Philippine Islands and the United States, why could not that country be developed in its material resources through low-priced Malay labor, and the product of that labor be brought into the United States to compete with the product of our high-priced labor? Why not? There is the danger; there is the trouble; and nobody can sneer it down and pooh-pooh it away.

Given the conditions of free trade, given the conditions of a stable government, given the conditions of American capital and American ability to organize, why not make the Tropics flourish? Why not develop the resources of the Tropics in the Philippines to their highest extent? They already export 250,000 tons of sugar. They export a vast quantity of manila hemp, the best in the world. Under the conditions that American enterprise and capital and skill could create in those islands, all these products and many more to be developed would come in competition with the products of American labor right here at home.

There is no opportunity there, as the Senator well remarks, for any hard-working, industrious white man to go to the Philippines. He can not stand the climate. If that were an uninhabited country in the temperate zone, notwithstanding it is 7,000 miles away from our coast, if it could afford a place where the American workman, the American yeoman could settle and better his fortunes, it would not be a great evil; but as it is 7,000 miles from our coast, inhabited by a people who perhaps will, at least to a small extent, come here while certain it is that our people can not go there except as capitalists and exploiters, I see, Mr. President, from an economical standpoint, from an industrial standpoint, great danger of the competition of the products of those islands with the products of American home labor.

That point ought to be settled. That point arises in these resolutions, for the resolutions of my colleague say that we must keep those islands until such time—indefinite, perhaps perpetual—as the United States may think proper to dispose of them. There is not in those resolutions a single guaranty of anything but American government; there is not a single statement of anything but the exercise of our authority with the reservation to alienate if we see proper; and pending our absolute control, no doubt such influences will be brought to bear as will perpetuate our dominion there. There is no doubt that the products of the islands, if allowed to come in free, will seriously affect our home industries; and there is no doubt in my mind that they must come in free or the Constitution and the law must be set aside.

PUBLIC BUILDING AT ALTOONA, PA.

Mr. PENROSE. Mr. President, I ask unanimous consent to call up the amendments of the House to the bill (S. 1273) for a public building at the city of Altoona, Pa., and appropriating money

therefor. The matter went over yesterday at the request of the Senator from Missouri [Mr. COCKRELL]. The bill has passed the Senate and the House and the question is on concurring in the amendments of the House. It will not take more than a minute.

The VICE-PRESIDENT. Is there any objection to the request?

Mr. CULLOM. I have no objection to it.

The VICE-PRESIDENT. The amendments of the House of Representatives will be stated.

The SECRETARY. On page 1, line 5, strike out "cause to be erected thereon, a" and insert "to contract for the erection and completion of a;" on page 2, line 22, strike out all after the word "alleys" down to and including the word "therein," in line 29; and amend the title so as to read: "A bill for a public building at the city of Altoona, Pa."

Mr. COCKRELL. Let the words struck out by the House of Representatives be read.

The SECRETARY. On page 2, line 23, after the word "alleys," the House of Representatives struck out:

And that no money appropriated for this purpose shall be available until a valid title to the site for said building shall be vested in the United States, nor until the State of Pennsylvania shall have ceded to the United States exclusive jurisdiction over the same, during the time the United States shall be or remain the owner thereof, for all purposes except the administration of the criminal laws of the said State and the service of civil process therein.

Mr. COCKRELL. When the bill was laid before the Senate yesterday and the junior Senator from Pennsylvania moved that the Senate concur in the House amendments, I asked that it might be laid over. I had the House amendment read, which shows that the House has stricken out the provision of the bill which requires the Attorney-General to pass upon the title and requires a cession of the jurisdiction of the State to the United States. It has been the universal rule of the Committee on Public Buildings and Grounds to have those provisions inserted in all the bills which have heretofore been passed for the erection of public buildings. I suppose the committee knew what they were doing, and that the provision was necessary. Therefore, when I saw that the House had stricken out the provision, I could not consent to the passage of the bill until that question was looked into. I made my objection at the time——

Mr. CULLOM. If the Senator——

Mr. COCKRELL. I am not objecting to the bill now, if the Senator from Illinois will just wait a little while. I will be through in a minute or two, and the amendments will be concurred in.

Mr. CULLOM. I thought the Senator was going to offer an amendment to the House amendment.

Mr. COCKRELL. No; there is no necessity for an amendment. I know exactly what I am doing.

Mr. CULLOM. All right.

Mr. COCKRELL. I objected yesterday until the matter could be looked into. I have conversed with the members of another body which have this matter in charge. I asked for certain information. The distinguished chairman of the Committee on Public Buildings and Grounds, the senior Senator from Pennsylvania [Mr. QUAY], is not present. I find that the House committee acted upon what is stated in the following letter addressed to me:

COMMITTEE ON PUBLIC BUILDINGS AND GROUNDS,
HOUSE OF REPRESENTATIVES, U. S.,
Washington, D. C., February 9, 1899.

Hon. F. M. COCKRELL,
United States Senate, Washington, D. C.

DEAR SIR: Representative Hicks, of Pennsylvania, who is interested in the Altoona public-building bill—

That is the bill here—

informs me that you desire some reasons given you for the amendments made to the bill referred to in the House of Representatives. I refer to S. 1273. The reason for the first amendment, in page 1, line 5, is because the committee thought under the amendment that the construction of the building after the site was purchased would be very much hastened with reference to time, and in that respect it would be an improvement over the conditions set out in the original bill.

That I do not object to.

The second amendment, on page 2, line 22, etc., was made at the suggestion of the Treasury Department, Acting Secretary of the Treasury, Hon. O. L. Spaulding, using these words in explanation of his recommendations to the committee: "This prohibition (referring, of course, to the lines in the original bill stricken out by the second amendment, just referred to) will prevent the payment, until after the acquisition of a site, of the customary preliminary expenses, such as advertising, the traveling and subsistence expenses of the agent of this Department who may be detailed to examine and report upon the suitability of such sites as may be offered, etc. Unless it is intended that such items should not be paid promptly, it is suggested that the provisions of section 355, Revised Statutes of the United States, are ample to prevent the purchase of a site until the State has ceded to the United States jurisdiction over the same, or the erection thereon of any building until the Attorney-General has passed favorably on the title thereto, and it is respectfully suggested, therefore, that the prohibitory clause referred to be stricken from the bill, or that the ordinary preliminary expenses be excepted from its operation."

With reference to the amendment offered to the title striking out the appropriation in the Senate bill, I beg leave to state that, under the rules of the House, bills reported by the Committee on Public Buildings and Grounds in the House of Representatives are not allowed to carry an appropriation.

Trusting this information will be satisfactory to you, I remain,

Yours, truly,

DAVID H. MERCER.

Mr. SPOONER. What section of the Revised Statutes does the letter refer to?

Mr. COCKRELL. Section 355. Now, Mr. President, if the statement made to me is true, that the Secretary of the Treasury decides that the existing law is ample and that under existing law, without any provision in these special bills, the title will be passed upon by the Attorney-General and the State will have to cede jurisdiction to the United States, there is no necessity for such a provision, and therefore I shall not object to this going out of the bill. I regret that the Committee on Public Buildings and Grounds did not take the same view, because I should not have objected to it if it had not been the universal rule of the Committee on Public Buildings and Grounds to have the provision inserted in the bill, and I thought it was very strange that the House would strike it out after having concurred in it for so long a time.

Mr. VEST. Mr. President, I do not intend to detain the Senate more than a moment. The position taken by the House of Representatives and by the Treasury Department is not a conceded one. There has long been a controversy in both branches of Congress, and especially in the Senate, as to the cession of jurisdiction by a State in regard to the site of a public building of the United States. A former Senator, a member of this body, now deceased, Senator Jones, of Florida, made several very able arguments upon that question. The question alluded to by my colleague has been before the Committee on Public Buildings and Grounds. The chairman of that committee, now absent, and our deceased friend from Vermont, Mr. Morrill, the oldest member of the committee and its former chairman, always insisted upon this provision being put in the bill.

Mr. COCKRELL. May I read the section of the Revised Statutes referred to?

Mr. VEST. Yes; read the section.

Mr. COCKRELL. I will now read section 355, referred to in the letter I have read:

SEC. 355. No public money shall be expended upon any site or land purchased by the United States for the purposes of erecting thereon any armory, arsenal, fort, fortification, navy-yard, custom-house, light-house, or other public building of any kind whatever, until the written opinion of the Attorney-General shall be had in favor of the validity of the title, nor until the consent of the legislature of the State in which the land or site may be to such purchase has been given.

That is explicit, then.

The district attorneys of the United States, upon the application of the Attorney-General, shall furnish any assistance or information in their power in relation to the titles of the public property lying within their respective districts. And the Secretaries of the Departments, upon the application of the Attorney-General, shall procure any additional evidence of title which he may deem necessary, and which may not be in the possession of the officers of the Government, and the expense of procuring it shall be paid out of the appropriations made for the contingencies of the Departments, respectively.

It does contain it.

Mr. VEST. I simply want to add that this matter has always been disposed of in a perfunctory sort of way in the committee and in the Senate by the statement that it would do no harm to put such a provision in a public-building bill, and out of an abundance of caution it should be put there, as the Senator from New Hampshire [Mr. CHANDLER] said some days ago when he offered a resolution distributing different appropriation bills of the Senate, amongst the balance placing the river and harbor bill in the possession of the Committee on Commerce. I called his attention to the fact that that committee already had jurisdiction of that bill. Then he said no harm could come from reenacting that provision in his resolution. That is all there is in this question.

The VICE-PRESIDENT. The questson is on concurring in the amendments made by the House of Representatives.

The amendments were concurred in.

TICKET BROKERAGE.

Mr. CULLOM. I ask that the unfinished business be laid before the Senate.

The VICE-PRESIDENT. The hour of 2 o'clock having arrived, the Chair lays before the Senate the unfinished business, which is the bill (S. 1575) to amend an act entitled "An act to regulate commerce."

Mr. HOAR. Mr. President——

Mr. CULLOM. Now I ask that that bill be temporarily laid aside, in order that the pending appropriation bill may be proceeded with.

PROPOSED EXECUTIVE SESSION.

Mr. HOAR. I rose before that request was made. I wish merely to get the view of the Senator from Illinois as to the time when it will be agreeable to him to have a motion made to consider executive business.

Mr. CULLOM. Any time after the appropriation bill is disposed of to-day.

Mr. HOAR. At what time does the Senator think the appropriation bill will be disposed of?

Mr. CULLOM. I hope before the ordinary time of adjournment. If not, I shall be glad if the Senate would allow me to

finish it to-day, for the reasons which I intimated yesterday. I think the Senator from North Carolina [Mr. PRITCHARD] does not expect an executive session to-day.

Mr. PRITCHARD. That course will be agreeable to me provided we may have an executive session on Monday immediately after the Senate convenes.

Mr. HOAR. Very well. Then I give notice that if the legislative, executive, and judicial appropriation bill be not sooner disposed of, so as to have an executive session this afternoon, I shall move one after the close of the routine morning business on Monday.

POLICY REGARDING THE PHILIPPINE ISLANDS.

Mr. MASON. Mr. President——

Mr. CULLOM. I ask that the legislative appropriation bill be taken up.

Mr. MASON. Mr. President, I rise to a question of order.

The VICE-PRESIDENT. The Senator from Illinois will state his question of order.

Mr. MASON. I should like to know the parliamentary situation. I heard a request for unanimous consent.

The VICE-PRESIDENT. It was too late to entertain the request after 2 o'clock. At 2 o'clock it was the duty of the Chair to lay the unfinished business before the Senate, and he has done so.

Mr. MASON. What has been done, then, with the unfinished business?

The VICE-PRESIDENT. The unfinished business was laid before the Senate, which is the bill (S. 1575) to amend an act entitled "An act to regulate commerce."

Mr. MASON. What disposition does my colleague wish to have made of that bill?

Mr. CULLOM. I ask that it be temporarily laid aside for the purpose of going on with the consideration of the legislative, executive, and judicial appropriation bill.

The VICE-PRESIDENT. Is there objection to that request? The Chair hears none, and the unfinished business will be temporarily laid aside.

Mr. MASON. Mr. President, I object. I rose to object.

The VICE-PRESIDENT. The objection is in time.

Mr. CULLOM. Then if my colleague objects to the consideration of the legislative appropriation bill, I move that the bill be taken up for consideration.

The VICE-PRESIDENT. The senior Senator from Illinois moves that the Senate proceed to the consideration of the bill (H. R. 11414) making appropriations for the legislative, executive, and judicial expenses of the Government for the fiscal year ending June 30, 1900, and for other purposes.

Mr. MASON. I do not think it will be necessary to make any motion if I may be given one minute to inquire as to the parliamentary situation. I should like now to know the situation. I rose to object until I could make a request for unanimous consent.

Mr. CULLOM. To do what?

Mr. MASON. I desire to ask unanimous consent or to renew the request made by the Senator from Louisiana that his resolution be voted on at 4 o'clock on Monday.

Mr. CULLOM. If my colleague will allow me to say a word on that subject, those resolutions or some one of the resolutions was before the Senate during the morning hour, and the discussion of it continued until the morning hour expired, when regularly, under the rule, the resolution went over, or went on the Calendar at least.

The VICE-PRESIDENT. On the Calendar.

Mr. CULLOM. At least the discussion ceased under the rule. So I think my colleague is mistaken as to there being any purpose on the part of anybody to refuse to give a hearing to a Senator on that resolution within the time in which it was before the Senate. I hope he will not insist upon any further action with reference to taking up the resolutions at this time.

Mr. MASON. I have no objection, but I wish to be heard for a moment. I desire to make a few remarks. I do not intend to resist the motion to take up the appropriation bill.

Mr. CULLOM. Then let the bill be taken up.

Mr. MASON. It can be done by unanimous consent; but I wish to be heard for five minutes.

Mr. COCKRELL. The Senator from Illinois can speak as soon as the appropriation bill is taken up.

Mr. MASON. That is all right.

The VICE-PRESIDENT. If there is no objection, the appropriation bill will be laid before the Senate.

Mr. HARRIS. I desire to ask the consent of the Senator from Illinois to call up for consideration House bill 11098 reported from the Committee on Indian Affairs. It is a matter of considerable importance and will take only a very few minutes.

Mr. CULLOM. Let the appropriation bill first be laid before the Senate.

The VICE-PRESIDENT. The Chair lays before the Senate the bill (H. R. 11414) making appropriations for the legislative, executive, and judicial expenses of the Government for the fiscal year ending June 30, 1900, and for other purposes.

Mr. CULLOM. I desire to say that on yesterday my distinguished friend from Kansas [Mr. HARRIS] stated that I told him if he would desist from attempting to call up the bill for which he asked consideration then, I would yield to-day. I do that because of my promise; but I hope that no other Senator will ask for a similar favor, as I am very anxious to get the appropriation bill out of the way.

Mr. HARRIS. I appreciate the consideration of the Senator from Illinois. The bill on which I desire action has passed the House of Representatives and will take only a few moments.

The VICE-PRESIDENT. Does the Senator from Illinois [Mr. MASON] desire to make any request for unanimous consent at this time?

Mr. MASON. Yes, sir; if it is in order.

The VICE-PRESIDENT. That request for unanimous consent was made prior to the request of the Senator from Kansas [Mr. HARRIS]. Will the Senator from Illinois please again state his request?

Mr. MASON. I ask unanimous consent that the resolution offered by the Senator from Louisiana [Mr. MCENERY] be taken up on Monday after the morning business and voted upon before adjournment on Monday.

The VICE-PRESIDENT. The Senate has heard the request made by the Senator from Illinois. Is there objection?

Mr. HOAR. Mr. President, may I say something before that matter is disposed of?

The VICE-PRESIDENT. The Senator from Massachusetts.

Mr. HOAR. I consider myself bound absolutely to request an executive session at that time, as is well known.

Mr. MASON. Then I will make the request for Tuesday, after the routine morning business.

Mr. HOAR. Very well.

Mr. GORMAN. I trust the Senator from Illinois will not press that request now, as the Senator from Georgia [Mr. BACON] left the Chamber a few moments ago, and I ask him to defer his request for a few moments until the Senator from Georgia can be sent for.

Mr. MASON. I do not believe any one will object, after all that has been said, to giving us a vote upon the resolution.

The VICE-PRESIDENT. Does the Senator from Maryland desire the Chair to withhold the request or to put it now?

Mr. GORMAN. I ask the Senator from Illinois to withdraw it for the present.

Mr. ALLISON. I hope the Senator from Illinois will wait for a few moments until the Senate is fuller. The Senator from Georgia before objected to the request for unanimous consent.

Mr. MASON. I suggest the absence of a quorum, and I ask for a call of the Senate.

The VICE-PRESIDENT. The absence of a quorum being suggested by the Senator from Illinois, the Secretary will call the roll.

The Secretary called the roll, and the following Senators answered to their names:

Allen,	Gorman,	McMillan,	Pritchard,
Allison,	Hanna,	Mallory,	Rawlins,
Bacon,	Hansbrough,	Mantle,	Ross,
Bate,	Harris,	Martin,	Shoup,
Burrows,	Hawley,	Mitchell,	Spooner,
Carter,	Heitfeld,	Money,	Stewart,
Chilton,	Hoar,	Morgan,	Teller,
Clay,	Jones, Nev.	Pasco,	Thurston,
Cockrell,	Lindsay,	Penrose,	Tillman,
Cullom,	Lodge,	Perkins,	Warren,
Deboe,	McEnery,	Pettigrew,	Wellington.
Fairbanks,	McLaurin.	Platt, Conn.	

The VICE-PRESIDENT. Forty-seven Senators having answered to their names, a quorum is present.

Mr. CULLOM. I hope the reading of the appropriation bill will be proceeded with, if there is no motion before the Senate.

The VICE-PRESIDENT. The Senator from Illinois has made a request for unanimous consent that a vote be taken on Tuesday next, immediately after the routine morning business, on Senate joint resolution 240, introduced by the Senator from Louisiana [Mr. MCENERY].

Mr. BACON. I shall not object to the unanimous-consent agreement to take up the joint resolution and vote on it before we leave the subject.

Mr. MASON. That is right. That is all I request.

Mr. CULLOM. To vote during the day?

Mr. BACON. That we shall not go on with any other matter until that is determined.

Mr. MASON. That is right.

Mr. BACON. Of course I do not mean that it shall be determined that day.

The VICE-PRESIDENT. Is there objection?

Mr. HAWLEY. Mr. President, I object to the entire performance.

The VICE-PRESIDENT. Objection is made.

Several SENATORS. Regular order!

Mr. MASON. I desire to be heard upon the pending bill.

The VICE-PRESIDENT. The Senator will be entitled to the floor when the bill is being read.

Mr. HOAR. I desire to ask a unanimous consent of the Senate, which I think in all fairness we are bound to give. During the discussion this morning, which lasted several hours, the Senator from Illinois [Mr. MASON] repeatedly sought the floor without success. Now, I ask unanimous consent that the Senator from Illinois be given five minutes in which to address the Senate at this time, which is, I understand, the time he asked for just now.

Mr. CULLOM. My colleague can deliver his address on the pending appropriation bill if he chooses.

Mr. HOAR. That is not a good practice, and I do not think any Senator ought, when another subject is distinctly up, to debate other questions. We can not stop a Senator, because he himself must judge of what he will say, but it is not a fair thing. I think a better way is to give the unanimous consent for five minutes, as that is all the Senator asked for just now.

Mr. MASON. I may take longer than that.

Mr. TELLER (to Mr. MASON). Go on and make your speech on the bill.

The VICE-PRESIDENT. Is there objection to the request of the Senator from Massachusetts [Mr. HOAR]? The Chair hears none.

Mr. MASON. I do not understand that I am limited to five minutes.

Mr. TELLER. I object. The Senator has the right to go on and speak on the pending bill. I do not want to limit him to five minutes. Let him go on and make his speech.

Mr. HOAR. He has a physical, but not a moral, right to do so, in my judgment.

Mr. CULLOM (to Mr. MASON). I trust my colleague will proceed now.

Mr. MASON. Mr. President, I presume, at least I hope, that no one of my colleagues is more susceptible to kind treatment than I am. I suspect that I am as ambitious to be liked among my colleagues as any Senator on this floor, and I suppose that I interfere with the transaction of routine business with as much hesitancy as any Senator would indulge in when doing the same work that I feel my duty now compels me to do.

More than a month ago I gave notice upon a simple resolution which I offered merely saying that the just powers of government were derived from the consent of the governed and that we would not undertake to govern an alien people by force perpetually without their consent—I gave notice then that before the vote on the treaty was taken I should ask for a vote upon that resolution. If I had pursued the tactics which are common, disregarding that thing which you call Senatorial courtesy, and which you yield to Senators who can force you to do it and refuse to those who observe the amenities of life, I might have had a vote ere this. But I have tried to pursue a course dictated by the feeling that one Senator owes some consideration to his colleagues. I have asked day after day for a vote, doubting the propriety and the correctness of that treaty, waiting for information, anxious to do the best I could for my State and my country.

When you asked for a time to vote upon that treaty, I, with the rest of us, consented. I supposed it had been agreed that some resolution declaring the policy of this Government would be passed before the ratification of the treaty. Every suggestion that I have made has been met here by my elders upon this floor, first by one and then by another, with the quiet slings and flings such as came this morning from the distinguished Senator from Connecticut, the chairman of the Committee on Military Affairs [Mr. HAWLEY]. When I asked simply for a statement of the health of the army in the Philippines, when I asked to know how many lives of American soldiers it would cost to take those islands by force, when I asked to know not only the money that went into this investment in the purchase of sovereignty, the same Senator sneeringly withdrew his objection and said he had no respect for it.

To-day he announces that he has no respect for and that he objects to the "whole performance," as though I, sir, were not his equal upon this floor, as though I, sir, had a little less due me as a Senator of the United States than if I had sat here for years at the head of some great committee conducting affairs. I claim to be the peer of the Senator. I represent as good a State as he, and I claim here and now the personal privilege that I have so long waited for.

Gentlemen say—and I have had no opportunity to reply—that we who speak for independence in the Philippine Islands are to blame for this war. I question the motives of no man, and I give you notice now collectively that I shall permit no gentleman to question mine.

Mr. HAWLEY. Mr. President, I beg to interrupt the Senator a moment. I was called out awhile ago, and I understand the Senator has been paying his compliments to me during my absence. I would be glad to have him tell me to my face what he has said.

Mr. MASON. I did not observe you were absent from the Chamber. I directed a part of my observations to you.

Mr. HAWLEY. Repeat them, please.

Mr. MASON. I shall be delighted to do so. I said that when I asked for a vote on a simple resolution inquiring as to the state of the health of our troops in the Philippines the distinguished chairman of the Committee on Military Affairs, when he withdrew his objection, said he had no respect for it.

Mr. HAWLEY. Not for you; for the resolutions, I said. I made that distinction.

Mr. MASON. The same distinguished Senator said this morning that he objected to the "whole performance," as though I, I said, a younger and less experienced Senator, had less rights upon this floor to ask unanimous consent than had he.

Mr. HAWLEY. Mr. President, I was not thinking of the Senator in saying that I objected to the performance. It was to these other proceedings here that were likely to interrupt the consideration or bar out the consideration of an appropriation bill. I did not take into consideration for a moment that the Senator desired to speak.

Mr. MASON. It is all satisfactory to me if it is to the Senator. I was guilty of no "performance." I intend to be guilty of no "performance." I am endeavoring to discharge a solemn obligation as I understand it, and if I have to take the floor and stay here until the snow flies next winter, I am willing to do it.

I say to you now, Mr. President, that I consider that some declaration as to the policy of the Government of the United States is much more important than it is to take the money out of the Treasury.

Mr. President, we are in war. We have shifted the scene of action from war against Spain to war against the insurgents, who never did us any harm. We are fighting to-day men with bows and arrows in their hands, who six months ago were our allies. There is no lawyer upon this floor, from the distinguished chairman of the Committee on Foreign Relations, but who has admitted that they became our allies. Now, let us see whether some one has made a mistake; and if it is a mistake, it is a mistake of this Senate and of this country, and we are all equally to blame. It is our country. The Dred Scott decision was just as much the decision of Illinois as it was of South Carolina. Whatever wrong a nation does rests upon us equally and alike.

At the close of this most holy war, when we gave notice to the world that we unlimbered our guns in the cause of humanity, before the treaty of peace was finally made, money considerations came in and indemnity was talked of as though we had played the part of a good Samaritan at a price, at a per diem; and the moment money came into the peace treaty, that moment we descended from the high plane of liberty, that moment the trouble began. The moment the jingle of gold and silver was heard at your peace-treaty meeting in Paris, that moment the American people began to wonder and to revolt.

Let us see where we are, Mr. President. At the close of this war we had two great islands in our hands that I am to speak of, the islands known as the Philippines and the island of Cuba. One of the great questions that disturbed the American people was: What treatment shall the Philippine Islanders have? One class of people said: "Let us pursue the course of the fathers; let us give to them the same thing we gave to Cuba." Another class of gentlemen said: "Oh, no; they are ours. We have bought them; we have bought them from the King." Do you know that you never can buy a better title than the grantor has? The title of a king, the right of a king to govern, sovereignty to be sold like chattels.

In one island, where we pursued the way of the fathers, there is peace; in the other island, where we have pursued the other way, there is war. Gentlemen say the Filipinos declared war. I say as a lawyer that the declaration and the casus belli came from us. I propose to discuss that about Monday or Tuesday or Wednesday. I say that we made the cause for war; that they had some rights; that they presented their petition at our door; that they had a right to be heard; that they were our allies; and when they presented the petition here we kicked them out of the door. They crossed the water and at Paris they said to the people there, "You are parting our raiment; and, for God's sake, let us be heard for our people." They were turned away there; and yesterday, when the rebel chief, as you call him, asked for the poor privilege of a conference, without knowing what request he had to make, you refused even to hear his voice, to hear his prayer, and you continue to burn his villages; and yet in this Chamber we condemn the action of Weyler along the same lines! You do not have to shoot the first gun to declare war. You do not have to strike me to make me strike you.

Now, Mr. President, some one has made a mistake. We promised to Cuba ultimate independence. Is not that the promise? Is it not so nominated in the bond? On the island of Cuba to-day

the people are a little restless, a little weary, yet they are getting ready every day and every hour, and they say, "God bless the Americano," while in the same zone, as the Senator from South Carolina [Mr. TILLMAN] says, the same class of people, having the same language, practically the same religion, practically the same sports, and of the same character, we have so conducted our business that their bows and arrows are aimed at us.

But I heard the distinguished Senator from Wisconsin [Mr. SPOONER], when he gave a lecture the other day to the Senators who disagreed with him, declaim in loud voice against the Filipinos. You would have thought from his voice, his gesture, and from his language that the British lion had struck us a deadly blow. A few days ago gentlemen belittled the Filipinos and said they are mere children—they have not the mental or moral capacity to govern themselves; they are half man and half devil, half child and half brute—and yet those very distinguished gentlemen who so belittled them and put them on a lower plane are the gentlemen who boast the loudest of our bravery when we shoot them like dogs and burn their buildings a la Weyler!

More than a month ago, Mr. President, I asked for a simple vote—it is part of the public record—not in executive session. I am betraying none of the sacred secrets of this antiquated, old, nonsensical rule of ours known as the executive session; but in open session, Mr. President, at this seat where I am now standing, one month and one day ago to-day, on the 10th day of last month, I gave notice and it was received, and made an impression almost equal to that which the summer wind makes against the Capitol Dome. There was no more intention of considering my resolution than there is to-day of considering the resolution of the Senator from Louisiana.

Day after day I had asked for it; hour after hour I had hoped for it; aye, I have prayed for one chance to vote upon some kindred resolution. I appeal to every Senator on this floor whether I have taken one moment of the time of the Senate before this. Not one moment have I taken from the business of the Senate until now; and now I intend to take all the time I want. I begin to feel the glorious liberty of Senatorial courtesy. [Laughter.] I have learned there is no limit; and I intend to imitate a distinguished Senator, who is not now in the Chamber, who has the happy faculty of setting his mouth going and going off and leaving it for a week at a time without any intellectual exercise. [Laughter.]

Mr. President, I have been put off from time to time, first by reason of my consideration for one Senator, and then for another; and to-day, at this present moment, I feel that I have a duty to perform; I feel that I have had to crowd my own distinguished colleague [Mr. CULLOM] out of a few moment's consideration of the natural right to invade the Treasury Department and distribute the surplus. [Laughter.]

But if I shall yield the floor now, Mr. President, it will only be to give notice that on Monday or Tuesday, and probably on both days, I intend to be heard further upon this question. I am willing that this bill shall proceed; but I am also willing that no further business shall be done in this Senate that shall take me from my divine right to speak until you give me a chance to vote upon some resolution. Gentlemen say this is a threat. Oh, no. When I made a fight against your barnacles known as the Rules of the Senate I told you that when I had a filibuster to make I would serve you notice that it was a filibuster, and that I would take off the kid gloves.

Mr. MONEY. Will the Senator from Illinois allow me to ask him a question?

Mr. MASON. Certainly.

Mr. MONEY. I wish to ask the Senator whether he expected to have a vote on the resolution?

Mr. MASON. I certainly did expect it; and I say now if the gentlemen in the Chamber——

Mr. MONEY. Will the Senator be kind enough to give the reason why he thought he would get a vote?

Mr. MASON. I was not entirely familiar with Senatorial courtesy. [Laughter.] I hope to learn as I grow older in this body whom to trust, when to trust, and how to trust. I feel that my distinguished colleague from Illinois would not wish to proceed with his appropriation bill until he has heard one side of this question as given by Cæsar's ghost.

It has been charged by some and believed by many——

Mr. TILLMAN. Will the Senator permit me, before he leaves the subject of the question just asked by the Senator from Mississippi? He may feel, possibly, that it would be a reflection on him to speak of an absent Senator. We do not know who he is; but would he mind telling us just what he was promised?

Mr. MASON. The Senator has been answered once or twice.

Mr. TILLMAN. Oh, no.

Mr. MASON. Yes. I told the Senator from South Carolina the Senator was absent. I would not use the name of a Senator in his absence.

Mr. TILLMAN. I do not want the Senator to give his name until he comes back; but just tell us what he said, will you not?

Mr. MASON. I think on reflection I will not. [Laughter.] I intend to be entirely respectful to the Senator from South Carolina.

Mr. TILLMAN. Of course.

Mr. MASON. As I was saying, it has been charged by many, and believed by many, that we were to discard the liberty cap; that we were to go into the business of buying sovereignty, and we became so heroic here in the Senate after Dewey's splendid victory that we were going to lay aside the American eagle as our mark of nationality and become the whelp of the lion. I have had transmitted to me through some newspaper a suggestion as to whether we are to be the whelp of a lion. It is signed "Cæsar's Ghost."

> The purring mother, stretched at ease within her island lair,
> Throws high her tawny head and sniffs the blood smell on the air.
> Slow lifting to her feet she roars across the angry sea,
> "I know thee now, my lion whelp, it can be none but thee!
>
> "I feel no more thy milk teeth haggling at my stingy breast;
> I joy to know thou 'st tasted meat, young lion of the West!
> Who said I bore an eagle that the jungle dark would shun,
> And soar to heaven with eyes that look unflinching at the sun?
>
> "A lie! I know my growling cub, I know that glorious roar;
> I've roared it oft on Indian fields, from Afric's golden shore.
> He smacks his lusty lips, his eyes with blood-red fire are light;
> His drooling jaws are sign of hunger and of prey in sight.
>
> "Beneath his paw I see a red man struggling to be free—
> That is our playful way, to tease with hope of liberty—
> What majesty! What lion likeness in that shaggy crest!
> E'en I could not so tear that black man's heart from out his breast.
>
> "We will hunt together, cub"—

Here is the alliance that you are coming to, gentlemen—

> "We'll hunt together, cub, on every land, by every sea,
> And when we find a man not shirk responsibility.
> O lion's whelp! I hear thy roar across the roaring main—
> Thou art my cub, thou art the true (improved) imperial strain."
>
> —*Cæsar's Ghost.*

Mr. President, differing somewhat with the poet who signs his name as Cæsar's Ghost, I deny that we are to become the lion's whelp. I confess that we are acting a little bit like it; I confess that when these islands were within our hands we had not patience enough, statesmanship enough, generosity enough, to tender those people something that would bring peace. The roar did sound more like that of the whelp of a lion than the screech of the eagle that stands for true Americanism.

Mr. President, I desire to give notice that after to-day, during the morning hour, I shall ask to be heard upon some of the pending resolutions, and that I shall yield my time at any moment to any other Senator to speak upon the resolutions or at any time when we can have an opportunity to vote upon any one of the pending resolutions. Understand me, Mr. President; I desire to be understood. I have waited two hours to-day, I have waited two days, I have waited two weeks, nearly two months. I say that my request has been considered by my colleagues as of no weight, of no binding effect, and not to be entertained by them. First the friends of the treaty beat me. Then the enemies of the treaty beat me. Between the upper and the nether millstone I have been refused a chance to vote upon any one of these resolutions. I see no other course left. I will answer for myself. I shall criticise the conduct of no man. I shall impugn the motives of no man. I shall not permit any gentleman upon this floor to impugn mine. As I see the light, as I read the future, as I am a student of evolution and a believer in it, I believe there is one way to end this matter, and that is to end it here.

We have imitated England in all of her past cruelty to her colonists. England never was guilty of more cruelty. We are not defending our land now. Our declarations of war came when we sent our men there within the last few weeks, against the protest of the natives and without giving them a hearing. You are not waiting in Manila. You are extending your lines and burning towns. The villages you burned yesterday were not mentioned in the protocol, and the treaty is not signed. The treaty is not complete. We are taking revenge upon these poor weak children of the forest. England in her palmy days was never more cruel. Let us imitate Gladstone for one minute upon the subject of retrocession; let us imitate England, as attention was called to her conduct by the distinguished Senator from South Carolina. The English flag was put over the Boers when they did not want it. I had hoped that the time would never come when the colors of our beloved country would go above an unwilling people. I had hoped that no living person would ever look into the sky and curse my flag; but you have put it to-day where 9,000,000 people are cursing your flag, your institutions, and they do not know the difference between Spain and America, either by your protestations or by your conduct.

My country, right or wrong, but let us right her. The power to right her is here. In the last days of Gladstone's life he spoke of "false shame." The English flag was over the Boer, and was taken down by the civilization and the Christian thought of England. Let the dudes imitate the English dudes, if they will. Let them imitate England as long as they will; but if you have to have

a little English in your conduct, take the example of William E. Gladstone. Read his last speech where he said the question is not who shall haul down the flag, but what is just. That is what we are looking for. I am not afraid of "false shame." I have seen a real gentleman apologize to a bootblack for a thoughtless word, and I have seen a bully kick a bootblack half across the street. Let us get a little of the Gladstone idea—not who shall pull down the flag, but how long shall our flag remain above an unwilling people.

"Oh, but," they say, "we put it over your people down South, and it was an unwilling flag." Not so. The flag was there by contract. We simply fought to keep our flag where you had agreed it should be kept; and that difference is settled. We went into an agreement whereby the South was to stand by the North, the alliance being like a wedding that could not be divorced. We did not put the flag above an unwilling people. We kept it there after you had put it there yourselves. This is the first time in all the history of this beloved country of ours—this country which has attracted the admiration of the world—that the flag has ever floated over an alien who has cursed it. You love your flag and so do I. It is not an idle sentimentality. It means protection to my home; and the home of the Filipino is as sacred to him as yours is to you. The laws of nations, which I propose to discuss (and I shall read from the lecture of the distinguished Senator from Minnesota [Mr. DAVIS]), is based upon justice, upon humanity, upon right. I have been pleading for their homes. I shall continue to do so until this session adjourns. I have learned something of the Republican-Democratic idea of home.

I remember to have talked with a man within a few weeks who said to a man who lived away up in the Northland, where they have night for six months, "If you had $500, what would you do?" "Oh, I would go back to my old home and build a house there." There is six months darkness; it is cold and barren; but it is his home. Some of you people on both sides of this Chamber remember when at Vicksburg our boys got so close to the Confederates that they talked back and forth. Every man kept his head below the breastworks. Our band played Yankee Doodle and theirs played Dixie. We played the Star-Spangled Banner and they played the Bonnie Blue Flag. I believe one Irishman put his finger up, and got a shot in his wrist. He said to his captain that he was seeking a furlough, but got a discharge. Every man, when Dixie and the Bonnie Blue Flag and the Star-Spangled Banner were being played, kept out of danger, until one of the bands finally struck up Home, Sweet Home. Then the guns went into the trenches. Then the men stood upon the breastworks. "Hurrah, Johnnie!" "Hurrah for home, Yank!" There was no danger with the music of home in the air.

Mr. President, I have learned that every home made by human hands is a sacred thing. My country has proceeded, choosing the lines which best fitted and suited, along the line of empire, to take land without the consent of the inhabitants. No one denies that. They say we have a legal right. Oh, yes. But we knew, when we took the legal title, of the claim of those poor people. You are sending our boys over there, and the ships will be coming back loaded with their corpses. How many Senators have sons there now? How many Senatorial appointees have retired from the Commissary Department? Are we any less thoughtful of an American boy because he is not ours? I am told that we will subdue the Filipinos, and that it will not cost us over three or four thousand lives. I tell you that the whole group, the whole archipelago, is not worth the life of one American boy, trade and barter and dicker as you will.

But distinguished and pious gentlemen say, "God put them in our hands; it is destiny." The Lord! There was never a tyrant who cut off heads who did not charge it to the Lord. All crimes are laid at that door. We profess to be a Christian nation and we have conducted our affairs with a weak, childish people in such a way that we are killing them hands down, and we say we must do it for their good. If you were honest about it, gentlemen, and could show me where you could steal something for your country, I could excuse it on the ground of high (?) statesmanship, but there is not a dollar in it for your country or for your States. It is murder. Then you pull the cloak around you and go into high places and say, "Thank God, we are not as other men. We are Anglo-Saxons. We have worshiped at the throne of the Nazarene ever since we were born." But, as Cæsar's ghost says, "We have tasted blood."

Mr. President, I ask unanimous consent that a vote be taken upon the joint resolution introduced by the Senator from Louisiana [Mr. MCENERY] at half past 2 o'clock on next Tuesday.

The VICE-PRESIDENT. The Senate has heard the request of the Senator from Illinois that on next Tuesday at half past 2 o'clock, by unanimous consent, a vote be taken on the joint resolution introduced by the Senator from Louisiana [Mr. MCENERY], known as Senate joint resolution No. 240. Is there objection? [A pause.] The Chair hears none, and the order is made.

Mr. HAWLEY subsequently said: Mr. President, I rise to what I think is a question of privilege. I will be very brief about it. I give notice that when the Senate is fuller I shall ask to have the unanimous-consent agreement to have a vote taken on what is familiarly called the McEnery resolution set aside for this reason: Myself and several others made a peremptory objection to the agreement, but it so happened that three of us went out, I suppose, on public business. I was absent from the Chamber on important public business. I shall at the first opportunity ask to have that agreement set aside.

LEGISLATIVE, EXECUTIVE, AND JUDICIAL APPROPRIATION BILL.

Mr. CULLOM. Now, let the appropriation bill be proceeded with.

The Senate, as in Committee of the Whole, resumed the consideration of the bill (H. R. 11414) making appropriations for the legislative, executive, and judicial expenses of the Government for the fiscal year ending June 30, 1900, and for other purposes.

Mr. CULLOM. I desire to inquire whether the amendment in lines 3 and 4, at the top of page 76, was adopted. It was intended that the words "five hundred" should be stricken out and "one thousand" inserted.

Mr. TELLER. Can we not have order?

The SECRETARY. In lines 3 and 4, page 76, it is proposed to strike out "five hundred" and insert "one thousand;" so as to read:

For postage stamps for the War Department and its bureaus, as required under the Postal Union, to prepay postage on matters addressed to Postal Union countries, $1,000.

Mr. COCKRELL. Is that for postage stamps?

Mr. CULLOM. For postage stamps under the Postal Union.

Mr. COCKRELL. Is it a new estimate?

Mr. CULLOM. Yes, sir. The chairman of the committee, I think, has a communication stating that it ought to be done. I have not got it here. Mr. Cleaves has the letter. The Senator from Iowa may know about the matter. It was to go in, as I understood from the chairman.

Mr. ALLISON. The amount appropriated by the House is not enough.

The PRESIDING OFFICER (Mr. BURROWS in the chair). The question is on agreeing to the amendment.

The amendment was agreed to.

The reading of the bill was resumed and continued to the end of line 19, on page 76.

Mr. CULLOM. In line 18, page 76, after the word "charges," I desire to insert the words "temporary labor, not to exceed $1,000;" so as to read:

For contingent expenses of the War Department, * * * expenses of horses and wagons to be used only for official purposes; freight and express charges, temporary labor, not to exceed $1,000, and other absolutely necessary expenses, $38,000.

The amendment was agreed to.

The next amendment of the Committee on Appropriations was, on page 76, line 19, after the word "dollars," to insert as a proviso the following:

Provided, That purchases of law books are authorized from the appropriation for contingent expenses of the War Department for the fiscal year 1899, made by the legislative act approved March 15, 1898.

Mr. CULLOM. I move, after the word "books," in line 20, to insert "books of reference and periodicals."

The SECRETARY. After the word "books," in line 20, it is proposed to insert "books of reference and periodicals."

The amendment to the amendment was agreed to.

The amendment as amended was agreed to.

The reading of the bill was resumed. The next amendment of the Committee on Appropriations was, in the clause for "library of the Navy Department," on page 80, line 17, after the word "one," to insert "one clerk, $1,000," and in line 18, to increase the total appropriation for library of the Navy Department from $2,580 to $3,580.

Mr. MASON. I desire to call the attention of my colleague to the amendment. I understand that the clause in line 16, "one clerk, $1,000," is a mistake, and I move an amendment to the amendment which conforms to the request of the Secretary of the Navy. After the word "for," in line 16, I move to insert "one clerk of class 2," and then to strike out, in line 17, the words "one clerk, $1,000," proposed to be inserted by the committee.

Mr. CULLOM. I have no objection to the amendment offered by my colleague to the amendment of the committee.

The amendment to the amendment was agreed to.

The amendment as amended was agreed to.

Mr. CULLOM. That changes the total in the paragraph, and it ought to be $3,980 instead of $3,580.

The PRESIDING OFFICER. The total will be changed accordingly. The committee amendment is disagreed to.

Mr. CULLOM. It is disagreed to; that is right; and the total is changed so as to read, "in all, $3,980."

The next amendment of the Committee on Appropriations was, in the clause for "Bureau of Equipment, Navy Department," on page 82, line 7, after the word "dollars," to insert "one clerk of

class 4," and in line 9 to increase the total appropriation for the Bureau of Equipment from $8,480 to $10,280.

The amendment was agreed to.

The next amendment was, under the subhead "Hydrographic Office," on page 84, line 13, to insert:

For the construction from Government surveys of a series of engraved nautical charts of the coasts and harbors of the Pacific Ocean, $12,000.

Mr. CULLOM. I ask the Senate to disagree to the amendment.

The amendment was rejected.

The next amendment was, in the clause for "Bureau of Steam Engineering," on page 86, line 15, after the word "laborers," to insert "draftsman, $2,000;" in line 16, before the word "draftsman," to insert "assistant;" and in line 20, to increase the total appropriation for Bureau of Steam Engineering from $11,340 to $13,340.

The amendment was agreed to.

Mr. HARRIS. With the consent of the Senator from Illinois, I ask consent to call up Order of Business 1710, being House bill No. 11093.

Mr. CULLOM. I agreed with the Senator from Kansas yesterday that I would allow his bill to be taken up to-day, so far as I was concerned, and I am inclined to allow it to be acted upon now if it leads to no debate.

Mr. HARRIS. The bill has passed the House and has been favorably reported by the Committee on Indian Affairs.

Mr. ALLISON. I do not object. I only want to call the attention of the Senate and of the Senator from Kansas to the fact that the Senator from Wyoming [Mr. WARREN] also has a bill in charge that I think ought to be passed at an early day. It will take very little time, and I had hoped that both bills could be postponed until the bill under consideration is completed. I think it will not take a great while to finish the pending appropriation bill.

Mr. CULLOM. We shall get through with it pretty soon, if the Senator from Kansas is willing to wait.

Mr. HARRIS. I am willing to wait until the appropriation bill is passed.

Mr. CULLOM. Very well.

Mr. ALLISON. The bill can be called up later to-day some time.

The reading of the bill was resumed. The next amendment of the Committee on Appropriations was, in the items for "Bureau of Medicine and Surgery," on page 87, line 19, after the word "dollars," to insert "stenographer and typewriter, $1,000;" and in line 22, to increase the total appropriation for the Bureau of Medicine and Surgery from $8,940 to $9,940.

The amendment was agreed to.

The next amendment was, under the head of "Department of the Interior," on page 88, line 50, after the word "each," to insert "three additional members of said board of pension appeals to be appointed by the Secretary of the Interior and to be selected from the force of the Pension Office, at $2,000 each;" so as to read;

Office of the Secretary: For compensation of the Secretary of the Interior, $8,000; First Assistant Secretary, $4,500; Assistant Secretary, $4,000; chief clerk, $2,500, and $250 additional as superintendent of the Patent Office building; nine members of a board of pension appeals to be appointed by the Secretary of the Interior, at $2,000 each; three additional members of said Board of Pension Appeals to be appointed by the Secretary of the Interior and to be selected from the force of the Pension Office, at $2,000 each, etc.

The amendment was agreed to.

The next amendment was, on page 90, line 5, to increase the total appropriation for the Office of the Secretary of the Interior from $232,980 to $238,980.

The amendment was agreed to.

The next amendment was, on page 90, after line 10, to insert:

For the following additional employees, for the proper protection, heating, care, and preservation of the General Post-Office building, to be occupied by the Department of the Interior, to be available when said building shall be occupied by offices of the Interior Department, namely: One engineer, at the rate of $1,400 per annum; one assistant engineer, at the rate of $1,000; four firemen, at the rate of $720 each; three watchmen, acting as lieutenants, at the rate of $840 each; fourteen watchmen, at the rate of $720 each; fourteen laborers, at the rate of $600 each; ten laborers, at the rate of $480 each; in all, $23,940.

Mr. CULLOM. In lines 14 and 15, on page 90, I move that the words "occupied by offices of" before the words "the Interior Department" be stricken out, and the words "turned over to" be inserted, so as to read "to be available when said building shall be turned over to the Interior Department."

Mr. GORMAN. I should like to ask the Senator what is the object of that provision?

Mr. CULLOM. When the building is turned over to the Interior Department, that Department ought to become responsible for it, and those words are inserted for that purpose.

Mr. GORMAN. I ask the Senator what the effect of that will be. There are various offices, some of the Interior Department, now in rented buildings, and they have quite a corps of officials looking after the preservation, the heating, and so on. Is it a duplication of that force?

Mr. CULLOM. These are additional employees for the purpose of taking charge of that building. The old employees of the Post-Office Department, I suppose, of course, will go with that Department, and it is necessary to make provision for the Interior Department.

Mr. GORMAN. I am aware of that, but the branches of the Interior Department that will go into this building and are already in rented buildings, have a corps already. Would it not be a duplication to keep those in who are now in the outside offices and then provide a full corps of new employees in the Post-Office building?

Mr. CULLOM. I do not think that would be the case, but it might be well to look into it a little to see whether or not that would be so. I think we considered that matter pretty carefully in the committee, and we determined that we would have to provide this force in order to be sure that the Government building would be cared for immediately after it is turned over by the Post-Office Department.

Mr. GORMAN. I agree with that, but then what becomes of the corps that is already employed by the various bureaus, for instance, in the Atlantic Building?

Mr. CULLOM. I do not know how much of the force belonging to the Interior Department will come from outside buildings. I imagine that most of it will come from the Interior Department itself. It is mainly engineers, firemen, watchmen and that sort of employees who are needed.

Mr. GORMAN. I only call the attention of the Senator from Illinois to the matter. I suppose he will not legislate out the men already employed, for instance, by the Indian Office, who are in a rented building, or is it necessary to duplicate the number?

Mr. CULLOM. This item was furnished in the regular estimates by the Department.

Mr. GORMAN. I simply call the attention of the Senator to it.

Mr. CULLOM. I will say to the Senator that when the bill gets into conference and is under discussion with the House conferees I will look into the matter a little further.

The amendment to the amendment was agreed to.

The amendment as amended was agreed to.

The next amendment was, in the clause for "General Land Office," on page 92, line 10, to increase the number of clerks of class 1 from 61 to 63; in line 11, to increase the number of clerks at $1,000 each from 49 to 51; in line 12, to increase the number of copyists from 55 to 57; in line 13, to increase the number of laborers from 18 to 21; and in line 16, to increase the total appropriation for the General Land Office from $487,090 to $495,270.

Mr. CULLOM. I move to amend the amendment of the committee. In line 10, instead of "sixty-three," I move to make the number "sixty-six."

The amendment to the amendment was agreed to.

Mr. CULLOM. Then, in the following line, I move to strike out "fifty-one," as the committee had it, and insert "fifty-three."

The amendment to the amendment was agreed to.

Mr. CULLOM. In line 11 I move to strike out "fifty-seven," as the committee had it, and insert "fifty-eight," before the word "copyists."

The amendment to the amendment was agreed to.

Mr. CULLOM. In line 13 I move to strike out "twenty-one," as the committee had it, and insert "twenty-four," before the word "laborers."

The amendment to the amendment was agreed to.

Mr. CULLOM. The total should be changed, in lines 16 and 17, so as to make the amount "$503,750."

The amendment to the amendment was agreed to.

The amendment as amended was agreed to.

Mr. COCKRELL. I was called out unavoidably. I should like to know what was done with the amendment on page 84, where the committee recommended the insertion of the following clause:

For the construction from Government surveys of a series of engraved nautical charts of the coasts and harbors of the Pacific Ocean, $12,000.

Mr. CULLOM. It was stricken out.

Mr. COCKRELL. All right.

Mr. CULLOM. I believe the Secretary has passed beyond lines 14 and 15, on page 93. I desire to offer an amendment to come in at that point, which palpably ought to be made. It is in the clause referring to the distribution of maps prepared in the General Land Office, and the language employed in line 14 is "and the residue shall be delivered to the General Land Office for distribution." It ought to be "Secretary of the Interior for distribution."

The PRESIDING OFFICER. The amendment suggested by the Senator from Illinois will be stated.

The SECRETARY. In line 14, on page 93, after the words "delivered to the," it is proposed to strike out "General Land Office" and to insert "Secretary of the Interior."

The amendment was agreed to.

The reading of the bill was resumed. The next amendment of the legislative appropriations was, in the clause for "Indian

Office," on page 94, line 8, to reduce the number of clerks of class 3 from 15 to 14; in line 11, to increase the number of clerks of class 2 from 10 to 12; in line 12, to increase the number of clerks of class 1 from 23 to 25; in line 13, to increase the number of clerks at $1,000 each from 13 to 16; in the same line, after the word "each," to insert "stenographer to superintendent of Indian schools, $1,000;" and in line 18, to increase the total appropriation for the Indian Office from $124,920 to $132,520.

The amendment was agreed to.

The next amendment was, under the subhead "Pension Office," on page 96, line 8, after the word "day," to insert "including necessary sleeping-car fare;" so as to read:

For per diem, when absent from home and traveling on duty outside the District of Columbia, for special examiners, or other persons employed in the Bureau of Pensions detailed for the purpose of making special investigations pertaining to said Bureau, in lieu of expenses for subsistence, not exceeding $3 per day, including necessary sleeping-car fare, and for actual and necessary expenses for transportation and assistance and any other necessary expenses, including telegrams, $400,000, etc.

The amendment was agreed to.

The next amendment was, under the subhead "Surveyors-general and their clerks," on page 106, line 8, after the word "records," to insert "pay of messenger;" so as to make the clause read:

For stationery and instruments, binding records, pay of messenger, and other incidental expenses, $500.

For surveyor-general of Idaho, $2,000; and for the clerks in his office, $8,000; in all, $10,000.

The amendment was agreed to.

The next amendment was, on page 107, line 1, after the word "typewriter," to insert "pay of messenger;" so as to make the clause read:

For stationery, printing, binding, typewriter, pay of messenger, and other incidental expenses, $500.

The amendment was agreed to.

The next amendment was, on page 107, line 21, after the word "soap," to insert "pay of messenger;" so as to make the clause read:

For printing, stationery, drafting tools, plats, drawing papers, binding records, books and plats, telephone, registration of letters, towels, soap, pay of messenger, and other incidental expenses, $1,000.

The amendment was agreed to.

The next amendment was, on page 108, line 1, after the word "surveyor-general," to insert "pay of messenger;" so as to make the clause read:

For rent of office for the surveyor-general, pay of messenger, stationery, printing, binding, lights, laundry, furniture and repairs, and other incidental expenses, $1,500.

The amendment was agreed to.

The next amendment was, on page 109, line 10, after the word "surveyor-general," to insert "pay of messenger;" and in line 12, after the word "dollars," to insert the following proviso:

Provided, That the appropriations for incidental expenses in the offices of surveyors-general of Florida, Minnesota, New Mexico, North Dakota, and Wyoming for the fiscal year 1899 shall be available for the payment of a messenger, janitor, or laborer in each one of these offices.

So as to make the clause read:

For rent of office for the surveyor-general, pay of messenger, stationery, lights, ice, and other incidental expenses, $1,000: *Provided*, That the appropriations for incidental expenses in the offices of surveyors-general of Florida, Minnesota, New Mexico, North Dakota, and Wyoming for the fiscal year 1899 shall be available for the payment of a messenger, janitor, or laborer in each one of these offices.

The amendment was agreed to.

The next amendment was, under the subhead "Office First Assistant Postmaster-General," on page 111, line 8, after the word "of," to strike out "the;" and in the same line, after the word "free-delivery," to strike out "system;" so as to make the clause read:

The assistant superintendents of free delivery shall hereafter be allowed a per diem of $4 in lieu of all expenses when traveling on business of the Department.

The amendment was agreed to.

The next amendment was, in the clause for "Office Second Assistant Postmaster-General," on page 111, line 21, to insert "chief of contract division, $2,000; chief of mail-equipment division, $2,000;" on page 112, line 1, to reduce the number of clerks of class 4 from 11 to 9; and in line 7, to increase the total appropriation for the Office of Second Assistant Postmaster-General from $167,180 to $167,580.

The amendment was agreed to.

The next amendment was, in the clause for "Office Fourth Assistant Postmaster-General," on page 113, line 3, to increase the number of clerks of class 3 from 17 to 18; in line 4, to increase the number of clerks of class 2 from 12 to 13; in line 5, to increase the number of clerks of class 1 from 17 to 20; in line 7, to increase the number of clerks at $1,000 each from 7 to 9; in line 8, to reduce the number of clerks at $900 each from five to four; and in line 10, to increase the total appropriation for the Office of Fourth Assistant Postmaster-General from $99,340 to $107,040.

The amendment was agreed to.

The next amendment was, in the clause for "Office of Topographer," on page 113, line 19, after the word "two," to insert "one clerk, $1,000;" and in line 23, to increase the total appropriation for the Office of Topographer from $29,340 to $30,340.

The amendment was agreed to.

The next amendment was, under the head of "Department of Justice," on page 117, line 15, to increase the appropriation for salary of solicitor for the Department of State from $4,000 to $4,500; on page 118, line 8, to increase the number of assistant messengers from 7 to 8, and in line 13, to increase the total appropriation for the Office of the Attorney-General from $172,600 to $173,820.

The amendment was agreed to.

The next amendment was, on page 118, line 19, before the word "books," to strike out "law;" in the same line, before the word "library," to insert "law," and in line 20, before the word "dollars," to strike out "one thousand five hundred" and insert "two thousand;" so as to make the clause read:

For books for law library of the Department, $2,000.

The amendment was agreed to.

The next amendment was, on page 118, line 23, before the word "dollars," to strike out "seven hundred and fifty" and insert "five hundred;" so to make the clause read:

For purchase of session laws and statutes of the States and Territories for library of Department, $500.

The amendment was agreed to.

The next amendment was, on page 119, line 6, to increase the appropriation for official transportation, including purchase, keep, and shoeing of animals, etc., from $1,000 to $2,500.

The amendment was agreed to.

The next amendment was, on page 123, line 24, to increase the salary for reporter to the court of appeals, District of Columbia, from $1,000 to $1,500.

The amendment was agreed to.

The next amendment was, on page 124, line 5, to increase the total appropriation for the court of appeals, District of Columbia, from $25,720 to $26,220.

The amendment was agreed to.

The next amendment was, on page 126, line 22, after the word "incapacitated," to strike out "by age or otherwise for employment in" and insert "for performing;" and in line 24, after the word "roll," to strike out "or an honorable service roll;" so as to make the section read:

SEC. 4. That the appropriations herein made for the officers, clerks, and persons employed in the public service shall not be available for the compensation of any persons permanently incapacitated for performing such service. The establishment of a civil pension roll, or the exemption of any of the officers, clerks, and persons in the public service from the existing laws respecting employment in such service, is hereby prohibited.

The reading of the bill was concluded.

Mr. CULLOM. I offer an amendment to come in at the end of line 2 on page 127.

The amendment was read and agreed to, as follows:

Provided, That the thirty days' annual leave of absence with pay in any one year to clerks and employees in the several Executive Departments authorized by existing law shall be exclusive of Sundays and legal holidays.

Mr. CULLOM. I desire to enter a motion to reconsider the vote by which the Senate disagreed to the amendment on page 21, line 13, and I wish to have the amendment agreed to.

The SECRETARY. In line 13, page 21, the committee amendment was to strike out "two hundred and fifty" and insert "five hundred;" so as to read:

Chief clerk, who shall also be superintendent of art department, $2,500.

Mr. ELKINS. Let me ask the Senator what that is for.

Mr. CULLOM. For the purpose of allowing the amendment to stand as the committee recommended in the first place.

Mr. ELKINS. At $2,500?

Mr. CULLOM. Yes, sir.

Mr. ELKINS. What is it for?

Mr. TELLER. The chief clerk of the Library. He now receives $2,250.

Mr. ELKINS. And he is now to get what?

Mr. CULLOM. The purpose of the committee is to raise it to $2,500.

Mr. ELKINS. Why should he get $2,500 and the others get but $2,250?

Mr. CULLOM. Many of the chief clerks get more than $2,200 now, but the private secretaries to Cabinet officers get only $2,250.

Mr. ELKINS. Do you propose to give the chief clerk of the Library more compensation than you give the secretary of a Cabinet officer?

Mr. CULLOM. Yes; more than the private secretary of any Cabinet officer, but not more than other chief clerks.

The PRESIDING OFFICER. The question is on agreeing to the motion to reconsider the vote by which the amendment was rejected.

The motion was agreed to.

The PRESIDING OFFICER. The question is on agreeing to the amendment reported by the Committee on Appropriations.

The amendment was agreed to.

Mr. CULLOM. So far as I am concerned, I believe I have concluded the offering of amendments.

Mr. ELKINS. I wish to call up an amendment which I have heretofore proposed.

The PRESIDING OFFICER. The amendment will be stated.

The SECRETARY. On page 27, line 11, before the word "dollars," it is proposed to insert "five hundred;" so as to read:

Second and Third Assistant Secretaries, at $4,500.

Mr. TELLER. What is that for?

Mr. ELKINS. This is a proposition to give the two Assistant Secretaries of State as much as the other Assistant Secretaries receive. For instance, the Assistant Secretary of War receives $4,500. The three Assistant Secretaries of the Treasury receive $4,500 in this same bill, and I do not see why there should be any distinction made as against the State Department. The ability required to be an Assistant Secretary of State is quite as great as that required of any Assistant Secretary in any other Department, and it seems to me to be a discrimination and an injustice. No doubt the committee has overlooked this discrimination. It was not in their minds, I hope.

Mr. CULLOM. I think I have a right to make a point of order upon the amendment, but aside from that, the increase is not estimated for in the Book of Estimates at all or in any other way. I hope that the amendment offered by the Senator from West Virginia will be voted down.

Mr. ELKINS. What does the Senator say?

Mr. CULLOM. I said, in the first place, that I think the amendment is subject to a point of order, and in the second place, it is not estimated for by the Department at all.

Mr. CHANDLER. The Senator from Illinois does not make the point of order?

Mr. CULLOM. Well, I will make it if the Senator insists upon a vote.

Mr. ELKINS. Because it is not estimated for?

Mr. CULLOM. Because it is not estimated for. We increased this salary last year $500.

Mr. ELKINS. If I understand the Senator in charge of the bill, several items have been increased here, and they were without any recommendation.

Mr. CULLOM. No, sir; I think not.

Mr. ELKINS. I think that is true of the one last referred to.

Mr. CULLOM. The case the Senator refers to, having relation to the law officer of the State Department, came up in the estimates for the Attorney-General's Office or the Department of Justice. It is estimated for.

Mr. ELKINS. You raised the salary of the chief clerk of the Library $500.

Mr. CULLOM. That was estimated for by the Librarian himself, who is now deceased.

Mr. ELKINS. I should like to have the ruling of the Chair on the point of order.

Mr. CULLOM. All right.

The PRESIDING OFFICER. Does the Senator from Illinois [Mr. CULLOM] make the point of order?

Mr. CULLOM. I do.

The PRESIDING OFFICER. The Chair will have to sustain the point of order.

Mr. ELKINS. I submit another amendment.

The VICE-PRESIDENT. The amendment will be stated.

The SECRETARY. On page 27, line 14, strike out the words "two hundred and fifty" and insert "four hundred;" so as to read:

Private secretary to the Secretary, $2,400.

Mr. CULLOM. This refers to the private secretary to the Secretary of State, and the committee and the Senate have had a good deal of trouble with that class of officers, for the reason that some of them draw twenty-four hundred dollars a year, some of them two thousand, and some of them twenty-two hundred and fifty. After the committee had raised some of them to two thousand two hundred and fifty, others insisted that they should have twenty-four hundred dollars. We recognized the inequality of the situation, and the result is that under this bill—I do not know but that we got them all to the same figure last year—we put them all at twenty-two hundred and fifty, so that each private secretary of a Cabinet officer will get that amount—no more and no less.

This amendment would destroy that equality. The situation as it is gets rid of the inequality and restores equality among that class of secretaries. If we begin to amend again, unless we put them all up or all down, the same inequality will prevail. I hope the Senator will not undertake to do it.

Mr. ELKINS. In reply to the Senator having in charge this bill, I would state that the proposed compensation seems to be just and fair. The work of a private secretary is laborious. It requires talent and ability to perform the duties of his office. He is not limited to hours. He may be called on to work till midnight. He does not go to the Department at the time prescribed for the other employees. He goes before that hour and stays later. I think these private secretaries, in view of the work and duties and responsibilities laid upon them, ought to have $2,400.

Mr. CULLOM. It has been only a few years since Cabinet officers had any private secretaries at all. They generally did the work themselves.

Mr. ELKINS. That is not against the private secretaries.

Mr. CULLOM. Not at all. I know every one of these private secretaries. They are very clever and very competent, and I am sorry I can not give them what they want.

The PRESIDING OFFICER. The question is on agreeing to the amendment proposed by the Senator from West Virginia.

The amendment was rejected.

Mr. ELKINS. I propose the amendment which I send to the desk.

The SECRETARY. On page 28, line 21, it is proposed to strike out the words "two hundred and fifty" and insert "four hundred;" so as to read:

Clerk to the Secretary, $2,400.

Mr. CULLOM. That is the same kind of an amendment, and I hope it will be voted down.

The amendment was rejected.

Mr. ELKINS. On page 70, line 1, I move to strike out the words "two hundred and fifty" and insert "four hundred;" so as read:

Clerk to the Secretary, $2,400.

Mr. CULLOM. That is the same sort of an amendment.

The amendment was rejected.

Mr. ELKINS. On page 79, line 19, I move to strike out the words "two hundred and fifty" and insert "four hundred;" so as to read:

Clerk to the Secretary, $2,400.

Mr. CULLOM. That is the same thing.

The amendment was rejected.

Mr. ELKINS. On page 89, line 8, I move to strike out the words "two hundred and fifty" and insert "four hundred;" so as to read:

Private secretary to the Secretary of the Interior, $2,400.

The amendment was rejected.

Mr. ELKINS. On page 109, line 22, I move to strike out the words "two hundred and fifty" and insert "four hundred;" so as to read:

Private secretary, $2,400.

The amendment was rejected.

Mr. ELKINS. On page 117, line 23, I move to strike out the words "two hundred and fifty" and insert "four hundred;" so as to read:

Private secretary to the Attorney-General, $2,400.

The amendment was rejected.

Mr. CHANDLER. I offer an amendment to come in on page 88, line 1.

The SECRETARY. After the word "two," on page 88, line 1, it is proposed to insert "one clerk of class 1."

Mr. CULLOM. The purpose of the Senator from New Hampshire is to increase the number of clerks?

Mr. CHANDLER. To increase by one the number of clerks in the Bureau of Yards and Docks. It has been estimated for and I know that the Bureau needs the additional force. It is strictly within the rule, I will say to the Senator. If he finds that it is not necessary he can strike it out in conference. It was estimated for, but on the whole did not receive the approval of the Committee on Appropriations. They probably did not know what I know, that the work of the Bureau has so increased that this clerk is absolutely necessary to the work of the Bureau.

Mr. CULLOM. I am willing that the amendment shall be adopted, with the understanding that I shall, unless very good reasons are furnished to the committee, allow it to go out in conference.

The PRESIDING OFFICER. The question is on agreeing to the amendment proposed by the Senator from New Hampshire.

The amendment was agreed to.

Mr. CHANDLER. There is another amendment.

The SECRETARY. It is proposed to amend the total so as to read, "$10,380."

The amendment was agreed to.

Mr. CHANDLER. On page 125, after line 11, I move to insert what I send to the desk.

The SECRETARY. On page 125, after line 11, it is proposed to insert:

To defray the cost of the employment of auditors in the Court of Claims, to be disbursed under the direction of the court, $10,000.

Mr. CHANDLER. This amendment is reported favorably from the Committee on the Judiciary. That committee made an investigation into the subject and found that it is an important and necessary appropriation in order properly to expedite the work of the Court of Claims.

Mr. COCKRELL. Let the amendment be read again.

The VICE-PRESIDENT. The amendment will again be read.

The Secretary again read the amendment.

Mr. CULLOM. There is here somewhere a letter on that subject, but it is a little difficult to find it. I think, as a matter of fact, that the committee was somewhat in doubt whether the appropriation ought not to be made. Here is the letter addressed to the chairman of the Committee on Appropriations:

I am informed that an amendment to the legislative appropriation bill for the compensation of auditors in the Court of Claims has been referred to your committee, and I take this opportunity to urge upon you the importance of making provision for the purposes set forth in the bill providing for the appointment of these officers, originally referred to the Committee on the Judiciary.

Within a short time the Secretary of the Navy has referred to the Court of Claims for investigation all claims of the United States Navy for bounty earned during the recent war with Spain. It is altogether probable that this investigation alone will consume the attention of the auditors for that court, for whom provision has been asked, as above referred to, for the coming year. In addition to these matters, the Auditor for the War Department has in contemplation the reference of the claims of about twenty or more States for reimbursement for expenditures incurred in providing for and equipping the soldiers of the Government during the civil war. Two of these claims have already been thus referred and the others will soon follow.

I am informed that the services of at least one auditor or commissioner of the court will be wholly required for at least the coming year to attend to these matters. It seems to me, therefore, that it is quite imperative that provision be made for the employment and compensation of these auditors, as now asked for, and that it be done at this session of Congress, in order that their appointment may be made and their services be availed of without delay.

Very respectfully, JOHN W. GRIGGS,
Attorney-General.

Mr. GORMAN. How many auditors does he want?

Mr. CULLOM. This letter does not seem to indicate that the court wants more than one.

Mr. CHANDLER. I do not understand that it is to be given to one person. The court will appoint different auditors in different cases, according to the discretion of the court, and the court will fix their fees.

Mr. CULLOM. It seems to me that if anything is allowed, we ought not to appropriate over $5,000 on that vague sort of recommendation.

Mr. COCKRELL. I should like to hear from the Committee on the Judiciary on that question.

Mr. CHANDLER. I do not call it vague.

Mr. CULLOM. It is rather indefinite.

Mr. CHANDLER. I think it is very definite. If you put in five thousand, then the committee of conference will give away half of it, and if five thousand is required I think $10,000 should go in now. I would rather the dividing process should take place at a later stage of the proceeding.

Mr. CULLOM. The committee does not want to give away anything that it is sure the Government wants or needs. I am willing, so far as I am concerned——

Mr. COCKRELL. I should like to hear from the Committee on the Judiciary on that subject. The amendment purports to be reported from that committee. I should like to hear their reasons for it.

Mr. HOAR. Mr. President, the amendment was unanimously reported by the Committee on the Judiciary, and it seems to me that every Senator on examination will see the propriety of it, and that $10,000 is a very moderate amount. I expected myself, and I now expect, that it will turn out to be insufficient. We have loaded onto the Court of Claims every sort of jurisdiction. We have put upon them matters that are not ordinarily put on judicial tribunals, and it will be absolutely impossible for the judges to do the duty of that court—in the matter of Indian depredations and the thousand other matters that have gone in there—unless they may have the relief of having the right to employ auditors on matters involving the examination of accounts, and containing a great number of items. That, so far as I know, is a power which is given in nearly all the States, not only to the judges of their principal courts, but to the judges of their inferior courts. In my own State it has been so for years, and it is true now in the United States courts.

Mr. CULLOM. I am inclined to think I perhaps ought to yield and accept the amendment——

Mr. HOAR. Let me finish my statement.

Mr. COCKRELL. I will say to the Senator from Illinois, with all due respect to him, that somebody else wants to hear a satisfactory reason why the amendment should go in. I insist upon hearing it, because I am very doubtful of the propriety of the amendment.

Mr. HOAR. It is a waste to have the duties of a mere accountant performed by a judge at a salary of four or five thousand dollars, who ought to be dealing with great public questions. It is a waste of time; and no court, unless the jurisdiction is not enough to take up half the time of the judges, can get along without such aid.

Mr. COCKRELL. Do I understand that these commissioners or auditors are appointed by the court for specific cases?

Mr. HOAR. Yes.

Mr. COCKRELL. It is not an annual employment?

Mr. HOAR. It is not an annual employment. They are required for a specific case, just like a master in chancery or a referee or any similar function.

Mr. COCKRELL. That is all I wanted to know. I wanted to know how they are appointed and what they do.

Mr. HOAR. In a question where the solvency or insolvency of a single merchant might come up in the course of judicial proceedings, or a single bank, it might take three months of a bookkeeper's time to have those accounts properly stated and ready for the attention of the court and questions of law eliminated and stated out of the mere account. As the Court of Claims is at present situated, the judges have to do that themselves, and the result is that it will inevitably bring the business of that court, now getting into great arrears, into very much greater arrears. We have made some very large additions to the jurisdiction of the court within a few months.

Mr. GORMAN. There may be some good reason why an auditor for the Court of Claims should be provided for, but I suggest to the Senator who offers the amendment that, if there is any pressing necessity for the amendment—and I am not yet aware of it—an appropriation ought to be made for one or two auditors at a specific salary. In every other case connected with this court we provide, as the Senator will see by looking at the bill, for the salary of judges and all other officers of the court. I do not care to make a point of order if the committee think there is a necessity for the amendment, but ought there not to be a specific salary fixed?

Mr. COCKRELL. Let me suggest to the Senator from Maryland that we have not provided for any permanent auditors for that court. There are none by law.

Mr. GORMAN. I know there are not.

Mr. COCKRELL. If you appoint a permanent one, you will never get rid of him. This is simply the appointment by the court of a man to make an accounting in certain cases and to pay him for it. As a matter of course, it appoints lawyers and accountants, depending upon the character of the work to be done; and it would be safer in the way of economy to let it go in this way than to fix a salary.

Mr. HOAR. I will make one suggestion to the Senator from Maryland, which, I think, will be decisive to his mind, unless he suggests some answer to it that does not occur to me. The transaction that may be investigated may arise anywhere in the United States. Take, for instance, the Indian depredation claims, and some of the claims in regard to the cutting of timber. If you appoint an auditor or two auditors resident in the city of Washington, they might be called upon to travel to the State of Washington, or Alaska, or California, to investigate a single case; whereas if you appoint some competent attorney in the neighborhood he would do perhaps the whole work of the auditors in three or four days. I think a great deal is due to the uniform judicial experience in this country. I am not aware that in any State or in any court there is a system of having a permanent auditor to whom cases are referred.

Then another consideration is that the transaction may be one which requires a particular kind of an expert, a water engineer, or a manufacturing engineer, or an expert in certain kinds of fabrics, or a mining engineer. Very likely there might be some important questions connected with the value and yield of mines, and it would be necessary to have selected from the neighborhood an expert with reference to the case.

Mr. GORMAN. This is the first time I have heard of it, and I gather from the reading of the letter of the Attorney-General that he bases this very mild and modest recommendation for this appropriation or some provision on the adjustment of claims growing out of the extra work because of the war with Spain.

Mr. CHANDLER. I ask the Senator from Missouri to read the letter.

Mr. GORMAN. Yes; read Judge Nott's letter.

Mr. COCKRELL. It is as follows:

COURT OF CLAIMS CHAMBERS,
Washington, January 27, 1899.

DEAR SIR: I am informed by the chairman of the Judiciary Committee of the Senate that the committee has reported an amendment to the legislative appropriation bill for the compensation of auditors in this court, which has been referred to the Committee on Appropriations. Since the matter left the hands of the Judiciary Committee, a communication has been received from the Secretary of the Navy of which I think the Committee on Appropriations should be apprised.

The Secretary of the Navy has referred to the court for investigation what appears to be the whole naval part of the war with Spain. I inclose a copy of his communication.

More than fifteen hundred claimants have already appeared by attorneys. If the remainder of the officers and seamen come into court, there will be more than 5,000 claimants, so I am informed. This is doubtless a great convenience to the Secretary of the Navy and the Attorney-General, having all the claims before one tribunal, to be disposed of, probably, at one time; but it will throw an immense amount of work upon the court. The claims will undoubtedly fall into classes, and the judicial part of the work will be of a general character, such as determining in fact and in law the status of a certain vessel, etc., but assigning individual claimants to their proper classes and making up findings of fact, which will be of practical assistance for the Navy Department, will involve an immense amount of work in detail, such as the calculation of individual claims in a general fund, which, so it now seems, it will be impossible for the judges to perform without assistance.

No additional appropriation than that recommended by the Judiciary Committee will be necessary.

Respectfully, etc.,

CHARLES C. NOTT.

Hon. WILLIAM B. ALLISON,
Chairman Committee on Appropriations,
United States Senate, Washington, D. C.

Mr. CULLOM. I wish to state to the Senator from Maryland that the letter from the Attorney-General which I read was carried away by one of the reporters of the Senate, otherwise I would present it. It will be here in a moment.

Mr. GORMAN. The appropriations, of course, for the various Departments, including the Court of Claims, come here in the regular way. There was no estimate made for this appropriation, and no recommendation from the head of the Department other than these personal letters.

Mr. HOAR. It is recommended by the Attorney-General.

Mr. CHANDLER. I should like to say in answer to the Senator from Maryland, that I do not think Congress should be put into leading strings quite in that way. The committees have the right to originate amendments. If any Senator discovers a necessity of the public service and introduces an amendment to meet it, and refers the amendment to the committee, and the committee take the opinion of the head of the Department about it and it is then recommended, it ought to be just as free and open a matter of legislation as if it came through the machinery of regular appropriations made five or six months previous. If we do not exercise that privilege, we might as well enact the estimates when they come here in December and not trouble ourselves with any more attempts to legislate on these matters.

I agree with the rule of the Senate as it exists, that new appropriations and increased appropriations should not be made unless they are estimated for or unless they are recommended by a committee of this body. The Judiciary Committee of this body made a careful investigation and took the opinion of the Attorney-General and the opinion of the chief justice of the Court of Claims. Now, what more would the Senator have?

Mr. GORMAN. I do not pretend for a moment that it is not proper to make appropriations in this way, but they ought not to be made without understanding the fact.

Mr. CHANDLER. I do not ask that. I say that the evidence is ample. I am not undertaking to crowd any Senator at all. But the Senator's proposition that we ought not to do it, unless it was estimated for last October and came in the regular way from the Treasury Department in December, is an attempt to limit legislation in a way in which I do not think he really wishes to have it limited.

Mr. GORMAN. I did not intend to say that it ought to be made in the regular estimates, for a special estimate can be made, as is done frequently when cases arise after the regular estimates have been made out; but what I did say, and what I repeat, is that until this moment I have never seen any evidence whatever that there was a necessity for this appropriation. In view of the fact that we have been warned by the gentlemen who are in charge of governmental affairs that we ought to use great economy, and for the reasons publicly stated, which I shall not quote at this time, I thought that in an appropriation even as small as $10,000 it was well enough to call the attention of the Senate to it.

I do not understand from reading again the letter of the Attorney-General that he considers this a very great emergency. It is true he says that the claims growing out of the war with Spain will require at least one auditor to adjust them during the next year. If the Judiciary Committee—the gentlemen responsible for the management of the judiciary of the Government—think it absolutely necessary, I will not make the point of order.

The VICE-PRESIDENT. The question is on agreeing to the amendment of the Senator from New Hampshire [Mr. CHANDLER].

The amendment was agreed to.

Mr. TELLER. I move, on page 3, line 3, to strike out the word "four" and the words "and forty" and insert in place of the word "four" the word "six;" making it read "messenger, acting as assistant librarian, $1,600," instead of "$1,440."

Mr. CULLOM. While I have no feeling about the matter, I think that the salary asked for is not estimated for at all in the Book of Estimates, or anywhere else.

Mr. TELLER. I do not know whether it comes within the technical estimate, but it is recommended by the Librarian. It is for assistant librarian. One assistant librarian gets $1,800, and I propose to make the salary of this assistant $1,600. I think the Senator ought not to raise an objection to it.

Mr. CULLOM. I will not make any point of order against the amendment.

The VICE-PRESIDENT. The question is on agreeing to the amendment of the Senator from Colorado.

The amendment was agreed to.

Mr. SHOUP. I offer an amendment. On page 65, line 5, I move to strike out the word "two," before the word "hundred," and to insert in lieu thereof the word "six;" so as to read:

Assay office at Boise, Idaho: For assayer, who shall also perform the duties of melter, $2,000; one clerk, $1,600.

Mr. CULLOM. I think that is estimated for.

Mr. ALLISON. It is estimated for.

Mr. CULLOM. I can make no objection to it, so far as the committee is concerned.

The amendment was agreed to.

Mr. GEAR. On page 5, line 11, after the word "Mining," I move to insert "the Committee on Pacific Railroads."

Mr. CULLOM. I think I ought not to agree to that amendment. I hope the Senator from Iowa will not press it.

Mr. GEAR. I do not see any reason why the clerk of that committee should not get the same salary as the clerks of other committees.

Mr. CULLOM. It is not estimated for; and I think I must make the point of order against the amendment.

Mr. GEAR. I do not think that any of these committee clerks are estimated for.

Mr. CULLOM. Yes, they are estimated for, and the appropriation is made accordingly. I shall make the point of order on the amendment. I hope the Senator will not press it. I dislike to make the point of order.

Mr. GEAR. I ask for the ruling of the Chair.

The VICE-PRESIDENT. The Chair believes the point of order to be good, unless the amount was estimated for by the head of a Department.

Mr. GEAR. I offer the amendment which I send to the desk.

The SECRETARY. On page 16, after line 24, insert:

To continue employment and pay of P. L. Coultry as acting assistant foreman of the folding room, from July 1, 1899, to June 30, 1900, inclusive, $1,400.

Mr. CULLOM. That is an amendment proposing to add to what the House itself has put into the bill, and it is not asked for by the House at this time.

Mr. GEAR. I will state to the Senator from Illinois that the House omitted to put it in.

Mr. CULLOM. I do not know how that is, but it certainly was not presented to the committee.

Mr. GEAR. It was so stated to me.

Mr. CULLOM. We generally allow the House to take care of itself unless it comes to the Senate committee and asks the Senate to do something through its committee.

Mr. GEAR. I understand that it was an oversight on the part of the House.

Mr. CULLOM. I do not think I can allow the amendment to go upon the bill.

Mr. COCKRELL. I hope the Senator from Iowa will not press an amendment of this kind. We have had repeated controversies with the House over our right to regulate and control our own affairs. The Senate established that fact after a long controversy, and with the distinct understanding that we would in no manner interfere, directly or indirectly, in their affairs.

Mr. GEAR. I will say, in reply to the Senator from Missouri, that I understand it was an oversight on the part of the House; that the gentleman who had the matter in charge failed to bring it to the attention of the House.

Mr. CULLOM. Then the House committee ought to have presented it to the Senate committee.

Mr. COCKRELL. We have made but one rule, and I insist that we shall not deviate from that rule. The committee that make up the bill in the House and report it and have it passed must

come and say that they want such a provision put in, and we have gone so far as to require that it shall be done in writing. Now, if we take the statement of a member of the House or of half a dozen members of the House and put something in the bill, we are gone; we have broken every anchor that holds us in a strong position.

Mr. GEAR. I will say, in reply to the Senator from Missouri, that I understand the committee of the House are willing to accept this amendment.

Mr. CULLOM. The committee has not called upon any member of the Committee on Appropriations of the Senate in regard to it that I am aware of.

Mr. COCKRELL. They know perfectly well in the House exactly what we require. We have had this controversy with them. We know exactly and they all know what is required, and it is not right or fair or just that they should come and ask Senators to put upon these bills amendments of this character. They know perfectly well that if they can get the Appropriations Committee to come over here and ask our Appropriations Committee to put it in we will put it in, and then we will say to the conferees, "We did it at the request of the committee; take it out if you want to do it, or do with it just as you choose;" but we can not put in a provision of this kind on our own motion.

Mr. GEAR. I understand that the gentleman in charge failed to offer it in the House, but that the House committee will accept it in conference. It is of no personal concern to me whatever.

Mr. COCKRELL. The Senate of the present Congress will soon pass out, and if you want to set that precedent and get up that row I simply give notice as to what will be the result of it.

The VICE-PRESIDENT. The question is on the amendment of the Senator from Iowa [Mr. GEAR].

The amendment was rejected.

Mr. STEWART. I offer an amendment on page 107. In lines 9 and 10 I move to strike out "$1,800" and insert "$2,000;" so as to read:

For surveyor-general of Nevada, $2,000.

Mr. COCKRELL. Is that estimated for?

Mr. STEWART. That makes the salary the same as that of all the others.

Mr. COCKRELL. Is it estimated for, I ask the Senator from Nevada?

Mr. STEWART. I think so.

Mr. CULLOM. The Senator is mistaken. There is no estimate for it, and the claim is that there are two other officers.

Mr. COCKRELL. In three other States?

Mr. CULLOM. In three States where they receive only $1,800 a year salary.

Mr. STEWART. I do not know of any other.

Mr. CULLOM. Yes; both Louisiana and Minnesota.

Mr. COCKRELL. And Florida.

Mr. CULLOM. And Florida in addition, I believe. So I must make the point of order on the amendment.

The VICE-PRESIDENT. The point of order is made upon the amendment, and it is sustained.

Mr. CULLOM. Now, if there are no further amendments, I hope the bill will be reported to the Senate.

Mr. ALLEN. I do not want to delay the passage of this bill. I want to hasten it as much as I can. It may not be strictly germane to the bill itself at this time, but I should like to ask the Senator from Illinois or any other Senator belonging to the Committee on Appropriations in what order the other appropriation bills will be presented to the Senate?

Mr. CULLOM. I desire, as soon as this bill is out of the way, to call up the Agricultural appropriation bill and let it be taken up for consideration, but I do not desire that it shall be considered to-night.

Mr. ALLEN. I will put my question a little more direct, a little more pointed. Is there any purpose to bring up the Army bill for consideration before the other appropriation bills have been passed on?

Mr. CULLOM. I do not understand that the Army bill has passed the House as yet.

Mr. COCKRELL. Oh, it passed the House and has been in the Committee on Military Affairs for two weeks.

Mr. CULLOM. Well, it has not been reported here.

Mr. COCKRELL. No, it is in the committee.

Mr. CULLOM. I understood the Senator to refer to the Army appropriation bill.

Mr. ALLEN. It is rumored in the Chamber this afternoon that there is a purpose of bringing up the Army bill on Monday or Tuesday. Anticipating that the discussion on that bill will run to the end of the session, and that the other appropriation bills will be suffered to go over as a pretext for an extra session of Congress, I should like to know from the Senator from Illinois, or from any other Senator, if there is any intention of that kind?

Mr. CULLOM. I know very little about the Army bill or the Army appropriation bill. So far as I am concerned, I desire very much to proceed with the Agricultural appropriation bill on Monday and to continue its discussion and consideration until it is disposed of.

Mr. ALLEN. Is it the intention of the committee to present all these bills before the Army bill is brought up for discussion?

Mr. CULLOM. I understand that the Military Academy bill is now ready to be considered, and the Senator from New Jersey [Mr. SEWELL] who is in charge of it will ask for its consideration immediately after the Agricultural appropriation bill is disposed of.

Mr. ALLEN. How many appropriation bills are yet remaining?

Mr. CHANDLER. What does the Senator mean by the Army bill, may I ask?

Mr. ALLEN. I mean the reorganization bill.

Mr. CHANDLER. That bill is not in the hands of the Committee on Appropriations.

Mr. CULLOM. The Appropriations Committee has nothing to do with that bill.

Mr. ALLISON. It has not been reported from the Senate Committee on Military Affairs.

Mr. CHANDLER. It has not.

Mr. ALLEN. But there is such an intermingling and commingling of purposes on the other side of the Chamber that I do not know exactly who is responsible for it.

Mr. CHANDLER. I should be glad myself to intermingle and commingle all the bills, so that the Senator from Nebraska could speak on all at once, instead of speaking on each separately.

Mr. ALLEN. I desire to lengthen my remarks, and therefore will cut them in two and fit them to each bill as it comes up.

Mr. CHANDLER. It would be better if the Senator could speak on the Army bill and on all the appropriation bills at the same time.

Mr. ALLEN. No; I think not.

Mr. CHANDLER. But the Committee on Appropriations has no power to report the Army bill, as it is before the Committee on Military Affairs.

Mr. ALLEN. I understood that the Committee on Appropriations was to give way for the Army bill.

Mr. ALLISON. Mr. President, the Committee on Appropriations, as I understand it, purpose to go on with the appropriation bills as rapidly as possible. They have been considerably impeded of late, as Senators very well know, by commingling, or omitting to commingle, in a way that has not been quite satisfactory, but we hope to proceed in a better way next week.

The first bill, as the Senator from Illinois has stated, will be the Agricultural appropriation bill. That is on the Calendar. The West Point Military Academy bill is on the Calendar, and we hope to have the Post-Office appropriation bill on the Calendar early next week, and to take it up as soon as possible.

Mr. ALLEN. I hope the Senator from Iowa will recognize the fact that the discussion on this bill and other appropriation bills indulged in by Senators, including myself, has thrown great light upon the duty of that committee.

Mr. ALLISON. I am quite sure of that; and I was not criticising the Senator at all, because for myself I always feel interested in what he says; and when he has occasion to refer to the Committee on Appropriations, which he is extremely fond of doing, it is always gratifying to the committee. Therefore I find no fault with the Senator.

Mr. ALLEN. I feel that the Committee on Appropriations could not discharge its duty fully and completely without some slight aid from me from time to time.

The VICE-PRESIDENT. If there be no objection, the changes made necessary by amendments in various clauses will be made in the footings by the Secretary.

The bill was reported to the Senate as amended, and the amendments were concurred in.

The amendments were ordered to be engrossed and the bill to be read a third time.

The bill was read the third time, and passed.

AGRICULTURAL APPROPRIATION BILL.

Mr. CULLOM. I ask the Senate to allow the Agricultural appropriation bill to be now taken up.

The VICE-PRESIDENT. Does the Senator desire to have that done without interfering with the unfinished business?

Mr. CULLOM. I want the unfinished business to be temporarily laid aside for the consideration of the appropriation bill.

The VICE-PRESIDENT. Is there objection to the present consideration of the bill (H. R. 11266) making appropriations for the Department of Agriculture for the fiscal year ending June 30, 1900? The Chair hears none, and lays the bill before the Senate.

Mr. CULLOM. I now yield to the Senator from Kansas [Mr. HARRIS], who desires the consideration of a bill which he has in charge.

KANSAS, OKLAHOMA CENTRAL AND SOUTHWESTERN RAILWAY.

Mr. HARRIS. I ask unanimous consent for the present consideration of House bill No. 11098, which has been passed by the House of Representatives and reported favorably without amendment by the Committee on Indian Affairs of the Senate.

Mr. PLATT of Connecticut. I was going to ask to have that bill considered.

The VICE-PRESIDENT. Is there objection to the request made by the Senator from Kansas?

There being no objection, the Senate, as in Committee of the Whole, proceeded to consider the bill (H. R. 11098) to extend and amend the provisions of an act entitled "An act to grant the right of way to the Kansas, Oklahoma Central and Southwestern Railway Company through the Indian Territory and Oklahoma Territory, and for other purposes," approved December 21, 1893, and also to extend and amend the provisions of a supplemental act approved February 15, 1897, entitled "An act to extend and amend an act entitled 'An act to grant the right of way to the Kansas, Oklahoma Central and Southwestern Railway Company through the Indian Territory and Oklahoma Territory, and for other purposes.'"

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

ROADWAY ACROSS ROCK CREEK PARK.

Mr. GORMAN. I ask unanimous consent for the present consideration of the bill (H. R. 11358) for a roadway in the District of Columbia from Brightwood avenue across Rock Creek Park.

There being no objection, the Senate, as in Committee of the Whole, proceeded to consider the bill.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

The preamble was agreed to.

STATE EXPENSES FOR VOLUNTEER ARMY.

Mr. WARREN. I ask unanimous consent for the consideration of Senate bill 5260, which was left over from yesterday morning.

There being no objection, the Senate, as in Committee of the Whole, resumed the consideration of the bill (S. 5260) to amend an act entitled "An act to reimburse the governors of States and Territories for expenses incurred by them in aiding the United States to raise and organize and supply and equip the Volunteer Army of the United States in the existing war with Spain," approved July 8, 1898, and for other purposes.

The VICE-PRESIDENT. This bill has been read the second time in full, and there are several amendments which have been reported by the Committee on Military Affairs.

The first amendment reported by the Committee on Military Affairs was, in section 1, line 1, page 2, after the word "claims," to insert the words "of States and;" in line 4, after the date "1898," to strike out "*Provided*, That no reimbursement shall be made for expenses incurred after August 12, 1898: *And;*" and in line 7, page 2, before the word "That," to strike out "*further;*" so as to make the section read:

That the act entitled "An act to reimburse the governors of States and Territories for expenses incurred by them in aiding the United States to raise and organize and supply and equip the Volunteer Army of the United States in the existing war with Spain," approved July 8, 1898, be so amended that the Secretary of the Treasury shall be, and is hereby, authorized to allow, in the settlement of the claims of States and of the governors of States and Territories for reimbursement under the provisions of the said act, expenses incurred after as well as before July 8, 1898: *Provided*, That no reimbursement shall be made for service of members of the National Guard or organized militia of any State or Territory who were not accepted into the Volunteer Army of the United States as of the same grade.

The amendment was agreed to.

The next amendment was, in section 2, page 2, line 13, after the word "Territory," to insert "or the State or Territory;" in line 24, after the word "faith," to strike out "volunteer for service" and insert "present himself for enrollment;" and in line 1, on page 3, after the words "United States," to insert:

And provided further, That the provisions of this section shall apply also to individual volunteers who presented themselves in good faith for enrollment in the Volunteer Army of the United States.

So as to make the section read:

SEC. 2. That under the appropriation made by said act the Secretary of the Treasury is hereby authorized to reimburse the governor of any State or Territory, or the State or Territory, for reasonable expenses incurred by him in the actual transportation of the members of organized militia or National Guard of his State from the place of company, battalion, or regimental rendezvous to the State rendezvous or place designated for examination and acceptance of the members of such organization into the Volunteer Army of the United States, and the actual transportation from the State rendezvous to their respective company, battalion, or regimental rendezvous of such men as were rejected for lack of physical qualifications: *Provided*, That no reimbursement shall be made for the transportation of any man who did not in good faith present himself for enrollment in the Volunteer Army of the United States: *And provided further*, That the provisions of this section shall apply also to individual volunteers who presented themselves in good faith for enrollment in the Volunteer Army of the United States.

The amendment was agreed to.

The next amendment was, in section 3, on page 3, line 7, after the words "reimbursement of," to insert "any State or;" and in line 13, before the word "accepted," to strike out "be" and insert "have been;" so as to make the section read:

SEC. 3. That nothing in said act of July 8, 1898, shall be so construed as to prohibit the reimbursement of any State or the governor of any State or Territory for reasonable expenses incurred in the subsistence of the members of any organization of the organized militia or National Guard of his State or Territory after having been called out by the governor on or after April 25, 1898: *Provided*, That such organization shall afterwards have been accepted into the Volunteer Army of the United States.

The amendment was agreed to.

The next amendment was, to insert, as a new section, the following:

SEC. 4. That the expenses incurred by States or the governors of States in carrying out the provisions of this act shall be reimbursed and paid to them, notwithstanding any unsettled accounts, claims, or indebtedness of the United States against their States, and without prejudice to such unsettled accounts: *And provided further*, That where an officer of the Army detailed as mustering officer for volunteers, purchased equipment necessary for the comfort of the men in camp or rendezvous, and said equipment was subsequently taken into the United States service by said volunteers and no receipts given to such military officer, the certificate to that effect of the governor of the State or Territory to which the volunteers belonged shall be held sufficient to authorize the settlement of such accounts.

The amendment was agreed to.

The next amendment was, to insert, as a new section, the following:

SEC. 5. That the Secretary of the Treasury be, and is hereby, authorized to pay, out of any money in the Treasury not otherwise appropriated, the just and proper account or claim of any railroad, transportation company, or person who has at the request of the Quartermaster-General of the Army or his agents, or at the request of any United States mustering officer or other officer authorized by the Secretary of War to enroll, muster, or mobilize volunteers for the war with Spain, for transportation of men or troops from place of enrollment to point of rendezvous, and also to pay such just and proper accounts as may be presented for transportation back from point of rendezvous to place of enrollment of men who volunteered in good faith and were rejected on account of disqualification as found by medical officers duly appointed by the War Department: *Provided*, That the amount allowed and paid for such transportation shall not be in excess of the rates charged for transporting troops of the United States under like circumstances.

All claims under the provision of this act must be filed in the office of the Auditor for the War Department, and must be supported by proper vouchers or other conclusive evidence of interest.

The amendment was agreed to.

The next amendment was, in section [4] 6, line 4, after the word "before," to strike out "July" and insert "January," and in the same line, after the word "first," to strike out "eighteen hundred and ninety-nine" and insert "nineteen hundred;" so as to make the section read:

SEC. [4] 6. That all claims for reimbursement under this act or the act of July 8, 1898, shall be presented in itemized form to the Treasury Department on or before January 1, 1900, or be forever barred.

The amendment was agreed to.

Mr. CHILTON. I move to amend by adding to section 4 what I send to the desk.

The VICE-PRESIDENT. The amendment will be stated.

The SECRETARY. It is proposed to amend by inserting after the word "accounts," at the end of section 4, line 3, page 4, the following:

And where the commander of a company or companies or troop or troops has purchased supplies necessary for the comfort or subsistence of the men in camp or rendezvous between the date of enrollment under the call of the President and the mustering in of the company or troop, the certificate to that effect of the governor of the State or Territory to which the volunteers belonged shall be held sufficient to authorize the payment of such accounts to the parties entitled.

Mr. ALLISON. I think that is a very crude amendment. It refers only to companies or troops; and I suggest that regiments should also be included.

Mr. CHILTON. I only drew the amendment to suit the case in my own State. Where the words "company or troop" are used, as the Senator suggests, there might be inserted the word "regiment."

Mr. ALLISON. Let the word "or" before the word "troop" be stricken out, and the words "or regiment" inserted after "troop" in both places where the word occurs.

The VICE-PRESIDENT. The question is on the amendment of the Senator from Iowa [Mr. ALLISON] to the amendment of the Senator from Texas [Mr. CHILTON].

The amendment to the amendment was agreed to.

The amendment as amended was agreed to.

Mr. TILLMAN. I offer an amendment to appear at the end of section 1.

Mr. COCKRELL. One moment. I desire to inquire if there is anything in the amendment of the Senator from Texas to indicate what shall be paid for?

Mr. CHILTON. The language is, "has purchased supplies necessary for the comfort or subsistence of the men in camp or rendezvous." I do not care about the language. I drew the amendment hurriedly in my seat, when I learned the bill would come

up, to meet the case in my State, which is this: Between the time the companies were organized and the time when they were mustered into the service certain officers made bills with merchants, supposing they would be paid under the prior act of 1898. The Secretary of War sent a telegram to our governor, which was supposed to cover that kind of a case. On the strength of that telegram the merchants furnished the supplies, and since that time the War Department has held that they are not covered by that statute. This is intended to authorize the governor to certify to the amounts of the supplies bought of the merchants for the subsistence or comfort of the companies, and in that way secure the payment of the claims.

Mr. COCKRELL. Would it not be better to have some limitation? We have a number of companies in Missouri in the same situation, where supplies were paid for. I have written to the Department about those accounts, and had one of them in my possession a few minutes ago. Would it not be better to say "necessary and suitable supplies," so that we should not have to pay for any and everything which might have been furnished?

Mr. CHILTON. I think the word "necessary," as used in the amendment, is really better than to put in the word "suitable." I do not think that word would help it any. I ask the Secretary to read again that particular language of the amendment.

The Secretary read as follows:

And where the commander of a company or companies, or troop or troops, or regiment has purchased supplies necessary for the comfort or subsistence of the men in camp or rendezvous, etc.

Mr. ALLISON. I think the certificate of the governor will cover the matter.

Mr. CHILTON. That is right; if we can not trust the governors of the States, I do not know whom we can trust.

Mr. COCKRELL. I think probably the language employed will answer the purpose.

Mr. TILLMAN. I ask that the amendment which I have offered may be read—to insert what I send to the desk at the end of section 1.

Mr. BACON. Has the amendment of the Senator from Texas been disposed of?

The VICE-PRESIDENT. The amendment has been agreed to.

Mr. BACON. I did not so understand. I wish to offer an amendment to it.

The VICE-PRESIDENT. No formal vote was taken upon the amendment, and the Senator is entitled to offer an amendment to the amendment if he so desires.

Mr. BACON. I will state what the amendment which I propose is intended to meet, so that it may be understood. There were 10 regiments raised, known as immune regiments, United States Volunteers. The company officers secured men, and up to the time of their mustering in they paid the expenses of the men; in other words, they acted really as recruiting officers, and many of them went to an expense of several hundred dollars. They had to get men, keep them at hotels and boarding-houses, and pay their railroad expenses to the point of rendezvous. In other words, they incurred all the expenses that the Government would have incurred if the Government had been recruiting the men.

Mr. TILLMAN. Those were immunes?

Mr. BACON. Yes; those 10 regiments.

Mr. TILLMAN. The same thing happened in my State.

Mr. BACON. I have no doubt it is true of all the 10 regiments. I have conferred with the War Department about the matter, and the officers there think that those expenses ought to be paid.

Mr. ALLISON. Those expenses will be paid by the War Department under proper regulations.

Mr. TILLMAN. On the Army appropriation bill.

Mr. ALLISON. The governors of the States have nothing to do with it.

Mr. TILLMAN. And this relates solely to volunteers.

Mr. ALLISON. Yes; it relates to the volunteers.

Mr. COCKRELL. It ought to be provided for by separate legislation.

Mr. TILLMAN. It should be placed on the Army appropriation bill, where it belongs.

Mr. ALLISON. I quite agree that proper provision should be made in the case stated by the Senator from Georgia [Mr. BACON], but I understand this to be a bill relating especially to the State troops.

Mr. COCKRELL. Volunteers of the States.

Mr. ALLISON. Volunteer troops of the States.

Mr. BACON. I was about to say that I had conferred with the War Department in reference to this matter, and the officers there agreed with the suggestion of the Senator from Iowa [Mr. ALLISON] that these expenses ought to be paid, as they were really expenses incurred by individuals which would have otherwise been incurred by the Government—the ordinary expenses that the Government meets when it attempts to recruit men for the regular regiment—but at the same time the expenses were created by the enlistment of the men. I do not desire, of course, to encumber this bill, as it relates purely to State volunteers.

Mr. WARREN. If the Senator will permit me, I will state to him that the matter is already covered, and refer him to the language of section 4.

Mr. BACON. Certainly.

Mr. WARREN. That section provides:

That where an officer of the Army detailed as mustering officer for volunteers purchased equipment necessary for the comfort of the men in camp or rendezvous, and said equipment was subsequently taken into the United States service by said volunteers and no receipts given to such military officer, the certificate to that effect of the governor of the State or Territory to which the volunteers belonged shall be held sufficient to authorize the settlement of such accounts.

Mr. BACON. But that is not the case, Mr. President.

Mr. TILLMAN. That refers to equipment and rations.

Mr. BACON. These persons were not then officers. For instance, a regiment of immunes was to be organized and a certain number of citizens would be selected to be captains. They were told if they would raise companies they would be commissioned as captains. That agreement was carried out, and they would, out in the country, take a month, engage in the finding of men, and get their agreement to enter the company. They had to take care of the men in the meantime, a squad here and a squad yonder. Finally they were sent to the points of rendezvous, being kept in boarding houses in the meantime until the company was completed and mustered in.

I know the fact that probably in every instance there was an expense of somewhere from $200 to $400 to each one of these captains who raised companies, and they were expenses not of themselves, but expenses of the men whom they recruited, and whose support could not be turned over to the Government until they were enlisted.

Mr. ALLISON. Does the War Department suggest any remedy for that?

Mr. BACON. The officers at the War Department have said to me that they thought the class of officers to whom I have referred ought to be reimbursed, but there was no authority under the law by which it could be done; that they had no authority under the law to reimburse such expenses; and the suggestion has been made by the Department that there should be legislation for that purpose.

Mr. ALLISON. There should be some legislation; but there must be some power somewhere to review these accounts.

Mr. BACON. Undoubtedly.

Mr. ALLISON. But it seems to me that an entirely separate provision ought to be made in some other bill.

Mr. TILLMAN. The Army appropriation bill is the place for it.

Mr. ALLISON. A provision should be made separately for the immune regiments, and some officer of the Army should be designated to deal with these accounts.

Mr. CHILTON. The governors of States would have nothing to do with that.

Mr. BACON. I realize that; and under the suggestion of the Senator I will not offer my amendment now, but will simply ask that the matter be taken into consideration by the Appropriations Committee and attention given to it.

Mr. BATE. The Committee on Military Affairs, seeing the embarrassment in this case, framed a bill and sent it, with a communication, to the War Department. That Department sent an assistant adjutant-general to the committee, and with his assistance a bill was framed for the purpose of covering these cases. That bill was in the hands of the Senator from Wyoming [Mr. WARREN].

Mr. WARREN. I will say regarding this section of the bill that it was one which was sent from the committee to the War Department and to the Treasury to meet exactly such a case as the Senator from Georgia [Mr. BACON] describes. For instance, a captain who was raising troops for a company of the Second Volunteer Cavalry, which is exactly on the same basis as the immunes, presented a bill for meals at the hotel that he had paid. That was sent down, and the way they propose to cover it and the language in which they put it is embraced in section 4. If they have not covered it, it is not the fault of the Committee on Military Affairs in reporting the bill.

Mr. BACON. Will the Senator read it again?

Mr. WARREN. They stated that it was difficult to legislate so as to approach that directly and not let in accounts that would not be properly certified. They were willing to pay an account sent up from the mustering officer to the governor and by him certified, wherever the troops were. There seemed to be but one way of obtaining the authority.

Section 4 reads:

That the expenses incurred by the governors of States in carrying out the provisions of this act shall be reimbursed and paid to them, notwithstanding any unsettled accounts, claims, or indebtedness of the United States against

their States, and without prejudice to such unsettled accounts: *And provided further*, That where an officer of the Army detailed as mustering officer for volunteers—

The mustering officer, of course, was not an officer of the State or an officer of the State militia in any way.

Mr. BACON. Go on and read that.

Mr. TILLMAN. You will see also that he was not an officer at all, but he was trying to get to be an officer. I know one instance in Charleston in which a young man——

Mr. COCKRELL. There is no provision in this bill to cover that.

Mr. TILLMAN. He was organizing a company for one of the immune regiments, white men, and he spent several hundred dollars and then carried his company to Macon at his own expense. He never could get them mustered in or received, and he could not get a cent of compensation under this bill.

Mr. WARREN. Having appealed to the Department to cover just such a case as this, having sent a case of that kind down, we are without any language or authority from them to correct the bill. I submit that it is best, then, to pass this bill as it is, and then undertake to cover that in some other way, upon an appropriation bill or otherwise, or else that some Senator present offer an amendment such as will cover the fault complained of and place it in this bill now. I want to cover all the points necessary to reimburse all parties who paid out money.

Mr. TILLMAN. Let me suggest an amendment.

Mr. COCKRELL. I hope the Senator will not open up the door that wide. The question of paying for recruiting service is a very broad one. There were no less than from five to ten million dollars of claims during the late war by persons who claimed to have organized troops, and they have been presenting them ever since the close of the war. The Government has persistently refused to pay them. It is an entirely different service from the service provided for in this bill. This bill provides for the expenditures made by the States or individuals in the States, and it ought to be kept entirely separate from the other question.

Mr. BACON. I was going to make the same suggestion. In view of what has been said, and as the chairman of the committee thinks that the amendment could be adopted at any time, that it could as well be put upon the Army bill as any other, I would myself withdraw any proposition to amend this bill, hoping in the meantime that we may provide some amendment which will meet with the approval of the committee.

Mr. ALLISON. I think that in cases where the recruiting officers recruited men and paid them during the organization of the company or regiment, the Government should pay it, but I think it should only apply to people who were afterwards mustered into the regiments. It seems to me that we can carefully guard it.

Mr. COCKRELL. Certainly, wherever they came for that purpose.

Mr. ALLISON. I think so.

Mr. COCKRELL. We have always done that. When the war began there was $50,000,000 appropriated for the express purpose of paying off those men, and I think there is an appropriation already. I can not point it out just now, but I think the War Department has jurisdiction of that matter.

Mr. ALLISON. In the war of the rebellion all that class of expenditures was made generally in the form of reimbursement to the States, because the company officers were usually recruiting under commissions from the Government.

Mr. COCKRELL. Yes.

Mr. ALLISON. But this is a case where it was going on directly under the Government of the United States, and they ought to be familiar with every detail.

Mr. COCKRELL. Certainly.

Mr. BATE. Mr. President, there is an embarrassment in that matter which no one has seemed to touch on, that there are a great many of these men who were recruited, but were not mustered in. They came there in cold weather. Take my own town, for instance. The United States officer, a captain, who was there mustering in saw the necessity, and he sent them a lot of blankets. They were appropriated, and he never took the receipt. The law is exact and requires that the individual shall give the receipt. Now they have stopped the pay of this gentleman, as I understand it, for the purpose of meeting some $4,000, or something like that. This bill in the hands of the Senator from Wyoming [Mr. WARREN] is intended to remedy that, if possible.

Mr. PASCO. I think the difficulty complained of by the Senator from Tennessee is covered in part by this language in the fourth section:

And provided further, That where an officer of the Army, detailed as mustering officer for volunteers, purchased equipment necessary for the comfort of the men in camp or rendezvous, and said equipment was subsequently taken into the United States service by said volunteers and no receipts given to such military officer, the certificate to that effect of the governor of the State or Territory to which the volunteers belonged shall be held sufficient to authorize the settlement of such accounts.

I think that will cover the larger part of it.

Mr. BATE. That was intended to cover it.

The VICE-PRESIDENT. The question is on agreeing to the amendment proposed by the Senator from South Carolina [Mr. TILLMAN].

Mr. CHILTON. Has my amendment been acted upon?

Mr. COCKRELL. The amendment of the Senator from Texas has been agreed to.

The VICE-PRESIDENT. It has been agreed to.

Mr. COCKRELL. What is the amendment of the Senator from South Carolina? Let it be read.

The VICE-PRESIDENT. It will be read.

The SECRETARY. At the end of the first section it is proposed to insert:

Provided further, That compensation, at the rate paid to officers and soldiers in the Regular Army, shall be allowed to the States and governors of States as pay to such volunteers and Naval Reserves as appeared at the place of muster and were afterwards received into the service, for the period between the date of assembly at the rendezvous and the date on which they were mustered in.

Mr. TILLMAN. I will state for the information of the Senate——

Mr. ELKINS. I move that the Senate do now adjourn.

Mr. COCKRELL. Read the amendment again.

The Secretary again read the amendment.

Mr. COCKRELL. I suggest to insert "appeared and remained." The words "and remained" should go in.

Mr. TILLMAN. Of course; if they did not remain, we do not want them.

The VICE-PRESIDENT. The question is on agreeing to the amendment to the amendment.

The amendment to the amendment was agreed to.

Mr. COCKRELL. Then it only applies to those who remained there and were mustered in.

Mr. TILLMAN. That is it.

The VICE-PRESIDENT. The question is on agreeing to the amendment of the Senator from South Carolina [Mr. TILLMAN] as amended.

The amendment was agreed to.

Mr. TILLMAN. Lest there may be some doubt in the minds of the officers of the War Department, whom I find exceedingly particular, I want the Senate to give its own idea by its vote on this bill as to its meaning. The State of South Carolina has bonds in the Treasury Department purchased in 1857 as Indian trust funds. Those bonds are there as obligations by South Carolina, along with six or seven other Southern States—Virginia, Florida, Alabama, I think, etc.—and when we came to present our account we were met by the act of 1878, I think, or some act which prohibits a State from being paid any money until these Indian trust funds or this claim of the United States against the States on account of money owing the United States by the States for the trust fund had been settled. Therefore the claim of our governor for reimbursement was disallowed—every dollar of it. Section 4 says:

That the expenses incurred by the governors of States in carrying out the provisions of this act shall be reimbursed and paid to them, notwithstanding any unsettled accounts, claims, or indebtedness of the United States against their States, and without prejudice to such unsettled accounts.

I presume that language is put in there to meet the very case of an offset.

Mr. COCKRELL. Certainly.

Mr. TILLMAN. Is that it?

Mr. PASCO. That was the purpose.

Mr. WARREN. That was the intention of the Military Affairs Committee fully in considering the question, and I presume it is the intention of the Senate.

Mr. ALLISON. It certainly meets the question.

Mr. TILLMAN. Do the words "incurred by the governors"——

Mr. PASCO. That is the language of the original bill.

Mr. TILLMAN. I know, but under the original bill we were told simply "we can not pay you, because there is a law forbidding it."

Mr. PASCO. This is to prevent that very thing. If the word "accounts" is not sufficient——

Mr. TILLMAN. In our case this condition arose. Our legislature had adjourned in January before the war opened, and it did not meet until last January. The governor had no funds at his disposal with which to meet these expenses. He telegraphed the Secretary of War, "What am I to do for means to subsist these people and bring them together, and furnish them something to eat, etc., until you can muster them in?" The answer was, "Incur the obligations or purchase all that is necessary and we will pay you." He has not paid those accounts, because he did not have the money, but he obligated his word of honor, based upon the promise of the Secretary of War, that the accounts should be paid.

Now, does the word "incurred" include those accounts which have not been paid by the governors as well as those which have been paid by the governors who had funds at their disposal?

Mr. COCKRELL. I think this covers the whole case. It is intended to prevent the United States from presenting any claim it

may have against any State in this Union as an offset to the claims under this bill. That is the intention.

Mr. TILLMAN. Does it intend also to allow payment for every account that a governor has paid and every account which has not been paid, but which he has certified to as just?

Mr. WARREN. I think that is the intention.

Mr. COCKRELL. Of course.

Mr. TILLMAN. If that is the intention of the proposed law, and you so intend, the Comptroller of the Treasury will not tell me again that the law will not permit him to pay it.

Mr. BATE. In some of the States, as in my own, in the case of these bonds, we claim that the Government of the United States is indebted to us as a State for having taken possession of the railroad, etc., during the war. There is a bill in this Congress upon that very question, and some of the States stand in that way. We think the Government is in debt to us largely. We certainly ought not to be estopped because of that. It is in litigation. Therefore this is all right, I think.

The bill was reported to the Senate as amended, and the amendments were concurred in.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

The title was amended so as to read: "A bill to amend an act entitled 'An act to reimburse the governors of States and Territories for expenses incurred by them in aiding the United States to raise and organize and supply and equip the Volunteer Army of the United States in the existing war with Spain,' approved July 8, 1898, and for other purposes."

Mr. ALLISON. I move that the Senate adjourn.

Mr. CHANDLER. Will the Senator from Iowa allow me to call his attention to the fact that the Senator from Oregon and I have been patiently waiting here to pass two little bills before the Senate adjourns.

Mr. ALLISON. I should be very glad to yield to both Senators, but I am constrained, in view of the fact of there being very few Senators here, and it was generally understood that we should adjourn when these two matters were disposed of—indeed, I made a promise privately, not publicly, that I should make this motion——

Mr. CHANDLER. That illustrates the danger of making these agreements.

Mr. ALLISON. No; not an agreement. It was a promise that I would make this motion. I have redeemed my promise.

Mr. CHANDLER. The arrangement should have been stated to the Senator from Oregon and myself.

Mr. ALLISON. I am very sorry I can not yield.

The VICE-PRESIDENT. The question is on agreeing to the motion of the Senator from Iowa that the Senate adjourn.

The motion was agreed to; and (at 5 o'clock and 48 minutes p. m.) the Senate adjourned until Monday, February 13, 1899, at 12 o'clock meridian.

HOUSE OF REPRESENTATIVES.

SATURDAY, *February 11, 1899.*

The House met at 12 o'clock m. Prayer by the Chaplain, Rev. HENRY N. COUDEN.

The Journal of the proceedings of yesterday was read and approved.

Mr. CURTIS of Kansas. Mr. Speaker——

The SPEAKER. The gentleman from Kansas.

Mr. MAHON. Mr. Speaker——

The SPEAKER. The Chair understands that the gentleman from Pennsylvania has a conference report.

BOWMAN ACT AND OTHER CLAIMS.

Mr. MAHON. Mr. Speaker, I desire to present a conference report.

The conference report was read, as follows:

The committee of conference on the disagreeing votes of the two Houses on the amendment of the Senate to the bill (H. R. 4936) for the allowance of certain claims for stores and supplies reported by the Court of Claims under the provisions of the act approved March 3, 1883, and commonly known as the Bowman Act, and for other purposes, having met, after full and free conference have been unable to agree.

THADDEUS M. MAHON,
THEOBOLD OTJEN,
JAMES D. RICHARDSON,
Managers on the part of the House.

HENRY M. TELLER,
WM. M. STEWART,
S. PASCO,
Managers on the part of the Senate.

Mr. MAHON. Mr. Speaker, I move that the House agree to a further conference.

The SPEAKER. The gentleman from Pennsylvania moves that the House further insist on its disagreeing votes and agree to a conference.

The motion was agreed to.

The SPEAKER. The Chair will appoint the same conferees—Mr. MAHON, Mr. OTJEN, and Mr. RICHARDSON.

PUBLIC BUILDING AT NEWPORT NEWS, VA.

Mr. MERCER. Mr. Speaker, I desire to call up the bill S. 1964, and move that the House adhere to its amendments and agree to a conference.

The SPEAKER. The gentleman from Nebraska moves that the House further insist on its amendments to the Senate bill and agree to a conference on the bill, which the Clerk will report.

The Clerk read as follows:

A bill (S. 1964) for the erection of a public building for the use of a custom-house and post-office at Newport News, in the district of Newport News, Va.

The SPEAKER. The gentleman from Nebraska moves that the House further insist on its amendments and agree to a conference.

Mr. LIVINGSTON. Let us have the amendments reported.

The Clerk read as follows:

Page 1, line 7, strike out the word "elevator."
Page 1, line 11, strike out the word "elevator."
Page 1, line 12, strike out "one hundred" and insert "seventy-five."

Mr. BERRY. Mr. Speaker, is that a privileged question? If it is not, I object.

The SPEAKER. The Chair thinks it is in order.

The question was taken; and the House insisted upon its amendments and agreed to the conference.

The SPEAKER. The Chair appoints as conferees the gentleman from Nebraska, Mr. MERCER, the gentleman from Pennsylvania, Mr. HICKS, and the gentleman from Alabama, Mr. BANKHEAD.

RIGHTS OF WAY BY RAILROAD COMPANIES THROUGH INDIAN RESERVATIONS, ETC.

Mr. CURTIS of Kansas. Mr. Speaker, I call up the bill that I send to the desk.

The Clerk read as follows:

A bill (H. R. 11868) to provide for the acquiring of rights of way by railroad companies through Indian reservations, Indian lands, and Indian allotments, and for other purposes.

Mr. DOCKERY. Mr. Speaker, if the gentleman will permit me a moment just at this point, is this the general right-of-way bill reported by the Committee on Indian Affairs?

Mr. CURTIS of Kansas. It is the bill.

Mr. DOCKERY. I think that fact should be stated, so that the House may give some attention to the bill.

The Clerk proceeded to read the bill, as follows:

A bill (H. R. 11868) to provide for the acquiring of rights of way by railroad companies through Indian reservations, Indian lands, and Indian allotments, and for other purposes.

Be it enacted, etc., That a right of way through any Indian reservation in any State or Territory, or through any lands held by an Indian tribe or nation in Indian Territory, or through any lands reserved for an Indian agency or for other purposes in connection with the Indian service, or through any lands which have been alloted in severalty to any individual Indian under any law or treaty, but which have not been conveyed to the allottee with full power of alienation, is hereby granted to any railroad company organized under the laws of the United States, or of any State or Territory, which shall comply with the provisions of this act and such rules and regulations as may be prescribed thereunder: *Provided*, That no right of way shall be granted under this act until the Secretary of the Interior is satisfied that the company applying has made said application in good faith and with intent to construct said road.

SEC. 2. That such right of way shall not exceed 50 feet in width on each side of the center line of the road, except where there are heavy cuts and fills, when it shall not exceed 100 feet in width on each side of the road, and may include ground adjacent thereto for station buildings, depots, machine shops, side tracks, turn-outs, and water stations, not to exceed 100 feet in width by a length of 2,000 feet, and not more than one station to be located within any one continuous length of 10 miles of road.

SEC. 3. That the line of route of said road may be surveyed and located through and across any of said lands at any time, upon permission therefor being obtained from the Secretary of the Interior; but before the grant of such right of way shall become effective a map of the survey of the line or route of said road must be filed with and approved by the Secretary of the Interior, and the company must make payment to the Secretary of the Interior for the benefit of the tribe or nation or individual Indian, as the case may be, of full compensation for such right of way, including all damage to improvements and adjacent lands, which compensation shall be determined under the direction of the Secretary of the Interior, in such manner as he may prescribe.

SEC. 4. That should any such company fail to construct and put in operation any portion of its road within three years after the approval of its map of location by the Secretary of the Interior, the right of way hereby granted shall be deemed forfeited and abandoned ipso facto as to that portion of the road not then constructed and in operation: *Provided*, That the Secretary may, when he deems proper, extend the time for the construction of any road for which right of way has been granted.

SEC. 5. That where a railroad is constructed under the provisions of this act through the Indian Territory there shall be paid by the railroad company to the Secretary of the Interior, for the benefit of the particular nation or tribe through whose lands the road may be located, such an annual charge as may be prescribed by the Secretary of the Interior, not less than $15 for each mile of road, the same to be paid so long as said land shall be owned and occupied by such nation or tribe, which payment shall be in addition to the compensation otherwise required herein. And within the Indian Territory upon any railroad constructed under the provisions of this act the rates and charges for passenger and freight service, if not otherwise prescribed by law, may be prescribed by the Secretary of the Interior from time to time, and the rate for carrying the United States mail may be fixed by Congress, and when not fixed by Congress may be fixed by the Postmaster-General.

SEC. 6. That the provisions of section 2 of the act of March 3, 1875, entitled

"An act granting to railroads the right of way through the public lands of the United States," are hereby extended and made applicable to rights of way granted under this act and to railroad companies obtaining such rights of way.

SEC. 7. That the Secretary of the Interior shall make all needful rules and regulations, not inconsistent herewith, for the proper execution and carrying into effect of all the provisions of this act.

SEC. 8. That Congress hereby reserves the right at any time to alter, amend, or repeal this act, or any portion thereof.

The amendments recommended by the committee were read, as follows:

On page 3, in line 3, after the word "prescribed," add the following:

"*Provided*, That the compensation herein provided for must be paid for the benefit of the allottee or person in possession before construction is commenced through such allotment or possessory rights, and the other compensation shall be paid at such time for the whole line, or such part thereof, as the Secretary may provide."

On page 3, line 11, strike out the word "construction" and insert in lieu thereof the word "completion."

In line 12, page 3, after the word "granted," add the following: "and a part of which shall have been built."

Mr. CURTIS of Kansas. Mr. Speaker, I ask for the reading of the report. It is very short. I hope there will be order while it is being read.

The report (by Mr. CURTIS of Kansas) was read, as follows:

The Committee on Indian Affairs, to whom was referred the bill (H. R. 11868) to provide for the acquirement of rights of way by railroad companies through Indian reservations, Indian lands, and Indian allotments, and for other purposes, having had the same under consideration, make the following favorable report:

When it is remembered that 38 bills have been introduced and referred to the Committee on Indian Affairs at this session of Congress granting rights of way in the Indian Territory alone, to say nothing of the number of bills which have been introduced granting rights of way over Indian reservations and Indian lands outside that Territory, the necessity for this bill is perfectly apparent. A great part of every meeting of the committee is taken in hearing parties interested in these measures, and unanimous consent is frequently asked for bills of this description on the floor of the House.

In addition to the above, all of the bills are referred to the honorable the Secretary of the Interior, and the time of clerks in that office and in the office of the Commissioner of Indian Affairs is greatly encroached upon in the work of reporting upon the same, all of which will be done away with by the passage of this bill. We attach herewith, as a part of this report, a letter from the Secretary of the Interior and Commissioner of Indian Affairs asking for the passage of this bill:

DEPARTMENT OF THE INTERIOR,
Washington, January 27, 1899.

SIRS: There is transmitted herewith a draft of a general bill for rights of way for railroads through Indian reservations, Indian lands, and Indian allotments. During the sessions of Congress no inconsiderable portion of the time of the Indian Bureau and of the Secretary of the Interior is taken up in the consideration of and in reporting upon special bills granting railroad rights of way through the Indian Territory, Indian reservations outside of that Territory, and through Indian allotments. These special bills attempt no uniformity in the substance of their provisions or in the manner of proceeding thereunder. It is believed that legislation of this character should be uniform, as in the case of rights of way for railroads over the public lands under the act of March 3, 1875 (18 Stat., 482), and as in the case of rights of way for canals and ditches through the public lands and reservations of the United States under section 18 of the act of March 3, 1891 (26 Stat., 1095, 1101).

The bill herewith inclosed is thought to be so framed as to fully preserve and protect the rights and interests of Indians and also to secure entire uniformity in the method of obtaining such rights of way and to save the time which, under existing conditions, must be given to each of the separate special bills. It is earnestly recommended that it receive the favorable consideration of Congress.

Very respectfully,

W. A. JONES,
Commissioner of Indian Affairs.
C. N. BLISS,
Secretary of the Interior.

THE COMMITTEE ON INDIAN AFFAIRS,
House of Representatives.

Your committee therefore recommend the passage of the bill with the following amendments:

On page 3, in line 3, after the word "prescribed," add the following:

"*Provided*, That the compensation herein provided for must be paid for the benefit of the allottee or person in possession before construction is commenced through such allotment or possessory rights, and the other compensation shall be paid at such time for the whole line, or such part thereof as the Secretary may provide."

On page 3, line 11, strike out the word "construction" and insert in lieu thereof the word "completion."

In line 12, page 3, after the word "granted," add the following: "and a part of which shall have been built."

Mr. CLARDY. Mr. Speaker, I desire to reserve the right to object until after I hear the gentleman's explanation.

The SPEAKER. The gentleman from Kentucky reserves the right to object.

Mr. DOCKERY. I understand this bill was prepared by the Department and approved by the Secretary of the Interior and the Commissioner of Indian Affairs.

Mr. CURTIS of Kansas. It was prepared by the Department and submitted to a subcommittee composed of the gentleman from Iowa [Mr. LACEY], the gentleman from Arkansas [Mr. LITTLE], and myself. We carefully went over it and recommended two or three amendments.

Mr. DOCKERY. And it is unanimously reported by the Committee on Indian Affairs.

Mr. CURTIS of Kansas. It is unanimously reported by the Committee on Indian Affairs, and it is very urgent that the bill be passed.

Mr. DOCKERY. If I heard aright, the bill allows a company chartered three years before entering upon the construction of the railroad.

Mr. CURTIS of Kansas. The bill as prepared by the Department allowed five years, and we reduced it to three.

Mr. DOCKERY. What has been the time heretofore fixed in special bills?

Mr. CURTIS of Kansas. From three to five years. They generally required 50 miles to be built within one year.

Mr. DOCKERY. I also notice a provision that in the carrying the mails Congress shall have the right to fix the rate of compensation, and in the absence of exercising such right the Postmaster-General shall fix the rate. Is that correct?

Mr. CURTIS of Kansas. That section was prepared by the Interior Department.

Mr. DOCKERY. The chairman of the Committee on the Post-Office and Post-Roads is present. I did not know of any special provision as to compensation for carrying the mails in Indian Territory. I thought the mails were carried by all railroads on the basis of weight, space, and distance.

Mr. CURTIS of Kansas. I have no personal knowledge on the subject, but I suppose there is some provision.

Mr. LOUD. The law covers the whole country.

Mr. DOCKERY. It occurred to me that this provision was unusual.

Mr. CURTIS of Kansas. There surely can be no harm in the provision. It is simply a matter of precaution.

Mr. LOUD. It may be a question of whether it does not by implication repeal the law and give him discretionary power to pay what he sees fit.

Mr. CURTIS of Kansas. If the House thinks that way, I have no objection to its going out.

Mr. DOCKERY. My queries are for information. If the Committee on the Post-Office and Post-Roads is content with the provision, I shall not press an objection; but, as I have understood the law, railroad companies are now paid on a basis of the weight of the mail they carry, the space it occupies, and the distance they haul it. I supposed the law as to compensation would apply to the carrying of mails in the Territories just as in the States.

Mr. CURTIS of Kansas. One of the railroads running through the Indian Territory only charges 3 cents a mile in Kansas for passengers, but charges 5 cents a mile in the Indian Territory, and there may be something in the original charter in regard to the carrying of the mails. I have not looked that question up, as it has never come before our committee.

Mr. DOCKERY. I simply call it to the attention of the Committee on the Post-Office and Post-Roads because it seems to fix different rates for carrying mails through the Territories from those fixed by the statute for the States, or at least there is a presumption that it does.

Mr. CURTIS of Kansas. I think it was only put in the bill as a matter of precaution.

Mr. DOCKERY. What precaution?

Mr. CURTIS of Kansas. To prevent any extortion in case there were no such rules or regulations.

Mr. DOCKERY. Would not this provision enable the railroads to carry the mails at a different rate of compensation to that which other roads of the country are compelled to carry them?

Mr. CURTIS of Kansas. I yield to the gentleman from Iowa [Mr. LACEY], who will read the provision.

Mr. LACEY. The provision, Mr. Speaker, is as follows:

And within the Indian Territory upon any railroad constructed under the provisions of this act the rates and charges for passenger and freight service, if not otherwise prescribed by law, may be prescribed by the Secretary of the Interior from time to time, and the rate for carrying the United States mail may be fixed by Congress, and when not fixed by Congress may be fixed by the Postmaster-General.

This was intended as a reserve power to prevent any extortion. Of course the Postmaster-General can fix the rate by contract, if a fair and reasonable one, but in case he does not, the reserved power would be held to fix the rates absolutely in the Department, or for Congress to do so. In view of the fact of this grant of that additional right and privilege, Congress has the reserved power that they have not attempted to exercise heretofore.

Mr. LOUD. I want to suggest to the gentleman that the language in the bill is ambiguous. You are evidently seeking to compel the railroad company to carry the mail, but the language can not be interpreted in that way. You do not say that they shall carry the mail, but you say the Postmaster-General or Congress may prescribe the rates. Under the general statute railroad companies are not compelled to carry the mails, but if they do, they must carry them at certain rates.

Mr. CURTIS of Kansas. The companies must comply with the provisions of the act and the rules and regulations of the Departments.

Mr. McRAE. I would suggest that there might be a change of language so that the rates paid them should be the rates paid other railroads.

Mr. LOUD. I think the bill ought to prescribe that the railroads shall carry the mails, but it does not prescribe it at present.

Mr. DOCKERY. The language "fixed by Congress" is a little

faulty, because Congress does not fix the rate; it is fixed by law. Any expression of the two Houses of Congress must have the approval of the President. I think the word "Congress" should be stricken out and the word "law" substituted.

Mr. LOUD. Does not the gentleman from Kansas think that at this late day we ought to compel railroad companies, where they are coming to Congress for cessions—to compel them under it to carry the mail?

Mr. CURTIS of Kansas. I do.

Mr. LOUD. The bill as now drawn will evidently not accomplish that purpose, because the present statute would probably govern their carrying the mail.

Mr. CURTIS of Kansas. We can change the word "may" to "shall."

Mr. LOUD. I do not think you would accomplish it then. It ought to state specifically that the railroad companies shall be compelled to carry the mail.

Mr. LACEY. Mr. Speaker, I would suggest the following amendment to meet the objection:

Strike out in line 12 the word "Congress" where it appears twice and insert the word "law" instead. Also add at the end of line 13, "and such railways shall be post routes, and the mails shall be carried by companies operating the same." I offer that as an amendment.

Mr. CURTIS of Kansas. I am willing to accept the amendment.

Mr. CLARDY. Mr. Speaker, the bill was refused consideration yesterday, as alleged by the gentleman who made the objection, because the mortgages which might be placed on the road were recorded in the Interior Department. That was simply for one railroad. I understand this is for many railroads.

Mr. CURTIS of Kansas. It is a general right-of-way bill, but I want to say to the gentleman that for the Indian Territory there is no other place to file mortgages except with the Secretary of the Interior.

Mr. CLARDY. That was what was stated yesterday, and it did not satisfy the gentleman who made the objection.

Mr. CURTIS of Kansas. I did not make the objection.

Mr. CLARDY. No; but that was the alleged objection. Where are the mortgages which shall be placed on the road provided for in this bill?

Mr. CURTIS of Kansas. That will be provided for in the rules and regulations of the Department. There is but one place where they can be filed, and that is with the Secretary of the Interior, until a place is provided in the Indian Territory.

Mr. CLARDY. If that had been stated yesterday I think there would have been no objection.

The SPEAKER. Is there objection to the present consideration of the bill? [After a pause.] The Chair hears none. The question is on agreeing to the amendment. The Clerk will report the first committee amendment.

Mr. LOUD. I suggest, Mr. Speaker, that the amendment offered by the gentleman from Iowa [Mr. LACEY] be considered separately.

The Clerk read the committee amendments, as follows:

On page 3, in line 3, after the word "prescribed," add the following:

"*Provided*, That the compensation herein provided for must be paid for the benefit of the allottee or person in possession before construction is commenced through such allotment or possessory rights, and the other compensation shall be paid at such time for the whole line, or such part thereof, as the Secretary may provide."

On page 3, line 11, strike out the word "construction" and insert in lieu thereof the word "completion."

In line 12, page 3, after the word "granted," add the following: "and a part of which shall have been built."

The SPEAKER. The question is on agreeing to the amendments other than that offered by the gentleman from Iowa.

The amendments were agreed to.

The SPEAKER. The question is on the amendment offered by the gentleman from Iowa.

Mr. CURTIS of Kansas. I suggest, Mr. Speaker, that the Clerk read the section as it will read when amended.

The Clerk read as follows:

And within the Indian Territory upon any railroad constructed under the provisions of this act the rates and charges for passenger and freight service, if not otherwise prescribed by law, may be prescribed by the Secretary of the Interior from time to time, and the rate for carrying the United States mail may be fixed by law, and when not fixed by law may be fixed by the Postmaster-General; and such railways shall be post routes and the mails shall be carried by the company operating the same.

Mr. LOUD. I want to say, Mr. Speaker, to the gentleman from Iowa [Mr. LACEY] that it reads a little awkwardly at present, because it is the understanding that they should carry mails under existing law. Would it not be well to provide in the bill that these companies shall carry the mails under such laws or regulations as may be hereafter enacted by Congress?

Mr. LACEY. I think the suggestion a good one. An amendment inserting at the proper point the words "under existing law" would, I think, meet the gentleman's suggestion.

Mr. LOUD. I suppose we would have at any rate the right to repeal the law at any time.

Mr. LACEY. Oh, yes. Mr. Speaker, I move the amendment which I send to the desk.

The Clerk read as follows:

After the word "carried" insert the words "under existing law;" so as to read, "the mails shall be carried under existing law by the companies operating," etc.

The amendment was agreed to.

The SPEAKER. The question is now on ordering the bill as amended to be engrossed and read a third time.

Mr. DOCKERY. I do not think the amendment is in correct form. I suggest that by unanimous consent the bill be allowed to go over until Monday morning immediately after the reading of the Journal, and in the meantime the amendment can be perfected.

Mr. CURTIS of Kansas. There is no objection to that.

The SPEAKER. If there be no objection, the vote on agreeing to the amendment will be considered as vacated, and the matter will go over, to be called up after the reading of the Journal on Monday morning.

Mr. CURTIS of Kansas. The question then to be only on this amendment and the passage of the bill.

The SPEAKER. Is there objection? The Chair hears none.

FORTIFICATION APPROPRIATION BILL.

Mr. HEMENWAY, from the Committee on Appropriations, reported a bill (H. R. 12086) making appropriations for fortifications and other works of defense, for the armament thereof, for the procurement of heavy ordnance for trial and service, and for other purposes; which was read twice, referred to the Committee of the Whole on the state of the Union, and, with the accompanying report, ordered to be printed.

Mr. LIVINGSTON. I reserve all points of order on the bill.

The SPEAKER. All points of order are reserved.

Mr. HEMENWAY. I give notice that I propose to call up this bill as soon as the sundry civil bill is disposed of.

SUBPORT OF MIAMI, FLA.

Mr. DAVIS. I ask unanimous consent for the immediate consideration of the bill which I send to the desk.

The Clerk read as follows:

A bill (S. 5186) to amend an act entitled "An act to amend the statutes in relation to immediate transportation of dutiable goods, and for other purposes," approved June 10, A. D. 1880, by extending the privileges of the first section thereof to the subport of Miami, Fla.

Be it enacted, etc., That the privileges of the first section of the act approved June 10, A. D. 1880, entitled "An act to amend the statutes in relation to immediate transportation of dutiable goods, and for other purposes," be, and the same are hereby, extended to the subport of Miami, in the State of Florida.

Mr. DAVIS. The object of this bill is fully explained in a very brief report of the Committee on Ways and Means, which I ask to have read.

The report (by Mr. PAYNE) was read, as follows:

The Committee on Ways and Means, to whom was referred the bill (S. 5186) to amend the statutes in relation to immediate transportation of dutiable goods, and for other purposes, approved June 10, A. D. 1880, by extending the privileges of the first section thereof to the subport of Miami, Fla., report the Senate bill back without amendment and with the recommendation that the bill pass.

The object of this bill is to extend the privileges of the first section of the act approved June 10, 1880, to the subport of Miami, Fla. The first section of said act reads as follows:

"*Be it enacted, etc.*, That when any merchandise, other than explosive articles, and articles in bulk not provided for in section 4 (1) of this act, imported at the ports of New York, Philadelphia, Boston, Baltimore, Portland, and Bath, in Maine, Chicago, Port Huron, Detroit, New Orleans, Norfolk, Charleston, Savannah, Mobile, Galveston, Pensacola, Fla., Cleveland, Toledo, and San Francisco shall appear by the invoice or bill of lading and manifest of the importing vessel to be consigned to and destined for either of the ports specified in the seventh section of this act, the collector at the port of arrival shall allow the said merchandise to be shipped immediately after the entry prescribed in section 2 of this act has been made."

The effect of the adoption of this bill would be to allow merchandise destined for other ports to be carried directly through Miami, as provided in the statute quoted above. This privilege has been extended to many other ports, and in this case is recommended by the Secretary of the Treasury.

The committee also recommend that House bill No. 11192, regarding the same subject-matter, lie upon the table.

There being no objection, the House proceeded to the consideration of the bill; which was ordered to a third reading, read the third time, and passed.

Mr. PAYNE. I suggest to the gentleman from Florida [Mr. DAVIS] that the House bill (H. R. 11192) corresponding in its provisions with this Senate bill be laid on the table.

The SPEAKER. In the absence of objection, that order will be made.

DAM AND BRIDGE ACROSS MISSISSIPPI RIVER.

Mr. FLETCHER. I ask unanimous consent for the present consideration of the bill (H. R. 11732) to authorize the Grand Rapids Water Power and Boom Company, of Grand Rapids, Minn., to construct a dam and bridge across the Mississippi River.

The bill was read, as follows:

Be it enacted, etc., That the consent of Congress is hereby granted to the Grand Rapids Water Power and Boom Company, of Grand Rapids, Minn., its successors and assigns, to construct across the Mississippi River, at a point within the limits of the village of Grand Rapids, Minn., to be approved by the Secretary of War, a dam, canal, and works necessarily incident thereto, for water-power purposes, and a wagon and foot bridge if desired in connection therewith for the purpose of travel. Said dam shall be so constructed that there can at any time be constructed in connection therewith a suitable lock for navigation purposes: *Provided*, That the Government of the United States may at any time take possession of said dam and appurtenant works and control the same for purposes of navigation by paying the said company the actual cost of the same, but shall not do so to the destruction of the water power created by said dam to any greater extent than may be necessary to provide proper facilities for navigation: *Provided further*, That said dam shall be so constructed as to provide for the free passage of saw logs and fish. The said Grand Rapids Water Power and Boom Company, its successors and assigns, shall make such change and modification in said dam, canal, and works incident thereto, and said bridge, as the Secretary of War may from time to time deem necessary in the interests of navigation, at its own cost and expense: *Provided further*, That in case any litigation arises from the obstruction of the channel by said dam, canal, and works incident thereto, or such bridge, the case may be tried in the proper court of the United States in the district in which said works are situated.

SEC. 2. That the right to amend, alter, or repeal this act is hereby expressly reserved.

SEC. 3. That this act shall be null and void unless said dam herein authorized be commenced within one year and completed within three years from the date hereof.

The amendments reported by the committee were read, as follows:

After the word "dam," in line 3, insert "and appurtenant works."

After the word "navigation," in line 8, page 2, insert the following:

"*Provided also*, That said dam shall be so constructed that it will not at any time raise the water surface, at a point 300 feet above said dam, to an elevation higher than the floor of the sluices of the reservoir dam built by the Government at Pokegama Falls on the Mississippi River, in section 13, township 55, range 26 west of the fourth principal meridian, Minnesota."

In lines 17 and 18 strike out the words "and fish. The said Grand Rapids Water Power and Boom Company" and insert "without tolls or charges; and the said company shall construct and maintain, at its own expense, suitable fishways, to be approved by the United States Fish Commissioner; and the said company."

Mr. LOUD. Is this improvement to be constructed at a part of the river which is now navigable?

Mr. FLETCHER. It is the extreme head of navigation on the Mississippi River.

Mr. LOUD. There seems to be a very dangerous implication in the provision that hereafter the Government may be at liberty to buy this dam if it should want to improve the river. It seems to me that if the Government should desire to improve the river these people, who may meanwhile have dammed up navigation, should at least be required to donate the dam to the United States, without compelling the Government to buy it.

Mr. FLETCHER. The Government has a dam about 600 feet above this. This dam, below that of the Government, will not interfere with any future navigation.

Mr. LOUD. I do not know anything about the river at the point contemplated. But it seems to me dangerous to even intimate in a bill of this kind that the Government should buy this dam after these parties have dammed up the river.

Mr. DOCKERY. What use would the Government have for this dam?

Mr. LOUD. It might be desirable to extend navigation, as will evidently be the case in a few years.

Mr. DOCKERY. There is another provision in the bill, if the gentleman will allow me to suggest, that ought to be changed in the interest of the Government. If the Government buys this dam, the bill provides that it shall "pay the cost" of it. There should be some provision to determine what that cost is.

Mr. FLETCHER. I am perfectly willing to strike out that provision.

Mr. DOCKERY. Because the cost of the dam may not be the actual cash value of it at the time of purchase, and if the Government should desire hereafter to make the purchase, it ought to be provided that the payment should be the actual cash value and not the actual cost.

Mr. TAWNEY. I think it would meet the suggestion of the gentleman from Missouri to strike out the proviso entirely. Then hereafter if the Government wishes to purchase the dam it can do so under ordinary condemnation proceedings.

Mr. DOCKERY. I think that is a good suggestion.

Mr. FLETCHER. I have no objection to striking out the provision to meet the point made by the gentleman from Missouri.

Mr. DOCKERY. What use could the Government make of the dam?

Mr. FLETCHER. None whatever.

Mr. PAYNE. What use does the Government make of the dam above this one?

Mr. TAWNEY. That is a reservoir dam.

Mr. FLETCHER. This dam is at the extreme head waters of navigation and it can be of no service to the Government.

I would sanction striking out that portion of the bill to which the gentleman from Missouri refers. This bill was introduced by the gentleman from Minnesota [Mr. MORRIS], and he knows all about it. I will yield to him.

Mr. DOCKERY. Is it proposed to strike out the proviso as to the purchase altogether? If not, I would like to amend, before unanimous consent is given, to provide that the Government in the event of its purchase of the dam shall be required to pay only the cash value.

Mr. FLETCHER. There is no objection whatever to striking that out.

Mr. DOCKERY. Does the gentleman make a motion to strike out the provision in question?

Mr. FLETCHER. I will move that that provision relating to the purchase be stricken out altogether.

The SPEAKER. The Clerk will report the amendment proposed by the gentleman from Minnesota.

The amendment proposed by Mr. FLETCHER was read.

Mr. MORRIS. Mr. Speaker, I would say to the gentleman from Missouri that that provision was put into the bill, as it is put into all bills of this character, for the protection of the Government.

Mr. DOCKERY. That may be. But some of the gentlemen around me on the floor, lawyers, have suggested—and notably the gentleman from Minnesota [Mr. TAWNEY]—that the interest of the Government would be better subserved by striking out the entire provision, and leaving the matter of purchase to be hereafter determined by condemnation proceedings.

Mr. MORRIS. I have no objection to its going out of the bill, but I do not believe it is better to eliminate it.

Mr. DOCKERY. I have no information whatever in reference to the matter. What I sought to do was to simply strike out a provision which seems to require the Government to pay the cost, in the event of purchasing the dam, instead of what I think should be inserted if the provision remains at all in the bill, the actual cash value.

Mr. PAYNE. I would suggest that the amendment be simply to strike out the word "cost" and insert the words "actual cash value."

Mr. MORRIS. That, I think, would be better.

Mr. FLETCHER. I will withdraw my amendment, then, and accept the amendment suggested by the gentleman from New York.

Mr. DOCKERY. It ought to read "not exceeding the actual cash value."

Mr. MOODY. If the gentleman from Missouri will allow me, there comes up another question, if his suggestion is adopted, as to what the word "value" may include. Does the word "value" include as an element the value of the franchise? It opens a very wide field.

Mr. DOCKERY. I suggest simply the words "cash value," which would seem to include everything.

Mr. MOODY. The value of a bridge, for instance, has been held to include the value of the franchise to use the bridge and collect tolls. I fear the amendment will take us "from the frying pan into the fire."

Mr. DOCKERY. Will the gentleman from Massachusetts suggest an amendment to meet the difficulty?

Mr. LACEY. I would suggest, Mr. Speaker, that these words be substituted, "the actual cash value not exceeding the cost."

Mr. MORRIS. I think I can suggest an amendment that will meet all the objections which have been urged. Let the proviso be made to read in this way:

Provided, That the Government of the United States may at any time take possession of the dam and control the same for purposes of navigation.

Then leave out all about paying the cost or anything of that kind, and go on as follows:

But shall not do so to the destruction of the water power created by said dam to any greater extent than may be necessary to provide proper facilities for navigation.

That leaves out all about paying for the dam, and simply provides that the Government may at any time take possession of it for purposes of navigation when it becomes necessary.

Mr. DOCKERY. Is that suggestion acceptable to the gentleman from Massachusetts?

Mr. MOODY. The suggestion eliminates the question of compensation altogether, and I have not followed sufficiently the general purposes of the bill to know whether it would leave it in a proper form.

My objection was that, if we were going to provide for a standard of valuation and payment, we ought to provide for it without including any element of franchise, the uncertainty of which we all know. If there is to be no payment, then the suggestion I make about excluding the franchise value falls to the ground.

Mr. TAWNEY. Mr. Speaker, will my colleague allow me to ask him a question?

Mr. MORRIS. Certainly.

Mr. TAWNEY. Would it not answer every purpose if you were to eliminate entirely this provision, and then if the Government afterwards desires to take possession of that dam in the

interest of navigation it could do so under the right of eminent domain and pay whatever the assessed value of the property was at the time of taking?

Mr. MOODY. Then I will call the attention of the gentleman from Minnesota to the fact that that would include the franchise value.

Mr. TAWNEY. Certainly it would.

Mr. MOODY. And it seems to me that if the Government is to authorize this company to construct a work upon a navigable river, and it seems possible that it may become desirable in the future that the Government should revoke that grant and should retake control of the stream for purposes of navigation, there really ought to be some provision in the bill that the Government should take possession of that work upon payment of a sum not exceeding the actual value of the physical construction. And while I am not ready with a suggestion which would cover this particular aspect of the question, I think it could be very readily done.

Mr. LOUD. Why should the Government pay for this dam? If they propose to make the river navigable, if John Smith has dammed it up, why should the Government pay for the dam?

Mr. MOODY. The suggestion of the gentleman from California is a very apt one. My position would be that the Government ought to have the right to retake control of the navigable stream, and if the Government is to pay anything for that, which is a question upon which I express no opinion, it ought not to pay anything further than the actual value of the dam as constructed.

Mr. LOUD. I will ask the gentleman, should it pay anything?

Mr. MOODY. I must say, Mr. Speaker, that if one pays only sudden attention to a question of this kind, he does not like to answer it offhand.

Mr. HOPKINS. Oh, well, the answer will appear only in the RECORD, and nobody will ever know what you said. [Laughter.]

Mr. MOODY. I understand that; but the gentleman from Illinois [Mr. HOPKINS] is doing me the honor to listen to me now, and I do not want to suffer any depreciation in his good opinion.

Mr. LOUD. The gentleman from Illinois is judging your remarks by his own.

Mr. HOPKINS. I certainly do not judge them by those of the gentleman from California. [Laughter.]

The SPEAKER. Gentlemen will kindly avoid conversation on the floor.

Mr. MORRIS. I should like to call the attention of my friend from Massachusetts [Mr. MOODY] and my friend from California [Mr. LOUD] to the provisions of this bill, which have been drawn, as far as they could be drawn, for the protection of the Government, and are directly in the line of similar bills which have been passed heretofore in this House. Just before this provision to which exception is taken there is a provision that—

Said dam shall be so constructed that there can at any time be constructed in connection therewith a suitable lock for navigation purposes.

With that provision in, there is no danger that navigation will be obstructed if it shall hereafter be necessary to open the river for navigation. There is a provision for the construction of a lock, which will afford the facilities necessary to get by this dam. Now, if you add to that the further proviso that the Government of the United States may, at any time, take possession of said dam and control the same for purposes of navigation——

Mr. LOUD. If you will stop right there——

Mr. MORRIS. Wait a minute. But that it shall not do so to the destruction of the water power created by said dam to any greater extent than may be necessary to provide proper facilities for navigation, you have got the whole thing guarded.

Mr. LOUD. That would guard the interests of the Government, and the Government could take possession of the dam without paying anything, to such extent as the interests of navigation may require?

Mr. MORRIS. To such extent as the interests of navigation may require.

Mr. BROMWELL. I would suggest to the gentleman from Minnesota that he insert the words "without compensation therefor," so that there shall be no question about it.

Mr. MORRIS. That is the meaning of it.

Mr. BROMWELL. No, I think not. It says, "take possession of it," but still leaves it open whether they shall have compensation.

Mr. MORRIS. Why, I accept the idea of the gentleman from Ohio, and ask that the amendment read this way; that the first proviso shall read as follows:

Provided, That the Government of the United States may at any time take possession of said dam without compensation and control the same for the purposes of navigation, but shall not do so to the destruction of the water power created by said dam to any greater extent than may be necessary to provide proper facilities for navigation.

In other words, at the end of line 3, after the word "dam," insert the words "without compensation therefor," and strike out the words, in lines 5 and 6, "by paying the said company the actual cost of the same." That will accomplish it.

The SPEAKER. Is there objection to the present consideration of the bill? [After a pause.] The Chair hears none. The Chair understands all other proposed amendments are withdrawn. The Clerk will report the amendment.

The Clerk read as follows:

On page 2 amend the first proviso so that it will read as follows:

"*Provided*, That the Government of the United States may at any time take possession of said dam without compensation and control the same for the purposes of navigation, but shall not do so to the destruction of the water power created by said dam to any greater extent than may be necessary to provide proper facilities for navigation."

The question was taken; and the amendment was agreed to.

The bill as amended was ordered to be engrossed for a third reading; and being engrossed, it was accordingly read the third time, and passed.

On motion of Mr. MORRIS, a motion to reconsider the vote by which the bill was passed was laid on the table.

PERSONAL REQUEST.

Mr. GROSVENOR. Mr. Speaker, I desire to submit a personal request to the House. On yesterday I made some remarks upon one phase of the tariff law. Under the leave given yesterday I have permission to extend my remarks for five days. I find I shall have to be absent Monday, Tuesday, and Wednesday, leaving to-morrow. I ask unanimous consent that I may have until a week from to-day; and I state to the House that there will be no word in the extension except what relates to the particular subject-matter of my remarks.

Mr. CARMACK. Will you give bond for your good behavior?

The SPEAKER. Is there objection? [After a pause.] The Chair hears none.

PENSACOLA AND NORTHWESTERN RAILROAD COMPANY.

Mr. SPARKMAN. Mr. Speaker, I ask unanimous consent for the present consideration of the bill H. R. 11736.

The Clerk read as follows:

A bill (H. R. 11736) granting the right and authority to the Pensacola and Northwestern Railroad Company, a company organized under the laws of the States of Florida and Alabama, to build one bridge over each of the following-named rivers in the State of Alabama, namely, the Alabama River, the Warrior River, the Sipsey River, and the Tennessee River, the said bridges to be used and operated for and in behalf of the Pensacola and Northwestern Railroad Company to carry freight and passengers by rail and otherwise.

Be it enacted, etc., That the Pensacola and Northwestern Railroad Company, a railroad corporation organized under the laws of the States of Florida and Alabama, be, and is hereby, authorized and empowered to construct, maintain, and operate one bridge over and across each of the following-named rivers, all in the State of Alabama: The Alabama River, at a point in Monroe and Clarke counties, or in Wilcox County, Ala.; the Warrior River, at a point in Hale and Greene counties, Ala., or at a point in Marengo and Greene counties, Ala.; the Tennessee River, at a point in the counties of Colbert and Lauderdale, Ala.; the Sipsey River, at a point in Pickens or Tuscaloosa County, Ala.; and to lay railroad tracks on the said bridges to run trains on same: *Provided*, That the said bridges shall be constructed and maintained in such a manner as not to obstruct navigation; and the plans for said bridges shall be filed with and approved by the Secretary of War; and the said bridges over the said streams shall be built by the plans approved by the Secretary of War, evidenced by his written approval, of which written approval there shall be filed and recorded a certified copy in the office of the secretary of state of Alabama, and the original shall be filed and recorded in the office of the said railroad company; that the said bridges are to be used, operated, and maintained for and in behalf of the said Pensacola and Northwestern Railroad Company to carry freight and passengers, by rail and otherwise, at a reasonable price, not in conflict with the United States or State laws.

SEC. 2. That any part of this grant and act not carried out within five years from its passage will become subject to repeal.

The amendments recommended by the committee were read, as follows:

On page 1, line 7, strike out the words "over and."

On page 2 strike out all after the word "same" and insert the following:

"SEC. 2. That any bridges built under this act and subject to its limitations shall be lawful structures, and shall be recognized and known as post routes; and they shall enjoy the same rights and privileges as other post-roads in the United States; and equal privileges in the use of said bridges shall be granted to all telegraph and telephone companies; and the United States shall have the right of way across said bridges and their approaches for postal telegraph purposes.

"SEC. 3. That all railroad companies desiring the use of said bridges shall have and be entitled to equal rights and privileges relative to the passage of railway trains over the same and over the approaches thereto upon the payment of a reasonable compensation for such use; and in case the owner or owners of said bridges and the several railroad companies, or any of them, desiring such use shall fail to agree upon the sum or sums to be paid and upon the rules and conditions to which each shall conform in using said bridges, all matters at issue between them shall be decided by the Secretary of War upon a hearing of the allegations and proofs of the parties.

"SEC. 4. That all bridges authorized to be constructed under this act shall be built under and subject to such regulations for the security of the navigation of said rivers as the Secretary of War shall prescribe, and to secure that object the said company or corporation shall submit to the Secretary of War, for his examination and approval, maps of location and designs and drawings of each of the bridges; and until the said plans and locations are approved by the Secretary of War the bridges shall not be commenced or built; and should any changes be made in the plans of said bridges, or any one of them, during the progress of construction or after completion, such changes shall be subject to the approval of the Secretary of War, and all changes in said bridges, or any one of them, required by the Secretary of War, at any time, or their entire removal, shall be made promptly by the corporations or persons owning or operating said bridges at their own expense.

"SEC. 5. That the right to alter, amend, or repeal this act is hereby expressly reserved.

SEC. 6. That this act shall be null and void if actual construction of the bridges herein authorized is not commenced within one year and completed within three years from the date thereof."

Amend the title so as to read: "A bill granting the right and authority to the Pensacola and Northwestern Railroad Company to build bridges over certain rivers in the State of Alabama."

The SPEAKER. Is there objection to the present consideration of the bill? [After a pause.] The Chair hears none.

The amendments recommended by the committee were agreed to.

The bill as amended was ordered to be engrossed for a third reading; and being engrossed, it was accordingly read the third time, and passed.

On motion of Mr. SPARKMAN, a motion to reconsider the vote by which the bill was passed was laid on the table.

The title was amended in accordance with the recommendation of the committee.

OWNERS OF BRITISH SHIP FOSCOLIA.

Mr. STONE. Mr. Speaker, I ask unanimous consent for the present consideration of the bill which I send to the desk.

The Clerk read as follows:

A bill (H. R. 10814) for the relief of the owners of the British ship *Foscolia* and cargo.

Be it enacted, etc., That the claim of the owners of the British steamship *Foscolia*, sunk by collision with the U. S. S. *Columbia* on the evening of May 23, 1898, near Fire Island light-ship, for and on account of the loss of said vessel and cargo, may be submitted to the United States district court for the southern district of New York, under and in compliance with the rules of said court sitting as a court of admiralty; and said court shall have jurisdiction to hear and determine and to render judgment thereupon: *Provided, however*, That the investigation of said claim shall be made upon the following basis: First, the said court shall find the facts attending the loss of the said steamship *Foscolia* and her cargo, and second, if it shall appear that the responsibility therefor rests with the U. S. S. *Columbia*, the court shall then ascertain and determine the amounts which should be paid to the owners, respectively, of the *Foscolia* and her cargo, in order to reimburse them for the losses so sustained, and shall render a decree accordingly: *Provided further*, That the amounts of the losses sustained by the master, officers, and crew of the *Foscolia* may be included in such decree.

SEC. 2. That should such decree be rendered in favor of the owners of the *Foscolia* and her cargo, the amount thereof may be paid out of any money in the Treasury not otherwise appropriated.

Mr. LOUD. What is this, Mr. Speaker?

Mr. STONE. Mr. Speaker——

The SPEAKER. Is there objection to the present consideration of the bill?

Mr. STONE. One word. The report of the committee will explain the bill, which was prepared by the Secretary of the Navy.

Mr. DOCKERY. I reserve the right to object.

Mr. STONE. The bill was transmitted here with the recommendation that it receive the attention of Congress. The vessel *Foscolia* was run down by a United States vessel carrying no lights on account of anticipation of Cervera's fleet, and the bill is sent here with the recommendation that the whole matter be referred to a court of admiralty for consideration and action. The report of the committee embraces the letter of the Secretary of the Navy, and I ask that it be read.

The report (by Mr. YOST) was read, as follows:

The Committee on Claims, to whom was referred the bill (H. R. 10814) for the relief of the owners of the British ship *Foscolia* and cargo, have considered the same, and respectfully recommend that the bill do pass, for the reasons set forth in the letter of the Secretary of the Navy, as follows:

NAVY DEPARTMENT, *Washington, January 26, 1899.*

SIR: Referring to the bill (H. R. 10814) for the relief of the owners of the British ship *Foscolia* and cargo, and to your request of the 23d instant for report in regard thereto, I have the honor to inclose herewith a copy of the Department's communication of the 11th idem, addressed to the chairman of the Committee on Claims of the Senate, showing the facts regarding the loss of the *Foscolia* and the views entertained respecting the measure for the relief of her owners.

Very respectfully, JOHN D. LONG, *Secretary.*

Hon. CHARLES N. BRUMM,
Chairman Committee on Claims, House of Representatives.

NAVY DEPARTMENT, *Washington, January 11, 1899.*

SIR: In response to the committee's request, contained in its letter of the 9th instant, for the views and recommendation of the Department in regard to Senate bill 5000, for the relief of the owners of the British ship *Foscolia* and cargo, I have the honor to state that on the 23th of May last, at 7.30 p. m., the U. S. S. *Columbia*, while engaged in patrol duty just outside the harbor of New York, and about 12 miles southerly and easterly from the Fire Island light-ship, came into collision with the British merchant steamer *Foscolia*. The *Columbia* was not seriously injured, but the *Foscolia* suffered much damage and sank nine hours after the collision. There was no loss of life, the officers and crew of the *Foscolia* being taken on board the *Columbia* and cared for and brought into port, but the *Foscolia* and her cargo were a total loss.

It appears from the finding of a naval board of inquiry, convened to investigate and report upon the circumstances attending the collision, that at the time it occurred and for an hour and a half previously a thick fog had prevailed; that the vessels were both running at reduced speed on account of the fog, that a proper lookout was kept on both vessels; that the *Foscolia* was exhibiting the usual lights and sounding the fog signal, but that the *Columbia* had all her lights screened and was sounding no fog signal. It also appears from the finding of the court that no fault is imputed to any of the officers or men on board the *Columbia*, and that aside from the screening of lights and discontinuance of the sounding of fog signals everything that could have been done by them to avoid the catastrophe and to minimize the consequences when it became inevitable was done. The testimony adduced shows that the lookouts on each vessel sighted the other at about the same time, the two vessels being about 100 yards apart, and that the *Columbia* was so maneuvered that a glancing blow only was received from the *Foscolia*, and doubtless little injury would have been caused either vessel but for the fact that the bow of the merchant steamer was caught upon one of the projecting after sponsons of the cruiser.

Upon careful consideration of the facts reported by the naval court of inquiry above mentioned, the Department is satisfied that there is at least reasonable ground for the contention advanced by the owners of the *Foscolia* that the collision might have been avoided had the *Columbia* shown the lights and sounded the fog signals usual under such conditions. The lights and signals were, however, dispensed with by the *Columbia* on this occasion for the reason that the Spanish fleet, under the command of Admiral Cervera, had not at that time been located, and the cruiser was then engaged in patrol duty in the vicinity of the most important ports of the country, New York and Philadelphia, the points between which she was cruising being Fire Island light-ship and Delaware Breakwater, and that it was deemed essential to take extraordinary precautions, even to the extent of incurring some hazard, in guarding against possibilities which might have developed at any moment.

A collision with one of our war ships having occurred under such circumstances, when, for public reasons deemed sufficient to justify such action, our vessel was disregarding the rules of the road at sea, and a valuable merchant steamer and cargo belonging to a friendly power being destroyed, apparently without contributory negligence on the part of her officers and crew, it would seem proper that the losses incident thereto should not be allowed to rest upon the owners of a private vessel, but that such losses should, on the contrary, be borne by the United States, provided, of course, that it shall be judicially determined in the courts of the United States that the facts are as hereinbefore outlined.

Entertaining these views, and inasmuch as it appears that the bill (S. 5000) provides simply for the submission of all matters of fact in the case to the United States district court for the southern district of New York, sitting as a court of admiralty, and for the payment of such amount only as may be adjudged to the claimants by decree of such court, the Department recommends the bill to the favorable consideration of the committee, section 2 of the bill, making provision for the prompt payment of the amount which the court may find to be due, being deemed proper in view of the fact of the foreign ownership of the vessel lost and the desirability of avoiding in such a case the delay which would result from a resubmission of the matter to Congress for the necessary appropriation.

In this connection I desire to state that under date of the 21st of June last, this Department addressed letters to the Committees on Naval Affairs of the Senate and House of Representatives, respectively, recommending favorable action in the matter of the claim of the owners of the *Foscolia* and cargo.

The inclosures of your communication are herewith returned.

Very respectfully, JOHN D. LONG, *Secretary.*

Hon. H. M. TELLER,
Chairman Senate Committee on Claims, United States Senate.

Mr. LOUD. Mr. Speaker, I shall not object to this case, but I can only submit to the House that there are a great many cases where American vessels have been destroyed under circumstances just as aggravating as they appear in this case, and yet the Department has not taken any action, while here we have a case where the Department does take action where the vessel was under the English flag; but in no single case where an American vessel has been sunk under more aggravating circumstances, where the parties have been knocking at the doors of Congress for a number of years for relief, have they been able to get action on the part of the Department. But as this goes to a court, I shall not object to the consideration of the bill.

Mr. DOCKERY. One point in connection with the consideration of this bill. I find that section 2 makes an indefinite appropriation. It is customary in cases of loss with our own seamen, under the general law, that after the court shall find judgment the judgment shall be reported to Congress for appropriation.

The SPEAKER. Is there objection to the present consideration of the bill?

Mr. BAIRD. I want to ask the gentleman if the second section of the bill does not carry an appropriation?

Mr. STONE. It does.

Mr. BAIRD. I object.

Mr. STONE. Let me make a suggestion for one moment. Suppose the second section goes out. The second section is that which provides for an adjudication in the southern district of New York. If the matter were to go before the Court of Claims, it would provide for a return of the findings to Congress. If this second section be stricken out, will the gentleman withdraw objection to that extent?

Mr. BAIRD. No; I object to the consideration of the bill.

PAY OF WORKMEN AT UNITED STATES NAVY-YARD.

Mr. RIXEY. Mr. Speaker, I ask unanimous consent for the present consideration of the resolution (H. Res. 307) authorizing the Secretary of the Navy to pay certain laborers, workmen, and mechanics at United States navy-yards and naval stations 50 per cent additional for work performed in excess of eight hours per diem.

The Clerk read the joint resolution, as follows:

Resolved by the Senate and House of Representatives, etc., That the Secretary of the Navy be, and he is hereby, authorized and directed to pay 50 per cent additional for all work in excess of eight hours per diem performed by laborers, workmen, and mechanics whose compensation is fixed upon a basis of eight hours per diem, and who, between March 18, 1898, and October 31, 1898, were employed at any United States navy-yard or naval station, and who worked in excess of eight hours per day and have not already received said additional compensation; the amount due each laborer, workman, and mechanic affected by the above to be based upon the time records of the several bureaus at the navy-yard or naval station where the work was performed.

The SPEAKER. Is there objection to the present consideration of the joint resolution?

Mr. DOCKERY. Mr. Speaker, I thought there was an eight-

hour law upon the statute books, preventing the working of laborers, mechanics, and artisans over eight hours. I shall not object to this bill, because laborers should be paid for any excess of time over eight hours.

Mr. HOPKINS. Well, Mr. Speaker, how are we to construe the remarks of the gentleman from Missouri? Is he in favor or against the joint resolution?

Mr. DOCKERY. "The gentleman from Missouri" stated very clearly that he was in favor of paying any laborer for any excess of time he may have worked over eight hours. As I understand the joint resolution, it proposes to accomplish that result. My query, however, was how they could have been worked over eight hours under existing law.

Mr. HOPKINS. This bill proposes to pay them for the excess of time and 50 per cent in addition to that allowed by law.

Mr. MOODY. I would like to ask the gentleman from Virginia if this has been paid?

Mr. RIXEY. This bill is to pay those who have not been paid for the extra time one and one-half rates.

Mr. DALZELL. Let us have the report read, Mr. Speaker.

Mr. RIXEY. Pending the reading of this report I will make a short statement. The Secretary of the Navy writes that under regulation (c) he has paid some of these men. That regulation provides that—

(c) Men who have rendered service during the day, and who, by reason of emergency, are required to work in excess of eight hours, shall be paid for all such extra work performed after 5 p. m. and before 6 a. m. at the same rate per hour as for day work, with 50 per cent additional.

Under that regulation the men who went to work at 12 o'clock in the day and worked until 12 o'clock at night were paid one and one-half pay between 8 o'clock and 12 o'clock, but the men who went to work at 12 o'clock at night and worked twelve hours on the same work and for the same number of hours only received the straight pay. Now, this bill would put all workmen on the same footing. As to the future, it has been provided against. The Secretary of the Navy has made this regulation:

(2) The following rules shall be observed for estimating the pay of laborers, workmen, and mechanics for work performed in excess of eight hours per day and for work performed outside of yard hours:

(a) For work performed, by reason of extraordinary emergency, in excess of eight hours per day, the ordinary rate of pay, with 50 per cent additional, shall be allowed.

(b) Men employed in relays shall be paid at the rate allowed for day work whether they work by day or at night.

(c) For work performed on Sundays or legal holidays the ordinary rate of pay, with 50 per cent additional, shall be allowed.

(d) The foregoing provisions relate solely to laborers, workmen, and mechanics whose compensation has been fixed upon a basis of eight hours per day, and have no application to employees whose ordinary duties require their presence before or after yard hours, at night, on Sundays, or on legal holidays, and whose compensation has been fixed with reference to the irregular and unusual character of their employment.

So this condition of affairs will not exist in the future. This bill is to authorize the payment of the men for the overwork between March 18 and October 31, and it seems to me there can be no objection to it.

The SPEAKER. Is there objection to the present consideration of the bill? [After a pause.] The Chair hears none. The question is on the engrossment and third reading of the bill.

Mr. LEWIS of Washington. Mr. Speaker, I would like to be recognized, if not inconsistent with the order of business concerning this bill. When it is ready to be put on its passage, or at the proper time if this is not the time, I would like recognition from the Chair.

The SPEAKER. The gentleman from Washington is recognized.

Mr. LEWIS of Washington. Mr. Speaker, the remarks of two distinguished friends, members of this House, the gentleman from Illinois [Mr. HOPKINS] and the gentleman from Missouri [Mr. DOCKERY], calling attention that this bill was not necessary if there had been an eight-hour law already in vogue, compels me to call the attention of the House, as well as of the country, to the fact that there has been for twenty years a constant clamor throughout the nation, and a righteous demand, for an eight-hour law in all public work.

There has never been a national convention for twenty years of either of the great parties, nor of new ones, which has not pledged in its convention the enactment of such a measure. We have in this House observed seven consecutive measures projected, and yet events occurring intermediately have inevitably prevented these measures either from becoming law; or when such, from receiving the recognition of the administrative officers. The Attorney-General of the United States, in a late opinion brought to the attention of the public, has given out that the late eight-hour law is practically suspended in its operation upon Government work. This upon the theory of emergency which justifies the suspension.

With that opinion at this time I have no expression of dissent. I do, however, call the attention of the House to the bill passed by this House at the last session, that it still lingers in the Senate, in another branch of this legislative body, not yet passed, sleeping because of neglect. With the construction of the Attorney-General, which renders the old law practically nugatory and vitiates it as far as its effects or application is concerned, with the new law suspended in its passage, the country is confronted with the fact, demonstrated by the remarks of the two gentlemen I have referred to, that we are to do without an eight-hour law which has been the expression of both Houses and the desire of all humane people and the intention of this honorable House. Worse is it to admit to-day, sir, that there is an absolute failure of realization by all of those mostly interested, those burdened toilers whose interest it was the intention of this House to subserve.

Mr. Speaker, this House, with the best spirit, in many votes indifferent to partisanship, found it agreeable to give that bill an almost unanimous vote. I can not but call attention to the fair-minded men of the House, to the Speaker, and the country, so far as my voice may reach it, that I am impressed with the absolute injustice of longer letting that eight-hour bill remain suspended and longer deceiving the army of workmen by promises never fulfilled. What is it which ever induces the laborer to trust those who ever deceive? Why is he always the greatest object of solicitude during political campaigns, yet ever forgotten and ever ignored—yea, ever betrayed and oppressed—in the day when his righteous demands should be complied with and his honest needs be satisfied?

Mr. Speaker, a million men are interested in having their hours of labor shortened to the actual necessities of their toil, so that they may not only attend to the needs of their families, but cultivate social intercourse with them and look after the education of their children and their spiritual welfare. Such considerations as these appeal essentially to humane men. They call into operation a principle which is not only recognized to-day in the passage of this brief measure, but which will, I trust, prompt us, in the remaining hours of our service in this body, to do everything in our power to further the passage of a general eight-hour law. [Applause.] And if as members of this body we can bring any influence to bear upon the coordinate branch of Congress, we should not hesitate to do so in behalf of the interests to which I have referred, and as a matter of just humanity as well as of deserved right.

Mr. GROSVENOR. Will the gentleman yield to me for a moment?

Mr. LEWIS of Washington. I always yield with pleasure to the gentleman.

Mr. GROSVENOR. Is the gentleman from Washington familiar with section 3738 of the Revised Statutes of the United States——

Mr. LEWIS of Washington. "The gentleman from Washington" is familiar with it——

Mr. GROSVENOR (continuing). Which reads as follows——

Mr. LEWIS of Washington. I beg to ask the gentleman from Ohio whether he was present during the whole of my remarks?

Mr. GROSVENOR. Not quite all.

Mr. LEWIS of Washington. I thought not. I referred to that section.

Mr. GROSVENOR. Will the gentleman allow me to finish what I was undertaking to say?

Mr. LEWIS of Washington. Certainly. I thought the gentleman had concluded.

Mr. GROSVENOR. The provision to which I refer reads as follows:

Eight hours shall constitute a day's work for all laborers, workmen, and mechanics who may be employed by or on behalf of the Government of the United States.

Mr. LEWIS of Washington. I beg to answer my distinguished friend by saying that I had referred to that section. I observed that the gentleman was out of the House at the time. I stated that under the construction of the law department of the Government that provision of law is now practically suspended, although we passed in this House a bill designed to conform to the opinion of that distinguished law officer, so that the provision of law should not be wholly expended by such; that rather than increase the hours of labor there should be an increase of the force. We should give more men work, and not more hours upon those who do the work. Since the opinion to which I have referred, and since the bill which we passed has been held up in the Senate, it is found that we have no eight-hour law at present in operation with respect to work of the Government. It was to that point I desired to call the attention of this honorable body. I am in receipt of many communications from toilers working under Government contractors complaining of this injustice. I speak in their behalf.

Mr. LACEY. I should like to make a suggestion to the gentleman from Washington.

Mr. LEWIS of Washington. I gladly yield for that purpose.

Mr. LACEY. I wish to say that the men in the employ of the Government were only worked extra time during the war, and that in our various arsenals, etc., the term of daily labor has now been

reduced to eight hours. During the exigency growing out of the war, men working in the navy-yard in relation to which this joint resolution is proposed, were working twelve hours a day on two shifts. They were not only willing, but desirous to work over time. But since the war closed, these men are working only eight hours a day. Their employment for extra time grew altogether out of the fact that the war brought us face to face with an immediate emergency, with inadeqate implements of war on hand. During that emergency the men who commenced work at noon and worked till midnight received for work subsequent to 8 o'clock the regular rate and one-half additional, while the men who commenced their work at midnight received only one hour's pay for a straight hour's work. The object of this joint resolution is to cure that discrimination.

Mr. LEWIS of Washington. I appreciate the purpose of this resolution and I certainly advocate its passage. I appreciate also the suggestion made by my friend from Iowa. I recall that he was one of those gentlemen who gave attention to the defects of our eight-hour law and joined with me to amend its provisions, so as to cover what in justice it should cover with respect to workmen in the employ of the Government. I am glad also that he reminded the House of that other important fact that in the turbulent hours when the interests of this Government were greatly at stake her most loyal citizens, those who gave her their most zealous aid, were that army of toilers who cheerfully worked overtime without murmur or dissent and without extra compensation. Yet, sir, who were more needy than they?

In view of the existing conditions I respectfully suggest that not only should this measure be passed by the House, but that, acting in accord with its spirit, we should all do what we can to secure the passage of such an eight-hour law as will cover the cases of all persons justly entitled to the benefit of its provisions.

Mr. MOODY. Will the gentleman from Washington kindly inform us what are the hours of labor prescribed by law in his own State?

Mr. LEWIS of Washington. We have there, of course, three or four different classes of laborers. In respect to farm labor there is no limitation as to hours. In respect to mechanical labor, there are limitations similar to those adopted in the gentleman's own State, our law being copied practically from the statute of Massachusetts, as construed by the judicial decision to be found in 142 Massachusetts Reports.

Mr. MOODY. I will inform the gentleman from Washington that there is no State, as far as I am aware, that has an eight-hour law, except in relation to the employees upon the public works.

Mr. LEWIS of Washington. I referred to that.

Mr. MOODY. And my question, therefore, had no reference to such employees. I refer to the great masses of the people who are laborers in private employment, and ask the gentleman again what is the limit of the day's labor in the State of Washington?

Mr. LEWIS of Washington. I regret exceedingly that the legislature has not passed an act limiting the hours of all labor in that State. It has been a Republican legislature save on one occasion, and we have been unable to accomplish this act of justice. [Laughter.] We have now a labor commission, the most efficient of its kind throughout the nation.

Mr. MOODY. Then, as a matter of fact, what did the Democratic legislature do?

Mr. LEWIS of Washington. Unfortunately, in consequence of the inimical action of the filibustering Republicans, no relief could be afforded. [Laughter and applause on the Democratic side.]

Mr. MOODY. Well, let us have the exact truth in reference to the matter. That is what we are seeking.

Did they pass a law—that legislature to which you refer—limiting the hours of labor in your State?

Mr. LEWIS of Washington. I confess I can not inform the gentleman. There was a serious conflict between the legislative departments upon this subject, which prevented the legislative action from becoming operative.

Mr. MOODY. Then, Mr. Speaker, I would suggest to the gentleman from Washington, in view of the fact that it seems he will have ample leisure for some time in that direction, that he go to his home and endeavor to have brought about by the legislature of his State the same provision of law that is enforced upon the same subject in the great Commonwealth of Massachusetts as to the hours of labor.

Mr. LEWIS of Washington. I will inform my friend from Massachusetts that I happen to be the author of the only bill which passed both houses of my legislature; but unfortunately, as I have stated, it later met the inimical action of the Republican governor. [Laughter and applause on the Democratic side.]

The SPEAKER. The question is on the engrossment and third reading of the joint resolution.

The joint resolution was ordered to be engrossed and read a third time; and it was accordingly read the third time, and passed.

On motion of Mr. RIXEY, a motion to reconsider the last vote was laid on the table.

MESSAGE FROM THE SENATE.

A message from the Senate, by Mr. PLATT, one of its clerks, announced that the Senate had passed bills of the following titles; in which the concurrence of the House was requested:

S. 5427. An act granting to the Clearwater Short Line Railway Company a right of way through the Nez Perces Indian lands in Idaho; and

S. 5258. An act to authorize the construction of a bridge across the Missouri River at the city of Yankton, S. Dak.

The message also announced that the Senate had passed without amendment the bill (H. R. 26) for the establishment of a light and fog-signal station on or near Hog Island Shoal, Narragansett Bay, Rhode Island.

The message also announced that the Senate had agreed to the amendment of the House of Representatives to the bill (S. 4690) for the relief of certain homestead settlers in Florida.

The message also announced that the Senate had insisted upon its amendments to the bill (H. R. 11217) making appropriations for the current and contingent expenses of the Indian Department and for fulfilling treaty stipulations with various Indian tribes for the fiscal year ending June 30, 1900, and for other purposes, disagreed to by the House of Representatives, had agreed to the conference asked by the House on the disagreeing votes of the two Houses thereon, and had appointed Mr. ALLISON, Mr. PERKINS, and Mr. COCKRELL as the conferees on the part of the Senate.

The message also announced that the Senate had passed with amendments the bill (H. R. 9219) for the relief of the Fourth Arkansas Mounted Infantry.

SENATE BILLS REFERRED.

Under clause 2 of Rule XXIV, Senate bills of the following titles were taken from the Speaker's table and referred to their appropriate committees as indicated below:

S. 5258. An act to authorize the construction of a bridge across the Missouri River at the city of Yankton, S. Dak.—to the Committee on Interstate and Foreign Commerce.

S. 5427. An act granting to the Clearwater Short Line Railway Company a right of way through the Nez Perces Indian lands in Idaho—to the Committee on Indian Affairs.

ENROLLED BILLS SIGNED.

Mr. HAGER, from the Committee on Enrolled Bills, reported that they had examined and found truly enrolled a bill of the following title; when the Speaker signed the same:

H. R. 4382. An act to establish a national military park to commemorate the campaign, siege, and defense of Vicksburg.

The SPEAKER announced his signature to enrolled bills of the following titles:

S. 1357. An act for the relief of the legal representatives of Edwin De Leon, deceased, late consul-general of the United States in Egypt; and

S. 4690. An act for the relief of certain homestead settlers in Florida.

EULOGIES ON THE LATE REPRESENTATIVE DINGLEY.

Mr. BOUTELLE of Maine. Mr. Speaker, I now call up for present consideration the special order and ask the reading of the resolutions which have been submitted to the House.

The SPEAKER. The resolutions will be read.

The Clerk read as follows:

Resolved, That the business of the House be now suspended that opportunity may be given for tributes to the memory of Hon. NELSON DINGLEY, late a member of the House of Representatives from the State of Maine.

Resolved, That as a particular mark of respect to the memory of the deceased, and in recognition of his eminent abilities as a distinguished public servant, the House, at the conclusion of these memorial proceedings, shall stand adjourned.

Resolved, That the Clerk communicate these resolutions to the Senate.

Resolved, That the Clerk be instructed to send a copy of these resolutions to the family of the deceased.

The SPEAKER. The question is on the adoption of the resolutions which have just been read.

The resolutions were agreed to.

Mr. BOUTELLE of Maine. Mr. Speaker, it becomes my duty to call the attention of the House for a few brief moments to the occasion to which the special order just read is devoted, being the opportunity which the House has taken to pay its tribute to one of its former members who for many years was a conspicuous and influential Representative of the State of Maine in this body.

There are comparatively few members in the House, perhaps, concerning whom anything in the nature of biographical statement would be less necessary. Mr. DINGLEY has been so long a prominent factor in the legislative proceeding of our Government, has occupied such conspicuous positions in public life, and has so long been recognized as an influential member of the House of Representatives that it seems to be entirely unnecessary at this time that I should attempt anything like a sketch of his private or his public life. In my judgment this occasion is more that of an opportunity for us, his fellow-members who have been associated

with him for a long period of years, to pay an earnest and feeling tribute to his personal worth, his public services, his many amiable and winning qualities, rather than to give our judgment of the usefulness of his public life.

Governor DINGLEY has been an acquaintance and friend of my own for a great many years. Associated, as we were, professionally in the publication of newspapers, our relations with each other and our relations to public affairs have moved along in parallel lines; and it is a very gratifying reflection to me at this time that we have agreed on all great and moving questions that have attracted public attention and excited public interest during the last generation.

As the proprietor and editor of the Lewiston Daily and Weekly Journal, having an exceedingly large circulation in our State and beyond, the Hon. NELSON DINGLEY has for many years exerted a very widespread and potent influence upon public affairs not only in Maine, but throughout New England. It is unnecessary to say to those who have known him in his daily walks that his newspaper has uniformly been the advocate of all those policies and principles which in his belief lead to the uplifting of public morals, public integrity, and the advancement of civilization.

As a writer Governor DINGLEY has had few superiors in the journalism of this country. A profound student, a man of rare accuracy of information, he had a facility and a felicity with the pen that are seldom found, even in this age of so much writing. He was always an earnest man, profoundly so: not aggressive, rather inclined to be cautious. Carefully searching out with infinite pains the ground work of his beliefs and convictions, he framed them into arguments of rare cogency and great influence.

He came to this House in 1881, making his service here in the vicinity of eighteen years of long, faithful, conspicuous, and useful devotion of his talents and ability to the welfare of his Government. He was a modest man, distrustful of his own powers of attraction in public assemblages, and yet possessing a due self-respect and a confidence in his ability to search out the merit of questions and get at the pith of controversies.

It is interesting to me in the retrospect, as it was interesting to me during our joint service in the early years, the Governor having preceded me by a single session before the Forty-eighth Congress, to observe the steadfast purpose, the self-knowledge, and the determination to accomplish an object with which my distinguished colleague devoted himself to that line and sphere of public efforts to which he was best fitted. Without the charms of oratory, not having the attractions of a mellow and sibilant voice, the Governor early recognized, or, in fact, on his entrance into this forum became satisfied, that his sphere would not be that of the orator, to hold breathless thousands upon the resonance of his speech, but that he had a mission and a field and a talent that was not only adapted to this legislative body, but could be used with real devotion to the public interests, to advance those great causes upon which his heart was bent, and to frame his contribution as no insignificant one to the formation of the great public interests committed to the care of this body.

So my colleague became preeminently the student of the House of Representatives. It was my fortune to live in the same hotel with him during a long period of years, and I do not recall a single instance when I have entered his apartment while he was there that I did not find him seated with a pad upon his knee, surrounded by documents, laboriously but intelligently searching out the bases upon which the great questions agitating the American public were to be decided in Congress.

And so it came that in spite of his lack of a commanding presence, in spite of his lack of oratorical attractions, month by month and year by year, it became more and more fully recognized that the quiet, unassuming, unassertive man from Maine was a marvelous repository of accurate and trustworthy information upon an enormous variety of subjects, and that while his speech was not loud or aggressive, he was a very dangerous antagonist in any discussion which involved great knowledge of the question at issue.

So from year to year he went forward in his quiet, unassuming but devoted way, acquiring more and more of that information which perhaps some of us were inclined to permit him to dig out over the midnight oil, until it came to pass that all over the House, on both sides, without regard to political divisions, the Hon. NELSON DINGLEY was looked to as a trusted authority upon public questions, especially upon all of those intricate and most important affairs relating to the revenues and finances of the country, and when he made a statement as one of fact it came to be a rare thing to find anyone even disposed to question its correctness.

The amount of absolute labor by which Governor DINGLEY acquired the confidence of this House and of the country it would be hard to overestimate. In my knowledge I have never met so steadfast and devoted a student as my late colleague. I know the many hours that he has devoted to that most wearing of all pursuits, the elucidation of facts from statistics, the careful examination and analysis of public reports bearing upon the great questions that have agitated the country, and I have no question but that to a degree sapped his vitality and led to a shortening of his years. He was absolutely tireless in his devotion to the public service.

Within the last year, in addition to the immense labors and responsibilities of the great position which he held as chairman of the Committee on Ways and Means and the recognized leader of the controlling portion of this legislative body, he responded promptly to the invitation of the President to take a position upon the British and American commission which, in the midst of all these other cares, undertook to compose and adjudicate and settle the vast amount of rasping and difficult questions that had arisen during all the years of the past between this country and Canada.

Between those additional cares and those with which he was charged by the Speaker of the House in his assignment to the chairmanship of the great business committee of Congress, he wore out his life, his frail constitution broke down under the strain, and he passed away, as much a sacrifice of patriotism as if he had fallen on the field of battle, amid the flurry of drums and the roar of cannon, beneath his country's flag. No more faithful soldier of the Republic has ever fallen in the face of a foe than NELSON DINGLEY when the last spark of life gave out in a struggle that he had been making, performing heroic public duties until the body was too weak for the soul, and it passed to the hands of its Maker.

It became my duty to accompany the remains, with others of his late associates here, to his home in his native State for final disposition. No one who accompanied that sad party will ever forget the universal character of the interest manifested or the deep sympathy evinced by the people of communities all along the route; and when we reached his late home and found the population of a whole region practically massed around the station, hushed, reverent, and sorrowful, it impressed upon the minds of everybody present what a potent force there is in character when the death of one man, a quiet, unassuming man, can so impress itself upon a whole community that a great Commonwealth should toll its bells and wait in hushed silence while the friends of his childhood, the pastor who had watched over his manhood in church affairs, to which he was so sincerely devoted, paid their tributes to the memory of a great and good man.

Mr. Speaker, these services are held to furnish his late associates in this body an opportunity to speak their judgment upon him as a man, as an associate, and as a friend; and it is my purpose simply to-day to inaugurate this tribute as a fellow-member by the few remarks which I have made without attempting to go into a detailed record of his life or a detailed eulogy of his characteristics. For myself, his death has come as a very severe blow. The State of Maine has a small delegation in numbers. We have stood here since I became a member, only four of us. One passed away a year ago; another has recently followed; and the shattering of a delegation by the removal of one-half of its membership by the hand of death is a serious blow. And the death of Governor DINGLEY, while it will be lamented and felt throughout the country and especially by his State, is peculiarly a heavy blow to the delegation from the State of Maine with whom he has stood here so stanchly and so faithfully during all these years. It is a pleasant thought at this time that that delegation, of which the governor was so conspicuous and influential a member, stood together in all the great stresses that have come upon us, and no one of the surviving members will ever fail to remember how often and how securely we have depended upon the wise counsel, sagacious views, and faithful patriotism of our deceased colleague, Governor DINGLEY.

Mr. PAYNE. Mr. Speaker, on the 13th day of last month the earthly career of NELSON DINGLEY came to an end. It was the close of a long and useful life, in which he had accomplished much for his generation and his country. Though he had nearly filled out his three score years and ten, it seemed to us that he was cut off in the very height of his honor and in the midst of his greatest usefulness. It is fitting now that we, his companions and friends, should pause in the public business and offer a tribute to his memory.

My first acquaintance with Mr. DINGLEY began on the assembling of the Forty-eighth Congress in December, 1883. He had then served one term, while I was entering upon my first. I remember well his kindness to the new members, and very early there sprung up the beginning of that mutual friendship and respect which has ripened with the years. In the Fifty-first Congress we were both placed on the Committee on Ways and Means, where we were also associated at the time of his death. We had, therefore, labored together in the formulation of the tariff law of 1890, as also the tariff law of 1897. There is no place where you can get to know a man more thoroughly than in an association of this character.

Mr. DINGLEY came to Congress after a long experience in public life and a much longer study of public questions. It is related of him that long before he had reached his teens he read the speeches of Webster and Clay with more avidity than would most boys pursue Scott's novels. He was a Whig long before he was a voter, and could give "a reason for the faith that was in him." In 1855, when the Whigs and the Free Soilers united in Maine as a part of the new party, Mr. DINGLEY wrote that the Republican party then formed was "destined to live in history." He began writing political editorials before he attained his majority, and this was his favorite occupation and the one most cherished by him down to the last time of his departure from home to participate in the duties of the present session of Congress.

His studious habits were formed in his early boyhood, and they increased with his years. Often on his vacations, when others would carry a rod or a gun, he always provided himself with a writing pad and a pencil. He knew something about everything; he knew everything about many things.

Before he came to Congress he had served several terms in the legislature of his State, during a great part of which time he occupied the speaker's chair. He had also served two terms as governor.

Entering the House of Representatives in the fiftieth year of his age, he was splendidly equipped for a career of great usefulness and honor. His mind was a storehouse of useful knowledge on all public questions. But better far than this, he had formed a life-long habit of untiring research. He had learned to take nothing for granted. He must verify the truth for himself. To him to know was a delight, and the toil by which he reached that goal, so irksome to others, had become the keenest pleasure.

In this body a man is generally measured by his companions at his true worth. We may have sharp encounters and fierce political debate, but, after all, men of all parties are measured by their comrades by a just and true standard. Political blindness never hides the true worth of our political friends or adversaries. It was a great tribute to the industry, perseverance, energy, and truthfulness of NELSON DINGLEY that information was sought from him by men of all political parties, and was uniformly accepted as reliable, frequently furnishing the basis for important action. This is the more remarkable when we consider that his greatest and most important work here was in connection with the formulation of two great tariff bills on partisan lines.

He has impressed himself on all the most important legislation of the last decade. No great question has arisen here that has not been illuminated from the stores of his knowledge, garnered by years of patient toil. He has been heard on the needs of a merchant marine, on the civil service, on the great appropriations, connected as they are with all the branches and interests of the Government, on the currency question, the national credit and the public faith, and especially on the great questions of revenue and protection. To each he has added a store of learning and good sense, winning the respect even of those who differed from him. His was not a brilliant genius. I was particularly impressed by the words of his pastor in his address to the neighbors of Mr. DINGLEY, at Lewiston, his late home. With a truthfulness and boldness too often wanting in the eulogist, he said, speaking of his enduring success:

> It was not great intellectual ability, for his was not a preeminent endowment; it was not eloquence, for he had no special gifts as an orator; it was not the charm of a polished manner, for, while he was ever affable and courteous, he had not cultivated the "arts of grace as a means to an end."
>
> What, then, was it that enabled him to attain unto and hold so long the position he occupied in the thought, esteem, and affection of his countryman?
>
> The answer to these queries is found in his loyalty to principle, his devotion to truth, his thorough preparation, and conscientious work. Thus he was ever ready for and equal to the demands of the hour and the occasion. By his earnest application to the task in hand and by his signal success in his chosen field of effort he proved to the young men of this Republic that—
>
> The heights by great men reached and kept
> Were not attained by sudden flight;
> But they, while their companions slept,
> Were toiling upward in the night.

In this Hall mere elocution and oratory sometimes hold sway, but the man who uniformly reaches the ears and holds the attention of the members of this House is the man who always has something to say. Members are not looking for one who merely amuses for the moment, but for him who always furnishes valuable information. Although it required the utmost physical exertion to make himself heard, with no grace of oratory, no well-rounded periods or glittering sentences, yet Mr. DINGLEY never failed to get the attention of the members of the House. It was the triumph of patient toil and study over all outward circumstances.

In his own city, in his district, and in his State he was greatly beloved. I shall not soon forget the crowded throng that passed his bier in the city of his home. The sturdy farmer, the nervy mechanic, the high and the low, the rich and the poor, all seemed to feel the loss as of a personal friend. Many a poor man and woman brushed away a tear, while one thanked God for the friend who had saved her husband and her son by his timely aid. Better than the plaudits of the nation, which followed him to his grave, was the heartfelt tribute of such as these, who knew him best. Looking back over his life, it would seem that he had performed a full measure of labor and success. Looking forward at the work before us, it would seem that the country could illy spare the ripened judgment of the political scholar and statesman. Questions new and grave are right in front of us, demanding the highest wisdom and best statesmanship. We shall miss his cool and dispassionate judgment, his wise counsel, his unerring sagacity, and his vast information. His life is a valuable lesson to the boys of America. It illustrates that genius is the capacity for hard work. Brilliancy discourages patient toil; what we call natural genius is ever a failure without eternal vigilance and constant effort.

Mr. GROSVENOR. Mr. Speaker, I come to pay a brief tribute to the memory of a man whom I respected, revered, honored, and loved. I knew NELSON DINGLEY before he was elected to Congress, and my acquaintance with him began under circumstances which point to one of the great characteristics of the man. It was during a political campaign in the State of Maine. It was at a time when fierce controversy raged throughout that splendid State, and when public speakers were criticised with sharp intelligence and with almost brutal pertinacity. There was a question which involved a matter of financial history of our own country in comparison with that of France.

I had been challenged at a meeting in one of the lower counties of the State to answer certain interrogatories. I was not very well prepared for the emergency. I delayed and parried the issue, but I was to be met again the next night upon substantially the same field of battle, and a newspaper took occasion to remark that I had exhibited some of the merits that were valuable in a soldier under certain circumstances, and that I would live to fight, perhaps, another day. I did not have access to books; I did not know whom to go to for advice, but a gentleman told me to go to Lewiston and see Governor DINGLEY. I took the train, went up there, and met him for the first time. I introduced myself, and, laying before him the proposition, he sat down at his desk and in a very few moments wrote out a complete solution of the whole difficulty that I had labored under, and furnished me with the material on which I demonstrated to my audience the following night that I was absolutely master of the whole situation and knew all about it, and that they had made a great mistake in the challenge. From that day to this I knew Mr. DINGLEY, and met him often before I came to Congress in the Forty-ninth Congress, he having preceded me by two Congresses.

I am not attempting an analysis of his character. We are all familiar with it here. I had the honor to serve with him on the Committee on Ways and Means during the last two Congresses of his life. He had served on the Committee on Appropriations in the Fifty-third Congress, and then took the place that was vacated by his honored colleague, the present distinguished Speaker of the House of Representatives. Coming later into Congress, I tried to follow along in the footsteps he had made. I think I may say without hesitation that I never met a man who knew so much about so many things that were incident to our political history as he did.

It has been very well said by the gentleman who has preceded me that Mr. DINGLEY knew a great deal about everything and everything about a great many things; and under that second subdivision of his suggestion, I would state as my belief that he knew more facts and events of American history than I have known to be possessed by any one, living or dead, American. No man who was ever associated with him in the way of work of a committee will ever forget the patience and untiring industry with which he mastered every question that came before it. In the winter that followed the election of 1896 he called together the Republican members of the Committee on Ways and Means, and devoted the entire winter, by day and by night, to the study of every item that was to be affected by legislation in the coming Congress. I would not disparage the work of any other member of that committee, for there were several gentlemen upon it who were of distinguished ability and who had served long and faithfully in that connection, but the chairman of the committee—the chairman of the detachment of the committee—never allowed anything to go through and be finished that he did not at some time study and master every fact in connection with it.

It has been said by his pastor, in the extract read, and by other gentlemen who have preceded me, that he was not an orator; that is, in the ordinary and popular sense of the term. He came into public observation, into public prominence, and ultimately into the leadership of this House, during a period of time when there was a discount on oratory as compared with the market value of it in the years that have gone by. He might not have been a Henry Clay in oratorical power, but he far exceeded him in the power of analytical examination of the great questions of American politics. He may not have been fluent of speech, but he was reliable in

thought. He may not have been attractive in his personal appearance as he stood on the floor of this House, but when we came to examine the subject-matter of his address we found we had listened, perhaps unthinkingly at the time of the utterance, to the declarations of a master.

He had no sense of humor; he never permitted himself to be carried away for a moment from the sturdy and studious business of life by any thought of the attractiveness of humor or gaiety. We all remember some instances here in the House that we shall remember while we live and speak about as illustrative of this curious feature of his character. No man was ever brilliant enough in repartee or in wit to make apparently the slightest impression upon him. If it was a statement of fact, he heard it; if it was an application of an argument, he analyzed it; if it was a witticism, he did not seem to hear it.

He was a faithful man. He was one of the men that when you looked for him at the place where he notified you he would be found upon any question he was there; you did not have to consider whether or not there might be a change in his purposes in that behalf. Loyal and faithful to his party, I think it is fair to say that, strong partisan as he was, he never permitted partisanship to override his devotion to that which was best for his country.

His State had been peculiar in one matter of its politics. With the bare exception of a term for some gentlemen who represented a combination of opposition—with this exception, one single party, the Republican party, had dominated the representative capacity of that State ever since the Republican party was organized. So that we might have looked, in the development of a man who had come to be a Representative from that State, for a tendency toward more indifference to others' interests than the interests of his own party. I put it forward as one of the great characteristics of NELSON DINGLEY that he never lost sight of the greatest good to the greatest number.

I was talking with him a few days before he was taken sick. I was going home, and had an opportunity of an hour's conversation with him, and I can say this with perfect propriety, that he cast a horoscope forward through the entire session, the remaining session of this Congress; and in speaking of the several great measures that were to come before us I saw that he had already studied, considered, analyzed, and arranged the whole subject, not only of the arguments upon our side, but in those questions which were to be political, as he thought, he was prepared already to meet the arguments on the other side.

A word as I hurry along. What was the great strength of NELSON DINGLEY as a member of this House? I do not speak of him in his relations to the party, in his relations to the family, in his relations to the church and his people at home, but I speak of what it was that made him the powerful man he was on this floor. It was not because he had been assigned by the practice of the House to the leadership of the majority, not that. Because that may be repudiated at any time, as we all know and understand. The leader, the assigned and chosen leader in the House, must have capacity to assert the propriety of his choice, or he will not be the leader on this floor. What was his great strength? First, a wonderful knowledge of everything that came here; and, second, and possibly greater than all else, was the fact that he never made a statement of fact that did not turn out to be as he had stated it. He never was unwilling to be corrected in the hurry of debate if he had made a slip on facts or figures, but when he launched his case upon a proposition of fact, both sides in this House understood that the discussion afterwards must proceed upon the assumption that that was true.

And then in all that relates to that intercourse between members, that which relates to the orderly progress of business in partisan debate and partisan procedure, NELSON DINGLEY'S words to the other side of this House were just as safe and just as certain to be accepted as truth as though it had been put by unanimous consent upon the Journal of the House. He was loyal and faithful to the party to which he belonged. I may state now without qualification or hesitation that there was no man in the United States who was nearer to the administration of this Government to-day than was he, no man who had the confidence of the President in a higher degree, no man who in an emergency was called upon oftener, nor so often, as was NELSON DINGLEY, and no man who knew the purposes and aspirations and hopes of the Administration more conspicuously than did NELSON DINGLEY of Maine.

I may not discuss the fact that he is gone. There will be no hour of this or the next Congress when we shall not miss him. He was a man upon whom his associates on this side of the House loaded their burdens. Let me be specific about that. An attack might be made from the other side assailing some act of this side, all along the lines of economical administration and legislation; facts and figures might be hurled at us. I am sorry to say that we paid but little attention to such things here, because we knew that at the proper time the matter would receive proper consideration and action at the hands of the chosen leader of the party. We shall miss him in that regard. And the other side will miss the genial gentleman on whose courtesy and consideration they always relied. This brings us to the consideration of two or three propositions.

How wonderful are the ties that bind us here, even though the bitter assaults and storms of political controversy come and for the moment apparently divide and sever us. How quickly we learn the character of a man, even though he may be our assailant. How quickly we appreciate the man, though he may differ so widely with us. And so I think I can speak truthfully when I say that no man had a higher standing in the estimation of his fellows, even upon the Democratic side of the House, than did DINGLEY.

He has gone, but he has written upon the statute books of this country his views upon political matters. They will be his monument in coming time. He has left upon the hearts of his countrymen a sense of proprietorship in his great name that will be a heritage to the people who shall follow him.

Mr. BURLEIGH. Mr. Speaker, in view of my short service in this House, it seems but fitting that I should leave to those who were longer and more intimately associated with NELSON DINGLEY in its work the duty of testifying to the distinguished character of his services here.

In the brief but heartfelt tribute I desire to offer, I wish to speak more particularly of his relations to the social and political life of his own State. Maine has ever been loyal to her Representatives at the national capital, and has never failed to feel a just pride in the successes achieved by them. I was for some years in a position to know and appreciate how strong this feeling was in the case of Mr. DINGLEY. No man ever served in this body who enjoyed in a greater degree the love and respect of the people of his State and district. They knew his sterling worth and had an abiding faith in his sound judgment and purity of purpose.

Born on one of the rugged farms of Maine, in a section where nature in the dispensation of scenic beauties had been prodigal of her gifts but exacted toil as the price of existence, he inherited the sturdy relf-reliance of an honest, God-fearing ancestry, and was early schooled in those habits of industry he retained through life.

His father, who combined the pursuits of agriculture with the running of a country store, was a man of sterling worth; possessed great energy, together with strong tenacity of purpose. His mother, who, prior to her marriage, had been a successful teacher, was a woman of rare attainments and beauty of character. To her gentle influences may be attributed no small part of her son's steadfast devotion to duty and the notable success that attended him in the work of life.

The qualities that so distinguished him in later years were early manifest. The child was father of the man. In his early years he evinced a power of self-control, a tenacity of purpose, a wonderfully retentive memory, and a love of truth that gave bright promise of his later distinguished career. As he progressed into manhood these qualities developed with his growth. His aspirations were ennobling, his associations helpful and elevating. He undertook no labor that he did not complete, and none that was not done thoroughly and well.

Following his graduation from college he pursued a course of legal study and was, in due time, admitted to the bar. He was a man of judicial temperament with marked powers of concentration. There can be no doubt that had he continued in the practice of law the same high qualities of head and heart, the wonderful insight, the intuitive grasp of the salient points in a case, and the great capacity for close and sustained labor that so distinguished him as a member of this House must inevitably have secured him eminence in his profession. His tastes, however, did not run in this direction. He had been for some time a successful contributor to various newspapers and soon abandoned his legal pursuits to purchase an interest in and assume the editorial duties of the Journal, a weekly paper published in the growing city of Lewiston.

No man was ever better equipped, both by nature and attainments, for duties of this character. He was an indefatigable worker, and his paper soon became a recognized power in the State. In 1860 he added a daily edition, which speedily pushed to the front in Maine journalism, a position it has ever since maintained. In those days the editorial writer was far more of an individual force than he is at the present time, when the personality of a writer is frequently merged and practically lost in the name and character of his paper.

To the readers of the Lewiston Journal NELSON DINGLEY was a living, breathing reality—a potential force. They soon came to entertain a profound respect for the sterling qualities of his character and the soundness of his judgment. The number of those who came to him for counsel and advice was large, and the circle of his personal influence became second only to that of his newspaper. How much Mr. DINGLEY owed to this absolute accessibility, this habit of taking his neighbors and friends into his

immediate confidence, it would be difficult to conceive. But undoubtedly here was the source, and, in large measure, the foundation of the strong hold upon the people of his district and his State which he retained to the day of his death.

Mr. DINGLEY carried into his editorial work the same direct and attractive qualities that characterized him in his personal relations. He was a clear and cogent writer, though never a maker of phrases. Language with him was merely a vehicle for the transmission of thought, and never in any degree an end in itself. There was in all his writings an atmosphere of truth and sincerity. He attempted nothing by indirection, nor was he a man who ever sought to evade or ignore the strong points of an opponent. He met them courageously and manfully. A man of absolute convictions, he was always ready with reasons for the faith that was in him.

Party workers sometimes imagined that he gave opposing views altogether too courteous consideration, for he had the same fairness that characterized Lincoln in stating the position of an adversary. There was no fighting, so far as he was concerned, with men of straw. He was strong enough and broad enough to seek or desire no undue advantage. He went directly, with unerring precision, to the heart of any question he was discussing. He was quick to detect the weak points in the armor of an opponent and knew how to direct his thrusts there with telling effect. At the same time his utterances were characterized by a calm dignity and tolerant spirit. He never permitted himself to be tempted to a lower level.

The irritability and acrimony that not infrequently fix the stamp of a small soul upon editorial expression had no place in the journalism of Mr. DINGLEY. He touched no subject that he did not elevate to the plane of frank and philosophical discussion. Throughout his long and busy life he was a man of high ideals. Positions of public trust and responsibility came to him naturally.

At the age of 29 he was elected to represent his city in the Maine house of representatives, and served in that body for four successive sessions. During two of them he occupied the Speaker's chair and declined a third election to that position, preferring to retain his place upon the floor. A few years later he again served his constituents for two sessions in the same body.

His experience at the State capital gave him a valuable legislative experience and so strengthened the popular appreciation of his high character and abilities that in 1873 he was given the Republican nomination for governor, receiving a vote of nearly two to one in the convention against two popular opponents. His administration of State affairs was clean and businesslike. He was reelected in 1874 by an increased majority, but declined a renomination in 1875, preferring to devote his energies to the work of his newspaper.

In 1881 the Republicans of the second Congressional district of Maine gave proof of the confidence and esteem in which they held him by electing him to this House as the successor of Hon. William P. Frye, who had been promoted to the United States Senate, and he was returned at every successive election with constantly increasing majorities. He had been elected to the Fifty-sixth Congress.

It was, after all, in his own happy home circle that Mr. DINGLEY was seen at his best. Here the tenderness and beauty of his character were most conspicuous. It was a Christian home, as unostentatious as it was hospitable. Here in the society of his devoted wife and children Mr. DINGLEY found the principal relaxation from the cares and anxieties of public station and passed the happiest hours of his life.

At no stage of his distinguished career did Mr. DINGLEY fail to keep in close and sympathetic touch with the plain people. Success did not allure him from his simple tastes and quiet life. He was to the end of his days the same unaffected, accessible, industrious, upright man that he was before he grew into national prominence. There was in his whole career no spot or blemish. The fierce light of publicity that shines upon every act of a great party leader in this House only served to throw into stronger relief the noble qualities of his nature. He grew in the estimation of the people of the country as he had long before grown in the estimation of the people of Maine. At his death a nation mourned.

Were a star quenched on high,
For ages would its light,
Still traveling downward from the sky,
Shine on our mortal sight.
So when a great man dies,
For years beyond our ken,
The light he leaves behind him lies
Upon the paths of men.

Mr. SWANSON. Mr. Speaker, in the death of Mr. DINGLEY our country has sustained the loss of one of its purest public men, one of its wisest and most accomplished statesmen. It is a loss which will be long felt and which it is most difficult to supply. I know no one who possessed so thorough and so complete a knowledge of this Government and of all of its departments and institutions as did Mr. DINGLEY. His knowledge in this direction was amazing, both for its breadth and its accuracy. He was fully equipped to be the chairman of any committee of this House. He had also the rare faculty of utilizing his vast learning both for the purposes of discussion and for the preparation of statutes and revenue bills. In him was successfully blended the thoughtful student and the practical man of affairs. His career in Congress was one of preeminent distinction.

Few members attended the sessions of the House so constantly as did Mr. DINGLEY. None kept a scrutiny upon proposed legislation so carefully as he.

For four years he was chairman of the Committee on Ways and Means and, as such, the leader of the Republican majority in this House. Not since the civil war has the great Committee on Ways and Means possessed a chairman who could surpass Mr. DINGLEY in his knowledge of finance, of the tariff, and in his acquaintance with the varied and immense industries of this country. He will be remembered in history as one of the most distinguished chairmen of this great committee.

During these four years this committee has had to deal with the most important questions affecting this nation. Mr. DINGLEY was the central figure, the moving spirit in the determination of all these matters by the committee. The recommendations by this committee to this House bear the impress of his mind, the conclusions of his thought and research.

Upon matters before this committee which did not involve the differences between the two great parties upon taxation and finance he was equally as potential with the Democrats as with the Republicans. Upon those questions involving the principles and the policies of his own party his was the voice that was listened to with attention and his was the hand that pointed the way that his party finally went.

Congress has witnessed very few more successful floor leaders than Mr. DINGLEY. He possessed the rare faculty of being first without exciting envy or jealousy. Much of this was due to the fact that it was recognized by all that he was entitled to this preeminent position on account of his solid attainments and not on account of superficial display. Much of it because he himself was entirely devoid of all jealousy and envy and rejoiced at the success and abilities of anyone. Much of it was due to his wonderful tact in controlling matters without pushing himself individually forward, and by his kind and considerate attention to the humblest members of this House.

He possessed the faculty of not exciting the bitter antagonism of the opposition more than any leader I ever knew of. He was held in affectionate esteem and regard by all members of the Democratic side. He accomplished this by unfailing courtesies, fairness, and by never descending to partisan discussions or indulging in personalities. He stated the position of those opposed to him fairly, and met the issues offered directly and manfully. When party policies were not involved, he was equally desirous to accommodate and to serve a Democratic member or constituency as a Republican. By acquiring the good will and affectionate regard of the opposition he was enabled to get along smoothly in the House and pass his legislation without inciting bitter feeling or encountering delays often engendered simply to harass.

When one reflects upon the many and important and exciting questions which he has had control of in Congress for the last four years which he passed through the House, and which was accomplished with very little friction, delay, or bad feeling, it is astonishing and gives one some conception of Mr. DINGLEY's wonderful tact and ability as a parliamentary leader. If measured by success and by achievements, he will be remembered as one of the greatest parliamenthry leaders. No one, as a speaker, was listened to more attentively than Mr. DINGLEY. He did not possess the voice or the graces of an orator. His speeches were not resplendent with rhetoric nor sparkling with satire and wit, but they were illumined from commencement to conclusion with careful thought and valuable information. The House listened to him for instruction and not for entertainment. In his management of the Republican side of the House he was equally as tactful as in his treatment of the Democratic side. His control of the Republican side was nearly absolute. Many a time when there was a disposition on the Republican side to break upon important questions he rallied the disorganized forces by one of his lucid and thoughtful speeches.

In keeping his own party united he ignored entirely the usual methods of party leaders of appealing to party prejudices, but he addressed himself to the reason and the understanding of his party associates. The effect produced by his calm reasoning was remarkable.

In their future conflicts his party associates will sorely miss his calm, thoughtful speeches and his tactful and discreet leadership. The Democratic side will miss his unfailing courtesy, his uniform fairness, and his considerate kindness. The whole House will miss his great learning, his valuable instruction. His friends will miss a kind, sincere, gentle soul, undemonstrative, unpretentious, but as true as steel. His country will miss a wise, pure, patriotic statesman.

Mr. DALZELL. Mr. Speaker, I very much regret that, having been absent from the House when the time was set for eulogies on the life of Mr. DINGLEY, I received notice too late to make such preparation as I ought, to do justice to his memory. Though late in coming, I come with as eager a desire as any to lay my little wreath of affectionate admiration and esteem upon his coffin.

The language of eulogy is too apt to be the language of extravagance. Mr. DINGLEY needs no eulogy of that kind. Justice to his life and character calls only for the naked language of truth. His was a career that requires no embellishment in words and no exaggeration. What he thought and what he wrought suffice to give him a name and place among the most distinguished and useful men of his time.

He was fortunate in the opportunity to serve the people, both in his State and in the nation, during a critical time of the national life. His career covers the grave periods of the civil war, of reconstruction, and of the succeeding years which have seen the entrance of a nation, and not a confederation of States, upon a career of unexampled prosperity and a future of incalculable promise. Unfortunately for us all, the grim reaper seized him when we were facing new and untried conditions, and when his wisdom and experience would have been of immense service to his country. But he needed not any glory to be gathered in new fields to be added to the already full measure of his fame. He died full of years and of honors, and an appreciative people do willing and sorrowing homage at his bier.

When Mr. DINGLEY entered public life, the flames of civil war had made lurid the whole horizon and the perpetuity of the nation was at stake. When he was called to depart this life, a saved and reconstructed Union was in the enjoyment of an established and yet further promising prosperity. To this happy consummation he, in many ways, largely contributed. It was characteristic of him that to whatever place or whatever task called, he rendered faithful, conscientious, and fruitful service.

From 1863 till 1873 he was, with a slight interruption, a member of the Maine house of representatives, and during a term its speaker. Succeeding this service, he was the governor of his State. For eighteen years he was a member of the National House of Representatives and died its leader upon the floor, chairman of the Ways and Means Committee. In many other capacities he rendered distinguished public services. The mere recital of the places that he held is a witness that he was a man of mark amongst his fellows and of service to his kind. Mr. Blaine once said that no truer test of a man's power could be found than his success in the House of Representatives; that place therein must be fought for and won by merit. This test Mr. DINGLEY successfully stood. When he died he was facile princeps in the House, a leader whom we all delighted to follow and one who commanded the confidence of his party and equally commanded the respect and esteem of the opposition. His career is a valuable contribution to the glory of republican representative government, wherein the equality of all men, not only before the law but in a contest for advancement upon the ground of merit, is a conspicuous feature. He was a shining example of the possibilities of American citizenship. Nothing came to him by inheritance; he was the architect of his own fortunes, and his fortunes were built upon the solid foundation of a noble character.

He was a manly man, patient, learned, and eminently industrious. He was a manly man because he was ever true to his ideals, and his ideals were lofty. Pure of private life, with strong convictions, he never swerved from his standards nor forsook what he believed to be the interests of the people whom he was called upon to represent, and he believed that he was called upon to represent the people of the whole country. He was a patient man, charitable of the views of others, though fixed in his own. He was a tactful man, anxious, always, to work out by the wisest methods, by compromise, when necessary—but never a compromise of principle—by courageous methods when others failed, what he believed to be the true interests of the people. He was a learned man. He had a wonderful storehouse of information, in general and in detail, and his information was exact and accurate. A wonderful memory added greatly to his power as a leader. He was rarely found wanting for a ready reply to the arguments offered by the opposition.

To such an extent was reliance placed upon what he had to say that he never rose to speak that he did not command the attention of all, whether friend or foe. I have never known a more industrious man. Every waking hour of every day was given to the acquisition of useful knowledge. With an apparently delicate physique, his capacity for work seemed nevertheless without limit. All that he knew and all that by his patient industry he learned was gladly devoted to the public service. I could not if I would recount the measures that his advocacy wrought into the statute law of the nation. Suffice it to say, that during his long career there were few matters of important legislation that did not receive his attention. He was an ardent believer in the principles of his party, and their predominance to-day is as much the result of his labor as it is of any other one man.

Nothing so knits men together as association in a work in which they have a common interest. Among the days of my public life that I shall always remember with the greatest interest will be those when the Committee on Ways and Means of the Fifty-fourth Congress was framing the tariff bill now known as the Dingley law. We were then in closest communion. Then it was that every man on that committee revealed to all his fellows his most characteristic qualities. Then it was that we learned from the inside the strength and the weakness of each other. We were engaged in a great work, one of stupendous importance to the nation at large and of more or less interest in its various features to each of us. Out of the struggle that ended in the framing of the Dingley bill we all came with an estimate of Mr. DINGLEY as a leader full of tact and resources, as a wise and conservative statesman worthy of the greatest of the chairmen of the past of the Committee on Ways and Means.

It is not for me to seek to penetrate the veil and speak of Mr. DINGLEY in that sphere in which as husband and father he was the beloved center. It was there that the graces of a Christian character made a happy home and furnished an example to bear fruit long after his time.

His life work ended, he died in the fullness of his fame, leaving to his countrymen the record of a useful life spent in their service and to his children the priceless legacy of a spotless name.

Mr. DOLLIVER. Mr. Speaker, the death of Governor DINGLEY has removed from public life one of the most useful men who has appeared in the national councils in this generation. His long service in this House gave him such a relation to national affairs that his untimely removal is in the nature of a national misfortune. He came into Congress in 1881, after a distinguished career in the legislature and the executive office of the State of Maine, and from the time of his entrance into the House was recognized as a trained and experienced legislator. He had a preparation for public life, based upon a liberal education in one of the most famous colleges in New England, besides the advantage which arises from the studies required for admission to the bar. In addition to this he was, throughout his life, identified with journalism, a circumstance which in itself greatly contributed to his usefulness as a statesman.

Mr. STEELE. Mr. Speaker, will my good friend the gentleman from Iowa permit me to inject into his address a brief expression of my appreciation of our departed friend?

Mr. DOLLIVER. Certainly.

Mr. STEELE. In an experience of nearly twelve years I do not think I have known a member of this House who has so industriously, so efficiently, and so ably devoted his time to the best interests of our great country, and at the same time has so faithfully, so successfully, or more unselfishly served the people of his own beloved State. He was a man of unusual information and ability, of unquestioned integrity, was respected and honored by all good people, more especially so by those who had the pleasure of his personal acquaintance.

Mr. DOLLIVER. He had the wisdom to understand that the range of public affairs is too broad to permit a man to become an authority in all its departments. He therefore, following the natural bent of his mind, deliberately identified himself with that branch of public affairs which deals with the fiscal problems of the Government, with the creation and disposition of the national revenues, and with the larger problems that relate to the coinage and currency of the country.

While he was alive his preeminence in these fields of research and controversy, generously conceded by all, invited neither envy nor jealousy, so that we only repeat the tribute ungrudgingly paid to the living statesman on all hands when it is said, now that the labors of his life are done, that no man of his time equaled him in the mastery of the complex and difficult problems which concern the Treasury of the United States.

In other matters the House may have turned to others for authoritative statements of fact and suggestions of policy, but when the questions of coinage, banking and currency, of ways and means were before the House every member acquiesced in the universal confidence in the profound knowledge of Governor DINGLEY upon these subjects.

It was not an accident that he occupied this unique relation to the affairs of the Government, for to a natural adaptation to studies of this character he added an industry with which he pursued his favorite themes without weariness and without vacation. We have heard it said that Governor DINGLEY owed little to natural talents and everything to unremitting labor. It is nearer the truth to say that he was sagacious enough to know that even the possession of extraordinary gifts is futile unless they are put into the harness and driven by a steady and severe hand.

He was an example of the intellectual type that takes nothing for granted, that stands upon the solid rock of fact and truth,

perfecting every detail with patient care, until at last men looked upon him as a leader and teacher of his fellow-men.

It is probable that Mr. DINGLEY regarded his labor in the present Congress as his most important public work, and there is no doubt that his name will be chiefly known to posterity in connection with the fiscal legislation of 1897. It was my good fortune to be associated with him in the preparation of the tariff law which bears his name. For many months prior to the extraordinary session of this Congress he sat at the head of the table, surrounded by the ten members of the Ways and Means Committee belonging to his own party, conducting the investigations which resulted in the original draft of the Dingley tariff bill. They were months of labor, without a day of recreation and without an hour of leisure. The chairman of the committee, even then to all appearances frail and uncertain in strength, brought to the business in hand that wealth of accurate information, that vast store of definite knowledge, that unflagging zeal of personal attention which left his colleagues in daily astonishment as they came to see the fullness of his equipment in the field of practical legislation.

The minute details of previous legislation from the first tariff law to the last, and the history of American industries, great and small, including the vicissitudes of the business world, seemed to be within easy reach of his infallible memory, so that he could neither be deceived by the petitions of those who asked for duties unreasonably high nor the protests of those who sought to reduce them to a point unreasonably low. In this bewildering mass of statistics, official reports, price lists, and personal statements, Governor DINGLEY moved about like a man perfectly at home, never failing to get at the facts, never hesitating to cast aside hearsays from whatever quarter, and when the work was over and the bill approved by the House without an amendment not suggested by the committee, every man associated with him, in addition to admiration for the statesman, found in his heart a sincere affection for the man himself, for the unostentatious colleague whose greatness as a leader only emphasized his kindness and generosity as a friend.

In so far as his fame rests upon what he said and what he did, it is preserved in the RECORD of the proceedings of this House. That RECORD will show to future generations the wisdom with which he approached the questions of his time. His speeches upon this floor have a permanent value to the student and the historian, not only because of their trustworthy statement of the matters under consideration, but because they are inseparably connected with the national policies by which the business affairs of the Government have been guided.

But it is true of Governor DINGLEY, as of all others who have been influential in shaping great events, that we naturally turn away from the public arena in which he acted so conspicuous a part to recall the attributes of personal character, upon which, after all, every great reputation rests. Men followed Governor DINGLEY because they believed in him, and they believed in him because his life displayed, even in the smallest affairs, a fixed and immovable integrity.

His character was greater than his intellect and dominated every faculty that was in him. It exhibited that strong fiber of moral conviction, that inflexible vigor of conscience, which has done more to make the nation what it is than all the triumphs of genius, than all the ornaments of learning.

It was a character based upon the religious creed of our ancestors, a survival of the Puritan ages, so sure and steadfast that it seemed a little strange, from a common, worldly point of view, to find a man going about amongst us, the guide of the political thought of millions of people, the counselor of Cabinets and of Presidents, the trusted leader of a political party, whose funeral brought together in this Chamber the high officials of every department of this Government and the representatives of all the nations of the earth in a stately national ceremony, who had preserved the perfect ideal of Christian manhood and amid the vicissitudes of a long career had literally kept himself unspotted from the world.

The leadership of such a man in times like these is in the nature of a national benediction. It shows that in the midst of the evil tendencies of wealth and luxury the sources of the national life have not been corrupted, for while a single New England homestead may nurture such a man, it takes the scattered homesteads of a great nation to support and give significance to such a career.

The hope of the Republic lies in these old-fashioned homesteads, with their tables spread with the frugal comforts of life and their family altars made sublime by simple faith in God. The statesman in whose memory we are assembled here to-day illustrated before our eyes the homely virtues of the men and women who laid the foundations of society in the New World. They looked forward not alone to material prosperity. They had an eye also for the higher concerns of the community, so that, side by side with the material progress of the nation, the intellectual and moral interests of the people have been advanced, until to-day the real estate of the Republic is not the boundless territory of the national domain, nor its real wealth the accumulated sum of its property, nor its real life the unnumbered millions of its people, for after you have gathered together all the statistics of material prosperity you have yet to find by the quiet firesides of an upright people the authentic census of a great commonwealth.

Mr. HOPKINS. Mr. Speaker, I desire on this sad yet interesting occasion to add my meed of praise to the memory of our departed friend and colleague. I shall leave it to others who knew him longer and better to speak of his early manhood and of the training that he had preparatory to his entering upon his great career in this House. My acquaintance with Mr. DINGLEY commenced in the Forty-ninth Congress. When I came here at that time he had served his district and State faithfully and well in our national councils for a number of years and had already attained a commanding position with his colleagues.

As a new member, I naturally made a careful study of the leading members of that Congress, and of all the men who then and since have filled conspicuous places in the public mind Mr. DINGLEY was one of the if not the most interesting character. He was not gifted by nature with a voice and person that would attract attention. What he gained in the way of public distinction was in spite of many personal defects. It was the superb quality of his mind and that never-tiring industry so characteristic of him that placed him in the foremost rank of the public men of the day. Whatever he had in hand to do he did well. He was a good parliamentarian, well versed in the science of finance, thoroughly conversant with the principles of political economy, and as a member of the Appropriations Committee he distinguished himself for the depth and variety of his information. As chairman of the Committee on Ways and Means he has inseparably connected his name with the legislative history of our country in connection with the law now on our statute book known as the Dingley law.

None of us dreamed at the opening of the present session of Congress that his earthly career was so nearly ended. Up to the holiday recess he came daily among us in the committee room and as leader on this floor with all the old-time vigor, courtesy, and firmness that have marked his leadership. He had the entire confidence not only of his Republican colleagues, but of our Democratic friends as well. Whenever he arose to address the Chair on any subject relating to legislation he was listened to with respectful attention, and his words made a deep impress upon his political friends as well as those in political opposition.

I think during my experience on this floor, for now nearly fourteen years, that I have never known a member more universally beloved, whose opinions were more highly regarded, or whose influence was greater than that of Mr. DINGLEY. He was an ideal American, and while the Second district and the State of Maine may claim him, he had long since outgrown those environments and stood forth a man of national character, whose ability and influence were dedicated to the service of his country. He exerted an influence upon legislation second to none of the men of our time. I can not, owing to the number who are to pay their tribute to his memory to-day, dwell at any length upon the characteristics which made Mr. DINGLEY the successful public man he became and so endeared him to his family and to his friends. His life was well rounded, and it was indeed a happy one. He achieved a success in public affairs realized by few of his contemporaries. In his domestic relations he enjoyed a felicity which falls to the lot of few. In his death we feel a personal bereavement and the public have sustained an irreparable loss.

Mr. TAWNEY. Mr. Speaker, if it were not for the sacred demands which the dead make upon the living, I should prefer to leave undone that which I am about to do.

The esteem we bore him, the services he rendered to us and the country, the man he was and is—all these are the peculiar possessions of the heart, and it is with the greatest reluctance that we ignore her grief at the present hour and bid her deliver up her treasures.

Half the charm of men is usually lost under the pressure of work and the irritation of haste; and surely the citizen, journalist, legislator, statesman, and scholar whose life we honor and whose death we mourn to-day was one of the most industrious of men, but he was in an eminent degree an exception to that rule.

He possessed a grace of manner and a thoughtful considerateness in word and act, particularly in his intercourse with the younger members of the House, which made him dearer than a friend to many of us.

When, in all his years of service on this floor, has he not stood ready to impart information and counsel to his colleagues? Who, in the annals of this numerous and eminent body, has enjoyed the friendship of so many men, of all political parties, as he has? Among the distinguished leaders upon this floor in the past, who enjoyed the confidence of his colleagues and followers to a greater

degree than he did? Did not all feel stronger because of his presence, and did not our hearts pause for a moment when we heard the sad news?

Many of those who knew Mr. DINGLEY here would, I believe, have preferred to leave unspoken the esteem in which we held him, so personal is the loss we feel; but silence does not become the living when a soul has passed from earth, and especially such a soul as his. The desire for immortality which burns in every breast bids us break the spell of grief and speak; the innate respect we rightfully feel for all that appertains to human life and its sorrows bids us speak; our gratitude for the duty he performed and for the life of industry and integrity he lived bids us speak.

The dead, sir, in this matter are the undisputed masters of the living. The lives of great men live and should live after them, as molding forces in succeeding generations, and I take it to be an obligation which devolves upon the living to describe the achievements, define the principles, and immortalize the virtues of those who weary of life's burdens and fall asleep in their midst.

Nor is it fitting that the cause of the solemn ceremonies which we have recently witnessed in this Chamber should lack commemoration. The ambassadors and ministers of foreign powers came here; the Supreme Court and the Senate of the United States adjourned their sessions out of respect for the dead and sought places upon this floor; the President of the United States and his Cabinet were here; these walls were adorned with flowers and bathed in sacred song and oratory.

It is fitting, therefore, that we should pause for a few brief hours to recount the labors and define the ideals which hovered like angels about the life of our honored colleague and beloved friend.

The life of NELSON DINGLEY reminds me of nothing so much as of a majestic ship moving cautiously from its home port and grandly plowing the deep, gathering strength from each fresh encounter with wind and wave, until, out upon the high seas, while in the full enjoyment of proud dominion over the elements, almost without warning, sharp rocks crash into her bow, and the towering citadel of the sea, loaded with wealth and throbbing with power, sinks deeper than a plummet's sounding into the dark and swirling tide.

His life was one of steady progress and ever-increasing strength and usefulness. He was a boy on the farm, with high ideals and noble resolves; a student at college, at the head of his class; a journalist, with ready pen and broad information; a lawyer, of profound scholarship; a legislator, who loved truth and fairness; a governor, of wise discrimination and an able executive; a statesman, than whom none possessed a more complete mastery of the facts and principles appertaining to national policies and to the administrative affairs of the Government; a party leader of sincere devotion and reliable judgment, who led, not by the power of will alone, nor by persuasive eloquence, but by a charm of manner, a sincerity of purpose, a considerate regard for the opinions of others, and a masterful command of every detail of situation which inspired that confidence without which successful leadership is impossible.

In all the circumstances of his life he was an upright, industrious citizen and kindly neighbor, serving with the great talents God had given him his day and generation; and when the message came, as come it will to every man, and he was called to join the innumerable throngs which move to the silent halls of death, it found him in the midst of happiness among the scenes of his greatest usefulness and intensely devoted to those purposes which had been the guiding stars of his life.

It is said that Mr. DINGLEY was not a genius, and if to be a genius is to be eccentric, meteoric, and convulsive, the remark is certainly true. There was no steadier, saner man. But who is there that will maintain that he did not possess a truly great intelligence? Who would deny that his was the seeing eye and the faithful hand? And, moreover, he possessed a quality more valuable to the world than genius—a quality that gives to genius all its worth, a capacity and love for toil with both hand and brain.

He was not, like Achilles, talented beyond both Greeks and Trojans, but driven by passions stronger than himself. He was rather like Ulysses or Diomede, far-seeing, faithful, and prepared. He loved law and order and hated chaos. Like Socrates, the greatest of the Athenian statesmen, he obeyed the laws of both church and state, even when he could not, in all the length and breadth of his catholic mind, respect them. He was practical, useful, and efficient. His great service to us and to his country was unobtrusive, not strained, and it had the quality of mercy, "which droppeth like the gentle rain from heaven upon the place beneath."

How beautifully did he describe those virtues which he himself possessed when on the 2d of February, 1886, he paid his last tribute to the deceased ex-Senator from Indiana and Vice-President of the United States, Thomas A. Hendricks.

The kindliness of his manner—

Said Mr. DINGLEY—

his affability toward all who approached him, and his uniform courtesy to the humblest united with a dignity and self-poise which lent a charm to his presence and made him hosts of friends, and even disarmed to a certain extent the criticism of political opponents. In the heat of party politics, characterized so often by unjust assaults upon personal character, I do not remember to have heard or read any charge reflecting on Mr. Hendricks's integrity. Certainly, if any such charge was made, it fell harmless at his feet. His private life was above reproach, and his example a beneficent influence in the community in which he lived. The loving tenderness of Mr. Hendricks's domestic life has made his memory in this respect a sweet savor wherever happy homes are recognized as the citadel of national virtue and the hope of the world.

While Mr. DINGLEY had neither the physical presence nor the fluent manner of a magnetic public speaker, and while he did not possess the quality and flexibility of voice upon which successful oratory depends, nevertheless he spoke with marvelous effect, and never assumed the floor but to instruct and enlighten and thereby to mold the judgment of his colleagues. With the subtle arts of oratorical suggestion he was not conversant. He belonged rather to that small group of public men who represent the progressive tendency of the age toward intellectualism.

The sphere for forensic discussion grows steadily narrower as the life of the American people becomes more and more complicated and its problems more difficult. The demand for sheer intelligence becomes greater. The work of the committee has, to a large extent, already supplanted open discussion. The wide and accurate information of the student is needed to-day rather than the insidious graces and poetic suggestions of the orator. The entire country has changed since the days of Webster, Clay, and Calhoun. And in this respect Mr. DINGLEY, I repeat, belonged rather to the advancing tendency. For I take it we are coming to the time when a great memory, clear thought, and profound learning in the affairs of state will be indispensable qualifications of those who aim to attain to usefulness in this body.

But NELSON DINGLEY possessed more than a great intelligence and a capacity for toil. He was justly esteemed as a citizen and a man. He had strong, pure affections that bound him to his country and to his friends like bands of steel.

> He seemed the thing he was, and joined
> Each office of the social hour
> To noble manners, as the flower
> And native growth of noble mind,
> And thus he bore without abuse
> The grand old name of gentleman.

Mr. DINGLEY possessed in an eminent degree the quality which we well name integrity, wholeness; for he was never two or many persons, but everywhere the same. To whatever position he was called, NELSON DINGLEY was always self-identical. He championed upon all appropriate occasions not only noble, but the noblest principles within his knowledge. His character had but few blemishes and many excellences. He was in the truest sense a religious man and could with perfect consistency say that for him "religion is life or neither is anything." He left all word battles and dogmatic narrowness to men of smaller minds. Beliefs were to him simply rules of action, attitudes toward the world. He seemed to be above all mere partisanship, whether ecclesiastical or political. His affiliations with the institutions of his time were the natural and inevitable outgrowth of his convictions. In all things he seemed, like Abraham of old, to seek for "a city which hath foundations, whose builder and maker is God."

It was this which gave to his life and character its unusual unity and poise. He stood—

> Like some tall cliff that lifts its awful form,
> Swells from the vale and midway leaves the storm.
> Though 'round its breast the rolling clouds are spread,
> Eternal sunshine settles on its head.

In my personal intercourse with Mr. DINGLEY, during the last two Congresses on the Committee on Ways and Means, of which he was chairman, I, like many of you, came to think of him with esteem and affection. His kindliness and patience, his industry, and his great ability profoundly impressed me. I had come to rely upon his judgment in many things, and the news of his death brought with it a sense of personal loss.

I know of no sincerer compliment which the living pay the dead than their sorrow; and as for NELSON DINGLEY, with all my heart I wish he were living still. There was, there is, no simpler, gentler, manlier man.

Mr. JOHNSON of North Dakota. Mr. Speaker, when the members of the Fifty-second Congress, in December, 1891, assembled in this historic Chamber and cast lots for seats, it so happened that Mr. DINGLEY, of Maine, did not hear his name when called.

The result was he had to take the one vacant seat in the rear row after all others had been selected. My name was called early in the drawing and I had selected seat No. 27, on the Republican side, now occupied by the gentleman from Minnesota, Mr. FLETCHER.

Being a new member from a new State, I really preferred the back seat which had fallen to Mr. DINGLEY's lot.

Next morning he accepted my offer to exchange seats.

No. 27 was the very seat which he had occupied for many years in preceding Congresses.

This little incident, so insignificant in itself, is now cherished as one of the happiest episodes of my Congressional life. It gave me the acquaintance and good will and in time the friendship of one of the noblest, truest, and purest minds and characters that American statesmanship has ever developed. He was always so helpful, so kind, and so thoughtful of us new members. Our admiration for and appreciation of him grew with the passing years. We of his own political household followed him unfalteringly, sometimes walking by faith more than by sight, through the years when our party here was in a hopeless minority. We rallied around him with confidence and courage when a turn in the wheel of political fortune made him the floor leader of a triumphant majority. In victory or in defeat he never failed us.

He knew well political history, the sources of revenue for the Federal Treasury, and the objects for which the public money could properly be expended. His accurate knowledge and comprehensive grasp of public affairs commanded our respect, and his integrity of character won our unbounded confidence.

Respect for his knowledge and confidence in his integrity gave to this man his commanding influence while living, and they will insure for him an earthly immortality in the Pantheon of his country's history.

The encouraging thought in connection with such a life is that the renown and success achieved by him were due to neither wealth nor hereditary rank, nor yet to any peculiar great natural gift of oratorical or other intellectual endowment not vouchsafed to common mortals.

The homely virtues that made him respected and loved are the potential heritage of every American youth.

Knowledge is acquired and can be acquired by all who are willing to pay the price in patient, persevering, self-denying study. Integrity does not even have to be acquired. It is an original patrimony, possessed by all who do not intentionally or negligently throw it away.

It may be news to some, but it is a fact that the "Congressional Temperance Society" is the oldest temperance society in America. For sixty-five consecutive years it has held aloft the banners of temperance on the battlements of this Capitol. For the last half score of years or more Mr. DINGLEY has been our president. We shall sadly miss him at future meetings. But the cause must not suffer. Other hands must seize the colors he relinquished. "The workman may fall, but the work must go on."

Wherever assigned to duty he did his work well. Appropriations, commerce, and the national defense by land and sea each claimed his attention and responded to the touch of his guidance in a manner always calculated to enhance the happiness and prosperity of the people and the enduring glory of the Republic.

But his greatest achievement, for which his countrymen, and especially we of his own political party, will ever cherish his name and memory, was writing upon our statute book the revenue law of 1897, popularly, and very properly, known as the Dingley law.

All his associates on the committee labored faithfully and industriously on certain schedules; Mr. DINGLEY mastered every detail of every schedule.

When our work was concluded, he remarked one day that we had done three times as much hard work as any committee had ever done on any tariff bill before; and he knew, for he had served on the Ways and Means Committee during the revisions of 1890 and 1894.

Soon after completing these arduous tasks the Spanish war came on, necessitating the levy and collection of hundreds of millions of additional revenue. How wisely the crisis was met, both in strengthening the public credit and in levying the necessary additional taxes where they produced the least hardship, the present condition of our industries and finances amply attest.

The honor of these achievements are due, not exclusively, but largely, and I might say mainly, to Mr. DINGLEY.

Then, when summer vacation came and the rest of us scattered to the seaside, the mountains, and the prairies for rest and recreation, renewing our health and strength for the labors of another year, Mr. DINGLEY went to work harder than ever in the service of his country on the Canadian Joint High Commission.

The intellectual and spiritual man shone out brighter and stronger than ever, but the physical broke down. The pitcher was broken at the fountain.

As literally and as cheerfully as ever a soldier died in battle did this hard-working, model American statesman give up his life in the service of his country. Peace to his ashes. Blessed be his memory.

Mr. COUSINS. Mr. Speaker, when a good man dies his country feels the shock. When one who has been useful to his generation suddenly departs, mankind involuntarily say: "What shall we do now?" The Hon. NELSON DINGLEY was both good and useful in such wonderful degree that he was great. If all the people of America could know how true he was to duty, how diligent to every detail of their interests, how faithful to the country's cause, how genuine in character, how gentle in his disposition, how solicitous for the public welfare this man at all times was, to-day would be universally observed throughout the land in paying tribute to his memory.

But he was not covetous of notoriety. His voice was not heard far, though the fruit of his intelligence and labor falls in rich abundance wherever industry prevails. He left the richest legacy of his ability and industry in the legislation of his country. Every citizen is his legatee. Men will enjoy the benefits of his toil and maybe never know his name nor comprehend his thought. The wheels were spinning and the axles whirling on the day of his demise. Labor has received increased rewards, and the faces of its children, once haggard with the marks of hunger, are gleaming now with joy—unconscious tributes to the wisdom and the usefulness of him whose loss our nation mourns.

To this faithful servant of our country, to this gentle, truthful comrade of every earnest Representative in the Congress of America, I pay the tribute of a constituency who appreciate essential worth and genuine manhood, who understand the value of good deeds, the vanity of praise, and something of the loss our country suffers in the death of one like him.

Mr. DOCKERY. Mr. Speaker, it is a melancholy duty, and yet a privilege not to be foregone, to speak a word touching the exemplary life of the friend and colleague who has so lately passed from us—of him whose amiable personal qualities, exalted attainments, and national distinction endeared him to us all in so great a degree.

What little I shall add to that which has already been so well said by others deals particularly with a phase of his career and character which came under my direct observation in my experience as a co-worker with him in the public service.

NELSON DINGLEY, Jr., entered Congress as the successor of Hon. William P. Frye, from the Second Maine District, two years before my entry here; but even those two short years had enabled him to take a prominent rank in the House. From that date until his untimely death a few weeks since, I witnessed with pleasure his rapid rise in the confidence of his party and the esteem of the House, and his continuous growth in great usefulness to the country.

He has gone from us so recently that it is hard to realize that his familiar presence is not among us still, and even harder yet to know that we shall never more see him in his customary seat in this Hall, or at his post on the floor, or in his wonted place at the committee table. It is painful to adjust ourselves to the stony reality of fact with respect to his departure—painful to think that he has gone irrecoverably on his long journey to

> The undiscovered country, from whose bourne
> No traveler returns.

Mr. Speaker, it is altogether idle to say merely that we miss him, that we shall always miss him, that the peculiar place he occupied in our regard and affections can never be filled by another just as he filled it. The bonds of tried friendship and the ties of warm comradeship can not be thus broken asunder in a moment without a cruel shock of surprise and grief. In the endurance of such a calamity the heart recovers but slowly, and time alone can heal the sundered ligaments and soothe the throbbing of the anguished nerves.

Yes, he has gone from us so recently that his personality is as fresh before our minds as though we had heard him bid us good morning but an hour ago. We can see before us his frail figure, clad in the scholar's black; his grave and sensitive countenance, touched with the "pale cast of thought;" his dark, eagle eye, beaming with intelligence and kindliness; his black hair and beard, his nervous hands, his quick movements, his unassuming manner, his cheerful, reassuring presence.

We all know that his temperament and disposition were alike lovable and rare. All his instincts were kindly and humane. He was utterly devoid of malice. His heart was warm and gentle as a woman's, and his conscience as delicate and keen. None of us, even in the acrimonies of debate and in the fiercest struggles in the legislative arena here, ever heard an unkind word fall from his lips. His temper was of the sweetest, inoffensive, beneficent. So far as my own knowledge and observation extend, all outward manifestations of anger, resentment, and irritation were unknown to him and to his conduct in life. He never considered or treated public questions from the personal side or from the private or individual standpoint. On the contrary, his treatment of such questions was invariably abstract and impersonal, whether they were distinctly political or public in a wider sense.

Governor Dingley had exact and accurate knowledge upon a greater variety and a wider range of subjects of public concern than perhaps any contemporary in public life. His invaluable store of knowledge was the harvest of long years spent in patient study and investigation after a manner exclusively his own. So far as his habits of work were concerned, the dominating and

distinctive characteristics were his extraordinary industry, his method, his system, his economy of time, and his utilization of opportunity. He was a tireless student, an indefatigable investigator, a close observer, a clear thinker—

Deep and slow, exhausting thought,
And hiving wisdom with each studious year.

Possessed of richest stores of information on almost all public questions, he never wasted them on unworthy objects or diverted them to idle uses, but employed them effectively and brilliantly when the suitable occasion presented. His memory was wonderful, and equally so was that complementary faculty, his power of analysis. He had the seeing eye and the trained hand; the sense to discern and grasp essential principles hidden in the mass of external wrappings. In addition he had a strong synthetic or constructive faculty, which he put to the noblest use. Indeed, his equipment for the public service, by reason of his thorough knowledge and practical experience of so many things, was such that he had few equals and no superiors in numerous lines of intricate legislative work. And he left the clear impress of his strong individuality upon much of the most important legislation enacted by Congress within the past fifteen years.

In a strictly political sense Governor Dingley was an intense and uncompromising partisan. But as a statesman, exercising his talents in a larger field, he was an ardent lover and a potent champion of good government for its own sake; and as such he was always ready on adequate occasions to subordinate partisan advantage to the public welfare.

Mr. Speaker, I had myself the best opportunities of knowing this and of becoming intimately familiar with his character and methods, through my close association with him on the Committee on Appropriations, and particularly through my still closer association with him on what is commonly known as the "Dockery Commission" to reconstruct the accounting system of the Government—when we labored together without interruption during a long interval, and always in the completest confidence and most perfect harmony.

The so-called Dockery Commission was organized by the act approved March 3, 1893, continuing for two years, and consisted, on the part of the House, of Governor DINGLEY, JAMES D. RICHARDSON, of Tennessee, and myself, as chairman, and on the part of the Senate of FRANCIS M. COCKRELL, of Missouri, SHELBY M. CULLOM, of Illinois, and JAMES K. JONES, of Arkansas, with Mr. James C. Courts and Mr. Thomas P. Cleaves, clerks respectively of the House and Senate Committees on Appropriations, serving as invaluable aids.

In pursuing its labors the Commission largely relied upon the sound judgment of Mr. DINGLEY. He united in a peculiar degree, legislative and executive capacity of the highest order. Night after night, for a period of two busy years, we met, either in the room of the House Committee on Appropriations or in some one of the rooms of the Treasury, working out, with scrupulous care, the details of the new accounting system, whose great object was to expedite the accounting methods of the Government, to secure economy, and yet to retain at the same time all necessary safeguards.

That exceedingly important work—for it must be so regarded, dealing as it does with the expenditure of more than $500,000,000 annually—was antagonized at almost every step by those who were led to believe that the marvelous advance and progress of the century could find no exemplification in a governmental accounting system. It was also opposed by that other large class who feared displacement from public position by reason of improved and up-to-date business methods. Although confronted with this opposition, oftentime from his own political friends, Governor Dingley never wavered. Indeed, the Commission was unanimous in all its findings—an agreement at the outset having been made that nothing should be reported to Congress unless it had the sanction and accorded with the united judgment of all the members of the commission. A great many reforms were accomplished during those two years.

The new accounting system, however, the most important fruit of the Commission's labors, went into effect October 1, 1894, and has had the indorsement of all the officials charged with its execution. The Commission, by a simplification of business methods and by dispensing with a cumbrous mass of "red tape," was enabled to effect a reduction of expenses for all time, amounting specifically to $607,591 every year. Indirectly this saving exceeds $800,000 each year. And it is a source of sincere gratification to me to be permitted to pay a deserved tribute to the memory of Governor Dingley for his hearty, unselfish, steadfast, and efficient cooperation in the accomplishment of this result.

Mr. Speaker, Governor DINGLEY was my personal friend. The friendship established now nearly sixteen years ago was strengthened with the passing years. Great changes in the membership of this House have occurred since I first made his acquaintance in December, 1883, at the opening of the Forty-eighth Congress. Of the Representatives of the House at that time, only seventeen are now members of this body—Messrs. BINGHAM, ERMENTROUT, BRUMM, and HARMER, of Pennsylvania; Messrs. REED and BOUTELLE, of Maine; Messrs. CANNON and HITT, of Illinois; Messrs. PAYNE, RAY, and WADSWORTH, of New York; Messrs. HENDERSON and HEPBURN, of Iowa; Mr. BLAND and myself, of Missouri; Mr. STEELE, of Indiana, and Mr. LANHAM, of Texas.

All the others have gone—some into the busy activities of private life, but many, very many, have preceded DINGLEY to the Great Hereafter.

And now, Mr. Speaker, in concluding this tribute to the memory of my friend, Governor DINGLEY, I declare, in the language of sincere affection, that he was honest, capable, incorruptible, and faithful to every public duty.

Life! I know not what thou art,
But this I know, that thou and I must part;
And when or where or how we met,
I own to me 's a secret yet.

Life! we 've been long together,
Through pleasant and through cloudy weather.
'Tis hard to part when friends are dear,
Perhaps 'twill cost a sigh, a tear—
Then steal away—give little warning;
Choose thine own time: say not "Good night!"
But in some brighter clime bid me "Good morning!"

Mr. RUSSELL. Mr. Speaker, for nearly twelve years I was acquainted with Mr. DINGLEY as a member of this House; for nearly four years associated with him on the Committee on Ways and Means. During all that time it was my pleasure to live while in Washington at the same hotel where the distinguished leader resided. Thus I came to know him in a social and friendly way beyond what is the privilege and opportunity of Congressional association. Others may speak of his distinguished public service, his influence and direction in this House, his wise and able legislation, his eminent qualities as a statesman. We all recognize the worth and the distinction of his publ c career.

But I would be amiss to my own keen feeling of love and regard for the departed friend if I failed on this occasion to bring tribute to his memory because of the affectionate, kindly, helpful character of the man in all the associations and actions of his private life. Every day doing the work and carrying the burdens of public service, yet every day he was mindful of others and helpful and cheery for them. His public service was performed without parade or bluster. His friendship and his assistance to those with whom he daily met and lived was quietly and constantly given. His character and influence and encouragement all flowed out as wellsprings of vigor and stimulation into the lives and into the hopes of those who knew him and among whom he lived.

Mr. EVANS. I yield to others the pleasure of speaking of Mr. DINGLEY in more elaborate terms, and shall limit myself to a few brief remarks about him as I saw him during the four years of my active participation with him in the labors of this body and of one of its important committees.

In giving my estimate of him as a man and as a public servant I shall indulge in no mere extravagant laudation, but shall endeavor to rate him at his real worth to the country.

I knew Mr. DINGLEY for something over fifteen years, though not at all intimately until I came to the House and began my service as a member of the great committee of which he for four years was the eminent and efficient chairman. From the beginning of his chairmanship in the Fifty-fourth Congress great and important duties developed upon him, and before the expiration of that Congress, inasmuch as all the Republican members of that committee had also been elected members of the Fifty-fifth Congress, and as the Presidency had also fallen to that party, the work of preparing a tariff bill to supersede the act of 1894, known as the Wilson bill, was actively begun by those members under Mr. DINGLEY's guidance and leadership.

It was a long, a tedious, and a most exacting labor, extending over several months, but by the 15th day of March, 1897, when the Fifty-fifth Congress convened in extraordinary session, the draft of the new tariff bill, which was to take his honored name, was ready to be submitted to the new House. How skillfully he guided it through all its subsequent parliamentary stages is known to all.

It was for labors like these that Mr. DINGLEY's equipment was superb. In all the fiscal concerns of the Government he was remarkably expert and preeminently useful. These great matters of the first practical importance to the country claimed and always received his most faithful and intelligent attention. Indeed, it is much to be doubted whether within the present century any statesman has appeared more thoroughly equipped for the work involved in such legislation. His knowledge of all fiscal affairs and of all that pertained to them—statute law, practice, rules, and regulations—was astonishingly thorough and accurate.

While his powers as a mere orator were not conspicuous (measuring oratory by ordinary standards), no one commanded more

attention when speaking to the House, and this was because what he said was sure to be most thoughtful, accurate, and wise.

In fact, Mr. Speaker, I have sometimes thought that if of any man of our day it could be truly said that he had been worth his weight in gold to his country that man was NELSON DINGLEY. The value of his services, not merely in saving money to the Treasury, but in devising ways and means of getting it there without oppressing the people, was incalculable. In the list of great men who have been chairman of Ways and Means and leaders of the House he takes a high and most honored position.

He was a man not only of remarkable assiduity in the discharge of any duty, but of equally remarkable good judgment. His convictions of public duty were profound, his devotion to the public service most sincere and conscientious, and no man in the country more sedulously strove for the public welfare.

In fact, to labor for his country was his meat and drink, and his life was probably as certainly sacrificed to this as if he had died on the field of battle.

As a parliamentary leader Mr. DINGLEY had great skill and judgment, and his influence over the House was supreme. It was the leadership, too, of kindness and confidence, and not of harshness or truculency.

His private life and virtues were known to all men. No breath of scandal ever touched him.

Mr. Speaker, a truly great man has been taken from Congress and the country. The country suffers, his friends and surviving relatives deeply grieve, this body will long miss him and lament the absence of his wise counsel, but "through the gloomy portals of death" Mr. DINGLEY himself "has entered the radiant temple of enduring fame."

Mr. LINNEY. Mr. Speaker, all men would do well to talk and think much of death if they could thereby "tear one terror from the grave." The dread of death has reached and abides with all men; the thought has found its way into the elementary law books that men die intestate because they imagine that the making of a will brings them nearer the tomb. Indeed, any human condition is "a paradise to what we think of death."

On the 28th of February, 1843, the President of the United States and his Cabinet and many members of both Houses of Congress went aboard the steamer man-of-war *Princeton* to watch the workings of her two great guns, which threw balls to the weight of 225 pounds. One of her great guns exploded. The Secretary of the Navy, Secretary of State, and many other prominent men in the public service were killed. The gloom and sorrow of that day of death of the great forced reflections on the public mind of the instability and shadowy fleetingness of the pursuits and contests of life. Many who had fallen from the shock and were unconscious upon reviving testified that they had gone through the experience of a sudden death as if from lightning, which extinguishes knowledge and sensation.

Such an one knows what it is to die without feeling it, and such a death is nothing to him that revives. It is taught in the friar books that if any part of the human body is pressed or tortured we can then best imagine what the pains of death are when the whole body is corrupted and dissolved. Yet death passed, in the case of the explosion in the *Princeton* and blowing up of the *Maine*, with less pain than the torture of the finger's end. It may also be that the most vital parts are not the quickest of sense. Men too often forget in contemplating the dread monster that God has armed all his servants with forces that disarm death and extract the dreaded sting.

Stoic philosophy has lifted the black veil from death's abiding place and given to the weakest passions of the mind the power to mate and master the fear of death. Therefore, death is no such terrible enemy when a man has so many attendants about him that can win the combat over him. Revenge triumphs over death; love slights it; grief flieth to it; and Seneca adds that "a man would die though he were neither valiant nor miserable, only upon weariness to do the same things so oft and over and over." I ask, in the light of the character and services to the Republic and humanity of our great leader here, NELSON DINGLEY, who can say that a mind fixed and bent upon the loftiest conceptions of man's duty in high places occupied by him is not in a large measure freed from the dolors of death? We all know that he that dieth in earnest pursuit is like one wounded in hot blood—he is unconscious of the hurt.

Yes, it is a blessed prerogative the Creator has given man that in the path of righteousness and lofty aims there are attendants he can summon on the last battlefield of life to mate and match death. Death hath also this glorious attendant—it openeth good fame and extinguishes envy. But as an excellent musician can not utter himself upon a defective instrument, so death in its second kind office can not open good fame nor extinguish criticism in a man without the traits of nobility of character. Evil fame deserved is blacker than death, and death can not reduce a mountain of human folly. Indeed, there is a lingering, living death, more to be dreaded than the dissolution of the body. Who can imagine a greater calamity, a greater pain than that which overtakes a man who, though living, doth follow at the funeral of his own reputation?

'Twere long to tell and sad to trace
Each step from splendor to disgrace.

Such a life, if not a living death, is like "the young Venetian's scorpion girt with fire"—

As do the dark in soul expire,
Living like scorpion girt by fire,
So writhes the mind remorse hath riven,
Unfit for earth, undoomed for heaven.

No, 'tis not the length of days, but the goodness of them that makes a great life, that can destroy the sting of death. NELSON DINGLEY came fully up to the highest standard of a Christian philosopher's ideal of a great life. The last years of that life on the earth were his greatest.

In no sense did he follow at the funeral of his own reputation. He constantly advanced up the ladder of human excellence and usefulness to the end. I saw much of his intellectual power displayed in the Fifty-fourth and Fifty-fifth Congresses. To clip from the Journal and the CONGRESSIONAL RECORD the doings of the gentleman from Maine, Mr. DINGLEY, would mar the strength and beauty of these two sessions much more than to eliminate the work of any of his associates. The distinguished gentleman from Maine, the present Speaker of the House, once remarked to a member who inquired of him how the members from that State retained their places so long, "This, sir, is easy of solution; we increase our majority at every election."

Mr. DINGLEY deserved such continued increase of majorities at the polls because by his industry he daily increased his stock of information and enlarged his capacity for usefulness. It is indeed a high mark of merit to be named chairman of the Committee of Means and Ways of the House of Representatives of the United States. The work of the committee is perhaps greater now than at any prior period. It will possibly go into history that he was the greatest chairman this greatest committee ever had up to the day of his death. As a party leader Mr. DINGLEY possessed every quality of heart and head necessary for that delicate task. Superb reasoning powers, knowledge, and judgment were the lordly qualities that made him great. He was not an attractive speaker so far as the possession of mere oratorical gifts was concerned.

Despite certain infirmities of voice and want of a commanding presence that many of the great American orators possess, whenever he spoke he commanded to a remarkable degree the attention of this large body. In fact, no member ever gave attention to him on the most abstruse questions that have arisen here without being benefited. This vast fund of information which his indomitable energy and will placed at his command enabled him to obtain the ear of most members even in the most excited debates. His influence on the side of the House of which he was the acknowledged leader contributed much to good order. Large legislative bodies can only be kept in order by the staid judgment and steady purpose of one thoroughly equipped in parliamentary law as its presiding officer. And this would fail in a House composed of strong political organizations without a prudent, skillful leadership of each organization as an auxiliary to the presiding officer. The excitement founded in political struggles for supremacy can not always be kept without these wars. Here intemperate expressions in the heat of debate often stir both sides of the House to the point of frenzy quite as much as the debates at the hustings.

The angels were all singing out of tune
And hoarse with having little else to do,
Excepting to wind up the sun and moon
And crush a runaway young star or two.

Congressmen are not freer from excitement and tumult than Byron's "angels." The calm, philosophical temperament of NELSON DINGLEY in directing debate has often been of great value. Under his influence "tumult dwindled into calm." NELSON DINGLEY was a very great man. Often the allurements of exalted station and intellectual superiority displayed in purely mental contest, and other honors to which great minds aspire, root out of a man's life any recognition of Christianity. DINGLEY was great in the fiercest conflicts in this Chamber, but greater in his loyalty to the demands of morality and Christianity. That man is indeed an ideal statesman and Christian who stands the central figure in both politics and Christianity at the same time.

The armor which his great pure life had thrown around him possessed no weak spot that invited the shafts of malignancy. Since I have occupied a seat here I have attended two conventions, one in the interest of temperance, the other of the Sabbath. At each there were learned and pious bishops and many clergymen of exalted piety and learning. NELSON DINGLEY stood among them as he did among his fellows in this Chamber. The greatness of his public life as a patriot was more than equaled by his exalted purity of character and loyalty to truth as a Christian. It can not be

that this is the end of this great life; the spirit that tenanted the form of NELSON DINGLEY must live forever.

An ancient legend fitly presents the end of his life: The India fig tree, having grown to the period of fruitage, is said to let its branches fall down to the earth, whereof she conceived again and they became the root of their own stock. So man, having derived his being from the earth, first lives the life of this tree, drawing his nourishment as a plant, until, made ripe for death, he tends downward and is soon again in his mother earth, but receives quickening for the eternal life.

But here 'tis done—all words are idle;
Words from me are vainer still;
But the thoughts we can not bridle
Force their way—without the will.

Mr. PARKER of New Jersey. Mr. Speaker, we honor and mourn a bright and noble character, one that all of us knew, for its burning light so shone before men that they might see his good works.

He was every inch a man in force of character and strength, activity, acumen, and accuracy of mind, yet kind, sympathetic, and tactful as a woman; the best conditioned and unwearied spirit in doing courtesies, unflinching in his firmness and energy, with the fervor and hope that know no obstacles; possessing blended dignity and simplicity, force and gentleness, fire and judgment; full of the most varied knowledge, but never proud or intolerant of the ignorance of others; always a follower of conscience, and never yielding to prejudice; eager and yet controlled; restlessly active, but always patient; devoted to the great principles of the party that he loved and led, but never partisan; adroit as a politician and parliamentary leader, but always frank and absolutely true.

Thus he commanded the unfaltering allegiance of his party and the love and trust of every member of whatever shade of opinion, each of whom feels in the death of NELSON DINGLEY that he himself has lost a personal friend and that a pillar of the Commonwealth has fallen.

Mr. ALEXANDER. Mr. Speaker, my acquaintance with the Hon. NELSON DINGLEY began in the fall of 1865, at his home in Lewiston, while I was a student at the academy in Auburn. He was then 33 years of age, strong, vigorous, cautious in business, but a spirited journalist and an enterprising publisher, intent on building up a newspaper that should meet the needs of the whole State and place before its readers editorial views pitched on the highest plane of right thinking.

Already a prominent figure in his city, in his church, and in his State, he was gradually extending his influence throughout the adjoining Commonwealths, standing out conspicuously as a type of that Pilgrim character whose influence had given New England its commanding position and whose principles had been extended across a continent.

In all respects his life conformed to the high ideals which he had early accepted for his personal guidance. He attended with conspicuous regularity the services of the church, took an active and most interested part in home and foreign missions, and performed with scrupulous care all the labor which such devotion to the cause of religion placed upon him, yet without narrowness or bigotry, and untouched with the slightest taint of cant or pharisaism. He was likewise deeply interested in charitable and reform movements, his voice and his pen being at the ready command of whatever promised good, and was in accord with the best judgment of the best men.

At this period, too, he was about entering for the fourth time the lower house of the State legislature, of which he had already been twice speaker, a position that gave him rare opportunity to reveal a character for integrity and fairness and a judgment as excellent as it was substantial. He was much interested in politics, and undoubtedly most ambitious for its honors and its opportunities. Probably no man in Maine watched or studied with keener interest the great problems of national finance and reconstruction. The editorial pages of the Lewiston Journal evidenced the serious attention its young editor and proprietor was giving to these important questions, showing that even then, although sixteen years must elapse before he was to enter this House, a foundation was being laid for great usefulness whenever he might be called to this broader and more inviting field.

But, Mr. Speaker, his ambition, however well defined and persistent, never influenced or swerved him an iota from the principles governing his daily life. He was then, as ever after, absolutely temperate in his habits, yet so modest in the application of principle to conduct that he gave no offense to those who desired for themselves larger personal liberty in a Commonwealth that had set its seal of disapproval upon the customs and habits which had formerly, though comparatively to a limited extent, obtained in the Pine Tree State.

It was at this time, too, well understood that his business and political methods squared with his well-known character for right living. The Golden Rule governed his conduct on Monday as well as on Sunday, no business project, although illuminated by the glitter of much gold, no political scheme, however promising to present or future preferment, being allowed to divorce him from this principle. And the people sincerely loved and respected him for it.

Mr. Speaker, it may be safely asserted that no man at the age of 33, living at any time in any State, ever held a firmer place in the hearts and the confidence of the whole people of a Commonwealth than did Mr. DINGLEY in 1865 in the State of Maine. This is the more remarkable, perhaps, when coupled with the fact that he had been out of college but ten years.

Probably with equal confidence can it be asserted that such regard was based almost wholly upon his well-known character. His ability was fully recognized, and the painstaking thoroughness for which he has been conspicuous in this House had manifested itself while yet he was in college. A careful speaker and profound thinker, he shared the honors of debate with the ablest and oldest men in church council and legislative hall, while as a journalist he was easily classed with the editor and brilliant Congressman whose home was then in Augusta.

But the conspicuous regard shown Mr. DINGLEY and the people's willingness to trust and honor him, to accept his judgment, and to rely upon his leadership was due largely to the fact that he was then, as ever after, an ideal man in all that goes to make up sterling character. With him character was born, not made, and right action seemed as natural and as unconsciously taken as a breath of mountain air. Doubtless he had his temptations, but the world was not permitted to see so much as the footmarks of the struggle.

Yet he was in no sense austere or narrow or severe. He had no criticism for neighbors. If his life differed from theirs, he seemed unconscious of it. Affable, kind, remarkably sympathetic and gentle, he mingled freely with men of all sorts and conditions, without mannerism or affectation—a plain citizen whose life had been seamed with toil and sweat, who had known obscurity and battled with adversity, who claimed no superiority and sought nothing that was not readily accorded him.

Although one of the busiest men in Lewiston, he easily found time to listen to the wants of young men, students who flocked to the academy in Auburn and to the college in his own city, taking ample time, before giving advice, thoroughly to understand their situation, their needs, their aims, and their possibilities. At such times the one sentence that he oftenest repeated, drawn doubtless from his own experience, was the necessity for hard, conscientious, persistent work, without discouragement or change of purpose, along lines that offered the most attraction.

To a student of 19 Mr. DINGLEY seemed not 33 but 60 years old, so varied and important was his work, so high his standing, so interested in all movements touching life, so rich in experience, so devoted in his attentions, so wide in his acquaintance. He was already a trusted adviser in the municipal affairs of his city, a favorite of the president and trustees of the college that graduated him, an important factor in the councils of the Congregational Church, and the welcomed guest of every town and city in his State.

Mr. Speaker, it can create no surprise that such a man at 33 should be at 66 the respected, the forceful, and the patriotic leader of this House, recognized not only in Maine and New England but throughout the whole country as an able, conscientious, and conservative statesman. He was not a mosaic. He grew as the tree grows, round and full, on lines of its creation, so that the end was known from the beginning.

Mr. HAMILTON. Mr. Speaker, I bring my tribute to the memory of a great man, who, during my brief service here, was always kind, helpful, and accessible to me.

NELSON DINGLEY, of Lewiston, Me., and the United States of North America, died at Washington, D. C., Friday, January 13, 1899.

His life had been one of continuous, laborious progress, and he died at the period of his greatest usefulness.

He was a New Englander by origin, nature, and nurture.

Mr. DINGLEY's life results are an illustration of the saying that "The gods sell everything to labor."

His genius was the genius of hard work.

In his boyhood his father kept a country store at which everything except liquor was sold.

His parents were opposed to every form of strong drink, and their convictions in this behalf became their son's convictions, so that his life from beginning to end was a temperate life.

He was not only temperate as to appetite, but temperate in speech.

He could be indignant, but could rule both pen and tongue.

In the office of the Lewiston Journal, with which he first became identified editorially in November, 1854, it is remembered of

him that when any writer upon that paper was inclined to strike back because of some personal attack he would say: "Young man, write out what you have to say as hotly as you please, and then notice that such stuff is excellent to kindle the fire."

He purchased a half interest in the Lewiston Journal in 1858, and since that time, it is said, that though absent from his editorial desk, first in the legislature of Maine, second as governor of Maine, third in Congress, a week has seldom passed when the Journal has failed to receive from him contributions or advice.

He was encyclopedic and minute in his knowledge of our history. He could carry the reports of our governmental departments in his memory, and when called upon to write or speak upon some event which had suddenly projected itself for immediate and accurate consideration, without time for consultation of authorities, he was equal to the emergency.

This training, this constant studiousness, fitted and ordained him for the work he performed in his public career as governor and legislator.

He was admitted to the bar in 1856, but left the profession of law to enter upon newspaper work.

He was six times member of the Maine legislature, beginning in 1861.

In his second term he became speaker.

He held the office of speaker twice and declined it once.

He was twice elected governor of Maine and declined a third nomination.

Mr. DINGLEY first came to Congress in 1881 to fill the vacancy caused by the resignation of WILLIAM P. FRYE, and since that time he has steadily represented the Second district of Maine in this body.

Declining the position of Secretary of the Treasury under this Administration, his services as chairman of the Committee on Ways and Means are a conspicuous part of our current national history, and—

> If what we call
> The spirit flash not all at once from out
> This shadow into substance, then perhaps
> The mellowed murmur of the people's praise—

may yet ascend to him.

Mr. DINGLEY was not an orator, but he was a great debater.

He had been a debater from his boyhood up; first in the old-fashioned lyceum in his native town; next in his father's country store, where local statesmen congregated to discuss all sorts of affairs, local and national; and then in the State and national legislatures.

He had not the form or voice for oratory, but he had tremendous perseverance, inexhaustible energy, and an endless store of facts made available by a splendid memory.

His physical strength seemed frail. His voice was not far-reaching in speech, but what he said traveled far beyond more robust utterances, because of the inherent power of what he said.

It would be difficult to name any important legislation in Congress in the last fifteen years with which he has not been identified.

His long service, in cooperation with the long service of other Maine Representatives, has made the comparatively small State of Maine a power in the national councils.

In school, college, and public service he pursued the same painstaking, steady, studious, and laborious course.

As a boy, it is said, he preferred one of Webster's speeches to any novel, and mastered Whately before he was 20.

He was a religious, temperate, methodical man all his life; but his whole studious temperament was illuminated and softened by warmth of love for his family and friendly regard for his neighbors and associates.

He kept a diary in which it is said he made daily entries "from the age of 10 years to the date of his last sickness."

And no man who knew NELSON DINGLEY could fail to know that his daily entries in this book of life were all honorable and without dishonorable mental reservation.

He lived up to his designation of Honorable.

As he acted out and wrote out the story of his life day by day, he made for himself "more stately mansions" in thought and statesmanship.

He was not a creature of opportunity—he moved forward steadily and laboriously, performing the task at hand, which when finished had merged his energies into another greater task.

Life, with him, was a perpetual, studious evolution.

When opportunity knocked at the door of NELSON DINGLEY, it found him already bending over his task, not startled by the revelation of new avenues upward, but ready to move on, simply, unostentatiously, and inevitably.

Out of the mist and murk and dreariness of January weather he has gone where—

> Beyond the path of the outmost sun, through utter darkness hurled
> Further than ever comet flared or vagrant star-dust swirled,
> Sit such as fought and sailed and ruled and loved and made our world.

Mr. LACEY. Mr. Speaker, after the elaborate reviews of the public life and services of Governor DINGLEY to which we have listened I desire only to add a few words of tribute to the fame of a man for whom I not only had a high respect, but also a warm personal affection.

One of my earliest Congressional acquaintances when I first came to this House ten years ago was NELSON DINGLEY. His death was a personal bereavement to all who knew him well.

Ready at all times to give the benefit of his advice and counsel, he was always the friend of the new member, and I esteem myself fortunate to have acquired his personal friendship at the beginning of my Congressional life.

Where any public man makes his mark he gives evidence of his previous preparation for his public career. In the hurry of official duties at every step he will show his previous preparation or its lack.

Governor DINGLEY's thoroughness was his great characteristic. He was not a meteor, but shone with the steady persistence of a fixed star.

He was always listened to by his colleagues because he only spoke when he had something to say. He showed the depth of his capacity by his continuous power of mental endurance. In private life the most lovable of men; in his public relations he was respected by all. He never yielded to the temptation to say unkind things in debate. His statements on all questions were accepted without question by his political opponents as well as by his friends. His deductions or conclusions might be controverted, but his statements of fact were never colored nor distorted.

> The purest treasure mortal times afford
> Is spotless reputation.

It has been noted by all old members that when Governor Sayers, of Texas, made any statement from the Democratic side of the House it was accepted without question by his political adversaries across the aisle. Governor DINGLEY's word from the Republican side passed among the Democrats with the same unquestioned verity. Two men could not be more unlike, and yet both were held in the same esteem by the opposing sides of the Chamber.

The political views of these men might be antagonized, but never was any fact misstated or its effect shaded or discolored for the purposes of debate by either. Such men do honor to political life and only lead us to regret that it is so difficult to fill their places. Maine and Texas honor themselves and the whole Union by choosing such men to represent them.

As one of Mr. DINGLEY's political associates and a firm believer in his doctrine, it was with pleasure that I heard of his selection as chairman of the Ways and Means Committee and that his name would be linked with the new legislation which I believed would result in good to our country. I hope and trust that the Dingley law will do all that its supporters have predicted, and that the name of our deceased friend may be indissolubly linked with an era of national prosperity unequaled by any in our previous history.

Even those of his colleagues who hold entirely different views from those on which Governor DINGLEY's industrial legislative work must rest will join in saying that if any such legislation can prove to be a success they would rejoice to have it known as the work of the statesman whose life and death we commemorate to-day.

This is neither the time nor the place to discuss the respective merits of the principles that Governor DINGLEY espoused.

But the friends and the enemies of his policy alike unite in saying that there has been no abler exponent of the doctrines of his cause in the history of the Republic than the principal framer of the Dingley tariff law.

In every political campaign since I have been in Congress I have circulated his speeches among the people of the district which I represent. I selected his presentation of his party principles because of their clearness, perspicacity, and eminent fairness. His plain, clear, vigorous English was understood by all, and the man who read one of those speeches, though firmly opposed to the views expressed, could not fail to admire the speaker, and to at least respect the cause that was susceptible of such generous and fair presentation.

Mr. DINGLEY wisely, I think, put aside the proffered portfolio of the Treasury to become the author of the most important legislation that Congress can be called upon to frame.

In this hour the man himself shines out from among the architecture of his life's work, and we delight to think of him as the good citizen, the faithful husband, and kind father.

Was his death timely?

He fell in the full vigor of his mental strength, loved and honored by all that knew him.

No slow decay of powers made his body a mere prison house for the soul, but when his fatal sickness came it found him full of life and eagerly at work.

His tireless mind was always busy.

Measured by what he did, his life was long indeed, for he left his impress on his country's history. His name is no longer on the roll call. He no longer leads his party; but he has left an influence upon his country's history that will endure.

Mr. WM. ALDEN SMITH. Mr. Speaker, this day has been set apart for loving tributes of friends and associates upon the life, character, and distinguished services of our great leader, NELSON DINGLEY.

Others have told you of his home life and the sweetness and all-pervading influence of his lofty character; of his early public work, and of his entire mastery of the great problems of state so vexatious to many and yet so yielding and pliable under the influence of his master mind; some have spoken of his methods of thought and his deep devotion to any duty falling to his lot.

I can not hope by any words of mine to add to this sublime summary of his life work, in which all agree with singular and spontaneous accord; but, Mr. Speaker, as a young member of this body, I desire to pay my weak tribute to this masterful mind, this storehouse of knowledge, this fountain of information, to which we have so freely gone for wisdom, instruction, and refreshment. Gentle, loving, kind, and indulgent, not a young man in this House that has not drank from his fountain of wisdom and been refreshed and instructed thereby.

In this busy forum, in which he has borne such a distinguished part, amid the distractions and perplexities of his official life, I can not now recall a single hasty dismissal, so common to busy men; but with patience, toleration, and kindness, sublime in its simplicity, he gave willing ear to our ungenerous claims upon him, until, borne down by responsibilities which no one could help him bear, his strength gave way, his lamp of life flickered and went out, casting a gloom over the official life of this nation.

In his death the young men of this House have lost a safe and willing counselor, the country a tried and true public servant, and the party with which he was identified a most sagacious, honorable, and worthy leader. In his devotion to the public service he has left us a priceless legacy, a blameless life. His memory will make this Hall fragrant for all time, and the sweetness of his character and relation to his fellow-members will prove a perpetual benediction to us all.

There are waves far out in the ocean
That never will break on the beach,
And hearts filled full of emotion
That finds no expression in speech.

Mr. CLARKE of New Hampshire. Mr. Speaker, nothing that may be said or done here to-day can either add to or detract from the eminent abilities, the devotion to duty, or the nobility of character of the distinguished dead whose memory we all fondly cherish and whose loss we so deeply deplore. The name and fame of NELSON DINGLEY have already been made—honorably made, made by himself—and they are imperishably enshrined in the hearts of an appreciative people. We who have been his associates and friends in this Chamber may only to day bear witness to those verities which have already been recognized by his countrymen, and thus once again pay our tribute of affection and esteem to the nation's honored dead.

It has been truly said respecting men that "some are born great, some achieve greatness, and some have greatness thrust upon them." What shall we say respecting our departed friend? What would he say if he were here to-day in his accustomed place? Manifestly there would be but one reply: "Whatever distinction or greatness that may have come to me have been acquired by a lifetime of constant, patient, persevering toil." This also, I submit, must be our conclusion. We had watched him rise in times when greatness was not won by chance, and in a manner that reflected the highest credit upon his name and memory. And now that he has been taken from our midst, his sturdy manhood, his splendid abilities, his generous heart, each and all impress us with the magnitude of our loss.

Mr. Speaker, some men attempt to rise in this world by pulling other people down. This can not truthfully be said, it never will be said, of our departed friend, for no man ever rightfully sought him who was not the recipient of his generous, helping hand. Every step in his pathway, from obscurity to greatness, was honorably, manfully won; and when at last, here amid the scenes of his greatest achievements, he laid aside his burden of responsibilities and cares, there was not a single envious or unfriendly eye cast upon it.

Mr. Speaker, it is not my province to pronounce a eulogy upon the life and character of our departed leader. That office were better bestowed upon those who have known him longer and better than I.

But I can not forget, sir, that his voice was one of the first that came to me as a new member of this House. His words were dignified, fearless, and true. They made an impression upon my mind that I shall not soon forget. And now that his lips are silent and cold, I shall cherish his precept and example as a precious benediction and friend.

It was my sad duty, as one of the funeral committee representing this House, to accompany the remains of Governor DINGLEY to his home in the State of Maine, to the city he loved so well, to his neighbors and friends who had so signally honored him and who loved him so well.

No bray of trumpets, no glittering pageantry, witnessed the approach of the funeral train; but our precious dust was committed to tender hands and to loving hearts in a manner that was in keeping with his modest, unostentatious life.

We buried him amidst the scenes of his childhood days—days that in some respects are the happiest and dearest to us all. Not in the din of the loom and the spindle, for on that sad day the wheels of industry had ceased to revolve, the noise of business was hushed, the voice of partisanship was dumb; but we buried him in the silence of a sorrowful, stricken city, and under countless wreaths of flowers that were as pure, as sweet, and as beautiful as was his life.

Mr. FARIS. Mr. Speaker, as a Representative from Indiana, a State contributing her share of eminent men in the sweep of our national growth, I esteem it a distinctive honor to speak a sincere word of eulogy upon the life and public services of this great son of Maine. In so doing, it is proper to say that the death of no other public man except Oliver P. Morton, upon whom my youthful mind had looked as the colossal figure of my native State, has seemed so nearly a personal affliction as did the going forth of Mr. DINGLEY. Mr. Speaker, trained from earliest childhood in sentiments of respect for my seniors in age, I am of those who entertain almost a reverence for a great and good man who is full of honors in a life devoted to sacrifice and service.

We can not cherish too sacredly or boast too highly a just pride in our worthy public men. A great ship propelled with its utmost capability, a limited express in its reckless whirl, cause us to start with wonder and admiration.

But see a man in action! Quickened with his conscious power, clear and regal in his equipment of knowledge, courageous in meeting his duty and faithful in its performance—this challenges and inspires praise, this suggests the force applied to evolve and develop the ship and the train—this is the demonstration of mind superior to matter. To those familiar with the long public service of Governor DINGLEY must be left the pleasing task of analyzing his great character. I can but briefly touch upon the impressions received and the estimate formed of our distinguished friend from my entry to this body in the Fifty-fourth Congress. Being small of stature and disposed to retiring manner, there was little in the outward man to betoken his greatness.

The quickness of his movements must have been noted, his indefatigable industry understood, his honest and earnest face studied, and his versatile knowledge attested by his words of wisdom in both private and public utterance to appreciate fully the real measure of the man.

With all his absorbing versatility in public affairs, he will be remembered as the leader easiest of approach. Unlike many men eminent in position, he showed an interest in the newcomer to this great body. To those of us honored with seats near him, his cordial and cheery "Good morning! How are you?" will abide in memory as a testimonial to his kind-heartedness.

Mr. Speaker, the career of NELSON DINGLEY is a most conspicuous instance of the result of a patient and painstaking industry. Born of indigent parents, his course was destined to be run and fashioned by his own effort. His mother had been a schoolteacher and blessed him with encouragement to study. This early direction to the young mind, which nature had formed in a serious mold, developed the impetus, the application, and investigation which characterized him in every undertaking. He taught school to assist himself to a college education. His life began as it ended, in contact with arduous service. The last day he sat in this House, that on which we adjourned for the holiday recess, I said to him, "Governor, are you going home to enjoy the holidays?" "No," he answered, "my time has lately been so taken up with attendance in the House and with the labors of the Joint High Commission that some of my work has gotten behind and I shall stay in Washington during the recess and bring it up."

Little did we think as these words were uttered that within one short week he would be in the toils of the fatal pneumonia. It was work, work to the last with him. Thus is his an illustrious example to our youth of the excellence of great labor. Whether as editor and proprietor of the Lewiston Journal, which he owned from 1856 to his death, as member of the legislature, as governor of his native State, or as Representative in Congress, where he served above seventeen years, his paramount purpose seems to have been that his work should be performed with fidelity, thoroughness, and effect.

No man living had the grasp on the details of our revenue operations or kept more closely in touch with them than he. Since the

enactment of the great tariff law that bears his name he followed its operations with the solicitude and pride with which a father observes the growth of his child. Men of all shades of politics agree that in his passing from us a calamity has fallen upon the country. This period needs the service of our wisest statesmanship, and he was preeminent in that class.

Those who knew him best will cherish his memory most. Patient and unassuming in his relations with men, yet able, forceful, and brave on occasion, he commanded the respect and confidence of all. He was devoted to his family as husband and father as he was to his country in service. He was pure and upright in speech and life, showing forth the qualities of gentleness and kindness to the weak and the poor, thus practicing the Christianity he professed. His mind was honest, his purpose lofty, his long service dedicated to the good of his State and country. It is not surprising, therefore, that as the honored leader of his party in the American House of Representatives NELSON DINGLEY attained such distinguished position that political relations were forgotten in the genuine sorrow felt by all his colleagues at his untimely death. It is difficult to realize that he has gone not to return. I hesitate to think of such a man as dead. I believe he is exalted to a better life, and I lay this simple tribute to his memory as I would drop an immortelle at his tomb, and thank God for his sojourn among us.

Mr. LEWIS of Washington. Mr. Speaker, I am at this moment designated as one to give his voice in this chorus of sacred amens. I am not filling the place of an eulogist. That office is permitted to those who know of the birth and the life, who speak of the character and the work of this dead statesman whose name and memory the House mourns as it honors. Unto me alone is offered a privilege which I accept with graciousness. I am one of the new members, the "one-term member," speaking. It is as one of the young men and for them that I bring forth this tribute.

It may be that those whose impulses overcome reflection shall charge my following expression as rash. It is that I do not concur in the sentiment that death is untimely. I hold that in the great temporal theater of events each scene is shifted by a guiding hand. Never a curtain falls save in response to the bell. To me the very fixedness of earth, the race of the planets, the burning glow of heat and the cold light of the stars yield obedience to the law of order and of time.

"If the stars have their time to shine
The flowers to wither in the cold wind's breath,"
For it there is a time—
As well as all of time for death.

I would not have it understood that I hold that death is merely timely in itself. Rather would I know, rather would I feel and have it expressed that unto those who die it is timely. There can be no act of Nature or of her children that is without a purpose. Death serves some men well, both in its occurrence and in the time of its choice. In the obedience to Death's demands the subject complies with the law, and thus obedience, though inevitable, has its reward. The reward is seldom visible to the eyes of those whose loss seems irreparable. It can not be appreciated by those whose grief forbids philosophy; but time, the test of events, speaks the consolation and proves the wisdom of the end as well as the blessing of the time.

Some men live so long and under conditions which forbid their due appreciation by their fellow-man. This works a deprivation to the children of their generation following. It denies them the sacred light of exalted reflection in which to walk and be known. The deeds of such great, covered by the increase of minor events and hidden by the multiplication of increasing detail, is as have been great lights submerged in fog and beacon gleams lost in mist. When a man has lived so long that in the slow but unerring and unabating graduation of life he reaches all the perfections which the world allows and closes the best act of existence with his exit from the theater, what more is to be desired? Who of us would not rather such to be our termination than to endure the recall or to be destined to play again amidst others who are the center of the admiring eye, the sole voice of fickle praise? This seems like the philosophy of Epictetus. I place it shortly in the language of the Greek:

Let me not live an ignoble life to die, to be forgot,
Thrust foully beneath the earth, like a worm to rot;
Rather let me in some glorious deed expire,
That distant ages may the deed admire.

Mr. DINGLEY closed the most important epoch of his life with his death. He concluded the most important event that could occur in his life and bowed himself out, as the player who speaks his best and then gives to his audience the adieu. Masters of finance, ministers of revenue, creators of the muniments of the nation's wealth have invariably been cursed by their immediate generation—seldom blessed. Mr. DINGLEY created and gave to his nation the expression of the system producing the finance into the body of his nation—the two arteries which in time of war have been told us are the life springs, "money and iron."

Necker, in France, and Peel, in England, lived to see the fulfillment of their theories. No other lives of modern day can we recall who were gladdened with the sight of the realization of their own system as devised by them for the salvation of their country in the hour of peril. Those who have been given the privilege to devise the method of a country's guidance while serving here have been few. The world's greatest ministers of finance have been those who are in cabinets, who were the administrative officers.

But when in the coming years youth shall turn the pages of history to mark who in our legislative halls that laid the foundations of revenue saw the realization of their effort and obtained from the public expression of his nation the approval of his method, the indorsement of his views, and the acceptance of his results, he shall be confronted with the two epochs, the late civil war among the States, and recall Morrill, of Vermont; and then the war between Spain and America, and recall the name of NELSON DINGLEY. "A great name, next to a great act, by nature herself cemented, and joindered by time; orders the act itself to die, but by the melt of time, when can an act expire without oblivion, when its event is of the glory of war or death? It survives to eternity."

Mr. Speaker, it is known that in the political differences permitted under our form of government I entertained varying views to those expressed by the distinguished dead. Therefore it is not of his views nor of his work which I memorialize; it is of the man, his manner of kindness and gentleness, of indulgence to those who needed his friendship and were dependent upon his forbearance—the new member, the young man. When one enters this House, he finds an atmosphere filled with jealousies, envies, contentions, sometimes bitterness—all times opposition and suspicion. These are born from the mutual ambitions of men, spring from the individual aspirations of the race, are natural to the zealous impulses of the man himself.

This House is well illustrated by the story of the Egyptian vipers in the Alexandrian pitcher, each struggling to get its head above the other where the room will permit but one head at a time, yet in the blind and maddening squirm careless of the death sting inflicted upon the other in the conflict. In such scenes, where shall the new member who has not yet inherited opposition or party animosity—to what source shall he turn, if not to those who may lay aside their ambitions, pause from their aspirations, stand above self-adulation, and be beyond his self-admiration in order to serve and to accommodate—yea, to befriend—those who may need?

It was this spirit of the distinguished dead which attracted me. The humblest man in this House could not address an inquiry without receiving the courteous and dignified response. The most embarrassed member in the most confusing moment could hope for the suggestion of rescue and the kindly prompting of encouragement from Mr. DINGLEY. His years of service to country and to self taught him that those who sometimes bend rise higher than ever when recovered; that they who serve are served to the best.

So thoroughly was he without the jealousies which prevent recognition of merit in others; so devoid of envy which denies the admission of capacity in others; so broad and generous in his appreciation of his fellow-creatures, that to him genius in youth was a light which was beautiful, ability in age was a source of his constant respect, and wisdom from experience was his ever unfailing refuge. All of this was to him a part of the great endowment of his Master. For these to him, particularly in others, were a part of the world's property which he always admired, ever applauded, and constantly enjoyed.

Sir, seldom given to fulsome compliments or unnecessary adulation, he yet found it often agreeable to say to the humble member struggling for little place that his work was well done. This left many a young man touched with his considerate and measured praise feeling himself—

Laudari a viro laudatus.

To be thus praised by the praised did more than flatter self-esteem; it gave confidence to strength and purpose. It was never lost to him who gave, and yet it was twice blessed to him who gave and to him who received.

Mr. Speaker, it is of these qualities in which the figures of speech are neither necessary nor defensible, the expression of which the plainest of words convey the most. Of these I speak. I speak as one of the young members and of the young men who were the recipients of some of the generous kindness in his unselfish nature, which to-day any flattery would wound, not soothe, his "dull, cold ear." For this I am compensated.

Sir, in days to come, as the recurring sessions will bring men here, and as the closing day will take them from us, as the too oft mock and ceremonious form of eulogy will be presented in this House, still, sir, no man will have more said of him, however much, than that he was a just man.

Be this writ upon the tomb. To his virtues let no higher eulogy be sought. None higher could be written on earth, none better finds its way to heaven.

Through the aisles of earth, where the lamp of character ever swings its incense, perfuming the air, no odor so rare and sweet, no gleam so gentle and so pure, as that which shall be given generations to come by the lives of such as this glorious dead, who leaves its walks filled with the memory of justice and its course bright with the light of truth. Public virtue in public life, private character above reproach, the Christian man, who looked upon mankind as brother and turned ever to God as the giver of all, surely such is after all the noblest and best example from which youth may pattern and the highest which civilization and the world's immortality can contribute to man's existence.

Mr. MOODY. Mr. Speaker, the sense of bereavement by the death of Mr. DINGLEY is not confined to those who enjoyed an intimacy with him. It is not strange that an affliction which has no lesser limit than the boundaries of the country itself should in this body excite a deep feeling of grief among all its members. It is fitting, therefore, that a sentiment so universal should find corresponding expression.

Nowhere is there a more profound sense of loss in his death than in the State of Massachusetts. He was familiar with all her activities, understood her people, and sympathized with her aspirations as fully as if he had been born and had lived upon her soil. When I entered Congress Mr. DINGLEY was the unquestioned leader of his party upon the floor of the House. The slow, steady, and laborious steps by which he attained that position have been described by others. I did not witness them. I did not see him ascending the hill. I saw him only after he had reached the summit. Yet the manner in which he conducted himself there left no uncertainty concerning the methods by which he had reached that place.

Without the arts or graces of the orator, or that indescribable quality which invokes enthusiasm and commands personal loyalty, he wielded undisputed sway through the more solid qualifications of wide and accurate knowledge, of the power of clear statement and cogent logic, and of purity of motive and character. He was a bold man who, on either side of the Chamber, dared to contest Mr. DINGLEY'S position upon any public question not involving differences of party politics. He was a foolhardy Republican who ventured to dispute his leadership on questions of party policy.

Early in his life he measured with accurate foresight the possibilities of his career, and with prophetic vision foretold to himself the things which the future had in store for him. His life presents one of the few instances in our history of men who, having deliberately prepared themselves for the problems of practical statesmanship, have found the opportunity of dealing with them upon a magnificent scale; who, having accumulated an abundant store of knowledge, have been given a chance to use it all in the service of the people. He pursued the study of the law and obtained admission to the bar with no thought of practicing the profession, but with the purpose of thus best disciplining his mind and preparing himself for the activities of the life which he so clearly foresaw. The training of his profession of journalism he constantly utilized as a preparation for the public life which he entered early and followed till the end.

The sense of personal grief which oppresses us all, great as it is, is overshadowed by the conviction that his untimely death was a public calamity the extent of which can not be measured now by words, but will be felt with increasing force for many years to come. As the new problems, born of our changed conditions, come, one by one, to face us, who is there who does not miss the kindly counsel, the sagacious speech, the wise and conservative leadership of NELSON DINGLEY? For what he has done his place in our history is secure. But the need of the present and the future for him, and the void which his death has caused, can be understood alone by those who have served with him in the councils of the nation and whose undying respect and affection he had won.

Mr. BELL. Mr. Speaker, I can claim no very intimate individual relationship with the lamented deceased or any knowledge of his private life except as I gathered the same from proximate circumstances surrounding his sphere of public duty. I have frequently walked with him from the House to his hotel, and learned something, in a small way it is true, of his general customs of life. I also went with his associates to assist in paying the last tribute of respect to his mortal remains at his home at Lewiston, and saw something of the adoration with which his neighbors cherished him as a citizen, neighbor, and statesman.

From the different standpoints from which I have viewed him I would say the distinguished deceased was what the world would call a phlegmatic temperament—that is, he regarded life as a chain of serious connecting links, which demanded his incessant and sincere attention.

He lived after a fixed régime. He did not poison his blood or brain with intoxicants or narcotics, avoided the gluttony of club life and the blasts of inclement weather and the coarser dissipations common to the contemporaries of his generation, and yet I am inclined to the belief that he became a martyr to his official duties, that through constant and unyielding application of his mental powers to his official duties his nervous system was seized with a blight that invited the fatal disease that caused his untimely death, an overlooked but fatal dissipation, but an unselfish one.

His temperament was of that species which had no side tracks of diversion; he possessed no visible mirthful strain to fertilize and rejuvenate his wasting powers as his daily task proceeded. The world will not record him as one of its oratorical specimens, and yet he possessed some of the highest qualities of oratory, traits without which no one can be an orator. He had the remarkable and most choice gift of thinking clearly and logically, and therefore his statements were rare gems of concentrated clearness and specific directness of purpose. Whenever a great question was pending, all desired to hear him, a true criterion of real oratory.

He had none of the condiments or ornaments of oratory. He was not gifted with satire, a ludicrous descriptive power, or the keen shafts of repartee. He was not an actor or resonant declaimer, and therefore was not an entertainer, except as unvarnished and incisive wisdom and clear information on current topics entertained his fellows.

In many things he stands as a rare example for emulation among statesmen. He led his great party on the floor of the House without seeking to lead it. He received the designation as the most fit among his colleagues from his distinguished colleague of his own State, the Speaker, probably without request and probably without any desire on his part, but because of preeminent fitness. None envied him; none were jealous of him by reason of an acknowledged superior fitness to which all of his associates gracefully bowed.

To his exemplary temperament, persistent industry, loyalty to duty, and integrity of purpose his eminent standing was but a necessary resultant. No one claimed for him any distinctive superiority by nature over the generality of his colleagues. Nature had given him the ordinary capacity usually dealt out in in a well-distributed form, and it was he that so developed and husbanded his resources that he found himself well in advance of the general procession of those inheriting like capacities and opportunities when death overtook him. He laid down his burdens after his long and laborious journey in this House with everyone of his associates a sincere and sympathetic friend and all acknowledging that in his death the nation suffered a great loss.

Mr. SULZER. Mr. Speaker, representing in part the great metropolis of the nation, I would be false to my nobler impulses and to the people I have the honor to represent if I did not on this sad occasion place on record my poor tribute of esteem, of respect, of affection, and of admiration for the late NELSON DINGLEY. His death has left a void in the House of Representatives which can never be filled, and the announcement of his unexpected demise fell like a pall on the people of the Republic. His loss is a national calamity, and the country has lost a useful, an honest, a faithful, and a conscientious public servant. We miss him now, but we shall miss him more and more as the weeks and months come and go. No one can take his place.

There are many here who knew Mr. DINGLEY better and more intimately, but no one respected him more than I did. I became acquainted with him when I came to Congress four years ago. In a very short time I was impressed with his sincerity, his honesty, his courtesy, and his industry. He was an indefatigable worker, and he accomplished great results. He was patient, tireless, and methodical. He seemed to be the happiest when he was the busiest. He died a martyr to his fidelity—to public duty. He never evaded an obligation and he never shirked a responsibility.

In many respects Mr. DINGLEY was a great man, a great parliamentarian, and a great legislator. His name is connected with some of the greatest laws on our statute books, and the great legislative work he performed will live and redound to his credit as long as the Republic endures.

To those who knew him well he was a kindly, genial man. He was loved and admired on both sides of this Chamber, and his name was a household word throughout the country. I do not think he had an enemy in all the land. He had a lovable character.

Mr. DINGLEY was especially kind, considerate, and courteous to the new and younger members of the House. He made their acquaintance, and was always willing and anxious to aid, counsel, and assist them. No matter how weary or how busy he was, he never refused to listen to the inquiries of the new and inexperienced member, and he always gave him good advice and the benefit of his great knowledge, sound judgment, and vast information. Many here will never forget how kindly disposed he was to them when they first became members of this House. I do not believe he ever turned a deaf ear to any member seeking information on any subject, and this generous characteristic has left a lasting impression on us all and gives us a true insight into his noble nature.

The career of NELSON DINGLEY is one we can all be proud of, and illustrates the advantages and the opportunities of American institutions. By hard work, by industry, by sobriety, and by perseverance he rose from a poor boy to one of the most important, honorable, influential, and commanding positions in the nation. The story of his life has been truthfully and eloquently told here to-day, and demonstrates anew the possibilities of human effort and human progress in this land of equal opportunities. Every hopeful and ambitious schoolboy should read the story of his life and endeavor to emulate his shining example. It must always be a fruitful source of encouragement to every ambitious youth and struggling patriot.

Mr. DINGLEY came of sturdy New England stock, the first American Dingley having come to Massachusetts in 1638. His ancestors were nearly all traders and farmers. He was born at Durham, Me., February 15, 1832. At 17 he was a teacher of a school near his home. A little later he entered Waterville College, and subsequently Dartmouth, where he graduated in 1855 with high rank as a scholar, debater, and writer. After graduation he studied law, was admitted to the bar, but left the profession in 1856 to become the editor and proprietor of the Lewiston Journal, and up to the time of his death he maintained that connection. He was a member of the Maine State house of representatives in 1862, 1863, 1864, 1865, 1868, and 1873.

In 1863, when only 31 years old, he was the speaker of the Maine legislature. He was governor of Maine in 1874 and 1875, and a delegate to the national Republican convention in 1876. He was first elected to the Forty-seventh Congress in 1881 to fill the vacancy caused by the election of Hon. William P. Frye to the United States Senate, and he was a member of Congress ever since. In 1894 he received the degree of LL. D. from Dartmouth College, and at the time of his death was a member of the Joint High Commission to adjust the differences between the United States and Canada. In the Fifty-fifth Congress he was chairman of the Ways and Means Committee and the leader of his party on the floor of the House. His name is best known to the country at large on account of its association with the tariff act, which he prepared, reported, and passed at the beginning of this Congress.

This briefly sums up his career. His life was a busy one, and to the student and investigator will always be an instructive one. He was a simple Christian gentleman, and his public and his private life is without a stain. He loved books and art and science. He was a great legislator and a great statistician. He had finance and taxation at his finger ends. He was familiar with every detail of government, and his capacious mind was a storehouse of useful information. He was a deep and thorough student, and he exhausted every subject he touched. He had a wonderful knowledge of men, and his grasp of details was marvelous. To him figures and facts were as keen tools to the skilled artisan.

Mr. Speaker, many of us frequently differed with Mr. DINGLEY in regard to political and economical propositions, but we all admired his ability, his learning, his tenacity of purpose, his deep conviction, and we all respected his sincerity of purpose, the purity of his patriotism, and the inherent honesty of his motives. He was a direct man, a positive man, a truthful man, and above all and beyond all he was an honest man. In the years to come he will take high rank as an American statesman. The great work he accomplished as an orator, a writer, a lawyer, a thinker, a legislator, and a statesman will ever be a monument to human effort, human endurance, individual tenacity of purpose, and marvelous industry and perseverance.

He devoted the last years of his life to the service of the people and his country, and they owe him a debt of gratitude that never can be paid. He wrote his name high in the American temple of fame, and history will give him an immortal page. The good he did will live and will ever be a bright and beneficent heritage to all the people of all the land.

NELSON DINGLEY is no more. He fought the good fight; his race is run. He has gone to his long rest. A great nation mourns his loss, and a mighty people, shocked by his sudden death in the zenith of his fame and the ripeness of his powers, put on the garb of sorrow, grieve with those who grieve, and with bowed and reverential heads say, Well done, thou good and faithful servant—hail and farewell.

Mourn not the dead whose lives declare
That they have nobly borne their part,
For victory's golden crown they wear,
Reserved for every faithful heart;
They rest with glory wrapped around,
Immortals on the scroll of fame;
Their works their praises shall resound,
Their name—an everlasting name.

Mr. BRUMM. Mr. Speaker, some eighteen years ago I had the fortune to be associated with NELSON DINGLEY on the Committee on Banking and Currency. This was in the Forty-seventh Congress. Both he and I entered Congress at that time. There are but few left in this Congress who were with us then. Indeed, there are not very many of the prominent ones living. Although in that Congress there were some of the most distinguished men of our country, yet there was not one man who made the impression upon me that was made by Governor DINGLEY.

It seems to me that almost the moment I became acquainted with him he struck me as being a superior man; surely not in his appearance, but there was such earnestness, sincerity, honesty, and conscientiousness in the man that impressed me with his greatness then, and this impression has grown from that day to this.

This was when the financial question was the all-absorbing issue of the day. I did not agree with him in his financial views upon general principles, yet the wisdom and knowledge he displayed would make any man respect him, while his logic was so clear and forcible that it would oft make his honest antagonist doubt and hesitate.

No question of any importance arose in committee that was not referred to Governor DINGLEY, and what astonished me most was that though there were older members on that committee, and while it was his debut in the House, yet the Comptroller of the Currency and the Secretary of the Treasury were in communication with Governor DINGLEY more than any other member of the committee. In fact, his advice was at once sought by the whole Administration on all questions of finance and revenue.

But his knowledge was not limited to finance alone, and what surprised me most was the general knowledge he had of statistics, political economy, and statesmanship.

There are many men who by laborious study can obtain a knowledge of general principles, and can master them very well; but I have never known a man who was so well versed in every detail, in the slightest minutia of every subject. On the duty to be levied upon imports, as well as internal revenue, he seemed to know the component parts of every article, the chemical composition, the cost, the price, quantity, use, and, in fact, all the most minute details.

Moreover his knowledge was not limited to the question of tariff and finance, but on the subject of the employment and the law that should govern the employment of sailors it seemed to me that Governor DINGLEY knew more about them than the sailors, shipowner, or commanders of vessels. In fact, our coastwise trade, merchant marine, ship building, commercial relations, finance, tariffs, and revenues, each seemed to be an open book to him. There was no man in my experience who had anything like the knowledge he possessed upon all these questions.

He was always so kind-hearted and patient, ever ready amid his great labors to give information. As he was when he entered Congress, so he was when he was stricken down.

It has been said that all men can stand adversity—because they simply must stand it—but it is a feature of greatness when a man can stand prosperity.

Surely Governor DINGLEY had reached a lofty elevation; he became the leader of this House in a sense perhaps never known before, and was looked upon as a safe adviser of all men; all paid homage to his judgment and counsel irrespective of party or faction. That made no difference to him. He was the same NELSON DINGLEY in the height of his prosperity that he was when he first entered this House.

It has been said of Him, who spake as never man spake, that He was so absorbed in the seriousness of His mission on this earth that He was never seen to smile. I will not say that of Governor DINGLEY. In his social relations he had a smile for everyone; but in his work so serious was he and so earnest that no frivolity could enter there. Often in the committee room he showed his aversion to witticism and sarcasm. He was a man too serious, too earnest in his work to be diverted for a moment from his path of duty.

In the death of Governor DINGLEY this House has lost its best adviser, our country its greatest political economist, humanity one of its best friends. Governor DINGLEY died as he lived, a martyr to duty.

Mr. MAHANY. Mr. Speaker, I shall neither discuss the philosophy of life and death, nor shall I presume to estimate the just measure of this man's fame. His deservings in American history the wise years will decide, and a later day will give the true as also the dispassionate judgment of his work. To that criterion I am sure he would himself prefer to appeal. One simple word alone I feel like uttering upon this occasion, and that is a tribute to the kindly and helpful courtesy with which he met the requests and made easier the burdens of new members.

As a boy, when I went to college, I was surprised at the utter lack of consideration in the treatment accorded by the older students to the newcomers. All fared alike in this regard, however; and so in the democracy of rough usage none felt any cause of personal complaint. It so happened that after a course at college I went to Harvard University, and was gratified to note that there a different spirit prevailed. Courtesy and kindness welcomed at

its portals new arrivals. And likewise, after four years of service here, among the pleasantest memories I have of the House of Representatives is the recollection of courtesies extended and kindnesses shown by men like Governor DINGLEY.

I was much struck this afternoon by the tribute paid to American homesteads by the gentleman from Iowa [Mr. DOLLIVER]. He said that the true census of a nation's greatness, the best hope of a republic's security, is not in the splendor of its wealth or the uncounted millions of its people, but in the virtues of which the dead statesman was so conspicuous an example. Governor DINGLEY'S ambition was to administer with integrity, as well as ability, the high places confided to his care.

Therefore, without knowing the late chairman of the Ways and means Committee well, observing him only as a young member will note an older and more experienced legislator, I was impressed with two qualities of his character, qualities that glorify all the other attributes ascribed to him in these eulogies to-day. One was his courtesy and the other his integrity.

Mr. GROSVENOR. Mr. Speaker, I ask that the sermon delivered by Rev. G. M. Howe, Mr. DINGLEY'S pastor, on the occasion of the obsequies at Lewiston, Me., be published in the RECORD.

There was no objection.

The following is the sermon:

FRIENDS AND FELLOW-CITIZENS: This is not an uncommon scene, for, as some one has well said, "It is the common lot of man to be born, to live, to die, to be forgotten."

And so it comes to pass that a funeral service is one with which we are all familiar, and yet the occurrence is always a sad one.

"Three score and ten are the years of our life,
Or if our strength endure,
They may be four score years;
Yet at their best they are toil and emptiness,
For they pass swiftly and all fly away."

The shock of Mr. DINGLEY'S unlooked-for death came not alone to the members of his devoted family who had watched with tender solicitude by his bedside, but to the nation in whose council chambers he had for so many years been a conspicuous figure.

The deceased by the careful development of his native gifts, his close application to public duty, his kindly spirit and noble nature, won for himself a large place in the hearts of his townsmen and in the esteem of his countrymen.

It can truly be said that it has been the fortune of but few men in the history of this Republic to be so honored and trusted by their constituency as he. This is seen in his repeated reelections to the National House of Representatives. The able manner in which he met and discharged his public duties is familiar to all.

The press has given extended notices of his life and service, and has commented freely upon the eminence which he attained as a statesman and the high regard in which he was held by his associates in Congress.

It remains for me to speak of Mr. DINGLEY as he appeared to me, and I speak of him as a pastor and a personal friend.

I am conscious that men do not estimate alike the worth of a human life, simply because they regard it from different standpoints. It is a difficult task, indeed, to judge a man impartially, for the temptation is to estimate his life in the light of its influence upon our personal interest.

The traits which impress a close friend as beautiful or strong may be considered a blemish or a source of weakness by an enemy.

It is a happy thought, however, that we sometimes come to an occasion like this, when no word of doubt or anxiety is to be either spoken or suppressed, when we feel justified in saying of the departed what we should not have felt at liberty to say to them while they were with us, and what, perhaps, they in their modesty would have us leave unsaid.

It is a relief to the heart to speak as we feel of our loss and to express, in such words as we can command, our Christian sympathy for those whose hearts are broken by this sore bereavement, for the death of a friend beloved always brings a shadow with it.

At the same time we may always gladly recall the past and look forward with bright anticipations into the veiled future, as I am certain we all do this morning, as we engage in these solemn services.

As I stand here I can but feel that he who has been so unexpectedly taken from us has been a helper and teacher to me rather than I to him.

He loved the house of God, he delighted in its services and ordinances, and when present gave thoughtful attention to the instructions given and joined reverently in every prayer offered.

And by his own upright and consistent life he has given inspiration and help to me, even more abundantly than I to him.

I first met Mr. DINGLEY in the autumn of 1883, when, as the representative of this church, he conferred with me with reference to becoming its pastor. The acquaintance there formed, as time went on, ripened into a friendship the influence and helpfulness of which will remain with me as lifelong inspiration, and I shall ever regard him as a type of the noblest manhood.

In him was conspicuously apparent the compatibility of high attainments in the realm of politics with the most unimpeachable character. As a public man Mr. DINGLEY accomplished a great work. He was a man of remarkably clear vision, possessed the highest quality of statesmanship, and exhibited great wisdom in plan and action. But it will not be for this work and for these superior qualities that he will be held in grateful remembrance by his intimate friends and the nation at large, but for the integrity and nobility of his character.

"Character," as has been well said, "is a coin that passes current and at par value in all countries. It is like a gold monetary standard whose value is universally recognized. Posterity estimates men not so much by what they do as by what they were. It honors and reveres those who under some strain have maintained their integrity, whose devotion to principle is their legacy to man and their highest claim to perpetuity of fame."

These are true words, and may be fitly applied to him whose memory we revere and cherish to-day. Few men who for so many years have been in public life and actively engaged in national affairs have made such a notable record as he.

As we contemplate his remarkable career—beginning here in the city where he has made his home—extending throughout the country, covering the State which he so ably and honorably served as governor, and there enlarging until it extended over a nation of 70,000,000 people. Nor was his influence limited by the confines of the Republic. It swept beyond even these, commanding the respectful attention of the world's leading statesmen and affecting, directly or indirectly, the legislation of all the nation. While he was thus pressing his way upward to the high position which he filled his influence was deepening and broadening in the community where he began his eventful career. This commanding influence was not the result of fortune or adventitious circumstances, but was the legitimate outcome of a life "laid in deep and solid foundations and reared in harmonious and enduring proportions."

Such results could have been achieved by fidelity to duty and an unfaltering faith in the rectitude of his purposes. From the beginning of his active life he must have been dominated by the loftiest and noblest of moral ideals. It could not have been otherwise, for while it is possible to so order one's conduct as to deceive here and there an individual, it is impossible for a public servant to deceive millions of people for a generation. No craft how skillfully employed could, for so long a time, disguise the hypocrasy or hide the corruption.

How is this constantly increasing and enduring strength with the vast majority of our people to be accounted for? What enabled our distinguished citizen to pass, without a single stain upon his fair fame, through the varied experiences of a long and peculiarly trying public life?

It was not great intellectual ability, for his was not a preeminent endowment; it was not eloquence, for he had no special gifts as an orator. It was not the charm of a polished manner, for, while he was ever affable and courteous, he had not cultivated the "arts of grace as a means to an end."

What, then, was it that enabled him to attain unto and hold so long the position he occupied in the thought, esteem, and affection of his countrymen? The answer to these queries is found in his loyalty to principle, his devotion to truth, his thorough preparation, and conscientious work. Thus he was ever ready for, and equal to, the demands of the hour and the occasion. By his earnest application to the task in hand, and by his signal success in his chosen field of effort, he proved to the young men of this Republic that—

The heights by great men reached and kept
Were not attained by sudden flight;
But they, while their companions slept,
Were toiling upward in the night.

Wherein lay the secret of his character, the strength and beauty of which all recognize? Does not the secret lie in his implicit faith in Christ and His atonement?

From early manhood to the day of his death it was his cherished and avowed purpose not only to know but to do the will of his Divine Master. What a testimony his consecrated life has been all these years to the influence and power of the Lord Jesus Christ! How forcibly we are reminded this morning of the earnest words he used to speak with us concerning the renewing, sustaining, and sanctifying power of the gospel! How vividly we recall his loving exhortation to make the word of God the mass of our counsel and the light of our pathway.

Who of us that were accustomed to meet with him in the prayer and conference room will ever forget the deep feeling he exhibited on an occasion before returning to Congress when he asked the brethren present to remember him constantly at the throne of grace that he might have the strength to meet and discharge his obligations as a public man to the honor and glory of God? And then again, on the eve of his departure for Washington for the last time, how earnestly he exhorted us all, and especially the young men present, to avail themselves of every opportunity to promote the culture of their spiritual natures, and thus build themselves up in the most holy faith, and then added: "If it were my last word to you, I would say make it the business of your lives to build up noble Christian characters, and you will never regret it."

Though his lips are sealed in death, he still speaks to us in the abiding influence of his life—a life purified and sanctified, a life made rich in resources and potent for good through his love for and faith in the crucified Redeemer.

He will be greatly missed in this community, where he was universally esteemed as a friend and a citizen. How he will be missed in religious circles, in our local and State conferences, and especially in our church home, where he loved so much to be, and which he served so loyally! How you who have been accustomed to confer with him concerning questions of state and international problems will miss him!

"His voice is silent in your council hall
Forever; and whatever tempests lower,
Forever silent. Even if they broke
In thunder, silent; yet remember all
He spoke among you, and the man who
Spoke,
Who never sold the truth to serve the hour,
Nor paltered with eternal God for power."

He will be missed in the home where, as husband and father, he was greatly beloved. The sorrow of his bereaved family is too poignant and sacred for us to intrude upon it. We can only humbly pray that the sweet comfort of faith may fall with healing grace upon each of these sorrowing hearts. The revolving years may bring to them some "surcease of sorrow," but no compensation for the bereavement which they have experienced. Out of this home to which he contributed so much of light and joy our friend and brother has passed to the untried experiences of the unseen world, there to learn the lesson of immortal being. We leave him there in the presence of the glorified Saviour, whom he loved so devotedly and served so faithfully, and before whom we, too, shall stand at no distant day. Farewell, brother beloved!

The world is lonelier and poorer for thy departure from it, but heaven is richer. The Saviour's diadem is made resplendent with such jewels as thou art. We did not realize that the harvest season was so near. Thou hast gathered thy sheaves, and great were the rejoicings in heaven at thy coming. "The song that thou heardest was the seraphim's song," a song mingled with the glad greetings of the loved ones gone before. "Blessed are the dead that die in the Lord." May it be our portion to join him in the Father's many-mansioned house when the Master shall call!

Sleep thy last sleep
Free from care and sorrow;
Rest where none weep
Till the eternal morrow.
Though dark waves roll
O'er the silent river,
Thy fainting soul
Jesus can deliver.

Life's dreams are past,
All its sins, its sadness;
Brightly at last
Dawns a day of gladness.
Under thy sod,
Earth, remains our treasure,
To rest in God.
Waiting all His pleasure.

Though we may mourn
Those in life the dearest,
They shall return,
Christ, when Thou appearest.
Soon shall Thy voice
Comfort those now weeping,
Bidding rejoice
All in Jesus sleeping. Amen.

Mr. COUSINS. Mr. Speaker, I heard the request that the funeral discourse pronounced by his pastor at Lewiston might go into the RECORD. I heard a funeral discourse in this presence upon the day of his obsequies in this House that was brief and excellent and worthy of a place in the history of this country. I ask unanimous consent that those remarks of Rev. Dr. Newman, made in this Chamber, may be printed in the RECORD.

The SPEAKER pro tempore [Mr. DALZELL]. It has already been printed.

Subsequently,

Mr. COUSINS said: Mr. Speaker, I am informed that the consent which was granted that the funeral discourse of Rev. Dr. Newman be printed in the RECORD did not extend to the memorial volume which will commemorate these proceedings. I therefore ask consent that that address be so printed.

There was no objection.

Mr. FARIS. Mr. Speaker, as the proceedings of this House on the occasion referred to were brief, might it not be proper that the prayer of the Chaplain of the House as well as the discourse referred to by the gentleman from Iowa [Mr. COUSINS] be included in the memorial volume?

Mr. STEELE. If my colleague [Mr. FARIS] will allow me, I ask that both the prayers delivered on that occasion be printed in the volume referred to.

Mr. TAWNEY. Mr. Speaker, I think it would be entirely appropriate that those entire proceedings of the House, attended as they were by the President of the United States and his Cabinet, by members of the diplomatic corps, by the justices of the Supreme Court, and other distinguished persons, as well as by the Senate of the United States, be printed in the memorial volume. I make that request.

Mr. DOCKERY. I suggest to my friend from Minnesota [Mr. TAWNEY] that under the practice of the House that will be done.

The SPEAKER pro tempore. Without objection, the request will be granted.

There was no objection.

Mr. GROSVENOR. Mr. Speaker, upon the suggestion of the gentleman from Maine [Mr. BOUTELLE], I ask consent that all members of the House may have leave to print in the RECORD their tributes to the character and public services of Mr. DINGLEY.

There was no objection, and it was ordered accordingly.

The SPEAKER. In compliance with the resolutions already adopted by the House, and as a further mark of respect to the memory of Mr. DINGLEY, the House now stands adjourned until 12 o'clock noon Monday.

And accordingly (at 5 o'clock and 40 minutes p. m.) the House adjourned.

EXECUTIVE COMMUNICATIONS, ETC.

Under clause 2 of Rule XXIV, a letter from the Secretary of War, transmitting a statement of certain unsettled accounts for advertising during the war with Spain, was taken from the Speaker's table, referred to the Committee on Appropriations, and ordered to be printed.

REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS.

Under clause 2 of Rule XIII, bills and resolutions of the following titles were severally reported from committees, delivered to the Clerk, and referred to the several Calendars therein named, as follows:

Mr. OTJEN, from the Committee on War Claims, to which was referred House bill 10993, reported in lieu thereof a bill (H. R. 12084) to reimburse those who have had sent to their homes for burial the dead bodies of officers, soldiers, and sailors who died away from home while members of the Army or Navy of the United States since the 1st day of January, 1898, accompanied by a report (No. 2093); which said bill and report were referred to the Committee of the Whole House on the state of the Union.

Mr. FISCHER, from the Committee on Indian Affairs, to which was referred the bill of the Senate (S. 5265) granting to the Clearwater Valley Railroad Company a right of way through the Nez Perces Indian lands in Idaho, reported the same without amendment, accompanied by a report (No. 2095); which said bill and report were referred to the House Calendar.

Mr. FLETCHER, from the Committee on Interstate and Foreign Commerce, to which was referred the bill of the House (H. R. 11953) to promote the efficiency of the Revenue-Cutter Service, reported the same with amendment, accompanied by a report (No. 2100); which said bill and report were referred to the Committee of the Whole House on the state of the Union.

REPORTS OF COMMITTEES ON PRIVATE BILLS AND RESOLUTIONS.

Under clause 2 of Rule XIII, private bills and resolutions of the following titles were severally reported from committees, delivered to the Clerk, and referred to the Committee of the Whole House, as follows:

Mr. MAHON, from the Committee on War Claims, to which was referred the bill of the House (H. R. 12080) for the allowance of certain claims reported by the accounting officers of the United States Treasury Department, reported the same with amendment, accompanied by a report (No. 2094); which said bill and report were referred to the Private Calendar.

Mr. FENTON, from the Committee on Military Affairs, to which was referred the bill of the House (H. R. 723) for the relief of William H. Sprinkle, reported the same without amendment, accompanied by a report (No. 2097); which said bill and report were referred to the Private Calendar.

He also, from the same committee, to which was referred the bill of the Senate (S. 2638) for the correction of muster of Adolph von Haake, late major, Sixty-eighth Regiment New York Veteran Volunteer Infantry, reported the same without amendment, accompanied by a report (No. 2098); which said bill and report were referred to the Private Calendar.

He also, from the same committee, to which was referred the bill of the House (H. R. 11064) to correct the muster of Benjaman F. Hasson, reported the same without amendment, accompanied by a report (No. 2099); which said bill and report were referred to the Private Calendar.

Mr. DAYTON, from the Committee on Naval Affairs, to which was referred the bill of the House (H. R. 5063) for the relief of Dennis Kelly, reported the same with amendment, accompanied by a report (No. 2101); which said bill and report were referred to the Private Calendar.

Mr. HICKS, from the Committee on Patents, to which was referred the bill of the House (H. R. 10880) granting an extension of Letters Patent 244898, reported the same without amendment, accompanied by a report (No. 2102); which said bill and report were referred to the Private Calendar.

PUBLIC BILLS, RESOLUTIONS, AND MEMORIALS INTRODUCED.

Under clause 3 of Rule XXII, bills, resolutions, and memorials of the following titles were introduced and severally referred as follows:

By Mr. OTJEN, from the Committee on War Claims: A bill (H. R. 12084) to reimburse those who have paid for sending to their homes for burial the dead bodies of officers, soldiers, sailors, and marines who died away from home while members of the Army, Navy, or Marine Corps of the United States, including trained nurses in the employ of the Government, since the 1st day of January, 1898—to the Union Calendar.

By Mr. BABCOCK: A bill (H. R. 12085) to regulate licenses for theaters and other entertainments in the District of Columbia—to the Committee on the District of Columbia.

By Mr. HEMENWAY, from the Committee on Appropriations: A bill (H. R. 12086) making appropriations for fortifications and other works of defense, for the armament thereof, and for the procurement of heavy ordnance for trial and service, and for other purposes—to the Union Calendar.

By Mr. BABCOCK: A bill (H. R. 12087) regulating licenses in the District of Columbia—to the Committee on the District of Columbia.

By Mr. STALLINGS (for Mr. WHEELER of Alabama): A joint resolution (H. Res. 363) presenting the thanks of Congress to Maj. Gen. Elwell S. Otis and the officers and men under his command—to the Committee on Military Affairs.

PRIVATE BILLS AND RESOLUTIONS INTRODUCED.

Under clause 1 of Rule XXII, private bills and resolutions of the following titles were introduced and severally referred as follows:

By Mr. BURTON: A bill (H. R. 12088) to place on the pension roll the name of James G. Saint—to the Committee on Invalid Pensions.

By Mr. BOTKIN: A bill (H. R. 12089) making an appropriation for the support of the W. T. Whitaker Orphan Home, in the Indian Territory—to the Committee on Appropriations.

By Mr. CLARK of Missouri: A bill (H. R. 12090) granting a pension to Martha A. Myers—to the Committee on Invalid Pensions.

By Mr. PAYNE: A bill (H. R. 12091) to extend privileges of section 4216 of the Revised Statutes to the yacht *Andria*—to the Committee on the Merchant Marine and Fisheries.

By Mr. STALLINGS (for Mr. WHEELER of Alabama): A bill

(H. R. 12092) for the relief of the estate of John H. Swift, deceased, late of Madison County, Ala.—to the Committee on War Claims.

By Mr. BURTON: A bill (H. R. 12093) granting a pension to Clarissa Wolcott—to the Committee on Invalid Pensions.

PETITIONS, ETC.

Under clause 1 of Rule XXII, the following petitions and papers were laid on the Clerk's desk and referred as follows:

By Mr. ARNOLD: Petition of the Presbyterian churches of Rimersburg and Widnoon, Pa., favoring the passage of the Ellis bill—to the Committee on Alcoholic Liquor Traffic.

By Mr. BROMWELL: Petitions of fourth-class postmasters in Miami County, Ohio, urging the passage of House bills Nos. 4930 and 4931, for increase of compensation—to the Committee on the Post-Office and Post-Roads.

By Mr. BULL: Resolutions of the Board of Trade of Providence, R. I., recommending liberal appropriations for American exhibits at the Paris Exposition and a reorganization of the consular service—to the Committee on Appropriations.

By Mr. CAPRON: Resolutions of the Board of Trade of Providence, R. I., urging an increase of the appropriation for the American exhibit at the Paris Exposition, and for a reorganization of the consular service—to the Committee on Appropriations.

By Mr. DAVENPORT (by request): Petitions of citizens of Pennsylvania favoring the establishment of postal savings banks—to the Committee on the Post-Office and Post-Roads.

By Mr. ERMENTROUT: Petition of the Ministerial Association of Reading, Pa., George Gaul, president, against the seating of Brigham H. Roberts as a Representative from Utah—to the Committee on Elections No. 1.

By Mr. FITZGERALD: Resolution of the Massachusetts State Grange, Patrons of Husbandry, asking that the interest of the industrial classes be considered in the maintenance of a government in the islands recently released from the power of Spain—to the Committee on the Territories.

By Mr. GREENE of Massachusetts: Petition of the South Bristol Farmers' Club, of New Bedford, Mass., urging measures to promote the ocean carrying trade in vessels under the American flag—to the Committee on the Merchant Marine and Fisheries.

By Mr. GRIFFIN: Petitions of the Congregational and Baptist churches of Mondovi, Wis., to prohibit the sale of liquor in canteens and in immigrant stations and Government buildings—to the Committee on Alcoholic Liquor Traffic.

By Mr. GROW: Petitions of C. H. Dana and 201 citizens of Tunkhannock, August H. Kaul and 198 citizens of East Freedom, Patrick Campbell and 197 citizens of Amsbry, Pa., in favor of the establishment of postal savings banks—to the Committee on the Post-Office and Post-Roads.

By Mr. HULL: Petition of the Woman's Christian Temperance Union of Indianola, Iowa, Mrs. E. B. Hurford, president, favoring the Ellis bill—to the Committee on Alcoholic Liquor Traffic.

By Mr. KERR: Petition of the Elyria, Ohio, Auxiliary to the Woman's Home Missionary Society of the Methodist Episcopal Church, against the seating of Brigham H. Roberts as a Representative from Utah—to the Committee on Elections No. 1.

By Mr. MARSH: Petition of 335 citizens of Plymouth, Ill., praying for the passage of House bill No. 11735, providing that no polygamist shall be a Senator or Representative—to the Committee on Elections No. 1.

By Mr. MERCER: Petitions of the Woman's Wesleyan Educational Council of Nebraska, also employees of Kingman Implement Company, of Omaha., Nebr., against the seating of Brigham H. Roberts as a Representative from Utah—to the Committee on the Judiciary.

Also, resolution of the Omaha Central Labor Union, against the publication of advertisements in the Bulletins of the Bureau of American Republics—to the Committee on Foreign Affairs.

Also petitions of members of the Methodist Episcopal Church and citizens of Arlington, Nebr., asking for the passage of the Ellis bill to forbid the sale of intoxicating beverages in all Government buildings—to the Committee on Alcoholic Liquor Traffic.

By Mr. MIERS of Indiana: Petition of the Interstate National Guard Association, asking for an appropriation of $5,000,000 per annum for the National Guard—to the Committee on the Militia.

By Mr. PAYNE: Petition of the Woman's Christian Temperance Union of Strafford Corner, N. H., favoring the Ellis bill—to the Committee on Alcoholic Liquor Traffic.

By Mr. ROBINSON of Indiana: Protest of Rev. E. B. Westhaper, of Wolcottsville, Ind., against the seating of Brigham H. Roberts as a Representative from Utah—to the Committee on Elections No. 1.

By Mr. SAMUEL W. SMITH: Petition of Mrs. I. N. Ellwood and 54 citizens of Flint, Mich., against the seating of Brigham H. Roberts as a Representative from Utah—to the Committee on Elections No. 1.

Also, petition of the Woman's Christian Temperance Union of Haley, Mich., favoring the passage of the Ellis bill, to forbid the sale of intoxicating beverages in all Government buildings—to the Committee on Alcoholic Liquor Traffic.

By Mr. STALLINGS (for Mr. WHEELER of Alabama): Petition of George Cross, of Jackson County, Ala., praying reference of his war claim to the Court of Claims—to the Committee on War Claims.

Also (for Mr. WHEELER of Alabama), petition of the heirs of Sarah Derrick, of Jackson County, Ala., praying reference of her war claim to the Court of Claims—to the Committee on War Claims.

Also (for Mr. WHEELER of Alabama), petition of the heirs of V. Burrows, deceased, late of Lauderdale County, Ala., praying for reference of his war claim to the Court of Claims—to the Committee on War Claims.

Also (for Mr. WHEELER of Alabama), petition of David Derrick, of Jackson County, Ala., praying reference of his war claim to the Court of Claims—to the Committee on War Claims.

Also (for Mr. WHEELER of Alabama), petition of the heirs of Nathaniel Kennemer, deceased, late of Jackson County, Ala., praying reference of his war claim to the Court of Claims—to the Committee on War Claims.

Also (for Mr. WHEELER of Alabama), petition of Tabetha Stephens, of Jackson County, Ala., praying reference of her war claim to the Court of Claims—to the Committee on War Claims.

By Mr. STRODE of Nebraska: Resolutions of Thornburg Post, Grand Army of the Republic, of Clarks, Nebr., urging the passage of Senate bill No. 3256, relating to civil-service appointments—to the Committee on Reform in the Civil Service.

By Mr. WANGER: Petitions of John S. Ross and 209 citizens of Fagleysville; W. H. Jenkins and 202 citizens of Gwynedd; D. N. Cook and 197 citizens of Edgewood; Mrs. C. S. Holcomb and 380 citizens of Newton, Pa., in favor of the establishment of postal saving banks—to the Committee on the Post-Office and Post-Roads.

Also, petition of the Woman's Christian Temperance Union of Penns Manor, Pa., to prohibit the sale of liquor in canteens, in immigrant stations, and in Government buildings—to the Committee on Alcoholic Liquor Traffic.

SENATE.

MONDAY, *February 13, 1899.*

The Secretary proceeded to read the Journal of the proceedings of Saturday last, when, on motion of Mr. FAIRBANKS, and by unanimous consent, the further reading was dispensed with.

RESERVOIRS FOR IRRIGATION PURPOSES.

The VICE-PRESIDENT laid before the Senate a communication from the Secretary of the Interior, transmitting, in response to a resolution of the 7th instant, a report from the Director of the Geological Survey on the origin, character, and extent of the surveys of reservoir sites made by the United States Geological Survey, together with a brief memorandum as to present conditions of water storage, etc.; which, with the accompanying papers, was referred to the Select Committee on the Geological Survey, and ordered to be printed.

PERSONNEL OF NAVY AND MARINE CORPS.

The VICE-PRESIDENT laid before the Senate a communication from the Secretary of the Navy, transmitting, in response to a resolution of the 10th instant, estimates of the total annual cost of the personnel of the officers of the Navy under House bill No. 10403 as reported with amendments to the Senate from the Committee on Naval Affairs on February 8, compared with the cost of the personnel under existing laws and excluding any additional force employed during the late war; and also a like estimate of the cost of 22,500 seamen and apprentices, compared with the cost of the regular force of seamen and apprentices; and a further like estimate of the cost of the personnel, including the officers and men, of the Marine Corps under the bill, compared with the cost of such personnel under existing laws, excluding any temporary increase during the late war; which was read.

Mr. HALE. I move that the communication and accompanying statement be referred to the Committee on Naval Affairs and printed.

The motion was agreed to.

PRESIDENTIAL APPROVAL.

A message from the President of the United States, by Mr. O. L. PRUDEN, one of his secretaries, announced that the President had on this day approved and signed the act (S. 4070) to amend an act granting to the St. Louis, Oklahoma and Southern Railway Company a right of way through the Indian Territory and Oklahoma Territory, and for other purposes.

PETITIONS AND MEMORIALS.

Mr. PENROSE presented a memorial of the Monthly Meeting of Friends of New Garden, Pa., remonstrating against the sale of intoxicating liquors in Government buildings; which was referred to the Committee on Public Buildings and Grounds.

He also presented a petition of the Monthly Meeting of Friends of New Garden, Pa., and a petition of the Woman's Christian Temperance Union of Avondale, Pa., praying for the enactment of legislation to prohibit the interstate transmission of lottery messages or other gambling matter by telegraph; which were referred to the Committee on the Judiciary.

He also presented the memorials of C. O. Johnson and 259 other citizens of Pennsylvania, remonstrating against the passage of the anti-scalping ticket bill; which were ordered to lie on the table.

He also presented the petitions of Archie Barnhart and 205 other citizens of Rockey, of Robert B. Tyson and 198 other citizens of Bridgeton, and of W. C. Heath and 201 other citizens of Buckwalter, all in the State of Pennsylvania, praying for the establishment of postal savings-bank depositories; which were referred to the Committee on Post-Offices and Post-Roads.

He also presented petitions of Local Branch No. 591, Amalgamated Society of Engineers, of Philadelphia; of Local Union No. 311, United Brotherhood of Carpenters and Joiners, of Allegheny; of the Carpenters' District Council of Pittsburg; and of Federal Union, No. 7126, American Federation of Labor, of Kane, all in the State of Pennsylvania, praying for the passage of the eight-hour bill; which were referred to the Committee on Education and Labor.

He also presented petitions of the congregations of the Presbyterian, the Baptist, and the Methodist churches of Oxford; the First United Brethren in Christ Church of Johnstown; the Presbyterian Church of Newville; the Methodist Church of York Springs; the Trinity United Evangelical Church, of Johnstown; the First Presbyterian Church of Johnstown; the Methodist Episcopal Church of Greenfield; the Presbyterian, the Methodist, the Lutheran, and the Baptist churches of Muncy; the Methodist Episcopal Church of New Oxford; the East End Baptist Church, of Williamsport; the Methodist Episcopal Church of Gettysburg; the Christ Lutheran Church, of Gettysburg; the Union Church, of Kushequa; the Third Street Methodist Episcopal Church, of Williamsport; the Methodist Episcopal Church of McLane; the United Presbyterian Church, of Conemaugh; the First Baptist Church, of Johnstown; the United Presbyterian Church of Johnstown; the United Presbyterian Church of Blairsville; the Presbyterian Church of York Springs; the Baptist Church of Blairsville; the Cooper Methodist Episcopal Church, of Johnstown; the Methodist Episcopal Church of Radnor; the Evangelical Church of Johnstown; the United Presbyterian Church of Homer City; the United Presbyterian Church of Jacksonville; the Main Street Baptist Church, of Johnstown; the Presbyterian Church of Philipsburg; the United Presbyterian Church of Dayton; the Methodist Episcopal Church of Dayton; the United Presbyterian Church of Canonsburg; the Woman's Christian Temperance unions of East Mill Creek, Blairsville, Newville, Fernwood, Forest County, Eddystone, Lancaster County, Valencia, Brownville, Gettysburg, Claysville, McLane, Concord, Johnsonburg, West Hickey, Johnstown, Dayton, Carlisle, Chester, Thurlow, Bethel, Waterford, Eulalia, Penns Manor, Penns Park, Corry, and New Brinton; the Swedish Mission Congregation, of Johnsonburg; the Woman's Relief Corps, No. 227, of Johnstown; the Woman's Home Missionary Society, of Carlisle; of William W. Tyson, of the Pennsylvania Soldiers' Home of Erie; of 77 citizens of Oxford; of the Young Men's Christian associations of Mechanicsville and Newville; of the Baptist Young People's Society of Blairsville; of the St. Paul's Young People's Society of Christian Endeavor of Newville; the Epworth League of the Methodist Church of Newville; the Epworth League of Dayton, and of the Young Men's Christian Association of the First district, all in the State of Pennsylvania, praying for the enactment of legislation to prohibit the sale of liquor in canteens of the Army and Navy and of Soldiers' Homes, and in immigrant stations and Government buildings; which were referred to the Committee on Military Affairs.

Mr. PERKINS presented the memorial of David Lubin, of San Francisco, on behalf of the State granges of California, Oregon, Illinois, Washington, Missouri, Virginia, and Pennsylvania; the Farmers' National Congress; the Central Labor unions of Chicago and New York; the chambers of commerce of San Francisco, Portland, and Seattle; the Board of Trade of Bath, Me., and of sundry subordinate granges throughout the United States, relative to the protection of agricultural staples by a bounty on export and shipping in the foreign trades, and praying for the adoption of an amendment to the bill (S. 5024) to promote the commerce and increase the foreign trade of the United States, and to provide auxiliary cruisers, transports, and seamen for Government use when necessary; which was referred to the Committee on Commerce.

He also presented petitions of the Missionary Congress of San Francisco; of the Young Men's Christian Association of the University of California, Berkeley; of the Young Woman's Christian Association of the University of California, Berkeley; of the Grand Division of California, Sons of Temperance, of San Francisco; of the trustees of the First Congregational Society of Berkeley; of the First Congregational Christian Endeavor Society of Berkeley; of the congregation of the First Presbyterian Church of Berkeley, the Trinity Methodist Episcopal Church of Berkeley, and the First Baptist Church of Berkeley, all in the State of California, praying for the enactment of legislation to prohibit the sale of intoxicating liquors in all Government buildings; which were referred to the Committee on Public Buildings and Grounds.

He also presented a petition of the Woman's Christian Temperance Union of Skyland, Cal., and a petition of sundry citizens of Placer County, Cal., praying for the enactment of legislation to prohibit the sale of liquor in canteens of the Army and Navy and of Soldiers' Homes, and in immigrant stations and Government buildings; which were referred to the Committee on Military Affairs.

Mr. COCKRELL presented a petition of sundry citizens of Missouri, praying for the enactment of legislation to prohibit the sale of liquor in canteens of the Army and Navy and of Soldiers' Homes, and in immigrant stations and Government buildings; which was referred to the Committee on Military Affairs.

Mr. HOAR presented the petition of C. D. Haines and sundry other citizens of Rochester, N. Y., praying that women be granted the right of suffrage in Hawaii; which was referred to the Select Committee on Woman Suffrage.

Mr. WOLCOTT presented a memorial of the Lincoln County Cattle Growers' Association and the Lincoln and Elbert County Wool Growers Association of Colorado, remonstrating against the transfer of the public lands of the United States to the States wherein they lie; which was referred to the Committee on Irrigation and Reclamation of Arid Lands.

Mr. HALE presented a petition of the Granite Cutters' National Union of Hallowell, Me., praying for the passage of the eight-hour bill; which was referred to the Committee on Education and Labor.

He also presented the petition of I. G. McLarren and 56 other citizens of Eastport, Me., praying for the enactment of legislation to prohibit the sale of liquor in canteens of the Army and Navy and of Soldiers' Homes, and in immigrant stations and Government buildings; to prohibit the interstate transmission of pictures and descriptions of prize fights; for the maintenance of the prohibition law in the Territory of Alaska; to provide against the election of polygamists to the Congress of the United States; and to prohibit the interstate transmission of gambling matter by telegraph, telephone, or otherwise; which was referred to the Committee on Military Affairs.

Mr. WARREN presented a petition of the legislature of Wyoming, praying for the enactment of legislation to prevent the desecration of the national flag; which was referred to the Committee on the Judiciary, and ordered to be printed in the RECORD, as follows:

THE STATE OF WYOMING,
OFFICE OF THE SECRETARY OF STATE.

UNITED STATES OF AMERICA,
State of Wyoming, ss:

I, Fenimore Chatterton, secretary of state of the State of Wyoming, do hereby certify that the annexed is a full, true, and correct copy of enrolled house joint resolution No. 5 of the Fifth legislature of the State of Wyoming.

In testimony whereof I have hereunto set my hand and affixed the great seal of the State of Wyoming.

Done at Cheyenne, the capital, this 7th day of February, A. D. 1899.

[SEAL.] FENIMORE CHATTERTON,
Secretary of State.

FIFTH LEGISLATURE OF THE STATE OF WYOMING.

Enrolled house joint resolution No. 5, State of Wyoming.

Be it resolved by the house of representatives of the Fifth legislative assembly of Wyoming (the Senate concurring):

1. That it is the sense of this legislature that the bill entitled "A bill to prevent the desecration of the national flag," which bill is now pending in the United States Congress, should become a law.

2. That the Senators and Representative from Wyoming in the Congress be, and they are hereby, earnestly requested to lend their utmost aid in securing the passage of such bill.

GEORGE H. GOBLE,
Vice-President of Senate.
LEVI R. DAVIS,
Speaker of House.

Approved February 3, 1899.

DE FOREST RICHARDS, *Governor.*

Mr. WARREN presented a petition of the legislature of Wyoming, praying for the enactment of legislation to prohibit the subletting of contracts for the carrying of mails upon star routes in the United States; which was referred to the Committee on Post-Offices and Post-Roads, and ordered to be printed in the RECORD, as follows:

THE STATE OF WYOMING,
OFFICE OF THE SECRETARY OF STATE.

UNITED STATES OF AMERICA,
State of Wyoming, ss:

I, Fenimore Chatterton, secretary of state of the State of Wyoming, do hereby certify that the annexed is a full, true, and correct copy of senate joint memorial No. 2, Fifth legislature of the State of Wyoming, concerning the letting of star-route mail contracts.

In testimony whereof I have hereunto set my hand and affixed the great seal of the State of Wyoming.

Done at Cheyenne, the capital, this 8th day of February, A. D. 1899.

[SEAL.] FENIMORE CHATTERTON,
Secretary of State.

FIFTH LEGISLATURE OF THE STATE OF WYOMING.

Senate joint memorial No. 2, senate, State of Wyoming. A memorial relating to the letting of star-route mail contracts.

Be it resolved by the senate and house of representatives of the State of Wyoming, That the Congress of the United States be memorialized as follows:

Whereas the present system of letting star-route mail contracts permits a single contractor to bid on and have awarded to him a very large number of different contracts located in various portions of the country, concerning which such contractor has no knowledge whatever; and

Whereas as a general rule such foreign contractors make their bids upon star routes with no knowledge whatever of the character of the country over which said routes pass or of the difficulty of feeding the horses used thereon or of any of the other difficulties which will confront a contractor in carrying said route; and

Whereas such contractors endeavor to sublet such contracts and to make profit thereon, when, owing to their lack of knowledge concerning the country traversed by said route, they are entirely unable to pay a sum sufficient to warrant a responsible party in subletting said contract, and, in the great majority of such cases, such contracts are sublet to parties of no responsibility whatever; and

Whereas by reason of these facts the service upon such routes is very uncertain and unsatisfactory to the patrons of the several offices located thereon, and such service appears to be growing more and more uncertain and unsatisfactory with each letting of contracts on said routes: Therefore, be it

Resolved, That the Congress of the United States of America be, and the same is hereby, memorialized for the passage of an act providing that no contract for the carrying of mail upon any star route in the United States shall be, under any circumstances, sublet, but the same shall in all cases be carried by or under the supervision of the original contractor with the Government; and that in no case shall any contract for the carrying of a star route be let to any person who is not at the time such contract is entered into an actual resident of the State or one of the States through which the said star route passes; and be it further

Resolved, That a copy of this memorial, properly authenticated, be, by the secretary of state, transmitted to Hon. CLARENCE D. CLARK and Hon. FRANCIS E. WARREN, Senators in Congress, and Hon. JOHN E. OSBORNE, member of the House of Representatives, and Hon. Frank W. Mondell, member of the House of Representatives elect, and to the Postmaster-General.

GEORGE H. GOBLE,
Vice-President of the Senate.
LEVI R. DAVIS,
Speaker of the House.

Approved February 8, 1899.

DE FOREST RICHARDS, *Governor.*

Mr. WARREN presented a petition of the legislature of Wyoming, praying for the appointment of a commission to treat with the Indians for the purchase of unoccupied lands upon the Shoshone Reservation, in that State; which was referred to the Committee on Indian Affairs, and ordered to be printed in the RECORD, as follows:

THE STATE OF WYOMING,
OFFICE OF THE SECRETARY OF STATE.

UNITED STATES OF AMERICA, *State of Wyoming, ss:*

I, Fenimore Chatterton, secretary of state of the State of Wyoming, do hereby certify that the annexed is a full, true, and correct copy of house joint memorial No. 1, a joint memorial to Congress from the Fifth Legislature of the State of Wyoming.

In testimony whereof I have hereunto set my hand and affixed the great seal of the State of Wyoming.

Done at Cheyenne, the capital, this 7th day of February, A. D. 1899.

[SEAL.] FENIMORE CHATTERTON,
Secretary of State.

FIFTH LEGISLATURE OF THE STATE OF WYOMING.

House joint memorial No. 1. Joint memorial to Congress.

Your memorialists, the Fifth Legislature of the State of Wyoming:

First. The attention of Congress is respectfully called to the fact that the treaty with the Shoshone and Arapahoe Indians, upon the Wind River Reservation, will, within a few months, expire.

Second. That under said treaty the last annuities have been issued to the Arapahoes, and that in the early fall of the year 1899 the thirtieth and last annual installment of their annuities will be issued to the Shoshones.

Third. That these Indians are not in any sense self-supporting and have but limited means of support, and unless relief is provided will soon be in a starving condition.

Fourth. That your memorialists very gravely apprehend the results of such a condition among these Indians.

Fifth. Your memorialists respectfully call attention to the fact that upon said reservation there is a large tract of land which is not used by the Indians and which is valuable; that the Indians are willing to treat with the United States for the sale of the same.

Sixth. That the allotments of lands to the Indians on said reservation are nearly completed and can be so completed during the early spring and summer of the year 1899, and we especially urge that the allotments of said lands be pushed along to completion immediately.

Seventh. Your memorialists very seriously urge that the Congress of the United States do, at the present session, make provision for a commission to treat with the Indians for the purchase of any or all unoccupied lands upon said Shoshone or Wind River Indian Reservation, and thus make provision for the support of said Indians.

JOHN McGILL, *President of Senate.*
LEVI R. DAVIS, *Speaker of House.*

Approved, January 28, 1899.

DE FOREST RICHARDS, *Governor.*

Mr. WARREN presented a petition of the legislature of Wyoming, praying that the rules and regulations governing the forest reserves in that State be so modified as to allow the unrestricted grazing of live stock on such reservations; which was referred to the Committee on Public Lands, and ordered to be printed in the RECORD, as follows:

THE STATE OF WYOMING,
OFFICE OF THE SECRETARY OF STATE.

UNITED STATES OF AMERICA, *State of Wyoming, ss:*

I, Fenimore Chatterton, secretary of state of the State of Wyoming, do hereby certify that the annexed is a full, true, and correct copy of Senate joint memorial No. 1, Fifth Legislature of the State of Wyoming, concerning forest reserves.

In testimony whereof I have hereunto set my hand and affixed the great seal of the State of Wyoming.

Done at Cheyenne, the capital, this 8th day of February, A. D. 1899.

[SEAL.] FENIMORE CHATTERTON,
Secretary of State.

FIFTH LEGISLATURE OF THE STATE OF WYOMING.

Joint memorial No. 1. Senate of the State of Wyoming. In relation to the pasturing of sheep and other live stock upon the forest reserves within the State of Wyoming.

Be it resolved by the senate and house of representatives of the State of Wyoming That the honorable the Secretary of the Interior of the United States of America be memoralized, as follows:

Whereas the present rules of the Department of the Interior relative to forest reserves prohibit the grazing of sheep and other live stock on the forest reserves in the Rocky Mountain districts of the country; and

Whereas there is great danger that heavy pecuniary loss will fall upon the residents, settlers, and flock masters residing in the vicinity of the various forest reserves in the State of Wyoming by reason of such regulations of the Department of the Interior and by reason of the enforcement thereof; and

Whereas the purposes for which the said forest reserves were established will not be any more successfully accomplished by the enforcement of the said regulations of the Department of the Interior, nor will the objects and purposes for which said reserves were established be thwarted and defeated by the abrogation of the said regulations; and

Whereas a large portion of the area covered by the forest reserves is above timber line, and therefore grass-bearing land without trees, and such portions as are below timber lines are frequently interspersed with grass-bearing parks of various areas; and

Whereas grazing of live stock upon such lands is the best possible protection from danger to the forests by fire by reason of the feeding down of the luxuriant grasses of the mountain meadows, so that fires originating in one portion of the reserve can not spread with rapidity across the grassy areas from one bunch of timber to another; and

Whereas the sheep and other live stock are not "bedded down" or held in the bunches of timber above referred to, but upon the grassy parks and meadows, and therefore do no damage to the young shoots starting up in the forests; and

Whereas fires very rarely start in said reserves from the camps of sheepmen or cattlemen, for the reason that the camp fires of cattlemen and sheepmen are universally made in stoves carried with them for that purpose, by the use of which there is no danger whatever of fires starting; and

Whereas the people of the State of Wyoming are greatly interested in the preservation of the forests of the State, and desire to cooperate with the General Government to the fullest extent in maintaining and increasing the forest area, for the reason that our present and future prosperity depends largely upon the continual supply of moisture in the mountains to supply the streams which irrigate our farms and ranges; and

Whereas the enforcement of the aforesaid regulations of the Department of the Interior will deprive the people of the State of Wyoming of the use of a very large area of the best pasture lands and leave the grasses thereon to go to waste, thereby reducing very materially the amount of live stock that can be carried upon the open range of our State; and

Whereas the reduction of the live stock of the open range deprives that portion of our people who are engaged in farming and grain raising of the best market which they now have for the sale of their produce among the sheep and stock men whose flocks and herds graze these pastures; and

Whereas this great loss to the people of our State will be incurred without in any manner, directly or indirectly, guaranteeing a better protection for our forests; and

Whereas no sheep or other live stock are ranged upon the Teton Forest Reserve, and, from the nature of the country, no sheep or other live stock from this State can be moved off and on said reserve, and the grasses thereon are fed down by the wild game from the National Park in the summer, as is done by the live stock upon the other reserves in this State: Therefore, be it

Resolved, That the honorable the Secretary of the Interior of the United States of America be, and he is hereby, respectfully requested to so modify the rules and regulations governing the forest reserves in the State of Wyoming as to allow the unrestricted grazing of all sheep and other live stock in such reserves in the future as in the past, except the Teton Forest Reserves, for which no modification is asked; and be it further

Resolved, That the secretary of the state be, and he is hereby, instructed to forthwith transmit copies of this memorial properly authenticated to the honorable the Secretary of the Interior of the United States of America and to Hon. CLARENCE D. CLARK and Hon. FRANCIS E. WARREN, Senators in Congress from the State of Wyoming.

JOHN McGILL, *President of Senate.*
LEVI R. DAVIS, *Speaker of House.*

Approved, February 7, 1899.

DE FOREST RICHARDS, *Governor.*

Mr. WARREN presented petitions of Local Union No. 184, Typographical Union, of Cheyenne, Wyo.; of Local Division No. 138, Order of Railway Conductors, of Cheyenne, Wyo., and of Local Branch No. 591, Amalgamated Society of Engineers, of Philadelphia, Pa., praying for the passage of the eight-hour bill; which were referred to the Committee on Education and Labor.

REPORTS OF COMMITTEES.

Mr. PLATT of Connecticut. I am directed by the Committee on Patents, to whom was referred the bill (H. R. 321) for the relief of the Berdan Firearms Manufacturing Company, to report it without amendment and to submit a written report thereon. I move that Senate bill No. 672, being a bill on the same subject, be indefinitely postponed.

The motion was agreed to.

Mr. FAIRBANKS, from the Committee on Immigration, to whom was referred the bill (H. R. 11247) to extend the anti-contract-labor laws of the United States to Hawaii, reported it with an amendment, and submitted a report thereon.

Mr. PRITCHARD, from the Committee on Pensions, to whom was referred the bill (H. R. 6681) granting an increase of pension to Jere Smith, reported it without amendment, and submitted a report thereon.

Mr. McMILLAN, from the Committee on Commerce, to whom was referred the amendment proposing to appropriate $35,000 for

the establishment at or near Point Arguello, about 12 miles northwest of Point Conception, California, a light-house and fog signal, submitted by Mr. PERKINS on the 4th instant, intended to be proposed to the sundry civil appropriation bill, reported favorably thereon, and moved that it be printed and, with the accompanying paper, referred to the Committee on Appropriations; which was agreed to.

ICE IN POTOMAC RIVER.

Mr. MCMILLAN. I am directed by the Committee on the District of Columbia to report a joint resolution making an appropriation of $5,000 for clearing the Potomac River of ice, and I ask for its immediate consideration.

Mr. COCKRELL. Let it be read for information.

The joint resolution (S. R. 244) making an appropriation of $5,000 for clearing the Potomac River of ice was read the first time by its title and the second time at length, as follows:

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That $5,000, or so much thereof as may be necessary, payable from any money in the Treasury not otherwise appropriated and from the revenues of the District of Columbia in equal parts, to be immediately available, is hereby appropriated, to enable the Commissioners of the District of Columbia to meet expenses that may be necessary for the purpose of clearing the Potomac River of ice within the District of Columbia.

Mr. HALE. Mr. President——

The VICE-PRESIDENT. Is there objection to the present consideration of the joint resolution?

Mr. HALE. I do not object.

There being no objection, the Senate, as in Committee of the Whole, proceeded to consider the joint resolution.

Mr. HALE. I wish to ask the Senator from Michigan whether the Commissioners have funds enough to meet the present blockaded condition of the streets in Washington.

Mr. MCMILLAN. I will state to the Senator that we passed a joint resolution the other day increasing the amount appropriated by the House from $2,000 to $10,000, and that is all the Commissioners asked for that purpose. That appropriation is now being used. I presume they will require more, but no communication has come from them as yet.

Mr. HALE. The House has concurred in the amendment of the Senate to that joint resolution?

Mr. MCMILLAN. Yes; it has passed both Houses and the Commissioners are now using that money.

Mr. HALE. Does the Senator believe that is enough?

Mr. MCMILLAN. It is enough for the present.. The Commissioners may call for more.

Mr. HALE. Of course, as everybody knows, there is an unprecedented condition here. The memory of man does not cover any such condition as Washington is in now.

Mr. MCMILLAN. The Commissioners will undoubtedly require more for cleaning the streets of ice and snow.

Mr. HALE. If more money is needed, I hope the Senator will see that it is given in ample time, so that the work in removing the blockade may go on.

Mr. MCMILLAN. The amount of $5,000 that it is now proposed to appropriate will enable the Commissioners to go on and break up the ice in the river.

Mr. HALE. I understand that.

The joint resolution was reported to the Senate without amendment, ordered to be engrossed for a third reading, read the third time, and passed.

REMOVAL OF POLITICAL DISABILITIES.

Mr. HOAR. I am directed by the Committee on the Judiciary, to whom was referred the bill (H. R. 11955) to amend sections 820 and 821 of the Revised Statutes of the United States, to report it back favorably without amendment, and I ask for its present consideration.

Before the bill is read for information, I will make a statement about it. It seems that in codifying the statutes when the Revised Statutes were passed a provision removing the disability of persons who had borne arms against the United States in the civil war, so far as relates to grand jurors and petit jurors in the courts of the United States, was accidentally omitted, and this amendment of the statute is to remove that disability.

There being no objection, the Senate, as in Committee of the Whole, proceeded to consider the bill. It proposes to repeal sections 820 and 821 of the Revised Statutes of the United States, codifying the act of June 17, 1862, which disqualify persons otherwise qualified from serving as grand or petit jurors in the courts of the United States who have taken up arms or joined in any insurrection or rebellion against the United States, and prescribing an oath to be taken by talesmen challenged for such cause affirming that affiant had not joined in any insurrection or rebellion against the United States, and provides that hereafter no person shall be disqualified for any service in any court or in any branch or department of the Government of the United States on account of participation in the civil war of 1861 to 1865.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

POLICY REGARDING THE PHILIPPINE ISLANDS.

Mr. BERRY. Mr. President, I have received a message from the Senator from Georgia [Mr. BACON], in which he requested me to give notice that he would ask leave to-morrow morning, immediately after the conclusion of the morning business, to address the Senate on the McEnery resolution.

Mr. HALE. I am directed by the Committee on Naval Affairs, to whom was referred the bill (S. 5352) creating the office of admiral of the Navy, to report it without amendment; and I ask for its present consideration.

The Secretary proceeded to read the bill.

Mr. STEWART. Mr. President, I gave notice Saturday of my intention to address the Senate on the McEnery resolution. The notice given by the Senator from Arkansas [Mr. BERRY] will cut me off entirely. I want, before the resolution is voted upon, to have an opportunity to address the Senate. After I had given that notice I remained here two hours or more and supposed that the subject had all passed from consideration, and then unanimous consent was given for a vote on Tuesday. Now, if I am not to say a word but to vote, it seems to me the proceeding is unusual. I did not object to taking the resolution up, and I only want a reasonable time to submit some remarks.

Mr. WOLCOTT. Then I suggest to the Senator from Nevada that he ask unanimous consent that the unanimous-consent agreement heretofore given be set aside. I make that suggestion.

Mr. HALE. In the absence of the Senator from Illinois [Mr. MASON]——

The VICE-PRESIDENT. The Senator from Maine was recognized to make a report from the Committee on Naval Affairs.

Mr. HALE. I ask for the regular order.

The VICE-PRESIDENT. That is the regular order. The Senator from Nevada will be recognized later. The present consideration is asked of Senate bill 5352, reported from the Committee on Naval Affairs. The bill will be read for information.

Mr. PLATT of Connecticut. I understood that the Senator from Nevada was making some suggestions about what is called the unanimous-consent agreement which was obtained here in the Senate under very peculiar circumstances the other day.

Mr. HALE. I do not want to interrupt the Senator, but I should like to proceed with the regular order and get the bill through.

Mr. PLATT of Connecticut. What the Senator terms the regular order interrupted the Senator from Nevada, as I understand it.

Mr. HALE. I had the floor and had submitted a report when the Senator from Nevada addressed the Chair.

Mr. ALLISON. It was interrupted by the Senator from Nevada.

Mr. HALE. I had not reported the bill when the Senator from Arkansas gave his notice.

Mr. BERRY (to Mr. HALE). No, you had not.

Mr. PLATT of Connecticut. The Senator from Arkansas was recognized to give a notice, as I understood, at the request of the Senator from Georgia.

Mr. BERRY. That is correct.

Mr. PLATT of Connecticut. He gave notice that the Senator from Georgia would desire to address the Senate on the McEnery resolution to-morrow at some hour.

Mr. BERRY. Immediately after the conclusion of the routine business to-morrow morning.

Mr. PLATT of Connecticut. That brings before the Senate the whole question whether the unanimous-consent agreement is to stand. I have no desire to say anything about it now except that my colleague [Mr. HAWLEY] gave notice that he should ask that it be set aside. My colleague has not been able to get here on account of the snow.

Mr. HALE. Let me say as to the matter of the order of business that after the Senator from Arkansas had given his notice I presented a report from the Committee on Naval Affairs and was recognized by the Chair, and the bill was laid before the Senate and the Secretary commenced reading it when the Senator from Nevada interrupted the reading. It is a bill nobody will object to, and I think it will be better that we have it put through, and then the Senate can discuss the other matter if it chooses.

Mr. PLATT of Connecticut. I wish to say right here and now that this matter of obtaining the unanimous consent of the Senate I think ought not to be taken advantage of in a way that puts Senators in an unfortunate and a false position. It has come to be the only way in which to reach a vote in the Senate upon any subject. It has been recognized by all Senators as being of great value. But if it is to be hereafter sought as a snap judgment on the Senate, it will cease to have its value. That is all I desire to say about it now.

Mr. HALE. Mr. President, I wish to say right here that I was present when the unanimous consent was given. I have never

known in my experience when such consent was given that it was attended with more deliberation and more solemnity than in that case. The Senator from Illinois made a speech of half an hour, in which he arrested the attention of the Senate. There was a full Senate at the end of his speech, and then most deliberately he asked unanimous consent that a vote be taken at half past 2 o'clock on Tuesday upon the McEnery resolution. The Chair submitted the request, and, as was proper, delayed and lingered and waited, and the whole Senate sat here, excepting a few who happened to be absent, and the agreement was made.

It is, as the Senator says, the only way that the Senate reaches conclusions. It is the only barrier the Senate has against the denunciation of the newspapers that it never does business, that after debate the body is always willing to give and always does give consent that at such a time a vote shall be taken; and there is no thing so sacred in the Senate as such an agreement. I have never known it sought to be interfered with because a Senator happened to be absent. I have never known anybody to undertake to interfere with such an agreement, except that occasionally a Senator will ask that it be extended that he may complete some remarks.

But, Mr. President, when this rule of the Senate, this unvaried practice of the Senate, is broken in upon because some Senator does not happen to be present, then the power of the Senate to do business is gone.

It can not be said that the agreement was made in any way by surprise. Senators know that when we have an important matter under consideration and are seeking to get a vote upon it the proposition is sometimes made a dozen times in one day before an agreement is reached. It is made and objected to; in half an hour it is made again and objected to; and in another half hour it is made again, and at last the good sense of the Senate prevails and the agreement is made.

I say again, moved by what the Senator from Connecticut has said, that in my experience in this body I have never known a unanimous-consent agreement reached that was attended by more formality and more carefulness and more notice and with more Senators present than in this case.

Mr. WOLCOTT. Mr. President, there is no question that unanimous-consent agreements in the Senate facilitate the transaction of business. But there is no doubt either, Mr. President, that the unanimous-consent agreements which we have seen in the Senate at this session have been simply an object of manipulation and management to prevent the transaction of business wherein a majority of the Senate desired to participate.

We had a unanimous-consent agreement as to the time of voting upon the treaty. There were resolutions introduced which it was distinctly understood in the minds of almost everybody should be voted upon before the treaty itself came to be voted upon. But having given a unanimous consent to vote upon the treaty then the resolutions were so handled and managed that it was rendered utterly impossible that we should vote upon them until after the treaty was ratified.

The object of a unanimous-consent agreement is to ascertain and gather the views of Senators, and, if possible, secure a meeting of the minds of the members of the Senate, so as to reach a conclusion. If some of us who had uniformly and persistently and constantly objected to a unanimous-consent agreement had been here there would not have been any unanimous-consent agreement. It is of no personal importance to the Senate that I happened to be absent on that day, and yet it is also true that there were a number of Senators who would have as certainly objected to the unanimous consent as they are alive if they had been in the Chamber, who happened to be absent from the Chamber when the unanimous-consent agreement was obtained.

To what extent, Mr. President, we are bound by that unanimous-consent agreement I do not know, but if a unanimous-consent agreement is simply a method of getting agreements by those happening to be present against the wishes of those happening to be absent that we shall do a certain thing on a certain day, I have very serious doubt whether the business of the Senate is facilitated by such methods.

Mr. PLATT of Connecticut. Mr. President, I desire to say one word somewhat in reply to what has been said by the Senator from Maine [Mr. HALE].

At the hour of 2 o'clock on Saturday the discussion which had been proceeding upon the resolutions ceased. The legislative, executive, and judicial appropriation bill was taken up. The resolutions therefore were not under consideration, and every member of the Senate had a right to suppose that no agreement would be asked or entered into except when the resolutions were under consideration.

The Senator from Illinois, availing himself of a technical right, upon the consideration of the appropriation bill, proceeded to deliver a speech upon the resolution. At the commencement of his speech he asked for a unanimous-consent agreement that some or all of the resolutions should be voted upon at a particular time. It was objected to. It was objected to by my colleague, and a little colloquy occurred between my colleague and the Senator from Illinois, which showed conclusively to the Senate and to the Senator from Illinois that my colleague intended to persist in the objection at that time and at any future time until at least the resolutions were under consideration.

The Senator from Illinois proceeded to make a speech, in which he threatened the Senate in various ways, openly and by inference, that there would not be much business done until those resolutions were voted upon. My colleague was called from the Chamber upon business connected with the Military Affairs Committee, and left the Chamber without a suspicion that the request would be or could be renewed under the circumstances.

Now, I insist, Mr. President, that no unanimous-consent agreement was ever obtained in the Senate under similar circumstances. It was obtained under circumstances in which those who desired to object had a right to suppose that it would not be asked; and we shall have no more unanimous-consent agreements in the Senate to vote if this method of obtaining them is to be continued.

I do not say at this moment whether I myself shall feel bound by that agreement or not. If I had been present, I should have objected, both on account of my colleague and on account of myself. If Senators who desire to obtain unanimous consent for votes are permitted to look around this Chamber and to see that for the moment Senators they know will object do not happen to be in the Chamber, and interfere with other business to make their requests at such time, this practice, which has become very valuable to the Senate, will not be continued hereafter.

Mr. MCLAURIN. Mr. President, I do not know what the Senator from Connecticut means by a "snap judgment" or by any "methods by which this consent was obtained." I do know the fact that on successive days a unanimous-consent agreement was asked for. It is not the case with me, but I do know the fact also that there are Senators in this Chamber who would not have cast their votes in favor of the treaty if it had not been understood that there would be a vote on the McEnery resolution or some other of a similar character.

On Saturday the Senator from Illinois [Mr. MASON], the Senator from Louisiana [Mr. MCENERY], and others debated the question for two or three hours, and finally the Senator from Illinois, in open session and before the whole Senate, made his remarkable speech. Before that objection had been made, but in a strong speech he led up to asking the consent of the Senate for a vote on the McEnery resolution, and if any Senator failed to be present it was his own fault, and not the fault, of the Senate or of the Senator who asked for the consent. What other object could there have been in the speech of the Senator except to secure a vote on this resolution? In his absence, I repel any imputation upon his motives, and I desire now to give notice that I shall object to any recision of the unanimous-consent agreement for a vote at half past 2 o'clock on Tuesday on the McEnery resolution.

Mr. HALE. Mr. President, the Senator from Illinois who is absent is amply competent to take care of himself.

Mr. HOAR. Will the Senator from Maine allow me to say one sentence before he proceeds?

Mr. HALE. I would rather finish, and then the Senator can go on, but I yield to the Senator from Massachusetts.

Mr. HOAR. I think the Senator will be glad that I do so.

The VICE-PRESIDENT. The Senator from Maine yields to the Senator from Massachusetts.

Mr. HOAR. It is simply to state that I have received at this moment a message by telephone from the junior Senator from Illinois [Mr. MASON] saying that he is ill and prohibited by his physician from coming here this morning, and that he would like very much to have the discussion about the unanimous-consent agreement postponed until to-morrow, when he will be here.

Mr. WOLCOTT. I should like to ask the Senator from Massachusetts if the unanimous-consent agreement which was asked for carries with it a unanimous consent that we shall not discuss this question without the presence of the Senator from Illinois?

Mr. HOAR. Mr. President, if the Senator will pardon me, I do not see what right—he has a right, of course, to say what he chooses, but I do not see why he addresses that question to me.

Mr WOLCOTT. Because——

Mr. HOAR. If the Senator will pardon me, an absent Senator who is sick called me just now to the telephone and asked me to say something in his behalf to the Senate. I stated it as a mere message, repeating only what he had said and adding no comment, suggestion, or criticism of my own. I do not think that it is quite fair, and I do not think the Senator from Colorado will think it is quite fair, to call upon me either to defend or attack that message. I simply delivered it.

Mr. WOLCOTT. No; the Senator from Massachusetts will not misunderstand me. We have, I understand, a unanimous-consent agreement for taking the vote, given by those who were present in the Senate. We have had notice from the Senator from Arkansas [Mr. BERRY] that immediately after the morning business to-morrow the Senator from Georgia [Mr. BACON] is to address the

Senate, and presumably to take the time until the unanimous-consent agreement becomes operative; and now we are met with the fact that the Senator from Illinois is ill, so that if we carry out the suggestion made there will be no opportunity of even discussing this matter in any way until the time comes when we are to vote upon it.

Mr. HOAR. I do not see why my honorable friend should challenge me on that subject.

Mr. WOLCOTT. I had no personal——

Mr. HALE. Let the Senators adjust their differences outside.

Mr. WOLCOTT. We have none, Mr. President.

Mr. HALE. We are discussing the matter now, and undoubtedly will continue at some length to discuss it.

I only rose to say that when the Senator from Illinois comes here he can take care of himself against the intimation of the Senator from Connecticut that he watched for the absence of opponents upon the floor in order to make his proposition. I repeat that I was present, as the Senator from Connecticut was not, and I saw the proceedings. I saw how deliberate they were. One of the things the Senator from Illinois did was to call for a quorum that Senators might be present when he made his proposition, and a call of the Senate was made. I do not know who had it called. I know I was called in not long before, and 57 Senators answered to their names.

Mr. PLATT of Connecticut. That was before the speech of the Senator from Illinois.

Mr. HALE. It was before the speech undoubtedly, but the Senate was here. I do not know but that the Senator from Illinois himself called for the quorum.

Mr. MCLAURIN. It was the Senator from Illinois who asked for a quorum.

Mr. HALE. I so understood. I was called in and found a full Senate, and the Senate remained full. It did not leave the Chamber while the Senator from Illinois was speaking.

As to the point that it was done pending the consideration of an appropriation bill, I will state I never had charge of an appropriation bill in this body—and I have had charge of a great many—when its consideration was not repeatedly interrupted by offers for unanimous consent. It is always considered, when we are running appropriation bills through, that the Senator in charge of the bill gives way for any proposition of that kind. I can recall several instances when agreements have been made on important subjects pending the consideration of appropriation bills. I know of one instance in which it was done when the Senator from Iowa [Mr. ALLISON] was in charge of the bill, and I have have had it done when I have been in charge. So far from its being considered as a rude intrusion on the rights of Senators who are away, it is precisely the reverse.

I only have further to say that it is a remarkable thing, Mr. President. There has been talk about agreements being made for voting on these resolutions in order to get the treaty passed, and there has been talk about agreements being violated. I know nothing about those agreements. I was not likely to know anything about them. I knew nothing at the time. I observed what was going on.

But this is true, that when Senators who did know about it insist that a vote shall be taken, there is found a most obdurate resistance on the part of Senators against it; and when at last, acting as the Senate always has done, a unanimous-consent agreement has been given, moved by the representations of Senators who knew what the understanding was, to take a vote at a particular hour named, then again we discover the same obdurate resistance against what has been a settled practice of the Senate.

There is something to me, Mr. President, that has almost the element of mystery about this obduracy. What is it that Senators desire? Why is it that they refuse and resort to every method to put off and postpone and prevent a vote upon these resolutions after it has all been agreed upon? I never knew it to happen in the Senate before, when a unanimous-consent agreement has been made on a pending matter that has been discussed and tried and tried again, that Senators insist and intimate to us that they do not know whether they will be bound by it. I wish I did know the inside of this matter. Why is it that there is this constant, never ending objection to getting a vote on the resolutions?

Mr. STEWART. Mr. President, I have not objected to the consideration of the resolution. I made a request in the hearing of the Senator from Illinois, and he perfectly understood it, to have an opportunity of making some remarks on the general subject before I was called upon to vote. I said:

> I wish to say that, under the circumstances, before any resolution is voted upon, I desire to make a few remarks. I want my position understood with regard to this matter. A vote on any one of the resolutions might greatly misrepresent me if I voted for it in its present shape, and if I voted against it my vote might be misunderstood. So, being at liberty, since objection has been made, to be heard upon the subject, I will now give notice that when the resolutions come up, I shall submit some remarks upon the whole subject of the expansion of our territory.

I had given that notice so as not to be cut off from making any remarks. This morning the Senator from Arkansas has given notice that the Senator from Georgia [Mr. BACON] will occupy the time to-morrow morning after the morning business. I gave notice first. I have had no opportunity to submit any remarks. If without controversy with the Senator from Georgia—I do not want that—I am entitled to the floor to-morrow morning under my notice, then I have nothing further to say.

Mr. TELLER. Will the Senator from Nevada allow me to make a suggestion to him?

Mr. STEWART. Certainly.

Mr. TELLER. While I think, perhaps, by the custom of the Senate the Senator from Nevada is entitled to take the floor when the joint resolution comes up, as the Senator from Georgia is not here to-day and probably will not be here and therefore will not be aware of the probable position of the Senate, I suggest to the Senator from Nevada that he make his speech to-day. Fortunately, we can make speeches on anything in the Senate, and, while the joint resolution is not before the Senate, it may be discussed on an appropriation bill or anything, I believe, that is before it, unless when eulogies are being delivered. I do not know that I remember ever seeing it done on such an occasion, but at every other time we discuss anything we see fit. Now, there is nothing to prevent the Senator from Nevada from making his speech to-day, and then we can vote to-morrow. I think if the Senator from Illinois were here there would be no difficulty in getting the consent of the Senate to postpone the vote for twenty-four hours. I would not like to ask unanimous consent for a postponement in his absence. So I think if I were to make a speech on the resolution, I would go on to-day.

Mr. CARTER. I should like to make a suggestion to the Senator from Colorado with his permission. When the Senate adjourns, why not adjourn to meet at 11 o'clock to-morrow?

Mr. TELLER. That would be entirely satisfactory to me. I think I myself want to take five minutes on the joint resolution, and I am going to take it some time to-day when there is something before the Senate.

Mr. ALLISON and Mr. HOAR addressed the Chair.

The VICE-PRESIDENT. Does the Senator from Nevada yield to the Senator from Massachusetts?

Mr. HOAR. What Senator has the floor?

The VICE-PRESIDENT. The Senator from Nevada.

Mr. HOAR. I will wait until he gets through. I was not aware that the Senator from Nevada had the floor.

Mr. STEWART. I will get through in a little time. I am perfectly willing to make the few remarks I have to make to-day, right off or at any time this morning, and get through with it. I desire to put on record my views in regard to this subject before there is any more voting on it, and I am willing to do so at any time. I think it reasonable that I should have that opportunity, and that is all I ask.

Mr. HOAR. I merely wish to enter for one my protest against the doctrine that a Senator is at liberty to speak on any subject he has a mind to, whether it be germane or not germane to a pending question. In my judgment it is a breach of parliamentary law to discuss any question which is not germane to the question then pending. It is true that the Senator speaking, and not the Chair, is the judge whether he be in order or not in that way, because neither the Chair nor the Senate can say whether the Senator may not conceive the argument he is making to be germane or pertinent to the pending matter. It is a privilege which has been sometimes, though very rarely, claimed, and I hope the Senators, instead of undertaking to insist on doing that—as was done Saturday—will obtain, as they always can obtain, the assent of the Senate if they wish to speak on what they themselves think and avow to be a matter not pertinent to the pending question.

Mr. PLATT of Connecticut. The Senator from Illinois asked for permission.

Mr. HOAR. That is what he said. The Senator from Illinois on Saturday first asked for five minutes, or suggested that he wanted to take five minutes. Then I asked that he might be given five minutes by unanimous consent. Then he said he would prefer not to be limited to the five minutes, so that matter was dropped.

I myself have at this moment in my possession the material for a discussion of some of the aspects of this policy which we have apparently entered into by the treaty which it would take three or four hours to deliver. It has been the result of great labor, investigation, reflection, and study on my part. If that is to be the rule, I should like to take those three hours or four hours to do it, appropriation bill or no appropriation bill; but according to my notion of what is the convenient way I do not think I ought to do it, and I protest against anybody else doing it.

Mr. TELLER. I state what has been the rule of the Senate since I came into it nearly twenty-three years ago. When that question once was raised and I was on the floor, it was held here by the distinguished Senator from Ohio, Mr. Thurman, that there was no limit; that there was no such question in this body as

speaking germane to a bill, and never had been, as prevails in the House.

Mr. President, that has never been the rule. It is simply left to a Senator whether he will abuse that privilege or not. It is not a matter of any great concern, because I have never yet in my experience in the Senate heard a Senator rise and ask the consent of the Senate to make a speech on a question not before the Senate that he did not get it. I suppose he will always get such consent; but if there should be such a condition of affairs that somebody should object he would be strictly in order, notwithstanding the Senator from Massachusetts, and he would be strictly in line with the best precedents of the Senate for a hundred years if he should proceed to make his speech notwithstanding that objection. No one yet of all those who have ever presided over the Senate has called any Senator to order and been sustained on the ground that he was not speaking germane to the question before the Senate, and I prophesy there will not be a Senator called to order on that ground very soon.

Mr. ALLISON. Mr. President——

Mr. TELLER. As is suggested to me by the Senator from Wisconsin [Mr. SPOONER], the great Webster and Hayne debate was, according to the Senator from Massachusetts, absolutely out of order, and so have been some of the greatest debates that have ever taken place in the Senate.

Mr. HOAR. The Webster-Hayne debate was on Mr. Foot's resolution on the public lands.

Mr. TELLER. Yes.

Mr. HOAR. And a large part of that discussion turned upon the question whether the representatives of the East in the two Houses of Congress had treated the West unfairly in their votes and policies in regard to the administration of the public lands. It was the question of the right of dealing with the public lands for particular purposes. All that debate was germane. It is true that in the course of that debate, the parties thinking that it was applicable and germane, the question of the constitutional rights in regard to obedience or disobedience to the laws of the United States was discussed.

But the question between the Senator from Colorado and myself is not the question that he stated. I said distinctly, and nobody doubts, that neither the Chair nor the Senate would control a Senator in saying what he chose in order in debate, because neither the Chair nor the Senate can say that in the judgment of the Senator, which must prevail, what he is saying is germane. My proposition is that when the Senator, the judge of that question entirely, is himself of opinion that what he is saying is not germane to the question under discussion, he then ought not to say it; that it is a violation of a rule of order laid down in all the books of parliamentary law and of a rule of the Senate itself, which is governed by the general parliamentary law, to say anything on a subject which is not germane to it, and that it is none the less the duty of the Senator not to violate that rule, but rather more than his duty, because he is the sole judge himself of his application. That I stand by.

Mr. TELLER. Mr. President, I want to say one word in answer to that. On the occasion to which I refer, the Senator from Ohio, Mr. Thurman, said the Senator from Colorado would not be in order if in the Senate he were required to speak germane to the subject. I submitted the question then to the Senator. I said, "Am I in order?" The Senator replied, and the RECORD will show it, "The Senator from Colorado is in order, because there is no rule which requires a Senator in this body to speak germane to the question. The House rule does not here prevail."

Now, I want to say a word, Mr. President, about the Webster-Hayne debate. That went beyond all possibilities of being germane to the resolution of Mr. Foot, and such a debate could not have taken place in the House of Representatives at that time under their rules. It was considered legitimate then, and always has been considered legitimate. It has never been considered un-Senatorial or disrespectful or discourteous to the Senate to discuss any question that a Senator thought he ought to discuss on any bill at any time in the Senate.

Mr. ALLISON. Mr. President, I was present on Saturday when this consent agreement was given, and I was present this morning when the Senator from Arkansas [Mr. BERRY] gave notice for the Senator from Georgia [Mr. BACON] that he would on to-morrow morning speak upon the joint resolution. It is well known and well understood on both sides of the Chamber that if these resolutions, including the joint resolution of the Senator from Louisiana [Mr. MCENERY], were to be debated and considered, it would take the remainder of the present session, there being now, I believe, but fifteen days in which to conclude the enormous unfinished business of the session. If there was anything in that unanimous-consent agreement which was understood and implied, it was that the vote should be taken without interruption of the necessary and pending business of this Chamber, and it was just as much implied that there should be no debate on the resolution as it was that the resolution itself should be voted upon.

Mr. HOAR. Will the Senator allow me to remind him of a fact?

Mr. ALLISON. Certainly.

Mr. HOAR. The Senator from Illinois [Mr. MASON], just before asking unanimous consent, said that he meant to address the Senate upon the resolution at greater length on Tuesday.

Mr. ALLISON. I did not hear the Senator make that statement.

Mr. HOAR. He stated that in my hearing.

Mr. ALLISON. One great objection I have had, and that other Senators have had as to this resolution and kindred resolutions, is that they occupy the time of the Senate without, as I conceive, any practical good. I was willing, and I am now willing, that a vote shall be taken upon this resolution when the hour of half-past 2 o'clock comes to-morrow.

Mr. MCLAURIN. May I interrupt the Senator a moment?

Mr. ALLISON. Certainly.

Mr. MCLAURIN. I did not understand the Senator from Illinois [Mr. MASON] in the way the Senator from Massachusetts [Mr. HOAR] seems to have done. I understood the Senator from Illinois to mean that unless this unanimous consent was given——

Mr. ALLISON. Yes, unless it was given.

Mr. MCLAURIN. He would address the Senate at greater length on Tuesday, but having obtained the unanimous-consent agreement he was willing that there should be a vote on Tuesday at half-past 2. That was my understanding.

Mr. HOAR. The Senator from Illinois mentioned Tuesday.

Mr. HALE. I remember that.

Mr. ALLISON. What I rose for especially was to protest, at least as one Senator on this floor, that the usual notice which is given when Senators desire to address the Senate is rarely given during the closing hours of a session or of a Congress, and the Senator from Georgia ought not to give such a notice.

If this resolution is to be considered and debated prior to the hour of half past 2 o'clock to-morrow, there should be a motion to take it up, so as to see whether a majority of the Senate is in favor of opening the debate respecting this important question. The resolutions have been debated over and over again after unanimous consent was given to take a vote upon the treaty, such debate occupying two hours of the Senate every day during the intermediate time between the unanimous-consent agreement to take a vote on the treaty and the taking of that vote.

Mr. BERRY. Will the Senator permit me one question?

Mr. ALLISON. Yes, sir.

Mr. BERRY. Does not the Senator think, in view of the fact that the Senator from Georgia [Mr. BACON] is not present, that it would be better to defer comments on the propriety or the impropriety of what that Senator proposes to do until he is present?

Mr. ALLISON. Very well: perhaps it would. And I waive that. But the Senator from Georgia speaks here through another Senator.

Mr. CLAY. Mr. President——

Mr. ALLISON. One moment. I give notice, Mr. President, I shall object to the consideration of the resolution to-morrow morning, unless a motion is made to take it up for consideration. I will abide by the unanimous-consent agreement, although I appreciate the difficulty of the Senator from Nevada and the Senator from Connecticut. But if we are to open up this question for debate, let us test the sense of the Senate by a vote to take up the resolution, and let that be the business for to-morrow morning.

Mr. HALE. That will not interfere with the vote to-morrow, which is to be taken at half past 2 o'clock.

Mr. ALLISON. Certainly not. But the Senator from Georgia [Mr. BACON]—and I will speak of that now—gives notice through the Senator from Arkansas [Mr. BERRY] that he will speak on this resolution immediately after the routine morning business to-morrow, which will doubtless cut out every other thing from that time until half past 2 o'clock, leaving only the interval, certainly, of half an hour.

The appropriation bills, if we are to have them disposed of at this session of Congress, must proceed; but, acceding to the desire of the Senator from Louisiana [Mr. MCENERY] and other Senators to have a vote on the resolution, I was willing that the vote should be taken. There was, however, no suggestion by the Senator from Illinois [Mr. MASON], and no suggestion made at the time by any other Senator, that these resolutions were intended to be debated by and large in this Chamber.

Mr. STEWART. I had suggested that I wanted an opportunity to make a few remarks, as I had had no such opportunity previously.

Mr. ALLISON. I understand that; but I mean at the time unanimous consent was given there was no such suggestion.

Mr. STEWART. At the time I addressed the Senate I supposed that matter was all over.

Mr. ALLISON. I mean at the time the unanimous consent was given. I am willing that the resolution of the Senator from Louisiana shall be taken up to-morrow morning; but I do not think that any one Senator on a resolution of this importance, which is to be voted on in an hour or two subsequently, ought to occupy the

whole time in debating it. I will say that in the presence or in the absence of any Senator who has given notice of his intention to speak on the resolution. This debate must naturally and necessarily be limited to observations by Senators giving their reasons briefly for their vote for or against the resolution.

Mr. TILLMAN. Mr. President——

The VICE-PRESIDENT. Does the Senator from Iowa yield to the Senator from South Carolina?

Mr. ALLISON. I yield.

Mr. TILLMAN. I have carefully read during the debate this morning all the proceedings which appear in the RECORD before the Senator from Illinois [Mr. MASON] made his speech, which has been withheld for revision. The notice that he would obstruct business, that he would talk on anything and everything, and thus block all appropriation bills and other legislation, as I understood him—and which, I think, will be conceded by Senators who heard him, was the impression he made—that statement does not appear in the RECORD, but I think it is in the speech which has been withheld, and which was made without interruption and almost without any colloquies. After he had asked unanimous consent, the Senator from Massachusetts [Mr. HOAR] suggested that the Senator from Illinois be given the five minutes which he had requested, and the Senator from Colorado [Mr. TELLER] suggested that the Senator from Illinois go on and speak on the appropriation bill. It looks to me as though the Senator from Nevada [Mr. STEWART] and the Senator from Georgia [Mr. BACON], who have expressed a desire to speak on these resolutions, ought to have the opportunity to be heard before the vote is taken.

Mr. ALLISON. Mr. President, I ask unanimous consent that the meeting of the Senate to-morrow be at 11 o'clock instead of at 12 o'clock; that is, when we adjourn to-day we adjourn to meet at 11 o'clock to-morrow.

The VICE-PRESIDENT. Does the Senator make that motion?

Mr. ALLISON. No; I ask unanimous consent.

Mr. TILLMAN. Will that be for the purpose of taking up the resolution as soon as the morning business is over to-morrow, so as to let the resolution be discussed until half past 2 o'clock?

Mr. ALLISON. Undoubtedly.

Mr. WOLCOTT. I would prefer the Senator from Iowa would put it in the form of a motion, if he will. I think we have had enough unanimous-consent agreements.

Mr. ALLISON. Then I will not at this moment make the motion, but will make it later.

Several SENATORS. Make it now.

Mr. COCKRELL. I do not think there is any necessity for that. I think we can get along by meeting at 12 o'clock.

Mr. ALLISON. In accordance with the suggestion of several Senators, I will move that the Senate meet to-morrow morning at 11 o'clock.

The VICE-PRESIDENT. The Senator from Iowa moves that when the Senate meets to-morrow it be at 11 instead of 12 o'clock. Is the Senate ready for the question?

Mr. COCKRELL. That is on condition that the resolution of the Senator from Louisiana shall be taken up and be the subject of discussion?

Mr. ALLISON. I understand it so. That is what I propose.

Mr. WOLCOTT. I should like to understand what that understanding is of which the Senator speaks.

Mr. ALLISON. I will reach that later.

Mr. WOLCOTT. But now the motion of the Senator from Iowa is simply that we meet at 11 o'clock to-morrow?

Mr. ALLISON. That is the present motion.

Mr. WOLCOTT. But there is no understanding?

Mr. ALLISON. None that I know of as yet.

The VICE-PRESIDENT. The question is on the motion of the Senator from Iowa [Mr. ALLISON] that when the Senate adjourn to-day it be to meet at 11 o'clock to-morrow morning.

The motion was agreed to.

Mr. ALLISON. Now, Mr. President, I ask that to-morrow morning, immediately after the routine business, the resolution of the Senator from Louisiana [Mr. MCENERY] may be taken up for debate only, and that each Senator debating it shall have fifteen minutes.

Mr. BERRY. In the absence of the Senator from Georgia [Mr. BACON], I can not consent to any agreement of that kind. The Senator from Georgia sent me a telephone message simply asking me to give notice that to-morrow morning immediately after the conclusion of the morning business he would ask the Senate to be heard on the resolution of the Senator from Louisiana [Mr. MCENERY]. I have given that notice, and now I can not, of course, consent to any agreement which would interfere with that right of the Senator from Georgia, if it be a right, or, at least, with his purpose in the matter until he is himself present.

Mr. ALLISON. Then I will modify my suggestion and leave it to the good sense of the Senator from Georgia. I modify my suggestion so that debate shall be confined to twenty minutes for each Senator on the resolution of the Senator from Louisiana until the hour of voting shall arrive.

Mr. BERRY. I will not consent to anything that will interfere with the right of the Senator from Georgia to speak to-morrow morning, he having sent me the message to which I have referred.

Mr. ALLISON. I exempted the Senator from Georgia from the operation of that rule.

Mr. BERRY. If the Senator from Georgia is excepted, I have no objection.

Mr. CLAY. Mr. President, I have just had a communication from my colleague [Mr. BACON], in which he says that he desires to make a statement to the Senate to-morrow morning giving his reasons why his resolution should be adopted in lieu of that of the junior Senator from Louisiana [Mr. MCENERY].

Mr. ALLISON. Then I withdraw my suggestion.

Mr. CLAY. In view of what I have stated, I feel it just that my colleague should have the privilege he desires before the resolution is voted upon. My colleague is necessarily detained from the Senate to-day and can not be present.

Mr. HALE. I wish the Senator from Iowa would state for the information of the Senate the condition of the appropriation bills—what appropriation bills are ready and when they will be presented for the action of the Senate. Some of us are interested in other measures. The naval personnel bill, which was reported a week or more ago, is now upon the Calendar. It is a matter of great importance to a great branch of the Government, and as soon as the Senator from Iowa, or other members of the Committee on Appropriations having charge of appropriation bills, get those bills out of the way which are now here I shall ask the Senate to proceed to consider the naval personnel bill. Senators know a great deal about it, perhaps all about it. I do not think it will take a long time. There are no great controversies in it. It is only a matter of perfecting details. But I shall ask the Senate to take that bill up as soon as the appropriation bills, which the Senator from Iowa is practically in charge of, are out of the way. If the Senator can indicate how long a time the present batch of appropriation bills—not those that are to come in hereafter—will take the Senate, I shall be obliged if he will state it.

Mr. ALLISON. The Agricultural appropriation bill was taken up on Saturday evening, and I hope the Senate will allow us to proceed with that bill now, and that its consideration will be concluded to-day. After that the West Point Military Academy appropriation bill will be taken up. It is now on the table ready to be acted upon. The Post-Office appropriation bill will be ready to be taken up for consideration on Wednesday morning, certainly not later than Thursday morning. So these three appropriation bills can be disposed of at a very early day. These are the only bills thus far which have come from the House of Representatives which have not been considered by the Senate or by the Committee on Appropriations of this body.

Mr. HALE. What are the other bills, some of them very great bills and of great importance, which are still untouched by the Senate?

Mr. ALLISON. The naval appropriation bill, the Army appropriation bill, the sundry civil appropriation bill, and the general deficiency appropriation bill are still in the House of Representatives.

Mr. BERRY. And the river and harbor bill.

Mr. ALLISON. And the river and harbor bill, which is, of course, a bill of importance; at least, it will take time.

Mr. COCKRELL. That bill is now pending in the Committee on Commerce.

Mr. ALLISON. Yes; that bill is in the Committee on Commerce, and I suppose will be reported within a few days. But it is manifest that the bills now ready, or to be ready within a brief period, will occupy a good deal of the time of the Senate. It is for that reason that I have protested, and do protest, against the consumption of time on matters of mere statements, for that is all that is involved in these resolutions.

The Army reorganization bill is an important bill, and I suppose it will be reported soon. Those having it in charge will probably ask for its early consideration. All these subjects will take time, and I hope that every Senator will see the importance of utilizing all the time we have remaining in the consideration of these questions, which must be disposed of if we are to have an adjournment which is not to be followed by an extra session.

Mr. HOAR. Mr. President, I desire to say that I had given notice that I should move an executive session at 2 o'clock to-day, but on consultation with the Senator from North Carolina [Mr. PRITCHARD], his colleague [Mr. BUTLER] being absent, I will take the responsibility of not making that motion to-day, and give notice that I will make it after the vote, if one be had, to-morrow on this other subject, which will probably be a little later than half past 2 o'clock. I have thought it proper that the Senator from Iowa should know that now.

Mr. ALLISON. Very well.

Mr. CHANDLER. I rise to a question of order, Mr. President.

Mr. ALLISON. Then I hope the morning business will be proceeded with.

Mr. CHANDLER. I rise to a question of order, Mr. President.

Mr. ALLISON. I rise to a question of order also, which is the regular order.

Mr. HALE. Regular order, Mr. President.

Mr. CHANDLER. My point of order is that the regular morning business is alone in order, which is the bill (S. 5352) creating the office of admiral of the Navy, reported by the Senator from Maine [Mr. HALE].

Mr. HAWLEY. I rise to a question of privilege, of which I gave notice on Saturday last. I wish to make my point, and then to go to the Committee on Military Affairs on other business.

Unanimous consent was asked for the taking of the vote on a certain resolution to-morrow (Tuesday) afternoon. I objected firmly and two or three other Senators objected with equal vigor. I went back on public business to my committee room, and was surprised to hear not long afterwards that unanimous consent had been again asked for and granted. It so happened that all three of us who had objected to a unanimous-consent agreement were out of the Chamber when that request was made the second time.

I feel that that unanimous-consent agreement ought to be vacated if there be any process in the world by which it can be done; and if not, it ought to be quietly ignored. I do not wish to characterize the performance; I do not charge any bad faith in it at all, but it is most unfortunate and most unfair, I may say, and makes a very bad precedent indeed. I think it will be difficult hereafter to get a unanimous-consent agreement for anything except an adjournment.

ADMIRAL OF THE NAVY.

The VICE-PRESIDENT. The bill reported by the Senator from Maine [Mr. HALE], for which he asked unanimous consent for present consideration, will be read for information.

Mr. COCKRELL. Was the bill reported this morning?

The VICE-PRESIDENT. The Senator from Maine reported the bill this morning and asked unanimous consent for its immediate consideration.

Mr. COCKRELL. I think that the bill had better lie over until to-morrow.

Mr. HALE. Of course, if the Senator insists on his objection, the bill will go over. I should like, however, to have it passed.

Mr. COCKRELL. Let the bill lie over for the present until I can have time to examine it.

Mr. COCKRELL subsequently said: In regard to the bill (S. 5352) creating the office of admiral of the Navy, I have examined it and withdraw any objection to it.

Mr. HALE. Then, Mr. President, I ask that the bill may be put on its passage.

The VICE-PRESIDENT. Is there any objection to the present consideration of the bill?

There being no objection, the Senate, as in Committee of the Whole, proceeded to consider the bill (S. 5352) creating the office of admiral of the Navy. It authorizes the President to appoint, by selection and promotion, an admiral of the Navy, who shall not be placed upon the retired list except upon his own application; and provides that whenever such office shall be vacated by death or otherwise the office shall cease to exist.

Mr. COCKRELL. I wish to inquire of the Senator from Maine whether, under the language of the bill, confirmation by the Senate will be required?

Mr. HALE. Undoubtedly.

The bill was reported to the Senate without amendment, ordered to be engrossed for a third reading, read the third time, and passed.

PUBLIC LANDS FOR PARK PURPOSES.

Mr. HANSBROUGH. I am instructed by the Committee on Public Lands, to whom was referred the bill (H. R. 11455) granting to the city of Boulder, in the State of Colorado, certain lands for park purposes and for the preservation of the native trees on said lands, to report it favorably with an amendment. I ask unanimous consent to have the bill considered at this time.

The VICE-PRESIDENT. Is there objection to the present consideration of the bill?

Mr. COCKRELL. Let it be read for information.

The VICE-PRESIDENT. The bill will be read for information.

The Secretary read the bill, as follows:

Be it enacted, etc., That there is hereby granted to the city of Boulder, a municipal corporation, in the county of Boulder, in the State of Colorado, for park purposes and for the use and benefit of said city, subject to all valid entries made prior to the passage hereof, the following-described lands, to wit:

The SW. ¼ sec. 26, and the W. ½ of the SE. ¼ sec. 26, and the SE. ¼ of the SE. ¼ sec. 26; also the W. ½ sec. 35, and the N. ½ of the NE. ¼ and the S. ½ of the SE. ¼ sec. 35, T. 1 N., R. 71 W. of the sixth principal meridian; also the NW. ¼ of the NW. ¼ sec. 2, and the S. ½ of the N. ½ sec. 2, and the S. ½ sec. 2; also the SW. ¼ of the NW. ¼ and the W. ½ of the SW. ¼ sec. 1; also the N. ½ of the N. ½ sec. 11; also the W. ½ of the NW. ¼ of sec. 12; also the SW. ¼ sec. 12, T. 1 S., R. 71 W. of the sixth principal meridian, containing 1,800 acres, more or less; subject, however, to any lawful rights or claims to any part or parts of said lands which may have accrued prior to the passage of this act.

SEC. 2. That said city shall never alienate any part of said lands, and shall, within twelve months after the passage of this act, distinctly mark the boundaries of said lands, and shall, as far as practicable, protect and preserve all the native trees now growing on said lands, and protect other trees thereon.

SEC. 3. That upon proper proofs in the United States land office at Denver, Colo., that said boundaries have been distinctly marked by said city, as hereinbefore stated, and that said city by its corporate authorities accepts the aforementioned grant on the conditions aforestated, the Secretary of the Interior is hereby authorized, empowered, and directed to issue to said city of Boulder a patent of said lands, in which patent shall be recited the above-stated purposes, conditions, and limitations.

SEC. 4. That said lands shall be forfeited to the United States if within three years from the passage hereof the said city has not begun to use them for the purposes granted, or if at any time the city shall for a period of three years cease to use the same for such purposes.

The VICE-PRESIDENT. Is there objection to the present consideration of the bill?

There being no objection, the Senate, as in Committee of the Whole, proceeded to consider the bill.

Mr. HANSBROUGH. The Committee on Public Lands has reported an amendment adding two new sections to the bill.

Mr. COCKRELL. Does the committee propose to strike out anything?

Mr. HANSBROUGH. No; nothing is stricken out.

The VICE-PRESIDENT. The amendment reported by the committee will be stated.

The SECRETARY. It is proposed to add to the bill the following as new sections:

SEC. 5. That the following-described tract of land, situate in the county of Rolette, State of North Dakota, namely, the south half of northwest quarter of section 30, township 162 north, range 72 west, be, and the same is hereby, granted and conveyed to the Lake Schutte Cemetery Corporation, of Dunseith, N. Dak., to have and to hold said lands to its use and behoof forever for cemetery purposes.

SEC. 6. That the northwest quarter of the northwest quarter of section 30, township 17 north, range 3 east, Black Hills meridian, is hereby granted to the Nashville Presbyterian Church, of Nashville, S. Dak., for cemetery purposes; and the trustees of said church, and their successors in office, are hereby authorized and empowered to sell or convey lots to any person at such price as they shall fix for the same for burial purposes: *Provided*, That there was no prior legal claimant upon said land at the time it was first used for cemetery purposes.

The VICE-PRESIDENT. The question is on the amendment.

Mr. COCKRELL. I should like to ask the Senator from North Dakota what quantity of land is given to the city of Boulder, in the State of Colorado?

Mr. HANSBROUGH. About 1,800 acres of land, which is totally useless for any other purpose. The land stands almost perpendicularly; and the city of Boulder, Colo., desires to use the land for park purposes.

Mr. PETTIGREW. It does not give title in fee to the land.

Mr. HANSBROUGH. It does not give the land outright. It is not a grant in fee. The land which is proposed to be granted for cemetery purposes in North Dakota by the amendment inserting section 5 is of a similar character to that referred to in the original bill; that is, it is worthless, it is useless for other purposes, and amounts to but 80 acres.

Mr. TELLER. Is $1.25 an acre to be paid for it?

Mr. HANSBROUGH. No.

Mr. COCKRELL. The land is given.

Mr. HANSBROUGH. Section 6 provides for a grant of 40 acres in South Dakota for cemetery purposes. The land is not good for any other purpose.

Mr. PETTIGREW. It is arid land.

Mr. COCKRELL. Is there a town at the place where the grant is proposed to be made in South Dakota?

Mr. PETTIGREW. No; there is no town; it is simply a church there on the prairie, around which some people have been buried, and the land only covers 40 acres.

The bill was reported to the Senate as amended, and the amendment was concurred in.

The amendment was ordered to be engrossed and the bill to be read the third time.

The bill was read the third time, and passed.

On motion of Mr. HANSBROUGH, the title was amended so as to read: "A bill granting to the city of Boulder, in the State of Colorado, certain lands for park purposes and for the preservation of the native trees on said lands, and for other purposes."

BILLS INTRODUCED.

Mr. SULLIVAN introduced a bill (S. 5496) for the relief of Sallie Bailey, administratrix of the estate of Richard Griffith, deceased; which was read twice by its title, and referred to the Committee on Claims.

Mr. HANNA introduced a bill (S. 5497) granting an increase of pension to William Dunn; which was read twice by its title, and, with the accompanying papers, referred to the Committee on Pensions.

Mr. ALLISON (by request) introduced a bill (S. 5498) granting a pension to Mary R. Dean; which was read twice by its title, and referred to the Committee on Pensions.

AMENDMENT TO SUNDRY CIVIL APPROPRIATION BILL.

Mr. PETTIGREW submitted an amendment proposing to appropriate $100,000 out of moneys, arrears of pay, and bounty which are due the estates of deceased colored soldiers who served in the late civil war, and which were in the hands of the commissioner

of the Freedmen's Bureau, and have been repaid into the Treasury, etc., intended to be proposed by him to the sundry civil appropriation bill; which was referred to the Committee on Education and Labor, and ordered to be printed.

EMMA A. PORCH.

On motion of Mr. COCKRELL, it was

Ordered, That Emma A. Porch have leave to withdraw from the files of the Senate the papers filed with the bill (S. 5288) granting a pension to Mrs. Emma A. Porch.

JOHN M. PALMER.

The VICE-PRESIDENT laid before the Senate the amendments of the House of Representatives to the bill (S. 5342) granting a pension to John M. Palmer, which were, in line 4, after the words "pension roll," to insert "subject to the provisions and limitations of the pension laws," and in line 6, before the word "dollars," to strike out "one hundred" and insert "fifty."

Mr. ALLISON. I ask that that bill may lie on the table until some member of the Committee on Pensions is present.

The VICE-PRESIDENT. The bill will be laid over in the absence of the Senator from North Dakota [Mr. HANSBROUGH].

TWELFTH AND SUBSEQUENT CENSUSES.

Mr. CARTER. I ask the Chair to lay before the Senate House bill 11815.

The VICE-PRESIDENT. The Chair lays before the Senate the bill (H. R. 11815) to provide for taking the Twelfth and subsequent censuses, which has heretofore been read twice by its title. Is there objection?

There being no objection, the Senate, as in Committee of the Whole, proceeded to consider the bill.

Mr. CARTER. Mr. President, I presume the parliamentary situation with reference to this bill is pretty generally understood throughout the Chamber. On the 8th of June last, after very full and thorough discussion in the Senate, and in the Committee on Census preceding that time, the census bill was finally passed by the Senate and transmitted in regular order to the other branch of Congress. It seems that through some inadvertence the bill—its essential features preserved—was not acted upon as a Senate bill, but was incorporated and made a distinct House bill. There is but one radical difference between the Senate bill as it passed and the bill as passed by the House. It will be remembered that by the Senate bill the Census Bureau was to be made a subordinate part of the Interior Department, subject to the control of the Secretary. The House bill provides that the Census Bureau shall constitute a separate and distinct Bureau, independent of all Departments. Throughout the bill numerous minor amendments are made to make the text conform to the change of theory in the construction of the Bureau.

It is manifest that if the bill is now referred to the committee at this late day in the session and discussed anew, section by section, and finally thrown into conference, after a long debate in the Senate, it will be very late in the session when the bill passes, and perchance it may fail altogether. In order to relieve the Congress from the embarrassments of this parliamentary situation, with the consent of the various members of the Committee on the Census, I ask that all after the enacting clause of the House bill be stricken out and that the bill as passed by the Senate be substituted therefor. I ask that this may be done without reading the proposed substitute, which has been three times read in the Senate and carefully discussed section by section.

Mr. CHANDLER. Does the Senator from Montana then propose to ask for a conference?

Mr. CARTER. I shall ask for a conference on the disagreeing votes of the two Houses.

Mr. COCKRELL. I think it a matter of justice to the House that its bill should be read. We are all familiar with what the Senate bill is, but certainly we ought not to strike out an entire bill coming from a coordinate branch without giving it the courtesy of a reading.

Mr. HALE and Mr. CHANDLER. Let it be read.

Mr. CARTER. Let the House bill be read.

The VICE-PRESIDENT. The Secretary will read the bill.

The Secretary read the bill.

Mr. CARTER. Mr. President, this bill having been read, I now ask that it lie on the table until to-morrow morning, in deference to the request of certain Senators in the Chamber.

The VICE-PRESIDENT. Is there objection to the request of the Senator from Montana?

Mr. CHANDLER. Before that action is taken, which I have no doubt is wisely taken, I wish to say a word on the subject of the necessities of expediting this bill.

Mr. President, a census bill should have been passed nearly a year ago. The census is to be taken in June or July of next year, but the census will be not merely an enumeration of the inhabitants at that time. It will include certain statistics of agriculture and manufactures pertaining to this very calendar year, 1899. As I said a year ago, I say now, it is of great importance that the circulars of the Census Office, which tell the people what kind of information is wanted, in addition to the bare enumeration of inhabitants, should be issued at the earliest possible date, so that people may make preparation to answer, so that they may keep their memorandum books and their books of account in such form as to give the result of their year's work.

The Senator from Missouri [Mr. COCKRELL], who I see is listening to me, will remember that I made that point a year ago. I make it more earnestly now. Some of the most useful information obtained by the census pertains to the previous calendar year, in which there have been products of agriculture and manufacture in the country, and the persons who are to furnish that information to the enumerators and to the other agents of the census when it is called for ought to have the amplest possible notice.

Mr. President, I can think of no bill, outside of the Army bill and the appropriation bills, which it is of more importance to the country to have passed at an early day. I therefore appeal to Senators that to-morrow they will expedite this bill and manage to give it a substantial advance toward becoming a law.

Mr. COCKRELL. I should like the Senator from Montana to designate the main differences between the Senate and House bills.

Mr. CARTER. The one radical difference between the two bills rests in the provision inserted in the House bill looking to the establishment of the Census Office as an independent bureau. It will be remembered that the question was presented to the Senate as to whether this Bureau should be independent or should be a subordinate division of the Interior Department. The Senate determined in favor of the subordinate division. The bill of the House takes the opposite view. Certain amendments were of necessity inserted in the bill to make it conform throughout to that view.

The salary of the Director of the Census was fixed by the Senate at $5,000. It is fixed by the House bill at $6,000 per annum. In other particulars the bills are practically identical, except that they are framed upon different theories with reference to the independence or the subordinate character of the bureau that is to be formed.

Mr. COCKRELL. As to what subjects must the census contain statistics?

Mr. CARTER. In that particular the bills do not differ except in one minor detail. The inquiries provided for the decennial census by both bills relate to population, the numeration of the people, agriculture, manufacturing, and the vital statistics, it being the theory of both bodies that the inquiries should be limited as strictly as possible as to those questions concerning which it is necessary to make a house-to-house canvass in order to acquire the desired information. All matters of detail that can be acquired by correspondence can still be secured in that way from year to year, without encumbering the decennial census with the great cumbersome inquiries that have heretofore been adopted.

Mr. HALE. If the Senator from Montana will allow me, I thought, in examining the bill, that the feature which seemed to me so valuable and which the Senate insisted upon—of its being a limited census, not clogged with these outside matters that would prolong the work and prolong the publication—had been adopted by the House.

Mr. CARTER. It has been adopted.

Mr. HALE. Without that I should certainly not be willing to consent to any amendment or change or proposition, because if this census goes as the others have gone on for the last twenty years we will never complete it and we will never hear from it afterwards.

Mr. TELLER rose.

The VICE-PRESIDENT. Does the Senator from Montana yield to the Senator from Colorado?

Mr. COCKRELL rose.

Mr. TELLER. I yield to the Senator from Missouri if he desires to proceed.

Mr. COCKRELL. No.

Mr. CARTER. I wish to make a further remark, but I will yield to the Senator from Colorado if he desires.

Mr. TELLER. I wish to say one word.

Mr. CARTER. I yield to the Senator from Colorado.

Mr. TELLER. I notice in the House bill that the Census Bureau is to be independent of the control of any Department. That will add very materially to the expense; I do not know how much, but it can be determined. I hope that if the bills go into conference the conferees on the part of the Senate will insist that that feature of the Senate bill be retained that the census shall be under one of the Departments. I am not particular whether it is under the Agriculture Department or the Interior Department, but there must be lodged somewhere a control over it. We do not want to create any more of these independent bureaus. They are anomalous, expensive, unsatisfactory; we have enough of them, and I think it is our duty eventually to put all of them under the control of some Department. I shall feel very much like antagonizing the bill if it comes here in the form in which the House bill is.

Mr. CARTER. Mr. President, in addition to the inquiries to be made by the enumerators in connection with the decennial census, it is provided that this Bureau shall from time to time, as directed by Congress, or when so required, procure information other than that embodied in the regular census reports, this information to be promulgated in the form of bulletins or supplemental reports connected with the census.

The enumeration is somewhat elaborate as to the matters which may be made the subject of inquiry. The House has added one subject to those contemplated by the Senate bill; that is, a line of inquiry concerning mines and mining, mineral productions, and mineral resources. That, however, is an item, as, indeed, all these supplemental items are, which will be under the direction of Congress and subject to be acted upon or not as Congress may in the future determine.

Mr. COCKRELL. Under the theory of the bill of the House, would there be a more complete statement of our mining interests than is given in the Mineral Resources of the United States, published annually by the Geological Survey?

Mr. CARTER. I will say in that behalf to the Senator from Missouri that it is my impression that the duplication of work by the Government is extravagant and unsatisfactory. A book has been published under the direction of the Geological Survey for many years, known as the Mineral Resources of the United States.

Mr. COCKRELL. Certainly.

Mr. CARTER. It is a very excellent and satisfactory publication. Again, the Director of the Mint annually collects statistics relative to the production of the precious metals, and under the direction of Congress they are published in a volume each year. I can not conceive how the census can with any degree of profit to the Government supplement that work or duplicate it. I think the work should be consolidated either in the Bureau of the Mint or in the Geological Survey, and that it is not necessary that it shall be made a part of the census work at all.

Mr. COCKRELL. I suppose that the report of the Secretary of Agriculture to some extent gives an estimate of the agricultural resources and productions of the country.

Mr. TILLMAN. I will state, for the information of my two legal friends here, that for a farmer that information is not worth much as the basis of official investigation. It is pure guessing. The information is derived from a correspondent in each Congressional district or in each county, who merely guesses at what his county produces. The figures given in the annual reports, though valuable as guesses made by experienced and intelligent men, are not of sufficient accuracy to be of use in comparison with a census report.

While I am on my feet I will state further, for the information of the Senator from Missouri, who has taken an interest in this matter, that while I have just been appointed on the committee and have not had time to do more than give a cursory examination of the subject, there is one feature of difference between the House bill and the Senate bill which may or may not be considered essential. The Senate bill provided that not more than two-thirds of the enumerators and supervisors should belong to any given party, which by inference would mean that the other parties in the country would have one-third. But it seems to me if there is anything in the world that we do want and ought to fight for here it is a nonpartisan census, an absolutely impartial and honest enumeration of the matters which the census is to deal with, and to have as little politics in it as in the nature of the case can be had.

Mr. CARTER. It is true that the feature of the Senate bill relating to the matter referred to by the Senator from South Carolina has been omitted from the House bill.

Mr. TILLMAN. I will state further that the Senate bill simply recognizes partisanship. Is it essential, or would the Senator from Montana consider it essential, that that feature should be retained?

Mr. CARTER. I regretted the adoption of that amendment in the Senate, because I think now, as I thought then, that Congress, by virtue of the amendment, necessarily imported partisanship into the census work. It would be necessary for the Director or his supervisors to inquire as to the politics of the men appointed, and I thought that was an importation by Congressional action into the question of taking of the census of the very element that all desired to exclude as far as possible from the census work.

Mr. HALE. If the Senator will allow me, I think he is right about that; that in a sense it is introducing it by the provision; but I think the provision is a good one. I think it will work well. I believe in certain parts of the country it will work very much better than if we do not have it in. I am in favor of keeping it in.

Mr. TILLMAN. I will state further what is of course known to those who have examined the Senate bill, that the only provision in either bill for any examination whatever is one under the direction and supervision of the Director of the Census himself. In other words, our great nonpartisan Civil Service Commission, which was supposed to give us public servants representing intelligence and fitness rather than party, and all that sort of thing, is ignored absolutely.

Mr. HALE. The Senator will bear in mind that that is a dreadfully overworked body of men.

Mr. TILLMAN. I am afraid they are very much overworked because they were required to do what they have not been able to do.

Mr. HALE. We ought not to put upon them any burden which will make their life more miserable than it is now.

The PRESIDING OFFICER (Mr. CHANDLER in the chair). The bill goes over in accordance with the request of the Senator from Montana.

AGRICULTURAL APPROPRIATION BILL.

Mr. ALLISON. I now ask that the Agricultural appropriation bill be taken up for consideration by unanimous consent.

Mr. NELSON. I wish the Senator from Iowa would yield to me for a moment. There is a very short bill that I should like to have considered, by request of the Committee on Commerce.

Mr. ALLISON. After the appropriation bill is taken up I will yield to the Senator from Minnesota if it does not take time or debate.

Mr. NELSON. It will not take any time. If it does, I will withdraw the bill.

The PRESIDING OFFICER. Is there objection to taking up the Agricultural appropriation bill?

There being no objection, the Senate, as in Committee of the Whole, proceeded to consider the bill (H. R. 11266) making appropriations for the Department of Agriculture for the fiscal year ending June 30, 1900; which had been reported from the Committee on Appropriations with amendments.

Mr. ALLISON. I ask that the formal reading of the bill be dispensed with, that the bill may be read for amendment, and that the committee amendments may be first considered. I hope there will be no objection to this course.

The PRESIDING OFFICER. Without objection, it will be so ordered by the Senate. The committee amendments will be considered as they are reached in the reading of the bill.

Mr. COCKRELL. And before any other amendments.

The PRESIDING OFFICER. And before any other amendments are received.

Mr. ALLISON. I have promised to yield to two or three Senators for business that it is said will require no time or lead to no debate. I yield to the Senator from Minnesota [Mr. NELSON].

SHIPPING LAWS FOR HAWAIIAN ISLANDS.

Mr. NELSON. I am instructed by the Committee on Commerce to ask unanimous consent for the consideration of the bill (H. R. 11186) to extend the law relating to commerce, navigation, and merchant seamen over the Hawaiian Islands, ceded to the United States.

The PRESIDING OFFICER. The Senator from Minnesota asks unanimous consent for the consideration of a bill, which will be read.

Mr. ALLISON. I hope that bill will not be taken up today. It may not take much time in the future, but there are some other matters in connection with it that I want to consider.

The PRESIDING OFFICER. Objection being made, the bill goes over.

Mr. ALLISON. I yield to the Senator from Wisconsin [Mr. MITCHELL].

CARL F. W. STOLLE.

Mr. MITCHELL. By the courtesy of the Senator from Iowa, I ask unanimous consent for the present consideration of the bill (H. R. 1798) to remove the charge of desertion against Carl F. W. Stolle, of Iron Ridge, Wis.

There being no objection, the Senate, as in Committee of the Whole, proceeded to consider the bill, which had been reported from the Committee on Military Affairs with an amendment, in line 8, after the word "discharged," to strike out "at the date of the muster out of his company" and insert "as of date of the expiration of furlough;" so as to make the bill read:

Be it enacted, etc., That the Secretary of War is hereby authorized and directed to remove the charge of desertion now standing against the name of Carl F. W. Stolle, late of Company K of the Third Regiment of Cavalry of Wisconsin Volunteers, and correct the record so that it may show that said Carl F. W. Stolle was mustered out and honorably discharged as of date of the expiration of furlough: *Provided*, That no pay, bounty, or other emoluments shall become due or payable by virtue of the passage of this act.

The amendment was agreed to.

The bill was reported to the Senate as amended, and the amendment was concurred in.

The amendment was ordered to be engrossed and the bill to be read a third time.

The bill was read the third time, and passed.

LANDS AT ST. AUGUSTINE, FLA.

Mr. PASCO. I ask the Senator from Iowa to yield to me for a moment.

Mr. ALLISON. I yield to the Senator from Florida if the matter leads to no debate.

Mr. PASCO. I ask that the Senate bill 2675 be now considered. It has been very carefully considered by the Committee on Public Buildings and Grounds; it has their unanimous report; and it is important if any action be taken upon it that it should be passed by the Senate at an early day.

There being no objection, the bill (S. 2675) authorizing the exchange of lot 6, of square 10, known as the old custom-house lot, in the city of St. Augustine, Fla., for lands adjoining that part of the United States military reservation in said city designated as the powder-house lot, was considered as in Committee of the Whole.

The bill was reported from the Committee on Public Buildings and Grounds with an amendment, in section 1, page 2, line 4, after the word "belonging," to strike out "*Provided*" and insert:

But the conveyance of the said lands belonging to the United States by the Secretary of the Treasury shall be subject to the rights of Henry M. Flagler in and to a lease of the same heretofore made to him by the Treasury Department: *Provided, however*, That the exchange of lands herein authorized shall not take effect until the governor of the State of Florida shall have ceded to the United States jurisdiction over the said lands to be conveyed by the said Charles F. Hamblen, with exemption from State, county, and municipal taxation.

The amendment was agreed to.

The bill was reported to the Senate as amended, and the amendment was concurred in.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

MARY LONGLEY HENDRICKS.

Mr. FAIRBANKS. I ask unanimous consent for the present consideration of bill (S. 4984) granting a pension to Mary Longley Hendricks.

Mr. ALLISON. The bill seems to be brief and to the point, and I yield to the Senator from Indiana.

There being no objection, the bill (S. 4984) granting a pension to Mary Longley Hendricks was considered as in Committee of the Whole.

The bill was reported from the Committee on Pensions with amendments, in line 6, after the name "Hendricks," to strike out "of Lebanon, Ind.:" in line 8, after the word "pay," to strike out "to;" in the same line, after the word "her," to strike out "the sum" and insert "a pension at the rate;" and in line 9, before the word "dollars," to strike out "twenty" and insert "twelve;" so as to make the bill read:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of Mary Longley Hendricks, widow of John H. Hendricks, late commissary sergeant, Company G, Fifty-fifth Indiana Volunteer Infantry, and pay her a pension at the rate of $12 per month.

The amendments were agreed to.

The bill was reported to the Senate as amended, and the amendments were concurred in.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

AGRICULTURAL APPROPRIATION BILL.

Mr. ALLISON. Now let the Agricultural appropriation bill be proceeded with.

The Senate, as in Committee of the Whole, resumed the consideration of the bill (H. R. 11266) making appropriations for the Department of Agriculture for the fiscal year ending June 30, 1900.

The Secretary proceeded to read the bill.

The first amendment of the Committee on Appropriations was, under the subhead "Office of the Secretary," on page 1, line 14, to increase the compensation of the private secretary to the Secretary of Agriculture from $2,000 to $2,250; and on page 2, line 19, to increase the total appropriation for the office of the Secretary from $87,900 to $88,150.

The amendment was agreed to.

The reading of the bill was continued to line 4, page 3.

TICKET BROKERAGE.

The PRESIDING OFFICER. The hour of 2 o'clock having arrived, the Chair lays before the Senate the unfinished business, which will be stated.

The SECRETARY. A bill (S. 1575) to amend an act entitled "An act to regulate commerce."

Mr. ALLISON. I ask that that bill, by unanimous consent, may be laid aside informally.

The PRESIDING OFFICER. If there be no objection, the unfinished business, by unanimous consent, will be informally laid aside, retaining its place as unfinished business.

CHAUNCEY A. BRADLEY.

The PRESIDING OFFICER laid before the Senate the amendment of the House of Representatives to the bill (S. 4630) granting an increase of pension to Chauncey A. Bradley, which was, in line 8, after the word "pension," to insert "at the rate."

Mr. HANSBROUGH. I move that the Senate concur in the amendment of the House of Representatives.

The motion was agreed to.

AMANDA F. JUMPER.

The PRESIDING OFFICER laid before the Senate the amendment of the House of Representatives to the bill (S. 4982) granting an increase of pension to Amanda F. Jumper, which was, in line 8, before the word "dollars," to strike out "twenty-five" and insert "twenty."

Mr. HANSBROUGH. I move that the Senate concur in the amendment.

The motion was agreed to.

MRS. LETITIA TYLER SEMPLE.

The PRESIDING OFFICER laid before the Senate the amendment of the House of Representatives to the bill (S. 1776) to increase the pension of Mrs. Letitia Tyler Semple, which was, in line 6, before the word "dollars," to strike out "fifty" and insert "thirty."

Mr. HANSBROUGH. I move that the Senate concur in the amendment of the House of Representatives.

The motion was agreed to.

Mr. LINDSAY subsequently said: I did not observe at the time that the amendment of the House to the bill to pension Mrs. Semple was concurred in. I desire to enter a motion to reconsider with a view to a nonconcurrence.

The PRESIDING OFFICER. If there be no objection, the vote whereby the Senate concurred in the amendment of the House to the bill will be reconsidered.

Mr. HANSBROUGH. I suggest that it will be necessary to have a conference committee appointed in that case.

Mr. LINDSAY. It is. That is what I desire.

Mr. DANIEL. I hope that course will be taken.

The PRESIDING OFFICER. The Senator from Kentucky moves that the Senate nonconcur in the amendment of the House of Representatives to the bill, and that a conference be asked on the disagreeing votes of the two Houses.

The motion was agreed to.

By unanimous consent, the Presiding Officer was authorized to appoint the conferees on the part of the Senate; and Mr. SHOUP, Mr. HANNA, and Mr. LINDSAY were appointed.

FLORA STANTON KALK.

The PRESIDING OFFICER laid before the Senate the amendments of the House of Representatives to the bill (S. 4775) granting a pension to Flora Stanton Kalk; which were, in line 6, to strike out "and infant children," and in line 8, after "Infantry," to insert "and pay her a pension at the rate of $17 per month."

Mr. HANSBROUGH. I move that the Senate concur in the amendments of the House of Representatives.

The motion was agreed to.

JOHN M. PALMER.

The PRESIDING OFFICER laid before the Senate the amendments of the House of Representatives to the bill (S. 5342) granting a pension to John M. Palmer; which were, in line 4, after the word "roll," to insert "subject to the provisions and limitations of the pension laws," and in line 6, before the word "dollars," to strike out "one hundred" and insert "fifty."

Mr. HANSBROUGH. I move that the Senate nonconcur in the House amendments and request a conference with the House on the disagreeing votes of the two Houses thereon.

The motion was agreed to.

By unanimous consent, the Presiding Officer was authorized to appoint the conferees on the part of the Senate; and Mr. GALLINGER, Mr. HANSBROUGH, and Mr. MITCHELL were appointed.

REMOVAL OF SNOW AND ICE.

Mr. McMILLAN. I am instructed by the Committee on the District of Columbia to report a joint resolution to provide for the removal of snow and ice in the city of Washington, District of Columbia, which is of very great importance just now, and I ask unanimous consent for its present consideration.

The PRESIDING OFFICER (Mr. CLAY in the chair). Is there objection?

Mr. COCKRELL. Let the joint resolution be read for information, so that we may learn what it is.

The joint resolution (S. R. 245) to provide for the removal of snow and ice in the city of Washington, in the District of Columbia, was read the first time by its title and the second time at length, as follows:

Resolved, etc., That the following sums are hereby appropriated, out of any money in the Treasury not otherwise appropriated, to be immediately available, for the following object, namely:

For cleaning snow and ice from the streets and avenues of the District of Columbia, $20,000, one half of said sum to be paid out of the revenues of the District of Columbia and the other half out of the Treasury of the United States.

Mr. ALLISON. I ask the Senator from Michigan to have inserted in the RECORD the letter which he has received from the president of the Board of District Commissioners.

Mr. MCMILLAN. I present a letter, signed by the president of the Board of District Commissioners, which explains the necessity for the passage of the joint resolution.

The PRESIDING OFFICER. The letter referred to by the Senator from Michigan will be printed in the RECORD, in the absence of objection.

The letter referred to is as follows:

EXECUTIVE OFFICE, COMMISSIONERS DISTRICT OF COLUMBIA,
Washington, February 15, 1899.

DEAR SIR: The Commissioners of the District of Columbia have the honor to bring to the attention of your committee the fact that the appropriation heretofore made for the removal of snow and ice, under the requirements of the act approved March 2, 1895, is wholly inadequate for the purposes intended. A fall of more than 2 feet of snow has covered the streets and avenues of the District. In some parts of the city the deposits thrown from the railroad tracks and sidewalks have entirely obstructed the remainder of the streets, so that the passage of vehicles in many parts of the city is almost impossible.

Of the appropriation of $10,000 recently made but $5,100 remains, yet to-day almost every trace of the efficient work done thereunder has been obliterated. The business of the District is almost entirely suspended by the present situation. Teams hauling coal and other necessities of life have the greatest difficulty in delivering the same to residences and places of business. It will be almost impossible, until the present deposits of snow are removed, for the fire engines and truck companies to reach the vicinity of an alarm of fire.

Under these circumstances the Commissioners deem it their duty to ask for an appropriation of $20,000, to be immediately available, for the purpose named, to be used as soon as the present storm has abated; and they herewith transmit a draft of a joint resolution for which they ask the favorable consideration of your committee.

The Commissioners have not, in the joint resolution submitted, confined the appropriation to crosswalks and gutters, as was done in the act recently passed by Congress, for the reason that in order to prepare the streets for the transaction of public business the snow must be removed from other parts of the said streets and from some of the sidewalks of the District in front of premises where the owners neglect or refuse to remove the same as required by law.

It may be well, also, to state that the making of the appropriation herewith requested may obviate the necessity of calling upon Congress for a large appropriation to be expended in charitable work, which will otherwise undoubtedly be demanded.

Very respectfully,

JOHN B. WIGHT,
President Board of Commissioners, District of Columbia.

Hon. JAMES MCMILLAN,
Chairman Committee on the District of Columbia,
United States Senate.

The PRESIDING OFFICER. Is there objection to the present consideration of the joint resolution?

There being no objection, the Senate, as in Committee of the Whole, proceeded to consider the joint resolution.

The joint resolution was reported to the Senate without amendment, ordered to be engrossed for a third reading, read the third time, and passed.

AGRICULTURAL APPROPRIATION BILL.

The Senate, as in Committee of the Whole, resumed the consideration of the bill (H. R. 11266) making appropriations for the Department of Agriculture for the fiscal year ending June 30, 1900.

The next amendment of the Committee on Appropriations was, on page 3, line 5, after the word "One," to strike out "editor, who shall be;" and in line 9, before the word "clerks," to strike out "editorial;" so as to make the clause read:

Division of Publications: One chief of division, $2,500; assistant chief of division, $1,800; one editorial clerk, $1,600; two clerks, at $1,400 each, $2,800; two clerks, at $1,000 each (one of whom shall be a stenographer), $2,000, etc.

The amendment was agreed to.

The next amendment was, on page 4, line 19, after the word "dollars," to strike out "one assistant entomologist or clerk, $1,200," and insert "two assistant entomologists or clerks, at $1,200 each," and in line 22 to increase the total appropriation for the Division of Entomology from $9,500 to $10,700.

The amendment was agreed to.

The next amendment was, under the subhead "Salaries, Bureau of Animal Industry," on page 7, line 15, to increase the compensation of one chief of Pathological Division from $2,250 to $2,500; in line 20, to increase the compensation of one chief of Biochemic Division from $2,250 to $2,500; on page 8, line 2, to increase the compensation of one zoologist from $2,000 to $2,250; in line 9, before the word "clerk," to strike out "editorial;" and in line 22, to increase the total appropriation for salaries, Bureau of Animal Industry, from $81,280 to $82,030.

The amendment was agreed to.

The next amendment was, on page 8, after line 23, to strike out the following clause:

Total amount for salaries, $334,140.

The amendment was agreed to.

The next amendment was, on page 11, line 19, to increase the total appropriation for vegetable pathological investigations, Division of Vegetable Physiology and Pathology, from $20,000 to $22,500.

Mr. ALLISON. In lieu of the amendment proposed by the committee I move to insert "$32,500," after the word "investigation," in line 19, on page 11.

The SECRETARY. It is proposed to amend the amendment of the committee by striking out "$22,500," in line 19, on page 11, and inserting "$32,500."

The amendment to the amendment was agreed to.

The amendment as amended was agreed to.

Mr. ALLISON. I also offer an amendment to come in at that point after the word "dollars," in line 20, on page 11.

The SECRETARY. At the end of line 20, on page 11, it is proposed to insert:

Of which sum $5,000, or so much thereof as may be necessary, shall be used for the investigation of the disease known as little peach, and $7,500, or so much thereof as may be necessary, shall be used for the investigation and experimentation with fertilizers and fungicides, or the causes of blight in Sea Island cotton and in watermelons, and the remedies for the same.

The amendment was agreed to.

The reading of the bill was resumed. The next amendment of the Committee on Appropriations was, on page 12, line 22, after the word "dollars," to insert "to be immediately available;" so as to make the clause read:

Laboratory, Department of Agriculture, Division of Chemistry: Chemical apparatus, chemicals, laboratory, fixtures, and supplies, repairs to engine and apparatus; gas and electric current, purchase of samples and necessary expenses in conducting special investigations, including necessary traveling and other expenses, labor, and expert work in such investigations, $4,000; for the equipment of the new laboratory, $2,500, to be immediately available; for rent of laboratory building, $1,200; in all, $7,700.

The amendment was agreed to.

The next amendment was, on page 13, line 10, after the word "mentioned," to insert "giving notice to the owner or consignee of such articles who may be present and have the right to introduce testimony;" in line 12, before the word "the," to strike out "And" and insert "and;" in line 13, after the word "discretion," to insert "and with the approval of the President;" in line 17, after the word "health," to insert:

And said goods shall be proceeded against as provided in sections 2 and 3 of an act entitled "An act providing for an inspection of meats for exportation, prohibiting the importation of adulterated articles of food or drink, and authorizing the President to make proclamation in certain cases, and for other purposes," approved August 30, 1890.

On page 14, line 10, before the word "dollars," to strike out "seven thousand five hundred" and insert "ten thousand;" and in line 12, before the word "hundred," to strike out "fifteen thousand two" and insert "seventeen thousand seven;" so as to make the clause read:

To investigate the adulteration of foods, drugs, and liquors, when deemed by the Secretary of Agriculture advisable; and the Secretary of Agriculture, whenever he has reason to believe that articles are being imported from foreign countries which are dangerous to the health of the people of the United States, shall make a request upon the Secretary of the Treasury for samples from original packages of such articles for inspection and analysis, and the Secretary of the Treasury is hereby authorized to open such original packages and deliver specimens to the Secretary of Agriculture for the purpose mentioned, giving notice to the owner or consignee of such articles who may be present and have the right to introduce testimony; and the Secretary of the Treasury may in his discretion, and with the approval of the President, refuse delivery to the consignee of any goods which the Secretary of Agriculture reports to him have been inspected and analyzed and found to be adulterated or otherwise dangerous to health, and said goods shall be proceeded against as provided in sections 2 and 3 of an act entitled "An act providing for an inspection of meats for exportation, prohibiting the importation of adulterated articles of food or drink, and authorizing the President to make proclamation in certain cases, and for other purposes," approved August 30, 1890; employing such assistants, clerks, and other persons as the Secretary of Agriculture may consider necessary for the purpose named; preparing, illustrating, and publishing reports and exhibiting the results of such investigations, and to enable the Secretary of Agriculture to continue an investigation relative to the various typical soils of the United States to determine their chemical characteristics, and especially the nature of the nitrifying organisms contained therein; the preparation of reports thereon; apparatus and materials required in conducting such investigations; employment of the necessary investigators; freight and express charges and necessary traveling expenses, $10,000; in all, for Division of Chemistry, $17,700.

The amendment was agreed to.

The next amendment was, on page 17, line 1, to increase the total appropriation for "grass and forage-plant investigations, Division of Agrostology," from $10,000 to $15,000.

The amendment was agreed to.

The next amendment was, on page 17, line 20, before the word "thousand," to strike out "sixty-five" and insert "sixty-eight;" and in line 21, before the word "thousand," to strike out "thirty" and insert "thirty-three;" so as to read:

Agricultural experiment stations, Office of Experiment Stations: To carry into effect the provisions of an act approved March 2, 1887, entitled "An act to establish agricultural experiment stations in connection with the colleges established in the several States under the provisions of an act approved July 2, 1862, and of the acts supplementary thereto," and to enforce the execution thereof, $768,000, $33,000 of which sum shall be payable upon the order of the Secretary of Agriculture, to enable him to carry out the provisions of section 3 of said act of March 2, 1887, etc.

The amendment was agreed to.

The next amendment was, on page 19, line 9, after the word "waters," to strike out "in the United States and other countries;" so as to read:

Irrigation investigations: To enable the Secretary of Agriculture to investigate and report upon the laws and institutions relating to irrigation and

upon the use of irrigation waters, with special suggestions of better methods for the utilization of irrigation waters in agriculture than those in common use, etc.

The amendment was agreed to.

The next amendment was, in the same clause, on page 19, in line 20, to increase the appropriation for "irrigation investigations" from $20,000 to $25,000.

Mr. COCKRELL. I thought there was to be another amendment made there.

Mr. ALLISON. My attention was diverted for a moment. In line 20, on page 19, instead of the "$25,000" recommended by the Committee on Appropriations, I move to insert "$35,000."

The VICE-PRESIDENT. The amendment to the amendment proposed by the committee will be stated.

The SECRETARY. In the clause making appropriations for "irrigation investigations," on page 19, line 20, before the word "thousand," it is proposed to strike out "twenty-five" and insert "thirty-five;" so as to read "thirty-five thousand dollars."

Mr. COCKRELL. I should like to have the Senator from California [Mr. PERKINS] and the Senator from Wyoming [Mr. WARREN], who is not now in the Chamber, but I hope will be in his seat in a moment, to give us some information in regard to irrigation and the plans proposed to carry it out. They are familiar with and understand the subject. The question is an exceedingly important one. I should like to know what has been done with the appropriations heretofore made and what is proposed to be done by this appropriation.

Mr. PERKINS. Mr. President, I will state that the Senator from Wyoming, who is temporarily absent, engaged upon duties in the Committee on Military Affairs, has given this subject-matter a great deal of thought and consideration.

As is well known to the Senator from Missouri, in the States of Wyoming, Utah, Nevada, California, and in many of the other States of the central and southern portion of our country, there is a vast area of arid lands belonging to the Government which are entirely useless for cultivation or even for grazing purposes, because there is no water upon them, and the rainfall being so very light, there is not sufficient moisture to furnish irrigation.

The Secretary of Agriculture, through his corps of assistants at the different agricultural stations throughout the States and his agents representing the Agricultural Department, has given the subject-matter much thought, consideration, and investigation. Last year the Senate inserted in the Agricultural appropriation bill $27,500 for this purpose. The conference committee, however, not realizing the importance of this investigation, or not having given it that consideration which the committee in the Senate had done, reduced the amount to $10,000. The Secretary of Agriculture appeared before our Committee on Appropriations and reported—and the bulletins issued by him will verify the statement—that the investigation had proven of great value and of great benefit to the respective States where it had been prosecuted.

He reports that there is in almost all of these States a sufficient volume of water, which, if properly distributed would irrigate these vast arid districts. Many communications have been sent to the Department from representatives of the arid districts and States commending the Secretary for his bulletins sent out upon this subject-matter, and he was so deeply impressed with its importance that this year he asked Congress to appropriate $50,000, so that he might continue his investigations and give the results of those investigations to Congress in his next annual report.

The Committee on Appropriations, however, realizing the great demands which are being made upon the Treasury at this time, declined to accede to the full amount asked for, and recommended an appropriation of $25,000, or 50 per cent of what the Secretary of Agriculture had asked for. Later, upon investigating the subject more thoroughly, the majority of the Committee on Appropriations consented that this amount should be increased to $35,000.

I therefore hope the Senator from Missouri will consent to this amendment. It affects all of the great States west of the Missouri River, for all of them have a vast area of land which is now arid and neither useful for pasture nor for cultivation. I believe there is no money in this bill appropriated which will bring back better returns for the investment than that which is appropriated for irrigation investigations.

The VICE-PRESIDENT. The question is on the amendment of the Senator from Iowa [Mr. ALLISON] to the amendment reported by the Committee on Appropriations.

The amendment to the amendment was agreed to.

The amendment as amended was agreed to.

The VICE-PRESIDENT. The Secretary will resume the reading of the bill.

Mr. COCKRELL. Mr. President, recurring to the amendment in relation to irrigation, I should like to have the Senator from Wyoming [Mr. WARREN], who is now here, make a statement. I think it is important that a statement from him should go upon the record. There is a large area of country there, and it is of vast importance, not only to the people residing there, but to the whole people of the United States, that, if possible, it should be reclaimed. It is a question with a great many whether it can be successfully done. This appropriation is in the line of experimentation to see what can be done; and I should like to have the Senator from Wyoming explain what has been done and what is proposed to be done by this increased appropriation.

Mr. WARREN. Mr. President, responding to the desire of the Senator from Missouri, while I do not wish to take up the time of the Senate, I do consider this appropriation the most important carried in the entire bill.

This is not a local proposition nor a local want in a narrow sense, nor is it narrow in any sense. It is a very broad subject and a burning one with many people and localities. It is fallacious to think it applies to only the strictly arid region. Irrigation will benefit all parts of the country, each and every State in the Union, if only a knowledge of its application and benefits be properly disseminated. I do not think I overstate its value when I say that irrigation and reclamation of land is the most important economic subject or problem that we have before us to-day and capable of yielding the largest returns to us as a people for the expense of providing for and prosecuting vigorously this Department work. It is a national want more than a State or individual one, the nation at large being the great beneficiary from every point of view.

Mr. President, Congress provided that the Agricultural Department should carry a division, or a bureau at one time, for irrigation; but the amounts appropriated were intermittent, some years large and some years small. At a former time, I think, I myself moved to cut out the appropriation for that purpose until we could get on a better basis. Last year the friends of irrigation urged an increased appropriation, and the Committee on Irrigation of this body reported an amendment providing for $27,500. The Committee on Appropriations of the Senate consented to $20,000. That amount was cut down in conference to $10,000. With that $10,000 the Secretary of Agriculture commenced this work. He became so much interested in it, as did others who gave it attention, that he estimated for and requested this year $50,000 for this purpose, $10,000 to be made immediately available.

The House of Representatives cut the amount down to $20,000. Fifty thousand dollars has been reported in this body from the Committee on Irrigation, but in the nature of a compromise $35,000 has been agreed upon, with the intention that $10,000 of it shall be immediately available to complete the work of the present fiscal year—that is, the fiscal year 1898. So the appropriation will really stand $30,000 for the fiscal year 1899 and $25,000 for 1900.

The United States owns, exclusive of Alaska, about 700,000,000 acres of public land, about 550,000,000 of which is arid and practically useless except as to some portions which furnish very thin grazing. To apply the waters of the streams to the lands and to impound and use the storm waters intelligently upon these arid wastes is practically to create land, and that of the most fertile and valuable character.

Even in the arid portion of the country that portion most easily and cheaply reached with water has been appropriated, so that the best knowledge and effort alone can establish further homestead settlement and utilization of the waste plains.

Mr. COCKRELL. Just there, as to the investigation of the water supply, I wish to say that I do hope the Secretary of Agriculture will have the Geological Survey cooperate with him, so as not to duplicate the work the Geological Survey has done in ascertaining the flow of water, the quantity of water, and all that, in various parts of the country.

Mr. WARREN. I agree with the honorable Senator from Missouri, and that is the intention. For instance, the measurement of streams is yet carried on by the Geological Bureau. That covers not only the measurement for irrigation purposes in the arid region, but also measurements in the humid region—water power, overflow, navigation, and so forth. Gauging of streams furnishes information useful for a great many purposes. Immigration hereafter must naturally be from our large cities into new country for those wishing to engage in agricultural pursuits. We have very little ground left that can be occupied except by irrigation. If there could be information for a would-be farmer which could be laid before him as to what amount of water is necessary to raise a certain crop, it would be very valuable. Much of the settlement made and work done along these lines have been primitive, and generally wasteful as to the appropriation and use of water, and with but little more than an experimental knowledge of the kind of crops to grow, the amount of water necessary, and the most beneficial time and manner to apply it.

The value of irrigable and irrigated lands and irrigation water depends upon wise laws governing the ownership and distribution of water, a knowledge of the best assimilation of land and water,

and its power and adaptability with reference to the different agricultural crops. The Secretary of Agriculture says, in speaking of irrigation, in his last annual report:

Unfortunately, the accurate information on which alone intelligent reforms can be based is almost wholly lacking. As the problems which confront these communities are, in a general way, the same, and in many particulars affect the national as well as local interests, it is highly appropriate that the National Government should undertake investigations to aid in the solution of the problems of irrigation. As many of these problems are directly connected with those in other agricultural lines in which this Department and the experiment stations are working, it is my judgment that this Department should be put in a position to efficiently organize and conduct important investigations in this line.

A noted and most competent expert in irrigation, Prof. Elwood Mead, State engineer of Wyoming, in speaking of this Department work, says:

It is the purpose of this investigation to aid the State irrigation authorities in their work of framing and enforcing laws for the distribution and beneficial use of the rivers of the arid region; to help farmers in their efforts to secure the conservation and best use of that supply, and to collect and arrange the facts which will tend to promote wise legislation by Congress for the reclamation or disposal of the remainder of the public domain.

The same author further says:

The history of all irrigated countries shows that wise laws do more for the prosperity of their farmers than a fertile soil or abundant water supply. The settlement of the arid West, the separation of single drainage areas into different political divisions, and the necessity of framing laws to meet emergencies before experience or study had shown what those laws should embrace have created industrial and legal complications which threaten the stability and value of the irrigated farm, and whose solution will require all the wisdom and patience of our ablest minds. The investigation of institutions inaugurated by the Department is destined, I am confident, to mark a new and better era of irrigation development for the arid States.

Now, Mr. President, no other Department of the United States is equipped for work or working upon these problems. No one in any other Department is charged with the responsibility of furnishing information upon or answering the many practical questions, such as—

What amount of water is necessary to grow a crop of this, that, or the other product at a given altitude?

What soil under a ditch will best produce this, that, or the other crop, other particulars being given?

What fall, side slope, etc., are most serviceable in an irrigation ditch, other particulars as to location, drainage, etc., being furnished?

How shall the ground be graded and prepared to accept the water and give the best results?

Shall the irrigation be by flooding or by graded seepage or by surface overflow?

Shall water be applied between harvest and seed time or only while crops are growing?

What kind of grasses, what forest or shade trees are best adapted to this or that condition of irrigation?

And I might go on submitting innumerable inquiries, all pertinent and all of vital importance to freshmen or sophomores in the school of irrigation farming.

So, Mr. President, as to our unoccupied agricultural domain, or very nearly all of it, knowledge of irrigation is indispensable, if we would thrive and grow agriculturally. Nor is this valuable alone to the irrigation or the would-be irrigation farmer, but its value extends to the nation at large. As the able governor of a powerful Eastern State (a State in no sense arid) once expressed it:

In improved methods of intensive culture with irrigation and in agricultural education lies the key to the establishment of agricultural prosperity on a firm and permanent basis and to the solution of the most serious social and political problems which arise from the congestion of population in our great cities.

In this same strain we find a resolution adopted by the National Irrigation Congress in 1897 and readopted in its congress of 1898:

We urge upon the American people the profound importance of the social, political, and philanthropic features of the great irrigation movement, its ultimate aim being that we may become a nation of rural homes rather than a nation of great cities.

But what of irrigation in the East and the more humid region? Who has not seen and remarked upon the difference in favor of the lawn or grass plot which is carefully sprinkled, i. e., irrigated, over the one that takes its chances with the moisture that falls in rain or dew? The one is green and beautiful always, and the other green and brown alternately, beautiful or commonplace, according to the season or different periods of the season.

I contend, and I am not alone on the contention, that in every State and upon most all lands knowledge of the power and effect of water applied in extra quantity or taken from in drainage is important and vital to successful farming. The great increase in productiveness of lands in the East by irrigation has been demonstrated and been commented upon by many experienced farmers as well as experimenters.

As witness to this I might mention Professor Vorhees, of the United States Agricultural Stations in New Jersey; Professor King, of the State University of Wisconsin; Dr. Clark Gapin, of the Illinois State Hospital, at Kankakee, Ill., and others all along across the continent. We all realize the difference in size between the strawberries we used to gather growing wild in pasture and meadow and the product of the gardens of to-day, and yet this comparison does not nearly express the difference in production between irrigated and unirrigated land even in the East.

The rice fields of the South are capable of an almost unlimited development with a better understanding of the methods of irrigation. In 1890 only 162,000 acres of rice were grown in the United States. For over two centuries South Carolina has remained preeminent in the quality of its production, and it is estimated that 2,000,000 acres of land in that State alone are eminently adapted to the growth of this product. In other words, the State where this product attains a perfection not possible elsewhere in the world can be made to produce more than ten times the total present output of the whole country.

Recent studies of this question have shown that more efficient methods and complete organization in the care of dikes and other works necessary will, of itself, not only greatly extend the area cultivated, but also increase the returns from these acres as well.

The cane fields of Louisiana afford another illustration of the profitable use of irrigation. The cane planters recognize the value of improved methods, and have already appealed to those in charge of this investigation for suggestions and advice.

I hope the $35,000 will stand, not only here but in conference, as every cent of the amount is needed, and its expenditure will bring useful and profitable results to the nation.

The reading of the bill was resumed. The next amendment of the Committee on Appropriation was, on page 21, line 2, to increase the appropriation for the library, Department of Agriculture, from $4,000 to $5,000.

The amendment was agreed to.

The next amendment was, on page 21, line 16, after the word "bulletin," to strike out "and also of any other publication of the Department of Agriculture not sent to the folding rooms of the Senate and House;" and in line 22, after the word "therein," to insert:

And shall also notify Senators, Representatives, and Delegates of any other publication of the Department of Agriculture not sent to the folding rooms of the Senate and House, and the title and character of such publication.

So as to read:

Publications, Department of Agriculture, Division of Publications: * * * *Provided*, That the Secretary of Agriculture shall notify Senators and Representatives of the title and character of each such bulletin, with the total number to which each Senator, Representative, and Delegate may be entitled for distribution; and on the face of the envelope inclosing said bulletins shall be printed the title of each bulletin contained therein; and shall also notify Senators, Representatives, and Delegates of any other publication of the Department of Agriculture not sent to the folding rooms of the Senate and House, and the title and character of such publication.

The amendment was agreed to.

The next amendment was, on page 28, after line 21, to insert:

That hereafter section 3709 of the Revised Statutes of the United States shall not be construed to apply to any purchase or service rendered in the Department of Agriculture when the aggregate amount involved does not exceed the sum of $50.

The amendment was agreed to.

The reading of the bill was concluded.

Mr. TILLMAN. I desire to offer the amendment which I send to the desk.

The SECRETARY. On page 26, after line 20, it is proposed to insert:

Tea culture: To enable the Secretary of Agriculture to investigate and report on the cost of making tea and the best methods of cultivating and preparing the same for market, so as to demonstrate whether it is practicable to introduce its culture in the Southern States as a profitable industry, $5,000.

The amendment was agreed to.

The bill was reported to the Senate as amended, and the amendments were concurred in.

The amendments were ordered to be engrossed and the bill to be read a third time.

The bill was read the third time, and passed.

POLICY REGARDING THE PHILIPPINES.

Mr. TELLER. I meant to take advantage of the fact that the Agricultural appropriation bill was before the Senate to say a few words, but I will do so now. I wish to say a word or two about the joint resolution which is to be voted upon to-morrow. I intend to vote for the measure known as the McEnery resolution. I do not myself know of any agreement or pledge that has been made to vote for it. It is in accordance with the declaration that I made on the 20th of December last with reference to these islands and as to my idea of what our policy should be. I stated then that we could not lay down any hard and fast rule; that we would have to determine what we would do largely by the conditions which should exist when we came to act.

I desire to say now that this joint resolution reflects my views as I then expressed them and as the condition now exists; and I am in hope that these views can be carried out and crystallized ultimately into law. I shall therefore vote for the joint resolution when it is before the Senate. I shall not vote for some amendments which will probably be proposed, not because I am particularly hostile to the amendments——

Mr. ALLISON. No amendments can be proposed under the unanimous-consent agreement.

Mr. CHANDLER. I should like to inquire of the Senator whether that is the understanding?

Mr. STEWART. That is certain.

Mr. TELLER. If that is true, I need not say anything about amendments. I was about to state that I should probably vote against some amendments which might express my views very largely. What I rose to say is that I shall vote for the joint resolution. I do not mean by that to be committed absolutely to any policy if conditions, when we come to act on this question, as we must act in the course of a year or so, should be very different from what they are now or very different from what I hope they may be. I shall be governed, as I have a right to be, by the conditions and circumstances then presented. I shall regret very much if we can not carry out the principle of the joint resolution, and I declare for that, as I hope we may be able to do, and yet I shall not consider that I am inconsistent with that if conditions should require me to vote for a different plan of government or a different condition.

ISOM GIBSON.

The VICE-PRESIDENT laid before the Senate the amendment of the House of Representatives to the bill (S. 4854) granting a pension to Isom Gibson, which was, in line 8, before the word "dollars," to strike out the word "twelve" and insert "eight."

Mr. BERRY. I move that the Senate concur in the amendment of the House of Representatives.

The motion was agreed to.

JOSEPH F. MOLLERE.

Mr. PRITCHARD. I was requested by the chairman of the Committee on Pensions to ask unanimous consent for the consideration of the bill (S. 4681) to increase the pension of Joseph F. Mollere.

The PRESIDING OFFICER (Mr. PLATT of Connecticut in the chair). Is there objection to the present consideration of the bill?

Mr. ALLISON. Was the bill reported by the Committee on Pensions?

Mr. PRITCHARD. Yes, sir; it was so reported and has been pending here for some time.

Mr. ALLISON. I simply wish to say that the Senate is pretty thin, and I do not think we ought to take up any very important matters at this hour of the day. But I do not object to pension matters.

There being no objection, the Senate, as in Committee of the Whole, proceeded to consider the bill, which had been reported from the Committee on Pensions with an amendment, to strike out all after the enacting clause and insert:

That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of Joseph F. Mollere, late first-class boy, United States ship *Cumberland*, and Maynard's Navy Battery, war with Mexico, and pay him a pension at the rate of $30 per month, in lieu of that he is now receiving.

The amendment was agreed to.

The bill was reported to the Senate as amended, and the amendment was concurred in.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

The title was amended so as to read: "A bill granting an increase of pension to Joseph F. Mollere."

NANCY M. LINDSEY.

Mr. PRITCHARD. I also ask unanimous consent for the present consideration of the bill (S. 3766) granting an increase of pension to Nancy M. Lindsey.

There being no objection, the Senate, as in Committee of the Whole, proceeded to consider the bill, which had been reported from the Committee on Pensions with an amendment, to strike out all after the enacting clause and insert:

That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of Nancy M. Lindsey, widow of William Lindsey, late of Company C, Santa Fe Battalion Mounted Volunteers, Mexican war, and pay her a pension at the rate of $12 per month in lieu of that she is now receiving.

The amendment was agreed to.

The bill was reported to the Senate as amended, and the amendment was concurred in.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

EXPORTATION OF DISTILLED SPIRITS.

Mr. BURROWS. I ask unanimous consent for the present consideration of the bill (H. R. 10997) to amend section 3287 of the Revised Statutes of the United States, concerning the drawing off, gauging, marking, and removal of spirits.

The PRESIDING OFFICER. Is there objection to the present consideration of the bill?

Mr. PETTIGREW. I object.

Mr. BURROWS subsequently said: I understand the Senator from South Dakota withdraws his objection to House bill 10997, and I should like to have it considered.

By unanimous consent, the Senate, as in Committee of the Whole, proceeded to consider the bill. It proposes to amend section 3287 of the Revised Statutes by adding at the end thereof the following:

Provided, however, That upon the application of the distiller, and under such regulations as the Commissioner of Internal Revenue, with the approval of the Secretary of the Treasury, may prescribe, distilled spirits may be drawn into wooden packages, each containing two or more metallic cans, which cans shall have each a capacity of not less than 5 gallons, wine measure, such packages to be filled and used only for exportation from the United States. And there shall be charged for each of said packages or cases, for the expense of providing and affixing stamps, 5 cents instead of 10 cents as now required by law.

Mr. COCKRELL. I should like the Senator from Michigan to explain what change the bill proposes to make in existing law.

Mr. BURROWS. Under existing law the spirits from the reservoirs are drawn off in packages or barrels of 10 or 20 gallons. The bill proposes to change it so that the packages may be reduced to 5 gallons each, and that the spirits may be put in tin cans instead of wood for exportation, in order to conform to the trade abroad—in China and Japan. It makes no change in the revenue, and is recommended by the Commissioner of Internal Revenue and the Secretary of the Treasury.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

JOSEPH H. M'GEE.

Mr. COCKRELL. I ask unanimous consent for the present consideration of the bill (H. R. 10013) to increase the pension of Joseph H. McGee.

There being no objection, the Senate, as in Committee of the Whole, proceeded to consider the bill. It proposes to place upon the pension roll the name of Joseph H. McGee, late major, First Missouri State Militia Cavalry, and to pay him a pension of $40 per month in lieu of the pension he is now receiving.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

MARY LUELLA STEELE.

Mr. COCKRELL. I ask the Senate to take up at this time the bill (H. R. 6810) granting a pension to Mary Luella Steele.

There being no objection, the Senate, as in Committee of the Whole, proceeded to consider the bill. It proposes to place upon the pension roll the name of Mary Luella Steele, the permanently helpless and dependent daughter of James H. Steele, late orderly sergeant of Company B, Forty-eighth Missouri Infantry Volunteers, and to pay her a pension of $12 per month.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

OWNERS OF BRITISH SHIP FOSCOLIA.

Mr. WARREN. I ask unanimous consent to call up the bill (S. 5900) for the relief of the owners of the British ship *Foscolia* and cargo.

There being no objection, the Senate, as in Committee of the Whole, proceeded to consider the bill. It proposes to submit the claim of the owners of the British steamship *Foscolia*, sunk by collision with the U. S. S. *Columbia* on the evening of May 28, 1898, near Fire Island light-ship, for and on account of the loss of the vessel and cargo, to the United States district court for the southern district of New York, under and in compliance with the rules of the court sitting as a court of admiralty.

The bill was reported to the Senate without amendment, ordered to be engrossed for a third reading, read the third time, and passed.

MARY A. TAYLOR.

Mr. LINDSAY. I ask unanimous consent for the present consideration of the bill (H. R. 10158) granting a pension to Mary A. Taylor.

There being no objection, the Senate, as in Committee of the Whole, proceeded to consider the bill. It proposes to place upon the pension roll the name of Mary A. Taylor, widow of Robert B. Taylor, late a captain in Thirty-second Kentucky Infantry, and to pay her a pension of $12 a month.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

LIGHT-HOUSE, ETC., AT POINT ARGUELLO.

Mr. ALLISON. I move that the Senate proceed to the consideration of executive business.

Mr. PERKINS. I hope the Senator from Iowa will withhold his motion.

Mr. ALLISON. I am constrained to yield to the Senator from California, and then I will insist upon my motion.

Mr. PERKINS. I ask the Senate to take up House bill 2683. While the Secretary is finding the bill I will state that a similar bill passed the Senate several weeks ago. By a mistake a separate bill was passed by the House instead of the Senate bill. Therefore, by passing this bill the matter will be disposed of instead of waiting for the House to act on the Senate bill.

Mr. ALLISON. I would be glad to hear the bill read.

The Secretary read the bill (H. R. 2683) for the establishment

of a light-house and fog signal at or near Point Arguello, California, and there being no objection it was considered as in Committee of the Whole. It proposes to establish at or near Point Arguello, about 12 miles northwest of Point Conception, California, a light-house and fog signal, at a cost not to exceed $35,000.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

Mr. COCKRELL. I understood the Senator from California to state that a similar bill has been passed by the Senate.

Mr. PERKINS. It has.

Mr. COCKRELL. I suggest, to prevent any possibility of confusion, that the Senator enter a motion to reconsider the vote by which the Senate passed the Senate bill, and ask the House to return it, and then that it be indefinitely postponed.

Mr. PERKINS. I move that the House be requested to return to the Senate the bill (S. 1527) for the establishment of a light-house and fog signal at or near Point Arguello, California, which passed the Senate and is now pending in the House.

The PRESIDING OFFICER. The Senator from California moves that the House be requested to return to the Senate the bill indicated by him.

Mr. ALLISON. I think that is wholly unnecessary, but I do not object.

Mr. COCKRELL. It has occurred here a number of times when we have passed two bills of a similar nature.

Mr. ALLISON. It has?

Mr. COCKRELL. To my certain knowledge, and that is the reason why I want to prevent it again, for there was a very severe criticism, and a very proper one, on the methods of doing business in the Senate and the House.

The PRESIDING OFFICER. The question is on the motion of the Senator from California to request the House of Representatives to return to the Senate the Senate bill.

The motion was agreed to.

EXECUTIVE SESSION.

Mr. ALLISON. I move that the Senate proceed to the consideration of executive business.

The motion was agreed to; and the Senate proceeded to the consideration of executive business. After ten minutes spent in executive session the doors were reopened, and (at 3 o'clock and 30 minutes p. m.) the Senate adjourned until to-morrow, Tuesday, February 14, 1899, at 11 o'clock a. m.

NOMINATIONS.

Executive nominations received by the Senate February 13, 1899.

ASSISTANT SECRETARY OF THE TREASURY.

Horace A. Taylor, of Wisconsin, to be Assistant Secretary of the Treasury, to succeed William B. Howell, nominated to be general appraiser of merchandise.

POSTMASTERS.

Arthur G. Munn, to be postmaster at San Jacinto, in the county of Riverside and State of California, in the place of Minnie Clark, whose commission expired January 18, 1899.

Hockley T. Hamill, to be postmaster at Georgetown, in the county of Clear Creek and State of Colorado, in the place of Horace Bullock, whose commission expired January 15, 1899.

E. P. Couch, to be postmaster at Mystic, in the county of New London and State of Connecticut, in the place of D. B. Denison, whose commission expired December 11, 1898.

Jarvis E. Kelsey, to be postmaster at Westhaven, in the county of New Haven and State of Connecticut, in the place of C. B. Davis, whose commission expires February 23, 1899.

Thomas L. Parker, to be postmaster at Deep River, in the county of Middlesex and State of Connecticut, in the place of D. R. Post, whose commission expires February 16, 1899.

William B. Stickney, to be postmaster at National Stock Yards, in the county of St. Clair and State of Illinois, in the place of W. J. Broderick, whose commission expired January 28, 1899.

Nancy H. Watson, to be postmaster at Western Springs, in the county of Cook and State of Illinois, the appointment of a postmaster for the said office having, by law, become vested in the President on and after January 1, 1899.

Stanley S. Tull, to be postmaster at Monon, in the county of White and State of Indiana, in the place of U. M. Baughman, removed.

William T. Morgan, to be postmaster at Wagoner, in the Creek Nation, Ind. T., in the place of A. A. McPhee, removed.

E. W. McCracken, to be postmaster at Scranton, in the county of Greene and State of Iowa, in the place of J. B. Lower, whose commission expired January 10, 1899.

Jessie G. Teeling, to be postmaster at Charles City, in the county of Floyd and State of Iowa, in the place of E. A. Teeling, deceased.

John K. Cochran, to be postmaster at Pratt, in the county of Pratt and State of Kansas, in the place of F. A. Lanstrum, deceased.

Nicholas N. Nock, to be postmaster at Bel Air, in the county of Harford and State of Maryland, in the place of Alexander Norris, whose commission expired January 14, 1899.

Washington G. Tuck, to be postmaster at Annapolis, in the county of Anne Arundel and State of Maryland, in the place of Abram Claude, whose commission expires February 14, 1899.

Harding R. Barber, to be postmaster at Athol, in the county of Worcester and State of Massachusetts, in the place of J. W. Clayton, whose commission expires March 1, 1899.

Frederick B. Byram, to be postmaster at North Attleboro, in the county of Bristol and State of Massachusetts, in the place of G. E. Fisher, whose commission expires March 1, 1899.

Louis L. Campbell, to be postmaster at Northampton, in the county of Hampshire and State of Massachusetts, in the place of A. F. Nutting, whose commission expires March 1, 1899.

Walter L. Shaw, to be postmaster at Palmer, in the county of Hampden and State of Massachusetts, in the place of F. A. Royce, removed.

Samuel L. Wheaton, to be postmaster at Manchester, in the county of Essex and State of Massachusetts, in the place of Charles Danforth, whose commission expires March 1, 1899.

William H. Twiss, to be postmaster at Ashland, in the county of Middlesex and State of Massachusetts, in the place of J. E. Connelly, whose commission expires February 13, 1899.

Hiram E. Hardy, to be postmaster at Big Rapids, in the county of Mecosta and State of Michigan, in the place of W. P. Nisbett, whose commission expired February 6, 1899.

A. R. McKinnon, to be postmaster at Shelby, in the county of Oceana and State of Michigan, in the place of H. M. Royal, whose commission expires March 2, 1899.

Charles Steuerwald, to be postmaster at Hudson, in the county of Lenawee and State of Michigan, in the place of James M. Scarritt, resigned.

James W. Wightman, to be postmaster at Tecumseh, in the county of Lenawee and State of Michigan, in the place of J. D. Shull, resigned.

Christian A. Rasmussen, to be postmaster at Red Wing, in the county of Goodhue and State of Minnesota, in the place of G. H. Benton, whose commission expires February 13, 1899.

Dennis H. Cronin, to be postmaster at O'Neill, in the county of Holt and State of Nebraska, in the place of D. A. Doyle, whose commission expires March 2, 1899.

Walter W. Mason, to be postmaster at Plymouth, in the county of Grafton and State of New Hampshire, in the place of W. G. Hull, whose commission expired January 21, 1899.

Leonard Rusby, to be postmaster at Nutley, in the county of Essex and State of New Jersey, in the place of H. A. Connolly, whose commission expired January 17, 1899.

William H. Bain, to be postmaster at Canajoharie, in the county of Montgomery and State of New York, in the place of James Halligan, whose commission expired January 4, 1899.

George Bennett, to be postmaster at Oceanus, in the county of Queens and State of New York, in the place of J. R. Murray, removed.

Charles H. Kniffin, to be postmaster at Marlboro, in the county of Ulster and State of New York, in the place of W. S. Wright, removed.

J. R. Rogers, to be postmaster at Southampton, in the county of Suffolk and State of New York, in the place of G. R. Howell, whose commission expired January 23, 1899.

William Witte, jr., to be postmaster at Roslyn, in the county of Nassau and State of New York, the appointment of a postmaster for the said office having, by law, become vested in the President on and after July 1, 1897.

George W. Robbins, to be postmaster at Rocky Mount, in the county of Edgecombe and State of North Carolina, in the place of Bennett Bunn, deceased.

John F. Austin, to be postmaster at Corry, in the county of Erie and State of Pennsylvania, in the place of J. B. Patterson, whose commission expires March 2, 1899.

Howard E. Butz, to be postmaster at Huntingdon, in the county of Huntingdon and State of Pennsylvania, in the place of S. E. Fleming, whose commission expires February 25, 1899.

Frank A. Moesta, to be postmaster at Kittanning, in the county of Armstrong and State of Pennsylvania, in the place of O. S. Marshall, whose commission expired January 24, 1899.

Thomas J. Price, to be postmaster at Danville, in the county of Montour and State of Pennsylvania, in the place of Thomas Chalfant, whose commission expired June 1, 1898.

Charles F. Strawn, to be postmaster at Quakertown, in the county of Bucks and State of Pennsylvania, the appointment of a postmaster for the said office having, by law, become vested in the President on and after January 1, 1899.

D. H. Barnes, to be postmaster at Port Arthur, in the county of Jefferson and State of Texas, the appointment of a postmaster for

the said office having, by law, become vested in the President on and after July 1, 1898.

Edward W. Morten, to be postmaster at Farmersville, in the county of Collin and State of Texas, in the place of W. H. Chapman, deceased.

Erwin W. Owen, to be postmaster at Eagle Pass, in the county of Maverick and State of Texas, in the place of L. J. Washburn, whose commission expired February 5, 1899.

Byron Fairbanks, to be postmaster at West Bend, in the county of Washington and State of Wisconsin, in the place of G. A. Kuechenmeister, resigned.

F. M. Griswold, to be postmaster at Lake Mills, in the county of Jefferson and State of Wisconsin, in the place of J. W. Hanson, whose commission expired February 12, 1899.

F. H. Marshall, to be postmaster at Kilbourn, in the county of Columbia and State of Wisconsin, in the place of A. C. Dixon, whose commission expired February 12, 1899.

Charles H. Maynard, to be postmaster at Sheboygan, in the county of Sheboygan and State of Wisconsin, in the place of Carl Zillier, whose commission expired January 10, 1899.

SURVEYOR OF CUSTOMS.

Joseph W. Dillin, of Tennessee, to be surveyor of customs for the port of Nashville, in the State of Tennessee, to succeed James H. Collins, resigned.

PROMOTIONS IN THE ARMY.

Infantry arm.

Lieut. Col. Loyd Wheaton, Second Infantry, to be colonel, February 6, 1899, vice Patterson, Twentieth Infantry, appointed brigadier-general.

Maj. Augustus W. Corliss, Seventh Infantry, to be lieutenant-colonel, February 6, 1899, vice Wheaton, Second Infantry, promoted.

Capt. William V. Richards, Sixteenth Infantry, to be major, February 6, 1899, vice Corliss, Seventh Infantry, promoted.

First Lieut. Charles L. Beckurts, Sixth Infantry, to be captain, January 11, 1899, vice Palmer, Sixteenth Infantry, promoted.

Second Lieut. Frank C. Bolles, Eighteenth Infantry, to be first lieutenant, January 11, 1899, vice Beckurts, Sixth Infantry, promoted.

APPOINTMENT BY TRANSFER IN THE ARMY.

Second Lieut. Fitzhugh Lee, jr., Twenty-first Infantry, to be second lieutenant of cavalry, January 8, 1899.

APPOINTMENTS IN THE VOLUNTEER ARMY.

Second Regiment Volunteer Engineers.

Second Lieut. James E. Lawton, to be first lieutenant, vice Cooley, resigned.

Sergt. William B. Dougall, Company K, to be second lieutenant, vice Lawton, promoted.

SECOND LIEUTENANT, MARINE CORPS.

Asst. Engineer Henry O. Bisset, United States Navy, to be a second lieutenant in the Marine Corps, to fill a vacancy existing in that grade, by transfer, to take rank next after Second Lieut. Ralph E. Walker, United States Marine Corps.

WITHDRAWAL.

Executive nomination withdrawn February 13, 1899.

James Gillis, to be postmaster at Pleasanton, Cal., he having died.

CONFIRMATIONS.

Executive nominations confirmed by the Senate February 13, 1899.

COINER OF THE MINT.

Mayer Cahen, of Louisiana, to be coiner of the mint of the United States at New Orleans, La

ASSISTANT TREASURER.

Charles J. Bell, of Louisiana, to be assistant treasurer of the United States at New Orleans, La.

MELTER AND REFINER.

H. Dudley Coleman, of Louisiana, to be melter and refiner of the mint of the United States at New Orleans, La.

PROMOTIONS IN THE ARMY.

Pay Department.

Lieut. Col. Frank M. Coxe, deputy paymaster-general, to be assistant paymaster-general, with the rank of colonel, February 1, 1899.

Maj. Albert S. Towar, paymaster, to be deputy paymaster-general, with the rank of lieutenant-colonel, February 1, 1899.

APPOINTMENTS IN THE ARMY.

Pay Department.

Capt. Theodore Mosher, Twenty-second Infantry, to be paymaster, with the rank of major, February 1, 1899.

APPOINTMENTS IN THE VOLUNTEER ARMY.

Fifth Regiment Volunteer Infantry.

First Lieut. John W. Wright, to be captain.

Second Lieut. Thomas W. Trainer, to be first lieutenant.

First Sergt. Samuel C. Samuels, Company M, to be second lieutenant.

POSTMASTERS.

Lemuel P. Hindes, to be postmaster at Lodi, in the county of Columbia and State of Wisconsin.

William H. Johnson, to be postmaster at Berlin, in the county of Green Lake and State of Wisconsin.

George H. Dodge, to be postmaster at Arcadia, in the county of Trempealeau and State of Wisconsin.

Arthur W. James, to be postmaster at Waukesha, in the county of Waukesha and State of Wisconsin.

Jarvis White, to be postmaster at South Superior, in the county of Douglas and State of Wisconsin.

Byron H. Sanford, to be postmaster at Sheboygan Falls, in the county of Sheboygan and State of Wisconsin.

HOUSE OF REPRESENTATIVES.

MONDAY, *February 13, 1899.*

The House met at 12 o'clock.

The CLERK (Hon. ALEXANDER MCDOWELL). In the absence of the Speaker, it will be necessary to elect a Speaker pro tempore.

Mr. PAYNE. It is evident there can not be a quorum to-day on account of the storm. I move that the House adjourn.

The question was taken; and the Clerk announced that the ayes seemed to have it.

Mr. DOCKERY and others. Division!

The House divided; and there were—ayes 9, noes 44.

So the House refused to adjourn.

Mr. GROSVENOR. Mr. Clerk, I move that the Hon. SERENO E. PAYNE be elected Speaker pro tempore.

The question was taken; and the Clerk announced that the ayes seemed to have it.

Several MEMBERS. Division!

The House divided; and there were—ayes 57, noes 0. [Loud applause.]

The SPEAKER pro tempore. The House will be in order. The Chaplain will offer the prayer.

Prayer by the Chaplain, Rev. HENRY N. COUDEN.

The Journal of the proceedings of Saturday last was read and approved.

CLEARING THE POTOMAC RIVER OF ICE.

Mr. CANNON. Mr. Speaker, I ask unanimous consent to pass the following bill.

The SPEAKER pro tempore. The gentleman from Illinois asks unanimous consent for the present consideration of the bill which the Clerk will report.

Mr. SULZER. I reserve the right to object.

Mr. CANNON. Oh, certainly.

The Clerk read as follows:

A bill (H. R. 12004) making an appropriation for clearing the Potomac River of ice.

Be it enacted, etc., That to enable the Commissioners of the District of Columbia to meet expenses that may be necessary for the purpose of clearing the Potomac River of ice, within the District of Columbia, there is hereby appropriated, payable from any money in the Treasury not otherwise appropriated and from the revenues of the District of Columbia, in equal parts, and to be immediately available, the sum of $5,000.

The SPEAKER pro tempore. Is there objection to the present consideration of the bill?

Mr. SULZER. Mr. Speaker, I would like to hear a few words of explanation in regard to the bill.

Mr. CANNON. The bill explains itself. It is to try to keep the city from being overflowed when the ice breaks up in the Potomac.

The SPEAKER pro tempore. Is there objection to the present consideration of the bill? [After a pause.] The Chair hears none.

The bill was ordered to be engrossed for a third reading; and being engrossed, it was accordingly read the third time, and passed.

On motion of Mr. CANNON, a motion to reconsider the vote by which the bill was passed was laid on the table.

ORDER OF BUSINESS.

Mr. CANNON. Now, Mr. Speaker, I desire to move that the House resolve itself into Committee of the Whole House on the state of the Union for the further consideration of the sundry civil appropriation bill; and, pending that, the gentleman from Kansas has something that he thinks will lose its rights if it goes over.

Mr. CURTIS of Kansas. Pending the motion of the gentleman from Illinois, I ask unanimous consent that the unfinished business, being the consideration of the bill (H. R. 11868) to provide

for the acquiring of rights of way by railroad companies through Indian reservations, Indian lands, and Indian allotments, and for other purposes, go over until to-morrow morning, and that it do not lose its status as unfinished business.

Mr. HENDERSON. Was that a special order?

Mr. DOCKERY. It is.

Mr. CURTIS of Kansas. I ask unanimous consent that it go over until to-morrow without losing its status as unfinished business.

The SPEAKER pro tempore. The gentleman from Kansas asks unanimous consent that the consideration of the bill H. R. 11868 go over until to-morrow without losing its status as unfinished business.

Mr. CURTIS of Kansas. I ask that because the gentleman from California [Mr. LOUD], chairman of the Committee on the Post-Office and Post-Roads, is not present.

The SPEAKER pro tempore. Is there objection?

Mr. HEPBURN. Does the gentleman from Illinois expect to conclude the consideratioh of the sundry civil appropriation bill to day?

Mr. CANNON. I should be very glad if I could; but if I were going to turn prophet, I should say we will have no such good luck.

Mr. GROSVENOR. I suggest that the gentleman from Kansas can get the same consent to-morrow if it should be desired. I doubt very much whether he would lose his right by not calling it up.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Kansas? [After a pause.] The Chair hears none.

Mr. BABCOCK. Will the gentleman yield to me for a moment?

Mr. CANNON. Certainly.

Mr. BABCOCK. Mr. Speaker, this is District day, but the chairman of the Committee on Appropriations seems anxious to conclude the sundry civil bill, and I ask unanimous consent that next Thursday be set aside as District day.

Mr. DOCKERY. Subject to appropriation bills.

Mr. BABCOCK. Yes; subject to the rights of appropriation bills.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Wisconsin [Mr. BABCOCK]. [After a pause.] The Chair hears none.

Mr. SULZER. Mr. Speaker, pending the motion of the gentleman from Illinois [Mr. CANNON], I would like to ask unanimous consent for the consideration of a little bill.

Mr. CANNON. I am sorry I can not yield, because there are twenty other gentlemen in the same position, and I can not yield to one without yielding to all.

The motion of Mr. CANNON was then agreed to. Accordingly the House resolved itself into Committee of the Whole, Mr. HOPKINS in the chair, for the further consideration of House bill 12008, making appropriations for sundry civil expenses of the Government for the fiscal year ending June 30, 1900, and for other purposes.

The CHAIRMAN. The House is now in Committee of the Whole for the further consideration of the sundry civil bill. General debate has been closed, and the Clerk will read.

The Clerk began the reading of the bill.

Mr. CANNON. Mr. Chairman, at the suggestion of the gentleman from Iowa [Mr. HEPBURN], I want to ask unanimous consent that he may after to-day, to-morrow or at any time during the pendency of this bill, offer an amendment of which he gave notice a day or two ago, at such point in the reading of the bill that he may desire. In other words, if the gentleman desires a full House, I have no objection, and I ask unanimous consent that he may offer it at such time as he desires.

Mr. HENDERSON. That does not waive points of order?

Mr. CANNON. Oh, no; not at all; subject to all points of order.

Mr. RAY of New York. Pending that request, may I ask what the amendment is?

Mr. HEPBURN. It was printed in the RECORD of Monday.

Mr. RAY of New York. What does it relate to; what is the subject-matter?

Mr. HEPBURN. It is in relation to the Nicaragua Canal.

Mr. DOCKERY. All points of order reserved.

The CHAIRMAN. Is there objection to the request of the gentleman from Illinois?

Mr. RAY of New York. Pending that request, Mr. Chairman, I desire an explanation, if it is permissible. May I ask the gentleman from Iowa if the amendment he proposes to offer is some bill on that subject that has been recommended by a committee, or is it a personal amendment?

Mr. HEPBURN. It is a substitute by the Committee on Interstate and Foreign Commerce for the Senate bill.

Mr. SULZER. I could not exactly hear.

Mr. HEPBURN. I say it is a substitute for the Senate bill, recommended by the Committee on Interstate and Foreign Commerce.

Mr. CORLISS. Mr. Chairman, I do not wish to object to this request. I am in favor of the measure, but I want a similar privilege to offer for the consideration of the House an amendment embracing authority to construct a Pacific cable, such as was discussed on the floor on the 12th of January.

The CHAIRMAN. Does the gentleman from Michigan object?

Mr. CANNON. Mr. Chairman, I withdraw the request.

The Clerk read as follows:

For immigrant station at Ellis Island, N. Y.: For contingencies, $47,010; in all, $390,850, to be paid out of the immigrant fund.

Mr. CANNON. Mr. Chairman, I desire to offer the following amendment:

In line 2, page 3, strike out "to be paid out of the immigrant fund" and insert in lieu thereof, after the word "dollars," "to be immediately available; and the said sum shall be reimbursed from the immigrant fund, as follows: $190,850 on the 1st day of July, 1899, and the remainder in four equal annual installments thereafter."

The amendment was agreed to.

The Clerk, proceeding with the reading of the bill read as follows:

Heating apparatus for public buildings: For heating, hoisting, and ventilating apparatus, and repairs to the same, for all public buildings, including marine hospitals and quarantine stations, under control of the Treasury Department, exclusive of personal services, except for work done by contract, $125,000; but of this amount not exceeding $15,000 may be expended for personal services of mechanics employed from time to time for casual repairs only.

Mr. LLOYD. Mr. Chairman, I would like to ask the chairman of the Committee on Appropriations if this is not an increase over the expenditures of last year; and if so, why the increase?

Mr. CANNON. Yes; it is an increase of $25,000. I will say to the gentleman that on investigation we find that for the current year there is an appropriation of $100,000, and later on in the deficiency bill we shall have to recommend probably $40,000 appropriation, or at least as much as $25,000, for the current year. The increase in the appropriation for the repair of the public buildings comes from the increased needs of repair.

Mr. STEELE. The public buildings throughout the country?

Mr. CANNON. Yes; the public buildings throughout the country.

The Clerk, proceeding with the reading of the bill read as follows:

Vaults, safes, and locks for public buildings: For vaults, safes, and locks, and repairs to the same, for all public buildings under control of the Treasury Department, exclusive of personal services, except for work done by contract, $25,000; but of this amount not exceeding $3,000 may be expended for personal services of mechanics employed from time to time for casual repairs only.

Mr. SULZER. Mr. Chairman, I move to strike out the last two words. Mr. Chairman, the whole country was startled and amazed the other day by the remarks of the gentleman from Illinois [Mr. CANNON]. What he then said has challenged the sober sense and arrested the judgment of the people of this country. I doubt not his figures are correct and his facts beyond successful contradiction. With him I agree it is time to call a halt. If this Congress continues its wild and indefensible appropriations from now until its adjournment, there is no doubt, in my judgment, but what the country will again be obliged to sell bonds. Many here and elsewhere, no doubt, desire that. But every friend of the people must view the situation with alarm. I believe the gentleman from Illinois is anxious to prevent the issue of more bonds, and is averse to any further mortgaging of posterity in the interest of the bankers of the country. I believe he is anxious to prevent any further spoliation of the National Treasury.

This Congress will go into history as the most profligate and prodigal Congress that has ever sat in this country. Already we have appropriated nearly a billion and a half dollars, and if it goes on I doubt not that before we finally adjourn it will be, not a billion-dollar Congress, but a two-billion-dollar Congress. We have appropriated in this Congress more money than any other two great powers in the world. Extravagance has been the order of the day in every department of the Government, and the doors of the Treasury swing outward to every corrupt scheme that the ingenuity of fertile but perverted minds can devise and conceive. How much longer can this go on ere the crash comes? And what have we to show for it?

One thing that the gentleman from Illinois said which struck me forcibly was his remarks in regard to the Hanna-Payne subsidy bill. That is a bill for the spoliation of the Treasury. It is a bill which violates the fundamental principles and the time-honored traditions of the Republican party. It is contrary to every tenet of the Democratic party. It is a bill which violates the solemn pledge made by the Republican party to the people of the country in its last national platform. It is a bill which bids defiance to most of your followers, makes them dupes, and your Chief Magistrate's letter of acceptance a sham and a hollow mockery. I am glad that the chairman of the Committee on Appropriations has had the courage and the manhood to stand up here in the face of his party and his Republican colleagues and say that this Hanna-Payne subsidy bill to loot the Treasury shall not pass this session of Congress if he can prevent it. All honor to him, I say, for his honesty and fearlessness.

The Republican party in convention assembled at St. Louis in 1896 said:

MERCHANT MARINE.

We favor restoring the American policy of discriminating duties for the upbuilding of our merchant marine and the protection of our shipping in the foreign carrying trade, so that American ships—the product of American labor employed in American shipyards, sailing under the Stars and Stripes, and manned, officered, and owned by Americans—may regain the carrying of our foreign commerce.

And President McKinley in his letter of acceptance said:

OUR MERCHANT MARINE AND NAVY.

The declaration of the Republican platform in favor of the upbuilding of our merchant marine has my hearty approval. The policy of discriminating duties in favor of our shipping, which prevailed in the early years of our history, should be again promptly adopted by Congress and vigorously supported until our prestige and supremacy on the seas is fully attained.

There is not a word in that declaration or in that letter about subsidies or bounties. On the contrary, it favors discriminating duties as the proper policy to build up and reestablish our merchant marine and our shipping industries.

The first day of this session I introduced a bill to do that, and I could not even get a hearing on it. The Hanna-Payne syndicate subsidy bill will rob the people of $300,000,000 and enrich the syndicate to just that extent, and I intend to prove it.

Mr. Chairman, I have here a letter, with a table of statistics prepared by one of the best-known authorities in the country on the American merchant marine, showing exactly how much money the Hanna-Payne subsidy bill will take out of the Treasury every year for the next twenty years if it should become a law. This table has been very carefully prepared by one of the best statisticians in the country—an expert in regard to our shipping and merchant marine. I ask to have this letter, with the accompanying table of statistics, printed in the RECORD for the benefit of members of the House.

A MEMBER (to Mr. SULZER). You have that right.

The CHAIRMAN. The gentleman from New York asks unanimous consent that some tables and figures relating to a bill on the Calendar of the House not now under consideration shall be printed, as part of his remarks, in the RECORD.

Mr. GROSVENOR. Is this a letter recently published on this question from Mr. Croker, of New York?

Mr. SULZER. No, sir. This is a letter from Hon. William W. Bate, the author of Our American Merchant Marine, and a table of statistics which he has compiled.

Mr. GROSVENOR. He is the author of the whole American merchant marine!

Mr. SULZER. He is the author of the most celebrated work on the American merchant marine—a standard authority.

Mr. GROSVENOR. Does the gentleman know anybody who ever read it?

Mr. SULZER. I do not know whether the gentleman has ever read it. I have, and I know many others who have also. I commend it to the gentleman, and if he reads it he will not vote for the Hanna-Payne syndicate subsidy bill.

Mr. GROSVENOR. I have had it a long time, but have never read it.

Mr. SULZER. There are lots of books the gentleman has never read.

Mr. GROSVENOR. I wanted to find out whether the gentleman would not include in his request the interview with Mr. Croker, of New York, on this subject.

Mr. CARMACK. The gentleman from Ohio can put that in.

Mr. SULZER. The gentleman from Ohio can not speak for Mr. Croker, who is my friend, and has no right to misrepresent him here or elsewhere. The gentleman has all he can do to defend MARK HANNA and the Republican party.

Mr. GROSVENOR. I am not addressing the committee now.

Mr. SULZER. We understand the gentleman.

Mr. TAWNEY. I wish to ask the gentleman from New York whether the table to which he refers is the same which has been carried around here for several days by the gentleman from New York, illustrating the alleged expense of the so-called Hanna-Payne bill?

Mr. SULZER. I will say to the gentleman from Minnesota [Mr. TAWNEY] that I do not think so, because I received this letter with the accompanying table of statistics on last Saturday afternoon, and it has never been shown since to anyone. The gentleman is mistaken.

Mr. TAWNEY. What is the purpose of the statistics?

Mr. PAYNE. I hope that no one will object to the publication of this paper in the RECORD——

Mr. CARMACK. The gentleman from New York has the right to print it without special leave.

Mr. PAYNE. No; I do not so understand.

Mr. SULZER. Yes; I have that right under the rule.

The CHAIRMAN. The Chair does not understand that the gentleman from New York has the right to print the paper without consent, as his remarks are out of order upon this bill at this time.

Mr. SULZER. I believe I have the floor, and I am in order.

Mr. PAYNE. I hope no one will object to the gentleman from New York publishing the papers he has indicated, although they are not entirely germane to the gentleman's motion or to the paragraph of the bill under consideration. But I want to see presented here in opposition to this shipping bill all the arguments that anyone and everyone has to offer, whether they embrace misstatements or not, because some day we shall have that bill up here for discussion, and at the proper time the friends of the bill will show what is to be said in favor of it, and will submit it with confidence to the House and with greater confidence to the country.

And while I am on my feet I want to state another thing. The appropriate time will come—it has not come yet—when all the great appropriation bills have been reported to the House, and when we shall have, not merely the estimates transmitted by the Secretary of the Treasury, but the actual legislation and appropriations by the House on which to form estimates for the fiscal year ending June 30, 1900. Then we shall be able to get within one hundred millions—and some gentlemen on the Appropriations Committee have got no nearer than that—of the probable expenses of that fiscal year. And certainly no one will then be misled, as my colleague from New York has been, into misstating the estimates put out by the Treasury Department, and furnished to Congress in the Book of Estimates, as the actual appropriations to be made by this Congress. And then the truth can be known.

I think the country can wait until that time—I notice there has been no revolution since the remarks that were made last week—and we shall have something accurate upon these subjects. In other words, I think perhaps it would be just as well if the course usually taken were followed in this case, and these estimates were put out when the general deficiency bill is reported. Actual facts might then be stated, rather than misstatements founded upon the estimates of the Treasury Department. If this course had been pursued, my colleague from New York would not have been misled into making the extravagant statements he has made this morning about the expenditures of this Congress.

But so far as the shipping bill is concerned, I am in favor of putting everything into the RECORD that any gentleman wishes to offer who does not take the time of the House.

Mr. SULZER. I believe I have the floor.

The CHAIRMAN. The gentleman's time has expired.

Mr. DOCKERY. Mr. Chairman——

Mr. SULZER. I yield to the gentleman from Missouri [Mr. DOCKERY].

The CHAIRMAN. The gentleman has no time to yield.

Mr. BRUCKER. I ask unanimous consent that the time of the gentleman from New York be extended five minutes.

The CHAIRMAN. The pending question is the request of the gentleman from New York [Mr. SULZER], that he be permitted to print in the RECORD the statistics and figures which he presents. Is there objection?

Mr. TAWNEY. Has not leave been already granted to print on the pending bill?

Mr. DOCKERY. It has.

Mr. SULZER. Of course it has; there is no doubt about that.

Mr. TAWNEY. Then I object to the unanimous consent being granted.

Mr. SULZER. Very well; it makes no difference.

Mr. DOCKERY. I hope the gentleman will not object in this case.

Mr. CANNON. If the gentleman from Minnesota objects, the gentleman from New York can print under the leave heretofore granted.

Mr. DOCKERY. I do not want the gentleman from New York cut out. If there is no doubt about it, that is all right.

Mr. TAWNEY. It is not printed by unanimous consent in that case.

Mr. SULZER. I understand from the Speaker's clerk that I have the right to print this letter and these statistics in the RECORD as a part of my remarks. There can be no question about it under the general rule adopted and cited by the gentleman from Illinois [Mr. CANNON].

The CHAIRMAN. The Chair will state to the gentleman from New York that the Chair is not familiar with the matter. The understanding of the Chair is that the gentleman's remarks were entirely out of order and that his speech and his statistics would not have been permissible had the objection been made. The rule is that under the five-minute rule gentlemen must in their observations confine themselves to the pending bill.

Mr. DOCKERY. He is presumed to have done that unless the point of order is made.

The CHAIRMAN. The Chair makes that statement in answer to the question of the gentleman as to the printing of the statistics.

Mr. SULZER. Under the rule as adopted in regard to this matter I believe I have the right to print these statistics and this letter as a part of my remarks. And, sir, I shall do so.

Mr. STEELE. I think the leave to print pertained to the general debate and not to the five-minute debate.

The CHAIRMAN. If the gentleman thinks he has that right, he can exercise it, and the question will be for the House to determine later.

Mr. SULZER. I desire to make this statement here and now; I do not intend to be taken off my feet. The Chair has said that my remarks were out of order; I challenge that statement. My remarks are in order, and are in answer to the gentleman from Illinois [Mr. CANNON].

The CHAIRMAN. One moment; the time of the gentleman from New York has expired.

Mr. SULZER. I move to strike out the last word.

Mr. Chairman, the gentleman from Illinois [Mr. CANNON], in his opening remarks on the sundry civil bill now under consideration, commented adversely on this Hanna-Payne subsidy bill, and said if the bill should become a law there would not be sufficient money in the Treasury for the next fiscal year to pay the ordinary running expenses of the Government.

Mr. TAWNEY. Mr. Chairman, a point of order. The gentleman from New York has not been recognized to make any motion or to speak to any amendment.

Mr. SULZER. "The gentleman" has been recognized, and I have the floor.

The CHAIRMAN. The Chair will state——

Mr. SULZER. I believe I have the floor, and I do not consent to yield it at present to anyone.

The CHAIRMAN. The gentleman from New York [Mr. SULZER] stated, in answer to an expression of the Chair that his time had expired, that he desired to offer an amendment to strike out the last word, and on that motion the Chair recognizes him for five minutes.

Mr. SULZER. Yes; that is right.

Mr. CANNON. I hope the gentleman from New York may be permitted to conclude his remarks, and then I trust we may get on with the bill.

The CHAIRMAN. The gentleman from New York [Mr. SULZER] is recognized for five minutes more.

Mr. SULZER. Mr. Chairman, I hope I will not be interrupted again. I have no desire to delay this bill. I am trying to help my friend. The gentleman from Illinois [Mr. CANNON] commented upon this Hanna-Payne subsidy bill in opening the debate upon this bill. Now, sir, is it out of order for me to answer the gentleman from Illinois, and to say to him that I entirely concur in what he said in regard to that Hanna-Payne subsidy bill, and in regard to its contemplated passage at this session of Congress?

In order to prove conclusively that the gentleman from Illinois was right in what he said regarding the subsidy bill, I want to print in the RECORD the statement of one of the greatest authorities in this land on the shipping interests of the country and on the American merchant marine, a man who has devoted his life to the study of this question, who has written, according to the best authorities, the standard work on the subject. He has, at great expense to himself, after great trouble and labor, prepared this table of statistics showing exactly how much money will go into the pockets of this syndicate of shipowners who drafted the Hanna-Payne subsidy bill, who brought it from Philadelphia here, gave it to the chairman [Mr. PAYNE] of the Committee on the Merchant Marine and Fisheries of this House, and gave it to Mr. HANNA in the Senate. They held hearings on that bill, but not on mine, and reported it without the crossing of a "t" or the dotting of an "i."

It is the syndicate's bill, and if it should by any chance become a law it would enrich a few men in the syndicate to the extent of from $40,000,000 to $75,000,000 a year, and every dollar of that money will come out of the pockets of the toiling masses of our country. I concur in what the gentleman from Illinois [Mr. CANNON] has said in regard to the subsidy bill, and I now ask unanimous consent to print this letter and this table of statistics, and I hope the gentleman from Minnesota [Mr. TAWNEY] will not object. But if he does, it will make no difference, as I have the right under the rule to print the letter and the statistics as a part of my remarks:

38 WEST SECOND AVENUE, DENVER, COLO., *February 7, 1899.*

DEAR SIR: Yesterday I mailed you a table of estimated cost of the H. P. bill and said I would write further to-day.

The table in question is based upon arrivals and departures of vessels in our foreign trade. The Bureau of Statistics has advised me as follows: "Total tonnage entered in foreign trade at seaports, 21,443,738; cleared in same trade, 21,890,781;" in both movements, 43,334,519 tons last year (1898).

Going back twenty-five years to find a fair average of increase in tonnage that we may apply to the future as a ratio, I find it has been 6½ per cent. Therefore we may look for 6½ per cent annual increase of tonnage movement in future. The opening of the Nicaragua Canal will increase the ratio, if anything. Having the tonnage of arrivals and departures, what we next need to know is the length of the average voyage in our trade abroad. From careful calculations I have fixed this at 3,756 miles. Next we want the average "compensation" per ton. I have fixed this at 82.62 cents for a voyage of the average length, allowing for a due proportion of compensation under "b" to be added to "a," section 1. The first year of the bill will be A. D. 1900.

We must add to tonnage movement 12.5 per cent of that in 1898 (being two years' growth). Take that amount of tonnage and multiply it by the average distance in hundreds of miles, and the product multiply by the (82.62 cents) compensation per hundred miles, and we have the "compensation" per year of the entire fleet in A. D. 1900 to start with. Then the columns set out different percentages of the entire fleet "compensation" in tens—90, 80, and so down to 20—and then 12½ and 8 per cent, where our present share of carriage may be to start with. The second year it should advance to 12.5 per cent; the third year to 20 per cent, and so on to 80 per cent, as the figures in black type show.

You will note that in the first year, A. D. 1900, under the bill, if American shipping carried all our foreign commerce, the "compensation" would be forty millions or more, and that at the rate of 6½ per cent annual increase (the rate of the last twenty-five years) this sum will double every sixteen years. Starting at forty millions in 1900, the amount would be fifty millions in 1904, sixty millions in 1908, seventy millions in 1912, eighty millions in 1916, ninety millions in 1920, one hundred millions in 1924, and so on.

At this figure of cost for the whole marine needed in our trade, the question is pertinent, How much of a marine will our people want? They pay their money and will one day make their choice. We now have, or may have to start with, 8 per cent. In eight to ten years, if the law shall prove good for anything, we should have 80 per cent—at least 50 per cent of the carriage in trade with shipping nations, and the balance of 30 per cent with nations and communities having few, if any, vessels. That is to say, such a share of transportation as will cost us fifty millions in 1909. [See table.]

Now, when the people perceive that we might and should have such statesmanship in Congress as to attain to 80 per cent of our foreign trade carriage at no cost at all they will feel justified in repudiating such a measure as the bill in question and the party that presumed to pass it, and they may go so far in their indignation as to curse the sea and all its ships and refuse to do anything for an interest that could find it in its heart to impose upon their patriotism. Right-minded men will be fortunate if they can then persuade the people to insist upon proper measures—just regulations of their foreign trade and transportation—which will do for the country what good statesmanship would do for it now—pass the "Sulzer bill."

In conclusion let me say, you may split the figures of my table in two and still show the impracticability of the Hanna-Payne bill. It is a gross fraud to say the bill will only cost a few millions a year. If that is all it will cost—what the Commissioner of Navigation has stated—then the law is not expected to be good for anything. Indeed, "it presents a strong dilemma in a desperate case."

All this matter I have foreseen for years. That has set my judgment against a bounty law. There is only one policy, that of the fathers, good for the evil of a decayed marine. The treaty talk in opposition is only fit to be indulged in by spoilsmen and simple folk. What a great opportunity Mr. HANDY has missed, with his free-ship rot! He could have put his guns on solid rock, but has preferred a bog, where they will soon sink out of sight.

Very truly, yours,

WM. W. BATES.

Hon. WILLIAM SULZER,
House of Representatives, Washington, D. C.

HANNA-PAYNE BILL ILLUSTRATED.

Approximate estimate of annual cost of "compensation" to tonnage of foreign trade under the terms set forth, with increased volume allowed for, both in commerce and in carrying.

Year.	Entire fleet.	90 per cent.	80 per cent.	70 per cent.	60 per cent.	50 per cent.	40 per cent.	30 per cent.	20 per cent.	12.5 per cent.	8 per cent.
1900	$40,278,351	$36,250,515	$32,222,680	$28,194,845	$24,167,010	$20,139,175	$16,111,340	$12,083,505	$8,055,670	$5,034,794	$3,222,268
1901	42,795,747	38,516,172	24,236,597	29,957,022	25,677,448	21,397,873	17,118,298	12,838,724	8,559,149	**5,349,468**	3,423,659
1902	45,313,143	40,781,828	36,250,530	31,719,200	27,187,885	22,656,570	18,125,257	13,593,942	**9,062,628**	5,664,142	3,625,051
1903	47,830,559	43,047,485	38,264,481	33,481,377	28,698,323	23,915,269	19,132,215	**14,349,161**	9,566,107	5,978,817	3,826,443
1904	50,347,935	45,313,141	40,278,348	35,243,554	30,208,761	25,173,967	**20,139,174**	15,104,380	10,069,587	6,293,491	4,027,834
1905	52,865,331	47,578,797	42,292,264	37,006,731	31,719,198	**26,432,660**	21,146,132	15,859,599	10,573,065	6,608,166	4,229,226
1906	55,382,727	49,844,454	44,306,181	38,767,908	**33,229,636**	27,691,363	22,153,090	16,614,818	11,076,545	6,922,840	4,430,618
1907	57,900,123	52,110,110	46,320,098	**40,530,086**	34,740,073	28,956,061	23,160,049	17,370,036	11,580,024	7,237,515	4,632,009
1908	60,417,519	54,375,767	**48,374,015**	42,292,263	36,250,511	30,208,759	24,167,007	18,025,255	12,083,502	7,552,189	4,833,401
1909	62,934,915	56,641,423	50,347,932	44,054,440	37,760,949	31,467,457	25,173,966	18,880,474	12,586,983	7,866,864	5,034,833
1910	65,452,311	58,907,079	52,361,848	45,816,617	39,271,386	32,726,155	26,180,924	19,635,693	13,090,462	8,081,538	5,236,184
1911	67,969,707	61,172,736	54,375,765	47,578,794	40,781,824	33,984,853	27,187,882	20,390,912	13,593,941	8,496,213	5,437,576
1912	70,487,103	63,438,392	56,389,682	49,340,972	42,292,261	35,243,551	28,194,841	21,146,130	14,097,420	8,810,887	5,638,968
1913	73,004,499	65,704,049	58,403,597	51,103,149	43,802,699	36,502,249	29,201,799	21,901,349	14,600,899	9,125,562	5,840,359
1914	75,521,895	67,969,705	60,417,516	52,865,328	45,313,137	37,760,947	30,208,758	22,656,568	15,104,379	9,440,236	6,041,751
1915	78,039,281	70,235,352	62,431,424	**54,627,496**	46,823,568	39,019,640	31,215,712	23,411,784	15,607,856	9,754,908	6,243,142
1916	80,556,677	72,501,009	64,445,341	56,389,673	48,334,006	40,278,338	32,222,670	24,167,003	16,111,335	10,069,585	6,444,534
1917	83,074,073	74,766,665	66,459,258	58,151,851	49,844,443	41,537,036	33,229,629	24,922,221	16,614,814	10,384,259	6,645,925
1918	85,591,469	77,032,322	68,473,175	59,914,026	**51,354,881**	42,795,734	34,236,587	25,677,440	17,118,293	10,698,933	6,847,317
1919	88,108,865	79,297,978	70,487,092	61,676,205	52,865,319	44,054,432	35,243,546	26,432,659	17,621,773	11,013,608	7,048,709
1920	90,626,261	81,563,634	72,501,008	63,438,382	54,375,756	45,313,130	36,250,504	27,187,878	18,125,252	11,328,283	7,250,096
1921	93,143,657	83,829,291	74,514,925	65,200,559	55,886,194	46,571,828	37,257,462	27,943,097	18,628,731	11,642,958	7,451,492

Approximate estimate of annual cost of "compensation" to tonnage of foreign trade under the terms set forth, etc.—Continued.

Year.	Entire fleet.	90 per cent.	80 per cent.	70 per cent.	60 per cent.	50 per cent.	40 per cent.	30 per cent.	20 per cent.	12.5 per cent.	8 per cent.
1922	$95,661,053	$86,094,945	$76,528,842	$66,962,737	$57,396,631	$47,830,566	$38,264,421	$28,698,315	$19,132,210	$11,957,631	$7,652,884
1923	98,178,447	88,360,602	78,542,757	68,724,912	58,907,068	49,089,223	39,271,378	29,453,534	19,635,689	12,272,306	7,854,275
1924	100,695,843	90,626,258	80,556,674	70,487,090	60,417,505	50,347,921	40,278,337	30,208,752	20,139,168	12,586,980	8,055,667
1925	103,213,239	92,891,915	82,570,591	72,249,267	61,927,943	51,606,619	41,285,295	30,963,971	20,642,647	12,901,655	8,257,059
1926	105,730,635	95,157,571	84,584,508	74,011,444	63,438,381	52,865,317	42,292,254	31,719,190	21,146,127	13,216,329	8,458,450
1927	108,248,031	97,423,227	86,598,424	75,773,621	64,948,818	54,124,025	43,299,212	32,474,409	21,649,606	13,531,004	8,659,842
1928	110,765,427	99,688,884	88,612,341	77,535,798	66,459,256	55,382,713	44,306,170	33,229,628	22,153,085	13,845,678	8,861,234
1929	113,282,823	101,954,416	90,626,148	79,297,879	67,969,611	56,641,342	45,313,074	33,984,805	22,656,737	14,160,335	9,062,614
1930	115,800,219	104,220,197	92,640,175	81,060,153	69,480,131	57,900,109	46,320,087	34,740,065	23,160,043	14,475,027	9,264,017
1931	118,317,615	106,455,853	94,654,092	82,822,330	70,990,569	59,158,807	47,327,046	35,495,284	23,663,491	14,789,682	9,465,396
1932	120,835,011	108,751,509	96,668,008	84,584,507	72,501,006	60,417,505	48,334,004	36,250,503	24,167,002	15,104,376	9,666,800
1933	123,352,407	111,017,166	98,681,925	86,346,684	74,011,444	61,676,203	49,340,962	37,005,722	24,670,481	15,419,051	9,868,192
1934	125,869,803	113,282,822	100,695,842	88,108,862	75,521,881	62,934,903	50,347,921	37,760,940	25,173,960	15,733,725	10,069,584
1935	128,387,199	115,548,479	102,709,759	89,871,039	77,032,319	64,193,599	51,354,879	38,516,159	25,677,439	16,048,399	10,270,975
1936	130,904,595	117,814,117	104,723,676	91,633,216	78,542,757	65,452,297	52,361,838	39,271,378	26,180,919	16,363,074	10,472,367
1937	133,421,991	120,079,791	106,737,592	93,395,393	80,053,194	66,710,995	53,368,796	40,026,597	26,684,398	16,677,992	10,673,759
1938	135,939,387	122,345,448	108,751,509	95,157,570	81,563,632	67,969,693	54,375,754	40,781,816	27,187,877	16,992,423	10,875,150
1939	138,456,783	124,611,104	110,765,426	96,919,748	83,074,069	69,228,391	55,382,713	41,537,034	27,691,356	17,307,098	11,076,542
1940	140,974,179	126,876,537	112,779,144	98,681,751	84,584,358	70,486,965	56,389,572	42,292,179	28,194,786	17,621,741	11,277,914

NOTE.—If the law works well, the best that can be expected from it is to make a track through the table as designated by the black figures, but if the law is abortive the track made may never advance beyond the 20 per cent column.

The average increase of our fleet in foreign carrying the past twenty-five years is 6½ per cent, allowed for here.

Mr. TAWNEY. I do insist upon the objection.

The CHAIRMAN. Objection is made.

Mr. TAWNEY. I have seen that same statement, and it is full of error from beginning to end.

Mr. DOCKERY. The gentleman from New York has the right to print under the order heretofore made.

Mr. CANNON. As objection has been made, I desire recognition for a moment.

The CHAIRMAN. The gentleman from Illinois [Mr. CANNON] is recognized.

Mr. CANNON. I desire to proceed with this bill.

Mr. SULZER. My five minutes have not quite expired, and I just wish to say to the gentleman from Minnesota [Mr. TAWNEY] that I understand I have a right to print this letter and this table of statistics under the rule already adopted.

Mr. TAWNEY. That is a matter for the House to determine hereafter.

Mr. SULZER. And I desire now to serve notice on the gentleman from Minnesota [Mr. TAWNEY] that as long as I am a member of this House he will never get unanimous consent.

Mr. TAWNEY. All right.

Mr. CANNON. I desire to make progress with this bill. What I stated in general debate on Thursday last speaks for itself. I am willing to stand by every word that I uttered at that time. Nor can I be driven from what I said then, or switched off into immaterial discussion here by the gentleman from New York [Mr. SULZER] on the other side, who misinterprets my remarks and seeks, in his zeal, to gain a supposed partisan advantage thereby.

Mr. SULZER. I will say to the gentleman from Illinois that the country has not misinterpreted his remarks.

Mr. CANNON. Oh, the country is all right, and the statement is all right, and it is strong enough and true enough to withstand the partisan misrepresentation that the gentleman from New York [Mr. SULZER] on the other side desires to make, and it is strong enough to stand the deprecating remarks of the gentleman [Mr. PAYNE] upon this side of the House, the chairman of the Committee on Ways and Means. I am willing to stand on that statement, and having said that much, and the statement speaking for itself, I ask that the Clerk may proceed with the reading of the bill.

Mr. DOCKERY. Just one word. I understood the gentleman from New York [Mr. PAYNE] to impeach the accuracy of the Treasury exhibits made by the gentleman from Illinois.

Mr. PAYNE. Mr. Chairman, I do not think there can be any doubt about what I said. I suggested to gentlemen of the Committee on Appropriations on both sides of the House that they ought to wait until the House had acted upon the appropriation bills, and not take the estimates of the Secretary of the Treasury. I only want to make one illustration, Mr. Chairman, of the inaccuracy of this course of procedure. The gentleman from Illinois [Mr. CANNON] and the gentleman from Missouri [Mr. DOCKERY] estimated the appropriations for the Army at $145,000,000 and again at $42,000,000. That was an addition. It is a matter of public notoriety, has been stated in the press—and I do not know but the bill has been reported—that the Army bill carries $79,000,000 instead of $145,000,000. The truth is that the estimate of the Secretary of the Treasury was based on an army of 150,000 men.

Mr. COX. Oh, no.

Mr. PAYNE. On an army of 150,000 men, and the bill is based on an estimate of 100,000 men, and the amount it carries is $79,000,000. There is no man in this House who believes that we will have an army exceeding 100,000 men, or that will exceed 75,000 men in the year 1900. That is the reason why I have made this suggestion. There is a very important cutting down of the estimate of the Secretary of the Treasury, and every member of this House knows as well as the gentlemen who are members of the Committee on Appropriations that we seldom, if ever, come up to the estimates made by the Secretary of the Treasury in our appropriations.

Mr. MARSH. I should just like to say to my friend from New York that the estimate of $79,000,000 that the Army appropriation bill will carry is based upon an army of 90,000 men.

Mr. HAY. Mr. Chairman——

Mr. CANNON. Mr. Chairman, I am willing to be judged, touching all I have said, by the sense of the majority of this House. The gentleman from New York in his wisdom deprecated the fact that, exercising my function in charge of this bill, I saw proper to speak of the expenditures of the Government. I submit to the lecture that the gentleman from New York gives; but, after submitting, I say again that if to-day was last Thursday, under the same conditions I would repeat every word I said then. And I say again that the statement made as to the aggregate of the expenditures that will be made for the Army in this fiscal year I have no doubt is short of the fact. I believe, from the best inquiry that I am able to make, that the statement made as to the expenditures of the coming fiscal year will not exceed the fact when they come to be made.

So much for that. The gentleman says that much of this is estimate, and that the estimates are always too large. That is the general rule under normal conditions, but we passed a deficiency bill for the support of the Army just before the holidays for the last half of the fiscal year, if I recollect aright, of about $70,000,000; and yet, with that Army being decreased from that time to this, and less than was expected when the estimates were submitted for which the appropriations were made, there is over $10,000,000 again submitted that the general deficiency bill will carry for the Army for the remainder of this fiscal year.

Now, all I aimed to do in my remarks upon Thursday last was to call the attention of this House to the fact that in my judgment, with the present revenue laws upon the statute books, we could not hope to meet the expenditures of the current year and the coming fiscal year for the support of the Army and Navy and for the whole public service substantially as it is without incurring a deficiency, and to insist, if new lines of expenditure were to be authorized that are not now authorized, that hand in hand with the authorization of the expenditure should go provisions for the payment thereof. That is all. I do not desire to make that speech again, and have no apology to make for it. I trust, without misrepresentation from a partisan standpoint upon the other side, or through mistake upon this side, we may progress with the bill.

Mr. BERRY. May I ask the gentleman a question? The gentleman seems to be very conversant with all appropriations made in this body. Can he give us an estimate of what the Payne-Hanna bill will cost? [Laughter.]

Mr. CANNON. The Payne-Hanna bill is not before this committee, and, I apprehend, will not be before this House during the consideration of this bill. [Applause.] I have no desire to discuss it at this time.

Mr. PAYNE. Mr. Chairman, of course I am not lecturing——

Mr. HAY. Mr. Chairman, I make the point of order that debate upon the amendment offered by the gentlemen from New York is exhausted.

Mr. PAYNE. I think that point is well taken. I move to strike out the paragraph.

The CHAIRMAN. The Chair sustains the point of order.

Mr. PAYNE. Of course, I do not assume to lecture the chairman of the Committee on Appropriations or to criticise the times or seasons of making his remarks. I should have said the same

thing in reference to his estimates for 1900, whether he had attacked the Nicaragua Canal bill or the shipping bill or not. In the course of his remarks the other day it did appear a little interesting to me to know that the gentleman from Illinois had not a word to say on the two days that we spent trying to appropriate eight milions and a half dollars for public buildings throughout the country, and that he should not have had any criticism to make about that and raise his warning voice against a deficiency in 1900; but he was drawn into a criticism of two great public measures which in the year 1900, if both were enacted into law, would not call upon the Treasury for one-half the amount that the House was seeking to vote out of the Treasury for public buildings. I was a little surprised about it.

The gentleman says the estimates for the Army for this year, ending July 1, 1899, are greater than the appropriation bill; that one deficiency bill of seventy millions has already passed, and that another deficiency of ten millions is asked for. The gentleman knows, and no member of the House expected that if we were going to carry on war and had war with Spain these first estimates and first appropriations would pay the expenses of the Army during that war. We all expected heavy deficiency bills. Now, we have a treaty of peace ratified by the Senate——

Mr. WILLIAMS of Mississippi. Will the gentleman allow me to ask him a question?

Mr. PAYNE. I have only a moment.

Conditions have changed, and no one expects we are going to have 200,000 men in the field during the next year, or 100,000, or even 90,000, men provided for in the Army appropriation bill. Therefore I say that this fact ought to be called to the attention of the country, and instead of an expenditure of $145,000,000 for 150,000 men it should be stated to the country that we do not expect—that the Military Committee do not expect—more than 90,000 men, and they appropriate $79,000,000 instead of $145,000,000, thus decreasing the amount in the deficiency reported and wiping it out by $66,000,000.

It was simply my purpose to call the attention of the House and the attention of the country to the fact that the enormous estimate probably would not be met by appropriations by at least $66,000,000.

Mr. CANNON. Mr. Speaker, I want to add just one word at this point, and then I am done. The gentleman from New York [Mr. PAYNE] seeks to muddy the waters by switching off upon the proposed enactment of certain bills authorizing the erection of public buildings, and seems to think that the "member from Illinois" was not performing his duty because he was not opposing these bills.

Mr. PAYNE. Not at all.

Mr. CANNON. Let me say to my friend from New York that perhaps I did not perform my duty, and I am willing to take the discipline of my constituency if I fail to perform it. Many times I have failed to perform my duty.

It is bad for me, but after all it does not affect much the whole people. I have learned from observation, I will say to the gentleman from New York, chairman of the Ways and Means Committee, that men die, go out of this House, come into it, pass away, and still everything and everybody survives. It is of but little importance whether I failed in my duty in not opposing the public building bills; but if an answer was necessary, where was the clarion voice of the gentleman from New York? [Laughter.]

Mr. PAYNE. Will the gentleman allow an answer right there?

Mr. CANNON. Yes.

Mr. PAYNE. "The gentleman from New York" appeared and objected to a bill which proposed to erect a public building in a little town of 2,500 inhabitants, and was voted down by a vote of 85 to 15.

Mr. CANNON. And then the gentleman from New York retired. But, Mr. Chairman, I will not be switched off to a discussion on public buildings. Let it be said that if it be unwise to pass them, do not pass them. And still the gentleman says that my estimates are unreliable, because the Army bill is only to carry $79,000,000. If the Army bill only provides for $79,000,000 for a year's support of 90,000 men, a portion of those men to be used in the Philippines, in Cuba, and Porto Rico, it is at least $45,000,000 short, in my judgment, and will have to be made up by deficiency.

I am not criticising an army of 90,000 men; I am for an army of 50,000 as a minimum and an army of 100,000 for a maximum. I am for every man and every dollar that is necessary, at home and abroad, in outlying territories, whether it be much or little, and realizing this fact, this being my position, for I stood when the Army bill was being considered making the best battle I could for a sufficient army, as I shall stand in the future, and as these expenditures are absolutely necessary, I want the House and the country to understand what they are, and then the House and the country will be willing to make them.

But I do not want them minimized for any general purpose or purposes touching the legislative good of the public service, unless such proposition not only be worthy, and unless they go hand in hand with provisions to pay the expenses that are necessary to carry them out. That is all I said, in substance, and it is all I say now.

Mr. HAY. Mr. Chairman, I simply rise to correct a statement made by my colleague, the gentleman from Illinois [Mr. MARSH], who stated that the military appropriation bill provided for only 90,000 men. It provides for 100,000 men; it provides for what is known as the Hull bill, and it is about $79,500,000, and, as was well pointed out by the distinguished chairman of the Appropriations Committee, the appropriation was so pared down and various items were so much cut that it will be necessary in the Fifty-sixth Congress next December to include in the deficiency bill as much as $45,000,000, if not more.

Mr. CLARK of Missouri. What is the reason they do not put it in this bill?

Mr. HAY. Because they do not want it to go to the country that the Army is going to cost $125,000,000 or $130,000,000. That is the reason of it, and that is the reason the bill was cut down in committee. Everybody understood it, everybody knew it, and every thinking and intelligent man must so understand it. The gentleman from Illinois [Mr. MARSH] was not present perhaps at some of the hearings, but it was stated by the gentleman who prepared these statistics for the bill that he prepared them entirely upon the estimates made for the men in the Hull bill, and the Hull bill provides for 100,518 men. That is the truth of the matter so far as the military appropriation bill is concerned.

Mr. CANNON. Mr. Chairman, I withdraw my pro forma amendment.

Mr. BERRY. Mr. Chairman, it is rather pleasant on this cool morning, when the blood is not circulating actively, to find the leaders on the other side pulling each other's hair. [Laughter.] The distinguished gentleman from New York claims credit for attacking, along with my distinguished friend from Missouri, the appropriation of seven or eight million dollars for public buildings in different parts of this country, when there has not been a public-building bill passed in this House, except in a case of extreme necessity, since the Fifty-third Congress, and that bill contemplated the expenditure of only eight or nine million dollars.

Yet the gentleman stands here with a bill representing the great "merchant marine" of this country, or a snydicate, or whatever you please to call it—a bill framed probably in the city of New York—which has in advance of it an argument written by the attorney of the shipping interests of this country, and an argument appended to it, with the bill squeezed in between, for the purpose of taking from the Treasury of the United States probably $300,000,000 in the next ten or fifteen years. Yet he rose when a bill was presented here for a public building at Carrollton, Ky., to cost $25,000, and made objection.

I suppose the reason he objected was that he wanted a little more in the way of shipping subsidies for the benefit of the "merchant marine" of the country. And there is the distinguished gentleman from Missouri [Mr. DOCKERY], who so earnestly led the fight here the other day—a gentleman coming from a State that has only three or four more Congressmen than the State of Kentucky and with territory proportionately no larger—that gentleman claims to be a "watch dog of the Treasury," too, self-constituted; yet his State of Missouri has drawn $10,000,000 from the United States Treasury for public buildings, and his virtue on this question comes at the "eleventh hour," when the Treasury has been looted for the benefit of his State.

And there is the distinguished Speaker of this body, who objects so much to appropriations for public buildings. I looked over the list of these bills the other day, and I found that a town in the State of Maine of 940 people has a public building costing $40,000. And while my distinguished friend from Maine, the late Mr. Milliken, for whom I had the highest regard and whom we were all glad to hear complimented when he had passed away, while he was at the head of the Committee on Public Buildings and Grounds there was hardly a town in the State of Maine of eight or nine hundred inhabitants that did not get a public building of some kind. That State, with only four Representatives on this floor, has had 12 public buildings——

Mr. RHEA of Kentucky. Eighteen.

Mr. BERRY. Eighteen! Great heavens! I am astonished more than ever. I hardly deemed that possible. Yet these gentlemen stand here to defend the public Treasury! I might refer also to my friend from Delaware, who is not present this morning. I understand his State is probably going to elect Mr. Gray United States Senator to-day, because enough Republicans will be providentially kept away to-day to make the next Senator from Delaware a Democrat. And I hope it may be so—from a Democratic standpoint.

A MEMBER. He is not a Democrat.

Mr. BERRY. And there is my distinguished friend from the State of California—I do not see him here to-day—who presented

himself here the other day as defending the public Treasury. He appeared before the River and Harbor Committee asking an appropriation to improve the channel leading into the Golden Gate, which we have time and again heard men from the Western seaboard boast of as being the greatest harbor on the face of the earth. He asked that, because there is a ferryboat running across that harbor from Oakland, there should be an appropriation to blow up two rocks lying in that channel.

We proposed to put a light on the rocks to keep ships off that part of the channel. We proposed to put a bell buoy there that would roll with the waves and by its ringing give notice of the dangerous rocks. But nothing of that kind would do; and the gentleman got an appropriation of $100,000 incorporated in the river and harbor bill for present expenditure, with $525,000 more to be spent under contract, so as to have those two rocks removed. Yet that gentleman comes here and announces: "I am the defender of the public Treasury. Do not dare to take a dollar out for a public building." [Laughter.] We have such gentlemen all over this House.

I do not want to be held up before this House as one who has endeavored to loot the public Treasury. I represent in part a State that pays every year into the Treasury $27,000,000 as internal revenue on tobacco and whisky. Republicans here say that that tax is paid by the consumer. That would not be a singular suggestion to come from a Democrat; but I never heard such a suggestion in any other case from a Republican, because they have been claiming all their lives that the consumer does not pay the tax. If gentlemen want to do something for the benefit of our American shipping, let them remove the present high duties; let them give us free ships; let us navigate the ocean as God Almighty intended, upon an equal basis with other nations, and then we shall not have occasion to call for any subsidies for our shipping.

It is the high protective duties that have encumbered our merchant marine and given occasion for it to be said, as was said by our deceased friend, Mr. Dingley, "It is a sad spectacle to observe the deterioration of our merchant marine." [Applause.]

Mr. MARSH. Mr. Chairman, my colleague on the Committee on Military Affairs takes issue with the statement which I made a few minutes ago, during the time of the gentleman from New York [Mr. PAYNE], when I stated that the Army appropriation bill, which will be reported to this House to-day or to-morrow, will carry something over $79,000,000 for the coming fiscal year for the support of the United States Army, and that that appropriation is upon such a basis as not to cover on the average more than 90,000 troops in the service during the coming fiscal year.

Mr. CLARK of Missouri. Mr. Chairman——

Mr. MARSH. One minute. We find, by going back over our history, that when the Army was limited to 25,000 men its average was a little over 23,000, if I recollect right, and we estimate that with a limit of 100,000 men there will not be at any one time on an average exceeding 90,000 men in the Army.

Mr. STEELE. And there will not be, either.

Mr. MARSH. You are right. There will not, because under the law they can not enlist beyond the number which is provided, and they can not hit it exactly, and the result of experience is that where you have a maximum limit of the number of troops in the Army you will on an average fail by about 10 per cent in reaching that limit. And the gentleman from Virginia [Mr. HAY], if he does not know it now, will know it later, that that appropriation is based upon an average of 90,000 troops in the Army instead of 100,000.

Mr. HAY. Will the gentleman allow me to ask him a question?

Mr. CLARK of Missouri. I should like to ask the gentleman a question. You undoubtedly have ciphered it out how much it costs per head to keep standing armies, and I should like to know that.

Mr. MARSH. Mr. Chairman, the difficulty about that sort of ciphering, and the gentleman from Missouri [Mr. CLARK] will readily see it, is that it will cost more with an army of thirty or forty or fifty thousand men, more or less, in our trans-Pacific and West Indian possessions—it will cost more to keep them there than it would to keep them within the present boundaries of the United States.

Mr. CLARK of Missouri. What I want to know is this——

Mr. MARSH. The cost of transportation is a large item.

Mr. SULZER. Will the gentleman permit a question?

Mr. MARSH. No; not now. The cost of transportation is a large item. How often it will become necessary to transport the troops from those islands on account of sickness, on account of their health, and to supply their places with other troops—how often those trips will have to be made is a matter that no man can determine. If they must be relieved every six months, the expense will be more than if they must be relieved only every twelve months or only every eighteen months. So the gentleman from Missouri [Mr. CLARK] can readily see the difficulty of estimating just what the Army will cost.

Mr. CLARK of Missouri. Let me ask you this question: How much does it cost per head to keep the Army here at home?

Mr. MARSH. It is impossible to determine that, but on an average——

Mr. COX. The Adjutant-General says about a thousand dollars per head.

Mr. MARSH. When you take into consideration the building of fortifications, the construction of barracks, the construction of buildings for the care of troops and animals, and all that sort of thing, it will be not far from $900 per head in the Army.

Mr. CLARK of Missouri. When you come to consider these trans-Pacific and transoceanic journeys, you have got to add to that the cost of taking them over there and the cost of bringing them back to keep them from dying, have you not?

Mr. MARSH. That is what I have said.

Mr. CLARK of Missouri. And then they get additional pay for service outside of the United States.

Mr. MARSH. That is an item that the gentleman from Missouri must know can not be arrived at exactly.

Mr. CLARK of Missouri. Now, let me ask one more question. I do not want to bother you——

Mr. MARSH. No; you do not bother me.

Mr. CLARK of Missouri. They get 25 per cent additional, do they not, when they serve outside of the United States?

A MEMBER. That provision was stricken out.

Mr. MARSH. They only do that during the period of war.

Mr. CLARK of Missouri. Under our system, we are preparing for a perpetual state of war, are we not?

Mr. MARSH. I will say to the gentleman from Missouri that if instead of making a speech he will confine himself to the question he will see that the 25 per cent only applies during war, and that provision was stricken out of the bill that passed the House the other day.

Mr. CANNON. Mr. Chairman——

The CHAIRMAN. The Chair recognizes the gentleman from Illinois in charge of the bill.

Mr. CANNON. Mr. Chairman, I want to ask unanimous consent to close debate upon this paragraph in five minutes, and in asking it I want to say to the gentleman, and all gentlemen, that the Army appropriation bill will be under consideration in a day or two. We have troubles enough of our own on the sundry civil bill, and I trust that the Military Committee will discuss army matters on the Army appropriation bill and that other members will discuss the postal subsidy when that bill comes up. I want to say that to friends and enemies both.

Mr. HAY. If the gentleman will permit me, I will say to him that I would not have said a word had it not been that the gentleman from New York [Mr. SULZER] and the gentleman from Illinois [Mr. MARSH] injected the Army bill into this debate.

Mr. CANNON. I think the injection started with the Committee on Military Affairs and with the gentleman from New York. Now I ask unanimous consent that debate may be closed in five minutes.

Mr. WILLIAMS of Mississippi. I will ask the gentleman from Illinois if he can not amend his request to make it ten minutes. I would like to have about four or five minutes.

Mr. CANNON. Certainly, I will amend it and make it ten minutes.

Mr. BRUCKER. I will ask the gentleman if he can not further amend his request and make it twenty minutes? The bigbugs of the House have been recognized in this squabble, and I now ask that the small fry may have a chance.

Mr. CANNON. The big fry and the medium fry and the small fry, the upper crust, the under crust, and the stuffing between the two crusts can all debate the Army bill when it comes up in two or three days.

Mr. BRUCKER. The trouble is the upper crust have exhausted the subject, so far as they are concerned. We ought to be permitted to have an opportunity.

Mr. COCHRAN of Missouri. I object.

Mr. CANNON. Then I move that debate on this paragraph be closed in ten minutes.

The question was taken; and the Chairman announced that the ayes seemed to have it.

Mr. DOCKERY. Division.

The committee divided; and there were—ayes 53, noes 6.

So the motion was agreed to.

Mr. COCHRAN of Missouri. Mr. Chairman——

The CHAIRMAN. The Chair will recognize the gentleman from Missouri for five minutes.

Mr. DOCKERY. Which one?

The CHAIRMAN. One moment. The Chair desires to say that the gentleman from Missouri [Mr. DOCKERY] is entitled under the rules to first consideration, and after he is recognized the Chair will endeavor to recognize the gentleman from Missouri [Mr. COCHRAN].

Mr. DOCKERY. I will take five minutes later to reply to the gentleman.

[Mr. COCHRAN of Missouri addressed the committee. See Appendix.]

Mr. COCHRAN of Missouri. Mr. Chairman, I will ask leave to extend my remarks in the RECORD.

The CHAIRMAN. Without objection, it will be so ordered.

There was no objection.

Mr. WILLIAMS of Mississippi. Mr. Chairman, I have been much touched this morning by the little differences between the two solons in the council who, on the floor of this House, control the policy of the other side. [Laughter.] Perhaps it is the "first fruit" of Eastern empire. [Laughter on the Democratic side.] I wish to call attention to a few more "first fruits" of eastern empire disclosed by the speech made the other day by the gentleman from Illinois [Mr. CANNON], and the speech made this morning by the gentleman from New York [Mr. PAYNE]. The gentleman from New York differs with the gentleman from Illinois, chairman of the Committee on Appropriations, as to the estimate of army expenditures, and he bases his difference upon the fact that our past expenses have been due to the war with Spain. I wanted to interrupt him and ask the question, how much less the war with the Philippines would cost than the war with Spain has cost—per day, per week, or per annum.

Now, Mr. Chairman, we were told when the Senate was urged to ratify the treaty the other day without amendment of the Philippine clause that it would bring us several great and good things. One was peace. Every sensible man in the United States knew that it would bring us war; every sensible man knew that we were at peace with Spain, a peace which Spain dared not disturb, but that the moment we undertook to take possession of the Philippines without any assurance either from the Senate or from the President of the temporary character of our occupancy that it would bring us war with the Filipinos, 7,000 miles away from our shore, certainly a bloody, probably a long, and probably a very expensive war. The very anticipation of the unamended ratification brought us war. So the picture was drawn of peace, and when the consummation came it was war.

Another picture drawn as a fruit of annexation was that of great "commercial expansion" that was going to come to our people by our possession of the Philippines. What do we learn? We learn by the speech of the gentleman from Illinois the other day that again the picture drawn to our imagination had been blotted out and a new picture of obstruction to commercial expansion has been presented in its place. Why? Because he tells us that our Eastern empire, our "new conditions," will cost so much money for military and naval operations that we can not afford to construct the one great work that practically looks toward genuine commercial expansion, and that is the Nicaragua Canal. Speaking for my own people, the construction of the Nicaragua Canal will do more to furnish them new markets for their products than the possession of all the Philippine Islands, and three or four provinces of China thrown in, with the canal unconstructed, can or will furnish.

I desired to say this right here because I thought it followed in its right place after what has just been said. It is well that we should consider these two pictures, the first picture that was promised, of "peace and commercial expansion," and the second, the picture that is really presented to us—"war with a half-naked, breech-clouted, helpless people armed with bows and arrows, whom we must shoot down because we want to subjugate their own country and subdue them to our ends." It is well, because when we consider the two pictures the last picture of the two cries to the American people, cries to the American Congress in a voice that is absolutely unmistakable, "Your Eastern empire is all folly; it is already a failure, a cruel failure; halt in your career before you continue it further." [Applause.]

The Clerk, proceeding with the reading of the bill, read as follows:

Depot for the Tenth light-house district: For repairing and enlarging the light-house depot at Buffalo, N. Y., $50,000.

Mr. CANNON. Mr. Chairman, I offer the following amendment.

The Clerk read as follows:

On page 8, line 6, insert "Point Hueneme light station, California: For right of way to public road, $2,000."

The amendment was agreed to.

Mr. CANNON. Mr. Chairman, I offer the following amendment.

The Clerk read as follows:

After amendment last adopted insert:
"For expenses for construction of a telephone line from United States light-house at Point Trinidad, California, to connect with the general telephone system at Trinidad, in Humboldt County, Cal., $250."

The amendment was agreed to.

The Clerk read as follows:

REVENUE-CUTTER SERVICE.

For expenses of the Revenue-Cutter Service: For pay of captains, lieutenants, captain of engineers, chief engineers and assistant engineers, cadets, and pilots employed, and for rations for the same; for pay of a constructor, Revenue-Cutter Service; for pay of petty officers, buglers, seamen, oilers, firemen, coal heavers, stewards, cooks, and boys, and for rations for the same; for fuel for vessels, and repairs and outfits for the same; ship chandlery and engineers' stores for the same; traveling expenses of officers traveling on duty under orders from the Treasury Department; commutation of quarters; for protection of the seal fisheries in Bering Sea and the other waters of Alaska, and the interest of the Government on the seal islands and the sea otter hunting grounds, and the enforcement of the provisions of law in Alaska; for enforcing the provisions of the acts relating to the anchorage of vessels in the ports of New York and Chicago, approved May 16, 1888, and February 6, 1893, and an act relating to the anchorage and movement of vessels in St. Marys River, approved March 6, 1896; contingent expenses, including wharfage, towage, dockage, freight, advertising, surveys, labor, and miscellaneous expenses which can not be included under special heads, $1,100,000.

Mr. MIERS of Indiana. Mr. Chairman, the Chicago Tribune, in discussing proposed reforms, said:

There is an abundance of money to be saved by a just and searching revision of the pension rolls without doing any wrong or injustice to a single deserving pensioner. There is enough money being squandered annually on undeserved pensions to put and keep all our seaports in a state of ample defense and complete protection. The Regular Army could at the same time be recruited up to the new 100,000 maximum and paid an increased wage for colonial garrison work simply out of the present wastage that is going on to please demagogues and to enrich claim agents. Let this ruinous leakage be cut off and turned into national defenses, and the next war alarm will not find us as unprepared as the last one did.

The Washington Post said:

There can be no reasonable doubt that under the act of 1890 there has been an unjustifiable expansion of the pension roll. There is as little reason to doubt that a similar wrong has been committed by Congress in passing special pension bills in cases that ought to have been rejected.

I do not subscribe to either the sentiment or the conclusion reached by either article. I do not believe there is any money being squandered by reason of the administration of the Pension Bureau. There may be some soldiers drawing pensions that are unjust; but if so, I have been unable to find them. They do not live in my district. Upon the other hand, many old soldiers in my district are deserving much larger pensions than they get under the law as it is administered. There are many more soldiers all over the land who are unable to get the pension justly due them than there are who get a pension that does not justly belong to them.

I am equally confident that the Fifty-fifth Congress has not passed special pension bills in cases that should have been rejected. The Invalid Pensions Committee, of which I have the honor to be a member, has been most careful in its recommendations, owing to the fact that the Treasury is nearly empty by reason of large appropriations already made and to be made. I am heartily tired of these and other great journals of the country casting their insinuations against that greatest roll of honor, the pension roll. If they know of, or can learn of, any case or cases, they should point to it or them, and not make the insinuation that reflects on the whole. The men who sacrificed and endured so much are entitled to better treatment by the press, the Pension Bureau, and by Congress. If it were not for their sacrifices and heroism, we would not be boasting of a great Republic and would not be able to extend a helping hand to suffering humanity.

The spirit of the founders would have long since been stifled, instead of our presenting the grand spectacle of a Christian, God-fearing people sending the flower and pick of their young men to battle and die for humanity and liberty, with as pure and unselfish motive as the lowly Nazarene in giving His life for the eternal liberty and salvation of us all. The country is tired of these constant attacks on the greatest and most unselfish heroes that ever lived. I would direct the attention of these great journals and of Congress to the great combines and trusts and extravagant appropriations that are sapping the life of the Republic and thwarting the will of the fathers. [Applause.]

The Clerk read as follows:

For every expenditure requisite for and incident to the survey of the coasts of the United States and of coasts under the jurisdiction of the United States, including the survey of rivers to the head of tide water or ship navigation; deep-sea soundings, temperature and current observations along the coast and throughout the Gulf Stream and Japan Stream flowing off the said coasts; tidal observations; the necessary resurveys; the preparation of the Coast Pilot; continuing researches and other work relating to physical hydrography and terrestrial magnetism, and the magnetic maps of the United States and adjacent waters, and the tables of magnetic declination, dip, and intensity usually accompanying them; astronomical and gravity observations; and including compensation not otherwise appropriated for of persons employed in the field work, in conformity with the regulations for the government of the Coast and Geodetic Survey adopted by the Secretary of the Treasury; for special examinations that may be required by the Light-House Board or other proper authority, and including traveling expenses of officers and men of the Navy on duty; for commutation to officers of the field force while on field duty, at a rate to be fixed by the Secretary of the Treasury, not exceeding $2.50 per day each; outfit, equipment, and care of vessels used in the Survey, and also the repairs and maintenance of the complement of vessels; to be expended in accordance with the regulations relating to the Coast and Geodetic Survey from time to time prescribed by the Secretary of the Treasury, and under the following heads: *Provided*, That no advance of money to

chiefs of field parties under this appropriation shall be made unless to a commissioned officer or to a civilian officer, who shall give bond in such sum as the Secretary of the Treasury may direct.

Mr. DOCKERY. Mr Chairman, I have sought the floor to say a few words in reply to the remarks of the honorable gentleman from Kentucky [Mr. BERRY] as to the appropriations that have been made for the State of Missouri on account of public buildings. I find on examining the table referred to by the gentleman that Hannibal, Jefferson City, Kansas City, St. Joseph, St. Louis, Sedalia, and Springfield have all been provided with public buildings; that there have also been erected at St. Louis an appraiser's store building, at a cost of $588,000, and a marine hospital, at a cost of $456,000. It is proper for me to say briefly (because I do not desire to occupy the attention of the House on so unimportant a matter for any length of time) that there is not a single public building in my Congressional district, and that nearly all of the public buildings, costing $9,713,594.71, were authorized before I was elected to Congress.

Mr. HEPBURN. Has there been no public building authorized in the State of Missouri since the gentleman has been a member of the House?

Mr. DOCKERY. There has been. I was about to state the facts.

Mr. HEPBURN. I should like to ask the gentleman whether he supported the bills providing for the erection of those buildings?

Mr. DOCKERY. I did; and my judgment has been vindicated by subsequent events. Jefferson City has a population of 6,742, and is the capital of the State, with a Federal court. The public building there was authorized after I came to Congress. At Kansas City, with a population of 132,716, a public building was authorized after I came to Congress. At St. Joseph, with a population of 52,324, a public building was authorized since I came here; likewise a building for Sedalia, with a population of 14,068, and for Springfield, with a population of 21,850.

Mr. HEPBURN. The gentleman, I believe, did not state the population of Jefferson City.

Mr. DOCKERY. Sixty-seven hundred and forty-two. As I was about to say, of the $9,713,594.71 expended in Missouri for public buildings, $6,097,000 was expended for a public building at St. Louis long before my entrance into the House, and for an appraiser's store, $588,000, and a marine hospital, $456,000—both of these latter buildings being connected with the general public service and not at all local in their uses.

Looking over this list of buildings, I am prepared to say that in my judgment every one of them was a proper object of public expenditure. There can be no suspicion, as I look at the matter, of any lack of merit on the part of either of these propositions. No one of these buildings is in my district. I did not introduce a bill for either of them. The building at Jefferson City was constructed in pursuance of a bill introduced by my colleague [Mr. BLAND]; the one at Kansas City was erected under the authority of a bill introduced by the then Representative from our State, Mr. Tarsney; Colonel Burnes introduced the bill for the erection of the public building at St. Joseph; Hon. John T. Heard, the one authorizing the construction of the building at Sedalia, and Hon. W. H. Wade introduced the bill authorizing the public building at Springfield.

Mr. HEPBURN. Did I understand the gentleman to say that one building in St. Louis cost something over $6,000,000?

Mr. DOCKERY. Yes, sir; and constructed as it was, just after the close of the civil war, I assume that private enterprise could have constructed it at very much less cost. My own opinion is that there were perhaps some elements of extravagance in the expenditure, but that was incident to the loose methods which prevailed at that time.

Mr. MAGUIRE. "Private enterprise" probably got a good deal out of it.

Mr. DOCKERY. Very probably.

So, Mr. Chairman, all these buildings, except those to which I have adverted—and they are small buildings—were authorized before I entered service here. All of them, in my opinion, are meritorious. If propositions for their construction were pending to-day, I would, if the Treasury situation warranted, vote for each one of them. And I will vote for any meritorious public-building bill, provided always the condition of the public Treasury warrants the expenditure.

Mr. HEPBURN. And with the further condition that the building is located in the State of Missouri!

Mr. DOCKERY. Oh, I do not think that my good friend from Iowa can fairly make that criticism. I do not believe that he is candid in the criticism.

Mr. HEPBURN. But is it not true that in Missouri you have had as much of expenditure of this kind as in all of the 78 bills which it was proposed to pass the other day, and against which you exercised all of the arts of the filibuster, put together?

Mr. DOCKERY. It is true that from the time the Government was established until now the Federal Government appropriated $9,713,000 for Missouri—during all of the years of our history—while you propose——

Mr. HEPBURN. For 10 buildings.

Mr. DOCKERY (continuing). While you proposed in one day, at a time when the Treasury was burdened with a deficiency and with great obligations imposed upon it by reason of the war, to add a burden of $10,923,900, and that cost included a building in a beautiful city in the district of my friend [Mr. HEPBURN], and the only information we could get about it was that the postal receipts were "something less than a quarter of a million of dollars."

Mr. HEPBURN. It was supposed that every intelligent gentleman, like the gentleman from Missouri, would know what the receipts were in so important a town as that.

Mr. DOCKERY. That is somewhat indefinite, but I presume it was sufficiently definite for the purposes of my friend from Iowa at that time. He knew that the building was going through, anyhow.

The Clerk read as follows:

Pay and subsistence of professional seamen: For pay and subsistence of professional seamen serving as executive officers and mates on the vessels of the Survey, to be immediately available, $27,500.

Mr. COX. Mr. Chairman, I just want a very few minutes, not on this particular feature of the bill, but to call the attention of the committee to the Army appropriation bill. There has been much discussion about how much it will cost if the Army is fixed at 100,000 men. Now, let me explain the matter to you, and let us understand each other plainly and frankly. Whenever you increase the Army to 100,000 men, you are going to increase the expenditures for the army establishment, including pensions and the retired list, to $300,000,000 a year. I know very well it is not pertinent to the section now before the House; but I want this House to understand the matter. Upon a close examination of that whole subject—and I see members of the committee before me now—whenever you authorize the President to put your army establishment in the Regular Army at 100,000 men, in less than two years it will cost more than $300,000,000 a year.

Now, I do not propose here to make a speech, but just simply desire to call the attention of the House to it, and whatever may be your conclusions about the matter, without going into the facts about the necessity for it and argument of why it should be done, I call the attention of the chairman of the Committee on Appropriations to the matter, and I do not think in his honesty and sincerity he will deny it, that in less than two years, with authority to raise the Army to 100,000 men, it will cost the Government $300,000,000 a year. I mean taking the pension roll, taking your retired list, retired officers, and taking your discharged soldiers and transportation, and you are going to land in an appropriation sooner or later of $300,000,000 to maintain the Army. I call that to the attention of the chairman of the Committee on Appropriations, and he will be very much troubled to dispute it. That is all I desired to say about the matter.

The Clerk read as follows:

Nassau (N. H.) station: Superintendent, $1,500; fish-culturist, $900; two laborers, at $540 each; in all, $3,480.

Mr. MOODY. I offer the following amendment.

Mr. ADAMSON. Is that for the Georgia station?

Mr. MOODY. It is.

The Clerk read as follows:

Page 33, after line 3, insert:

"Cold Springs (Ga.) station: Superintendent, $1,500 fish-culturist, $900; two laborers, at $540 each; in all, $3,480."

Mr. ADAMSON. My purpose, Mr. Chairman, in rising was to call the attention of the committee to this matter. I care to say nothing, Mr. Chairman, except that, not seeing the distinguished chairman of the committee. I rose to call attention to this amendment, which the committee had promised to make. It was omitted in the preparation of the bill, because the title had not at that time been perfected so that the work could be carried forward. The Fish Commissioner has, however, written the committee requesting that it be now inserted; that he is ready to proceed, and would need the appropriation.

The amendment was agreed to.

The Clerk read as follows:

Inquiry respecting food-fishes: For field and contingent expenses of the inquiry into the causes of the decrease of food-fishes in the lakes, rivers, and coast waters of the United States, and for the study of the waters of the interior in the interest of fish-culture; for the investigation of the fishing-grounds of the Atlantic, Gulf, and Pacific coasts with the view of determining their food resources, in the development of the commercial fisheries, including the expenses of necessary travel and preparation of reports, $15,000.

Mr. MIERS of Indiana. Mr. Chairman, I offer the following amendment.

The Clerk read as follows:

Amend by inserting the following after the word "dollars" in line 6, page 36:

"To enable the United States Fish Commission to make an examination of the different lakes, rivers, and other waters, with a view to the establishment of a branch fish-cultural station under the control of the Government in said State, $1,000, or so much thereof as may be necessary."

Mr. MOODY. Mr. Chairman, I reserve the point of order on the amendment.

Mr. MIERS of Indiana. Mr. Chairman, in my State there is a great deal of interest in the matter of food fishes. We have a great many streams there, many rivers, and a great many lakes where there are a great many food fishes, so that we need only to be able to care for them; and I think if this provision were made it would cultivate the interest in the matter very considerably in the State of Indiana. The Fish Commission say they would like to make such an investigation, but they have no means to do it, and if they could have an appropriation of perhaps a thousand dollars they would be glad to make the inquiry.

I believe it is an inquiry that ought to be made. Missouri, Tennessee, California, and some other States have these stations already established. It is a very small appropriation. As we are now in the matter of making investigations along the line of preserving the fish of the country, we would be very glad to have such an investigation made in Indiana. We have a pretty good fish law in the State, but it can not be enforced; and if we had the moral support of this law upon the statute books after the investigation I think the law would be better enforced. I hope this amendment will be adopted.

Mr. MOODY. Mr. Chairman, by direction of the committee, I shall have to make the point of order which I reserved. I do not think there is any need to say anything in support of the point of order. It is clearly undertaking new work, not authorized by any law on the statute book with which I am familiar.

The CHAIRMAN. Does the gentleman from Indiana desire to be heard on the point of order?

Mr. MIERS of Indiana. I do not, except to say that it seems to me that it is not new matter and not new legislation, in view of the fact that a commission is already established for fish-culture in at least four States of the Union, and it is an appropriation that carries on the work of that commission; and for that purpose it seems to me it is brought within the limit, and that it is not new legislation.

The CHAIRMAN. Has the Fish Commissioner authority under existing law to establish a station at this place in Indiana?

Mr. MIERS of Indiana. I think not. We have none in Indiana, but it is not different to any other place. We want a little appropriation, so that it can be put on a footing with other States.

The CHAIRMAN. Then it would be new legislation.

Mr. MIERS of Indiana. It did not so strike me.

The CHAIRMAN. The Chair is constrained to sustain the point of order on the ground stated by the gentleman from Massachusetts.

The Clerk read as follows:

Transportation of silver coin: For transportation of silver coin, including fractional silver coin, by registered mail or otherwise, $80,000; and in expending this sum the Secretary of the Treasury is authorized and directed to transport from the Treasury or subtreasuries, free of charge, silver coin when requested to do so: *Provided*, That an equal amount in coin or currency shall have been deposited in the Treasury or such subtreasuries by the applicant or applicants. And the Secretary of the Treasury shall report to Congress the cost arising under this appropriation.

Mr. LACEY. Mr. Chairman, I move to strike out the last word for the purpose of inquiring of the gentleman in charge of the bill how much was used last year for the transportation of silver coin.

Mr. MOODY. I will say that the whole of the appropriation of last year was used, and there is a deficiency coming estimated at $20,000.

Mr. DRIGGS. Mr. Chairman, I desire to read part of the following memorial introduced in the second session of the Seventh Congress of the United States on February 10, 1803, viz:

A memorial of sundry citizens of the city and State of New York and of the United States was presented to the House and read, praying that a "monument may be erected to perpetuate the memory of a number of American citizens who perished on board of the British prison ships, or who were slain in defense of their country during the Revolutionary war."

Again in the Forty-ninth, Fiftieth, Fifty-first, and Fifty-second Congresses similar memorials were introduced; resolutions, too, of similar import have frequently been favorably reported by the Library Committee, and now, nearly one hundred years after the introduction of the original, I rise in this, the Fifty-fifth Congress, to uplift my voice in favor of another similar resolution reported favorably by the present Library Committee. The subject treated of by these resolutions has become a sort of legacy descending from generation to generation upon the Brooklyn members of this House. I am proud to accept the legacy and advocate the erection of a monument to the memory of the martyrs of the "prison ships of Wallabout Bay," and, as an American citizen, believe that money can not be appropriated by this great Government of ours for a purpose more just, more worthy, or more closely in alliance with the spirit of 1776.

Shortly after the disastrous battle of Long Island, the British, being unable or unwilling to establish prisons on shore for the incarceration of the soldiers and sailors taken in battle, anchored ten—some authorities say eighteen—old and rotten hulks in Wallabout Bay, in front of what is now the navy-yard, for this purpose. The names of six of these hulks, the *Scorpion*, *Transport*, *Stromboli*, *Prince of Wales*, *Hunter*, and *Jersey* (pseudonymed Hell), should be impressed on the minds of all Americans, young and old, in order that they may the more thoroughly understand the heroism, bravery, and suffering which accompanied our struggle for independence and attended the establishment of our Republic.

The sufferings of the people in the Black Hole of Calcutta, the inhumanities of the Inquisition, the cruelties of the Kurds to the Armenians, the barbarity of the Spaniards to the Cuban patriots are as naught and pale into insignificance when compared to the tortures and sufferings undergone by the martyrs of the prison ships—nothing but putrid water to drink, nothing but condemned supplies taken from the hog trough to eat, insufficient clothing to protect them from the icy blasts of winter, no ventilation to make more tolerant the heat of the summer's sun. With disease, pestilence, and insanity about them, is there wonder that they looked forward to but one relief and that relief death? Aye! their sufferings were indeed as those of the damned.

In 1781 Congress having heard of the atrocities on these ships appointed a committee of investigation, that committee consisting of Messrs. Clymer, Boudenot, and Sharp, submitted a very strong report, resolving among other resolutions:

That no circumstances of the enemy's particular situation can justify this outrage on humanity, it being contrary to the usage and custom of civilized nations thus deliberately to murder their captives in cold blood, as the enemy will not assert that prison ships equal to the number of prisoners can not be obtained so as to afford room sufficient for the necessary purposes of life. That therefore the Commander in Chief be, and is hereby instructed to remonstrate to the proper officer within the enemy's lines on the said unjustifiable treatment of our marine prisoners, and demand in the most express terms to know the reason of this unnecessary treatment toward them.

These resolutions were passed, and the Commander in Chief, our immortal Washington, wrote to the British officer in command.

Alas! all this availed naught, for no amelioration of the condition of the prisoners resulted, and to show the awful mortality let us compare the total killed and wounded of the entire Revolution with the deaths on the prison ships. The total killed in the Revolution was as follows:

Monmouth	362	Guilford, N. C	400
Bemis Heights	750	Briar Creek, Ga	400
Trenton	100	Long Island	400
Brandywine	1,000		
Germantown	673	Total	4,085

Allow 1,000 more killed and wounded in skirmishes and we have a total of 5,085.

Now for the prison ships. Eleven thousand six hundred and forty-four paid the penalty of death on the *Jersey* alone, 300 more were incinerated at the destruction by fire of the transport, and Stiles and other historians figure that 20,000 is a low figure for the total mortality; thus nearly 15,000 more men gave up their lives on the prison ships than in the Revolution itself. Why was this awful punishment theirs? Simply because upon being taken prisoners they refused to take the oath of allegiance to the Crown; because they could not and would not recognize the right of the mother country to tax them without representation; for upon capture they were offered their freedom if they would become subjects of King George III; but be it recorded to their immortal honor that out of 30,000 prisoners taken less than 300 accepted this dishonorable proposition, the remainder preferring to take the risk of torture and death. After our defeat at Savannah the British used every means, both fair and foul, to compel 500 prisoners taken there to forswear their country, even threatening to burn their homes and starve their families. With these terrible threats ringing in their ears these noble Georgians and North and South Carolinians, swerving not one jot or tittle from the cause of liberty, answered with one voice, with one accord, "The prison ships and death; Washington and our country is our decision." [Applause.]

In conclusion, I trust that the following amendment, to be offered by my colleague [Mr. SULZER], to follow line 18, page 40 of the present bill under consideration, may not be declared out of order. This amendment is:

That $50,000 is hereby appropriated, provided a like amount is raised by the citizens of Greater New York, for the purpose of erecting a monument to the memory of the heroes and martyrs who died in British prison ships in Wallabout Bay, New York Harbor, during the Revolution.

Mr. HOWE. Mr. Chairman, as a Representative from the city of Brooklyn and the State of New York, I desire to say a few words in favor of this appropriation, for there is not a fiber in my nature that does not vibrate the quicker when I contemplate the heroism and self-sacrifices of the prison-ship martyrs. The memory of these heroic men will ever be sacred to all lovers of their country who are familiar with its early history. They perished that a republic might be born whose influence and power would be felt by generations then unborn. They perished, but from their ashes has arisen the grandest and most glorious Republic the world has ever seen.

Mr. Chairman, through their self-sacrifices and heroism we sit in this place to-day in the full enjoyment of freedom's privilege, under a republican constitution—representatives of seventy-five million of the freest people on earth.

Ingratitude is of all things the most despicable. When a nation forgets its progenitors it is on the downward road to decay and dissolution. Each of the original States furnished its quota to this heroic band; their ashes belong to the nation. Let us, therefore, not only pass this appropriation, but erect to the memory of the prison-ship martyrs a monument commensurate with the grandeur and glory of the Republic, one that will reflect credit upon the intelligence and sterling heroism of the men of the Revolution. [Great applause.]

Mr. SULZER. Mr. Chairman, I move to strike out the last two words. I desire to offer an amendment to this bill at this time—I will prepare it in a moment—that $50,000 be appropriated by the Government, provided a like amount is subscribed and paid by the citizens of Greater New York——

Mr. MOODY. I reserve the point of order.

Mr. SULZER (continuing). To build a suitable monument to the heroic and patriotic soldiers of the American Revolution who died in British prison ships in Wallabout Bay, New York Harbor, during the Revolution. I desire, Mr. Chairman, to ask the gentleman from Massachusetts in charge of the bill whether he will object to this amendment?

Mr. MOODY. I do not object to it now, but I reserve the point of order against it. It is a matter entirely outside of the function of this committee at this time.

Mr. SULZER. I trust the gentleman will not be so unpatriotic as to interpose an objection. I send the amendment to the Clerk's desk, however, and ask to have it reported to the House.

The CHAIRMAN. The Clerk will report the amendment.

The Clerk read as follows:

Amend by adding at the end of line 18, page 40, "that $50,000 is hereby appropriated, provided a like amount is raised by the citizens of Greater New York, for the purpose of erecting a monument to the memory of the heroes and martyrs who died in British prison ships in Wallabout Bay, New York Harbor, during the Revolution."

Mr. MOODY. And against that I reserve the point of order.

Mr. SULZER. Mr. Chairman, just a few simple words.

With all that has been so well, so truly, and so eloquently said by my distinguished colleagues from New York [Mr. DRIGGS and Mr. HOWE] I entirely concur. It is well known to every student of American history that about 20,000 American soldiers died, or were ruthlessly killed, in British prison ships during the Revolutionary war. That crime was the greatest tragedy of the Revolution.

I do not think there can be a man on the floor of this House to-day who is so unpatriotic as to object to this appropriation. The Republic must not forget these men who died in the cause of liberty and for her independence. The spirit of 1776 should be kept alive that freedom may survive. All that we ask is that the Government appropriate $50,000 provided the citizens of Greater New York subscribe a like amount to build a suitable monument to these heroes who sacrificed their lives that the Republic might be born, to erect to their memory a monument fitting and proper to commemorate their heroism, their tragical death, and the deep damnation of their taking off. No tongue can ever tell, no pen can ever picture their misery, their suffering, and their sad deaths.

Mr. Chairman, many, many years ago in the city of New York the Society of Tammany, or the Columbian Order, appropriated a large amount of money and appointed a committee of distinguished citizens for the purpose of gathering together the bones of these Revolutionary heroes, which were then whitening the beach along Wallabout Bay, and give them decent burial. After a great deal of trouble, expense, and time the bones of these Revolutionary soldiers were gathered together by the committee, and they were buried amid pomp and circumstance, and with military honors, in the beautiful mausoleum in old Trinity churchyard. That grateful and patriotic act is one of the grandest, one of the kindest, and one of the noblest acts in all the great achievements of the Tammany Society.

I am glad that this matter has been brought up in the House to-day. It is a matter of much personal gratification to me to tell of this incident in the history of Tammany—a society of which I am proud to be a member, and which has always been true to the Republic.

The Government of the United States should have erected a suitable monument to these heroes long ago.

To-day we are celebrating the martyrdom and the heroism of the sailors who went down in the *Maine*. It is eminently fitting and proper that we should do so. To-day the patriotic people of the Republic are contributing money to build a monument to those heroes.

Why not, sir, on this memorable occasion, inspired by the patriotism and the heroism of the soldiers and the sailors of the Republic, pass this little appropriation and build to the memory of the heroes who died in British prison ships during the war for independence a monument that will forever perpetuate their suffering, their heroism, their martyrdom, for the cause of freedom, and forever demonstrate that republics are not ungrateful. Gratitude is the fairest flower that sheds its perfume in the human heart. Let us be grateful. Let us remember the *Maine*. Let us remember the patriots who made the Union possible, who saved the Union, who vindicated the Union. Let us remember our soldiers and our sailors dead, and our soldiers and our sailors living. All honor to them. All glory to them.

Yes, I am glad of this opportunity, Mr. Chairman, to speak in favor of this amendment. Coming from the great metropolis of the Republic, I am glad to say that the grand old political organization of Tammany Hall, ever true to its tenets and its principles, years and years ago, out of its own exchequer, inspired by its own love for freedom, for the Republic, for the Revolutionary heroes, for the martyrs to liberty, gathered together these sacred and patriotic bones and buried them under the great mausoleum in Trinity churchyard, where they now rest.

I hope and trust that there is no member on the floor of this House who will object to this amendment. If there is a spark of patriotic gratitude in the members of this House, it will pass unanimously. [Loud applause.]

Mr. MOODY. Mr. Chairman, I understand that there is a bill pending before the appropriate committee to authorize the construction of a monument to which the gentlemen have alluded in their speeches, and I have no doubt that the Committee on Appropriations will gladly make the appropriation for that purpose when it is authorized by law; but at the present time it is not authorized, and I am constrained to make the point of order.

Mr. SULZER. I want to say to the gentleman from Massachusetts that such a bill has been introduced in Congress every year for the last seventy-five years, and it seems to have about as much chance of passing this House as a camel has to get through the eye of a needle.

The CHAIRMAN. The Chair sustains the point of order. The Clerk will read.

The Clerk read as follows:

Protection and administration of forest reserves: To meet the expenses of executing the provisions of the sundry civil act approved June 4, 1897, for the care and administration of the forest reserves, to meet the expenses of forest inspectors and assistants, superintendents, supervisors, surveyors, rangers, and for the employment of foresters and other emergency help in the prevention and extinguishment of forest fires, and for advertising dead and matured trees for sale within such reservations: *Provided*, That forestry agents, superintendents, and supervisors, and other persons employed under this appropriation shall be selected by the Secretary of the Interior wholly with reference to their fitness and without regard for their political affiliations, and allowed per diem, subject to such rules and regulations as he may prescribe, in lieu of subsistence, at a rate not exceeding $3 per day each, and actual necessary expenses for transportation, including necessary sleeping-car fares, $175,000.

Mr. MOODY. I ask unanimous consent that the consideration of this paragraph be postponed for a time, with the privilege of recurring to it hereafter. There are some amendments to it under consideration.

There was no objection.

The Clerk read as follows:

SURVEYING THE PUBLIC LANDS.

For surveys and resurveys of public lands, $325,000, at rates not exceeding $9 per linear mile for standard and meander lines, $7 for township, and $5 for section lines: *Provided*, That in expending this appropriation preference shall be given, first, in favor of surveying townships occupied, in whole or in part, by actual settlers and of lands granted to the States by the act approved February 22, 1889, and the acts approved July 3 and July 10, 1890, and, second, to surveying under such other acts as provide for land grants to the several States, except railroad land grants and such indemnity lands as the several States may be entitled to in lieu of lands granted them for educational and other purposes which may have been sold or included in some reservation or otherwise disposed of, and other surveys shall be confined to lands adapted to agriculture, and lines of reservations, except that the Commissioner of the General Land Office may allow, for the survey and resurvey of lands heavily timbered, mountainous, or covered with dense undergrowth, rates not exceeding $13 per linear mile for standard and meander lines, $11 for township, and $7 for section lines, and in cases of exceptional difficulties in the surveys, where the work can not be contracted for at these rates, compensation for surveys and resurveys may be allowed by the said Commissioner, with the approval of the Secretary of the Interior, at rates not exceeding $18 per linear mile for standard and meander lines, $15 for township, and $12 for section lines: *Provided further*, That in the States of California, Colorado, Idaho, Montana, Oregon, Utah, Washington, Wyoming, the Territory of Arizona, and the district of Alaska, there may be allowed, in the discretion of the Secretary of the Interior, for the survey and resurvey of lands heavily timbered, mountainous, or covered with dense undergrowth, rates not exceeding $25 per linear mile for standard and meander lines, $23 for township, and $20 for section lines: *And provided further*, That hereafter all standard, meander, township, and section lines of the public land surveys shall, as heretofore, be established under the direction and supervision of the Commissioner of the General Land Office, whether the lands to be surveyed are within or without reservations, except that where the exterior boundaries of public forest reservations are required to be coincident with standard, township, or section lines such boundaries may, if not previously established in the ordinary course of the public-land surveys, be established and marked under the supervision of the Director of the United States Geological Survey whenever necessary to complete the survey of such exterior boundaries. And of the sum hereby appropriated there may be expended such an amount as the Commissioner of the General Land Office may deem necessary for examination of public surveys in the several surveying districts, by such competent surveyors as the Secretary of the Interior may select, in order to test the accuracy of the work in the field, and to prevent payment for fraudulent and imperfect surveys returned by deputy surveyors, and for examinations of surveys heretofore made and reported to be defective or fraudulent, and inspecting mineral deposits, coal

fields, and timber districts, and for making such other surveys or examinations as may be required for identification of lands for purposes of evidence in any suit or proceeding in behalf of the United States. And the system of public-land surveys is hereby extended to the district of Alaska.

Mr. LACEY. I offer the amendment which I send to the desk.

The Clerk read as follows:

At the end of line 4, on page 56, insert the following:

"That when any railroad company claiming a grant of land under any act of Congress, desiring to secure the survey of any unsurveyed lands within the limits of its grant, shall file an application therefor in writing with the surveyor-general of the State in which the lands sought to be surveyed are situated, and deposit in a proper United States depository to the credit of the United States a sum sufficient to pay for such survey and for the examination thereof pursuant to law and the rules and regulations of the Department of the Interior under the direction of the Commissioner of the General Land Office, it shall thereupon be the duty of the Commissioner of the General Land Office, or the Director of the Geological Survey, as the case may be, to cause said lands to be surveyed

"For any deposits made by any railroad company hereunder certificates shall be issued, which may be used by such railroad company, its successors or assigns, to the same extent as cash is now allowed in payment of entries of public lands under existing law and regulations for any public lands of the United States in the States where the surveys were made, or for any survey or office fees due the United States from such railroad company on account of surveys of lands within its grant. The Secretary of the Interior shall provide such rules and regulations as may be necessary for carrying out the foregoing provisions."

Mr. CANNON. I reserve a point of order on this amendment.

Mr. LACEY. Mr. Chairman, the laws now in force in relation to surveys of railroad lands may be found scattered through various appropriation bills. From time to time a line has been dropped in here and a line there, but in no one place do we find legislation authorizing a land-grant railroad company to have surveys made upon advancing the funds for that purpose, and the practical operation of the present law has really nullified the power of the companies to advance money for this purpose. There is a permanent appropriation of $125,000 inserted in one of the appropriation acts, with authority on the part of the railroad companies having land grants to add to that appropriation from time to time, thus keeping the amount up to the sum of $125,000. It is also provided in another place that an advance for surveys may be used in commutation of other lands for settlers, etc. In actual practice it has been found, under the rulings of the Comptroller of the Treasury, that the money advanced by the railroad companies can be used only for actual surveys in the field; that no portion of it can be used for office fees and expenses of examining surveys to determine whether or not they have been properly made.

Therefore, this provision inserted in former appropriation bills has, in fact, proved of no utility, and is not being made use of. It is important that all these surveys should be made as speedily as possible. We have in this bill an appropriation of $325,000 for surveying purposes. Until surveys are made, railroad land grants are not subject to taxation. It is important to the sections of country through which these lines of railroad run that the surveys should be speedily made, to the end that the railroad lands may be listed for taxes and opened for settlement. It is important also that the alternate sections belonging to the Government should also be surveyed, in order that they may be opened to homestead entry.

The proposition I now submit amounts simply to this: That the railroad companies may at any time advance the money to have their land grants surveyed. Under this provision, when the money has been advanced, the Government will conduct the survey, paying back to the railroad companies one-half the amount advanced, because the companies own only one-half the lands surveyed, the other half being Government land.

It is important that a measure of this kind should be adopted, so that on these different lines of road—notably the Northern Pacific, where there is, I think, a greater demand for settlement than on other lines—that on the lines of these roads settlement may not be delayed through inability to purchase lands from the railroad companies. Most of these lands are sought to be bought for grazing purposes. Under existing law large tracts have to be purchased. This $325,000 can only be used in surveying lands where settlements have been made, to the exclusion of lands not settled and not susceptible of actual settlement in the ordinary sense, but susceptible of use for grazing purposes. Parties are desirous of acquiring those lands for this purpose and fencing and utilizing them. If we can get the railroad companies to advance money for the surveys, it is for their interest to do so, if they can sell the land; and it is for the interest of the Government that this should be done, if thereby the country can be settled up and the lands listed for taxation in the various States.

This amendment is simply the text of a bill with amendments now upon the Calendar reported by the Committee on Public Lands. It proposes to give, in connection with the $325,000 here appropriated as a survey fund, additional opportunity for surveys without any additional appropriation.

If the companies will advance the money for the surveys, there ought not to be any objection, and I trust my friend will not insist on the point of order.

Mr. CANNON. Mr. Chairman, I have so much confidence in the gentleman from Iowa [Mr. LACEY] that if he were asking unanimous consent to pass this bill I certainly should not object, and would follow him in what seems to me, from his statement, to be very proper legislation; but it is a decisive amendment to existing law, and in the remaining days of this session, this bill having to go to the Senate, being possibly amended there with kindred or germane or possibly nongermane provisions, if we send this item there, the trouble is when you come to perhaps the last night session, in a committee of conference, on propositions to modify here and there, the Senate conferees, charged with the general appropriation bills, have not that technical knowledge that the Committee on Public Lands have.

We have had very great embarrassment heretofore on Senate amendments that have brought up questions touching the land laws, and from this standpoint I hope my friend will ask unanimous consent at the first opportunity to pass this bill, and I hope and believe it will be granted. But for these reasons, with the highest respect for the gentleman, I am constrained to make the point of order.

The CHAIRMAN. The Chair sustains the point of order.

The Clerk read as follows:

Examinations of desert lands: To enable the Secretary of the Interior to examine, under such regulations and at such compensation as he may prescribe, the desert lands selected by the States under the provisions of section 4 of the act of Congress approved August 18, 1894, $3,000.

Mr. MAXWELL. Mr. Chairman, I move to strike out the last word. A good deal has been said about the appropriation for a post-office building at the city of Blair, Nebr.

The town is within what twenty-five years ago was the Third judicial district, over which I presided. I know the city very well, and I estimate the present population at about 4,000. I am unable to agree to the proposition stated by several members that all appropriations for post-office buildings shall be in the large cities.

The post-office system is for the benefit of the whole country. The rate of postage within the United States is uniform, and they charge the same upon all mail matter, whether it is collected and delivered by carriers, or the party carries his mail to the post-office and obtains what is addressed to him there. The cities are favored in the construction of elegant post-office buildings and prompt and inexpensive service. I do not complain of this, but the small cities and towns are entitled to consideration.

I believe every town of 2,000 inhabitants should have a post-office building of brick or stone, costing a reasonable sum, say $25,000. The people of these cities and towns contribute their full share to the support of the postal system, and are entitled in return to have reasonable conveniences for the handling and delivery of their mail. This in small part will give them some of the benefits enjoyed by their brethren in the large cities and lead at no distant day to general town and rural delivery; and a little economy on the part of Congress will save enough to pay all expenses.

The CHAIRMAN. The gentleman from Nebraska [Mr. MAXWELL] withdraws his pro forma amendment. The Clerk will read.

The Clerk read as follows:

For topographic surveys in various portions of the United States, $300,000, to be immediately available.

Mr. STONE. I move to amend by inserting, after the word "hundred," in the fourth line of page 58, the words "and fifty;" so that it will read, "$250,000."

The CHAIRMAN. The Clerk will report the amendment.

The Clerk read as follows:

Page 58, line 4, after the word "hundred," insert the words "and fifty."

Mr. STONE. Mr. Chairman, the purpose of this amendment is simply to restore the appropriation for the topographic survey to the amount at which it stood six or eight years ago.

In 1892 the appropriation was $250,000. The necessity of a topographic survey as the basis for any intelligent geological work is apparent to anyone. The necessity at this time for this increased appropriation arises from the fact that several years ago the General Government entered upon a policy of cooperation with the several States, arranging with any particular State that the General Government should pay one half the field expenses, together with the office expenses, while the State should pay the other half of the expenses for a topographic survey and map of that particular State. Under that policy this arrangement has been made, and the survey has been completed. It is in progress to-day in the States of New York and Iowa. Half a dozen other States are seeking to make this arrangement.

It is a desirable arrangement for the States themselves, because they are unable to undertake, in any economical and thorough way, the conduct of such a survey and the preparation of such a map. It is a desirable arrangement to the General Government, because it secures from the State one-half of the expense of this work, which the General Government will otherwise have to bear the whole expense of at some time.

If this appropriation stands as it stands in this bill, with the restrictions as to the use of the money which have heretofore prevailed, that a portion of it shall be expended in the semiarid regions of the two Dakotas, Kansas, Nebraska, etc., and that a third of the balance shall be expended west of the one hundred and third meridian, then there will not be enough left to carry on this cooperation with the half a dozen States that are seeking that cooperation to-day, or else there will be practically nothing left for the general work of the Geological Survey east of the one hundred and third meridian.

Now, there have been times when the Government would have been glad to make this arrangement for the cooperation of the States. When the States themselves are ready; when they are making the offer that they will pay one-half the money necessary to carry on this work, the General Government ought to be willing to avail itself of the opportunity.

Take, for instance, the State of Pennsylvania. We spent a million dollars in carrying on a great geological survey of that State, but we did it without any topographic survey and without any accurate map, and the result was that when the observations of the Geological Survey came to be applied to the location to which they were supposed to refer there were instances in which they were 6 or 8 miles away from the point at which certain geological developments were supposed to be. This proposition is simply to enable the Government to cooperate with the States, by the arrangements which the Geological Survey have, to do this work economically and thoroughly. I trust that the amendment will be adopted.

Mr. RAY of New York. I trust that this amendment offered by the gentleman from Pennsylvania will be adopted, and I trust that the chairman of the Committee on Appropriations [Mr. CANNON] will favor it. This survey is of great importance and interest to the people of the State of New York, to the people of the State of Pennsylvania, and, in fact, the people of all the States of the Union. It is an important and a scientific work, and it does seem to me that, while the gentleman in charge of the bill and of the appropriations of the House has pointed out to us the necessity for the curtailment of expenses, he ought to see what I know he does see, that we can not afford to stop necessary internal improvements and scientific work in the United States. We are able to carry on the war, we are able to increase the Army, we are able to increase the Navy, and are also able as a nation to maintain ourselves in every other respect. Now, we have had appropriations in former years for this work, last year $170,000 for this work, in 1892 $250,000. It is apportioned among the different States; it is not all confined to one; and in the State of Pennsylvania they have appropriated a like amount to that expended by the United States Government for the same work. Is not that true?

Mr. STONE. About the same.

Mr. RAY of New York. In New York we have heretofore made appropriations and propose to do it hereafter. We want this good work, this magnificent work, to go on, and this matter of $50,000 is a bagatelle, so to speak. While it is a large amount in and of itself, in comparison with the wealth of the country it is a very small amount. I address this language particularly to the chairman of the Appropriations Committee. I am assured by gentlemen connected with the Geological Survey here at Washington that this work will be seriously crippled and its efficiency impaired if this increase in the appropriation is not granted. I therefore appeal to the House and to the chairman of the committee to favor this amendment and allow it to be adopted. The following figures are of interest:

APPROPRIATIONS FOR TOPOGRAPHIC SURVEY.

For 1892 the appropriation was		$250,000
We ask that it be restored to that figure.		
For 1897-98 the appropriation was		180,000
Of that there was required to be spent in the semiarid region	$35,000	
Required west of the one hundredth meridian	48,000	
Required administrative expenses	12,000	
		95,000
Remainder left for topographic work in the Mississippi Valley and Eastern States		85,000
Needed for cooperation in Maine, New York, Pennsylvania, Maryland, West Virginia, North Carolina, Georgia, Alabama		75,000
Remainder for surveys in the great iron, coal, and oil regions of the Mississippi Valley and other Eastern States		10,000

If the $20,000 from the forest surveys is transferred to general topography, as recommended by the Appropriations Committee, this would make remainder available under this last line for work in Eastern States $20,000 instead of $10,000.

As showing the demand for this increased appropriation asked for, at least eight States (New York, Pennsylvania, New Jersey, Maryland, West Virginia, North Carolina, Georgia, and Alabama) are now offering to cooperate with the Government Survey to the extent of paying one-half of all expenses connected with the work in each of these States, if Congress will only increase the appropriation as requested, in order to push this work more rapidly; and the question of similar cooperation is being agitated in other States. The amount needed to meet this demand is $70,000.

The Government Survey is unable to meet these offers unless the increase asked for is allowed. The work now in progress in other States and Territories can not justly be discontinued in order to meet this demand for cooperation in these new areas.

It will be seen that in this proposed cooperative work the surveys will cost the Government just one-half of what they would otherwise cost.

Mr. UNDERWOOD. Mr. Chairman, I wish to favor the motion made by the gentleman from Pennsylvania, and call the attention of the House to some of the necessities for an increase in this appropriation. In the last few months we have appropriated very large sums of money for the civilization of the heathen in foreign countries, for standing armies, for fleets and navies; but we have done very little for the common people of this country. Whenever a great syndicate in this country wants to develop mineral resources, it has no difficulty in employing competent engineers to find out where the mineral resources of the country are; but when an ordinary citizen who desires to go into a development of that kind wishes information the only place he can get such information is from the Government of the United States, and that information is obtained by the carrying on of surveys of this kind.

In 1897 and 1898 I find that the entire appropriation allowed for this purpose was only $180,000. Of this there was spent in the arid regions of the United States $35,000. There was required west of the one hundredth meridian $48,000. There was required in administrative expenses here $12,000, making $95,000, the remainder, leaving for topographical work in the Mississippi Valley and the Eastern States, only $85,000. Now, there was needed for cooperation in Maine, New York, Pennsylvania, Maryland, West Virginia, Georgia, and Alabama $75,000, remaining for surveys of the great iron, steel, and oil regions of the Mississippi Valley and other Eastern States $10,000.

Well, now, Mr. Chairman, I contend that it is absurd, if we propose to do anything at all along this line, if we propose to keep up this work at all, it is absurd to say that for an increased development in this survey $10,000 was a proper amount for this year. It is true that this bill does carry an increase from $180,000 to $200,000, but this $20,000 does not cover the necessities. The survey for the topographical map for the district that I represent is very important. I can say without contradiction on the floor of this House that there is not a manufacturing district in this country that has developed more rapidly; I can say that there are more manufacturing establishments being built in it to-day in proportion to its size and population and more coal mined in the district I represent than in any other; and yet that that survey has been largely made, and the State of Alabama has cooperated in the payment of the expense for it; but the Director of the Geological Survey tells me that unless this appropriation is increased to this extent he can not complete the topographical map, and the people of that district who are going forward in this development are deprived of this necessary information.

Now, if we are going to increase the tax upon the people of the country, as the chairman of the Committee on Appropriations, in his speech the other day, indicated we must, when he said that there would be a deficit of $159,000,000—if we are going to increase our armies and navies to a great extent—I say that the time has come when we ought to do some little for the masses of the people of this country to enable them to develop their industries at home and to make a living for themselves.

Mr. DAYTON. Mr. Chairman, I want to join in the appeal of the gentleman from New York, especially to the chairman of the Committee on Appropriations, to allow this amendment to prevail. I want to say that, coming from a State like West Virginia, that has 17,000 square miles of coal areas, there is no Government work in which our people are more deeply interested than that of the Geological Survey, and there is no branch of it that is of deeper interest to our people, or, in fact, to the people of the whole country, than the topographical part of it. It is the basis of all geological work.

It is the basis of all geological work, it is the basis of all forestry work, it is the basis of all irrigation work; it is simply the scientific determination of the location of streams, the mountains, and the general physical condition of the country, so that all engineer work that was done in the several States must have for its foundation the topographical map of the State. As a result, in a single city in this country, the city of Worcester, Mass., by reason of the survey made by the Geological Survey, its chief engineer reports that $3,000,000 was paid in a single instance, by reason of their ability to locate a proper and sufficient water supply by the aid of the United States topographical map.

In another city in Connecticut a striking illustration is presented where $15,000 had been spent for the purpose of locating a water supply, and a water supply sufficient for all purposes was ascertained and determined from a mere inspection of the topographical map for that State and in a place where it was wholly unexpected.

I want to say to every member of the House who has an earnest desire to see his own section of country developed that the Geological Survey is doing more to that end than anything else that we can conceive of. This is not expensive; it is not false economy in

asking for this appropriation. Why? Because the Government has all its body of select and trained topographers, who ought to be kept at work all the time, but by reason of the smallness of the appropriation will not be able to do so.

The State of Maine, the State of New York, Pennsylvania, Maryland, West Virginia, Georgia, and Alabama have already intimated their desire to cooperate with the United States Geological Survey in this work. By this cooperation one-half of the expense is saved. This can not be done unless this appropriation is increased, and therefore we must do the whole work, when otherwise only one-half of it would be paid by the several States. I say it can not be done unless we do an injustice to other sections of the country where the States have not taken this advance step. Under these circumstances, this work is urgently asked by the Geological Survey. It is earnestly sought by the States like my own, where we hope, in the development that is coming in the next quarter of a century, that West Virginia, by reason of its mineral resources which have so long lain dormant, will equal the district of my friend from Alabama. It will be a generous rivalry between us, but it will be in behalf of the South, which we both love.

Mr. GROSVENOR. Mr. Chairman, I am not so familiar with the details of this expenditure, but I rise to support the motion to increase this appropriation, if it is possible, and I hope it may be for the interest of the committee to allow it to be done. The State of Ohio desired to join with the General Government in a contribution of money for this purpose. It has been well said that the Federal Government and State government can go hand in hand for a single expenditure just as well as for the General Government to make one survey and then the State another by itself.

One of the branches of the Ohio legislature made its appropriations at a recent session, but the war came on suddenly, and the State being called upon for a very large contribution, the bill was not called up in the other branch of the legislature. Of course, we are greatly interested in the geological survey of our State. We have very elaborate and extensive coal mines, as everybody knows, as well as other mineral deposits. We are anxious that this work shall go on, and upon the theory that has been presented to me by the Department that the work will be crippled and that they can not cooperate with the States that have already indicated their purpose to make appropriations, I am anxious that this amendment shall be agreed to.

Mr. CANNON. If the friends of this amendment are through presenting the matter, I will state to the committee the consideration that was given to this item by the committee that reported the bill, and then I am quite content to take the sense of the Committee of the Whole.

I hold in my hand the estimate for topography for the coming fiscal year, and it is $180,000.

Mr. RAY of New York. May I ask by whom that was made?

Mr. CANNON. It was transmitted by the Secretary of the Treasury on the recommendation of the Secretary of the Interior.

Mr. RAY of New York. And did not come from the Geological Survey proper; they did not adopt their figures?

Mr. CANNON. Let us see about that. Last year $175,000 was appropriated for the current year. Let me say to my friend, and I am not going to say anything unkind about the Director of the Geological Survey; he is a very efficient man, a very capable man; but it seems to me that if this matter is of such great merit and he had put in one-half as much time in convincing the Secretary of the Interior of its merits as he has evidently elsewhere, the estimate might have been larger.

Now, we gave this a pretty thorough examination. For topographical survey of the various parts of the United States, $200,000. That is $20,000 more than the estimate; and because there were quite a number of gentlemen, notably the gentleman from Alabama, notably gentlemen from other States, that were wonderfully anxious about it, some of them protesting about its provisions that the gentleman from Alabama spoke about, that has been in the act for a number of years, that $35,000 should be spent between the ninety-seventh and the one hundred and third meridian and one-third of the remainder west of the one hundred and third meridian, we strike that out, so as to give complete discretion to the Secretary of the Interior to make this expenditure without limitation, and we make the amount $20,000 more than the estimate.

Now, bear with me a moment while I show the amount of these appropriations for this Geological Survey. The amount recommended in this bill is $677,000; the amount appropriated for the current year is $657,000, being an increase in this bill of $20,000 beyond the appropriations for the current year. The amount appropriated for 1898 was $639,000; for 1897, $489,000; for 1896, $437,000; for 1895, $421,000; for 1894, $414,000; for 1893, $376,000; for 1892, $496,000. From the time our Democratic friends came in and began to make these appropriations under Mr. Cleveland to the present time this appropriation has been doubled; and the increase has been mostly within the last year or two. I have no doubt this Bureau does good work; but there is a wonderful difference, I will say to the gentleman from Alabama, between the precepts for liberal appropriations and the example that was set when the appropriations were dominated by somebody else.

Mr. UNDERWOOD. Will the gentleman allow me a word? He recognizes, I am sure, the good work that is being done by this Bureau and the necessity for its development; and when the Director of the Survey states that the work has been almost completed, that it should be completed promptly, that the people are demanding its early completion, and that he can not complete it until he gets more money, does not the gentleman think it is time we gave it to him?

[Here the hammer fell.]

Mr. CANNON. I want to occupy about five minutes more and I will move to strike out the last word. I say again, the appropriations have almost doubled from 1893 to the present time. This is a pretty rapidly growing service.

Mr. PACKER of Pennsylvania. When the gentleman says that these appropriations have doubled, I want to call his attention to the fact that the appropriation for topographic work in 1892 was $250,000; and the present proposition is simply to restore that sum.

Mr. CANNON. I am speaking of the total expenses.

Mr. PACKER of Pennsylvania. This amendment applies only to topographic work.

Mr. CANNON. If my friend will observe what I am saying——

Mr. PACKER of Pennsylvania. I have listened very attentively to every word that has dropped from the gentleman's lips.

Mr. CANNON. The gentleman is referring to the forestry reserve. That is another appropriation. I was discussing the total appropriations for geological work and topographic work by this Bureau. I say again, that from 1893 to the present time the appropriations for this Bureau have almost doubled. Now, what is topography? Making maps, getting levels. Why this great thirst to make maps? If there is to be a complete topographic survey of the United States and all our Territories, you can not do the work in one hundred years, if you expend two or three million dollars a year. Now, the only question is whether there is a necessity that this work should go on faster. One gentleman says, "I want this work done in my State;" another says, "I want it done in my State," and so on. I have been pressed from Illinois by letter and telegram within the last week or two. There have been "busy bees" around seeking to get this increase. We have had applications from college professors and college students. Reading between the lines, it would seem that some of them want to be utilized in this service during their vacation.

Mr. RAY of New York. Is it not true that intellectual, scholarly men, connected with institutions of learning and desiring the progress of the United States, are everywhere appealing for the increase of this appropriation?

Mr. CANNON. It is true that no proposition touching science or touching the specialty of any of these people who are devoted to science can be broached without its appearing that this one subject dominates for the time the minds of that class of gentlemen, so that if they had their way about it that would be the "big I" and everything else would be small letters. Now, you can not make appropriations from that standpoint. As we have substantially doubled the appropriations for this Bureau since 1893, I believe that an increase now of $20,000 is quite enough.

I will confess that this proposition about making maps did not appeal to me very strongly. So far as regards northern and central Illinois, they are very level sections of country. What practical use is there in making maps of those portions of the country? We have got pretty good maps already. Why should you make your maps there, section by section and township by township, to get the exact elevations? For that is what topography is. This work would take a great number of employees for a great many years to do it—to make these surveys and these maps. We have fairly good maps. There are lots of other things to be done. This appropriation for topography of $200,000, to be expended in the discretion of the Director of this Bureau, is quite enough this year to do the most important work. I have no doubt there is some important work in Alabama, some in Arkansas, some in the Rocky Mountains, some in Alaska, and so on.

Now, I think I have said about all I want to say. When my friend from Ohio sat down, one gentleman after another rose up, showing to me the "busy bee" organization; so I call for "next." I do not know whether he is here or not.

Mr. BRUCKER. Well, he is.

Mr. CANNON. "Well, he is." Is there another one? If there is, let him stand up. [Laughter.]

Now, I undertake to say that I have had some familiarity with this matter. We put the survey of the forest reserves for irrigation purposes upon this survey, by legislation, away back in the eighties and the early nineties, and it broke it down. And I want to state to you here and now that under its present efficient management, in my judgment, it is going fast enough. You and I will be dead and forgotten before this work is one-hundredth part

done. And we are spending as much money on it, in my opinion, in this year and the coming fiscal year as we ought to expend. Now, I am not going to say anything mean about it, because I hold the Director of this Survey in very high esteem. He is a very efficient man, but like every other specialist he sees through the glass of his own specialty, while we, caring for the public service, must look over the whole ground and all along the lines of the public service. I hope the amendment will not be adopted.

Mr. SKINNER. Mr. Chairman, if I am correctly informed, this appropriation in 1892 was $250,000. This amendment only seeks to restore it to what it was in 1892.

I understand, further, that every geologist in the Southern States and almost the entire Union favors this amendment. I am informed also that these topographic maps must serve and do serve as the basis of all geological work, all irrigation work, all forestry work, all investigations of rivers and water power, and plans for water supply and storage systems; in fact, in all of the industrial developments in all portions of the country. These developments are, directly or indirectly, in a large measure based on these maps. In fact, the industrial progress of the country is delayed and retarded by the sloth with which these matters are treated.

Now, Mr. Chairman, I do not desire to make a speech, but I understand that this is an Administration of progress. I understand that this is an age of progress; and while we are expending millions for expansion, and while we are expanding in every other direction, why not come back to the appropriations of 1892 and permit that progress which is necessary for the development of the country?

Mr. BRUCKER. Mr. Chairman, I will say that I am heartily in favor of this amendment, and for this reason: The "busy bees" referred to by the chairman of the Committee on Appropriations [Mr. CANNON] did not seek me out; but I sought them out. Something over a year ago the people not only in my district but in one or two of the adjoining Congressional districts of my State discovered a large vein of bituminous coal. They did not know the extent of it nor the depth that they were required to go at different points in order to find it. So they requested me to go to the Geological Department and get, if possible, a survey and a topographical map. I went and found the chief or head of the Department, and I was informed by that official that it was impossible to make this survey and to furnish these maps, because the Department was short of funds and had not any money.

Mr. HEMENWAY. Will the gentleman allow me to ask him a question?

Mr. BRUCKER. Yes.

Mr. HEMENWAY. How much of an appropriation would it take to supply maps for every district in the United States, so I could go and ask for the same maps, and any other member of this House could go and ask for the same maps? How much do you think it would take to supply such maps for each district in the United States?

Mr. BRUCKER. If the gentleman had been in the Chamber a few moments ago and listened to the statement on that very subject made by the chairman of the Committee on Appropriations, he would not have had to ask me that question.

Mr. HEMENWAY. If the gentleman secured the information, will he be kind enough to give it to me now?

Mr. BRUCKER. My recollection is that the chairman of the Committee on Appropriations himself [Mr. CANNON] could not prophesy and could not even guess what that amount would be. But regardless of that question——

Mr. HEMENWAY. Will the gentleman permit another question?

Mr. BRUCKER. Certainly.

Mr. HEMENWAY. Do you think it feasible even now to undertake to increase this appropriation with a view to securing what you desire in your district?

Mr. BRUCKER. I certainly do. I think we ought to be looking out for our interests at home, developing our own interests, developing our own resources. The gentleman ought to ask himself that question when he is voting to appropriate large sums of money to develop and educate and civilize and Christianize millions of barbarians 7,000 miles away from this country. [Applause on the Democratic side.] I am in favor of assisting in the development of our own resources. Here is a little sum asked by way of amendment which will assist and help out that Department and incidentally aid and assist my people in developing our own resources.

Mr. HEMENWAY. Mr. Chairman, I desire to call the attention of members of the committee on this side of the House to what these increases of from two hundred to two hundred and fifty thousand dollars on items of this kind will amount to. You have all recently heard the statement of probable appropriations as compared with the revenues of the country, and you can see how impracticable it is to make a sufficient appropriation to furnish maps for all the districts in the United States. Some States are to-day receiving the benefits of these surveys, while in other States we can not possibly have those benefits for a long time to come. The total amount of this appropriation for surveys has been increased during a Republican Administration to almost double what the appropriation was under a Democratic Administration.

Mr. RAY of New York. Do you mean to say that the appropriation for this purpose has been increased?

Mr. HEMENWAY. For the general purpose of surveys.

Mr. RAY of New York. Do you mean to say that the appropriation for this specific purpose covered by this amendment has been increased? Do you not know that instead of being increased it has been decreased?

Mr. HEMENWAY. The gentleman well understands what I mean.

Mr. RAY of New York. Will you answer my question?

Mr. HEMENWAY. The gentleman understands without my answering the question. It has been discussed here and was answered by the chairman of the Committee on Appropriations awhile ago.

Mr. RAY of New York. Now, my friend, will you not be fair?

Mr. HEMENWAY. I certainly am fair, and the gentleman is not fair, when the matter has been so thoroughly explained to the House and when he knows that I refer to the total sum appropriated for this general purpose and not for this particular purpose.

Mr. RAY of New York. Is it not true that for topographical surveys the appropriation of $200,000 is $50,000 less than it was in 1892?

Mr. HEMENWAY. Does the gentleman mean to say that the topographic surveys are all included in one item and that the other surveys here are not in a sense topographic surveys?

Mr. RAY of New York. Oh, in a sense they are; but for purely topographic surveys is it not true——

Mr. HEMENWAY. Are not the surveys for forest reserves topographic surveys?

Mr. RAY of New York. Last year it was divided up and transferred to the other fund.

Mr. HEMENWAY. Yes; and they are topographic surveys the same as the others.

Mr. RAY of New York. But they are separated after all.

Mr. HEMENWAY. But the gentleman can see for himself that here is a total appropriation for surveys which is almost double the amount appropriated in the Democratic Administration.

The gentleman understands that when this Congress adjourns and the appropriations are added up, the totals will go away up into the millions. He understands that, with Cuba and Porto Rico and the Philippine Islands, and with all of these gentlemen who are at the head of these different Departments asking for large sums, great amounts will be appropriated. We must remember that this side of the House must be responsible for these large appropriations. And when gentlemen sit here and quietly vote away large sums of money without considering where the money is to come from, they are simply making a mistake. I want to call attention right here to the fact that if this continues and these appropriations are raised with such ease, without consideration as to where the money is coming from, we shall wake up to find we have appropriated sums very largely in excess of the money that will come into the Treasury with our present revenue laws.

Mr. RAY of New York. May I say a word right there? Is it not just as important for the people of the United States to take care of themselves here at home and educate and improve themselves as it is to appropriate millions of dollars for the benefit of Porto Rico and Cuba and the Philippine Islands? [Applause on the Democratic side.]

Mr. HEMENWAY. Yes; and the gentleman must know, because he is a man of intelligence, that the sum of $6,000,000, if appropriated for this particular purpose, would not take care of one-fourth of the States in these United States.

Mr. WILLIAMS of Mississippi. Give us the six millions.

Mr. HEMENWAY. And would not furnish maps for one-fourth of the United States. If we are to furnish all that was asked, it would not furnish maps, and nearly every State of the Union is performing this kind of work. The State of Indiana is performing this kind of work, and we are prepared in that State to furnish our own different counties and different districts with information in regard to the topographical condition of large districts, and it is unnecessary to make this appropriation. This appropriation is to be continued for the same amount, but it is unnecessary at this time.

If we had an overflowing Treasury, if we had a surplus that we could not expend, if we had plenty of money, this expenditure might well come in. But at this time, when we have spent large sums of money in excess of what we have been receiving, it is absolutely foolish for men on this floor to pursue a policy that appropriations shall be swelled and swelled so that when you come to add them all up there will be a record far in excess of any other Congress in the appropriation of large sums of money. You will

not be able to charge it all to the war. The people of the United States are not going to be fooled in that way. They are going to figure out the expense of the war for themselves, and you can not charge all expenses to the war. [Applause.]

The CHAIRMAN. Debate is exhausted on this amendment.

Mr. RAY of New York. Mr. Chairman, I move to strike out the last three words. I do not desire to discuss the propriety of our action in regard to Porto Rico and the Philippine Islands, because I am in favor of what we did for the benefit of Cuba, and I am in favor of standing by the Administration in all that we have done; but I am not one of those who, because war is costly—and the increase of the Army and Navy is necessary and costly—would undertake to take that expense out of the institutions here in our own country, here at home, when we make appropriations for their necessary maintenance.

Mr. CANNON. Will the gentleman allow me right there?

Mr. RAY of New York. I certainly will.

Mr. CANNON. We claim that this increase of $20,000 for topographical work, that is to say, from $180,000 to $200,000, in addition to $150,000 for forest topography, is the largest that has been made for many, many years, and is ample without regard to the war to carry on this service, and I do not put my opposition to it upon the ground of war expenditures.

Mr. RAY of New York. Well, I was not speaking to what the gentleman from Illinois [Mr. CANNON] had said. I was speaking to what the gentleman from Indiana [Mr. HEMENWAY] had just said.

Mr. HEMENWAY. If the gentleman pleases, right there.

Mr. RAY of New York. Do not take all my time.

Mr. HEMENWAY. I will not, and if I do, you shall have more. It is not only because of war expenditures, but here is an appropriation in excess of the estimates. The gentleman is aware of that fact.

Mr. RAY of New York. Not for this purpose.

Mr. HEMENWAY. For that purpose. Now, the Committee on Appropriations have absolutely appropriated $20,000 more than was asked from the committee.

Mr. DAYTON. Is it not a fact that the committee took that $20,000 from forestry and added it to topographical work?

Mr. HEMENWAY. We added $20,000 to it.

Mr. DAYTON. By robbing Peter to pay Paul.

Mr. RAY of New York. You add that amount to one item, and leave the amount the same as last year, and you have left it $50,000 less than in 1892 for this purpose. Now, I stand here to appeal for the people of the United States of America between the Atlantic and the Pacific, the lakes and the Gulf.

Mr. HEMENWAY. Right there in your appeal——

Mr. RAY of New York. I appeal for the scientific institutions and for our own people, and I say to you that every dollar we appropriate for this purpose will come back to us within the next five years fivefold——

Mr. HEMENWAY. Will you permit me a question?

Mr. RAY of New York (continuing). And at the same time that I do this let me say we are prepared to look after every other thing and to take care of this Government wherever it reaches, even if it be around the globe.

Mr. HEMENWAY. Will the gentleman yield to me for a question?

Mr. RAY of New York. Certainly.

Mr. HEMENWAY. In how many States of the Union can this survey be carried on if this appropriation were increased?

Mr. RAY of New York. Where is the map I had?

Mr. HEMENWAY. In how many States could this survey be carried on?

Mr. RAY of New York. Now, one gentleman stated we can not carry out this work in a lifetime. He is not familiar with the work.

Mr. HEMENWAY. In how many States would this work be carried on?

Mr. DAYTON. In seven.

Mr. RAY of New York. We could carry it out efficiently in the States where it is now in progress.

Mr. HEMENWAY. In how many States?

Mr. RAY of New York. Look at that map.

Mr. HEMENWAY. Answer my question. In how many States?

Mr. RAY of New York. In five or six States of the Union.

Mr. HEMENWAY. For five or six States you appeal, and New York is one of them.

Mr. RAY of New York. I appeal for five or six States——

Mr. HEMENWAY. And not the United States.

Mr. RAY of New York. I will appeal for every State, and the gentleman from Indiana in answering that appeal says that this work could not be finished in our lifetime. If he had been familiar with this work, he would not have said that. Look at this map. It shows what these gentlemen have been done in this line, and the work done has already covered nearly one-third of the Union. Of course, like sensible men, they work in three, four, or five States at a time and then they go to other States.

Now, the idea has been to extend the work through every section of the United States and into every State. That is the idea and purpose. The survey shows the sources of our rivers, it shows their courses, it shows the mountains and the regions where the minerals are, and furnishes more than a score of other important and valuable sources of information. That is why I appeal for it. Now, the gentleman from Illinois seemed to indicate that the gentlemen in connection with this Bureau in Washington have been pushing this matter with members of the House, and he intimated that it is improper for members of the House to talk with gentlemen who come to us. We have the same right to talk with the gentlemen of these various departments that the chairman of the committee has.

It is our duty, when we are appealed to by our constituents, to go to these heads of departments and learn for ourselves. And the gentleman from Illinois, with all his ability and zeal in attending to all the various interests scattered throughout the United States, I believe, goes to these various departments for information that will enable him to be ready to impart on the floor of this House necessary information as to all matters, even those that he does not have particularly in charge. I think he does; at least it is his duty to do that, and I know that he always performs his duty as he sees it right to do, and I appeal again to him and to the gentlemen of this House to give us the increased appropriation, because it is in the interest of all the people of the United States.

The CHAIRMAN. The gentleman from Indiana is recognized in opposition to the amendment offered by the gentleman from New York.

Mr. RAY of New York. Mr. Chairman, I withdraw it.

Mr. STONE. Mr. Chairman, I hold in my hand the laws of the last session, and it shows that there was appropriated $180,000, instead of $175,000, as the gentleman from Illinois states. In this bill they simply take $20,000 from the forestry reservation and put it onto this, making no increase in the topographical survey. It will be noticed in this bill, two pages back, that a part of the duty is imposed on the survey to rectify the line of the forest reservation by the Geological Survey, instead of having it done by the Land Department, as heretofore. In fact, the tendency is to put the topographical survey under the Geological Survey, instead of letting it under the contract system, which is inaccurate and expensive. I trust the time will come when all our topographical work will be done by the Geological Survey, and not by the contract system, which will be a great saving to the Government.

I want to say further that the State of Indiana may not have a survey. It is a fact that there has not been a thousand dollars to my knowledge spent for the survey of this great oil section extending from New York to Texas and from Pennsylvania to California—an industry that has sent out $60,000,000 or $70,000,000 every year to foreign ports; and not a dollar has been spent by the General Government for this purpose. The States have done it. Now, the proposition is simply that the General Government shall do one half if the States will do the other half. It is simply a proposition that the General Government shall pay one-half of it instead of paying the whole of it. There has been no increase in the topographical work. If there has been an increase in the other appropriations, then cut them down; but there has been no increase in the appropriation for topographical work. There is a decrease since 1892.

Mr. CANNON. I want to say a word, and then I am ready for a vote. The gentleman has shown great zeal for this appropriation, and it seems to me that he is not fortunate, nor quite fair, in his presentation of it. He says we take $20,000 from the forestry and put to this, making this increase of $20,000. That is true, but the forestry topography is confined to the forest reserves and it leaves $150,000 for topography for the forest reservations after we make the transfer to this.

Mr. STONE. It only leaves $130,000.

Mr. CANNON. You are right, $130,000.

Mr. STONE. I want to say that the work of the forest reservations is increasing instead of decreasing.

Mr. CANNON. We thought the forest topography would stand a cut of $20,000; but this is all for topography, and this appropriation for topography is the full estimate. Now, the gentleman from New York [Mr. RAY] says he has a right to go and consult the heads of bureaus. Certainly. Everybody has a right to go and consult everybody else; but in making this recommendation we follow the Secretary of the Interior, and we recommend the full estimate that he makes, and the gentleman comes here and seeks to overthrow that estimate and increase it. What for? Why, that you may get a topography for the oil territory in Pennsylvania. Great God! They know enough about levels to construct a pipe line down to Cleveland and the Atlantic coast, and it seems to me they understand levels pretty well. [Laughter.] I do not think the Standard Oil Company is suffering for

levels. Now, on the other side they are talking about trusts and all that kind of thing. I think this appropriation is sufficient, and ought to stand, and I am ready for a vote.

Mr. MANN was recognized.

Mr. PACKER of Pennsylvania. Mr. Chairman, I think the expression of the chairman of the Committee on Appropriations ought to be replied to.

The CHAIRMAN. The gentleman from Illinois [Mr. MANN] has the floor.

Mr. MANN. I wish to ask the chairman of the Appropriations Committee a question in regard to this matter. As I understand, this bill carries $200,000 for topographical survey?

Mr. CANNON. Yes.

Mr. MANN. And $130,000 for forestry topography, making a total of $330,000?

Mr. CANNON. Yes.

Mr. MANN. And I wish to ask the chairman whether there was an appropriation for forestry topography in the appropriation bill of 1892?

Mr. CANNON. Not a dollar.

Mr. MANN. So this is a great increase over the appropriation for 1892?

Mr. CANNON. A great increase. I thank the gentleman from Illinois, because I think his speech was better than mine. [Laughter.]

The CHAIRMAN. The question is on the amendment offered by the gentleman from Pennsylvania.

The question was taken; and on a division (demanded by Mr. STONE) there were—ayes 28, noes 36.

Mr. STONE. Tellers, Mr. Chairman.

The question was taken on ordering tellers; and only 14 gentlemen rising, tellers were refused.

So the amendment was rejected.

Mr. CANNON. I offer the amendment which I send to the desk.

The Clerk read as follows:

On page 59, after line 21, insert:

"INDIAN AFFAIRS.

"For expenses under the act 'For the protection of the people of the Indian Territory, and for other purposes,' approved June 28, 1898, namely:
"For pay of employees in the Indian Territory, $8,000;
"For incidental and traveling expenses, $3,000;
"In all, $11,000."

Mr. DOCKERY. I should be glad if the chairman of the committee would explain this amendment.

Mr. CANNON. The amendment comes here upon an estimate which was delayed, so that the appropriation was not included in the bill as reported. It grows out of the Curtis legislation. The matter has been investigated by the committee, and the appropriation seems to be necessary.

Mr. DOCKERY. All right.

The amendment was agreed to.

Mr. DE VRIES. I offer the amendment which I send to the desk.

The Clerk read as follows:

Insert between lines 22 and 23, page 59, the following:
"Improvement of Yosemite National Park: For the protection of the Yosemite National Park and construction of bridges, fencing, and trails and improvement of roads other than toll roads, to be expended under the supervision of the Secretary of the Interior, $4,000."

Mr. CANNON. If my friend from California [Mr. DE VRIES] will allow me, I would like to say a word. We had a contest here about this matter last year, and my friend prevailed. While in my judgment the general forestry appropriation is available for this purpose, the omission of this item in the bill was, I think, an oversight. The House having once, after full consideration, passed upon the matter, I am inclined to think the amendment ought to be adopted. I believe it is in its language the same as the provision for the current year.

Mr. DE VRIES. Just the same.

Mr. CANNON. I am ready for a vote on the amendment.

The amendment was agreed to.

Mr. McRAE. It occurs to me that this amendment ought to be transferred to that part of the bill relating to parks.

Mr. DE VRIES. I think the gentleman is mistaken, because in the estimates of the Treasury Department this is included in the miscellaneous items for the Interior Department. It is now, I believe, in the right place.

Mr. MANN. Mr. Chairman, the sundry civil bill, now under discussion in the Committee of the Whole House on the state of the Union, includes among its numerous items one of $20,000,000 for the purpose of enabling this country to carry out the treaty with Spain which has just been ratified by the Senate.

The ratification of that treaty by the Senate makes it under the Constitution a supreme law of the land and obligates us to pay the money. That is, if the treaty is one which the President could constitutionally make and which the Senate could constitutionally ratify.

But if this House should refuse to appropriate the $20,000,000 it would act within its constitutional authority. No one can compel us to appropriate the money. I take it that the Supreme Court could not by mandamus compel us to insert this item in any appropriation bill or to otherwise provide for its expenditure.

For the first time in the controversy as to the desirability of the annexation of the Philippine Islands we are offered an opportunity in this House of taking positive action upon the subject which can have effect. If Congress appropriate this $20,000,000, the final exchange of ratifications by the two Governments will probably be made, and the Philippine Islands will belong to the United States. If Congress refuse to make this appropriation, then probably Spain will refuse to carry the treaty into effect on her part, because of inability of the Executive of our country to carry it into effect on our part.

It is, Mr. Chairman, an apt and proper time to express our views in reference to the annexation of these islands and the effect which such annexation will have both as to our own country and as to the islands themselves.

To the discussion which is now going on in the country in reference to national expansion and our acquisition of the Philippine Islands, I wish, therefore, to contribute a few remarks. What I say I shall say with diffidence, because, as one of the new members of this House, without extended experience in national legislation, I do not feel at liberty upon ordinary occasions to obtrude my views upon the House. But, Mr. Chairman, this is no ordinary question. The extended experience of the older members of this House does not aid much in its solution. The question before the country is one of vast and vital importance.

According to the views of the anti-expansionists, the proposed expansion involves the danger of the destruction of our nation and our form of society. According to the views of the ardent expansionists, if we fail to accept the present opportunity, we will lose for our country the greatest commercial advantages ever offered to any nation by a single act.

According to the views of the anti-expansionists, the acquisition of the Philippine Islands involves the possible and probable immigration of the natives of those islands to our present shores in competition with the labor of our land, as well as the lowering of wages of labor and degradation of labor itself. According to the views of the expansionists, the acquisition of the Philippine Islands will be the obtaining of a strategic outpost which will some day enable our country more easily to succeed in the inevitable future conflict across the Pacific Ocean between the white and the yellow races, and enable us to keep out of our land the overflowing hordes of cheap Chinese laborers which, with the opening of China, will endeavor to spread out over the world.

Mr. Chairman, we have heard much in the course of the debate in this Capitol and in the course of the discussion now going on in the country about the Declaration of Independence, about how "the just powers of government depend upon the consent of the governed," and about the gross tyranny of our action in case we take possession of the Philippines without first obtaining the consent of the natives of those islands.

One of the very first questions which we ought to ask ourselves is whether, by the acquisition of the Philippine Islands, we shall be departing from the traditional policy of our country; whether we shall thereby make a byword of the Declaration of Independence, or whether the acquisition of those islands is consistent with the principles of freedom enunciated in the Declaration of Independence, consistent with the construction of the Constitution, and consistent with the historical and commercial policies of the United States.

It is my purpose to now present to the House, I trust in a modest way, some facts and acts indicating the construction placed upon the Declaration of Independence and the Constitution of the United States by the statesmen who had to do with the making of those great documents and the early ascertainment of their meaning.

I wish also to call the attention of the House to some matters connected with the history of prior acquisitions by our nation as indicating the policy of the country and the views of the men who were the leaders in our country. It is by their acts that men speak the loudest.

Let us revert to history. We have claimed the independence of our country for less than a century and a quarter. When Thomas Jefferson wrote the Declaration of Independence the extent of the territory claiming freedom under it was but little more than 400,000 square miles in area. Now our national sovereignty extends over nearly 4,000,000 square miles. Whence has come this increase? How have we acquired this territory? What is the history of this wonderful acquisition of national domain?

The school children of our land are taught with careful exactness the history of the discovery by Columbus; of the voyages of the Cabots; of the landing of De Soto; of the charter granted by Queen Elizabeth to Sir Walter Raleigh; of the story of the Pilgrim Fathers and their landing at Plymouth Rock; of Jamestown and the early settlements in Virginia; of the discovery and exploration of the Hudson River; of the patent of Maryland granted by

Charles I to Lord Baltimore; of the founding of the city of Providence, in Rhode Island, by Roger Williams, and the settlement of Pennsylvania by the Quakers under the lead of William Penn, and their gentle amity with the Indians.

Every school history is full of information concerning the settlement and growth of the colonies which became the thirteen original States. We are all familiar with the story of the war of the Revolution. We have all recited the speech of Patrick Henry. We talk glibly about the principles declared by the Declaration of Independence and the provisions of the National Constitution. But what about the history of the growth of our country from an area of 400,000 to 4,000,000 square miles? And yet there is no more fascinating story in the world's history.

The little strip of territory along the Atlantic Ocean, with its sparse settlements, nowhere reaching the Gulf of Mexico, only touching the system of the Great Lakes, and barely crossing the Alleghany Mountains, has now expanded until it reaches from ocean to ocean, from the Great Lakes to the Gulf of Mexico; until it has added to its charmed domain the great coast line of the Northern Pacific Ocean and the islands of Hawaii.

THE THIRTEEN ORIGINAL STATES.

The original thirteen States cover an area of 341,753 square miles. Included in the original thirteen States, however, and being at that time really a part thereof, were the present States of Vermont, Maine, and Kentucky, having an area together of 82,892 square miles, which, added to the area of the thirteen original States, aggregates 424,644 square miles. This was the real area of the colonies which revolted from Great Britain and adopted the Declaration of Independence.

The territory included within the present States of Ohio, Indiana, Illinois, Michigan, Wisconsin, Tennessee, that part of Minnesota lying east of the Mississippi River, and those parts of Alabama and Mississippi lying north of the thirty-first parallel of latitude were, by the treaty with Great Britain of 1783, acknowledged to belong to our country. Various parts of this territory were claimed by Massachusetts, Connecticut, New York, Virginia, South Carolina, North Carolina, and Georgia under the colonial grants or patents from England, and by Virginia as discovered and conquered territory.

The various interests of these States were afterwards ceded to the General Government. New York was the first State to make a cession to the General Government, but her claim was an indefinite, undefined one of no merit, to the country lying west of Pennsylvania and north of the Ohio River. Massachusetts and Connecticut also claimed the territory lying west of Pennsylvania between their respective north and south boundary lines extended west to the Mississippi River. But it is now generally conceded that the State of Virginia was the State which had the best title to the territory lying north of the Ohio River, called the Northwest Territory and now embracing the States of Ohio, Indiana, Illinois, Michigan, Wisconsin, and that part of Minnesota east of the Mississippi River.

In the original charters and grants to the various colonies Massachusetts and Connecticut had each been granted lands running westerly to the Pacific Ocean, then known as the South Sea. It was under these grants that those States claimed the portions of the Northwest Territory lying between their north and south boundary lines, respectively, extended west to the Mississippi, which river had, prior to that time, been fixed as the boundary line between the British and the Spanish possessions. Virginia also claimed a large portion of the Northwest Territory by reason of a similar grant.

But prior to the war of the Revolution no settlements had been made by either of these colonies in this Northwest Territory, and, on the contrary, that territory had been taken possession of and settled by the French, and the rights of France had been, with the rest of Canada, surrendered to Great Britain by the treaty of 1763 in a way which made it free from the claims of the colonies.

Kentucky had been more or less settled by expeditions from Virginia, as well as Tennessee, to a certain extent, from North Carolina. South Carolina claimed a small strip of land a few miles wide running westerly from her western boundary through what is now the extreme north end of the States of Georgia, Alabama, and Mississippi to the Mississippi River. Georgia claimed the larger portion of what is now Alabama and Mississippi.

The different States interested ceded their interests in this western territory to the General Government. In 1781 New York ceded its indefinite claim, as well as some land now in Erie County, Pa., comprising 315 square miles. The cession by Virginia, made in 1784, including Kentucky, amounted to 256,562 square miles. The cession of Massachusetts, made in 1785, was for a claim covering about 54,000 square miles. Connecticut, by her acts of 1786 and 1800, ceded her claim covering about 40,000 square miles. The cession of South Carolina, in 1787 covered 4,900 square miles; that of North Carolina, in 1790, 45,600 square miles, and that of Georgia, in 1802, 88,578 square miles.

By virtue of the several acts of cession from these seven original States, as well as by virtue of its claims under the treaty of 1783, the National Government came into possession of all that territory lying south of the British domain, east of the Mississippi River, and north of the thirty-first parallel of latitude.

EXPANSION DURING REVOLUTIONARY WAR.

But the area thus ceded by the various States to the National Government, and embraced within the limits of the Northwest and Southwest Territories, did not constitute a part of the revolting colonies when the Declaration of Independence was adopted. A large share of this area had been once, constructively at least, a part of Florida. Subsequently it became a French possession and was considered a part of Louisiana and Canada. When, following the fall of Quebec, the French possessions in North America were surrendered by the treaty of 1763 to Great Britain, the forts and settlements in the Northwest Territory were governed as a part of Canada. The British had one fort at Detroit, one in Kaskaskia, in southern Illinois, and one at Vincennes, on the Wabash, in southern Indiana.

The story of how this Western territory east of the Mississippi River became a part of our country is one of the most dramatic and instructive lessons of our history. It is worth the reciting here somewhat in detail, because it illustrates the position taken by the founders of our nation at the time of the adoption of the Declaration of Independence, and prior to and at the time of the reorganization of the National Government under the Constitution.

It was owing to the intrepidity of one man. He gained for the revolting colonies the right to claim the easterly half of the Mississippi Valley. That man was George Rogers Clark, who was born in Virginia, November 19, 1752. He became a surveyor, and in 1775 emigrated to Kentucky and was soon selected by his fellow-colonists to attend the Virginia legislature, to which, however, he was not admitted as a member.

When the Revolutionary war broke out no effort was made by the revolting colonies to gain any foothold in the far West or to capture any of the British forts in that region. But George Rogers Clark, traveling back and forth between Kentucky and Virginia, conceived the enterprise of adding to the revolting colonies, which he believed would surely win their struggle, the great British possessions lying east of the Mississippi and north and south of Kentucky. Those possessions were wild, almost a wilderness, but inhabited by numerous tribes of Indians.

Clark laid before Governor Patrick Henry, of Virginia, and the members of the governor's council, including Thomas Jefferson, his plan of capturing the British forts north of the Ohio River, and thereby acquiring for Virginia the immense domain north of that river. He was authorized by Governor Henry to raise seven companies of fifty men each to attack the British forces at Kaskaskia. Colonel Clark made his rendezvous at the Falls of Ohio, where now stands Louisville, and gathered together such men as he could readily obtain.

On June 24, 1778, his command, consisting of 153 men, broke camp at Louisville and started down the Ohio River in rowboats. Relays of oarsmen kept the boats moving during both night and day for four days and nights, when the command landed at a point on the Ohio River somewhat east of where Cairo, Ill., now is—a distance of about 120 miles southward from Kaskaskia. Kaskaskia was then a town of about 1,000 French inhabitants, located at or near where Chester, Ill., now is. There was no road between the Ohio River and Kaskaskia, and the way was a wilderness—much of it a very swampy or rough country.

Colonel Clark's command had no wagons or pack horses with which to carry their baggage, supplies, or ammunition. On the evening of July 4, 1778, the command had arrived within 3 miles of the town of Kaskaskia, but with the Kaskaskia River yet to cross to reach there. After dark some boats were obtained, the river crossed, the town surrounded, the fort broken into, the British governor and troops captured, and before daylight Colonel Clark had possession of the entire place. His command had been six days on the road from the Ohio River to Kaskaskia, moving at the rapid rate of 20 miles per day, and during the last two days almost without food.

Discovery by the British scouts or the Indians would probably have resulted in their annihilation; but this little band of less than 200 men, after rowing by turns for four days down the Ohio River and marching for six days through an unknown wilderness, without supplies, without a road, and without transportation facilities, had captured the military capital of the West, well provided with provisions, cannon, and soldiers, without the firing of a gun. Such a daring of purpose and celerity of execution has seldom been equaled in the world's history. Following the capture of Kaskaskia, the British post at Vincennes surrendered to an officer whom Clark sent there to demand its surrender.

The governor of Virginia was informed of the success, and in October, 1778, an act was passed by the legislature of Virginia

organizing the county of Illinois, which included all the territory of the Commonwealth northwest of the Ohio River.

It is proper to add that the French settlers in the territory were not consulted by the Virginia legislature, nor was the question asked whether they consented to or desired the change of government.

But this new territory was not to be so easily won. Hamilton, who was the British governor of the territory and located at Detroit, heard of the success of Clark's invasion with surprise and indignation.

He hurriedly collected a force and on December 15, 1778, appeared before the fort at Vincennes with an army numbering five or six hundred and consisting mostly of Indians. There were only two American soldiers at the fort to defend it—a Captain Helm and a private by the name of Henry. They planted a cannon in the open gateway of the fort, and as Governor Hamilton and his command approached, Captain Helm cried out, "Halt!" standing by the cannon with a lighted match. The British officer demanded the surrender of the fort, whereupon Helm asked what terms of surrender would be given, and Hamilton replied that they might surrender with all the honors of war. The American garrison thereupon capitulated and Captain Helm and his force of one man marched out before the British command.

The fall of Vincennes was soon communicated to Colonel Clark at Kaskaskia, who was not in an easy position. He was without money, provisions, or supplies, and so far away from Virginia that he could not even get word there in time to receive assistance. Hamilton had a larger force and had, besides the assistance of the Indian tribes, sufficient supplies, ammunition, and money. It was obvious that in the spring Hamilton would be enabled, with his superior force, to crush Clark and regain possession of the western capital at Kaskaskia for England.

The control and destiny of an empire in extent and importance depended upon the action to be taken. Fortunately for the history of our country, there was a Col. George Rogers Clark at Kaskaskia. To wait at that point was to invite inevitable defeat. He conceived the hazardous enterprise of marching across the country, surprising and capturing Governor Hamilton and his command at Vincennes.

On February 5, 1779, Colonel Clark, with a force of about 175 men, started from Kaskaskia to march to Vincennes, a distance of 175 miles, though it was estimated by Clark that he traversed a distance of 240 miles by the way taken. It was at the worst possible season of the year. The snows had melted, and a large portion of the ground was under water. The creeks and swamps were enlarged to wide dimensions. The weather was stormy and rainy. Much of the time there was a cold drizzling rain. Part of the time, when crossing the creeks, the men would be compelled to push aside the floating blocks of ice. At night there was no dry place to lie down, and they had no tents for shelter.

The supply of provisions ran out, and during the last few days the men were almost without food, and as they came toward the end of the march it was imperative that discovery should be avoided, and hence the shooting of game was prohibited. On February 21, when they were trying to get through swamps and marshes and the overflow of the Wabash River, they were compelled to wade through water in some places up to the neck, and the weather was so cold that in the morning the ice had frozen from one-half to three-quarters of an inch in thickness.

But on February 23, 1779, Clark and his command attacked Governor Hamilton in Fort Sackville at Vincennes, surprising him, and on the next day Hamilton surrendered.

The possession thus acquired was never lost. No rhetoric can add to a simple recital of the facts. In hazard of undertaking, in celerity and hardship of execution, and in the success and importance of its results this short campaign of Colonel Clark in the winter month of February, 1779, has seldom, if ever, been equaled. Through the daring and the genius of one man the great Northwest had come into the possession of Virginia. From that time on, the Continental Congress, in its discussion of a possible treaty of peace with Great Britain, insisted that the Northwest Territory, from the Great Lakes southward, as well as the remainder of the British possessions east of the Mississippi River, should be considered as belonging to the revolting colonies.

And in the year 1779, while the war was in progress, but it seemed as though peace were possible, the Continental Congress considered in secret the terms upon which it would agree to peace with Great Britain, and in March, 1779, it was agreed by Congress that in case of peace it would insist upon the Mississippi River for the western boundary of the revolting colonies, from the source of the Mississippi to the thirty-first parallel of north latitude. Again, in August, 1779, instructions were agreed on by the Congress to give to a commission to be appointed for the purpose of negotiating peace, and again it was insisted that the Mississippi River should be the western boundary line.

The natives of that vast tract of country, mostly unexplored, were tribes of Indians. Most of the settlements were French. But it was not proposed or discussed that it was necessary to have an expression by vote or otherwise of the desires of the inhabitants of the territory acquired, nor was any tender sentimentality indulged in by these makers of the Declaration of Independence. They saw that they had captured the British forts and capitals; they saw a valuable domain which might be added to their territory, and they promptly saw the value of keeping it.

But all of the colonies did not have colonial claims to portions of the newly acquired territory. It soon became evident that the new domain might easily become either a cause of dissension or a cause of closer union. If the States which claimed the new territory insisted upon their respective claims, then the new territory might easily cause disputes or even war. But if the newly acquired territory should be turned over to the General Government, then there would be a domain of great value belonging to the central Government which would give it stability and strength.

I have already referred to the claims and the grants by the separate States to the General Government, but before those grants were made seven of the original States claimed colonies for themselves. Virginia had claimed and exercised the right of increasing her territory by conquest under Colonel Clark.

The cession from Virginia, by the act of December 20, 1783, contained the provision that the cession was upon condition that the territory so ceded should be laid out and formed into States, and that the States so formed should be admitted as members of the Federal Union, having the same rights of sovereignty, freedom, and independence as the other States.

THE CONSTITUTIONAL CONVENTION.

The Constitutional Convention met in 1787. The Federal Government at that time had acquired the Western territory, which it was understood would eventually be admitted as separate States in accordance with the Virginia cession. The ordinance of 1787 for the government of the Northwest Territory by a governor and judges had just been considered and passed. The question of the acquisition and government of new territory was therefore a live and familiar question with the framers of the Constitution.

Let me recall to your minds the circumstances connected with the adoption of section 3, Article IV, of the Constitution, providing that—

> New States may be admitted by the Congress into this Union. * * * The Congress shall have power to dispose of and make all needful rules and regulations respecting the territory or other property belonging to the United States.

The Constitutional Convention adopted various preliminary resolutions concerning the form of government and constitution to be adopted, and on July 26, 1787, referred them to a committee of detail as the basis for a draft of a constitution. Among these preliminary resolutions was:

> 17. *Resolved*, That provision ought to be made for the admission of States lawfully arising within the limits of the United States, whether from a voluntary junction of government and territory or otherwise, with the consent of a number of voices in the National Legislature less than the whole.

There was no other provision relating to government of territory or admission of new States in these preliminary resolutions. On August 6 the committee of detail reported a draft of a constitution, which contained—

> ART. 17. New States lawfully constituted or established within the limits of the United States may be admitted by the Legislature into this Government; but to such admission the consent of two-thirds of the members present in each House shall be necessary. If a new State shall arise within the limits of any of the present States, the consent of the legislatures of such States shall be also necessary to its admission. If the admission be consented to, the new States shall be admitted on the same terms with the original States. But the Legislature may make conditions with the new States concerning the public debt which shall be then subsisting.

When this article came up for consideration in the convention, after some discussion Gouverneur Morris moved as a substitute:

> New States may be admitted by the Legislature into the Union; but no new States shall be erected within the limits of any of the present States without the consent of the legislature of such State as well as of the General Legislature.

This substitute was amended by the convention so as to read as follows:

> New States may be admitted by the Legislature into the Union; but no new State shall be hereafter formed or erected within the jurisdiction of any of the present States without the consent of the legislature of such State, as well as of the General Legislature.

This substitute as amended was adopted, though New Jersey, Delaware, and Maryland voted against it. The following clause was then added:

> Nor shall any State be formed by the junction of two or more States or parts thereof without the consent of the legislature of such States, as well as of the Legislature of the United States.

Mr. Carroll of Maryland thereupon moved to add:

> Provided, nevertheless, that nothing in this Constitution shall be construed to affect the claim of the United States to vacant lands ceded to them by the treaty of peace.

Up to this time in the Constitutional Convention there had been no suggestion of any provision granting to the General Government authority to control or regulate the acquired territory. This could not have been because the subject was not in the minds of

the members of the convention. They had adopted resolution after resolution in reference to the form of government; they had proceeded in the consideration of the report of the committee of detail; they were thoroughly acquainted with the fact that Congress had assumed control of the newly acquired Western territory; they knew well that Virginia had ceded her claim to the Northwest Territory to the Federal Government, but it seems to have been assumed as a matter of course that any government organized under the Constitution would have authority to deal with its own property and its own domain. But some of the members of the convention were insistent that no provision should be inserted in the Constitution which should injure the claim of the United States to the lands ceded by the treaty of peace, and hence the provision which Mr. Carroll, of Maryland, moved to add.

After some discussion, however, Mr. Carroll withdrew his motion and moved the following:

Nothing in this Constitution shall be construed to alter the claims of the United States, or of the individual States, to the Western Territory; but all such claims shall be examined into, and decided upon, by the Supreme Court of the United States.

Gouverneur Morris was the member of the convention who most frequently appeared as the draftsman of the various provisions agreed upon, and he moved to postpone the amendment of Mr. Carroll in order to take up the following:

The Legislature shall have power to dispose of and make all needful rules and regulations respecting the territory or other property belonging to the United States; and nothing in this Constitution contained shall be so construed as to prejudice any claims, either of the United States or of any particular State.

This provision was adopted the same day and is practically identical with the provision in the Constitution. The history of its adoption seems to strongly indicate that it was intended to confer upon Congress full, absolute, and unrestricted authority over the territory or other property belonging to the United States.

THE ORDINANCE OF 1787.

The Constitution was framed and adopted at a time when the question of government of the Northwest Territory was being discussed and decided upon. The ordinance of 1787, for the government of the Northwest Territory, provided for the appointment of a governor and three judges; and it was provided that—

The governor and judges, or a majority of them, shall adopt and publish in the district such laws of the original States, criminal and civil, as may be necessary and best suited to the circumstances of the district, and report them to Congress from time to time; which laws shall be in force in the district until the organization of the general assembly therein, unless disapproved of by Congress.

The general assembly or legislature was to be organized when the district contained a voting population of 5,000. It was to consist of the governor, a legislative council of five, appointed by Congress from ten persons named by the Territorial house of representatives, and that house to be elected by the people. An act was required to be passed by the representatives and a majority of the council and to receive the assent of the governor, who was given an absolute veto power.

The ordinance of 1787 was approved by the Congress elected under the new Constitution. That ordinance gave to the people of the Northwest Territory no choice in the selection of their governor or judges, who were to select and modify laws for them. And even when the population should become 5,000, they could only elect one branch of the legislature, and the governor appointed by the General Government was to have an absolute power of veto. No scruples about the just powers of government depending upon the consent of the governed hindered these practical men, who had organized a revolution for liberty, adopted a Declaration of Independence, framed a new Constitution, and inaugurated a new Government, from adopting practical common sense in the government of a new Territory.

THE INDIANA AND MISSISSIPPI TERRITORIES.

The Indiana Territory was organized out of "the territory of the United States northwest of the Ohio River" by act of Congress, May 7, 1800, with a government "in all respects similar to that provided by" the ordinance of 1787.

The Mississippi Territory was organized with a similar government.

THE LOUISIANA PURCHASE.

But, Mr. Chairman, the men who framed the Declaration of Independence and the Constitution not only had an opportunity to give practical effect to their construction of those instruments by the organization of Territories in the new possessions east of the Mississippi River, but they also had a still more conspicuous opportunity to construe those instruments in the acquisition and government of Louisiana.

In 1541, De Soto had reached the Mississippi River. Father Marquette descended it to its mouth in 1673, and in 1680 La Salle descended the Mississippi and took possession of the country adjacent in the name of Louis XIV of France, and called it Louisiana.

In 1706 the French colonists settled on the site of what is now New Orleans. In 1717 the Louisiana country was granted by Louis XIV to the company upon which was based John Law's great Mississippi scheme. But this charter, after the failure of the company, was surrendered in 1730. By the treaties of 1762 and 1763 all of the French possessions west of the Mississippi, as well as the city of New Orleans, on the easterly side, were ceded to Spain, and the French possessions east of the Mississippi, excepting the island of New Orleans, and also the Spanish possessions east of the Mississippi were ceded to Great Britain. During the war of the Revolution Spain had recaptured the British possession of East and West Florida, and these were ceded back to her by the treaty of 1783. The Spanish, therefore, came to control both sides of the Mississippi River at its mouth and the west side throughout its entire length.

By the treaty with Spain of October 27, 1795, the southern boundary line of our country was fixed at 31° north latitude from the Mississippi River east, giving Spain control of the Mississippi from that line southward, but it was provided in that treaty that the King of Spain—

will permit the citizens of the United States, for the space of three years from this time, to deposit their merchandise and effects in the port of New Orleans and to export them from thence without paying any other duty than a fair price for the hire of the stores; and His Majesty promises either to continue this permission if he finds, during that time, that it is not prejudicial to the interests of Spain, or if he should not agree to continue it there, he will assign to them, on another part of the banks of the Mississippi, an equivalent establishment.

This was for the accommodation of the settlements along the east side of the Mississippi River and along its tributaries.

But France still looked with covetous eyes upon this great colonial possession which years before she had ceded to Spain, and by the secret treaty of San Ildefonso, October 1, 1800, Spain retroceded the province of Louisiana to France, though France did not then take possession, and the world was not made aware of the treaty for a year and a half.

While the Spanish were still in possession of New Orleans and Louisiana, but after the execution of the treaty ceding that province back to France, the Spanish intendant at New Orleans, who had charge of such matters, declared by a proclamation October 16, 1802, that the right of deposit no longer existed, which meant that the citizens of our country could no longer ship their farm or other produce down the Mississippi River in river boats and deposit the same there until it should be shipped away by vessel free of duty or other imposts.

About the same time it became known that Spain had ceded the province of Louisiana back to France and it was generally believed by the American citizens that this policy was one agreed upon between Spain and France for the purpose of taking away from the Americans the right of free navigation on the Mississippi River.

At that time river navigation was the only practicable method of shipment from a large share of the Mississippi Valley, and if the right of deposit should remain suspended our nation's interests in the Mississippi Valley would be bottled up tighter even than Cervera's fleet at Santiago.

The opposition to President Jefferson wanted to declare war and take forcible possession of New Orleans. Jefferson himself came to the conclusion that it was necessary for the United States to own at least one side of the Mississippi from its source to its mouth in order to maintain free navigation, and he commissioned James Monroe, afterwards President, to act with Robert Livingston, then minister to France, in an effort to purchase New Orleans and the rest of Louisiana lying east of the Mississippi River from France, and Congress appropriated the sum of $2,000,000 to be applied for that purpose.

The critical condition of affairs is strongly shown by the letter which President Jefferson wrote on January 13, 1803, to Mr. Monroe, informing him of his appointment, and in which he said:

On the event of this mission depend the future destinies of this Republic. If we can not by a purchase of the country insure to ourselves a course of perpetual peace and friendship with all nations, then, as war can not be distant, it behooves us immediately to be preparing for that cause.

Fortunately for our country, France and England were then on the verge of another war. England looked with grave objection upon the acquirement by France of the immense Louisiana province, and Napoleon, who was then the first consul of France and its ruler, quickly saw that in case of war the English, with their superiority at sea, would soon take possession of New Orleans and obtain control of the Mississippi River territory.

On Easter Sunday, April 10, 1803, Napoleon called two of his counselors who were best acquainted with the French foreign possessions and asked their advice. He said:

I know the full value of Louisiana, and I have been desirous of repairing the fault of the French negotiator who abandoned it in 1763. A few lines of a treaty have restored it to me, and I have scarcely recovered it when I must expect to lose it. But if it escapes from me it shall one day cost dearer to those who oblige me to strip myself of it than to those to whom I wish to deliver it. The English shall not have the Mississippi, which they covet.

And after hearing from his advisers, one in favor of selling the province to the United States and the other in favor of retaining it, Napoleon said:

Irresolution and deliberation are no longer in season. I renounce Louisiana. It is not only New Orleans that I will cede. It is the whole colony,

without any reservation. I know the price of what I abandon, and I have sufficiently proved the importance that I attach to this province, since my first diplomatic act with Spain had for its object the recovery of it. I renounce it with the greatest regret. To attempt obstinately to retain it would be folly. I direct you to negotiate this affair with the envoys of the United States.

A treaty of purchase was agreed upon by which the United States was to acquire not only New Orleans on the east bank of the Mississippi, but the vast province of Louisiana, extending from the Gulf along the west bank of the Mississippi its entire length, reaching in its northern part, as claimed by many, across the Rocky Mountains to the Pacific Ocean.

For this territory the United States was to pay France the sum of $11,250,000 of principal, payable within fifteen years with interest, and also pay the sum of $3,750,000 to American citizens having valid claims against France.

The treaty was not received with favor by all classes in this country. The purchase went far beyond the authority which had been granted to Monroe and Livingston. They had been compelled to act on their own judgment. Napoleon was not willing to wait for instructions from home. It would take three months for our commissioners in Paris to communicate with their home Government. Delay was dangerous both to France and to the United States. It was known by both Monroe and Livingston that the President, who had appointed them, was a believer in a strict construction of the powers granted by the Constitution. They had been commissioned by him to purchase a small bit of territory on the eastern bank of the Mississippi near its mouth, for a moderate sum, purely in aid of river commerce and navigation, and now they were offered a vast empire, which in time must become settled and governed, and for this they were asked to pay a sum which in those days was no inconsiderable amount, and to accept a provision in the treaty that the inhabitants would be incorporated as citizens of the United States.

Possibly if there had been cable connection between Paris and Washington in that day the result would have been different. Perhaps if daily instructions could have been sent by wire from Jefferson to his commissioners in Paris, there would have been no treaty agreed upon. Probably we should never have acquired the domain west of the Mississippi River. There might have been there now a province of France, a colony of England, or an independent French or English speaking nation to limit our western growth and dispute with us the national superiority on the Western Hemisphere.

The opponents of Jefferson did not take kindly to the treaty. The price paid, the character of the people acquired, the quality of the land purchased, the danger of unduly extending the limits of a republic, the violation of the Constitution by the provisions of the treaty, the lessons to be drawn from the growth and destruction of the Roman republic, in fine, all the objections to the expansion of a nation or the acquisition of new territory which the ingenuity of the human mind has been able to devise, seem to have been the subject of severe and learned comment by the opponents of the treaty for the Louisiana purchase.

Jefferson himself was not free from constitutional scruples.

In a letter from President Jefferson to Senator Breckenridge, dated August 12, 1803, he said:

The treaty must, of course, be laid before both Houses, because both have important functions to exercise respecting it. They, I presume, will see their duty to their country in ratifying and paying for it, so as to secure a good which would otherwise probably be never again in their power. But I suppose they must then appeal to the nation for an additional article to the Constitution approving and confirming an act which the nation has not previously authorised. The Constitution has made no provision for our holding foreign territory, still less for incorporating foreign nations into our Union. The Executive, in seizing the fugitive occurrence, which so much advances the good of their country, has done an act beyond the Constitution.

VIEWS OF PRESIDENT JEFFERSON.

In a letter to Senator Nicholas, of Virginia, September 7, 1803, President Jefferson said:

I am aware of the force of the observations you make on the power given by the Constitution to Congress to admit new States into the Union without restraining the subject to the territory then constituting the United States. But when I consider that the limits of the United States are precisely fixed by the treaty of 1783, that the Constitution expressly declares itself to be made for the United States, I can not help believing that the intention was not to permit Congress to admit into the Union new States which should be formed out (outside) of the territory for which, and under whose authority alone, they were then acting.

In a letter from President Jefferson to Secretary of State James Madison, dated August 25, 1803, Jefferson said:

Further reflection on the amendment to the Constitution necessary in the case of Louisiana satisfies me it will be better to give general powers, with specified exceptions, somewhat in the way stated below. * * *

P. S.—Louisiana, as ceded by France to the United States, is made a part of the United States. Its white inhabitants shall be citizens and stand as to their rights and obligations on the same footing with other citizens of the United States in analogous situations. Save only as to the portion thereof lying north of the latitude of the mouth of the Oreansa River, no new State shall be established nor any grants of land made therein other than to Indians, in exchange for equivalent portions of land occupied by them, until amendment to the Constitution shall be made for these purposes.

Florida also, whenever it may be rightfully obtained, shall become a part of the United States. Its white inhabitants shall thereupon be citizens and shall stand, as to their rights and obligations, on the same footing with other citizens of the United States in analogous circumstances.

In a letter from Jefferson to Levi Lincoln, his Attorney-General, dated August 30, 1803, he proposed the following draft of an amendment to the Constitution:

Louisiana, as ceded by France to the United States, is made a part of the United States. Its white inhabitants shall be citizens and stand as to their rights and obligations on the same footing with other citizens of the United States in analogous circumstances. Save only as to that portion thereof lying north of an east-and-west line drawn through the mouth of the Arkansas River, no new State shall be established, nor any grants of land made other than to Indians in exchange for equivalent portions of land occupied by them, until an amendment of the Constitution shall be made for these purposes.

These letters from President Jefferson, in the light of present claims, are very instructive. Jefferson at that time was taking the position that under the Constitution there was no authority for that provision of the treaty providing that the inhabitants of the ceded territory should be incorporated into the Union. He could not have believed there was no authority to acquire new territory by purchase, because he had appointed Monroe and Livingston as commissioners for the purpose of effecting a purchase of New Orleans and had obtained from Congress authority to expend $2,000,000 in that undertaking.

It must, therefore, have been the opinion of Jefferson that, under the Constitution, the Government had authority to purchase New Orleans and hold it as a possession of the United States, but did not have authority to admit its inhabitants to all the rights of citizens or to subsequently create the new acquisition into a State or States to be admitted into the Union on equal terms.

The inference is irresistible that Jefferson believed that under the Constitution our Government had authority to acquire new territory to be governed by Congress as a possession or colony.

This view is strengthened by the draft of amendment proposed by Jefferson. Jefferson's proposition was that the Constitution should be amended so as to permit the admission of new States to be formed out of a part of the Louisiana purchase, but that a portion of the new acquisition should not be admitted. As to a portion of the territory acquired by the treaty, he proposed that no new State should be established out of it without a further amendment to the Constitution.

The claim is now frequently made that under the Constitution Congress has authority only to legislate for Territories for the purpose of subsequently creating them into States to be admitted on equal terms into the Union. Such certainly was not the view of President Jefferson, who proposed to adopt an amendment providing that a portion of the territory acquired should never be admitted as a State except by further amendment of the Constitution. Here again is an irresistible inference that Jefferson believed Congress had the power under the Constitution to control, regulate, and legislate for Territorial possessions or colonies without any view of forming them into new States.

VIEWS OF CONGRESS IN 1803.

The treaty for the Louisiana purchase was ratified by the Senate in October, 1803, at a special session of Congress called by the President for the purpose of considering it; and immediately bills were introduced to authorize the President to take possession of and govern the new province, and to provide for the payment of the sum agreed to be paid to France.

The discussion of these measures in the House and Senate gave to the members of those bodies an opportunity to express their views both as to the advisability and the constitutionality of the treaty and the purchase. No study of the subject of our national growth would be at all complete without a full and careful reading of the debates at the extra session of 1803. The statesmen who then sat in Congress were near enough, in point of time, to the Declaration of Independence and the formation of the Constitution to feel in touch with the real spirit of those documents. And what is very remarkable in the discussion was that the opponents of the treaty did not once in the course of a most determined opposition refer to the sacred rights of man proclaimed by the Declaration of Independence or to the proposition that the just powers of government depend upon the consent of the governed and the proposed overriding of those principles by the provisions of the treaty. They had far less imagination than gentlemen of the present day.

One of the provisions in the Louisiana purchase treaty was that—

The inhabitants of the ceded territory shall be incorporated in the Union of the United States and admitted as soon as possible according to the principles of the Federal Constitution to the enjoyment of all the rights, advantages, and immunities of citizens of the United States.

The insertion of such a provision in the treaty would seem to indicate that at least the draftsman of the treaty did not believe that the mere cession of the territory to the United States would make it such a part of the United States as to extend the jurisdiction of the Constitution and the rights, advantages, and immunities of citizens of the United States to the inhabitants of the ceded territory.

The treaty also contained a provision giving a discrimination in

favor of French and Spanish ships coming into the ports of entry within the ceded territory for the space of twelve years.

Let me direct your attention to the constitutional provisions upon the subjects of uniformity of duties and discrimination between ports.

Section 8 of Article I of the Constitution provides that Congress shall have the power—

To lay and collect taxes, duties, imposts, and excises; to pay the debts and provide for the common defense and general welfare of the United States; but all duties, imposts, and excises shall be uniform throughout the United States.

Section 9 of Article I provides that—

No tax or duty shall be laid on articles exported from any State. No preference shall be given by any regulation of commerce or revenue to the ports of one State over those of another; nor shall vessels bound to or from one State be obliged to enter, clear, or pay duties in another.

Notwithstanding these provisions of the Constitution, it was provided by Article VII of the treaty that—

As it is reciprocally advantageous to the commerce of France and the United States to encourage the communication of both nations, for a limited time, in the country ceded by the present treaty, until general arrangements relative to the commerce of both nations may be agreed on, it has been agreed between the contracting parties that the French ships coming directly from France or any of her colonies, loaded only with the produce or manufactures of France or her said colonies, and the ships of Spain coming directly from Spain or any of her colonies, loaded only with the produce or manufactures of Spain or her colonies, shall be admitted during the space of twelve years in the port of New Orleans, and in all other legal ports of entry within the ceded territory, in the same manner as the ships of the United States coming directly from France or Spain or any of their colonies without being subject to any other or greater duty on the merchandise or other or greater tonnage than those paid by the citizens of the United States. * * *

Although the treaty had been ratified by the Senate, it was strongly attacked in the House of Representatives on the ground that it was unconstitutional, and hence illegal, and that Congress was not therefore bound to consider it as the law of the land or make appropriations or enact legislation for the purpose of carrying out its provisions and giving it full effect. The discussion in the House and the legislation which was enacted are most instructive. I take the liberty of calling attention to full and fair extracts from speeches by leaders both on the side of the Presidential party, which favored the treaty, and the opposition, which denounced it. I quote from the Annals of Congress.

IN HOUSE OF REPRESENTATIVES, OCTOBER, 1803.

In discussing the effect of the treaty Mr. Mitchell, of Massachusetts, in the House of Representatives, in October, 1803, said:

There is nothing compulsory upon the inhabitants of Louisiana to make them stay and submit to our Government. But if they choose to remain, it has been most kindly and wisely provided that until they should be admitted to the rights, advantages, and immunities of citizens of the United States they shall be maintained and protected in the enjoyment of their liberty, property, and the religion which they profess. What would the gentleman propose that we shall do with them? Send them away to the Spanish provinces, or turn them loose in the wilderness? No, sir; it is our purpose to pursue a much more dignified system of measures.

It is intended, first, to extend to this newly acquired people the blessings of law and social order; to protect them from rapacity, violence, and anarchy; to make them secure in their lives, limbs, and property, reputation, and civil privileges; to make them safe in the rights of conscience. In this way they are to be trained up in a knowledge of our own laws and institutions. They are thus to serve an apprenticeship to liberty; they are to be taught the lessons of freedom; and by degrees they are to be raised to the enjoyment and practice of independence. All this is to be done as soon as possible; that is, as soon as the nature of the case will permit, and according to the principles of the Federal Constitution.

Strange that proceedings declared on the face of them to be constitutional should be inveighed against as violations of the Constitution!

Secondly, after they shall have been a sufficient length of time in this probationary condition, they shall, as soon as the principles of the Constitution permit, and conformably thereto, be declared citizens of the United States. Congress will judge of the time, manner, and expediency of this. The act we are now about to perform will not confer on them this elevated character. They will thereby gain no admission into this House, nor into the other House of Congress. There will be no alien influence thereby introduced into our councils.

By degrees, however, they will pass on from the childhood of Republicanism, through the improving period of youth, and arrive at the mature experience of manhood. And then they may be admitted to the full privileges which their merit and station will entitle them to. At that time a general law of naturalization may be passed. For I do not venture to affirm that, by the mere act of cession, the inhabitants of a ceded country become, of course, citizens of the country to which they are annexed. It seems not to be the case, unless specially provided for. By the third article it is stipulated that the inhabitants of Louisiana shall hereafter be made citizens; ergo they are not made citizens of the United States by mere operation of treaty.

Mr. Smilie, of Pennsylvania, stated that he—

Agreed in opinion with the gentleman from Massachusetts [Mr. Varnum] that the Constitution of the United States did not extend to this territory any further than they were bound by the compact between the ceding power and the people. On this principle they had a right, viewing it in the light of a colony, to give it such government as the Government of the United States might think proper, without thereby violating the Constitution; when incorporated into the Union, the inhabitants must enjoy all the rights of citizens. He would thank gentlemen to show any part of the Constitution that extends either legislative, executive, or judicial power over this territory. If none such could be shown, it must rest with the discretion of the Government to give it such a system as they may think best for it.

Mr. John Randolph said:

A stipulation to incorporate the ceded country does not imply that we are bound ever to admit them to the unqualified enjoyment of the privileges of citizenship. It is a covenant to incorporate them into our Union, not on the footing of the original States, or of States created under the Constitution, but to extend to them, according to the principles of the Constitution, the rights and immunities of citizens, being those rights and immunities of jury trial, liberty of conscience, etc., which every citizen may challenge, whether he be a citizen of an individual State or of a Territory subordinate to and dependent on those States in their corporate capacity. In the meantime they are to be protected in the enjoyment of their existing rights. There is no stipulation, however, that they shall ever be formed into one or more States.

Do not the United States possess Territories now? Is the possession of Territories confined by the Constitution to those they now hold? I believe not; for in the Constitution it is stated that "Congress shall have power to dispose of and make all needful rules and regulations respecting the territory or other property belonging to the United States." Here is a clear recognition of territory belonging to the United States, and not merely of territory then held, but of territory which might in future be acquired by treaty or purchase. And if this territory be ceded to the United States, Congress have power, as soon as it is ceded, to make rules and regulations respecting it.

Roger Griswold, of Connecticut, one of the leaders of the opposition, made the most elaborate argument against the constitutionality of the treaty:

The gentleman from Pennsylvania [Mr. Smilie], however, has said that it is competent for this Government to obtain a new territory by conquest, and if a new territory can be obtained by conquest he infers that it can be procured in the manner provided for by the treaty. While I admit the premises of the gentleman from Pennsylvania, I deny his conclusion.

A new territory and new subjects may undoubtedly be obtained by conquest and by purchase; but neither the conquest nor purchase can incorporate them into the Union. They must remain in the condition of colonies and be governed accordingly. The objection to the third article is not that the province of Louisiana could not have been purchased, but that neither this nor any other foreign nation can be incorporated into the Union by treaty or by law; and as this country has been ceded to the United States only under the condition of an incorporation it results that if the condition is unconstitutional or impossible the cession itself falls to the ground.

The opposition to the treaty of peace with Spain seems to be largely based upon the proposition that this country can not, in accordance with the letter and spirit of the Constitution, accept territory to be governed as colonies. This argument has probably been urged with more force than any other. It is the basis of most of the opposition to the acquisition of the Philippine Islands.

It has been insisted with eloquence, earnestness, and learning that it was contrary to both the policy and the spirit of our form of government that we should enter upon a colonial system, or that we should possess any territory or province to be governed upon the idea of a colony without merely considering such government as temporary in character and preparatory to statehood.

It is now urged most strenuously that any suggestion of the right to govern a possession as a colony is a violent departure from the plans and policies of our forefathers.

As I understand the opposition to the present treaty, the claim is made that the inhabitants of the Philippine Islands ought never to be permitted to form separate States to be admitted into the Federal Union, and that therefore we are violating the spirit of the Constitution if we annex them, because it was not contemplated that any territory should be annexed except what should be finally admitted into the Federal Union as States.

The opposition in 1803, when the Government was young, when the men who sat in Congress were those who had been present at the formation of the Constitution and the birth of the Republic, seem to have had a different idea. I again call attention to the remarks of Mr. Griswold, the leader of the opposition in the House. He said:

A new territory and new subjects may undoubtedly be obtained by conquest and by purchase, but neither the conquest nor purchase can incorporate them into the Union. They must remain in the condition of colonies and be governed accordingly.

Let me now call your attention to what Mr. Nicholson, of Maryland, one of the leaders of the Presidential party in the House, and who defended the treaty in an elaborate argument, said:

The other constitutional objection is raised upon the seventh article of the treaty, which provides that the ships of France and Spain shall be admitted for twelve years into the ports of the ceded territory without paying higher duties than the ships of the United States.

To this gentlemen have opposed that part of the Constitution which declares that no preference shall be given to the ports of one State over those of another, and that all duties, imposts, and excises shall be uniform throughout the United States. There appears to be a strange inconsistency in the arguments of the gentleman from Connecticut [Mr. R. Griswold]. He tells you that this Territory is not a State, and that it never can become a State; yet he afterwards declares that the treaty violates the Constitution by giving the port of New Orleans a preference over the ports of the Atlantic States. There is surely a contradiction here.

Whatever may be the future destiny of Louisiana, it is certain that it is not now a State. It is territory purchased by the United States in their confederate capacity, and may be disposed of by them at pleasure. It is in the nature of a colony whose commerce may be regulated without any reference to the Constitution.

Had it been the island of Cuba which was ceded to us under a similar condition of admitting French and Spanish vessels for a limited time into Havana, could it possibly have been contended that this would be giving a preference to the ports of one State over another, or that the uniformity of duties, imposts, and excises throughout the United States would have been destroyed? And because Louisiana lies adjacent to our territory, is it to be viewed in a different light? Or can the circumstance of its being separated by a river only, instead of the sea, constitute any real difference in regard to commercial relations which we may think proper to establish?

It seems almost strange that while the leaders in favor of the Louisiana purchase and those opposed to it disagreed upon almost

every proposition of fact and constitutional law, yet upon one vital point both Mr. Griswold, for the opposition, and Mr. Nicholson, in favor of the treaty, were in complete accord. Both were of the opinion that we had a right to acquire territory by purchase, and the right to govern such territory as a colony. Mr. Nicholson stated:

It is territory purchased by the United States in their confederate capacity, and may be disposed of by them at pleasure. It is in the nature of a colony whose commerce may be regulated without any reference to the Constitution.

This was the opinion of the man who, by his argument, sustained and justified the treaty when it was attacked in Congress. He not only believed that we had the right to govern the newly acquired territory as a colony, but that we had a right to govern it without any reference to the Constitution. Upon this latter point Mr. Griswold did not agree. He said:

As to the idea of some gentlemen that this territory not being a part of the United States, but a colony, and that therefore we may do as we please with it, it is not correct. If we acquire a colony by conquest or purchase—and I believe we may do both—it is not consistent with the Constitution to delegate to the President, even over a colony thus acquired, all power, legislative, executive, and judicial, for this would make him the despot of the colony.

But in saying this he reiterated his belief that Congress had the right to govern the new territory as a colony without regard to its future admission as a State, and the rest of his opinion was not adopted by Congress in the legislation then enacted.

Do not forget that these were the expressions and beliefs of the men who were the leaders in the National House of Representatives in 1803, at the time when Thomas Jefferson was President and James Madison his Secretary of State. Do not forget that these were the opinions of the men who were living in the very dawn of the Republic, who were acquainted with the sentiment and spirit and policy of the people which had founded a new government, who themselves had partaken in the formation of our nation.

A great deal of very earnest and patriotic language has been used recently urging our country not to depart from the policy indicated by the Declaration of Independence and the spirit of the Constitution.

Strange, is it not, that the knowledge of this spirit and policy was unknown to the men who legislated in the days of Jefferson and Madison, but has recently been acquired by those who now ardently oppose American control in Porto Rico and the Philippine Islands?

But I do not wish to digress; I am simply desirous of calling attention to the history of the policy and spirit of our country as denoted by facts.

Article VII of the treaty gave a preference to French and Spanish vessels entering the port of New Orleans for twelve years, and it was urged by those opposed to the treaty that this was a violation of the Constitution which rendered the treaty invalid and illegal.

Upon this subject Mr. Griswold, of New York, in opposition, after declaring that the Constitution gave no authority to annex territory by treaty, said:

This article gives to the ships of France and Spain the same right of entering the ports of the ceded territory with our own vessels, and it precludes the ships of all other nations from the same right. Now, if, as gentlemen contend, the new ceded territory with the inhabitants should become incorporated with the United States, there will be ports of entry in the United States into which French and Spanish vessels may enter on terms different from those on which they may enter other ports of the United States.

The inference was that here was a favor granted to the ports of New Orleans over other ports. This was against an important principle of the Constitution, for in the ninth section of the first article we find, "No preference shall be given by any regulation of commerce or revenue to the ports of one State over those of another." This treaty, then, becomes the law of the land. It has made a commercial regulation. It gives to the ports of the ceded territory a preference to any other ports, because the produce of France and Spain can be carried cheaper to their ports than to any other. If the principle contended for by gentlemen in favor of the treaty is admitted, I think I see a fatal blow proposed against the Constitution of the United States by destroying the reciprocity of interest that unites at present the different members of the Union. Perhaps I see wrong.

Mr. Griffin, of Virginia, said that—

He was correct, he believed, in stating that under the present regulations of trade Spanish vessels pay 50 cents per ton, while American vessels paid only 6 cents. Here, then, the President and Senate undertake to destroy this provision made by law. For, according to the treaty, Spanish and French vessels entering the ports of New Orleans will hereafter pay only 6 cents a ton, while similar vessels coming to all the other ports of the United States will be obliged to pay 50 cents a ton. The difference between 6 and 50 constitutes the preference given to New Orleans.

Mr. Rodney, of Delaware, sustained the treaty, and said:

"No preference," says the Constitution, "shall be given by any regulation of commerce or revenue to the ports of one State over those of another." In what way, under this treaty, is there any preference of one port over another? I would be glad to see it pointed out, and to be shown whether there is any preference of Delaware over Massachusetts, or of Virginia over Georgia. No. The Constitution adverts to States themselves; and that the distinction between States and Territories is bottomed upon reason. Whence the necessity of the distinction?

When Territories grow into States and become represented in the public councils, a majority of them may league together and carry into effect regulations prejudicial to other States. Hence the Constitution provides that in all commercial regulations all the States shall be equally affected. But such a league can not be effected by Territories, which have no Senators in the other branch, and in this only the voice, without the vote, of a single Delegate. Independent of this consideration is this: If by any particular Territorial regulation the territory of the United States is benefited, that territory being the common property of the United States, a public stock in which they all share, every State in the Union reaps alike the benefit.

Mr. Mitchell, of Massachusetts, said:

By the treaty there is no preference given to one State over another in any commercial regulations. The port of New Orleans is not a part of any State in the Union. The abolition of the discriminating duties in favor of the two European nations is confined absolutely to the ports of Louisiana. They have no preference in the ports of any of the States. Nor is there given to one an advantage over the other.

Mr. Elliott, of Vermont, said that—

It was not contemplated that this provision would have application to colonial or territorial acquisitions. But it is said that the treaty obliges us to receive the inhabitants of the ceded territory into the Union and, of course, to form them into new States. * * * A complete discretion is left to the United States as to the time and manner of admission, and I have no idea that it will be necessary to admit them within the twelve years during which France and Spain are to enjoy those privileges.

The gentlemen who opposed the treaty of that day had the same fears which have been excited by the gentlemen who have opposed the treaty with Spain.

Mr. Griffin, of Virginia, said, in the House of Representatives in 1803, that he—

did not feel a disposition to discuss the merits of the treaty or to go at large into the consequences which it might produce. He did, however, fear those consequences; he feared the effects of the vast extent of our empire; he feared the effects of the increased value of labor, the decrease in the value of lands, and the influence of climate upon our citizens who should migrate thither. He did fear (though this land was represented as flowing with milk and honey) that this Eden of the New World would prove a cemetery for the bodies of our citizens.

While Mr. Thatcher, of Massachusetts, said that he—

was not disposed to discuss the causes which have produced the dismemberment of empires, though all history showed that great empires, whether monarchies or republics, had been ultimately broken to pieces by their magnitude. * * *

This acquisition of distant territory will involve the necessity of a considerable standing army, so justly an object of terror. Do gentlemen flatter themselves that by purchasing Louisiana we are invulnerable? No, sir; Spain will still border on our southern frontier, and so long as Spain occupies that country we are not secure from the attempts of another nation more warlike and ambitious.

Mr. Roger Griswold said:

This subject was much considered during the last session of Congress, but it will not be found either in the report of the secret committee which has recently been published or in any document or debate that any individual entertained the least wish to obtain the province of Louisiana. Our views were then confined to New Orleans and the Floridas, and, in my judgment, it would have been happy for this country if they were still confined within those limits. The vast and unmanageable extent which the accession of Louisiana will give to the United States, the consequent dispersion of our population, and the destruction of that balance which it is so important to maintain between the Eastern and the Western States threatens at no very distant day the subversion of our Union.

While Mr. Gaylor Griswold, of New York, another one of the leaders of the opposition, said:

If the principle contended for by gentlemen in favor of the treaty is admitted, I think I see a fatal blow proposed against the Constitution of the United States, by destroying the reciprocity of interest that unites at present the different members of the Union. Perhaps I see wrong.

I recently heard it said by a member of this House in the debate here that he would rather give Spain $100,000,000 and not keep the Philippines than to take them for nothing. His remark was not exactly original. Senator White, of Delaware, in discussing the Louisiana treaty, made much the same remark in 1803. In the course of the debate at that time Senator White said:

Louisiana must and will become settled if we hold it, and with the very population that would otherwise occupy part of our present territory. Thus our citizens will be removed to the immense distance of two or three thousand miles from the capital, where they will scarcely ever feel the rays of the General Government. Their affections will become alienated; they will gradually begin to view us as strangers; they will form other commercial connections, and our interests will become distinct. These, with other causes that human wisdom may not now foresee, will in time effect a separation, and I fear our bounds will be then fixed nearer to our houses than the waters of the Mississippi. We have already territory enough, and when I contemplate the evils that may arise to these States from this intended incorporation of Louisiana into the Union, I would rather see it given to France, to Spain, or to any other nation of the earth upon the mere condition that no citizen of the United States should ever settle within its limits, than to see the land in the territory sold for $100,000,000 and we retain the sovereignty.

VIEWS OF GOUVERNEUR MORRIS.

I have already called your attention to the history of the provision in the Constitution relating to the Government of the territory of the United States by Congress and to the fact that this provision of the Constitution, as well as many other provisions, was drafted by Gouverneur Morris. I now wish to call your attention to two letters written by Gouverneur Morris. He was a Federalist, a supporter of President Adams and a bitter opponent of President Jefferson. He had been a member of the Constitutional Convention, and the proceedings of that body show that he was one of its most active and influential members.

When the Louisiana treaty was promulgated, Mr. Henry W. Livingston wrote to Morris asking him in regard to his construction of the provision relating to government of Territories. Morris replied; but his first reply was not fully satisfactory to himself

and a few days thereafter he sent another letter to Henry W. Livingston, dated December 4, 1803, in which he said:

A circumstance which turned up in conversation yesterday has led me again to read over your letter of the 3d of November and my answer of the 28th [25th]. I perceive now that I mistook the drift of your inquiry, which is substantially whether Congress can admit, as a new State, territory which did not belong to the United States when the Constitution was made.

In my opinion they can not.

I always thought that when we should acquire Canada and Louisiana it would be proper to govern them as provinces and allow them no voice in our councils. In wording the third section of the fourth article I went as far as circumstances would permit to establish the exclusion. Candor obliges me to add my belief that, had it been more pointedly expressed, a strong opposition would have been made.

And in a letter dated January 7, 1804, written to Jonathan Dayton, Gouverneur Morris said:

As to the cession of Louisiana, I should indeed have lost all shame as well as pretense to understanding if I did not approve of it. A few millions more or less in the price might be a fit subject for Democrats to bawl about if the treaty had been made by their opponents, but it really seems unworthy of notice when the subject is taken up on a great scale. I see with you that it will not be easy to find a proper governor for the newly acquired territory, supposing always the Administration to know the kind of a man necessary to the office and to seek him without motives of party or partiality.

Let me add my belief that no man, without the support of at least 1,000 American bayonets, can duly restrain the inhabitants of that region. * * *

There are two points which do not meet my approbation. * * * My other objection is more serious. The stipulation to admit the inhabitants into our Union will, I believe, prove injurious to this country. (Diary and Letters of Gouverneur Morris, by Anne Cary Morris, volume 2, page 452.)

Here we have the construction of one of the leading framers of the Constitution. Although politically opposed to President Jefferson, he was in favor of the purchase of Louisiana; he believed that we had the right to govern it as a province; that we had no constitutional right to admit the acquired territory as new States; that it would be necessary to govern the annexed territory by force of bayonets and arms; and his only objection to the treaty was that it provided for the eventual admittance of the inhabitants into the Union.

ACT TO TAKE POSSESSION OF LOUISIANA.

The discussion of the treaty at the special session in October, 1803, resulted in the passage of an act authorizing the President to take possession of the ceded territory and providing for the temporary government thereof. The bill for this act passed the House of Representatives by a vote of 89 yeas to 23 nays. It passed the Senate by an almost unanimous vote. Permit me to call your attention to its terms. It provided:

That the President of the United States be, and he is hereby, authorized to take possession of and occupy the territory ceded by France to the United States by the treaty concluded at Paris on the 30th of April last between the two nations; and that he may for that purpose, and in order to maintain in the said territories the authority of the United States, employ any part of the Army and Navy of the United States, and of the force authorized by an act passed the 3d day of March last, entitled "An act directing a detachment from the militia of the United States, and for erecting certain arsenals," which he may deem necessary, and so much of the sum appropriated by the said act as may be necessary is hereby appropriated for the purpose of carrying this act into effect; to be applied under the direction of the President of the United States.

SEC. 3. *And be it further enacted*, That until the expiration of the present session of Congress, or unless provision be sooner made for the temporary government of the said Territories, all the military, civil, and judicial powers exercised by the officers of the existing government of the same shall be vested in such person and persons, and shall be exercised in such manner, as the President of the United States shall direct for maintaining and protecting the inhabitants of Louisiana in the full enjoyment of their liberty, property, and religion.

The other act, which was referred to in section 1 of the above act, was the act of March 3, 1803, authorizing the President, whenever he shall judge it expedient, to take effectual measures to organize, arm, equip, and hold in readiness to march at a moment's warning, a detachment of militia not exceeding 80,000.

In the recent debate in this House upon the bill for the increase of the Army, a great deal was said by the opponents of the treaty about the danger of granting authority to the President to control an army of between fifty and one hundred thousand, with authority to send them into the territory ceded by Spain for the purpose of obtaining and maintaining forcible possession. It will be noted that although the inhabitants of New Orleans and the rest of the province of Louisiana had not been consulted about the cession of their territory to the United States, yet Congress, in 1803, under the inspiration of President Jefferson and James Madison, enacted this law authorizing the President to call out troops to the number of 80,000 for the purpose of taking forcible possession of New Orleans.

It was well known at that time that Spain was inclined to object to the cession of Louisiana by France to this country, and it was also known that the inhabitants of the ceded territory did not desire to come under the sovereignty and control of the United States.

It will be noticed that the act of 1803 gave to President Jefferson despotic and unlimited power over the newly ceded territory for its temporary government.

ORGANIZATION OF GOVERNMENT FOR LOUISIANA.

The United States took possession of New Orleans December 20, 1803, and a little later Congress proceeded to the enactment of legislation for the organization of Territorial government for the newly acquired possessions.

One of the disputed propositions at present in regard to the annexation of the Philippine Islands is whether by the ratification of the treaty and the annexation of those islands to the United States the Constitution, with all of its provisions, is thereby extended over the annexed territory. I have already called attention to the preference given to Spanish and French ships for twelve years at the port of New Orleans by the treaty, contrary to an express provision of the Constitution if that provision were held to apply in the new territory.

I have also called attention to the opinions of the various members of Congress expressed in the debate. Permit me to now call your attention to the act which was passed for the organization of Territorial government for the Louisiana purchase and to the consideration of the bill for that purpose in the House of Representatives. And first note that section 2 of Article III of our Constitution provides that—

The trial of all crimes, except in cases of impeachment, shall be by jury.

The sixth amendment to the Constitution provides that—

In all criminal prosecutions the accused shall enjoy the right to a speedy and public trial by an impartial jury.

The seventh amendment provides that—

In all suits at common law where the value in controversy shall exceed $20 the right of trial by jury shall be preserved.

It seems almost patent that if the Constitution was, by the consummation of the acquisition, extended over the new territory, then these constitutional provisions became at once in force in the new territory, and that Congress could not pass any valid act in any way limiting the rights thus guaranteed. And yet that is precisely what Congress proceeded to do. I call your attention to the act of March 26, 1804, for the organization of a government for the newly acquired Louisiana territory.

In section 5 of the act as it was finally passed is the provision—

In all criminal prosecutions which are capital the trial shall be by a jury of twelve good and lawful men of the vicinage; and in all cases, criminal and civil, in the superior court the trial shall be by a jury if either of the parties require it.

The same provision was in the bill when first introduced in the Senate. During the consideration of this section of the bill in the Senate, in January, 1804, it was moved to amend that clause of the fifth section reading "In all criminal prosecutions which are capital the trial shall be by a jury of twelve good and lawful men of the vicinage," by striking out the words "which are capital;" but the motion was defeated by a vote of 11 yeas to 16 nays.

When the same section was under consideration in the House of Representatives in March, 1804, Mr. G. W. Campbell moved to strike out of that clause the words "which are capital the trial shall be by a jury of twelve good and lawful men of the vicinage; and in all cases, criminal and civil, in the superior court the trial shall be by a jury if either of the parties require it," and to insert in place thereof the words "the trial shall be by jury, and in all civil cases above the value of $20," for the purpose of making the clause comply with the provisions of the Constitution.

And Mr. Campbell said, in support of his motion, that he—

conceived that in legislating for the people of Louisiana they were bound by the Constitution of the United States, and that they had not a right to establish courts in that Territory on any other terms than they could in any of the States. Wherever courts were established in a Territory, they must be considered as courts of the United States, and of consequence can not be otherwise constituted than as courts in the States. The Constitution expressly declares that in criminal cases the trial shall be by jury, and in all civil cases where the sum in controversy exceeds the value of $20 the trial shall be likewise by jury. In the ninth article of the amendments to the Constitution we find the following words: "In suits at common law where the value in controversy shall exceed $20 the right of trial by jury shall be preserved." The eighth article says: "In all criminal prosecutions the accused shall enjoy the right to a speedy and public trial by an impartial jury."

I will observe that the right of trial given by this section, to wit, "If either of the parties require it," is a dangerous mode of proceeding and may tend unwarily to entrap them. The person brought before the court for a misdemeanor, asked if he requires a jury trial, may be ignorant of the evidence and may not know the benefits of a trial by jury; he must at all events show a want of confidence in the court or waive a jury trial. If he does the first, he may sour the minds of the court. The party is thus put in a situation which may be worse than if he was deprived altogether of the right of a trial by the necessity of making a choice which may operate more against him. The bill, therefore, does not secure the right of a jury trial as contemplated by the Constitution.

It seems apparent that if the contention of Mr. Campbell that the Constitution did apply to the new territory was correct, then his amendment was necessary in order to make the proposed enactment constitutional. And yet his amendment was defeated by an overwhelming majority.

The act erecting Louisiana into two Territories and providing for the temporary government thereof became a law by the approval of President Jefferson (author of the Declaration of Independence and founder of the Democratic party) March 26, 1804. The provisions of that act are very instructive at the present time. I have already referred to the ordinance of 1787 and the acts organizing the Territories of Indiana and Mississippi.

But this was the first act organizing a government in territory acquired by the United States subsequent to the adoption of the Constitution, and it emphasizes the opinion of the statesmen of that day as to the rights and power of Congress in the government of the acquired territory.

By that act what is now the State of Louisiana was organized into the Territory of Orleans. Section 4 of the act provided as follows:

SEC. 4. The legislative powers shall be vested in the governor and in 13 of the most fit and discreet persons of the Territory, to be called the legislative council, who shall be appointed annually by the President of the United States from among those holding real estate therein, and who shall have resided one year at least in the said Territory and hold no office of profit under the Territory or the United States. The governor, by and with advice and consent of the said legislative council, or of a majority of them, shall have power to alter, modify, or repeal the laws which may be in force at the commencement of this act. Their legislative powers shall also extend to all the rightful subjects of legislation, but no law shall be valid which is inconsistent with the Constitution and laws of the United States, or which shall lay any person under restraint, burden, or disability on account of his religious opinions, professions, or worship; in all which he shall be free to maintain his own, and not burdened for those of another.

The governor shall publish throughout the said Territory all the laws which shall be made, and shall from time to time report the same to the President of the United States, to be laid before Congress, which, if disapproved of by Congress, shall thenceforth be of no force. The governor or legislative council shall have no power over the primary disposal of the soil, nor to tax the lands of the United States, nor to interfere with the claims to land within the said Territory. The governor shall convene and prorogue the legislative council whenever he may deem it expedient. It shall be his duty to obtain all the information in his power in relation to the customs, habits, and dispositions of the inhabitants of the said Territory, and communicate the same from time to time to the President of the United States.

In other words, Congress, in the early days of the Republic, organized a government in newly acquired territory not only without asking for the consent of the governed, but absolutely without regard to their wishes and without giving to them any local legislative influence.

The legislative powers were vested in a governor and a legislative council of thirteen, all to be named by the President of the United States. And the governor, by and with the consent of this legislative council, might enact such legislation as he saw fit. He could convene and prorogue the legislative council to suit his whim.

History compels us to say that it was Thomas Jefferson, the author of the Declaration of Independence, the founder of the Democratic party, who signed his approval to this law as President; and he made the appointments in accordance with its terms. And when he did so, his Secretary of State and confidential adviser was James Madison, the member and historian of the Constitutional Convention.

Nor was this all. As to the remainder of the Louisiana province, it was organized into the district of Louisiana, and by section 12 of the act it was provided that the executive power to be exercised in the said district should be vested in the governor of the Indiana Territory, and that the governor and judges of the Indiana Territory should have power to make all laws which they might deem conducive to the good government of the inhabitants of the district of Louisiana. And yet no complaint is now made that President Jefferson and the Congress which enacted this law acted foolishly or unwisely, or that their act was a breach of the principles of self-government expressed in our form of government.

The people of New Orleans, however, did not like the new form of government. Martin, the historian of Louisiana, says, referring to the transfer to the United States:

The people of Louisiana, especially in New Orleans, were greatly dissatisfied at the new order of things. They complained that the person whom Congress [President Jefferson] had sent to preside over them was an utter stranger to their laws, manners, and language, and had no personal interest in the prosperity of the country; * * * that in the new court of pleas, most of the judges of which were ignorant of the laws and language of the country, proceedings were carried on in the English language, which Claiborne had lately attempted to introduce into the proceedings of the municipal body, and the suitors were in an equally disadvantageous situation in the court of last resort, in which he sat as sole judge.—*Martin's History of Louisiana*, page 322.

The dissatisfaction of the people of New Orleans increased. Meetings were held, committees were appointed, and a deputation of three was sent before Congress to obtain redress. Martin says the deputation was not successful in their application to Congress. In March, 1805, Congress passed an act to establish a Territorial government similar to that of the Mississippi Territory. This provided for the appointment by the President of a governor, with an absolute veto power. In vain did the New Orleans deputation plead for an amendment to the bill providing that the governor should be chosen by the President out of two individuals selected by the people.

The conclusion is almost irresistible that the position taken by the President and Congress, on the consideration of the subject at the time, was that before being made into States the newly acquired territory had no rights under the Constitution; that it was to be governed independently of the Constitution and entirely outside of its limiting provisions; that it had no benefits from the Constitution except such as Congress, in its discretion, chose to extend; that it was to be governed as property; "the soil, as a sovereign would govern his property; the inhabitants, as a father would take care of his children."

The statesmen of that day attempted to govern the new possession in the only common-sense method. They acquired a vast possession which required some form of suitable government. Who now wishes that they had rejected the Louisiana purchase on the ground that they could not govern it except by despotic methods? It is true that the territory was sparsely settled outside of the city of New Orleans, but do the Constitution and Declaration of Independence only apply to thick settlements or large aggregations of people and not to the pioneers who take up their abode and make a fight for civilization in the sparsely settled Territories?

Is there any reason why, if Congress can give a sufficient and suitable government to a region too sparsely settled to admit of self-government without asking the consent of the inhabitants, the same Congress can not give a sufficient and suitable government to a region settled by a people who have not proven their capacity for self-government? What is the difference in principle, either as to the rights enunciated by the Declaration of Independence or the liberties guaranteed by the Constitution?

THE ACQUISITION OF FLORIDA.

But I do not wish to wander from my historical narrative. In April, 1818, Gen. Andrew Jackson, one of the patron saints of the Democratic party, in the prosecution of the Indian war took possession of the Spanish fort at St. Marks, Fla., by force of arms, and when remonstrated with by the Spanish governor replied by entering Pensacola in May and capturing the Spanish fort at Barrancas. Negotiations were then pending for the purpose of settling the boundary lines between the United States and the Spanish possessions on the west and south.

A treaty was concluded February 22, 1819, by which the boundary lines between the United States and the Spanish possessions were agreed upon, and at the same time Spain ceded the Spanish province of East Florida and the Spanish title to West Florida to the United States for the consideration of $5,000,000. This treaty was not ratified by the King of Spain until October 29, 1820, after which it was again ratified by the Senate on February 19, 1821.

Article VI of the Florida treaty provided that—

The inhabitants of the territories which His Catholic Majesty cedes to the United States by this treaty shall be incorporated in the Union of the United States as soon as may be consistent with the principles of the Federal Constitution, and admitted to the enjoyment of all the privileges, rights, and immunities of the citizens of the United States.

And Article XV provided that—

The United States, to give His Catholic Majesty a proof of their desire to cement the relations of amity subsisting between the two nations and to favor the commerce of the subjects of His Catholic Majesty, agree that Spanish vessels coming laden only with productions of Spanish growth or manufactures directly from the ports of Spain or of her colonies shall be admitted, for the term of twelve years, to the ports of Pensacola and St. Augustine, in the Floridas, without paying other or higher duties on their cargoes, or of tonnage, than will be paid by the vessels of the United States. During the said term no other nation shall enjoy the same privileges within the ceded territories. The twelve years shall commence three months after the exchange of the ratifications of this treaty.

ANNEXATION OF TEXAS.

The treaty with Spain fixed the boundary line between the United States and the Spanish possessions at what is now the easterly line of Texas. The present State of Texas was originally a part of the French or Spanish possessions west of the Mississippi River. In 1827 Henry Clay, then Secretary of State under President Adams, instructed the United States minister to Mexico to offer $1,000,000 for the Mexican territory east of the Rio Grande.

In 1829 Martin Van Buren, Secretary of State under President Jackson, instructed our minister to Mexico to offer $5,000,000 for the portion of Texas this side of the Neuces River, but Mexico refused the offer. In 1830 orders were issued by our Government to prevent any further emigration from the United States to Texas. On May 27, 1836, the Republic of Texas was proclaimed, and on March 3, 1837, it was recognized by the United States.

In 1844 the President negotiated a treaty with the new Republic of Texas for the annexation of Texas to the United States and her admission as a State in the Federal Union. When this treaty was presented to the Senate for its ratification, instead of receiving the necessary two-thirds vote to secure a ratification, it was rejected in the Senate by a vote of 16 ayes to 35 nays.

But on February 25, 1845, the House of Representatives, by a vote of 120 ayes to 98 nays, passed a joint resolution for the annexation of Texas, and on March 1, 1845, this resolution was passed by the Senate by a vote of 27 ayes to 25 nays. It will be noticed that this was a Senate consisting of the same members who in the previous year had rejected the treaty for annexation by more than a two-thirds vote in the negative. It will also be noticed that a change of one vote from aye to nay on the passage of the joint resolution would have defeated that resolution.

Texas on July 4, 1845, consented to annexation upon the terms named in the joint resolution, and on December 29, 1845, she was

admitted as a State into the Union. At the time of the passage of the joint resolution, and also at the time of the admission of Texas as a State, Texas was considered as in rebellion by the Republic of Mexico, and her independence had not then been acknowledged by the Mexican Government, against which she had revolted.

THE ACQUISITION OF CALIFORNIA AND NEW MEXICO.

War with Mexico seemed imminent on account of the admission of Texas, and under date of November 10, 1845, James Buchanan, then Secretary of State, instructed our minister to Mexico to offer the Mexican Government $5,000,000 for the cession of New Mexico, $25,000,000 for the cession of the province of California as far north as San Francisco, and $20,000,000 for the bay and harbor of San Francisco and the Spanish territory to the northward. It is not necessary for me to recite the events leading up to the war with Mexico, which was declared to exist by a declaration of Congress passed on May 13, 1846. Nor is it necessary to call attention to the history of the Mexican war, which resulted in the treaty of Guadalupe Hidalgo, which was made February 2, 1848, amended by the Senate in ratification, and proclaimed July 4, 1848.

It will be recalled that there was quite a Spanish settlement in California at the time of its acquisition by this country. In New Mexico was Santa Fe, the second oldest town in the United States. When Florida had been acquired, there came with it St. Augustine, the oldest town in our country. But in neither case had any expression been given by the inhabitants of the ceded territories showing that they desired annexation to this country. They had not been in any way consulted. Their wishes or their inclinations were not considered when making the treaty of peace.

Although the United States had defeated the Mexican Government and was in possession of the capital of Mexico at the time the treaty was entered into, one of the provisions was that this country was to pay to Mexico, in consideration of the cession of New Mexico and California, the sum of $15,000,000, and this sum was afterwards paid in pursuance of the treaty.

I have heard considerable said upon the floor of this House in denunciation of the provision of the present treaty with Spain for the payment by us to Spain of $20,000,000 as part consideration of the cession of the Philippine Islands. We have been told by gentlemen here representing the Democratic party that it was beneath the dignity of this country, after having defeated Spain in war, to now turn around and pay to Spain a large sum of money for that which, if we take at all, we ought to take purely and solely as victors. And I have wondered whether their denunciation extended far enough back to take in the Democratic President and Secretary of State under whose guidance and direction the provision was inserted in the treaty with Mexico for the payment of $15,000,000.

But again I do not wish to digress.

Article VIII of the treaty of Guadalupe Hidalgo, providing for the rights of the inhabitants in the ceded territory, was as follows:

Mexicans now established in territories previously belonging to Mexico, and which remain for the future within the limits of the United States, as defined by the present treaty, shall be free to continue where they now reside, or to remove at any time to the Mexican Republic, retaining the property which they possess in the said territories, or disposing thereof, and removing the proceeds wherever they please, without their being subjected, on this account, to any contribution, tax, or charge whatever.

Those who prefer to remain in the said territories may either retain the title and rights of Mexican citizens or acquire those of citizens of the United States. But they shall be under the obligation to make their election within one year from the date of the exchange of ratifications of this treaty; and those who shall remain in the said territories after the expiration of that year, without having declared their intention to retain the character of Mexicans, shall be considered to have elected to become citizens of the United States.

In the said territories property of every kind now belonging to Mexicans not established there shall be inviolably respected. The present owners, the heirs of these, and all Mexicans who may hereafter acquire said property by contract shall enjoy with respect to it guaranties equally ample as if the same belonged to citizens of the United States.

Article IX of the treaty, as negotiated and presented to the Senate for ratification, was as follows:

The Mexicans who in the Territories aforesaid shall not preserve the character of citizens of the Mexican Republic, conformably with what is stipulated in the preceding article, shall be incorporated into the Union of the United States and be admitted at the proper time (to be judged of by the Congress of the United States) to the enjoyment of all the rights of citizens of the United States, according to the principles of the Constitution; and in the meantime shall be maintained and protected in the free enjoyment of their liberty and property, and secured in the free exercise of their religion without restriction.

This provision was somewhat different from the provisions covering the same point in the treaties for the acquisition of Louisiana and Florida, and when the treaty came before the Senate for ratification, for some reason, which does not seem fully disclosed, but probably was simply to maintain uniformity, it was ordered by the Senate that the treaty be ratified with an amendment, inserting in place of article 9, as it read in the original draft of the treaty, the third article of the Louisiana treaty.

Mr. Chairman, the treaty with Spain, which has just been ratified by the Senate, after a memorable campaign for and against its ratification in this country, has created only a mild discussion compared with the bitter and violent debate in the country over the annexation of Texas and the acquisition of California and New Mexico. Great leaders of the country then as now were opposed to expansion. Men whose names will ever live in the history of our country as noble patriots and broad-minded statesmen then as now believed that the enlargement of our national domain and the expansion of our national sovereignty were fraught with the gravest of danger. But the discussion was not carried on so coolly then as now. The opposition was more determined and more embittered. In the minds of the opponents at that time the dangers were even more clearly seen (apparently) than they seem to be now.

Mr. Chairman, to no man who ever has sat in the Congress of the United States do the people of our country owe a greater debt of gratitude than to the distinguished Senator from Massachusetts, who opposed with all his wonderful might and splendid mind the acquisition of California and New Mexico. Permit me to call your attention to a few of the expressions used by the great Daniel Webster, the defender of the Constitution, concerning the admission of Texas and the acquisition of New Mexico and California:

The Government is very likely to be endangered, in my opinion, by a further enlargement of the territorial surface, already so vast, over which it is extended.

And again he said, referring to the same subject:

I say, sir, that, according to my conscientious conviction, we are now fixing on the Constitution of the United States and its frame of government a monstrosity, a disfiguration, an enormity.

Sir, I hardly dare trust myself. I do not know but I may be under some delusion. It may be the weakness of my eye that forms this monstrous apparition. I hold it to be enormous, flagrant, an outrage upon all the principles of popular republican government, and on the elementary provisions of the Constitution under which we live and which we have sworn to support. * * * I think I see a course adopted which is likely to turn the Constitution of the land into a deformed monster, into a curse rather than a blessing. * * * And I think that this process will go on, or that there is danger that it will go on, until this Union shall fall to pieces. I resist it to-day and always. Whoever falters or whoever flies, I continue the contest.

And again he said:

On other occasions in debate here I have expressed my determination to vote for no acquisition or cession or annexation north or south, east or west. My opinion has been that we have territory enough, and that we should follow the Spartan maxim, "Improve, adorn what you have;" seek no further. * * * There may be in California, and no doubt there are, some tracts of valuable land. But it is not so in New Mexico. * * * There are some narrow strips of tillable land on the borders of the rivers, but the rivers themselves dry up before midsummer is gone. All that the people can do in that region is to raise some little articles, some little wheat for their tortillas, and that by irrigation.

I particularly commend the speech of Webster to the distinguished gentleman who represents on the floor of this House the Territory of Arizona, a part of the New Mexico to which Mr. Webster referred. That gentleman is known as a bitter opponent of expansion. He opposed with all his might the annexation of the Hawaiian Islands. But Webster in his speech said that there might be some excuse for annexing the Hawaiian Islands, but he could see no possible excuse for taking in such a barren territory as he said Arizona was, from which the gentleman comes, and which he so well represents.

Mr. Chairman, the Senator from Massachusetts has been reversed by history. He did not see aright the signs of the times as to expansion. If Daniel Webster were now alive, he would be the last man in the Republic to admit that this country could afford to lose a single foot of the territory embraced in the cession from Mexico in 1848. He would be the quickest to admit that the acquisition of that territory has done much to cement the Union into closer unity; has done much to knit more tightly the bands which hold our country together; that the sunny land on the other side of the Rocky Mountains, which was so far away in 1848, and which, through the genius of our citizenship, has been brought into close and quick touch with the rest of the Union, has made our whole country feel that distance no longer separates the utmost parts from quick communication with the Central Government, which responds constantly to every feeling of danger or joy, of poverty or prosperity, in every part of our domain.

Following the treaty of Guadalupe Hidalgo, we entered into another treaty with Mexico December 30, 1853, under the Administration of President Pierce, by which we purchased from Mexico a strip of land known as the Mesilla Valley, lying in the southern parts of New Mexico and Arizona, and embracing an area of 45,535 square miles, for which we paid to Mexico $10,000,000.

This treaty was negotiated on the part of the Union by Mr. James Gadsden, our minister to Mexico, and is usually referred to as the Gadsden purchase. This purchase was intended partly for the purpose of aiding in the settlement of a difference between the two countries as to the boundary line of the previous cession, but more for the purpose of showing the kindly feeling of our country to the Government in Mexico. The tract of land acquired by the purchase is probably worth less and cost more per square mile than any other territory ever acquired by our Government.

DEMOCRATIC PRESIDENTS ON EXPANSION.

Mr. Chairman, all of the annexations to our country since the adoption of the Constitution up to the time of the Gadsden purchase had been under Democratic Administrations. May I ask the gentlemen on the Democratic side of this House to consider for a moment the names of those who were connected with the Administrations acquiring new territory for the expansion of our domain and sovereignty: President Thomas Jefferson and his Secretary of State, James Madison, afterwards President; President James Monroe, who negotiated the treaty with France, and under whose Administration Florida was acquired; President Andrew Jackson, who, while a general in the Army, had taken possession of Florida without orders and without regard to the rights of Spain; President Tyler, President Polk and his Secretary of State, James Buchanan, afterwards President, and President Pierce.

These are the men who were at the head of our Government during nearly all the time when the Democratic party has been in power in our Government. And permit me to say that in no case and upon no occasion did a single one of these great men ever propose to consult the wishes of the inhabitants in the new territory, except in the case of Texas.

They were the men who determined the historic policy of our country. It was their ambition and their desire to add to the other acquisitions of this country the island which we have just freed from the oppression of Spain. They believed not only that we had the right to add new territory to our country between the oceans and to govern it according to the dictates of the best judgment of Congress, unrestricted by the limitations of the Constitution, but they believed also in reaching across the water and taking in the island of Cuba.

Let me recall to your attention what has been done in the way of the acquisition of new territory during these Democratic Administrations.

The Louisiana purchase added to our territory 1,182,752 square miles, at an expense of 3¼ cents per acre. The Florida purchase added 59,268 square miles, at an expense of 17 cents per acre. The annexation of Texas added to our area 371,063 square miles, of which 274,356 square miles is included within the present State of Texas, and of which 96,707, lying outside of the limits of the present State of Texas, were purchased from Texas by the National Government in 1850, at an expense of $16,000,000, or 26 cents per acre.

The cession from Mexico in 1848 contained 522,568 square miles, which cost 4½ cents per acre. The Gadsden purchase of 45,535 square miles was acquired at a cost of 34 cents per acre.

THE ALASKA PURCHASE.

Mr. Chairman, the first duty of the Republican party was not to add new territory, but save to the country a portion of the old. Without regard to the doctrine that the just powers of government depend upon the consent of the governed, the National Government determined, by the issue of war, that neither the individual States nor a concerted movement of the Southern States or their people were entitled to separate themselves from our national sovereignty and organize a government apart from us for themselves. The right of revolution, asserted by the Declaration of Independence successfully, was again asserted by the Southern Confederacy, but this time without success.

It was not long, however, after the civil war until under the Administration of President Johnson, by the treaty made March 30, 1867, at Washington, by Secretary of State William H. Seward, in behalf of this country, the United States acquired the cession from Russia of all her possessions on the continent of America and adjacent islands, which we now refer to as Alaska.

The Alaska purchase added 577,390 square miles to the area of our country, at a cost of $7,200,000.

The territory acquired by this purchase has, up to the present time, been governed without any local legislature and wholly by direction and under the control of Congress. And though its government may not have been excellent, it probably has been much better than it would have been if conducted by a local legislature elected in that sparsely settled territory.

The power of Congress to give a fitting character to the particular legislation enacted for the special government of Alaska has seldom, if ever, been questioned, and has invariably, I believe, been exercised whenever Congress has seen fit.

OPINIONS OF LAW WRITERS.

Mr. Chairman, I have referred to some of the events in history concerning annexation, and to the opinions of some of the men who had much to do with the Republic and its policies in its early days. Permit me to call attention to a few legal opinions. Probably the two greatest writers of our country upon legal subjects have been Chancellor Kent and Judge Story. The Commentaries of one and text-books by the other are studied in every law college of our land. These men speak with authority equal to that of learned judges in deciding cases of grave importance.

Chancellor Kent, in referring to the various acts of Congress in relation to the organization and government of the various Territories under the provision of the Constitution empowering Congress "to dispose of and make all needful rules and regulations respecting the territory or other property belonging to the United States," said:

It would seem from these various Congressional regulations of the Territories belonging to the United States that Congress have supreme power in the government of them, depending on the exercise of their sound discretion. That discretion has hitherto been exercised in wisdom and good faith and with an anxious regard for the security of the rights and privileges of the inhabitants, as defined and declared in the ordinance of July, 1787, and in the Constitution of the United States.

"All admit," said Chief Justice Marshall, "the constitutionality of a Territorial government." But neither the District of Columbia nor a Territory is a State within the meaning of the Constitution or entitled to claim the privileges secured to the members of the Union. This has been so adjudged by the Supreme Court. Nor will a writ of error or appeal lie from a Territorial court to the Supreme Court unless there be a special statute provision for the purpose. If, therefore, the Government of the United States should carry into execution the project of colonizing the great valley of the Columbia or Oregon River to the west of the Rocky Mountains, it would afford a subject of grave consideration what would be the future civil and political destiny of that country.

It would be a long time before it would be populous enough to be created into one or more independent States, and in the meantime, upon the doctrine taught by the acts of Congress, and even by the judicial decisions of the Supreme Court, the colonists would be in a state of the most complete subordination and as dependent upon the will of Congress as the people of this country would have been upon the King and Parliament of Great Britain if they could have sustained their claim to bind us in all cases whatsoever. (Kent's Commentaries, volume 1, page 385.)

While Judge Story, in his work on constitutional law, said:

The power of Congress over the public territory is clearly exclusive and universal, and their legislation is subject to no control, but is absolute and unlimited, unless so far as it is affected by stipulations in the cessions or by the ordinance of 1787, under which any part of it has been settled. (Story on the Constitution, section 1328.)

Story also said:

What shall be the form of government established in the Territories depends exclusively upon the discretion of Congress. Having a right to erect a Territorial government, they may confer on it such powers—legislative, judicial, and executive—as they may deem best. (Story on the Constitution, section 1325.)

That these distinguished jurists and authors thoroughly understood the absolute and broad opinion of the power of Congress as thus expressed by them is shown by the statement of Chancellor Kent in expressing the following opinion concerning the danger of the despotic power thus conferred upon Congress, to wit:

Such a state of absolute sovereignty on the one hand and of absolute dependence on the other is not congenial with the free and independent spirit of our native institutions; and the establishment of distant Territorial governments, ruled according to will and pleasure, would have a very natural tendency, as all proconsular governments have had, to abuse and oppression. (Kent's Commentaries, volume 1, page 385.)

And Judge Story, in his work, refers to this opinion of Chancellor Kent. The opinion of Chancellor Kent that such a despotic power was a dangerous one is not, of course, a legal opinion. That is purely a matter of policy and not a matter of legal construction. The opinions of Chancellor Kent and Judge Story are entitled to the greatest weight so far as they refer to matters of constitutional law. Kent's opinion as to the propriety of such a despotic power has no greater weight than the opinion of many persons unlearned in the law, but the fact that he called attention to the dangers which might arise from the exercise of such absolute sovereignty and power by Congress shows conclusively that when he expressed his legal opinion that Congress had such authority, he was fully convinced that the power granted by the Constitution was broad, full, and absolute in its character.

DECISIONS OF THE SUPREME COURT.

Mr. Chairman, it is proper to say that the decisions of the United States Supreme Court in reference to the power of Congress over the Territories of the United States are somewhat conflicting and contradictory in character, but there is no decision of the Supreme Court denying such authority to Congress. Let me refer briefly to some of the cases decided by the Supreme Court.

In the case of The American Insurance Company *vs.* Canter (1 Peters, 517), relating to the acquisition of Florida, Mr. Justice Johnson, in deciding the case on the circuit, said:

The right, therefore, of acquiring territory is altogether incidental to the treaty-making power, and perhaps to the power of admitting new States into the Union, and the government of such acquisitions is, of course, left to the legislative power of the Union so far as that power is uncontrolled by treaty. By the latter (treaty) we acquire either positively or sub modo, and by the former (legislative power) dispose of acquisitions so made, and in case of such acquisitions I see nothing in which the power acquired over the ceded territories can vary from the power acquired under the law of nations by any other Government over acquired or ceded territory.

Mr. Justice Johnson's decision was affirmed in January, 1828, by the Supreme Court (The American Insurance Company *vs.* Canter, 1 Peters, 541), the opinion being delivered by Chief Justice Marshall, who said (referring to the Florida treaty of cession):

This treaty is the law of the land, and admits the inhabitants of Florida to the enjoyment of the privileges, rights, and immunities of the citizens of the United States. It is unnecessary to inquire whether this is not their condition independent of stipulation. They do not, however, participate in

political power; they do not share in the government till Florida shall become a State. In the meantime Florida continues to be a Territory of the United States, governed by virtue of that clause in the Constitution which empowers Congress "to make all needful rules and regulations respecting the territory or other property belonging to the United States." * * *

The right to govern may be the inevitable consequence of the right to acquire territory. Whichever may be the source, whence the power is derived, the possession of it is unquestioned.

In Loughbrough *vs.* Blake (5 Wheat., 317) it was decided by the Supreme Court, the opinion being delivered by Chief Justice Marshall, that the provision in section 8 of Article I of the Constitution, giving the "power to lay and collect taxes, duties, imposts, and excises" extends to the District of Columbia; and the court expressed the opinion that such power extends to all places over which the Government extends, including the Territories. It is manifest, however, that it was not necessary to refer to the Constitution for such power, because, if the Constitution covered the Territories expressly, then the power would cover the Territories; and if the Constitution does not cover the Territories expressly, then the absolute authority of Congress would include the power given by that section of the Constitution.

In Fleming *vs.* Page (9 How., 617) decided in 1850, the Supreme Court said:

After Florida had been ceded to the United States, and the forces of the United States had taken possession of Pensacola, it was decided by the Treasury Department that goods imported from Pensacola before an act of Congress was passed erecting it into a collection district and authorizing the appointment of a collector were liable to duty—that is, that although Florida had, by cession, actually become a part of the United States, and was in our possession, yet under our revenue laws its ports must be regarded as foreign until they were established as domestic by act of Congress; and it appears that this decision was sanctioned at the time by the Attorney-General of the United States, the law officer of the Government.

And although not so directly applicable to the case before us, yet the decisions of the Treasury Department in relation to Amelia Island and certain ports in Louisiana were both made upon the same grounds, and in the latter case, after a custom-house had been established by law at New Orleans, the collector at that place was instructed to regard as foreign ports Baton Rouge and other settlements still in the possession of Spain, whether on the Mississippi, Iberville, or the seacoast. The Department in no instance that we are aware of since the establishment of the Government has ever recognized a place in a newly acquired country as a domestic port from which the coasting trade might be carried on, unless it had been previously made so by act of Congress.

The principle thus adopted and acted upon by the executive department of the Government has been sanctioned by the decisions in this court and the circuit courts whenever the question came before them. We do not propose to comment upon the different cases cited in the argument. It is sufficient to say there is no discrepancy between them. And all of them, so far as they apply, maintain that under our revenue laws every port is regarded as a foreign one unless the custom-house from which the vessel clears is within a collection district established by act of Congress and the officers granting the clearance exercise their functions under the authority and control of the laws of the United States.

Daniel Webster, in his argument before the Supreme Court in the foregoing case of Fleming *vs.* Page (9 Howard, 612), stated:

That there was a difference between the Territories and other parts of the United States. Judges were there appointed for terms of years, which the Constitution forbade as to other parts of the country. Hence the part of the Constitution which directs that duties must be equal in all the ports of the United States does not apply to Territories.

And in discussing the bill to organize a government for the Territory of Oregon, Daniel Webster said, in the Senate of the United States, August 12, 1848:

The question now is, whether it is not competent to Congress, in the exercise of a fair and just discretion, considering that there have been five slaveholding States added to this Union out of foreign acquisitions, and as yet only one free State, to prevent their further increase. That is the question. I see no injustice in it. As to the power of Congress I have nothing to add to what I said the other day. Congress has full power over the subject. It may establish any such government and any such laws in the Territories as in its discretion it may see fit. It is subject, of course, to the rules of justice and propriety, but it is under no constitutional restraints.

The case of Cross *vs.* Harrison (16 Howard, 164) refers to the condition of California between the time when the treaty of peace of Guadalupe Hidalgo was signed, on February 3, 1848, and the time when a collector of customs at San Francisco entered upon the duties of his office, in the latter part of 1849, by appointment by the President under an act of Congress creating California into a customs district.

At the time the treaty of peace was signed, in March, 1848, California was in possession of the military branch of our Government, and military officers were collecting customs. Notice of the ratification of the treaty did not reach the military officers in California until some time after the middle of the year 1848. When such notice did reach the military authorities in California they received no instructions from the Government regarding the course they should pursue. They thereupon, by military order, provided that the duties to be paid on imports at San Francisco should thereafter be the same as provided by law for the United States.

In the early part of 1849 an act of Congress was passed creating California into a customs district, with the port at San Francisco, but it was not until the latter part of 1849 that a collector, appointed by the President, entered upon the discharge of his duties. Persons who had paid duties on imports into California between the date of the signing of the treaty and the date of the creation of California into a customs district, as well as between the latter date and the date when the collector of customs qualified, under written protest, urged that the collection of duties by the military authorities after the date of the signing of the treaty and its ratification was illegal and unlawful.

The Supreme Court held that the military authorities had the right to keep in force the rate of duties previously fixed by military order up to the time when, by further military order, a different rate was put in force equal to the rate fixed by law in the United States, and then had authority to collect the duties as fixed by the new military order up to the time when a collector was appointed and qualified under an act of Congress creating the territory into a customs district and fixing a port of entry. In the course of the argument in the opinion sustaining the proceedings taken by the military government of California, the court uses several expressions indicating that the tariff laws of the United States might be considered as extended over the newly acquired territory by virtue of the ratification of the treaty.

For instance, Justice Wayne, in denying the right of the importers to land goods at San Francisco free of duty between the time of the ratification of the treaty and the time when a collector of customs was qualified to act, states that to permit this would be—

a violation of that provision of the Constitution which enjoins that "all duties, imposts, and excises shall be uniform throughout the United States." Indeed, it must be clear that no such right exists and that there was nothing in the condition of California to exempt importers of foreign goods into it from the payment of the same duties which were chargeable in the other ports of the United States.

Such expressions of opinion as this one were not necessary to the decision of the case which was reached by the court, and though entitled to considerable weight upon that side of the question are not to be taken as expressing the considered decision of the Supreme Court upon a question of such vast importance as the one we are now discussing, and a decision of which was not required in the case before the court.

Mr. Chairman, I crave indulgence to refer to a few more recent decisions of the Supreme Court. I do not think it is necessary for us to pay much attention to the Dred Scott case. After the lapse of a generation, during which that case was only referred to for the purpose of pointing at it with the finger of scorn, the gentlemen on the other side of the House now begin to bring it out to fortify their position upon the subject of territorial expansion.

Let us not forget that the whole point involved in the Dred Scott case was the question of the extension of slavery. There was then going on in our country, as there had been from the time of the foundation of the Republic, that wonderful conflict of interest and ideas concerning the extension or restriction of slavery. It became necessary for the party which was then in control of the Government to take the position that the United States had no right to exclude slaves from any of the territory of the United States. For years the people of our country had acquiesced in the idea embodied in the Missouri compromise. There was to be and was a line north of which slavery should not exist and south of which slavery should not be interfered with.

The anti-slavery sentiment was not only becoming stronger in the hearts of the people of our country, but the numbers who expressed its ideas were becoming greater with the growth of the free States. To continue to keep out slavery north of the Missouri compromise line meant the admission of free States which would send to Congress Representatives and Senators opposed to slavery, so that the so-called balance of power between the slave and the free States would be destroyed and the free States would have a majority control of the Government.

In the minds of the keenest thinkers and leaders for the slavery party there was but one way in which to obviate the impending doom of slavery, and that was to secure a decision of the Supreme Court of the United States holding that under the Constitution the Government could not interfere with the right of a citizen to take his slave or other property into any part of our Territories over which the Constitution was effective, and to hold that the Territories were covered by the provisions of the Constitution and guaranteed such right. It became necessary, in the development of this carefully laid scheme, for the Supreme Court to decide that the Territories of the United States were covered and protected by the guaranties in the Constitution, and that negro slaves might be carried by their masters into and kept in any of these Territories.

Every line of the decision by Chief Justice Taney was written for the purpose, and solely for the purpose, of effecting the result of permitting slaveholding in any and all of the Territories of the United States. That decision was blotted over by the blood of both North and South. It is not a decision of the Supreme Court of the United States. It was a decision demanded and received by the slaveholding power of the Southern States. With the passing of that slaveholding power as a result of civil war the decision of the court in the Dred Scott case also passed forever.

In Murphy *vs.* Ramsey (114 U. S., 44), relating to the Territory of Utah, Mr. Justice Matthews, delivering the opinion of the court, said:

It rests with Congress to say whether in a given case any of the people resident in the Territory shall participate in the election of its officers or the making of its laws; and it may, therefore, take from them any right of suffrage it may previously have conferred or at any time modify or abridge it as it may deem expedient. * * *

Their political rights are franchises which they hold as privileges in the legislative discretion of the Congress of the United States.

And in the case of Mormon Church *vs.* United States (136 U. S. Reports, 42) Mr. Justice Bradley, delivering the opinion of the court, said:

The power of Congress over the Territories of the United States is general and plenary, arising from and incidental to the right to acquire the Territory itself, and from the power given by the Constitution to make all needful rules and regulations respecting the territory or other property belonging to the United States. It would be absurd to hold that the United States has power to acquire territory and no power to govern it when acquired. * * * The power to make acquisitions of territory by conquest, by treaty, and by cession is an incident of national sovereignty.

The Territory of Louisiana, when acquired from France, and the Territories west of the Rocky Mountains, when acquired from Mexico, became the absolute property and domain of the United States, subject to such conditions as the Government in its diplomatic negotiations has seen fit to accept relating to the rights of people then inhabiting these Territories. * * * Doubtless Congress in legislating for the Territories would be subject to those fundamental limitations in favor of personal rights which are formulated in the Constitution and its amendments; but these limitations would exist rather by inference and the general spirit of the Constitution, from which Congress derives all its powes, than by any express and direct application of its provisions.

Mr. Chairman, I wish to call particular attention to three recent cases decided by the Supreme Court of the United States, because they have been so often referred to in the recent discussion of the question.

In the case of American Publishing Company *vs.* Fisher (166 U. S., 464) the question was whether litigants at common law in Utah while it remained a Territory had a right to trial by jury requiring unanimity for a verdict.

The Supreme Court, by Mr. Justice Brewer, said:

Whether the seventh amendment to the Constitution of the United States, which provides that "in suits at common law where the value in controversy shall exceed $20 the right of trial by jury shall be preserved," operates ex proprio vigore to invalidate this statute, may be a matter of dispute. * * *

But if the seventh amendment does not operate in and of itself to invalidate this Territorial statute, then Congress has full control over the Territories irrespective of any express constitutional limitations, and it has legislated in respect to this matter. In the first place, in the act to establish a Territorial form of government for Utah, act of September 9, 1850 (C. 51, section 17, 9 Statutes, 453, 458) it enacted "that the Constitution and laws of the United States are hereby extended over and declared to be in force in said Territory of Utah, so far as the same, or any provision thereof, may be applicable." A subsequent statute has more specific reference to jury trials. * * *

Therefore, either the seventh amendment to the Constitution, or these acts of Congress, or all together, secured to every litigant in a common-law action in the courts of the Territory of Utah the right to a trial by jury, and nullified any act of its legislature which attempted to take from him anything which is of the substance of that right.

It will be noted that in the above case the Supreme Court expressly declines to say that the Constitution and the seventh amendment thereof were in operation in the Territory of Utah irrespective of the legislation of Congress. The Supreme Court in that case leaves the matter open as one which is not determined. The language of the court is that whether the seventh amendment to the Constitution is, by virtue of the Constitution, extended over the Territories "may be a matter of dispute." I call especial attention to this language and this statement of the court because of the opinions in two cases which followed it, and which two cases are now claimed as authority for the proposition that the Constitution, by its own virtue, extends itself over new territory acquired by our Government.

The Fisher case, just cited, was decided by the Supreme Court April 12, 1897. A few days thereafter, on April 26, 1897, the Supreme Court decided the case of Springville *vs.* Thomas (166 U. S., 707). The opinion in the latter case is about one page long. The question involved was precisely the same as in American Publishing Company *vs.* Fisher, and naturally the judgment of the court was the same. But in delivering the opinion of the court Mr. Chief Justice Fuller said:

In these three cases judgments were entered on verdicts returned by less than the whole number of jurors by which they were tried. It has been decided by this court that the Territorial act of March 10, 1892, permitting this to be done * * * was invalid, because in contravention of the seventh amendment to the Constitution and the act of Congress of April 7, 1874. * * * (American Publishing Company *vs.* Fisher, ante, 464.) * * *

The supreme court of the Territory held * * * that the act of Congress of September 9, 1850, * * * the organic act of the Territory, vested in the Territorial legislature such unlimited legislative power as enabled it to provide that unanimity of action on the part of jurors in civil cases was not necessary to a valid verdict. * * *

In our opinion the seventh amendment secured unanimity in finding a verdict as an essential feature of trial by jury in common-law cases, and the act of Congress could not import the power to change the constitutional rule, and could not be treated as attempting to do so.

It will be noted that in American Publishing Company *vs.* Fisher the Supreme Court called attention to the fact that in the act passed by Congress to establish a Territorial form of government for Utah it was expressly enacted that the Constitution of the United States was thereby extended over the said Territory so far as applicable; and the court held in that case that by virtue of this provision in the act of Congress the seventh amendment of the Constitution became in force in Utah if it had not been so previously.

It seems very unlikely that the Supreme Court, which on April 12, 1897, had stated that it was still a matter of dispute whether the Constitution extended itself over newly acquired territory and declined in that case to settle the dispute, should on April 26, 1897, in an appeal involving precisely the same question, have intended, in a one-page decision and by four or five lines of an opinion, to decide this great constitutional question.

It is admitted that the seventh amendment of the Constitution was in force in the Territory of Utah and governed the decision in the case, because the act of Congress organizing the Territory of Utah so provided. But the statement in the opinion that an "act of Congress could not import the power to change the constitutional rule" was entirely unnecessary for a decision of the case, and can hardly be held sufficient authority for the determination of a great constitutional question which, two weeks before, had expressly been left undecided by the Supreme Court.

The case of Thompson *vs.* Utah (170 U. S., 343, 346) was another case involving trials by jury in the Territory of Utah. The opinion of the court was delivered by Mr. Justice Harlan, one of the most distinguished jurists of our country. An opinion by such a judge, carefully considered, would be entitled to great weight. But in this case the decision is simply based upon the authority of the two cases which I have just referred to.

In the opinion Mr. Justice Harlan said:

That the provisions of the Constitution of the United States relating to the right of trial by jury in suits at common law apply to the Territories of the United States is no longer an open question. (Webster *vs.* Reid, 11 How., 437, 460; American Publishing Company *vs.* Fisher, 166 U. S., 464, 468; Springville *vs.* Thomas, 166 U. S., 707.)

And then, after specially referring to the last above-cited case, it is added:

It is equally beyond question that the provisions of the National Constitution relating to trials by jury for crimes and to criminal prosecutions apply to the Territories of the United States.

This case is decided upon the authority of the Thomas case above, and that case was decided upon the authority of the American Publishing Company case, and that case expressly left the question open and undecided.

Here is no pretense of giving consideration or particular thought to the grave constitutional question which, by the language of the opinion, is apparently disposed of offhand. The judgment of the Supreme Court was undoubtedly correct, but it was correct because the act of Congress had extended the Constitution over the Territory of Utah. The court was not required to determine whether the provisions of the Constitution apply to the Territories without regard to Congressional action. No conclusion was reasoned out, and apparently no consideration given to the opinion, except to find that it was governed by the cases which I have referred to. Those cases did not decide that the Constitution of itself extends itself to the Territories, and in the first case, American Publishing Co. *vs.* Fisher, that question is expressly left open and undecided.

While it is unfortunate that the Supreme Court of the United States should have been led into carelessly expressing an inconsiderate opinion—that the Constitution is, by its own virtue, extended over all Territories acquired by the United States—still it is not a matter of grave importance. The Supreme Court, composed, as it now is and as it probably ever will be, of judges of high character, great learning, patriotic impulses, and without the stubborn pride of opinion, will readily give to this question, when it shall properly arise before them, a new, complete, and unbiased consideration, and the result of that consideration can hardly be a matter of much doubt.

The Supreme Court has consistently held from the beginning that the provisions of the Constitution in relation to the character of the courts and the life tenure of judges did not apply to the courts created by acts of Congress in the Territories. Such a conclusion could only have been reached by the holding that the Constitution did not apply of its own virtue to the Territories.

The history of the country which I have cited, the history of the various annexations of new territory, the history of the government of the Territories by Congress, all show that the Constitution of the United States, in its general limitations and provisions, does not apply to or in the Territories. In one sense the Constitution extends over the Territories because of the constitutional provision that Congress shall have authority to make rules and regulations for the government thereof. But the other provisions, limiting the authority of Congress, has no application to the Territories, which are the common property of all of the States.

Mr. Chairman, it has been recently claimed on the floor of this House and elsewhere that if we annex the Philippine Islands we

shall have no right or power under the Constitution to prevent the children of the present inhabitants of the Philippines from coming to our country and its capital when and how and as often as they please. And this contention has been based upon some decisions of the court and upon section 1 of the fourteenth amendment to the Constitution, which provides that—

All persons born or naturalized in the United States, and subject to the jurisdiction thereof, are citizens of the United States and of the State wherein they reside. No State shall make or enforce any law which shall abridge the privileges or immunities of citizens of the United States; nor shall any State deprive any person of life, liberty, or property; without due process of law, nor deny to any person within its jurisdiction the equal protection of the laws.

I am aware of the learned decisions which have been made by our Supreme Court, based upon this amendment; but, Mr. Chairman, I call attention to an exception not provided for by the amendment, but which is recognized by every one familiar with the actual facts. The provision is that "all persons born or naturalized in the United States, and subject to the jurisdiction thereof, are citizens of the United States."

Mr. Chairman, the jurisdiction of the United States extends to every person within its limits except the representatives here of foreign governments. I am aware that in a certain sense we treat various Indian tribes as foreign powers; but after all we undertake by legislation to control their actions, and our jurisdiction is extended over them; and yet no one pretends that under the fourteenth amendment of the Constitution or any other provision of the Constitution that the members of an Indian tribe, living in the tribal relation, can at his own sweet will have the power to leave the reservation upon which our Government places him and hie himself off to the capital of the country. We deal with but we also legislate for the Indian tribes. Sometimes we deal with them by treaty, sometimes without; but there is not a single foot of land in our country, occupied by or belonging to Indian tribes, over which our country does not claim the right of government and the right of jurisdiction as against a foreign power.

The fourteenth amendment to the Constitution has never been held to apply to the Indian tribes. We had dealt with the Indians for years before the fourteenth amendment was adopted. The custom of our country in dealing with the Indian tribes was well understood. The debates in Congress and in the various State legislatures show that it was not the intention by the fourteenth amendment to change the relations between the General Government and the Indian tribes, and hence it is held that that amendment does not apply to such tribes. It can and will be as easy for the courts to hold that the fourteenth amendment was not intended to apply and does not apply to any tribes or settlements or other inhabitants of the Philippine Islands.

My position, Mr. Chairman, is that when the ratifications of the treaty shall have been exchanged and our country shall have acquired from Spain her title of sovereignty over the Philippine Islands we shall hold them as a common possession, province, colony, Territory, or whatever it may be called, belonging to the States which, in their confederate capacity, constitute the national Union. We may deal with and govern these new possessions as we please, unrestricted except by our intelligent ideas of humanity, civilization, liberty, and good government. We shall have the authority, if we wish, to sell the Philippines, because they have not become by the treaty a constituent part of our country.

We may exchange them if that is desirable. We may govern them with a government absolutely despotic in its character, or we may give to them such form of local self-government as will appeal to our best judgment, as will be in line with the history of our country, as will tend to educate the inhabitants of those islands for more complete government by themselves. The mere fact that we may have absolute and autocratic power is no reason against our taking the islands. Within its constitutional limits the power of Congress is already autocratic and despotic. Within their constitutional limits the powers of the different officers of our country are autocratic and despotic. We rely somewhat upon the good judgment of the men who are elected to office, and we also rely upon the right of the people, in their discretion, to correct an exercise of ill judgment by electing other and different officials.

EXPANSION HAS PROVEN BENEFICIAL.

Mr. Chairman, shall we shrink from the problems which are thus thrust upon us? Shall we attempt to shift the burden from our shoulders for fear we may not be strong enough to bear it? Shall a nation which in a century and a quarter of time has increased its area from 400,000 to 4,000,000 square miles be now afraid of one more addition?

Why, sir, when, through the daring courage and the wonderful campaign of George Rogers Clark and his little band of less than 200 men, the British possessions in the Mississippi Valley were captured for the State of Virginia and the new Confederacy of States, the Continental Congress at once claimed that the empire thus gained, lying east of the Mississippi, should never be relinquished; and when the treaty of peace with Great Britain was signed in 1783, the territorial extent of the revolting colonies had already been nearly doubled.

The Revolutionary patriots of that day, while they may have had doubts about the future, while they were more afraid of a strong central government than we are now, while they could not even imagine the splendid triumphs which human genius would accomplish—welding together into a solid whole the scattered parts of a great empire—never faltered in their daring to believe that the empire which had been won by the gallantry and hardships of their soldiers, should remain a possession of their country.

From that day to this no generation has come and gone without adding to the extent of our national territory. And who can wonder? Does the history of the past count for nothing? Did the pilgrim fathers and mothers leave their homes and cross a trackless sea and settle on almost barren soil, in an inhospitable clime, in the midst of savage Indians, in order that their descendants should be frightened by the unsolved problems of an enlarging nation? Were there no trials and tribulations in the life and death of the early settlers who planted the fringe of States along the Atlantic coast from Maine to Georgia?

Were their problems less hard to solve than the problems which now confront us? Were the dangers which threatened them less fearful than the dangers which we may see as possible before us? Have we forgotten the losses which they suffered, the savage foes which they encountered, and the splendor of their achievements which overcame the obstacles of the wilderness in a new land, which defied the terrors of bloody border warfare, and which set up a new and independent government against the arms and power of the English throne?

No doubt when the early settlers left their homes in Europe to cross the Atlantic there were croakers and doubters who despaired of the successful ending of these new ventures. No doubt there were conservatives who pleaded terrors to be encountered and urged the certainty of failure; but lives there a man to-day so mean in spirit and so small in daring that he regrets the sailing of the Pilgrims for our shore? Unfortunately there be some who have come to us now, while the flush of prosperity and peace and comfort mantles our land, who pour out their souls and cry out their eyes fearful lest we, too, may be imbued by some of the spirit of adventure and liberty and gain which first brought the white race to build up this wonderful country and this noble Republic.

But the example of the early settlers has ever been an inspiration which gave to our people the hope, the heart, and the courage to accept the responsibilities of national growth and progressive expansion.

It was Thomas Jefferson, the author of the Declaration of Independence, who when President of the United States, with James Madison, the historian of the Constitutional Convention, for his Secretary of State, and James Monroe, also a President of the United States, made the first and the greatest expansion of territory after the adoption of our Constitution. There were doubters then. There were men then who feared and who trembled for the future of the Republic. There were pessimists in those days who did not believe that a republic could live with a domain so vast.

Jefferson put aside his conscientious scruples about a strict construction of the Constitution, and rising equal to the emergency and the opportunity which had come, looked dimly through the years and faintly saw the wonderful progress to liberty and to the life of the young nation by adding the western bank of the Mississippi to our domain.

It was Daniel Webster, the greatest Senator who ever sat in the United States Senate from Massachusetts, if not from all the States, who, in 1848, saw lurking in the annexation of California the dissolution of our nation.

But again the will and the wish of the people were better and wiser than the foresight of the great Webster. Who would now blot out from our map the States of Ohio, Illinois, and others which were gained by the prowess and genius of George Rogers Clark? Who would now part with Iowa, with Kansas, Nebraska, Missouri, and the other States which came to us through the Louisiana purchase made by Thomas Jefferson? Who would now yield up a foot of ground in Texas, which caused the Mexican war, or in California or in New Mexico, which were the result of that war?

We have suddenly learned that our nation has grown to the stature of full manhood. In the length of a year we have discovered that our nation is one of the great forces of government in the world; that it can not stand idly by; that in the inevitable destiny of government it must move forward. Almost without knowing it, and certainly without previous full appreciation of it, we have become one of the greatest factors in the world's commercial relations, which are so intricately interwoven and intertwined that no nation can now shirk the responsibilities of government which time or opportunity puts upon her.

Who does not know that dangerous problems and possibilities lie in the annexation of the Philippine Islands? Who did not

know that dangers and problems would come with the early settlements on our shores? Who did not know that dangers and problems would come with the Louisiana purchase? Who did not know that dangers and problems would come with the annexation of Texas and the acquisition of Mexican territory? Shall we fear where our fathers dared? Shall we doubt and stop where they faced destruction and death and went ahead? Do we think that because we have reached from ocean to ocean we can circumscribe the sphere of our activity by the waters which border our present shores?

In 1803, when Jefferson made the Louisiana purchase, the exports from our country of all kinds were $55,000,000. In 1848, when we acquired California, the exports from our country were $138,000,000. Last year the exports were $1,255,000,000. Of our exports last year $981,000,000 went to Europe, $149,000,000 went to other countries in North America, and $47,000,000 went to Asia. The exports last year from our country to Asia were nearly as large and the exports to Asia and Oceanica together were considerably larger than the total exports from our country when Jefferson purchased Louisiana, and yet they were a mere bagatelle compared either with the total exports from our country or the total imports of Asia and Oceanica.

Who could foresee in 1803 that the exports from our country in less than a century of time would increase from $55,000,000 to $1,255,000,000? Who can read the future for us? In a century and a quarter our nation has spread from a mere coast line on the Atlantic until it has covered a continent, across to the Pacific Ocean. It is the ascendant nation on the Western Hemisphere. Shall it now stop its progressive growth because a few pessimists fear danger and a few partisans play politics?

When the century began it took six weeks to cross the Atlantic Ocean. Can you read into the future and tell how long it will take a hundred years from now to cross the Pacific Ocean? When the Territory of Oregon was organized in 1848 it took Governor Lane, the first governor of that Territory, more than six months to reach the mouth of the Columbia River.

But with the enlargement of our territorial extent came the enlarged genius of man, came the quickened wits of man, came the inspiration to greater deeds, to more splendid achievements in science, in mechanics, in arts.

Our country possesses to-day one-third of the railroad mileage of the world; more than one-half of the telegraph mileage. We have bounded into prosperity because we took up manfully the burdens which we assumed, and we attempted, like brave and daring men, the solution of the problems which we accepted. The civilization which has girdled the world is now reaching, with the hand of the American nation, across the waters of the Pacific to the land from which civilization started. The innate forces of human nature have decreed the opening of China and the Chinese Empire to the forces of modern genius and modern civilization.

In like manner as we have, by steady acquisition of territory, become the supreme leaders on the Western Continent, so we should become the supreme leaders on the Pacific Ocean.

When Webster negotiated the Ashburton treaty and settled our northwestern boundary line with Great Britain, we had a bare outlet on the Pacific Ocean. Since then we have acquired the coast line of California, the coast line of Alaska, and the Aleutian Islands, giving us the ascendant influence on the easterly and northerly sides of that ocean. By the recent acquisition of the greatest strategic point in the Pacific, the Hawaiian Islands, we now need but a foothold of territory and friendly inhabitants on the other side to give us the supremacy for defense or offense, for war or peace, for trade and commerce, in that greatest of bodies of water, which can not escape in the future from being the scene of a more splendid development than any yet attained in history.

Will it be said that we are taking the Philippine Islands against the wish of the inhabitants? Did the Continental Congress ask the consent of the inhabitants of Kaskaskia and Vincennes? Did Thomas Jefferson and James Madison ask the consent of the inhabitants of New Orleans? Did James Monroe or Andrew Jackson ask the consent of the inhabitants of Pensacola and other points in Florida? Did President Polk ask the consent of the inhabitants of Santa Fe or of California? They did not doubt their ability to give to the inhabitants of those territories better government than they previously possessed. Do we doubt the ability of our country to give to the Filipinos better government than Spain has ever given them?

For a hundred years they have been weakly struggling for additional privileges and greater liberty. They have never succeeded; they were never on the point of success; they were disheartened and defeated until the greatest hero of our war steamed by the forts and into the bay at Manila. If they are fit for local self-government, can we not give it to them under our central Government? If they are unfitted now for local self-government, can we not give them better government than they have had and better government than they can maintain for themselves? Do we fear that we are making a departure if we inaugurate a colonial system of government for them?

Jefferson, who drafted the Declaration of Independence, who was the founder of the Democratic party, urged an amendment to the Constitution which would keep a part of the Louisiana purchase in the condition of a colony or a province.

Gouverneur Morris, who was the draftsman of the Constitution, believed that we not only had the right, but that it was our duty to govern all of the Louisiana purchase as a colony. The opposition to the Louisiana purchase in Congress in 1803 denounced the treaty of purchase for the very reason, as they said, that it provided for the admission of the inhabitants of the annexed territory to equal rights and privileges with the citizens of our country, and they claimed that we only had the right to govern annexed territory as colonies.

We need not fear for the future. Our race surmounts the obstacles which it meets. The greater America has come, because it is for the mutual interest of those who take and of those who are taken. We shall not the less continue to solve the problems coming with increased population in our local affairs. We shall not the less continue to preserve the independence of thought and liberty within the individual States and the General Government; but with the spread of our power, with the enlargement of our domain, we shall take loftier views of the affairs of men. We shall strive to mount to higher rounds; we shall enlarge the blessings of individual liberty; we shall increase the comforts of those who come under our influence; we shall take a step forward in the progress of enlightened liberty, civilization, and humanity.

And we would not dare to step backward. If we have not the genius and the statesmanship to give good government to the people of the Philippine Islands under the direction of our central Government, then we acknowledge that a republican form of government is unequal to the emergency which confronts it and is less capable than would be the government of a monarchy. I deny it. We can give to the Philippine Islands, under some form of partial local government, more liberty, more enlightenment, more comforts, more privileges, more prosperity, more happiness than they have ever yet received—more than they ever would receive either under a government conducted wholly by themselves or some form of government supplied for them by some European power.

Let men prate no longer about their tender solicitude for the inhabitants of those islands when they say we have no right to govern them against their will. No patriot who is a citizen of our country will honestly say he believes we can not give them better government than they have had or than they can give to and maintain for themselves alone.

It is the selfish side of the opponents of expansion which causes them to weep tears for the supposed injury to be done to the Filipinos. It is not because they love or care for the Filipinos; it is because they love and care for themselves only. They are thinking, not of the interests of the inhabitants on the other side of the world; they are thinking only of their pessimistic, dyspeptic fears of the future of our own land—fears which are not new, but are the ghosts of fears born in the human heart and mind thousands of years ago, and which ever since have been stalking abroad, endeavoring to block the progress of the human race and of human government.

Mr. Chairman, I do not know what the future will bring forth, but I do not believe that wisdom will die with the present generation. What has been accomplished during this century will be more than duplicated in the next. Let us not make the mistake of believing that the Asiatic people are naked savages or poverty-stricken barbarians. Over there one form of civilization has reached a higher plane than we have yet attained. Scholarship and learning are not wanting there. Wealth and culture are found also there. Religion and philosophy will not be first taught by us to them. This wonderful people, which has isolated itself from the world since the dawn of what is to us ancient history, will shortly enter into competition and commerce with the rest of mankind.

The Chinese Empire, with its more than 4,000,000 square miles of territory, greater in extent than ours even with Alaska included, with its 400,000,000 of population, with its form of civilization, will soon be opened to the world, whether we will it or not. Then there will meet across the Pacific seas, in active competition, the two greatest intellectual forces of the world—the modern civilization of Europe and America and the ancient and modern civilization of China. What will result from the competition ensuing no one can foretell. It may be strife or it may be peace; it may result in a bloody warfare for final supremacy or it may excite the genius of mankind to a higher pitch than yet known, and produce a civilization, a prosperity, a comfort, a happiness, a means of communication, a splendor of the material, the intellectual, the philosophic forces of mankind not even yet faintly dreamed of.

Whatever the future may produce out of this great reopening and reawakening of ancient Asia, it is the opportunity now, as it

is the duty now, of the United States to secure for herself a resting place for her navies, for her armies, for her trade and commerce, for her civilization, for her arts and industry, on the other side of the Pacific Ocean in close proximity to the coast of Asia.

Mr. Chairman, as against the wonderful possibilities of the future, as against the splendid destinies of our people and our nation, as against our final supremacy on the waters of the Pacific Ocean in the conflict of civilization, in the combat of races, in the growth of trade and commerce in peaceful amity, in the inspiration to higher art and higher thought and nobler genius, I would brush aside the objections offered by the opponents of the greater America as mere loose chaff flying unguided in the winds.

The dream of Columbus will soon be a realization. In 1492 he sailed westward from Spain to reach the East Indies. The country which he discovered and added to the map of the world has now reached to the East Indies, and within a few days, or years at most, another Columbus, sailing westward from Spain to find the East Indies, will discover that greater America has already begun to provide a route by which a ship can sail from Spain westward to the East Indies through an isthmian canal, and to a government placed upon the Philippine Islands, of liberty, of love, and of strength by the United States of America, which set up the first independent and liberty-serving government for itself on the continent which Columbus had discovered.

And when this second Columbus shall sail he may stop with his vessel for supplies at the island of Porto Rico, a possession of our country; he may pass through the Nicaragua Canal, under the control of our country; he can stop at the Hawaiian Islands, a part of our land; he can stop at the Ladrone Islands, belonging to us, and he can reach the Philippines and still be under the flag of the country which the first Columbus made known to the world.

Mr. Chairman, we shall take no steps backward. The treaty has been ratified. The American flag will never come down from Manila. It will not remain flying there because we are afraid to haul down the flag when it ought to be hauled down. It will not remain there because mere sentiment prevents us from hauling down the flag when once raised; but the flag will remain flying there because it is for the interest of all parties, because it is for the benefit of humanity, because it is a part of the plan of Divine Providence which, in some mysterious way, governs the destinies of the nations.

It will not remain there because we dare not haul it down, but because we dare to keep it flying and dare to face the problems which are before us.

May God give us the courage and the heart, the wisdom and soul, to properly administer enlightened government with intelligent progress in the more than 4,000,000 square miles, on both sides of the ocean, constituting the newer and the greater America.

Mr. DOCKERY. My colleague [Mr. VANDIVER] was, through an error of mine, deprived of ten minutes during the general debate the other day, and I therefore ask unanimous consent that he be allowed to address the committee for ten minutes.

The CHAIRMAN. Unanimous consent is asked that the gentleman from Missouri [Mr. VANDIVER] be permitted to address the House for ten minutes. Is there objection?

There was no objection.

Mr. CLARDY (to Mr. VANDIVER). You ought to get that pig out of the hole now.

Mr. VANDIVER. Mr. Chairman, my friend from Kentucky on my left suggests that perhaps I ought to get that pig out of its difficulty. I want to say that I had hoped to leave that pig in the limbo of forgotten lore. I think it was an act of cruelty on the part of the chairman of the committee a few days ago which cut that pig in two. But it is not against his cruelty that I protest. If I should protest at all it would only be against his lack of appreciation of a good pig tale. If he had allowed that pig story to proceed I am sure it would have taught him something. However, I can not undertake now to resurrect that pig. He is buried, one-half of him embalmed in the CONGRESSIONAL RECORD and the other half consigned to purgatory. I can not get him out. But if that pig had been allowed to root his whole way in, he would have taught the gentleman from New York that it is a better investment for the people of our country to buy pigs for $3 a head than to buy Malays and yellow belles at the same price.

I had it in my mind to demonstrate to the gentleman from New York and the distinguished gentleman from Ohio that the appropriation of $20,000,000 for the purpose of acquiring title to the Philippine Islands was a bad investment.

But the gentleman from Ohio has chosen a different ground on which to justify this appropriation of $20,000,000. He puts it on the broad ground of generosity instead of business. I do not know that I can successfully meet him on the ground of generosity, but I would like to suggest to him that if any generosity or magnanimity is to be developed by this great Government, it should not be extended to the people of Spain.

If the proposition were to appropriate $20,000,000 as an act of humanity and generosity to the oppressed, suffering, struggling patriots of Cuba, or even to the half-civilized people of the Philippine Islands, I do not know that I could find it in my heart to object. But when it comes to appropriating $20,000,000 for the people of Spain to give us their title to a country that they do not own, and never did, then I think common justice and humanity dictate that I should object. Twenty million dollars for how many islands? Nobody knows. For how many people? Ten millions or more; nobody knows. We are to obtain title to a territory exactly where nobody can define. We are asked to give $20,000,000 as an act of generosity toward a conquered foe.

Where in the history of the world has such generosity been displayed toward so unworthy a conquered foe? We are asked to give $20,000,000, not to relieve the suffering of oppressed humanity in Cuba or the Philippine Islands, not to establish justice and promote the cause of liberty and freedom to mankind; $20,000,000, not to relieve distress anywhere, but $20,000,000 to acquire title to a country 7,000 miles away from us, and which, according to the latest information we can get, will be of no value to us when we get it.

It is true we are told in a supplementary statement that it is for the enlargement of trade and the expansion of commerce. But in reply to that I wish to remind the gentleman that England, with all of her colonies, found that during the last seven years her commerce has decreased 18 per cent, while the commerce of the United States, without these foreign colonies, has increased over 5 per cent.

Not only so, but I wish to warn the gentleman that coloinal possessions, that foreign aggression, that extension of territory, have been the ruin of all free governments in the history of the world. Perhaps the wisest advice that Augustus left to his successors in the management of the Roman Empire was that they should confine it to its then existing limits. That advice, adhered to for a time, was at last ignored, and his successors, in attempting to extend the empire of Rome beyond the seas, soon found their own country neglected, soon found their own country overrun with foreigners, soon found that the blood of Roman citizens was corrupted. So I have reason to fear that some of the same consequences may come to us or to our children in the future.

We are assured in this connection, too, that this extension of territory not only means foreign complications, not only means entangling alliances with foreign countries, but that it means a standing army of a hundred thousand men for the government of our own people and those of the islands that we are to acquire. A hundred thousand soldiers, to be kept at our expense, even in time of peace, to maintain order in these new possessions. And when several gentlemen on the other side were questioned as to where these 100,000 men were to be used, they told us that they are needed even here at home; that we are in constant danger of riots; that we are in danger of strikes, and depredations by those associated with strikes, and it gradually cropped out that this hundred thousand men are to be organized and kept equipped as a trained and disciplined army, ready at any time to be turned against our own people.

Gentlemen ask, Is there any danger in a standing army of 100,000 men? Do I fear the Army? No; I say frankly that for the present I have no fears; but I maintain that we should guard against establishing precedents and equipping organizations that may be a danger to us in the future. I think I have read the history of the world with some profit, and if I have I am sure of this one thing, that the progress of the world has been a progress toward peaceable methods and industrial civilization instead of in the direction of force. [Applause.]

[Here the hammer fell.]

Mr. CANNON. Mr. Chairman——

Mr. COCHRAN of Missouri. Mr. Chairman——

Mr. CANNON. I will say to the gentleman it is 20 minutes to 5 o'clock, and I was about to move that the committee rise.

Mr. COCHRAN of Missouri. I would like to be heard for five minutes.

Mr. CANNON. Very well.

Mr. COCHRAN of Missouri. Perhaps the most serious aspect of our complications growing out of the war with Spain was raised by the remarks of the gentleman from Illinois [Mr. MANN]. What will be the legal status of our new possessions? What are the constitutional powers of Congress in reference to them? May it enact one law as to the finances of Porto Rico, another that shall govern in Cuba, and still a third applicable only to the Philippine Islands? May it say that the commerce of one of these islands shall be subject to particular regulations and taxation and that as to the other different regulations shall prevail? Can it pass legal-tender laws relating only to these islands differing from the general legal-tender laws of this country? Can it enact different legal-tender laws for each of these islands?

Sir, if it be true that Congress has extra constitutional powers in reference to these new possessions, then Congress may do whatsoever it pleases as to the affairs of these islands. If the Constitution and its limitations are not applicable to our new possessions,

the Supreme Court is powerless in reference to laws enacted for their government, and there resides nowhere authority to call in question Congressional enactments applicable to them. Mr. Chairman, it may be gratifying to gentlemen who abhor limitations upon governmental power to believe that possessions recently acquired can not claim the shield of the judiciary, but must submit to whatever laws Congress or even a military governor may prescribe; but this doctrine is a two-edged sword.

If Congress has power to fasten upon certain of these possessions legislation distinctly unjust and tyrannical, it follows as a logical sequence that we may enact legislation more favorable to them than could be enacted in the interest of any one of the original thirteen colonies. Mr. Chairman, I insist that, viewing the remarks of the gentleman from Illinois [Mr. MANN] from whatever standpoint we may, it is refuted by a self-evident legal proposition; that is, that Congress can only pass laws general in their nature, applicable to every human being living under the flag and every community within the domain of the Union.

The CHAIRMAN. The time of the gentleman has expired.

Mr. COCHRAN of Missouri. I have only occupied the floor two minutes.

Mr. STEELE. I move that the committee do now rise.

Mr. COCHRAN of Missouri. I have occupied but two minutes.

Mr. SULZER. I ask unanimous consent that the gentleman from Missouri may have five minutes.

Mr. PAYNE. I suggest that the gentleman take his time to-morrow.

The CHAIRMAN. The Chair is in error. The gentleman's time has not expired.

Mr. COCHRAN of Missouri. I am not going to be taken from the floor without a protest.

Mr. PAYNE. I ask that the gentleman be recognized, and that he be permitted to proceed to-morrow.

Mr. COCHRAN of Missouri. Not only is it true, under the theory advanced by the gentleman from Illinois [Mr. MANN], these islands might be made the subject of favoritism in legislation just as logically as the victims of odious and unjust laws. If Congress is at liberty to proceed regardless of the Constitution, it may establish one kind of government in one of the islands and a different kind in another. It may give one of the islands a parliamentary form of government and withhold it from the others. Who shall revise this or any other unreasonable and unjust discrimination? Under this strange doctrine Congress possesses power to establish perpetually over millions of people a military government, suspending the civil law and giving into the custody of the soldiery forever the destinies of 13,000,000 people.

Mr. Chairman, the gentleman from Illinois must know the constitutional question to which he referred in his remarks has been decided by the Supreme Court, and that the court has distinctly overruled the contention so stoutly insisted upon by him to-day. As to views advanced on this floor at the time of the purchase of Louisiana, the gentleman from Illinois [Mr. MANN] should not forget that Congress, instead of sanctioning the doctrine enunciated in the speeches quoted by the gentleman from Illinois, took precisely the contrary course, and carved out of the Louisiana purchase sovereign States which are now populated by millions of freemen. Up to this hour Congress has enacted no laws not applicable generally to all citizens living under the panoply of the Constitution.

Thus much I have said, Mr. Chairman, at this time because I think that the remarks of the gentleman from Illinois should not go into the RECORD unchallenged. Sir, Congress has no power to depart a hair from the limitations of the Constitution in dealing with our new acquisitions. The general laws applicable to all the people, wherever they may live, are applicable to the citizens of the United States throughout every inch of the Republic. [Applause.]

Mr. CANNON. Mr. Chairman, I move that the committee do now rise.

The motion was agreed to.

The committee accordingly rose; and the Speaker pro tempore (Mr. PAYNE) having resumed the chair, Mr. HOPKINS, Chairman of the Committee of the Whole House on the state of the Union, reported that that committee had had under consideration the sundry civil bill, and had come to no resolution thereon.

MESSAGE FROM THE SENATE.

A message from the Senate, by Mr. GILFREY, one of its clerks, announced that the Senate had passed joint resolutions and bills of the following titles; in which the concurrence of the House was requested:

S. R. 244. Joint resolution making an appropriation of $5,000 for clearing the Potomac River of ice;

S. 5260. An act to amend an act entitled "An act to reimburse the governors of States and Territories for expenses incurred by them in aiding the United States to raise and organize and supply and equip the Volunteer Army of the United States in the existing war with Spain," approved July 8, 1898, and for other purposes;

The message also announced that the Senate had disagreed to the amendment of the House of Representatives to the bill (S. 1776) to increase the pension of Mrs. Letitia Tyler Semple, asked a conference with the House on the disagreeing votes of the two Houses thereon, and had appointed Mr. SHOUP, Mr. HANNA, and Mr. LINDSAY as the conferees on the part of the Senate.

The message also announced that the Senate had disagreed to the amendments of the House of Representatives to the bill (S. 5342) granting a pension to John M. Palmer, asked a conference with the House on the disagreeing votes of the two Houses thereon, and had appointed Mr. GALLINGER, Mr. HANSBROUGH, and Mr. MITCHELL as the conferees on the part of the Senate.

The message also announced that the Senate had passed without amendment bills of the following titles:

H. R. 2683. An act for the establishment of a light-house and fog signal at or near Point Arguello, California;

H. R. 6810. An act granting a pension to Mary Luella Steele;

H. R. 10013. An act to increase the pension of Joseph H. McGee;

H. R. 10158. An act granting a pension to Mary A. Taylor;

H. R. 10997. An act to amend section 3287 of the Revised Statutes of the United States, concerning the drawing off, gauging, marking, and removal of spirits;

H. R. 11098. An act to extend and amend the provisions of an act entitled "An act to grant the right of way to the Kansas, Oklahoma Central and Southwestern Railway Company through the Indian Territory and Oklahoma Territory, and for other purposes," etc.; and

H. R. 11358. An act for a roadway in the District of Columbia from Brightwood avenue across Rock Creek Park.

The message also announced that the Senate had passed with amendments a bill of the following title, in which the concurrence of the House was requested:

H. R. 11414. An act making appropriations for the legislative, executive, and judicial expenses of the Government for the fiscal year ending June 30, 1900, and for other purposes.

CHINESE OUTRAGES ON AMERICAN CITIZENS.

The SPEAKER pro tempore. The Chair will lay before the House the following message from the President of the United States:

To the House of Representatives:

I transmit herewith the response of the Secretary of State to the resolution of the House of Representatives of February 4, 1899, calling for information in his possession concerning certain alleged outrages committed upon the person of Bishop Earl Cranston and other American citizens in the city of Peking, China.

WILLIAM MCKINLEY.

EXECUTIVE MANSION,
Washington, February 11, 1899.

The message was referred to the Committee on Foreign Affairs, and ordered to be printed.

LEGISLATIVE APPROPRIATION BILL.

Mr. CANNON. Mr. Speaker, I ask unanimous consent to take from the Speaker's table the legislative appropriation bill and nonconcur in the Senate amendments and ask for a conference, and ask that the amendments be printed and numbered.

The motion was agreed to; and the Chair appointed Mr. BINGHAM, Mr. HEMENWAY, and Mr. DOCKERY as conferees on the part of the House.

Mr. CANNON. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; and accordingly (at 4 o'clock and 51 minutes p. m.) the House adjourned until to-morrow at 12 o'clock noon.

EXECUTIVE COMMUNICATIONS, ETC.

Under clause 2 of rule XXIV, the following executive and other communications were taken from the Speaker's table and referred as follows:

A letter from the secretary of the Territory of New Mexico, transmitting copies of certain memorials and bill, and of a report of the capitol building at Santa Fe—to the Committee on the Territories, and ordered to be printed.

A letter from the assistant clerk of the Court of Claims, transmitting a copy of the findings filed by the court in the case of Edward W. James against The United States—to the Committee on War Claims, and ordered to be printed.

A letter from the Acting Secretary of the Treasury, transmitting a copy of a communication from the Secretary of the Navy submitting estimates of deficiencies in appropriations for the naval establishment—to the Committee on Appropriations, and ordered to be printed.

A letter from the Secretary of the Navy, transmitting a statement of the expenditures under the contingent appropriation for the Navy Department for the fiscal year ending June 30, 1898—to the Committee on Expenditures in the Navy Department, and ordered to be printed.

REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS.

Under clause 2 of Rule XIII, bills and resolutions of the following titles were severally reported from committees, delivered to the Clerk, and referred to the several Calendars therein named, as follows:

Mr. ADAMSON, from the Committee on Interstate and Foreign Commerce, to which was referred the bill of the House (H. R. 11867) to authorize the Georgia Pine Railway, of Georgia, to construct a bridge across the Flint River, a navigable stream in Decatur County, Ga., reported the same with amendment, accompanied by a report (No. 2103); which said bill and report were referred to the House Calendar.

Mr. HEPBURN, from the Committee on Interstate and Foreign Commerce, to which was referred the bill of the Senate (S. 4792) to provide for the construction of a canal connecting the waters of the Atlantic and Pacific oceans, reported the same with amendment, accompanied by a report (No. 2104); which said bill and report were referred to the Committee of the Whole House on the state of the Union.

PUBLIC BILLS, RESOLUTIONS, AND MEMORIALS INTRODUCED.

Under clause 3 of Rule XXII, bills, resolutions, and memorials of the following titles were introduced and severally referred as follows:

By Mr. CURTIS of Kansas: A bill (H. R. 12095) for the relief of the Pottawatomie and other Indians—to the Committee on Indian Affairs.

Also, a bill (H. R. 12096) to incorporate the Grand Lodge of the Independent Order of Odd Fellows of the Indian Territory—to the Committee on Indian Affairs.

By Mr. FITZGERALD: A joint resolution (H. Res. 365) for restoration of a road in Gettysburg National Park—to the Committee on Military Affairs.

By Mr. STONE: A resolution (House Res. No. 401) authorizing the completion of a parliamentary history of the coinage act of 1873—to the Committee on Coinage, Weights, and Measures.

PRIVATE BILLS AND RESOLUTIONS INTRODUCED.

Under clause 1 of Rule XXII, private bills and resolutions of the following titles were introduced and severally referred as follows:

By Mr. CODDING: A bill (H. R. 12097) for relief of Richard H. L. Craw—to the Committee on Military Affairs.

By Mr. STONE: A bill (H. R. 12098) granting a pension to Teressa C. Scudder—to the Committee on Invalid Pensions.

By Mr. SPARKMAN: A bill (H. R. 12099) removing the charge of desertion against Patrick Lally—to the Committee on Military Affairs.

Also, a bill (H. R. 12100) for the relief of Sarah A. Marcus—to the Committee on War Claims.

Also, a bill (H. R. 12101) granting a pension to Emily Hawkins—to the Committee on Pensions.

By Mr. LAWRENCE: A joint resolution (H. Res. 364) to authorize the President to appoint Jonathan Brooks an assistant paymaster in the Navy—to the Committee on Naval Affairs.

PETITIONS, ETC.

Under clause 1 of Rule XXII, the following petitions and papers were laid on the Clerk's desk and referred as follows:

By the SPEAKER: Remonstrance of voters and others, of Jamestown, N. Y., against the seating of Brigham H. Roberts as a Representative from Utah—to the Committee on Elections No. 1.

Also, petition of the congregation of the Methodist Episcopal Church, and Good Templars Lodge, of West Scarboro, Me., in opposition to the sale of liquor in canteens, prize fighting, and polygamy—to the Committee on Military Affairs.

Also, to prohibit the transmission by mail or interstate commerce of pictures or descriptions of prize fights—to the Committee on the Post-Office and Post-Roads.

By Mr. BELDEN: Petition of 260 members of the Woman's Home Missionary Society of the Methodist Episcopal Church of Cazenovia, N. Y., against the seating of Brigham H. Roberts as a Representative from Utah—to the Committee on Elections No. 1.

By Mr. BUTLER: Petition of citizens of Westchester and vicinity, State of Pennsylvania, urging the enactment of the Brosius bill to prevent the adulteration of food—to the Committee on Interstate and Foreign Commerce.

By Mr. CODDING: Petition of Ingham Post, No. 91, Grand Army of the Republic, of Canton, Pa., to accompany House bill to remove the charge of desertion against Richard H. L. Craw—to the Committee on Military Affairs.

Also, petition of Gustin Post, No. 154, Grand Army of the Republic, of Troy, Pa., urging the passage of Senate bill No. 3256, relating to civil-service appointments—to the Committee on Reform in the Civil Service.

Also, petition of citizens of Wyalusing, Pa., against the seating of Representative-elect B. H. Roberts, of Utah—to the Committee on Elections No. 1.

By Mr. GRAHAM: Memorial adopted at a general meeting of brewers in the city of New York, urging a reduction of the tax upon fermented liquors to the former rate—to the Committee on Ways and Means.

By Mr. HOWE: Memorial adopted at a general meeting of brewers in New York, for the reduction of the tax upon fermented liquors to the former rate—to the Committee on Ways and Means.

By Mr. JENKINS: Petition of John A. Reed and 8 other citizens of the District of Columbia, to place the police of the District under the eight-hour law—to the Committee on the District of Columbia.

By Mr. MIERS of Indiana: Petition of citizens of Lawrence County, Ind., for an appropriation to establish a branch fish-cultural station in Indiana—to the Committee on Appropriations.

By Mr. OLMSTED: Petition of R. S. Reed and 202 citizens of Harrisburg, Pa., in favor of the establishment of postal savings banks—to the Committee on the Post-Office and Post-Roads.

By Mr. SULLOWAY: Petition of the Woman's Christian Temperance Union of Manchester, N. H., favoring the Ellis bill—to the Committee on Alcoholic Liquor Traffic.

Also, petitions of the Woman's Christian Temperance Union, the Free Baptist Church, and the Grange, of Strafford Corner, and the Woman's Christian Temperance Union of Manchester, N. H., for the passage of the Hepburn bill prohibiting the transmission by mail or interstate commerce of pictures and descriptions of prize fights—to the Committee on Interstate and Foreign Commerce.

SENATE.

TUESDAY, *February 14, 1899.*

The Senate met at 11 o'clock a. m.

The Journal of yesterday's proceedings was read and approved.

MESSAGE FROM THE HOUSE.

A message from the House of Representatives, by Mr. W. J. BROWNING, its Chief Clerk, announced that the House had disagreed to the amendments of the Senate to the bill (H. R. 11414) making appropriations for the legislative, executive, and judicial expenses of the Government for the fiscal year ending June 30, 1900, and for other purposes, asks a conference with the Senate on the disagreeing votes of the two Houses thereon, and had appointed Mr. BINGHAM, Mr. HEMENWAY, and Mr. DOCKERY managers at the conference on the part of the House.

The message also announced that the House had passed the following bills and joint resolution, in which it requested the concurrence of the Senate:

A bill (H. R. 11732) to authorize the Grand Rapids Water Power and Boom Company, of Grand Rapids, Minn., to construct a dam and bridge across the Mississippi River;

A bill (H. R. 11736) granting the right and authority to the Pensacola and Northwestern Railroad Company to build bridges over certain rivers in the State of Alabama; and

A joint resolution (H. Res. 307) authorizing the Secretary of the Navy to pay certain laborers, workmen, and mechanics at United States navy-yards and naval stations 50 per cent additional for work performed in excess of eight hours per diem.

The message further transmitted to the Senate the resolutions of the House as a tribute to the memory of Hon. NELSON DINGLEY, deceased, late a Representative from the State of Maine.

PETITIONS AND MEMORIALS.

Mr. PLATT of New York presented the petition of Samuel Miles, of Brooklyn, N. Y., praying for the maintenance of the prohibition law in the Territory of Alaska and to extend it to our new half-civilized dependencies, and remonstrating against the seating of polygamists in the Congress of the United States; which was ordered to lie on the table.

He also presented a petition of the congregations of the Methodist Episcopal churches of Henderson and Bishop streets, Brooklyn, N. Y., praying for the enactment of legislation to prohibit the transmission by mail or interstate commerce of pictures and descriptions of prize fights; which was referred to the Committee on the Judiciary.

He also presented the petition of Henrietta S. Tuttle and sundry other citizens of New York, praying that the right of suffrage be granted to women in Hawaii; which was referred to the Select Committee on Woman Suffrage.

He also presented the petition of Rev. George Merritt, of Brooklyn, N. Y., praying for the enactment of legislation to prohibit the sale of liquor in canteens of the Army and Navy and of Soldiers' Homes, and in immigrant stations and Government buildings; which was referred to the Committee on Military Affairs.

Mr. QUAY presented the memorials of James Alexander and 16

other citizens, of the Scott Paper Company and 8 citizens, of P. W. Boyd and 40 other citizens, A. K. Stevenson and 14 other citizens, G. Jennings and 14 other citizens, E. L. Vickars and 13 other citizens, H. D. Green and 15 other citizens, J. Wittig and 15 other citizens, Charles F. Cooper and 18 other citizens, William A. Fry and 18 other citizens, Charles McKrauer and 18 other citizens, John H. Williams and 18 other citizens, C. H. Deninger and 18 other citizens, Silvius Sidney and 18 other citizens, G. A. Nicholas and 18 other citizens, Otto Rubling and 18 other citizens, L. E. Warren and 18 other citizens, C. H. Clark and 18 other citizens, W. D. McAuliff and 17 other citizens, L. Kayser and 17 other citizens, H. A. Brown and 17 other citizens, J. R. Macking and 17 other citizens, J. Plant and 17 other citizens, J. U. White and 17 other citizens, H. L. Engelbert and 17 other citizens, J. Stern and 17 other citizens, M. C. Robinson and 19 other citizens, Harry Gallahue and 19 other citizens, J. O. Brown and 19 other citizens, Joseph G. Barbin and 19 other citizens, C. H. Kelly and 19 other citizens, Beal Simons & Co. and 19 citizens, E. Floyd and 19 other citizens, L. N. Kathan and 19 other citizens, F. L. Lansing and 19 other citizens, D. J. Davies and 19 other citizens, J. Francis Tucker and 19 other citizens, B. H. Drew and 19 other citizens, John B. Barger and 19 other citizens, C. H. Eigenbrodt and 38 other citizens, and of M. P. Canick and 19 other citizens, all in the State of Pennsylvania, and the memorials of T. Albin Smith and 18 other citizens, and of J. Webster Hunter and 18 other citizens, all in the United States, remonstrating against the passage of the anti-scalping ticket bill; which were ordered to lie on the table.

He also presented petitions of the congregations of the Methodist Episcopal Church of West Alexandria; the East End Baptist Church, of Williamsport; the Methodist Episcopal Church of Radnor; the Mulberry Street Methodist Episcopal Church, of Williamsport; the Baptist Church of Star Junction; the West Washington Methodist Episcopal Church, of Washington; the United Presbyterian Church, of Jacksonville; the First United Brethren in Christ Church of Johnstown; the Trinity United Evangelical Church, of Johnstown; the United Presbyterian Church of Crete; the Methodist Church of York Springs; the Christ Lutheran Church, of Gettysburg; the Methodist Episcopal Church of Gettysburg; the Methodist Episcopal Church of New Oxford; the Presbyterian, the Methodist, the Lutheran, and the Baptist churches of Muncy, and the First Presbyterian Church of Johnstown; the Woman's Christian Temperance unions of Claysville, Putneyville, New Salem, Collingdale, Concord, Darby, Williamsport, Bryn Mawr, Chester, Trainer, Landisville, Blairsville, Mechanicsburg, Ephrata, Fernwood, Gettysburg, Brownsville, East Mill Creek, Valencia, and Eddystone; of Lieut. John H. Fisher Post, No. 101, Grand Army of the Republic, Department of Pennsylvania, of Hatboro; of the Senior Loyal Temperance Legion of Putneyville; the Christian Endeavor Society of the Church of God, of Mechanicsburg; of the Epworth League of Mechanicsburg; of the Young Men's Christian Association of Mechanicsburg, and of W. W. Tyson, of the Pennsylvania Soldiers' Home, of Erie, all in the State of Pennsylvania, praying for the enactment of legislation to prohibit the sale of liquor in canteens of the Army and Navy and of Soldiers' Homes, and in immigrant stations and Government buildings; which were referred to the Committee on Military Affairs.

Mr. KYLE presented a petition of the legislature of South Dakota, praying for the ratification of the treaty of peace with Spain; which was ordered to lie on the table.

He also presented a petition of the legislature of South Dakota, praying for the establishment of a branch of the National Home for Disabled Volunteer Soldiers and Sailors at Hot Springs, in that State; which was referred to the Committee on Military Affairs.

BILL INTRODUCED.

Mr. PLATT of New York introduced a bill (S. 5499) to supplement and amend an act entitled "An act for the erection of a new custom-house in the city of New York, and for other purposes," approved March 3, 1891; which was read twice by its title, and referred to the Committee on Public Buildings and Grounds.

HOUSE BILLS REFERRED.

The following bills were severally read twice by their titles, and referred to the Committee on Commerce:

A bill (H. R. 11732) to authorize the Grand Rapids Water Power and Boom Company, of Grand Rapids, Minn., to construct a dam and bridge across the Mississippi River; and

A bill (H. R. 11736) granting the right and authority to the Pensacola and Northwestern Railroad Company to build bridges over certain rivers in the State of Alabama.

REMOVAL OF POLITICAL DISABILITIES.

Mr. HOAR. I desire to move to reconsider the vote by which the Senate yesterday passed the bill (H. R. 11955) to amend sections 820 and 821 of the Revised Statutes of the United States.

The VICE-PRESIDENT. Does the Senator desire to enter the motion or to make the motion now?

Mr. HOAR. I make the motion now. I do not wish to call it up now, however. I think the object of the bill is already provided for in existing statutes to which my attention has been called.

The VICE-PRESIDENT. The question is on agreeing to the motion of the Senator from Massachusetts.

The motion was agreed to.

POLICY REGARDING THE PHILIPPINE ISLANDS.

The VICE-PRESIDENT. Concurrent and other resolutions are in order.

Mr. STEWART. Mr. President, inasmuch as there is an agreement to vote on the resolution of the Senator from Louisiana [Mr. MCENERY] at half past 2, I desire to call attention to some matters connected with that resolution.

Mr. BERRY. Will the Senator permit me to make a statement before he begins?

Mr. STEWART. Certainly.

Mr. BERRY. I notice in the RECORD this morning that the Senator from Iowa [Mr. ALLISON], and I think the Senator from Nevada also, stated yesterday that under the agreement no amendments could be offered to the joint resolution. In reading the agreement I do not understand that there could be anything in the agreement that would prevent amendments being offered before the hour of 2.30. There is nothing in the agreement, so far as I read it, that would prevent an amendment being offered. I see that statement in the RECORD this morning, however.

Mr. STEWART. I do not propose to give way to a discussion of that kind, because there will be a division of opinion on that point, I think. So far as the agreement is concerned, it is to vote on the resolution and nothing more. But any matters of that kind can be considered after I have concluded my remarks.

Mr. BERRY. It was because I saw that statement in the RECORD that I wished to call attention to it. I did not want it to go as a matter of course.

Mr. STEWART. I shall be brief.

The VICE-PRESIDENT. The Senator from Nedada will proceed.

Mr. STEWART. Mr. President, in the first place I think this is an inopportune time to take into consideration what shall be the policy of the United States with regard to the Philippine Islands. Very recently, and perhaps since some alleged understandings were made, war has broken out in the Philippine Islands. When my country is in war, I do not stop to consider how war was brought about. As is well known, I was opposed to this war altogether. I was in favor of acknowledging the belligerent rights of the Cubans and leaving them to fight the matter out, as we had done in all other cases. But the Administration and Congress decided otherwise, and my country became involved in war, since which time I have been in favor of prosecuting that war. I believe that is the duty of good citizens.

When the country is involved in war, it is their duty to stand by their country, and I do not believe that it is in the interest of my country to embarrass the Administration or to interfere with the prosecution of the war by the promulgation of theories of government at this time, and particularly the theory of government and the mode of dealing with the Philippine Islands set forth in this resolution, for, whatever the Government does, it certainly will not follow the line of policy marked out by the resolution. The joint resolution proposes that Congress shall declare—

> That by the ratification of the treaty of peace with Spain it is not intended to incorporate the inhabitants of the Philippine Islands into citizenship of the United States, nor is it intended to permanently annex said islands as an integral part of the territory of the United States; but it is the intention of the United States to establish on said islands a government suitable to the wants and conditions of the inhabitants of said islands to prepare them for local self-government, and in due time to make such disposition of said islands as will best promote the interests of the citizens of the United States and the inhabitants of said islands.

When and where did the idea originate that it was the duty of the United States to go into the Philippine Islands to establish a government for those people and to prepare them for self-government? It seems to me that is a mission in which nobody has suggested the United States would engage. If it is our duty to give the people of the Philippine Islands good government, to educate them, and to establish a government suitable for them, is it not our duty to do so to every country in the world where they do not have a government suitable to our ideas? I submit that we are under no obligation to go to vast expense in order to establish a government for those islands.

The commercial idea connected with a sale or other disposition of the islands is repugnant to every sense of justice. The resolution reads:

> And in due time to make such disposition of said islands as will promote the interests of the citizens of the United States and the inhabitants of said islands.

That is the meaning of the term "dispose of them," and it may be so construed. Do we intend to capture islands, civilize the people, establish governments for them, and then sell them? Do we propose to go into that business?

The language of this resolution is not in conformity with rational ideas. The language is obscure and absurd. In the first place, as I remarked, we are not in the business of capturing countries to give them such governments as we think they ought to have. In the next place, we are not in the business of capturing countries and establishing governments and selling them or disposing of them. That is not the mission of the United States.

There are questions connected with this matter that the people of the United States are seriously considering. We have been to a great expense in war. By the third article of the treaty "Spain cedes to the United States the archipelago known as the Philippine Islands," particularly describing them, and "the United States will pay to Spain the sum of $20,000,000." The treaty vests in the United States all rights Spain ever had. We are entitled to all we have bought and now rightfully possess. There would probably be no difficulty, if it were our policy, in acquiring Cuba. The Philippine Islands and Porto Rico are already ours. There are many people who think they are valuable acquisitions.

Let me suggest some of the arguments which have been frequently heard in favor of retaining them. We are compelled to buy the tropical productions which those islands produce and would produce in abundance for our use. The value of tropical productions is a great element in the balance of trade against us at all times.

Principal articles of tropical production imported into the United States, 1898.

Article.	Value.
Coffee	$84,793,124
Sugar	89,219,773
Fruits and nuts	16,957,307
Tobacco	18,763,942
Hemp, jute, etc.	11,646,247
Miscellaneous articles (estimated)	30,000,000
Total	251,330,393

We are not a self-sustaining country in every particular. We have to buy tropical productions that we do not produce. That is a large expenditure, and it will grow. In a short time the value of tropical productions that we shall have to buy will be up to $500,000,000. Those who believe we should retain the islands think we ought to be independent and ought not to have to pay out that sum, and if we could get them on any fair terms we ought to take them and civilize them and educate them and have the benefit of saving that money.

There is a great contest in the world between financial slavery and liberty. The advocates of the doctrine that there is something about the material gold which makes it money and that you can not stamp the mandate called legal tender upon anything else has caused a financial war among all nations. The obtaining of that material involves a contest for national prosperity. There is not gold enough to do the business of the world.

In the language of Prince Bismarck, the blanket is not wide enough for all of us, and when we have good crops and other countries have bad crops, we pull the blanket off them, and they suffer. When we have bad crops, they pull it off us. The gold blanket is not big enough to cover all. If we are having good times and they have bad times, it is because we have had good crops and they have had bad crops; we pull the blanket off them. But if we have to pay out this $250,000,000, which will soon be $500,000,000, it will make a great difference in pulling the blanket off us and leaving us destitute of money. If we can save what we pay for the products of these islands and can have a country that can produce what we consume, no country can inflict so great injury upon us. If the two metals were used there would still be a struggle for them, and the country that can produce all kinds of products and supply itself will have a great advantage. That is one of the considerations which is urged by the advocates of retaining the islands.

Then it is suggested by the same parties who favor annexation that it would add vastly to our commerce—that it would be the nucleus of building up a coasting trade—because if we own the islands, Congress has the power to pass a law making communication with them a part of our coasting trade, and that would build up a very large merchant marine in the immediate future. But they must be ours in order that Congress may have that power. This resolution declares that we do not intend to assert that power; that we do not intend to annex the islands, but contemplate selling them. Such a declaration would raise a very serious question whether, if we carried out this policy, we could pass laws taking them into our coasting trade, and thereby securing a monopoly of the shipping between those islands and our ports.

Again, there is in the Orient an import trade which in round numbers amounts to a billion dollars a year. We have only 5 per cent of the trade of Asia and Oceanica. If we had these islands, and were engaged in the trade there, we would have a nucleus for trade and have a chance to compete with England. She has Hongkong, which enables her to deal directly with the surrounding country. Here is an opportunity to participate in the import trade of Asia and Oceanica, amounting to a little over a billion dollars in value of products, of which we get only 5 per cent.

Mr. PERKINS. We bought 27 per cent of their products last year.

Mr. STEWART. Of whose?

Mr. PERKINS. From Manila.

Mr. STEWART. I am speaking of imports into those countries. The exports from the United States to Asia and Oceanica amount to only 5 per cent of the imports that go into that country.

Mr. WOLCOTT. Into China?

Mr. STEWART. Into China, Japan, and Oceanica. I have the table here. I went to the statistician, and I am accurate about it.

Mr. HALE. Manila has a large trade.

Mr. STEWART. I will insert this table in my remarks.

The table referred to is as follows:

COMMERCE OF ASIA AND OCEANICA.

Population, area, and commerce of the countries of Asia and Oceanica, and the share of the United States in their commerce.

Countries.	Population.*		Area.*	Commerce.								
				Imports into.			Exports from.			Imports and exports.		
	Year.	Number.	Square miles.	Year.	Total.	From United States.	Per cent of United States.	Total.	To United States.	Per cent of United States.	Total.	Part of United States.	Per cent of United States.
ASIA.													
Ceylon	1897	3,008,466	25,365	1896	$20,722,243	$59,546	0.29	$14,640,700	$841,077	5.74	$35,362,943	$900,623	2.55
China	(†)	402,680,000	4,218,401	1896	170,991,384	9,639,440	5.64	105,914,256	8,988,193	8.49	276,905,640	18,627,632	6.73
British India and East Indies	1897	287,223,431	1,800,258	1897	179,786,742	3,667,370	2.04	259,785,742	12,046,245	4.64	439,572,484	15,713,615	3.60
Dutch East Indies	1895	34,000,000	736,400	1895	66,458,540	‡1,147,315	1.73	80,090,812	‡7,727,282	9.63	146,539,352	8,874,597	6.06
French East Indies	1896	21,821,910	272,147	1895	790,888	‡69,136	8.74	3,088,181			3,879,069	69,136	1.78
Hongkong	1897	261,258	30	1897	No data.	‡6,060,060		No data.	‡923,843			6,983,881	
Japan	1895	42,270,620	147,665	1897	111,282,694	13,812,605	12.42	83,302,024	20,795,002	32.16	194,624,738	40,607,607	20.87
Korea	1897	10,528,937	82,000	1895	8,088,123			2,481,808	‡100		10,569,931	100	
Persia	1897	9,000,000	628,000	1894	25,476,000			15,054,000			40,530,000		
Russia, Asiatic	1897	23,051,972	6,564,778	1894	21,578,829	‡163,855	.76	29,456,479	‡355,476	1.21	51,035,308	519,331	1.02
Siam	(†)	5,000,000	220,000	1895	19,384,000			25,280,000			44,664,000		
Straits Settlements	1897	538,935	1,472	1896	112,248,947			97,821,926			210,070,873		
OCEANICA.													
Philippine Islands	1897	7,670,000	114,326	1896	28,815,075	‡162,446	.55	32,481,484	‡4,982,857	14.90	62,296,559	5,145,303	8.30
British Australasia	1897	4,793,909	3,173,558	1896	277,879,067	16,199,328	5.83	273,708,484	13,074,611	4.69	556,587,551	29,273,939	5.26
Mauritius	1896	374,942	705	1896	15,910,560	303,879	1.91	15,651,905	883,411	5.65	31,562,465	1,187,290	3.77
Hawaiian Islands	1896	109,020	6,640	1896	7,164,561	5,464,208	76.27	15,436,037	15,408,197	99.79	22,600,598	20,872,405	92.35
Total Asia and Oceanica		852,443,391	17,971,745		1,060,537,653	56,749,107	5.32	1,060,243,838	92,026,272	8.65	2,126,801,491	148,775,459	7.00

*From Statesman's Year-Book, 1898. †Latest estimates. ‡From United States reports.

Mr. STEWART. We are certainly interested in having a home station in the Orient so that we can participate in this trade. These are arguments used in favor of the annexation of the islands.

Then there is another thing. We have a large number of teachers in this country who are out of employment. It has been stated that we have educated too many teachers, and they are out of employment in this country. By the census of 1890 we had 422,929 teachers in the United States. If we should employ the same number of teachers in proportion to population in the Philippine Islands we would employ one-sixth of the number there, which is 70,488. At the same ratio that would be about the number required to educate those people.

Then there would be employment for a great many enterprising young men to do business, because we would do the business of the country although we would not do the labor. As to the labor question, it is argued with considerable force that it would be a great advantage to our laborers because nature has ordained that the Filipinos can not come here. A man is insane to talk about an emigration from the Tropics to the north to labor. The thing never has occurred and never can occur in the very nature of things. Laborers have gone from the temperate zones to the tropical zone, but they lasted but a short time. Business men will go there. The climate is healthful and they can live there. Persons engaged in trade can go there, but the laborers in the field cultivating the soil must be of tropical birth and raised in the Tropics in order to be healthful. In turning up the soil of the Tropics it is said to contain a poison that northern people can not stand. They can live there, however, and follow other pursuits.

Now, here is a great opening for the young men of our country and for the teachers of both sexes that is looked upon by a great many people as being very important, and the people of the United States ought to have time to consider it.

These are some of the considerations which are urged in favor of annexing the islands. But I have heard it suggested by Senators that they do not want to interfere with our political institutions. What could be more absurd than that? The United States can be trusted never to admit as States any people that do not understand the English language and who can not think in the language of liberty and equality. English is the language of free institutions and of liberty governed by law. They have tried it and they have always failed. There can not be an idea of true liberty conveyed except by the use of the English language. The great battle of the commons against the aristocrats of England, which lasted for two hundred years, bred a race of liberty-loving people. That was the greatest contest which ever occurred in human history, and out of that contest arose a race that love liberty and are willing to fight for it anywhere and everywhere. It is not an ephemeral plant that grows up in a day.

Aguinaldo, a usurper and a dictator, without consulting anybody, calls himself a republican. They all call themselves republicans, because they think they will get the sympathy of liberty-loving people. Republics grow out of conditions. Nobody would ever think, under any circumstances, of admitting the Philippine Islands, or Cuba, or Porto Rico, or any other country to a full participation in our institutions until they had learned something of our institutions, and had learned the language in which liberty can be considered and discussed and in which free institutions exist. That, of course, will take time. We have kept New Mexico out of statehood for fifty years because the people did not understand the language of liberty, because they spoke a foreign language, and nothing else. New Mexico has had a population as great as that of other Territories that were admitted, and, indeed, always had more population; and they are an industrious people, too. But they did not speak our language and they did not understand our institutions, and we thought it was not safe to admit them. That has been the case with New Mexico for fifty years.

So there is no danger on that score. If the people can not be trusted when the time comes to say whether or not the Filipinos shall be incorporated in our institutions, then this Government will fail.

I have faith that this Government will be as wise a hundred years from to-day as it is now. We must trust it. Whatever we may attempt to do, we must trust the institutions to the generations that will come after us, in our doing nothing that will prevent them from exercising a sound judgment in protecting our institutions. We are not going to admit the Philippine Islands to statehood. Nobody thinks of admitting them until they are fitted for it. There is no political danger, because we are not going to enter into any relation that will involve it.

The question is, Shall we have time to see what we will do with these acquisitions? Shall we do it deliberately, after the facts are developed, or shall we promulgate a theory that will embarrass us, embarrass the Administration, and embarrass the Government? Shall we promulgate such a theory under an agreement to take a vote on a resolution that has not been discussed or a resolution that no Senator in this Chamber after consideration will indorse? I doubt whether the author of it likes the measure now. Nobody approves of it; and to precipitate a vote upon the resolution at this time seems to me unfair to the Government and to the people of the United States.

The United States owns these islands, and the people want time to consider whether they will give them up or not. They want time to consider what policy they shall pursue, and before they determine that policy they want all that the facts will develop in the next six months at least; and they are entitled to know what the facts will develop. It may be—and I will not say that it will not—that public sentiment will be for abandoning them. If it is, Congress will be ready to follow that public sentiment. It may be that public sentiment will be for keeping what we have got and utilizing them for the benefit of ourselves and the people of those islands. After the question has been discussed, we do not know how public sentiment may turn, but the people of the United States, who are the ultimate judges of this question, must determine it.

No election has occurred, no expression of opinion has been had from the public, and here it is proposed to enter upon the policy of capturing the islands, establishing a government for them, and then selling them or doing what we please with them. This is a new kind of business for the people. The people would not decide in favor of this joint resolution if it were submitted to them. It would not get 5 per cent of the 13,000,000 votes in the United States if the joint resolution should be submitted to them. Why should we pass it now? I see every reason against it, but none for it. No political advantage will be gained by it. No political advantage is ever gained by doing an illogical and ill-advised thing. The second sober thought of the people must be looked to, and they must have a chance to exercise that thought.

There is no political advantage in trying to forestall the people in their deliberations upon a great question like this, in which so much is involved, and in which great deliberation should be had. We should have the voice of the people before we speak, because there are many people in this country who are patriotic, who are enterprising, who are shrewd, who understand all these things, and who can judge of the matter as well as we can. This is a patriotic and practical question. The great practical mind of the United States will settle it, and settle it right. I propose to vote against the joint resolution and to follow the voice of the people on this great question, when that voice can be heard.

Mr. WOLCOTT. Mr. President, I suggest the absence of a quorum.

The VICE-PRESIDENT. The absence of a quorum is suggested by the Senator from Colorado. The Secretary will call the roll.

The Secretary proceeded to call the roll, and the following Senators answered to their names:

Allison,	Hanna,	Mallory,	Pritchard,
Bacon,	Hansbrough,	Mantle,	Quay,
Bate,	Harris,	Martin,	Rawlins,
Berry,	Hawley,	Mason,	Ross,
Burrows,	Heitfeld,	Mitchell,	Shoup,
Carter,	Hoar,	Murphy,	Simon,
Clay,	Lindsay,	Nelson,	Spooner,
Cockrell,	Lodge,	Pasco,	Stewart,
Deboe,	McBride,	Perkins,	Teller,
Frye,	McEnery,	Pettus,	Tillman,
Gear,	McLaurin,	Platt, Conn.	Wolcott.
Hale,	McMillan,	Platt, N. Y.	

The VICE-PRESIDENT. Forty-seven Senators having answered to their names, a quorum is present.

Mr. LINDSAY. Mr. President, it occurs to me that this is rather an inauspicious time to pass any resolutions pledging the Government to any particular line of policy in the Philippine Islands or in regard to the government of the people of those islands; but if a resolution of any character is to be adopted it ought, in my opinion, to be so specific and direct and certain that we might at least understand the policy to which we propose to commit the Government. The joint resolution reads:

That by the ratification of the treaty of peace with Spain it is not intended to incorporate the inhabitants of the Philippine Islands into citizenship of the United States—

If that means that States are not to be created and admitted into the Federal Union out of the territories acquired by the treaty in the Pacific Ocean, then it meets with my approbation, and, in my opinion, with the approbation of the people of the United States; but if it is to be construed to mean that the ordinary protection of the Constitution to the citizen as a citizen or to the individual as an individual is not necessarily extended to those people over whom we assume authority by virtue of the treaty, then I am not in favor of it—

nor is it intended to permanently annex said islands as an integral part of the territory of the United States—

Why that qualification to this declaration that it is not "intended to permanently annex said islands?" That it is not intended to permanently annex said islands is all that it was necessary to say, and the qualification "as an integral part of the

territory of the United States" leaves the whole question in a state of uncertainty as to whether or not the annexation is to be permanent—

but it is the intention of the United States to establish on said islands a government suitable to the wants and conditions of the inhabitants of said islands to prepare them for local self-government, and in due time—

To do what?

to make such disposition of said islands as will best promote the interests of the citizens of the United States and the inhabitants of said islands.

Now, why prepare those people for local self-government? Why undertake to educate them up to the standard of American citizens and then preserve the right to dispose of them in any manner that may be to our interests or to the interests of that people, we being the judges of what their interests may be?

Mr. President, if the point had not been raised that any attempt to amend the joint resolution would be a violation of the unanimous-consent agreement, I should attempt to amend the joint resolution by substituting in lieu of it the paper I send to the desk and ask to have read. That paper sets out my views upon this question. That paper, in my opinion, sets out accurately the views of the people of this country.

The VICE-PRESIDENT. The Secretary will read as requested.

Mr. STEWART. I will suggest——

The SECRETARY. Strike out all after the resolving clause and insert——

Mr. STEWART. There is no doubt the Senator has a right to offer the resolution right now, but he can not under the agreement offer it as an amendment to the other resolution.

Mr. BERRY. Will the Senator from Kentucky permit me to say a word in reply to the Senator from Nevada? There is already, to the joint resolution, an amendment pending offered by the Senator from Georgia, which was offered before the unanimous consent was given. I insist that the agreement does not cut off all amendments. There has been no ruling by the Chair to that effect. The Senator from Kentucky said, as I understood him, that it had been so held.

Mr. LINDSAY. No.

Mr. BERRY. That it had been ruled upon.

Mr. LINDSAY. I did not say it was so held.

Mr. BERRY. I insist that any amendment to the joint resolution can be voted on without debate; and certainly the amendment already pending at the time the agreement was made can not be cut off by reason of what occurred afterwards. As I understand the rules and the agreement, there was no such purpose, no such intention. The amendment offered by the Senator from Georgia was already pending as an amendment at the time the unanimous consent was given.

Mr. ALLISON and Mr. HOAR addressed the Chair.

Mr. LINDSAY. I ask for the reading of the paper, and then the discussion can proceed.

Mr. HOAR. I desire, if the Senator will pardon me, to say that I do not believe it was generally understood by the Senate that no amendment could be offered, as usual. That never, as I understand it, was the interpretation of such a unanimous-consent agreement to vote on a measure. When, for instance, we have an appropriation bill of a hundred pages and more, and we agree that we will vote on it at a certain time, does anybody ever understand that no amendment can be offered?

Mr. ALLISON. If the Senator will allow me a moment, the phraseology of the agreement was stated here and was listened to with the utmost care. Had I supposed that an amendment would be offered and could be offered to the joint resolution under the agreement, I should have objected. It is a part of the understanding and can not be evaded that the joint resolution is to be voted upon at half past 2 o'clock. It was implied at least that it should be done without debate, but I was willing of course, and others were willing, that there should be a discussion of the question. In every case where we have had a unanimous agreement that a vote should be had upon a pending bill, if amendments were necessary we have included amendments.

Mr. HALE. In the agreement?

Mr. ALLISON. In the agreement. When these agreements are made, they are made in the spirit of concession and for the purpose of facilitating a vote—not for the purpose of putting in place other things than those proposed to be voted upon.

Mr. LINDSAY. Mr. President——

Mr. HOAR. Mr. President——

The VICE-PRESIDENT. The Senator from Kentucky is entitled to the floor.

Mr. HOAR. I will not use any word which implies artifice at all, but the Senate has been absolutely misled in regard to the intent. I supposed when I sat in my seat and said nothing that amendments were to be in order, as a matter of course. I did not understand it so, for one.

Mr. ALLISON. I certainly understood it so, and I was careful to notice every word and sentence uttered by the Senator from Illinois.

Mr. HOAR. So the Senator has just said. We understand that. Now I say, I did not understand it so.

Mr. ALLISON. Very well. Now, I ask, Mr. President——

Mr. LINDSAY. Mr. President——

Mr. HOAR. I will yield to the Senator from Kentucky, as he has been yielding to me.

The VICE-PRESIDENT. The Senator from Kentucky is entitled to the floor.

Mr. HOAR. I understood the Senator to yield to me, but I will wait until he gets through, if he prefers.

Mr. LINDSAY. I will yield to any reasonable statement.

Mr. HOAR. I wish to say now, while what the Senator from Iowa [Mr. ALLISON] has said is fresh, that I do not understand the agreement in the way he does. When I sat in my seat and heard that arrangement, I expected to offer an amendment which I had pending, and I expected to speak upon that amendment or upon the resolution; and I am quite sure that a large number of Senators so understood it.

Now, we are not going to be deprived of our rights in this matter by the mere sincerity and earnestness of conviction of somebody else with whom we do not agree. I have stated what I understood.

So if this vote be taken at half past 2 o'clock or whatever the time shall be, without the possibility of suggesting an amendment, two things will have happened: First, three Senators, at least, who had earnestly expressed their oppositior to the arrangement, but consented that a speech might be made, or that one should be made on another subject, the subject then pending, happening to be absent, this unanimous-consent agreement was obtained in their absence. Next, it is a unanimous-consent agreement which a large part of the Senate did not understand. Whether or no, under those circumstances, the Senators who secured that agreement think it their duty to insist upon it is for them to determine; but I should not insist on a unanimous-consent agreement which had been obtained on my request under such circumstances.

Mr. LINDSAY. Mr. President——

Mr. STEWART. Will the Senator allow me one moment?

Mr. LINDSAY. I think I will render the Senator's statement unnecessary.

Mr. ALLISON. I hope the Senator will allow me a moment.

Mr. LINDSAY. Very well; I yield.

Mr. ALLISON. I only wish to say a word in reply to the Senator from Massachusetts [Mr. HOAR], and it relates to unanimous-consent agreements.

Unanimous-consent agreements are not often made, but when they are made the terms of the agreement are imported into the RECORD. Often we have unanimous-consent agreements which have stated that at a certain hour a certain bill shall be voted upon, with the pending amendments. Again, unanimous-consent agreements have been made to vote upon a bill at a certain hour, with amendments pending and amendments to be offered, and other unanimous-consent agreements have been made to vote upon a bill without amendment—that is, not mentioning amendments.

The Senator from Massachusetts now says that he would not under similar circumstances do what I have said ought to be done. I did not ask for the unanimous-consent agreement, but I understood, and every Senator must have so understood, if he was attentive to the statement of it, that this was to be a vote on the resolution of the Senator from Louisiana [Mr. MCENERY], and a vote without debate was implied, although nothing was said about that; and therefore it would be a vote upon that resolution at that especial hour. Now, to undertake to so arrange this business as that we shall not vote upon that resolution at all, but vote upon another resolution, in my judgment, is not in accordance with the unanimous-consent agreement which was made.

Mr. LINDSAY. Mr. President——

Mr. BURROWS. Will the Senator permit me to read the order that was made?

Mr. LINDSAY. I yield for that purpose.

Mr. BURROWS. The request was as follows:

Mr. MASON. Mr. President, I ask unanimous consent that a vote be taken upon the joint resolution introduced by the Senator from Louisiana [Mr. MCENERY] at half past 2 o'clock on next Tuesday.

That does not permit amendments.

Mr. ALLISON. Certainly not.

Mr. BURROWS. And it ignores all pending amendments. So, in my judgment, the vote must be taken directly on the joint resolution.

Mr. LINDSAY. I do not think I ought to yield the floor any longer. I now ask that the reading of the resolution which I have offered may be proceeded with.

The VICE-PRESIDENT. The resolution offered as a substitute by the Senator from Kentucky to the resolution of the Senator from Louisiana [Mr. MCENERY] will be read.

The SECRETARY. It is proposed to strike out all after the resolving clause of the joint resolution, and to insert:

SECTION 1. That the acquisition by the United States of foreign territory carries with it no constitutional obligation to admit said territory, or any portion thereof, into the Federal Union as a State or States.

SEC. 2. That it is against the policy, traditions, and interests of the American people to admit States erected out of other than North American territory into our Union of American States.

SEC. 3. That the United States accepts from Spain the cession of the Philippine Islands with the expectation that the people of those islands will demonstrate their capacity to establish and maintain a stable government, capable of enforcing order at home and of discharging the international obligations resting on separate and independent states, and with no expectation of permanently holding those islands, or of compelling their people to submit to the authority of the United States after they shall demonstrate their capacity for self-government, the United States to be the judge of such capacity.

Mr. LINDSAY. Mr. President, I am sorry that I led up to the controversy between the Senator from Massachusetts [Mr. HOAR] and the Senator from Iowa [Mr. ALLISON] by a suggestion made by me. I did not undertake to say that it has been ruled that amendments would be out of order or in conflict with the unanimous-consent agreement. What I did say was, that notice had been given on yesterday that an attempt to make an amendment to the resolution would be so regarded by certain Senators; and that I had no disposition to provoke controversy on that subject.

If it shall be held that amendments are in order, and not in violation of the agreement, then I shall offer the resolutions which have just been read as a substitute for the pending resolutions. In order, however, to obviate any difficulty on that subject, I ask unanimous consent that the resolutions offered by me shall be voted on fifteen minutes after 2 o'clock to-day.

Mr. PLATT of Connecticut. I object.

Mr. BACON. Mr. President——

Mr. LINDSAY. Has objection been made to my request?

The VICE-PRESIDENT. Does the Senator from Georgia desire to speak before the request of the Senator from Kentucky [Mr. LINDSAY] for unanimous consent is put to the Senate?

Mr. BACON. What is the request?

The VICE-PRESIDENT. The Senator from Kentucky asks unanimous consent that the resolutions read as a part of his recent speech be voted on this afternoon at 2 o'clock and 15 minutes. Is there objection?

Mr. PLATT of Connecticut. I object.

Mr. MASON. I should like to have the resolution offered by the Senator from Kentucky [Mr. LINDSAY] as a substitute for the resolution offered by the Senator from Louisiana [Mr. MCENERY] again read. I could not hear it when it was read.

The VICE-PRESIDENT. The resolution proposed to be offered by the Senator from Kentucky as a substitute will be again read.

The Secretary again read the proposed substitute.

Mr. PLATT of Connecticut. Mr. President, there are some things in that resolution that I could vote for, and there are others that I could not vote for, but no consent ought to be given for the passage of any resolution here which does not involve the fullest opportunity for discussion. I make no objection—that is to say, I do not propose to hold myself not bound to vote upon the resolution of the Senator from Louisiana [Mr. MCENERY], but to any other resolution I object.

The VICE-PRESIDENT. Is unanimous consent given for the vote at 2 o'clock and 15 minutes p. m. to-day?

Mr. PLATT of Connecticut. I object.

The VICE-PRESIDENT. Objection is made, and the Senator from Georgia [Mr. BACON] is recognized.

Mr. LINDSAY. With the permission of the Senator from Georgia, I give notice that immediately after the vote upon the resolution of the Senator from Louisiana I shall propose that the resolution which I have offered be taken up and voted upon.

Mr. BERRY. Will the Senator yield to me to make one remark?

Mr. LINDSAY. I am through.

Mr. BERRY. I want to say, in reply to the statement made by the Senator from Iowa [Mr. ALLISON], that I do not believe he can find a precedent in this body where an amendment already pending was cut off by any agreement to vote upon the general resolution. I am willing to admit that probably it may be construed so as to cut out amendments thereafter offered, but an amendment pending under our rules must be disposed of before the bill or resolution to which it is offered is voted upon.

I repeat, that it was not the intention at the time the agreement was made to cut off a vote on an amendment already pending. To give such a construction as that to the agreement is to give that which was never intended, as I believe, by the Senator from Illinois [Mr. MASON]; and it certainly was not so understood by Senators on this floor.

Mr. HOAR. It would be the same bill or resolution parliamentarily after it had been amended.

Mr. BERRY. Yes, it would be the same under our rules. Where an amendment is pending, until that amendment is voted upon it could not be construed that any unanimous-consent agreement would remove or withdraw that amendment without the consent of the Senator who offered it. I repeat, I do not think a precedent can be found for such a proceeding, and if such a ruling is made it would be contrary to the practice of the Senate.

Mr. BACON. Mr. President——

Mr. STEWART. I should like to ask the Senator from Arkansas [Mr. BERRY] why it is——

Mr. BACON. I trust I will be allowed to proceed.

The VICE-PRESIDENT. The Senator from Georgia [Mr. BACON] is entitled to the floor.

Mr. STEWART. Then I should like to ask the Senator from Georgia a question. I ask why it is that ex industria you will find it running all through in the making of these unanimous-consent agreements that they include amendments already pending. That is done in all such agreements, and that shows that the Senate has construed the rule so as not to include amendments unless they are mentioned.

Mr. HOAR. If the Senator from Georgia will pardon me, the provision as to pending amendments is put in such agreements to prevent other amendments being offered; and so the statement generally is to vote on the bill and pending amendments; but when there is a mere statement as to a final vote on a bill or resolution, I do not believe such a practice as has been contended for was ever heard of.

Mr. STEWART. I do not believe it was ever heard of that such an agreement should be construed in a different way from what the agreement itself states.

Mr. BACON. Mr. President, on yesterday there was some criticism made upon the fact that through the Senator from Arkansas [Mr. BERRY] I had given notice that to-day I would ask the courtesy of the Senate to submit some remarks on this question. I desire to say two things with reference to that. In the first place, that notice was given through the Senator from Arkansas from the fact that it was a physical impossibility for me to reach the Senate Chamber. If my life had depended upon it, I do not think I could have gotten here.

In the second place, the Senator from Iowa [Mr. ALLISON] suggested that there was an impropriety in the giving of the notice, either personally or through another, from the fact that there had been given unanimous consent to vote upon this resolution at a certain time, and that a considerable time had already been passed in discussion upon the same.

I desire to say in reply to that statement that the Senator from Iowa is mistaken in his understanding of the fact. The McEnery resolution has not been discussed at all before the Senate, and if the Senator was in the Chamber a few days since when there was an effort made to secure unanimous consent by the Senator from New Hampshire [Mr. CHANDLER] for a vote on these various resolutions, he will remember that I specially excepted any intention to give consent to a vote upon the McEnery resolution without discussion, upon the ground that that resolution had not been discussed and that there had been no opportunity for discussing it.

Mr. President, I gave the notice not because I expected to make any set speech or to make an elaborate presentation of the question, but because there had been no opportunity to present reasons why I could not vote for the resolution of the Senator from Louisiana.

Mr. ALLISON. Will the Senator allow me at that point?

Mr. BACON. If the Senator will pardon me just a second, that I may finish my sentence, I will say that I was under particular constraint to give those reasons, because I have been pressing for the passage of resolutions which, to those who do not examine them critically, might be supposed to be similar to the resolution of the Senator from Louisiana, and I wanted to show that the resolution of the Senator from Louisiana was vicious, that it was objectionable in the extreme, and that it would not, if adopted, accomplish the purpose which those of us who had introduced other resolutions had sought to accomplish.

Now I will with pleasure hear the Senator from Iowa.

Mr. ALLISON. I simply wish to say that I certainly meant no reflection upon the Senator from Georgia in any way. I was surprised when it was suggested that there would be debate on the McEnery resolution, because I supposed it was absolutely implied that the vote should be taken at a convenient hour of the afternoon, at half past 2 o'clock, after the morning business and before the ordinary business of the Senate after 2 o'clock would go on. I supposed that it would be a vote without debate, and therefore was surprised when the Senator from Arkansas [Mr. BERRY], in behalf of the Senator from Georgia [Mr. BACON], suggested debate on the resolution. I certainly thought it would lead up to the hour of voting, and therefore I did say—which I afterwards withdrew—that I thought it hardly fair to open debate on this subject. But, as I say, I withdrew that observation, and I certainly do not in any way, by implication even, suggest a reflection upon the Senator from Georgia.

Mr. BACON. I am sure the Senator would not so intend it.

Mr. ALLISON. As I say, I afterwards withdrew the remark.

Mr. BACON. I have not had an opportunity to read the RECORD that far.

Mr. ALLISON. And therefore I suggested afterwards that the Senate meet at 11 o'clock to-day in order to give opportunity for debate on this subject.

Mr. BACON. I did not know of that fact until I reached the Senate Chamber, for the reason that there has been no mail delivered in the city and no communication, and I did not even know until I reached the Chamber that the Senate had agreed to meet at 11 o'clock this morning. Of course I do not understand, and have not said, that the Senator from Iowa intended to reflect upon me in any way, but I did understand that the Senator thought I had in some degree departed from the spirit of the unanimous-consent agreement. I understand the unanimous-consent agreement to mean that after the hour for voting is reached there shall be no further debate; but if the time is fixed two weeks from now for the voting upon a resolution or a bill, that certainly does not imply that in the meantime no Senator shall have a right to give notice and ask permission of the Senate to address himself to the particular measure then to be voted upon. So much for that.

Mr. President, I desire very briefly to give the reasons why I can not vote for this resolution of the Senator from Louisiana, and why I do not think anyone who is opposed to the permanent or indefinite occupation of the Philippine Islands by the United States can properly vote for it, nor how anyone who is in favor of ever allowing those people a free government could under any circumstances vote for the resolution unless the pending amendment offered by myself is adopted. I am of opinion that an analysis of this resolution will show conclusively that it not only does not recognize that this Government will give up the permanent control, and does not recognize that the Filipinos are to have any freedom in the future, but that it distinctly gives authority for the continued occupation of the Philippine Islands and for the continued subjection of those people. If so, Mr. President, those of us who are known as anti-annexationists can not with propriety vote for that resolution unless amended.

Without any preliminaries whatever, I desire to ask the Senate to go with me in a brief analysis of this resolution. I will read the entire resolution, which is as follows:

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That by the ratification of the treaty of peace with Spain it is not intended to incorporate the inhabitants of the Philippine Islands into citizenship of the United States, nor is it intended to permanently annex said islands as an integral part of the territory of the United States; but it is the intention of the United States to establish on said islands a government suitable to the wants and conditions of the inhabitants of said islands to prepare them for local self-government, and in due time to make such disposition of said islands as will best promote the interests of the citizens of the United States and the inhabitants of said islands.

Mr. President, this is a most ingenious resolution. It was evidently drawn by a master hand. I will not suggest that it was intended as an annexation resolution in disguise, but it is so in practical effect. In my judgment, it is a Trojan horse and comes from the Greeks.

There are, sir, in this resolution four distinct declarations, and I propose to take up each one of these declarations and analyze it, and see whether in either of the declarations there is a recognition of an intention on the part of the Government of the United States to surrender the control of those islands, to cut loose, to annul the annexation which has been accomplished by the ratification of the treaty, or whether there is any expression of any intention at any time to accord those people freedom and independence. I think an analysis of the resolution will show that each one of these declarations, taken separately and collectively, so far from making any such recognition, distinctly gives authority for the contrary.

The first of the four declarations is this:

That by the ratification of the treaty of peace with Spain it is not intended to incorporate the inhabitants of the Philippine Islands into citizenship of the United States.

That is a distinct declaration. Now, what does that mean? I will not say that it was intended to produce the impression that the resolution meant that the United States would surrender control over those people, but I do say that that is the impression which it would make upon anyone upon first blush.

But I call the attention of the Senate, bearing in my mind the fact that the particular point we are considering is whether there is an intention in this resolution which looks to a surrender of the islands—I say a surrender, I mean an annulment of the act of annexation—bearing that in mind, it will be seen upon examination that that first declaration is simply a declaration of the status of the inhabitants of the Philippine Islands. It is a declaration as to how that status is affected by ratification. It declares that the act of annexation is not intended to, and does not, incorporate those people as citizens. It declares a status, but does not aver any intention to change that status. It says the act of ratification does not make them citizens, but it does not say that the status which is thus declared shall ever in the future be changed. It is simply a declaration of a status without any declaration of future intent to change that status.

If this declaration were that it is not intended to hold these people subject to the dominion and sovereignty of the United States, it would amount to a declaration against permanent annexation. But as it stands it is a declaration under which the Filipinos can be held indefinitely as subjects, although not as citizens.

Consequently there is nothing in that first declaration which looks to the sundering of the tie which has been created by annexation, nor is there anything in the first declaration which looks to the future freedom of those people. It looks simply to the question of what is their relationship and what it shall be in the future, and it declares simply that they are not to be incorporated into citizenship.

Mr. President, this particular view of it has considerable light shed upon what is the true meaning and intent of this declaration by the contention which we have heard so earnestly in this Senate for weeks past to the effect that the acquisition of foreign territory does not confer citizenship upon the inhabitants of that territory; and therefore this declaration is simply carrying out that view of the case, and simply endeavoring in this manner to have the Congress of the United States make a declaration that, while those people have become subject to the dominion of the United States Government, they have not become and will not become citizens. That is all there is in that declaration—not a word more.

Mr. President, I am now endeavoring to analyze this resolution for the purpose of asking those Senators who favored the ratification of the treaty by which annexation necessarily follows, and who do not favor the permanent annexation of those islands, whether or not they can support this resolution. And thus going through the analysis, dividing this resolution into its four distinct declarations, I have endeavored to present the view which I think is conclusive, that there is nothing in the first declaration which looks to that which the opponents of annexation desire; which desire is, that there shall be no permanent connection between those islands and this country; that they shall neither be States nor shall they be vassal Territories; but that in the proper manner, to be hereafter determined, if you please, we shall cut loose from this Asiatic territory and resume our former status, attending to our own affairs at home.

As to the next declaration, the second declaration of this resolution, it is:

Nor is it intended to permanently annex said islands as an integral part of the territory of the United States.

That declaration comes nearer making such a declaration as those of us who are opposed to permanent annexation might desire, and, upon first blush, if it stood alone, we might say that that was the intention; but an analysis of this second declaration will show that such is not the plain, unambiguous meaning of this part of the resolution; in other words, it is not the simple language which would be employed if the intent were that those islands should not in the future continue as a part of the territory of the United States. If such were the purpose, the simple language would have been used, leaving out the word "integral." Why the use of the word "integral?"

Nor is it intended to permanently annex said islands as an integral part of the territory of the United States.

If this resolution intends to commit Congress to a proposition that it is not intended to hold those islands at all, it would have said:

Nor is it intended to permanently annex said islands as a part of the territory of the United States.

The word "integral" is a word of limitation and is put there for a purpose. It is all fours with the other contention as to the relationship which the inhabitants of those islands shall bear to the United States. It is contended that they will not be citizens, and in the same way it is the purpose to contend in the future that by the use of the word "integral" Congress meant that it did not intend to incorporate these islands as a part of the territory of the United States in the same sense that Arizona or New Mexico is each a part of the territory of the United States; but by the use of the word "integral," a word of limitation, it is the purpose to commit Congress simply to the proposition that in holding the islands it is intended to hold them simply as an outside piece of property, not entitled hereafter to admission as one of the organized Territories of the country.

Mr. President, I am not discussing the question as to whether that is a proper relation for those islands to bear to the United States Government in case we permanently hold them. I am simply discussing the question as to whether this language excludes the idea of the permanent retention of the Philippine Islands. I am limiting this discussion to that. I am not discussing the question as to whether these people will under the law become citizens; I am not discussing the question whether or not under the use of the word "integral" these islands would properly

become a part of the territory liable and of right entitled to organization as one of the Territories; but I am simply discussing the question whether the language used is intended to imply that there shall be no annexation of any kind and that these people shall bear no relation to our people of any kind, either as citizens or as vassals, because I do not want them either as the one or as the other.

Mr. President, I am addressing myself more particularly to the judgment of Senators who announce that they are opposed to the permanent annexation of those islands, and who are opposed to the subjection of the Filipinos to the dominion of the United States Government, either in the capacity of citizens or as subject vassals. I desire that they with whom I am in thorough accord on the question of annexation shall carefully consider whether or not they can with propriety give their support to resolutions which, if my analysis be correct, can be quoted in the future as a justification for the indefinite holding of these islands, in one relation or another, and in the indefinite subjection of those people to the dominion of the United States Government.

Under the first two declarations—first, as to what is the status of the Filipinos under the annexation; second, as to the purpose of the Government not to permanently annex those islands as an integral part of the territory of the United States—I wish to ask this question: Suppose twenty years from now or fifty years from now, the Government of the United States in the meantime holding these islands, not admitting the Filipinos to the rights of citizenship, not organizing the islands into a Territory, but holding them by a governor, either military or civil, appointed in Washington, allowing them no rights in common with the people of the United States—suppose in that condition of affairs a Senator, then here, should rise in his place and say that the pledge of the Government required that that relationship should end, and that the United States under that pledge should cease to hold the Philippine Islands in any capacity.

I respectfully submit that there is not a word in the pending joint resolution which could not, so far from being urged as a reason why that relationship should end, be urged in justification of indefinitely maintaining such relationship. If so, Mr. President, those who support the joint resolution will give their consent, their approval, to make authoritative a policy which will permit those islands to be indefinitely held and those people to be continued indefinitely under our dominion.

The last declaration as to not holding these islands as an integral part of the territory of the United States gets further light from the latter part of the joint resolution. We say we do not intend to hold them as an integral part of the United States, and then, in the latter part of the resolution, say that "in due time" it is our purpose "to make such disposition of said islands as will best promote the interests of the citizens of the United States and the inhabitants of said islands." Now, of course, "due time" may mean one year, it may mean five years; it may mean, as the distinguished author of the resolution, if I recollect correctly, stated the other day, a hundred years. If I recollect aright, the Senator from Louisiana [Mr. MCENERY], construing his own resolution on Saturday, said that it might mean a hundred years. A hundred years is not what we want.

It matters not to us, so far as the great interests of this country are concerned, so far as it affects the material interests of our own people, whether these people are given an enlightened government or whether they are held by the hand of despotism. The great reason, so far as we personally are concerned, why we do not desire the retention of these islands in any capacity is because such retention in any capacity will lay a great burden upon our people, because it will necessitate not only continued taxation, but increased taxation, because it will necessitate not only taxation, but, as a note of warning already sounded at the other end of the Capitol indicates, no taxation will be sufficient to meet it, and increased indebtedness in the shape of bonds must be resorted to.

Whether they are held as an enlightened community under an enlightened government or as a subject community, the same burden will be upon us both in money and in the lives that we must expend for the purpose of defending those islands. It matters not, so far as this particular branch of the case is concerned. It does matter a great deal in other considerations, but it does not matter so far as the particular question of burdens to be imposed upon our people is concerned what kind of a government we give them. The great thing with us is that there should be no connection between this Government and the Philippine Islands, whether they shall be equals or whether they should be subject vassals, because in either case we must bear the burden of taxation and make the sacrifice of lives of thousands of our soldiers, and be in constant danger of foreign wars.

And, sir, the proposition that the islands will not be held as an "integral" part of the territory of the United States has further illustration in the latter part of the joint resolution, which says that in due time we shall make such a disposition of them as our best interests may dictate. In other words, it involves two propositions. In the first place, that we will hold them indefinitely. In the second place, that when we do cut loose from them it will not be to give them a free and independent government, but it will be to sell them to some foreign power.

Mr. LINDSAY. If the Senator from Georgia will pardon me, in this connection I call his attention to the qualification of the word "self-government."

Mr. BACON. I am coming to that point.

Mr. LINDSAY. It is not an independent, but a local self-government.

Mr. BACON. I am coming to that point later. I skipped it and was discussing a later phrase in the resolution, for the reason that I was discussing that particular part in connection with the prior part of the resolution. Now, here are the three declarations, and I wish to know of any Senator here who is opposed to the annexation and the subjugation of these people if he can give his support to either of the three propositions.

Now, what is the fourth proposition? It is the third in order of sequence, but it is the fourth as I consider them, and it is the one to which the Senator from Kentucky has just called my attention.

Mr. President, those of us who are opposed to the permanent annexation of these islands and who are opposed to the United States Government going into the business of subjugating foreign peoples believe that in due time—and when I say due time I mean a short due time—these people should be given their freedom. We think they are entitled to their freedom. They were fighting for it before we ever went there. Whether they were fighting for it at that particular moment or not matters not. They were a people who had shed their blood in order that they might be free, and they were a people who joined with us in the war against the Spaniards in the Philippines, not because they loved us, but because they thought it was to be a step to aid them in securing their liberty. Who doubts that? We think they ought to have their liberty, and the fact that they are not upon the same plane of enlightenment and civilization as ourselves does not in any manner militate against the proposition that they are entitled to their freedom.

Mr. President, what says the language of the joint resolution? Does it look in any manner or at any time to the freedom of these people? Does it not aver that they shall not have it? Does it not say that so far as we are concerned they are never to be free? Here is the language:

> But it is the intention of the United States to establish on said islands a government suitable to the wants and conditions of the inhabitants of said islands to prepare them for "local" self-government.

Now, what is the plain construction of that language? The plain construction of that language is not that we intend to let them have a government of their own. The plain avowal is that it is the purpose of the United States Government to establish a government of the United States there, and that they are to be subject to it; a government which shall be one of our own making; a government which, if it follows the precedent, will probably be a military government; if not a military government, then a civil government, organized and appointed from Washington.

It distinctly negatives the idea that we are to let them have their own government, but we say that we are going to establish a government for the purpose of tutelage; that we are to establish a government of our own in the islands to prepare them for what? For independence? For the management of their own affairs? For freedom? By no means. To prepare them for local self-government. Why the word "local?" If it had said to prepare them for self-government, unless we took the last part of the sentence in with it, to which I am going to allude directly, it might have been supposed that it was intended that we would do there somewhat as we do in Cuba.

Mr. CHILTON. Will the Senator from Georgia excuse me for a moment?

Mr. BACON. If the Senator from Texas will let me finish the sentence——

Mr. CHILTON. I will not interrupt the Senator from Georgia at all.

Mr. BACON. No; I do not object to it. I thought it would be a little more——

Mr. CHILTON. Proceed.

Mr. BACON. I will yield to the Senator from Texas, as he knows.

Mr. CHILTON. Very well.

Mr. BACON. I was proceeding to say when interrupted, that if we had simply said to prepare them for self-government it might be understood that we meant we were going to do somewhat as we are doing in Cuba, arranging to see that those people have a government which shall represent the best sentiment of the islands and put them in a position where they could maintain that government. But when it says "local self-government" it evidently means that it is the purpose of the United States Government to continue the United States control over those islands, and

even after they are found capable, under our tutelage, for self-government that they shall simply have local self-government, and that our connection with them as the dominating power is to be continued in one shape or the other.

Mr. CHILTON. The only inquiry I desired to make is this: While I have not regarded the pending joint resolution as of very great importance, I have rather been disposed to think, if adopted, it would serve a useful purpose, in view of the construction put upon it by the friends of the treaty. I am somewhat surprised to hear the Senator from Kentucky [Mr. LINDSAY] draw a distinction, as I gather from his remarks, adverse to the pending joint resolution, as compared with the doctrine of self-government, because I remember that on the day when the joint resolution was first presented I heard him express the opinion (and he was a friend of the treaty, as we all know) that the resolution was the equivalent of the resolution which had been adopted in regard to Cuba.

The point I make—

I quote from the language of the Senator from Kentucky—

> The point I make is that this resolution, if adopted by the two Houses of Congress and signed by the President, so far as it can commit the Federal Government, will commit the Federal Government to do for the Filipinos all that it is now under obligation to do for the Cuban people.
>
> Why shall we make promises to the Filipinos, who are shooting down our soldiers to-day, which we did not make and have not made and have not been asked to make to the Cubans, who have been our friends all the while? We pledged ourselves not to maintain the military occupation of Cuba after a stable government shall be established. This resolution provides that when a stable government, such as is approved by the Government of the United States, shall have been established in the Philippines, like results shall follow those which are to follow in the island of Cuba.
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> * * * * * * *
>
> I maintain that the resolution goes as far as we have gone for Cuba, and it does not, in my opinion, comport with the dignity of the United States at this particular juncture to promise more to the Filipinos than we have promised to our neighbors who lie almost at our feet.

I recognize the fact that the resolution is to some extent vague in expression, but I was rather favorably inclined to it on account of the construction which had been given to it by the friends of the treaty, such as I have now quoted from the Senator from Kentucky.

Mr. LINDSAY. By way of explanation I will state——

Mr. BACON. I yield to the Senator from Kentucky.

Mr. LINDSAY. I am informed that the resolution as offered by the Senator from Louisiana, then, turns out to be not the resolution I supposed it was. The original resolution as he offered it did seem to meet the very point I made when I was making those statements. My attention has been drawn to the fact that this is not the original resolution, but one altogether different from it. The investigation I have made has convinced me, even if I had been discussing this resolution at that time, that the pending resolution does not do any of those things.

Mr. TILLMAN. If the Senator from Georgia will permit me, I should like to ask the Senator from Kentucky what has become of the original resolution?

Mr. LINDSAY. I can not answer the question.

Mr. BACON. Mr. President, I was endeavoring to discuss——

Mr. TILLMAN. I will state, if the Senator from Georgia will permit me, that the evening we ratified the treaty the McEnery resolutions, which had been presented that morning, were amended out of all shape as he presented them, and then printed the next morning as though he had introduced the resolution which we now have, whereas if we will get the original typewritten copy we will see an entirely different measure.

Mr. BACON. I do not know anything about how that may be. I only heard the resolutions offered by the Senator from Louisiana when they were read from the desk, and I can not say whether these are the same or not. I am dealing with the joint resolution as it stands. I am very glad to have the attention of some of those who stand with me in opposing the permanent annexation of these islands, because I am exceedingly reluctant that they should give their consent to resolutions which will diametrically oppose what they wish to accomplish.

I was discussing the third declaration in the resolution, which is the fourth in the order of discussion, as to whether or not it is the intention of the Government under the resolutions ever to give to these people free government. If not, then I am sure the distinguished Senator from Illinois [Mr. MASON], who asked that we should vote upon the joint resolution, will not give it his support.

Mr. President, not only, as I was proceeding to say when the Senator from Texas desired to be heard, do we say that we will continue our government and our dominion for an indefinite term over these people, but we say that when that time ends they are not to have their freedom, but we are to dispose of them to other people. If there is anything in what we have heard here——

Mr. MASON. I hope the Senator will permit me to interrupt him for a moment.

Mr. BACON. Certainly.

Mr. MASON. We are not to dispose of them to other people, but to make such disposition as may be for the best interests of this country and the people of the islands.

Mr. BACON. Yes.

Mr. MASON. That is the only redeeming line, I think myself.

Mr. BACON. But when it says disposition, does it mean that we are going to turn the islands over to the people? If so, why do they not say so? Certainly the word "disposition" includes the words "to sell." It does not necessitate it, but authorizes it.

Mr. MASON. We have sovereignty over Cuba——

Mr. TELLER. I do not think it is proper to carry on this debate on the narrow suggestion that that means to sell.

Mr. BACON. I am sure I have not been confining my criticism to that. I am giving a criticism upon that particular word. I say that if it had been intended to say that after the people had been tutored up to the point where they were capable of self-government they should be given their freedom it would have said so. No man can dispute but that under this language the Senator who votes for it votes for the authority of the United States at the proper time to dispose of them either by gift or by sale, because sale is one class of disposition.

Mr. MASON. Or we could dispose of them as we are to do with Cuba—to the people themselves.

Mr. BACON. Certainly. I do not mean to say that it will necessitate a sale, but I say if I vote for these resolutions I vote that it shall be in the power of the Government of the United States with my approval at the proper time, in due time, if they see fit, to sell the islands. The words "dispose of" certainly will authorize that.

Mr. President, there are resolutions here which are entitled to recognition and which would command my support. I desire to state that here is a resolution offered by the distinguished Senator from Illinois [Mr. MASON] which has no ambiguity about it. Why the Senator from Illinois did not ask that his resolution be voted upon I do not know. Here is a resolution in words that can not be misunderstood. Here is a resolution in accord with these great principles for which he has been battling here for the last year. Here is a resolution in accord with the resolutions offered by the Senator from Nebraska, reaffirming the doctrines of the Declaration of Independence. It is short, but it covers the ground, and I would vote for it with the greatest pleasure.

> *Resolved by the Senate of the United States*, That the Government of the United States of America will not attempt to govern the people of any other country in the world without the consent of the people themselves, or subject them by force to our dominion against their will.

That is the whole doctrine. It is in a few words. It is not ambiguous. It can not be strained to mean anything else; whereas the joint resolution of the Senator from Louisiana can be construed to mean that this Government shall hold permanent and indefinite control and dominion in the Philippine Islands, and that it will hold them in subjection for all time, until we see proper to dispose of them according to our own will in some other way. Nay more, sir, this resolution is so adroitly worded that whatever it may seem to be to the casual reader, it is in fact imperialism, and authorizes distinctly a colonial government in the Philippine Islands, to be maintained by the United States until we see proper to sell them and their people.

Mr. TELLER. I would like to ask the Senator from Georgia if he does not think it would be rather unwise for us to make a general declaration that under no condition will we hold a country contrary to the will of the inhabitants? If we were to carry on a war anywhere would we not necessarily for a time at least be compelled so to hold territory?

Mr. BACON. I, of course, recognize that this is a mere general enunciation of principle.

Mr. TELLER. I want to say to the Senator that he is making a purely technical objection to the resolution.

Mr. BACON. I am very much obliged to the Senator from Colorado for the information.

Mr. TELLER. It is an objection based upon the words, and therefore I think he should be held to technicalities on the Mason resolution as well.

Mr. BACON. I am not discussing the Mason resolution, except to contrast it with the pending joint resolution.

Mr. TELLER. The Senator just gave it his approval.

Mr. BACON. Certainly I do, and I approve of the Declaration of Independence; and the remarks the Senator makes on the resolution of the Senator from Illinois are equally applicable to the doctrines in the Declaration of Independence.

Mr. HOAR. May I ask the Senator from Georgia a question that I may understand him?

Mr. BACON. Certainly.

Mr. HOAR. Do I not correctly understand the Senator from Georgia when I understand him to be discussing a permanent peace policy for the United States and not a temporary policy as to what we shall do for a short time while war is going on or shortly after it closes?

Mr. BACON. Of course not. This joint resolution, as I said

last week, is now to be taken as a solemn declaration of Congress, of the great lawmaking power of the greatest Government on earth, as to what it will do, not this year or next year, but for all time to come as to the Philippine Islands. Therefore I say every word ought to be weighed, and there ought to be a technical as well as a liberal construction of the words we are going to use in making this great enunciation to the world and to ourselves.

Mr. President, I hope that the joint resolution will be voted down. I think it important that we should make an enunciation through carefully prepared resolutions as to what shall be the policy of the Government of the United States in the future relative to the Philippine Islands.

In the contest over the ratification of the treaty Senators may be said to have been divided into three classes. There were those who favored the ratification of the treaty and the permanent annexation of the islands. There were those who were opposed to the permanent annexation of the Philippine Islands, but who favored the ratification of the treaty as a precedent act to the consideration of what should be done with the Philippine Islands afterwards. The third class were those who were opposed to the ratification of the treaty because it accomplished the fact of annexation, and who desired that the treaty should be amended, or that there should be an accompanying resolution which would practically prevent the annexation of those islands to this country.

The difference between the latter two classes has been swept away. The treaty has been ratified. So the only question, so far as concerns those in the last two classes, is how we shall act. What measures shall we support which will prevent the permanent annexation of these islands? Therefore I hope that the joint resolution will be voted down, in order that the Senate, in mature consideration, may determine what enunciation shall be made. It is proper that there should be an enunciation which shall be expressive of the will and the determination of this Government.

Mr. President, I have no criticism to make upon what has been done under the action already had by the Government of the United States, for that is beyond recall, but I do think the time has come, especially in view of the early adjournment of Congress for nearly a year, when we should say to our people what we intend by this thing. It was given out that ratification was not intended to accomplish permanent annexation. It was so stated by Senators who were in favor of the ratification but who opposed annexation, and in my humble judgment the time has now come for them to make the promise good that after the ratification we would make an enunciation which would be satisfactory to the people of the United States as to the future policy of this Government.

One word, Mr. President, as to amendments. I have no discussion to make as to whether or not future amendments can be proposed, or rather, I should say, whether amendments can be proposed after the hour arrives when we have decided to vote. I find a difference of opinion among Senators who have been long in service here, and I shall not attempt to offer my judgment in the matter.

But as to an amendment which is pending, by what possible rule can a unanimous-consent agreement, especially a unanimous-consent agreement obtained without notice given to the Senate that it was going to be asked, take off a pending amendment? The parliamentary situation is that the pending question on the resolution is the amendment which was offered by myself. When the Senate adjourned when it had under consideration the resolution of the Senator from Louisiana, the question was on the amendment offered by myself. By what parliamentary rule can it be said that that pending question is displaced?

The amendment which I offered is an additional resolve. It is true, I think, that very much in the McEnery resolution should be taken out of it, but if the Senate will adopt this amendment it makes no difference about what comes before it. The amendment is as follows:

Resolved further, That the United States hereby disclaim any disposition or intention to exercise permanent sovereignty, jurisdiction, or control over said islands, and assert their determination, when a stable and independent government shall have been erected therein, entitled in the judgment of the Government of the United States to recognition as such, to transfer to said government, upon terms which shall be reasonable and just, all rights secured under the cession by Spain, and to thereupon leave the government and control of the islands to their people.

If we adopt that amendment, it is a construction upon everything that goes before, and it is in language so plain that nobody can misunderstand it. It is in language so plain that no permanent annexation or indefinite control of those islands can be urged under it; none could be defended under it. It is a plain proposition: Do we intend to permanently annex those islands and to permanently subject those people to our dominion, or do we intend, through such agencies as we ourselves shall determine, and at such time as we shall determine, and in such manner as we shall determine, to recognize a government when we find one there, which in our judgment is entitled to recognition, and release and free those people and leave their affairs to themselves?

If the latter is our intention, then the language of this amendment plainly expresses such intention.

Now, this is the pending amendment, and it is not only the pending amendment, but it is the pending question on the resolution. The pending question is the adoption of this amendment. But in order to make it doubly sure, I now offer it again.

Mr. BERRY. Why offer it again?

Mr. BACON. It will fasten it.

Mr. BERRY. Some Senators hold that you can not offer it.

Mr. BACON. Very well, I will leave that to the Chair.

Mr. PLATT of Connecticut. Do I understand——

The PRESIDING OFFICER (Mr. BURROWS in the chair). The Senator from Georgia proposes the following amendment to the pending resolution.

Mr. BACON. I want it distinctly understood that in offering the amendment I do not offer it to displace the pending amendment.

Mr. HOAR. I rise to a parliamentary inquiry.

The PRESIDING OFFICER. The Senator will state it.

Mr. HOAR. I wish to understand the motion of the Senator from Georgia. Does he move it as an amendment to the resolution or as an addition, so that it will be an amendment in one degree to the amendment of the Senator from Kentucky?

Mr. BACON. I will not do that. I will withdraw it.

Mr. HOAR. That will make it in order.

The PRESIDING OFFICER. The amendment will be read.

Mr. BACON. I desire to call the attention of the Senate again to the fact that the amendment is pending and was offered when the resolution was formerly before the Senate, and that the pending question is upon the adoption of that amendment. Now, I am not wedded to any amendment of my own or to any resolution of my own. I will with very great pleasure vote for the resolution offered by the Senator from Kentucky [Mr. LINDSAY] this morning.

Mr. MASON. Mr. President, let me ask a question. Does not the Senator from Georgia know that by offering any amendment we endanger our chance to get any vote upon any question?

Mr. BACON. I have not offered the amendment now. There is one pending that was offered last Saturday.

Mr. MASON. The Senator understands that I would prefer his amendment to this, but I should like to get something out of the vote at half past 2, or else have it voted down.

Mr. BACON. I certainly do not desire to be put in a position of having to vote upon the McEnery resolution without the opportunity to vote upon an amendment which I offered before there was any suggestion made by the Senator for fixing a time to vote on it.

Mr. LODGE. As to what a unanimous-consent agreement covers, the Senate in February, 1896, decided that precise point, and if the Senator from Georgia will allow me I will state it; but I do not want to interfere in the least with him.

Mr. BACON. Certainly.

Mr. LODGE. In 1896 there was the bond bill, as it was called, which had come over from the House of Representatives. To that the Committee on Finance had offered a free silver coinage act as a substitute; that is, it was an amendment, and it was a pending amendment on that bond bill. The Senator from Tennessee, Mr. Harris, asked for unanimous consent to take a final vote on the passage of the bill at 2 o'clock on Tuesday. There was some little discussion, as there always is when a unanimous-consent agreement is asked for, and the Senator from Tennessee said of course his consent agreement included any parliamentary motion applicable to the pending bill, and that it also included amendments.

After that, when the time for carrying out the unanimous-consent agreement came, the following claim was made by certain Senators, of whom I was one. There was the amendment of the Finance Committee actually moved to the bill and pending. There was another amendment to that offered by the Senator from Idaho. The amendment of the Senator from Idaho was voted on before the hour of 2 o'clock arrived. Therefore there remained the bill, with the pending amendment of the Finance Committee, and a discussion arose as to the right to take a vote after 2 o'clock on other amendments; that is, amendments of which Senators had given notice, but which had not been offered, owing to the parliamentary situation being such that they could not be offered.

The Senate held after that discussion, and it was a long and protracted one—and being one of those who had an amendment prepared, I thought that they held wrongly—but they held by an overwhelming majority that a unanimous-consent agreement to take a vote at 2 o'clock on that day on the final passage of the bill shut out everything except the amendment actually pending on the bill at the time when the unanimous consent was given.

Mr. BACON. I recollect that discussion very well.

Mr. LODGE. That they held to be an integral part of the bill and the unanimous-consent agreement; but it was held with the utmost distinctness that every other amendment fell when the

hour of 2 o'clock was reached, and that no one had a right to offer any amendment without a violation of the unanimous-consent agreement.

Now, to apply that ruling, which was agreed to by all the Senators longest in the Senate, at the hour of half past 2 the vote comes on the McEnery resolution, with the amendment of the Senator from Georgia, which was pending when the unanimous consent was given; but everything else that has not succeeded in getting a vote before half past 2 falls at half past 2, and to offer it would be a violation of the unanimous-consent agreement.

Mr. BERRY. Will the Senator from Massachusetts permit me?

Mr. LODGE. Certainly.

Mr. BERRY. That is precisely what I stated this morning in the Senate, and precisely that which the Senator from Iowa denied. I stated that where there were pending amendments no unanimous-consent agreement could cut them off. I admitted that it might be construed to cut off any additional amendments after half-past 2 o'clock, but as to the amendment of the Senator from Georgia now pending I said we were entitled to a vote upon it, as the Senator from Massachusetts has proven.

Mr. ALLISON. Will the Senator allow me a moment? I did not understand, when I had the colloquy with the Senator from Arkansas this morning, that the amendment of the Senator from Georgia was actually pending.

Mr. BACON. The pending question is on the adoption of my amendment.

Mr. ALLISON. There is a custom here of proposing amendments intended to be offered, and I supposed it had been offered in that sense, and that there was nothing pending on the joint resolution.

Mr. TELLER. The amendment of the Senator from Georgia is pending.

Mr. ALLISON. I have examined the RECORD and find that the amendment of the Senator from Georgia was the question under consideration when the joint resolution was up a week ago, and therefore I take it for granted that that amendment must be voted upon in order to get to the main question.

Mr. BERRY. I went to the clerks before I made the remarks this morning and asked them if the amendment was pending. They told me that it was pending and the argument was on that proposition. I knew that it was pending.

Mr. ALLISON. I misunderstood the Senator's statement as to what constitutes a pending amendment.

Mr. BACON. Mr. President, I trust that all those will vote for this amendment who, like myself, are opposed to the permanent annexation of these islands and who favor that they shall be given their freedom at a proper time, leaving to the United States Government, as it does, the determination of when that time will come and the terms upon which it will be granted, leaving full power to the United States Government in every particular, simply pledging us to the proposition that we will not maintain the permanent annexation of these islands and that we will not subject their people to our dominion against their will. I trust that all those who agree with that fundamental proposition will vote for this amendment.

Now, sir, I have but one appeal to make to those who are opposed to it. Let us have a vote on the amendment and do not let it be put aside on a motion to lay on the table. It is a grave matter. It is an important matter. Let us come squarely up to it and say whether we are in favor of a permanent retention or whether we are in favor of letting these islands loose at a proper time, and whether we are willing to give freedom to a people who have heroically staked their lives to secure their liberties.

Mr. ALLISON. I understood the Senator from Georgia a few moments ago to suggest that he would offer an amendment.

Mr. BACON. No, sir; I withdrew that.

Mr. ALLISON. That is all right. I only wanted to know the situation.

Mr. BACON. I may offer it to some other resolution in case it is not adopted at this time. In case it is adopted here, I will not do so.

Mr. HOAR. Mr. President, I wish to say a word or two on the joint resolution and a word or two on the question of order. The precedent which has been cited by my colleague is this, as I understand it. The Senator from Tennessee, Mr. Harris, a great master of parliamentary law, as we all know him to have been, perhaps the greatest who was in the Senate in his time, asked for a unanimous consent that there should be a vote on the bond bill at 2 o'clock. Then it was suggested that there would be a desire to vote on the amendments, and that Senator replied, not that he proposed to make that a part of the unanimous-consent agreement but that, of course, under such an order the pending amendments would be included, and that, of course, is what was done.

That, as I respectfully submit and as I conceive, gave the authority of the Senator from Tennessee and the authority of the Senate itself to that interpretation of such a unanimous agreement, namely, that an agreement to vote on a bill includes a vote on a lawfully and properly pending amendment just as it includes a vote to postpone it indefinitely, or lay it on the table, or any mode of actually disposing of it.

Now, at that time the question came up of the application of that understanding to the then existing condition of things, and the Senator from New Hampshire and my colleague and several others insisted, and I think correctly, that there was the right to offer amendments, they being offered before that time came, and being in order, and to have them also voted upon; and that proposition was never denied by the Senate.

The PRESIDING OFFICER. The Senator from Massachusetts will suspend a moment and allow the Chair to lay before the Senate the unfinished business, which will be stated.

The SECRETARY. A bill (S. 1575) to amend an act entitled "An act to regulate commerce."

Mr. HOAR. I ask that that may be laid aside.

Mr. ALLISON. There is nothing pending.

Mr. HOAR. Then I ask that the joint resolution of the Senator from Louisiana may be taken up.

Mr. ALLISON. I hope there will be no objection to the Senator from Massachusetts proceeding?

The PRESIDING OFFICER. The Chair simply desired to lay before the Senate the unfinished business.

Mr. HALE. Let the unfinished business be laid aside informally.

The PRESIDING OFFICER. The Senator from Maine asks that the unfinished business be laid aside informally. If there be no objection, it will be so ordered. The Senator from Massachusetts will proceed.

Mr. HOAR. Now, it turned out that the amendment proposed by my colleague, and possibly the one by the Senator from New Hampshire also, was not in order. I should like to have the Senator from Iowa listen to the statement, because I had somewhat of a difference with him about it, if it is not asking too much of his courtesy. Their amendments were not in order because there was another amendment pending. They did not propose to amend the pending amendment, and a new separate amendment of the bill was not in order until the first amendment was disposed of. That was not disposed of until 2 o'clock, or whatever the hour was, and then it was not in order to move it under the unanimous-consent agreement because the Senate had agreed that nothing should be done after 2 o'clock but to take the vote; that you can not take the floor and move an amendment which would take twenty minutes to read it, if it had been a long one; but that is immaterial. So, as I respectfully conceive, the true parliamentary doctrine established by the precedent cited by my colleague is that a vote on a bill involves a vote on amendments lawfully pending.

Mr. ALLISON. I concur in that view.

Mr. HOAR. And a unanimous-consent agreement to vote on the joint resolution at half past 2 o'clock includes all amendments which may be moved before that time. Mark, the word is "before," because they are just as much a part of the bill. We put into our ordinary unanimous-consent agreements the words "amendments now pending," not as an enlargement of an agreement to vote on a bill at that time, but as a contraction of it, so that it will be understood that no other amendments except those now pending are included in the agreement; or if we say "amendments then pending," that gives it the other interpretation. So that the amendment of the Senator from Georgia, or the amendment of the Senator from Kentucky, unless it is disposed of before 2 o'clock, must then be voted on. I think that we now all agree upon it. You can not get in any other amendment, because, the previous one not having been disposed of, it is not in order. You can not get any in before 2 o'clock, because one is pending; and you can not get it in after 2 o'clock, because it is determined exactly what is to be done then, to wit, to vote, and not to make a motion to amend.

Now that is what I understood, and that is what I meant to say this morning when I used a word I should not have used. I agree with the contention of my friend from Iowa, which I understood to be something altogether different.

Mr. WOLCOTT. May I ask the Senator from Massachusetts a question?

Mr. HOAR. Certainly.

Mr. WOLCOTT. For information only, and not in the slightest degree of criticism. I understand the Senator to say that in his opinion a unanimous-consent rule permits any amendment lawfully moved before the time at which we are called upon to vote.

Mr. HOAR. Yes; lawfully moved.

Mr. ALLISON. And pending.

Mr. WOLCOTT. Yes, and pending. I understand the Senator to say, further, that inasmuch as one amendment has been lawfully moved and is now pending therefore no other can be lawfully introduced and be pending.

Mr. HOAR. Except as an amendment to the amendment.

Mr. WOLCOTT. Except as an amendment to the amendment.

Inasmuch as under the rules there can be but one amendment to an amendment, then I understand the Senator to say that whenever there is a consent rule, a unanimous-consent agreement, as to a resolution, that carries with it but the possibility of two amendments and no more.

Mr. HOAR. That is as I understand it, unless the right to offer amendments is otherwise preserved, or the prior amendments have been disposed of before the time fixed for a vote.

Now, Mr. President, I wish to say a few words upon the joint resolution itself. I heard a good deal before the treaty was enacted, spoken with great earnestness and great vehemence, about embarrassing the Administration in the war. It was said we can not declare the old doctrine of the Farewell Address, or the old doctrine of the Declaration of Independence, or any limitations on our constitutional power, or any expression of our intent, because there are hostilities going on between the United States and the people of the Philippine Islands. Those hostilities are going on now, and what has become of the scruples of the majority in this Chamber? They are prepared not only to send to the people of the Philippine Islands what two highly esteemed members of the Senate, in speeches which I think gave me more pain than any other speeches I ever listened to in the Senate, said they would not do—they would not send any message to the persons who had arms in their hands taken up against the United States. But here is a message, while those hostilities are still going on, calculated to provoke freemen, lovers of liberty, men who think as our ancestors thought, men who think as we have thought till within six months, to resistance and to hostility to the death.

They are simply resolutions, when properly analyzed, declaring in effect that these 10,000,000 people have in our judgment no constitutional rights, no rights to liberty, no rights even to be heard in the determination of their own self-government, and that they are not to have in the future any right of citizenship, any of the rights debated and somewhat misty, but still valuable and precious, which men have when they become residents on territory of the United States. They are not to be citizens here. They are not to be an integral part of our territory ever. Then it goes on to say, in substance, that they are to have nothing to do about their own government hereafter. It is the intention of the United States to make a government for them "suitable to the wants and conditions of the inhabitants of said islands." Of that we are to judge, not they. That government is not to fit them to govern themselves ever in the great things which pertain to a national life.

The message which my honorable friend from Delaware will not send to the people with arms in their hands is a message of peace, of good will, of liberty. But he will send them this message from the Senate: Never shall you be made citizens; never shall your territory be United States territory; never shall you have the rights which dwellers on our territory enjoy; never shall you establish your government for yourself. We will try to fit you in small matters and in local matters for self-government; we will try to fit you to govern yourselves so far as the people of the District of Columbia used to govern themselves perhaps and so far as a Territory may govern itself perhaps, but you shall never have a part or a share, not one of the ten million of you, in your national self-government.

And then what is the United States going to do with 10,000,000 human souls? Make such disposition of them as will best promote not even their interests alone, but ours, "as will best promote the interests of the citizens of the United States," which they are not, and as a caudal appendage, the interests of the inhabitants of the islands.

Now, Mr. President, was there ever on the face of the earth more infamy, if what the people of the United States have said and lived and declared in the face of all mankind be true, than is to be contained in that declaration? It is a declaration stripped of everything else simply that the Louisiana sugar planter shall not be afraid of their competition in the future, and that to prevent that fear there shall never be a human, a constitutional, or a legal right recognized in those 10,000,000 people; and that is the whole of it.

Now, Mr. President, you can not send a message of peace, you can not send a message of hope, you can not send a message of pity, to those poor people who have taken their bows and arrows in their hands and thrown themselves against the power of the people of the United States, dashing out their lives in a brave battle for liberty. To send them even a message of pity the man who proposes it is denounced as a traitor and as unfaithful to the interests of his own country; but for a message of tyranny, a message of hate, a message of oppression, a message of slaughter, these gentlemen are ready enough.

Mr. President, I want to say a single word about these people and their chieftain. I agree that we have not full information about Aguinaldo. It may turn out in his case, as it has turned out in the case of so many others, that he is an unprincipled adventurer. We know nothing about that. All we know about him is that he was accepted as an ally, and that after everything that has been said to his disparagement happened, after his retreat, after his acceptance of the money of Spain, he was recalled in honor and in power by the admiral and the general of the United States. We know that he had invested the Spaniards in the city of Manila; we know that of those 2,000 islands he had won the independence of every one, save only the city of Manila and perhaps one or two other slight stations held by Spain. We know that there came from him a provisional government and constitution for a people engaged in a revolution for their own independence the like of which for ability and fitness for the situation for a people about to enter upon self-government as soon as the military necessity had gone by there are not ten men on the face of this planet who could have improved upon. It is a masterpiece of constitutional construction.

We know that he has addressed to this Senate a powerful, temperate, and respectful communication, stating with admirable clearness and compactness a desire and a hope for liberty and an appeal to the great people of the United States. I do not see how any American heart not of stone can fail to see that the source of that appeal is entitled to respect and to honor. He has also made an application—rejected, I am told, though the details of that we do not know—simply for a hearing.

Suppose it were true that these 10,000,000 people seeking liberty, knowing nothing of a foreign power but what they have learned from Spain, 10,000 miles off from the United States, unacquainted with our history, their eyes never having gazed upon the beauty and the glory of our flag, suppose they did in their ignorance and in their weakness make this brave and passionate attack upon the forces of the United States, they were, at least, men willing to give their lives for something. Whatever else they did, they did not flinch or run. We have, with scarcely the loss of a man, mowed them down by the thousands; we have inflicted upon them that dread and terrible penalty; and I do not agree with my honorable friends who say that it is unworthy of the dignity of the people of the United States to send those people even a message of kindness and hope and sympathy.

I think the lives of American soldiers were sacrificed by the men, whoever did it, who demanded of these men their unconditional submission and would not send them a message such as America has been wont to send and such as the American flag has been wont to bear to the down-trodden and suffering and oppressed peoples of the earth.

Mr. President, others doubtless will do as they please. I have in regard to myself, in regard to what I have said and done and what I shall say and do in this business, neither doubt, hesitation, nor misgiving. I am satisfied to stand with the fathers and the statesmen of the past generations, with the men who framed our liberty and who founded our Constitution.

Mr. President, I happened accidentally this morning, looking entirely for another subject, to find a passage from Dr. Johnson, in the great argument in which he assailed our revolutionary fathers, entitled "Taxation no tryanny." If I were to have it read at the desk as a part of the speech of the gentlemen who have been defending this business here, everybody would say, "Why, of course, that was exactly what they were saying; it sounds like last week and the week before last"—this doctrine that there can be no limitation of sovereignty, that a sovereign can do anything he pleases, that you are inferior, that a constitutional republic or a limited monarchy is inferior to a despotism or a tyranny. I should like to have the Secretary read the paragraph marked in the book, which I send to the desk.

The PRESIDING OFFICER. The Secretary will read as requested, in the absence of objection.

The Secretary read as follows:

All government is ultimately and essentially absolute, but subordinate societies may have more immunities, or individuals greater liberty, as the operations of government are differently conducted. An English individual may by the supreme authority be deprived of liberty for reasons of which that authority is the only judge. In sovereignty there are no gradations. There may be limited royalty, there may be limited consulships, but there can be no limited government. There must in every society be some power or other from which there is no appeal, which admits no restrictions, which pervades the whole mass of the community, regulates and adjusts all subordination, enacts laws or repeals them, erects or annuls judicatures, extends or contracts privileges, exempt itself from question or control, and bounded only by physical necessity.

Mr. HOAR. That is the doctrine on which this present policy of ours stands. But John Adams and George Washington and Patrick Henry had something to say to the contrary. That pamphlet was published by Dr. Johnson in 1775 as An Answer to the Resolution and Address of the American Congress, and the American Congress joined issue and they answered to the great moralist and philosopher, the tool and defender of absolute power, that governments get their powers from the consent of the governed, and that the only powers they get are just powers, and we claim for our newly constituted governments the right to do only those acts and things which free and independent States may of right do.

Trampling on foreign peoples or disposing of them for our interests was not one of those things. They declare that it is the right of any people to institute a new government, and to not only "organize its powers in such form," but "to lay its foundation in such principles as to them"—not to anybody else—"shall seem most likely to effect their safety and happiness." And they declare that these things lie at the foundation of all governments, and are of higher and prior authority than government itself. They put that not only into their own declaration, but into the contemporary constitution of every American State; and the people of Virginia added to it that these rights are "the basis and foundation of government," and "that no free government or the blessings of liberty can be preserved to any people but by frequent recurrence to these fundamental principles."

I wonder what sort of recurrence we are going to make to these principles this year? Can any man read them in the Senate without being denounced as a traitor? Can any Senator read George Washington's Farewell Address on his birthday without dropping his voice, or without a little laugh around the Chamber when he repeats the counsel which for a hundred years we have followed? Will it not be a remarkable celebration of the Fourth of July if we have these 10,000,000 people all trampled under foot, and some of our friends can not hear these great sentiments of the moral law as applied to the conduct of the States read again without saying, "Oh, that is a traitorous message you are sending to men who are in arms for their liberty in a distant land?"

Mr. HALE. I have not much hope, Mr. President, that the Senate will take any course which will stop the desolating programme that is now going on in the Philippine Islands. Previous to the ratification of the treaty with Spain Senators opposed to us who feared this result and who believed that instead of peace war would follow its ratification, early and late sought to assuage our fears and doubts by the declaration that the ratification of the treaty committed the American people, the United States, the Administration, to no policy of annexation or of resulting war with the inhabitants of the Philippine Archipelago.

Under those arguments, and as the effect of those statements, I saw, as other Senators saw, day by day the number of Senators here who were afraid to vote for the treaty because of its malefic results gradually dwindling away and falling into the ranks of those who proposed to and did vote to ratify the treaty. Hardly has it been ratified, when an attempt is made to stay the hand of foreign war and to give a chance for peace in the Philippine Islands with the inhabitants there, we are told by the Senator from Nevada [Mr. STEWART], who has become a foremost advocate of the present policy and the present programme, that it is no time now for the Senate to express itself upon the situation in the Philippine Islands; that it should all be left to the Administration; that things are going on very well at present; and that we are precluded from expressing any opinion or laying out any policy.

I am not disappointed, sir; I expected it. I told Senators that when this treaty had been ratified and when war would ensue it would be found impossible for us to take any step that would alleviate the condition, and I do not have hope that out of it anything will come; but Congress will adjourn and the war will go on, and no man will be found in three months from now who will not recognize that it is a war of conquest and subjugation.

Everything that can be said about the attitude of the Filipino people is that for the last six months, and especially since the treaty was negotiated in Paris, they have besought us not to do to them what Spain had attempted to do. They have not to-day gone one step beyond that, sir. They risked their lives and their fortunes against Spain, and Spain's tyranny went on. They showed that they were a fighting people.

There were battles with the Spaniards, Mr. President, long before we went there, which arose to the magnitude of pitched battles, compared with which every instance of the struggle in Cuba was as nothing. They became our allies; they welcomed us to their shores as the herald and the harbinger of their freedom. We have the official declarations made by our representatives in their neighborhood to that effect. We have the declaration of the admiral of the fleet. We have before us, as the reports show, in the commission assembled at Paris, the declaration of General Merritt that in three months 5,000 troops would not be needed on the Philippine Islands. And yet to-day we have 20,000 men there and 7,000 more are now crossing the seas.

Mr. HOAR. How about the *Oregon*?

Mr. HALE. And the *Oregon* is sent out to reenforce the fleet.

And we are told, as the Senator from Massachusetts has so well and aptly—as he always does—put it, that we are traitors, and we are held up and blacklisted in the newspapers because we declare that under the circumstances something should be done in the way of giving those people a chance, at least, to show that they are friendly and can set up a government. Instead of that we destroy them, not by scores or hundreds, but by thousands. Mr. President, there have been more men on the Philippine Islands killed outright by the guns of our Army and Navy than were killed on the side of the patriots in the Revolutionary war in any six battles. The slaughter has assumed a gigantic attitude.

The American people will not let it pass. Unless I am mistaken, these tragic events, this slaughter of men in no way competent to meet us, men with bows and arrows presented to us, retiring, as it is said, and crawling by hundreds to die in the jungles and swamps, have almost stupefied the American mind. I discover already, sir, that this consideration is working with elemental force in the minds of the American people.

Nobody dared to tell us beforehand in the mission of commerce and of religion and the sending of the gospel that it was to be preceded by the slaughter of thousands of men. In another body it was said that we would take the Bible and the rifle and the shotgun, and, if necessary, would use the shotgun and the rifle first; but I found nobody when that was said who heard it or read it who was not shocked at the utterance and who did not repudiate it. But it was not even a small prophecy compared with what has since followed.

Like the Senator from Massachusetts, I have had no doubt as to my own position. I do not say, "I told you so." I do not desire to say that, but all the evils that have come my mind foreboded, and I stated it at times and places where it could not be mistaken. I have little hope now that anything will be done that will stop this programme.

I am not much enamored of the resolution of the Senator from Louisiana [Mr. MCENERY]. It contains very little that is good; it contains a good deal that is bad. It does not represent what I should desire to vote for as an expression of policy to go not only to the inhabitants of the Philippines, but to the people of the United States and to the world. I like the resolution of the Senator from Georgia [Mr. BACON] much better, and the resolution of the Senator from Kentucky [Mr. LINDSAY] better still. But I do not, as I have said, out of it believe or hope that much good will come. The car will go on, Mr. President, the grinding will continue, until at last the people make themselves felt and heard upon this programme of subjugation and slaughter.

Mr. MASON. Mr. President, I agree to a large extent with what the Senator from Maine [Mr. HALE] has said; but I am naturally an optimist, and I do not believe that this juggernaut car of the American forces and power will go much further until the American people have been heard from upon this subject.

When a little over a month ago I asked respectfully for a vote upon the resolution which has been read by the Senator from Georgia [Mr. BACON], I pointed out to the Senate that coming events plainly foreshadowed war with the Philippine Islands. The Senator from New Hampshire [Mr. GALLINGER], who is not now in the Chamber, questioned me, and even went so far as to say that he was sorry that the statement had been made; that it was an impossibility; and yet the very thing suggested has taken place.

The treaty is not complete, and under the protocol, assuming that we have the whole island as well as the bay and the harbor of Manila, we never had a soldier in Iloilo as against the soldiers of the new republic, or the pretended republic, if you please. Our flag had never been put upon that island. The natives of that island by force of their own arms had taken possession and driven the Spaniards out. We were assured day after day and hour after hour and week after week that there was no intention, after the ratification of the treaty, until it was complete at least, to take possession of the other islands of the archipelago. To-day the newspapers give us the news that was predicted upon this floor thirty-three days ago to-day, of the capture of Iloilo. We are driving the natives out after a bombardment, and then, according to the report, the natives have set the city on fire; and when a Senator rises here to question the conduct of his own country, he is called to account as though we were engaged in war with a great power, when every tyro knows the difference.

Mr. President, if we were conducting a war against Spain, Great Britain, Germany, or any of the powers of the earth, I think I know my patriotic duty as well as do those gentlemen who have scolded me in the press and elsewhere. It would be the hour of the survival of the fittest, and I would stand by my country, right or wrong, ready to vote arms, munitions, or furnish whatever I had to give in defense of the preservation of my country. But here is a case where we are attacking people without arms, where we are making war against people who can not defend themselves, and who thirty days ago were our allies—a war that is utterly unwarranted by any act of Congress. No declaration of war has been made by the war-making power, the Congress of the United States, against the people of the Philippine Islands. I ask any lawyer on this floor who claims to know international law whether, until the completion of the treaty of peace, we secure even the naked title of sovereignty which Spain had.

It was claimed that upon the completion of the treaty of peace we should receive the title of sovereignty. I denied it. But now, for the purposes of the argument, suppose you have received the

title of sovereignty which Spain had, you do not receive it until the completion of the treaty; and until the completion of the treaty of peace we have, under the protocol, only the right to keep Manila and its harbor.

How is this war to be closed except by the extermination of those poor people? Admit, if you like, that Aguinaldo is dishonest; admit, if you like, that he sold his country for thirty pieces of silver—which I deny and which the record does not prove; admit all you please, yet within three days Aguinaldo asked for an opportunity to quit, and what is his answer? Take the official report, which was published about February 8, and which stands uncontradicted, and it shows that Aguinaldo, ready to quit, asked for a conference, and General Otis declined to recognize or answer the rebel chief. When is this war to stop, when we refuse even to permit the rebel party to speak to us? Mr. President, I desire to take about five minutes upon the joint resolution.

Mr. TILLMAN. Will the Senator from Illinois allow me to ask him a question?

Mr. MASON. Certainly.

Mr. TILLMAN. I am trying to get at the legal status of these people. Until the treaty is ratified at Madrid the title does not pass to the United States, I believe, and therefore these people can not be rebels against the United States Government. While we are making a treaty of peace with Spain and fighting these people under a pretense that legally they are Spanish subjects, what is our legal status in international law? I should like to have the Senator answer that question, or if he is unable, as I am, then I should like to call upon some other gentleman on the other side who knows all these things.

Mr. MASON. I have not a monopoly upon either fact or law. I have some opinions, and I admit myself that they are usually correct. [Laughter.] I am exceedingly sorry that my colleagues do not always agree with me. You remember the one man on the jury who found eleven fools, or simply people who did not agree with him. I have a theory about it. I have studied international law a little. It would take a very large book, however, to hold that which I do not know about international law.

The gentlemen who favored the treaty and urged it so strongly without any vote on the resolutions said in their speeches that when Spain ceded to us the Philippine Islands she ceded the sovereignty; that is, the right to govern. Now, I am an American. I do not believe you can sell the right to govern anybody. I do not believe you can do in international law that which is absolutely repugnant to and in conflict with the theory of the Government, but that we had a right, and for the purposes of the argument I said let that pass. It is only one of many questions, and for the purposes of the discussion which I am having now I say I will admit that you bought the sovereignty of Spain, I say that I am willing to admit that it carries the right to govern, but I say that until the treaty is complete you have no right by the armies and navies of your country to take possession of land which has not been ceded to you.

I understand that now, to-day, the men who were rebels yesterday against the United States are rebels against Spain, and for legal necessity we must transfer their rebellion as against the sovereignty of Spain, in order that we may shoot them to death and still be within the line of constitutional and international law. Yesterday they were rebels against us, according to the statements, and to-day, in order to justify the burning of their villages, we have transferred the legal status, and they are now rebels against Spain and we are killing them because they are rebels against Spain and have broken the treaty. Such are the intricacies of international law, if you will permit the expression.

Distinguished Senators who, upon this floor within one week, have declared them to be traitors and rebels against us are announcing a new doctrine this morning—that the Filipinos are rebels against Spain or that they are legally the subjects of Spain, and as subjects of Spain have broken the treaty of peace. To such extremities are gentlemen driven. Men fighting for liberty never have put such a construction upon statutes. It is only that frame of mind which sets out upon a beaten path, having announced its intention of drifting away from the lines laid down by the fathers, drifting away from the lines laid down by the Republican party in its last convention. With their heads set, they say, "If we do not kill them, they will have anarchy there. If we do not burn their towns, they can not govern themselves." By what authority was Iloilo fired upon by our guns? Have we declared war in this war-making body? Oh, no.

Mr. TILLMAN. I will ask the Senator from Illinois, if he will allow me, whether that is not a recognition of the existence of a government on the island of Iloilo?

Mr. MASON. Yes, to-day; but constitutional and international law change every twenty minutes to fit the purposes of those who would govern other people without their consent. What is the use of laying down a rule to-day? Let them lay down their own rule. They will not follow it twenty-five hours if it suits them to break it. Do not try to fix rules of international law to govern this body. The greatest lecture I have ever read upon international law was delivered by the distinguished chairman of our Committee on Foreign Relations, and I commend it to my friends in this Chamber, for he says, after all, international law can come and go, but the sum and substance of it is that its final judgments are based upon equity and liberty and good conscience. Is it liberty and good conscience to kill these people? That is what I ask.

Mr. TILLMAN. I understand the Senator from Illinois to quote now from the honorable Senator from Minnesota [Mr. DAVIS]?

Mr. MASON. Yes, sir; but I do not pretend to give his exact words.

Mr. TILLMAN. Has not the Senator got that choice morsel with him, and can he not read it?

Mr. MASON. It is in a publication giving a series of lectures delivered by the distinguished Senator from Minnesota at the university of his State. I am free to say that the more I read of him the more I honor him for his learning. In one of the lectures which made the greatest impression upon me, and which I had the pleasure to use and quote from in a small place where I had occasion to refer to his lectures, is that one thought. I am sorry I have it not here, but it is to this effect, that there is such a thing as international law, there are such things even as prize courts, but that international law is written not upon statute books but in the consciences of the nations of the world.

Mr. TILLMAN. The Senator then agrees with me that the taking of Iloilo is a recognition of the adherence of that island to Aguinaldo's government; and as Aguinaldo is a rebel against Spain and we are subduing his followers we have gone off 300 miles on another island to take another city where the people have never fired a gun on our soldiers?

Mr. MASON. Does the Senator mean that by killing a man you recognize his existence? Not at all. General Otis has distinctly declined to speak to Aguinaldo.

Mr. TILLMAN. Iloilo is 300 miles from Manila.

Mr. MASON. There is nothing in the dispatches to indicate that he may not have been willing to lay down his arms. But they say Aguinaldo is a fraud, do not speak to him, and kill the people back of him.

Mr. TILLMAN. But Iloilo is 300 miles from Manila.

Mr. MASON. I understand so; but it is a government which admits——

Mr. TILLMAN. Aguinaldo as the president of the republic?

Mr. MASON. He claims to be.

Mr. TILLMAN. I say the Iloilo people, the insurgents, or the patriots, or whatever we term them, have resisted the landing of the Americans there, and they did not land until we ratified the treaty and the battle of Manila came off. Now our troops, without any provocation, go on shore, shell the town, and burn it and seize it.

Mr. MASON. We shelled it, but they burned it, according to the official reports. [Laughter.] You must get your official information correct. We are giving them the Christian civilization of which we have been talking. We refuse to permit their leader to speak to us, but continue to shoot.

Mr. President, I desire a moment in which to reply to the Senator from Massachusetts and the Senator from Georgia in regard to the joint resolution known as the McEnery resolution, for which unanimous consent was given that it should be voted upon to-day at half past 2 o'clock. I do not wish to consume the very valuable time here—fearing some others may wish to speak a few minutes—to respond to gentlemen who spoke in regard to my conduct the other day. It is only fair, however, that I should say that more than a month ago I asked unanimous consent, and stated that I would continue to ask it until the treaty was voted upon.

I also gave notice that I did not intend to consent to a vote upon the treaty until some such arrangement was made. That ran along for four weeks. However, when the friends of the treaty wished it voted upon, I was absent from the Chamber for ten or fifteen minutes. When I returned, I found that an agreement had been reached or was about to be reached, and I felt that that was of such great importance that I would not interpose any objection, and did not. But I gave notice at the same time that I should continue to ask for unanimous consent. Saturday I took the floor. I was not speaking on the appropriation bill, and so distinctly stated. The Senator from Colorado [Mr. TELLER] will remember he told me, and I trust him as being familiar with the rules, that I was speaking in my own right.

Mr. TELLER. The Senator from Illinois was.

Mr. MASON. He said I had a right to speak. I gave notice at the opening of my remarks that I would ask for unanimous consent. In order that I might take no unfair advantage I suggested the absence of a quorum, and upon the roll call a quorum came in. I am told that 57 Senators were here. At the opening

of my speech I again stated the object of my remarks; that I intended to continue to ask for unanimous consent. I did so continue. I kept the floor until I finished my speech, and I did ask for unanimous consent. I had been giving notice for thirty days and if any one Senator out of the dozen who objected to my requests during the past thirty days—the Senator from Montana [Mr. CARTER] had objected; both Senators from Connecticut had objected; the Senator from Georgia [Mr. BACON] had objected twice, once when I made a request——

Mr. BACON rose.

Mr. MASON. I do not mean that the Senator from Georgia objected until after the time came when he ceased to work for his own resolution.

Mr. BACON. The Senator from Illinois is entirely mistaken. He can not show by the RECORD that I ever objected to any request of his to vote upon his resolution.

Mr. MASON. Oh, no.

Mr. BACON. Does the Senator mean upon the McEnery resolution?

Mr. MASON. Yes.

Mr. BACON. Oh, yes. I said I was willing to vote on any of the other resolutions without debate, but that the McEnery resolution required discussion.

I will state to the Senator, as he has alluded to my action in the matter, that I was present when he asked for unanimous consent for a vote upon the joint resolution. I had previously, on the same morning, stated that I would consent as to all others, but upon that joint resolution there should be discussion. When he asked for unanimous consent, two or three Senators on the other side having previously—within a few minutes—objected, I supposed they were in their seats, and I did not make objection; otherwise I should have objected then.

Mr. MASON. The Senator from Georgia did not feel that it was his duty to examine each chair to find whether the gentlemen who objected were present or not.

Mr. BACON. Even if I had, I would have found that they were not there.

Mr. MASON. I will say that I did not consider it my duty, and I do not consider it my duty now. If any Senator should come to me and say, "Do not call up this matter in my absence," he knows very well I would not do it; but there was such unanimous objection to every move I made that I did not consider that any one gentleman had appointed himself my guardian, and I expected every man in the Chamber to object when I finished my speech. None of them did object, and the order was made. I have no apology to make for it; and as to those gentlemen who saw fit to criticise me in my absence, I shall take occasion on some other and more favorable occasion to give my opinion of them, unless they shall at least modify some of the suggestions that have been made as to my conduct. I simply claim that I have the same right here as, and no better right than, every other Senator. No Senator, by reason of age, experience, or previous condition, has any more rights than I on this floor.

Mr. President, as to the joint resolution, I confess I agree with a good deal that has been said by the Senator from Georgia [Mr. BACON]. It is not the resolution of my choice. My own resolution is a dear, sweet thing, and I had hoped to put it upon its passage through this august body, but I had no chance of getting a vote on it. I have no hope of getting a vote upon my resolution. My resolution declares in so many words that we do not intend to govern other people without their consent. That is entirely in conflict with our conduct. I had no idea of getting a vote of censure upon our own Government in this dignified body. So I abandoned it, willing to take any crumb of comfort I could get. I was willing to take the resolution offered by the Senator from Georgia [Mr. BACON], and so stated.

I worked here two days to get a unanimous-consent agreement. There is no hope of passing anything except the McEnery resolution, so called, which was agreed to by the distinguished gentleman who lead the fight for this treaty, and who, in my presence, agreed to call it up immediately upon the ratification of the treaty of peace. He kept his word so far as he could up to the hour of his departure from the Capitol. I am not finding any fault with him. I say so far as he could he kept his agreement.

Now, in my opinion, unless this resolution is passed, none will be passed. I believe it is better than no resolution. I wish to be heard upon that point for just a moment. I ask the Senator from Georgia, to whom I gave my attention this morning, to let me give him a construction of a few lines. I have listened to his construction of the resolution. I have listened to the construction given by the distinguished Senator from Massachusetts [Mr. HOAR]; but I can see only a crumb of comfort. I do not see even half a loaf, but I see no affirmative declaration that we intend to perpetually govern these people by force and without their consent.

That by the ratification of the treaty of peace with Spain it is not intended to incorporate the inhabitants of the Philippine Islands into citizenship of the United States.

Is not there some comfort in that, I will ask the Senator from Georgia—the fact that we dispel the idea of friendly and gracious assimilation of the people of those islands, who fight with clubs and bows and arrows; that we are not to adopt them as citizens of the United States? Is not that an affirmative declaration? Is it not pleasing to the Senator from Georgia? Would he not rather have that than to have the resolution loaded down by his resolution, which is a better one, and in the end have the joint resolution defeated altogether?

Mr. BACON. As the Senator asks me, I desire to state that if my amendment is not adopted I shall certainly vote against the McEnery joint resolution, as I think it vicious in each and every particular.

Mr. MASON. I said the resolution declares that by the ratification of the treaty of peace it is not intended to incorporate the inhabitants of the Philippine Islands into citizenship of the United States. Is not that satisfactory—that we are not to incorporate them as citizens; that we are not to adopt them, bows and arrows, leprosy, and all? Suppose we all took the same ground that unless our particular resolution is adopted we will adopt none. I verily think the plain suggestion in my resolution, which the Senator said he would vote for, is better than this.

Mr. CAFFERY. Will the Senator from Illinois permit me to ask him a question?

Mr. MASON. Certainly.

Mr. CAFFERY. The treaty of peace hands over the sovereignty of the Philippines to the United States. We take them in, according to the treaty. What is the use of a declaration that it is not our intention to take them in?

Mr. MASON. Oh, well, we may take a man into our house as a guest; we may take him in as a stranger; we may take him in as a partner or a boarder. We have taken in the Philippines. There is a difference of opinion as to how they stand. We ask for a declaration that the Filipinos are not to be citizens. I should gladly vote with the Senator, if they will give you an opportunity, but we can not get an opportunity to vote in this body.

Mr. MALLORY. Will the Senator from Illinois permit me to ask him a question?

Mr. MASON. Certainly.

Mr. MALLORY. If the ratification of the treaty gives the Philippine people a status as citizens in the sense in which the Constitution uses the word "citizenship," is it within the power of Congress by a declaration to deprive them of that citizenship? If it is a fact that by the ratification of the treaty they acquire any of the rights of citizenship of the United States, can a declaration of Congress, passed by both branches, the President signing it, so affect their status? Would that be depriving them of a right by due process of law?

Mr. MASON. You are getting into the constitutional argument which you made, and made well, and made ably. I do not believe they could.

Mr. MALLORY. I do not.

Mr. MASON. Continuing further, I do not think the adoption of the treaty makes them citizens, and I am trying to get some expression of the Senators of the United States which will be of some satisfaction to the people that we do not intend to make them citizens.

Mr. HOAR. I should like to ask my honorable friend a question if he will allow me. Does not the concluding paragraph of the resolution affirm our right to dispose of these people whether they are willing or not?

Mr. MASON. Yes.

Mr. HOAR. Does the Senator believe in that doctrine?

Mr. MASON. No. I believe a joint resolution makes a law. I believe it can be amended or repealed. The joint resolution says that in due time we propose to make such disposition of the islands as will best promote the interests of the citizens of the United States and inhabitants of said islands. I believe that when the people of the United States, when the labor of the country has felt the contact and the competition of that labor, and when the conscience of the American people is awakened, then they will construe that to mean absolute independence.

As I said before, I am an optimist. I can now see the great conventions meeting—the Free Silver convention, the Populist, the Democratic, the Republican—and they will all hustle to get a declaration——

Mr. NELSON. And the imperialist.

Mr. MASON. The imperialists will be dead and buried before another convention is held in the United States of America. The imperialist will live only in the realms and kingdoms across the water. I can see those conventions hustling and hurrying along to get on record first for the old-fashioned declaration in favor of human liberty and independence for the Philippine Islands, as they did for Cuba two years ago. If there is any difference in platforms in 1900, it will be that the convention last held will declare

a little the strongest for human liberty and against human slavery. I am ready to get a crumb of comfort out of this dignified body.

Mr. BACON. Will the Senator permit me? If I agreed with him that there is any crumb of comfort in the joint resolution, I should certainly vote with him. We are one as to what we desire, but we differ in our judgment as to what the resolution contains.

Mr. MASON. I know that is true. I have appreciated it from the start. I am glad to agree with the Senator, and I am exceedingly sorry that many great efforts for the benefit of human liberty have been wasted, dwarfed, and finally defeated by the lack of unity of action among those who desired to attain a certain result. I can not ask the Senator to yield his judgment. He can not ask me to yield mine. I am for what I can get, and I shall be glad even to have it known to the people of the United States that this body realizes that there is war in the Philippine Islands, and that we are taking towns, that we are bombarding towns, and that the citizens of the towns are burning them; and all because Aguinaldo is not honest, and all because we have not had time to talk to him.

Mr. President, before I sit down I desire to say to the Senator from Massachusetts, in reply to his suggestion, that I should be willing to follow him. I know of no living man, American or foreigner, in whom I have greater confidence or for whom I have greater respect. At this critical moment I have no wish to crowd my personal views. I am willing to abandon anything to stop this war. I was willing to vote for the treaty of peace because I was told it would stop the war; and yet the hour the treaty was voted upon, or within a day, we began to burn their villages. I was for peace in the Philippine Islands; I voted for the treaty supposing it would bring peace. Each man must act according to his own judgment.

No Senator could have given more careful thought, although all of you could have given better thought, as to what vote should be cast than I gave. When I voted for the treaty, I voted upon the promise to pass the resolution; I voted upon the understanding that there was to be no more war in the Philippines, and that we would take those people and reason with them as children; that we were to give them a chance upon the broad highway of the survival of the fittest. Yet when their chosen leader asks for an interview we decline even to hear his proposition and continue to fire.

I will say to the Senator from Massachusetts what I was about to say, that the tide has turned. Ten thousands of people who stood before for taking the Philippine Islands whether or not have begun to change their minds. I ask no better proof of it than an editorial taken from the Chicago Times-Herald, which I desire to have read, if there is no objection. It is short. If there is objection, I will read it.

I was saying to the Senator from Massachusetts that the working people, in their great convention representing all of the trade and labor unions of this country, have protested against annexation. Upon this question there is a boiling from the bottom. There is a love of liberty among the people, and great newspapers that before were writing editorials and saying, "Shoot them; they are rebels," have changed their tone. I call attention to the one that has spoken for the Administration, at least in the Northwest, during the first two years of the present Administration. I understand it to be an editorial from the Times-Herald, of Chicago. It states that it is from the Times-Herald. It might have been a communication, but it is published in the Washington Post. I would like to have the Secretary read it.

The VICE-PRESIDENT. The Secretary will read as requested.

The Secretary read as follows:

PACIFICATION, NOT ANNEXATION—PUBLIC SENTIMENT WILL NOT TOLERATE SLAUGHTER IN A WAR OF CONQUEST.

[From the Chicago Times-Herald.]

Pacification looking to independence, not subjugation preparatory to annexation, should now be the American policy in the Philippines.

Such scenes of slaughter as attended the repulse of the Filipinos on our lines last Saturday and Sunday send a shudder of horror and pity through the land. History may tell us that civilization and progress have always advanced through such charnel scenes to the salvation of savages and for the good of mankind.

But the people of the United States have neither the blood thirst nor the land hunger that will tolerate a war of conquest whose battlefields are shambles and whose victories are butcheries.

There is no glory in routing an army of undisciplined semisavages, whose ranks are recruited from Igorrotes bowmen, half-naked boys, and women masquerading as soldiers.

The slaughter at Manila was necessary, but it was not glorious. The entire American nation justifies the conduct of its army at Manila because only by a crushing repulse of the Filipinos could our position be made secure. It will also sustain any steps that may be necessary to make Manila invulnerable to like assaults in the future.

But the conscience of the American people will not tolerate the slaughter of Filipinos in a war of conquest.

We do not seek their land. We do not want to replace the yoke of Spain with one bearing the more merciful and just label of the United States of America.

If we could we would order our army and navy back from the Philippines, contenting ourselves with such a naval depot as would prevent our ever again being caught in the dilemma which forced Dewey to take refuge from Hongkong in the destruction of Montojo's fleet and the capture of Manila.

But to-day the peace of the Orient will not permit our immediate retirement from the Philippines. We are the successors to Spanish sovereignty there, the guardians of the island from the rapacity of foreign nations, and in a broad sense the trustees of civilization and peace throughout the island.

This is the White Man's Burden which Dewey achieved for us, and which has been thrust upon us by the impotent oppression of Spain and the semibarbarous condition of the Philippines.

The path of duty and national honor in the Philippines is a narrow and perilous one. We can see the end, which should be the establishment of an independent Philippine republic. But the way to that end is involved in doubt and difficulties which ought not to prove insurmountable.

We can only keep our conscience clear by keeping the end always in view and working toward it with patience and honesty.

But we want no repetitions of the battle of Manila.

Let the President proclaim the purpose of the United States to be pacification with a view to the ultimate independence of the islands. Let him summon the chieftains of the principal sections of the country to a council to devise some system of home rule until the Filipinos are able to assume all the obligations of government.

Let him announce that we have no intention of annexing Asiatic territory and that the pledge of Congress as to Cuban independence will be the pledge of the American nation to the Philippines.

Mr. MASON. I have nearly finished. I should have finished long ago but for interruptions. The Senator from Massachusetts will see when the imperialist begins to talk about ultimate independence that we can really trust the imperialist as well as the American citizen.

The next proposition is—and certainly the Senator does not call this a message of war—

That by the ratification of the treaty of peace with Spain it is not intended to incorporate the inhabitants of the Philippine Islands into citizenship.

That is a good declaration. We do not want them for citizens, we do not need them for citizens, we do not need their land. After three hundred years of Spanish sovereignty there were only 10,000 Spaniards in the islands.

Mr. HOAR. If the Senator will pardon the interruption, I will state my criticism about the joint resolution.

Mr. MASON. Certainly.

Mr. HOAR. It declares that it is the intention of the people of the United States to establish a government for that people. Then they are going to prepare them, not for independence——

Mr. MASON. I understand that.

Mr. HOAR. Not to do what they have a mind to do, but for local self-government.

Mr. MASON. Local self-government.

Mr. HOAR. Then they are going to dispose of it in that way that will suit our interests.

Mr. MASON. No, their interests.

Mr. HOAR. Our interests and theirs. There is, I agree, a little semicaudal appendage very much docked at the end.

Mr. MASON. But the caudal appendage is important to this particular canine, because it says we are not going to dispose of it to promote the best interests of the citizens of the United States alone, but of "the inhabitants of said island," and I say that all the genius and history of the United States is that when the plain people, as Lincoln called them, finally act they will act in the interest of liberty. Of course, they only pretend to give local self-government, but that is better than the shotgun we are giving them now. We will take what we can get. My opinion is that if the resolution is changed it is likely to be defeated.

Now, upon the second proposition. First, we do not intend to make them citizens. Next, we are not going to annex said islands as an integral part of the territory of the United States. There are two great things that the people would like to see us declare upon, that we are not going to take their lands and we are not going to take the people. In the great joint debate between Lincoln and Douglas in front of the court-house in Chicago, I was told by an eyewitness, who was illustrating some question from that debate, that Judge Douglas forgot himself for the moment and charged Mr. Lincoln with being an abolitionist, and as he turned to sit down he used what was common in those days to offend Republicans by saying, "I see you want a negress for a wife; you want to marry a colored woman."

Douglas, I say, forgot himself for the moment, and as he turned to Mr. Lincoln he said: "But perhaps our candidate upon the abolition ticket wants a colored woman for his wife." The person telling me said that Mr. Lincoln rose like the unfolding of a great jackknife without even addressing the Chair. He stepped out in front of the audience that stood before the hotel and, looking down the street, said: "No, I do not wish her for a wife; neither do I wish her for my slave." This declaration says we do not want them for citizens, and we do not want them for slaves. We will take what we can get; to-morrow we will get more.

Now, upon the other proposition, there are two things proposed in the resolution of the distinguished Senator from Louisiana:

But it is the intention of the United States to establish on said islands a government suitable to the wants and conditions of the inhabitants of said islands.

Well, we certainly can not make it much worse than we are

doing now. It certainly is not establishing a government fit for their wants when we are taking them island by island at the point of the gun, and their cities go down in ashes, and their people go out under the stars and sky without a home, all because Aguinaldo sold to Spain, if you please, for thirty pieces of silver. We refused to talk with Aguinaldo. We refused to even let him have the poor privilege of making a proposition, without knowing whether he is willing to lay down his arms or not. We say to him, "You are the only man who can speak to us; get back to your den and get ready to be shot." But you are not shooting Aguinaldo, but shooting the blind people, you say, who follow him; the children, half men and half devils, half child and half man, these weaklings. You here upon this floor have said it would not do to make them citizens. They can not govern themselves. It will be anarchy. They lack moral strength. They lack vital strength of intellect. And yet after having proclaimed them half idiotic and turned our guns upon them, we say, "We will give you Christian civilization, but give it with a 13-inch gun."

Mr. HAWLEY. Will the Senator from Illinois yield a moment? Does he intend to insist upon the unanimous-consent agreement when he knows that three Senators who had just protested in his presence against such an agreement had gone out of the Chamber?

Mr. MASON. If you had been here you would have heard what I said upon that subject. I say yes, I do intend to insist upon it; and I deny any man the privilege of questioning my conduct. I stood upon the floor thirty days ago and gave the notice. I asked for it day after day, and finally when I got consent I called for a quorum. I called for the Senators to come in. You came in. I do not know whether you stayed or not. I had not seen you here. The Senate was reasonably full. I saw plenty of gentlemen on the floor who had objected, as the Senator there before me will testify. I did what is customary and usual in such cases. I did what was fair and what was honorable; and I will allow no man to question my conduct in that particular.

Mr. HAWLEY. I do not ask your permission.

Mr. MASON. No, sir; you have taken it without permission time and again, and it will not happen any further unless I defend myself as I have a right to here and everywhere else.

Mr. MONEY. I should like to interrupt the Senator from Illinois by his permission. I believe the hour was fixed at half past 2 o'clock for the vote. There are two or three gentlemen on this side who would like to express themselves upon the joint resolution before being called upon to vote, and I want to know if there can not be an accommodation made so that those gentlemen can speak. I am one of them myself.

Mr. WOLCOTT. Mr. President, I can not hear what the Senator from Mississippi says, and I am very anxious to hear.

The VICE-PRESIDENT. The Senator from Mississippi will speak louder. He was not heard by Senators on the other side.

Mr. MONEY. I ask unanimous consent that this debate be prolonged, say, for an hour and a half. Gentlemen on this side who have not delivered themselves of some thoughts they have on this subject, of whom I am one, want to speak very briefly about it. It does not make very much difference whether I speak at all, but still there is no use in hurrying through. I do not suppose the Senator who has taken so much of the time of the Senate will have any objection.

Mr. MASON. I do not wish to do anything to hamper the unanimous consent already granted.

Mr. ALLISON. I shall object to any extension of the time unless there is an understanding as to who shall occupy it and how long. There are a number of Senators on this side who desire to speak.

The VICE-PRESIDENT (at 2.30 p. m.). The hour has arrived when, under the unanimous-consent agreement, the vote is to be taken.

Mr. MONEY. I think it would be but fair to divide the time equally between the two sides, if that meets with the views of the Senator from Iowa. The Senator from Iowa will recognize that this very serious question is not going to be put down because time is limited this evening for debate on this resolution. It must come up, and it will come up. It will come up before the close of this session; and I do not think there will be any loss of time. I will sit up with him to pass the appropriation bills.

The VICE-PRESIDENT. The Chair will put any request for unanimous consent.

Mr. CHANDLER. I feel obliged to object to any extension of time.

Mr. BURROWS. The regular order.

The VICE-PRESIDENT. Objection is made. The Chair lays before the Senate the joint resolution (S. R. 240) declaring the purpose of the United States toward the Philippine Islands, which was introduced by the Senator from Louisiana [Mr. MCENERY].

Mr. HALE. Let the joint resolution be read.

The VICE-PRESIDENT. The Secretary will read the joint resolution.

The Secretary read the joint resolution, as follows:

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That by the ratification of the treaty of peace with Spain it is not intended to incorporate the inhabitants of the Philippine Islands into citizenship of the United States, nor is it intended to permanently annex said islands as an integral part of the territory of the United States; but it is the intention of the United States to establish on said islands a government suitable to the wants and conditions of the inhabitants of said islands to prepare them for local self-government, and in due time to make such disposition of said islands as will best promote the interests of the citizens of the United States and the inhabitants of said islands.

Mr. BERRY. I ask for the reading of the amendment offered by the Senator from Georgia [Mr. BACON].

The VICE-PRESIDENT. An amendment has been offered by the Senator from Georgia [Mr. BACON], which will be read.

Mr. HALE. The pending amendment.

Mr. BERRY. The pending amendment.

The VICE-PRESIDENT. It was the pending amendment at the time the unanimous-consent agreement was made. The Chair is of opinion that this amendment is properly before the Senate. It was business undisposed of at the time the unanimous-consent agreement was made. It was an amendment that was introduced by the Senator from Georgia [Mr. BACON] February 6, the same day that Senate joint resolution 240 was introduced by the Senator from Louisiana [Mr. MCENERY], and it was debated upon that day and laid over. Of course it is in the province of the Senate to deal with it. The Chair has no right to abridge or enlarge the unanimous-consent agreement, but he feels that the amendment is in order, and it should be disposed of either by a direct vote of the Senate or otherwise. In the opinion of the Chair the amendment of the Senator from Georgia is now properly before the Senate for its action.

Mr. HALE. Let it be read.

The VICE-PRESIDENT. A request has been made that the amendment be read. The Secretary will read the amendment offered by the Senator from Georgia [Mr. BACON].

The SECRETARY. Add as an additional resolve the following:

Resolved further, That the United States hereby disclaim any disposition or intention to exercise permanent sovereignty, jurisdiction, or control over said islands, and assert their determination, when a stable and independent government shall have been erected therein, entitled in the judgment of the Government of the United States to recognition as such, to transfer to said government, upon terms which shall be reasonable and just, all rights secured under the cession by Spain, and to thereupon leave the government and control of the islands to their people.

Mr. GORMAN. On that I ask for the yeas and nays.

Mr. HALE. Let us have the yeas and nays.

Mr. WOLCOTT. I move that the amendment be laid on the table.

Mr. CHILTON, Mr. GRAY, and others. No, no.

Mr. CLAY. I hope the Senator from Colorado will withdraw that motion. It is unjust to many of us who voted in favor of the ratification of the treaty. That resolution expresses the views——

Mr. WOLCOTT. I withdraw it.

Mr. CLAY. Let us have a vote on the resolution.

The VICE-PRESIDENT. The motion to lay the amendment of the Senator from Georgia on the table is withdrawn, and the yeas and nays are demanded upon agreeing to the amendment.

The yeas and nays were ordered, and the Secretary proceeded to call the roll.

Mr. BUTLER (when his name was called). I am paired with the junior Senator from Maryland [Mr. WELLINGTON].

Mr. CHILTON (when his name was called). I am paired with the Senator from Minnesota [Mr. DAVIS]. If an opportunity presents itself, I should like to transfer my pair.

Mr. FAULKNER (when his name was called). I will transfer my pair with the junior Senator from West Virginia [Mr. ELKINS] to the senior Senator from Indiana [Mr. TURPIE], and vote "yea."

Mr. PLATT of Connecticut (when Mr. GALLINGER'S name was called). The Senator from New Hampshire [Mr. GALLINGER] is paired. The Senator from North Carolina [Mr. PRITCHARD] will make the announcement.

Mr. HANSBROUGH (when his name was called). I am paired with the senior Senator from Virginia [Mr. DANIEL]. If he were present, I should vote "nay."

Mr. HARRIS (when his name was called). I am paired with the senior Senator from Wyoming [Mr. CLARK]. If he were present, I should vote "yea."

Mr. MALLORY (when his name was called). I have a general pair with the senior Senator from Vermont [Mr. PROCTOR]. If he were present, I should vote "yea."

Mr. MASON (when his name was called). I have a general pair with the Senator from Mississippi [Mr. SULLIVAN]. I do not see him in his seat, and I withhold my vote.

Mr. MITCHELL (when his name was called). I am paired with

the Senator from New Jersey [Mr. SEWELL]. If he were present, I should vote "yea."

Mr. PASCO (when his name was called). I am paired with the Senator from Washington [Mr. WILSON]. If he were present, I should vote "yea."

Mr. PENROSE (when his name was called). I am paired with the junior Senator from Delaware [Mr. KENNEY]. I will transfer the pair so that he will be paired with the Senator from Kansas [Mr. BAKER] and I will therefore vote. I vote "nay."

Mr. PERKINS (when his name was called). I have a general pair with the junior Senator from North Dakota [Mr. ROACH]. I will transfer that pair to the senior Senator from Illinois [Mr. CULLOM], and will therefore vote. I vote "yea."

Mr. PRITCHARD (when his name was called). I am paired on the pending resolution with the Senator from New Hampshire [Mr. GALLINGER], but inasmuch as we agree about the pending amendment, I will vote. I vote "nay."

Mr. BERRY. I think the Senator from New Hampshire [Mr. GALLINGER] is paired with the senior Senator from Texas [Mr. MILLS]. That is his general pair, at any rate.

Mr. PRITCHARD. I will state to the Senator from Arkansas that I received this morning a message from the Senator from New Hampshire stating that he could not be present, and asking me to pair with him. I agreed to pair with him on the resolution. That is all I know about the matter.

Mr. SHOUP (when his name was called). I am paired with the senior Senator from California [Mr. WHITE]. The junior Senator from Texas [Mr. CHILTON] is paired with the senior Senator from Minnesota [Mr. DAVIS]. We have made an arrangement to transfer our pair so that we may both vote. I vote "nay."

Mr. SPOONER (when his name was called). I have a general pair with the Senator from Tennessee [Mr. TURLEY], who is upon a train south of this city blockaded by the storm and can not be here. I do not know how he would vote, and therefore I withhold my vote. If I were at liberty, I should vote "nay."

Mr. TILLMAN (when his name was called). I have a general pair with the Senator from Nebraska [Mr. THURSTON], who is absent. I transfer that pair to the Senator from Texas [Mr. MILLS], and vote "yea."

Mr. COCKRELL (when Mr. VEST's name was called). My colleague [Mr. VEST] is necessarily detained from the Senate to-day. He is paired with the senior Senator from Rhode Island [Mr. ALDRICH]. If present, my colleague would vote "yea" on this amendment.

The roll call was concluded.

Mr. BACON (after having voted in the affirmative). I have a general pair with the junior Senator from Rhode Island [Mr. WETMORE], who is absent by reason of sickness. I transfer that pair to the Senator from Utah [Mr. CANNON], and therefore permit my vote to stand.

Mr. CHILTON. I desire to vote under the announcement made by the Senator from Idaho [Mr. SHOUP]. He being paired with the Senator from California [Mr. WHITE], transfers that pair to the Senator from Minnesota [Mr. DAVIS], and that leaves both the Senator from Idaho and myself at liberty to vote. I vote "yea."

Mr. SHOUP. I have already voted "nay."

Mr. HARRIS. I am authorized to transfer my pair with the senior Senator from Wyoming [Mr. CLARK] to the senior Senator from Nebraska [Mr. ALLEN]. I therefore desire to vote, and vote "yea."

Mr. WARREN. I desire to say that my colleague [Mr. CLARK] is unavoidably absent, on account of severe illness in his family. He is paired with the Senator from Kansas [Mr. HARRIS], as just stated, and will not be here on the remaining votes to-day.

Mr. BUTLER. I have already announced my pair with the Senator from Maryland [Mr. WELLINGTON]. I do not know how that Senator would vote, if present, but if I were at liberty to vote, I should vote "yea."

Mr. PETTIGREW. I am authorized to say that the Senator from Utah [Mr. CANNON], if present, would vote for this amendment.

Mr. MASON. I desire to inquire if the junior Senator from Mississippi [Mr. SULLIVAN] has voted?

The VICE-PRESIDENT. The Senator from Mississippi has not voted.

Mr. MONEY. I am unable to state how my colleague [Mr. SULLIVAN] would vote, if present. He was here a few moments ago, but made no communication to me as to how he would vote on this question.

Mr. MASON. I feel, then, that I should withhold my vote, the Senator from Mississippi [Mr. SULLIVAN] not having declared how he would vote. I have, however, generally agreed with him on these matters.

The VICE-PRESIDENT. The Senator is not recorded as voting.

The result was announced—yeas 29, nays 29; as follows:

YEAS—29.

Bacon,	Gorman,	Lindsay,	Quay,
Bate,	Gray,	McLaurin,	Rawlins,
Berry,	Hale,	Martin,	Smith,
Caffery,	Harris,	Money,	Tillman,
Chilton,	Heitfeld,	Murphy,	Turner.
Clay,	Hoar,	Perkins,	
Cockrell,	Jones, Ark.	Pettigrew,	
Faulkner,	Jones, Nev.	Pettus,	

NAYS—29.

Allison,	Hanna,	Morgan,	Simon,
Burrows,	Hawley,	Nelson,	Stewart,
Carter,	Kyle,	Penrose,	Teller,
Chandler,	Lodge,	Platt, Conn.	Warren,
Deboe,	McBride,	Platt, N. Y.	Wolcott.
Fairbanks,	McEnery,	Pritchard,	
Frye,	McMillan,	Ross,	
Gear,	Mantle,	Shoup,	

NOT VOTING—32.

Aldrich,	Davis,	Mills,	Thurston,
Allen,	Elkins,	Mitchell,	Turley,
Baker,	Foraker,	Pasco,	Turpie,
Butler,	Gallinger,	Proctor,	Vest,
Cannon,	Hansbrough,	Roach,	Wellington,
Clark,	Kenney,	Sewell,	Wetmore,
Cullom,	Mallory,	Spooner,	White,
Daniel,	Mason,	Sullivan,	Wilson.

The VICE-PRESIDENT. On this question, the yeas being 29 and the nays 29, the Chair votes in the negative, and declares the amendment lost.

The question now is on the engrossment and third reading of the joint resolution. If there be no objection, the joint resolution will be ordered to be engrossed for a third reading and read the third time.

Mr. HAWLEY. I ask that the joint resolution be read.

The VICE-PRESIDENT. The joint resolution will be ordered to be engrosed for a third reading, and will be read the third time in full.

The joint resolution was read the third time at length, as follows:

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That by the ratification of the treaty of peace with Spain it is not intended to incorporate the inhabitants of the Philippine Islands into citizenship of the United States, nor is it intended to permanently annex said islands as an integral part of the territory of the United States; but it is the intention of the United States to establish on said islands a government suitable to the wants and conditions of the inhabitants of said islands to prepare them for local self-government, and in due time to make such disposition of said islands as will best promote the interests of the citizens of the United States and the inhabitants of said islands.

The VICE-PRESIDENT. The joint resolution having been read three times, the question now is upon its final passage.

Mr. PETTIGREW. I ask to have the joint resolution divided.

Mr. GRAY. That can not be done without unanimous consent.

Mr. PETTIGREW. I think the joint resolution is capable of division.

Mr. GRAY. That would have to be done by unanimous consent.

Mr. PETTIGREW. I wish to have a separate vote on the first seven lines of the resolution, leaving out the words "but it is," at the end of the seventh line. In other words, I desire to vote for this portion of the resolution:

That by the ratification of the treaty of peace with Spain it is not intended to incorporate the inhabitants of the Philippine Islands into citizenship of the United States, nor is it intended to permanently annex said islands as an integral part of the territory of the United States.

Mr. PLATT of Connecticut. It is all one resolution.

Mr. PETTIGREW. It is certainly divisible and easily divisible. That which I have read is a distinct proposition in itself. Then follows a declaration of policy; and to that declaration I object.

Mr. GRAY. I ask the Senator from South Dakota if that is not practically an amendment to the resolution?

Mr. PETTIGREW. I think not. We have always the right to demand a division where a question is capable of division.

The VICE-PRESIDENT. Is unanimous consent given that the resolution may be divided?

Mr. WOLCOTT. Mr. President, if it is to be determined by the Chair that the resolution is divisible, inasmuch as a division has been asked for, I shall ask that there be a further division of the resolution, so that we may have an opportunity of voting on the first five lines of the resolution as they stand, which contain the distinct proposition—

That by the ratification of the treaty of peace with Spain it is not intended to incorporate the inhabitants of the Philippine Islands into citizenship of the United States.

I shall be delighted, Mr. President, for an opportunity to vote upon that clause, if we can have it under the unanimous-consent agreement; and if we can not, I do not desire to press it.

The VICE-PRESIDENT. The Chair must hold that the joint

resolution can not be divided; that no amendment can now be received except by the unanimous consent of the Senate. Does the Senate so consent?

Mr. PLATT of Connecticut. No.

Mr. GRAY. I object.

The VICE-PRESIDENT. Requests for division are virtually amendments to the resolution, which would be against the unanimous consent to vote on the resolution. The Senate having declared that it should be voted upon at this hour, the Chair has no power over the matter without unanimous consent. Is there unanimous consent?

Mr. GRAY and Mr. PLATT of Connecticut. I object.

The VICE-PRESIDENT. Objection is made. The question now is on the passage of the joint resolution. How shall the vote be taken?

Mr. COCKRELL and others. Yeas and nays.

The VICE-PRESIDENT. Is the demand for the yeas and nays seconded?

The yeas and nays were ordered.

Mr. HOAR. Mr. President, I rise to a parliamentary inquiry. Does the Chair hold that the resolution can not be divided because of the unanimous consent, or does the Chair hold that it can not be divided as a matter of parliamentary law?

The VICE-PRESIDENT. The Chair holds that the resolution can not be divided because of the unanimous consent that the joint resolution should be voted upon at this hour and that the time for amendment has passed.

Mr. HOAR. I respectfully submit that if a series of resolutions which are divisible under parliamentary law are agreed to be voted upon at a particular time, unanimous consent does not dispense with the ordinary right to have a separate vote upon each resolution of the series.

Mr. CHANDLER. Mr. President, I desire to call the attention of the Chair and of the Senate to the fact that this is a joint resolution and that calling for a division upon a bill or joint resolution must necessarily be in the nature of an amendment.

Mr. HOAR. I desire to have Rule XVIII read for the information of the Senate and of the Chair.

The VICE-PRESIDENT. The Secretary will read Rule XVIII.

The Secretary read Rule XVIII, as follows:

AMENDMENTS—DIVISION OF A QUESTION.

If the question in debate contains several propositions, any Senator may have the same divided, except a motion to strike out and insert, which shall not be divided; but the rejection of a motion to strike out and insert one proposition——

Mr. HOAR. It is not necessary to read any further.

Mr. GRAY. I rise to a parliamentary inquiry. I ask, Mr. President, if to strike out all that follows line 7 and vote upon the first six lines alone is not practically to amend the pending joint resolution? It entirely changes the scope, meaning, and purport of the resolution, and for one I should not be willing to vote for the first five lines if the remainder of the resolution should be stricken out.

The VICE-PRESIDENT. The Chair holds that all of these requests are in the nature of amendments to the joint resolution; that such a division of the question, as is suggested by the Senator from Massachusetts [Mr. HOAR], would be to amend the resolution, and that the eighteenth rule has no application at this time. These resolutions have passed beyond the stage of amendment.

Mr. HOAR. If I may be permitted, I desire again to call the attention of the Chair to the fact that there is an express rule that if the question contain several propositions, as this resolution clearly does, any Senator may have the same divided.

I wish also to ask the Chair, with great respect, if it has ever heard that a demand for such a division under that clear rule was an amendment or in the nature of an amendment?

The VICE-PRESIDENT. The Chair feels that it is in the nature of an amendment under Rule XVIII, and not admissible.

Mr. HOAR. How?

The VICE-PRESIDENT. After the discussion had this morning, Senators seemed to agree that the joint resolution was not amendable, except as to the amendment that was pending. It appears to the Chair that requests for a division are in the nature of amendments, and ought not to be permitted.

The rule quoted (Rule XVIII) does not apply to a bill or to a resolution in its final stage and which, by unanimous consent, is to be voted upon now.

The fifteenth rule applies in full force, which says, when a bill or resolution shall have been ordered read a third time, "It shall not be in order to propose amendments unless by unanimous consent." Much less, then, can a bill or joint resolution be divided under the rule relating to amendments.

In the opinion of the Chair, no vote is in order at this time, at this stage, under the agreement, except upon the resolution as a whole.

Mr. HOAR. A division is not an amendment. After all the amendments have been disposed of, the right to a division exists. I desire, with great respect to the Chair, to enter my solemn protest against his ruling, and I hope that the excitement at this hour will not lead to a precedent which will be mischievous hereafter.

The VICE-PRESIDENT. The question is on the passage of the joint resolution.

Mr. COCKRELL. I call for the yeas and nays on the passage of the joint resolution.

The yeas and nays were ordered; and the Secretary proceeded to call the roll.

Mr. BACON (when his name was called). I again announce the transfer of my pair with the junior Senator from Rhode Island [Mr. WETMORE] to the Senator from Utah [Mr. CANNON], and vote "nay."

Mr. BUTLER (when his name was called). I again announce my pair with the junior Senator from Maryland [Mr. WELLINGTON].

Mr. ALLISON (when Mr. CULLOM's name was called). The Senator from Illinois [Mr. CULLOM] is paired on this question with the Senator from North Dakota [Mr. ROACH].

Mr. FAULKNER (when his name was called). I transfer the pair I have with the junior Senator from West Virginia [Mr. ELKINS] to the senior Senator from Indiana [Mr. TURPIE], and vote "yea."

Mr. HANSBROUGH (when his name was called). I am paired with the Senator from Virginia [Mr. DANIEL], but I suggest to the Senator from North Carolina [Mr. BUTLER], who is paired with the junior Senator from Maryland [Mr. WELLINGTON], that we transfer our pairs, so that he and I may vote.

Mr. BUTLER. I am paired with the Senator from Maryland, but I do not know how he would vote on this question, if present.

Mr. HANSBROUGH. I do not know, nor do I know how the Senator from Virginia [Mr. DANIEL], with whom I am paired, would vote, if he were present.

Mr. HARRIS (when his name was called). I transfer my pair with the senior Senator from Wyoming [Mr. CLARK] to the senior Senator from Nebraska [Mr. ALLEN], and vote "yea."

Mr. MALLORY (when his name was called). I again announce my pair with the senior Senator from Vermont [Mr. PROCTOR]. If he were present, I should vote "nay."

Mr. MITCHELL (when his name was called). I am paired with the Senator from New Jersey [Mr. SEWELL]. If he were present, I should vote "nay."

Mr. PASCO (when his name was called). I again announce my pair with the Senator from Washington [Mr. WILSON]. In his absence, I withhold my vote.

Mr. PENROSE (when his name was called). I am paired with the junior Senator from Delaware [Mr. KENNEY]. He being absent, and I not knowing how he would vote if present, I withhold my vote.

Mr. PERKINS (when his name was called). I transfer my pair with the junior Senator from North Dakota [Mr. ROACH] to the senior Senator from Illinois [Mr. CULLOM], and vote "yea."

Mr. PRITCHARD (when his name was called). I am paired on the pending resolution with the Senator from New Hampshire [Mr. GALLINGER]. If he were present, he would vote "nay," and I should vote "yea."

Mr. SHOUP (when his name was called). I am paired with the senior Senator from California [Mr. WHITE]. I do not know how he would vote on this question, if present, but, if at liberty, I should vote "yea."

Mr. SPOONER (when his name was called). I again announce my pair with the Senator from Tennessee [Mr. TURLEY]. If at liberty to vote, I should vote "nay."

Mr. TILLMAN (when his name was called). I have a general pair with the Senator from Nebraska [Mr. THURSTON]. He being absent, and not knowing how he would vote if present, I withhold my vote. If I were at liberty to vote, I should vote "nay."

Mr. PASCO (when Mr. VEST's name was called). I wish to announce that the Senator from Missouri [Mr. VEST] is paired on these votes with the Senator from Rhode Island [Mr. ALDRICH].

Mr. COCKRELL. That has already been announced.

The roll call having been concluded, the result was announced—yeas 26, nays 22; as follows:

YEAS—26.

Allison,	Gear,	McEnery,	Pettus,
Burrows,	Gray,	McLaurin,	Platt, N. Y.
Chandler,	Hale,	McMillan,	Quay,
Deboe,	Hanna,	Mantle,	Sullivan,
Fairbanks,	Harris,	Mason,	Teller.
Faulkner,	Kyle,	Nelson,	
Frye,	Lodge,	Perkins,	

NAYS—22.

Bacon,	Hawley,	Morgan,	Simon,
Bate,	Hoar,	Murphy,	Smith,
Caffery,	Lindsay,	Pettigrew,	Stewart,
Carter,	McBride,	Platt, Conn.	Warren.
Clay,	Martin,	Rawlins,	
Cockrell,	Money,	Ross,	

NOT VOTING—42.

Aldrich,	Elkins,	Mitchell,	Turley,
Allen,	Foraker,	Pasco,	Turner,
Baker,	Gallinger,	Penrose,	Turpie,
Berry,	Gorman,	Pritchard,	Vest,
Butler,	Hansbrough,	Proctor,	Wellington,
Cannon,	Heitfeld,	Roach,	Wetmore,
Chilton,	Jones, Ark.	Sewell,	White,
Clark,	Jones, Nev.	Shoup,	Wilson,
Cullom,	Kenney,	Spooner,	Wolcott.
Daniel,	Mallory,	Thurston,	
Davis,	Mills,	Tillman,	

So the joint resolution was passed.

EXECUTIVE SESSION.

Mr. HOAR. I move that the Senate retire into executive session.

The motion was agreed to; and the Senate proceeded to the consideration of executive business. After two hours and ten minutes spent in executive session the doors were reopened.

BOWMAN ACT AND OTHER CLAIMS.

Mr. TELLER submitted the following report:

The committee of conference on the disagreeing votes of the two Houses on the amendment of the Senate to the bill (H. R. 4936) for the allowance of certain claims for stores and supplies by the Court of Claims under the provisions of the act approved March 3, 1883, and commonly known as the Bowman Act, and for other purposes, having met, after full and free conference have still further been unable to agree.

HENRY M. TELLER,
WM. M. STEWART,
S. PASCO,
Managers on the part of the Senate.
THADDEUS M. MAHON,
THEOBOLD OTJEN,
JAMES D. RICHARDSON,
Managers on the part of the House.

Mr. TELLER. I move that the Senate still further insist on its amendment, and ask for a further conference with the House on the disagreeing votes of the two Houses.

The motion was agreed to.

By unanimous consent, the Vice-President was authorized to appoint the conferees on the part of the Senate at the further conference; and Mr. TELLER, Mr. STEWART, and Mr. PASCO were appointed.

TWELFTH AND SUBSEQUENT CENSUSES.

Mr. CARTER. I ask the Senate to proceed to the consideration of the bill (H. R. 11815) to provide for taking the Twelfth and subsequent censuses.

There being no objection, the Senate, as in Committee of the Whole, proceeded to consider the bill.

Mr. CARTER. I move to strike out all after the enacting clause and insert the text of Senate bill 4545 to provide for taking the Twelfth and subsequent censuses.

The amendment was agreed to.

Mr. CARTER. I move that the Senate request a conference with the House of Representatives on the bill and amendment.

The motion was agreed to.

By unanimous consent, the Vice-President was authorized to appoint the conferees on the part of the Senate; and Mr. CARTER, Mr. HALE, and Mr. TILLMAN were appointed.

Mr. PLATT of Connecticut. I move that the Senate adjourn.

The motion was agreed to; and (at 5 o'clock and 10 minutes p. m.) the Senate adjourned until to-morrow, Wednesday, February 15, 1899, at 12 o'clock meridian.

CONFIRMATIONS.

Executive nominations confirmed by the Senate February 14, 1899.

ASSISTANT COMMISSIONER OF GENERAL LAND OFFICE.

William A. Richards, of Wyoming, to be Assistant Commissioner of the General Land Office.

INDIAN INSPECTOR.

James McLaughlin, of North Dakota, to be an Indian inspector.

UNITED STATES ATTORNEY.

Frank L. Coombs, of California, to be attorney of the United States for the northern district of California.

APPRAISER OF MERCHANDISE.

Frank N. Wicker, of Louisiana, to be appraiser of merchandise in the district of New Orleans, in the State of Louisiana.

ASSISTANT APPRAISER OF MERCHANDISE.

James H. Ducote, of Louisiana, to be assistant appraiser of merchandise in the district of New Orleans, in the State of Louisiana.

POSTMASTERS.

Samuel J. Geddes, to be postmaster at Willcox, in the county of Cochise and Territory of Arizona.

Oregon D. M. Gaddis, to be postmaster at Kingman, in the county of Mohave and Territory of Arizona.

Salathiel A. Smith, to be postmaster at Americus, in the county of Sumter and State of Georgia.

William G. Hawley, to be postmaster at San Jose, in the county of Santa Clara and State of California.

Ernest H. Simpson, to be postmaster at Williams, in the county of Coconino and Territory of Arizona.

C. Kate Holt, to be postmaster at Clifton, in the county of Graham and Territory of Arizona.

John H. Guernsey, to be postmaster at Waterbury, in the county of New Haven and State of Connecticut.

Ranney G. Foster, to be postmaster at New Hartford, in the county of Litchfield and State of Connecticut.

George F. Hirsch, to be postmaster at Longbeach, in the county of Los Angeles and State of California.

John B. Weller, to be postmaster at Bardstown, in the county of Nelson and State of Kentucky.

Daisy D. Erwin, to be postmaster at Bourbon, in the county of Marshall and State of Indiana.

Nathaniel P. Noyes, to be postmaster at Stonington, in the county of New London and State of Connecticut.

Ermina L. Evans, to be postmaster at Ashburnham, in the county of Worcester and State of Massachusetts.

George H. Roberts, to be postmaster at Springvale, in the county of York and State of Maine.

George W. Whitworth, to be postmaster at Jeanerette, in the parish of Iberia and State of Louisiana.

John W. Sproul, to be postmaster at Abington, in the county of Plymouth and State of Massachusetts.

Harley Prentiss, to be postmaster at Reading, in the county of Middlesex and State of Massachusetts.

Martin A. Minchin, to be postmaster at Braintree, in the county of Norfolk and State of Massachusetts.

Abraham M. Johnson, to be postmaster at Belton, in the county of Cass and State of Missouri.

Sylvester H. Gray, to be postmaster at Muskegon, in the county of Muskegon and State of Michigan.

W. H. Brunson, to be postmaster at St. Johns, in the county of Clinton and State of Michigan.

Rufus B. West, to be postmaster at Caruthersville, in the county of Pemiscot and State of Missouri.

John N. Bishop, to be postmaster at Ironton, in the county of Iron and State of Missouri.

David B. Ormiston, to be postmaster at Linneus, in the county of Linn and State of Missouri.

Marion F. Davis, to be postmaster at Union, in the county of Union and State of Oregon.

John S. Metcalf, to be postmaster at Lakota, in the county of Nelson and State of North Dakota.

Samuel J. Wilson, to be postmaster at Macon, in the county of Macon and State of Missouri.

R. T. Wood, to be postmaster at Elkland, in the county of Tioga and State of Pennsylvania.

Nicholas T. Martin, to be postmaster at Mineral Point, in the county of Iowa and State of Wisconsin.

C. C. Glass, to be postmaster at River Falls, in the county of Pierce and State of Wisconsin.

Edward W. Hannum, to be postmaster at Swarthmore, in the county of Delaware and State of Pennsylvania.

Moses A. Foltz, to be postmaster at Chambersburg, in the county of Franklin and State of Pennsylvania.

John M. Chase, jr., to be postmaster at Clearfield, in the county of Clearfield and State of Pennsylvania.

Jesse G. Teeling, to be postmaster at Charles City, in the county of Floyd and State of Iowa.

G. Clinton Williams, to be postmaster at Spring City, in the county of Chester and State of Pennsylvania.

William J. Noll, to be postmaster at Myerstown, in the county of Lebanon and State of Pennsylvania.

HOUSE OF REPRESENTATIVES.

TUESDAY, *February 14, 1899.*

The House met at 12 o'clock m. Prayer by the Chaplain, Rev. HENRY N. COUDEN.

The Journal of yesterday's proceedings was read and approved.

CHANGE OF REFERENCE.

Mr. BABCOCK. Mr. Speaker, I desire to ask a change of reference of House bill 3518 and House bill 11801 to the Committee on Appropriations.

The SPEAKER. The Clerk will read the titles of the bills for which change of reference is asked.

The Clerk read as follows:

H. R. 3518. To regulate the service and fixing the hours of service for persons employed as policemen and officers in the District of Columbia.

H. R. 11801. To regulate the service and fixing the hours of service for persons employed as policemen and officers in the District of Columbia.

The SPEAKER. Without objection, the change of reference will be made.

There was no objection.

The SPEAKER. The Chair lays before the House the request for a change of reference of the following bill, of which the Clerk will read the title.

The Clerk read as follows:

H. R. 3200. For the relief of Sarah K. McLean, widow of the late Lieut. Col. Nathaniel H. McLean.

The SPEAKER. Without objection, the change of reference to the Committee on Military Affairs will be made.

There was no objection.

MICHAEL F. BARRY.

Mr. DRIGGS. Mr. Speaker, I ask unanimous consent for the present consideration of the House joint resolution 303, granting a life-saving medal to Michael F. Barry, of New York City.

The Clerk read the joint resolution, as follows:

Resolved by the Senate and House of Representatives, etc., That the Secretary of the Treasury be, and he is hereby, authorized to bestow upon Michael F. Barry, of the city of New York, borough of Brooklyn, a life-saving medal in recognition of his heroic services in rescuing from drowning, at the peril of his life, several people under the most trying difficulties on several occasions between the years 1887 and 1897.

The SPEAKER. Is there objection to the present consideration of the joint resolution? [After a pause.] The Chair hears none.

The joint resolution was ordered to be engrossed and read a third time; and it was accordingly read the third time, and passed.

RIGHT OF WAY THROUGH INDIAN RESERVATIONS.

Mr. CURTIS of Kansas. Mr. Speaker, I call up the unfinished business. The gentleman from Iowa [Mr. LACEY] withdraws his amendment, as I understand, and I offer the amendment which I send to the Clerk's desk.

Mr. LACEY. I withdraw my amendment, Mr. Speaker.

The SPEAKER. The Clerk will report the special order and also the title of the bill.

The Clerk read as follows:

On motion of Mr. CURTIS of Kansas, by unanimous consent, it was ordered that the bill (H. R. 11868) to provide for the acquiring of rights of way by railroad companies through Indian reservations, Indian lands, and Indian allotments, and for other purposes, pending and unfinished, being a special order for this day, be postponed until to-morrow, retaining all of its privileges under the special order of Saturday.

The following is the amendment offered by Mr. CURTIS of Kansas:

After the word "and," in line 11, page 4, strike out the following words: "The rate for carrying the United States mail may be fixed by Congress, and when not fixed by Congress may be fixed by the Postmaster-General," and insert in lieu thereof the following: "The grants herein are made upon condition that the company shall transport mails whenever required to do so by the Post-Office Department."

The SPEAKER. The question is on the amendment.

The amendment was agreed to.

The bill as amended was ordered to be engrossed and read a third time; and it was accordingly read the third time, and passed.

On motion of Mr. CURTIS of Kansas, a motion to reconsider the last vote was laid on the table.

CHARLES W. RUSSEY.

Mr. McRAE. I ask unanimous consent for the present consideration of House bill 245, for the relief of Charles W. Russey.

The bill was read, as follows:

Be it enacted, etc., That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay to Charles W. Russey, of Ben Lomond, Ark., late subcontractor for route No. 29359, from Paraclifta to Norwoodville, Ark., out of any money in the Treasury not otherwise appropriated, the sum of $436.50, that being the amount improperly deducted by the Second Assistant Postmaster-General from the amount due him for carrying the mails on said route.

The SPEAKER. Is there objection to the present consideration of this bill?

Mr. LOUD. I should like to hear the report read.

Mr. McRAE. The report is short and will give the facts. If any further information should be desired, I will be glad to give it.

The report (by Mr. GRAFF) was read, as follows:

The Committee on Claims, to whom was referred the bill (H. R. 245) for the relief of Charles W. Russey, have considered the same, and submit the report made in the Fifty-third and Fifty-fourth Congresses for the facts, viz:

This is a claim for $436.50, deducted by the Post-Office Department from the pay of claimant Russey, subcontractor on route 29359, for failure to perform service over 12 miles of said route between Paraclifta and Norwoodville, Ark.

Upon full consideration of all the facts, your committee find that on said route, between Paraclifta and Norwoodville, there is no intervening post-office; that there is the Cossatot River between said places, impassable a great portion of the year by reason of high water and of a lack of bridge and ferry facilities, in consequence of which the prompt and regular delivery of mails made it sometimes necessary to vacate said route between the aforementioned offices; that the carrier, instead of delaying the mails, carried or had them carried over a circuitous route 12 miles longer, thereby availing himself of bridge facilities. It appears that by this circuitous and substituted route only the claimant was enabled to promptly and regularly deliver his mail at all offices.

The Government, while it lost service over 12 miles of a particular route, received the fruits of said service over another one 12 miles longer per round trip.

Your committee, therefore, are of the opinion that the claimant is equitably entitled to his full pay, and recommend the passage of the bill.

Mr. LOUD. What does the Department say about this bill?

Mr. McRAE. The Department officials told me several years ago that the man ought to have his money, but that in order to enforce proper discipline and good service they felt constrained to make deduction every time he went on this circuitous route and not the route prescribed by the Department.

Mr. LOUD. Is there any letter from the Department in relation to this subject?

Mr. McRAE. There is none incorporated in the report. I do not know of any letter from the Department, but I have talked with the officers there about this case, and so have other members of the Committee on Claims, and no one who has examined it has objected to it.

Mr. LOUD. Does not the gentleman himself, as an experienced legislator, see the difficulty of passing a bill here upon the mere suggestion of a member of the House, when it must be perfectly easy to get a letter from the Department?

Mr. McRAE. There may have been a letter in this case, but I have not it here before me, and do not think it necessary.

Mr. LOUD. I think there must be a letter in possession of the committee. I hope the gentleman will endeavor to get it and have it presented to the House.

Mr. McRAE. I do not know whether the committee has such a letter or not, but I know that the gentleman who reported this bill—the gentleman from Illinois [Mr. GRAFF]—refused for a long time to make the report until he could consult with officers of the Department. The case is a very simple one. This contractor could, when he reached this impassable stream, have gone back without delivering the mail, and would have been regarded by the Department as entitled to his pay, but he saw fit to go around 12 miles out of the way to a bridge, and by this means was enabled to deliver the mail at the offices to which he had contracted to carry it. But the Department made deduction for every trip that he made in this roundabout way.

Mr. LOUD. That hardly seems possible.

Mr. McRAE. It is true, nevertheless.

Mr. LOUD. The report says there is no post-office between the two post-offices named; and, as I understand, the Department would not care what route he took, if he succeeded in delivering the mail promptly.

Mr. McRAE. But the Department does care. It requires the mail to be carried over the nearest route.

Mr. LOUD. I do not think so.

Mr. McRAE. The Department adopts a certain schedule; and if the postmaster reports that the mail carrier does not come in on time or fails to travel the route prescribed in that schedule, they will not pay him for the trip.

Mr. LOUD. If there is any intermediate office at which the mail should be delivered, but is not, there would, of course, be a deduction; but if the carrier delivers the mail promptly at the points designated in his contract, the Department does not care whether or not he goes around 12 miles or takes the regular route, unless he skips some office.

Mr. McRAE. This man did not skip any office, but he may have failed to meet the schedule made on a 12-mile basis.

Mr. LOUD. Does the gentleman recognize the necessity of a letter from the Department in all cases of this kind, not especially this case?

Mr. McRAE. I have understood from conversation with officers of the Department, after the facts were all understood, that Mr. Russy ought to be paid, but not under this Administration.

Mr. LOUD. I hope the gentleman will allow this bill to go over, so that we may have a letter from the Department giving us further information.

Mr. McRAE. I would have no objection to that suggestion, except on account of the delay. This claim has been pending for several years. The claimant is a poor man; he rendered the service, and has been for several years without his money.

Mr. LOUD. I am willing to let the bill have every reasonable right that can be given it and ought to have it. But it would be a dangerous precedent, as I think the gentleman must himself see, to pass a bill of this kind without some writing from the Department.

Mr. McRAE. Of course, if the gentleman insists on his objection, I shall be obliged to let the bill go over, for I am asking unanimous consent and he can prevent consideration. But I know this man to be honest and fair; I know the route described, and I believe the facts stated in the report to be true.

The SPEAKER. Is there objection to making the bill the regular order for to-morrow immediately after the reading of the Journal? The Chair hears none.

Mr. McRAE. It will not be possible for me, before the bill comes up to-morrow morning, to go to the Department for a letter. I can hardly get to and from my hotel during this stormy weather, but I will do my best.

The SPEAKER. The gentleman from Texas [Mr. KLEBERG] is recognized to ask unanimous consent.

Mr. FARIS. If the bill goes over by unanimous consent and is made the regular order for to-morrow, would that arrangement foreclose the right to object to the bill when it comes up, although we may then have no further information?

The SPEAKER. The Chair thinks it would.

BRIDGE ACROSS CORPUS CHRISTI CHANNEL.

Mr. KLEBERG. I ask unanimous consent for the present consideration of the bill which I send to the desk.

The bill (S. 5355) to amend an act entitled "An act authorizing the Aransas Harbor Terminal Railway Company to construct a bridge across the Corpus Christi Channel, known as the Morris and Cummings Ship Channel, in Aransas County, Tex.," was read as follows:

Be it enacted, etc., That the act entitled "An act authorizing the Aransas Harbor Terminal Railroad Company to construct a bridge across the Corpus Christi Channel, known as the Morris and Cummings Ship Channel, in Aransas County, Tex.," approved May 4, 1896, is hereby reenacted; and section 5 of the said act is hereby amended to read as follows:

"SEC. 5. That this act shall be null and void if actual construction of the bridge herein authorized be not commenced within one year and completed within three years from May 4, 1899."

Mr. SULZER. Has this bill the approval of the Secretary of War?

Mr. KLEBERG. Yes, sir.

There being no objection, the House proceeded to the consideration of the bill, which was ordered to a third reading, read the third time, and passed.

On motion of Mr. KLEBERG, a motion to reconsider the last vote was laid on the table.

SURVEY OF PUBLIC LANDS IN CERTAIN CASES.

Mr. LACEY. Mr. Speaker, I ask unanimous consent for the present consideration of the bill (H. R. 11971) to authorize the Commissioner of the General Land Office to cause public lands to be surveyed in certain cases.

The bill was read, as follows:

Be it enacted, etc., That when any railroad company claiming a grant of land under any act of Congress, desiring to secure the survey of any unsurveyed lands within the limits of its grant, shall file an application therefor in writing with the surveyor-general of the State in which the lands sought to be surveyed are situated, and deposit in a proper United States depository to the credit of the United States a sum sufficient to pay for such survey it shall thereupon be the duty of the Commissioner of the General Land Office, or the Director of the Geological Survey, as the case may be, to cause said lands to be surveyed.

For any deposits made by any railroad company hereunder, certificates shall be issued, which may be used by such railroad company, its successors or assigns, in payment for commutation entries of any public lands of the United States in the States where the surveys were made, or for any survey or office fees due the United States from such railroad company on account of surveys of lands within its grant.

The following amendments, recommended by the Committee on Public Lands, were read:

In line 10, page 1, after the word "survey," insert the words "and for the examination thereof pursuant to the rules and regulations of the Department of the Interior, under the direction of the Commissioner of the General Land Office, and."

Also, on page 2, line 3, strike out the words "for commutation entries of" and insert the words "to the same extent as cash is now allowed in payment of entries of public lands under existing regulations."

And also add at the end of the bill the following:

"The Secretary of the Interior shall provide such rules and regulations as may be necessary for carrying out the foregoing provisions."

The SPEAKER. Is there objection to the bill?

Mr. DOCKERY. This is the bill which the gentleman offered yesterday, is it?

Mr. LACEY. This is the bill that was explained in Committee of the Whole on yesterday. The suggestion was made that unanimous consent would not be objected to by anyone. The motion was made to put this bill in as an amendment to the sundry civil bill; and in pursuance of the explanation made yesterday, I ask unanimous consent this morning. I want, however, to suggest two or three very slight verbal amendments offered after consultation with the gentleman from Arkansas [Mr. MCRAE], who is familiar with the law upon this subject. I do not deem it necessary to make another explanation to-day in view of the explanation I made yesterday.

Mr. DOCKERY. This is not a proposition to incorporate it on the sundry civil bill, but to pass it independently.

Mr. LACEY. No, this is a proposition to pass it as an independent bill. The point of order was made against it yesterday as an amendment to the sundry civil bill, but the chairman of the Committee on Appropriations stated that he would not object to unanimous consent for its consideration to-day.

The SPEAKER. Is there objection to the present consideration of the bill?

There was no objection.

The committee amendments were agreed to.

Mr. LACEY. I move also to amend, in line 11, by inserting the words "law and" before the word "the."

The SPEAKER. The Clerk will report the amendment.

The amendment was read, as follows:

In line 11, page 1, before the word "the" insert the words "law and."

So that it will read:

Pursuant to law, and the rules and regulations, etc.

The amendment was agreed to.

Mr. LACEY. I ask unanimous consent that the word "and" in the amendment just adopted in line 1, page 2, be stricken out.

The SPEAKER. Is there objection to the request of the gentleman from Iowa?

There was no objection.

Mr. LACEY. Also in line 7, I move to strike out the words "in payment."

The SPEAKER. The Clerk will report the amendment.

The amendment was read, as follows:

Page 2, line 7, strike out the words "in payment."

The amendment was agreed to.

Mr. LACEY. Also in line 10, page 2, I move to insert the words "law and" immediately preceding the word "regulations."

The amendment was read, as follows:

On page 2, line 10, before the word "regulations" insert the words "law and."

The amendment was agreed to.

Mr. LACEY. Also after the word "regulations" in the same line I move to insert the word "for."

The amendment was read, as follows:

In line 10, after the word "regulations" insert the word "for."

The amendment was agreed to.

The bill as amended was ordered to be engrossed and read a third time; and it was accordingly read the third time, and passed.

On motion of Mr. LACEY, a motion to reconsider the last vote was laid on the table.

JULIUS C. KLOENNE.

Mr. MOON. Mr. Speaker, I ask unanimous consent for the present consideration of the bill (H. R. 2017) for the relief of Julius C. Kloenne.

The bill was read, as follows:

Be it enacted, etc., That the Secretary of War is hereby authorized and directed to correct the record of Julius C. Kloenne, late captain of Company K, Seventeenth Indiana Infantry Volunteers, whom the record shows was mustered out of service in that regiment on the 23d day of December, 1861, so that the same will show him to have been honorably discharged and mustered out with leave and for the purpose of recruiting and organizing other troops in the State of Indiana, and that said record be so changed and corrected instead of the record now made.

SEC. 2. That said Julius C. Kloenne be, and is hereby, declared entitled to pay as captain in said regiment from the date of the last payment made to him up to the date of his discharge as aforesaid.

The SPEAKER. Is there objection to the present consideration of the bill?

There was no objection.

The bill was ordered to be engrossed and read a third time; and was accordingly read the third time, and passed.

On motion of Mr. MOON, a motion to reconsider the last vote was laid on the table.

MUSCLE SHOALS POWER COMPANY.

Mr. BANKHEAD. Mr. Speaker, I ask unanimous consent for the present consideration of the bill (H. R. 9335) granting to the Muscle Shoals Power Company the right to erect and construct a canal and power station at Muscle Shoals, Alabama.

The bill was read, as follows:

Be it enacted, etc., That the consent of Congress is hereby given to the Muscle Shoals Power Company, a corporation created and organized under a charter granted by the legislature of the State of Alabama, its successors or assigns, to erect, construct, operate, and maintain inlet and outlet races or canals and a power station or stations at a point or points at or near the Muscle Shoals in Tennessee River, that are, and always have been, unsuitable and unused for the purposes of navigation, and to make such other improvements as may be necessary within said limits for the development of water power and transmission of the same: *Provided*, That the constructions hereby authorized do not in any way interfer with the Muscle Shoals Canal or with navigation of said river: *Provided further*, That until the plans and location of the works herein authorized, so far as they affect the interests of navigation, have been approved by the Secretary of War the improvements shall not be commenced or built.

The following amendments recommended by the Committee on Rivers and Harbors were read:

Strike out, in lines 9 and 10, the words "that are and always have been unsuitable and unused for the purpose of navigation;" and add, after line 5, page 2, the words "and the Secretary of War is authorized and directed to fix reasonable charges for use of said power."

The SPEAKER. Is there objection to the present consideration of the bill?

There was no objection.

The amendments recommended by the committee were agreed to.

The bill as amended was ordered to be engrossed and read a third time; and itwas accordingly read the third time, and passed.

On motion of Mr. BANKHEAD, a motion to reconsider the last vote was laid on the table.

F. R. LANSON.

Mr. STONE. I ask unanimous consent for the present consideration of the bill (H. R. 1005) for the relief of F. R. Lanson.

The bill was read, as follows:

Be it enacted, etc., That the Secretary of the Treasury is hereby authorized to issue to F. R. Lanson, of Tionesta, Pa., a duplicate of United States 4 per cent bond No. 10044, the original having been burned; but before issuing said duplicate bond the Secretary of the Treasury shall take from said Lanson a bond in the sum of $300, with two satisfactory sureties, conditioned to indemnify the United States against said original bond No. 10044 and all claims therein.

The SPEAKER. Is there objection to the present consideration of the bill?

There was no objection.

The bill was ordered to be engrossed and read a third time; and it was accordingly read the third time, and passed.

PENSACOLA AND NORTHWESTERN RAILROAD COMPANY.

Mr. SPARKMAN. Mr. Speaker, I ask unanimous consent for the present consideration of the bill (H. R. 11737) granting the right of way to the Pensacola and Northwestern Railroad Company over and through the public lands of the United States in the States of Florida, Alabama, Mississippi, and Tennessee, and granting the right of way to said railroad company over and through the United States naval and military reservations near Pensacola, in the State of Florida.

The bill was read.

The amendments recommended by the Committee on Public Lands were read.

The SPEAKER. Is there objection to the present consideration of the bill?

Mr. PAYNE. Reserving the right to object, I should like to ask a question.

The SPEAKER. The right to object is reserved.

Mr. PAYNE. Is there any provision in this bill for compensation for the land to be taken, except the 300 feet frontage to be taken for the dock?

Mr. SPARKMAN. Do you mean compensation to the Government?

Mr. PAYNE. To the Government; yes.

Mr. SPARKMAN. No. There is a provision which makes it incumbent upon the company to build any spur tracks which may be necessary. My recollection is that there is nothing which makes it obligatory for them to compensate the Government, except that they are required to build any spur tracks for the Government which become necessary.

Mr. PAYNE. How many miles of right of way does this propose to give?

Mr. SPARKMAN. I think it is less than a mile. I can only state my recollection of the distance.

Mr. PAYNE. I understood the bill to grant a right of way over Government lands aside from the reservations.

Mr. SPARKMAN. So it did; but there is already a law which makes that unnecessary. The bill was drawn and sent to me, and introduced by request. When it went before the committee they struck out the provision which the gentleman refers to, and very properly so, because the old law gave the right to any railroad company under certain conditions to go over public lands, and the committee thought it was unnecessary to give that special privilege, and hence struck that out.

Mr. PAYNE. What committee reported this bill?

Mr. SPARKMAN. The Committee on Public Lands.

Mr. PAYNE. I should like to have the chairman of the committee explain this bill and give the reason for it.

Mr. SPARKMAN. So should I.

Mr. LACEY. Mr. Speaker, the gentleman from Florida [Mr. SPARKMAN] introduced this bill granting a right of way through public lands and over a naval reserve, and also over a military reserve. The grant being through three classes of lands, either the Committee on Public Lands, the Committee on Military Affairs, or the Committee on Naval Affairs would have jurisdiction. The bill was referred to the Committee on Public Lands; but under the right-of-way act of 1875 there was no necessity for the provision as to public lands. Attention was called to the fact that no relief was necessary in that respect.

But as the public lands were included in the bill, the jurisdiction still remained there. Consultation was had with members of the other committees, and it was concluded to let the bill remain where it was, and call on the Secretary of War and the Secretary of the Navy for reports as to the propriety of granting a right of way through the naval and military reservations. Both Secretaries reported recommending the grant. Both of them, however, asked certain modifications, giving the Government right to spur tracks, sidings, and matters of that kind; and the amendments suggested by the Secretary of War and the Secretary of the Navy have been incorporated, and that part of the bill granting a right of way through the public lands has been stricken out. This will be a matter of convenience both to the Army and Navy, giving access to the shore at Barrancas, where the Government needs facilities to move supplies. The bill provides that the grant may at any time be canceled and the track removed if the ground is needed for the uses of the Government.

Mr. GROSVENOR. Mr. Speaker, I want to call the attention of the committee as to the removal power reserved in the Government. It seems to be only for "structures." It provides certain structures may be removed.

Mr. LACEY. That was the exact language of the Secretary of the Navy and the Secretary of War, as I recollect it.

Mr. GROSVENOR. That may be.

Mr. LACEY. We sought entirely to comply with the wishes of the Departments in the matter.

Mr. GROSVENOR. There is a great deal of uncertainty whether the authority to remove a structure would authorize the removal of the track.

Mr. LACEY. I think the track is a structure.

Mr. GROSVENOR. Well, it is a structure.

Mr. LACEY. The bill can easily be amended covering that question. The bill provides:

That the Secretaries of the Navy and War, at any time they shall deem it necessary for the public good, may cause to be removed or destroyed all or any of these structures hereby permitted on the naval and military reservations.

After the word "structures" insert "track or other structures."

Mr. GROSVENOR. Under the law in regard to mechanics' lien there have been a great many questions made whether the word "structure" includes a railroad track.

Mr. SPARKMAN. The decisions of late have been that it does.

Mr. GROSVENOR. May be.

Mr. RAY of New York. You mean "track or embankment."

Mr. LACEY. I suggest to insert, after the word "the," page 3, line 21, the words "track, embankment, or other."

The SPEAKER. Is there objection to the present consideration of the bill? [After a pause.] The Chair hears none.

Mr. LACEY. I move the amendment just suggested.

The Clerk read as follows:

Line 21, page 3, after the word "the," insert the words "track, embankment, or other."

The SPEAKER. The question is on the amendments.

Mr. LACEY. There are committee amendments.

The SPEAKER. Unless a separate vote is requested, the question will be submitted on the amendments in gross.

The amendments were agreed to.

The bill as amended was ordered to be engrossed for a third reading; and being engrossed, it was accordingly read the third time, and passed.

On motion of Mr. SPARKMAN, a motion to reconsider the vote by which the bill was passed was laid on the table.

PUBLIC LANDS IN WISCONSIN.

Mr. GRIFFIN. Mr. Speaker, I ask unanimous consent for the present consideration of the bill I send to the Clerk's desk.

The Clerk read as follows:

A bill (H. R. 6551) withdrawing from entry and sale and granting unto the State of Wisconsin certain lands for use as a part of its present military reservation.

Mr. GRIFFIN. Mr. Speaker, in order to meet an objection that was made when this bill was once before called up for consideration, I offer a substitute, which I desire to have the Clerk read, in lieu of the original bill.

Mr. DOCKERY. Suppose you read the original bill first.

Mr. GRIFFIN. The substitute covers the entire proposition. It was prepared at the suggestion of the gentleman from Texas [Mr. BAILEY]. I ask that the substitute be read, and I believe the gentleman from Missouri will be satisfied with that.

The SPEAKER. Pending objection, the gentleman asks the reading of the amendment which he proposes to offer as a substitute.

Mr. HAY. Mr. Speaker, I did not hear what the bill was.

The SPEAKER. The Clerk will read again the title of the bill if there be no objection.

The title of the bill was again reported.

The SPEAKER. The Clerk will read the substitute that is proposed by the gentleman in case unanimous consent is obtained.

The Clerk read as follows:

Strike out all after the enacting clause and insert the following:

"That the following lands situated in the county of Juneau, in the State of Wisconsin, to wit: The southwest quarter of the northwest quarter and the west half of the southwest quarter of section 22, in township 17 north, of range 2 east, be, and the same hereby are, withdrawn from entry and sale, and the Secretary of the Interior is hereby authorized to cause a patent therefor to be issued unto the State of Wisconsin: *Provided, however*, That said State shall pay to the United States therefor at the rate of $1.25 per acre: *And provided further*, That said State shall first procure from all claimants or persons who may have filed or made homestead entries or other claims on or to said premises, or any part thereof, proper relinquishments of all their claims thereto and cause the same to be filed with the Secretary of the Interior."

The SPEAKER. Is there objection to the present consideration of the bill?

Mr. LEWIS of Washington. I would like to ask the gentleman from Wisconsin if this bill has been before the Committee on Public Lands?

Mr. GRIFFIN. It has.

Mr. LEWIS of Washington. Is it for the purpose of remedying a decision made by Judge Lochren, in which he held that the title to the property was not in the State of Wisconsin, but in the settlers?

Mr. GRIFFIN. It has no reference whatever to the decision named by the gentleman from Washington. It is to enable the State to acquire land which can be acquired in no other way except by legislation other than by homestead entry.

Mr. LEWIS of Washington. There is no purpose of rendering certain the title to certain lands heretofore claimed by the settlers?

Mr. GRIFFIN. Not at all.

Mr. TODD. I would like to inquire of the gentleman from Wisconsin if the bill recites that the land in question is to be used for a military reservation?

Mr. GRIFFIN. It does.

The SPEAKER. Is there objection to the present consideration of the bill? [After a pause.] The Chair hears none. The question is on agreeing to the substitute.

The substitute was agreed to.

The bill as amended was ordered to be engrossed and read a third time; and it was accordingly read the third time, and passed.

Mr. GRIFFIN. I move to amend the title to correspond with the substitute.

The SPEAKER. The Clerk will read the proposed amendment to the title.

The Clerk read as follows:

Amend the title so as to read as follows: "A bill withdrawing from entry and sale and granting the State of Wisconsin certain lands therein described."

The SPEAKER. Without objection, the title will be amended.

There was no objection.

On motion of Mr. GRIFFIN, a motion to reconsider the vote whereby the bill was passed was laid on the table.

CLERK FOR UNITED STATES DISTRICT COURTS, EASTERN DISTRICT OF VIRGINIA.

Mr. LAMB. Mr. Speaker, I ask unanimous consent for the present consideration of the bill (H. R. 11160) to authorize the appointment of one or more clerks of the district courts of the United States within and for the eastern district of Virginia, to validate their acts and prescribe where the records shall be kept.

The bill was read, as follows:

Be it enacted, etc., That it shall be lawful for the judge of the district court of the United States within and for the eastern district of Virginia to appoint a clerk of such court for said district, or a clerk at any one of the three places of meeting thereof; and the same person may be appointed clerk at any one or more of said places.

SEC. 2. That all acts heretofore performed by the several persons acting as the clerks of said court at its several places of meeting, and all payments heretofore made, or sums due, to any one or all of said clerks are hereby validated.

SEC. 3. That the records of said court shall be kept at the respective places of meeting thereof.

SEC. 4. That this act shall be in force from and after its passage.

With the following amendment recommended by the committee:

Strike out all of section 1 after the word "assembled," in line 2, and insert the following:

"That within and for the eastern district of Virginia there shall be one clerk only, to be appointed by the judge of the district court, and said clerk may have as many deputies as may be necessary, to be appointed as now provided by law."

The SPEAKER. Is there objection to the present consideration of the bill?

There was no objection.

Mr. DOCKERY. Mr. Speaker, I hope we shall have some explanation of the bill.

The SPEAKER. The bill has been up once before.

Mr. LAMB. I made an explanation in full the other day.

Mr. MIERS of Indiana. It is a very safe bill.

Mr. DOCKERY. Very well.

Mr. MAXWELL. Mr. Speaker, I desire to amend section 2.

The SPEAKER. The Clerk will report the amendment.

The Clerk read as follows:

Amend line 5, section 2, by adding after the word "made" the following: "in pursuance of law and judgment and decree of said court."

Mr. LAMB. I accept that amendment.

The amendment offered by Mr. MAXWELL was agreed to.

The committee amendments were agreed to.

The bill as amended was ordered to be engrossed and read a third time; and it was accordingly read the third time, and passed.

Mr. LANHAM. Mr. Speaker, I move to amend the title so that it shall read "one clerk" instead of "one or more clerks."

The SPEAKER. Without objection, the title will be amended in accordance with the motion of the gentleman from Texas.

There was no objection.

On motion of Mr. LAMB, a motion to reconsider the vote whereby the bill was passed was laid on the table.

LIGHT-HOUSES IN NORWALK HARBOR, CONNECTICUT.

Mr. HILL. Mr. Speaker, I ask unanimous consent for the present consideration of the bill (H. R. 499) to provide for light-houses and other aids to navigation.

The Clerk read the bill, as follows:

Be it enacted, etc., That light-houses and other aids to navigation be established and erected as hereinafter set forth, to wit:

A light and fog-signal station on Greens Ledge, Norwalk Harbor, Connecticut.

A light and fog-signal station on Pecks Ledge, Norwalk Harbor, Connecticut.

A light on Long Beach day beacon, Norwalk Harbor, Connecticut.

Lighted beacons at Round Beach, Fitchs Point, White Rock Reef, and Grassy Hammock, Norwalk Harbor, Connecticut.

Mr. HILL. Mr. Speaker, I hold in my hand a petition signed by 488 owners and pilots and masters of vessels on Long Island Sound. The erection of these light-houses is a matter of great importance. It has been recommended by the Treasury Department and has twice been reported favorably by the Committee on Interstate and Foreign Commerce. The bill has already passed the Senate at this session and the rearrangement of the light is needed in the interest of commerce, and in the interest of steam commerce especially, on Long Island Sound. It would seem to me, Mr. Speaker, that practically the entire commerce of Long Island Sound should have some consideration in a matter of this kind. The bill has been passed by the Senate to give the proposed relief, and I shall move to substitute the Senate bill and strike out the appropriation contained in it.

Mr. COX. Will the gentleman allow me a question?

Mr. HILL. Certainly.

Mr. COX. I would like to ask how much this would cost?

Mr. HILL. Seventy-two thousand dollars.

Mr. COX. I object.

Mr. GRIGGS. Mr. Speaker, I ask unanimous consent for the present consideration of the bill (H. R. 11867) to authorize the Georgia Pine Railway, of Georgia, to construct a bridge across the Flint River, a navigable stream in Decatur County, Ga.

The Clerk read the bill and amendments.

There being no objection, the House proceeded to the consideration of the bill.

The amendments reported by the committee were agreed to.

The bill as amended was ordered to be engrossed for a third reading; and it was accordingly read the third time, and passed.

On motion of Mr. GRIGGS, a motion to reconsider the last vote was laid on the table.

SUNDRY CIVIL APPROPRIATION BILL.

On motion of Mr. CANNON, the House resolved itself into Committee of the Whole on the state of the Union (Mr. HOPKINS in the chair) and resumed the consideration of the bill (H. R. 12008) making appropriations for sundry civil expenses of the Government for the fiscal year ending June 30, 1900, and for other purposes.

The Clerk read as follows:

For repairs to the buildings of the institution, including plumbing and steam heating apparatus, and for repairs to pavements within the grounds, $3,000.

Mr. WHEELER of Kentucky. Mr. Chairman, as I do not desire to occupy the time of the House when the question of appropriating $20,000,000 to carryout the treaty with Spain is raised, I simply take the floor now for the purpose of combating the idea advanced by some gentlemen on this side of the Chamber that the ratification of the treaty between the United States and Spain by the Senate of the United States creates a contract obligation on the part of the Government.

I can not and do not assent to such a proposition. I do not believe that anybody will deny that the ratification of a treaty by the Federal Senate, which has been negotiated by the President, makes that treaty the supreme law of the land. But if a provision of that treaty requires the concurrence of the House of Representatives in order to vitalize it, it is not the law of the land until this House concurs. The mere fact that this House is called upon to concur carries with it the implication that it may either concur or refuse to concur. The suggestion that the House of Representatives must necessarily, without the exercise of any volition on its part, vote $20,000,000 in order to carry out the stipulation of a treaty, as if it were a contract obligation of the Government, I do not believe to be sound.

Sir, it was contended by one of the most distinguished men this country ever produced that the concurrence of the House of Representatives should be had upon all treaties. That idea, however, has been discarded. But I do not intend for those holding the opinion which I entertain to be put in the attitude of obstructing an effort of the Government to carry out its contract obligations, nor would I vote for a bill embodying such a provision.

Speaking for my own constituency, sir, I can say that we accepted the stern arbitrament of arms, as settled at Appomattox,

that human slavery should cease to exist on this continent and in the American possessions; and I am now unwilling that we should buy 10,000,000 of people at $2 a head, if every Federal Senate on earth should concur in the proposition. That is what it is—nothing more nor less than buying the inhabitants of the Philippine Islands at $2 a head. I am opposed to it. We are not only doing that, but, without the consent of Congress, the Administration is now undertaking to rivet on them the shackles of slavery and military oppression.

Even if I were satisfied as to the proposition of law advanced by some gentlemen, I believe I should have the approbation of my constituency if I refused to give my assent to this appropriation, even if it were to carry out a contract obligation of the Government; for if such a contract obligation exists it is in violation of the spirit and genius of our institutions and contrary to the teachings of the written law of the land.

Therefore, sir, when the opportunity is presented to me I shall vote against this bill and shall demand the yeas and nays, because I want to see how many members of this body there are who are willing to give their assent to paying $20,000,000 for the purchase of the Philippine Islands. I do not believe the American people approve that purchase. I do not believe it reflects the judgment of the people of this country. And I am satisfied that my position as a lawyer is sound, that as the Senate requires the concurrence of the House of Representatives in making this appropriation our free and voluntary consent is necessary in order to vitalize that provision. If we refuse to give our consent, it amounts to an acceptance of the treaty with an amendment, because that provision of the treaty can not go into effect until the House concurs. I repeat that if the House refuses to concur it is in the nature of an amendment of the treaty. That is all it does amount to.

Mr. HENRY of Texas. Will the gentleman quote the language of the Constitution bearing upon this proposition?

Mr. WHEELER of Kentucky. The Constitution provides that the President may make treaties, by and with the consent of the Senate. That is all true. No one denies the proposition. But if the Senate sees proper to ratify a treaty——

Mr. HENRY of Texas. Will the gentleman read the language of the Constitution?

The CHAIRMAN. The time of the gentleman from Kentucky [Mr. WHEELER] has expired.

Mr. WHEELER of Kentucky. One moment more that I may answer the question of the gentleman from Texas. If the Senate sees proper to ratify a treaty embodying in it a provision which asks for the consent of the lower House of Congress, that provision does not become operative or effective until the consent of the lower House is given, and that alone can vitalize the treaty. And unless this House does concur voluntarily and freely, it is needless to take its opinion.

Mr. BAILEY. Mr. Chairman, I would like to submit this proposition to the gentleman from Kentucky. The Constitution makes the Senate and the President "the Government" in the making of treaties. Now, when the President and the Senate make a treaty with a foreign nation, that foreign nation deals with the Government. The Government, as recognized by the Constitution, obligates itself to pay a given amount of money. That obligation is complete. The Constitution itself says that the Senate and the President can make the treaty, and when made it is the supreme law of the land. Every nation in the world has a right to deal with us on the ground that the Senate and the President constitute our Government in the making of treaties.

Mr. WHEELER of Kentucky. If the gentleman's reasoning is sound, the Senate of the United States can make a treaty that will disintegrate the Republic, and the House of Representatives will have no voice in the matter.

Mr. BAILEY. I think the gentleman——

Mr. WHEELER of Kentucky. As was very cogently said by the gentleman from Texas [Mr. HENRY], the colleague of the gentleman who just asked the question, suppose the Senate of the United States had agreed to pay the entire expenses of the Spanish war and had said that the Congress should appropriate that amount. Would the gentleman from Texas [Mr. BAILEY] contend that we were compelled to vote the appropriation?

Mr. BAILEY. Undoubtedly, if they had put it into a treaty. That is one of the weak places in any constitution. The House and the Senate by a bare majority of each could agree to pay every dollar of the Spanish debt, but I have no apprehension that we are going to do it. The President and the Senate could have contracted to pay the whole expenses of the Spanish war, but I have no fear that they will abuse that power. Now, the fact that a power might be abused is no argument against the existence of it.

The CHAIRMAN. The time of the gentleman has expired.

Mr. BAILEY. I ask that the time of the gentleman from Kentucky be extended five minutes.

The CHAIRMAN. Unanimous consent is asked that the time of the gentleman from Kentucky be extended five minutes. Is there objection?

There was no objection.

Mr. BAILEY. I took the gentleman's time in interrupting him because he is generally so clear and I so generally agree with him——

Mr. WHEELER of Kentucky. I am very glad to have the interruption. The whole question turns upon the construction of the words in the Constitution relative to the power to make treaties. As to the provision of the Constitution giving to the President, by and with the consent of the Senate, the right to make a treaty, nobody disputes.

Mr. HENRY of Texas. Is it not a fact that the Constitution binds the judges to obey a treaty? And if they are bound to obey the treaty, are we not also bound to obey the treaty, which is declared to be the supreme law of the land?

Mr. WHEELER of Kentucky. I am not disputing the proposition that the Senate has a right to adopt a treaty and make it the supreme law of the land, but it has no right to adopt a treaty as the supreme law of the land which requires by its provisions the concurrence of the House of Representatives in order to vitalize it. If there had been no such proposition as the appropriation of $20,000,000, unquestionably nobody would dispute the correctness of the position taken by the gentleman from Texas [Mr. BAILEY].

Mr. CARMACK. Does the gentleman hold, then, that the treaty is void?

Mr. WHEELER of Kentucky. No, sir; I hold that until the House of Representatives concurs by making the appropriation, that article of the treaty is not finally ratified. Does the gentleman from Tennessee dispute that proposition?

Mr. CARMACK. I do.

Mr. WHEELER of Kentucky. Then why ask the House to vote the appropriation? Why not check from the Treasury the $20,000,000 of money upon the sole action of the Senate?

Mr. CARMACK. Of course the House has got to make the appropriation, but there can hardly be any important treaty made with a foreign power that does not require some action on the part of this House to effectuate it. The President and the Senate are the treaty-making power, and they have made the treaty.

Mr. WHEELER of Kentucky. On the contrary, this is one of the few instances where the action of the House of Representatives has ever been required on any treaty.

Mr. HENRY of Texas. Did we not pay $15,000,000 in 1848 for the territory which we then acquired from Mexico?

Mr. WHEELER of Kentucky. Certainly we paid that.

Mr. HENRY of Texas. And did we not pay $7,200,000 to Russia for the Territory of Alaska?

Mr. WHEELER of Kentucky. I am not opposed to an appropriation to pay for territory acquired; but I am opposed to this appropriation because we are not only going to buy the territory, but are also to buy the inhabitants of the territory.

Mr. BURKE. Did we buy the inhabitants in 1848?

Mr. WHEELER of Kentucky. No, sir; we did not do that.

Mr. BURKE. Then why do we do it now?

Mr. WHEELER of Kentucky. In the first place, there were very few inhabitants, and they were in favor of it, and in every acquisition of territory by the Government heretofore the instrument annexing the territory made the inhabitants citizens of this country if they so desired.

Mr. BURKE. Did we buy the inhabitants when we purchased Louisiana in 1803?

Mr. WHEELER of Kentucky. No, sir.

Mr. BURKE. Were they consulted as to whether they would become a part of the United States?

Mr. WHEELER of Kentucky. They sought to become a part of the United States. They wanted to become a part of the United States. But here we have an actual state of war existing, and those people over there are fighting for their liberty. Mr. Chairman, I say that one of the most affecting and humiliating sights in history is now witnessed in the Philippine Islands, where the American soldiers, under the Stars and Stripes, behind Maxim guns and Krag-Jorgensen rifles, are shooting down naked savages, who carry bows and arrows to fight for their homes and firesides. I do not propose to give my consent or sanction to such a proposition. I represent a free constituency on this floor, and I shall never give my sanction to vitalize a proposition or treaty that carries into execution such an infamous purpose as that. And I say now that the action of the Administration in shooting down those innocent islanders, with or without justification, will call down the condemnation of future generations and justify the curse of God upon any government that attempts it.

Mr. TAWNEY. How about the action of the Filipinos who shot down American citizens?

Mr. WHEELER of Kentucky. If the actual truth could be arrived at, I suppose American citizens in the Philippine Islands forced them to assault them. I want to hear both sides of that question, I will say to the gentleman from Minnesota.

Mr. TAWNEY. You ought to hear both sides before you condemn the Administration.

Mr. WHEELER of Kentucky. I know, without hearing anything, that it is wrong in principle, and it takes proof to justify the action of the Administration. If somebody should invade the fireside and home of the distinguished gentleman from Minnesota, I wot he would not be slow in taking up arms in its defense. We have no excuse or justification for it. I do not believe the American people approve it, and for my own part, sir, I do not intend to sanction it by my vote or voice.

Mr. WALKER of Massachusetts. Mr. Chairman, in the time allotted to me I shall speak on the currency problems of the United States.

Before proceeding with the discussion we must find some common ground to stand upon, else our facts will be ignored and our conclusions impotent.

All the data upon which I have formed what I shall say, and every fact and argument, are given more fully in part 2 of House Report 1575, Fifty-fifth Congress, second session.

THE GOLD STANDARD.

I do not second the cry for a new declaration for the gold standard, and thus admit that we were not put on a gold standard by Jackson, Benton, and a Democratic Congress in 1834, and have not had a gold standard ever since. Neither would I attempt to abolish any of our money, desirable as it may be to do so.

That would be attempting to take a second step before the first. And this notwithstanding we have four hundred millions more of gold and four hundred millions more of silver than economic conditions justify our having.

STATESMANSHIP.

Furthermore, I am of the opinion that we do not compliment our statesmanship by unnecessarily offending a single prejudice or false opinion.

SEVENTY MILLION DOLLARS WASTED.

I am for making as few changes as possible, in order to make rational fear of maintaining parity impossible, to give the South and West banking facilities, and to save the $70,000,000 per annum now needlessly wasted in maintaining parity by the Treasury.

BANKING AND CURRENCY CONDITIONS.

"The currency problems of the United States" are clearly revealed in a plain statement of our banking and currency conditions, as compared with those of France, Germany, England, and every other highly civilized nation.

While the countries named have systems varying to some degree, all may be said to be normal. That of France is built down from the top, having one bank, with branches extending into every community, like her government.

Our people insist that our banking and currency system shall be built up of units at the bottom, each bank independent of all others, as are the men in a town who together make the body politic.

FREE BANKING.

Our free banking law, allowing any five reputable citizens anywhere to form a bank by getting together the required capital, will never be abandoned, nor need it be.

A system individual as to each bank, but united into one solid structure for all purposes where union is necessary, will give us a banking and currency system as much superior to the banking and currency system of France as our institutions are on a more solid foundation.

BANKING COMPLETE IN ITSELF.

All human experience proves—

First. That it is not possible to have a sound banking and currency system in this country, as there never has been in any other, while it is not complete in itself. It must be wholly separated from any organic connection with the Government Treasury, as is that of France, Germany, England, and every other first-class country, the United States alone excepted.

UNION OF BANKS.

Second. That it is not possible to maintain the parity between paper money and gold where a multitude of independent banks exist, excepting by restricting the legal-tender coin to gold alone, as in England.

MAINTAINING PARITY.

Third. That where there are two or more kinds of legal-tender money, each differing widely from the others in intrinsic value, as paper, silver, and gold, it is impossible to maintain parity without making a union of all banks sufficiently solid to make each one and all equally responsible for maintaining the parity of all moneys in circulation and practically making all banks act together as one whole for maintaining parity, as in France, Germany, etc.

A MISERABLE FAILURE.

Nearly every government has tried the banking and currency experiment the United States is now trying, and everyone trying it has miserably failed.

There are no two opinions on our utter failure since 1893, especially in view of the fact that we are wasting $70,000,000 annually in trying the experiment. Up to 1893 it was the fashion to pronounce the financial and banking system of the United States the best the sun ever shone upon.

IMMEDIATE REFORM DEMANDED.

To-day there is scarcely a man in the country who has any interest in questions pertaining to economics, if there is even one who is not demanding its immediate reform.

WORST FINANCIAL SYSTEM IN THE WORLD.

Hon. James H. Eckels, ex-Comptroller of the Currency, in answer to a question by the chairman, said to the Banking and Currency Committee: "Yes; the United States has the worst financial and currency system of any leading nation."

Upon the above being read to Hon. Charles S. Fairchild, ex-Secretary of the Treasury, and his opinion asked, he replied: "I think it is the worst," and Secretary Gage concurred in Mr. Fairchild's statement.

NO TRUE BANK CURRENCY.

In fact, all writers on finance, banking, and currency are a unit in condemning our system, those of Europe declaring that there is not a dollar of "true bank currency" or really sound currency in the United States.

A brief examination will justify as thoroughly intelligent the unfavorable opinion of it generally held.

On January 1, 1899, we had of—

United States legal-tender notes		$346,681,016
Silver coin (when all bullion is coined)		600,000,000
Currency certificates		20,640,000
National-bank notes		243,817,869
Total moneys required to be kept at a parity with gold		1,211,138,885
Gold in the Treasury		282,174,966
Outstanding gold certificates		35,201,939
Net gold in the Treasury		246,973,027
Other free moneys		44,957,520
Total free moneys in the Treasury		291,930,547
The stock of gold in national banks is		266,464,000
Other banks, trust companies, etc., about the same		266,000,000
Gold certificates		35,201,939
Visible gold in banks, etc		567,665,939
Free gold in United States Treasury		246,973,027
Total visible gold		814,638,966
Gold hoarded and in circulation as currency		135,061,034
Total gold coin and bullion		949,700,000
Total gold in France		810,600,000
Total silver in France	$419,800,000	
Total currency in France	741,000,000	
Total currency and silver		1,160,800,000
Gold in Bank of France		375,400,000
Total gold in Germany		668,500,000
Total silver in Germany	$212,800,000	
Currency issued by Imperial Bank	317,000,000	
Currency issued by other banks	42,220,000	
Total currency and silver		572,020,000
Gold in Imperial Bank	$142,000,000	
Gold in other banks	13,930,000	
Gold held by banks		155,930,000
Total gold in the United Kingdom		488,000,000
Gold in the Bank of England		192,680,000
Gold in the Bank of Scotland		27,500,000
Gold in the Bank of Ireland		14,880,000
Total		235,060,000

REDEMPTION GOLD.

It appears that France has gold in bank available for the current redemption of each $100 of her total of silver and paper a little over $32; Germany, $27; the United States Treasury, $19. Redemption gold in the United States Treasury, only $7.

The Secretary of the Treasury reports only $100,000,000 as "redemption gold," as he may well do, as the balance can be only ordinary money, in the Treasury, otherwise the Secretary would have only $45,000,000 free moneys.

This makes the percentage of gold to redeem $100 of silver and paper money only $7.70, instead of $19.70.

All the visible gold in this country would be "redemption gold" actually in the banks did the law require our banks to maintain parity. It would be $63.30 to each $100 of paper and silver money; double, instead of less than one-quarter, that of France.

It would be nearly twice and a half that of Germany, instead of a little more than one-quarter as now. It would give us eight and one-fifth times the redemption gold we now have. What words can be too hot in condemnation of such a condition of our finances?

But even this $100,000,000 of redemption gold in the Treasury, little as it seems as compared with the $800,000,000 we have in the country, would be ample for gold redemption were it legally liable for redemption purposes in the banking system of the country, instead of outside of it in the United States Treasury.

CAPITAL AND CASH RESERVE.

National and State banks of loan and discount have $560,000,000 of cash reserves and $1,350,000,000 of actual capital, a total of $1,910,000,000 to use in protecting $100,000,000 gold to maintain parity. They now have $532,000,000 of gold, more than twice as much as the total gold in the United States Treasury and more than five times as much gold as the Treasury has of gold to use in redemption, and yet they are under no legal obligation to redeem in gold, a dollar of paper money.

PROTECTING GOLD.

The banks have six and one-half times more funds that they can use in protecting gold than the total moneys in the United States Treasury.

They also have absolute power to protect every dollar of gold they have by raising the rates of discount, as is always done with perfect success in England, France, Germany, etc., while the United States Treasury is absolutely powerless to protect a dollar of its gold in good times or bad, from Israelite or Christian living in any part of the world.

Why do not currency reformers recommend the imposition of a straight legal obligation upon banks to redeem in gold?

The visible gold daily used is less than $10,000,000. Every empirical practice conceivable is recommended for a cure by the very men who know the only possible cure. This indubitable statement reveals what is really the most discouraging "banking and currency problem in the United States."

ENGLAND AND FOREIGN COMMERCE.

Only foreign commerce tests the "measure-of-value coin" in the banking system of any country that has a normal system. England, as the clearing house of the world, needs four times the gold that is needed in this country, and she has less than half as much.

BANKS SHOULD REDEEM IN GOLD.

But of the $438,000,000 of gold in Great Britain, her visible gold, viz, $235,000,000, is in her banking system, where it can be protected by her immense banking capital and cash reserves, by raising discount rates.

Her banks are required by law to bear the burden of redeeming in gold.

Our banks are absolved from this duty, which is fundamental to sound banking.

Germany has only $156,000,000 of gold in her banking system, which is protected by all the cash reserves held by banks plus their capital, and is also effectively protected by the power to increase rates on discounts.

So with France. To raise the rate of discount on loans is a quick and sure protection of gold in banks. Then why hesitate as to a remedy?

The absolute confidence, not only of every man in England but of the world, in the certainty of parity being maintained with gold of every dollar of paper money, and all banking funds as well, is not because of the amount of gold in England, for it is relatively very small, but because every dollar of her visible gold is in her banking system.

England has not one dollar in visible gold where we actually have three and a half; and, relatively to the demands on her gold, not one dollar where we have fourteen.

So with France, and so with Germany, and wholly because the visible gold is in banks, and banks are compelled by law to maintain parity by redeeming paper money in gold.

BANKS ONLY CAN MEASURE VALUES IN COIN.

There is no device known to man for legitimately using a "measure-of-value coin" excepting by banks, and that in exchanging evidences of debt, which again are titles to products; and there is no way of protecting gold in that function excepting in raising or lowering the rate of discount, a thing impossible to a public treasury.

EXPORTING AND IMPORTING GOLD.

There are hundreds of millions of dollars in the $2,500,000,000 of deposits in our banks waiting to be invested in bonds or stocks when they shall have been depreciated a little and to a price that will pay the buyer a larger income than normal.

Millions of these funds are controlled in Europe, as there are millions in European banks controlled in this country, that await investment in stocks and bonds when rates of discount are raised, so as to slightly depress the price of bonds to a point that will pay a little more than a normal income.

These stocks and bonds are always shipped from one country to another—gold only to a very slight amount. In 1891 the balance of exports over imports of gold, taking into account our gold production, only depleted our gold $700,000. In 1893 it depleted it $25,000,000. In the commercial agony of 1893 we actually gained $29,000,000 of gold. In 1894 our net loss was $41,000,000. Taking the bad years of 1893 and 1894 together, we lost only $12,000,000 of gold.

Balance of trade for or against a country is not a controlling influence in the movement of gold.

No one wants gold excepting in times when he thinks he may not be able to get it.

The certainty of getting gold "on demand," plus a higher rate of interest, will take gold to any place, regardless of whether that place has a sound or unsound currency and of every other circumstance or condition.

We increased our accumulations of gold by over $300,000,000 during suspension of specie payments.

A doubt of getting gold on demand or a lower rate of interest will send gold away from any place regardless of every other condition, as is proved by all experience.

DOUBT, FEAR, PANIC.

The seeds of doubt, fear, and financial panic inhere in and are inseparable from any system of government treasury issuing or redeeming paper money.

They may lie dormant, as they did in 1893, and as they do now, but we may be sure they are germinating.

The fury of each succeeding financial storm will exceed the previous one, even as that of 1893 did all that went before it. This is necessarily so.

The manufacturing, trading, transporting, and banking interests of the country are increasing with tremendous rapidity, and their delicacy and intricacy are increasing in a far greater ratio than their volume.

OUR INDUSTRIAL SYSTEM IN PERIL.

Every man that is so situated as to be compelled to study the situation can not help shuddering as he thinks of the peril to the whole industrial system of this country, involving billions on billions of dollars; far past human comprehension.

Their lifeblood is the two and a half billions of dollars of bank deposits, and these billions are made serviceable by $1,000,000,000 of currency, and that currency depends for its value on being instantly and certainly redeemable, and there is now only one hundred millions of gold legally liable for this redemption.

Even that gold is not in normal contact with our currency in our banking system, but stored away in the United States Treasury. It is as much outside the financial and banking system of the country as though it were held by any one of a thousand individuals, sole or corporate.

Remember the United States is only a huge business individual enterprise, with no more banking resources than any other person.

PAPER MONEY A TITLE TO PRODUCTS.

The whole theory and practice of sound paper money is that the person receiving it from the bank gives the bank a title to products in his possession, in his time note, to an amount equal to the amount of paper money he receives.

These products pay, cancel, and destroy the paper money he received for his time note when the note is paid.

The banks in this country have in their possession $2 worth of property over and above all they owe to depositors with which to redeem each dollar of silver and paper money in the country, provided they were responsible for such redemption. The United States Treasury has only 23 cents and 4 mills, supplemented by the power of taxation.

TREASURY RESPONSIBLE FOR ALL PAPER MONEY.

It will not do to reply that the Government is responsible only for the $346,000,000 of legal-tender notes.

When questioned before our committee, ex-Secretary of the Treasury Carlisle, ex-Secretary Fairchild, Secretary Gage, and Comptroller Eckles declared that, while the United States was responsible for keeping the parity between any two kinds of money in general circulation, it was inevitably responsible, in the last analysis, for keeping every dollar of existing money at a parity by gold redemption.

DUTY TO MAINTAIN PARITY INDIVISIBLE.

Again, the duty of maintaining parity is not susceptible of division. Two parties can not by any possibility be equally responsible.

NORMAL REDEMPTION ONLY POSSIBLE TO BANKS.

The very existence of sound paper money is only possible in a currency that has potential and actual daily gold redemption, and daily redemption is only possible in a "true bank circulating note," viz, a circulating note issued against their assets, and for which the bank receives the personal-property note (products) to a like amount with which to redeem the notes, such as are issued in England, France, Germany, and in every country excepting the United States.

A government is a consumer and destroyer of every dollar's worth of products it receives for the currency it issues, and in the nature of the case can legitimately have nothing with which to redeem the currency it pays out.

A bank is a preserver and increaser of every dollar's worth of products it receives in the time note of its customer for the currency it issues, and in the nature of the case must have in its possession more dollars' worth of products with which to redeem every dollar of its currency than it had when it paid it out for the personal time notes of its customers.

Currency issued by a bank is a certificate of actual deposit of products in the bank and their preservation.

Currency issued by a government is a certificate of the consumption of products.

UNSCIENTIFIC AND WASTEFUL.

Not only is our financial system the most unscientific and insecure of any ever devised that maintained its paper money at a parity with gold, but it is the most wasteful.

OPPRESSIVE TO AGRICULTURAL SECTIONS.

It especially oppresses those sections of the country that most need the fostering care of the Government, and as a consequence they voted for free silver in 1896.

Those States are nearly $500,000,000 short in banking funds as compared with the per capita in those same States in 1860, taking for a basis the nine oldest States in the group, while the New England, the Eastern, and the Middle States are overbanked by from 5 to 20 per cent. The proof of this is found in the fact that some of the banks in the richer States are obliged to buy bonds to employ their funds in excess of what they might legitimately buy as a reserve. They now hold about $600,000,000 of United States and other bonds.

Others are forced into reducing their capital, into consolidation or liquidation, by the savings banks and trust companies that own their stock.

INCREASES DISCOUNT RATES.

In the strictly agricultural States discount rates on commercial paper are from one-quarter to one-third higher than normal, and far higher than in 1860. Banks are practically prohibited in agricultural communities by the national banking law, and this because it compels abnormal banking.

Finance and banking are as old as civilization. Their present form and substance are as much the result of natural law as that of anything in animate or inanimate nature.

BANKING A NATURAL DEVELOPMENT.

The banking and currency of all nations follow the natural lines of development, varying only in minor details, excepting that of the United States. Ours departs widely from fundamental principles, and is therefore insecure and wasteful, as will appear if we examine the kinds and amount of our various forms of money.

We have of gold coin and bullion	$950,000,000
Silver coin	600,000,000
United States legal-tender notes	347,000,000
Currency certificates	20,000,000
Total money issued by the Government	1,917,000,000
National-bank notes	244,000,000
Total money in the country	2,168,000,000

Of this $1,500,000,000 of coin every dollar our people have proved they need or desire by actual use we must have. Every dollar more than that is actual waste.

Where paper money is as satisfactory to the people, 5 per cent interest is lost on every dollar of gold or silver needlessly used.

WASTEFULNESS ADMITTED.

Every one admits that where a thing costing $100 is used where a thing costing nothing will do the work as well, or better, wear and tear and interest is lost on $100. A friend of mine used 22 horses to do the work around his factories and 2 miles to the station. He put in an electric railway to the station, and now keeps only 2 horses.

For him to still incur the expense of the keeping, depreciation, and loss on the 20 horses discarded, because he once needed them, would be no more uneconomic and foolish than for this country to have a single dollar's worth of coin more than is necessary to make our currency sound plus what is demanded by our people to hoard or to use as currency, foolishly or wisely.

AMOUNT OF SILVER AND GOLD NEEDED.

We have only been able to keep in actual circulation, after spending thousands of dollars to get them into circulation, silver dollars to the amount of $65,000,000, and subsidiary silver, $70,000,000; a total of $135,000,000. Call our actual needs of silver money $200,000,000. We actually use $150,000,000 gold for hoarding and currency. One hundred million dollars redemption gold is in the Treasury, $250,000,000 only in daily legitimate use, thus leaving $700,000,000 gold absolutely out of reach of our banking system for a fundamental use, showing a chaotic condition in our banking and currency. England successfully conducted the exchanges of the world for forty years on less than $150,000,000 visible gold, but it was in bank. The Bank of England now has less than $200,000,000 with which to make the gold exchanges of the world.

HOW THE WASTE IS MADE.

Assuming we need $300,000,000 of gold in the "bank cash reserve held" in a sound banking system, we can safely have in addition $200,000,000 United States legal-tender notes and 200,000,000 silver dollars, making up the $700,000,000 cash reserve that would be needed when the South and the Northwest have the same amount of banking funds per capita they had in 1860. The exhibit under our present system and under a scientific system would be as follows:

Present gold in the country		$950,000,000
Need for hoarding and currency	$150,000,000	
In cash bank reserves	300,000,000	
		450,000,000
Unnecessary gold		500,000,000
We have silver	$600,000,000	
Can use legitimately only	400,000,000	
Unnecessary silver		200,000,000
Legal-tender notes	$346,000,000	
Can use legitimately only	200,000,000	
Unnecessary legal tender		146,000,000
Currency certificates		20,000,000
National-bank currency		244,000,000
Total amount of the money that should be bank paper money		1,110,000,000

Not one dollar of this is now earning a cent to the banks or saving one dollar of interest to the people by lowering discount rates.

This is an anomaly never before seen in any country where parity was maintained between paper money, silver money, and gold. In Germany, in France, and in every other country, this $1,110,000,000 would be earning full interest by keeping the rate of interest on loans down by the proportion that this $1,110,000,000 bears to the whole volume of discounts in the country, a total sum at 5 per cent on it, or $55,500,000.

LOSS OF INTEREST ON TREASURY BALANCES.

But we are also carrying in the public Treasury $291,000,000, while England, France, and Germany average about $30,000,000, leaving $260,000,000 more than is necessary, provided we had a sound financial system.

We must continue to carry this vast amount, as we have done for twenty years, in order to give the people confidence that the Treasury is able to maintain parity.

This again is worth 5 per cent in the pockets of the people before it was taken from them in taxes, or $13,000,000.

LOSS IN TREASURY ADMINISTRATION.

In addition to this it costs to administer our Treasury system, because of our violation of the principle of normal banking, about $1,500,000 more than it costs any other nation. These three items, aggregating $70,000,000, are utterly wasted.

That these things are incontestibly true, is shown by the testimony of Secretary Gage, ex-Secretary Fairchild, given on incidental matters, and the other experts who came before our committee.

AMOUNT OF PAPER MONEY NEEDED.

Assuming that there is a legitimate demand for the amount of money we have and that this $1,200,000,000 that requires gold redemption was issued by our banks, as the paper money of France and Germany is issued, our bank loanable funds would be increased by this $1,200,000,000.

HIGHER DISCOUNT RATES COMPELLED.

Interest rates now compelled in order to pay 6 per cent dividends on bank capital would then be reduced just as much as it would be by adding $1,200,000,000 to the deposits, or as this sum is to about $4,000,000,000 capital and deposits and currency, less the reserve, three-tenths of 1 per cent, or from 5 per cent to 3½ per cent.

REDUCTION IN INTEREST TO AGRICULTURAL STATES.

This reduction of present rates of discount would not come to the overbanked cities of the middle North and Northeastern States,

but wholly to the agricultural sections of the country, where only currency can be used, and where the having of banks is impossible, without the privilege of issuing "true bank currency."

It would come especially in those States which voted for soft money in 1896 and which are now short of banking funds by nearly half a billion dollars.

As it is to-day, not a dollar is added to the loanable funds of our banks by this $1,200,000,000 of redeemable money.

CURRENCY AND DEPOSITS IDENTICAL.

Deposits entered on the pass book of a borrower and currency issued by a bank to a borrower are identical in substance.

In the case of deposits the check that draws out the deposit is made by the depositor.

In the case of currency, which in substance is identical with the check, it is made by the bank and given to the borrower at the time the loan to him was made.

The borrower uses currency at any time, as the check can be used at any time. The check can only be passed from man to man by each writing his name on the back of it, but, whoever holds it, it is his check on his funds in the bank.

Currency passes from man to man without indorsement, but it remains a bank check of the man who holds it against his funds in the bank.

USE OF UNITED STATES BONDS OPPRESSIVE.

There is no more sense in requiring a bank to buy United States bonds to the amount of the obligations it assumes in accepting the proceeds of a man's time note that it discounts and gives him its own currency notes for, than there would be in compelling the bank to buy United States bonds to the amount of obligations it assumes in accepting deposits and allowing the man himself to make his own currency to draw it out, viz, his own check.

When a bank discounts a time note for a customer for $1,000 and the proceeds are left on deposit, its funds are not depleted by one cent so long as the deposit remains. When a bank discounts a time note for a customer for $1,000 and the proceeds are given the customer in "true bank currency," such as banks issue in every country in the world excepting this, its funds are not depleted one cent so long as the currency is not returned to the bank for redemption.

When the bank is obliged to surrender as many dollars in buying bonds as it gets of currency, its capital is depleted by every dollar of currency it has in the bank.

CITY BANKS FAVORED—COUNTRY BANKS OPPRESSED.

Because city banks are allowed to do business by accepting the only form of deposits their customers can use, viz, bank deposits, and country banks are not allowed to do business by using the only form of deposits their customers can use, viz, currency in the hand of the borrower, interest is necessarily nearly twice as high in the country as in the central reserve cities.

If the $650,000,000 deposits now in the banks in the central reserve cities were taken off their books by the issue to their customers of $650,000,000 of currency, and their customers were compelled to use this currency instead of their own checks and drafts, it would greatly inconvenience their customers, but it would not increase the risk of the banks by the smallest fraction.

UNITED STATES, FRANCE, GERMANY.

This fact is recognized in every European country, and was acted on in this country up to 1860.

The national banks in the central reserve cities have $4.33 in deposits and 12 cents in currency to each dollar of capital. Total, $4.45. The Imperial Bank of Germany has $4.59 in deposits and $10.85 currency to each dollar of capital. Total, $15.44. The Bank of France has $2.64 in deposits and $21.05 currency to each dollar of capital. Total, $28.69. Can anyone be found so rash as to assert that the Imperial Bank of Germany is made any less secure than our banks for the reason that its deposit liability in the form of currency issued is 90 times that of our banks, or that the Bank of France is any less secure because it has a deposit liability in the form of currency issued 175 times as great as have our banks for currency issued?

Banks in cities can not issue currency. Their customers can not use it. City business requires checks, drafts, etc., identical in substance with bank currency. The customers of banks in strictly country districts can not use checks, drafts, etc. Their business requires currency.

For this reason the national banking law practically discourages banks in all strictly agricultural districts and States.

CITY AND COUNTRY RATES COMPARED.

Banks in strictly agricultural States to-day would have to charge 7.34 per cent under precisely the same conditions as to loans that New York banks can loan for 2.98 per cent, each to pay 6 per cent dividend on stock.

Under the European system, or under the best banking system the world ever saw, viz, the old New England Suffolk system, rates of discount on loans in the country districts to-day would be about 4.55 per cent.

As I have before said, four-fifths of the $70,000,000 taxation, direct and indirect, falls on the people of the States voting for soft money in 1896, not in banks charging higher rates of interest, as the few that exist surely do, but in the oppressions arising from their lack of banks, being to-day about $500,000,000 short of banking funds as compared with 1860.

If this does not justify men in voting for free coinage, in their desperation, it certainly furnishes them some excuse.

CHANGE IN SENTIMENT.

Up to the date of my address before the department of commerce and finance of the World's Fair at Chicago, on June 21, 1893, in exposition of the anomalies and hardships of our national banking law, I had always heard our banking and currency system extolled as the best the world had ever seen. In six years all this is reversed. To day there is no one well informed in the matter who does not think it the most unscientific and wasteful.

Having the facts that show its shortcomings, we are brought to the question of what is the least change in the banking law that is necessary to remedy existing evils.

SOURCE OF EXISTING EVILS.

(1) The fundamental evil is in requiring the United States Treasury to redeem any part of the money used, in order to maintain parity.

(2) The prohibition to banks of the issuing of "true bank currency," as banks do in every other country, by requiring them to buy bonds to the amount of the currency they issue, thus absorbing the capital invested in bonds.

REMEDY.

Combine our banks through clearing houses, and make them legally responsible for the maintenance of parity, and allow each bank to issue currency to the amount of its capital, without robbing it of its paid-in capital in the purchase of bonds, and our banking and currency system will be transformed from the worst in the world to the best in the world.

REMEDIES PROPOSED THAT WOULD NOT CURE.

There have been considered in the Committee on Banking and Currency five general bills:

(1) The Carlisle bill of December 11, 1894, H. R. 8149, Fifty-third Congress.

In the hearings on this bill the "Baltimore plan" of October 11, 1894, was considered.

(2) Gage bill of December 16, 1897, H. R. 5181, Fifty-fifth Congress.

(3) Indianapolis commission bill of January 6, 1898, H. R. 5855, Fifty-fifth Congress.

(4) McCleary bill of April 5, 1898, H. R. 9725, Fifty-fifth Congress.

(5) Hill-Fowler bill of May 11, 1898, H. R. 10289, Fifty-fifth Congress.

TRUE REMEDY.

In addition to these, there is the Walker bill, introduced in 1889, which has been a constant study since, and modified from time to time to May 13, 1898, and is now H. R. 10333.

I have held this bill back from formal consideration in order that all other bills might be first considered.

The result is that it never has been formally considered by the committee. I will venture first to say a few words of that bill.

First. It relieves the United States Treasury from all responsibility for the current redemption of any kind of money by putting it on the only organizations known to man that can legitimately maintain parity, viz, banks.

Second. It takes the United States bonds out of the banking system and allows banks to issue "true bank currency."

All currency is issued to banks by the Comptroller and guaranteed by the Government in case of insolvency.

A tax of one-fifth of 1 per cent is put upon the currency in actual circulation, which it is estimated will yield four times the amount necessary to the guaranty.

Third. It saves sixty of the seventy millions now lost in direct and indirect taxation.

These three things, and only these, does it propose to do, and it surely does them.

It retains every real advantage of our national system.

It makes national the old New England Suffolk bank system.

BAD STATE BANKS.

The memory of the wild-cat banks of Michigan, Illinois, and the Northwest, with a few swindling concerns in Mississippi and the extreme Southwest before 1863, together with the bond-secured system of New York, has closed the minds of our people to the excellencies of the old State banks of New England, the Atlantic States, and Louisiana.

They were as sound and as well managed as our national banks, and with less insolvency.

Of course we can not go back to State banks now, but we should incorporate into our national system all the good there was in them.

SUCCESS A DUTY.

Again, we must not forget that success in legislation is a duty in trying to secure reforms in our finances, as it is in everything else.

THINGS THAT CAN NOT BE DONE.

We must therefore ascertain what the people will not allow to be done, as well as what ought to be done, in order to know on what lines we can proceed in reform.

First. They will not allow the United States legal-tender notes to be retired either by selling bonds, using the surplus revenues, or by changing them into gold certificates; and Congressmen will not face defeat in voting for such propositions.

Second. They will not allow a law to be passed that in terms demonetizes the silver dollar by setting aside a gold fund to redeem them, and thus invite their presentation to the Treasury to be redeemed in gold.

Third. The people will never consent to allow banks to put in circulation any currency not gotten of the Comptroller of the Currency and the payment of which is not guaranteed by the United States; and this because of the memory of the few bad State banks, which has tainted the memory of all State banks, good and bad alike.

Every bill formally considered by the committee runs counter to all three of these settled convictions of the people.

REMEDIES PROPOSED AGGRAVATE ADMITTED EVILS.

As every remedy proposed in each one of the five bills formally considered by the committee is incorporated in the Hill-Fowler bill, and as that bill was adopted by the Indianapolis convention as the final result of all financial wisdom, we need consider that only.

DIVIDING TREASURY FUNDS

Its propositions are:

First. To separate the money in the Treasury into two parts, the one part to be used for general purposes and the other part to be an "issue and redemption fund" set apart to redeem legal-tender notes and silver dollars, to be administered under rigid rules embedded in statute law.

The proposed division is purely a matter of administration. It can be so done to-day without legislation.

Nothing could be worse than to bind the hands of the Secretary of the Treasury in the use of any part of his funds by rigid law.

Every business man knows that the financial manager of a corporation, in an exigency, must have every dollar of its funds at his command.

With part tied up out of reach, failure may be inevitable, when the crisis might be tided over could the last dollar of its resources be used. The same is true of the United States Treasury.

How, then, can two "tills" in which to keep the Government money instead of one avert or allay panic?

There would be two funds to watch and to alarm the people instead of one. The division of Treasury funds, in essence, can be nothing more than a question of bookkeeping as far as liability is concerned.

This ignis fatuus has its origin in the two departments of the Bank of England.

That division of funds has never been approved by a single financial institution anywhere by its example being followed.

It has confessedly intensified every panic in England, and has been suspended in emergencies.

It is condemned by every European financial writer and by most of those in England. It is treated as a matter of bookkeeping by nearly all writers on finance.

DESTROYING LEGAL-TENDER NOTES AND MAKING BANK NOTES LEGAL TENDER.

Second. It is proposed to destroy the present United States legal-tender note and allow the banks to issue the same amount in a purely bank note, and make these bank notes legal tender.

Is it conceivable that this operation can help our case? And this is to be done by compelling the banks to buy what are called "reserve bank notes" and pay United States legal-tender notes for them, the latter to be destroyed.

But the gold redemption of these reserve notes is not put on the banks that issue them, but is put on the United States Treasury.

Nowhere in the bill is the responsibility for redeeming a dollar of paper money put upon the banks. How, then, can this scheme relieve the Treasury in the slightest degree?

A GOLD RESERVE TO REDEEM SILVER DOLLARS.

Third. It is proposed ultimately to retire all United States "legal-tender notes," and these "bank-reserve notes" as well, but still to leave the United States Treasury responsible for the maintenance of parity.

The bill requires a gold reserve equal to 5 per cent of our silver money to be kept in the Treasury.

Secretary Gage, ex-Secretary Fairchild, and all witnesses before us agreed that the Treasury was really liable for the gold redemption of every dollar of the $1,200,000,000 of redeemable money.

They also said that for every dollar of Government paper withdrawn or canceled this large sum would still be kept good by the issuing of additional bank currency.

How, then, can the slightest relief come to the Treasury by retiring $346,000,000 of one kind of paper money and adding a like amount of another kind of paper money, when the Treasury is equally obliged to redeem all paper money?

How can it relieve the Treasury to withdraw the $346,000,000 legal-tender notes and pay out the $100,000,000 gold now held in the Treasury for the redemption of all moneys, and substitute by law $600,000,000 of silver for legal-tender notes as gold extractors from the Treasury, and depend upon $30,000,000 of gold instead of $100,000,000 for the redemption of all moneys?

It is true the bill proposes that no paper money shall be issued to banks under $10; but this is bad, and only bad. It deprives the country banks of their rights to the tune of $274,000,000 of the $5-note money we now have and can be no relief to the situation.

But we are told that there will be such a demand for this $600,000,000 of silver certificates that the banks can not get any of them to present to the Treasury for gold when we only have in $1, $2, and $5, in all kinds of paper money, a total of $377,000,000.

Let us see how this works out.

Paper money in common use by the people averages to be deposited in banks five times a year.

That shows that $250,000,000 of these silver certificates must necessarily be deposited in banks by retail merchants every month or they can not pay their debts.

Is there any doubt about foreign bankers and traders getting all the silver money they want to demand, any amount of gold of the Treasury they choose to ask for?

BANKS TO ISSUE TAXED PAPER MONEY WITHOUT GOVERNMENT GUARANTY.

Fourth. The next proposition is to allow all banks to issue currency secured by bonds up to the amount of 40 per cent to capital; then they may issue 60 per cent against assets.

This 60 per cent has no Government guaranty; the last 20 per cent of this 60 per cent is to be taxed at the rate of 6 per cent per annum.

Remember, city banks can not use currency, because it would come back to them the next morning through the clearing house.

This tax, therefore, all falls on country banks. Our present $1,200,000,000 of redeemable money is 90 per cent of the actual capital of State and national banks. The country banks can average to circulate 80 per cent; minimum, 60; maximum, 100; average, 80 per cent.

Let us see how this bill works out as between one extreme, the central reserve city banks, and the other extreme, the strictly country banks.

OPPRESSIVE TO COUNTRY BANKS.

It requires the country banks, as a license fee to do business, to buy United States bonds to ten times the amount that the city banks must buy, and also to take out twice the amount of reserve notes the city banks buy, and pay for them in legal-tender notes.

It fails to recognize that bank currency is identical with deposits.

Why does not the bill require the central reserve city banks to pay the same tax on their deposits in excess of 80 per cent to capital; as the country banks are required to pay on their deposits in the form of currency issued?

The city banks are to pay nothing, while the country banks would have to pay $1,800,000. The Bank of Germany under this rule would be obliged to pay in taxes on the notes it issues $17,000,000, and the Bank of France $42,000,000 per annum. If the central reserve city banks were treated the same as country banks, they would have to pay in annual taxes $31,000,000.

Need any more be said to show how unscientific as well as unjust to country banks such a provision would be?

DEPRECIATES THE QUALITY OF OUR PAPER MONEY.

Fifth. The propositions, if enacted into law, would make paper money no better by making it any more safe, freely issued, abundant, uniform, or elastic than now—in many of these respects not as good.

TO BREAK THE ENDLESS CHAIN.

Again, it is claimed that this bill, if enacted, will break the "endless chain."

I really do not think, bad as it is, that the bill is as bad as that. We all know that the condition precedent to the existence of the poorest kind of promise to pay that can be called money is that it is in its circulation an "endless chain."

When it really stops moving in potential and actual gold redemption it is indeed very poor stuff. So much for the final effort at financial reform.

CITY BANKS CAN NOT KEEP THEIR CURRENCY IN CIRCULATION.

Because banks in large cities can not keep any considerable amount of currency in circulation in normal times is no reason why they should not take out true bank currency, as it would be no expense to them when not in circulation under a proper banking law.

Banks in cities doing a country business can probably keep in circulation an amount equal to 10 to 20 per cent to capital; but the average in all banks would be scarcely 5 per cent. It did not average 10 per cent in 1860, when far more could be used by city banks than now.

This would leave about $200,000,000 of currency in the reserve cities that might be deposited in the clearing houses as an "emergency fund," being contributed to the clearing house in each city pro rata to capital.

This fund could be loaned to banks to the amount of 75 per cent of face value of approved commercial paper deposited as security.

Such an arrangement would not be open to the objections that lie against a "clearing-house currency."

A LIMITED UNION OF ALL BANKS NECESSARY.

To unite all banks of loan and discount under the sanction of law, through clearing houses, is fundamental to any relief to the situation so long as we have two or more legal-tender moneys.

Let the United Kingdom wake up some fine morning and find in her legal-tender money one-half the amount of silver we have, and at 16 of silver to 1 of gold she would be on a silver basis in a week, unless her independent banks were in some way united into a solid union to maintain parity.

Let the Bank of France be divided into as many independent banks as she has branches, and she could by no possibility maintain parity between her paper money, silver, and gold.

THE UNION OF ALL BANKS NOW EXISTS.

We now do it, through the union of all the banks, in the United States Treasury, and by the Treasury being a member of the New York clearing house, but at an enormous expense and great daily peril, as I have shown.

BAD LEGISLATION SHOULD BE RESISTED.

Can I be justly criticised for not favoring a scheme that would pile up several hundred millions more than there now is in the Treasury and increase expenses by ten to fifteen millions per annum, and then leave us in a worse plight than we now are?

WHY NOT REFORM BY DEGREES?

But why not reform our currency by degrees, allowing the people the benefit of a part now?

Yes; why not build a bridge across a river, requiring four arches, by installments, building one arch and let the people use that, and a few years later the second, and so on? No relief can come to travel without a completed bridge. So with banking and currency reform.

Let me say again:

First. To abolish reasonable fear and to prevent 1893 panics the United States Treasury must be relieved from the current redemption of all paper money and of maintaining parity.

Second. The maintaining parity must be devolved by law on the only agency known to man that is capable of discharging that function, viz, banks.

Third. Securely uniting all commercial banks through clearing houses, by law, to maintain parity, and leave them as independent in all other things as now.

Fourth. Restore to banks the right to issue currency against their assets, enjoyed by all other banks the world over and by every bank in this country until the people were robbed of it in 1863 in order to levy a forced loan upon them to make a market for bonds.

THE DOMINANCE OF PETTY AMBITIONS.

Finally, no man or class of men have any moral right to force themselves between the people for their personal aggrandizement, insisting on any particular bill, and refusing to consider the array of official figures and facts conclusive in the matter that I have presented here and elsewhere.

WISDOM, PREJUDICE, ETC.

Neither must it be forgotten, as it has been thus far, that every form of wisdom, prejudice, and ignorance that pervades the masses of our people is represented in Congress, and must be reckoned with.

Any bill drawn by any man that makes sure each of the four things necessary to complete the financial bridge should have the support of every one of us.

Any bill that fails in any one of them would be an economic and political blunder equal to a crime. It would not compliment our statesmanship and should have our active opposition.

STATEMENT OF USE OF GOLD ELABORATED.

The misapprehension as to the use made of gold arises from the fact that the movement of gold is not studied upon the facts of its actual use and the ascertained facts brought to the test of inductive reasoning, but rather upon the assumption of error to be fact, and then deducing certain alleged facts from the errors and proclaiming them for truth.

TWO REALMS OF WEALTH: BANKS OF LOAN AND DISCOUNT; TRUST COMPANIES.

There are two realms of wealth, the borders of which are constantly changing and apparently intermingling, viz: Productive wealth, mostly real estate and its developments, and consumable wealth, mostly products and their making and handling.

Gold coin (as coin) can not be consumed and can earn no income. It is neither productive wealth nor consumable wealth. It simply measures the value expressed in all paper obligations.

Banks of discount, currency and coin, about $4,000,000,000, are inextricably mixed together, each being a part of the other. They handle only consumable wealth, valued at $25,000,000,000. They are very slightly affected by the handling of or the movement of productive wealth.

Saving banks, loan and trust companies, investment companies, building and loan companies, insurance companies, cooperate banks, benefit associations, etc., as well as individuals, unlike banks of discount and deposit, handle productive wealth, exclusively, valued at $40,000,000,000. Each class of moneyed institutions fails in the sphere of the other. While wealth is always in process of being transferred from one realm to the other, the percentage of transfers as compared with the whole volume, in normal conditions, is infinitesimal and of no appreciable influence. The balance in such movements only shows that the accumulations in one realm can be more profitably employed in the other.

MONETARY CRISES OR PANICS.

Monetary crises or panics always begin in the realm of consumable wealth. Demands are then immediately made on the productive realm to supply any vacuum made by a panic in the consumable realm for stocks, bonds, etc., for export, that otherwise would have to be answered by gold. Of course it is individuals embarrassed by the panic that have to furnish these so-called solid securities. The popular forms of expression are, as to particular persons, "He has gone too deeply into real estate or railroading" and "He tried to own his plant when he ought to have hired it," etc.

GOLD SCARCELY MOVES.

For the reason given gold never actually "moves" in large volumes. It is inevitable that millions of bonds and stocks take the place of gold, as all experience prove they do. The following tables establish and enforce these facts, as they show gold scarcely ever moves to any great amount.

GOLD FREE TO MOVE.

When currency and coinage laws leave gold free to move in compliance with the laws of trade, it is in accordance with all business experience that gold never moves from or into any country to any amount greater or smaller than is necessary to restrain or induce to normal conditions the business activity of the country, any more than the balls of the regulator of the engine describe a circle of more or less diameter than is necessary to keep the engine at its normal speed.

IMPORTING OR EXPORTING GOLD.

The importing or exporting of gold is regulated by the imperative demands of the foreign trade of a country, and is not actual to any extent but potential. The things really imported or exported for gold, their price being forced up or down to cause the doing of it, are stocks and bonds, titles to productive wealth brought out of the realm of productive wealth into the realm of consumable wealth to be imported or exported, as the case may be, in place of gold.

PAPER-MONEY OBLIGATIONS.

Of course every money obligation known to finance in banking, as paper money, note, or draft, is a title to the whole or some part of consumable wealth. Whether it be near or at the antipodes is wholly immaterial to the bank. The financier or banker takes no cognizance of the location or movement of products to which he has a title. He cares only for their value and safety. Therefore, whether the merchant in Chicago or Cincinnati buys products in San Francisco, New York, Liverpool, Paris, China, Japan, or Mexico, obligations of ownership of which come into possession of a banker, their payment has no influence on the movement of the world's measure of value metal between countries, whether it be silver or gold, as payment is not made in gold, but in titles to products.

NO TRADE BETWEEN COUNTRIES.

There is no trade between countries. The ocean or national boundaries are not known to trade. All trade is between individuals. The movement of gold across the ocean has no more significance than its movement across any parallel of latitude or longitude. As the world's measure is now a grain of gold, I use the word gold for brevity. The ownership of products being in any country, or the movement of products themselves from one country to another, gives no hint of what the movement of gold will be.

POPULAR BELIEF.

The law of the movement of gold is as inexorable but different from the law governing the movement of other products. That the popular belief as to how and why gold is required for shipment from one city to another, or from one country to another, has no foundation in fact is abundantly proven by the annexed tables. When, why, or how economic law, left free to act, as it is not in this country, will compel the actual shipment of gold is not easy of statement in a paper like this.

MEN STRUGGLE FOR PRODUCTS.

A struggle for gold between individuals or nations is apparent rather than real. It is really the struggle of men for products and of titles to products to adjust the balances in exchange that is seen. When the point is reached for gold shipments, increased discount rates for business paper always depreciate stocks and bonds, and these titles to fixed property are shipped instead of gold. It is the same as the repression of and the struggle of steam for release from confinement that gives power to the engine—gold acting in the movement of products as the regulator does to the engine. It is as objectionable, and no more so, as is the struggle of water to find its level that causes it to turn the water wheel that moves thousands of spindles. It is the duplicate in ethics of the struggle of conflicting truths to adjust themselves in practical and beneficent results in advancing civilization. Commercial gold is the "regulator" to commerce as surely as the engine regulator is to it.

ACTUAL SHIPMENT OF GOLD.

These tables show that an actual shipment or movement of gold does not depend upon and is not influenced by the fact that the balance of trade is for or against a city or country, or whether a city or country is a debtor or creditor city or country, but wholly upon the condition of the credit of the holder of gold, whether it is good or bad, and whether his credit is becoming better or getting worse. They also show that individuals and nations use less and less gold as they advance in intelligence, are more peaceful, and are richer.

We now use only $6,000,000 or $8,000,000 of coin a day for domestic trade and to export. Let a proper banking bill become a law, with a proper clearing-house system, and not $2,000,000 a day would be used when all banks in the country are operating under it.

INTERNATIONAL CLEARING HOUSE.

With the establishment of an international clearing house, which is soon to come, scarcely more than that sum would be used each day in the whole world. In fact, as extremes always meet, and as there is nothing new under the sun, and all things come again, the time is soon coming when all the clearings of the world's commerce will be made each day, by telephone and telegraph, at a single point. It will be simply the changing of gold at a central point from one account to another in a clearing house, as in the days when the balances of the commerce of the world were settled in the Bank of Venice, but little gold going in or coming out of that bank, and by the simple transfer from one account to another of the final balance of each merchant in all countries in the world's commerce.

THE GOLD PROBLEM.

The difficulty economists and financiers now find in the use of silver is as sure to confront us as to gold, only with tenfold more difficulty, before fifty years are passed as anything not yet proved by actual occurrence. Inventions and new methods are fast relegating nearly all the coin currency of commerce to innocuous desuetude.

It is foreign commerce only that tests the "measure-of-value metal" as to quantity in any financial system, according to the theory of those who fear gold depletion. Experience rightly settles all economic questions. England has maintained gold payments for eighty years by having from 5 to 6 per cent of visible gold to her total commerce.

The United States has had for years from 16 to 18 per cent of visible gold to her foreign commerce. Again, the United States accumulated over $300,000,000 of gold during the suspension of specie payments. India exports and imports her gold freely and in large quantities, as does Mexico, China, Japan, and all other silver countries—as to that matter, as do all gold-measure-value countries. These two facts alone confound the popular theory as to the demands for and movement of gold.

The United States, again, exports gold averaging 24 per cent of gold to the balance in her favor of exports over imports of merchandise, while England does exactly the contrary. The United States produces from her mines 33 per cent more than her excess of exports.

England, contra to the United States, imports from 4 to 8 per cent of gold to the excess of her imports over her exports. This again proves the popular theory of the movement of gold a delusion.

The figures of production and accumulation of gold are exceedingly interesting, and confusing as well, excepting to those who "know it all."

The world's production of 1891 to 1897, inclusive, was $1,254,922,600.

In that time the visible gold in England increased	$48,732,500
In that time the visible gold in France increased	118,752,900
In that time the visible gold in the United States increased	28,673,587
In that time the visible gold in Germany increased	32,250,300
Increase of visible gold in the four countries	228,409,287

Where the other $1,026,513,313 is, is only known to the wise ones who know all there is to know about the movement of gold. The world's production of gold is increasing with very great rapidity, going from $131,000,000 in 1891 up to $237,500,000 in 1897. Of course we have no means of ascertaining the amount of commercial gold in India or any other "silver measure of value" country, but India has exported more than she has imported from the years 1891 to 1894, inclusive, $22,000,000 in gold, and produces none.

With a balance of trade in favor of India in 1891 of $183,000,000, she also imported $11,000,000 of gold. In 1892, with a balance of trade in her favor of $191,000,000, she exported $13,000,000 of gold. In 1893, with a balance of trade in her favor of $134,000,000, she imported $3,000,000. With exports over imports of merchandise in 1894 of $168,000,000, she exported $23,000,000 of gold.

The United States from 1891 to 1897 has exported in excess of her imports of gold the enormous sum of $224,976,000, but she has increased in that time her store of visible gold by $73,715,000, as she has produced $298,691,000 in gold.

CAUSES OF THE MOVEMENT OF GOLD.

What, then, do these gold tables and gold figures prove, especially with the example of the Bank of England before us? Absolutely nothing, excepting that the statements made as to the causes of the actual movement of gold have not the slightest foundation in fact.

Second. That just so far as the credit of banks is above the slightest suspicion and interest rates rise above the normal level will gold flow to them, and that just so far as there is a doubt of the future ability or inclination of bankers to pay gold, or as they reduce interest below the normal level, will gold flow from them.

Third. That trade is in no wise between nations, but is always between individuals, and knows no national boundaries, tariffs or no tariffs, excepting as tariffs help or hinder trade between individuals in one country and individuals in another country; that it is arrant nonsense to talk of the boundaries of a country having any more relation to the movement of gold than do the lines of latitude or longitude.

DISPUTE EVERY POPULAR THEORY.

Space will not allow a thorough analysis of the gold tables. Studying them, any candid man will be convinced beyond question that they dispute every popular theory concerning gold and show it practically to stand still in every country, without regard to trade balances or whether the countries are what are called "debtor countries" or "creditor countries," and that each must of necessity have the gold necessary to it to carry on the foreign commerce of the country, whether silver or gold measure of value countries.

HOW GOLD MEASURES VALUE.

Gold measures value in exchanging paper obligations, which are potentially products themselves, precisely as do scales and measures in the warehouses of countries, and this regardless of whether the country is a gold measure of value country or silver measure of value country.

About 1874 every country found itself being overloaded with silver coin. Now every country is being overloaded with gold coin as well. The production of gold is also rapidly increasing, while the necessity for its use, especially in commercial transactions, is rapidly decreasing. New commercial devices, needing no coin, are very rapidly coming into use. It is therefore clear that the next generation will be confronted with a "gold problem" beside which the "silver problem" of this generation is child's play.

UNITED KINGDOM.

Year.	Merchandise imports and exports.	Gold imports and exports.	Percentage of gold imports and exports to all merchandise imports and exports.	Visible gold.	Percentage of visible gold to foreign commerce.	Percentage of net imports of gold to foreign commerce.	Percentage of net exports of gold to foreign commerce.	Production of gold.	Percentage of product of gold to merchandise exports and imports.
Ending March 31—									
1891	$3,623,376,820	$264,949,512	7.31	$145,020,200	4.	0.82	.....	$67,000	0.0018
1892	3,481,659,795	177,458,645	5.10	152,315,600	4.37	.94	.....	51,200	.0015
1893	3,318,108,409	215,766,010	6.50	150,482,100	4.53	.78	.....	42,300	.0013
1894	3,319,588,940	210,329,633	6.34	197,825,000	5.96	1.76	.....	65,800	.0020
1895	3,418,823,629	279,233,210	8.17	248,024,300	7.25	2.08	.....	107,000	.0031
1896	3,592,392,476	265,674,426	7.40	206,432,800	5.75	.....	.77	24,600	.0007
1897	3,626,530,779	299,861,218	8.27	193,752,700	5.34	.....	.76	35,100	.0010
Average	3,482,925,835	244,753,236	7.03	184,836,100	5.30	.78	.....	56,143	.0016

UNITED STATES.

Ending June 30—									
1891	$1,729,307,006	$104,595,221	6.05	$288,841,200	16.70	.....	3.94	$33,175,000	1.926
1892	1,857,680,610	99,894,781	5.38	267,456,700	14.40	.....	3.03	33,000,000	1.770
1893	1,714,066,116	129,855,235	7.58	276,120,000	16.11	.....	5.11	35,955,000	2.0977
1894	1,547,135,194	149,427,180	9.65	279,694,100	18.08	.....	.29	39,500,000	2.5533
1895	1,539,508,130	102,853,241	6.68	264,023,700	17.15	.....	1.95	46,610,000	3.0276
1896	1,662,331,612	145,935,012	8.78	295,025,678	17.76	.....	4.74	53,088,000	3.1942
1897	1,815,723,968	125,373,355	6.91	317,514,787	17.49	2.45	.....	57,363,000	3.1593
Average	1,695,120,377	122,562,002	7.23	284,097,452	16.76	.....	1.90	42,670,143	2.5172

GERMANY.

Ending March 31—									
1891	$1,842,857,800	$81,515,000	4.42	$186,920,500	10.14	1.28	.....	$1,567,800	0.0851
1892	1,755,749,800	78,135,400	4.45	143,592,000	8.19	.99	.....	2,067,600	.1190
1893	1,756,130,600	57,477,000	3.28	138,786,300	7.90	.52	.....	1,498,900	.0853
1894	1,746,206,000	85,156,400	4.90	162,544,000	9.31	3.42	.....	2,141,000	.1226
1895	1,825,507,601	42,768,600	2.34	156,137,000	8.55	.20	.....	2,223,100	.1218
1896	1,978,208,400	99,436,400	5.03	196,100,100	9.91	.27	.....	1,139,100	.0576
1897	2,058,890,400	65,069,200	3.16	219,170,800	10.65	.42	.....	1,373,100	.0667
Average	1,851,935,800	72,794,000	3.93	171,607,300	9	.74	.....	1,718,657	.0926

FRANCE (SPECIAL COMMERCE).

Ending December 31—									
1891	$1,609,157,572	$115,380,043	7.17	$258,156,800	16.04	1.52	.....	$135,900	0.0084
1892	1,476,217,242	96,261,444	6.52	329,779,100	22.34	3.61	.....	129,700	.0088
1893	1,308,386,019	81,512,153	5.96	300,145,800	24.13	2.60	.....	185,300	.0035
1894	1,337,217,870	109,845,107	8.21	399,432,800	29.87	5.11	.....	.....	.....
1895	1,369,083,135	96,163,484	7.02	378,859,000	27.68	.13	.....	.....	.....
1896	1,380,503,307	118,064,507	8.50	369,517,800	26.59	.....	0.14	.....	.....
1897	1,481,417,627	82,085,915	5.54	376,900,700	25.44	2.11	.....	.....	.....
Average	1,432,997,540	99,901,808	6.90	348,971,571	24.35	2.13	.....	64,414	.0045

INDIA.

Ending March 31—									
1891	$619,164,477	$26,957,700	4.35	.....	.....	3.33	.....	$2,495,000	0.40
1892	572,764,991	19,102,936	3.34	.....	.....	1.38	.....	3,318,300	.58
1893	493,891,798	18,618,682	3.77	.....	.....	.....	1.66	3,813,600	.79
1894	441,991,140	13,846,944	3.13	.....	.....	.35	.....	3,882,900	.87
1895	386,602,604	18,331,173	4.75	.....	.....	.....	2.78	4,656,200	1.20
1896	427,740,317	17,550,925	4.10	.....	.....	1.37	.....	6,130,500	1.43
1897	393,393,774	15,055,470	3.80	.....	.....	1.31	.....	7,247,500	1.84
Average	476,502,729	18,494,833	3.88	.....	.....	.....	.....	4,506,286	.94

O. P. AUSTIN, *Chief of Bureau.*

TREASURY DEPARTMENT, BUREAU OF STATISTICS, *January 17, 1899.*

UNITED KINGDOM.

Year.	Balance of merchandise imports over exports.	Balance of gold imports over exports.	Percentage of gold imports over exports to merchandise imports over exports.	Balance of merchandise exports over imports.	Balance of gold exports over imports.	Percentage of gold exports over imports, as compared with merchandise exports over imports.	Production of gold.	Percentage of product of gold to imports over exports.	Percentage of product of gold to exports over imports.
Ending March 31—									
1891	$614,770,611	$29,723,008	4.83	.....	.....	.....	$67,000	0.01	.....
1892	643,126,058	32,854,277	5.11	.....	.....	.....	51,200	.01	.....
1893	620,721,627	25,950,387	4.18	.....	.....	.....	42,300	.01	.....
1894	654,831,006	58,032,020	8.86	.....	.....	.....	65,800	.01	.....
1895	636,816,811	71,245,589	11.19	.....	.....	.....	107,000	.02	.....
1896	707,733,580	.....	.....	.....	$27,521,736	.....	24,600	.....	.....
1897	763,394,060	1,397	.....	.....	.....	.....	35,100	.....	.....
Average	693,047,607	27,183,576	4.00	.....	.....	.....	56,143	.01	.....

UNITED STATES.

Year.	Balance of merchandise imports over exports.	Balance of gold imports over exports.	Percentage of gold imports over exports to merchandise imports over exports.	Balance of merchandise exports over imports.	Balance of gold exports over imports.	Percentage of gold exports over imports, as compared with merchandise exports over imports.	Production of gold.	Percentage of product of gold to imports over exports.	Percentage of product of gold to exports over imports.
Ending June 30—									
1891				$39,564,614	$68,130,087	172.20	$33,175,000		83.52
1892				202,875,086	495,873	.25	33,000,000		16.27
1893	$18,735,728				87,506,463		35,955,000	191.91	
1894				237,145,950	4,528,942	1.91	39,500,000		16.67
1895				75,568,200	30,083,721	39.85	46,610,000		61.73
1896				102,882,264	78,884,882	76.66	53,088,000		51.46
1897		$44,653,795		287,613,186			57,363,000		19.95
Average				132,416,310	32,139,453	24.28	42,670,143		32.23

GERMANY.

Ending March 31—									
1891	$253,160,600	$23,681,000	9.36				$1,567,800	0.62	
1892	256,302,200	6,830,600	2.67				2,067,600	.81	
1893	211,701,000	9,163,000	4.33				1,498,900	.71	
1894	293,602,000	59,785,600	20.35				2,141,000	.73	
1895	195,636,000	3,503,800	1.84				2,223,100	1.14	
1896	191,399,600	5,426,400	2.83				1,139,100	.60	
1897	256,659,200	8,568,000	2.34				1,373,100	.54	
Average	230,935,800	13,721,200	5.79				1,718,657	.72	

FRANCE (SPECIAL COMMERCE).

Ending December 31—									
1891	$251,239,000	$24,526,378	10.61				$135,900	0.06	
1892	140,373,532	53,350,688	38.01				129,700	.08	
1893	119,142,181	36,399,954	30.55				185,300	.15	
1894	149,053,900	68,310,708	45.85						
1895	64,867,879	1,832,342	2.83						
1896	76,748,187				$1,940,760				
1897	62,031,009	31,188,388	49.82						
Average	130,579,397	30,523,957	25.33				64,414	.05	

INDIA.

Ending March 31—									
1891		$20,628,389		$113,829,008			$2,495,000		2.19
1892		7,917,238		135,954,533			3,318,300		2.44
1893				128,278,423	$8,213,034	6.41	3,813,600		2.97
1894		1,571,052		79,602,051			3,882,900		4.88
1895				83,478,838	10,744,041	12.88	4,656,200		5.58
1896		5,885,466		104,725,916			6,130,500		5.85
1897		5,154,896		71,999,000			7,247,500		10.06
Average				102,552,536			4,506,286		4.40

O. P. AUSTIN, *Chief of Bureau.*

TREASURY DEPARTMENT, BUREAU OF STATISTICS, *January 17, 1899.*

Mr. WILLIAMS of Mississippi. Mr. Chairman, I listened with much interest to the gentleman from Kentucky [Mr. WHEELER] a few moments ago. He speaks with his usual clearness and happy facility, but in this particular I think he is wrong. As a mere matter of bare technical law he is perhaps right. While the Constitution vests in the Senate and the President the treaty-making power, it also vests in the House of Representatives the right to originate appropriations. There can be no doubt of the fact that the House has the bare legal power, if it chooses to exercise it, not to carry a treaty into execution by refusing to make the appropriations necessary for it.

Mr. BARTLETT. The gentleman misstated the Constitution when he said that the House only has the power to originate appropriations. He means revenue bills.

Mr. WILLIAMS of Mississippi. Well, that is true, too—bills that carry money. What I meant to say was that the consent of the House is necessary to make appropriations—to take money out of the Treasury—whether to comply with the provisions of a treaty or for any other purpose. There are considerations higher, both from a national and a party standpoint, than the technical legal power of the House. The nations of the world take notice of the fact that the Senate and the President constitute the treaty-making power. When, therefore, they make a treaty, and it is necessary to make appropriations in order to carry that treaty into effect, although there is no doubt of the fact that the House must vote the appropriations in order that they may become a charge upon the Treasury, and although there is no doubt of the fact that the House has the right to refuse to vote them, still such conduct would put us, in the eyes of the nations of the world, in the attitude of repudiating an international obligation.

A treaty is a national law and an international contract.

Wisely or unwisely, the treaty was made; rightfully or wrongfully, if we refuse to make the appropriation, the world will take the view of it which I have indicated. We as a nation can not afford to put ourselves in that attitude. Now, speaking for this side of the House, as a party we can not afford to attack what I believe to be this infamous colonizing and imperial system at a false point of attack. We can not afford to make the main part of our attack on the money consideration that is involved in it. That is a mere bagatelle in comparison with the results that will follow our proposed new departure in national policy and in our international relations.

Mr. MAGUIRE. Is not the power of the House failing to make this appropriation precisely the same as the power to refuse to make appropriations for any other obligation?

Mr. WILLIAMS of Mississippi. Absolutely the same power; the bare legal power.

Mr. SWANSON. Suppose this House refuses to appropriate the $20,000,000 that is a part of the contract and treaty with Spain. We have failed to fulfill our part; then Spain would have the right to take the Philippine Islands back, if she felt so disposed.

Mr. WILLIAMS of Mississippi. There is no doubt, Mr. Chairman, of the fact that we have entered into a treaty with Spain under which there are $20,000,000 accruing from us to her and the consideration of the possession of the Philippines accruing from her to us. Should we fail to pay the consideration accruing from us to Spain, it would give Spain a just casus belli—that is, the right to declare the armistice ended, and to reinstitute war.

There is, of course, as a matter of fact, not a citizen of the United States who does not know the fact that Spain could not in her helpless and impotent condition take advantage of the fact of our breach of agreement and that she had on that account a

just casus belli, and there would be no war; but that does not change the principle. So that we must live upon that important principle and must consider the question solely from the standpoint of the international obligation which rests upon us as one of the nations of the earth, and our party must consider that when we attack this infamous policy we must go to the very heart and root of the thing itself, and not waste our energies in trying to lop off one of its branches. I do not care about the $20,000,000 so far as the people of this country are concerned, although I believe that I have established a reputation here of being one of those men who favor an economic administration of the Government in all of its branches; but there are questions in comparison with which money is as the leaves that fall from the tree, and it being necessary to attack this policy we must attack it on a higher ground than the money consideration. [Loud applause.] We must not belittle our own position.

Mr. LEWIS of Washington. The observations made by the distinguished gentleman from Kentucky attracted my attention to a phase which is an unsettled one, I think, even to this House. Now, sir, just how far this House is engaged in point of duty to execute the obligations imposed upon the country by the Senate may remain a legal question. The distinguished gentleman from Texas, the leader on this side of the House, put the proposition in his query when he stated, "Is it not true that under the Constitution and law-making power the right and authority to make treaties is distinguishably vested in the Executive and the Senate?" The answer must be "Yes;" and yet we are reminded that upon a similar question. Mr. Clay, upon the floor of the House of Representatives, insisted that the words "by and with the advice of the Senate" meant nothing more than that the treaty should be made by the Executive, with the counsel of the Senate; but as Congress was the spokesman of the country, it always required the approving voice and action of this body. It was a memorable hour, and the debate subsequently became so serious that we find the Supreme Court of the United States had to set it at rest by legal opinions. It is important for us to look to that court for our legal guidance, for many gentlemen here, such as myself, are not agreeable to this appropriation, who would like some real legal or honorable reasons for opposing it. The Supreme Court of the United States, in three important decisions, have made it impossible for the gentleman from Kentucky—as able as he is, as shown by his statement, and lucid as usual in his expression, or any of us having such views—to go behind the settled conclusions with honor to our country and duty to ourselves.

Where there is a treaty concluded with the consent of the Senate, there remains but one alternative, as the gentleman from Mississippi has said. The Senate has advised the Executive that the treaty has met its approval. Our country, therefore, has entered into an obligation with another country to pay a certain sum of money for a consideration by the other country delivered, and we, upon the ratification of that treaty, take the delivered consideration. Why, if the possessions were to be kept and we now deny compensation, the ordinary charge of fraud could well be made against us. If we refused to fulfill that part of the treaty, we are guilty of an imposition upon the other party to the contract. So that there is nothing left for the House but to ratify the course of the Senate, as that involves an obligation of national honor.

I call the attention of the House to a memorable precedent in the historic legislation of England, of which, of course, we are all familiar. When Sir William Draper made a descent on the Philippines and combining with Admiral Cornish took Manila and the archipelago of the Philippines, as has been repeated with immortal dash by Dewey, England became possessed, by conquest, of this country. Later, by a peace treaty, the country was returned to Spain, for which Spain agreed to give to England $10,000,000 when restored to possession of the islands. Spain was subsequently put in possession, but Spain declined to pay the money agreed—the $10,000,000 consideration. She is the only country which history presents us of having violated a plighted contract, made upon the honor of her people. Surely the distinguished gentleman from Kentucky will not find it agreeable to his legal or personal convictions to ask the House to follow the example of Spain.

Lord Chatham in his place in the Commons denounced this attitude of Spain. He demanded England's resentment, stating that it was a cause of war upon Spain for having refused to execute an honorable pledge. I take it, sir, that in the light of the settled history, whatever may be the feelings of individuals, it must be the best judgment of the gentlemen in this House, sustained by the highest courts of the country, and by every sense of obligation, that there is nothing left for us in fairness of dealing, in honor of country, but to make this appropriation. [Applause.] Now, but a word referring to the gentleman's observation concerning the shooting and the warfare on the Philippines. Sir, it may not be justified by all technical rules of right. There may be many of us who had hoped and prayed against its coming. But it is upon us. It is upon our country. It is the condition which has happened and the sad event we are already experiencing.

Therefore, as far as I am concerned, I take the liberty of saying we can only view the matter, so far as actual engagement is concerned, in one light. These men who are there are American citizens [applause]; they are the sons of our brother men. They are themselves the children of this nation. If they are wrong, they are innocently so; if they are right, they are justly so. There is no other position for the American House to take but to stand unanimously by the children of its own country [applause]; to give them their wishes and their prayers.

Mr. WILLIAMS of Mississippi. The gentleman will remember that the Filipinos are now our citizens.

Mr. LEWIS of Washington. Our boys are there under orders—

> Theirs not to reason why,
> Theirs but to do and die.

Therefore, sir, for the most exalted reason that in this encounter, whatever the outcome may be, whatever the technical rights may be, we should give these soldiers our unanimous approval and all encouragement in this hour which zealous men and loving Americans can afford to their own children. The merits of the contesting countries must await a more appropriate hour for their consideration.

Mr. Chairman, however much some of us may disagree with the policy which sent these men to the Philippines, in this hour this House should present an undivided support to the suffering and falling brave who are sacrificing in those islands all they have of health and life for their native land. [Loud applause.]

Mr. McRAE. Mr. Chairman, I hope when the paragraph relating to the twenty millions item is reached which has been alluded to, we shall be able to arrange for a reasonable time for general debate upon it. Whether that be so or not, I will at the proper time propose an amendment to that paragraph which I now ask the Clerk to read.

The Clerk read as follows:

Insert in line 2, page 105, after the word "dollars," the following:

"*Provided*, That in making this appropriation for the extinction of Spanish sovereignty over the Philippine Islands the United States hereby disclaim any disposition or intention to permanently annex said islands to the United States, but, on the contrary, assert their determination, when an independent government by the inhabitants of said islands shall have been established therein, to transfer to said government all rights secured under the cession by Spain, and thereupon to leave the government and control of said islands to the people thereof."

Mr. CANNON. This is read simply for information.

Mr. McRAE. This is read in order that our friends on this side may understand the issue that I shall undertake to make when the item is reached.

Mr. CANNON. It is not necessary, then, to reserve any point of order.

The CHAIRMAN. The Chair understands that the gentleman from Arkansas simply had the proposed amendment read from the desk for the information of the committee.

Mr. MOODY. I would like to inquire of the gentleman from Arkansas if he does not think it would be better to defer the consideration of this paragraph until we reach it?

Mr. McRAE. That is my purpose in having the amendment read now, so that we might postpone the debate and consideration of it until that time. However, I want to make a brief statement in doing so. Whatever we may think about the right of the constitutional provision which gives the President and two-thirds of the Senate the right to negotiate treaties, they have it, and when they make one, whatever it may be, it is as binding upon us as any law that passes with the concurrence of both Houses and has the approval of the President. I apprehend that when the ratification of this treaty has been exchanged every man throughout the length and breadth of this country will agree that we are legally bound to make payment of the amount therein agreed by our Government, whether he thought the treaty was wisely made or not. I think it was wrong to agree to pay $20,000,000, but I see no way, honorable way, to avoid the payment. We can not afford, for $20,000,000, to repudiate a legal contract nor to have the honor and good faith of this Government questioned by a nation that we have recently defeated in a contest of arms. Upon the Army bill, and other bills which seek to support the Army, which may be used against the Philippines, are the places to make this fight. This appropriation is not sought to be made to furnish supplies to any army, but is to carry out a peace treaty made with Spain, and then the question of whether we will carry on the war against the Filipinos hereafter can be considered.

Mr. DOCKERY. Mr. Chairman, I simply desire, in advance of reaching the paragraph, to indorse most earnestly the position taken by the gentleman from Arkansas [Mr. McRAE] and the gentleman from Washington [Mr. LEWIS] and the gentleman from Mississippi [Mr. WILLIAMS], and say that, in my opinion, they have properly stated the position of this side of the House in respect to the appropriation for the Philippines.

Mr. McRAE. I hope we may now be permitted to proceed as fast as possible with the bill under consideration, and when we reach that paragraph I shall ask my distinguished friend from Illinois to allow ample time to debate the paragraph and my amendment to it.

The Clerk, proceeding with the reading of the bill, read as follows:

Telegraph to connect the Capitol with the Departments and Government Printing Office: For care and repair of existing lines, $1,500.

Mr. CORLISS. Mr. Chairman, I have an amendment which I desire to offer to that paragraph.

The Clerk read as follows:

That the President of the United States be, and he is hereby, authorized to construct, lay, maintain, and operate telegraph or magnetic lines of cables from a point on the Pacific coast of the United States to the Hawaiian Islands, thence to the Philippine Islands, and to such other islands in the Pacific Ocean as he shall deem to the interest of our military, naval, and commercial interests. And such sum as may be necessary to construct, lay, and fully equip such submarine telegraph communication, capable of transmitting at least fifteen words per minute, is hereby appropriated, out of any money in the Treasury not otherwise appropriated.

SEC. 2. That when the President has completed the construction of said telegraphic cables he shall transfer the management thereof to the Secretary of War, who shall thereafter maintain and operate the same as a part of the military service of our Government.

SEC. 3. That the Secretary of War shall have authority to receive and transmit messages in the interest of commerce and the public, other than United States Government messages, and shall establish a rate of tolls therefor not exceeding $1 per word. All messages from individuals or telegraph companies shall be received and transmitted without preference at the same rates and with precedence according to presentation: *Provided*, That rates for newspaper messages of the United States, commonly known as press messages, shall not exceed one-half of the rate which shall be charged for ordinary messages.

Mr. DOCKERY. A point of order, Mr. Chairman.

Mr. CANNON. One moment, I want to reserve a point of order.

The CHAIRMAN. Points of order are reserved by the gentleman from Missouri [Mr. DOCKERY] and the gentleman from Illinois [Mr. CANNON].

Mr. CORLISS. Mr. Chairman, I will request that the consideration of this amendment may be deferred until the reading of the bill has been completed, when I will ask for five minutes to present my views on the amendment before the point of order shall be raised.

Mr. CANNON. I will ask my friend from Michigan if he is not now ready to make his presentation?

Mr. CORLISS. I should prefer to wait until the reading of the bill has been completed.

Mr. CANNON. I am willing that he should be given such reasonable time as he may want to speak on this subject now. I do not want to cut him off, but I prefer that he should do it now.

Mr. CORLISS. In view of the other matters to be presented I desire, and I trust that the gentleman will grant me the privilege of deferring consideration of the matter until the reading of the bill has been completed, when I will only ask an indulgence of five minutes.

Mr. DOCKERY. I understand the gentleman in charge of the bill, the chairman of the Committee on Appropriations, is willing to give the gentleman now such time as he desires.

Mr. CORLISS. But I should prefer to defer the discussion until after the bill has been read.

Mr. DOCKERY. The gentleman will see that if we postpone matters, especially important matters, in this way, everything will be crowded to the end of the bill. It seems to me that the gentleman's proposition ought to be considered, if at all, at this time.

Mr. CANNON. I will say to my friend that it is not in my power to cut him out from offering this amendment perhaps at a later stage with some alterations; but if he offered it now, it seems to me he would get more time to present his views than he would possibly later.

Mr. CORLISS. I understand that; but there are certain reasons why I desire to defer the matter. I will ask unanimous consent, Mr. Chairman, that the consideration of this amendment be deferred until the completion of the reading of the bill.

Mr. DOCKERY. I object.

Mr. CANNON. The gentleman can get his time now if he wants to talk on the subject.

The CHAIRMAN. Objection is made by the gentleman from Missouri.

Mr. CORLISS. Does the Chair sustain the point of order?

The CHAIRMAN. The Chair is ready to rule if the gentleman from Michigan does not desire to be heard.

Mr. CANNON. I want to give the gentleman a chance to make his speech if he wishes to.

Mr. DOCKERY. I simply desire to reserve the point of order, if the gentleman wishes to be heard.

Mr. CORLISS. Mr. Chairman, I did not at this time desire to occupy the time of the House in the presentation of my views on this amendment, for the reason that I am aware of the fact that the same question will be presented to the House upon another amendment of vital importance to our country involving another public matter of like character to the one proposed in this amendment, when the subject will be fully discussed and a ruling asked for, and I trust that this House and the Chair will hold that that subject—the Nicaragua Canal—as well as the amendment which I propose may be admitted and considered and made a part of this great measure.

The appropriation of money for the construction of the Nicaragua Canal is the most important matter now before the American nation. The second important public work that our people demand is the construction of a cable from our country to Hawaii and the Philippines. The attention of Congress has been called to it, not only by the measure which was considered here on the 18th day of January last, not only by a report of the Hawaiian commissioners calling special attention to the importance of the subject, but the President of the United States, recognizing the importance of the construction of this canal, submitted to Congress only last Friday a communication urgently asking Congress to take action on the subject.

I am frank to say it will be impossible to carry out the wishes of the President, to fulfill the desires of the American people and secure to them and to commerce the blessings of this cable, unless the proposition is attached to some public measure of this character. And my purpose in offering the amendment now is to call public attention again to the importance of this measure. And I hope and expect that if it shall be ruled out here and the consideration of it denied, the Senate will recognize the demands of the public and incorporate it upon this or some other bill and send it back to this House.

I want to call the attention of the Chairman of the committee before he rules on this question to this fact: The amendment is germane to the paragraph under consideration. The appropriation now pending is for the maintenance of telegraph lines in the District of Columbia. This proposition is in consideration and furtherance of a public measure which has been undertaken in prior sessions of Congress. I hold in my hand a survey made under the authority of Congress by officers of the United States Navy, $100,000 at least having been expended in taking soundings to determine whether or not the construction of a cable between California and Hawaii could be justly undertaken. This report, made in 1892, justified the expenditure of that money and warrants the present Congress in authorizing the construction of that cable.

The President of the United States, in calling attention only last Friday to this important matter, gave his reasons; and I want to read briefly two or three words:

Such communication should be established in such a way as to be wholly under the control of the United States, whether in time of peace or war.

That is an important consideration, and has been rendered most important in consequence of our recent experience with Spain. The President also states that, in his opinion, this cable should either be built by the United States Government itself as a military cable or by private enterprise. I believe that the Government of the United States should do as many other nations have done under similar circumstances. It should go into the cable business, at least on the Pacific. The future commerce of our country must be established there, and it is all important that this great public means of communication should be established and controlled by our Government alone. I believe it ought to be constructed by our own Government, and this amendment insures its benefits to the people of our country.

I will not at this time discuss this measure further. I trust the Chairman will grant my request that a decision upon the question of order may be deferred until a later stage in the consideration of this bill.

Mr. DOCKERY. Will the gentleman allow me a question?

Mr. CORLISS. Certainly.

Mr. DOCKERY. I understood the gentleman to refer to a survey made, I think, during the fiscal year 1892; am I correct?

Mr. CORLISS. The survey was made in 1892.

Mr. DOCKERY. And concluded, was it not?

Mr. CORLISS. The survey was concluded.

Mr. DOCKERY. Then it can not be claimed that this is "a public work or object already in progress?"

Mr. CORLISS. The survey was completed and the report made, but in anticipation of the very construction proposed by this amendment. Now, I ask unanimous consent that the decision upon the question of order may be deferred until the bill has been read.

Mr. CANNON. Well, I think we had better take things as they come.

Mr. DOCKERY. I desire to be heard briefly on the question of order when the gentleman from Illinois is through.

The CHAIRMAN. The Chair will recognize the gentleman in charge of the bill [Mr. CANNON] if he desires to be heard, or the gentleman from Missouri.

Mr. CANNON. I will yield to the gentleman from Missouri.

Mr. CORLISS. I ask unanimous consent that this paragraph may be passed without prejudice. With that understanding I will withdraw the amendment and offer it later.

Mr. CANNON. We had just as well dispose of it here and now as at any time.

The CHAIRMAN. The gentleman from Missouri will proceed.

Mr. DOCKERY. There was some confusion in the Hall and I do not know that I understood the gentleman from Michigan [Mr. CORLISS] aright, but if I did he rested his contention that this amendment was in order upon the fact of an alleged survey made in 1892, and which, according to his subsequent statement, he admits to have been concluded. But suppose the survey was not concluded and was now in progress. Under the rules, I am at a loss to understand how the gentleman could hold the amendment to be in order, because the rule says that no appropriation shall be in order on an appropriation bill except it be authorized by previous legislation or unless in continuation of a "public object" already in progress.

Now, what was the public object in this case? The object was a simple survey. If the gentleman had offered an amendment to appropriate five or ten thousand dollars to continue the survey, assuming that the survey was now in progress, it might have been in order.

It seems, therefore, that there is no ground whatever, under clause 2 of Rule XXI, for holding this amendment to be in order, and in this connection I want to call the attention of the committee to the reason for this rule. It had its origin away back in 1837, if I remember right, and it grew out of the contentions constantly occurring and the friction constantly arising between the Senate and the House on account of legislation incorporated in appropriation bills. The result was that the great supply bills of the Government frequently failed because of legislation thus incorporated in appropriation bills, and Congress was compelled, in order to maintain the Government itself, to enact this rule prohibiting legislation upon appropriation bills.

And from 1837 until this good hour, regardless of the merits of legislative propositions, the rule has been substantially maintained under all administrations of the House, whether controlled by Democrats, Republicans, or Whigs, that legislation can not be incorporated upon general appropriation bills where a point of order is raised against it. And why? The gentleman from Michigan [Mr. CORLISS] and myself may differ as to the propriety of laying a cable to Hawaii and the Philippine Islands. There may be some contention between us upon that question, but we do not differ upon this fundamental proposition, that it is the duty of Congress to maintain the Government in all its integrity and power. Therefore the reason for this rule. Legislation must be excluded, and, as I said a moment ago, that rule has been maintained by all administrations of this House.

Now, I shall not at this moment enter upon a discussion of the merits of the proposition now pending, offered by the gentleman from Michigan. I have my views as to the propriety of the legislation, however, but I shall not discuss them here, because I know the Chair will be compelled to hold under the rules that the proposition is not in order at this time.

And neither, Mr. Chairman, can I be put in the attitude of hostility or friendship to this particular measure. I simply hold that it is the duty of Congress under the Constitution and the laws to maintain the Government, to support the Army and the Navy and the civil establishment, and it is the duty of Representatives if they have meritorious propositions to send them to the proper committees, let them be considered there, and reported to the House in the usual and ordinary way, and be considered in the usual old-time methods under the rules of this body.

Mr. Chairman, I realize the pressure that there is perhaps behind this particular proposition. It may be that others will be ing the few remaining days that I shall be a member of this body offered, for some of which I have most ardent sympathy; but dur- I intend to stand for the integrity of these rules and not by any vote of mine to be put into the attitude of requiring an extra session of Congress to pass the supply bills of the Government, because, forsooth, the gentleman from Michigan has a majority behind him who favor this cable proposition, or because, forsooth, somebody else may offer some other proposition sustained by a majority of this House, although contrary to the rules of this body.

Mr. BENNETT. May I ask the gentleman a question?

Mr. DOCKERY. Certainly.

Mr. BENNETT. I presume the gentleman from Michigan informed the House that the proposition he has just presented has not the support of the Committee on Interstate and Foreign Commerce and that it is purely a minority report. The Interstate and Foreign Commerce Committee reported a bill to the House granting a subsidy of not more than $100,000 a year to urge construction by private parties. That has not yet been acted upon, and later will be presented in its proper shape to the House for its consideration. Until that time it seems to me to be a little previous to consider this question, and while I feel perfectly sure that the ruling of the Chair will be in accordance with the suggestion of the gentleman from Missouri [Mr. DOCKERY], I still wish to make the statement that the proposition presented to the House is purely a proposition coming from the gentleman from Michigan [Mr. CORLISS], without other legislative standing.

Mr. DOCKERY. Well, Mr. Chairman, I have some knowledge of the contention between the Committee on Interstate and Foreign Commerce and the gentleman from Michigan [Mr. CORLISS], and in a contest of that sort, as I understand it, I unhesitatingly align myself with the gentleman from Michigan against the committee.

Mr. BROWN. Mr. Chairman——

The CHAIRMAN. Does the gentleman yield to the gentleman from Ohio?

Mr. DOCKERY. I do.

Mr. BROWN. I desire to ask my friend from Missouri whether he is not possibly assuming too much when he announces what appears to be his view, that possibly a majority of this side of the House will favor propositions which are in violation of the rules of the House?

Mr. DOCKERY. I referred, as I remember, to the majority of the House, including both sides; but I hope the gentleman from Ohio is correct in the assumption he now makes that a majority of both sides will stand by the integrity of the rules.

Mr. BROWN. I do assume that most confidently.

Mr. DOCKERY. Well, the gentleman may be right; but I confess some degree of apprehension myself on that question. I hope, however, that I may be agreeably disappointed on that proposition.

Now, as to the merits of the two propositions, the one offered by the gentleman from New York [Mr. BENNETT] on behalf of the Committee on Interstate and Foreign Commerce——

Mr. BENNETT. That is not offered on this bill. I will say to the gentleman that I trust it may be later.

Mr. DOCKERY. No; but it was offered recently—about the 18th of last month.

Mr. BENNETT. It was offered, and the proposition made by the gentleman from Michigan [Mr. CORLISS] was presented as a minority report.

Mr. DOCKERY. I think it required some resort to the rules to prevent a vote upon the measure at that time. In fact, I think there was some filibustering resorted to to prevent a vote on that question. But according to the statement just made by the gentleman from New York [Mr. BENNETT], his proposition comes sustained and reenforced by the magic suggestion of a "subsidy;" that is, money collected from the taxpayers, put into the Treasury of the United States, and taken therefrom by law and transferred to the pockets of certain favored lines of ocean steamships or certain owners of cable lines.

Now, as between the subsidy and the proposition which is pending, offered by the gentleman from Michigan [Mr. CORLISS], I should, if compelled to choose between the two evils, unhesitatingly select the proposition of the gentleman from Michigan.

But just a word now on the point of order, Mr. Chairman. Whatever may be the merits of the proposition of the Committee on Interstate and Foreign Commerce or the substitute offered by the gentleman from Michigan, it seems to me that every member of this body should stand for a fair, correct, just interpretation of the rule, and let us not, in the closing days of this session, in our anxiety to secure consideration for pet projects, depart from the old-time decisions, precedents, and rules of the House.

I yield back the time to the gentleman from Illinois.

Mr. CANNON. I think I do not care to say anything further

Mr. CORLISS. I move to strike out the last word.

The CHAIRMAN. Does the gentleman desire to speak on the point of order?

Mr. CORLISS. I want to be heard on that question.

The CHAIRMAN. The gentleman from Michigan.

Mr. CORLISS. Mr. Chairman, I am sorry that this question is precipitated here, but I desire to call the attention of the Chairman to the legislation of Congress in 1891 upon this subject-matter, and I would like the attention of the Chair while I read this law. I find attached to a general appropriation bill for the support of the Navy in 1891 this paragraph:

Telegraphic cable surveys: To enable the President to cause careful soundings to be made between San Francisco, Cal., and Honolulu, in the Kingdom of the Hawaiian Islands, for the purpose of determining the practicability of the laying of a telegraphic cable between those points, $25,000, or so much thereof as may be necessary, and the President is hereby authorized to direct the use of any vessel or vessels belonging to the United States in making such survey.

That was attached to an appropriation bill. That is legislation absolutely foreign to the act appropriating money for the general maintenance of the Navy. I wonder if the point of order was made then. The rule under which this point of order is made is Rule XXI. Paragraph 2 of that rule reads:

No appropriation shall be reported in any general appropriation bill, or be in order as an amendment thereto, for any expenditure not previously

authorized by law, unless in continuation of appropriations for such public works and objects as are already in progress.

Mr. Chairman, the construction of a cable from California to Hawaii has been undertaken by an act of Congress. The object of it was incorporated in a law. The money of our people has been expended by an act of Congress, and this is a continuation of that particular object; and I submit that unless it is ingrafted upon this measure or some other measure it will be impossible to carry out the wishes and recommendations of the President and the demands of the people.

Now, Mr. Chairman, in reference to the remarks of the gentleman from New York [Mr. BENNETT], this amendment has never been considered by the Committee on Interstate and Foreign Commerce. The Committee on Interstate and Foreign Commerce did have consideration of what is known as the Bennett bill, which granted a subsidy of $2,000,000 for the construction of this cable, and I regret to say that a majority of the committee voted favorably for that substitute, and I reported a minority bill—not this one. The minority bill authorized the Postmaster-General to offer to the lowest responsible bidder, United States corporation or citizen, the right to construct this cable upon the same terms as proposed by the gentleman from New York.

I submit that it is not necessary for me to submit to any committee the consideration of an amendment I may offer to the pending measure. The bill that was reported to this House by the Committee on Interstate and Foreign Commerce, granting a subsidy of $2,000,000, has been repudiated by the sentiment if not the votes of this House and has been repudiated by the people at large. And I say to you, Mr. Chairman, that unless this Congress shall authorize the President to construct this cable, as it ought to do, then it must give a hearing to other public interests in our country, many of whom desire the right and the privilege to construct this cable and stand ready to bid and, with the lowest possible subsidy, to guarantee the construction of this cable at a very much reduced price from the subsidy asked by the gentleman who represents the bill now pending on the Calendar of this House.

He says that the measure will come up again in this House. I hope it may. I know of no way the gentleman can get consideration unless he can obtain unanimous consent, and if he does so I will withdraw this amendment. I will not press the amendment on this bill if it is to secure the consideration of this House and this Congress. I will then press the consideration of this amendment upon members, but I will not ask it at this time. If that be the law, and the Chairman shall rule this amendment out of order, I therefore give notice that I withdraw this amendment as a whole, and I will offer it at another period in the consideration of this measure. I withdraw the amendment for the time being.

Mr. SIMPSON. Before the gentleman takes his seat, I would like to ask him a question.

Mr. CORLISS. Certainly.

Mr. SIMPSON. Is the amendment that the gentleman proposes a proposition that the Government of the United States shall build this cable? Is that the proposition?

Mr. CORLISS. My amendment proposes that the President of the United States shall build this cable, and a sufficient amount of money is appropriated for it, and when it is constructed it is to be turned over to the War Department, who are to take charge of it and maintain it for military purposes.

The CHAIRMAN. The Chair desires to call the attention of the gentleman from Michigan to the fact that after an amendment has been presented and read by the Clerk and placed before the committee it can be withdrawn only by unanimous consent.

Mr. DOCKERY. That is right.

The CHAIRMAN. And if the gentleman desires to withdraw it, the Chair will suggest that he comply with the rule in that respect.

Mr. CORLISS. I ask unanimous consent that I may be permitted to withdraw the amendment.

Mr. CANNON. I suggest that the matter has now been discussed by the committee, and it seems to me it ought to be disposed of.

Mr. CORLISS. My friend the gentleman from Illinois kindly suggested the necessity of not acting on it at this time and not pressing it without a slight amendment. Now, I trust he will not force me in the matter.

Mr. CANNON. I will not force the gentleman.

Mr. CORLISS. It is possible that in the further consideration of this bill I will not present it. It may be that I will not, but it is my purpose to do so; and I ask unanimous consent that the amendment may now be withdrawn.

Mr. DOCKERY. The gentleman is trying to execute a flank movement.

Mr. CANNON. The question having taken twenty or thirty minutes for discussion and the committee having listened to it, it seems to me that the best time to dispose of it is now. What the gentleman may offer subsequently I can not say.

The CHAIRMAN (Mr. HOPKINS). The Chair is ready to rule on the amendment. The committee will observe that the bill now under consideration is a general appropriation bill, and that section 2 of Rule XXI, referred to by the gentleman from Michigan [Mr. CORLISS], provides that in bills of this character no amendment is proper that is not authorized by existing law and germane to the subject-matter of the bill under consideration.

An examination of the amendment itself, it seems to the Chair, will satisfy any person that this amendment is not in order. The very first line provides that "the President of the United States be, and is hereby, authorized to construct," which is an admission that under existing law the President of the United States has no such power or authority. It says he is hereby "authorized to construct, lay, maintain, and operate a magnetic line of cables from a point on the Pacific coast to the Hawaiian Islands and thence to the Philippines." This is in the first section, and every line of it provides for new legislation. It recognizes the fact that under existing law there is no authority for the President of the United States to construct such a line as is proposed in the first section of the bill, either to the Hawaiian Islands or to the Philippine Islands.

The second section is additional new legislation, because it provides that after the authority is granted to the President, and the President has exercised it in pursuance of the direction of Congress, he shall transfer the management and authority under it to the Secretary of War. Of course there is no law in existence today that authorizes the Secretary of War to provide for the management of any cable line between the United States and the Hawaiian Islands or the Philippine Islands, or any other place in the Pacific Ocean, as is provided for in section 1.

The third section directs the Secretary in what manner this line shall be governed and controlled by his Department, and also authorizes the sending of cables by individuals. So, to the Chair, it seems entirely clear that it is new legislation.

Now, if we are to adhere to the requirements contained in section 2 of Rule XXI, which provides that such an amendment as this is not in order, it seems to the Chair that it is his duty to hold that the point made by the gentleman in charge of the bill is well taken, and that the amendment is not in order, and the Chair so rules.

Mr. CORLISS. With entire respect for the Chair, I desire to state that under some law or authority the Secretary of War is to-day managing, building, constructing, and operating cable lines between the Philippine Islands and sending communications over them. I simply call the attention of the Chair to that fact, in view of the remarks of the Chairman that the Secretary of War has no such power. He is exercising it to-day.

The CHAIRMAN. The Chair desires to say, in answer to the gentleman from Michigan, that whoever prepared the amendment offered by the gentleman evidently recognized the fact that there was no authority for this line or else the provision referred to by the Chair would not have been inserted in the amendment. The Clerk will read.

The Clerk, proceeding with the reading of the bill, read as follows:

Washington Monument: For the care and maintenance of the Washington Monument, namely: For one custodian, at $100 per month; one steam engineer, at $90 per month; one assistant steam engineer, at $60 per month; one fireman, at $50 per month; one assistant fireman, at $45 per month; one conductor of elevator car, at $75 per month; one attendant on floor, at $60 per month; one attendant on top floor, at $60 per month; three night and day watchmen, at $60 per month each; in all, $3,520.

For fuel, lights, oil, waste, packing, tools, matches, paints, brushes, brooms, lanterns, rope, nails, screws, lead, electric lights, heating apparatus, oil stoves for elevator car and upper and lower floors, repairs to engines, boilers, dynamos, elevator, and repairs of all kinds connected with the monument and machinery, and purchase of all necessary articles for keeping the monument, machinery, elevator, and electric-light plant in good order, $3,000.

Mr. MIERS of Indiana. Mr. Chairman, I move to strike out the last word. I take this occasion, Mr. Chairman, because under the rules I may not be permitted to be heard when the question comes up directly. I notice that the Senate yesterday passed a concurrent resolution providing that $20,000 shall be appropriated out of the Treasury for the purpose of cleaning the snow from the streets and alleys of the city. Humanity dictates that the poor of this city, as well as all others, shall be taken care of, and that the streets and sidewalks of this city should be cleared of the snow so that people may move and business proceed; but who is to do it? Should the public do it or should the city, as is done by other cities all over the Union? Other cities not only clean their own streets and sidewalks, but, if this rule prevails, they must furnish their proportion of the funds to clean this great city, $20,000 at one time, also their portion of funds that goes to the great city of New York, where there are twelve free deliveries a day, and in some other cities nearly as many, from which they have no benefit whatever; but they must go further and help clear the streets and sidewalks in this great city where the Capitol is situated.

Mr. BOTKIN. I should like to ask the gentleman a question, if it will not interrupt him.

Mr. MIERS of Indiana. Not at all.

Mr. BOTKIN. The only cleaning of the streets in this city that I know anything about is the cleaning of the street-car tracks. Is it the general rule over the country for cities to clean the street-car tracks and the property that belong to other corporations out of the public money?

Mr. MIERS of Indiana. Surely not all over the country. I am not prepared to say whether it is true in Washington City or not. All I know is that the street-car line is situated in the street, and if the appropriation is made for cleaning the streets and sidewalks, it would cover the street-car lines as well.

Mr. BOTKIN. I understand the gentleman to say that these street-car tracks are to be cleared out of this appropriation of $20,000.

Mr. MIERS of Indiana. They ought not to be; and I rose only to inquire whether or not that is the purpose of this resolution which is to come to this House. At the risk of being considered a little inhumane or even parsimonious, I want to say I do not believe that other cities and towns of the Union that are compelled to clean their streets and sidewalks at their own expense ought to be by this resolution required to furnish their contribution toward cleaning the streets and sidewalks of this great city, the capital of the United States. It is relieving this city of the burden it should carry and placing it on others who are compelled to meet the demands at home.

Mr. BOTKIN. Does the gentleman know whether any of the gentlemen who are to vote on this proposition to appropriate $20,000 for that purpose are in any way interested with these street-car corporations that will derive benefits from the expenditure of the money?

Mr. MIERS of Indiana. I certainly know nothing about that. I would say, however, to the gentleman from Kansas that I presume not.

The point I am making is, should the streets and sidewalks of the city of Washington be cleared at the expense of the public Treasury of the United States? We voted $10,000 the other day, and $5,000 more at another time, for the purpose of clearing the Potomac, which, I think, was all right, as it would probably prevent a flood; in that sense it is right. But when you appropriate $20,000 more, making $35,000 in all, from the Treasury of the United States for the purpose of doing that which the city itself ought to do, I for one, whatever misconstruction I may subject myself to, shall vote against it.

[Here the hammer fell.]

Mr. DOCKERY. I ask that the gentleman from Indiana [Mr. MIERS] have five minutes additional.

Mr. MIERS of Indiana. I do not care to speak further.

Mr. MAHON. Mr. Chairman, we hear a great deal said here in this House about the laboring men. I wish to say I would rather see these unfortunate men who are out of work employed in earning their share of this $20,000 than give it to them as charity. I propose to vote for the amendment for this reason alone: We have in this city thirty or forty thousand unemployed men who are suffering for want of the necessaries of life, and I am glad to vote for this appropriation because I believe it will give many of them the opportunity to earn something for their own support. Let them have work.

Mr. MIERS of Indiana. Allow me to ask the gentleman this question: Is it fair to burden the people of other cities and towns and the people all over the nation who are out of employment in order to give employment to people here, out of the public Treasury? You can not put your hand in the Treasury to help one class without doing wrong to all the other people.

Mr. MAHON. I wish I could help them all, but I can not. I think this amendment is right, and with the view I have stated it is going to have my vote.

Mr. MIERS of Indiana. I would help all these men if I could; but I would not vote to help some of them at the expense of others equally needy. The principle is wrong.

Mr. BOTKIN. I fully agree with the gentleman from Pennsylvania [Mr. MAHON] that we should do everything in our power to furnish employment to those who are out of work. The only question is, who shall pay the army of men who are now being put to work in clearing the street-car tracks in this city? I should like to know whether they are to be paid by the street-car corporations or out of the public funds.

Mr. MAHON. Before the sun goes down the street-car companies will have all this work done and the snow hauled out of the city.

Several MEMBERS. Oh, no.

Mr. BOTKIN. I should like to know who is going to pay for it?

Mr. MAHON. I presume the gentleman from Illinois [Mr. CANNON] can answer that question better than I can.

Mr. CANNON. I think I will call on the gentleman from Missouri. The joint resolution which has been referred to is not now before the House, but I presume it will be to-day, and I am inclined to think that the $20,000 ought to be appropriated. If it incidentally gives employment to labor, well and good, but in view of the great storm we have just had I apprehend that most if not all of the $20,000 will be necessary to remove the snow and care for the city.

Mr. MIERS of Indiana. Would not the same rule of making appropriations here—the relief of suffering humanity—apply to every other city in the nation? And why apply to this one city when it can not be done for others? You may give of yours, but have no right to go into the Treasury for the few.

Mr. CANNON. Yes, sir; if suffering humanity is to be relieved. But I am not putting the matter on that ground. The employment of labor is an incident to doing work for the general good.

Mr. MIERS of Indiana. If it is not put on that ground, will the gentleman tell the country why money should be taken out of the Treasury of the United States to clear the streets of the city of Washington rather than those of any other city?

Mr. CANNON. With great pleasure I will tell the gentleman. This joint resolution, which will be called up later—a joint resolution originating in the Senate—makes an appropriation for the expenses of the District of Columbia, and, like all other District appropriations, is to be paid one-half from the revenues of the District and one-half from the Federal Treasury. So that the Common Council of the District of Columbia—namely Congress—will care for the service of the city just as the common council of any other city cares for its service.

Mr. MIERS of Indiana. Then $10,000 of the amount comes from the Federal Treasury?

Mr. CANNON. Yes; just as one-half of all the other District expenses does.

Mr. MIERS of Indiana. Then why spend that one-half upon this city rather than upon any other city of the Union?

Mr. CANNON. I will say to my friend that since 1878 we have acted on the principle, then recognized by law, that in regard to the expenses of the city of Washington and the District of Columbia, one-half should be paid from taxation on the property of the citizens of the District and the other half out of the Federal Treasury.

Mr. MIERS of Indiana. If that policy has been pursued for twenty-one years, is not that quite long enough? And is it not time now to abandon that old rule and adopt a rule that treats all alike?

Mr. CANNON. The gentleman is taking a position on this question that many other people have taken, and I will say that to a certain extent I sympathize with him. Every once in a while a new Solomon comes along. I have been a new Solomon myself, so I sympathize with my friend.

Mr. MIERS of Indiana. The gentleman will allow me to say I do not claim to be a Solomon. I make no such pretension. I would like the gentleman to answer my question, rather than make such a remark as that. There is no argument in that.

Mr. CANNON. Then I will say that my friend on inquiry will find that, as near as can be ascertained, the Government of the United States, at the time the act of 1878 was passed, owned, as it probably owns now, one-half the property in the District of Columbia——

Mr. MIERS of Indiana. Will the gentleman allow me one more question?

Mr. CANNON. I hope my friend will allow me to complete my sentence, and then I will take pleasure in yielding to him. Now, whether that is true or not, it is upon that theory. It has been established and concurred in. Now, it may be that it is wrong. It may be that all the expenses ought to be paid from the revenues of the District. There are those who believe that all the expenses ought to be paid from the United States Treasury. I am not one of them. Now, I do not care about raising that question on an appropriation that will clear the city of snow, and incidentally the clearing the city of snow will give employment to the people thereof.

Mr. MIERS of Indiana. The gentleman said he would allow me to ask one other question.

Mr. CANNON. Two.

Mr. MIERS of Indiana. The gentleman answers by saying that this is a precedent or a rule long established. Do you think that binds the people of my State of Indiana, that they should carry this burden when there is nothing better to back it up than the precedent of which the gentleman speaks, and that they have carried it for twenty-one years?

Mr. CANNON. Well, I will say to my friend that much can be said on each side. I can say a little on the side, however, that the gentleman indicates. Here is the Capitol, here is the Treasury, here is the White House, here is the War, State, and Navy building.

Mr. MIERS of Indiana. Are they a burden to the city or do they not rather make the city what it is?

Mr. CANNON. Now, I will yield five minutes and let the

gentleman make his speech and then ask that I may speak for one minute.

The CHAIRMAN. The time of the gentleman from Illinois has expired.

Mr. MIERS of Indiana. The gentleman yields that which he has not to give, for which I thank him.

The CHAIRMAN. The time of the gentleman from Illinois has expired.

Mr. DOCKERY. I ask that the gentleman be allowed five minutes.

Mr. CANNON. Well, I do not care to take the time.

Mr. TODD. I should like to ask what is the amount already appropriated and now available for cleaning the snow away in this city?

Mr. CANNON. A few days ago we appropriated $8,000.

Mr. TODD. I am told that there is an appropriation of $5,000, and an additional $10,000 already appropriated.

Mr. CANNON. Not so much as that.

Mr. TODD. Let me ask the gentleman how many men can be profitably employed in this city in cleaning the streets? Can over a thousand be profitably employed?

Mr. CANNON. I really do not know.

Mr. TODD. The gentleman surely knows that less than forty-eight hours of warm sun will melt away all this snow, and that men can not work as soon as it commences to melt. I do not see how it is possible to use more than a thousand men for two or three days in removing this snow, and it seems to me that $5,000 ought to be ample.

Mr. CANNON. I would consult the Weather Bureau and find out about that if I could get an insurance policy——

Mr. TODD. Let us wait until we need the extra $5,000. You have already got $5,000, which is double what you want, possibly.

Mr. CANNON. The gentleman from Indiana [Mr. MIERS] gets himself into the RECORD for home consumption, and the gentleman from Michigan sees him and goes him one better.

Mr. BOTKIN. Mr. Chairman, I would like to have the gentleman answer the question——

Mr. CANNON. And now my friend from Kansas is agonizing to know whether this money will be used to clean the street-car tracks.

Mr. MIERS of Indiana. Is it a crime for a new member to get his remarks into the RECORD?

Mr. CANNON. I understand the fact to be that the street-car tracks are cleaned by the street-car company. The selfishness of men who have plants of this kind makes them ordinarily—and I understand that is the fact here—clear away the obstruction as quickly as possible, so that they can earn the nimble nickel.

Mr. TODD. Perhaps the chairman of the District Committee [Mr. BABCOCK] will inform us on that subject. Who pays for that?

Mr. CANNON. Now, my friend from Indiana [Mr. MIERS] has just said that he thinks a new member ought to get into the RECORD. I think so, too. I wish I was a new member with my friend, with his youth and vigor, because then I would have a prospect of long service before me. Mine is behind me. I envy my friend his position. He is perfectly right. I am not criticising him unkindly.

Mr. MIERS of Indiana. I acquit the gentleman, knowing the fact that we go to the aged for counsel.

Mr. GROSVENOR. This question is not a very new one. It is not a discovery. There could not be a patent taken out on the subject-matter of this discussion by reason of its novelty, nor yet, in my judgment, by reason of its utility. It may be well enough, however, to state that the District of Columbia occupies a position widely different from the city of Indianapolis or the city of Columbus or the city of New York. I imagine the gentleman from Indiana could scarcely catalogue or enumerate the vast amount of real estate in this city owned by the General Government, and the other great interests that the Government has here. Now, all this enormous property of the Government is entirely exempt from those assessments that make property in Indianapolis a burden sometimes, and property in the town in which I live almost a calamity to a man. No such thing as that comes to annoy the Government.

So, after a great deal of study and consideration, it has been thought fair, first because of the immense property owned by the United States, far more in value than that of the citizens of the city, and because of the further fact that this is the capital city, that its beautification, its care, its proper policing, and all that appertain to the government of a city like this are in the interest as well of the inhabitants as of the United States—it has been deemed fair that these expenditures should be placed upon the basis of 50 per cent to each one of these great classes of property holders. Now, that is the situation precisely, and the constituents of my friend from Indiana and my constituents are directly interested in this vast body of governmental property that thus contributes indirectly to the care and preservation of the lives and health and police organization and water supply of the great city of Washington, the best governed city, the best organized city, the best cared for city among the civilized nations of the world.

Mr. TODD. The gentleman from Ohio spoke about it being a calamity to want property in his city. Is that the kind of prosperity they have out there?

Mr. GROSVENOR. I will say that there is some property in all the towns in this country which, under our assessment laws, becomes a burden. The gentleman understands that as well as I do. I refer to unoccupied property, through which streets are cut and other improvements made, and assessments levied upon it. The gentleman's State of Michigan is not without contributing its share.

Mr. TODD. The gentleman, then, was not a calamity howler when he spoke of that.

Mr. BABCOCK and Mr. BOTKIN rose.

The CHAIRMAN. The Chair thinks that the gentleman from Wisconsin [Mr. BABCOCK], chairman of the Committee on the District of Columbia, is entitled to recognition next. The Chair will recognize the gentleman from Kansas [Mr. BOTKIN] after that.

Mr. BABCOCK. Mr. Chairman, I want to say just a word in reference to these appropriations that have been brought into the House by the Committee on Appropriations. I desire to say that the Committee on the District of Columbia fully approves of these measures and thinks they ought to pass.

The appropriation of $5,000 which the gentleman from Michigan [Mr. TODD] referred to was not made for the purpose of clearing the streets of snow, but to be used for clearing the river in front of the city from ice, should it get into a dangerous condition, as it has heretofore, when the whole lower part of the city has been flooded.

Now, these are of a necessity emergency appropriations, and it is not likely that they will all be used. A portion may be used, or the entire amount will be used if necessary. But after the vast amount of snow that has fallen it is absolutely necessary that the streets be cleared. The street-car companies throw the snow from their tracks onto the sides, and it is thrown out into the streets and on the sidewalks, and the streets are obstructed. You can not drive over them except on the street-car tracks to-day, and you will not be able to until the snow is removed.

Mr. TODD. What is the amount already appropriated for clearing the streets of snow?

Mr. BABCOCK. I think one appropriation of $8,000 was made for cleaning the streets.

Mr. TODD. If you have appropriated eight thousand, and the District pays eight thousand more, that will make sixteen thousand.

Mr. BABCOCK. No; that is not the way in which the appropriation is made. The city pays half of whatever Congress appropriates, and Congress having appropriated $8,000, one-half of that amount will come out of the revenues of the District of Columbia.

Mr. TODD. How are you going to spend $8,000 in cleaning the streets of snow when three or four days of hot sun will melt it all away?

Mr. BABCOCK. If you can afford to wait——

Mr. TODD. Are you going to cart the snow out into the country? You can not spend $8,000 in scooping it up into snow banks. You have got to hire hacks and cart it out into the country.

Mr. BABCOCK. The snow is being hauled off the streets in carts, out of the way of traffic.

Mr. BOTKIN. I am not satisfied yet upon one question, and that is, Who pays for cleaning the snow off the street-car tracks? That is the only street cleaning that I have seen in this city this morning. Of course it is true that when that cleaning is done the street is clean; that is, that portion of the street.

Mr. BABCOCK. Does the gentleman know how that is done? Has he not seen that in operation?

Mr. BOTKIN. I have seen it in operation; but I do not know who pays for it.

Mr. BABCOCK. Now, the gentleman is fully informed, I know, that the city and Government do not pay for it.

Mr. BOTKIN. That is what I wanted to find out. If the street-car company is doing that work, they are piling up snow on the sides of their tracks.

Mr. STEELE. That is for the benefit of the country.

Mr. BOTKIN. The gentleman says that is for the benefit of the country. I suppose it is for the benefit of furnishing work to these idle men to be paid for at Government expense?

Mr. BABCOCK. Would the gentleman prohibit the street-car companies from cleaning the snow off their tracks?

Mr. BOTKIN. Oh, no. I notice that the approaches to this building were not cleaned up. I had to come up from East Capitol to the main entrance and climb the steps, and it seems to me that with $8,000 appropriated we ought at least to have had the approaches to this House cleaned up by 12 o'clock to-day.

Mr. BABCOCK. That appropriation does not apply to the Capitol grounds. That is for the streets.

Mr. TODD. Does the gentleman know as a fact who these day laborers who are cleaning the snow off the tracks of the street-car companies are paid by?

Mr. BABCOCK. The Government is not paying them. I take it that the street-car companies pay their own employees.

Mr. TODD. I know the Government is not paying them now, but I suppose they have not put in their bill yet. Will the gentleman guarantee to Congress that these railroad companies will not be paid for that work?

Mr. BABCOCK. It is preposterous on the face of it to say that they will make a claim for that work.

Mr. TODD. But a lot of preposterous things get in, all right.

Mr. KNOWLES. Mr. Chairman, the gentleman from Ohio and the gentleman from Illinois tell us that it is not enough for this nation to bring its Capitol, its White House, its Government and its other buildings here to the city of Washington to boom the property of the land grabber, but that the people of the United States must be taxed to pay half of the city taxes. In other words, they tell us that my people, the people of my district, who are compelled to pay 5 per cent taxes on their property, are to be burdened for half of the taxes of the people of the District of Columbia.

Mr. STEELE. Do you only have to pay 5 per cent?

Mr. KNOWLES. We pay 5 per cent taxes in our city; and I am told by the chairman of the District Committee here that the property owners of this city only pay 1½ per cent. The statement was made in this House at the last session that this city now has so much money in its treasury that they do not know what to do with it, and that therefore very little of the personal property of the city is ever found on the tax list. They tell us that the only thing found upon the tax list in this city is real estate, at a very low assessment, and that the tax rate is 1½ per cent. The property of my city, both real and personal, found upon the tax list averages 60 per cent of the actual value, and they pay 5 per cent taxes on that valuation; and yet the people of my city are burdened to pay half the taxation of this city.

I do not believe it is right or just. I believe that the property owners of this city are able to pay their own taxes. Another disastrous result of this is seen in the land grabbing in this city. Men hold property in this city out of use because the General Government is paying half of the taxes. It seems to me if they were compelled to pay their own taxes they would be forced to put the property on the market. The result would be that men could get homes for themselves, instead of giving the greater share of the products of labor to the land grabber. It is stated that less than 1 per cent of the people of this city own their own homes.

Mr. GROSVENOR. Will the gentleman allow me to ask him a question?

Mr. KNOWLES. Yes.

Mr. GROSVENOR. It is stated to be true, and does the gentleman deny the fact, that there are lots unsold in this city sufficient to locate a population of 2,000,000 people?

Mr. KNOWLES. I suppose that is so; and I will tell you upon what terms those vacant lots are offered for sale. John Sherman bought land in this city at the rate of a thousand dollars an acre. He split each acre up into 12 lots, and sold them at a thousand dollars a lot.

Mr. TODD. But he did not do that until after he had legislated to make it more valuable.

Mr. KNOWLES. Not until he had legislated to tax the people of this country to pay one-half of those taxes. Therefore, he is able to hold that property until the necessity of some one will compel him to give a thousand dollars for one of those lots, or twelve times as much as Sherman paid for it.

Mr. COWHERD. Will the gentleman allow me to make a suggestion?

Mr. KNOWLES. Certainly.

Mr. COWHERD. This money we appropriate is largely derived from tariff taxation, and as the foreigner pays the tax, therefore there is no burden on the people of his State.

Mr. KNOWLES. Upon the theory our people pay no taxes at all.

Mr. GROW. Mr. Chairman, I want to say a word on this great burden of taxation. Now, if it was apportioned among all of the districts, the constituents of each Congressional district would pay, perhaps, 2½ cents for taxes for the city, which is appropriated by Congress. Under the old arrangement as made, if apportioned to the Congessional districts of the country, what would it amount to to individuals? Yet we have this question up every session of Congress. It has been the same discussion for the last fifty years over and over again. Are men willing that this Government shall plead the baby act, and say it has not property enough to pay its taxes?

What sense is there in putting onto private citizens the taxes that belong to the Government for its own property, whether here or anywhere else? We hear this in every Congress, that the people of the District of Columbia, who do not own as much property in money value as the Government of the United States owns, shall pay the Government taxes. It is a libel on the American people to say that they are not ready to pay the taxes on their own property anywhere. This 2½ cents taxes to a Congressional district we have heard for fifty years, and what a great burden it is upon the people, and Representatives think they fail in their duty to their constituents if they do not bring it up before Congress at every session.

Mr. PERKINS. Mr. Chairman, I rise to make the suggestion that the low rate of taxation here in Washington explains the reason why the Populists are so anxious to come here. [Laughter.]

Mr. SIMPSON. Mr. Chairman, I have observed since I have been here that there are others quite as anxious to get here as the Populists [laughter]; and there are some from Iowa that have been quite anxious to get here, but failed. [Laughter.]

Mr. PERKINS. Possibly we can exchange sympathy. [Laughter.]

Mr. SIMPSON. Inasmuch as we have given up the afternoon, Mr. Chairman, to filibustering against the Nicaragua Canal, I doubt not but that I can be tolerated for a few minutes on the taxation in the District of Columbia. I agree entirely with my friend from Indiana that it is an outrage on the people of the United States, who have heavy burdens of taxation of their own, to pay one-half of the taxes of this city. I think it is unjust; I think that inasmuch as the Government is located here—the fact that the Government is located here is what makes this city great. There is nothing here to induce anybody to build up a city. Out in my country we would not fence in this kind of land or use it for anything. [Great laughter.] There is nothing located here but the Government property that brings the value of the property up, so I presume it will be a conservative estimate to say that there is $5,000,000 annually of increase to the value of property that goes into the pockets of the landlords in this city because the Government is located here.

Now, then, here is a proposition to appropriate $20,000 to clear the streets of the city of Washington for the benefit of whom? The benefit of the citizens of Washington. And you propose to take one-half of that money out of the taxpayers of the United States. Now, I think that is entirely unjust. I think that this proposition when it comes before Congress ought to be, and I trust will be, amended so that the entire sum is paid out of the revenues of the District of Columbia, as it ought to be; and therefore, if no other person offers that amendment, I shall do it if I get the opportunity.

Now, there is another thing in connection with this proposition, as has been suggested by my colleague from Kansas [Mr. BOTKIN], that the street-car companies are the beneficiaries particularly of this money, if appropriated. It seems under the present usage the street-car companies are allowed to throw the snow from their tracks into the street. They ought to be compelled to remove that snow from their own tracks and from the streets and not blockade the streets.

I think the gentleman from Ohio said this was one of the best governed cities in the Union. And yet we have the confession here by the chairman of the Committee on the District of Columbia that the street-car companies throw the snow on the streets, and the people living along the streets throw it off the sidewalks into the street, thereby blocking the street. I do not think it is a well-governed city that allows a procedure of that kind, and therefore I shall oppose any such appropriation as is proposed.

Mr. CANNON. I want to suggest to the gentleman from Kansas whether he can not devise some legislation that will make the street-car companies in the future, if there is a storm like this, have their tracks cleared by the next morning and the next evening, so that we can get home.

Mr. SIMPSON. Oh, well, there are some things you can not do by legislation.

Mr. CANNON. Oh, I thought you could do everything!

Mr. SIMPSON. I think we could have legislation to prevent street-car companies from blocking the balance of the streets that they do not use. Does not the gentleman from Illinois think that that would be good legislation?

Mr. CANNON. The street-car companies occupy part of the street under their license, and it is still a public street. I wish very much that they could have had it clear yesterday and this morning, so that we might get back and forth.

Mr. SIMPSON. Does the gentleman think it is a good thing to allow the companies to block up the balance of the street by clearing the snow from their tracks?

Mr. CANNON. Oh, well, I should dislike very much to wait a week for the street-car companies to hire men to shovel snow into wagons and haul it away in order to clear their tracks.

Mr. SIMPSON. Why not have the street-car companies clear a part of the street?

Mr. CANNON. They pay their taxes.

Mr. SIMPSON. If a private individual should block the street the way the street-car companies are allowed to do, he would be hauled up immediately.

Mr. SHAFROTH. Mr. Chairman——

The CHAIRMAN. Debate on this paragraph is exhausted.

Mr. SHAFROTH. I move to strike out the last word. I would like to say a word upon the proposition that has been made here, that as the United States owns one-half of the property of the District of Columbia, or of the city of Washington, therefore it ought to pay one-half the taxes. When you look into the character of the property owned by the United States, it seems to be marvelous that any person should seriously make that statement.

In what manner do they compute that the United States owns one-half of this land? To make this computation they take every street—property that cities usually buy by taking their own funds and paying the individual owner of the land they want to get. These gentlemen say that the Government of the United States ought to pay taxes upon the streets. Why, sir, the Congress of the United States has appropriated out of the public Treasury thousands of dollars for opening Sixteenth street and other streets. Yet, after we have thus bought streets at the expense of thousands of dollars, these gentlemen contend that the Government in addition should pay taxes on those streets.

Why, Mr. Chairman, take into consideration the character of the property owned here by the United States. Is not every particle of it appropriated to public uses—uses for which any city ought to be willing, and for which every ordinary city is willing, to bear the burdens of taxation, and not only that, but to beautify it at its own expense? But, Mr. Chairman, the District of Columbia does not act fairly toward the United States in this matter. Why? When the United States Government has any lands which need protection, does the police of the District of Columbia give any care to it? Oh, no. We find that when the Capitol grounds are to be policed the District of Columbia is not required to pay one-half of that expense, but it must all be paid out of revenues of the Government. So as to the Mall, extending from the Capitol grounds clear down to the Washington Monument. What do we find as to the policing of that? That large tract of land which gentlemen say the United States ought to be willing to pay taxes for——

Mr. CANNON. At this point the gentleman will allow me to say that I think his complaint upon the point he is now discussing is a very proper one, and I am glad to say to him that in this very bill we have corrected the injustice of which he complains, not only as to the parks of which he speaks, but as to the parks at the intersection of streets and avenues, the maintenance and policing of which have heretofore been provided for by the Government. This bill in all such cases divides the expense half and half between the United States Government and the District of Columbia, as in the case of all other District appropriations.

Mr. SHAFROTH. Does the gentleman say that there is included also in this bill a requirement that the District police force shall patrol the Mall?

Mr. CANNON. The whole thing.

Mr. SHAFROTH. And also the Capitol grounds?

Mr. CANNON. No, not the Capitol grounds; they are under the exclusive jurisdiction of the United States. Nor the White House grounds inside of the iron fence.

Mr. GROSVENOR. May I be allowed a question at this point? Does the gentleman from Colorado [Mr. SHAFROTH] think it would be wise to permit a police force not controlled by Congress to have charge of this Capitol building?

Mr. SHAFROTH. Well, I do not see why there would be any danger in such an arrangement. The police force would be paid at least one-half by the Government. In addition to that let me say that in other cities where there are capitol buildings or other public buildings we do not find a police force specially designated for those particular buildings; nor do we find that such buildings in any of those cities are imperfectly protected.

Mr. GROSVENOR. I can testify personally as to only one capitol building, and that is policed by officers furnished by the State through the authorized custodian of the capitol building itself.

Mr. SHAFROTH. It may be that there are some janitors in the State capitol buildings——

Mr. GROSVENOR. What I have stated as to one capitol building is, I think, true of all the capitol buildings in the different States.

Mr. SHAFROTH. I think not. There may be some special watchmen or something of that kind, but as to patrolling the grounds of the capitol buildings I do not believe there is any capitol building in any State that is not policed by the regular police of the city or town in which the building is located.

Now, I recognize that the United States Government wants to do what is fair; yet it does seem to me that the District of Columbia ought not to be trying continually to come in and get a little more out of the Government than its proper proportion. As to certain parks of the city of which citizens enjoy the benefit, the United States Government pays its half for their care and beautifying; but as to certain other parks gentlemen who claim to represent the people of the District say that the District police and other District machinery have no relation to those parks. It seems to me such a thing is unjust.

Allow me to say further that I think one-half is too great a proportion to be paid by the Government of the United States. Some remedy ought to be applied in that respect. But at present that is the proportion authorized by law and we must make our appropriations in accordance with it. It seems to me that if a proper solution of this question were arrived at the proportion of expense to be paid by the Government of the United States would be much smaller than one-half, and even in that event we would be doing more than is required from the States in capital cities under similar circumstances.

Mr. McRAE. I rise to a parliamentary inquiry.

The CHAIRMAN. The gentleman will state it.

Mr. McRAE. What has the snow-cleaning resolution got to do with the sundry civil bill?

The CHAIRMAN. Absolutely nothing.

MESSAGE FROM THE SENATE.

The committee informally rose; and Mr. BROMWELL having taken the Chair as Speaker pro tempore, a message from the Senate, by Mr. PLATT, one of its clerks, announced that the Senate had passed with amendments the bill (H. R. 11266) making appropriations for the Department of Agriculture for the fiscal year ending June 30, 1900, in which the concurrence of the House was requested.

The message also announced that the Senate had agreed to the amendments of the House of Representatives to bills of the following titles:

S. 1273. An act for a public building at the city of Altoona, Pa., and appropriating money therefor;

S. 4982. An act granting an increase of pension to Amanda F. Jumper;

S. 4854. An act granting a pension to Isom Gibson;

S. 4775. An act granting a pension to Flora Stanton Kalk; and

S. 4630. An act granting an increase of pension to Chauncey A. Bradley.

The message also announced that the Senate had passed the following resolutions:

Resolved, That the Secretary be directed to request the House of Representatives to return to the Senate the bill (S. 1527) for the establishment of a light-house and fog signal at or near Point Arguello, California.

Also:

Resolved, That the Secretary be directed to furnish the House of Representatives with a duplicate engrossed copy of the bill (S. 3256) in reference to the civil service and appointments thereunder, in compliance with its request.

The message also announced that the Senate had passed joint resolution and bills of the following titles:

S. R. 245. Joint resolution to provide for the removal of snow and ice in the city of Washington, D. C.;

S. 3766. An act granting an increase of pension to Nancy M. Lindsey;

S. 4681. An act granting an increase of pension to Joseph F. Mollere;

S. 4984. An act granting a pension to Mary Longley Hendricks;

S. 5352. An act creating the office of Admiral of the Navy;

S. 5000. An act for the relief of the owners of the British ship *Foscolia* and cargo; and

S. 2675. An act authorizing the exchange of lot 6 of square 10, known as the old custom-house lot, in the city of St. Augustine, Fla., for lands adjoining that part of the United States military reservation in said city designated as the powder-house lot.

The message also announced that the Senate had passed with amendments bills of the following titles in which the concurrence of the House was requested:

H. R. 11455. An act granting to the city of Boulder, in the State of Colorado, certain lands for park purposes for the preservation of the native trees on said lands; and

H. R. 1798. An act to remove the charge of desertion against Carl F. W. Stolle, of Iron Bridge, Wis.

The message also announced that the Senate still further insisted upon its amendments to the bill (H. R. 4936) for the allowance of certain claims for stores and supplies reported by the Court of Claims under the provisions of the act approved March 3, 1883, commonly known as the Bowman Act, and for other purposes, disagreed to by the House of Representatives, asked a conference with the House on the disagreeing votes of the two Houses thereon, and had appointed Mr. TELLER, Mr. STEWART, and Mr. PASCO as the conferees on the part of the Senate.

SUNDRY CIVIL APPROPRIATION BILL.

The committee resumed its session.

Mr. MANN. Mr. Chairman, an experience of some years in connection with the city government of Chicago brings me to my feet for the purpose of saying a word in justification of the law

and the practice of this Government in paying one-half the expenses of the District of Columbia. If I had my way to-day, the Government of the United States would pay not only one-half of these expenses, but two-thirds. There is no city in this country, from the Atlantic to the Pacific, that has the good grounds, the good streets, the good care which the city of Washington has. There is not a city in this country which, under its own local laws, can raise money enough to secure such a city government as we have here in Washington.

No Representative ever shows a friend or a constituent over the city of Washington without feeling proud that the great country to which he belongs has the honor and the greatness to maintain at the seat of its Government a city so well governed, so well paved, so well cleaned, so well lighted, so well policed, and with such good water and sewerage facilities. And the gentlemen who represent cities in the far West which do not have paved streets, and when they have paved streets do not have clean streets, or if they have streets at all do not have them well lighted, ought not to complain of the Government which gives a better city government here and takes care of a better city.

Gentlemen complain about the proposition to expend $20,000 for clearing the snow from the streets——

Mr. BOTKIN. Mr. Chairman——

The CHAIRMAN. Does the gentleman from Illinois yield to the gentleman from Kansas?

Mr. MANN. Gentlemen complain about the proposition to expend $20,000 for clearing the snow from the streets, when every gentleman on the floor of this House knows that to-day and yesterday our country has lost, in all probability, as much as $20,000, because the clerks who will be paid out of the Government Treasury were unable to reach their places of business to perform their duties, and it will be a profitable scheme for the Government to expend all the money that is necessary in order to put the streets into such a condition that the Government clerks can get to the Departments.

Mr. BOTKIN. Will the gentleman permit a question?

Mr. MANN. If the gentleman from Kansas [Mr. BOTKIN] who is seeking to interrupt me was here in this House yesterday at all, he was compelled to pay a high cab fare to get here, when he ought to have been able to come upon the street cars, and would have been able to come if we had made proper provision for the cleaning of the streets.

Mr. BOTKIN. Mr. Chairman——

Mr. MANN. Now I yield to the gentleman for a question.

Mr. BOTKIN. I should like to ask if the gentleman stated that we had good water in this city?

Mr. MANN. The gentleman stated, and he repeats the statement, that we have better water in the city of Washington than this gentleman, who has often been in Kansas, was ever able to obtain in any city in Kansas.

Mr. GROSVENOR. Or anything else.

Mr. BOTKIN. I was going to say that if the gentleman calls the water in Washington good water, it proves that he does not drink any of it. [Laughter.]

Mr. MANN. Well, I can assure the gentleman from Kansas that the gentleman from Illinois is perfectly familiar with what constitutes a good drink. [Laughter.]

Mr. CURTIS of Kansas. The gentleman forgets that we make a specialty of water in Kansas. [Laughter.]

The Clerk read as follows:

Shiloh National Military Park: For continuing the work of establishing a national military park on the battlefield of Shiloh, Tenn.; for the compensation of three civilian commissioners and the secretary, clerical, and other services, labor, land, iron gun-carriages and historical tablets, maps and surveys, roads, purchase and transportation of supplies and materials, office and other necessary expenses, $55,000.

Mr. SIMS. Mr. Chairman, I wish to offer an amendment.

The CHAIRMAN. The gentleman from Tennessee offers an amendment, which will be read by the Clerk.

The amendment was read, as follows:

Insert, at the end of line 5, page 74, after the word "dollars," the following:

"To enable the Secretary of War, through the Commissioners of the Shiloh National Military Park to construct a gravel road from Selmer, on the Mobile and Ohio Railroad, to Pittsburg Landing, on Tennessee River, in Tennessee, $20,000."

Mr. CANNON. Mr. Chairman, I will have to reserve a point of order upon this amendment.

Mr. SIMS. Mr. Chairman, I hope the gentleman from Illinois will not make his point of order when he hears the facts.

On the 6th and 7th days of April, 1862, on the western bank of the Tennessee River, in Hardin County, Tenn., was fought the battle of Shiloh, one of the greatest and most decisive battles fought during the war; one of the decisive battles of the world's history. No doubt many members of this House participated in that great battle. Had it not been for the result of that battle perhaps Ulysses S. Grant would never have been Commander in Chief of the armies of the United States or President of the United States.

The Tennessee River runs from the south northward through the State of Tennessee and is the only means of public travel to this battlefield. The Government of the United States has expended a large sum in building a national cemetery there and caring for it, and has lately authorized the expenditure of large sums for the Shiloh National Military Park.

Work is now being done upon that park, and this place, Selmer, the county seat of McNairy County, is the nearest railroad station to that battlefield, cemetary, and national park. The facilities for traveling on the Tennessee River are not such as to afford proper and convenient means for people to visit this battlefield and national park when they come there from other States, consequently thousands of dollars are being spent for the improvement of this place, and the people of the United States who are interested in the park are unable to get there in any convenient way in the time of year when they want to get there, on the anniversary of the battle.

Mr. DOCKERY. How long will this road be?

Mr. SIMS. About 20 miles. I remember at one time a party of more than eighty gentlemen from Iowa came from Paducah, Ky., on the steamboat. Among the party were General Tuttle and General Clarkson, and many other distinguished citizens. I remember hearing the complaint of the poor facilities for reaching this battlefield, because they had to come up on the boat from Paducah and go back the same way.

When this road is constructed, at a cost not exceeding $20,000, from this railroad, which has connections all over the North and all over the South, people can come there and at any time get out to the battlefield for a small sum, and not be delayed by the inconvenience of steamboat travel.

I think, Mr. Chairman, that we ought to make this appropriation, and I want to state that it is not made for the benefit of the immediate locality. Selmer is a small town, not exceeding a thousand population, and this road will not go through the town. I am assured by the citizens along the route that property owners will give the land for this road free, and that the Government will be put to no expense in acquiring the title to it. There is plenty of good gravel all the way along. Only two small bridges will have to be constructed, and I am asking for this appropriation for the benefit of people all over the country who wish to visit this battlefield, and not for the benefit of citizens along the line, though they would incidentally receive some of its benefits.

Now, I suppose it will be held that this is subject to a point of order, but I hope the gentleman from Illinois will not make his point of order, but will let this appropriation go into the bill.

Mr. DOCKERY. Does the amendment provide that the owners of the property shall dedicate the right of way to the United States for road purposes?

Mr. SIMS. The amendment does not provide that, but I have introduced a bill for that purpose, and when it is considered I will ask that it be amended, in case this appropriation is not allowed to remain on the bill. I am perfectly willing that the amendment should go on and that the appropriation should be made on that condition, for I am assured by a delegation of citizens that that will be done without hesitation.

Mr. CANNON. I want to say in reply to the gentleman that this amendment is for the construction of a road from Selmer, Tenn., a distance of about 20 miles, to the Shiloh battle grounds. Is that correct?

Mr. SIMS. This is from Selmer to the landing on the Tennessee River, but it is not much more than 13 miles to the battle grounds, and I understand the park commissioners are already constructing a road from the landing out to the western limit of the park, which would make only about 13 miles to be constructed.

Mr. CANNON. It is a proposition to construct a road over 13 miles of property that the Government of the United States does not own, the construction of a road from the boundaries of the park to a railroad station.

Mr. SIMS. That is correct.

Mr. DOCKERY. Just a moment. Let me ask my colleague, if the gentleman will allow me, what amount has the Government appropriated for beautifying this park?

Mr. SIMS. I do not know the entire amount, Mr. Chairman, but it is a large amount. The sum of $55,000 is carried in this particular bill.

Mr. DOCKERY. I understand there is no railroad communication—no means by which they can reach the park.

Mr. SIMS. None whatever. This road will furnish a direct line to it.

Mr. DOCKERY. This is to make a sufficient appropriation to enable people to get to this park.

Mr. CANNON. I think it is proper to say that I apprehend there is another railroad station, possibly from another direction, where the road is being constructed. But let that be as it may, it seems to me that it is my duty to make the point of order

against the appropriation for the construction of a highway 13 miles long at Government expense on land that somebody else owns.

Mr. SIMS. Does the gentleman make the point or order?

Mr. CANNON. I do.

The CHAIRMAN. The Chair sustains the point of order, and the Clerk will read.

The Clerk read as follows:

Gettysburg National Park: For continuing the work of establishing the national park at Gettysburg, Pa.; for the acquisition of lands, surveys, and maps; constructing, improving, and maintaining avenues, roads, and bridges thereon; making fences and gates, marking the lines of battle with tablets and guns, each tablet bearing a brief legend giving historic facts, and compiled without censure and without praise; preserving the features of the battlefield and the monuments thereon; providing for a suitable office for the commissioners in Gettysburg; compensation of three civilian commissioners, clerical and other services; expenses and labor; the purchase and preparation of tablets and gun carriages and placing them in position, and all other expenses incidental to the foregoing, $90,922.50.

Mr. DOCKERY. Mr. Chairman, I move to strike out the last word for the purpose of making a statement and an inquiry. If I am not correct, I desire to be corrected by the gentleman from Illinois. As I understand it, the Government has heretofore provided for military parks at Chickamauga, at Shiloh, at Gettysburg, and recently, if I remember right, an act passed the House authorizing a park at Vicksburg. In other words, the United States has recognized by appropriations, including the bill which passed the House a few days since, five national military parks. Is that correct?

Mr. CANNON. I think so.

Mr. DOCKERY. Can the gentleman indicate to the House about how soon the work upon these parks will be concluded? I especially desire to inquire about Gettysburg.

Mr. CANNON. Well, I can not say, I will answer my friend. This is an increase of $12,000, in round numbers, this year to pay for some land that has been condemned for the purpose of marking the Confederate lines. My friend must ask me something easy.

The Clerk read as follows:

ENGINEER DEPARTMENT.

Toward the construction of works on harbors and rivers under contracts or otherwise, and within the limits authorized by law, namely.

Mr. HEPBURN. Mr. Chairman, after the words "Engineer Department" I desire to offer the amendment of which I gave notice on Friday. The Clerk has the amendment.

The CHAIRMAN. The Clerk will report the amendment offered by the gentleman from Iowa.

The Clerk read as follows:

After line 21, page 74, insert the following:

"That the President of the United States be, and is hereby, authorized to acquire, by purchase from the States of Costa Rica and Nicaragua, for and in the behalf of the United States, such portion of territory now belonging to Costa Rica and Nicaragua as may be desirable and necessary to excavate, construct, control, and defend a canal of such depth and capacity as will be sufficient for the movements of ships of the greatest tonnage and draft now in use, from a point near Grey Town, on the Caribbean Sea, via Lake Nicaragua, to Brito, on the Pacific Ocean; and such sum as may be necessary to make such purchase is hereby appropriated out of any money in the Treasury not otherwise appropriated.

"SEC. 2. That when the President has secured the territory in section 1 referred to he shall direct the Secretary of War to excavate and construct a canal and waterway from a point on the shore of the Caribbean Sea, near Grey Town, by way of Lake Nicaragua, to a point near Brito, on the Pacific Ocean. Such canal shall be of sufficient capacity and depth as that it may be used by vessels of the largest tonnage and greatest depth now in use, and it shall be supplied with all necessary locks and other appliances to meet the necessities of vessels passing from Grey Town to Brito; and the Secretary of War shall also construct such safe and commodious harbors at the termini of said canal and such fortifications for defense as will be required for the convenience and safety of all vessels desiring the use of said canal.

"SEC. 3. That in making surveys for and in the construction of said canal and harbors, the President may detail such number of engineer officers of the Army and Navy or employ such civil engineers as may be necessary, and may require of them the performance of such professional duties as he may desire. The Secretary of War shall have power to enter into contracts for the performance of all or such portion of the work as may be necessary to most speedily and advantageously complete the construction of said canal and harbors.

"SEC. 4. That in the excavation and construction of said canal the San Juan River and Lake Nicaragua, or such parts of each as may be available, shall be used.

"SEC. 5. That in any negotiations with the States of Costa Rica or Nicaragua the President may have, the President is authorized to guarantee to said States the use of said canal and harbors, upon such terms as may be agreed upon, for all vessels owned by said States or by citizens thereof.

"SEC. 6. That the sum of $115,000,000, or so much thereof as may be necessary, is hereby appropriated, out of any money in the Treasury not otherwise appropriated, for the completion of the work herein authorized, said money to be drawn from the Treasury from time to time, as the same shall be needed, upon warrants of the President, made and verified by the chief engineer in charge of the work and approved by the Secretary of War."

Mr. CANNON. Mr. Chairman, I desire to make the point of order against this amendment. First, the amendment is not germane; second, the amendment is obnoxious to Rule XXI in this, that it proposes legislation; third, that it appropriates money not authorized by existing law; fourth, it appropriates money not in pursuance of a public work or object in progress.

Mr. HEPBURN. Mr. Chairman, I had supposed that a proposition of this kind, independent and distinct—the point that it must be germane in order to have a place on the sundry civil bill—would never be made by the gentleman from Illinois. Why, Mr. Chairman, this bill takes the broadest possible range. It includes within its limits propositions of every character conceivable and for every purpose conceivable. Upon one page I find a proposition to maintain a national cemetery, and upon the same page I find a proposition for the improvement of the harbor at Humboldt. Following that I find another appropriation for the improvement of the harbor at Savannah, more than 3,000 miles distant, neither one of them having the least possible relation to the other. I take it that in good faith the objection can not be made that this amendment is not germane.

There are but two questions, Mr. Chairman, that can arise in the discussion of this point of order. One of them is whether or not this work for which the appropriation is asked is now in progress. If it is, then this is the place to make the appropriation. The second is, does the amendment contain new legislation? I shall endeavor to show that in the contemplation of this section, and in contemplation of the interpretation put upon it by this committee, no new legislation is here. I take it, Mr. Chairman, that the first of the objections I have stated can not be held to be valid against the proposition, if it can be shown as a matter of fact that this work is now in progress. Let me read the rule.

No appropriation shall be reported in any general appropriation bill, or be in order as an amendment thereto, for any expenditure not previously authorized by law, unless in continuation of appropriations for such public works and objects as are already in progress.

Now, if this work is in progress, then certainly it is not obnoxious to this rule, and it is a question of fact as to whether it is in progress. I maintain that it has had the solicitous care of this House at least in two sessions and has been the object of legislation for at least two sessions. In an appropriation bill—the sundry civil appropriation bill, reported by the gentleman who makes this objection—I find this, and I read from the bill which passed in 1895:

For the purpose of ascertaining the feasibility, permanence, and cost of the construction and completion of Nicaragua Canal by the route contemplated and provided for by an act which passed the Senate January 28, 1895, entitled "An act to amend the act entitled 'An act to incorporate the Maritime Canal Company of Nicaragua,' approved February 20, 1889," $30,000, to be expended under the direction of the Secretary of State.

And a board of three engineers is hereby constituted to make the survey and examination necessary for such ascertainment; said board to be selected and appointed by the President of the United States, one from the Corps of Engineers of the United States Army, one from the Engineers of the Navy, and one from civil life; and the compensation of the members of said board shall be fixed by the President, not to exceed $5,000 each, including such pay as the engineers so selected are receiving, for the time they are so employed, from the Government.

And the said board, under such arrangements and regulations as shall be made by the Secretary of State with the approval of the President of the United States, shall visit and personally inspect the route of the said canal, examine and consider the plans, profiles, sections, prisms, and specifications for its various parts, and report thereon to the President; and should they ascertain that any deviation from the general line of the proposed route is desirable, they shall so state in their findings and conclusions with regard thereto in their report.

And said board shall make their report on or before November 1, 1895; and the appropriation shall be immediately available.

Now, Mr. Chairman, that is the sundry civil bill of 1895. It was reported by the gentleman from Illinois. He was chairman then, as he is chairman now. Many of the gentlemen, lawyers of high repute, were on the committee then and are on the committee now, and gave their sanction to the construction of this law that I now maintain. Why, look at it, Mr. Chairman; this is the first time that the Nicaragua Canal appears in any appropriation bill. Not authorized by law! Only authorized, as the gentleman says, by a bill that has recently passed the Senate. Mr. Chairman, not only is the appropriation there, but the legislation is there. New legislation—if that in the amendment I have offered is new legislation.

Here is the provision to change the ordinary current through which these appropriations flow, from the Secretary of War, who has charge of works of this kind, to the Secretary of State. Here is other new legislation. It is not to be done by the engineers of the Army under the direction of the Secretary of War, but by a commission appointed by the President; not officers detailed, but civilians. A new office is created. Not only that, but the pay is fixed at $5,000 a year; not only that, but the pay of the Army engineer, the pay of the naval engineer, is increased until it will be equal to $5,000 a year. Here is all of this legislation, new legislation, if what the gentleman now says is true. But it is not new legislation, as I shall discuss later on.

But, not content with giving this work a status that is given it in the act of 1895, I find in the sundry civil bill of 1898 a paragraph that I will ask the Clerk to read.

The Clerk read as follows:

Nicaragua Canal commission: To continue the surveys and examinations authorized by the act approved March 2, 1895, entitled "An act making appropriations for the sundry civil expenses of the Government for the fiscal year ending June 30, 1896, and for other purposes," into the proper route, the feasibility and cost of construction of the Nicaragua Canal, with the view of making complete plans for the entire work of construction of such canal as therein provided, $150,000; and to carry out this purpose the President of the United States is authorized to appoint, by and with the advice and consent

of the Senate, a commission to consist of one engineer from the Corps of Engineers of the United States Army, one officer of the Navy, who may be taken from the active or retired lists, and one engineer from civil life, said commission to have all the powers and duties conferred upon the commission provided for in said act.

Mr. CANNON. If my friend will allow me, although I think it makes no difference for the purpose of his argument, the clause that he has read, I think, is a Senate amendment. This matter has come by Senate amendment, and was different from the clause that was finally agreed to between the two bodies. I hold in my hand the act of 1896.

Mr. HEPBURN. I read from the act of 1898.

Mr. CANNON. I am speaking of the act of 1898. For the gentleman's purpose I do not think it makes much difference. I understood him to say he read from the sundry civil bill.

Mr. HEPBURN. The sundry civil bill as enacted, and I understand that volume to be the acts of the first session of the present Congress.

The CHAIRMAN. The first session of the Fifty-fifth Congress.

Mr. HEPBURN. Yes; the first regular session of the Fifty-fifth Congress.

Mr. CANNON. I beg the gentleman's pardon; I had my eye on the deficiency bill and this is the sundry civil bill, and I think the gentleman is correct.

Mr. HEPBURN. Now, Mr. Chairman, I think that the first proposition of importance that the gentleman refers to is disposed of by the determination of a question of fact. Is this work in progress? Has a step been taken toward the final conclusion——

Mr. WALKER of Massachusetts. By the Government.

Mr. HEPBURN. By the Government. If so, then it is in progress. If we have taken any steps from the point of inception to the point of conclusion, then we are progressing, and this is in progress. But gentlemen say that it has been declared that a survey shall not be regarded as committing the Government to a work of this kind. I want to call attention to that statute. I find it in the river and harbor bill of a recent date:

Provided further, That after the regular or informal report on the examination, survey, project, or work under way is proposed or submitted, no supplemental or additional report or estimate for the same fiscal year shall be made unless ordered by a concurrent resolution of Congress. The Government shall not be deemed to have entered upon any project for the improvement of any waterway or harbor improvement in this act until funds for the commencement of the proposed work shall have been actually appropriated for.

Now, there the declaration of the statute applies simply to the works named in that act. There is always a reason for a statute, and the gentlemen who voted for that had a reason for it. The reason for it was that they wanted in these particular acts to declare that the Government was not committed to them without there was something more than a survey. Now, in the absence of that legislation applying to this subject, what is the irresistible inference? That a survey is regarded by those in authority, by this House, as a part of the work; that it is a progressive step; that it must be so considered except where the law in explicit terms declares that it shall not be so regarded.

But, Mr. Chairman, in the absence of a statute, can anyone claim for a moment that a survey, a final survey, a survey complete with estimates complete, making everything ready for the work for him who digs, is not a step in the progress of a work of this kind? If it was a railway, the first thing to be done would be to make the preliminary survey; the second thing to be done would be to make the final survey; the third step would be to plant the stakes; the fourth, to secure the right of way; the fifth, the building of the superstructure; sixth, the bridging; seventh, laying the rails; eighth, the ballasting—each one a progressive step, each one constituting the progress of the work.

Can any gentleman say that any act that can be performed by any one of those who will engage in this great enterprise is more important than that of the engineer who makes the survey, who takes the soundings, who makes the borings, who studies the climate, who watches the water courses, who studies the water fall and the course of streams and the level of the lake and the character of the river, the trade winds, the possibility of completing the harbor? All these steps are essential and they all constitute that which shows the work is in progress.

I insist that, as a question of fact, there can be no doubt that this work is in progress—in progress in contemplation of this rule. I insist that in contemplation of the action of Congress, in view of the river and harbor bill of 1896 and the provision which I have read, it was the opinion of Congress that legislation was necessary in order that surveys should not be regarded as constituting progress in a work of this kind.

Now, Mr. Chairman, I want to call attention to the fact that this later legislation contains what the gentleman now insists is new legislation—that which was last read from the Clerk's desk. It provides for the appointment by the President of a commission. Had he the right without such legislation to appoint that commission? Surely not. He might perhaps, as Commander in Chief of the Army, have detailed Army or Navy officers. But here a new office is created; a civilian is appointed and his pay regulated; the pay of Army and Navy officers is changed—raised a few dollars or perhaps more in the case of each. Then these officers are instructed as to the course they shall pursue. They are instructed that they shall in person go upon the ground—it is not enough that they examine surveys which may be furnished them by their subordinates, but they are to go upon the ground and investigate. These are the requirements of law that they must comply with. They must make a complete and final report as to the character of the work, its feasibility and cost.

Now, Mr. Chairman, I do not contend that that is new legislation in the sense in which that phrase is used in the rules. But the paragraph concludes:

Nor shall any provision changing existing law be in order in any appropriation bill or in any amendment thereto, etc.

The provisions of this bill are simply limitations upon the manner in which the appropriation is to be expended. The appropriation is the major proposition. In fact, there are two—one in the first section—the appropriation of an indefinite sum; the other in the last section, contemplating an expenditure of $115,000,000. Now, every other proposition to be found in this bill is directory as to the manner in which those appropriations shall be expended. Every provision is a limitation upon the major propositions in the first and second sections—nothing else.

It is perhaps true that while the first section prescribes that the President shall purchase, and so forth—while there is that provision, yet it might not have been there. It is simply declaratory of a power that he now has. Has not the President of the United States the power to purchase that little strip of land across that Isthmus—at most 10 miles wide—which would be sufficient for the purposes of this canal? Who can say "No" in view of the fact that Thomas Jefferson purchased hundreds and thousands of square miles——

Mr. SULZER. Will the gentleman permit a question?

Mr. HEPBURN. I will.

Mr. SULZER. I am in favor of the Nicaragua Canal, and want the Government of the United States to construct it and own it. Is it not a fact that under the constitution of Nicaragua that country can not sell any land or cede sovereignty to any other country in the world? I ask simply for information.

Mr. HEPBURN. I do not know whether that is true or not.

Mr. SULZER. Well, it is true.

Mr. HEPBURN. Well, the gentleman says it is true. I assume he knows, or he would not say so. I assume it out of politeness, not because I think it is so. [Laughter.]

Mr. SULZER. Has the gentleman read the constitution of Nicaragua?

Mr. HEPBURN. I have read what is said to be an English translation of it.

Mr. SULZER. Did you not read in it a provision that Nicaragua can not sell any of her territory or cede any of her sovereignty to any other country?

Mr. HEPBURN. It is not in there as I read it. I have read what gentlemen with the same modicum of information as the gentlemen from New York have repeatedly asserted, but I have never been able to find that provision. But, Mr. Chairman, I do not care whether that is true or not. There is a vast difference between the constitution of such a country as Nicaragua and such constitutions as we are familiar with. Our constitutions are permanent. We have definite methods of changing them. It requires time. Not so there. I am told—I do not know how truthfully—that the legislative power of that State has the right to change, and does change from time to time, the fundamental law. But whether that is true or not, I do know that revolutions change the constitution, and that with every revolution comes a new constitution, and that those revolutions are quite as frequent as we would care for, even if we required a change in their constitution and it could not be effected in any other way.

Mr. SULZER. Then I presume the gentleman is trying by his bill to cause a revolution in Nicaragua? [Laughter.]

Mr. HEPBURN. Oh, no; they have one there now, as every man in the House knows, except the gentleman from New York.

Mr. SIMPSON. I should like to suggest to the gentleman from Iowa, "what is a little thing like the constitutions between friends, anyhow?" [Laughter.]

Mr. HEPBURN. Well, that was a New York question, and I suppose the gentleman from New York [Mr. SULZER] can answer it. [Laughter.]

Mr. Chairman, this amendment that I have offered, as I said before, contains nothing except the two provisions for appropriations and the direction by which they shall be expended. I said that in the first section there was this authority to the President. I said that I did not think, perhaps, that was necessary, that it only declared the law as it exists to-day, that the power to do that is now lodged in his hands. If that is true, then there is no new legislation in the first section. What I said with regard to that may be said with regard to every other of the following propositions.

There is one that he shall direct the Secretary of War, another that he shall detail officers from the Navy and the Army and from civil life to do this work, another that a particular route by way of the San Juan River and Lake Nicaragua shall be utilized as far as possible, another that as a part compensation for this land that he is authorized to purchase he may give under proper terms to the citizens of Nicaragua and Costa Rica the right to use this waterway, and the sixth and last one simply declares how that money shall be drawn from the Treasury upon the warrant of the President, based upon verified estimates of the engineer approved by the Secretary of War.

Now, those are the provisions, every one of them a limitation upon the appropriation, every one of them a direction as to how the appropriation shall be used.

Mr. BAILEY. Will the gentleman from Iowa permit me? I have no difficulty about the right of the House to direct the manner of using the appropriation. The only question in my mind is whether his amendment is not obnoxious to the first provision of the rule which provides that no appropriation shall be in order except in prosecution of a work already begun. Now, I am not so clear that the work of constructing the Nicaragua Canal has already begun within the meaning of that provision. I did not happen to be in the Hall of the House when the gentleman was reciting the act under which he claims this work was begun, and what I desire to ask him now is if the law that authorized the President to appoint the commission went further than merely to authorize that commission to report?

Mr. HEPBURN. No, sir; the act does not go any further than that, authorizing them to report; but it authorizes them to report everything that will be essential to enable the contractor to begin work. Everything, the contour of the harbors, the quantities of excavation, the necessity for piers, the value of those piers, the direction that the work is to take, and the portion of the river to be utilized, estimates of cost, borings down to find the bed rock, everything that precedes the actual thrust of the spade into the earth.

Mr. BAILEY. Then they could only have done that after a survey of it.

Mr. HEPBURN. Certainly.

Mr. BAILEY. Well, of course a survey is the beginning of a work.

Mr. HEPBURN. That is what I contend. It is the beginning of the work, and being the beginning of the work, when it is completed the work is in progress, for the survey is the beginning.

Mr. WALKER of Massachusetts. In progress when they begin until they end; in progress from their beginning to the ending of their work.

Mr. WM. ALDEN SMITH. I desire to ask the gentleman a question.

Mr. HEPBURN. I yield, of course.

Mr. WM. ALDEN SMITH. I would like to ask the gentleman whether, in view of all that he has enumerated as having been done in the course of the survey and the work that has already gone forward, and the recognition of treaty rights formally given to the United States and ratified in the Dickinson-Ayon treaty of 1867, whether that would not strengthen the proposition of my friend from Iowa.

Every right that we need to build that canal appears in the Dickinson-Ayon treaty, formulated and entered into in 1867, and subsequent acts of Nicaragua and Costa Rica, under which, Mr. Chairman, we have the right to put our citizens upon the Isthmus and the Army of the United States and such portion of the Navy as we desire upon either the Atlantic or the Pacific at that point to enforce the rights of the American people thereunder, our rights being guaranteed and vouchsafed in a treaty formally entered into by the President and the Senate of the United States in behalf of this Government.

If my friend will permit me, I contend that the force of the Dickinson-Ayon treaty and the preceding and subsequent acts of this Government warrant an appropriation to give force and effect to the object sought just as much as the treaty of peace recently ratified in the Senate and entered into at Paris between the commissioners of the United States and the commissioners of Spain. We have formal, definite, distinct rights under the Dickinson treaty and obligations growing out of more recent legislation by Congress which warrant an appropriation to carry forward this great work.

Mr. HEPBURN. Mr. Chairman, in view of what my friend has said I certainly contend that here is the second step taken, and if what he says is correct, which I do not doubt, then all that is found in the first section of the bill, in addition to what I have said as to the power of the President, is now warranted by this treaty that he has alluded to.

The CHAIRMAN. If the gentleman from Iowa [Mr. HEPBURN] adopts the argument of the gentleman from Michigan [Mr. WM. ALDEN SMITH], will he kindly have that portion of the treaty he refers to read, so that the Chair may have the benefit of it?

Mr. HEPBURN. I would be glad to have the gentleman from Michigan send it up. I believe I have said all, Mr. Chairman, that I desire to say primarily upon this subject. I think we are strictly within the rule.

But I might say something here about the rule itself. I have observed, Mr. Chairman, that this rule is obsolete as to a part of the membership of this House. It is only invoked and its provisions enforced when the Committee on Appropriations desired to stand somebody off whom they think is about to make a raid upon the Treasury. [Applause.] If the rule is to be construed as the gentleman from Illinois now construes it, I say that there are thirteen distinct violations of that rule to be found on the first nineteen pages of this bill. I have only examined it up to the nineteenth page, for the purpose of discovering how little force it has on the Committee on Appropriations; but it is always enforced when they desire to invoke it, and anything like opposition to it is regarded as revolutionary, and gentlemen tell us we who would seek to get from under its pernicious power are revolutionists.

Mr. Chairman, I have but little affection for this rule. In my judgment, it stands on a par with all the other rules of this House, and their inauguration, their inception, their enactment here were of that character that gives me but little respect for them. I make the statement here that their adoption was made possible by the pledge that was made that at a later day, not longer than thirty days, this House would have the opportunity to vote upon a code of rules and to determine whether or not it would have this one as a part of this code. That pledge induced the enactment of these laws. Otherwise, I take it, they would not now be the rules of the House.

There may have been reasons justifying the gentleman upon whom the hand of responsibility was placed by that pledge for not keeping it. About that I have nothing to say; but I do say, and I say it without fear of successful contradiction, that it was that pledge that made it possible then to enact the rules in the form in which they were enacted, and that but for that there would have been a limitation placed upon their duration. So that the rule does not affect me with that idea of sanctity with which I usually desire to regard law. [Applause.]

Mr. WM. ALDEN SMITH. At the request of the gentleman from Iowa and others about me, I desire to read into the RECORD three articles of what is known as the Dickinson-Ayon treaty, entered into between the United States of America and the Republic of Nicaragua on the 21st day of June, 1867. I desire to read Articles XIV, XV, and XVI:

ARTICLE XIV.

The Republic of Nicaragua hereby grants to the United States, and to their citizens and property, the right of transit between the Atlantic and Pacific oceans through the territory of that Republic, on any route of communication, natural or artificial, whether by land or by water, which may now or hereafter exist or be constructed under the authority of Nicaragua, to be used and enjoyed in the same manner and upon equal terms by both Republics and their respective citizens, the Republic of Nicaragua, however, reserving its rights of sovereignty over the same.

ARTICLE XV.

The United States hereby agree to extend their protection to all such routes of communication as aforesaid, and to guarantee the neutrality and innocent use of the same. They also agree to employ their influence with other nations to induce them to guarantee such neutrality and protection.

And the Republic of Nicaragua, on its part, undertakes to establish one free port at each extremity of one of the aforesaid routes of communication between the Atlantic and Pacific oceans. At these ports no tonnage or other duties shall be imposed or levied by the Government of Nicaragua on the vessels of the United States, or on any effects or merchandise belonging to citizens or subjects of the United States, or upon the vessels or effects of any other country intended, bona fide, for transit across said routes of communication and not for consumption within the Republic of Nicaragua.

The United States shall also be at liberty, on giving notice to the Government or authorities of Nicaragua, to carry troops and munitions of war in their own vessels, or otherwise, to either of said free ports, and shall be entitled to their conveyance between them without obstruction by said Government or authorities, and without any charges or tolls whatever for their transportation on either of said routes: *Provided*, Said troops and munitions of war are not intended to be employed against Central American nations friendly to Nicaragua. And no higher or other charges or tolls shall be imposed on the conveyance or transit of persons and property of citizens or subjects of the United States, or of any other country, across the said routes of communication, than are or may be imposed on the persons and property of citizens of Nicaragua.

And the Republic of Nicaragua concedes the right of the Postmaster-General of the United States to enter into contracts with any individuals or companies to transport the mails of the United States along said routes of communication, or along any other routes across the Isthmus, in its discretion, in closed bags, the contents of which may not be intended for distribution within the said Republic, free from the imposition of all taxes or duties by the Government of Nicaragua; but this liberty is not to be construed so as to permit such individuals or companies by virtue of this right to transport the mails to carry also passengers or freight.

ARTICLE XVI.

The Republic of Nicaragua agrees that, should it become necessary at any time to employ military forces for the security and protection of persons and property passing over any of the routes aforesaid, it will employ the requisite force for that purpose; but upon failure to do this from any cause whatever, the Government of the United States may, with the consent, or at the request, of the Government of Nicaragua, or of the minister thereof at Washington, or of the competent legally appointed local authorities, civil or military, employ such force for this and for no other purpose; and when, in the

opinion of the Government of Nicaragua, the necessity ceases, such force shall be immediately withdrawn.

In the exceptional case, however, of unforeseen or imminent danger to the lives or property of citizens of the United States, the forces of said Republic are authorized to act for their protection without such consent having been previously obtained.

But no duty or power imposed upon or conceded to the United States by the provisions of this article shall be performed or exercised except by authority and in pursuance of laws of Congress hereafter enacted, it being understood that such laws shall not affect the protection and guaranty of the neutrality of the routes of transit, nor the obligation to withdraw troops which may be disembarked in Nicaragua directly that, in the judgment of the Government of this Republic, they should no longer be necessary, nor in any manner bring about new obligations on Nicaragua, nor alter her rights in virtue of the present treaty.

A treaty of like import, Mr. Chairman, was made with the Republic of Colombia, under which the United States have interfered three times to preserve order upon the Panama route. This, Mr. Chairman, in my judgment, introduces into the legislation of the United States in a very forcible, vigorous manner the subject of a canal across the Isthmus, and in my humble judgment furnishes some authority for making an appropriation to carry forward the objects guaranteed to the United States under this treaty.

Mr. LACEY. Will the gentleman allow me to ask him a question there?

Mr. WM. ALDEN SMITH. Certainly.

Mr. LACEY. Is not this treaty, then, existing law, and would that not change the existing law, namely, that treaty, by enacting the proposed law?

Mr. WM. ALDEN SMITH. In my judgment, this treaty shows existing conditions, and the appropriation is in furtherance of the object sought, viz, the construction of the canal.

Mr. CANNON. Mr. Chairman, I think the gentleman from Iowa [Mr. LACEY] puts an effective answer to the impassioned speech of the gentleman from Michigan into a single sentence. Yet the gentleman from Michigan, coming to the rescue of the gentleman from Iowa [Mr. HEPBURN], brings here the treaty of 1867, as much as saying there is no law to the gentleman from Iowa [Mr. HEPBURN] that authorizes this appropriation that you have stated, but I have discovered the treaty of 1867, with Nicaragua, that just fits the case, and he has read a portion of it, and then he gravely proceeds to say about the same time we made an exactly similar treaty with Colombia, touching the right to cross the Isthmus of Panama, and we have interfered several times under that treaty. Well, now, if that be so, it would be just as easy to put an amendment in to construct a canal across the Isthmus of Panama.

Mr. WM. ALDEN SMITH. It would not be as wise.

Mr. CANNON. It would not be as wise, and yet it is the same as with Nicaragua. When you are talking about the wisdom, about the law, you are trying to seek with a microscope, and even with the most powerful microscope ever constructed you would not be able to find it, because the law does not exist.

Now, I will ask the committee to bear with me a very few moments while I state the facts as I understand them to be touching the Nicaragua Canal. Away back many and many years ago there was a survey made, under the authority of the United States, at various places across the Isthmus, one at Tehuantepec. One of the earliest documents that I recollect was a magnificently illustrated report of a splendid survey, covering hundreds of pages, with a detailed statement of that survey by United States officers crossing the Isthmus by the so-called Tehuantepec route. What for? That the Government of the United States might be informed as to whether there was a feasible route there, and all about it.

Well, now, it is just as much in order, on account of that survey, to move to purchase a zone or territory on a general appropriation bill to construct a canal along the Tehuantepec route as along the Nicaragua route. There was a survey of the Panama route, and all the while this Government has been trying to get information. Now, if a mere survey for information, without any other legislation, is such a law as to commit this Government to the construction of the canal, then we have got to build one at Panama and one on the Tehuantepec route, and that, too, notwithstanding this Government has incorporated the Maritime Canal Company. The Maritime Canal Company has been performing down there on a Nicaraguan canal and have absolutely thrown up some dikes and done some work.

Now, I beg gentlemen, in discussing this question, not to let their desire touching the propriety of constructing a canal across Nicaragua or at any other point along the Isthmus determine this question of order. I said the other day that under proper guards and conditions I was for the construction of a canal across the Isthmus, and so far as I have knowledge I am inclined to believe the Nicaragua route is the best. I am for a great many other things, but the construction of this canal or of any other public work on our territory or off of it ought to be after due consideration, and then the enactment of a law.

"Well, but," says the gentleman from Iowa [Mr. HEPBURN], "we propose to enact a law here and now." Yes; that is just what you propose to do, notwithstanding the treaty that my friend from Michigan has discovered. Here is the amendment that the gentleman from Iowa introduces. What is the first line? "That the President of the United States be, and is hereby, authorized to acquire by purchase from the States of Costa Rica"—by the way, I believe the gentleman from Michigan [Mr. WM. ALDEN SMITH] did not play the Costa Rican card, did he? [Laughter.] He played the Nicaragua treaty.

Mr. WM. ALDEN SMITH. This is a treaty with Nicaragua.

Mr. CANNON. Yes; but you say it authorizes you under that treaty to perform in Costa Rica. [Laughter.]

is hereby authorized to acquire by purchase from the States of Costa Rica and Nicaragua, for and in behalf of the United States, such portion of territory now belonging to Costa Rica and Nicaragua as may be desirable and necessary to construct, control, and defend a canal of such depth as will be sufficient, etc.

SEC. 2. When the President has secured the territory referred to he shall direct the Secretary of War to excavate and construct a canal and waterway, etc.

He says what the capacity shall be. Also that he shall construct safe harbors at Quito and Grey Town. Then it adopts a route; it says what that shall be—Quito to Grey Town, following the San Juan River, and utilize Lake Nicaragua. That he proposes to write into the law that it shall be done. If that is the law now, why in the world is the gentleman from Iowa undertaking to write it in again? There it is.

Mr. BAILEY. Will the gentleman from Illinois permit me to interrupt him?

Mr. CANNON. With great pleasure.

Mr. BAILEY. The question of order is not entirely clear, but I agree with the gentleman from Illinois that it ought not to be mixed up with the merits of the proposition. The survey has been made, and there is room for a difference of opinion as to whether that was the beginning of the work or not. I suggest that there is an easy solution, and that is that we agree to make the bill a special order after the conclusion of this appropriation bill, and that will save any further question.

Mr. CANNON. I will say to my friend from Texas, touching that matter, that it is not in his power and mine to agree to that. But I will say to my friend further that if this is a work in progress within the meaning of Rule XXI, then this amendment is in order. Let us test it for a moment. Suppose you strike out all of this amendment and put in "there is hereby appropriated $115,000,000 for the construction of the Nicaragua Canal, according to the work now in progress." Does my friend from Texas think there would ever be one dollar expended under that appropriation if there was never anything else done?

Why, my friend will see at once there could not be. Yet there must be a public work or object in progress, if it is not authorized by a prior law, in esse, in being, to which you could apply the money appropriated. There is no such thing in progress, and such an appropriation would not be worth the paper it is written on; and therefore the gentleman from Iowa takes good care to provide—

That the President be, and is hereby, authorized to acquire by purchase the territory, etc.

Now, suppose this was being considered——

Mr. BAILEY. I realize the strength of the argument which the gentleman is making along that line, just as I realize the strength of the argument in the other direction; and in order to avoid a decision between the two I rose to ask that we arrange by unanimous consent for the consideration of this bill, and thus separate it from the appropriation bill.

Mr. CANNON. In the first place, you can not do it in Committee of the Whole——

Mr. BAILEY. The gentleman from Illinois knows very well that if all parties were to say they would obviate the decision of this difficult question at this time by going into the House and asking unanimous consent, we would get it.

Mr. CANNON. Now, let me say to the gentleman how this matter can be reached without unanimous consent, because you generally find some one person in the House who will object to almost anything. Let me tell the gentleman how it can be done. To-morrow if this appropriation bill is not completed, I shall move to go into Committee of the Whole. If a majority of this House does not want to further consider this bill in Committee of the Whole at that time, it can vote my motion down. Then the next step in order is to arrive at a morning hour. "Ah! but," says my friend, "can we get there?" A majority of the House can arrive at a morning hour; and as soon as that morning hour is over my friend knows the House can resolve itself into Committee of the Whole for the consideration of bills upon the Calendar, and can designate this particular bill and consider it and pass it. A majority can do that. Why has not the gentleman from Iowa been seeking that remedy? [Laughter.]

Mr. HEPBURN. I think it appropriate that I should answer that question. One reason I have not "sought that remedy" was

because the gentleman three or four days ago served warning upon the House that every moment of its time would be required in order that the needed appropriation bills could be passed; that no time could be given for the consideration of this measure or of the Payne bill.

Mr. CANNON. Now, a word in reply to that. "The gentleman from Illinois" is one man. A majority of this House can refuse to consider anything which it does not want to consider, and can proceed to consider what it desires to consider.

Mr. BAILEY. That statement may satisfy the gentleman from Illinois, but it will not satisfy the House.

Mr. CANNON. Let me finish with the gentleman from Iowa. [Laughter.]

Now, let us consider a minute. This session of Congress met on the first Monday of last December—the last session of the Congress. The Committee on Interstate Commerce, so ably presided over by the gentleman from Iowa, was then in existence. There was the same necessity then as now for the construction of the Nicaragua Canal. All December passed by—plenty of time. Then came January. All January passed by—a good deal of time. Meanwhile we were preparing the general appropriation bills, some of which have not yet been reported—notably the naval bill—possibly the Army bill. All this time no report came from the gentleman from Iowa or his committee. Now he does come with his report; but when? On February 13 for the first time he comes with his report upon the Nicaragua Canal—two months and a half after this session of Congress began; and then when I seek——

Mr. HEPBURN rose.

Mr. CANNON. I will yield to the gentleman in a moment. And then when I seek as one member of the House to place it in the power of a majority of the House—I being charged by my committee with the annual money bills—that they should have an opportunity to pass them if they wanted to, and if they did not want to, to refuse to consider them—with three weeks of the session only in front of us, and if they are not considered, with a special session of Congress in front of us, because the annual appropriation bill must pass before the 1st day of next July, or the machinery of the Government stops—in comes the Iowa joker turning a double somersault and champing on the bit [laughter], and seeks to move this bill upon the great sundry civil bill and tries to juggle with the House and persuade it that it is the only chance which the House has to pass the bill.

Gentlemen, that proposed method of consideration and legislation is bad consideration and bad legislation. It leads to mistakes or it leads to fraud—sometimes one and sometimes the other. And whenever I find a patriot who is so anxious to get in his measure on a supply bill which must pass or the machinery of the Government stop, and he knows that he wants to get on there as a "rider"—because then, whether a good rider or not, as the appropriation bill goes through he rides through and arrives at the goal—whenever I see that thing done or attempted, unless it be upon some matter of such importance that all the members assent to it, I say that somebody is getting ready to enact legislation which in some of its provisions may perchance not be provident, to say the least of it.

Now, I stand here performing a duty to this House. What is it? As one member of the House—just as large as any other member, and no larger; just as good as any other, so far as the rules of the House are concerned, and no better—I stand in my place under the organization of the House, charged by my committee with this bill carrying $62,000,000 and running all along the lines of the public service, and when the gentleman from Iowa comes here and offers his bill as an amendment to this general appropriation bill I rise in my place and invoke Rule XXI.

What is Rule XXI? That no appropriation shall be in order upon any general appropriation bill, by amendment or otherwise, unless previously authorized by law, or unless in pursuance of a public work or object already in progress. Now, I invoke that rule. What for? Because it is my duty to do it; because I want this bill to be enacted; because the rider ought not to go on; because there is no sufficient time to consider it; because this rule, substantially as it is now, was adopted before the gentleman from Iowa was born and before I was born, away back in 1836 or 1837, and was found to be absolutely necessary, because the riders went onto general appropriation bills and they failed, one after another. So the rule has been continued from that time to this.

Now, the gentleman from Iowa believes that a majority of this House agree with him and agree with me that under apt and proper provision the Nicaragua Canal should be constructed. Therefore he seeks to force it on here whether or no, and in doing it violates the rules which have been growing up for the good government of the House of Representatives made under the Constitution and which are the growth of a hundred and ten years. They have never been violated, where a protest has been made against such violation, with profit to anybody; never. Therefore I am not willing that this amendment should go on here upon this bill.

Let us look a minute and see where it would legitimately lead us. If this amendment be in order, it is in order to amend it, to provide that if Nicaragua and Costa Rica will not sell, the President of the United States shall be directed to seize. There are two ways of acquiring territory, one by purchase and treaty and another by conquest. If you can provide that the President of the United State shall seize, you can provide in that event for the raising of an army.

Mr. WM. ALDEN SMITH. Mr. Chairman——

The CHAIRMAN. Does the gentleman from Illinois yield to the gentleman from Michigan?

Mr. CANNON. In a minute. If you can provide for the raising of an army, you can provide, and have it germane and just as much in order as this is, for borrowing money or levying taxation to pay it. Therefore these rules, the growth of a hundred years, have declared that no amendment shall be in order unless it is germane. This amendment is not germane to anything in this bill and therefore is not in order.

Again, Rule XXI expressly prohibits any appropriation without prior authority by legislation. You can not find that authority. It does not exist.

Mr. WM. ALDEN SMITH. Mr. Chairman——

The CHAIRMAN. Does the gentleman from Illinois yield to the gentleman from Michigan?

Mr. CANNON. Certainly.

Mr. WM. ALDEN SMITH. The gentleman from Illinois has just stated that he would be willing, in furtherance of the object sought to be obtained, to acquire lands and other property necessary to carry on this great work. I desire to draw the attention of the gentleman from Illinois and of the committee to a treaty entered into by Mr. Frelinghuysen in 1884, containing a provision——

Mr. CANNON. Which was never ratified.

Mr. WM. ALDEN SMITH. I do not say that it was ever ratified.

Mr. CANNON. Then I can not yield further.

Mr. WM. ALDEN SMITH. But this is in furtherance of the objects which the framers of that treaty had in mind.

Mr. CANNON. It is a last year's bird's nest that never held an egg.

Mr. WM. ALDEN SMITH. Now, Mr. Chairman, if the last year's bird wants to get into the nest, I am perfectly willing. [Laughter.]

Mr. CANNON. Oh, this is all right.

The CHAIRMAN. The Chair trusts the committee will be in order.

Mr. CANNON. Now, one word further as to the policy of legislating in this way. It is sometimes easy to write laws upon the statute books under the influence of zeal or passion and without full consideration. Sometimes when they are written upon the statute books with full consideration they return to plague those who enacted them. If I recollect aright, the Pacific railroad legislation was enacted as a separate bill and we all huzzahed, "Grand! Splendid! A great war measure!" It was. If I had been there, I am satisfied I would have voted for it. It was the pioneer road across the continent, the original explorer. It was constructed.

After my election to Congress I came down just about at this time in the last session of the Forty-second Congress to look on, and I saw march down that aisle from the Republican side that great man of business, since gone to his long home; and I saw that great parliamentarian and publicist and journalist from New York, who had builded up a reputation from a long lifetime, from the other side of the House, march down in front and receive the reprimand of the Speaker for matters connected with the construction of those great railways.

You say, am I sorry those railways were constructed? No. Grand in achievement, splendid in conception, they brought out great things, but I would to God that the men who authorized them had taken a little more time, had put better guards about the enacting clause. The project could have waited six months or could have waited a year. It could have awaited timely and seemly consideration. I would to God they had done it, and that honored heads and great men in the country should not have had their hairs brought down in sorrow to the grave from loose and hurried legislation.

And now, as my duty is with this amendment pending here, an amendment in aid of a thing that is near to the heart of the American people and that will be worked out, considering the public sentiment North and South and East and West, as it comes here, you know, and grips hold of this great supply bill, and which is to be passed in a twinkling of an eye, recollecting the past and knowing the dangers of hurried legislation and improper provisions and improper lodgment of power, I stand, not with the cross, but with the rules, containing Rule XXI, the concrete wisdom of the Congress for the guidance in the enactment of law for one hundred and ten years, I stand and hold it up and interpose it, as it is my duty, as one member of this House, and say it can not in

this way be dishonored by being put upon this bill. If you put it there, it goes with the stamp of suspicion and distrust and illegitimacy that will follow it from its birth to the time of its manhood.

A MEMBER on the Democratic side. It is no worse than your rules.

Mr. CANNON. Oh, good God, how that sounds like a parrot. [Laughter.]

Mr. BAILEY. Mr. Chairman——

Mr. CANNON. Now, I do not know that there is anything further for me to say. There are certain things in the world that the experience of the world shows can not be done with impunity. Why, take the social relations. You understand that the laws and the customs that are placed upon the race are absolutely necessary for the preservation of the race, and he or she or they who set them to one side, being the concrete wisdom that has been gathered in all our civilization, do so at their peril.

So, I say again, the parliamentary practices and usages of this greatest parliamentary body on earth have evolved and grown in Great Britain and in this country, not only in representative halls, but in courts, upon the battlefield, upon land and sea, and are a part of our civilization. There they stand. Applied to the present bill carrying $62,000,000 for the public service, the rule of the House says, first, that an amendment must be germane, and second, that it must comply with existing law or be in continuation of a public work or object in progress.

And yet gentlemen say, thrust it aside. Why, the gentleman from Iowa [Mr. HEPBURN], good lawyer as he is, able advocate as he is, after he had argued this case, turned around, and I say it with respect, if it had been in the State of Illinois, or Indiana, or Iowa, and he had turned around and had done what he did here, it seems to me he was guilty of what out in that country they would call pettifogging. [Laughter.]

He began to talk about the Committee on Appropriations and the rules of this House and the adoption of those rules, to humble them, to disgrace them, to discredit them. He spat upon them. Why, the rules of the House are the servants of the House. The committee I belong to is the servant of the House, and so is the committee that you belong to, I will say to my honored friend, and I will say that that attempt to prejudice shed no light upon the question and was not worthy of the gentleman who made it, in my judgment.

Mr. HEPBURN addressed the Chair.

The CHAIRMAN. The gentleman from Texas is recognized.

Mr. BAILEY. If the gentleman from Iowa desires to make reply to the gentleman from Illinois now, I will yield for that purpose.

Mr. HEPBURN. Only a moment. Thank you.

Mr. Chairman, every member of this committee was impressed not only with the language, but the manner and the spirit of the gentleman from Illinois when he pronounced his eulogy upon the rules, their sacred character, as he held them aloft, speaking of the cross, and assimilated their sacredness to that sacred emblem. It was a very dramatic episode in the gentleman's speech, and would seem to indicate that the rules of this House had some coercive force upon his action, and that the rules of this House, he thought, ought to be obeyed. Yet the gentleman charged me with an offense against the House, in juggling with it.

Mr. Chairman, look at this bill. In the first 19 pages of it the gentleman himself thirteen times violated that rule. [Applause.] Thirteen times! And I undertake to say that I can find 75 distinct and substantive violations of the rules.

Mr. GROSVENOR. Will the gentleman allow me?

Mr. HEPBURN. And yet he holds them up for the purpose of his argument. So I say.

Mr. GROSVENOR. I call the gentleman's attention to page 76 of this bill:

Improving harbor at San Pedro, Cal.: For continuing construction of breakwater at San Pedro, Cal., in accordance with the plans and specifications of the board appointed by the President, as provided in the act of June 3, 1896, $300,000.

Simply an appropriation upon the report of a commission to certify and report.

Mr. CANNON. Not at all. In the very language of the river and harbor act, "continuation of contract."

Mr. HEPBURN. Let me call your attention to page 7, line 8.

Mr. GROSVENOR. It is not a contract.

Mr. HEPBURN:

Tender for the engineer, Third light-house district: For new steam tender, for construction and repairs in the Third light-house district, New York, $85,000.

And yet can the gentleman find any authority for that in the statute? Bills are now pending in this House to authorize the construction of that vessel. No authority in law has been given. It is a wanton violation of the rule, for there is no authority for that construction; and now this amount is to be given. [Applause.] There are two others of precisely the same character as that; and I could go on and point out proviso after proviso whereby the gentleman breaks and limits the appropriations that he makes. He turns them out of their natural channel and limits them as to the amount that shall be paid in a given time. Over and over he violates this rule which he wants to invoke in order to control the action of others.

Mr. CANNON. Will the gentleman allow me at this point?

Mr. HEPBURN. Certainly.

Mr. CANNON. In all general appropriation bills there are matters like unto that reported by the Committee on Appropriations. They sometimes pass and sometimes do not; but they always go out if the gentleman from Iowa or any other member invokes the rule. I here invoke the rule.

Mr. HEPBURN. Then undoubtedly the gentleman can be——

Mr. GROSVENOR. Then the committee violates the rule, and waits for somebody else to be advised of it. [Laughter and applause.]

Mr. HEPBURN. Undoubtedly the gentleman can be kept within the rule if the gentleman from Iowa could always be after him [laughter]; but I can not anticipate what the committee will do.

Mr. CANNON. Well, I am after you in this. [Laughter.]

Mr. HEPBURN. If I can bring it about, I intend you shall continue to be after me, and a long way behind. [Renewed laughter.]

The first sentence of the second section of that rule is this:

No appropriation shall be reported in any general appropriation bill, etc.

[Laughter.]

Bringing in a bill making an appropriation and hoping it may escape observation, that others may not be diligent, and in that way the rule may be violated. I say if you are going to give the liberal construction to this rule that the gentleman now insists on, he is guilty of a crime against the dignity of the House, and has violated the rules over and over again; he has spat on the rules over and over again. [Laughter.]

Mr. Chairman, the gentleman has had something to say about the dereliction of the committee over which I have the honor to preside. He knows, or ought to know, that that committee, month after month, has been considering this question; he knows, or ought to know, that committee at the last Congress reported a bill. He knows, or ought to know, that there was a petition signed by 300 members, I am told, of this House, asking for its consideration; and notwithstanding the fact that the rules are so easy, that consideration is so possible that anybody can have it when they want it for any measure that they please; notwithstanding that fact, with all of these months of consideration, there was not one poor moment that could be given to the consideration of that great measure.

The gentleman says that our report ought to have been in long ago. Does he not know that two of the surveying parties connected with this commission are still in Nicaragua; that the commission have not their material; that they have not yet made their final report; that their preliminary report was only made fifteen or twenty days ago, and every moment of time of every session of that committee, since and before that, has been given to the consideration of this great question? But I undertake to say that the gentleman needs no further information. If there is any one question known to the American people; one that they have determined upon; one that they have pronounced good, it is this. The gentleman ought to remember that for twenty years it has been a subject for discussion, and for the last six years it has secured more or less of the attention of the committees of this House.

The gentleman tells us how easy it is to secure the passage of this bill. Ah, but he omitted an important matter; he would move to take up this bill to-morrow. A majority could refuse. Then a call of committees; but he forgot to tell you that under a call of committees we can go to the House Calendar, and this bill is upon the Union Calendar. Ah, says the gentlemen—or he would say it if he knew that much of the rules [laughter]—he would say that after one hour has been passed under that order, then, at the suggestion of a committee, a motion may be made to go to the Union Calendar and to take up a particular bill. That perhaps is the language of the rule; but preliminary to that motion, certainly preliminary to its being effective, the Speaker must recognize you. [Laughter.] Who juggles with the House? [Laughter.] That is all, Mr. Chairman. I have to say upon this question.

Mr. GROSVENOR. Mr. Chairman, I suggest whether, it now being 5 o'clock, it would not be wise for the committee to rise——

Mr. HEPBURN. Let us get through with this first.

Mr. BAILEY rose and was recognized by the Chair.

Mr. CANNON. Does the gentleman from Texas desire to be heard now or to-morrow?

Mr. BAILEY. It will be impossible to conclude this to-night, and I think the committee might as well rise.

Mr. CANNON. I move, Mr. Chairman, that the committee now rise.

The motion was agreed to; and accordingly the committee rose, and the Speaker having resumed the chair, Mr. HOPKINS, Chairman of the Committee of the Whole House on the state of the Union, reported that the committee had had under consideration the sundry civil appropriation bill, and had come to no resolution thereon.

ARMY APPROPRIATION BILL.

Mr. HULL. Mr. Speaker, I submit the report from the Committee on Military Affairs on the appropriation bill for the Army for the next fiscal year, and I will ask the House to take it up as soon as the fortification bill is finished.

Mr. HAY. Mr. Speaker, I reserve all points of order.

The SPEAKER. The gentleman from Iowa, the chairman of the Committee on Military Affairs, reports the bill (H. R. 12106) making appropriations for the support of the Army for the fiscal year ending June 30, 1900, which will be printed and referred to the Committee of the Whole House on the state of the Union, and all points of order are reserved thereon.

ENROLLED BILL SIGNED.

Mr. HAGER, from the Committee on Enrolled Bills, reported that they had examined and found truly enrolled a bill of the following title; when the Speaker signed the same:

H. R. 26. An act for the establishment of a light and fog-signal station on or near Hog Island Shoal, Narragansett Bay, Rhode Island.

The SPEAKER announced his signature to enrolled bills of the following titles:

S. 2616. An act granting a pension to Harriette F. Hoey;

S. 4231. An act granting an increase of pension to Millie A. Berry;

S. 5186. An act to amend an act entitled "An act to amend the statutes in relation to immediate transportation of dutiable goods, and for other purposes," approved June 10, A. D. 1880, by extending the privileges of the first section thereof to the subport of Miami, Fla.;

S. 1827. An act granting an increase of pension to Stephen M. Davis; and

S. 831. An act to increase the pension of Thomas J. Haughey.

REMOVAL OF SNOW AND ICE IN THE CITY OF WASHINGTON.

Mr. CANNON. Mr. Speaker, I ask unanimous consent to take the joint resolution (S. R. 245) to provide for the removal of snow and ice in the city of Washington, in the District of Columbia, from the Speaker's table and pass it.

The Clerk read the joint resolution, as follows:

Resolved by the Senate and House of Representatives, etc., That the following sums are hereby appropriated, out of any money in the Treasury not otherwise appropriated, to be immediately available, for the following object, namely:

For cleaning snow and ice from the streets and avenues of the District of Columbia, $20,000, one-half of said sum to be paid out of the revenues of the District of Columbia and the other half out of the Treasury of the United States.

The SPEAKER. Is there objection to the present consideration of the joint resolution?

Mr. TODD. I object to that, Mr. Speaker, because I think the amount is too great.

Mr. CANNON. It will not be expended unless it is absolutely necessary.

Mr. TODD. Let the gentleman bring in a bill with a proper amount.

Mr. CANNON. My friend is mistaken; I think there ought to be as much as $20,000 available for the balance of the season.

Mr. TODD. I would suggest that if there is any member of the District of Columbia Committee here that he state how many men are now employed in cleaning the streets.

Mr. CANNON. I doubt if any member of the committee knows.

Mr. TODD. Then how do they know how large an appropriation should be made?

Mr. CANNON. I will say to my friend that they are out of money now. The Senate passed this bill yesterday, and I think they are anticipating, in the work of cleaning the streets, the passage of this bill.

Mr. TODD. I have endeavored to get information from the Committee on the District of Columbia as to the needs for this purpose, and I can get no information that any such sum is necessary. I do not approve of making appropriations without some evidence of the sum necessary. The chairman of the Committee on the District of Columbia can not tell how many men they have employed.

Mr. MUDD. No one can tell that.

Mr. TODD. I shall object to it.

Mr. CANNON. Well, my friend can take the responsibility and let these poor people who are shoveling the snow go hungry, if he wants to. I will say to him that the District Commissioners will not waste a dollar.

Mr. TODD. Does the gentleman think that Congress would refuse to pass a deficiency bill?

Mr. CANNON. No; but it is an offense to spend the money unless it is available.

Mr. TODD. Does not the gentleman bring in a deficiency bill and have Congress pass it at every session?

Mr. CANNON. The deficiency bill is not a deficiency in the sense that the gentleman from Michigan understands it. A deficiency bill, in common parlance, is for the balance of a year, in the future; that is, the appropriations not being sufficient for the balance of the year to carry it to the 30th of June.

Mr. TODD. Mr. Speaker, I wish the streets to be clean, but I am not willing to provide any exorbitant amount.

Mr. CANNON. Well, my friend will have to take the responsibility.

Mr. TODD. I will withdraw my objection, Mr. Speaker, as the gentleman agrees that only an adequate amount of the appropriation will be expended.

The SPEAKER. Is there further objection? The Chair hears none. The question is on ordering the joint resolution to a third reading.

Mr. MIERS of Indiana. Is it in order to move an amendment?

Mr. CANNON. I hope my friend will not do that. There is no quorum here.

Mr. MIERS of Indiana. If it is in order, I move to amend by striking out, after the words "twenty thousand dollars," the words "one half of said sum," and after the words "District of Columbia" striking out "and the other half out of the Treasury of the United States;" so as to read: "Twenty thousand dollars, to be paid out of the revenues of the District of Columbia."

Mr. CANNON. While the House might concur in that amendment, and I should have no objection to it personally, yet I will say to my friend that there has been a long contest about this matter; and if the gentleman insists on this amendment, it means no appropriation at all for this purpose. I think my friend will find an opportunity later to insist upon this principle in such a way that it will not work any hardship. I hope he will not move the amendment.

Mr. SIMPSON. I hope the gentleman will insist on the amendment.

Mr. CANNON. I hope the amendment will not be moved. I move the previous question.

Mr. BOTKIN. I am informed that the Senate has adjourned; and it occurs to me that it is impossible to put an amendment on this proposition without injury to those to whom this resolution may give employment.

Mr. MIERS of Indiana. Mr. Speaker, I would not be put in the attitude of causing suffering humanity to suffer more than is necessary; but I thoroughly believe that these people who are at work clearing the streets of Washington will be paid, whether the money comes out of funds belonging to the District of Columbia or out of the Treasury of the United States. I thoroughly believe that this expense should be paid out of the funds of the District of Columbia. Therefore I insist on the amendment.

Mr. CANNON. I move the previous question, Mr. Speaker. The amendment has not been read at the desk.

The SPEAKER. The amendment of the gentleman from Indiana would be admissible.

Mr. CANNON. It has not been read at the desk. It seems to me it would not be admissible.

The SPEAKER. The gentleman had the floor to offer it.

Mr. CANNON. Very well. If the Chair thinks the gentleman had the floor to offer the amendment, I will move the previous question upon it.

Mr. BAILEY. I think the gentleman from Illinois mistakes the purpose of the gentleman from Indiana. If the amendment is offered and adopted, very well. If it be rejected, there is no disposition on the part of the gentleman from Indiana to delay or defeat the passage of the resolution.

Mr. CANNON. Very well; let us have a vote.

The SPEAKER. The question is on the amendment of the gentleman from Indiana.

The amendment was read, as follows:

After the words "twenty thousand dollars" strike out "one half of said sum;" and after the words "District of Columbia" strike out "and the other half out of the Treasury of the United States;" so as to read, "$20,000, to be paid out of the revenues of the District of Columbia."

Mr. CANNON. I now move the previous question.

The previous question was ordered.

The question being taken on the amendment of Mr. MIERS of Indiana, it was rejected.

The joint resolution was then ordered to a third reading, read the third time, and passed.

WITHDRAWAL OF PAPERS.

Mr. FARIS, by unanimous consent, obtained leave to withdraw from the files of the House without leaving copies the papers in the case of James F. Dickey, Fifty-fifth Congress, no adverse report having been made thereon.

And then, on motion of Mr. PAYNE (at 5 o'clock and 15 minutes p. m.), the House adjourned.

EXECUTIVE COMMUNICATIONS, ETC.

Under clause 2 of Rule XXIV, a letter from the Acting Secretary of the Interior, transmitting, with accompanying papers, a report on the character and value of certain improvements on lands which have become a part of the Wind River or Shoshone Reservation in Wyoming, was taken from the Speaker's table, referred to the Committee on Indian Affairs, and ordered to be printed.

REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS.

Under clause 2 of Rule XIII, bills and resolutions of the following titles were severally reported from committees, delivered to the Clerk, and referred to the several Calendars therein named, as follows:

Mr. HENDERSON, from the Committee on the Judiciary, to which was referred the bill of the Senate (S. 5376) authorizing the terms of the district court of the United States for the southern district of Mississippi to be held hereafter at Biloxi, reported the same without amendment, accompanied by a report (No. 2105); which said bill and report were referred to the House Calendar.

Mr. DE ARMOND, from the Committee on the Judiciary, to which was referred the bill of the House (H. R. 11740) to change and fix the time of holding the terms of the district and circuit courts at Batesville, Ark., reported the same without amendment, accompanied by a report (No. 2106); which said bill and report were referred to the House Calendar.

Mr. OVERSTREET, from the Committee on the Judiciary, to which was referred the bill of the House (H. R. 5497) to provide for terms of the circuit and district courts of the western judicial district of the State of Texas, to be held at the city of Laredo, and for other purposes, reported the same without amendment, accompanied by a report (No. 2107); which said bill and report were referred to the House Calendar.

Mr. GROSVENOR, from the Committee on Ways and Means, to which was referred House bill 11814, reported in lieu thereof a bill (H. R. 12102) to encourage the holding of the Ohio Centennial and Northwest Territory Exposition at the city of Toledo, Ohio, accompanied by a report (No. 2108); which said bill and report were referred to the Committee of the Whole House on the state of the Union.

Mr. STEVENS of Minnesota, from the Committee on the Public Lands, to which was referred the bill of the House (H. R. 11938) to amend an act entitled "An act for the relief of settlers on public lands," approved May 14, 1880, reported the same with amendment, accompanied by a report (No. 2111); which said bill and report were referred to the House Calendar.

Mr. HULL, from the Committee on Military Affairs, reported a bill (H. R. 12106) making appropriations for the support of the Army for the fiscal year ending June 30, 1900, accompanied by a report (No. 2112); which said bill and report were referred to the Committee of the Whole House on the state of the Union.

REPORTS OF COMMITTEES ON PRIVATE BILLS AND RESOLUTIONS.

Under clause 2 of Rule XIII, private bills and resolutions of the following titles were severally reported from committees, delivered to the Clerk, and referred to the Committee of the Whole House, as follows:

Mr. YOST, from the Committee on Claims, to which was referred the bill of the House (H. R. 11826) for the relief of George S. Day & Bro., reported the same with amendment, accompanied by a report (No. 2109); which said bill and report were referred to the Private Calendar.

Mr. CLARDY, from the Committee on Claims, to which was referred the bill of the Senate (S. 2773) for the relief of Virginia I. Mullan, of Annapolis, Md., reported the same without amendment, accompanied by a report (No. 2110); which said bill and report were referred to the Private Calendar.

PUBLIC BILLS, RESOLUTIONS, AND MEMORIALS INTRODUCED.

Under clause 3 of Rule XXII, bills, resolutions, and memorials of the following titles were introduced and severally referred as follows:

By Mr. GROSVENOR, from the Committee on Ways and Means: A bill (H. R. 12102) to encourage the holding the Ohio Centennial and Northwest Territory Exposition at the city of Toledo, Ohio—to the Union Calendar.

By Mr. HULL, from the Committee on Military Affairs, reported a bill (H. R. 12106) making appropriations for support of the Army for the fiscal year ending June 30, 1900—to the Committee of the Whole House on the state of the Union.

By Mr. SMITH of Arizona: A memorial from the legislature of the Territory of Arizona, favoring the repeal of all laws prohibiting the grazing of live stock on the public domain—to the Committee on the Territories.

Also, a memorial of the Arizona legislature praying that the Pima County railroad bonds be invalidated—to the Committee on the Territories.

By Mr. OSBORNE: A memorial from the legislature of Wyoming to prohibit the desecration of the national flag—to the Committee on the Judiciary.

Also, a memorial from the legislature of Wyoming asking for legislation to prevent the subletting of mail contracts over star routes in the United States—to the Committee on the Post-Office and Post-Roads.

PRIVATE BILLS AND RESOLUTIONS INTRODUCED.

Under clause 1 of Rule XXII, private bills and resolutions of the following titles were introduced and severally referred as follows:

By Mr. CODDING: A bill (H. R. 12103) to pension Jonas A. Gray—to the Committee on Invalid Pensions.

By Mr. DRIGGS: A bill (H. R. 12104) granting a pension to Maria S. Urban, widow of Maj. Casper Urban, late of Fifth New York Heavy Artillery, in war of rebellion—to the Committee on Invalid Pensions.

By Mr. MEYER of Louisiana: A bill (H. R. 12105) to provide an American register for the steamer *Esther* of New Orleans, La.—to the Committee on the Merchant Marine and Fisheries.

PETITIONS, ETC.

Under clause 1 of Rule XXII, the following petitions and papers were laid on the Clerk's desk and referred as follows:

By Mr. BOTKIN: Petition of the Woman's Christian Temperance Union and Methodist, Presbyterian, and Baptist churches of Newton, Kans., for the abolition of the sale of liquor in Government buildings, etc., the exclusion of pictures of prize fights from the mails, and the prohibition of interstate gambling by telegraph—to the Committee on the Judiciary.

By Mr. CODDING: Paper to accompany House bill for the relief of Jonas A. Gray—to the Committee on Invalid Pensions.

By Mr. DE VRIES: Petition of citizens of Lodi, Cal., to prohibit the sale of liquor in Government buildings, etc.—to the Committee on Alcoholic Liquor Traffic.

Also, remonstrance of citizens of Lodi, Cal., against the seating of Brigham H. Roberts as a Representative from Utah—to the Committee on Elections No. 1.

By Mr. HENDERSON: Petitions of Mrs. M. J. O. Whiting and other citizens of Belmond, Iowa, in favor of legislation to abolish the camp canteen system—to the Committee on Military Affairs.

By Mr. HULL: Petition of Lewis B. Tabor and other citizens of the State of Iowa, against the seating of Brigham H. Roberts as a Representative from Utah—to the Committee on Elections No. 1.

By Mr. KERR: Petitions of citizens of Oberlin, Elyria, and vicinity, State of Ohio, against the seating of Brigham H. Roberts as a Representative from Utah—to the Committee on the Judiciary.

Also, petition of the First Baptist Church of Elyria, Ohio, in favor of the Ellis bill—to the Committee on Alcoholic Liquor Traffic.

By Mr. McCLELLAN: Petition of the brewing industry of the United States, for a reduction in the tax upon malt liquors to the former rate—to the Committee on Ways and Means.

By Mr. OSBORNE: Petition of Cheyenne Division, No. 128, Order of Railway Conductors, favoring the passage of an eight-hour labor law—to the Committee on the Judiciary.

By Mr. ROBINSON of Indiana: Petition of the Free Will Baptists of Wawaka, Ind., against the seating of Brigham H. Roberts as a Representative from Utah—to the Committee on Elections No. 1.

By Mr. STONE: Petition and papers to accompany House bill No. 12098, granting a pension to Teressa C. Scudder—to the Committee on Invalid Pensions.

By Mr. TODD: Report of service of the late Capt. Charles V. Gridley, United States Navy, and letter of Admiral Dewey, to accompany House resolution No. 357, for a monument to Captain Gridley—to the Committee on the Library.

By Mr. WEAVER: Petition of the Methodist Episcopal Church of Bloomingburg, Ohio, P. L. Mark, pastor, to prohibit the sale of liquor in canteens and in immigrant stations and Government buildings—to the Committee on Alcoholic Liquor Traffic.

Also, petitions of the Presbyterian Church and Methodist Episcopal Church of Bloomingburg, Ohio, to forbid the transmission of lottery messages by telegraph—to the Committee on the Judiciary.

Also, petition of the Presbyterian and Methodist Episcopal

churches of Bloomingburg, Ohio, for the passage of a bill to protect State anti-cigarette laws—to the Committee on Interstate and Foreign Commerce.

By Mr. YOST: Petition of the heirs of William Trent, deceased, late of Appomattox County, Va., praying reference of his war claim to the Court of Claims—to the Committee on War Claims.

SENATE.

WEDNESDAY, *February 15, 1899.*

Prayer by the Chaplain, Rev. W. H. MILBURN, D. D.

The Secretary proceeded to read the Journal of yesterday's proceedings, when, on motion of Mr. HALE, and by unanimous consent, the further reading was dispensed with.

SHOSHONE INDIAN RESERVATION.

The VICE-PRESIDENT laid before the Senate a communication from the Secretary of the Interior, transmitting the report and accompanying investigation made by United States Indian Inspector Charles F. Nesler relative to the kind, extent, character, and value of the improvements made by white men, citizens of the United States, since 1868, upon tracts of land settled upon, occupied, and improved prior to the date of the treaty creating the Wind River or Shoshone Indian Reservation, in the State of Wyoming, etc.; which, on motion of Mr. HALE, was, with the accompanying papers, referred to the Committee on Indian Affairs, and ordered to be printed.

SHIP GANGES.

The VICE-PRESIDENT laid before the Senate a communication from the Court of Claims, transmitting the conclusions of fact and of law filed by the court under the act of January 20, 1885, in the French spoliation claims, relating to the ship *Ganges*, Charles Langford, master; which, with the accompanying papers, was referred to the Committee on Claims, and ordered to be printed.

WASHINGTON AND UNIVERSITY RAILROAD.

The VICE-PRESIDENT laid before the Senate the annual report of the Washington and University Railroad Company, of the District of Columbia; which was referred to the Committee on the District of Columbia, and ordered to be printed.

MESSAGE FROM THE HOUSE.

A message from the House of Representatives, by Mr. W. J. BROWNING, its Chief Clerk, announced that the House had passed the following bill and joint resolution:

A bill (S. 5355) to amend an act entitled "An act authorizing the Aransas Harbor Terminal Railway Company to construct a bridge across the Corpus Christi Channel, known as the Morris and Cummings Ship Channel, in Aransas County, Tex.; and

A joint resolution (S. R. 245) to provide for the removal of snow and ice in the city of Washington, D. C.

The message also announced that the House had passed a bill (H. R. 12094) making an appropriation for clearing the Potomac River of ice; in which it requested the concurrence of the Senate.

ENROLLED BILLS SIGNED.

The message further announced that the Speaker of the House had signed the following enrolled bills; and they were thereupon signed by the Vice-President:

A bill (S. 821) to increase the pension of Thomas J. Haughey;

A bill (S. 1827) granting an increase of pension to Stephen M. Davis;

A bill (S. 2616) granting a pension to Harriette F. Hovey;

A bill (S. 4231) granting an increase of pension to Millie A. Berry; and

A bill (S. 5186) to amend an act entitled "An act to amend the statutes in relation to immediate transportation of dutiable goods, and for other purposes."

PETITIONS AND MEMORIALS.

The VICE-PRESIDENT presented a petition of the legislature of the Territory of Arizona, praying for the enactment of legislation to render invalid Pima County, Ariz., bonds issued to the Arizona Narrow Gauge Railroad Company; which was referred to the Committee on Territories, and ordered to be printed.

Mr. HALE presented the memorials of Franz N. Simmons and 273 other citizens, of J. H. Litchfield and 20 other citizens, A. F. Gerald and 19 other citizens, James A. Rich and 19 other citizens, F. H. Hayes and 19 other citizens, E. W. Dust and 19 other citizens, C. B. Abbott and 18 other citizens, F. W. Plaisted and 16 other citizens, G. L. Garman and 17 other citizens, C. A. Scales and 18 other citizens, Edward L. Bryant and 20 other citizens, W. H. Buckman and 19 other citizens, F. W. Holt and 19 other citizens, Abel Davis and 19 other citizens, F. B. Frank and 19 other citizens, George M. Poole and 19 other citizens, and of Rev. O. M. Cousens and 19 other citizens, all in the State of Maine, remonstrating against the passage of the anti-scalping ticket bill; which were ordered to lie on the table.

Mr. HOAR presented the memorial of Charles F. Dunbar, Charles W. Jenks, and 14 other citizens of Massachusetts, and the memorial of William A. Ferren and 20 other citizens of Iowa, remonstrating against any extension of the sovereignty of the United States over the Philippine Islands in any event, and over any other foreign territory without the further consent of the people thereof; which were referred to the Committee on Foreign Relations.

Mr. QUAY presented a petition of the legislature of Pennsylvania, praying for the passage of the eight-hour bill; which was read, and referred to the Committee on Education and Labor, as follows:

IN THE HOUSE OF REPRESENTATIVES, *February 9, 1899.*

Whereas at the second session of the Fifty-fifth Congress a bill entitled "An act (H. R. 7389) limiting the hours of daily service of laborers, workingmen, and mechanics employed upon the public works or work done for the United States, or any Territory, or the District of Columbia," passed the House of Representatives May 17, 1898, without a dissenting vote and is now pending for action in the Senate; and

Whereas it is important to the laboring people of the United States that this bill should pass before the adjournment of the present session of the Senate: Therefore, be it

Resolved (if the senate concur), That the Senators in Congress from this State be, and are hereby, earnestly requested to use all honorable means to secure the passage of said bill during the present session of Congress; and

The chief clerk of this house is hereby directed to forward a copy of this resolution to the Senators in Congress from this State, together with the action thereon.

Extract from the journal of the house of representatives.

Certified by

JERE B. REX,
Chief Clerk of the House of Representatives.

Mr. QUAY presented a petition of the Trades League of Philadelphia, Pa., praying that an appropriation be made to provide for the continuance of the pneumatic-tube service in that city; which was referred to the Committee on Post-Offices and Post-Roads.

He also presented a petition of Local Branch No. 104, International Brotherhood of Blacksmiths, of Philadelphia, Pa., praying for the passage of the eight-hour bill; which was referred to the Committee on Education and Labor.

He also presented petitions of the congregations of the Presbyterian Church of Rochester, the Methodist Episcopal Church of Queenstown, the Methodist Episcopal Church of Kittanning, the First Baptist Church of Kittanning County, the Methodist Protestant Church of Kittanning, the Lutheran Church of Armstrong County, the Presbyterian Church of Leechburg, the Hebron Evangelical Lutheran Church, of Leechburg, the First Evangelical Church of Leechburg, the United Presbyterian Church of Leechburg, the Methodist Episcopal Church of Leechburg, the First Presbyterian Church of Kittanning, the St. Paul's Evangelical Lutheran Church, of Dime, St. Michael's Evangelical Church, of Brick Church, and of the Methodist Episcopal Church of Hoytville; of the Harmony Central Presbyterian Congregation, of Fayette County; of the Christian Endeavor Society of the First Presbyterian Church of Kittanning; of the Woman's Christian temperance unions of Hoytville, North Bingham, Kittanning, Tioga County, and Mansfield; of the Yardley Union, of Buck County; the Leechburg Woman's Christian Temperance Union, of Armstrong; the Young People's Christian Temperance Union of Kittanning; the Young People's Christian Temperance Union of the United Presbyterian Church of Kittanning; the Epworth League of the Methodist Episcopal Church of Kittanning; the Christian Endeavor Society of the Methodist Protestant Church of Kittanning; the Young Woman's Christian Temperance Union of Leechburg; the Sunday school of the Reformed Church of Selins Grove; the Young People's Society of Christian Endeavor of the Reformed Church of Selins Grove; the Woman's Christian Temperance Union of Barnard; the Young People's Society of Christian Endeavor of Washington; the Woman's Christian Temperance Union of Wattersonville; the Woman's Christian Temperance Union of Little Britain; the Woman's Christian temperance unions of New Providence, Strasburg, and Alexandria; of the Christian Endeavor Society of Salisbury, and of the faculty and students of Geneva College, Beaver Falls, all in the State of Pennsylvania, praying for the enacting of legislation to prohibit the sale of liquor in canteens of the Army and Navy and of Soldiers' Homes, and in immigrant stations and Government buildings; which were referred to the Committee on Military Affairs.

Mr. STEWART presented a petition of the legislature of Nevada, praying for the election of United States Senators by a direct vote of the people; which was referred to the Committee on Privi-

leges and Elections, and ordered to be printed in the RECORD, as follows:

Senate joint resolution No. 5.

Introduced by Mr. Comins, January 30, 1899. Read first time, rules suspended, read second time by title, and referred to committee on Federal relations.

Senate joint resolution relative to election of United States Senators directly by the people.

Resolved by the senate, the assembly concurring, That it is the sense of this legislature that the Constitution of the United States should be amended so that United States Senators may be elected by direct vote of the people of each State; and further

Resolved, That copies of this resolution be forwarded to each of our Senators in Congress with instruction, and to our Representative in Congress, with the request that they take action toward so amending the Constitution of the United States.

STATE OF NEVADA, EXECUTIVE CHAMBER,
Carson City, Nev., February 8, 1899.

I, Reinhold Sadler, governor of the State of Nevada, do hereby certify and declare that the annexed and foregoing senate joint resolution was duly passed by the legislature of the State of Nevada and is now of record in the office of the secretary of state at Carson City, Nev.

Witness my hand and seal this 8th day of February, 1899.

[SEAL.] REINHOLD SADLER, *Governor*.

Mr. PENROSE presented petitions of the Presbyterian congregation of Athens; of the Woman's Christian Temperance Union of Orangeville, of the Free Methodist congregation of Allentown, of the congregations of the First Presbyterian Church of Dubois, and of the Christ Reformed Church of Alexandria, all in the State of Pennsylvania, praying for the enactment of legislation to prohibit the sale of liquor in canteens of the Army and Navy and of Soldiers' Homes, and in immigrant stations and Government buildings; which were referred to the Committee on Military Affairs.

He also presented petitions of D. R. Buckley and 103 other citizens of Philadelphia; of John Evans, of Scranton; of John Geigle, of Scranton, and of Local Union No. 129, American Flint Glass Workers' Union of Kane, all in the State of Pennsylvania, praying for the passage of the eight-hour bill; which were referred to the Committee on Education and Labor.

He also presented petitions of Local Grange No. 284, Patrons of Husbandry, of Cherrytree; of Fair View Grange, No. 1135, of Chester Springs, and of the Oil Trade Association of Philadelphia, all in the State of Pennsylvania, praying for the enactment of legislation to increase American shipping; which were ordered to lie on the table.

He also presented a petition of 25 citizens of West Chester, Pa., praying for the passage of the pure food and drug bill; which was ordered to lie on the table.

He also presented a memorial of the congregation of the First Baptist Church of Indiana, Pa., remonstrating against any appropriation being made for the maintenance of Indian and sectarian schools; which was ordered to lie on the table.

He also presented a memorial of Local Union No. 316, Cigar Makers' International Union, of McSherrytown, Pa., remonstrating against the annexation of the Philippine Islands; which was referred to the Committee on Foreign Relations.

Mr. SHOUP presented the memorial of Hon. Frank Stennenberg, governor, and 40 other citizens of Idaho, remonstrating against the passage of the anti-scalping ticket bill; which was ordered to lie on the table.

Mr. BATE presented a petition of the Mission Home and the Woman's Christian Temperance Union of Knoxville, Tenn., and a petition of sundry citizens of Auburn, N. Y., praying for the enactment of legislation to prohibit the sale of liquor in canteens of the Army and Navy and of Soldiers' Homes, and in immigrant stations and Government buildings; which were referred to the Committee on Military Affairs.

Mr. MCMILLAN presented a petition of Local Lodge No. 82, International Association of Machinists, of Detroit, Mich., praying for the passage of the eight-hour bill; which was referred to the Committee on Education and Labor.

Mr. MASON presented the memorials of Z. E. Edwards and 19 other citizens, of F. J. Doman and 19 other citizens, J. S. Major and 19 other citizens, Charles Fink and 19 other citizens, E. P. Strelib and 19 other citizens, J. X. Joice and 19 other citizens, J. E. Ebert and 19 other citizens, Goldsolls Company and 19 citizens, Frank J. Flinn and 14 other citizens, W. H. Barber and 14 other citizens, J. B. Mallers, jr., and 5 other citizens, M. A. Spooner and 10 other citizens, James McHugh and 15 other citizens, F. A. Dabine and 16 other citizens, C. B. Steward and 16 other citizens, W. D. Boyce and 16 other citizens, A. W. Jacobs and 16 other citizens, G. C. Sumerfield and 17 other citizens, F. A. Waybock, and 17 other citizens, C. M. Hemphill and 17 other citizens, C. B. Carpenter and 17 other citizens, S. Feibel and 17 other citizens, A. Glogman and 17 other citizens, G. B. Ward and 17 other citizens, L. Diddie and 17 other citizens, C. M. Pahrier and 17 other citizens, Milton Schutz and 17 other citizens, N. M. Moore and 18 other citizens, A. Turner and 18 other citizens, S. Lebenberg and 18 other citizens, G. B. Widner and 18 other citizens, Gilbert Kyellstrom and 18 other citizens, J. H. Foy and 18 other citizens, Frank Benjamin and 19 other citizens, Green Hammond and 19 other citizens, T. P. Sears and 19 other citizens, and of M. Martin and 19 other citizens, all in the State of Illinois, remonstrating against the passage of the anti-scalping ticket bill; which were ordered to lie on the table.

He also presented petitions of I. N. Shumard and sundry other citizens of Illinois, of the Woman's Christian Temperance Union of Elgin; of Veteran Post, No. 49, Grand Army of the Republic, Department of Illinois; the congregation of the First Congregational Church and of the congregation of the First Church of the Evangelical Association, all of Elgin, in the State of Illinois, praying for the enactment of legislation to prohibit the sale of intoxicating liquor in canteens of the Army and Navy and of Soldiers' Homes, and in immigrant stations and Government buildings; which were referred to the Committee on Military Affairs.

He also presented a petition of the Young People's Society of Christian Endeavor of the Church of Christ, of Eureka, Ill., and a petition of the Young People's Society of Christian Endeavor of Libertyville, Ill., and of the Independent Order of Good Templars of Libertyville, Ill., praying for the enactment of legislation to prohibit the sale of intoxicating liquors in Government buildings; which were referred to the Committee on Public Buildings and Grounds.

He also presented a petition of the Young People's Society of Christian Endeavor of Eureka, Ill., and a petition of the Woman's Christian Temperance Union of Tiskilwa, Ill., praying for the enactment of legislation to prohibit the interstate transmission of lottery messages and other gambling matter by telegraph; which were referred to the Committee on the Judiciary.

Mr. PRITCHARD presented a memorial of the Cotton and Grain Exchange of Newbern, N. C., relative to the freedom of private property on the sea from capture during war; which was referred to the Committee on Foreign Relations.

Mr. GALLINGER presented a petition of the Woman's Christian Temperance Union of Manchester, N. H., and a petition of the Woman's Christian Temperance Union of East Rochester, N. H., praying for the enacting of legislation to prohibit the transmission by mail or interstate commerce of pictures or descriptions of prize fights; which were referred to the Committee on the Judiciary.

He also presented a petition of the Woman's Christian Temperance Union of Manchester, N. H., and a petition of the Woman's Christian Temperance Union of East Rochester, N. H., praying for the enacting of legislation to prohibit interstate gambling by telegraph, telephone, or otherwise; which were referred to the Committee on the Judiciary.

He also presented petitions of the Woman's Christian Temperance unions of Manchester, East Manchester, and East Rochester, all in the State of New Hampshire, praying for the enactment of legislation to prohibit the sale of liquor in canteens of the Army and Navy and of Soldiers' Homes, and in immigrant stations and Government buildings; which were referred to the Committee on Military Affairs.

Mr. THURSTON presented a memorial of the Nebraska Beet Sugar Association, remonstrating against the annexation of sugar-producing islands to the United States; which was referred to the Committee on Foreign Relations.

He also presented petitions of 600 citizens of Nebraska, praying for the establishment of postal savings bank depositories; which were referred to the Committee on Post-Offices and Post-Roads.

GATHMANN SYSTEM OF THROWING HIGH EXPLOSIVES.

Mr. HALE. I present a communication from Charles O'Neil, Chief of the Bureau of Ordnance, Navy Department, with accompanying memoranda, relative to the merits of the so-called Gathmann system of throwing high explosives. I move that the communication and accompanying memoranda be printed as a document and referred to the Committee on Naval Affairs.

The motion was agreed to.

CRUELTY TO ANIMALS IN THE DISTRICT OF COLUMBIA.

Mr. MCMILLAN. I present a communication from George M. Sternberg, Surgeon-General of the United States Army, relative to Senate bill No. 1066, for the prevention of cruelty to animals in the District of Columbia. I move that the communication lie on the table, and that it be printed as a document.

The motion was agreed to.

CRIMINAL PROCEDURE IN ALASKA.

Mr. SHOUP. I present a paper, being notes of conferences by the Senate Committee on Territories, in relation to the bill (H. R. 8571) to define and punish crime in the district of Alaska, and to provide a code of criminal procedure for that district. I move that the paper be printed as a document.

The motion was agreed to.

REPORTS OF COMMITTEES.

Mr. STEWART, from the Committee on Claims, to whom was referred the bill (H. R. 8623) for the relief of the heirs of Neil McEneny, of Johnstown, Pa., reported it without amendment, and submitted a report thereon.

Mr. McLAURIN, from the Committee on Claims, to whom was referred the bill (H. R. 10353) for the relief of the International Cotton Press Company, of New Orleans, La., reported it with an amendment, and submitted a report thereon.

Mr. GORMAN, from the Committee on the District of Columbia, reported an amendment in the nature of a substitute for the bill (H. R. 11597) to extend S street in the District of Columbia, and for other purposes, and the bill as proposed to be amended was ordered to be printed.

Mr. WARREN, from the Committee on Claims, to whom was referred the bill (H. R. 4166) to reimburse the Mellert Foundry and Machine Company for money retained by the United States for failure to complete a contract within a specified time, reported it without amendment.

Mr. COCKRELL, from the Committee on Military Affairs, to whom was referred the bill (H. R. 5740) to remove the charge of desertion against William Britton, reported it with amendments, and submitted a report thereon.

He also, from the same committee, to whom was referred the bill (H. R. 3567) to remove the charge of desertion against Gardner Dodge, reported it with an amendment, and submitted a report thereon.

Mr. HANSBROUGH, from the Committee on Public Lands, to whom was referred the bill (S. 5305) for the relief of John C. W. Rhode, reported it with an amendment, submitted a report thereon, and moved that it be referred to the Committee on Appropriations and printed; which was agreed to.

He also, from the Committee on Pensions, to whom was referred the bill (H. R. 11420) granting a pension to Emily McLain, reported it without amendment.

Mr. QUAY. I am instructed by the Committee on Appropriations, to which was referred the bill (H. R. 11683) making appropriations for the service of the Post-Office Department for the fiscal year ending June 30, 1900, to report it with amendments. I desire to give notice that to-morrow, at the expiration of the morning business, I shall call up the bill for consideration. If it happens that I am not present, the Senator from Iowa, the chairman of the Committee on Appropriations, will take charge of it.

The VICE-PRESIDENT. The bill will be placed on the Calendar.

Mr. CARTER, from the Committee on Public Lands, to whom was referred the bill (S. 5368) to authorize the Commissioner of the General Land Office to cause public lands to be surveyed in certain cases, reported it without amendment.

Mr. TELLER, from the Committee on Claims, to whom was referred the bill (H. R. 7860) to amend an act entitled "An act for the relief of Brig. Gen. John R. Brooke, United States Army," approved March 30, 1894, reported it without amendment, and submitted a report thereon.

He also, from the same committee, to whom was referred the bill (H. R. 9768) for the relief of Samuel J. Brent, executor of the will of Frances Brent, and administrator de bonis non of the estate of Rev. J. Brent, reported it without amendment, and submitted a report thereon.

Mr. VEST, from the Committee on Commerce, to whom was referred the bill (H. R. 11677) to authorize the construction of a bridge across the Monongahela River at Morgantown, in the State of West Virginia, reported it without amendment.

He also, from the same committee, to whom was referred the bill (H. R. 11736) granting the right and authority to the Pensacola and Northwestern Railroad Company to build bridges over certain rivers in the State of Alabama, reported it without amendment.

He also, from the same committee, to whom was referred the bill (H. R. 11732) to authorize the Grand Rapids Water Power and Boom Company, of Grand Rapids, Minn., to construct a dam and bridge across the Mississippi River, reported it without amendment.

He also, from the same committee, to whom was referred the bill (S. 5494) to authorize the Grand Rapids Water Power and Boom Company, of Grand Rapids, Minn., to construct a dam and bridge across the Mississippi River, reported adversely thereon; and the bill was postponed indefinitely.

HELEN MILLER GOULD.

Mr. MITCHELL. I am instructed by the Committee on Military Affairs to report back favorably, with an amendment, the bill (S. 5225) recognizing the patriotic devotion and benevolence of Helen Miller Gould. This is a measure of merit, and as we are at the fag end of the session I ask that the bill be placed upon its passage.

There being no objection, the Senate, as in Committee of the Whole, proceeded to consider the bill.

The amendment of the Committee on Military Affairs was, at the end of line 5, to strike out the words "the cordial appreciation of Congress is hereby tendered to her, and;" so as to make the bill read:

Be it enacted, etc., That in recognition of the patriotic devotion and bounteous benevolence of Miss Helen Miller Gould to the soldiers of the Army of the United States during the war with Spain, Congress hereby authorizes and directs that a gold medal, with appropriate designs, be prepared by the Director of the Mint, and that said medal be presented to her by the President of the United States at such time and in such manner as he may determine.

Mr. HOAR. Where did that bill come from?

The VICE-PRESIDENT. It has just been reported from the Committee on Military Affairs.

Mr. HOAR. I should like to have it go over. I should like to look at it.

The VICE-PRESIDENT. Objection is made, and the bill will be placed on the Calendar.

Mr. MITCHELL. There is no vote of thanks in the bill. That feature has been eliminated. It simply authorizes the President to present her with a gold medal for her munificent donation and for her personal work for the soldiers. I trust the Senator from Massachusetts will not insist upon his objection.

Mr. HOAR. I have no doubt of the patriotism and of the excellence of this lady, but there are a great many women who certainly deserve everything that the bill contains. I remember seeing in the hospital at Montauk, ministering to the Massachusetts soldiers, a beautiful and refined lady, the daughter of an eminent Confederate general, a member of the other House from Alabama, and the eyes of the sick and dying soldiers were watching her as if she had been one of their own kindred. I know the gratitude which is felt by my constituents to those excellent and devoted ladies who gave a personal service which no gift of money can approach in value. I think there should be some general policy or understanding on the part of Congress. If we select one citizen of either sex for such an honor, every citizen that deserves the same honor and does not receive it is in some degree disparaged. So, without having knowledge of the bill or studying its provisions, I desire that it shall go over one day for examination.

The VICE-PRESIDENT. The bill lies over.

Mr. HOAR subsequently said: The Senator from Wisconsin [Mr. MITCHELL] reported just now from the Committee on Military Affairs a bill in relation to Miss Helen Miller Gould. I desired to have the bill stand over until to-morrow under the rule that I might examine it; but I have now examined it, and if no other Senator has any objection I will waive mine and consent that it be put on its passage.

The VICE-PRESIDENT. Is there any objection? The Chair hears none, and the bill is before the Senate as in Committee of the Whole. The question is on agreeing to the amendment of the Committee on Military Affairs.

The amendment was agreed to.

The bill was reported to the Senate as amended, and the amendment was concurred in.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

OSBORNE W. DIEGNAN.

Mr. CHANDLER. From the Committee on Naval Affairs I report back favorably without amendment the joint resolution (S. R. 227) authorizing the President to appoint Osborne W. Diegnan a cadet to the Naval Academy at Annapolis.

Mr. GEAR. I ask that the joint resolution be taken up for immediate action.

Mr. CHILTON. Let the joint resolution be read for information.

The joint resolution was read, as follows:

Resolved, etc., That in view of the conspicuously gallant services of Osborne Warren Diegnan, a sailor in the service of the United States, in the sinking of the *Merrimac* in the harbor of Santiago de Cuba, the President be, and he is hereby, authorized to appoint the said Osborne Warren Diegnan a cadet in the United States Naval Academy at Annapolis.

The VICE-PRESIDENT. Is there objection to the present consideration of the joint resolution?

There being no objection, the joint resolution was considered as in Committee of the Whole.

The joint resolution was reported to the Senate without amendment and ordered to be engrossed for a third reading.

Mr. COCKRELL. Was the joint resolution reported regularly from the Committee on Naval Affairs?

The VICE-PRESIDENT. It was reported this morning.

The joint resolution was read the third time, and passed.

HEARINGS BEFORE THE COMMITTEE ON TERRITORIES.

Mr. SHOUP, from the Committee on Territories, reported the following resolution; which was referred to the Committee to Audit and Control the Contingent Expenses of the Senate:

Resolved, That the stenographer employed to report the hearings on the bills to enable the people of New Mexico to form a constitution and State government and to be admitted into the Union, to authorize the refunding of indebtedness in certain Territories of the United States, and to provide a criminal code for the district of Alaska, before the Committee on Territories, be paid from the contingent fund of the Senate.

THE BROWNELL & CO., DAYTON, OHIO.

Mr. TELLER. I am directed by the Committee on Claims, to whom was referred the bill (H. R. 599) authorizing the Secretary of the Treasury to pay the sum of $400 to The Brownell & Co., Dayton, Ohio, on account of penalty erroneously imposed by the Light-House Board, to report it without amendment, and as it is a small matter and has the approval of the Department, I ask that the bill may be put on its passage.

There being no objection, the Senate, as in Committee of the Whole, proceeded to consider the bill.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

BILLS INTRODUCED.

Mr. PLATT of New York introduced a bill (S. 5500) to encourage the holding of a Pan-American Exposition on the Niagara frontier, within the county of Erie or Niagara, in the State of New York, in the year 1901; which was read twice by its title, and referred to the Select Committee on International Expositions.

Mr. McMILLAN introduced a bill (S. 5501) to change the name of Four-and-a-half street, in the District of Columbia; which was read twice by its title, and referred to the Committee on the District of Columbia.

Mr. HANSBROUGH introduced a bill (S. 5502) granting an increase of pension to Theodore McClellan; which was read twice by its title, and referred to the Committee on Pensions.

Mr. DEBOE introduced a bill (S. 5503) granting a pension to Joseph Perkins; which was read twice by its title, and referred to the Committee on Pensions.

He also introduced a bill (S. 5504) granting a pension to Squire Stinson; which was read twice by its title, and referred to the Committee on Pensions.

He also introduced a bill (S. 5505) granting a pension to Benjamin Simpson; which was read twice by its title, and referred to the Committee on Pensions.

Mr. STEWART introduced a bill (S. 5506) granting a pension to Charles F. J. Stein; which was read twice by its title, and referred to the Committee on Pensions.

Mr. MARTIN introduced a bill (S. 5507) for the relief of J. V. Davis; which was read twice by its title, and referred to the Committee on Claims.

He also introduced a bill (S. 5508) for the relief of Thomas Sherman; which was read twice by its title, and referred to the Committee on Claims.

Mr. SULLIVAN introduced a bill (S. 5509) for the relief of the legal representatives of Benjamin Roach, deceased, late of Washington County, Miss.; which was read twice by its title, and referred to the Committee on Claims.

Mr. GALLINGER (for Mr. CANNON) introduced a bill (S. 5510) granting an increase of pension to Eli Balderston; which was read twice by its title, and referred to the Committee on Pensions.

Mr. McBRIDE introduced a bill (S. 5511) to increase the pension of Catherine A. Young; which was read twice by its title, and referred to the Committee on Pensions.

He also introduced a bill (S. 5512) to increase the pension of Samuel S. White; which was read twice by its title, and referred to the Committee on Pensions.

AMENDMENTS TO APPROPRIATION BILLS.

Mr. McMILLAN submitted an amendment proposing to appropriate $5,000 for the construction of a brick storehouse on the grounds of the Propagating Gardens, in the District of Columbia, intended to be proposed by him to the sundry civil appropriation bill; which was ordered to be printed, and, with the accompanying paper, referred to the Committee on Public Buildings and Grounds.

He also submitted an amendment proposing to appropriate $165,000 for the construction of two revenue cutters of the first class for service on the Great Lakes, intended to be proposed by him to the sundry civil appropriation bill; which was ordered to be printed, and, with the accompanying paper, referred to the Committee on Commerce.

He also submitted an amendment proposing to appropriate $15,000 for constructing, maintaining, repairing, and operating telegraph or telephone lines between Glenhaven, Mich., and South Manitou Island, Lake Michigan, etc., intended to be proposed by him to the sundry civil appropriation bill; which was ordered to be printed, and, with the accompanying paper, referred to the Committee on Commerce.

Mr. MASON submitted an amendment proposing to appropriate $25,000 to be expended by the Commissioners of the District of Columbia in opening, extending, and grading Fourteenth street through the estate of John T. Lenman and land of Lipscomb and Saunders, trustees, by condemnation or purchase, etc., intended to be proposed by him to the sundry civil appropriation bill; which was referred to the Committee on Appropriations, and ordered to be printed.

Mr. MARTIN submitted an amendment proposing to appropriate $8,500 to enable Gen. Thomas L. Casey, Chief of Engineers of the Army, to continue the examination relative to making or securing designs for a memorial bridge across the Potomac River, intended to be proposed by him to the sundry civil appropriation bill; which was referred to the Committee on Appropriations, and ordered to be printed.

He also submitted an amendment proposing to appropriate $158,400 to be expended by the Secretary of War for such materials and work as may be necessary to complete the project for the improvement of the Potomac River below the city of Washington, intended to be proposed by him to the river and harbor appropriation bill; which was referred to the Committee on Commerce, and ordered to be printed.

LEGISLATIVE, EXECUTIVE, AND JUDICIAL APPROPRIATION BILL.

The VICE-PRESIDENT laid before the Senate the action of the House of Representatives disagreeing to the amendments of the Senate to the bill (H. R. 11414) making appropriations for the legislative, executive, and judicial expenses of the Government for the fiscal year ending June 30, 1900, and for other purposes, and requesting a conference with the Senate on the disagreeing vote of the two Houses thereon.

Mr. ALLISON. I move that the Senate insist upon its amendments and agree to the conference asked by the House.

The motion was agreed to.

By unanimous consent, the Vice-President was authorized to appoint the conferees on the part of the Senate; and Mr. CULLOM, Mr. SEWELL, and Mr. TELLER were appointed.

PRESIDENTIAL APPROVALS.

A message from the President of the United States, by Mr. O. L. PRUDEN, one of his secretaries, announced that the President had on the 14th instant approved and signed the following acts:

S. 3684. An act for the relief of Joseph Toussaint, alias Touzin; and

S. 5088. An act to amend section 27 of the Revised Statutes, relative to the apportionment and election of Representatives.

The message also announced that the Presinent had on this day approved and signed the following joint resolutions:

S. R. 218. A joint resolution authorizing the Secretary of the Navy to receive for instruction at the Naval Acadamy, at Annapolis, Ricardo Yglesias, of Costa Rica; and

S. R. 219. A joint resolution authorizing the Secretary of the Navy to receive for instruction at the Naval Academy, at Annapolis, Alberto Valenzuela Montoya, of Colombia.

STEAM WHISTLE AT MICHIGAN CITY, IND.

Mr. PERKINS. At the request of the Senator from Indiana [Mr. FAIRBANKS], who is absent, I desire to call up the bill (H. R. 10231) authorizing the Light-House Board to provide a steam whistle at Michigan City, Ind. It is a short bill.

There being no objection, the Senate, as in Committee of the Whole, proceeded to consider the bill. It directs the Light-House Board to provide a steam or hot-air fog whistle at the entrance of the harbor at Michigan City, in the State of Indiana, at a cost not to exceed $5,500.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

DEPUTY COLLECTOR AT SCRANTON, MISS.

Mr. MONEY. I ask consent to call up and put on its passage the bill (H. R. 11440) to locate the office of the deputy collector of the port of East Pascagoula, Mississippi, at Scranton, Miss. It is simply to remove the office 8 miles.

Mr. HOAR. I desire to make a privileged motion. I move that the Senate proceed to consideration of executive business. Now I will withdraw the motion, in order that the Senator's request may be entertained, but I wished to have the motion entered.

The VICE-PRESIDENT. The Senator from Massachusetts will be recognized to make the motion. In the meantime the Senator from Mississippi asks the Senate to proceed to the consideration of the bill indicated by him. Is there objection?

There being no objection, the Senate, as in Committee of the Whole, proceeded to consider the bill. It proposes to locate at Scranton, Miss., the office of the deputy collector of the port of East Pascagoula, in the Pearl River district of the State of Mississippi.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

PERSONAL EXPLANATION.

Mr. MCENERY. Mr. President, I rise to a question of privilege. I apologize to the Senate for making a statement out of time. It ought to have been made yesterday when certain statements were made to which I will allude. I would not even do it now except for the inference from those statements that after the joint resolution was introduced by me on the morning of the 6th instant it was in some way tampered with and that as finally voted on it was an entirely different resolution from that first proposed.

Yesterday the Senator from Texas [Mr. CHILTON] called attention to some remarks made by the Senator from Kentucky [Mr. LINDSAY] on the 6th instant pending a debate on the joint resolution introduced by me. In reply to that statement the Senator from Kentucky said:

> I am informed that the resolution as offered by the Senator from Louisiana, then, turns out to be not the resolution I supposed it was. The original resolution as he offered it did seem to meet the very point I made when I was making those statements. My attention has been drawn to the fact that this is not the original resolution, but one altogether different from it. The investigation I have made has convinced me, even if I had been discussing this resolution at that time, that the pending resolution does not do any of those things.
>
> Mr. TILLMAN. If the Senator from Georgia will permit me, I should like to ask the Senator from Kentucky what has become of the original resolution?
>
> Mr. LINDSAY. I can not answer the question.
>
> Mr. BACON. Mr. President, I was endeavoring to discuss——
>
> Mr. TILLMAN. I will state, if the Senator from Georgia will permit me, that the evening we ratified the treaty the McEnery resolutions, which had been presented that morning, were amended out of all shape as he presented them, and then printed the next morning as though he had introduced the resolution which we now have, whereas if we will get the original typewritten copy we will see an entirely different measure.

The joint resolution introduced by me had been in my possession for some time, and I had intended to offer it as a substitute for the resolution of the Senator from Mississippi [Mr. SULLIVAN]. I deferred offering it at the request of the senior Senator from Louisiana [Mr. CAFFERY], but on the morning of the 6th instant I concluded to introduce the joint resolution, and I then changed it to make it suit the conditions which then existed. That resolution was sent up to the desk and was read by the Secretary.

> Mr. MCENERY. I offer a resolution and ask that it be read, and that an hour be fixed before 3 o'clock when the vote shall be taken on it.
>
> The VICE-PRESIDENT. The resolution will be read.
>
> The Secretary read as follows.

Then follows the joint resolution as introduced by me. Objection was made to its consideration by the Senator from Nebraska [Mr. ALLEN]. Then nothing was done until after executive session, when a debate ensued upon the motion to fix a day for a vote. The Senator from Delaware [Mr. GRAY], in the course of his remarks, stated:

> The resolution as it now stands is as follows. Allow me to read it again.

Then he read the joint resolution as amended. Immediately on the conclusion of his remarks the Senator from Kentucky [Mr. LINDSAY] made the remark quoted by the Senator from Texas [Mr. CHILTON], which called forth the explanation from the Senator from Kentucky. So far as the Senator's relations to the joint resolution are concerned, I am willing to admit that possibly he saw the resolution before it went up with the alterations that I had made, but even those alterations did not materially change the text of the resolution.

After the executive session the joint resolution was amended only in two ways. One was by inserting the words "the Philippine Islands" instead of "said islands," and the other was by striking out the word "pending," so as to make it accommodate itself to the conditions after the ratification of the treaty. Those were the only amendments, and hence I can see no ground whatever for the declaration of the Senator from South Carolina [Mr. TILLMAN] that the resolution had been amended out of all shape and then printed next morning as though it was the original joint resolution which I had introduced.

Now, Mr. President, the distinguished Senator from Massachusetts [Mr. HOAR] took occasion yesterday, in his denunciation of the joint resolution and in his graphic description of the tyranny which he imagined would be inflicted upon the people of the Philippine Islands, to state that the sum and substance of the joint resolution was that it meant the protection of the sugar interests of Louisiana and to ward off competition.

If the sugar planters thought that the annexation of the islands or the ratification of the treaty would injure them, it was their right, if not their duty, to protect themselves in any way whatever they saw fit, just as much so as the people of Massachusetts should protect themselves from the imposition of a duty upon hides in order to foster and encourage the leather industry of that State.

But the Senator spoke under a misapprehension. If he likes to represent a proud, intelligent, and respectful constituency, if he likes to represent men of the character of the sugar planters of Louisiana, who agree with him in his views, I say the sugar planters of Louisiana concurred with him in every sentiment that he uttered in reference to the treatment of the Philippine Islands. They have been, as a body, opposed to the ratification of the treaty, and they expected that I would vote against the ratification of the treaty. I never consulted them. I voted without any consultation with them whatever.

I do not represent that class of people exclusively in the Senate. I come from the northern portion of Louisiana, a section of country that is devoted exclusively and entirely to the cultivation of cotton, and those people to a man were in favor of the ratification of the treaty of peace. I think the Senator did the sugar planters a great injustice in putting the construction that he does upon my motive in introducing the joint resolution. I am proud, Mr. President, if on any occasion it is within my power, to aid and assist any of the people of the State of Louisiana. If the construction which the Senator places upon the joint resolution is correct, that it was intended to protect those people, and does protect them, I am very glad of the action which I have taken.

But that was not my motive exclusively in introducing the joint resolution. I had some objection to the results which would follow the ratification of the treaty. I thought they could be cured by the introduction of a resolution defining the policy of the Government—a policy which, in my opinion, would keep them from becoming a part of the territory of the United States and numerous ignorant diverse races from being incorporated into the citizenship of this country.

Those were my principal motives for introducing the joint resolution, and if incidentally it helped the people of Louisiana I am very glad of it.

Mr. LINDSAY. Mr. President——

Mr. HOAR. If the Senator from Kentucky will allow me one sentence, I wish to say that I said nothing of anybody's motive or purpose. I said all the resolution would accomplish is what the Senator from Louisiana says he would be very glad to have it accomplish.

Mr. LINDSAY. Mr. President, I would not insist on taking the floor at this time except that the explanation of the Senator from Louisiana [Mr. MCENERY] rests somewhat upon a statement made by me the other day in debate.

I want to say that there is no difference in recollection between the Senator from Louisiana and myself. I did not mean to intimate, nor did I intimate, nor do I believe, that any improper change in the resolution was made after I saw it. The original resolution was shown me in a clean typewritten copy. It was then intended to be offered as a substitute for the resolution offered by the Senator from Mississippi [Mr. SULLIVAN]. Afterwards substantially, I will admit, the same resolution was offered as a joint resolution. I had no knowledge that any changes had been made in it, and I supposed it was the resolution as shown me before it had been introduced at all.

The right of the Senator to change the resolution no man can question, and the propriety of the changes made by him is not open to dispute.

I wish to say that if anyone understood me to intimate, or if anything I said will bear the interpretation that I intimated that anything improper had been done about the resolution, I disclaim here and now any such intention. The truth of the matter is, it was neglect on my part not to read the resolution when it came up for debate, so as to see that it conformed to the original which I had in my hand. It may be that the changes were not substantial. I think they were; but we will not debate that question.

I said in the course of my answer to the Senator from Texas [Mr. CHILTON]:

> The investigation I have made has convinced me, even if I had been discussing this resolution at that time, that the pending resolution does not do any of those things.

Which he quoted me as saying that in my opinion the adoption of the resolution will bring about. It was neglect on my part. That is what I meant to say and meant to explain, rather than to impute anything in the slightest degree improper to the conduct of my friend from Louisiana.

I believe that is all I feel called upon to state on this subject.

PETER E. SHIPLER.

Mr. HOAR. Before I rose to make my motion, the Senator from Pennsylvania [Mr. QUAY] rose to make a request, and I will, therefore, if there be no objection, yield to him, and after that insist on my motion against all other business.

Mr. HALE. After that, I shall call for the regular order.

Mr. QUAY. I rise to ask unanimous consent of the Senate for the consideration and passage of a pension bill on the Calendar. It is a bill which has passed the House of Representatives, granting an increase of pension to Peter E. Shipler, late captain of Company G, Tenth Regiment Pennsylvania Reserve Corps, a regiment with which I had the honor to be connected. I trust the Senate will indulge me by passing the bill without objection.

The VICE-PRESIDENT. Is there objection to the request made by the Senator from Pennsylvania?

There being no objection, the Senate, as in Committee of the Whole, proceeded to consider the bill (H. R. 5796) granting an increase of pension to Peter E. Shipler. It proposes to place on the pension roll the name of Peter E. Shipler, late captain Company G, Tenth Regiment Pennsylvania Reserve Corps, and to pay him a pension of $20 per month in lieu of that he now receives.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

MESSAGE FROM THE HOUSE.

A message from the House of Representatives, by Mr. W. J. BROWNING, its Chief Clerk, announced that the House had passed the following bills and joint resolutions; in which it requested the concurrence of the Senate:

A bill (H. R. 1005) for the relief of F. R. Lanson;

A bill (H. R. 2017) for the relief of Julius C. Kloenne;

A bill (H. R. 6351) with drawing from entry and sale and granting unto the State of Wisconsin certain lands therein described;

A bill (H. R. 9335) granting to the Muscle Shoals Power Company right to erect and construct canal and power stations at Muscle Shoals, Alabama;

A bill (H. R. 11160) to authorize the appointment of a clerk of the district courts of the United States within and for the eastern district of Virginia, to validate their acts, and prescribe where the records shall be kept;

A bill (H. R. 11737) granting the right of way to the Pensacola and Northwestern Railroad Company over and through the United States naval and military reservations near Pensacola, in the State of Florida;

A bill (H. R. 11867) to authorize the Georgia Pine Railway, of Georgia, to construct a bridge across the Flint River, a navigable stream in Decatur County, Ga.;

A bill (H. R. 11868) to provide for the acquiring of rights of way by railroad companies through Indian reservations, Indian lands, and Indian allotments, and for other purposes;

A bill (H. R. 11971) to authorize the Commissioner of the General Land Office to cause public lands to be surveyed in certain cases; and

A joint resolution (H. Res. 303) granting a life-saving medal to Michael F. Barry, of New York City.

EXECUTIVE SESSION.

Mr. HOAR. I now renew my motion that the Senate proceed to the consideration of executive business.

Mr. HALE. Mr. President, I call for the regular order.

The VICE-PRESIDENT. The Senator from Massachusetts [Mr. HOAR] has moved that the Senate proceed to the consideration of executive business.

Mr. BATE. Mr. President——

Mr. HALE. I call for the regular order, Mr. President.

The VICE-PRESIDENT. The motion of the Senator from Massachusetts is the regular order, and the question is on that motion.

Mr. BATE. I thought I had the floor.

The VICE-PRESIDENT. The Senator from Massachusetts [Mr. HOAR] had the floor and made a motion for an executive session, which he withheld for three Senators.

Mr. BATE. Very well.

The VICE-PRESIDENT. The question is on the motion of the Senator from Massachusetts.

The motion was agreed to; and the Senate proceeded to the consideration of executive session. After three hours and fifty-five minutes spent in executive session the doors were reopened.

ICE IN THE POTOMAC RIVER.

Mr. GALLINGER. I ask for the present consideration of the bill (H. R. 12094) making an appropriation for clearing the Potomac River of ice, which is on the table.

The bill was read the first time by its title and the second time at length, as follows:

Be it enacted, etc., That to enable the Commissioners of the District of Columbia to meet expenses that may be necessary for the purpose of clearing the Potomac River of ice, within the District of Columbia, there is hereby appropriated, payable from any money in the Treasury not otherwise appropriated and from the revenues of the District of Columbia in equal parts, and to be immediately available, the sum of $5,000.

The VICE-PRESIDENT. Is there objection to the present consideration of the bill?

There being no objection, the bill was considered as in Committee of the Whole.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

Mr. MCMILLAN. I move that the House of Representatives be requested to return to the Senate the joint resolution (S. R. 244) making an appropriation of $5,000 for clearing the Potomac River of ice.

The motion was agreed to.

CODE FOR ALASKA.

Mr. CARTER. Mr. President, for the purpose of asking unanimous consent, I call the attention of Senators to the bill of the House which has been placed on each Senator's desk, No. 8571, entitled "An act to define and punish crimes in the district of Alaska, and to provide a code of criminal procedure for said district."

This bill passed the House of Representatives some time ago, and it has been the subject of very careful consideration in the Committee on Territories for about a month. The committee has added sundry amendments, not extensive or important, in the text of the bill as it passed the House. But an addition was made in the form of a code of civil procedure. The criminal code and the code of civil procedure were both primarily prepared by the code commissioners authorized to codify the criminal and penal laws of the United States, who were directed by a special resolution of Congress to prepare or codify the laws applicable to the Territory or district of Alaska.

It is very desirable that some system of laws applicable to that district should be passed at the present session of Congress. Moderate estimates place the number of our citizens who will be located in Alaska engaged in various occupations during the coming year at a hundred thousand. It is probable that the present permanent population of the district will reach about 30,000. There are very large and important mining and fishery and other operations in progress in that region, none of them paying any taxes and none of them having any very distinct legal protection.

I realize that it is utterly impracticable to take up the time of the Senate in the busy hours of the day reading this bill from beginning to end, and for the purpose of having it read formally I ask unanimous consent that the formal reading of the bill commence at this hour, that no other business shall be transacted during such formal reading, and that the formal reading may continue until concluded, unless the Senate shall sooner adjourn during the evening.

Mr. HOAR. Mr. President, when the Revised Statutes of the United States were enacted, that statute had the careful attention of a committee of the House and was prepared as this proposed statute has been, which affects 30,000 permanent people and a hundred thousand possibly in near prospect partly permanent and partly transitory. That statute was laid on the table of the Senate one day after 12 o'clock. It was read by its title only; it had three readings by the title only; it was enacted without debate and without amendment on the same day, and on the next morning at 12 o'clock a printed and bound copy of that large volume, all printed at the Printing Office in the interval, was laid on the desk of the Speaker of the House and the President of the Senate, a marvel of legislative dispatch and a marvel, also, of mechanical execution.

Although there have been some omissions, some errors discovered in that code of laws, they have been fewer in number all told than have been discovered in some special acts occupying only five or six or eight pages. One of the statutes relating to the removal of causes from the jurisdiction of the Supreme Court of the United States, which had the examination before it was enacted of the late Senator George, of Mississippi, a very distinguished lawyer, and Senator Edmunds, of Vermont, late chairman of the Judiciary Committee, had, I have no doubt, more important errors in it than the whole of the Revised Statutes.

Now, I respectfully suggest, without interfering with the plans of my honorable friend, that that precedent will well warrant the reading by its title only of this bill, which comes from three very learned commissioners, which has been examined in the House of Representatives by a committee there with a good deal of care, and has been examined by this committee with a good deal of care, reading it by its title only and accepting by unanimous consent whatever amendments our committee propose as a matter of form, and then letting it go into conference or go back to the House.

Mr. CARTER. I will, with the permission of the Senate, very readily and gladly accept the suggestion of the Senator from Massachusetts, and modify my request for unanimous consent accordingly, asking that the bill be read by title, and that the amendments made in committee be agreed to as amendments made in the Senate.

Mr. HOAR. And a conference asked.

Mr. CARTER. And a conference asked with the House of Representatives upon the bill and amendments.

Mr. GALLINGER. Mr. President, the suggestion made by the Senator from Massachusetts astounds me, being simply a layman. I am surprised that so distinguished and experienced a Senator should make a suggestion that we should legislate in that way. I admit it is a short cut, but I will suggest further that it would be equally a short cut for us to pass all sorts of bills in that way, something that we are not in the habit of doing in the Senate.

Now, Mr. President, it is true that the House of Representatives has considered part of this bill. Two hundred and twenty-five pages out of 665 pages the House has considered. The rest has been added by the committee of the Senate. I have not read it; I do not know whether it is wise or unwise; but I do notice one thing. A little time ago we had up the question of repealing the prohibitory laws in the district of Alaska. It was fought over in the Senate, and the advocates of license did not prevail. Perhaps they will the next time. The House did not suggest that that should be done in the bill it sent here.

Mr. CARTER. I will suggest to the Senator that the House did so provide. It provided for a license law in the district.

Mr. GALLINGER. Then I stand corrected to that extent. I simply noticed the provision under the form of an amendment, commencing on page 230.

Mr. LODGE. On page 60 the House provision is found.

Mr. CARTER. On page 60 the House proposition appears, as is suggested by the Senator from Massachusetts.

Mr. GALLINGER. Then I stand corrected to that extent.

Mr. CARTER. The House proposes a license law based on the theory of the law of the State of Illinois on that subject. The Senate amendment is framed upon the theory of the license law of the District of Columbia, we believing that that law was framed more in harmony with the spirit of the government that would prevail in the district of Alaska.

Mr. GALLINGER. As I said, I stand corrected to that extent. But of course the Senate committee provisions are different from the House provisions, to say the least. Now, that is a matter which I happen to believe is of some consequence and ought to be debated. I do not know that I shall have very much to say about it, but I am not willing that it shall go by default.

I say, Mr. President, I can not afford to let it go by default. I am not willing to have it said, as it has been said on the floor of the Senate, and then to be crystallized into law, that this Government of ours can not enforce its statutes, especially when the statutes are made to govern some 30,000 Indians and a few white men who chance to go into that Territory. The governor of the Territory in his annual report pretty pointedly suggested that no real attempt had ever been made to enforce it. I think the law officers of the Territory have made the suggestion that it is impossible to enforce it. And yet no real effort that anybody has ever been able to find has been made to enforce it.

Mr. CARTER. Permit me to suggest to the Senator from New Hampshire that the proposition of the Senator from Massachusetts might be adopted, excepting only the license question, which might be specially reserved as an amendment not to be considered according to the general arrangement.

Mr. GALLINGER. I have no desire to unnecessarily interpose objections to this or any other report that is made from a committee. I repeat that it startles me to have a suggestion come from one of our oldest Senators that we are going to dispense with the reading of bills in the Senate, because this will not be the only time such a request will be made if we enter upon that kind of legislation. But I will not myself interpose any objection. I shall not interpose any factious opposition on the point to which I have called attention, but I should certainly like to have it left open, so that it can be read and at the proper time debated.

Mr. BATE. Mr. President, I quite agree with the Senator from New Hampshire [Mr. GALLINGER] in regard to this matter. I am upon the Committee on Territories. I have myself not had time to look through this measure properly, as I should have done, and I am quite persuaded that though the subcommittee who have had it in charge have done their full duty and have made proper amendments and changes in the bill as it came from the House and have put it in a condition as near perfect as they could, yet the course suggested by the Senator from Massachusetts is a precedent that I think ought not to be set by the Senate. They ought not to take bills of vital importance like this and read them in that way and pass them here. It is to be the law to control Alaska; it is to be the local law that is to govern it for many years to come perhaps, we know not how long, and it ought to be enacted with a degree of care according to the necessity and dignity of the law.

Furthermore, Mr. President, I beg to differ with the Senator from Massachusetts in regard to the Revised Statutes. While he knows the history of the manner in which the Revised Statutes were passed better than I do, as he was then a member of the body, I speak not more of the manner than the result. We have heard time and again the manner in which that was done discussed in the Senate, as we have elsewhere upon the stump and through the press. It is a kind of stain, almost, if I may so speak, upon the legislation of this country that those statutes should have been passed in the manner in which it was done. Out of that the trouble, or a part of the trouble, in regard to our currency question grew. It is alleged openly and publicly that there was fraud practiced then and there, and that it was done by an improper reading or a want of reading of the statutes, and a want of giving proper attention at the time of its passage. All that grows up out of this vicious method of legislation.

Therefore I agree with the Senator from New Hampshire, and I think this act touching the government of Alaska ought to be read, every word of it. I do not want to detain the Senate, but this is an important matter, and to legislate it into law without reading would set an example here of vicious legislation and full of dangerous consequences. It can not be done by unanimous consent.

Mr. HOAR. Mr. President, I wish simply to observe that in Alaska they have needed a code for years now; it has been a scandal that they have not had one; and in my opinion you will not get a code for Alaska unless the precedent set in the case of the Revised Statutes be followed. I do not believe that we shall ever do it practically in any other way. If you have the document read, it will be an occasion when all but five or ten Senators in the body will leave the Chamber and the Senators present will be here on some other errand than attending to that business. I take the liberty to express my opinion that that will be the result.

Mr. HALE. Now, where would the Senator stop in this process of railroading legislation?

Mr. HOAR. Wait until I get through.

Mr. HALE. No; I am asking the Senator before he gets through. I do not want to put my question after the Senator has sat down. I will begin again. I ask the Senator—that is the form of the question—where he would stop in this process of railroading legislation through that it is claimed is important, that it is claimed has had great scrutiny, and that it is claimed can not pass unless we resort to this process? To-morrow some other committee will invoke the action of the Senate in the same way, and does not the Senator himself see any danger resulting from another precedent in this direction? Will it not be claimed by other committees and other commissions afterwards that we shall do the same thing?

Mr. HOAR. Mr. President, I should stop where our precedents have stopped, and I should go as far as our precedents have gone. Where a code undertaking to include in a statute of hundreds of pages the entire body of jurisprudence, either for the United States or for this Territory, so far as it is enacted in a statute, is concerned, I should trust it to the committees or the commissioners who have made it. I think the suggestion made by the Senator from Tennessee and implied in the remarks of the Senator from Maine has not any practical force, because the thing which I propose to do, in a way which will save much time, is going to be done without saving much time. You are not going to get the Senate of the United States, this winter or any other winter, to take under consideration, in the usual way, the 665 pages which include an entire code of civil and criminal law, embracing every subject proper for legislation and for jurisprudence, crimes, civil rights, remedies, contracts, torts, descent of estates. Any page of the 665 pages might give rise to a difference of opinion if we debated it as we do other things. The thing will not be done. You are either going to take the result of the labors of these commissioners and the labors of this committee and send them into conference, where the disagreements will have the careful consideration of three able lawyers representing each body, or you are going to take a long time in the Senate in reading and debating day after day this long bill, and you will have the same thing happen in the end.

Mr. HALE. Now will the Senator allow me to ask him another question?

Mr. HOAR. Certainly.

Mr. HALE. This is legislation for a far-distant people, in a sense alien to the United States. I should not want to set the precedent with all the reasons given for it by the Senator from Massachusetts——

Mr. HOAR. That is not a question.

Mr. HALE. I will put it in a different form.

Mr. HOAR. Then I will answer it.

Mr. HALE. The Senator is very apt to ask questions of others.

Mr. HOAR. Certainly.

Mr. HALE. And I am very apt to ask questions of him.

Mr. HOAR. I do not in the least object, but my friend got up and seemed to make a speech answering mine, before I got through.

Mr. HALE. I have known the Senator to do that a hundred times and there would be a very good speech put into the body of some one else's by the interruption. I shall not put a very good

speech into his, but I will put it in the form of an interrogation. Would the Senator be willing to make this precedent? It is important legislation about a distant people. It has had the management and scrutiny of a commission. But if we do this for Alaska to-day, does not the Senator fear that we may be asked to do it for Hawaii to-morrow, and for Porto Rico the next day, and for the Philippines the next day? Would the Senator want any commission appointed to report a code for Porto Rico or Hawaii or the Philippine Islands and put it through without the Senate doing just what he says we have not time to do, considering everything section by section?

Mr. HOAR. I have seldom had a bill of discovery in which I have had to respond to so many interrogations; but I will try to answer the Senator.

Mr. HALE. The Senator must be subject to interrogations, as every Senator is here. It has got to be our way of debating, and I hope the Senator will be encouraged by my example and ask me questions.

Mr. HOAR. I will ask one now. When will the Senator get through?

Mr. HALE. I can not tell. I will put my question again.

Mr. HOAR. I object to the Senator putting it again.

Mr. HALE. If the Senator will answer the question, I will not put it again. I will wait until my friend gets through.

Mr. HOAR. Mr. President, I would stop exactly where our old precedent stopped—the Revised Statutes of the District of Columbia and the Revised Statutes of the United States, where you have got a code, including an entire body of jurisprudence, and I would leave it to the commission or the commissioners, and enact the code reported by them. It is impossible to do anything else, and you are not going to do anything else. The alternative is to leave the people in Alaska without any law at all; for we certainly can not, if this bill is to be read in full, enact it at this session. After we pass this code, if there are any complaints or difficulties, we shall have our attention directed to the specific difficulties and can meet them in an understanding fashion.

Mr. HALE. Will the Senator allow me a moment?

Mr. HOAR. Certainly.

Mr. HALE. Then is the Senator's proposition that the more difficult and exhaustive we make a code for a people the less consideration we should give to it?

Mr. HOAR. No; but it is something which grows out of the necessity of the case. You have got to do that thing.

Now, let me say what everybody knows will happen when the reading of that bill begins—unless what I say at this moment prevents it—the Senator from Maine will disappear from this Chamber.

Mr. HALE. Oh, no.

Mr. HOAR. And he will not be in this Chamber for a week.

Mr. HALE. The Senator need not be too certain about that. My association with the Senator from Massachusetts is so pleasant that if he will agree to stay here I will stay with him. [Laughter.]

Mr. HOAR. The Senator will disappear from this Chamber. Everybody who knows him knows he will, if he does what other Senators do in like cases, and that he will not appear for a week unless he puts his nose—I beg his pardon; his countenance, I mean—into the door and inquires what is going on; and if informed that the clerks are reading this ponderous document, he will go back to his other employments and not come into the Chamber again until he gets some assurance that the reading has been concluded.

Mr. HALE. Is not that likely to be the case about any important matter? But the reading of a bill does give a Senator who is inclined to scrutinize and to watch a measure and who stays here more than either the Senator from Massachusetts or I do an opportunity to make objections, whilst this process does not allow such an opportunity even to a Senator who stays here or the half dozen Senators who stay here and who are interested in the matter. We do not look after everything here; that is, most of us do not. We look after the things in which we are interested from our committees.

Mr. HOAR. I do not think it is quite the thing to do to ask me a question in the middle of a sentence and for the Senator then to make an argument.

Mr. HALE. If the Senator is restive, I will not go on.

Mr. HOAR. I am not restive, but I wanted to complete what I was saying. However, I will yield to the Senator.

Mr. HALE. The Senator has alluded to the fact that only a few Senators listen to the reading of bills; but the Senators who want to listen will be here and have an opportunity to do so. I do not see the emergency, I do not see why this bill should be brought up in the last fourteen or fifteen days of a session, and why we should be asked to agree to the entire codification of a system of laws without anybody knowing what is contained in it.

Mr. CARTER. Mr. President——

Mr. HOAR. I desire to say now, if the two Senators will allow me to do so, that we are not practically going to do this thing in any other way than in the way I have suggested. If you attempt theoretically and formally to do it in any other way, you will find you can not do it at this session of Congress, and that you will have to leave those people in Alaska entirely without law for ten or twelve months, certainly for six or eight months. The line of distinction is clear as to the character and nature of this transaction. It is a code covering all jurisprudence in Alaska, and it is impossible to have a code covering all jurisprudence, the intelligent result of an understanding and debate in the Senate, unless you are going to take several years to it. One session of Congress would be required in discussing that one bill, and there would be danger of it preventing the consideration of other important matters.

Now, I wish to refer to the suggestion about the Revised Statutes of 1873 often being denominated as a fraud. I supposed then and suppose now that to be one of the silliest and most thoroughly exploded and absolutely contradicted political charges that ever was made in the heat of a campaign; and I say again, with some experience as a lawyer and as a Senator, that there are few statutes of ten pages in length which we pass on legal subjects which afford fewer grounds of criticism on the whole than the Revised Statutes of the United States. There may be some mistakes, and of course mistakes are always important, but in general those Revised Statutes constitute a masterpiece of good legislation.

Mr. CARTER. Mr. President, I have no doubt in view of the objection of the Senator from Tennessee [Mr. BATE] that the first request I preferred should be preferred anew. I desire, however, to make one observation before preferring the request.

This bill is not a new system of laws, but a codification largely based upon the statutes of the State of Oregon, changed only in so far as necessary to adjust the law to the system of government in the district of Alaska.

Mr. STEWART. I should like to inquire of the Senator as to whether this work has been done in committee, or whether the committee has had outside assistance?

Mr. CARTER. This work was primarily done by the code commission, consisting of Judge Culberson, of Texas, a very eminent lawyer, well known in this body, and the other, as well, as chairman of the Judiciary Committee of the House of Representatives for a great many years; of Judge Botkin, a lawyer of eminent standing in the State of Wisconsin, many years ago a lawyer of large practice, and Judge Watson, of Ohio.

Mr. STEWART. Was the code commission appointed for the purpose of preparing this code?

Mr. CARTER. The code commission prepared this work.

Mr. STEWART. Under an act of Congress?

Mr. CARTER. Under a resolution of Congress, passed in regular order, for the purpose of having the work done. Thereafter the criminal code passed through the Committee on the Revision of the Laws of the House of Representatives and passed the House of Representatives. We have added to that criminal code a code of civil procedure, and that code constitutes the chief amendment, save and except to the extent that we add a license system.

Mr. STEWART. What is the civil code modeled upon?

Mr. CARTER. It is modeled upon the civil code of the State of Oregon—the simplest form of procedure.

Mr. TELLER. I should like to ask the Senator if there are any provisions in this bill about mining and mining claims?

Mr. CARTER. I will say to the Senator that we have provided in what is known as the Alaska government bill briefly for the recording of locations.

Mr. TELLER. Is that in this bill?

Mr. CARTER. There are two bills, one now pending in the House of Representatives, which I am advised will be passed next week, which provides for the division of the district of Alaska into three subdivisions, each to be presided over by a judge, and a recording system is provided for in the hands of the court.

Mr. TELLER. I want to inquire whether there is in this bill any attempt to interfere with the mining regulations established by the miners themselves?

Mr. CARTER. Not save and except to the extent that in the absence of local regulation we provide that notice of location shall be filed for record within ninety days after the location shall have been made, but we leave the local rules and regulations of the miners to govern wherever such local rules and regulations obtain which are not in conflict with the general laws of the United States.

Mr. PLATT of Connecticut. There is nothing relating to mining claims in this bill.

Mr. CARTER. There is nothing in this bill relating to mining laws.

Now, I renew my request that at the present time we proceed with the formal reading of the bill, and that the reading continue until it is completed, or until adjournment.

Mr. PETTIGREW. I wish to ask the Senator if any member of the Committee on Territories has read this bill through and carefully examined it?

Mr. CARTER. A subcommittee consisting of three members of the committee read every section and line of the bill, and have gone over it with very great care.

Mr. PETTIGREW. How long has the committee had the bill?

Mr. CARTER. In the neighborhood of a month or six weeks.

Mr. CULLOM. I hope the Senator will carry out the suggestion I made. If this bill be laid before the Senate, I hope the Senator will ask that the unfinished business may be temporarily laid aside for the purpose of considering the bill he has in charge.

Mr. CARTER. I ask that the regular order, the unfinished business, be temporarily laid aside.

Mr. HALE. I have no belief that this bill can be passed at the present session of Congress.

Mr. CULLOM. Why not? It can be passed as soon as it shall have been read.

Mr. HALE. If it is taken up now and the reading commenced, it will take certainly one or two or three days of the time of the Senate.

Mr. CARTER. I have no idea that it will occupy two hours.

Mr. HALE. I know the Senator has not.

Mr. CARTER. I certainly hope not.

Mr. HALE. But when it is read through, it will be subject to debate and discussion, and I can not consent, for one, that the Senate embark upon the consideration of this bill.

Mr. CARTER. I feel quite confident that if the Senator will reflect a moment he will realize the very great importance of passing this bill, at almost any sacrifice, at this session of Congress.

Mr. HALE. I do not see why it is now especially of more importance than it was a year ago. This matter has been allowed to run into the last fourteen or fifteen days of the session, and we are asked to take up a bill of nearly 700 pages on a subject nobody knows anything about——

Mr. CARTER. I beg the Senator's pardon.

Mr. HALE. And to commit the Senate to its consideration. If the Senate deliberately decides to take this bill up and consider it, and other Senators do not object, then I will have to submit; but I will not consent that it be taken up by unanimous consent. If the Senator wants to move to take the bill up, let him take the sense of the Senate on that question.

Mr. CARTER. I merely ask that the formal reading of the bill may be proceeded with.

Mr. HALE. That commits the Senate to the consideration of the bill.

Mr. CARTER. Not necessarily.

Mr. HALE. And the Senator from Illinois [Mr. CULLOM] suggested that the unfinished business be temporarily laid aside. That puts the bill of the Senator from Montana before the Senate, and the moment the Senate gets any leisure which is not occupied by the unfinished business the Secretary keeps on reading this bill, and it will then be before us, and we can not help it. If the Senator wants to move to take up the bill, let him make the motion and get a majority of the Senate to do so; but he can not get my consent to take it up.

Mr. CULLOM. My understanding was that it was the purpose of the Senator from Montana to ask for an evening session for the purpose of proceeding with the reading of the bill.

Mr. CARTER. The formal reading of the bill.

Mr. HALE. That commits us to the consideration of the bill when to-morrow morning comes.

Mr. CARTER. No such construction will be placed upon the arrangement by me.

Mr. HALE. The bill must be before the Senate, or else it can not be read at all.

Another thing I will say. It has come to be the fashion to hold a man personally accountable if, in the interest of the public business, he objects to some measure. I have not as much interest in the passing of some of the great measures which are before this body as others have; I have not as much interest in the passage of the great appropriation bills as the Senator from Iowa has. If the Senator from Iowa believes now that the Senate can afford to take up this bill of 665 pages and start it before the body, and that we can get through with the appropriation bills also, then I will take his suggestion about it.

Mr. TELLER. It will not interfere with the appropriation bills.

Mr. ALLISON. I want to hear what is the proposition for unanimous consent.

Mr. HALE. That the bill in charge of the Senator from Montana [Mr. CARTER] be taken up and the reading proceeded with. That puts the bill before the Senate.

Mr. CARTER. The first formal reading of the bill.

Mr. HALE. And when to-morrow morning comes and the routine business is completed, then this bill comes up.

Mr. CARTER. I am sure, if the Senator will permit me to make a statement of facts, he will allow the reading to proceed.

Mr. President, it is not a pleasant thing to state, and yet it is a fact known to lawyers in Alaska that a legal jury has never been impaneled in that district, nor can one be impaneled there to-day, notwithstanding numerous men have been executed.

Mr. HALE. Why did the Senator put this important matter off until the last fourteen or fifteen days of the session?

Mr. CARTER. The Senator from Montana has been endeavoring day and night in committee to get this proposed legislation perfected.

Mr. HALE. Has the Senator been obliged to call up this bill and spring it upon us at this stage of the session?

Mr. CARTER. There is no springing about it. There has been an earnest and determined effort to make as perfect as possible every line and section of this proposed code of law.

Mr. HALE. It was a surprise to the Senate, and certainly it was a surprise to me, when the bill was brought in here and this effort made to take it up.

Mr. CARTER. It may be a surprise to the Senator, because it was only received from the commission something like sixty days ago; and if Senators are surprised it is because they have lacked the diligence to apprise themselves of what was before the body.

Mr. HALE. If the Senator wants to take up the bill he must take the sense of the Senate upon the question; but I certainly can not consent to it.

Mr. BATE. Mr. President, certainly nothing can be more important than that there should be some legislation touching the conditions existing in Alaska. The testimony taken by the committee shows that fact. I will say to the Senator from Maine [Mr. HALE] that it is almost absolutely indispensable that something of this kind should be done. My idea was that any Senator who objected to anything contained in the bill should have at least an opportunity to criticise it, if he desired to do so, whether in regard to the code itself as an entirety or its component parts, the impaneling of juries, the holding of courts, the division of the districts of Alaska, the raising the money by which all expenses are to be met, or laws touching the mining interests—for all those matters and many more are contained in the bill.

It seems that there is really no law in Alaska to govern that district, and something ought to be done. One of the most delicate and sensitive subjects to be handled in connection with this bill is that in regard to the prohibition question, which was referred to by the Senator from New Hampshire [Mr. GALLINGER]. That is contained in the bill also.

I believe every Senator ought at least to have an opportunity to be heard, if he so desires, upon any proposition contained in the bill. Besides, I think it would be vicious legislation to pass a bill of this character nem. con. We have here almost every day bills two or three hundred pages long. Such is frequently the case with the great appropriation bills, and we manage to get through with them in a short time.

What if some Senators do leave the Chamber, as was said by the Senator from Massachusetts [Mr. HOAR]? There can be no criticism upon that, for all who are interested in the items in the particular bill under consideration will stay here and attend to it; hence we will feel safe and secure in the end that the bill has been properly criticised and properly acted upon.

I think the same opportunity ought to be afforded for the consideration and the discussion of this bill as is afforded in the case of other great bills. This bill is only about twice as large as some of the appropriation bills which we have to pass upon now. This bill contains something over 600 pages, and appropriation bills and some others now on hand contain two or three hundred pages.

I think, Mr. President, the Senate ought to allow the reading of this bill to proceed on the motion of the Senator from Montana. The people in Alaska need laws, and it is all important that a wise system should be devised for their government. It is necessary that there should be a division of the courts in that large Territory, where three appointments of judges and minor officers to conduct the courts have to be made. The clerks, marshals, etc., under the judges, and the commissioners are indispensable there. Things are now running riot in that respect, so that something ought to be done.

I think it is due to those people that we should pass a bill providing a code of laws for their government, and we ought to give some time to its consideration. It makes no difference where it presses or what it may temporarily set aside, this is one of the things that is important and that ought to be done.

Mr. CARTER. Mr. President, I prefer the request that the formal reading of the bill be proceeded with. I ask unanimous consent that that may be done.

Mr. ALLISON. Mr. President, I do not know what is contained in this bill. I have glanced over it here at my desk to see what it is, and I find it is a civil and criminal code of procedure for the district of Alaska. I find also that the House of Representatives only dealt with the criminal code. I should be glad to know from the Senator whether or not both of those codes have been reported by the commission?

Mr. CARTER. Both of those codes were reported by the commission, and likewise a code of civil law, which we do not include in our amendments from a desire to limit the work in the greatest possible degree.

Mr. ALLISON. I do not agree with the Senator from Massachusetts [Mr. HOAR] that the passing of the Revised Statutes in the form in which they were passed constitutes a precedent for this legislation. The Revised Statutes were passed, it is true, without reading in this body, except by title, but it was then stated that the Judiciary Committee of this body had carefully examined those statutes; that they contained nothing but a restatement of the laws then in force which had passed both Houses of Congress; that there was no new matter in those statutes; and we had the assurance of the Judiciary Committee of this body—I remember it very well—that the statutes had been carefully compared by the code commissioners who had prepared them and that there was no new legislation of any kind in them.

Now, here is a code which is absolutely new legislation, except that the Senator from Montana states that it is based upon the laws of Oregon. The laws of Oregon, as I understand, have been in vogue in the Territory of Alaska since its acquisition, or practically so. Therefore, although there has not been a separate and a distinct code of procedure for Alaska, there has been for years, as I understand, a spreading of the statutes of Oregon in existence at the time over the Territory of Alaska by the specific designation of our statutes.

I do not wish to impede the progress of this bill, although I can not see, when this code commission has only reported within sixty days, and the House of Representatives saw proper to only act upon one of the codes, that there is any special or great importance to be attached to the disposition of the bill at this session, although I am willing that whatever time can be spared to the consideration of this measure may be occupied in its consideration. But, whatever may be done to-night, I shall object to this bill being before the Senate on to-morrow, either to lay aside the consideration of the regular order or to interfere with appropriation bills. In any agreement made respecting this bill I ask that it shall be understood that at any time an appropriation bill is ready it shall be considered, and that this bill shall not stand in its pathway. Otherwise I am sure it will be impossible for us to deal with this question and pass the current appropriation bills.

Mr. HALE. Not only appropriation bills, but any other bills.

Mr. TELLER. I should like to ask the chairman of the Committee on Appropriations if it is not the privilege of the appropriation bills to have the right of way?

Mr. ALLISON. That would be the case ordinarily, but I understand the Senator from Montana asks that this bill shall be taken up now, and that the reading shall be proceeded with until completed. Suppose that this bill is taken up in ten minutes from now and some Senator moves to adjourn——

Mr. HALE. Or calls for a quorum.

Mr. ALLISON. Or calls for a quorum. Then there is an interruption and to-morrow morning we are confronted with the unanimous-consent agreement that this bill shall be read until it is completed.

Mr. TELLER. I understand the proposition is that the reading shall be proceeded with until we adjourn this evening.

Mr. CARTER. My request was that we proceed with the formal reading of the bill to-night.

Mr. ALLISON. Yes.

Mr. CARTER. Until its completion, unless we sooner adjourn.

Mr. ALLISON. Undoubtedly; which means that we shall proceed with its consideration to-morrow unless we have it understood that the bill shall not then be considered.

Mr. CARTER. That is no part of the request. I have no idea of extending the reading beyond to-night.

Mr. HOAR. I am very confident of the propriety, not to say the wisdom, of the suggestion I made. We should commit all such jurisdiction ordinarily to a Territorial legislature. If Alaska were a Territory having 100,000 or 200,000 people, as the Dakotas had before they were admitted as States, if the people there had a Territorial legislature which contained those three commissioners—Judge Culberson, an eminent jurist and statesman, long at the head of the law committee in the other branch, Judge Botkins, and their associate, Judge Watson—and had, in addition to that, the revision in another branch from a body whose collective wisdom was equal to that of the committees of the two Houses, which had gone over the whole subject, and then the thing was to be gone over again in conference, you would consider that they had as good a legislature as that of any Territory or State in this Union, old or new.

Although, theoretically, this is to be an act of Congress, we have practically intrusted its compilation, as we intrusted the Revised Statutes, to a committee. Whether it was a statement that they were codifying existing law or no, it was making a revised statutes of the law of the land, and all the thousands and hundreds of thousands of doubtful questions of interpretation that may have existed in former laws, so far as the Revised Statutes settled them, were settled without the action of the Senate.

I wish to repeat here the affirmation of my conviction that in taking that course you take the only practicable course, because it is clear that otherwise these poor people have to be left without any law. They have not even a law providing for the administration of justice with the aid of a jury. We have got to leave them without law for another winter or you have to take this course, and the course is one which, practically, will be taken whenever we pass this code.

Mr. ALLISON. I merely wish to make one suggestion. I have just glanced at the code here in my seat, and I find no provision as to when it shall take effect. Therefore it means that it shall take effect from and after its passage. Now, manifestly that would be an injustice to the people of Alaska, 5,000 miles away. It may be that there is a provision on that subject which I have not seen.

Mr. CARTER. There is a provision that the law shall go into effect the 1st day of June, 1899.

Mr. ALLISON. I submit that that is too early a day, considering the distance to that far-off Territory.

Mr. CARTER. It might go into effect on the 1st day of July.

Mr. TELLER. That is a matter of amendment.

Mr. ALLISON. I only call attention to it to show that there may be amendments to the bill in other directions. I do not object to the bill being taken up and considered if it shall be understood that it shall not stand in the pathway of appropriation bills. Other Senators may have other bills of importance, and they may not wish it to stand in their pathway. I do not know anything about that.

Mr. TELLER. I can not see why the chairman of the Committee on Appropriations insists upon reserving to that committee what I understand the rules of the Senate give it.

Mr. ALLISON. I do not now, the Senator from Montana having modified his request for unanimous consent.

Mr. TELLER. The Appropriations Committee have the right to call up an appropriation bill at any time and proceed with it.

Mr. BATE. It is privileged legislation.

Mr. ALLISON. That is, if no unanimous-consent agreement interferes with it.

Mr. TELLER. It has never been understood that a unanimous-consent agreement interfered unless we agreed to vote or do something of that kind. There is no proposition to vote on this bill.

Mr. HALE. There are many other matters besides appropriation bills which I believe are of more importance than this bill.

Mr. CARTER. My request goes only to this evening.

Mr. HALE. If the Senator from Montana simply asks that the Senate shall proceed to the first formal reading of the bill, the order only to continue for this evening, I shall have no objection.

Mr. CARTER. I will put the request in that form, and further supplement it with the statement that no business shall be transacted during the evening save and except the formal reading.

Mr. HALE. That is right.

Mr. LINDSAY. Mr. President, I desire to make an inquiry of the Senator having this bill especially in charge. The House bill, as I understand it, provides only a criminal code.

Mr. CARTER. It is confined exclusively to the criminal code.

Mr. LINDSAY. The House bill covers about 245 pages. The Senate amendment, providing a code of civil procedure to take the place of the Oregon code, which I understand to be now in effect in the district of Alaska, increases the volume of this bill by over 400 pages. I suggest why not act upon the House bill at this session? What assurance have we, if we amend this bill by adding a code of civil procedure, which is not absolutely essential, that the House will be able to take up and consider the amendment we shall send over to it? If it be indispensable that a code of criminal laws shall be enacted, why not let us act upon the bill sent over by the House without increasing it threefold in size and importance.

Is there any pressing reason why the code of civil procedure now in force in the district of Alaska should be superseded at this particular time? I can understand why there should be haste in establishing a code of criminal laws to apply in that district, but we have the court, we have the district attorney, we have a code of civil procedure—whether it be the best or not I am not able to say. But certainly at this late day in the session it seems to me judicious to act upon the House bill and not send practically a new bill back to the House.

Mr. TILLMAN. Mr. President, I rise to a parliamentary inquiry. What is the question before the Senate?

The VICE-PRESIDENT. The Senator from Montana [Mr. CARTER] has asked unanimous consent that the reading of this bill be proceeded with to-night, the order to last only until the adjournment, not displacing the unfinished business or interfering with appropriation bills.

Mr. TILLMAN. What is the regular order?

The VICE-PRESIDENT. There is no regular order.

Mr. TILLMAN. What will be the business before the Senate unless that consent is given?

The VICE-PRESIDENT. The unfinished business is the regular order before the Senate.

Mr. TILLMAN. I wish to make a statement as to the reason for my action. Senators will remember that as soon as the Nicaragua Canal bill was completed, in spite of the protest of the minority of the Committee on Interstate Commerce, what is known as the anti-scalping bill was taken up. It has been lying here day after day ever since as the unfinished business of the Senate. There are some Senators who propose to discuss that bill exhaustively before it becomes a law, if it passes at this session, and if we are going to discuss it at all we want to begin. I shall object to displacing that bill after to-morrow unless we have an agreement that we will have time enough, without being pressed by our amiable friend who is at the head of the Appropriations Committee to push this, that, and the other out of the way so that he can pass the appropriation bills. I therefore object to taking up anything until the anti-scalping bill is disposed of, unless we can dispose of it by unanimous consent and refer it, along with the House bill, to the committee to which it belongs.

The VICE-PRESIDENT. Objection is made to the request of the Senator from Montana.

Mr. CHANDLER. I hope the Senator from South Carolina will withdraw his objection. I intend with him to take part in a very full discussion of the ticket-brokerage bill if it is considered at this session; but I am not so anxious to begin that debate as to be unwilling to have the other business of the session go forward. I think the proposition made by the committee which has reported the Alaska bill is one which ought to commend itself to the Senate; that is, that the reading should go on now until the bill is finished, and that no other business should be done except the reading of the bill.

Mr. TILLMAN. It is time to go to dinner.

Mr. CHANDLER. The Senator from South Carolina goes without his dinner when the public good requires it just as often as any other Senator.

Mr. TILLMAN. If the Senator will excuse me, as the people of Alaska have been without a code so long, I do not see why, in the expiring hours of this Congress, we should get into a sweat here in this cold weather and press forward without rhyme or reason the passage of this measure.

Mr. CHANDLER. We ought not to unless we want to facilitate the public business and transact as much of it as can be well transacted before the 4th of March. If we do want to facilitate public business, then we ought to make this agreement.

With reference to the ticket-brokerage bill, I will state that the discussion upon that measure will cover a great deal of ground. I could enumerate now the various heads of the discussion leading up to a full consideration of the subject of trusts and monopolies such as are now growing up in this country. The ticket-brokerage bill is one in the interest of monopoly and against competition, and is only one of a long series of legislative acts that will be proposed here from time to time in the interest of monopoly and against public competition. I do think, as the debate upon that bill will certainly take a week, even if it is not prolonged and not made exhaustive, as the Senator from South Carolina says he intends to make it——

Mr. TILLMAN. Will the Senator from New Hampshire permit me?

Mr. CHANDLER. In one moment. The legitimate discussion upon that bill will take a week, and I hope that the Senator from Illinois will allow the unfinished business to be displaced, so that it may not be a continual bugbear to the Senator from South Carolina.

Mr. TILLMAN. And to the Senator from New Hampshire.

Mr. CHANDLER. And other Senators.

Mr. CULLOM. Mr. President, I do not care to take up the time of the Senate in discussing the anti-scalping bill or the other measure. I thought this afternoon, when the Senator from Montana desired to get up the proposed revision of the laws of Alaska, in order to proceed with the reading of it this afternoon and evening, that it was a reasonable request to make, and I encouraged it. I do not think myself, however, that the Senate ought to pass a bill with the declaration that none of it is to be read. I think that would be a mistake.

Mr. STEWART. Would it not solve the question if the Senator from Montana would move now to take up the bill? You will have no trouble in getting up your bill any time you want to.

Mr. CULLOM. Let me say something.

Mr. STEWART. Talk well and I will let you go on.

Mr. CULLOM. I do, generally.

The request of the Senator from Montana seems to have been denied, so far as I know, and the Senator from South Carolina desires to know what has become of the anti-scalping bill, and he objects to the consideration of anything else while that measure remains as the unfinished business.

I desire to say simply this: The bill, it is true, has been upon the Calendar as the unfinished business, having been taken up by a vote of the Senate, but the Senator from South Carolina knows, and every other Senator knows, that up to this afternoon there have been matters pressing before the Senate, such as appropriation bills and treaties and resolutions, that seemed necessarily to take precedence of the anti-scalping bill or any other business of ordinary character. I will state frankly that I very much doubt whether we will be able at the present session to pass the bill which seems to be such a nightmare to the Senator from South Carolina—referring to the anti-scalping bill. Still I have had hopes that there would come a time during the present session when we might take up the anti-scalping bill and pass it, if possible, without very long delay.

Mr. TILLMAN. Will the Senator from Illinois allow me?

Mr. CULLOM. I very readily see that if the Senator from South Carolina and his colleague as against the anti-scalping bill—I refer to the Senator from New Hampshire [Mr. CHANDLER]—determine to take up as much time as they can, under the rules of the Senate, in talking about it, the probability is the bill will not come to a vote. If it does not, it will not be my fault.

All I desire to say now is that I should like to take up the bill and press it to a final vote, because it has been in my way as long as it has been in the Senator's, and I should like to get it out of the way by passing it.

Mr. TILLMAN. Will the Senator from Illinois allow me to suggest to him that if that had been his view, he ought not to have taken up the bill in the way he did, after the committee, by a majority vote, had instructed him not to do so until the other bill——

Mr. CULLOM. Mr. President——

Mr. TILLMAN. Excuse me, please. Of course you have the floor——

Mr. CULLOM. I have yielded to the Senator.

Mr. TILLMAN. Until the other bill, dealing with the general powers of the Interstate Commerce Commission, had been brought in. That was our agreement in committee; and the Senator knows we had a hearing, in which the Interstate Commerce Commission appeared there, by Mr. Knapp and others, and presented their views in an extended way, the Senator agreeing with them and championing their bill, and asking the committee to vote on it and send it in here. Now, apparently, the Senator suddenly changes front. Of course I am speaking without any intention of being offensive to the Senator, but he seemed to lose all interest in his own baby, and he took up this other baby that somebody else had introduced or fathered previous to that.

We who are opposed to any legislation on the subject of interstate commerce until we can have the whole matter taken up and pass one general law covering the entire field, killing and extirpating, if you please, these "perjurers and thieves," as they are called by the railroad people, who buy and sell tickets——

Mr. CULLOM. I did not yield for a general discussion of the railroad question.

Mr. TILLMAN. Of course, if the Senator wants to stop me, I will come in after he gets through.

Mr. CULLOM. Oh, no; I merely do not wish to take up the time. If the Senator from Montana wants to get up his bill and everybody is willing to let him——

Mr. TILLMAN. I am perfectly willing that the Senator from Montana should get up his bill, if the Senate will take it up, but I do object to displacing this very important measure which the Senator from Illinois is championing and which has been displaced from day to day.

Mr. CULLOM. Only temporarily.

Mr. TILLMAN. We are tired of the word "temporarily." We want the bill to go to its little grave or else we want it——

Mr. CULLOM. The Senator is very incorrect in his statement, if he will allow me to say so. In the first place, I did not have the bill taken up by motion or otherwise except to vote for it. The Senator from Colorado [Mr. WOLCOTT] called the bill up, and it is before the Senate.

Mr. TILLMAN. I beg the Senator's pardon. I only remember that the Senator from Colorado expressly stated that he did it at the request of the chairman of the committee—yourself.

Mr. CULLOM. The chairman of the committee simply requested the Senator from Colorado to take charge of the bill——

Mr. TILLMAN. And get it up.

Mr. CULLOM. Because I was ill at the time and could not be in the Senate.

The Senator from South Carolina is mistaken in another respect. He says I dropped one bill and took up another. I did not do that. Neither did the Senate. The Senate took up for consideration the bill which I reported from the committee that the Senator refers

to, although he is mistaken in one respect. It was taken up at the time it was, after, I think, a majority perhaps of the full committee had stated that they were willing to have it done, without referring the bill to the Committee on Interstate Commerce at all. I do not want to discuss that bill to-night, although I am prepared to discuss it when we take it up for consideration. I merely wished the Senator to know that in the first place it was not taken up on my motion, and in the second place he knows as well as I do that there has not been a time until this evening when we could consistently ask that it be taken up for consideration, especially as the Senator himself has been proclaiming on every occasion almost that when we did take it up he intended to take as much time as he wanted, and that it would take a great deal of time in order to dispose of it. So far as I am concerned, I should like to see the bill passed.

Mr. TILLMAN. Will the Senator allow me right here?

Mr. CULLOM. Certainly.

Mr. TILLMAN. I have never uttered any such thing to any man on this floor or outside of this Chamber. I may have thought it. The Senator may be a mind reader. If that is the way in which he has arrived at my purpose, I tell him now it is my purpose, and that the bill can not pass the Senate at the present session if I can prevent it.

Mr. CULLOM. I have heard the Senator say so before, whatever may be the Senator's statement.

Now, he knows as well as I do that we have had no proper opportunity to consider that bill up to this time. I am ready to take it up to-morrow morning, but I am not willing to take it up and interfere thereby with the appropriation bills that are now pending and which have to be passed. I want to be reasonable about the matter, and I hope the Senator does; and when he charges me with violating my pledges and all that sort of thing, he is mistaken.

Mr. TILLMAN. I certainly had no purpose of charging the Senator from Illinois with violating pledges. My language I do not think will bear any such construction. If so, I withdraw it. I simply wish to say that the Committee on Interstate Commerce by agreement entered into by a vote, and I think the Senator himself voted that way——

Mr. CULLOM. No; I did not.

Mr. TILLMAN. I am not sure; I do not recall. I merely know that by a vote of 6 to 4 the order was made that the bill be reported to the Senate, and then by a vote of 6 to 4 the order was made, much to my surprise, that it should not be taken up in the Senate until the committee had considered and reported the bill which the Senator from Illinois had introduced, dealing with the general powers of the Interstate Commerce Commission and materially enlarging them.

Mr. CULLOM. In response to the Senator's statement, I will say that the RECORD shows all about it, and when the time comes it will be considered. I do not care to take the time to answer the Senator on that point. However, I wish to say, while the subject is up, that I desire to have the bill passed, but I announce now that I do not intend to insist upon it as against appropriation bills and other measures which have to be passed at the present session of Congress, if they are to become laws, in order to carry on the affairs of the country.

Mr. CHANDLER. I should like to ask the Senator from Illinois a question.

Mr. CULLOM. Certainly.

Mr. CHANDLER. The House bill is now upon the Calendar. Has the Senator any objection to taking it up and having it referred to the Committee on Interstate Commerce?

Mr. CULLOM. I have, until we see whether we will consider the other——

Mr. CHANDLER. Will the Senator from Illinois state why he objects?

Mr. CULLOM. It may be that if we enter into the consideration of the one, we may want to take up the other possibly in preference to it.

Mr. CHANDLER. Allow me to call the attention of the Senator from Illinois and of the Senate also to the way this legislation is being attempted. There is a House bill. It came over four or five weeks ago. The opponents of the bill have been anxious from the beginning that it should be referred to the Interstate Commerce Committee and that it should be considered by that committee, and yet there it lies upon the Calendar. Now I ask unanimous consent that the House bill may be taken up and referred to the Committee on Interstate Commerce.

Mr. CULLOM. I hope that will not be done until the Senate determines the question I have referred to.

Mr. CHANDLER. I should like to have my request submitted to the Senate.

The VICE-PRESIDENT. The Senate has heard the request of the Senator from New Hampshire. Is there objection?

Mr. CULLOM. I object.

The VICE-PRESIDENT. Consent is not given.

Mr. CARTER. I move that the Senate adjourn.

The motion was agreed to; and (at 5 o'clock and 53 minutes p. m.) the Senate adjourned until to-morrow, Thursday, February 16, 1899, at 12 o'clock meridian.

NOMINATIONS.

Executive nominations received by the Senate February 15, 1899.

LIBRARIAN OF CONGRESS.

Samuel J. Barrows, of Massachusetts, to be Librarian of Congress, vice John Russell Young, deceased.

COMMISSIONER OF INTERNAL REVENUE.

George W. Wilson, of Ohio, now Deputy Commissioner of Internal Revenue, to be Commissioner of Internal Revenue, vice Nathan B. Scott, resigned.

COLLECTOR OF CUSTOMS.

Weston F. Milliken, of Maine, to be collector of customs for the district of Portland and Falmouth, in the State of Maine, to succeed John W. Deering, whose term of office has expired by limitation.

APPOINTMENTS IN THE ARMY.

GENERAL OFFICER.

Col. Marcus P. Miller, Third Artillery, to be brigadier-general, vice Sinclair, retired from active service.

INFANTRY ARM.

To be second lieutenant, to rank from February 9, 1899.

William B. Parker, private, Company B, First Infantry, vice Abbott, First Infantry, deceased.

RECEIVER OF PUBLIC MONEYS.

David L. Geyer, of New Mexico, who was appointed October 1, 1897, but whose nomination failed of confirmation during the last session of the Senate, and was again appointed July 9, 1898, during the recess of the Senate, to be receiver of public moneys at Roswell, N. Mex., vice William H. Cosgrove, term expired.

POSTMASTERS.

E. J. March, to be postmaster at Hillsdale, in the county of Hillsdale and State of Michigan, in the place of H. C. Blackman, whose commission expired January 28, 1899.

George Spalding, to be postmaster at Monroe, in the county of Monroe and State of Michigan, in the place of D. R. Crampton, removed.

WITHDRAWAL.

Executive nomination withdrawn February 15, 1899.

David L. Geyer, to be receiver of public moneys at Roswell, N. Mex., which was sent to the Senate December 8, 1898, in which he was described as of Pomeroy, Ohio.

CONFIRMATIONS.

Executive nominations confirmed by the Senate February 15, 1899.

DISTRICT JUDGE.

Edward R. Meek, of Texas, to be United States district judge for the northern district of Texas.

REGISTER OF LAND OFFICE.

Frederick C. Perkins, of Durango, Colo., to be register of the land office at Durango, Colo.

COLLECTOR OF CUSTOMS.

George A. Curran, of Maine, to be collector of customs for the district of Passamaquoddy, in the State of Maine.

APPOINTMENT IN THE MARINE CORPS.

Asst. Engineer Henry O. Bissett, United States Navy, to be a second lieutenant in the Marine Corps.

PROMOTIONS IN THE ARMY.

Infantry arm.

Lieut. Col. Loyd Wheaton, Second Infantry, to be colonel, February 6, 1899.

Maj. Augustus W. Corliss, Seventh Infantry, to be lieutenant-colonel, February 6, 1899.

Capt. William V. Richards, Sixteenth Infantry, to be major, February 6, 1899.

First Lieut. Charles L. Beckurts, Sixth Infantry, to be captain, January 11, 1899.

Second Lieut. Frank C. Bolles, Eighteenth Infantry, to be first lieutenant, January 11, 1899.

APPOINTMENT IN THE ARMY.

Second Lieut. Fitzhugh Lee, jr., Twenty-first Infantry, to be second lieutenant of cavalry, January 8, 1899.

APPOINTMENTS IN THE VOLUNTEER ARMY.

Second Regiment Volunteer Engineers.

Second Lieut. James E. Lawton, to be first lieutenant.
Sergt. William B. Dougall, Company K, to be second lieutenant.

POSTMASTERS.

John B. Johnson, to be postmaster at Bancroft, in the county of Kossuth and State of Iowa.
Earl M. Cass, to be postmaster at Sumner, in the county of Bremer and State of Iowa.
E. W. McCracken, to be postmaster at Scranton, in the county of Greene and State of Iowa.
Stephen Tabor, to be postmaster at Independence, in the county of Buchanan and State of Iowa.
William N. Oursler, to be postmaster at Odebolt, in the county of Sac and State of Iowa.
William C. King, to be postmaster at Hastings, in the county of Dakota and State of Minnesota.
William Kaiser, to be postmaster at Faribault, in the county of Rice and State of Minnesota.
James W. Powell, to be postmaster at National Military Home, in the county of Leavenworth and State of Kansas.
Clarence M. Alvord, to be postmaster at Livonia Station, in the county of Livingston and State of New York.
Samuel Sweningsen, to be postmaster at Austin, in the county of Mower and State of Minnesota.
Peter L. Ring, to be postmaster at Appleton, in the county of Swift and State of Minnesota.
Emmett C. Grant, to be postmaster at Farmer, in the county of Seneca and State of New York.
Thomas B. Gibson, to be postmaster at Walden, in the county of Orange and State of New York.
Winsor B. French, to be postmaster at Saratoga Springs, in the county of Saratoga and State of New York.
Irving L'Hommedieu, to be postmaster at Medina, in the county of Orleans and State of New York.
Benjamin E. Jones, to be postmaster at Nunda, in the county of Livingston and State of New York.
Michael Halligan, to be postmaster at Rouses Point, in the county of Clinton and State of New York.
Homer S. Kent, to be postmaster at Chagrin Falls, in the county of Cuyahoga and State of Ohio.
Florence M. Wheeler, to be postmaster at Hammondsport, in the county of Steuben and State of New York.
Nelson E. Ransom, to be postmaster at Little Falls, in the county of Herkimer and State of New York.
Tanner R. Snowden, to be postmaster at Wellsville, in the county of Columbiana and State of Ohio.
George E. McDonald, to be postmaster at Minerva, in the county of Stark and State of Ohio.
Wesley B. Lang, to be postmaster at Manchester, in the county of Adams and State of Ohio.
H. G. C. Rose, to be postmaster at Millbank, in the county of Grant and State of South Dakota.
Evan J. Edwards, to be postmaster at Bowdle, in the county of Edmunds and State of South Dakota.
William H. Surles, to be postmaster at East Liverpool, in the county of Columbiana and State of Ohio.
Emeroy G. Page, to be postmaster at Hyde Park, in the county of Lamoille and State of Vermont.
Buel J. Derby, to be postmaster at Burlington, in the county of Chittenden and State of Vermont.
William F. Millican, to be postmaster at Rockwood, in the county of Roane and State of Tennessee.
E. P. Couch, to be postmaster at Mystic, in the county of New London and State of Connecticut.
Hockley T. Hamill, to be postmaster at Georgetown, in the county of Clear Creek and State of Colorado.
Arthur G. Munn, to be postmaster at San Jacinto, in the county of Riverside and State of California.
Stanley S. Tull, to be postmaster at Monon, in the county of White and State of Indiana.
Thomas L. Parker, to be postmaster at Deep River, in the county of Middlesex and State of Connecticut.
Jarvis E. Kelsey, to be postmaster at Westhaven, in the county of New Haven and State of Connecticut.
Harding R. Barber, to be postmaster at Athol, in the county of Worcester and State of Massachusetts.
John K. Cochran, to be postmaster at Pratt, in the county of Pratt and State of Kansas.
William T. Morgan, to be postmaster at Wagoner, in the Creek Nation, Ind. T.
Walter L. Shaw, to be postmaster at Palmer, in the county of Hampden and State of Massachusetts.
Louis L. Campbell, to be postmaster at Northampton, in the county of Hampshire and State of Massachusetts.
Frederick B. Byram, to be postmaster at North Attleboro, in the county of Bristol and State of Massachusetts.
Hiram E. Hardy, to be postmaster at Big Rapids, in the county of Mecosta and State of Michigan.
William H. Twiss, to be postmaster at Ashland, in the county of Middlesex and State of Massachusetts.
Samuel L. Wheaton, to be postmaster at Manchester, in the county of Essex and State of Massachusetts.
Christian A. Rasmussen, to be postmaster at Red Wing, in the county of Goodhue and State of Minnesota.
James W. Wightman, to be postmaster at Tecumseh, in the county of Lenawee and State of Michigan.
A. R. McKinnon, to be postmaster at Shelby, in the county of Oceana and State of Michigan.
Charles H. Kniffin, to be postmaster at Marlboro, in the county of Ulster and State of New York.
George Bennett, to be postmaster at Oceanus, in the county of Queens and State of New York.
William H. Bain, to be postmaster at Canajoharie, in the county of Montgomery and State of New York.
D. H. Barnes, to be postmaster at Port Arthur, in the county of Jefferson and State of Texas.
William Witte, jr., to be postmaster at Roslyn, in the county of Nassau and State of New York.
J. R. Rogers, to be postmaster at Southampton, in the county of Suffolk and State of New York.
James E. Everett, to be postmaster at Yazoo City, in the county of Yazoo and State of Mississippi.
Erwin W. Owen, to be postmaster at Eagle Pass, in the county of Maverick and State of Texas.
Edward W. Morten, to be postmaster at Farmersville, in the county of Collin and State of Texas.
F. H. Marshall, to be postmaster at Kilbourn, in the county of Columbia and State of Wisconsin.
F. M. Griswold, to be postmaster at Lake Mills, in the county of Jefferson and State of Wisconsin.
Byron Fairbanks, to be postmaster at West Bend, in the county of Washington and State of Wisconsin.
Thomas J. Price, to be postmaster at Danville, in the county of Montour and State of Pennsylvania.
Howard E. Butz, to be postmaster at Huntingdon, in the county of Huntingdon and State of Pennsylvania.
Charles H. Maynard, to be postmaster at Sheboygan, in the county of Sheboygan and State of Wisconsin.
Robert L. Williams, to be postmaster at Griffin, in the county of Spalding and State of Georgia.
William Thompson Rudolph, to be postmaster at Thomaston, in the county of Upson and State of Georgia.
Cicero F. Harrison, to be postmaster at Sandersville, in the county of Washington and State of Georgia.
Alice J. Steele, to be postmaster at David City, in the county of Butler and State of Nebraska.
George W. Robbins, to be postmaster at Rocky Mount, in the county of Edgecombe and State of North Carolina.
John E. Crymes, to be postmaster at Waynesville, in the county of Haywood and State of North Carolina.

HOUSE OF REPRESENTATIVES.

WEDNESDAY, *February 15, 1899.*

The House met at 12 o'clock m. Prayer by the Chaplain, Rev. HENRY N. COUDEN.

The Journal of the proceedings of yesterday was read and approved.

CHARLES W. RUSSEY.

Mr. McRAE. Mr. Speaker, I call up for present consideration the special order set for this morning, the bill (H. R. 245) for the relief of Charles W. Russey.

I have now all of the papers in connection with the case which were used by the committee who have considered the bill, and which I ask to have read at the desk.

The first one is a letter from the Department written to Mr. Hutcheson, formerly a member of this House, in which is incorporated one to Senator JONES of Arkansas, neither of which I ever saw until this morning.

The letter was read, as follows:

SIR: Referring to House bill No. 5732, for the relief of Charles W. Russey, who was formerly a subcontractor on Mail Route No. 29359 (Mineral Springs to Ultima Thule, Ark.), and to your letter of the 9th instant for information in connection with the claim, I have the honor to inform you that there was deducted from the pay on this route the sum of $433.58 for failure to perform service, both ways, over 12 miles of the route, between Paraclifts and Norwoodville, from January 18, 1884, to December 12, 1885.

The following copy of a letter addressed to Hon. J. K. JONES, United States Senator, by this office, under date of September 23, 1885, sets forth the position of the Department in the matter:

"The deduction of $334.28 made from the pay of Mr. Charles W. Russey was

made because he and the subcontractor for Routes Nos. 29065 (Lockesburg to Paraclifta) and 29239 (Lockesburg to Rocky Comfort) partially consolidated their routes, so that no service was performed over 12 miles of the route for which Mr. Russey is subcontractor. The consolidation was without authority of the Department. If the Department had ordered the change, there would have been deducted from the compensation a sum equal to the value of the service dispensed with. The amount withheld now is only what would have been paid to Mr. Russey had the Department been sooner informed of the fact. It would not seem that he is entitled to pay which he would not have received had he, in the exercise of good faith, advised the Department, in the first place, of the change he had made."

This letter was written in reply to the application, made by Mr. Russey, for the remission of the amount deducted from his pay on said route for the quarter ended June 30, 1885, which application was forwarded to this office by Senator JONES on September 14, 1885.

In the opinion of the Department this claim should not be allowed. When the Department advertises for separate and distinct service over two or more different routes, it has a right to demand that service, and it holds that a contractor or subcontractor has no right to combine the service over the whole or any portion of those routes. If the Department had desired this to be done, or intended to permit it to be done, it would have so stated in its advertisement for the service.

Very respectfully,

W. T. BISSELL,
Postmaster-General.

Hon. JOS. C. HUTCHESON,
Committee on Claims, House of Representatives,
Washington, D. C.

In contradiction of that paragraph in the letter which says that he consolidated his route with another, I submit the affidavits of the three postmasters, indeed all of them on the route, except one, J. B. Smith, who lived at the beginning of the route, and who was the enemy of the carrier.

The affidavits were read, as follows:

SEVIER COUNTY, *State of Arkansas.*

I, David L. Cowden, hereby certify that I was postmaster at Norwoodville when Charles W. Russey was mail carrier from Paraclifta to Ultima Thule via Norwoodville; that the mail was regularly carried and arrived promptly at this office; that those who received mail at this office were not in the least inconvenienced by Mr. Russey not crossing the river at Paraclifta, but his traveling the road by Lockesburg was for the benefit of the people; they received their mail by this change where, on account of high water, they would not have received their mail had Mr. Russey traveled the road direct from Paraclifta to Norwoodville. I may have once signed a petition to change the above-mentioned route to have it go via Lockesburg, where the river could be crossed at all seasons.

D. L. COWDEN, P. M.,
Norwoodville, Ark.

SEVIER COUNTY, *State of Arkansas.*

I, Mrs. Anne Hopson, do hereby certify that I was postmistress at Paraclifta, Sevier County, Ark., when Mr. Charles W. Russey was mail carrier from Paraclifta to Ultima Thule; that he carried the mail on said route promptly and regularly; that in crossing the Cossatot River near Lockesburg, instead of Paraclifta, the people were not inconvenienced in the least, but got their mail as soon as they would have by crossing at Paraclifta, and often received their mail when they would have not on account of there being no bridge on the river at Paraclifta. I also remember signing a petition to change the route from Paraclifta to Ultima Thule in order that the mail go by Lockesburg, where it could cross the river regularly.

MRS. A. E. HOPSON, P. M.

Sworn and subscribed to before me this the 21st day of March, 1894.

H. L. NORWOOD, *Notary Public.*

SEVIER COUNTY, *State of Arkansas.*

I, W. K. Dellarhide, do hereby certify that I was postmaster at Ultima Thule when Charles W. Russey was mail carrier or contractor on route from Mineral Springs to Ultima Thule. Paraclifta and Norwoodville post-office were on said route. I signed a petition to change said route by Lockesburg, for the reason that the river could not be got around at all seasons at Paraclifta and could be crossed at Lockesburg on the bridge. I further state that the only change Mr. Russey made was to travel the road crossing the Cossatot River near Lockesburg on the bridge. The mails arrived at Ultima Thule regularly and came when it would not have if he had traveled the road that crossed the river at Paraclifta, the river frequently being too full to be crossed there.

W. K. DELLARHIDE,
County and Circuit Clerk.

Subscribed and sworn to before me on this 22d day of March, 1894.

H. L. NORWOOD, *Notary Public.*

Mr. McRAE. Now, Mr. Speaker, here is another affidavit of the mail carrier, whose good character is testified to by 27 honorable citizens of Sevier County.

The Clerk read as follows:

I, Charles W. Russey, do solemnly swear that during the term I was subcontractor on Route No. 29359, from Mineral Springs to Ultima Thule, in the State of Arkansas, during the fall, winter, and spring seasons it was impossible to cross the Cossatot River, between Paraclifta and Norwoodville, on said route, on account of overflows in said river, there being neither bridge nor ferry on said road. That by going about 8 miles up the river I was enabled to cross said Cossatot River on a bridge. For that reason I would during such rainy seasons vacate the regular route and go up the river to the bridge on the public road, between the town of Lockesburg and Norwoodville. That the service performed by me in lieu of that on the route vacated was much heavier, the distance being 6 miles greater between Paraclifta and Norwoodville, so that on each round trip 12 miles additional service was added to the distance.

That the trips were run regularly and connections made on schedule time and no post-office was vacated. During the time I had the route I got up a petition in due form for a change on said route, and all the postmasters on the route signed it except one, J. B. Smith, the postmaster at Mineral Springs, and for the reason that he did not sign the petition I did not send it in. That all parties along the route were well pleased with the change and none were delayed in receiving their mail or otherwise put to inconvenience.

CHARLES D. RUSSEY.

Sworn to and subscribed before me on this —— day of March, 1894.

[SEAL.] W. H. COLLINS, *Notary Public.*

STATE OF ARKANSAS, *County of Sevier.*

We, the undersigned citizens of Sevier County, say that we are acquainted with the affiant, Charles W. Russey, whose name appears to the foregoing affidavit, as well as with the facts stated in said affidavit, and believe the same to be true and correct.

W. T. Boyer, N. V.; J. M. Hunsucker; H. L. Norwood, representative; W. C. Park; J. A. Woodford; A. B. Bishop, M. D.; W. R. Woodruff; Geo. Pork; J. B. Martin, county examiner; Jim Floyd; John C. Bell; H. C. Williamson; J. H. Turrentine, treasurer; J. A. Little; N. M. Cannon; G. S. Turrentine; Robt. E. Steele; Rupert Steele; W. P. Oliver; A. L. Tribble; Steel & Steel, attorneys; W. H. Collins; F. C. Floyd; W. K. Perkins, county judge; W. K. Dollenline, county judge; R. M. Grady, sheriff; Alex. Luther, ex-court clerk; L. H. Norwood; F. F. Coffey.

Mr. McRAE. Mr. Charles W. Russey, who was the subcontractor on Route No. 29359, partially traveled the Route No. 29358, so that no service was performed over 12 miles of Route No. 29359, for which deduction was made. From the evidence read the facts appear to be that during the period for which Mr. Russey was subcontractor on Route No. 29359, 12 miles, from Paraclifta to Norwoodville, is through river bottom, low land, and impassable during greater part of the year. The Cossatot River between is quite a large stream, there was no bridge nor ferry on route, and being a mountain stream and easily swollen by heavy rains, there are many creeks and sloughs which, when the water is high, are dangerous to cross; that the 12 miles of route was vacated for those reasons, and in lieu thereof greater service over a longer route was made—there being a bridge on the route substituted; that by so doing the trips were regularly run and connections promptly made; that the community was greatly benefited by the change.

The Department claims that it had the right to demand the service on the particular route scheduled. That is not denied. But the evidence shows that the service could not have been rendered. The honest attempt he made to deliver the mails should entitle the carrier to full compensation. The evidence shows that trips could not have been made without danger to life and injury to mails. Had the trip been undertaken and traveled one way, the carrier was liable to be detained indefinitely by high water before his return, thus rendering it impossible to make schedule time and causing a great inconvenience to the community. The objection is only technical and without equity.

If no service was performed on the one route, greater or double service was still performed over another; and, from a parity of reasoning, double pay should have been allowed on route over which service was rendered.

The Government has suffered no imposition and has nothing to complain of. It is the party benefited by the change. It is enforcing a penalty unjustly, and the loss falls heavily on a deserving citizen, who is a poor man.

The mere fact that the Department was not advised of the change was not because of bad faith on the part of the claimant, as has been charged. The reason was that at the beginning one postmaster on the route, J. B. Smith, refused to indorse the change, and on account of a personal grudge against the claimant reported the irregularity to the Department.

No one denies that the mails were promptly delivered at all the offices on Route No. 29359. No one denies that for a greater portion of the year it was impossible to deliver the mail by said route by reason of high water. No one denies that under such circumstances the contractor would have been entitled to his pay for the whole time for his failure to perform service which was not due to any fault of his. No one would deny that it was better to carry the mail over another road and thereby supply the wants of a country and meet the ends and objects of the law than to leave the mails at some post-office to await the fall of a swollen and impassable river. And I assert that if the service was rendered impossible by high water, and the contractor would have been paid irrespective of the trips thus lost, there is no equity in stopping his pay because he carried the mails over another than the scheduled route, because he traveled 6 miles over another route.

I submit, therefore, that the Government received all the fruits of the services contracted for; that the aims and objects of the law have been absolutely met, and that to stop the pay or any portion thereof to the contractor on the technical grounds assumed by the Post-Office Department is adverse to the principles of equity. Outside of the evidence it is known that the claimant, Mr. Russey, sustained great loss in having the mails carried over the substituted route.

Now, Mr. Speaker, I hold in my hand a plat which will show to anyone who desires to see it exactly why this change was necessary. From the affidavits of these postmasters and of Mr. Russey himself it is perfectly clear to my mind and has been satisfactorily established to every committee that has ever investigated it that this man performed the service and ought to have his pay.

Mr. BRUCKER. Will the gentleman allow me to ask him a question?

Mr. McRAE. Yes.

Mr. BRUCKER. This petition which was circulated to change the route—was that petition presented to the Department?

Mr. McRAE. That fact does not appear from the papers I have.

At any rate, the Department say they did not authorize the change. Now, when this gentleman went up the Cossatot River and crossed the bridge which he mentions in his affidavit, he there struck another mail route in order to go to Norwoodville, and because he traveled over a route that another mail carrier traveled over the Department insist that he shall have no pay for it. But the route of Mr. Russey, you must remember, did not stop at Norwoodville, but extended to Ultima Thule. That is all there is in it. But he performed the service, and if the carrier had stopped at Paraclifta or Norwoodville, then there would have been no mail facilities to Ultima Thule.

Mr. BRUCKER. The question that I asked was this: Is there anything in the record which the gentleman has submitted to show that this mail carrier ever informed the Department that they desired to have this route changed?

Mr. McRAE. All the postmasters on the route except one say that a petition was signed by them, but the Department says that they did not authorize any change. This was in 1884, and the present officers there remember nothing about it. They told me so this morning, that they only found the letters which I have read and one other to the same effect.

Mr. BRUCKER. Does the Post-Office Department dispute the fact that this petition changing this route was filed?

Mr. McRAE. The people in the office now do not know anything about it, and no search for such papers had been made this morning at the time I called on the chief clerk.

Mr. LOUD. Mr. Speaker, there is a matter of considerable importance involved in this bill, although it involves but $436. But first, in case I might forget it in going into another portion of this question, I will answer the question of the gentleman from Michigan that he propounded to the gentleman from Arkansas. It is immaterial whether the Department ever received any request to change this route. The Department, in a letter here presented, stated that if the route had been changed they would have made this reduction.

Mr. BRUCKER. Then it is only a question of good faith.

Mr. LOUD. The Department says that if a change had been made this reduction would have been made.

Mr. BRUCKER. This man would not have been held to perform the service, and the other man would.

Mr. LOUD. On yesterday "the gentleman from California" [Mr. LOUD] said:

What does the Department say about this bill?

The gentleman from Arkansas [Mr. McRAE] said:

The Department officials told me several years ago that the man ought to have his money, but that in order to enforce proper discipline and good service they felt constrained to make deduction every time he went on this circuitous route and not the route prescribed by the Department.

I then said:

Is there any letter from the Department in relation to this subject?

The gentleman from Arkansas [Mr. McRAE]:

There is none incorporated in the report. I do not know of any letter from the Department, but I have talked with the officers about this case, and so have other members of the Committee on Claims. No one who has examined it has objected to it.

Then, later, the gentleman from Arkansas says:

I do not know whether the committee has such a letter or not, but I know that the gentleman who reported this bill—the gentleman from Illinois [Mr. GRAFF]—refused for a long time to make the report, until he could consult with officers of the Department.

Upon that statement, Mr. Speaker, I waived objection to this bill on yesterday.

Now, the facts in the case are clearly demonstrated by a letter from the Department. This is the fourth report from the Department which has been made against this bill, and yet the gentleman stated here on his honor as a Representative——

Mr. McRAE. Mr. Speaker, the gentleman will not be permitted to say that I knew of any letter or that any had ever been written to me.

Mr. LOUD. I only read from the RECORD.

Mr. McRAE. I repeat again, the officials of that Department several years ago said exactly what I said on yesterday.

Mr. LOUD. I only read from the RECORD, so that the gentleman can not say I misquote him.

Mr. McRAE. You can not misrepresent me if you read from the RECORD.

Mr. LOUD. I will read it again:

Mr. McRAE. I do not know whether the committee has such a letter or not, but I know that the gentleman who reported this bill—the gentleman from Illinois [Mr. GRAFF]—refused for a long time to make the report until he could consult with officers of the Department.

Mr. McRAE. That is true. The gentleman from Illinois did tell me substantially that.

Mr. LOUD. The gentleman from Illinois is not here.

Mr. McRAE. And if he were here he would tell you that he refused to report the bill until he examined the facts.

Mr. LOUD. I think the fact is the Department every time they have been requested to pass upon this bill have reported against it.

Mr. McRAE. And, as I have shown by the testimony of these postmasters, they have done it every time upon a misapprehension of the facts.

Mr. LOUD. I want to say, Mr. Speaker, in good faith, that if I had known these letters were in existence, this bill would never have received consent in the House, and the gentleman can see the situation from the same point——

Mr. McRAE. If the gentleman insinuates or thinks or believes that he was deceived about it by anything I said on yesterday I will, if the Speaker will permit, ask to have the bill presented again for unanimous consent. I would not deceive him or anybody else about this or any other bill. If the Speaker will submit the bill again, I will give the gentleman from California another chance to object to its consideration. [Applause.]

Mr. LOUD. Just a word, and I am willing to submit to that, Mr. Speaker, I want to correct one statement that the gentleman has made, and then he can withdraw the bill and offer it again. The Department in this letter—the one that has been read here—has made this case perfectly clear. Mr. John Smith had a contract to carry the mail from Office A to Office B, and Mr. Jones had a contract to carry the mail from Office A to Offices C, D, and E, and perhaps some other offices.

Now, the first contractor combines with the second one because they reach nearly the same point, and this is the testimony before the Department.

Mr. McRAE. Will the gentleman yield to me to make a statement?

Mr. LOUD. Certainly.

Mr. McRAE. I asked the chief clerk of the Department this morning to give me the information upon which that statement was based, and he said that he did not know it and would have to make further search to find it.

Mr. LOUD. The case is fourteen years old and he could not put his hand on it at once.

Mr. McRAE. With the testimony that I have furnished I submit that it would not be true. J. B. Smith, an enemy of Mr. Russey, reported and misrepresented the facts, and for fourteen years this claimant has been without his pay.

Mr. LOUD. I am perfectly willing to trust the Department after the careful investigation it has made of the case. The facts that appeared in the investigation made by the Department show that this was the case, that he found somebody over here carrying the mail, which substantially reached the same place; so he got the man to carry for him, and perhaps he carried some for the other man.

Mr. McRAE. That is denied in the affidavit.

The SPEAKER. The Chair thinks the matter should be submitted in accordance with the statement of the gentleman from Arkansas. The gentleman from Arkansas withdraws the bill, and he now asks unanimous consent for the present consideration of the bill.

Mr. LOUD. I object.

WASHINGTON PUBLIC LIBRARY.

Mr. MERCER. Mr. Speaker, I ask unanimous consent for the present consideration of the bill (H. R. 11712) to provide a site for a building for the Washington Public Library.

The bill was read, as follows:

Be it enacted, etc., That authority is hereby conferred upon a commission, to consist of the Commissioners of the District of Columbia, the officer in charge of public buildings and grounds, and the president of the board of trustees of the Washington Public Library, to cause to be erected upon Mount Vernon Square, in the city of Washington, in the District of Columbia, a building for the use of the Washington Public Library, with funds to be contributed by Andrew Carnegie: *Provided*, That such building shall be commenced within twelve months and completed within two years from the passage of this act: *And provided further*, That no liability shall be incurred by the United States or the District of Columbia for the cost of the erection of said building.

SEC. 2. That said commission shall invite ten architects or firms of architects, of conspicuous ability and experience, to submit competitive designs for the said building, upon a carefully drawn programme, said competition to be adjudged by said commission acting with two other persons to be selected by the competing architects. The architect, or firm of architects, whose design shall thus be adjudged most acceptable shall be employed as architect of the building, to act under the direction of the office of construction hereinafter provided for, and to furnish all designs and drawings required for the construction of the building and personal services requisite for their artistic execution. Said architect shall receive as full compensation for the said designs, drawings, and personal services the sum of 3 per cent of the total cost of said building, to be paid from time to time as the work progresses; and all designs and drawings furnished by him for the said building shall become the property of the District of Columbia.

SEC. 3. That the construction of said building shall be placed in charge of an officer of the Government especially qualified for the duty, to be appointed by the aforesaid commission, who shall receive for his additional services an increase of 40 per cent in his present salary, to be paid out of the appropriations made for the said building, and he shall disburse the funds under rules to be prescribed by the said commission, make all contracts, and employ all necessary personal services not herein otherwise provided for.

With the following amendments:

In line 12, page 1, strike out the word "two" and insert in lieu thereof the word "three."

In line 21, page 2, strike out the word "in" and insert in lieu thereof the word "of."

In line 22, page 2, strike out the words "the appropriations made for the said building" and substitute therefor the words "any available funds."

Mr. MUDD. Mr. Speaker, I desire to offer an amendment.

The SPEAKER. Is there objection to the present consideration of the bill?

Mr. UNDERWOOD. Reserving the right to object——

Mr. BARHAM. I reserve all points of order.

Mr. CANNON. I would like to ask a question of the gentleman from Nebraska. This is on the Calendar?

Mr. MERCER. On the Calendar as unfinished business.

The SPEAKER. It is on the Union Calendar.

Mr. CANNON. Now, then, under the rules of the House we have to reach it upon the Calendar before it can be considered. This is an effort, as I understand it, because it is claimed to be a matter of great importance, to get the unanimous consent of everybody in the House to pass this bill against the rules of the House, to dispense with the rules of the House. Is that what the gentleman is trying to get at, because, as he says, this is a matter which he claims to have merit?

Mr. MERCER. That is not my intention; I am only thinking about this bill.

Mr. CANNON. That is what the gentleman asks—the consent of every member of the House to pass it?

Mr. MERCER. Yes.

Mr. CANNON. Then unanimous consent can dispense with all rules and pass it. I want to ask the gentleman another question: What is to become of the other unfinished business on the Calendar?

Mr. MERCER. I am willing to ask unanimous consent on each one of them. [Laughter.]

Mr. UNDERWOOD. Reserving the right to object, I would like to ask the gentleman if this is one of the bills considered in Committee of the Whole in the House last week?

Mr. MERCER. As I remember, it was.

Mr. UNDERWOOD. I think these bills should all stand on the same footing. I have no objection to this particular bill, but I do not think that some of these bills should be picked out and others not taken up.

Mr. DOCKERY. Will the gentleman, before he objects, allow me a suggestion that this is somewhat different?

Mr. UNDERWOOD. No; I demand the regular order, Mr. Speaker.

The SPEAKER. The regular order is demanded.

SUNDRY CIVIL APPROPRIATION BILL.

Mr. CANNON. Mr. Speaker, I move that the House resolve itself into Committee of the Whole for the further consideration of the sundry civil bill.

Mr. HEPBURN. One moment, Mr. Speaker. I wish the gentleman from Illinois would withhold that for a moment; I want to offer a resolution, if the Chair will recognize me for that purpose.

The SPEAKER. The gentleman from Illinois is recognized.

Mr. HEPBURN. I desire to offer a resolution and ask unanimous consent on a matter relating to the canal subject.

The SPEAKER. The Chair has recognized the gentleman from Illinois, and the motion before the House is that the House resolve itself into Committee of the Whole for the purpose of further considering the sundry civil appropriation bill.

The question was taken; and the Speaker announced that the nays had it; and the House refused to go into Committee of the Whole.

Mr. PAYNE. Division, Mr. Speaker.

Mr. MUDD. Let us hear the resolution first.

Mr. GROSVENOR. Let it be read.

Mr. UNDERWOOD. I was ready to withdraw the demand for the regular order for that purpose.

Mr. HEPBURN. Mr. Speaker, I hope the gentleman will give me an opportunity to read the resolution.

Mr. CANNON. I have no objection to his reading the Ten Commandments if he does not take up too much time. [Laughter.]

Mr. HEPBURN. I do not want to read but one. [Laughter.]

Mr. HEPBURN read the resolution, as follows:

Resolved, That Tuesday next be set apart for the consideration of Senate bill No. 4792 as amended and reported by the Committee on Interstate and Foreign Commerce, the consideration to extend from day to day until completed.

I ask unanimous consent for the present consideration of that resolution.

Mr. CANNON. And to that I object.

The SPEAKER. The Chair desires to say to the House that the demand for the regular order is an objection.

Mr. CANNON. I have no objection to the reference of that resolution under the rules to a proper committee.

Mr. HEPBURN. I do not desire to bury it.

Mr. CANNON. I know; it is a cheap performance you desire. I renew my motion.

The question being taken on the motion of Mr. CANNON, it was agreed to—ayes 173, noes 1.

The House accordingly resolved itself into Committee of the Whole on the state of the Union (Mr. HOPKINS in the chair) and resumed the consideration of the sundry civil appropriation bill.

The CHAIRMAN. The question pending when the committee rose was the point of order raised by the gentleman from Illinois [Mr. CANNON] upon an amendment offered by the gentleman from Iowa [Mr. HEPBURN], and the gentleman from Texas [Mr. BAILEY] had been recognized by the Chair.

Mr. BAILEY. Mr. Chairman, I shall detain the committee but a moment, because I only desire to reply to that part of the speech delivered yesterday by the gentleman from Illinois in which he recalled with some pathos and effect the unfortunate scandals which grew out of the construction of the Pacific railroads. He did not say it in so many words, but it was perfectly plain to all who heard him that he desired to influence the House by raising in the minds of its members a fear that the construction of the Nicaragua Canal will be followed by scandals like those which disgraced the promoters of the Pacific railroads.

Mr. CANNON. Will the gentleman allow me a moment?

Mr. BAILEY. Certainly.

Mr. CANNON. I had not that matter in my mind. I was seeking to show to the House the importance, as I thought, of considering all business in an orderly manner and of having due consideration, especially, of important legislation; and I referred to the Pacific railroad matter, in which there was loose legislation, under which great scandal arose later on; and it seemed to me that in justice to ourselves and the country—in the light of the past and the present, and looking to the future—that whatever legislation may be had should be fully and fairly considered, without let or hindrance, up to the point of a sufficient consideration. That is all I intended.

Mr. BAILEY. The gentleman only emphasizes the importance of what I was going to say, and that was this: That the scandal to which he referred did not grow out of loose or hasty legislation. The trouble in that case was deeper. It grew out of the unfortunate partnership into which the Government entered with individuals and corporations. The gentleman does not believe more than I do in careful legislation. I am one of those who believe that all important matters ought to be fully debated and then fairly decided.

The gentleman from Illinois is usually one of the most adroit debaters in this House, but he was not fortunate yesterday in calling attention to this point, because the bill which the gentleman from Iowa has sought to offer as an amendment to this general appropriation bill avoids the very vice out of which those Pacific railroad scandals grew; that is to say, it avoids a partnership of this Government with private individuals and corporations. I desire to vote on this proposition, because I realize that sooner or later—and my judgment is that it will be very soon—the House will be compelled to choose between the proposition submitted by the gentleman from Iowa and the other proposition that has been pending here since I have been a member of Congress.

One proposition is that this canal shall be built with the money of the Government and that it shall be owned by the Government; the other is to build it on the credit of the nation and allow it to be owned and operated by a private corporation. If this canal is to be built at all (and that it will be is, I think, beyond the shadow of a doubt), it must be built for the purpose of military and naval defense, for a large majority of gentlemen on this side, I am sure, and I believe a majority of gentlemen on the other side, are not yet ready to assert the power of the Federal Government to go into a foreign country and construct highways purely and only for the benefit of foreign commerce.

If you have reached that point, then tell me how, after having constructed waterways in a foreign country for the benefit of foreign commerce, you can refuse to come back home and construct railways in our own country for the benefit of interstate commerce? The power of the Government in each case is precisely the same—granted to Congress in almost the same words and in exactly the same provision of the Constitution. Therefore I assume that a large majority of this House are not ready to commit the Government to the construction of this work merely and only for the purpose of promoting foreign commerce.

If it is built as a great work of naval and military defense, will any gentleman assert the wisdom of allowing private individuals or private corporations to own an interest in it? You might as well assert that it is wise to allow private corporations or private individuals to own our forts and arsenals as to assert the wisdom of allowing them to own an interest in a canal which is to be the greatest work of naval and military defense constructed in the century. It was a wise decision of the Committee on Interstate

and Foreign Commerce when they decided that this great work of national commerce should be executed by the Government at its own cost, and when completed should be owned by the Government.

I think that the House is justified at any point short of a violation of the rule in giving its indorsement to this proposition, as against the other and indefensible one, which puts the Government of the United States into a sort of a partnership with a private corporation.

It does even more than that, Mr. Chairman, it reduces the Government to a position of a mere incorporator, an artificial creation of the law, when it becomes a stockholder in a company for the construction of this great Nicaraguan Canal. In order to avoid reducing the Government of the United States to the condition of a stockholder in a commercial enterprise—in order to avoid such scandals as grew out of the construction of the Pacific railroads, on the very terms and conditions that it is supposed to construct this great canal—I am exceedingly anxious to see the House afforded an opportunity to vote on the proposition submitted by the gentleman from Iowa [Mr. HEPBURN].

Mr. Chairman, I am as averse to the violation of the rules of the House as any other member on this floor. I do not believe, and never have believed, in sticking for the letter and violating the spirit of the rule. I have contended more than once that those rules should be lived up to while other gentlemen trampled them as if they were made only to be obeyed "on occasions." But, sir, the rule whose sanctity the gentleman from Illinois asserted with so much vehemence has been violated a hundred times on the floor of the House. It is violated in every appropriation bill that is reported to our body, and it has been frequently done by his own committee.

I see the gentleman from Illinois rises as if he wishes to interrupt me.

Mr. CANNON. I want the gentleman from Texas to be entirely fair to myself while he is also fair to himself.

Mr. BAILEY. I hope to do that.

Mr. CANNON. The gentleman says that the rules have been violated frequently, namely, intimating that general appropriation bills had carried appropriations which are not authorized by the law. Now, that is true. But it has never been done except by unanimous consent. Why, this morning only the rules of the House were sought to be violated by unanimous consent for the purpose of passing a public-building bill, just as the same effort was made a dozen times on yesterday when the "rules were violated" by unanimous consent and various bills passed this body.

Now, it is not true—and I speak advisedly, I will say to my friend from Texas—it is not true that any rule of the House, so far as I have knowledge, has been violated except by unanimous consent.

Mr. BAILEY. The occurrence to which the gentleman refers is no "violation" of the rules. It merely suspended them.

Mr. CANNON. Well, a suspension of the rules, then, if you choose to call it that way, by unanimous consent.

Mr. BAILEY. But that is no violation of the rules——

Mr. CANNON. Then there has been no violation.

Mr. BAILEY (continuing). But the gentleman from Illinois and his committee do not first obtain unanimous consent to report a bill with an item not justified by existing law. They report their bills without such unanimous consent, and it is safe to say that nearly every bill reported contains some item in violation of the rule.

Mr. CANNON. Let me say—of course the gentleman from Texas desires to be fair to both.

Mr. BAILEY. Undoubtedly.

Mr. CANNON. The matters reported that are not authorized by law sometimes are authorized when they are supposed not to be. As in this bill certain items in that respect are pointed out in the report. Then the bill goes to the Committee of the Whole, and it is presumed to have unanimous consent in the absence of the point of order.

But even if the contention of the gentleman be true, do two wrongs make a right? Has anything ever gone on the bill, so far as the House is concerned, in this connection, where any member objected by raising the point of order?

Mr. BAILEY. The gentleman from Illinois will remember that there is more in the rule than that clause which forbids the consideration of an amendment where the point of order is made. The rule expressly declares that "*no appropriation shall be reported in any general appropriation bill*, or be in order as an amendment thereto, that is not authorized by existing law." Therefore when the gentleman and his committee report any such item in the bill, they do not suspend the rules by unanimous consent, but they violate the rule, and that was my original statement.

Mr. CANNON. Now, I will state to the gentleman right there——

Mr. BAILEY. I am not complaining of the gentleman or his committee. I am inclined to think it frequently happens that there is an item that everybody would desire to have included, and these rules are not made to prevent the House from doing business, but to facilitate the transaction of its business.

Mr. CANNON. Now, there is another rule to which I want in fairness to call attention—that any bill making a charge upon the Treasury shall receive its first consideration in Committee of the Whole. Take the library bill, for which the gentleman from Nebraska this morning asked unanimous consent. It makes a charge upon the Treasury and is on the Calendar, yet there is that rule that it shall receive, and so forth. And so with hundreds of other bills.

Mr. BAILEY. But the bill——

Mr. CANNON. Now, the "shall" and the "must" are always subject to waiver by unanimous consent.

Mr. BAILEY. Precisely so; and if the House waives it, it is not a violation of the rule.

Mr. CANNON. Precisely.

Mr. BAILEY. The difference between the two cases is this: One gentleman rises and says, "I ask unanimous consent for the present consideration of the following bill." That unanimous consent is granted. That suspends the rules; it does not violate them. But when the gentleman from Illinois and his committee report to this House a bill containing an appropriation not authorized by law they violate the rule.

Mr. CANNON. Well, suppose——

Mr. BAILEY. Because they do not first obtain unanimous consent.

Mr. CANNON. Well, I think, under the practice, not; but, for the sake of the argument, grant it is so. Does that authorize the gentleman from Texas to violate the rule when a member of the House, in the exercise of his right, arises and makes the point of order?

Mr. BAILEY. I have not contended that it does.

Mr. MOODY. Will the gentleman permit me?

Mr. BAILEY. I was simply replying to the statement as to the alleged sanctity of the rule. Now I yield to the gentleman from Massachusetts.

Mr. MOODY. Of course we all want to get things exactly as they are. The gentleman from Texas has properly laid emphasis upon the wording of the first branch of the rule which prohibits the reporting upon any general appropriation bill of an appropriation for an expenditure not authorized by law. Now, I desire to call the attention of the gentleman to the fact that in this bill, according to the very best information that I could get, and according to my own memory of its construction and detail, there is not a single dollar reported in violation of that branch of the rules—not a single dollar. And I want to say again to the gentleman that that is not peculiar to this bill, but is in pursuance of the policy of the Committee on Appropriations.

Now, that I may complete my information, because I know gentlemen all want to get the fact, it is, however, true that in the bill there are very many instances of provisions which are obnoxious to the latter part of the rule, which is in these words:

> Nor shall any provision changing existing law be in order in any general appropriation bill or any amendment thereto.

Now, the prohibition against reporting an appropriation for an expenditure not authorized by law has been observed by the Committee on Appropriations, and I challenge anybody to point out a single instance in this bill where it has been violated.

But it is true that under the less stringent language of the latter half of the rule, and in accordance with a practice that is a good deal older than the experience of any gentleman in this House, legislation has been placed upon this and always is placed upon appropriation bills; and I desire to call the attention of the gentleman to the fact that in this report, as in all other reports coming from that committee and from every other committee which makes appropriations, according to my knowledge, the specific instances of amendments to the bill or provisions in the bill which are obnoxious to the latter half of that provision, as being changes of existing law, are enumerated, italicized, and in every possible way brought to the attention of every single member of the House, so that he may know his rights.

Now, perhaps, it would be as wise to observe the same caution about the latter half as the former half of that rule, but the language is different. The gentleman will appreciate it. Those are the exact facts about the case, and I am sure we all want to know them. [Applause on the Republican side.]

Mr. BAILEY. Mr. Chairman, the gentleman from Massachusetts makes a good defense of his committee.

Mr. MOODY. Not a defense. It was rather a disclosure of the exact practice of this committee, which the House of Representatives is entitled to have.

Mr. BAILEY. Well, I used one word to express what the gentleman has well expressed in two or three sentences. At any rate they need no defense; there is no committee in the House for which I entertain a higher respect. In saying what I did, so far from attacking the committee, I was rather invoking the practice of the

committee to justify what might be a departure from the rule, because I was showing that one of the great committees of the House almost every time it reported a bill violated the very rule it is now claiming to be so sacred.

The gentleman from Massachusetts, however, does not satisfy me as to the distinction which he tries to draw between the first and the latter part of the rule. If either is to be observed or to be violated, I would rather violate the first and observe the last; because it being an appropriation bill there is less objection to putting a new appropriation in it than there is to putting in a change of existing law. The purpose of the rule was to prevent legislation on appropriation bills. A wise one, according to the view of some; but I am not sure that it is wise.

Some of the greatest triumphs achieved by the advocates of civil liberty in Great Britain were won by forcing great reforms on the money bills of Parliament; and I am by no means certain that it is the essence of wisdom to deny the lawmaking branch of the Government the right to employ this power to bring the executive branch to an agreement with it. But whether that be wise or not is not now open for discussion. For many years—longer than I have lived, and, perhaps, longer than the gentleman from Illinois has lived—that rule has constituted a part of our methods of procedure, and I am not inclined to disturb it now, but I commend to the Committee on Appropriations the fact that its adoption proceeded from a desire to prevent legislation on appropriation bills; and when you violate the last provision in it, you violate the most important one which it contains.

I would rather you would incorporate new items of appropriation than that you would pass new laws upon your bill. If you merely spend the people's money, you may do them no further harm than that you take what their energies have produced and waste it; but if you hide into your appropriation bills new laws, you may seriously impair their higher and more sacred rights; and the statement that you keep the first and disobey the last injunction of the rule might subject you to the greatest censure.

But, Mr. Chairman, I did not rise for the purpose of discussing the rule. I rose purely and only to call the attention of the House to the fact that the bill which is proposed as an amendment carefully and wisely avoids the very condition out of which grew the unfortunate scandals that followed the construction of those great highways across the continent. [Applause.]

Mr. DOCKERY. Mr. Chairman, the issue now before the House is not the alleged delinquency of the Committee on Appropriations, but the plain, distinct proposition as to whether or not the requirements of clause 2 of Rule XXI shall be maintained in its integrity—the point of order having been raised by the gentleman from Illinois against the proposed amendment. Clause 2 of Rule XXI provides that certain appropriations shall not be reported in a general appropriation bill. That does not, however, relate especially to the pending amendment. It is the concluding paragraph of clause 2 of Rule XXI that I desire to call to the attention of the House. It reads:

Nor shall any provision changing existing law be in order in any appropriation bill or in any amendment thereto.

So the only question for the determination of the House is whether the provision offered by the gentleman from Iowa does or does not change existing law. If it does change existing law, then it is not in order on this general appropriation bill; and I would be glad for any gentleman on this floor, having regard for his reputation as a parliamentarian, to rise and assert in this intelligent presence that the proposition of the gentleman from Iowa does not change existing law. I assume that every intelligent Representative concedes that it does change existing law. That fact is admitted; and yet it is an open secret that the majority of the House are expected to overrule the decision of the Chair—because the Chair must hold this provision to be obnoxious to the rule—they are to overrule the decision of the Chair, appeal to the House, and hold the canal proposition to be in order.

Something was said by the gentleman from Iowa yesterday in derision of the rules——

Mr. BERRY. Will the gentleman permit me to ask him a question?

Mr. DOCKERY. Certainly.

Mr. BERRY. How do you change any existing law if the United States has not given authority for the construction of the Nicaragua Canal?

Mr. DOCKERY. Simply because in express constructions, and I do not want——

Mr. BERRY. Is there any existing law?

Mr. DOCKERY. The amendment carries legislation that does not now exist, and such legislation is a change of existing law.

Mr. BERRY. But you said that it does change existing law.

Mr. DOCKERY. It has been held over and over again that where there is no existing law on a given subject and it is proposed to make law on that subject, the making of law is in that respect a change of existing law. Why, certainly it must be true, because it is not existing law.

Now, then, I ask the attention of the House for a few moments. I know that a majority seem to be eager to get at the public Treasury in this case. I have not been here for sixteen years to be unable now to understand the temper of this body; but I propose, Mr. Chairman, under the rules, as I have the privilege, to interpose one objection to a precedent now sought to be established which for all time would override the rights of the minority. The gentleman from Iowa [Mr. HEPBURN] yesterday referred with some derision, I repeat, to the rules. I confess I have no especial regard for this particular body of rules. In my judgment the code of rules adopted by the other side of the House has degraded the House of Representatives before the American people. [Applause on the Democratic side.]

This system of rules has minimized the House of Representatives and exalted the tremendous power of the Speaker, and I have no sympathy with it as such. My judgment is against this code; and if I have an opportunity under the rules, I will vote to change it. But nevertheless, Mr. Chairman, it will not do for any gentleman on this side of the Chamber to arraign this particular rule—clause 2 of Rule XXI. That rule has come down to us from a Democratic President, indorsed by James K. Polk when he was Speaker of this body in 1837. It is a Democratic rule, and in its present form it only differs from its exact terms in former years in this, that the Republican majority has eliminated what is known as the Holman provision. That is a provision allowing the repeal of legislation upon appropriation bills where such repeal reduces expenditures.

The odium that attaches generally to the Reed code of rules does not attach to this particular rule, because, as I stated, it was first adopted in 1837, when James K. Polk, of Tennessee, was Speaker. It continued to be the rule of this body until 1876, when it was strengthened, Michael C. Kerr, of Indiana, a Democratic Speaker, being in the chair. In 1880 it was still further strengthened, with a view to prevent legislation upon appropriation bills, on the suggestion of William R. Morrison, of Illinois. It prevailed again under the administration of Speaker John G. Carlisle. So, from 1837 until now, this rule has been maintained by the Democratic party when it had control of this House, under all administrations, with the elimination of the Holman provision now and then. Accordingly, gentlemen on this side of the House can not launch their criticisms at clause 2 of Rule XXI as being peculiarly a provision of what is known as the Reed code of rules.

Why was this rule adopted? It was adopted in 1837, Mr. Chairman, as I stated yesterday, because a practice had grown up both in the Senate and the House of Representatives to incorporate legislation on appropriation bills. The practice had been so abused prior to 1837 that appropriation bills frequently failed because of the legislation incorporated in them. Hence it was that this rule was born of the contention between the Senate and the House, because, though not agreeing as to the legislation, all agreed that the supply bills of the Government must pass, that the Government must live, however great might be the difference of opinion as to the legislation.

Mr. GAINES. Will the gentleman allow me a question?

Mr. DOCKERY. Certainly.

Mr. GAINES. The gentleman says if we ignore this rule it will minimize the power of the minority.

Mr. DOCKERY. Oh, no; I said the Reed code of rules.

Mr. Chairman, I remember well, and so do some gentlemen who are seated around me, the stormy scenes of the Fifty-first Congress, when the minority was absolutely helpless here. But even the reckless management of the Republican party in that Congress never thought of incorporating the force bill on an appropriation bill. It remains for the influence back of this measure to override the provision of the rule and challenge the attention of the country in behalf of a proposition in itself meritorious, in my judgment—at least I am in favor of it—but introduced here under circumstances wholly unwarranted by our rules.

But, Mr. Chairman, if this rule, which has been maintained since 1837 under Democratic Administrations, is to be overridden in Committee of the Whole and the canal proposition comes before the House for consideration, I intend to offer at the proper time an amendment to the proposition of the gentleman from Iowa [Mr. HEPBURN]—an amendment which I now ask be read for information.

The Clerk read as follows:

And to provide for the payments authorized in this paragraph and the five preceding paragraphs the Secretary of the Treasury shall issue United States legal-tender notes to the full amount so authorized, which legal-tender notes shall be additional to such legal-tender notes as have been heretofore authorized to be issued.

Mr. MAHANY. Mr. Chairman, I would like to ask the gentleman from Missouri if he is not aware that the rules under which we are now legislating are purely temporary ones and never have been formally adopted by the House, and therefore this particular rule, in common with the others, has no sacred or eternal obligation?

Mr. DOCKERY. The rules were adopted at the beginning of this Congress in language which provided that they should continue to be the rules of the House of Representatives for the Fifty-fifth Congress until otherwise ordered. As to the question of the sacredness of the rule, let me say to my friend from New York that a rule is no more sacred than a law enacted under the Constitution of our country, and I have yet some reverence for the Constitution, notwithstanding it seems to be held in derision in some quarters. The House of Representatives has power to adopt rules for its guidance, and such rules, when adopted, have all the force and effect of law—of law enacted by the Senate and the House of Representatives with the approval of the President.

Mr. MAHANY. The gentleman from Missouri is too candid not to admit that had the House of Representatives been given an opportunity to enact rules for its guidance at the beginning of the Fifty-fifth Congress many changes would have been made in the old rules. The trick by which those of the Fifty-fourth Congress were "temporarily" adopted has thus far been effective to prevent all revision.

Mr. DOCKERY. I do not know whether that is true or not; but I know this, that the distinguished Speaker thus far, in respect to the code of rules, has been able to command substantially the unanimous vote of that side of the Chamber. [Laughter and applause.]

Mr. SWANSON. Will the gentleman allow me a question?

Mr. DOCKERY. Certainly.

Mr. SWANSON. If I recollect aright, when the Cuban matter was up before this House the Democratic side—all of them, possibly with the exception of the gentleman from Georgia—voted to put the proposition for Cuban independence upon an appropriation bill; and if I mistake not the gentleman from Missouri voted with us. [Laughter and applause.] I would like to have him tell us whether at that time he thought he was acting in accordance with the rules of the House, or did he think it was a defiance of the rules?

Mr. DOCKERY. I confess very frankly that it was in open defiance of the rules. [Applause on the Democratic side.] And I stand here to-day to admit that, to that extent, I was then a party to a violation of the rules of the House.

Mr. BAILEY. You violated them because you had no other opportunity to express yourself.

Mr. DOCKERY. That is true. The gentleman from Texas well suggests the condition in which we found ourselves—that under the House rules the House of Representatives was repressed. But shall we change the rules by revolution? Shall we organize chaos here in the House of Representatives?

Several MEMBERS. Yes!

Mr. CUMMINGS. The present condition with respect to our rules was brought on by fraud.

Mr. DOCKERY. I say not, Mr. Chairman; I say not, especially——

Mr. HEPBURN. I should like to ask the gentleman from Missouri a question.

Mr. DOCKERY. Certainly.

Mr. HEPBURN. Does the gentleman know of any prescribed manner that is obligatory upon this House, under the Constitution, for adopting its rules? Is not the subject remanded entirely to the House? Are there any limitations as to the time or place or manner in which the House shall make changes in the rules?

Mr. DOCKERY. Oh, Mr. Chairman, the gentleman from Iowa is too good a lawyer to suggest that you can change a law by violating a law. [Applause.] The rules of the House provide how they shall be changed. And I want to say, Mr. Chairman, right here and now, in the presence of this overwhelming pressure to get at the Treasury of the United States——

Mr. BERRY. Will the gentleman tell us something about the evidences of that pressure?

Mr. DOCKERY. There is evidence of it right across the aisle. Mr. Chairman, the condition of the Treasury is this: On the 30th day of June next there will exist a deficiency of not less than $159,000,000. On the 30th day of June 1900 without any additional legislation imposing additional obligations upon the Treasury, there will exist a probable deficiency of not less than $100,000,000.

Mr. HEPBURN. I desire to raise a point of order that the gentleman from Missouri is violating the rules of this House by discussing a subject which is not before us.

Mr. DOCKERY. I know the gentleman does not want me to refer to the probable deficiency.

Mr. HEPBURN. I insist that the gentleman shall be confined to the subject under discussion—that he shall not violate the rules of this House. [Laughter.]

Mr. DOCKERY. Mr. Chairman, I admit that it is a matter of exceeding difficulty under these rules to talk at all without violating the rules. [Laughter.] But I thought, as I had before me the illustrious example and precedent of the gentleman from Iowa, established yesterday, I might proceed to tell the House and the country something of the situation of the Treasury without having a point of order interposed by him. [Laughter.]

Mr. HEPBURN. I withdraw my point.

Mr. DOCKERY. I am obliged to the gentleman.

Now, then, in all earnestness, gentlemen, let me say that I am in favor of the construction of the Nicaragua Canal, because——

Several MEMBERS. When?

Mr. DOCKERY (continuing). I am in favor of the construction of the Nicaragua Canal, because, in my judgment, it will promote the national defense. If we construct the canal, it will not be necessary to build so large a navy. If we construct the canal, it will assist us in a policy of commercial expansion, which I prefer to a policy of remote territorial expansion—the policy of this Administration. [Applause.] But, Mr. Chairman, involving, as this project does, a draft on the Treasury of perhaps $200,000,000, and with a Treasury deficiency inevitable during the coming fiscal year, I submit to gentlemen on this side of the House, if not on the other side, that if we are to dig this canal at this time Congress should not only give the necessary authority to the Secretary of War, but should also provide the means by which the canal shall be constructed. When it was proposed, in the Fifty-third Congress, to coin the seigniorage in the Treasury, our friends on the other side declared it to be a proposition "to coin a vacuum." The criticism was, of course, without foundation, but I suggest to the House that it will be very difficult to construct the Nicaragua Canal by an issue of warrants to be paid out of a "deficiency vacuum."

Do you want to issue bonds? And I address myself particularly to gentlemen on this side of the House. [Cries of "No!" "No!" on the Democratic side.] Is there a Democrat here who wants to issue bonds for any such purpose? [Applause on the Democratic side.] And yet, sir, here is a proposition imposing a liability of perhaps $200,000,000 on the Government and on the taxpayers of this country without a single, solitary suggestion as to how the money is to be procured to meet that liability.

Mr. QUIGG. Will the gentleman allow me a question just there?

Mr. DOCKERY. I will.

Mr. QUIGG. I want to call the attention of the gentleman to the fact that whatever rights we may have in connection with this Nicaragua matter expire within eighteen months, and to ask whether it is worthy, in his judgment, of consideration that we will probably have to take it now or not at all?

Mr. DOCKERY. Mr. Chairman, I am glad the gentleman from New York interrupted me for that question. I coincide with the views so well expressed by the gentleman from Texas [Mr. BAILEY]. I believe in the sentiment expressed in the platform of the Democracy of Missouri, that the Government of the United States should construct the Nicaragua Canal.

But let me ask the gentleman, is it not possible that somewhere along the line of the proposed legislation, if it is to be enacted, "a little joker" may not appear?

A bill has already passed the Senate carrying $5,000,000 for the benefit of a private corporation, in order that this Government may be subrogated to their rights. And it is an open secret that the bill, in the form submitted by the gentleman from Iowa as an amendment to this bill, can not become a law at this session of Congress.

Mr. HEPBURN. If the gentleman will permit me——

Mr. DOCKERY. Certainly.

Mr. HEPBURN. The Senate has a bill containing certain objectionable features, as the gentleman has just suggested. The House Committee on Interstate and Foreign Commerce, on full consideration, struck out all of the language of the Senate bill and inserted this measure which is now before us.

Now, if we are remanded to the ordinary procedure, this bill will go back to the Senate as amended, and the Senate bill to which the gentleman objects so much would go into conference and there "the little joker," about which my friend from Missouri professes so much apprehension, might become troublesome. But it is not probable, if the measure is placed on this bill, that this clause should become a subject of conference at all between the two Houses, and "the little joker," therefore, absolutely disappears and the fears of the gentleman will have no foundation.

Mr. DOCKERY. Well, I would ask the gentleman from Iowa how can the "joker" disappear when it shall have been incorporated and intrenched in the Senate bill with a bonus of $5,000,000 to these parties?

Mr. HEPBURN. The gentleman did not understand my suggestion.

Mr. DOCKERY. Probably not.

Mr. HEPBURN. I say if we take this proposition up at a future day, and adopt this measure, it will be as an amendment to the Senate bill, and in all human probability would take its place, and therefore at once become the subject of a conference between the two Houses. But, on the other hand, if we tack the same legislation on this bill, no man can authoritatively say that it will ever be

the subject of a conference; and therefore, by the adoption of the resolution to insert the amendment, we avoid the difficulty which seems to haunt the dreams of my friend from Missouri.

Mr. DOCKERY. Mr. Chairman, knowing the conferees of the House as I do, especially the distinguished gentleman from Illinois [Mr. CANNON], I feel assured that if the canal amendment were incorporated into the sundry civil bill the Senate proposition to distribute $5,000,000 to certain distinguished citizens of the State of New York and elsewhere who happen to be the stockholders would not receive the approval of that gentleman.

Mr. HEPBURN. Why not let it go on the bill then, and be put under the watchful care of the gentleman from Illinois?

Mr. DOCKERY. Yes; it would be in very safe hands, let me say to the gentleman. But I think I am not mistaken as to some of the influences outside of this Hall. I know something of the influences back of the Hanna-Payne steamship subsidy, and I know also that some of the same influences are behind the Senate bill which contributes $5,000,000 to the Maritime Canal Company. So I say, Mr. Chairman, that we can not, in the closing days of this session, at the peril of an extra session, afford to put upon an appropriation bill a provision authorizing the construction of the Nicaragua Canal without close and careful examination, so that all proper safeguards may be provided, and without at the same time authorizing the issue of bonds, or the issue of United States legal-tender notes, or the free coinage of silver, or without providing in some other way for the payment of the probable $200,000,000 of liability carried by the bill. [Applause.]

Mr. MOODY. Mr. Chairman, I propose to discuss the question of order alone. I realize how difficult it is to attract the attention and arouse the interest of the House unless something of personal conflict creeps into the speech of gentlemen, but yet I am going to risk the inattention of some members for the sake of those who would like a statement of the question before the committee, by confining myself to the exact question and treating it with the utmost economy of words which I can impose upon myself.

The amendment offered by the gentleman from Iowa [Mr. HEPBURN] is challenged under Rule XXI. I will not read that rule. It has been read to the House. Any amendment upon an appropriation bill such as this must go out upon a point of order if either, first, it makes an appropriation not authorized by existing law, except in continuance of a public work already in progress; or second, if the language with which the appropriation is clothed changes existing law. If the amendment does either of those things it must go out under the point of order. It must run the gantlet of both paragraphs of the rule. I say to the House that it violates both paragraphs of the rule. To use the language of the gentleman from Texas [Mr. BAILEY], it is an open and palpable violation of both these paragraphs of Rule XXI, and I ask the attention of the House for a few minutes while I undertake to prove my assertion.

It is not contended by anyone that the construction of the Nicaragua Canal is authorized by any existing law, but it is asserted that it is "a public work and object already in progress," and the gentleman from Iowa [Mr. HEPBURN] well said to the House that the question whether or not it is a public work or object already in progress is a question of fact. If it is such a work, then so far as that branch of the rule is concerned this appropriation is not open to the point of order.

But is it? It is said to be so because certain surveys have been authorized and are now in process of execution. Why, Mr. Chairman, there are surveys and surveys. If I, having determined to build a house upon a particular piece of land, undertake the engineering work connected with it, it may be said to be the beginning of the work of construction of my house. If being uncertain whether I will construct a house or not, or if I am to construct it, uncertain where it shall be constructed, I begin the work of inquiry as to the practicability or feasibility or the comparative expense of one or the other location, then I have not begun the construction of the building. I have begun the inquiry as to the feasibility of constructing it, in order to decide whether I will or will not begin the work.

Now, all that has been done which it is claimed makes the construction of the Nicaragua Canal a public work already in progress has been under the sundry civil bill of 1895, the act approved March 2, 1895.

A MEMBER. And 1898.

Mr. MOODY. I will come to that in a moment. Now, I crave the attention of members while I call attention to what work is in progress under the provisions of that act, and whether the construction of this canal is in progress or whether the inquiry as to whether it is wise to begin the construction of the canal is in progress. These are the words:

For the purpose of ascertaining the feasibility, permanence, and cost of the construction and completion of the Nicaragua Canal—

By a certain route named—$20,000 are appropriated and—

a board of three engineers is hereby constituted to make the survey and examination necessary—

Necessary for what, Mr. Chairman? Necessary for the construction of the canal? No.

The survey and examination necessary for such ascertainment.

The ascertainment of the feasibility.

Mr. HEPBURN. Will the gentleman——

Mr. MOODY. In a moment. Necessary for the ascertainment of the feasibility, permanence, and cost of the construction. That is the public work that is in progress, the preliminary inquiry, and when the inquiry is completed and the report is made to this Congress, then the whole public work authorized by any law upon the statute book has been done.

Mr. HEPBURN. The gentleman has confined his reading to the act authorizing the preliminary surveys?

Mr. MOODY. Yes.

Mr. HEPBURN. Now, if he will have the goodness to read the provision of the act of last year he will find how much progress has been made.

Mr. MOODY. I have it not at hand. I have examined it, and if I am wrong I invite correction by the gentleman from Iowa. Now, I say there have been two appropriations made since. For what purpose? They have been made in the sundry civil bill of last year and in the deficiency bill of last year. For the purpose of beginning the construction of the canal? No; but for the purpose of completing the surveys which are authorized by the act of 1895, which I have quoted.

Mr. BARHAM. To report plans for construction.

Mr. MOODY. And report on plans, undoubtedly. And why? That Congress may see what it will cost, and whether it is feasible, and whether it is desirable. I notice that the gentleman from Iowa has not made any correction of what I have said.

Mr. HEPBURN. I desire to send the act to the gentleman and let him give it the publicity that he has the other. I will send it to you.

Mr. MOODY. I do not care to read it. I think I have stated it substantially. If I have not—I am sure I do not want to make any misstatement on this question, and if I am wrong I have the courage to correct it.

Mr. HEPBURN. I will read it:

Nicaragua Canal Commission: To continue the surveys and examinations authorized by the act approved March 2, 1895, entitled "An act making appropriations for the sundry civil expenses of the Government for the fiscal year ending June 30, 1896, and for other purposes," into the proper route, the feasibility and cost of construction of the Nicaragua Canal, with the view of making complete plans for the entire work of construction of such canal as therein provided, $150,000; and to carry out this purpose the President of the United States is authorized to appoint, by and with the advice and consent, etc.

Mr. MOODY. Mr. Chairman, that is exactly as I stated to the committee. It is an appropriation for continuing surveys authorized by the act of March 2, 1895.

Mr. QUIGG. I call attention to the gentleman's reading of the first act. After he had read the wording of the first act he said, "For what purpose?" "For the purpose of construction?" said he. "Oh, no; for the purpose of ascertainment." That was the gentleman's language.

Mr. MOODY. Yes; it is my language now. I stand by its accuracy. Anybody reading these two provisions together and desiring to know the truth about it will know I have told it.

Mr. QUIGG. But in the subsequent act, which the gentleman from Iowa has just read, the word "construction" is used.

Mr. MOODY. Oh, undoubtedly; with a view of preparing plans for the construction of the work and the expense that it would be. The gentleman from New York has made no discovery. The word "construction" was used in the act of 1895, and the cost of construction is to be ascertained simply for the purpose of ascertaining the feasibility and desirability of the construction.

Now, Mr. Chairman, it has been claimed by the gentleman from Michigan [Mr. WM. ALDEN SMITH] that if there is not any provision in any law on the statute books there is a treaty under which this appropriation can be made, the Dickinson-Ayon treaty, made with the Republic of Nicaragua, which becomes, as he well said, the supreme law of the land. Now, I do not agree with him. A statement made by so careful and able a gentleman as the gentleman from Michigan can not be passed over without answer, and that is my reason for attempting to answer it.

Mr. Chairman, the salient articles of that treaty he printed in the RECORD yesterday; and what are they? They simply grant to the United States, their citizens and property, the right of transit between the Atlantic and the Pacific oceans through the territory of the Republic on any route of communication, natural or artificial, either by land or by water, which now are there in existence or to be constructed under the authority of Nicaragua. The contemplation of that treaty was a canal, to be constructed either by Nicaragua or by some one under its authority; and it has no relation whatever to the scheme of construction of that canal by this Government, which was apparently born and became a possibility years after this treaty was entered into.

Mr. WM. ALDEN SMITH. Will the gentleman permit me to ask him a question?

Mr. MOODY. Yes.

Mr. WM. ALDEN SMITH. Then how can the United States undertake the construction of a canal upon the territory of Nicaragua or Costa Rica without first obtaining the consent of those countries?

Mr. MOODY. Certainly they can not do it.

Mr. WM. ALDEN SMITH. Now, then, in furtherance of the object foreshadowed in that treaty, a distinct treaty was formulated between Mr. Frelinghuysen and Mr. Zavala along the same lines. When that treaty was submitted to the Senate and rejected by a vote of 32 to 23, every Republican in that body voted for it. The canal company held the matter in statu quo by securing valuable concessions; and I pretend to say that the concessions afterwards made by Nicaragua to the Maritime Canal Company under a charter of this Government gave the right to construct that canal under the direction of the United States.

Mr. MOODY. Mr. Chairman, the statement of the gentleman from Michigan, although interesting, is in no wise relevant to the question under consideration.

Mr. RAY of New York. Will the gentleman yield to me for a moment?

Mr. MOODY. Certainly.

Mr. RAY of New York. It is perfectly patent, it seems to me, to every member of this House that that treaty to which the gentleman from Michigan refers is absolutely antagonistic to the bill which the gentleman from Iowa proposes to offer as an amendment to this appropriation bill.

Mr. WM. ALDEN SMITH. I am not the author of it, but the end I seek may be accomplished in this way, and it may not. I will take my chances. It is the only avenue now open.

Mr. MOODY. I want to adopt the position of the gentleman from New York, who states that better than I can.

Mr. RAY of New York. The one can not be the continuation of the other, because the treaty contemplates the construction of the canal under that Government and its auspices, and this bill proposes the construction of a canal by the United States of America, and it proposes that we first purchase the territory.

Mr. WM. ALDEN SMITH. The way has been pointed out, and by it the Government may be aroused to some action which will result in the construction of the canal.

Mr. MOODY. Well, Mr. Chairman, I hope the gentlemen will settle their differences later. Mr. Chairman, this rule is, as has already been said, in its exact terms, every word and letter of it, the rule of the Forty-ninth, Fiftieth, Fifty-first, Fifty-fourth, and Fifty-fifth Congresses. It was the rule that was originally adopted in this language by the Democratic majority, adopted for three Congresses by a Republican majority, and consequently there have been many rulings upon the construction of that rule. I will not undertake to weary the House with a recital of them all, but if the House will pardon me I will call its attention to three of the most important of those precedents.

The first was in the first session of the Fifty-first Congress, when an amendment was proposed for the construction of a dry dock at Algiers. Mr. Butterworth, of Ohio, an eminent parliamentarian, was in the chair, and he ruled that, although surveys had been made and although commissioners had been appointed and recommended the site, the appropriation was not for a public work already in progress, and sustained the point of order.

Now, that ruling, which is in point here, was followed by the present occupant of the chair with respect to League Island in an amendment offered in the first session of the Fifty-fourth Congress. It was again followed by a ruling by the gentleman from New York [Mr. SHERMAN] in reference to a dry dock in Boston. In the Forty-fifth Congress, Mr. Carlisle, although a site had been purchased for a public building under an appropriation given by Congress at Topeka, Kans., sustained the point of order against an appropriation beginning the construction of that work, because, according to his view, the purchase of a site was not a sufficient beginning of the work so that it became a public work in progress.

I desire now, Mr. Chairman, to state the strongest authority that can be found in support of the contention of the gentleman from Iowa [Mr. HEPBURN]. It is the ruling of the gentleman from New York [Mr. SHERMAN] last year upon the dry dock at Algiers. That gentleman, then being in the chair, ruled that as there had been purchased by the action of Congress a site intended for the construction of a dry dock at Algiers, an amendment offered for the purpose of beginning the actual building of the dock was in order. Now, Mr. Chairman, that is the strongest precedent that can be found in all the countless precedents of the House, and it falls infinitely short of the necessities of the gentleman who offered this amendment, because there the work had actually begun, in the sense that a site had been designated and actually purchased for the purpose of construction.

I have taken the rulings not of inconspicuous members of this or former Houses; I have taken only the rulings of great parliamentarians, whose eminence in that branch of the law no man can dispute. Again, I want to say that if any further authority were needed on this subject the present occupant of the chair [Mr. HOPKINS] furnished it yesterday when he ruled an appropriation for the Pacific cable out of order, although surveys authorized by Congress were already in progress.

Mr. CORLISS. Will the gentleman yield to me for a question?

Mr. MOODY. Certainly.

Mr. CORLISS. If I understand the gentleman's argument, it is that this matter is purely a question of fact?

Mr. MOODY. Yes.

Mr. CORLISS. Then we are in the attitude of jurors, not jurists?

Mr. MOODY. Oh, Mr. Chairman, I know what the gentleman is coming at. We are to judge as conscientious jurors, and not as jurors who disregard the law.

Mr. CORLISS. Now, I want to ask one other question. You stated a few moments ago that if you had surveyed a piece of property, made plans for the construction of a building, but had not determined in your own mind whether you would build it or not, that would not be a step toward progress necessary to determine the construction of a building under this rule.

Mr. MOODY. Under this rule, yes.

Mr. CORLISS. I want to ask the gentleman whether, when Congress passed several appropriations for the survey, plans, and estimates for this Nicaragua Canal, when the respective parties of our country declared in their platforms that the country should build it, does the gentleman think there was any doubt of the intention of the people of this country to build that canal?

Mr. MOODY. Not the slightest.

Mr. CORLISS. That the people demanded the construction, and the action of Congress was a step in that direction.

Mr. MOODY. Well, Mr. Chairman, a bad cause always brings forth bad reasons in its support. Now, the gentleman says the public demand for the construction of this work indicates that it is a public work already begun.

Mr. CORLISS. I know the gentleman does not intend to misrepresent or misconstrue what I said.

Mr. MOODY. Certainly not.

Mr. CORLISS. I said that your position was that when you had in consideration a public matter, whether or not it was in the progress of construction would depend upon your intention to construct. Now, if when we made this survey, made these appropriations, whether we, representing the people, intended to build it, and if so, it would determine the question of fact whether it was in progress.

Mr. MOODY. I think we should want to wait until after we got the facts of the report. But, Mr. Chairman, I must hurry on. I said this is not a public work in progress, and I have proved it. I further said the amendment offered by the gentleman from Iowa was a violation of the latter half of the paragraph because it changed existing law.

Now, what does it propose to do? The whole question is in the first section. It authorizes the President of the United States, for and in behalf of the United States, to buy such portion of territory now belonging to Costa Rica and Nicaragua as may be desirable for the construction of a canal. The gentleman from Iowa—I could not believe my ears when I heard it—I could not believe my eyes when I read it in the RECORD—the gentleman from Iowa says that that does not change existing law! The conferring of the power upon the President to go out and purchase part of the territory of a sovereign nation does not change existing law! And why? I read his language:

> It is simply declaratory of a power that he now has. Has not the President of the United States the power to purchase that little strip of land?

Why, Mr. Chairman, these are days when we get novel constructions of the Constitution of the United States; but the gentleman from Iowa is entitled to proclaim himself the first discoverer of an authority under our system of Government which permits the President of the United States to acquire part of the territory of a foreign country.

Mr. LEWIS of Washington. Will the gentleman from Massachusetts permit an interruption for a moment?

Mr. MOODY. I will.

Mr. LEWIS of Washington. The gentleman from Massachusetts was a member of the Fifty-fourth Congress——

Mr. MOODY. I was.

Mr. LEWIS of Washington. Is it not true that in the Fifty-fourth Congress the distinguished gentleman from Iowa [Mr. HEPBURN], when an item was reached in a general appropriation bill concerning an appropriation for the foreign service, offered an amendment terminating the relations between Turkey and this country, and requested that the minister of that country at this capital be dismissed? Is it not true that a point of order was made that the amendment was not germane, because it interfered with our foreign relations, because it created a new relation

with a foreign country? And did not the gentleman from Massachusetts now occupying the floor vote to sustain the gentleman from Iowa upon the ground that the amendment was germane?

Mr. MOODY. Not by any means. The gentleman can not find that anywhere in my brief history in this House I have consciously voted to violate one of its rules.

Mr. LEWIS of Washington. I am not speaking of your consciousness, but of your act.

Mr. MOODY. I certainly did not do it. I did not approve the amendment; I did not vote for it; I did not vote to treat it as in order. I was against it. I have been against every such thing during my whole public career, because I believe that matters of that kind ought to be intrusted to the executive branch of the Government.

Mr. LEWIS of Washington. Does the gentleman state to the House that he voted against that proposition of the gentleman from Iowa?

Mr. MOODY. I certainly say so.

Mr. LEWIS of Washington. Very well, Mr. Chairman, I trust I shall be recognized later.

Mr. MOODY. If there is any record to the contrary, it is a record which escaped my observation, and which misrecorded my vote.

Mr. LEWIS of Washington. I must be fair with the gentleman and say that I have no yea-and-nay record. I have only the number voting on each side. If the gentleman says that he did not vote as I have indicated——

Mr. MOODY. I remember the incident very well. I was opposed to the proposition.

Mr. LEWIS of Washington. I accept the gentleman's word, of course, until I have examined the RECORD. I have only the Journal before me.

Mr. MOODY. Mr. Chairman, I have said that to authorize the President to purchase part of the territory of a foreign power is a change of existing law. How could there be any greater change? Why, Mr. Chairman, we have been accustomed to be told that there are only two ways in which the United States can acquire territory—by treaty or by conquest. The gentleman has discovered a new method of acquiring territory. According to him, all that we have to do is to have the President go out and in the fullness of his powers purchase territory, without the authority of any of the representatives of the people. Certainly the President now in the White House has no such conception of his powers.

The gentleman from Iowa, without his usual accuracy, cited in support of his proposition the case of Thomas Jefferson, who, he said, bought many square miles of land. I had supposed up to yesterday that Thomas Jefferson did not buy the territory of Louisiana. I had supposed that that territory was acquired by treaty, ratified by two-thirds of the Senate of the United States; and even with the gentleman from Iowa against me, until I have something else in support of his position, I shall still continue to believe that the great territory of Louisiana, out of which has been formed 10 imperial States, came in under the treaty-making power of the Constitution.

Mr. Chairman, it is claimed by the gentleman from Iowa that this is simply an appropriation of so many hundred thousand dollars or million dollars, and that the words in which this appropriation is clothed are simply limitations upon that appropriation. Is that true? If a limitation upon an appropriation becomes permissible, when it will do such work as this will do—authorize the President of the United States to acquire foreign territory—then a limitation upon appropriations ought to be struck from the possibilities of an appropriation bill. But it is not so. There are many decisions upon the question of what is a limitation. I am going to ask the attention of the committee to one, and one only, because it is the decision of a man who was eminent in this House and whose recent death we mourn to-day.

When Mr. Dingley was occupying the chair, during the first session of the Fifty-fourth Congress, an appropriation bill was under consideration, and a provision was contained in the bill which it is not necessary to read, but upon which the point of order was made. The provision was in substance that a widow, under the act of 1890, might be paid her pension although she had an income up to $500 per annum. The point of order was raised against this provision. It was claimed that it was merely a limitation on the appropriation for that particular year, and in terms it was simply that.

Mr. Dingley rendered a long and careful decision. The matter was under consideration for ten days or two weeks in the House, and at the end of that time he sustained the point of order against the proposition, and I will ask the Clerk to read, and ask the committee to attend to, the language in which he did it, because if that language is correct, if the proposition enunciated there is accurate, then this provision goes out, because it is a change of existing law.

The Clerk read as follows:

The act of 1890 provided that if a soldier should die "leaving a widow without other means of support than her daily labor." But observe that the provision now under consideration is not a limitation or restriction. It is an extension. It provides not that the money herein appropriated shall not be used for a purpose authorized by law, but that it shall be used for a purpose not already authorized by law. It is an extension, not a limitation. If it should be held that propositions of this character should be held and entertained as in order, on the ground that they are limitations, there is no possible legislation that might not be presented on an appropriation bill and held to be in order, thus obstructing the passage of appropriation bills.

Mr. MOODY. So this provision now before us is not a limitation on an expenditure already authorized by law, but under the guise of a limitation it is an authorization to spend money for a purpose for which it could not have been used prior to the passage of an act containing such a provision. Can that be doubted? Is that not plain? Can anyone dispute the proposition that if the ruling of Mr. Dingley, which I have just caused to be read, is the law of the House that this provision must go out on the point of order because it changes existing law?

Now, there is not a real, a sincere, attempt to persuade the House that the point of order is not well taken. Revolutionary principles are appealed to here to upset the practice of the House. Why, days and days ago, before even the occupant of the chair was selected to preside in the Committee of the Whole, the question which went around the House was not whether the point of order was good, but "Will you vote to overrule the Chair?" Could there have been, unconsciously, a greater testimonial to the validity of the point of order than that? And every man in the House within the hearing of my voice knows that I speak the truth.

Now, Mr. Chairman, a word about the reason of the rule and I am done. Why is the rule not a good one? Let us see what could be done if such a proposition as this were held to be in order by the House under the rule. If it should be held in order, and I believe it would not be so held by the ruling of any gentleman in the House who took the responsibility of the Chair upon him—if it should be held to be in order, what would be its attitude in the committee?

Here is a proposition involving an enormous expenditure. What opportunity would there be for consideration? Ten minutes in Committee of the Whole, except by unanimous consent! When an amendment is proposed, as gentlemen know, in Committee of the Whole to a bill there pending, five minutes are allowed for and five minutes against the proposition, and nothing beyond that except by unanimous consent. I do not mean to say, of course, that this rule would be invoked or held down in practice to that severe extent on such an important matter.

But I use the illustration simply to show what might be the result if this amendment was held to be in order on an appropriation bill of this kind in Committee of the Whole. It shows that we should not fulfill our responsibility to our constituents, to our country, and to ourselves by placing ourselves in such a position as that. Why, sir, this project has been debated by the linear mile at the other end of the Capitol, and yet we propose to dispose of it by putting in the power of the House, on the objection of any one member, to close the debate in ten minutes!

Reflection upon the House of Representatives! Where could there be a greater reflection than this proposition?

But it is said that the desire of the country is so great—and I agree that it is great, and I share in that desire myself—that the canal should be constructed that we should construct it even in violation of the rules of the House. Is there any such urgency as that?

The President has not the power at present, it is true, that the amendment seeks to confer upon him. But the President and Senate have the power to acquire this territory by a treaty, and nobody now disputes it or has done so for scores of years. Gentlemen have spoken as to the possibility of acquiring the property of Nicaragua. It can not be done in a week; it can not be done in a day; it can not be done in a month. It can be done as rapidly, however, by the President of the United States, with the Senate of the United States, through the instrumentality of a treaty, as we could do it under this bill.

Mr. WM. ALDEN SMITH. Can that be done at all?

Mr. MOODY. Of course it can be done.

Mr. WM. ALDEN SMITH. How?

Mr. MOODY. Just as I have said; by a treaty. Just as we have almost always acquired territory of the United States outside of the original possessions, by treaty stipulations.

Mr. WM. ALDEN SMITH. The Republic of Nicaragua has no existence to-day.

Mr. MOODY. It has just as much existence to make a treaty as it has to make a conveyance.

Mr. WM. ALDEN SMITH. It has no existence at all to-day. Its existence has been merged into a new republic with Honduras and Salvador.

Mr. MOODY. Then there is no use in considering this bill. If

there is nobody to deal with, then we can not deal with him either under this bill or under the treaty.

Why, Mr. Chairman, they say this question is old. So it is, in one sense. The people have determined that we should build that canal. We are going to do it. There is just as much desire for it on one side of the House as there is on the other. But the people have not determined how we shall build it, when we shall build it, where we shall build it, and under what circumstances we shall build it, and they expect the Congress of the United States, their agents, to determine it for them.

I say that part of the question is not old. It is young. I do not complain of the gentleman from Iowa [Mr. HEPBURN] for not bringing in his report earlier. I complain that he brought it in too early. The report from the commission which we authorized in 1895 has not yet come to us. I am willing, in an orderly manner and at the proper time, to consider the construction of the Nicaragua Canal, and I shall vote for it if I can vote for a bill that constructs it exclusively under governmental control and with no private partnership.

Mr. WM. ALDEN SMITH. Mr. Chairman——

Mr. MOODY. But I will not be forced into a corner under a violation of the rules when we shall have legislation in the hurried closing days of the session the consequences of which no man can tell and for which no man can safely undertake the responsibility.

Mr. WM. ALDEN SMITH. Mr. Chairman, I want to correct the gentleman. Just let me make the statement.

The CHAIRMAN. Does the gentleman yield?

Mr. MOODY. Certainly.

Mr. WM. ALDEN SMITH. I do not wish to be misunderstood in the statement I made that Nicaragua, as an independent State, is not now in a position to grant us concessions or rights that might be necessary to construct this canal. But what I contend for and wish to be understood as saying is this, that the United States already have rights, and, in my judgment, obligations, growing out of treaties made—obligations to citizens especially chartered by the Congress of the United States, which we should preserve in statu quo; relations that may be valuable, but are fast disappearing by neglect upon our part to vigorously assert the rights of the United States Government.

Mr. MOODY. Now, Mr. Chairman, those are words, and they sound very well. I do not understand what they mean. What rights have we in Nicaragua?

Mr. WM. ALDEN SMITH. You have these rights: A treaty concession was made by the Republic of Nicaragua to an association of American citizens in 1887——

Mr. MOODY. Yes; I have heard of that.

Mr. WM. ALDEN SMITH. Wait a moment. That association of American citizens was merged into an American corporation especially authorized and chartered by the Congress of the United States. What I maintain is that citizens of this Government have rights under that concession which the Government may avail itself of if it does not wait until the rights lapse under the operation of law. And I would have the Government obtain all the rights that can be obtained from our own citizens who have acquired the same, and I would not have them go to any expense for it unless it is absolutely necessary and entirely fair and just in the estimation of the President of the United States. The statement has been made here that $5,000,000 was pledged to some corporation I know nothing about.

I desire to say, however, in this presence, that the president of the Maritime Canal Company of Nicaragua told me only a short time ago that he would rather lose every dollar that he had put into this enterprise than see the Nicaragua Canal defeated by this Congress. That company have made a report to the Secretary of the Interior, under oath, which shows an expenditure of over $1,150,000 on that project. And I say, in all justice to that gentleman and his associates, who are men of the highest character, that we ought to give them credit for fairness when he says that he would rather have the Nicaragua Canal built by this Government and would rather have our Government succeed to all the rights of the company than to get back a single dollar that they have put into the enterprise.

Mr. MOODY. Now, Mr. Chairman——

Mr. GAINES. I should like to ask the gentleman a question.

Mr. MOODY. No; I have the floor and I will yield to the gentleman presently.

The CHAIRMAN. The gentleman from Massachusetts declines to yield.

Mr. MOODY. I will yield seasonably. Mr. Chairman, I ask the gentleman from Michigan again what rights have we in Nicaragua? I have no light upon the question, although the gentleman has made a speech.

Mr. WM. ALDEN SMITH. I will answer that.

Mr. MOODY. I would like to have you answer me.

Mr. WM. ALDEN SMITH. Under a resolution deliberately conceived and passed by a coordinate branch of the Government it holds that this Government can succeed to the interests of the Maritime Canal Company of Nicaragua if it wishes.

Mr. MOODY. What is the coordinate branch of the Government?

Mr. WM. ALDEN SMITH. The Senate of the United States.

Mr. MOODY. Mr. Chairman, we are getting light every minute. We are getting instruction——

Mr. WM. ALDEN SMITH. Let me say to the gentleman——

Mr. MOODY. Let me dispose of one piece of light first. These come in such large blocks that I can not digest them; one at a time. Yesterday I found out that the President had the right to acquire territory. Now I discover that the Senate of the United States can legislate for the union of States.

Mr. WM. ALDEN SMITH. The gentleman is quibbling. He is pettifogging—not his usual custom, but in this instance especially noticeable.

Mr. MOODY. I do not mean to.

Mr. WM. ALDEN SMITH. I did not say that. I do not think it is becoming in the gentleman to put words into my mouth.

Mr. MOODY. I so understood it.

Mr. WM. ALDEN SMITH. No, I say this: That the coordinate branch of this Government has deliberately affirmed that we may succeed to certain rights and valuable interests of the Maritime Canal Company of Nicaragua if we preserve the status quo.

Mr. MOODY. You mean the Senate has told us that we can do it.

Mr. WM. ALDEN SMITH. No; but their action indicates their belief that we can succeed to the rights of the canal company if we desire. It may not have any weight with the gentleman from Massachusetts.

Mr. MOODY. Oh, yes.

Mr. WM. ALDEN SMITH. But, however, it carries some force and effect when that great body affirms the right by solemn enactment.

Mr. MOODY. Oh, yes.

Mr. WM. ALDEN SMITH. And if we do not see fit to ratify the action of the Senate, if we do not see fit to complete what they have undertaken to do, we might still maintain the status quo, if nothing else, by our action to-day, and give the Executive the right to acquire such interests as will protect our rights there.

Mr. MOODY. Words are always exceedingly useful to conceal thought. It is not because the gentleman has an absence of thought, because there is no man who understands more about the public service and public interests than he; but he has said nothing. I asked what rights we have in Nicaragua. He told me some concessions. I then told him that did not give me information. He answers me by saying the Senate has told us that they are important.

Mr. WM. ALDEN SMITH. I refer the gentleman also to the United States statute.

Mr. MOODY. The statutes of my country are always important. But they have not contained the resolutions of one body.

Mr. WM. ALDEN SMITH. Here is the statute to which I refer. I will read the preamble:

Whereas to facilitate commercial intercourse by water between the Atlantic and the Pacific States, as well as with foreign nations, it is deemed desirable for the public interests of the United States that a ship canal be constructed between the Atlantic and the Pacific oceans on what is known as the Nicaragua route: Therefore, etc.

Mr. MOODY. What is that?

Mr. WM. ALDEN SMITH. It is an act of Congress passed February 28, 1889.

Mr. MOODY. What of it?

Mr. WM. ALDEN SMITH. Under that authority certain concessions have been given to certain people composing that corporation, and we can succeed to those valuable rights if the Government of the United States will authorize it to be done. That is the only contention I make.

Mr. STEELE. And pay for them.

Mr. WM. ALDEN SMITH. You need not pay for them. No demand can be made unless we shall freely assent to the proposition after due inquiry and investigation.

Mr. STEELE. If this company have rights, we would have to pay for them if this bill should pass.

Mr. MOODY. I just want to say a word in conclusion. No precedent has been produced by any gentleman claiming that this amendment is in order under Rule XXI. None is produced, because none could be produced. An appeal is made to override the rules of the House. Gentlemen may do that; no one can call them to account.

Mr. TONGUE. Will the gentleman permit a question?

Mr. MOODY. Other gentlemen may do as they please; but as for me, I propose to stand by this rule, because I believe not only it is the rule, but that it is a wise and salutary rule, that we ought always observe.

Mr. TONGUE. Will the gentleman permit me to ask him a question?

Mr. MOODY. Mr. Chairman, I am requested by gentlemen about me—I do not quite see the bearing of it, but gentlemen tell me it has a bearing—to read this language contained in the concession to this Nicaragua Canal Company.

The present concession is transferable only to such company of execution as shall be organized by the Nicaragua Canal Association, and in no case to governments or to foreign public powers.

Mr. WM. ALDEN SMITH. Will you listen to this for a moment. The Republics of Costa Rica and of Nicaragua are both parties to that concession. Both have gone into this enterprise and both have directors upon the board.

Mr. MOODY. I do not want to go into any canal company which is composed not only of private parties, but the Governments of Costa Rica and Nicaragua.

Mr. WM. ALDEN SMITH. You will have to if you cross their territory at all.

Mr. MOODY. This isthmus might stand there until it was washed away by the two oceans before I would see this Government a party to any such proposition as that. [Applause.]

Mr. GROSVENOR. Mr. Chairman, I do not understand why this terrific excitement. I do not understand why this broadcast insinuation against the good faith and proper conduct of the members of this House crowds this debate. I can not understand what there is to drive a lawyer to fury in the argument of a plain, simple question of law.

I can not understand what there is to make the chairman of the Committee on Appropriations shout like a leader in a camp meeting for an hour [laughter] simply because the representatives of the people of this country are making an honest effort, feeble it may be, to do that which all the political parties of this country have been promising they would do at the first opportunity for the past five years, and to carry into execution a project that of the 75,000,000 human beings in this country at least 65,000,000 are looking at this House at this moment to see whether or not the will of the American people has any power over legislation or not. [Applause.]

They want to know, and they will take several ways to find out, whether a technical construction of the rule for which it has been necessary to bring to bear the sophistry and legal power of these gentlemen for almost half a day shall stand and hold them by the throat, when nearly every public man in this body has pledged himself that this enactment shall be had by the American people. The American people are slow to anger and they are plenteous in mercy, but sometimes they hunt down the men who think they can run this Government without the aid of the representatives of the people.

The gentleman from Massachusetts [Mr. MOODY] said that "covert influence" was being used on this floor. Covert influence—what is that? Conspiracy? I have not heard of any. It is said that somebody has been approaching members of this House to ask them, before this amendment was introduced in the House, how they would vote on this question. I never heard of this amendment until it was formally offered in this House, and if there is anybody going around here trying to influence members, I do not know it.

Let me see now. The gentleman has assumed that we are compelled to be driven to an appeal from the decision of the Chairman, because the gentleman says it is too plain for controversy. And then we are told in the next breath that everybody who differs in opinion with these gentlemen are some way actuated by some bad principles and sinister motives against the country and against the laws of the country.

Well, gentlemen, if to try to execute the orders of the people of the United States that have been repeated so often that there is no division upon it—if that is an outrage, there are gentlemen here guilty, I have no doubt. If to seek to thwart the opinion and action of the people of this country, if to turn aside their registered will is an outrage, it does not lie at the door of gentlemen on this side of the House, and these broad aspersions had better stay out of the domain of argument.

Mr. BROWN. Will the gentleman yield to me for a question?

Mr. GROSVENOR. Certainly.

Mr. BROWN. Does the gentleman understand that he and I, as Representatives of two Congressional districts of Ohio, in obeying that will, are required to put this great work on its feet by an amendment not well considered, by an amendment to a supply bill, which is a violation of the rules of the House—does he understand that the will of our people requires us to do that?

Mr. GROSVENOR. The gentleman unfortunately has made a set of premises that I do not subscribe to, and therefore I can not answer his question yes or no; but I will try to answer it as I go along. When the gentleman has been here as long as I have—and I hope he will be here a great deal longer—he will learn that all the arguments that have been made on this side of the question which I occupy have been made over and over again by the same gentlemen who are to-day preaching the inflexibility of the rules of the House; he will learn that the rules of the House are convenient masks behind which to retreat when they serve the purpose of certain gentlemen, but they are always brushed aside when they fail of that purpose. [Laughter and applause.]

Now, I will try to come to the point that the gentleman is speaking about, and I am not unaware that there is just ground for two opinions upon the construction of this rule. It is no such easy sailing as gentlemen here have claimed. And the gentleman from Illinois, who occupied the time of the House an hour and a half yesterday, was very wise in not citing one single authority except his own upon that question. Nor would he read the rule, nor would he analyze it, nor would he do anything except appeal here to members to save the dignity of these House rules.

I had hoped that we might be clear of this question. I had hoped that there might be such a concession to public sentiment in this body as would relieve the Chairman from a ruling on this question, and relieve the members of the House from any subsequent action. I never doubted that such would be the case until the culmination of a series of events which I will describe.

The first was that, before a word of suggestion had come from the gentleman from Iowa that this amendment would be offered, the gentleman from Illinois, the chairman of the Appropriations Committee, introducing this appropriation bill and explaining its leading characteristics, gave notice to the House that there were two things which he would uncompromisingly oppose in this House. He did not say "on this bill," for there had been no proposition to put this amendment on this bill; and in my judgment it never would have been offered as an amendment to the bill but for that declaration of the chairman of the committee.

Standing here he declared that the shipping bill should not have a trial in this Congress, and determinedly and almost excitedly he declared that the Nicaragua Canal should not be heard in this Congress. Not "on this bill;" I have his language; he did not refer to this bill; he referred to the condition of the public Treasury and then pointed out measures that it would not be safe to proceed upon by reason of the condition of the Treasury.

Mr. CANNON. Now, then, if my friend will allow me——

Mr. GROSVENOR. Certainly.

Mr. CANNON. The gentleman's statement of my position does not agree with the statement I made. I never have dealt in "shalls" and "shall nots" with this House; and I took pains to say that in my judgment the measures to which I referred would not be considered because every moment of time would be required for the performance of work that was absolutely necessary to be performed if a special session was to be avoided. That is in substance what I said, taking care to say that I was but one member, voicing my own opinions only.

Mr. GROSVENOR. I did not understand the gentleman to voice any single opinion. I understood him to defiantly say in this House that the Nicaragua Canal bill should not be considered at this session of Congress; and that was the understanding throughout the country.

Mr. CANNON. The gentleman who heard me had no such understanding; and it does not appear in the RECORD.

Mr. GROSVENOR. Very well. The gentleman has a right to his own language, whatever it was. Let me say to him, I could not have believed it—I could not have put that construction upon his language—but for an event about which there will not be any dispute. We were in the midst of a heated and unpleasant debate here; the excitement of yesterday was already to dawn again and project itself into the debate of to-day.

The cool, deliberate judgment on this side was that it would be wise to avoid this debate and avoid this decision of the Chair and avoid any subsequent action of the committee. And so in a respectful manner, in obedience to the rules of the House, in a manner that put every man who favors the position which I occupy in the position of a suppliant at the hands of the Committee on Rules and this House for that purpose, a respectful resolution was offered asking that the House might in that way express its opinion—not to pass the rule, but to pass a resolution asking the Committee on Rules to give us a day for that purpose—and the gentleman from Illinois refused to permit that resolution to be read. That was war to the knife, gentlemen; that is what it was.

Mr. CANNON. Just a moment at this point, because we can settle this matter now better than by my replying to the gentleman later.

Mr. GROSVENOR. I only want to do what is fair.

Mr. CANNON. The resolution offered by the gentleman from Iowa for unanimous consent was that on Tuesday next this canal bill that he reported should be in order and from day to day thereafter until completed; and the proposition was by unanimous consent to take it up and pass it. I objected; and I but performed my duty when I did so. Such an appropriation of the time of this House at this stage of the session would mean the noncompletion of the supply bills and a special session. I objected then, and I would object again.

Mr. GROSVENOR. Will the gentleman object to a resolution setting apart one day for the consideration of this bill?

Mr. CANNON. What was the gentleman's question?

Mr. GROSVENOR. Will the gentleman object to a resolution, which I hold in my hand, asking the Committee on Rules to give us one day——

Mr. CANNON. I will say to my friend that if he desires to refer that resolution to the Committee on Rules, he has absolute power and right to do it. If my friend asks me whether I would object to the consideration of that bill for a day at this stage of the session, I say frankly that out of respect to him I would not object; but I will be equally candid with the House and say that if the gentleman were to ask me whether I would consent to an order that would pass the bill in a day under the whip and spur of the previous question to be ordered by a special order, I should say "No," because I do not believe that any bill of the kind can be properly considered and matured in a day.

Mr. GROSVENOR. So we see that a measure that has been discussed more widely, and about which there is more unanimity of public opinion in the United States than on any question that ever came before this House, at least during the last twenty years, is to be deprived of a hearing—first, because one proposition for its consideration asks too much time, and, secondly, because another proposition does not ask time enough! "You'll be damned if you do, and you'll be damned if you don't." [Laughter.]

Everybody knows that we are seeking to-day the only possible remedy to get rid of this deadlock upon this mighty question. So much now in answer to my friend. The time comes when a member of Congress must, if he is a competent public servant, look to the various ways and methods by which the public demands can be complied with. When he has done all that he can——

Mr. GROW. We have spent two days on this point of order, when we might have been considering the bill.

Mr. GROSVENOR. Oh, yes; we had plenty of time to consider the bill while this point of order has been harrowing up the souls of our friends here on this floor, and I expect the discussion will go on for a couple of days more, because the discussion of this point of order is a very interesting topic.

So we have done our best, and what are the exigencies? When we had no war, when we had no Hawaiian possessions, when we had no questions out in the Orient, the whole people of the country, if it is fair to say they spoke through their representative capacity, were all in favor of this measure. There never was a dissenting voice anywhere on the continent, that ever I read or heard, against the construction of the Nicaragua Canal, and now we are face to face here in the closing days of this Congress with the question whether the people can be heard or whether they can be gagged, and that is all there is of it. And when it comes to a question of whether I shall take some other man's construction of a rule which I do not believe, because it is vociferously asserted, and shall abandon the duty that I owe to the public, I will do my duty and take the wrath of the powers that be. [Applause.]

Now, let us see how clear sailing this section is. The gentleman from Indiana says in effect that it is so plain that nobody can differ. Therefore, as a great many men do differ on this floor, that is a discount proposition upon the intelligence of those gentlemen.

This section contains certain affirmative restrictions upon the power of Congress, and it contains a certain exception to that limitation. And we are brought face to face, in my judgment, with that limitation upon the restrictive character of the rule. I have studied this rule long and faithfully, and I have heard it decided from the chair of this House all sorts of ways, and I have come to the conclusion that it is not the easiest matter in the world to say that the man who differs with me about this rule has not got any sense or any judgment or does not know anything.

This rule presents to the House of Representatives under all circumstances more authority for members to decide the question for themselves than any other rule of the House, for the reason that the operation of it as a restriction and as a permission are both based upon questions of fact, which are to arise here and be determined in this House. Now, let me read this rule as I interpret it:

No appropriation shall be reported in any general appropriation bill, or be in order as an amendment thereto, for any expenditure not previously authorized by law—

Now, I stop right there and say that is a prohibitory restriction, a limitation upon the power of the House, and I am not here to discuss the propriety or nonpropriety of this rule. I am going to see my way through without any difficulty as to the position which I do occupy in absolute conformity and acquiescence in this rule, in the spirit in which the rule was made—

unless in continuation—

Now, let me read this to you who happen to have the rule before you. Let me read that section of the rule which destroys the limitation of the early part of it. I supply the words up to a certain point:

It shall be lawful to make appropriations not previously authorized by law—

Get that, now, fully into your minds as fairly as necessarily deducible from a just construction of the language of the rule:

It shall be lawful to make appropriations for the construction of works not theretofore authorized by law, if such public works and objects are already in progress.

Now, that is a fair and just reading and construction of that rule.

Mr. RICHARDSON. Will the gentleman tell us how they can be in progress if there is no law for them?

Mr. GROSVENOR. That, my friend, is exactly the meat of this whole subject, and you will get on the outside of the breastworks if you do not look out.

Mr. RICHARDSON. All right; I will try to take care of myself outside of the breastworks. I thought I asked the gentleman a fair question.

Mr. GROSVENOR. Read it this way:

No appropriation shall be reported in any general appropriation bill or be in order as an amendment thereto for any expenditure not previously authorized by law, unless in continuation of appropriations for public works and objects already in progress.

Gentlemen sit and laugh here at my construction. Does not that mean that if the public works are in progress, then the appropriation may be made, even though not in conformity to prior law? Else what is the language there for? Why not have said, as has been argued here:

No appropriations shall be reported in any general appropriation bill for any expenditure not previously authorized by law—

And stop right there. But they did not do it, and they said, no matter what the condition of it is as to the preexisting law, if there is a public work in progress the appropriation is lawful. If you do not put that construction upon this section of the statute, then there is simply a lot of dead language there that is to have no effect whatever.

Now, gentlemen have sat here and laughed at that construction. The gentleman from Massachusetts [Mr. MOODY], who has studied the question, says that is the proper construction.

Mr. MOODY. As long as the gentleman has quoted me, I will say that I agree with the gentleman that if a public work and object is already in progress——

Mr. GROSVENOR. Yes.

Mr. MOODY. No matter whether it is authorized by any law or not, an appropriation can be made for it, notwithstanding this rule.

Mr. GROSVENOR. That is it.

Mr. MOODY. But my contention is that, according to all precedents, the construction of that language, "a public work and object in progress," would exclude the Nicaragua Canal.

Mr. GROSVENOR. I understand that. Now I argue the other way.

Mr. COX. That is a matter of fact.

Mr. RICHARDSON. I do not want the gentleman to think I am interrupting him for the mere purpose of interrupting him. I want to get at a fact, and I will not interrupt the gentleman without his consent.

Mr. GROSVENOR. Go ahead. I make no objection.

Mr. RICHARDSON. Now, right along the line suggested by the gentleman from Massachusetts [Mr. MOODY], has the gentleman from Ohio any authority to show, or can he show in any way, that this work, the Nicaragua Canal, is now in progress?

Mr. GROSVENOR. My friend simply has not heard this debate.

Mr. RICHARDSON. Yes, I have.

Mr. GROSVENOR. This whole debate has been upon that question.

Mr. RICHARDSON. I have been in my seat all day.

Mr. GROSVENOR. Then I say the gentleman does not want to put that question into my mouth.

Mr. RICHARDSON. Yes; I ask the question in earnest.

Mr. GROSVENOR. The gentleman from Iowa [Mr. HEPBURN] yesterday afternoon spent fifteen minutes in a most unanswerable argument upon that proposition, and that has been the position we have taken all the way through.

Mr. MOODY. And I spent fifteen minutes in opposition to that view in an equally unanswerable argument. [Laughter.]

Mr. GROSVENOR. Certainly; they were both unanswerable. [Laughter.]

Mr. RICHARDSON. Does the gentleman state that this Nicaragua Canal is now in progress?

Mr. MOODY. No; I deny it. I say that the only things in progress are these surveys to ascertain whether we will undertake it.

Mr. PRINCE. Will the gentleman yield to one question, please? Does not the clause to which you refer—

Unless in continuation of appropriations for such public works and objects as are already in progress—

mean that if the Committee on Appropriations should fail in their bill to incorporate an appropriation for a public work that is in progress, then under this provision any member who is interested in that work can offer an amendment, and it will be in order?

Mr. GROSVENOR. We have got the other side to splitting hairs on this law. This states that there shall not be reported in any appropriation bill all that which is prohibited, but it shall be lawful to report that which is not prohibited. That means the action of the committee.

Mr. MOODY. Let me answer the gentleman's question in a word. I will say to the gentleman from Illinois [Mr. PRINCE] that the failure of the committee to appropriate for a work in any given year has been held repeatedly not to render it a work not in progress. If the committee fails to appropriate for a given work which is in progress for a given year, it still is a work in progress, although work actually ceases during that year.

Mr. BURKE. Mr. Chairman, we should like to hear the gentleman from Ohio, and we can not hear anything that is being said.

The CHAIRMAN. The committee will be in order.

Mr. GROSVENOR. So we have come back precisely, the gentleman from Massachusetts [Mr. MOODY] and myself, to the consideration of a single question. And now let us see whether there is here in this question presented to the members of this House a condition that will justify in the eyes of the world your action in the solution of this problem as in your judgment the truth is.

Before I proceed to that branch of my argument, I regret very much that the gentlemen who opposed this view of the case should not have launched their case after some consultation with each other. It would have been far easier for this side of the House to have answered their argument if we could have only got them to do that; if we could have only got them so that they would not have attacked each other by the logic and force of their argument here.

Now to illustrate. The position of the gentleman from Massachusetts is, and I am going to do him absolute justice—for no man ever made a stronger effort to get rid of trouble that had been cast upon him by the gentleman from Missouri than did the gentleman from Massachusetts. The gentleman from Massachusetts says that there is no law authorizing the construction of the Nicaragua Canal, and the gentleman is lawyer enough to know that he is without any footing, without any standing in court, unless he can make that appear; for if there is a law that authorizes the construction of that canal, then this appropriation is legal and constitutional.

Mr. MAHON. But not in this bill.

Mr. GROSVENOR. In this bill, absolutely, if there is a law authorizing the building of a public work.

Mr. MOODY. Provided it is not in conflict with the existing law.

Mr. GROSVENOR. Well, now, there is my point. Now the gentleman has taken the only position that is tenable, and I will try to show that it will not hold water. The gentleman from Missouri, who always comes here with a repetition of the same old threat or warning that we have heard often upon even a small appropriation of a few hundred dollars. He comes here and says that it changes existing law. That is what he says. It changes existing law! One gentleman says there is no law, and another says it repeals the law. What is a change of law? You can not change a law unless there is one. You can not repeal an existing law unless there is an existing law. If there is an existing law, what is it, and what is the change of it?

Mr. MOODY. Will the gentleman permit me?

Mr. GROSVENOR. I think I ought to finish my answer on this point. I am trying to get to it.

Mr. MOODY. Certainly; excuse me.

Mr. GROSVENOR. Is there a law in existence now that is changed by this statute? If so, then your whole contention falls; for if there is an existing statute under which that public work is being done, then the second clause of the rule applies to it, and it does not make any difference whether we are changing the existing law or making an appropriation for a going public work.

Now, there are the two positions of the gentlemen who are fighting this proposition, the widely divergent, inconsistent, irreconcilable arguments to which I have referred: "Is there any law authorizing the building of this public work?" Therefore, we are coming here with the sanction of the second subdivision of this paragraph. Then comes the other proposition. "Nay, verily, there is a law, because you are trying to repeal it. You are changing an existing statute of your country by an appropriation of money to build the Nicaragua Canal."

Now, there are the two horns of the dilemma, and I do not care which one you take. Either one is fallacious; but the one occupied by the gentleman from Massachusetts is the only logical proposition, in my humble judgment—"that there is no law." Now, we propose to meet that proposition. Though there may be no law in existence authorizing the building of that work, yet there may be conditions when this appropriation would be lawful under this rule of the House.

Now, let us see. You take now a public work, by way of illustration. Take the breakwater at the city of Cleveland. There is not any law for the building, expressly, of that public work; simply the steps which the gentleman from Indiana described yesterday have been taken one by one. The first step was the project itself, and the report upon it; and then an order by the Congress in the enactment of the river and harbor bill that the engineer department shall make a survey and estimate and report whether it is a valuable public work or not. There is the first step taken.

Then the next river and harbor bill contains an item of $100,000. Nothing is said about any statute—a mere appropriation for the progress of the work in Cleveland Harbor, $100,000. Then, suppose that for ten years thereafter not another thing is done. Is it competent, gentlemen, for Congress to make another appropriation for that harbor improvement? I have known it myself to be made under this rule on account of public works that have lain without an appropriation for twenty years. I can name one of them on the shore of Lake Erie.

Mr. MOODY. The gentleman from Ohio does not want to secrete any circumstance, I know. Permit me to state to him, and he understands it as well as I do, that this rule does not apply to the river and harbor bills.

Mr. GROSVENOR. I am quite frank to admit that the rule does not apply to the appropriations.

Mr. QUIGG. Does not the very fact that the statute was necessary to be passed in order to construe the rule as against a survey as a part of the work prove that the rule means that the survey is a part of the work in everything except the rivers and harbors, where a statute was passed to prevent its application?

Mr. GROSVENOR. I undertake to say, having reached the exact point of my argument—I say as matter of fact, of which you are the only judges, as a matter of fact, the Nicaragua Canal is a public work within the scope and meaning of this section, already in progress.

Mr. HEMENWAY. What was the first step taken upon which the gentleman bases his statement here? Was it not the passage of an act through the Senate of the United States entitled "An act to incorporate the Maritime Canal Company?"

Mr. GROSVENOR. It had nothing to do with it.

Mr. HEMENWAY. Was not the second step, the appropriation of $20,000 to ascertain whether or not a route set out by this company was a feasible route?

Mr. GROSVENOR. No.

Mr. HEMENWAY. The gentleman can not show upon the statutes any other foundation except the one I have called attention to.

Mr. GROSVENOR. I do not want to spend my time in reading this; it has been read until we are all acquainted with it.

Mr. HEMENWAY. What is the foundation for the first appropriation?

Mr. GROSVENOR. I have not got my foundation built and the gentleman is inclined to knock it down. [Laughter.]

Mr. HEMENWAY. The gentleman from Ohio has not built a foundation that will stand. But I ask the gentleman if the foundation upon which the first $20,000 was appropriated was not an act passed by the Senate of the United States—never passed by the House—incorporating the Maritime Nicaraguan Canal?

Mr. GROSVENOR. It had nothing to do with it any more than the Declaration of Independence.

Mr. HEMENWAY. Will the gentleman show upon what the appropriation of $20,000 was founded?

Mr. GROSVENOR. Undoubtedly that was an effort to deflect matters in the direction of the Maritime Canal Company. Does the gentleman claim it is an act of Congress?

Mr. HEMENWAY. It was an act for the purpose of ascertaining the feasibility and permanence and cost of the construction of the Nicaraguan Canal by the route contemplated and provided for in an act which passed the Senate January 28, 1895, entitled "An act to incorporate the Maritime Canal Company," and there is your foundation upon which the first appropriation was made, and every succeeding appropriation refers back to it.

Mr. GROSVENOR. Well, what has that got to do with it?

Mr. HEMENWAY. You propose not to construct the canal as provided for by the appropriation, but to construct one by a different plan.

Mr. GROSVENOR. Oh, the argument of the gentleman is this; I will give you an illustration: We made an appropriation for the improvement of Colbert Shoals in Tennessee River; we made it on the survey and estimate, and every step of the way the law was complied with. Now, in the wisdom of Congress, by the omission of an appropriation it has been determined to have a different project; and I can tell the gentleman that that happens in more than two-thirds of the great appropriations of this country for river and harbor improvement.

One improvement is launched—proposed, perhaps, upon a basis of 10 feet of water—and step by step appropriations are made for the improvement of the harbor upon different lines, deflecting the channels in different directions, cutting them deeper, and cutting them wider, or locating them, as in the case of the Maumee River, in different places.

Mr. HEMENWAY. All the time under the direction of the Government and under the control of the United States—different from this——

Mr. GROSVENOR. Not at all.

Mr. HEMENWAY. Because here you start out, not under the control of the United States, but under the control of a private corporation.

Mr. GROSVENOR. There is not a word in the statutes that gives control of the canal to the Maritime Canal Company.

Mr. HEMENWAY. I have the act here.

Mr. GROSVENOR. I have the act before me.

Mr. HEMENWAY. No, the gentleman has the appropriation bill.

Mr. GROSVENOR. Now, this is the whole of that. Just see how simple an answer will pull down the foundation upon which this superstructure of strangulation is based. There are two or three different lines of communication across the Isthmus—one is traveled by the Panama Company, another is partially located by the Maritime Canal Company. As a matter of identification, and for no other purpose, these appropriations have been made for the purpose of starting the work, as I say, for constructing the canal along the Maritime Canal Company's route, which is the old Government survey.

Now, let me answer the gentleman more fully, and he will never press the argument again. Suppose here is the Chesapeake and Ohio Canal and the Government wants to build a railroad along from here to Cumberland, and it directs that there shall be a survey made along the line of the Ohio and Baltimore Canal Company. Does that put it in the control of the canal company? That is the argument of the gentleman, that because Congress selected the line of study and development that was already being to some degree pushed by the Maritime Canal Company we thereby put the control and management of this money into the hands of that canal company.

Mr. HEMENWAY. If the Senate of the United States had passed an act putting the control there, and an appropriation was made in pursuance of that act and with reference to it, I would put that construction upon it; but if no such act had been passed by either House, and no reference made to any act to put the United States in partnership with that company, then certainly I would not be justified in making the statement.

Mr. GROSVENOR. Well, it is enough to say that for all purposes every connection with the Maritime Canal Company is eliminated from this bill. And I sometimes think it is just possible that that is a mistake that the committee made if it wanted to get a bill through this House. I sometimes wonder that the ghost of that old Maritime Caual Company should stalk here constantly as an argument against the building of this canal.

Mr. HEMENWAY. So far as I am individually concerned, I will never at any time vote for the construction of the Nicaragua Canal under any other than the exclusive control of the United States.

Mr. GROSVENOR. Nor will I.

Mr. HEMENWAY. Then the gentleman and I are together on that proposition.

Mr. GROSVENOR. And I will tell the gentleman another thing. If this appropriation fails on this appropriation bill, and in this Congress, your grandchild will not live long enough to see a Nicaragua Canal built by the United States. And I will say more than that. In the eyes of the nations of this world the American people can not any longer trifle with this question in this way. Other nations are standing ready to seek for the concessions that are offered to us——

Mr. HEMENWAY. Right there may I ask the gentleman a question for information?

Mr. GROSVENOR. Do not break into my sentence.

And if you defeat this bill and postpone operations for a year and a half—if this bill is defeated here—you will have opened to the world, as you ought to, you will have opened to everybody else, as you ought to, the right to go there without any infringement upon our action or our interest and build that canal. And the intelligence of the world will say, "You stood and trifled and fooled with the question and defeated the will of your own people in doing so; and you shall not bar the way of the world across that Isthmus any longer." [Applause.]

Mr. HEMENWAY. Now, let me ask the gentleman, what are the concessions that are offered by Nicaragua to the United States? We have heard a great deal about them. The gentleman from Massachusetts [Mr. MOODY] tried to secure a statement of what those concessions were. I do not know, and no doubt the gentleman does, what concessions have been offered by Nicaragua to the United States.

Mr. GROSVENOR. I understand the State Department has information that both these Governments—I learned it from the chairman of the committee—are willing to make any reasonable concession that the United States may ask if we will build that canal.

Mr. HEMENWAY. Then absolutely we have no concession from the Nicaraguan Government at this time.

Mr. GROSVENOR. And if there is nothing done, this appropriation would fall to the ground.

Mr. HEMENWAY. The only concession controlled by anyone is controlled by this Maritime Canal Company, and we would have to buy that, I suppose.

Mr. GROSVENOR. The gentleman, who constantly wants to put his speech inside of mine, for the improvement, doubtless, of my speech——

Mr. HEMENWAY. I beg pardon if I interrupted the gentleman without his consent.

Mr. GROSVENOR. I did not suppose it was a continuing consent. Public works are never built, as the gentleman knows, except step by step. The gentleman's speech appears to have come in by virtue of his original interruption by consent.

Mr. HEMENWAY. I hope the gentleman will be candid and fair. I have injected no speech into his. I have simply injected questions, as I supposed, with his permission; if not, I beg his pardon.

Mr. GROSVENOR. But the gentleman has undertaken to get into my speech the statement that there is no concession for this canal.

Mr. HEMENWAY. I asked you to state whether there was any concession, and if so, what?

Mr. GROSVENOR. And I ask you to say whether there is any or not.

Mr. HEMENWAY. I do not know.

Mr. GROSVENOR. Neither do I. We are equally wise on this question. You are trying to put your wisdom into a speech that has no wisdom in it on this point.

Mr. HEMENWAY. If the gentleman will permit me, he said there were certain concessions, and that if we threw them away we could no longer say that other countries should not come in and take them. I asked him what those concessions were. He has now said he does not know; and I say I do not know.

Mr. GROSVENOR. I said I was informed of that fact, and I understand——

Mr. HEMENWAY. You said they would expire in 1900.

Mr. GROSVENOR. I had just learned it from the gentleman from New York [Mr. QUIGG], and until the gentleman from Indiana says that he knows something about it I will take the word of the gentleman from New York.

Mr. HEMENWAY. I have been asking the gentleman on the floor who said that these concessions would expire in 1900 what the concessions were, and now he frankly admits that he does not know of any concessions.

Mr. GROSVENOR. Now, will the gentleman let me answer him? I have stated on this floor what I repeat, that the State Department of this Government has informed the country that both these Governments——

Mr. HEMENWAY. Informed the country where?

Mr. GROSVENOR. Well, now, will the gentleman kindly wait with his question until I can complete a sentence?

Mr. HEMENWAY. I thought you yielded to me.

Mr. GROSVENOR. I stated that the State Department had informed the country through the press—and it is as much a matter of common knowledge as that two and two make four—that both these Governments have over and over again offered to this Government any reasonable concession for the making of that canal. But the gentleman from New York [Mr. QUIGG] came and told me that certain concessions would end in eighteen months, and I repeated the statement as a matter of information.

Mr. QUIGG. Nicaragua claims that they will end in six months; the company claims, if I may say it, that on October 9, 1900, these concessions expire. Nicaragua claims that they expire October 9, 1899——

A MEMBER. Are those concessions to our Government or to the company?

Mr. HEMENWAY. The gentleman from Ohio has said that he does not know what these concessions are. Now, if the gentleman from New York——

Mr. QUIGG. Why does not the gentleman get the treaty and read the concessions?

Mr. HEMENWAY. What treaty does the gentleman speak of?

Mr. QUIGG. The contract between the Maritime Canal Company and the Government of Nicaragua, which you can find in a Senate document which has been printed in connection with this bill.

Mr. HEMENWAY. If the gentleman has not finished what he has to say, he can go ahead.

Mr. QUIGG. I am through. I will make my speech when I get ready.

Mr. HEMENWAY. Then the gentleman means concessions to the Maritime Canal Company and not to the United States?

Mr. QUIGG. You are trying to make it appear that concessions which were granted to the citizens of the United States are

not concessions which the United States ought to protect, I suppose.

Mr. HEMENWAY. Not a bit.

Mr. QUIGG. I think you are.

Mr. HEMENWAY. This is a corporation organized in the United States to which these concessions have been granted. Am I not correct about that?

Mr. QUIGG. Certainly.

Mr. HEMENWAY. Then they are not concessions to the United States.

Mr. QUIGG. They are not concessions to the United States Government; no.

Mr. HEMENWAY. But to citizens of the United States.

Mr. QUIGG. They are not concessions to the United States Government, no; but they have had this effect: They have given the citizens of the United States the control of this situation. They have enabled the Government of the United States, through its Secretary of State, to control the situation in the interest of its citizens' corporation, and that situation exists to-day and has been protected all these years and can be availed of by either the citizens under their present charter or by the Government if it chooses, and the gentleman knows it.

Mr. HEMENWAY. Will this Maritime Canal Company convey to the United States, if it has the power, these concessions?

Mr. QUIGG. I am not the attorney of the Maritime Canal Company.

Mr. MAHON. No; they can not give those concessions to the United States.

Mr. QUIGG. But I am a Representative of the United States.

Mr. HEMENWAY. You are not one of the corporation?

Mr. QUIGG. No, sir.

Mr. HEMENWAY. You do not belong to that particular class that have these concessions?

Mr. QUIGG. What does the gentleman mean by the words "belong to that particular class?" They are some of the best citizens of New York.

Mr. HEMENWAY. I have no doubt of that. A great many good citizens are members of corporations.

Mr. QUIGG. And the gentleman recalls the language of the gentleman from Missouri, that there is a scheme here and that there is a joker in this bill and that somebody is going to be paid for it. I very much hope that somebody will be paid for the money that they have spent.

Mr. HEMENWAY. The gentleman from New York, then, has schemes in his mind, because I have said nothing about schemes nor jokers.

Mr. QUIGG. But it makes no difference to this Maritime Canal Association whether they are to be paid or not. If they can have their way, they will have this bill passed here to-day; and if it passes absolutely ignoring them, they are satisfied and content.

Mr. HEMENWAY. Will the gentleman allow me right there? If that is true, will they permit it to go through the Senate without amendment?

Mr. ELLIOTT. That is the point.

Mr. QUIGG. I presume they will try to protect their rights if they can. They would be foolish if they did not. But the Senate has the same right to pass this bill that we have.

Mr. GROSVENOR. Now, gentlemen, let us get back to the point. The gentleman from Indiana, sitting here now clothed with the intelligence and learning of the Committee on Appropriations, has interposed an argument of this character. Now, let us see how long he will stand by it. He says, in effect, that there is nothing competent in this legislation, because I can not define the concessions that have been made to the United States.

Now, let me ask the gentleman, did the United States ever get the right to build a public building in a foreign country or the right to establish a coaling station in a foreign country or to build a light-house or a signal station in a foreign country without first, by negotiation to be put in motion upon the part of the United States Government, soliciting and obtaining that concession?

Mr. SMITH of Arizona. Before or after appropriation?

Mr. HEMENWAY. We have that power, as I understand it; yes.

Mr. GROSVENOR. So the argument of the gentleman is, "You can never acquire the right to build the Nicaragua Canal until some Government has made the concession voluntarily and without the suggestion of the United States."

Mr. HEMENWAY. The gentleman will have to search the RECORD very carefully, and when he has done so he will not find any statement of that kind from me.

Mr. GROSVENOR. That is the logic of it.

Mr. HEMENWAY. That is the statement you are trying to put into my mouth that I have never made.

Mr. GROSVENOR. Then the gentleman has not said a word on the subject.

Mr. HEMENWAY. The House knows whether the gentleman has said a word or not. I have certainly exposed the gentleman from Ohio and shown that he had no knowledge of that concession that was going to expire in eighteen months.

Mr. GROSVENOR. I never claimed to have. I stated that it came to me by report. It is common report and everybody understands it, and I commend to the gentleman the reading of Senate Report No. 1418 of the first session of this Congress.

Mr. HEMENWAY. Yes; the Maritime Canal project.

Mr. GROSVENOR. And I will tell you now what the Secretary of State said upon the very question we have under consideration. This is a letter addressed to the chairman of the Nicaragua Canal Committee in the Senate, dated the 13th of June last:

DEPARTMENT OF STATE, *Washington, June 13, 1898.*

DEAR SIR: In answer to your letter of the 11th instant, I have the honor to state that no negotiations are now in progress with the Government of Nicaragua respecting any project for the construction of an interoceanic canal.

Existing conditions obviously make any negotiations of the indicated character inexpedient at this juncture, while an additional ground for inaction is found in the fact that the Nicaraguan Maritime Canal Company, holding a concession from the Government of Nicaragua, has been incorporated under a special charter granted by the Congress of the United States; that its incorporators are American citizens, and that the Government of the United States has at various times expended large sums of money to assist that company by way of official surveys.

It would seem only just that no negotiations should be undertaken until the Nicaraguan Maritime Canal Company should be afforded all proper opportunity to complete its work under its actual concession, and I see no present reason for adopting a contrary policy.

Respectfully, yours,

WILLIAM R. DAY.

Hon. JOHN T. MORGAN,
Chairman Committee on Nicaragua Canal, United States Senate.

That was the condition last May. Now comes the new condition that confronts us. Time is going on. At that time the war had not ended. At that time the enormous necessity for this work had not been shown to the people of the United States. But in the exigency of this hour, that to-day is pressing upon us, the utmost that is sought here in this bill that is finally conclusive upon this Congress is to authorize the President of the United States to negotiate for the very concessions which the gentleman says we are without.

Mr. MAHON. Will the gentleman allow me to ask him a question?

Mr. GROSVENOR. Yes.

Mr. MAHON. All these bills which have been framed in this Congress, excepting this amendment, have been framed with one thing in view. That was to escape the limitations of the Clayton-Bulwer treaty, entered into between Great Britain and this country, that neither country should purchase one foot of land for a waterway across that country without the consent of the other, and that treaty is in force.

Mr. GROSVENOR. There is no news in that.

Mr. MAHON. I know that; but I call for information. Suppose you pass this amendment, how do you intend to purchase a foot of that land without the consent of the other party to that treaty?

Mr. GROSVENOR. Now, the gentleman drives me to another statement. I hope the gentleman from Indiana [Mr. HEMENWAY] will get exactly what I say about that. It is a matter of common knowledge in the United States to-day—I do not vouch for the truth of it, but it has been published in newspapers and never denied—that the British minister himself has, either directly or through some correspondence with his Government, informed the Government of the United States that it will not be considered an infringement of the Clayton-Bulwer treaty if we do acquire the rights in that canal.

Mr. BARHAM. Or if so, that they will modify it.

Mr. GROSVENOR. Or if so, that they will modify it.

Mr. HEMENWAY. I will say to the gentleman that I am as anxious to have the canal built as he is.

Mr. GROSVENOR. It is one thing to speak the word; it is another thing to do the act. I want to get forward, for I have occupied too much time. If you pass this bill in this House, not one dollar of money except the expenses for the negotiation for right of way and territorial limits will be made until the coming of the next Congress of the United States.

Mr. HEMENWAY. Does not the gentleman know that the bill as framed here can not pass the Senate; that it will be amended when it gets to the Senate?

Mr. BARHAM. I deny that.

Mr. HEMENWAY. And that there are only between two and three weeks more of this session?

Mr. GROSVENOR. The gentleman has no right to assume that. The enemies of the Nicaragua Canal are bristling with reasons why nothing should be done. Every man in the United States knows that this obstruction means the ultimate defeat and repudiation and abandonment of the Nicaragua Canal. It can be nothing less than that. It must in the very nature of things be so, and if this measure shall receive no action nor sanction at the hands of this Congress I will cheerfully vote for a joint resolution to notify the nations of the world that the American nation has abandoned the project, and appealing to other civilized countries

to build the canal upon the same terms that England built the Suez Canal.

Mr. CANNON. Now, will my friend allow me at this point? For one, so far as I am concerned, according to my best judgment and opinion, I utterly and totally deny the statement of the gentleman that the failure to break down this rule means the abandonment of the construction of the Nicaragua Canal.

Mr. GROSVENOR. Well!

Mr. CANNON. There is not, in my opinion, one word of truth in it.

Mr. GROSVENOR. Well, I have given my opinion, and the gentleman has given his.

Mr. CANNON. Very well.

Mr. GROSVENOR. And the gentleman says there is no truth in my opinion. A man's opinion may be erroneous, and yet it may be truthful. I have doubted the gentleman's judgment very seldom in the sixteen years I have known him, but I have known him to be mistaken, and I hardly ever knew him to admit that he was. [Laughter.] My proposition is that time is crowding the nations of the world for this canal.

Mr. MAHON. Who wants it?

Mr. GROSVENOR. Everybody wants it who can get the right, and your people want it more than mine want it. Now, the action on this bill does not intend and does not propose to commit Congress to the absolute construction of this canal until future action by Congress; and if no action is taken in the Fifty-fifth Congress, it simply postpones this measure, at the best that can be accomplished, for eighteen months before the incipient preliminary stages are entered upon by Congress.

Mr. GAINES. Will the gentleman allow me to ask him a question?

Mr. GROSVENOR. Certainly.

Mr. GAINES. Why has this bill not been reported before this?

Mr. GROSVENOR. The chairman of the committee stated yesterday that it was not reported because the Walker committee had not made its report; that they did report it as rapidly as they could, and had considered it long enough to report it long ago, but it was necessary to have that report in order that intelligence should enter into the construction of the measure.

Now, then, gentlemen, I have said all I desire to say. My proposition is that this work is going forward; that it is in progress. Oh, some gentlemen will say, "Define what is a progressing work and what is a nonprogressing work." Is it work upon which some one is at work on the construction of a building every hour of the day, every day of the week, and every week of the year, in order that it shall be in progress; or is it possible that a man may make his project, ascertain the cost, make his plans, and stand ready to let his contract, and then wait another year or two years? It is only one year since the last appropriation was made; and yet has the work to be "in progress?" What is the limitation of the word "progress" in this connection? Will somebody state that it is that a public work must be in progress so that it does not require the initial action of the Government to start the work over?

Mr. GAINES. How far, as a matter of fact, has this work progressed?

Mr. GROSVENOR. It has gone far enough so that the Government could let the contracts if the Government had concessions from the Governments of Costa Rica and Nicaragua. [Laughter.] The surveys are absolutely complete, as the chairman of the committee stated.

Mr. GAINES. Now the gentleman from Indiana says, "How far is that?"

Mr. GROSVENOR. Six hundred thousand dollars is given as the item of expenditure, and that has been expended already by this Government. I ask the attention of the gentleman from Tennessee. It was stated yesterday by the chairman of the committee that under the appropriation of Congress the entire ascertainment was completed, the measurements had been made of the depth of the soil and the size of the rocks, and everything, and that a small railroad had been constructed.

Mr. BARHAM. Eleven miles.

Mr. GROSVENOR. Eleven miles along the track of the forthcoming canal, and yet gentlemen stand here and say that the work is not in progress. I stand here, therefore, in answer, and say that as a matter of fact the construction of the Nicaragua Canal is in progress, and therefore this amendment is in order.

Mr. GAINES. Has that report been filed, and is it official?

Mr. GROSVENOR. I understand that dredges are on the work, and the lower half of the canal has been dredged by them for the purpose of this observation, and that this was authorized by law.

Mr. FOOTE. Where do we get that information? I would like to find it.

Mr. GAINES. Is it an official report?

Mr. GROSVENOR. It is an official report, made by the Walker Commission, recognizing the work that has been done along the line of that canal that they propose to assume, and to take the work that has been constructed by the Maritime Canal Company, including the dredging and railroad construction.

Mr. GAINES. Will the gentleman tell me where that is?

Mr. GROSVENOR. The gentleman knows as well as I do.

Mr. GAINES. I do not.

Mr. GROSVENOR. You will find it in the folding room. I will go there and get it for you.

Mr. GAINES. I will not put the gentleman to that trouble.

Mr. FOOTE. Is that all hearsay, that we had some dredges there?

Mr. GROSVENOR. It is in the official report, as I am told.

The CHAIRMAN. The Chair is ready to rule. The committee will observe that the point raised by the gentleman in charge of the bill does not affect the merits of the bill relating to the construction of the Nicaragua Canal. The point raised is one purely of a parliamentary character, and simply relates to the construction of the rule that was invoked by the gentleman who has the appropriation bill in charge. The bill, as the committee will remember, is a general appropriation bill, and when we reached the point on page 74 indicated by the Clerk the gentleman from Iowa [Mr. HEPBURN] arose and presented an amendment, which has been read from the Clerk's desk, and the gentleman from Illinois [Mr. CANNON] raised the following points against it. He said:

Mr. Chairman, I desire to make the point of order against this amendment. First, the amendment is not germane; second, the amendment is obnoxious to Rule XXI in this, that it proposes legislation; third, that it appropriates money not authorized by existing law; fourth, it appropriates money not in pursuance of a public work or object in progress.

The rule referred to by the gentleman reads as follows:

2. No appropriation shall be reported in any general appropriation bill, or be in order as an amendment thereto, for any expenditure not previously authorized by law, unless in continuation of appropriations for such public works and objects as are already in progress; nor shall any provision changing existing law be in order in any general appropriation bill or in any amendment thereto.

The gentleman from Iowa who offered the amendment, in answer, insisted that the amendment is permissible because it is in continuation of public works already in progress; and in support of that he cited to the Chair a law that was adopted by Congress in 1895 providing for surveys and a supplementary law of 1898 making additional appropriation. In regard to determining whether this law can be construed as having established the public works, namely, the construction of this canal, it is important to examine the language itself. The committee will note that it says "for the purpose of ascertaining the feasibility and cost of the construction and completion of the Nicaraguan Canal, etc., $20,000 are appropriated." The language clearly indicates that it is for the purpose of ascertaining facts that will guide the action of Congress in the future, without committing it to any policy whatever.

Now, the amendment of 1898 does not enlarge the scope or purpose for which the original appropriation was made. It simply increases the amount, but limits it to these purposes, namely, to ascertaining a state of facts that can be used for the public hereafter. The wisdom of that will be noted on reflection, because of the wide divergence of opinion as to the manner in which this Nicaraguan Canal should be constructed, whether by private enterprise or by the Government guaranteeing the bonds that should be issued, or whether the Government should take a copartnership with private individuals; or, as proposed by the gentleman from Iowa, take the construction upon itself and obtain the control and sovereignty over the territory through which the canal is to be constructed.

So that, to the Chair, it is entirely clear that the law cited by the gentleman from Iowa is not susceptible of the construction suggested by him, but is to ascertain the facts, leaving the Government of the United States entirely clear hereafter to determine whether it will embark in such an enterprise or not. Indeed, the Chair is fortified in this by the amendment sent to the Clerk's desk by the gentleman from Iowa [Mr. HEPBURN], which provides that the President shall be authorized in the first instance to purchase territory, and, in the second, to direct his Secretary of War to go on and take all the preliminary steps necessary for the construction of the canal itself. So that, as the Chair construes it, the very amendment offered by the gentleman is a refutation of the statement that the preliminary legislation appropriating in 1895 $20,000 and in 1898 $150,000 commits the Government to the construction of this canal.

Now, on this part of the rule, the Chair is fortified by previous decisions on other questions. As has been stated by several gentlemen, this rule, invoked by the gentleman from Illinois, has been the rule in this House for more than a generation, and there have been repeated rulings on the identical point raised that the Chair is now considering. As late as the Forty-fifth Congress, Mr. Carlisle, of Kentucky, one of the ablest parliamentarians who has ever presided over this body, was called upon to pass upon

this question. While the committee were considering an appropriation bill, Mr. Ryan, of Kansas, offered the following amendment to be incorporated into the bill:

Fifty thousand for a building at Topeka, Kans., of the kind and for the uses provided in the act of Congress entitled "An act to authorize the purchase of a site for a public building at Topeka, Kans.," approved March 3, 1875, and such building shall not exceed in cost the sum of $200,000.

Mr. Atkins, of Tennessee, raised the point of order that under this rule, invoked by the gentleman from Illinois, it was not a proper amendment, and Mr. Carlisle, after discussion, ruled that it was not. Mr. Ryan in his argument showed that Congress had already authorized the purchase of a site, and that $10,000 had been appropriated for that purpose, and that the jurisdiction of the site had been given by the State of Kansas to the United States Government.

But Mr. Carlisle held that the purchase of a site did not authorize the construction of a building upon it, although the purpose for which the site was bought was the construction of a public building; and he held that the amendment was not in order. There was no appeal from that decision.

In the Fifty-first Congress Mr. Wilkinson, of Louisiana, offered an amendment to a general appropriation bill appropriating $75,000 for the construction of a dry dock at Algiers, La. Prior to the offering of that proposition a naval board, acting with full authority under the law, had indicated the location for the site for a dry dock at Algiers. That amendment was offered when the naval appropriation bill was under consideration.

The gentleman from Maine [Mr. BOUTELLE], the chairman of the Naval Committee at that time, made a point of order against the amendment that it was obnoxious to the rule now under consideration. Mr. Butterworth, of Ohio, a very able parliamentarian, as the older members of the House will remember, was in the chair, and after listening to a full discussion held that the locating of the site by that naval board did not authorize the appropriation of $75,000 for the construction of the dry dock. He sustained the point of order. The committee acquiesced in his ruling.

There are numerous other decisions along this line, all of them in harmony with the two decisions which the Chair has read to the committee in support of his position that the point made by the gentleman from Iowa that the law cited by him is a commencement of the construction of the canal is not well taken.

Now as to the point made by the gentleman from Michigan that this amendment is proper under existing law because there is a treaty between the United States and the Republic of Nicaragua looking to the construction of a canal. An examination of that treaty will show that it is entirely foreign to the proposition contained in the amendment offered by the gentleman from Iowa. The canal that is contemplated in that treaty is a canal that is to be under the supervision and absolute control of the Government of Nicaragua; so that the United States would be eliminated from the matter at the pleasure of the Republic of Nicaragua. The amendment offered by the gentleman from Iowa proposes to buy a strip of territory where the Government of the United States shall become absolutely supreme. So that the two are inconsistent; and the Chair holds that that does not authorize the amendment offered by the gentleman.

There are a few other considerations on this point that the Chair desires to present to the committee. The bill under consideration, under the rule which has been invoked, makes appropriations only to meet existing law. No appropriation is provided for unless it is to meet some obligation which has accrued by virtue of existing law.

The amendment offered by the gentleman from Iowa [Mr. HEPBURN] goes entirely beyond that; it recognizes the fact that there are no obligations whatever on this question between the United States and the Republics of Nicaragua and Costa Rica, and provides in the first section that the President of the United States shall be authorized to purchase from the States of Costa Rica and Nicaragua, for and in behalf of the United States, such portion of territory now belonging to those States as may be desirable and necessary for the construction of this canal, and authorizes the necessary expenditure for that to be made by the President of the United States.

The gentleman from Illinois [Mr. CANNON] claims as one of his objections that this amendment is not germane to the bill, and the Chair is inclined to hold that that objection is well taken, for this reason, that this amendment proposes to enter into negotiations with two separate, independent States by the President of the United States looking to the acquiring of foreign territory. Gentlemen are familiar with the Constitution of the United States and the decisions of the Supreme Court of the United States, which hold that we can acquire foreign territory only under the war and treaty making power. One of the leading cases, I think, is that of Fleming *vs.* Page. Another is the recent Mormon case, decided in 136 United States Reports, by Mr. Justice Bradley, wherein he elaborates the point that foreign territory can be acquired only under this clause of the Constitution.

Now, suppose, instead of seeking to acquire foreign territory from these two small States, the amendment had been to acquire the island of Ireland from the British Government. Does anybody contend for a moment that that would be held germane to this appropriation bill, and that we could go on and legislate for the purchase of that island from Great Britain if she were willing to sell? It seems to the Chair that this extreme illustration shows that in the first section of the amendment offered by the gentleman from Iowa [Mr. HEPBURN] it departs widely, not only from the requirements of an appropriation bill itself, but from the rules that govern and control us.

If we can not purchase Ireland by an amendment to this appropriation bill, the same objection holds true that we have no right to purchase foreign territory from any country whatever.

Another test as to whether this legislation is germane and should be considered is this: All gentlemen of the committee are familiar with the rule which provides for the dividing of the work of the House among the various committees of the House. Among those committees we have the Committee on Appropriations, whose work is not to consider legislation, but to report appropriations. That committee can create no laws. It is limited simply to make appropriations to carry out laws that already exist. Another committee is the Committee on Interstate and Foreign Commerce. That committee has the right to originate bills that may become laws, and this amendment that has been offered here is offered by the chairman of the Committee on Interstate and Foreign Commerce. Coming from that committee as a separate bill, its hearing before the House would be entirely proper.

But suppose that bill had been introduced and sent to the Speaker's desk and the question had arisen as to which committee it should go to, what committee should have jurisdiction of it. Suppose the chairman of the Committee on Appropriations had insisted that it should go to the Committee on Appropriations and the chairman of the Committee on Interstate and Foreign Commerce had insisted that it should go to his committee and that his committee should take jurisdiction. The Chair apprehends there would have been no doubt in the Speaker's mind in determining that the committee presided over by the gentleman from Iowa [Mr. HEPBURN], the Committee on Interstate and Foreign Commerce, should have jurisdiction of this subject rather than the committee presided over by the gentleman from Illinois [Mr. CANNON], the Committee on Appropriations.

For the reasons indicated the Chair is inclined to sustain the point of order made by the gentleman and to hold that the amendment proposed is not in order.

Mr. HEPBURN. Mr. Chairman, with the very greatest respect for the Chair, I appeal from the decision of the Chair.

Mr. DALZELL. And I move to lay that appeal on the table.

Mr. BAILEY. There is no table in Committee of the Whole.

The CHAIRMAN. The Chair desires to state to the gentleman from Pennsylvania that in Committee of the Whole the gentleman's motion is not in order.

Mr. DALZELL. The gentleman from Pennsylvania recognizes that fact.

The CHAIRMAN. The question is, Shall the decision of the Chair stand as the judgment of the committee?

Mr. FLEMING. Mr. Chairman——

Mr. HEPBURN. I was about to propose that we submit the matter to a vote without further discussion.

The CHAIRMAN. The gentleman from Georgia [Mr. FLEMING] has asked for recognition, and the Chair recognizes the gentleman.

Mr. FLEMING. Mr. Chairman, I desire to submit some views on this question. [Cries of "Vote!" "Vote!"] No call by men on this side of the House or on that side for a vote will prevent me from exercising my parliamentary privileges on this floor and saying what I intend to say.

I will also state that I think the gentleman from Iowa [Mr. HEPBURN] was somewhat mistaken in implying that the question before the House on overruling the decision of the Chair is the same question that has been debated up to this time.

Mr. Chairman, I am very much in favor of building the Nicaragua Canal, and from all the investigations that I have been able to make I am of the opinion that the bill known as the Hepburn bill is the best plan and the best scheme that has yet been presented to Congress for carrying out that purpose. Unless additional facts to the contrary were brought out in the discussion, I should take great pleasure in casting my vote for the passage of that bill, if it can ever be legally and properly brought before this House. Furthermore, I will join hands with any other members in this House for the purpose of bringing that bill to early consideration and an early vote, if such a thing be possible.

But, Mr. Chairman, notwithstanding the great vigor and incisiveness with which the gentleman from Iowa, the chairman of this committee, has presented his case to this House—and no man, in

my judgment, could have made a better presentation of such a case—notwithstanding all the ability that he has brought to bear upon this question, my mind stands now where it stood from the first, and I believe that the attempt to put this bill as an amendment or a rider upon this general appropriation bill is an open violation of the rule which this House has established for its government. The general purpose of this rule and paragraph, under which it is sought to bring in this amendment——

Mr. SHERMAN. Mr. Chairman, I ask that we may have order.

The CHAIRMAN. The committee will be in order. The Chair desires to state to the friends in the galleries that they are here by the courtesy of the House, and they must engage in no conversation and make no noise that will disturb the members on the floor.

Mr. FLEMING. Mr. Chairman, I can readily understand that when the House has its mind pretty well made up on a question of this kind, the members do not take much pleasure in listening to anyone else, especially if he presents views somewhat different to their own. And by way of excuse to the members, I want to say that I am making the argument that I now make more as a justification before the country for my own vote in sustaining the Chair than in any hope of convincing gentlemen who have their minds made up to the contrary. [Cries of "Vote!" "Vote!"] There will be no vote until I have said what I want to say. [Laughter and applause.] You gentlemen who are calling for a vote are simply wasting the time of yourselves and of the House.

Mr. Chairman, the general purpose of this rule is a wise one. There is not in our whole volume of rules a wiser or a better one than the rule which gentlemen now intend, apparently, to upturn and trample under foot. General legislation ought not to be incorporated on appropriation bills. It is wrong in principle; it begets all manner of logrolling and corruption, and prevents the passage of bills to carry on the machinery of the Government by hanging on to them other legislation that ought not to be put there, and sometimes preventing the passage of bills which would receive practically a unanimous vote before the House.

In addition to that, it violates a principle in our Constitution. And right here I want to apologize for mentioning the Constitution. In these latter days there has been so much of sneering and derision against men who seem to have a reverence and respect for it that I feel I ought to make some kind of an excuse for even mentioning that instrument, which once held the respect of public men. But according to that Constitution there are three departments of our Government whose indorsement of a law is necessary before it can be put on the statute book. One is the House of Representatives, another is the Senate, and the third is the Executive. There is no better means of coercing an Executive and forcing him to sign a bill that ought not to be signed than to put it as a rider on an appropriation bill and force him to accept an unjust, improper, or corrupt law or to veto the whole bill, and in that way prevent the convening of an extra session of Congress for the purpose of supplying the needs of the Government. [Applause.]

So I say that this rule is founded not only in wisdom, it has not only the sanction of the vote of the members of this House in adopting these rules, but it has its root way down in the provisions of the Constitution itself. [Applause.]

I understand that applause. Gentlemen are still wasting time.

So important, Mr. Chairman, was this principle of public legislation considered that in my own State of Georgia it was incorporated into the constitution, and not allowed to rest in the rules or even in the statute law. It was put into the constitution itself, and in the State of Georgia no rider can be placed on an appropriation bill.

More than that. When those able and brilliant statesmen—and this country never furnished better—met at Montgomery to establish a constitution for the Confederate States of America, these men, these statesmen who framed the constitution of the Confederate States of America, and who had long experience in public life, understood and provided against the evil which this rule of this House in some measure seeks to avoid. They put into the constitution of the Confederacy the provision that the chief executive might disapprove any item in an appropriation bill and still let the balance of the bill stand in its integrity.

Now, Mr. Chairman, such is the general wisdom of this rule that it has been indorsed and supported and defended by the best Democratic leaders that have been in this House for the last fifty years [applause]; and when men inveigh against the tyranny of the Reed rules—and I join in that protest—they fail to draw the distinction that this is not one of the rules created at that time.

Mr. BARTLETT. Mr. Chairman, will my friend permit me to ask him one question?

Mr. FLEMING. Yes.

Mr. BARTLETT. I want to say, if my colleague will permit me, that I fully agree with him in the position he has taken; but I just want to ask him this question: If he believes that there is a man upon the floor of this House who, if he had to draw the line in a week or a month from now, or at any time hereafter, when considering a proposition involving the rules of this House, would have voted to put this one out?

Mr. FLEMING. If there be such a man, he would have voted in absolute ignorance of what his duty was under the circumstances.

Mr. BARTLETT. One other question. Suppose that we were to vote to overrule the Chair; it is not because the Chair has violated the rule, or because this rule is a bad one, but simply because we desire to pass a measure with or without the rule.

Mr. FLEMING. It will simply mean that the members who vote for it are ready to go into a revolution so far as parliamentary law is concerned, and go into a state of anarchy for the purpose of accomplishing some immediate object; and in the long run you lose ten times as much as you will gain.

Mr. Chairman, as I was about to say, this rule is not one of the oppressive rules that have weighed so heavily upon the minority party of this House. This rule, along with a few others, has been our shield and protection; and when members of the minority, in a spirit of reckless lawlessness, override and repudiate it, you cast down out of your hand the only weapon that is left for your own protection. You place yourselves at the absolute mercy of the majority party on that side of the Chamber.

Mr. UNDERWOOD. I would like to ask the gentleman a question right there. Is there a single instance in the history of this House that he can point out where the minority have been protected in their rights?

Mr. FLEMING. Time and again the minority have been protected in their rights under this very rule. They were protected, so far as a consensus of opinion on this side the House was gathered, in the matter of the Pacific cable bill, which the gentleman from Michigan sought to ingraft as an amendment upon the pending measure. So far as the action of the committee is concerned, by the passage of that amendment the Government might now be authorized to build that Pacific cable, had the chairman of the committee not ruled that amendment out of order.

That is where you get your protection. That was not any more than a day ago. Not only that, Mr. Chairman, I want to say this: If this committee overturns the ruling of the Chairman in this matter of building the Nicaragua Canal, and the committee proceeds to put this as an amendment on this bill, then I submit to the Chairman that inasmuch as his judgment has been overruled in this it will be incumbent upon him, as a matter of justice and moral right to the gentleman from Michigan, who proposed the amendment for the Pacific cable, to make his apologies to that gentleman, take back his ruling, and to reinstate the Pacific cable as an amendment on this bill.

Mr. RIDGELY. Will the gentleman allow me to ask this question?

Mr. FLEMING. Certainly.

Mr. RIDGELY. Has it not been the action of this House on more than one occasion during this Congress that where a question as to the rules affecting any contemplated action of the House was invoked that the question is as to what the rule was affecting, the proposed legislation having been referred to a vote of the House—and the House reversed the Chair in some instances—that the Speaker of this House afterwards said that by that act, having referred the question to the House itself, that the House having taken this specific action itself which has taken place, that that changed the rule as affecting the proposed action, and if we vote that the ruling shall be overruled that then we make a rule by that vote?

Mr. FLEMING. It would not make a rule by that vote. In the same way Herr Most, having violated the law, might stand up in New York and say, "I have made a new law for the country." That is anarchy. The rules provide how they can be suspended and amended, and the Constitution provides how the rules are to be created, and for any man to stand up under these circumstances and say you have a right in accordance with the law to override the rules, when you know the decision of the Chair is right, is simply to state a proposition that is utterly absurd.

Mr. LIVINGSTON. Will the gentleman from Georgia, my colleague, allow me an interruption?

Mr. FLEMING. Always, to my friend from Georgia.

Mr. LIVINGSTON. The question having passed out of the hands of the Chair, an appeal is now before the committee. Has not each individual member of this committee on the floor now a right to construe the rule for himself?

Mr. FLEMING. Certainly.

Mr. LIVINGSTON. And can he be called an anarchist for so doing?

Mr. FLEMING. I freely give to every man the same rights that I claim for myself.

Mr. LIVINGSTON. Would you call a man an anarchist that would differ with the Chair?

Mr. FLEMING. The question was not whether the committee could properly overrule the Chair, but if it should do it outside of the law.

Mr. RIDGELY. The gentleman from Georgia does not wish to

misrepresent me, and I think he misunderstands my position. My position is this, that if we overrule the Chair by the act of determining what is the rule, that determines the construction of the rule, and the Speaker of the House has so held.

Mr. FLEMING. If a majority of the members of the committee believe conscientiously that the Chairman of the committee has made an error, if you believe he is really wrong, of course the committee has the right to say so. What I am talking about, Mr. Chairman, is how a reasonable, sensible, and conservative man can come to any such conclusion. That is what I am talking about, and that is the point I am now discussing.

Mr. SIMPSON. If we are conscientious, it is not anarchy. [Laughter.]

Mr. FLEMING. Oh, well, Mr. Chairman, I suppose that Herr Most himself might have been conscientious in some of his schemes. It is not a question of conscience as much as a question of good sense.

Mr. CORLISS. Mr. Chairman, if my memory serves me right, the gentleman from Georgia [Mr. FLEMING] addressed the committee upon this subject yesterday. I ask the Chair if he is not now violating the rule of the House, section 6, Rule XIV, which provides that a member shall not address the House but once upon a subject?

The CHAIRMAN. The Chair desires to suggest that the question before the House now is whether the decision of the Chair shall stand as the decision of the committee, and that is a new question, and the gentleman is addressing himself to that question.

Mr. HENDERSON. And upon that each member can be heard once.

Mr. CORLISS. I was not aware that the gentleman from Georgia was addressing himself to that subject.

Mr. FLEMING. I would like to ask the gentleman from Michigan [Mr. CORLISS] when he heard me discuss this subject before the committee?

Mr. CORLISS. I thought I heard the gentleman on the floor yesterday addressing the House, and I thought it was on this question.

Mr. FLEMING. The gentleman is absolutely mistaken. I have not before this arisen on the floor nor addressed the Chair in any way in relation to this bill nor in reference to this question. I have not risen on the floor and said one word to the House or the Chair on this subject.

Mr. Chairman, it simply shows to what terrible extremes gentlemen will go in a matter of this kind, to carry out a purpose that certainly can not commend itself to their sober judgment.

Now, Mr. Chairman, the gentleman from Iowa [Mr. HEPBURN], with his usual discriminating ability, placed his case on the only plausible ground that it could possibly be placed upon. He said nothing about some treaties fifty years old, he said very little about whether it was germane or not, and he said very little about existing law, but he rested it upon the ground that it was an appropriation for a public work which he claimed was "in progress." Now, Mr. Chairman, if that is the best argument that can be made, it is a thoroughly weak and unfounded one, when you come to analyze it.

Mr. BRUCKER. I would like to ask the gentleman from Georgia a question.

Mr. FLEMING. Willingly.

Mr. BRUCKER. I would like to ask the gentleman if he is in favor of building, ultimately, the Nicaragua Canal?

Mr. FLEMING. I am.

Mr. BRUCKER. Does not the gentleman think he has undergone punishment enough to justify himself before his constituents without going further? [Laughter.]

Mr. FLEMING. Perhaps I have said enough to justify myself before my constituents. In fact, Mr. Chairman, I say with some degree of pleasure, and I hope with some little modesty, that I really think my constituents have enough confidence in my character to know that I was honest without any proof at all; but my chief concern now is to put this thing so plain and patent that the constituents of the gentleman from Michigan [Mr. BRUCKER] may know what little reason and little cause he had for attempting to overturn the rules of this House. [Laughter and applause.]

Mr. BRUCKER. I shall answer to my constituents, and I am in favor of the canal.

Mr. FLEMING. Now, Mr. Chairman, they say that this work is "in progress." Why, Mr. Chairman, if the work is in progress, the country certainly does not know it. Our galleries are crowded to-day, and the press gallery is filled with a full complement of men with their pencils pointed ready to write to the country and tell it whether we are going to build this canal at all or not. Yet gentlemen say the work is in progress. A work in progress before it is begun! The question is, Are you going to build a canal at all? That is the purpose of the amendment—to say we shall build it. Yet the gentleman who offers the amendment seeks to justify it by saying that we have already started the work, that it is "in progress." In other words, you have a work in progress that you have never even begun. I do not understand the English language, Mr. Chairman, if a work can be in progress that we have not yet decided to begin. Talk about your surveys——

Mr. PERKINS. May I ask the gentleman a question?

Mr. FLEMING. Yes.

Mr. PERKINS. Is not the only question before the individual member of this Committee of the Whole this question, Is the ruling of the Chair right under the rules of the House?

Mr. FLEMING. That ought to be the only question.

Several MEMBERS. It is.

Mr. FLEMING. Upon the proper plane of the consideration of this matter that is the only question. But the gentleman from Iowa [Mr. PERKINS] who has asked that question knows, as I know, that we have heard it talked around this Hall for more than a day that the decision of the Chair, right or wrong, was to be overruled if it should be against the introduction of this amendment. And it is against that I am talking.

Mr. PERKINS. That is right.

Mr. FLEMING. I say that the decision of the Chair ought to stand. Gentlemen of the House, do you not know that the Chair did his duty? Do you not know that he decided this question according to all the precedents? Do you not know that he followed the ruling of John G. Carlisle, one of the finest parliamentarians that ever sat in that chair? Now, I say, after putting in the chair the gentleman who now occupies it and giving him the rules for his guidance, you have no right to attempt to override him and mortify him before the public by saying that he has decided something wrong, when you ought to know that he has decided it right. [Applause.]

Mr. MAHANY. Will the gentleman permit a suggestion?

Mr. FLEMING. I yield to the gentleman.

Mr. MAHANY. I have, as the House knows, never been in favor of continuing the present rules in their entirety; but I desire to point out, along the lines of the gentleman's remarks, that in the whole body of House rules the one under discussion has seldom, if ever, been the subject of adverse criticism.

Mr. FLEMING. I think it is one of the few that has never been criticised.

Mr. Chairman, gentlemen say that this rule has been frequently violated by the Committee on Appropriations putting into appropriation bills outside matters, and, nobody making objection, those things have gone into the law. It is true that the committee has frequently brought in such side provisions; but it is not true that this House, after objection has once been made to such a provision and after the Chairman has sustained the objection—it is not true from the beginning of this Congress to the present hour that this House has ever voted to overrule such a decision. [Cries of "Vote!" "Vote!"]

The Chairman rapped for order.

Mr. FLEMING. Mr. Chairman, I know that some members, particularly here to my left, must have lost a great deal of their usual courtesy and conservative spirit, and I might use stronger language. I excuse them by reason of the great excitement that they may be laboring under in their anxiety to pass this measure over the rules of the House, for when a man has once made up his mind to do something wrong he does not hesitate very much as to how he shall carry it out. And the constant talking and the insistence for a "vote" over here on my left, by some gentlemen whom I do not know, simply emphasizes that fact. They are in extremes; they do not want to hear this question argued. They have been so much torn up by this argument and other arguments which they think perhaps will make their position ridiculous before the country that they want to cry down anyone who opposes them, but I will not be cried down until I get ready to stop.

Mr. BALL. I have not interrupted the gentleman——

Mr. FLEMING. I have no objection to yielding to the gentleman.

Mr. BALL. The gentleman has criticised other gentlemen so severely, I would like to ask him this question: Did he expect to address himself to the favor of any of the members of the House when he started out by characterizing a portion of them as anarchists and the balance of them as not having sense enough to understand a proposition?

Mr. FLEMING. I have done neither.

Mr. BALL. "Anarchists and fools" was the gentleman's language; the RECORD will show it.

Mr. FLEMING. I have done neither. The reporter of the House has taken down my words, I hope, as they fell from my lips. I said that when men came in here and upturned and violated the rules of the House it was nothing better than anarchy—that it was revolution, anarchism. I have not characterized any man as an anarchist. On the contrary, I clearly stated that any man who conscientiously believed that the Chair had decided wrong had the right to cast his vote in accordance with his belief just as I have the right to cast mine.

Mr. BALL. Did you not also say that you did not see how any man with good sense could come to that conclusion?

Mr. FLEMING. I did say that, and I repeat it. [Laughter.] But I did not say that because a man comes to another conclusion from mine he has not good sense. I simply say I can not see the question that way. He may have more sense than I have; and it may be my want of sense that prevents me from seeing the question his way. But I am simply stating the fact that the rules on this subject are so plain that I can not understand how a man of good sense can say honestly and conscientiously that the Chair has decided wrong. Yet I admit that gentlemen may hold such sentiments and opinions; and if they do, I cheerfully grant them freedom to do it.

Several MEMBERS (derisively). Thank you!

Mr. FLEMING. Mr. Chairman, this House, since I have been a member of Congress, has never yet overridden a decision of the Chair upon this rule in reference to striking out a "rider" on an appropriation bill. Never since I have been here has it been done. There have been some attempts to put on these "riders," and the Chair has ruled them out. There have been appeals from the decisions of different occupants of the chair, but every time the majority of the House has sustained the opinion of the Chair. And if this House this afternoon overrides the decision of the Chair, it will be the first time in the history of this Congress when such revolutionary action has been taken.

Then, Mr. Chairman, I say here and again that if the House overrules your decision upon the Nicaragua Canal amendment it will be your duty to take back your ruling about the Pacific Cable Company amendment, and allow the gentleman who offered that to offer it as an amendment and put it on this bill.

Mr. MAHON. I do not want to appear discourteous to the gentleman from Georgia, but I wish to make this parliamentary inquiry: Is an appeal from the decision of the Chair debatable?

The CHAIRMAN. The Chair thinks it is, but it is within the province of the committee to close that debate at any time.

Mr. FLEMING. I am through, Mr. Chairman. [Cries of "Vote!" "Vote!"]

Mr. HEPBURN. I move that all debate——

The CHAIRMAN. The gentleman from Iowa will recognize the fact that the gentleman from Georgia still has the floor.

Mr. HEPBURN. I thought the gentleman from Georgia had concluded his remarks.

Mr. FLEMING. I had substantially finished what I had intended to say, and I would have gotten through a good deal sooner if gentlemen on my left particularly had not interrupted me. I believe, Mr. Chairman, that it is the better policy for us to stand upon principles, to stand by the rules of the House, to stand by the laws of the country, to stand by the provisions of the Constitution, even though they may at times bear hard upon us, than it is to sacrifice the protection which the law gives us in order to accomplish some temporary advantage.

I am in favor of this bill if it can be brought in legally before this House, but I will not vote to upturn and overrule the decision of the Chair, when I for one believe that he has decided in accordance with the law, and that he has done his duty, and that he deserves praise rather than censure. [Applause and cries of "Vote!" "Vote!"]

Mr. HEPBURN. Mr. Chairman, I move that all debate on this question of appeal be now declared closed. [Applause.]

The CHAIRMAN. The gentleman from Iowa moves that all debate on the pending question be now closed.

The motion was agreed to.

The CHAIRMAN. Debate on the pending question is closed. The question is, Shall the decision of the Chair be the judgment of the committee?

The question being taken, the Chair announced that he was in doubt.

The committee divided; and there were—ayes 152, noes 118.

Mr. HEPBURN. Tellers, Mr. Chairman.

Tellers were ordered; and the Chairman appointed Mr. HEPBURN and Mr. CANNON.

The committee again divided; and the tellers reported—ayes 127, noes 109.

Accordingly the decision of the Chair was sustained.

The CHAIRMAN. The committee decides to sustain the Chair and the amendment is ruled out. The Clerk will read.

The Clerk read as follows:

Improving harbor at Oakland, Cal.: For continuing improvement, $133,000.

Mr. CANNON. I offer the amendment which I send to the Clerk's desk.

The amendment was read, as follows:

On page 76, in line 5, after the word "improvement," insert the words "under existing project."

The amendment was agreed to.

The Clerk read as follows:

Improving Falls of Ohio River at Louisville, Ky.: For completing improvement, including Indiana Chute Falls, $15,000.

Mr. EVANS. Mr. Chairman, I wish to make an inquiry, and I move to strike out the last word. I see that the appropriation is for $15,000. I should like to ask the chairman of the committee whether that is all that was estimated for the next year?

Mr. CANNON. I will say to my friend that the appropriation for the current year finishes the project. Now, we recommend this $15,000 because Congress diverted $15,000 from this appropriation at the last session for the lower river, and this is to make the appropriation full.

Mr. EVANS. I withdraw the pro forma amendment.

MESSAGE FROM THE SENATE.

The committee informally rose; and Mr. CAPRON having taken the chair as Speaker pro tempore, a message from the Senate, by Mr. PLATT, one of its clerks, announced that the Senate had passed the following resolution:

Resolved, That the Secretary be directed to request the House of Representatives to return to the Senate joint resolution (S. Res. 244) making an appropriation of $5,000 for clearing the Potomac River of ice.

The message also announced that the Senate had insisted upon its amendments to the bill (H. R. 11414) making appropriations for the legislative, executive, and judicial expenses of the Government for the fiscal year ending June 30, 1900, and for other purposes, disagreed to by the House of Representatives, had agreed to the conference asked by the House on the disagreeing votes of the two Houses thereon, and had appointed Mr. CULLOM, Mr. SEWELL, and Mr. TELLER as the conferees on the part of the Senate.

The message also announced that the Senate had passed with amendments the bill (H. R. 11815) to provide for taking the Twelfth and subsequent censuses, asked a conference with the House of Representatives on the bill and amendments, and had appointed Mr. CARTER, Mr. HALE, and Mr. TILLMAN as the conferees on the part of the Senate.

The message also announced that the Senate had passed without amendment bills of the following titles:

H. R. 5706. An act granting an increase of pension to Peter E. Shipler;

H. R. 10281. An act authorizing the Light-House Board to provide a steam whistle at Michigan City, Ind.;

H. R. 11440. An act to locate the office of the deputy collector of the port of East Pascagoula, Mississippi, at Scranton, Miss.;

H. R. 599. Authorizing the Secretary of the Treasury to pay the sum of $400 to The Brownell & Co., Dayton, Ohio, on account of penalty erroneously imposed by the Light-House Board; and

H. R. 12094. An act making an appropriation for clearing the Potomac River of ice.

The message also announced that the Senate had passed the following resolution; in which the concurrence of the House was requested:

S. R. 240. Joint resolution declaring the purpose of the United States toward the Philippine Islands.

SUNDRY CIVIL APPROPRIATION BILL.

The committee resumed its session.

The Clerk read as follows:

Improving Missouri River from mouth to Sioux City, Iowa: For continuing improvement of Missouri River from its mouth to Sioux City, Iowa, including salaries, clerical, office, traveling, and miscellaneous expenses of the Missouri River Commission, surveys, permanent bench marks, and gauges, $300,000: *Provided*, That of this amount the following sums, or so much thereof as may be necessary, in the discretion of the Secretary of War, shall be expended in works of improvement at the following places, namely, St. Joseph, Mo., $30,000; Omaha, Nebr., and Council Bluffs, Iowa, $50,000; opposite Leavenworth, Kans., $5,000; Jefferson City, Mo., $20,000; Nigger Bend, Mo., $10,000; Randolph Bend, Mo., $15,000; Lexington, Mo., $10,000.

Mr. BLAND. Mr. Chairman, I offer the amendment which I send to the Clerk's desk.

The amendment was read, as follows:

On page 79, line 13, after the word "dollars" insert the following:
"To improve the harbor at Jefferson City by compelling the current and channel of the river to the south side thereof."

Mr. CANNON. Mr. Chairman, just a word. I know nothing about the propriety of this amendment, and I am not familiar with the river there. I will say to my friend from Missouri [Mr. BLAND] that we put this item in the bill, segregating this amount at Jefferson City, in the exact language that the Committee on Rivers and Harbors gave us, in a written recommendation, after consideration of the subject. Now, I will ask my friend if he has such knowledge of the matter that he can say that it ought to be further modified?

Mr. BLAND. There is no doubt about that, Mr. Chairman. The whole object of the appropriation was to compel the channel to the south side of the river.

Mr. CANNON. I will ask my friend whether it would not be likely to be done anyhow, without his amendment?

Mr. BLAND. That might be, and there might be some trouble about it. I should greatly prefer to have this amendment agreed to.

Mr. BURTON. This subject was very carefully considered by

the River and Harbor Committee. An appropriation of $300,000 per annum is made for this portion of the Missouri River. One hundred thousand dollars of that has already been appropriated, or deducted, so as to leave $200,000, making the amount very limited for all purposes on the river. This bill provides for the expenditure of $140,000 for specific localities on the river, leaving but $60,000 for the general expenses of the Missouri River Commission. That is the very least amount sufficient to enable them to maintain their existence.

Mr. CANNON. I will say to the gentleman from Ohio [Mr. BURTON] that the gentleman from Missouri [Mr. BLAND] does not want to increase the amount to be devoted to Jefferson City.

Mr. BLAND. This does not increase the amount.

Mr. BURTON. I did not catch the change in the phraseology. What is the purpose of the gentleman's amendment?

Mr. BLAND. The whole purpose is to compel the channel to the south side of the river. That is the whole object of it.

Mr. BURTON. I misunderstood the purpose of it, and I see no objection to that amendment.

Mr. CANNON. Very well; it is a matter I know nothing about, and I defer, of course, to the gentleman from Missouri [Mr. BLAND] and the chairman of the Committee on Rivers and Harbors [Mr. BURTON]. I am quite content, if it meets with their approval.

Mr. PERKINS. It is for the protection of the bank.

Mr. BURTON. That is what it is.

Mr. BLAND. There is no trouble about it.

The amendment was agreed to.

The Clerk read as follows:

California Débris Commission: For defraying the expenses of the commission in carrying on the work authorized by the act of Congress approved March 1, 1893, $15,000: *Provided*, That officers of the commission traveling on duty in connection with the commission's work may be paid their actual traveling expenses in lieu of mileage allowed by law.

Mr. OLMSTED. Mr. Chairman, I offer the following amendment.

The Clerk read as follows:

Insert in line 21, page 32, after the word "law," the following: "And shall hereafter receive no mileage."

Mr. OLMSTED. Mr. Chairman, the paragraph to which I have offered this amendment appropriates $15,000 for the expenses of the members of the California Débris Commission. What may be the powers and duties of that commission I do not know. It has not a very attractive name. I judge that it is a sort of roving commission, possibly not of much benefit to the Government. The proviso at the end of the paragraph provides that the members in traveling may receive their actual expenses in lieu of the mileage now provided by law.

In other words, as it now stands they will be permitted to take their choice. For a short journey their actual expenses may exceed the lawful mileage. In that event they will, of course, charge the actual expenses. But for a long journey, where the mileage allowed by law exceeds their actual expenses, they may charge mileage. It permits them to select on the occasion of each trip the method of payment which will be most to their interest and least to the advantage of the public Treasury.

My amendment simply confines them to their actual expenses and prevents them from receiving any mileage whatever. In a bill which carries millions of dollars, as this does, a $15,000 item may seem comparatively unimportant, but just as economies in small things are essential in private life to the success of business enterprises, so economies in small things, as well as in larger ones, are important to the successful management of the finances of the Government.

I trust that the distinguished chairman of the Appropriations Committee will see the entire propriety of my amendment. There are larger matters to which we must give attention as we reach them. As he himself has well said, the condition of our revenues is such as to require the most careful management. We have very heavy expenditures incident to the war with Spain, and this same bill carries an appropriation to meet the obligation of the Government involved in the ratification of the treaty with Spain.

I was surprised to hear the gentleman from Kentucky [Mr. WHEELER] declare that he would vote against this bill because it carries with it that appropriation. The Constitution of the United States, in the second section of its second article, expressly confers upon the President the power to make treaties by and with the advice and consent of two-thirds of the Senate. When a treaty has thus been made, if it involves an obligation to pay money, that obligation is just as binding upon the people of the United States as is the obligation to pay a Government bond.

In this case the treaty has been made by the President and has been ratified by a two-thirds vote in the Senate. Whether we do or do not approve of that treaty, whether we do or do not want the Philippines, whether we propose to sell them or to give them away, or to govern them or to assist the people of those islands to govern themselves—all those things are outside of the pending question.

The Government of the United States, by the action of its President and Senate, clearly sanctioned by the Constitution, has incurred a binding obligation to pay a certain sum of money to the Government of Spain. This bill, among other things, makes an appropriation for that payment. The gentleman says he will not vote for it because he does not approve of the terms of the treaty. He might just as well refuse payment of the United States bonds issued during the Administration of President Cleveland because he does not approve of the terms upon which those bonds were sold. It is too late to raise such questions now.

The obligation of the Government has been constitutionally created, and the good faith and honor of the American people require that it shall be promptly met. If I am correctly informed, Spain herself is the only Government on the face of the earth that has ever sought to evade the payment of a treaty obligation. When we follow Spanish precedent, our honor will have fallen as low as hers.

I do not believe that there is any member of this House upon whose constituency the sense of pecuniary or national honor rests so lightly as to sustain that member in voting to violate the money obligation into which this nation has solemnly entered with all the forms and ceremonies provided by the Constitution. I do not believe that the gentleman's constituency will sustain him in that matter, and I am pleased to see that he is not sustained by other gentlemen upon that side of the House.

Having these increased expenses to provide for, it is the more essential that we shall scrutinize these appropriation bills and guard against every wrongful, wasteful, or unnecessary expenditure of money, and thus avoid the necessity of either issuing additional bonds or imposing upon the people additional taxes which they ought not to be called upon to bear. I insist upon the adoption of my amendment.

Mr. CANNON. I think my friend is quite right; but I call his attention, as a query, to this: Does not the paragraph as reported meet the object, "their actual traveling expenses?"

Mr. OLMSTED. It says they "may" be paid, leaving it optional with them or with others, that they may be paid either their mileage or actual traveling expenses.

Mr. CANNON. The very object of it was to enable them to pay their traveling expenses. They can not go into the mountains and only have their mileage as compensation.

Mr. OLMSTED. My amendment makes clear just what they shall receive.

Mr. CANNON. Let the amendment be read again.

The Clerk read as follows:

After the word "law," in line 21, page 32, insert "and shall hereafter receive no mileage."

Mr. CANNON. Well, I will say to my friend, if he insists on his amendment going on, I will not object; but when you say that this is in lieu of mileage, it seems to me to accomplish the same thing.

Mr. OLMSTED. You do not say "shall;" you say they "may." It may work both ways.

Mr. CANNON. The law gives them mileage, which is less than they should receive. They can not receive both, and I have no doubt they would take the most; but it is to pay them their actual expenses when they have to go into the mountains.

Mr. OLMSTED. If they take a long trip the mileage would exceed the actual expenses.

Mr. CANNON. If my friend insists on it, I shall not offer any objection to his amendment.

The question was taken; and the amendment was agreed to.

Deep Waterways Commission: For completing surveys, examinations, and investigations (including estimate of cost) of deep waterways, and the routes thereof, between the Great Lakes and the Atlantic tide waters, as recommended by the report of the Deep Waterways Commission transmitted by the President to Congress January 18, 1897; such surveys, examinations, and investigations to be made by the board of three engineers designated and appointed by the President for this purpose July 28, 1897, in compliance with the provisions of the act of June 4, 1897, to be immediately available, $60,000.

Mr. CANNON. Mr. Chairman, I offer the following amendment.

The Clerk read as follows:

Strike out, in line 23, page 83, the word "sixty" and insert the word "ninety;" so that it will read, "$90,000."

Mr. CANNON. That is a subsequent estimate, and I am satisfied that it is a necessary appropriation to finish this survey.

The question was taken; and the amendment was agreed to.

The Clerk read as follows:

For farm, namely: Pay of farmer, chief gardener, harness makers, farm hands, gardeners, horseshoers, stablemen, teamsters, dairymen, herders, and laborers, and for all tools, appliances, and materials required for farm, garden, and dairy work; for grain, hay, straw, dressing, seed, carriages, wagons, carts, and other conveyances; for all animals purchased for stock or for work (including animals in the park); for all materials, tools, and labor for flower garden, lawn, and park; for rent of leased lands, and for repairs not done by the Home, $15,000;

In all, $575,350.

Mr. SULZER. Mr. Chairman, I move to strike out the last word. The action of a majority of this House in defeating the Nicaragua Canal is to be regretted. There are only seventeen days more remaining in the life of the Fifty-fifth Congress. We adjourn sine die at 12 o'clock on the 4th of next March. Judging by the action of the House this afternoon it seems almost certain that there will be no legislation in this Congress to begin the building of the Nicaragua Canal.

I am in favor of building the Nicaragua Canal and of the absolute control of it by the Government of the United States. I trust and hope this Congress will not adjourn until some affirmative legislation is placed on the statute books in favor of that proposition.

We have spent practically all day yesterday and all day to-day discussing a flimsy point of order—a mere quibble, so to speak—as to whether the amendment offered by the gentleman from Iowa [Mr. HEPBURN] to build the Nicaragua Canal was germane to the bill now under consideration, and known as the sundry civil bill, or whether it was not germane under the rules of the House. The rules of the House seem to be for the purpose of giving the majority here the right to do, or not to do, just what it wants. One day they are construed one way, and another day the opposite way—doubtless on the theory that it is a poor rule that will not work both ways—especially for a partisan advantage.

The Republican party is in a majority in this House, and is charged with the responsibility of legislation. You can not escape the imperative duty which confronts you, nor evade the burden of responsibility. We know, if we know anything, that the people of this country are in favor of the construction and the ownership of the Nicaragua Canal. It is imperative, in my opinion, that we do something in regard to this proposition to build the isthmian canal before this Congress adjourns. If we do not, the Republican members of the House must take the responsibility, and if I mistake not they will hear from the people in no uncertain tones ere the Fifty-sixth Congress begins. The people are in no mood to be deceived or trifled with. They want action, rules or no rules. They want this work commenced.

The building and the ownership of the Nicaragua Canal by the Government of the United States is essential, from a naval and a military standpoint, to the integrity of our Atlantic and Pacific seaboard. Everyone knows this who is familiar with recent history. Everyone knows also that nothing could help our commerce and our merchant marine so much as a canal across the Isthmus controlled by the Government of the United States. No one will or can deny the benefits and the advantages that will accrue to us by the construction and perfection of the canal. In time of war the canal will be an imperative instrumentality for our coast defense, and for our own safety and protection. In time of peace the canal will be one of the great factors in the trade and the commerce of the world. Its benefits to us will be simply incalculable. No one can overestimate the advantages to us of owning and controlling the canal across Nicaragua.

Let me say to the gentlemen on the other side of this House that there are many who are skeptical regarding their sincerity in this canal matter. Some of you, no doubt, favor its immediate construction, and some of you, I believe, desire to delay it as long as possible. The facts will all come out ere long. If you are throwing dust in the eyes of the people, it will soon be known.

We have witnessed a spectacle here to-day which should bring the blush of shame to the cheek of every sincere patriot in the land. We have wasted two whole days splitting hairs over an alleged point of order raised by the chairman of the Committee on Appropriations [Mr. CANNON]. How ludicrous it all seems to a man who wants to accomplish the thing.

You all know that if you had devoted that time to a fair and an honest discussion of the merits of the Nicaragua Canal bill, either the one framed by the gentleman from Iowa or Senator MORGAN'S canal bill, which has already passed the Senate, we would have been able in that time to have thoroughly discussed the measures, and in some shape one of them would have passed the House to-day by an overwhelming vote. Your willful delays and your studied procrastination lend irresistible belief to the statement which has been going around that you do not want to pass any Nicaragua Canal bill during this session of Congress. Why, I ask? Is it on account of the condition of your Treasury? Or is it, forsooth, on account of the railroads?

In my judgment a large majority of the members of this House have been in favor, and are in favor now, of passing some kind of a bill to begin immediate work on the construction of the canal, but on account of the rules of this House and their technical enforcement in this matter you can not get a hearing on the bills, and we can not get a day in the House for their consideration. For one I do not believe the rules are sacred. I know they are not infallible. I would not permit them to restrain me from doing right. Their primary object is to prevent the majority from riding roughshod over the rights of the minority. We are here, however, for a purpose, and the essential thing is to accomplish something, to do something. We should begin at once to build the canal.

There is no time like the present. Every postponement means additional complication. Every day's delay is fraught with positive danger. The canal should have been built by the United States long ago. No other people would have delayed and dallied as we have. Everybody knows this. Everything that happened during the Spanish-American war demonstrates it. The trip of the *Oregon* around Cape Horn was an object lesson for every man, woman, and child in the country. It proved conclusively the imperative importance to us of a canal across Central America. The recent trip of the *Iowa* and her companion ships is another object lesson that has arrested the attention of the thoughtful people of our land, and makes the immediate building of this canal an absolute necessity.

The people expect this Congress to pass the Nicaragua Canal bill. They will be disappointed if it does not. They want this Government to construct the Nicaragua Canal, pay for it with its own money, and then to own and control the canal for all time to come. There must be no partnership with England or any other country in the matter.

I favor the bill of the gentleman from Iowa [Mr. HEPBURN] and if I can not get that bill I will favor any other that will start work on the canal. I want to begin. I am opposed to any further delay. If there should be defects in the law, the defects can be remedied by subsequent legislation. Let us do something at once. The people expect and the country demands immediate action. Woe to the men who stand in the way of this great national enterprise!

My mind is so firmly determined in regard to the importance of this great canal project that when the Chair this afternoon ruled the amendment of the gentleman from Iowa out of order, as we all expected him to do, I voted on the appeal from his decision to reverse the Chair. I am glad I did that. It is too bad that the Republicans of this House sustained the Chair in that ruling.

If we had succeeded in getting the Nicaragua Canal amendment on this appropriation bill, it would be sent to the Senate and finally to conference, and from the conference committee no doubt there would have been evolved some bill, some kind of legislation, to begin the immediate construction of the Nicaragua Canal by the Government of the United States. The thing to do is to start it, to inaugurate the great undertaking. Let us begin.

Many of you, no doubt, underestimate how intensely the people feel regarding this great question. We have dallied with it for years and years, and during that time we have appropriated millions and millions of dollars for worthless improvements on brooks and creeks and streams that many of us could jump across. What folly! How unwise and how shortsighted!

The gentlemen here know that, according to the best estimates that have been made by very competent engineers, the Nicaragua Canal can be constructed in less than ten years for less than $100,000,000. To go on with the work at once would only necessitate an expenditure of from five to ten millions of dollars a year. Why, sir, a mere bagatelle to this great country, when we consider the importance of the project and the invaluable benefits to be derived therefrom. No doubt the canal would pay for itself and bring in a splendid revenue to the Government in less than twenty-five years.

The vote here to-day proves, if it proves anything, that the Republican leaders in this House are not in favor of building the Nicaragua Canal—at least not now. If they had been sincere and in earnest, rule or no rule, they would have attached to the sundry civil bill the Nicaragua Canal amendment offered by the gentleman from Iowa [Mr. HEPBURN]. The people of the country will understand, and they will hold the Republican party responsible for the defeat of the Nicaragua Canal. The Republican party must and will have to assume that tremendous responsibility in the next campaign. It will be a pretty heavy load to carry.

Now, sir, if we do not take action on this matter before this Congress adjourns nothing can be done until the Fifty-sixth Congress assembles next December, and it may be, and probably will be, too late then to do anything. I have no doubt, nevertheless, that many here desire that very thing. I say to the friends of the canal that we must take action now or we will lose the valuable rights which we have at the present time. We must take action now or we may jeopardize the possibility of the Government of the United States ever constructing or ever owning the Nicaragua Canal.

We must take action now or some other country wiser and more farseeing than we, realizing the immense possibilities and the innumerable benefits of a canal across the Isthmus, may step in while we delay and build and own the canal, to our great detriment and disadvantage.

Let me, sir, say in conclusion that every patriot in this House who believes in our Army and our Navy, who believes in our

greatness and our destiny, who believes in promoting the safety of our seacoast towns and the integrity of our seaboards, who believes in our commercial supremacy, who believes in our maritime growth, and who believes in our future progress and advancement should stand firm for the building of the Nicaragua Canal, and bend every energy and every effort to secure its immediate accomplishment, even though it should necessitate an extra session of Congress.

We will be derelict in our duty if we adjourn before we take action on this vital question, and no apology will justify our inaction and our dereliction. Let us sink partisanship and stand together as patriots.

Now is the time to do something. Now is the time to act. Build the Nicaragua Canal, I say, and let us begin at once. Build it with the money of the Republic, build it with the brains and the brawn of the Republic, so that the Republic will not only own it and control it, but it will be our achievement and our monument.

I hope we will all be able to reach some conclusion regarding immediate legislation in favor of this great project for an isthmian canal before another week comes and goes. I favor now, as I always have favored, the Nicaragua Canal. If I can not have the bill I want, I will take any bill to start the work. I promise now I will do all in my power for the balance of the session to bring about its realization and its consummation, for the greatness, for the grandeur, for the glory, and for the integrity of the Republic. [Loud applause.]

[Here the hammer fell.]

Mr. CANNON. Mr. Chairman, I move that the committee do now rise.

The motion was agreed to.

Accordingly the committee rose, and the Speaker having resumed the chair, Mr. HOPKINS, Chairman of the Committee of the Whole House on the state of the Union, reported that that committee had had under consideration the sundry civil bill, and had come to no resolution thereon.

RETURN OF BILLS TO THE SENATE.

The SPEAKER. The Chair desires to submit the following requests from the Senate.

The Clerk read as follows:

Resolved, That the Secretary be directed to request the House of Representatives to return to the Senate the joint resolution (S. R. 244) making an appropriation of $5,000 for clearing the Potomac River of ice.

Resolved, That the Secretary be directed to request the House of Representatives to return to the Senate the bill (S. 1527) for the establishment of a light-house and fog signal at or near Point Arguello, California.

The SPEAKER. Without objection, the requests of the Senate will be complied with.

There was no objection.

CHANGE OF REFERENCE.

The SPEAKER laid before the House the following change of reference:

Senate bill 5282, granting to the Dakota Southern Railway Company a right of way through Yankton Indian land in the State of South Dakota, from the Committee on the Public Lands to the Committee on Indian Affairs.

The SPEAKER. Without objection, the transfer will be made.

There was no objection.

RICHARD R. STEEDMAN.

Mr. MOODY. Mr. Speaker, I ask unanimous consent for the present consideration of the bill (H. R. 11294) to correct the relative rank of Richard R. Steedman, captain, Eleventh Infantry, United States Army, and pending the reading, I will state that if consent is given I shall move to substitute the Senate bill, which is in exactly the same terms.

Mr. SULZER. What is the bill for?

Mr. MOODY. The bill is reported from the gentleman's committee unanimously. It is not my bill; it is a bill of my colleague, Mr. MCCALL, who is confined to his house by illness. I call it up at his request, and will ask the gentleman from Iowa [Mr. HULL] to explain it.

Mr. SULZER. I reserve the right to object.

The Clerk read the bill, as follows:

Be it enacted, etc., That in order to correct the relative rank of Richard R. Steedman, captain, Eleventh Infantry, his name shall be placed next below that of Wallis O. Clark, captain, Twelfth Infantry, United States Army.

Mr. HULL. Mr. Speaker, this is not a bill to restore anyone to the Army. This captain was ordered before a board for promotion, and before he was examined the last time was ordered to Cuba, and was in the battles around Santiago, and while absent a certain number of men were promoted over him, and this is to restore him to the position he would have been in if he had remained here.

Mr. SULZER. I understand the bill, and it is all right.

The SPEAKER. Is there objection to the present consideration of the bill? [After a pause.] The Chair hears none.

Mr. MOODY. Now, Mr. Speaker, I move to substitute the Senate bill 5027, which is identical with the House bill.

The SPEAKER. The gentleman from Massachusetts asks unanimous consent to substitute the Senate bill. Is there objection?

There was no objection.

The Senate bill was read the third time, and passed.

On motion of Mr. MOODY, a motion to reconsider the vote whereby the bill was passed was laid on the table.

SENATE BILLS AND HOUSE BILL WITH SENATE AMENDMENTS REFERRED.

Under clause 2 of Rule XXIV, Senate bills and House bill with Senate amendments of the following titles were taken from the Speaker's table and referred to their appropriate committees as indicated below:

S. 5260. An act to amend an act entitled "An act to reimburse the governors of States and Territories for expenses incurred by them in aiding the United States to raise and organize and supply and equip the Volunteer Army of the United States in the existing war with Spain," approved July 8, 1898, and for other purposes—to the Committee on War Claims.

S. R. 244. Joint resolution making an appropriation of $5,000 for clearing the Potomac River of ice—to the Committee on Appropriations.

S. 3766. An act granting an increase of pension to Nancy M. Lindsey—to the Committee on Pensions.

S. 4681. An act granting an increase of pension to Joseph F. Mollere—to the Committee on Pensions.

S. 4984. An act granting a pension to Mary Longley Hendricks—to the Committee on Invalid Pensions.

S. 5352. An act creating the office of admiral of the Navy—to the Committee on Naval Affairs.

S. 5000. An act for the relief of the owners of the British ship *Foscolia* and cargo—to the Committee on Claims.

S. 2675. An act authorizing the exchange of lot 6 of square 10, known as the old custom-house lot, in the city of St. Augustine, Fla., for lands adjoining that part of the United States military reservation in said city designated as the powder-house lot—to the Committee on Public Buildings and Grounds.

H. R. 11455. An act granting to the city of Boulder, in the State of Colorado, certain lands for park purposes and for the preservation of the native trees on said lands—to the Committee on the Public Lands.

ENROLLED BILLS SIGNED.

Mr. HAGER, from the Committee on Enrolled Bills, reported that they had examined and found truly enrolled bills and a joint resolution of the following titles; when the Speaker signed the same:

H. R. 10158. An act granting a pension to Mary A. Taylor;

H. R. 6810. An act granting a pension to Mary Luella Steele;

H. R. 11098. An act to extend and amend the provisions of an act entitled "An act to grant the right of way to the Kansas, Oklahoma Central and Southwestern Railway Company through the Indian Territory and Oklahoma Territory, and for other purposes," approved December 21, 1893, and also to extend and amend the provisions of a supplemental act approved February 15, 1897, entitled "An act to extend and amend an act entitled 'An act to grant the right of way to the Kansas, Oklahoma Central and Southwestern Railway Company through the Indian Territory and Oklahoma Territory, and for other purposes;'"

H. R. 11358. An act for a roadway in the District of Columbia from Brightwood avenue across Rock Creek Park;

H. R. 10013. An act to increase the pension of Joseph H. McGee;

H. R. 2683. An act for the establishment of a light-house and fog signal at or near Point Arguello, California;

H. R. 10997. An act to amend section 3287 of the Revised Statutes of the United States, concerning the drawing off, gauging, marking, and removal of spirits.

The SPEAKER announced his signature to enrolled bills of the following titles:

S. 4982. An act granting an increase of pension to Amanda F. Jumper;

S. 4775. An act granting a pension to Flora Stanton Kalk;

S. 4630. An act granting an increase of pension to Chauncey A. Bradley;

S. 4854. An act granting a pension to Isom Gibson;

S. 1273. An act for a public building at the city of Altoona, Pa.;

S. R. 245. Joint resolution to provide for the removal of snow and ice in the city of Washington, in the District of Columbia; and

S. 5355. An act to amend an act entitled "An act authorizing the Aransas Harbor Terminal Railway Company to construct a bridge across the Corpus Christi Channel, known as the Morris and Cummings Ship Channel, in Aransas County, Tex.

PUBLIC BUILDING AT NEWPORT NEWS, VA.

Mr. MERCER. Mr. Speaker, I present a conference report on the disagreeing votes of the two Houses on the amendments of the

House to Senate bill 1964, for the erection of a public building at Newport News, Va.:

CONFERENCE REPORT.

The committee of conference on the disagreeing votes of the two Houses on the amendments of the House of Representatives to the bill S. 1964, having met, after full and free conference have agreed to recommend and do recommend to their respective Houses as follows:

That the Senate recede from its disagreement to the House amendments numbered 1 and 2, and agree to the same.

That the House recede from its amendment numbered 3.

DAVID H. MERCER,
J. D. HICKS,
J. H. BANKHEAD,
Managers on the part of the House.

FRANCIS E. WARREN,
CHARLES W. FAIRBANKS,
H. D. MONEY,
Managers on the part of the Senate.

The statement was read, as follows:

The effect of the conference report is to strike out, in lines 7 and 11, page 1, the words "elevators," and to restore, in line 12, the words "one hundred;" so as to read "one hundred" instead of "seventy-five," as provided in the House amendment.

Mr. CANNON. This is for a public building where?

Mr. MERCER. At Newport News, Va.

The conference report was agreed to.

Mr. CANNON. Mr. Speaker, I move that the House do now adjourn.

The SPEAKER. Pending that motion, the Chair will submit the following request for leave of absence:

Leave of absence was granted to Mr. JOHNSON of Indiana, for one week, on account of illness.

The motion of Mr. CANNON was then agreed to; and accordingly (at 5 o'clock and 6 minutes p. m.) the House adjourned until to-morrow at 12 o'clock noon.

REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS.

Under clause 2 of Rule XIII, Mr. CUMMINGS, from the Committee on the Library, to which was referred the joint resolution of the House (H. Res. 349) to provide for the purchase of the painting entitled "Eighteen hundred and sixty-four; or, Grant and his generals," by Hanson Balling, reported the same without amendment, accompanied by a report (No. 2123); which said resolution and report were referred to the Committee of the Whole House on the state of the Union.

REPORTS OF COMMITTEES ON PRIVATE BILLS AND RESOLUTIONS.

Under clause 2 of Rule XIII, private bills and resolutions of the following titles were severally reported from committees, delivered to the Clerk, and referred to the Committee of the Whole House, as follows:

Mr. COUSINS, from the Committee on Foreign Affairs, to which was referred the bill of the Senate (S. 240) to authorize Joseph J. Kinyoun, passed assistant surgeon of the Marine-Hospital Service, to accept a medal from the President of the Republic of Venezuela, reported the same without amendment, accompanied by a report (No. 2113); which said bill and report were referred to the Private Calendar.

He also, from the same committee, to which was referred the bill of the Senate (S. 2284) to authorize Admiral T. O. Selfridge, United States Navy, Capt. G. H. Wadleigh, United States Navy, Lieut. Commander E. H. Gheen, United States Navy, Lieut. Commander Raymond P. Rodgers, United States Navy, Paymaster J. B. Redfield, United States Navy, Lieut. J. J. Hunker, United States Navy, Surg. D. N. Bertolette, United States Navy, and Ensign R. L. Russell, United States Navy, to accept medals presented to them by the Russian Government, reported the same without amendment, accompanied by a report (No. 2114); which said bill and report were referred to the Private Calendar.

He also, from the same committee, to which was referred the bill of the Senate (S. 3640) authorizing Lieut. Commander Raymond P. Rodgers, United States Navy, to accept a decoration of the Cross of the Legion of Honor from the Republic of France, reported the same without amendment, accompanied by a report (No. 2115); which said bill and report were referred to the Private Calendar.

He also, from the same committee, to which was referred the bill of the Senate (S. 3712) to authorize John R. Williams, Third Artillery, United States Army, to accept the decoration of Chevalier of the Legion of Honor from the President of the French Republic, reported the same without amendment, accompanied by a report (No. 2116); which said bill and report were referred to the Private Calendar.

He also, from the same committee, to which was referred the bill of the Senate (S. 5050) to authorize A. E. Bates, brigadier-general, United States Volunteers, to accept the decoration of the Legion of Honor from the President of the French Republic, reported the same without amendment, accompanied by a report (No. 2117); which said bill and report were referred to the Private Calendar.

He also, from the same committee, to which was referred the bill of the Senate (S. 5090) to authorize Victor Vifquain, colonel Third Nebraska Volunteer Infantry, to accept the decoration of the Order of the Double Dragon from the Emperor of China, reported the same without amendment, accompanied by a report (No. 2118); which said bill and report were referred to the Private Calendar.

He also, from the same committee, to which was referred the bill of the House (H. R. 4831) to authorize B. H. Buckingham, lieutenant-commander, United States Navy, to accept certain books from the Government of Mexico, reported the same without amendment, accompanied by a report (No. 2119); which said bill and report were referred to the Private Calendar.

He also, from the same committee, to which was referred the bill of the House (H. R. 4833) to authorize John M. Schofield, major-general, United States Army, to accept a testimonial from the President of the Republic of France, reported the same without amendment, accompanied by a report (No. 2120); which said bill and report were referred to the Private Calendar.

He also, from the same committee, to which was referred the bill of the House (H. R. 6130) to authorize C. R. Dobbins, keeper of the Moose Peak, Maine, light station, to accept a gold watch from the government of the Dominion of Canada, reported the same without amendment, accompanied by a report (No. 2121); which said bill and report were referred to the Private Calendar.

He also, from the same committee, to which was referred the bill of the House (H. R. 10881) to authorize Clifton R. Breckinridge to accept a medal presented to him by the Russian Government, reported the same without amendment, accompanied by a report (No. 2122); which said bill and report were referred to the Private Calendar.

Mr. KERR, from the Committee on Patents, to which was referred the bill of the House (H. R. 333) extending the term of patent No. 227024, reported the same without amendment, accompanied by a report (No. 2124); which said bill and report were referred to the Private Calendar.

PUBLIC BILLS, RESOLUTIONS, AND MEMORIALS INTRODUCED.

Under clause 3 of Rule XXII, bills, resolutions, and memorials of the following titles were introduced and severally referred as follows:

By Mr. GROSVENOR: A resolution (House Res. 402) that February 20 and 21 next be set apart for consideration of H. R. 11095, to begin at 12.30 o'clock of the 20th of February and continue until February 21, 4 o'clock p. m., this order not to interfere with conference reports on appropriation bills—to the Committee on Rules.

By Mr. TERRY: Memorial from both houses of the Arkansas legislature, urging the completion of the Port Arthur Canal to Sabine Pass, giving the Kansas City, Pittsburg and Gulf Railroad a deep-water harbor, making a short route to deep water—to the Committee on Interstate and Foreign Commerce.

PRIVATE BILLS AND RESOLUTIONS INTRODUCED.

Under clause 1 of Rule XXII, private bills and resolutions of the following titles were introduced and severally referred as follows:

By Mr. HARTMAN: A bill (H. R. 12107) granting a pension to William McKeever—to the Committee on Invalid Pensions.

By Mr. HENRY of Mississippi: A bill (H. R. 12108) granting an increase of pension to Dolly L. Harrell, of Hinds County, Miss.—to the Committee on Pensions.

By Mr. LENTZ: A bill (H. R. 12109) to increase pension of Elias Barker—to the Committee on Invalid Pensions.

By Mr. ROBB (by request): A bill (H. R. 12110) to remove the charge of desertion from the military record of John T. Robertson—to the Committee on Military Affairs.

By Mr. SOUTHARD: A bill (H. R. 12111) to pension Elizabeth Corrie—to the Committee on Invalid Pensions.

By Mr. CUMMINGS: A joint resolution (H. Res. 366) for the relief of August Bolten, of New York City, and Gustav Richelieu, of Boston, Mass., American seamen—to the Committee on Claims.

PETITIONS, ETC.

Under clause 1 of Rule XXII, the following petitions and papers were laid on the Clerk's desk and referred as follows:

By Mr. BELFORD: Petition of citizens of Port Jefferson, N. Y., favoring the passage of the Ellis bill—to the Committee on Alcoholic Liquor Traffic.

By Mr. CLAYTON: Petition of N. W. E. Long, H. P. Dickinson, G. D. Paschal, N. L. Anthony, jr., A. C. Haynnie, M. L. Long, T. J. Worrell, jr., W. W. Dickinson, T. S. Davis, T. A. Crawford, W. S. Hightower, Torbert & Tate, L. L. Torbert, J. S. Smith, J. W. Jordan, Banks & Owens, H. W. Banks, H. L. Davis,

J. Kurniker, G. Kurniker, Exton Tucker, T. H. Tallman, and W. B. Hendricks, citizens of Hurtsboro, Ala., to increase and make effective the powers of the Interstate Commerce Commission—to the Committee on Interstate and Foreign Commerce.

By Mr. CODDING: Petitions of the Presbyterian Church and Bethel Methodist Episcopal Church, of Athens, Pa., in favor of the Ellis bill—to the Committee on Alcoholic Liquor Traffic.

By Mr. ERMENTROUT: Petition of the Brewers' Association of the United States for a reduction of the internal-revenue taxation of their products—to the Committee on Ways and Means.

By Mr. FOSS: Petitions of citizens of Evanston, Cook County, Ill., to prohibit sale of intoxicating liquors in Government buildings and maintain prohibition in Alaska—to the Committee on Alcoholic Liquor Traffic.

By Mr. GRAHAM: Petition of the Woman's Christian Temperance Union of Bellevue, Pa., Dr. Pearl Starr, corresponding secretary, favoring the passage of the Ellis bill, to forbid the sale of intoxicating beverages in all Government buildings—to the Committee on Alcoholic Liquor Traffic.

By Mr. MADDOX: Petition of the heirs of Andrew Millican, deceased, late of Chattooga County, Ga., praying for reference of his war claim to the Court of Claims—to the Committee on War Claims.

By Mr. MAHON: Petition of Christ Reformed Church of Alexandria, Pa., to prohibit the sale of liquor in canteens, in immigrant stations, and in Government buildings—to the Committee on Alcoholic Liquor Traffic.

By Mr. MARSH: Petitions of Grand Army of the Republic posts of Monmouth and Kirkwood, Ill., in favor of a service pension law—to the Committee on Invalid Pensions.

By Mr. PERKINS: Petition of 24 members of the Cedar Rapids, Iowa, Woman's Club favoring an appropriation of $10,000 to be expended for investigations and reports on the best methods and appliances for the preparation of food—to the Committee on Interstate and Foreign Commerce.

By Mr. ROBBINS: Petitions of Grand Army of the Republic posts, Woman's Christian Temperance unions, Epworth Leagues, and various churches and organizations in Kittanning, Leechburg, and other towns in Armstrong County, Pa., favoring the passage of the Ellis bill to forbid the sale of intoxicating beverages in all Government buildings—to the Committee on Alcoholic Liquor Traffic.

By Mr. SIMPSON: Petitions of citizens of Wichita, Kans., to prohibit the sale of liquor in Government buildings, etc.—to the Committee on Alcoholic Liquor Traffic.

Also, petition of 83 citizens of Wichita, Kans., to prohibit the transmission by mail or interstate commerce of pictures or descriptions of prize fights—to the Committee on Interstate and Foreign Commerce.

By Mr. STARK: Petitions of the First Presbyterian Church and the Centenary Methodist Episcopal Church, of Beatrice, Nebr., to prohibit the sale of liquor in Government buildings—to the Committee on Alcoholic Liquor Traffic.

By Mr. STEELE: Petitions of M. M. Walton and 24 citizens, J. A. Burkett and 40 others, all citizens of Walton, Ind., favoring the Ellis bill—to the Committee on Alcoholic Liquor Traffic.

By Mr. UPDEGRAFF: Petition of Gertrude Sherman and 12 other members of the Woman's Home Missionary Society of Charles City, Iowa, against the seating of Brigham H. Roberts as a Representative from Utah—to the Committee on Elections No. 1.

By Mr. VANDIVER: Petitions of citizens of Sterling, Bruner, Vincit, Bee, and Brandsville, Mo., in favor of the establishment of postal savings banks—to the Committee on the Post-Office and Post-Roads.

By Mr. WANGER: Petition of the Woman's Christian Temperance Union of Springtown, Pa., in favor of the Ellis bill—to the Committee on Alcoholic Liquor Traffic.

SENATE.

THURSDAY, *February 16, 1899.*

Prayer by the Chaplain, Rev. W. H. MILBURN, D. D.

The Secretary proceeded to read the Journal of yesterday's proceedings, when, on motion of Mr. HALE, and by unanimous consent, the further reading was dispensed with.

HOUSE BILLS REFERRED.

The following bills and joint resolution were severally read twice by their titles and referred to the Committee on Commerce:

A bill (H. R. 9335) granting to the Muscle Shoals Power Company right to erect and construct canal and power stations at Muscle Shoals, Alabama;

A bill (H. R. 11867) to authorize the Georgia Pine Railway, of Georgia, to construct a bridge across the Flint River, a navigable stream in Decatur County, Ga.; and

A joint resolution (H. Res. 303) granting a life-saving medal to Michael F. Barry, of New York City.

The following bills were severally read twice by their titles and referred to the Committee on Public Lands:

A bill (H. R. 6551) withdrawing from entry and sale and granting unto the State of Wisconsin certain lands therein described;

A bill (H. R. 11737) granting the right of way to the Pensacola and Northwestern Railway Company over and through the United States naval and military reservations near Pensacola, in the State of Florida; and

A bill (H. R. 11971) to authorize the Commissioner of the General Land Office to cause public lands to be surveyed in certain cases.

The bill (H. R. 1005) for the relief of F. R. Lanson was read twice by its title, and referred to the Committee on Finance.

The bill (H. R. 2017) for the relief of Julius C. Kloenne was read twice by its title, and referred to the Committee on Military Affairs.

The bill (H. R. 11160) to authorize the appointment of a clerk of the district courts of the United States within and for the eastern district of Virginia, to validate their acts, and prescribe where the records shall be kept was read twice by its title, and referred to the Committee on the Judiciary.

The bill (H. R. 11868) to provide for the acquiring of rights of way by railroad companies through Indian reservations, Indian lands, and Indian allotments, and for other purposes was read twice by its title, and referred to the Committee on Indian Affairs.

WORK AT NAVY-YARDS AND NAVAL STATIONS.

The joint resolution (H. Res. 307) authorizing the Secretary of the Navy to pay certain laborers, workmen, and mechanics at United States navy-yards and naval stations 50 per cent additional for work performed in excess of eight hours per diem was read the first time by its title.

Mr. BURROWS. A joint resolution in the exact words of the House joint resolution has been reported favorably by the Committee on Naval Affairs of the Senate and is now on the Calendar. I therefore ask unanimous consent to have the House joint resolution considered and the Senate joint resolution indefinitely postponed.

The VICE-PRESIDENT. At this time?

Mr. BURROWS. At this time.

Mr. HAWLEY. I have not read the joint resolution. I should like to know something about the details of it. It applies only to the Navy?

Mr. BURROWS. Just to the navy-yards and naval stations.

Mr. HAWLEY. I wish to ask one other question about it. It gives 50 per cent additional for overwork?

Mr. BURROWS. Yes, sir.

Mr. HAWLEY. Does that apply to existing contracts? Has the Senator thought that existing contracts ought to be excepted, because there are large establishments in which the men are freely working ten hours, and it would be bankruptcy practically to some concerns?

Mr. HALE. Let it be read, so as to see what the text is.

The VICE-PRESIDENT. The joint resolution will be read for information, unless there is objection.

The joint resolution was read the second time at length, as follows:

Resolved, etc., That the Secretary of the Navy be, and he is hereby, authorized and directed to pay 50 per cent additional for all work in excess of eight hours per diem performed by laborers, workmen, and mechanics whose compensation is fixed upon a basis of eight hours per diem, and who, between March 18, 1898, and October 31, 1898, were employed at any United States navy-yard or naval station, and who worked in excess of eight hours per day and have not already received said additional compensation; the amount due each laborer, workman, and mechanic affected by the above to be based upon the time records of the several bureaus at the navy-yard or naval station where the work was performed.

The VICE-PRESIDENT. Is there objection to the present consideration of the joint resolution?

There being no objection, the joint resolution was considered as in Committee of the Whole.

Mr. BURROWS. The Senator from Connecticut will see that it does not apply to contracts outstanding.

Mr. LODGE. It applies to no contracts, but only to work done in navy-yards.

The joint resolution was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

Mr. BURROWS. I move that the joint resolution (S. R. 195) authorizing the Secretary of the Navy to pay certain laborers, workmen, and mechanics at United States navy-yards and naval stations 50 per cent additional for work performed in excess of eight hours per diem be indefinitely postponed.

The motion was agreed to.

Mr. HAWLEY. I ask unanimous consent to make a statement concerning the naval eight-hour bill. I am informed that it applies only to the naval establishments, and there are no contracts there, of course. It does cover back pay, so to speak, giving the extra 50 per cent for overwork for the past and for the future. Is that the substance of it?

Mr. LODGE. That is the substance of it, as I understand it.

It goes back to the beginning of the war. The men worked for ten, twelve, and sixteen hours a day when the war was on.

Mr. BURROWS. The Secretary of the Navy made an order or a rule covering the future. This covers the gap.

Mr. SEWELL. I ask the Senator from Massachusetts, as a matter of information, if this measure was sent to the Navy Department, and if it has been recommended favorably by the Secretary of the Navy?

Mr. LODGE. I have not the measure in charge. As I understand it, the Secretary of the Navy has made an order regulating this extra time in future.

Mr. SEWELL. On the basis proposed?

Mr. LODGE. On this basis, and this is to fill the gap between March 18, 1898, and the present time.

MESSAGE FROM THE HOUSE.

A message from the House of Representatives, by Mr. W. J. BROWNING, its Chief Clerk, announced that the House had agreed to the report of the committee of conference on the disagreeing votes of the two Houses on the amendments of the House to the bill (S. 1964) for the erection of a public building for the use of the custom-house and post-office at Newport News, in the district of Newport News, Va.

The message also announced that the House had passed the bill (S. 5027) to correct the relative rank of Richard R. Steedman, captain, Eleventh Infantry, United States Army.

The message further returned to the Senate, in compliance with its request, the following bill and joint resolution:

A bill (S. 1527) for the establishment of a light-house and fog signal at or near Point Arguello, California; and

A joint resolution (S. R. 244) making an appropriation of $5,000 for clearing the Potomac River of ice.

ENROLLED BILLS SIGNED.

The message also announced that the Speaker of the House had signed the following enrolled bills and joint resolution; and they were thereupon signed by the Vice-President:

A bill (S. 1273) for a public building at the city of Altoona, Pa.;

A bill (S. 4630) granting an increase of pension to Chauncey A. Bradley;

A bill (S. 4775) granting a pension to Flora Stanton Kalk;

A bill (S. 4854) grant a pension to Isom Gibson;

A bill (S. 4982) granting an increase of pension to Amanda F. Jumper;

A bill (S. 5355) to amend an act entitled "An act to authorize the Aransas Harbor Terminal Railway Company to construct a bridge across the Corpus Christi Channel, known as the Morris and Cummings Ship Channel, in Aransas County, Tex.;"

A bill (H. R. 2683) for the establishment of a light-house and fog signal at or near Point Arguello, California;

A bill (H. R. 6810) granting a pension to Mary Luella Steele;

A bill (H. R. 10013) to increase the pension of Joseph H. McGee;

A bill (H. R. 10158) granting a pension to Mary A. Taylor;

A bill (H. R. 10997) to amend section 3287 of the Revised Statutes of the United States, concerning the drawing off, gauging, marking, and removal of spirits;

A bill (H. R. 11098) to extend and amend the provisions of an act entitled "An act to grant the right of way to the Kansas, Oklahoma Central and Southwestern Railway Company through the Indian Territory and Oklahoma Territory, and for other purposes," approved December 21, 1893, and also to extend and amend the provisions of a supplemental act approved February 15, 1897, entitled "An act to extend and amend an act entitled 'An act to grant the right of way to the Kansas, Oklahoma Central and Southwestern Railway Company through the Indian Territory and Oklahoma Territory, and for other purposes;'"

A bill (H. R. 11358) for a roadway in the District of Columbia from Brightwood avenue across Rock Creek Park; and

A joint resolution (S. R. 245) to provide for the removal of snow and ice in the city of Washington, in the District of Columbia.

CREDENTIALS.

Mr. MANTLE presented the credentials of William Andrews Clark, chosen by the legislature of Montana a Senator from that State for the term beginning March 4, 1899; which were read, and ordered to be filed.

Mr. TURLEY presented the credentials of WILLIAM B. BATE, chosen by the legislature of Tennessee a Senator from that State for the term beginning March 4, 1899; which were read, and ordered to be filed.

PETITIONS AND MEMORIALS.

Mr. QUAY presented a petition of Star of Pittsburg Lodge, No. 8, of Pennsylvania, Amalgamated Association of Iron, Steel, and Tin Workers of the United States, praying for the passage of the eight-hour bill; which was referred to the Committee on Education and Labor.

He also presented petitions of the congregations of the Christ Reformed Church of Alexandria and the First Presbyterian Church of DuBois; of the Royal Templars of Temperance, Grand Council of Pennsylvania, of Newcastle, and of 60 citizens, all in the State of Pennsylvania, praying for the enactment of legislation to prohibit the sale of liquor in canteens of the Army and Navy and of Soldiers' Homes, and in immigrant stations and Government buildings; which were referred to the Committee on Military Affairs.

Mr. SEWELL presented petitions of the congregation of the Third Baptist Church of Camden; of the New Jersey Council of the Legion of the Red Cross, of Camden, and of Lydia Darrah Council, No. 172, Junior Order of United American Mechanics, of Camden, all in the State of New Jersey, praying for the enactment of legislation to prohibit the sale of liquor in canteens of the Army and Navy and of Soldiers' Homes, and in immigrant stations and Government buildings; which were referred to the Committee on Military Affairs.

Mr. LINDSAY presented a petition of the congregation of the United Baptist Church of Smithland, Ky., praying for the enactment of legislation to prohibit the sale of intoxicating liquors in Government buildings; which was referred to the Committee on Public Buildings and Grounds.

Mr. GORMAN presented a petition of the Presbyterian, Reformed, and Congregational Ministers' Association of Baltimore, Md., praying for the maintenance of the prohibition law in the Territory of Alaska; which was referred to the Committee on Territories.

He also presented the memorials of George T. Keeler and 18 other citizens, of W. C. Kaiss and 16 other citizens, T. F. McNulty and 77 other citizens, D. W. Cole and 52 other citizens, M. Miller and 19 other citizens, G. P. Feyling and 19 other citizens, W. W. Fabener and 19 other citizens, J. Keller and 19 other citizens, S. G. Glaser and 19 other citizens, J. Engel and 19 other citizens, A. J. Carr and 19 other citizens, George A. Simms, jr., and 19 other citizens, F. S. Beardsley and 19 other citizens, George M. Boarman and 19 other citizens, O. S. Belden and 19 other citizens, A. M. Hanna and 19 other citizens, J. B. Henley and 19 other citizens, H. Trimble and 19 other citizens, F. Stoner and 19 other citizens, William A. Packegam and 19 other citizens, and of L. K. Wright and 19 other citizens, all in the State of Maryland, remonstrating against the passage of the anti-scalping ticket bill; which were ordered to lie on the table.

REPORTS OF COMMITTEES.

Mr. SHOUP, from the Committee on Territories, to whom was referred the bill (S. 5169) authorizing the legislative assembly of the Territory of New Mexico to create an additional indebtedness for the completion and furnishing of the Territorial capitol, reported it with an amendment, and submitted a report thereon.

He also, from the same committee, to whom was referred the bill (H. R. 8694) to enable the city of Albuquerque, N. Mex., to create certain indebtedness, and for other purposes, reported it with amendments, and submitted a report thereon.

Mr. MCMILLAN, from the Committee on the District of Columbia, to whom was referred the bill (H. R. 8656) authorizing and requiring certain extensions to be made to the lines of the Capital Traction Company in the District of Columbia, reported it without amendment.

Mr. SIMON, from the Committee on Public Buildings and Grounds, to whom was referred the bill (S. 1136) to increase and limit the appropriation for a public building at Portland, Oreg., and to designate its uses, reported it without amendment, and submitted a report thereon.

Mr. MITCHELL, from the Committee on Pensions, to whom were referred the following bills, submitted adverse reports thereon, which were agreed to; and the bills were postponed indefinitely:

A bill (S. 1975) granting an increase of pension to Benjamin C. Cook;

A bill (S. 2306) granting an increase of pension to Elvira Ellen Baxter; and

A bill (S. 4688) granting a pension to Catherine M. Hall.

Mr. QUAY, from the Committee on Public Buildings and Grounds, to whom was referred the bill (S. 5408) to provide for the erection of a public building at Kansas City, Kans., reported it with amendments, and submitted a report thereon.

Mr. MORGAN, from the Select Committee on the Construction of the Nicaragua Canal, reported an amendment authorizing the President of the United States to acquire for and in behalf of the United States such portion of territory now belonging to Costa Rica and Nicaragua on such rates or easements or privileges within or connected therewith, etc., intended to be proposed by him to the river and harbor appropriation bill, and moved that it be referred to the Committee on Commerce and be printed; which was agreed to.

Mr. JONES of Arkansas, from the Committee on Indian Affairs, to whom was referred the bill (H. R. 11916) to authorize the Fort Smith and Western Railroad Company to construct and operate a railway through the Choctaw and Creek nations, in the Indian Territory, and for other purposes, reported it with amendments.

CODIFICATION OF POSTAL LAWS.

Mr. HOAR. There came in yesterday or day before yesterday a communication from the Attorney-General relating to the work of the commission to codify the criminal laws relating to the Post-Office Department. It was referred to the Committee on the Judiciary. It should, I think, have gone to the Committee on Post-Offices and Post-Roads. I ask that the reference be changed.

The VICE-PRESIDENT. The Chair hears no objection, and the change of reference is made.

BILLS INTRODUCED.

Mr. BERRY introduced a bill (S. 5513) to amend an act entitled "An act authorizing the Arkansas Northwestern Railway Company to construct and operate a railway through the Indian Territory, and for other purposes," and extending the time for constructing and operating the said railway for two years from the 5th day of April, 1899; which was read twice by its title, and referred to the Committee on Indian Affairs.

Mr. CHILTON introduced a bill (S. 5514) to amend an act entitled "An act to grant the right of way through the Indian Territory to the Denison, Bonham and New Orleans Railway Company for the purpose of constructing a railway, and for other purposes," approved March 28, 1898, and to vest in the Denison, Bonham and Gulf Railway Company all the rights, privileges, and franchises therein granted to said first-named company; which was read twice by its title, and referred to the Committee on Indian Affairs.

Mr. WOLCOTT introduced a bill (S. 5515) for the relief of James G. Field; which was read twice by its title, and referred to the Committee on Naval Affairs.

Mr. ELKINS introduced a bill (S. 5517) to place Daniel M. Page, late first lieutenant, Thirty-eighth United States Infantry, on the retired list of the United States Army; which was read twice by its title, and referred to the Committee on Military Affairs.

AMENDMENTS TO APPROPRIATION BILLS.

Mr. LODGE submitted an amendment proposing to pay $250 to Robert G. Proctor for compiling and indexing "Tariff acts passed by the Congress of the United States from 1789 to 1897," as authorized by concurrent resolution, intended to be proposed by him to the sundry civil appropriation bill; which was referred to the Committee on Printing, and ordered to be printed.

Mr. HARRIS submitted an amendment proposing to appropriate $50,000 for the erection of barracks, quarters, gun sheds, and stables for one battery of light artillery at Fort Leavenworth, Kans., intended to be proposed by him to the sundry civil appropriation bill; which was referred to the Committee on Military Affairs, and ordered to be printed.

Mr. MONEY submitted an amendment making available the appropriation made by the act of March 3, 1879, to be paid to Robert Otis, administrator de bonis non of the estate of Roger A. Hiern, and the suspension imposed by the joint resolution of July 1, 1879, upon the disbursement of said appropriation, etc., intended to be proposed by him to the sundry civil appropriation bill; which was referred to the Committee on Appropriations, and ordered to be printed.

Mr. HAWLEY submitted an amendment proposing to appropriate $175,000 for constructing an addition to the public building at Hartford, Conn., intended to be proposed by him to the sundry civil appropriation bill; which was referred to the Committee on Public Buildings and Grounds, and ordered to be printed.

Mr. PLATT of Connecticut submitted an amendment authorizing the Secretary of the Treasury to pay from the funds in the Treasury belonging to the Choctaw Nation of Indians outstanding warrants not exceeding in amount the sum of $75,000, intended to be proposed by him to the sundry civil appropriation bill; which was referred to the Committee on Indian Affairs, and ordered to be printed.

Mr. ELKINS (by request) submitted an amendment proposing to appropriate $34,323 to enable the Public Printer to pay an additional sum of $1.50 per square foot to the owners of lots A, B, 1, 2, 3, 4, 5, and 6, comprising 22,882 square feet, in square No. 624, for an addition to the Government Printing Office, intended to be proposed by him to the sundry civil appropriation bill; which was referred to the Committee on the District of Columbia, and orderd to be printed.

Mr. HANSBROUGH submitted an amendment proposing to appropriate $6,000 for salaries and commissions of register and receiver of an additional land district, known as the Peavy land district, in the district of Alaska, etc., intended to be proposed by him to the sundry civil appropriation bill; which was referred to the Committee on Appropriations, and ordered to be printed.

PROMOTION OF OFFICERS.

Mr. GORMAN submitted the following resolution; which was considered by unanimous consent, and agreed to:

Resolved, That the Secretary of War is hereby directed to furnish to the Senate a statement, giving the name, rank, and pay of each officer promoted in pursuance of the provision in the act of Congress entitled "An act to increase the efficiency of the Quartermaster's Department of the Army," approved July 7, 1898, and the rank and pay such officer received prior to his promotion, and also where stationed since January 1, 1899.

The Secretary of War is further directed to furnish like information in regard to each officer promoted in pursuance of the provision in the act of Congress entitled "An act to increase the efficiency of the Subsistence Department of the Army," approved July 7, 1898.

JOHN M. PALMER.

Mr. GALLINGER submitted the following resolution; which was considered by unanimous consent, and agreed to:

Resolved, That the Secretary be directed to request the House of Representatives to return to the Senate the bill (S. 5342) granting a pension to John M. Palmer, and the message requesting a conference on said bill and amendments.

ICE IN POTOMAC RIVER.

The VICE-PRESIDENT laid before the Senate the following resolution of the House of Representatives; which was read:

Resolved, That the Clerk return to the Senate, in compliance with its request, the joint resolution (S. R. 244) making an appropriation of $5,000 for clearing the Potomac River of ice.

Mr. GALLINGER. As a similar joint resolution has passed both branches of Congress, I move to reconsider the vote by which the bill was passed.

The motion to reconsider was agreed to.

Mr. GALLINGER. I move that the joint resolution be indefinitely postponed.

The motion was agreed to.

LIGHT-HOUSE AT POINT ARGUELLO, CALIFORNIA.

The VICE-PRESIDENT laid before the Senate the following resolution of the House of Representatives; which was read:

Resolved, That the Clerk return to the Senate, in compliance with its request, the bill (S. 1527) for the establishment of a light-house and fog signal at or near Point Arguello, California.

Mr. GALLINGER. As a bill accomplishing the same purpose has passed both Houses at this session, I move that the vote by which the bill was passed be reconsidered.

The motion to reconsider was agreed to.

Mr. GALLINGER. I move that the bill be indefinitely postponed.

The motion was agreed to.

PERSONNEL OF THE NAVY AND MARINE CORPS.

Mr. HALE. If morning business is concluded——

The VICE-PRESIDENT. The morning business appears to be closed.

Mr. HALE. I move that the Senate proceed to the consideration of the bill (H. R. 10403) to reorganize and increase the efficiency of the personnel of the Navy and Marine Corps of the United States.

The VICE-PRESIDENT. The Senator from Maine asks for the present consideration of——

Mr. HALE. I move that the Senate proceed to the consideration of the bill.

Mr. SEWELL. Will not the Senator from Maine allow me to call up a little appropriation bill, the Military Academy bill, and get it through?

Mr. HALE. Let me get the personnel bill before the Senate, and then of course I will yield to the Senator from New Jersey.

The VICE-PRESIDENT. The question is on agreeing to the motion of the Senator from Maine to proceed to the consideration of the bill.

The motion was agreed to.

Mr. SEWELL. Now the Senator from Maine yields to me?

Mr. HALE. I yield to the Senator from New Jersey.

Mr. SEWELL. I ask that the pending bill be laid aside informally in order that the Senate may proceed to the consideration of the Military Academy appropriation bill.

The VICE-PRESIDENT. Is there objection? The Chair hears none.

MILITARY ACADEMY APPROPRIATIONS.

Mr. SEWELL. I ask the Senate to proceed to the consideration of the bill (H. R. 11717) making appropriations for the support of the Military Academy for the fiscal year ending June 30, 1900.

There being no objection, the Senate, as in Committee of the Whole, proceeded to consider the bill, which had been reported from the Committee on Appropriations with amendments.

Mr. SEWELL. I ask that the amendments of the committee be considered as they are reached in the reading of the bill.

The VICE-PRESIDENT. The Chair hears no objection, and that course will be pursued.

The Secretary proceeded to read the bill. The first amendment of the Committee on Appropriations was, under the subhead "Permanent establishment," on page 2, line 1, to reduce the appropriation for pay of cadets from $197,000 to $170,000.

The amendment was agreed to.

The next amendment was, on page 2, line 3, to reduce the total appropriation for permanent establishment from $224,000 to $197,000.

The amendment was agreed to.

The next amendment was, on page 2, line 23, after the word

"tactics," to insert "ordnance and gunnery, and practical military engineering;" so as to make the clause read:

For pay of five senior instructors of cavalry, artillery, and infantry tactics, ordnance and gunnery, and practical military engineering (captains), in addition to pay as first lieutenants, not mounted, $2,500.

The amendment was agreed to.

The next amendment was, on page 4, line 23, after the word "privates," to insert "(infantry);" so as to make the clause read:

One hundred and eleven privates (infantry), $17,316.

The amendment was agreed to.

The next amendment was, on page 5, line 14, after the word "privates," to insert "(cavalry);" so as to make the clause read:

Sixty-one privates (cavalry), $9,516.

The amendment was agreed to.

The next amendment was, on page 8, line 11, to reduce the total appropriation for pay of Military Academy Band, field musicians, general Army service, cavalry detachment, enlisted men on detached service, and extra pay of enlisted men on special duty at the Military Academy, from $64,932.72 to $64,884.90.

The amendment was agreed to.

The next amendment was, on page 10, after line 17, to strike out:

Total pay of Military Academy, $343,005.21.

The amendment was agreed to.

The next amendment was, on page 10, after line 19, to strike out "For current and ordinary expenses, as follows" and to insert as a subhead "Current and ordinary expenses."

The amendment was agreed to.

The next amendment was, on page 13, after line 7, to insert:

For furniture for Young Men's Christian Association room, $405.28.

The amendment was agreed to.

The next amendment was, on page 16, after line 9, to insert:

For purchase of two sets of Larned's History, for use of cadets in section rooms, $50.

The amendment was agreed to.

The next amendment was, on page 17, line 24, to increase the total appropriation for current and ordinary expenses of the Military Academy from $67,048.80 to $67,503.58.

The amendment was agreed to.

The next amendment was, on page 19, after line 16, to insert:

For purchase of five desks for use in office of the adjutant, United States Military Academy, to be immediately available, $300.

The amendment was agreed to.

The next amendment was, on page 20, line 17, to increase the appropriation for tearing out the old, worn-out, and obsolete style "cold storage" in the cadet mess building and putting in new and modern style cold-storage rooms, plant, etc., from $7,500 to $7,850.

The amendment was agreed to.

The next amendment was, on page 21, line 24, to increase the total appropriation for miscellaneous items and incidental expenses of the Military Academy from $25,985 to $26,535.

The amendment was agreed to.

The next amendment was, at the top of page 22, to strike out:

Total Military Academy, $426,328.51.

The amendment was agreed to.

The next amendment was, on page 22, after line 3, to insert the following subhead: "Buildings and Grounds;" and in line 5, before the word "Repairing," to strike out "Buildings and Grounds, Military Academy;" so as to read:

BUILDINGS AND GROUNDS.

Repairing roads and paths, including roads and bridges on reservation, $1,000.

The amendment was agreed to.

The next amendment was, on page 28, after line 16, to strike out:

Total, including buildings and grounds, $901,817.01.

The amendment was agreed to.

The bill was reported to the Senate as amended, and the amendments were concurred in.

The amendments were ordered to be engrossed and the bill to be read a third time.

Mr. SEWELL. Mr. President, there is an increase of over $100,000 in the pending appropriation bill over the act of last year. Of this, $70,000 is for renewing the present library, which is an absolute necessity, and some addition is made to the appropriation for water supply and quarters. The committee have gone into the matter thoroughly, and are satisfied that the amounts allowed by the House are fair. Twenty-five thousand dollars is given for an increase in lighting and furnishing the memorial hall which was donated to the Government by General McCullom, and it being a free gift and having accepted it, the Government should of course put it in good condition.

The are some little increases and reductions which are set forth in the report of the committee accompanying the bill.

The bill was read the third time, and passed.

PERSONNEL OF THE NAVY AND MARINE CORPS.

Mr. HALE. Now I ask the Senate to proceed with the regular order.

The Senate, as in Committee of the Whole, proceeded to consider the bill (H. R. 10403) to reorganize and increase the efficiency of the personnel of the Navy and Marine Corps of the United States, which had been reported from the Committee on Naval Affairs with amendments.

Mr. HALE. Let the amendments of the committee be acted upon as they are reached in the reading of the bill.

Mr. CARTER. I object to the amendments being acted upon until the bill is read through.

Mr. HALE. Very well.

The Secretary read the bill.

Mr. HALE. The first amendment reported by the Committee on Naval Affairs is on page 3, in section 4.

Mr. GORMAN. Does the Senator intend to have the committee amendments gone through with this morning? I supposed we were to have the bill formally read through, and then, at a subsequent time, take up the bill and have the amendments acted on.

Mr. HALE. All that I propose now is that the first amendment to the bill, on page 3, be taken up. I do not propose to have it considered now, because the Senator from Pennsylvania [Mr. QUAY] has the Post-Office appropriation bill in charge, which he desires to have considered now; and it is the rule of the Senate to give appropriation bills precedence. I simply desire to have the first amendment read.

Mr. GORMAN. Very well.

The VICE-PRESIDENT. The first amendment reported by the Committee on Naval Affairs will be stated.

The SECRETARY. On page 3, in section 4, line 12, after the word "Navy," the Committee on Naval Affairs propose to strike out "except watch duty in the engine room;" so as to read:

That engineer officers transferred to the line who are below the rank of commander, and extending down to, but not including, the first engineer who entered the Naval Academy as cadet midshipman, shall perform sea or shore duty, and such duty shall be such as is performed by engineers in the Navy.

Mr. HALE. I can not at present push the passage of the bill further, so I will simply notify the Senate that at the earliest possible time I shall ask the Senate to resume the consideration of the bill. This is a very important measure, and I think a large majority of the Senate desire its passage. After the appropriation bill is out of the way, I shall ask the Senate to proceed with the consideration of the bill which has just been read.

POST-OFFICE APPROPRIATION BILL.

Mr. QUAY. I now ask, in accordance with the notice I gave yesterday, that the Senate proceed to the consideration of House bill 11683, being the Post-Office appropriation bill.

The VICE-PRESIDENT. Is there objection to the request of the Senator from Pennsylvania that the Senate proceed to the consideration of the bill (H. R. 11683) making appropriations for the service of the Post-Office Department for the fiscal year ending June 30, 1900? The Chair hears none; and the Chair lays the bill before the Senate.

RENEWAL OF PENSIONS.

Mr. GALLINGER. I beg the Senator from Pennsylvania to yield to me that I may ask that a message from the House of Representatives be laid before the Senate.

Mr. QUAY. I yield for that purpose.

The VICE-PRESIDENT laid before the Senate the message from the House of Representatives returning to the Senate, in compliance with its request, the bill (S. 5465) authorizing the renewal of pensions to certain soldiers, sailors, and marines who served during the war with Spain.

Mr. GALLINGER. I now move that the votes whereby the bill was ordered to be engrossed for a third reading, read the third time, and passed be reconsidered.

The motion was agreed to.

The VICE-PRESIDENT. The bill is now before the Senate and open to amendment.

Mr. GALLINGER. I now move to amend the bill by striking from it the proviso, which I ask to have read.

The SECRETARY. In line 7, after the word "discharge," it is proposed to strike out:

Provided, That the application therefor be filed within one year after such date.

The VICE-PRESIDENT. The question is on the motion to strike out the proviso which has been read.

The motion was agreed to.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

JOHN M. PALMER.

Mr. GALLINGER. The Senator from Pennsylvania [Mr. QUAY] yields to me to make a further motion. During my enforced absence from the Senate by illness the bill pensioning Gen. John M. Palmer came from the House of Representatives amended, and a conference committee was ordered upon the bill and amendment. I desire to move to reconsider the vote whereby the conference was ordered, and, if the vote be reconsidered, I

shall ask that the bill be placed before the Senate with a view of accepting the House amendment.

Mr. CULLOM. The bill has probably gone to the House of Representatives.

Mr. GALLINGER. Then I will move, Mr. President, that the bill be recalled.

Mr. HANSBROUGH. I will state to the Senator from New Hampshire that I think the bill should go to conference. There is such a wide difference of opinion between the House of Representatives and the Senate on this question that I think the bill should be considered by a committee of conference.

Mr. GALLINGER. Very well; let the matter go. I do not agree, however, with the Senator from North Dakota.

Mr. CULLOM. I want to say to the Senator from North Dakota that I am myself very much interested in that bill, as are many of the friends of General Palmer in my own city. After consultation with them, they agree that the bill had better be allowed to go as passed by the House of Representatives, and we want to get it back here for that purpose.

Mr. GALLINGER. Let the bill remain as it is, and the conference committee can dispose of it in another way.

Mr. HANSBROUGH. I think the conference committee can have a meeting during the day and dispose of the bill.

The VICE-PRESIDENT. The motion of the Senator from New Hampshire [Mr. GALLINGER] is withdrawn.

REORGANIZATION OF THE ARMY.

Mr. HAWLEY. Mr. President, the Committee on Military Affairs unfortunately finds itself so situated that it is evenly divided, and two reports will be made upon the bill for the reorganization of the Army. In behalf of one division of the committee I report the bill (H. R. 11022) for the reorganization of the Army of the United States, and for other purposes, and submit a report thereon.

A few explanatory words. The situation of the country and the extraordinary responsibilities and duties imposed upon the nation are too well understood to need extended exposition or comment, but I beg leave to submit a few remarks, so that the Senate may understand just what is before it.

The treaty with Spain was agreed to by the plenipotentiaries at Paris, December 10, 1898, and it was ratified by the United States Senate, as everyone knows, February 6, 1899. The last article of that treaty provides that—

> The ratifications shall be exchanged at Washington within six months from the date hereof, or earlier, if possible.

That is the language of the treaty. Now, I am informed by the State Department that the Spanish Cortes will be assembled on the 20th of this month. It is not expected that there will be debate or a prolongation of consideration, but a prompt ratification by the Cortes is confidently expected. We may expect, therefore, in about fourteen or fifteen days to have the manuscript of the certification of the ratification in Washington. Nothing can be done on such a subject, of course, by telegraphic dispatch, and the notice may be expected to reach the President, say, March 8 or 9. There will be no reason that I am aware of that would permit him to allow a long or unnecessary consideration. In fact, it is possible that the proclamation of ratification may be made by, say, March 15.

What then would be the situation? There are two acts of Congress pointed out relating to this subject, and the concluding part of one of them, with which you are all very familiar, is the act providing for a temporary increase of the Regular Army, in the concluding section of which it has been provided:

> That at the end of any war in which the United States may become involved the Army shall be reduced to a peace basis by the transfer in the same arm of the service or absorption by promotion or honorable discharge, under such regulations as the Secretary of War may establish, of supernumerary commissioned officers and the honorable discharge or transfer of supernumerary enlisted men; and nothing contained in this act shall be construed as authorizing a permanent increase of the commissioned or enlisted force of the Regular Army beyond that now provided by the law in force prior to the passage of this act, except as to the increase of 25 majors provided for in section 1 hereof.

Therefore it will then be the imperative duty of the President to reduce the Army to 27,000 men.

Public act No. 67, concerning the Volunteer Army, section 4, is in these words:

> SEC. 4. That the Volunteer Army shall be maintained only during the existence of war, or while war is imminent, and shall be raised and organized, as in this act provided, only after Congress has or shall have authorized the President to raise such a force or to call into the actual service of the United States the militia of the several States: *Provided*, That all enlistments for the Volunteer Army shall be for a term of two years, unless sooner terminated, and that all officers and men composing said army shall be discharged from the service of the United States when the purposes for which they were called into service shall have been accomplished, or on the conclusion of hostilities.

Therefore, allowing a reasonable time for Spain's ratification, the transmission of the certification of the ratification, and some consideration by the President, it may be expected that the proclamation of peace will be made about March 15, though the President need not absolutely make it until six months from December 10; but after both countries have ratified the treaty, I do not see how the President can delay issuing his proclamation for any purpose, patriotic or other. So on March 15 orders must issue for the dismissal of the entire volunteer force of 75,845 men and for the reduction of the regulars from 58,607 to about 27,000, which will then be the total of our Army.

I need not dwell upon the situation nor upon what will be required. The report of the committee when printed will give the statistics in full.

I myself think this the greatest crisis that has come upon the country in a great many years. I do not advocate any particular bill, because my colleagues on the committee will offer one, but in my opinion action is what is imperatively demanded.

Mr. COCKRELL. Mr. President, the distinguished and able Senator from Connecticut [Mr. HAWLEY] has stated properly the situation of the bill. Five Senators favor and five oppose it. Those of us who oppose the bill have not prepared any full report in the case, so far as furnishing data or anything of that kind, but have agreed simply to make a brief statement of our objections.

STATEMENT OF OBJECTIONS.

The reorganization of the Army of the United States is a most important question and far-reaching in its effects.

When made, it should be done thoroughly and most carefully and deliberately, so as to make it superior in all its arms and parts to any existing military organizations in the world.

This much is due to our institutions and to our soldiers, volunteers and regulars. In all the essential elements of the true soldier they are without superiors or equals, and should have the best possible systems of organization, both for the Regular Army and the Volunteer Army or National Guard in the respective States.

The title of this act is a misnomer, for while it purports to be "An act for the reorganization of the Army of the United States, and for other purposes," the only change in the present organization is in section 3, which discontinues the regimental organization of the artillery arm of the United States Army and designates it "the corps of artillery," to comprise two branches, the coast artillery and the field artillery, both of which are practically in existence to-day. And yet it continues the colonels, lieutenant-colonels, majors, captains, and lieutenants. We hold that there is not sufficient time in the few remaining days of this Fifty-fifth Congress to complete a proper reorganization of the Army as it should be done.

This bill does not even attempt it. Analyzed, it simply increases the number of officers and enlisted men in the present organization and increases the cost of the Army to the taxpayers and toilers.

We are opposed to the unnecessarily large increase of the Regular Army, the standing or permanent military establishment authorized by this bill, which provides for an army of 98,363—officers, professors, and enlisted men—and then says the President in his discretion may enlist a smaller number or reduce the number of enlisted men in a troop of cavalry and a company of infantry, so that the number of officers and enlisted men in the whole Army would be 59,975.

This is a virtual confession that the latter number, 59,975, may be amply sufficient for all purposes. The Constitution provides that "the Congress shall have power" "to raise and support armies, but no appropriation of money to that use shall be for a longer term than two years." This clearly contemplates that the Congress, not the President, shall determine the size or number of officers and men who shall compose the Army, and no one Congress can create an army and determine its number or strength and appropriate money for its maintenance beyond its own constitutional term of two years, and thus bind a subsequent Congress. In this bill Congress abdicates its power and leaves the strength of the Army to the sole discretion of the President. There is no existing necessity and no probable necessity for any such increase in the Regular Army as provided in this bill. It will entail an enormous burden upon the Treasury and the taxpayers, without any possible corresponding benefits to the country.

At this particular time it is practically impossible to determine with certainty the number of officers and men who should compose our Regular Army. The only thing absolutely certain is that the number authorized in this bill is wholly unnecessary.

We have no desire, no disposition, no intention whatever, to withhold from the President, as Commander in Chief of the Army and Navy of the United States, any amount of money or any number of soldiers necessary for all possible contingencies in the future. When the war with Spain was threatening, without a word we gave to the President $50,000,000 to be expended in his discretion in preparation for the emergency—an unprecedented act in our history.

On April 25, 1898, the following law passed by Congress was approved by the President:

[Public—No. 69.]

An act declaring that war exists between the United States of America and the Kingdom of Spain.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, First. That war be, and the same is hereby,

declared to exist, and that war has existed since the 21st day of April, A. D. 1898, including said day, between the United States of America and the Kingdom of Spain.

Second. That the President of the United States be, and he hereby is, directed and empowered to use the entire land and naval forces of the United States, and to call into the actual service of the United States the militia of the several States, to such extent as may be necessary to carry this act into effect.

Approved April 25, 1898.

On April 22, 1898, "An act to provide for temporarily increasing the military establishment of the United States in time of war, and for other purposes," passed by Congress, was approved by the President. On April 26, 1898, the day after the approval of the declaration of war, "An act for the better organization of the line of the Army of the United States," passed by Congress, was approved by the President. This law authorized an increase of the permanent military establishment in time of war to about 62,000 officers and men, and provided:

That at the end of any war in which the United States may become involved the Army shall be reduced to a peace basis by the transfer in the same arm of the service or absorption by promotion or honorable discharge, under such regulations as the Secretary of War may establish, of supernumerary commissioned officers and the honorable discharge or transfer of supernumerary enlisted men; and nothing contained in this act shall be construed as authorizing a permanent increase of the commissioned or enlisted force of the Regular Army beyond that now provided by the law in force prior to the passage of this act, except as to the increase of 25 majors provided for in section 1 hereof.

Approved, April 26, 1898.

This was a plain and unequivocal declaration by Congress, that even in time of war 62,000 men were amply sufficient for the Regular Army, and that when peace was restored, the Regular Army should be reduced gradually to a peace basis. Peace will doubtless be restored very soon by ratification by Spain of the treaty with Spain. It is contended that new complications have arisen and an increased force is absolutely necessary. To fully meet this contention and all possible contingencies and emergencies seen and unseen, we propose the enactment, as an independent measure, of the following provisions for a specified time.

I will read it and have it printed as a separate bill:

A bill to provide for the discharge of volunteers for the war with Spain, and for the continuance of the permanent military establishment on a war footing, and for other purposes.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That within —— days—

I leave the number of days blank, because I am not certain as to the exact number that will be required to enable the mustering-out process to be completed. Whatever number it is can be inserted in the blank—

from the exchange of the ratification of the treaty of peace with Spain, all the officers and enlisted men of the Volunteer Army shall be mustered out of the military service of the United States and discharged: *Provided*, That enlisted men of the volunteers who desire to remain in the military service, may, if found qualified therefor, be transferred to and enlisted in such batteries, troops, or companies of the permanent military establishment as may be below the maximum strength allowed by law, and when so transferred and enlisted shall be credited on their new enlistment with the periods of service rendered by them respectively as volunteers.

So that all the volunteers who enlisted in the regular service would be considered as a part of the regular service from date of volunteer enlistment and receive the increased pay.

SEC. 2. That the act of Congress entitled "An act for the better organization of the line of the Army of the United States," approved April 26, 1898, be, and the same is hereby, continued in full force and effect until July 1, 1901: *Provided*, That men who enlisted in the permanent military establishment between the 10th day of May and the 26th day of October, 1898, shall be discharged upon their own application respectively, but nothing herein shall be held or construed to require the discharge of any enlisted man in such permanent military establishment awaiting trial by or under sentence of a court-martial.

Between the 10th day of May and the 26th day of October the volunteers who were taken into the Regular Army were taken in for the war with Spain. They are entitled to their discharge. On the 26th day of October that order was revoked, and those who have been taken in since have all been sworn in for service for three years unless sooner discharged; and if this provision is enacted, then all the soldiers who go in hereafter will simply go in for three years, unless sooner discharged, as they have been all the time. As a matter of course, any law repealing that would discharge them, because it would operate as a discharge; but they were all to be taken in just as they have been, for three years, unless sooner discharged. Now, I come to section 3:

SEC. 3. That the President be, and is hereby, authorized in his discretion to enlist and organize a military force in Cuba and in Porto Rico, and, whenever such conditions exist as in his judgment will justify him, in the islands of the Pacific, to be known and called the army of Cuba, the army of Porto Rico, and the army of the islands of the Pacific, and to be composed of the inhabitants of such islands, respectively, for the purposes of establishing and maintaining peace and order, enforcing laws and regulations, and protecting life and property in such islands, respectively, and not elsewhere, under such rules, regulations, and limitations as he may prescribe in such islands, respectively, as to age, term of service, qualifications, and number of officers and men in each organization.

Such forces in said islands, respectively, shall be organized in companies, battalions, or regiments, and officered as the President may direct, and shall be entitled to such pay and allowances as the President may prescribe in such islands, respectively, not exceeding the rates now allowed by law, to be made and paid from the revenues of such islands, respectively, or from the Treasury of the United States, to be subsequently reimbursed to the United States from such revenues. During the occupancy by the United States of such islands, respectively, the forces of such islands enlisted and organized therein shall be under the control and subject to the orders of the President and the officers assigned to duty by him in such islands, respectively: *Provided*, That the number of such military forces in all said islands shall not exceed 35,000 enlisted men at any one time and shall not be considered a part of the permanent military establishment of the United States herein authorized: *Provided further*, That where such military forces shall be enlisted and organized in such islands and have shown such efficiency as in the opinion of the President to be sufficient for all military purposes in such islands, and there is no longer any necessity for the presence of the United States military forces therein, they shall be withdrawn, and the permanent military establishment shall be reduced to a peace footing.

SEC. 4. That the Chief of the Record and Pension Office of the War Department shall hereafter have the rank, pay, and allowances of a brigadier-general, and the President is authorized to appoint an assistant chief of the Record and Pension Office, by selection, who shall have the rank, pay, and allowances of a lieutenant-colonel.

Mr. President, just one word more. This law that we propose to continue in full force and effect continues the military establishment at 62,000, more than the minimum number prescribed in the bill which came from the House. We then give in addition 35,000 from the islands, to be organized by the President in his discretion, to be officered by him, to be under his control absolutely, to be used in those islands for the restoration of peace and for the maintenance of order and for the protection of life and property, and they are to be kept there until such time as in the judgment of the President the United States troops can be safely withdrawn.

Mr. President, we offer here everything on earth that is necessary to meet any contingency that may arise within any reasonable time during the existence of the present Administration and for four months after its term closes. So far as concerns provisions for the maintenance of an army sufficiently large for all purposes, for the organization of forces in the islands for the preservation of peace, the maintenance of order, and the establishment of stable government and protection of life and liberty, it is all in this proposed measure—every bit of it, and we give it cheerfully. We believe we have gone even further than is absolutely necessary, but we want to remove any doubt in respect to provision having been made for the President sufficient to meet any emergency and contingency that may arise until three or four months after his term of service expires.

Mr. HAWLEY. Mr. President, I thought it was understood between the Senator from Missouri [Mr. COCKRELL] and myself that we would not enter upon any general argument of this question this morning, but that we should confine ourselves to statements sufficient to set forth the situation. Of course, there are many things which the Senator said to which I think I can satisfactorily reply. When I said at the close of my remarks that I was not advocating any particular bill, I really meant that I was not entering into the particulars of the defense of the bill I reported. What I wish to say will come up more appropriately when we shall have the bill before the Senate for discussion, a situation which I shall try to bring about at as early a day as possible.

Mr. BATE. I beg to suggest to the Senators who have this matter in charge, respectively the Senator from Missouri and the Senator from Connecticut, that the Senate should order all these bills printed, that we may have the benefit of them at once.

Mr. COCKRELL. I ask that the bill which I have submitted be printed. I desire to have it to go in as a part of my report, and I ask that what I have stated may be printed not only in the RECORD, but as a separate document, as a statement of five members of the committee. I did not have time to write it all out.

The VICE-PRESIDENT. Is there objection to the request of the Senator from Missouri? The Chair hears none, and the order is made.

The bill (S. 5516) to provide for the discharge of volunteers for the war with Spain, and for the continuance of the permanent military establishment on a war footing, and for other purposes, was read twice by its title.

PUBLIC BUILDING AT NEWPORT NEWS, VA.

Mr. WARREN submitted the following report:

The committee of conference on the disagreeing votes of the two Houses on the amendments of the House of Representatives to the bill (S. 1964) for the erection of a public building for the use of the custom-house and post-office at Newport News, in the district of Newport News, Va., having met, after full and free conference have agreed to recommend and do recommend to their respective Houses as follows:

That the Senate recede from its disagreement to the House amendments numbered 1 and 2, and agree to the same.

That the House recede from its amendment numbered 3.

FRANCIS E. WARREN,
CHARLES W. FAIRBANKS,
H. D. MONEY,
Managers on the part of the Senate.
DAVID H. MERCER,
J. H. BANKHEAD,
Managers on the part of the House.

The report was agreed to.

ANDREW S. EVANS.

Mr. GEAR. I ask unanimous consent for the present consideration of the bill (H. R. 3307) to increase the pension of Andrew S. Evans. It will take but a moment.

There being no objection, the Senate, as in Committee of the

Whole, proceeded to consider the bill, which had been reported from the Committee on Pensions with amendments.

The first amendment was, in line 3, after the word "Interior," to insert "he, and he;" and in line 4, after the word "place," to strike out "upon" and insert "on;" so as to read:

That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of Andrew S. Evans, late of Company C, Twenty-eighth Iowa Infantry Volunteers.

The amendment was agreed to.

The next amendment was, in line 8, before the word "dollars," to strike out "fifty" and insert "thirty;" so as to read:

Thirty dollars per month, in lieu of the pension he is now receiving.

Mr. GEAR. I hope the amendment will not be adopted. This man is in a pitiable condition. He has lost both of his eyes, and it requires two persons to take care of him. He suffers from a cancer. Undoubtedly he will lose his life within six months.

The VICE-PRESIDENT. The question is on agreeing to the amendment reported by the Committee on Pensions.

The amendment was rejected.

The bill was reported to the Senate as amended, and the amendment was concurred in.

The amendment was ordered to be engrossed and the bill to be read a third time.

The bill was read the third time, and passed.

The title was amended so as to read: "A bill granting an increase of pension to Andrew S. Evans."

STELLA FRIENDS ACADEMY AND CHURCH ASSOCIATION.

Mr. SULLIVAN. I ask unanimous consent for the present consideration of the bill (H. R. 6670) setting apart a certain tract of land in Oklahoma Territory to the Stella Friends Academy and Church Association.

There being no objection, the Senate, as in Committee of the Whole, proceeded to consider the bill.

Mr. JONES of Arkansas. I do not undersand from what committee the bill is reported.

The VICE-PRESIDENT. It was reported from the Committee on Indian Affairs by the Senator from Montana [Mr. MANTLE].

Mr. JONES of Arkansas. Where is the land located which is proposed to be conveyed?

Mr. SULLIVAN. In the Indian Territory.

The Secretary read as follows:

That the lawfully constituted authorities of the United States be, and they are hereby, authorized and directed to issue a patent to the Stella Friends Academy and Church Association, of Woods County, Territory of Oklahoma, to the SE. ¼ of the SE. ¼ of the SE. ¼ of sec. 24, in T. 27 N., of R. 11 W. of the Indian meridian, containing 10 acres, more or less, being a tract of land conveyed by Ernest Howard to said Stella Friends Academy and Church Association by warranty deed dated January 25, 1897.

Mr. JONES of Arkansas. It is not an Indian reservation, then?

Mr. SULLIVAN. It is a mere matter of the gift of 10 acres to a church and school.

Mr. JONES of Arkansas. The point with me is that the United States Government can not give to a church land belonging to the Indians.

Mr. SULLIVAN. It has been paid for already.

Mr. JONES of Arkansas. Is the title in the United States?

Mr. SULLIVAN. The patent has not been issued, but the purchaser has complied with the law, except——

Mr. JONES of Arkansas. The land does not belong to an Indian tribe?

Mr. SULLIVAN. Not at all.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

CODE FOR ALASKA.

Mr. CARTER. For the information of Senators who may be interested in the matter, I desire to give notice that as near the hour of 4.30 o'clock this afternoon as may comport with the convenience of the Senate I shall ask unanimous consent to proceed with the formal reading of the Alaska bill.

POST-OFFICE APPROPRIATION BILL.

Mr. QUAY. I ask that we may now proceed with the consideration of the Post-Office appropriation bill.

The Senate, as in Committee of the Whole, proceeded to consider the bill (H. R. 11683) making appropriations for the service of the Post-Office Department for the fiscal year ending June 30, 1900, which had been reported from the Committee on Appropriations with amendments.

Mr. QUAY. I ask that the formal reading of the bill be dispensed with, and that the committee amendments be disposed of as they are reached in their order.

The VICE-PRESIDENT. Is there objection to the request of the Senator from Pennsylvania? The Chair hears none.

The Secretary proceeded to read the bill.

The first amendment of the Committee on Appropriations was, under the subhead "Office of the First Assistant Postmaster-General," on page 3, line 3, to increase the number of mailing clerks, letter distributers, dispatchers, registry clerks, money-order clerks, directory clerks, etc., at $600 each, from 2,537 to 2,539; and in line 12, to increase the total appropriation for mailing clerks, letter distributers, dispatchers, etc., at $600 each, from $1,522,200 to $1,523,400.

The amendment was agreed to.

The next amendment was, under the subhead "Office of the First Assistant Postmaster-General," on page 3, line 14, to increase the number of chief clerks, mailing clerks, letter distributers, dispatchers, etc., at $700 each, from 2,081 to 2,102; and in line 23, to increase the total appropriation for chief clerks, mailing clerks, letter distributers, dispatchers, etc., at $700 each, from $1,456,700 to $1,471,400.

The amendment was agreed to.

The next amendment was, under the subhead "Office of the First Assistant Postmaster-General," on page 4, line 1, to increase the number of chief clerks, mailing clerks, letter distributers, dispatchers, etc., at $800 each, from 2,165 to 2,175; and in line 8, to increase the total appropriation for chief clerks, mailing clerks, letter distributers, dispatchers, etc., at $800 each, from $1,732,000 to $1,740,000.

The amendment was agreed to.

The next amendment was, under the subhead "Office of the First Assistant Postmaster-General," on page 4, line 10, to increase the number of chief clerks, stamp clerks, assistant superintendents of money order, etc., at $900 each, from 1,661 to 1,700; and in line 19, to increase the total appropriation for chief clerks, stamp clerks, assistant superintendents of money order, etc., at $900 each, from $1,494,900 to $1,530,000.

The amendment was agreed to.

The next amendment was, under the subhead "Office of the First Assistant Postmaster-General," on page 4, line 21, to increase the number of chief clerks, stamp clerks, superintendents of registry, etc., at $1,000 each, from 1,407 to 1,410; and on page 5, line 6, to increase the total appropriation for chief clerks, stamp clerks, superintendents of registry, etc., at $1,000 each, from $1,407,000 to $1,410,000.

The amendment was agreed to.

The next amendment was, under the subhead "Office of the First Assistant Postmaster-General," on page 10, line 3, after the word "For," to strike out "separating mails" and insert "clerk hire;" so as to make the clause read:

For clerk hire at third and fourth class post-offices, $750,000.

The amendment was agreed to.

The next amendment was, on page 10, after line 4, to insert:

For temporary clerk hire at summer and winter resort offices, and for holiday and election service, $75,000.

The amendment was agreed to.

The next amendment was, on page 10, line 8, to increase the total appropriation for "clerk hire in post-offices" from $12,261,900 to $12,398,900.

The amendment was agreed to.

The next amendment was, under the subhead "Free-delivery service," on page 12, line 5, before the word "rural," to insert "experimental;" so as to make the clause read:

For experimental rural free delivery, including pay of carriers, horse-hire allowance, supplies, and mechanical appliances, $300,000.

The amendment was agreed to.

The next amendment was, on page 12, line 14, before the word "stamps," to strike out "rating, and other" and insert "and rating;" so as to make the clause read:

For postmarking and rating stamps, and repairs to same, and ink and pads for stamping and canceling purposes, $40,000.

The amendment was agreed to.

The next amendment was, under the subhead "Office of the Second Assistant Postmaster-General," on page 13, line 11, after the word "dollars," to insert the following proviso:

Provided, That no bid for carrying the mail on a star route for the fiscal year 1900 shall be considered unless the bidder resides on or contiguous to the route on which the service is to be performed, or shall file with his bid an agreement that in the event of the service being awarded to him he will reside on or contiguous to said route and give his personal supervision to the performance of the service: *Provided further*, That the Postmaster-General may refuse to accept bids which he deems excessive, and readvertise the routes until he can procure the service for a reasonable compensation: *Provided further*, That no payment for carrying the mail on a star route, under a contract hereafter executed, shall be made unless there shall be on file in the Post-Office Department evidence satisfactory to the Postmaster-General that the contractor resides on or contiguous to the route and personally superintends the performance of the service.

The amendment was agreed to.

The next amendment was, on page 15, line 12, after the word "Postmaster-General," to insert the following proviso:

Provided, That all railway postal clerks whose duties require them to work six days or more per week fifty-two weeks per year shall be allowed an annual vacation of fifteen days with pay.

The amendment was agreed to.

The next amendment was, on page 15, after line 20, to insert:

For necessary and special facilities on trunk lines from New York and Washington to Atlanta and New Orleans, $171,238.75: *Provided*, That no part of the appropriation made by this paragraph shall be expended unless the Postmaster-General shall deem such expenditure necessary in order to promote the interest of the postal service.

For continuing necessary and special facilities on trunk lines from Kansas City, Mo., to Newton, Kans., $25,000, or so much thereof as may be necessary: *Provided*, That no part of this appropriation shall be expended unless the Postmaster-General shall deem such expenditure necessary in order to promote the interest of the postal service.

The VICE-PRESIDENT. Is there any objection to the amendment?

Mr. WOLCOTT. Yes, sir; I object to the adoption of the amendment.

The VICE-PRESIDENT. The question is on agreeing to the first amendment, which begins at line 21, page 15, and ends with line 3, on page 16.

Mr. WOLCOTT. Mr. President, this appropriation in one form or in another has been before Congress repeatedly, and this year for the first time in another legislative department of the Government it was striken out, only to be reinstated, the same old appropriation, in the appropriation bill by the Senate committee.

For years there has not been a Postmaster-General who has not told us in his official report that this appropriation was absolutely useless and worthless, and that identically the same service could be obtained without the appropriation of a single dollar. As was said in another branch of the legislative department, it is the last of our inland subsidies and about the most useless.

But we are asked why the Postmaster-General spends the money if it is permissive only in the bill. The reason of it he gave when he said that he would be a bold Postmaster-General who, when both branches of Congress authorized him to spend money in a specific way upon special railroad mail, did not spend the money that way.

But, Mr. President, there is no sort of a valid claim on the part of anybody that the mails would be facilitated two hours to a single point in the United States by the adoption of this amendment.

There has been a good deal of testimony taken lately on this very subject, and the testimony of the Assistant Postmaster-General is that it is just so much money thrown away. The two amendments may be taken together. The one is for the Southern Railroad. Without a dollar appropriated here he could get the mail carried. The other is a small sum for running an early train from St. Jo west to Newton to oblige a morning paper at St. Jo, I believe, which desires to get out an early edition and have it distributed along through eastern and central Kansas.

But, Mr. President, if this special facility is to be put on those roads by an appropriation, there is no reason in the world why every railroad in the world should not have an identical appropriation for special facilities put on whenever it has got influence enough either in the committees of Congress or upon the floor of either House.

Mr. President, it seems to me that when we are investigating this whole question of railway mail pay and seeking, as all of us are, to try and reduce the service to some logical fair basis that shall be paid for proportionately to the service and without favoritism, it is a poor time for the Senate of the United States to commence by putting back into this bill two appropriations aggregating some $200,000 that benefit nobody. Always when it has come up heretofore Senators from Southern States have spoken of the benefit they get from it, and usually a Senator or two from New England, attracted by the name of New England in the appropriation bill, has told us how much it is needed to further carry the messages of good will between New England and the South. As a matter of fact it does not save the transmission of fifteen minutes to any city between New England and the South, and it is simply an exhibition of the influence which certain railroads have in the Congress of the United States that they are enabled to get this useless appropriation put on year after year in the Post-Office appropriation bill.

Mr. LODGE. I call the Senator's attention to the fact that New England is no longer included.

Mr. WOLCOTT. I am delighted.

Mr. LODGE. I can not find, however, that our mail service is any worse than it was before.

Mr. WOLCOTT. I am obliged to the Senator. There used to be from New England always somebody to speak in favor of it.

Mr. SULLIVAN. Mr. President, I have only one thought that I desire to express. The Senator from Colorado said, as I understood him, that just as good service could be obtained without this appropriation as with it and that this was useless. I heard that from a member of the House some days ago. When I had heard from a number of people throughout the South and Southwest that this special fast mail service was about to be discontinued I was told that the service could be as well had with as without the subsidy. I wondered how that could be true when the competion was so little in that section of the country, and when I had been informed that the road could not perform the service without this extra pay I applied to the Second Assistant Postmaster-General, and I have here my telegraphic communication to him and his answer.

Mr. MONEY. Give the date.

Mr. SULLIVAN. The date of the communication was day before yesterday. Here is the first one. Instead of having it read from the desk, I will read it:

To SECOND ASSISTANT POSTMASTER-GENERAL, *City:*

Mr. FLEMING of Georgia tells me you say the same fast railway-mail service South and Southwest can be had without the subsidy as with it. Can this be done? If so, I shall not move to amend appropriation bill and restore subsidy.

W. V. SULLIVAN.

His reply is as follows:

The statement attributed to this office is not quite exact. The Department thinks it can secure substantially as good mail service to the South and Southwest and more satisfactory service throughout the country without the fast mail subsidy as with it. It does not say it can secure precisely the same schedule as now exists, but it believes that better service in general can be secured from all roads if the subsidy is given to no one.

I again came back asking along the same line simply to see whether or not the appropriation could be dispensed with in any section of the country where the competition is small and where we have very few mails and where every city along the whole line is interested; where all the people are very anxious about the matter.

If you are sure—

I telegraphed him again—

If you are sure you can get as speedy and certain mail service South, where little competition prevails, without as with the subsidy, all right. If it is only conjecture, then I wish to offer amendment. Other sections have largely more competition and this particular section is the one now I wish to aid. If the service will be secured as prompt and frequent without as with subsidy, I shall not move amendment, and your answer will determine that question.

W. V. SULLIVAN.

The VICE-PRESIDENT. The Senator will withhold a single moment while the Chair lays before the Senate the unfinished business, which will be stated.

The SECRETARY. A bill (S. 1575) to amend an act entitled "An act to regulate commerce."

Mr. CULLOM. I am willing that the unfinished business shall be temporarily laid aside for the consideration of the Post-Office appropriation bill.

The VICE-PRESIDENT. If there be no objection, the unfinished business will be temporarily laid aside, and the Senator from Mississippi will proceed.

Mr. SULLIVAN. The reply to that, on the direct point as to whether just as good service could be had without as with this aid, is as follows:

I regret to say that I can not give a specific answer as to what we will be able to do. It is an open question.

Signed, Second Assistant Postmaster-General.

Thus it appears that without this appropriation we can not have the fast railway mail service that every other section of the country does enjoy except ours, and which every other one will enjoy except ours without this subsidy.

The statement that has been made here is therefore made without full knowledge on this subject. I have taken pains to investigate and to find out and to know that without this subsidy we can not get this service; and every other section of the country has the same service that we now ask.

Mr. MONEY. Mr. President, I think the Senator from Colorado [Mr. WOLCOTT], the chairman of the Post-Office Committee, spoke rather hastily a while since when he mentioned the fact that the railroads seemed to have such control over Congress that they could get into each appropriation bill for the post-office service this particular item.

Mr. WOLCOTT. I did not mean to make any suggestion of impropriety. I meant by its ability to convince the members of the importance of it. The Senator understood me, of course.

Mr. MONEY. I understood the Senator. I did not suppose that he reflected upon anybody. But, nevertheless, I am taking his language as he used it, that these railroad companies seemed to have influence in both Houses of Congress. I do not think his statement is absolutely just. As a matter of fact, I am one of those who favor this amendment, not because I am a friend of the railroads, but because I have numberless letters from cities and from business firms, from chambers of commerce, and everything else from here to New Orleans, asking me to stand by the appropriation.

Now, I want to say that I am a little more familiar, perhaps, with this particular subject-matter than a great many others who are here before me. When I was chairman of the Post-Office Committee of the House, about twenty years ago, in conjunction with the Post-Office Department, I began to see what could be done to institute fast mails over the whole of the United States or to improve the facilities on the trunk lines, as they are called. I myself, and the Department also, engaged in a large correspondence, and I recollect very distinctly that the great transcontinental lines of road pointedly refused to take the proposed extra pay, the extra allowance, because they said they could not afford to do it, and the only line on which it was put into operation was one that did originally run from Boston to Tampa.

A very curious thing happened there. We wanted to get the mail to Havana and there was no authority on the part of the

Postmaster-General to make a contract, except for sea postage, with any steamer. I put in the bill a provision that placed Havana, as far as transportation was concerned, within the domestic commerce, so that the Postmaster-General was enabled to make a contract with the Plant system of railroads, which built the steamers which are yet plying, the *Mascot* and the *Olivette*, to carry that service.

This same subsidy, as you term it—the bill does not call it that; it calls it extra facilities for fast mail on trunk lines—this same service was enjoyed for a great many years by the Seaboard Air Line. I believe that is the name of it, or is it the Seacoast Air Line.

Mr. BACON. The Seaboard.

Mr. MONEY. The Seaboard Air Line to Tampa. In the meanwhile, however, I had a table prepared by a very competent statistician to show that the mail should be carried on the line to New Orleans just as on the line to Tampa, and the showing seemed to me to be quite sufficient to divert the extra pay to what is now the Southern line. It was not so called then. But, however, the Seaboard Air Line itself declined to take this same extra allowance, because they said they could not afford to make the schedule required by the Department. That is why they lost it. It is because they declined any further to carry it, and they gave the reason for it. Then an application was made to put it upon what is now called the Southern line, and it was transferred to that line.

The Post-Office Department do not say, in the telegram which my colleague has read, that they will give us the same mail facilities that they do with this extra allowance, and I for one do not believe that they can get it. I am perfectly satisfied that the lines will not give it. They have now two fast mails from here to Atlanta, and that is continued on another line from there to New Orleans. The expedition of this service extends very much beyond the terminus. It extends all through the State of Texas and to the whole West, because being facilitated one-half the way from New York, the great commercial center, to distant capitals of the country, it carries it to New Orleans and from there to the whole West, and it is expedited that much.

The Senator from Colorado, being a business man, ought to know what value time is in business letters, especially in time drafts. I recollect very distinctly that in the correspondence a while ago alluded to a banker in Denver wrote a letter to me in which he stated that the saving on time drafts from New York to Denver was very much more than would pay for the extra allowance for fast mail. However, the transcontinental roads decline what I considered the liberal offer that we were willing to make them, and therefore they never got it.

It may be that the Post-Office Department feel satisfied that they can give a certain facility of mails to the Southern country, but we do not think that is enough. We want what we have today; and while we shall not insist upon anything like an undue proportion of expenditure for the South, yet it is a fact that we do not have the frequent mails in that section, as you all know, not because of any sectional matter, but simply because our country is more sparsely settled and has not cities of such size and so closely contiguous as in the North.

Nevertheless, I hope that this amendment fixed by the committee will remain in the bill for the reason I have stated; and I feel quite sure that if it is stricken out, when the next bill is passed there will be a pressure brought to bear here from citizens of the South that will compel at least the Southern members to vote for such a provision. It is the people who are asking for this appropriation. I have no doubt there are railroads that would like to have it, but I am not speaking of them. I presume they would like to have it, as they have accepted it, but it was rejected by the Seaboard Air Line. You will observe that the Postmaster-General takes the liberty of fixing these schedules and the time allowed, and if the railroads were not compelled by the regulations of the Department they would not give the time that is required for the fast mail.

I hope that the amendment will remain in the bill.

Mr. BACON. Mr. President, what has been said by the Senators from Mississippi will make it unnecessary for me to repeat some things which I otherwise myself would have said. I desire, however, to present to the Senate the consideration that this is a most important matter to the business of a very wide extent of our country. All the business communities of the territory south of this city are vitally interested in the retention of this item in the bill.

It is a fact that it was stricken out in the House of Representatives, but I have looked a little into the circumstances under which it was done, and if Senators will refer to the RECORD they will find that it was done on an exceedingly scant vote in the House. It was done when it was well understood that it was not a final action, and it was done when in view of the smallness of the vote it did not reflect, I am quite sure, the sentiment of the House of Representatives.

Mr. WOLCOTT. I do not understand the Senator. How does he mean that the vote of the House did not represent its final action?

Mr. BACON. I mean simply that it was well understood in the House that there would be further action in the Senate.

Mr. WOLCOTT. Is the Senator of opinion that votes were cast in the House with the understanding that the bill would be changed when it got here?

Mr. BACON. I am not.

Mr. WOLCOTT. What is the Senator's understanding?

Mr. BACON. Simply that it was a very small vote, as is shown by the RECORD, and that the effort which otherwise would have been made was not made to correct it.

Mr. WOLCOTT. In other words, that the friends of this measure reserved their efforts for the Senate. Is that the Senator's opinion?

Mr. BACON. No; I do not mean that they reserved their efforts. I mean that there were a great many absent, and that there was not the same effort made in the way of reconsideration or otherwise which would have been made if that had been known to be the final stage of the proceedings. I mean only that and nothing more.

Now, Mr. President, the fast mail taken up at this city, as was stated by the Senator from Mississippi, reaches the South all along the territory bordering on the seacoast, reaching away down into Florida, and it is taken up after it reaches Florida and carried to Cuba. It reaches also through a line running more into the interior, the central parts of Virginia, North Carolina, and the western part of South Carolina, through Georgia, Alabama, Mississippi, Louisiana, and Texas. While these are the main lines, from these lines are radiating other lines which reach every town, village, and hamlet in all of those States.

Mr. President, Senators who live in the North and West do not appreciate the difficulties in a business relation which are encountered in sparsely settled communities, because all of those States are comparatively sparsely settled. What is the consequence of that fact? The consequence is that it is impossible for the railroads in their ordinary business to run the number of trains or the character of trains which can be afforded by railroads running through thickly settled communities and thickly settled States.

I understand the suggestion comes from the Post-Office Department that as good service can be gotten without this extra compensation. Upon what is that statement based? Is it based upon the experience of the Department before they had this extra compensation? If so, the conclusion is not justified, because before we had this extra compensation we did not have the fast mails, and it is only since we have had the extra compensation that we have had the fast mails.

In almost all the important business communities in my section there have been meetings by the business men earnestly urging that these mail facilities should be continued. I will give to the Senate a little illustration of what would be the difference in the way of business if the fast mails are not continued. Take the immediate section in which I live, the State of Georgia. The mail leaves New York City this morning early, and the New York mail, with the New York papers, will reach Atlanta at 5 o'clock to-morrow morning. In the absence of this extra compensation, if we had to return to the condition of affairs which existed prior to this compensation, that mail would not reach the city of Atlanta until the afternoon. The consequence would be not simply the loss of twelve hours, but practically the loss of twenty-four hours to the entire business community not alone of Atlanta but of all the various cities and towns which are reached by roads radiating not only from that particular town but from the various towns upon the main line upon which this fast mail is carried.

So I say, Mr. President, the suggestion of the Postmaster-General contains nothing, unless he has given the committee some information which we have not heretofore had, upon which to base the contention that the same mail facilities can be had without it. There is nothing in the experience of the past to justify such a statement, and if there is any truth in the statements of these railroad companies, we certainly will not have this fast mail unless the extra compensation is continued.

Mr. President, Senators may say that this is an invidious distinction in favor of a particular section, but if that argument were allowed to prevail in all the appropriations of money, there would be a great many which would be here attacked; there would be a great many of them overthrown if that contention were a good one. It is not simply in the matter of fast mails in which the Government extends its advantages to the different sections and States, but it is in the various sums which it appropriates for the improvement of rivers and harbors, the erection of public buildings, and everything of that kind.

It seems to me the only question properly to be determined is whether or not this is a great public consideration which demands and justifies an expenditure on the part of the Government in order that the interests which are involved may be properly maintained.

I desire to say, in all plainness and emphasis, that the unanimous testimony from the communities of four or five or six, I believe seven, different States is to the effect that to take out this extra compensation would be to strike a most serious and damaging and embarrassing blow at the business interests of all these various communities in this wide extent of territory.

I do hope, Mr. President, that the Senate will not strike this provision from the bill. This amendment comes from the committee. It is not an amendment offered by any Senator on this floor, but it is an amendment put in the bill voluntarily by the committee, in recognition of the fact that it is a proper amendment and should constitute an integral part of this bill.

Mr. CHANDLER. Mr. President, I have always voted for these Southern fast-mail subsidies, as they are called. I have also been in favor of the special expenditures which have been made to secure fast mail service for the West and across the continent. I shall vote at this time for this appropriation, believing that under the circumstances it ought to be continued for the current year. I am not, however, entirely certain that this system of expediting the mails by special payments ought to be much longer continued.

The Senator from Georgia [Mr. BACON] asks, What is the theory of the Post-Office Department which leads that Department to conclude that these special appropriations are no longer necessary? Their theory, as stated by the Assistant Postmaster-General before the Postal Commission, is that they can hereafter, by competition among the various railroads, secure a sufficiently rapid transportation of the mails to make this extra stimulus unnecessary. They admit that it has operated well in the past and that under the influence of this authority to make special contracts the mail service has been vastly expedited in its rapidity. They make no criticism, as I understand, upon the vast expenditures which have been made in accordance with the judgment of Congress, but they say that hereafter by competition they can secure sufficiently fast service.

Mr. President, I believe they do that now as between Chicago and Omaha for the mail that goes through Colorado, the mountain States, and on to the Pacific coast. They secure an exceedingly rapid service from Chicago to Omaha. How do they do it? They do it by placing nearly all the mail upon one route—the Chicago, Burlington and Quincy. There are I do not know how many good railroad lines running between Chicago and Omaha, but probably four or five—five, the Senator from Colorado [Mr. WOLCOTT] says. Instead of dividing the mail between all these routes, they concentrate it all upon the Chicago, Burlington and Quincy. They require that road to furnish the best cars, the most fleet locomotives, the most ample accommodations, and to carry the mail with lightning-like rapidity from Chicago to Omaha. I do not suppose there is a better service in the whole world than over that route.

Mr. President, there is in this bill no special appropriation for expediting this Western service, but the same result is reached by concentrating nearly all the mail and nearly all the mail pay upon this one route, so that they can get fast service. I am very glad that the Post-Office Department is able to get this extremely rapid service eastward and westward by this concentration of the mail and the concentration of the expenditure, and whenever the same condition of things is reached with reference to the mail which is now expedited, not from New England, Mr. President, as the Senator from Colorado suggests, but from New York, through Washington, on down through Virginia and North Carolina to Atlanta, and then on to New Orleans, when the Department can by a similar plan which they have adopted with reference to the fast Western mail service secure a service as speedy as that which now exists going to the South, or a speedier service than now exists, then I shall be in favor of discontinuing these special appropriations, and not until then.

Mr. BACON. Let me call the attention of the Senator to the difficulty there would be in carrying out the suggestion he has made in this particular case, without depriving a very large extent of territory of the advantages of their mail. For instance, take New Orleans as the objective point—from New York to New Orleans. Of course, there are more railroad lines than one by which the mail could be carried from New York to New Orleans. It could be carried around through the West from Memphis down South, and from there through Mississippi and Louisiana to New Orleans.

By concentrating the mail or the fast service, as the Senator suggests, upon that line we would get the mail to New Orleans probably quite as rapidly as by the present system, but it would leave out altogether the advantages of this fast mail service to the States of Virginia, North Carolina, South Carolina, Georgia, and Alabama, to say nothing of Florida and the Cuban mails. So the concentration upon one particular line would not effect the purpose. On the other hand, if the mail should be concentrated on the line which runs through Atlanta, it would serve only a particular section of the country and would leave out all the line of territory upon the seaboard reaching down to Florida.

Mr. CHANDLER. I do not understand that it is the object of the Department to get an exceedingly rapid mail through Atlanta on down through the rest of Georgia and on to Florida. The theory of this rapid mail service is that it shall go from New York—incidentally accommodating New England—on down to New Orleans, then down to Texas, and I suppose through to Mexico, if the mails go by that route.

Mr. BACON. I think I might safely say that if New Orleans is the objective point, if that is the only city to be considered, if they ignore the business of the intervening territory, it would ignore four-fifths of the business which is transacted by the fast mail.

Mr. CHANDLER. I am speaking on the Senator's side——

Mr. BACON. I understand that.

Mr. CHANDLER. And I do not like to have him criticise me so much. [Laughter.] I call the attention of the Senator, however, to the fact that he must comprehend, even if he does live at Macon, that the object of these large special appropriations is to carry the mail rapidly over, so to speak, transcontinental lines, and while those trains do accommodate the communities along the lines, they do not reach out to the north and the south and the east and the west to all the other points that would be benefited if the fast mail was expedited clear to their homes. That is the purpose of it.

So, as we send the mail from New York with rapidity to Chicago without extra compensation, send it with great rapidity from Chicago to Omaha by concentration, and get a through mail across this continent by this means, the effort in connection with this other line is to start a mail from New York, adjacent to New England, and carry the mail by the routes I have spoken of on to New Orleans, on to Galveston, and on to Mexico. Incidentally the country to the right and the left gets the benefit of this mail service, even the Senator's own home. But it is not the object of the Department nor of Congress to expedite by these special payments the mail everywhere. It is only the through routes. Now, will the Senator not concede that I am right in the statement of the object of the Department?

Mr. BACON. Yes.

Mr. CHANDLER. Mr. President, that being so, I am in favor of continuing this special Southern service until it can be demonstrated that by the concentration of mails between New York and New Orleans upon some special route the same fast service can be obtained that is now obtained between Chicago and Omaha. When that is done, I then shall be in favor, with the chairman of the Post-Offices and Post-Roads Committee, of putting an end to this kind of expenditure.

The Senator from Colorado [Mr. WOLCOTT] knows that this subject is under investigation by the Postal Commission, of which he is a learned, honored, and energetic member, and the testimony before that commission is contradictory. It is not all one way. It may have convinced the Senator from Colorado that the time has come to discontinue this fast mail service, but it has not so convinced me.

It has not, I will say—and there is something in that—convinced the people of the Southern States who are benefited by this service. They are not convinced that the Department, by the concentration of mails and by competition between these various roads, can furnish as expeditious a transportation of the mails without a special appropriation as that which they obtain by the aid of this special appropriation.

Mr. President, I am not convinced of it. Possibly, after the Postal Commission, which has this whole subject under consideration, is able to make its report, all these special subsidies will be wiped out, but we have not yet been able to make so much progress that we can reduce the $30,000,000 appropriation that is paid to the railroads for carrying the mails or the $4,000,000 which is paid to the railroads for the use of the postal cars. I do not understand that the Committee on Appropriations has proposed any reduction whatever in the $30,000,000 or in the $4,000,000.

With all due deference to the chairman of the Post-Office Committee, who is also the chairman of the Postal Commission, I am in favor of making all these reforms that we are going to make, accomplishing all these economies that we are sure to accomplish when that commission makes its report—and as a member of the commission, I hope to take a humble part in bringing about economy as the result of that investigation. I am in favor of making them all at once, but not now, as at present advised. Having always voted in favor of these special mail facilities hitherto, I am not in favor to-day here and now of selecting this particular appropriation and wiping it out simply because in the judgment of the Second Assistant Postmaster-General he can secure sufficiently fast mail service without the aid of this special appropriation. I think there is great doubt whether he can do it; and so long as that doubt remains in my mind I shall vote for the special appropriation.

Mr. MORGAN. Mr. President, I have been voting for these appropriations for a number of years, in fact ever since the plan was first inaugurated, and I never have had occasion to regret any vote I have given in favor of this special mail service appropriation, because my conduct in that respect has been approved by a

great many people in the South—particularly, of course, by those of my own State, but in the South generally—not by the railroads, but by people interested in all kinds of business. They are deeply concerned about it; they feel that they are to be cut off from these privileges if this appropriation is stopped, of which they have enjoyed the advantage and which have really become a necessity to them in the transaction of their commercial affairs.

But a new factor has come into this subject, according to my conception, which I think the chairman of the Postal Commission will have to deal with, and I hope he will deal with it in a very spirited way when the subject is investigated and comes fairly before the commission, and that is our new relations with the island of Cuba. It seems to me if there is any one matter that is more needed now than another in the United States it is to have speedy communication between Washington City, to say the least of it, and Havana by railroad trains.

We can not expect the railroad companies to move up their trains at a large loss and a large expense to them, or speed at a very rapid rate unless they get some compensation for it. There is not enough business in the way of passenger traffic in the country to justify the railroads in running very speedy trains, because the population of the country is not so very thick, and more particularly for the reason stated here to-day, that there is no actual competition between most of these points. The line which has been hitherto subsidized in this way is a short line, and would naturally take the mail and the travel along with it; but these lines are not under our control, and competition is not strong enough in the South to enable us to force one railroad into competition with another, so as to secure a speedier movement of the trains.

So we must resort to this expedient, at least for a while, for the purpose of getting this service; but I think we shall hereafter, at least for a year or two or three years, be compelled to facilitate mail communication with Havana very greatly. Perhaps we are not doing enough in this bill in that direction. Certainly we can not afford now to have a slow mail between Havana and either Washington City or New York; and if you strike down this appropriation, the Government will be at the mercy of these railroads, and so will everybody else. They can lower their rates of travel to such an extent as to make communication very slow between these points. I think we had better take that into consideration while we are looking at this subject.

It strikes me now that that is the best reason I have ever heard. It certainly is the best one ever addressed to my mind for voting for this rather peculiar subsidy; but there are other places and other railroads also that are virtually subsidized. Whether it is done in the body of the act and by some distinctive appropriation or not makes no difference. The people of Alabama, for instance, and of the South generally, pay their equal portion of taxes upon their commerce and in the way of internal revenue and otherwise for the purpose of paying the debt made in transmitting the mail across this continent. I suppose if you take the actual cost of transmitting a letter from New York to San Francisco it will amount to a quarter of a dollar, but we must make up this contribution from the general taxation of the country, so that those people can get their mail at the same rate of postage we do and with the same degree of speed also. It is a matter of enormous concern to all the business interests of the United States that that should be the case.

When we come in and submit to taxation and pay our quota of the deficit that is caused by these irregularities of the ground over which we carry the mail, the distances through desolate countries, I think no complaint ought to be made about it if we insist upon this small sum for the purpose of enabling us to get from the railroads something like rapid transit for our mails.

So there is no injustice in it. It is not taking up the railroad companies and giving them extra money for doing what they otherwise would do, for otherwise they will not do it, and that is all about it. The service would drop back so that we would not get the benefit of it.

The PRESIDING OFFICER (Mr. FAULKNER in the chair). The question is on the amendment reported by the Committee on Appropriations.

Mr. TILLMAN. Mr. President, as a general proposition, I am opposed to subsidies of any and all kinds. But there are to my mind special reasons why this one may be an exception, and therefore two years ago, and I believe last year, when we had the appropriation bill for the Post-Office Department before the Senate, I voted for the subsidy for the Southern mail, and I do not know but that I had a few remarks to make upon the subject.

The matter has been very fully presented to the Senate; but there is one phase of it which has not been presented. The fast mail over the Southern Railway, running from Washington to New Orleans, goes through Charlotte, then through the northern part of South Carolina on to Atlanta. At Charlotte there is a prong of the Southern road which runs to Columbia and Augusta. On that branch road they run two fast mail trains in connection with this through train from here to New Orleans; and by reason of this fast mail from Washington, or from New York on through, I, at my home 550 miles from here, can get the New York papers the morning after they are published.

As one reason which influences me to vote for this subsidy, I will state that to my personal knowledge I have seen that fast mail train during the summer months, when travel slackens, pass Trenton, my home, with a mail coach, a first and second class passenger coach, and a sleeper, with no more than three passengers on the whole train. Undoubtedly but for the mail that train could not run. You might say, the stem reaching clear from here to New Orleans, like the main nerve down the backbone of a man, branching off at every town where there is a branch railroad, picking up the mail and sending it out, it benefits the people of probably ten, certainly eight States.

There are things in this Post-Office appropriation bill which I know are iniquitous and outrageous. We are paying, as I understand it, the same rates for carrying the mails by the railroads that we paid twenty years ago, when everything else was two or three times as costly as it is now, and yet we hold to the rate per pound that then existed.

The Postal Commission, which has this matter in charge and is investigating this whole subject, will no doubt give us the reasons why that has existed or why it should be abolished; but pending that report, which will come in some time, I shall vote for this subsidy on the principle that it is a very small thing, and it is the only thing in the bill that goes south.

The PRESIDING OFFICER. The question is on the adoption of the amendment.

Mr. MONEY. Permit me one word, Mr. President. I am reminded that the honorable Senator from Colorado [Mr. WOLCOTT] thought perhaps it would be difficult for an executive officer to refuse to spend money appropriated by Congress. That, however, has not been my experience. I recollect very well that there were two river and harbor bills under which there was never a cent paid out, and I recollect how, in the Forty-eighth Congress, the sum of $450,000 was appropriated for the purpose of enabling the Postmaster-General to make contracts with steamship lines to carry the mail to foreign ports, and I recollect the Postmaster-General never did spend a cent of that money. I find that the Departments are quite willing to withhold an expenditure when they do not think it is proper, and are willing to take all the responsibility which can accrue from such action. I do not think there will be any trouble on that score.

But I want to say now, for the purpose of disabusing the mind of the Senate upon one point, that the people of the South who are asking for this appropriation—at the same time the railroads want it, as a matter of course—want it because it happens to help them. One railroad line rejected it after enjoying it for several years, because it did not pay that line to continue the service; but we have no assurance, nor has the Post-Office Department any assurance, that this expedited mail will continue a single week or a day after this extra pay shall be withdrawn.

Mr. BATE. Mr. President, I regret I was not in the Chamber when the Senator in charge of the bill made his remarks. I desire to ask the Senator from Colorado [Mr. WOLCOTT], if he will give me his attention, whether the Postmaster-General approves of this appropriation or not? Does he or not say that he can get along without it?

Mr. WOLCOTT. He says he can get along a great deal better without it; that it not only does not facilitate the mail service, but has a distinctly disastrous and unfortunate effect upon every other railroad having lines running between New York and New Orleans.

Mr. BATE. Then, for that reason, if for no other, I should feel disposed to vote against the amendment.

It would be gratifying to me to be able to comply with the request of some of my constituents, especially organized boards of trade, chambers of commerce, cotton exchanges, etc., that have petitioned my colleague and myself to vote for this identical appropriation, but I regard it as a subsidy, and can not consistently do so. I am not in the habit of voting for subsidies, and I can not consistently vote for this proposition. Indeed, Mr. President, I have heretofore voted against this same proposition and propose to do so again, and I do it upon principle. I should like to gratify those constituents who ask my support for it, but I can not do it in this instance at the expense of principle.

Mr. SULLIVAN. Will the Senator allow me?

Mr. BATE. Certainly.

Mr. SULLIVAN. I want to state that the telegrams which I read here in my remarks a while ago distinctly show that one of the strong points against the contention of the Post-Office Department was that this service can not be had, as confessed by the Department itself, without this subsidy, nor anything as good, and that this fast service would be lost to our people without it.

Mr. BATE. I think, Mr. President, that any subsidization given ought to be given to the weaker roads, and not to the strong and powerful ones who need no such aid.

I am informed by the Senator from Colorado that the Postmaster-General says he can get along better without this appropriation than with it, and in that view of it I feel it to be my duty to give due weight to his opinion. He is at the head of the Post-Office Department. He manages all the machinery of his Department, and he understands its minutiæ. He knows when the mails go and come, how much they cost, and how much they ought to cost; and if he does not, who does? We ought to be guided, to some extent at least, by his opinion, and he says he can do without this appropriation.

I am sorry that I did not have the pleasure of hearing what was said by my friend the Senator from Mississippi in this regard.

Mr. SULLIVAN. Will the Senator permit me now?

Mr. BATE. Yes.

Mr. SULLIVAN. When I applied to the Postmaster-General about this particular matter, he referred me to the Second Assistant Postmaster-General as being specially in charge of it, he having charge of that branch of the mail service, and the Postmaster-General himself having no knowledge whatever on the subject. When I went to the Second Assistant Postmaster-General, that is the information I got. It is direct. It is explicit. There is not a matter of doubt about what he does say.

Mr. BATE. Furthermore, Mr. President, this appropriation makes an invidious distinction, and I do not believe in that. If we are going to give subsidies at all, let us give them all around; let each road have a chance. It is said this benefits the South. I am a Southern man. It does go through a part of the territory which I have the honor in part to represent on this floor. Nevertheless, from my standpoint, it is in violation of a principle by which I am guided in such matters. I look upon it as a subsidy, and I see no difference in voting for a subsidy of this kind and in voting for one to a steamship line, a factory, or anything else.

I was a little amused at the statement of the Senator from New Hampshire [Mr. CHANDLER] and his argument in regard to this contention. It has been but three or four days since I heard the Senator from New Hampshire make a strong and to me an exceedingly interesting argument in this Chamber against monopolies. Yet the whole purport and force of his argument now in this behalf is to give to one road all the bonus, to make a monopoly of this one by uniting, as in the one from Chicago to Omaha, all the contributions for this service. I do not think it is consistent with the course he has taken heretofore. I repeat, I have recently listened to him twice upon this floor with a great deal of interest, and I heard his speech touching monopolies the other day. It seems to me he is now going back on that conviction of his. I am sorry to part company with him in so good a cause.

Mr. CHANDLER. Will the Senator from Tennessee tolerate an interruption?

Mr. BATE. Certainly.

Mr. CHANDLER. I do not regard the question of the concentration of the mails upon one of two or three particular lines, in order to get rapid service, to be exactly the creation of a monopoly. The Senator may call it such if he pleases. What I want to call his attention to is that the term "subsidy" as applied to these payments is not a correct word, if the word is used in any offensive or opprobrious sense.

These railroads all get a certain amount of pay, and this clause in the bill simply authorizes the Postmaster-General to increase that pay over particular routes. A subsidy is something that is given for no service. A subsidy that is subject to criticism, and to which the Senator's anathemas are so often directed, is something that is paid for no particular thing, but just to stimulate the business.

In this case, although these appropriations are sometimes called subsidies, the fact is, it is nothing more than an authority to the Postmaster-General to increase the compensation for fast service over particular lines. I beg to assure my friend the Senator from Tennessee that while I stand just as strongly as ever with him in opposition to wicked and horrid monopoly, this is not a subsidy or a monopoly in any such offensive sense as he and I mutually understand the word.

Mr. BATE. It may not be in that offensive sense, Mr. President, but all the same it is subsidy.

Mr. TILLMAN. Mr. President——

The PRESIDING OFFICER. Does the Senator from Tennessee yield to the Senator from South Carolina?

Mr. TILLMAN. Right along the same line.

Mr. BATE. I am along the same line myself, but I yield to the Senator.

Mr. TILLMAN. I wish to call the attention of the Senator from Tennessee to the language of the amendment. It says for "necessary and special facilities." In other words, under the ordinary contract the trains would run just as it best suited the railroads to run them, but under this language they will run according to a schedule fixed by the Post-Office Department. Secondly, it is "on trunk lines" and not a trunk line. Therefore there is no limitation as to the line which the Postmaster-General may select. It says no part of the appropriation made by this paragraph "shall be expended unless the Postmaster-General shall deem such expenditure necessary."

Mr. BATE. The Postmaster-General says emphatically that he does not deem it necessary. Now, the Congress proposes to give this sum additional to what the Postmaster-General says is necessary, and if that is not a subsidy, I do not know what a subsidy is. It is in the strictest sense a subsidy, and it can not be considered anything else.

Here is a contract made by the Postmaster-General, under the authority of law, with these transportation companies, for the transportation of mail over these mail routes. After they are compensated and get all that has been agreed to be paid them by the Government, and they accept it for that particular service, they—these contractors—come along and want an additional amount paid them, not necessary at all; not a part of the original contract in which they agreed to carry it for that amount to the points named. Having agreed to do so, all that the Government gives beyond that is a subsidiary amount.

Yes; I insist that all given beyond that is a subsidy, and it can not be called anything else. If you subsidize one, why not another? Let us have equality and justice about these gratuities. Although this line in question runs through my country, and I should like to see it reap the benefit of this, and I should also like to comply with the requests of some of my constituents who favor it, yet I can not give my vote for that which I regard as a subsidy; and if this is not a subsidy, I do not know what a subsidy is.

I did not seek, Mr. President, to interfere with this matter, except to give my views about it, for I made no motion touching it. I think, according to the statement made by the Postmaster-General, that the mail is not facilitated or will not be by the use of this additional amount of money, $171,000, in this instance. This amendment should be left as it came from the House.

The railroads which transport this mail are anxious to get this fund. It puts something in their pockets, it is true, but there are other inducements outside this which cause them to run their trains rapidly and to deliver the mail promptly. It is the spirit of competition in passenger travel and in the transportation of freight. That is the strong inducement. That is the spur behind which moves them to a rapid stride. This is merely a gratuity given them for the purpose, as they say, to facilitate the mail, while, in fact, the Postmaster-General tells us it does not facilitate it one hour.

Mr. WOLCOTT. I wish to fortify what the Senator from Tennessee has just said by a statement which he may desire to have inserted in his remarks. Lest somebody might gather the impression that this is to help out the Southern Railroad—which gets most of the money for this service—from a position which is grossly unfair to it, it may interest the Senator to know that the Southern Railroad draws from the Government of the United States for the transportation of the mail more than $1,000,000.

Mr. BATE. This same route?

Mr. WOLCOTT. This same road.

Mr. MONEY. How many thousand miles of road does this company operate?

Mr. WOLCOTT. I do not know.

Mr. BATE. That is immaterial. They get that much, and it is satisfactory to them, and having estimated what it will cost them and what they will deliver the mail for they have agreed to deliver it for this amount. They are apt to look to their own interests, and having agreed to it I want to hold them to the bargain and not give them unnecessarily an additional amount out of the taxes of the people.

Mr. CLAY. Mr. President, representing a part of the State of Georgia, I desire merely to corroborate fully what my colleague has said in regard to this appropriation. I am not here for the purpose of speaking in behalf of any railroad, but simply to say a few words in behalf of the business interests of my State. A similar appropriation has existed for about six years, and previous to that time the mail leaving New York in the morning would not reach Atlanta until the next night. Now mail leaving New York in the morning will reach the city of Atlanta at 5 o'clock the next morning. Consequently if this fast mail service is taken off we will lose virtually about twenty or twenty-four hours. A similar appropriation has been in existence for about six years and has given entire satisfaction to the business interests of my section of the country.

Now, I desire to state that a similar appropriation has been considered heretofore by both branches of Congress—by the Committee on the Post-Office and Post-Roads in the House and by the Committee on Appropriations in the Senate—and has always received favorable consideration. The appropriation now pending here received favorable consideration before the House committee; it has received favorable consideration before the Appropriations Committee in the Senate; and I feel to-day that if this is to be stricken down, serious damage will be done to my section of the country.

I do not regard it as a subsidy. I generally agree with my

friend the Senator from the great State of Tennessee [Mr. BATE], but this is simply to enable this railroad to put on its line a fast train which will reach the different sections of our country and deliver the mail promptly. If the appropriation is defeated in this instance, it simply means that this fast train will be taken off and hereafter our mail will be delivered from twenty to twenty-four hours later. I feel to-day that to strike it down would be striking a serious blow at the business interests of my own section. In voting for the amendment, I simply vote to pay a railroad to provide fast mail facilities for the benefit of my section of the country, and in casting my vote in favor of it, I do not feel that I am simply casting a vote in favor of establishing a monopoly. I sincerely hope the amendment will not be stricken down.

Mr. COCKRELL. Mr. President, I hope this amendment will be retained. This will be the last Post-Office appropriation bill which will come before the Committee on Appropriations of the Senate. In the next Congress the Post-Office appropriation bill will go to the committee of which the distinguished Senator from Colorado [Mr. WOLCOTT] is the chairman, and they will then have entire jurisdiction and ample time for the investigation of this question in all its bearings. These appropriations have heretofore been made. This is only a continuation of what now exists and has heretofore existed, and I hope it will be retained until the Committee on Post-Offices and Post-Roads, who claim that they are thoroughly informed in this matter, may have ample time to consider it. The question of the compensation of the railroads of the country for carrying the mails is a very abstruse one. It is exceedingly difficult to comprehend it in all its relations and bearings. A great deal of evidence has been taken and investigations have been made, but Congress has not yet had the time and the opportunity of sifting those reports and investigations and coming to a satisfactory conclusion.

I know that the word "subsidy" is not attractive, particularly to my good friend the Senator from Tennessee [Mr. BATE], but in the pending bill, just above this item, is an appropriation of $5,025,000 for inland mail transportation, for star-route service. Now, a star route is established from one point to another, say 30 miles distant. It is advertised that the mail is to be carried twice a week, and the lowest bidder gets the contract. Then the business interests along the route demand that the mail service shall be increased to three times a week; it is accordingly done, and the contractor under his bond has to carry it. He gets increased pay for it, for expediting—what my good friend the Senator from Tennessee would call a subsidy.

Mr. BATE. Will the Senator from Missouri pardon me for a moment? I would say that is a change of contract, a new contract altogether. That is what it is.

Mr. COCKRELL. We will see about that.

Mr. BATE. That is the way I should put it.

Mr. COCKRELL. Then the star route is increased to a daily mail, and the mail contractor has to carry the mail, and his pay is increased. Now, then, let us see. You take the points as to which the fast mail service applies. The mails are carried there, and will be carried there if no extra appropriation is made; but how? They will be how many hours behind in Alabama; how many hours behind in Georgia; how many hours behind in Kansas? In order to expedite the delivery of the mail at a faster rate than the contract specifies, we give increased pay, and we change the contract with the railroad just as much as you change the contract with the star-route contractor. You can not get around it, Mr. President. You are not subsidizing the railroads any more than you are subsidizing the star-route contractor for increased or expedited service.

There is advantage in this increased service. As a matter of course, it does not spread throughout the whole length and breadth of the land, but increased service is made here, is made there, and finally the saving in time comes together, and the delivery of the mail is hastened from one end of the land to the other. I see no objection to this provision. It is not a gratuity. It is increased compensation for increased service. As a matter of course, if you had not expedited the service on this road from a weekly mail, the mail would have been carried weekly. From one point to another the mail would have been carried, but it would have been carried once a week.

Now you have it carried twice and three times a week and you are paying increased compensation. That is a subsidy, according to the Senator from Tennessee. I say it is increased compensation for increased service. It is brought to a daily mail. Now, the same mail that is carried under that daily contract would have been carried under the weekly contract. It would not have cost nearly so much. The same mail that will be delivered on this fast train would be carried. There is no doubt about that, but it would be carried under the existing contract, and there would be delays in its transmission. That is all. I hope the amendment will be agreed to.

Mr. LODGE. Mr. President, the word "subsidy" is not one which disturbs me at all. I have no objection to giving a subsidy where I think it is going to promote the commerce of the United States or where I think it will help and benefit the business of the people of the United States, but I can see no reason why we should make gifts to special railroads; and this is nothing but a gift to a certain road. It is idle to say that we can not get the fast mail service unless we give this particular road additional money.

At this very moment there are two great railroads in the West competing at great expense and making every effort to save a couple of hours in order that one or the other may retain the mail service at the regular compensation paid. We pay very largely—a great deal too much, many people think—for the regular work of carrying the mails, and for that regular compensation we can secure and compel fast mail in every part of this country. That is admitted by the statement of the officials of the Post-Office Department. They do not want to spend this money. They do not want to have it forced upon them. They can secure every bit of this fast service perfectly well without giving any special railroad this additional amount of money.

This fast mail service formerly extended into New England. It came to a point in my State, Springfield, and there was then the same theory put forward that it was of immense benefit and that it expedited our mails. It has been taken away from New England and I have yet to hear a single complaint that our mails are not transported so rapidly as they were in the days when the subsidy was given.

It seems to me, Mr. President, we ought to stop the whole business of inland subsidies to railroads which do not need them.

The railroads are paid now very, very well, indeed, for every pound of mail they carry, and the Department can compel them to carry on fast time and in ways suitable to the business demands of the country. If we begin and go on with this system; if we are to give the Southern Railroad $150,000, where are you going to stop? In this very bill I find a new addition; that we are to give $25,000 to a bit of railroad running between Kansas City and Newton, Kans. Why should that bit of road be picked out to receive a special subsidy or a special gift or increased compensation?

Mr. COCKRELL. Does the Senator from Massachusetts say that the Kansas item is a new one?

Mr. LODGE. I did not say it is a new thing. I said it is an addition.

Mr. SULLIVAN. Will the Senator from Massachusetts permit me? Does he mean to say that anything like the same service can be had throughout this whole section without the subsidy as with it?

Mr. LODGE. Absolutely. I have not any question of it whatever, and I believe the Department will tell the Senator so, if he will inquire.

Mr. SULLIVAN. I have a statement from the Department on the subject. I desired to know what the fact is. In answer to the direct question made by me, with a full knowledge on their part that this matter was coming up, they said they could not say that we could get the same service.

Mr. WOLCOTT. If I do not interrupt the Senator from Massachusetts, I will state that the testimony of the Second Assistant Postmaster-General was given very recently, in which he says that he has no doubt that identically as fast time can be secured without any subsidy.

Mr. LODGE. You can get the fastest service by giving the contract to some other railroad, and then the railroad that got the subsidy——

Mr. PETTUS. Will the Senator from Massachusetts yield to me?

Mr. LODGE. Certainly.

Mr. PETTUS. Is not the Senator mistaken when he says this is a new thing added to the pending bill?

Mr. LODGE. I know it is not a new thing. We have had this fight year after year.

Mr. PETTUS. I am speaking of the Missouri matter. The Senator said that is a new item.

Mr. LODGE. It certainly has been added to the bill.

Mr. CULLOM. It has been the law for several years.

Mr. PETTUS. It has been in the Post-Office appropriation bill for years and years.

Mr. LODGE. I know; but I meant it is a new thing as being an addition to the pending bill. That is an example of what will come.

Now, Kansas City and Newton, Kans., are no doubt two very important points. I do not question that at all. I know Kansas City is a large and flourishing city. I know less about Newton, Kans., but if they are to have a subsidy for that bit of road, why should we not subsidize the railroads between New York and Chicago and between New York and Boston? Those are larger and more important points. If we are to pick out a bit of railroad here and give it a subsidy, we have got to go on and do it sooner or later to every bit of railroad all over the country, wherever there happens to be somebody particularly interested in having a fast mail. I think the action of the House in striking at the very

root of this business of inland subsidies to railroads that do not need them and that can carry the mails and give us the best service on their present compensation is proper. If the subsidy system is continued, it will lead to an enormous extension of the same practice—an extension of what the Senator from Missouri calls increased compensation. Very well.

Does not everybody admit that the railroads are now paid for carrying the mails more than they ought to receive, and are we to begin in this way a system of increased compensation all over the country? Just as certainly as we continue to give it in one place, we shall be called upon to give it in another. If a railroad in the Southern country asks for it, and we insist that that railroad shall have it, there is no reason why the Boston and Maine and the New York, New Haven and Hartford should not get increased compensation; and so on all over the country. If the railroads are paid enough for carrying the mails, as I believe they are, and if we can get the best service for what they are now paid, as I fully believe, then there ought to be no increased compensation given on any excuse whatever. I think, as the House has left this out, we can not do better than to follow that very excellent example.

Mr. BATE. Mr. President, just a word in reply to what my friend the Senator from Missouri [Mr. COCKRELL] stated in regard to this being increased compensation. I think it will be found, if we will examine the mode of operation in the Post-Office Department, that every time they change from a weekly to a triweekly or to a daily mail on any of these star routes they make a new contract, and not only so, but require new sureties on the bond and a new bond. Therefore it can not be called increased compensation, as suggested by him, but is a subsidy.

One more word, if you please. Mr. President, the mainspring of the rapid delivery of mail in this country is competition between railroads. You take New Orleans, which is affected by this route. There are three different roads going there, carrying the mails from the same points; and that is the objective point in the South. They go in competition with each other. They run rapidly, and more rapidly in order to secure the passengers and not to deliver the mails. This is merely money thrown in as a subsidy, and nothing else. It helps them that much, and does nothing else, except it takes the money from one man's pocket to put it in the pocket of another.

Mr. PETTIGREW. Mr. President, I wish to call the attention of the Senate to a very few facts in this connection in regard to the fast mail service from Kansas City to Newton, Kans. We pay $25,000 on this route for the purpose of delaying the Western mail two hours and fifteen minutes. The regular train now leaves Kansas City at 10.30 p. m., and it arrives at Newton the next morning at 6.15. But one train a day runs south from there to Oklahoma and southwestern Kansas. The fast mail leaves Kansas City at 2 o'clock in the morning and arrives in Newton at 8.30 the next morning. Of course every one is well aware that there is no mail collected after 10 o'clock at night. The business houses are closed; the mail is made up; and therefore there can be no possible argument in favor of this appropriation on the ground that it will facilitate the business interests of Kansas City. The trains at Newton, before the fast mail was put on, used to connect with the regular train at 6.15 going to Wichita and Oklahoma.

Now, since the fast train was put on they delay the trains on all branch roads two hours for the fast mail to get in, thus delaying the mails throughout that entire country two hours and fifteen minutes. The only purpose of this appropriation, as near as I can ascertain, is to accommodate two Kansas City morning papers which are published at half past 12 in the morning. They are able to get down into this country and compete with the local papers as to all news received by the newspapers previous to half past 12. But as to what may occur between half past 12 and 3 o'clock the Kansas City papers, of course, do not furnish the news. Therefore, the Government of the United States, in this instance, is paying $25,000 a year for no other purpose under heaven than to enable the Kansas City papers to compete with the Wichita and Oklahoma local newspapers. It serves no purpose under the sun except to promote the interests of these two papers and take money out of the Treasury of the United States.

It seems to me this is the most unjustifiable and ridiculous proposition that ever appeared in an appropriation bill. I think it can be stated without chance of contradiction that the result of this fast mail is to delay about three hours the delivery of mails throughout western Kansas, Oklahoma, western Texas, western Indian Territory. It enables the Kansas City Journal and Times to compete successfully with the Wichita Eagle and Guthrie State Citizen in southwestern Kansas and Oklahoma Territory. Now, if there is any other reason for this fast mail, which delays all the mail except these newspapers from two to three hours, I have been unable to discover it. If the Southern mail is to continue to have a subsidy, is it not a precedent which is liable to be followed as to all the railroads in this country?

In the first place, under this bill we appropriate for railroad transportation and for the use of railway mail cars nearly $38,000,000. It costs the Government of the United States to move a ton of mail 100 miles $40. It costs the people of this country to move a ton of freight 100 miles 83 cents. It costs fifty times as much per pound to carry the mails over the railroads of the country as it does to carry freight. It costs twice as much per pound to carry the mail as it does to carry passengers. If the passengers weigh on an average 150 pounds each, we pay twice as much for carrying mails per pound as it costs the people of this country to travel upon railroad trains. Yet passengers have special facilities, dining cars, baggage cars, sleeping cars. All that is thrown in; and yet the Government of the United States pays the railroads 100 per cent more than the people themselves pay per pound for traveling.

In addition to this, it is proposed to add to these subsidies in order to facilitate the mail until we have carried it to such an absurd degree that we are paying out $38,000,000, a sum of money large enough to run the greatest State government in the Union, a sum of money so astonishing that it is well worth the attention of the Senate and the people of this country.

It seems to me that the Senate can not afford to insist upon giving bonuses to facilitate the mails in the way of subsidies in the face of this enormous gratuity now contributed to the railroads of the United States.

Mr. CARTER. Mr. President, I think Congress very appropriately appointed during the last session a commission to inquire into the general situation of the mail-contract system. The cost of carrying the mails, the cost of expediting the mails, the propriety of attempting to conduct the mails in the large cities through tubes, indeed all aspects of the case germane to this general subject, were intrusted to this commission for investigation.

It may be true, as the Senator from South Dakota asserts, that it costs the Government more to carry a hundred pounds of mail than it costs a passenger weighing 100 pounds to travel the same distance. However, there are many qualifying conditions connected with the transportation of the mails. The railroad companies, as a rule, are paid by the pound. I know of cases in the Western country where mail cars are run over lines of road at all seasons of the year carrying a very trifling number of pounds of mail; I know of cases where, according to the pound-rate compensation accorded the roads, cars are carried hundreds of miles for less than the number of cents represented by the miles. It is my opinion that a readjustment is necessary for the purpose of securing fair and adequate compensation to the roads extending through sparsely settled sections of the country.

Mr. PETTIGREW. Will the Senator from Montana allow me to interrupt him?

Mr. CARTER. Certainly.

Mr. PETTIGREW. In the case of the Southern Railroad to which this bonus is given their compensation is over a thousand dollars per mile per year for carrying the mails, besides the bonus.

Mr. CARTER. I accept the suggestion of the Senator from South Dakota as a very pertinent piece of information at this time.

Mr. BACON. Will the Senator from Montana pardon me a moment? I do not know that I understand the Senator from South Dakota correctly in his mathematics.

Mr. PETTIGREW. I said that without this subsidy the railroad receives over a thousand dollars per mile per annum for carrying the mails.

Mr. BACON. Oh, I understood the Senator to say that this particular item gives the road that amount.

Mr. CARTER. Mr. President, it occurs to me that the commission appointed to investigate this matter will, as a part of its general report, submit to Congress and the country some equitable basis of adjustment whereby the roads now receiving an inadequate compensation will receive a compensation reasonably adequate, while those roads that are receiving excessive compensation in proportion to mileage and tonnage will be reduced in the amount received.

I am not prepared at this time to say what the report of that commission will be, neither in general nor as to any details; but I submit to the Senate that, prior to receiving the report and its consideration by the Senate, it seems premature and inopportune to depart from the lines that have been deemed wise and prudent and justified by the circumstances in the past.

It is barely possible that the amount allowed for expediting the mail to the South is in excess of the actual requirements of the situation, but for many years past this appropriation has been regularly made. It may be possible that the expediting of the mail to the westward from Kansas City ought to be discontinued in so far as allowance of an extra sum is concerned. I should advise going into the question of justice and expenditure at this time if we were not upon the eve of a report from a very high-class commission appointed by Congress to consider the question. I do not believe it wise and proper to forestall by any action at this session what it may seem wise and proper for that commission to recommend. Since it has been deemed proper for five or

six or ten years past to allow to the people of the South and the Southwestern part of the country this bonus for the expediting of the mails from New York to New Orleans, we should continue it at the present session, because we may get information that will allow us to reduce it or to equalize conditions in the near future.

Mr. CULLOM. May I ask the Senator from Montana a question?

Mr. CARTER. Certainly.

Mr. CULLOM. I find in the present law, as well as in the pending bill, the following provision:

Provided, That no part of the appropriation made by this paragraph shall be expended unless the Postmaster-General shall deem such expenditure necessary in order to promote the interest of the postal service.

I inquire of the Senator if he knows whether the appropriation made last year, or any part of it, has been used by the Postmaster-General in furthering the postal service under that provision which gives him discretion to do what he thinks best?

Mr. WOLCOTT. May I answer the Senator from Illinois?

Mr. CARTER. I yield to the Senator from Colorado.

Mr. WOLCOTT. I will answer the Senator from Illinois from the testimony in the language of the Assistant Postmaster-General, having charge of the business. He was asked by Mr. MOODY:

Is not the matter discretionary with the Department, even after Congress makes the appropriation?

Answer. Well, the Department would have the power to withhold it; but having recommended to Congress the advisability of withholding it, the Department is bound to assume that Congress desires the appropriation to be expended, so long as it is made.

That is an unanswerable reply, it seems to me.

Mr. CULLOM. I desire to ascertain whether there is any information on that subject.

Mr. QUAY. In reply to the Senator from Illinois, I desire to say that it is my understanding that the subsidy provided for in the appropriation act of last year has been or is being disbursed. In order that the Senate might vote intelligently upon that and several other kindred questions in the bill, I asked the Post-Office Department to furnish me with an itemized statement of the amounts paid during the past year to railroads, but I was unable to receive it to-day. I will probably have it before the consideration of the bill is concluded, so that the Senate will understand exactly what the Department is doing. It has not yet been received.

Mr. CULLOM. In view of the discretion which seems to exist in the provision of the law, I thought it a pertinent inquiry to ascertain whether the appropriation or any part of it had been used. If it had been used, I wished to inquire why the Postmaster-General did not exercise the discretion given him if the appropriation was not necessary.

Mr. QUAY. The discretion naturally has always been exercised, and always in favor of the appropriation.

Mr. CARTER. Mr. President, the answer of the Assistant Postmaster-General may be considered as conclusive from one view of the case, but it does not dispense with the clear lodgment of a discretion in the executive department of the Government to save this money to the Government if the condition of the service can be maintained as good without the expenditure. I should think it would be wise for Congress to await the report which will emanate from the commission which is making a thorough investigation of this matter.

In so far as the subsidy for the southwestern mail is concerned, I assume that the Post-Office Department can, if in its judgment that appropriation need not be used, refuse to use it for the purpose of expediting the mails. I assume that the same rule applies to the mail westward from Kansas City.

Mr. CULLOM. This provision has been in the appropriation acts——

Mr. CARTER. Continuously, I understand.

Mr. CULLOM. The one mainly under consideration has been in for many years. The other one for the last two years, perhaps.

Mr. WOLCOTT. For six years.

Mr. CULLOM. The last one for six years?

Mr. WOLCOTT. No, the first one.

Mr. CULLOM. Yes, for six years. If the Senator from Montana will allow me, I will state that I remember when I myself had, as chairman of the subcommittee, charge of this bill some years ago I thought that the provision ought not to remain in the bill and undertook to get rid of it. It is my recollection that I carried the striking out of the provision by a majority of the Senate at first, but afterwards the Senate reconsidered its action and the appropriation went in again, and it has been placed in the Post-Office appropriation act ever since.

Now, the query has been in my mind, if the Postmaster-General, whoever he may be, from year to year has felt that the appropriation ought not to be made, as he is given in each case the discretion to use it or not as in his judgment may seem to him proper, he ought to refuse to use it under the provision of the statute when he does not think it is necessary to be made.

Mr. CARTER. Mr. President, upon general principles the two items here under consideration constitute but a drop in the bucket compared with the vast expenditure of money for carrying the mails over the railroads of the country. The elimination of these two items from the appropriation bill will be but making dual bites of a cherry. The fact is that before proceeding intelligently to act upon this subject we need the information which we have requested this commission to acquire and furnish to the Senate. The saving of the small amount required west of Kansas City and from New York to New Orleans will cut but little figure in the $34,000,000 being paid out to the railroads for the transportation of the mails. Let the reform, if reform is to be inaugurated, retrenchment, if retrenchment is to be inaugurated, work all along the line, Mr. President. I think the matter may be well left as it is until such time as adequate and full information shall have been received.

Mr. WOLCOTT. Mr. President, there are a few words more that I think ought to be said on this subject.

First, answering the suggestion which has been made here several times that this appropriation is protected by a provision that the Postmaster-General need not utilize it unless he believes it is for the advantage of the public service, you have only to consider the absurdity of the position we put him in to see how ridiculous it is to expect him to exercise any discretion. At the opening of Congress he invariably comes to us and tells us it is a perfectly useless appropriation and ought not to be continued; that it is bad for the service, and he does not need it. Whereupon Congress, singling out this particular railroad, appropriates the money, and then says to the Postmaster-General, "You need not use it unless you think it is necessary." The Postmaster-General says, "I have already said it is not necessary. I have exercised my discretion. Congress, by making the appropriation, has overruled my judgment and practically directed me to appropriate the money."

Mr. President, there is only one thing that you must do in considering this matter to consider it fairly. You must disabuse your mind of the slightest conception that there is anything sectional about it. The word "South" is in it, but that is all. There is not a member of the Senate or a man in the United States who would sooner vote for an appropriation for anything that would help the Southern interests than I. It is not a Southern question at all. It is not a sectional question at all. When the bill had "New England" in it, New England Senators used to feel that they had to vote for it because New England was in it. Now, a great many Senators from Southern States think because the word "South" is in it they have all got to vote for it. It does not affect the South at all. It does not practically help a blessed one of them in getting a single letter an hour sooner than he would get it if there was no such subsidy, and practically I do not believe they get as good service as they would if there were no subsidy and if this matter were left to the determination of the Postmaster-General alone.

I suppose Senators know that this whole appropriation had its origin in a desire to facilitate the mails to Cuba. The senior Senator from Alabama [Mr. MORGAN], who is not here now, called attention to the new relation which we had established with Cuba as a reason why we should have this kind of an appropriation for Southern mail. That is the way it started. But the other railroads that did not go down toward the Cuban connection were a little more powerful than the roads which carried this mail. So they lifted it bodily up and diverted it from being a mail to Cuba and put it over and planted it down as a fast mail to New Orleans.

Mr. MONEY. Will the Senator from Colorado permit me right there?

Mr. WOLCOTT. Certainly.

Mr. MONEY. As a matter of fact, the Seaboard Air Line, that had enjoyed the subsidy, rejected it upon the ground that they did not care to carry the mail.

Mr. WOLCOTT. I reply to the Senator from Mississippi that I am following the sworn testimony of Post-Office officials when I make this statement. This railroad influence was so big that they gobbled up the whole business and took it over to New Orleans.

Now, let us see what they did. In the first place, assume that it was a legitimate thing to do. It is not legitimate, Mr. President, if the way we are doing business with every other railroad in the country is legitimate. The way we get fast mails now to through points is by bunching the mail on some one road and getting them to give special facilities, and they hurry the business through. If the Post-Office Department should take the through mail which has its origin in New York and points north and east of New York, and has its destination at New Orleans and points west and south of New Orleans, and send them over one road, they could do it very much quicker and very much cheaper than they are sending them by this service.

This is simply an extra and supernumerary service on top of millions of dollars that are paid Southern railroads, exactly as every other railroad in the country is paid. Our contention is, first, that the principle is all wrong, and this is the sole relic that

is left of the inland subsidies; and the other contention is that it does not help the people for whom it is intended.

The Postmaster-General makes one statement that we all ought to consider. He says it destroys the morale of mail letting. He goes to these other roads and says, "We want you to facilitate this mail; we want you to have a fast mail train to go to a certain point in the country." For instance, he goes to the Chesapeake and Ohio, or to the Pennsylvania, or the Louisville and Nashville, and he says, "You ought to take the mail and improve the service by a mail day to certain Southern and Western points."

They sit back and say, "How is it that you are giving $190,000 to the Southern Railroad and its connections for no better service than you are demanding we shall perform? We can do the service in the same time, or a quicker time, but you are subsidizing a railroad here, and the public gets no benefit from it. Give us the same subsidy." It makes discontent and dissatisfaction with every other railroad in the land that is now carrying mail.

Let us see what it does for us. This mail on its Southern trip is known as train 35. It leaves New York at 4 o'clock and 20 minutes in the morning. Everybody knows that very few of us hear the chimes at midnight. We all get our letters written and mailed before 12 o'clock at night. Nobody sits up and mails a letter between 12 o'clock and 4 o'clock in the morning. The business of the world is transacted by daylight and early in the evening.

This train leaves New York at 4.20 a. m. Here it is. The value of special-facilities train 35—that is, this train that gets $190,000, leaving New York at 4.20 in the morning—has been lessened somewhat by the establishment of the early newspaper train out of New York, No. 77, which leaves at 2.10 a. m., two hours before, but long after all the letters of the day before have been written and mailed, and takes the bulk of the New York papers. It arrives in Washington at 7 o'clock and 30 minutes in the morning, in time to connect with train No. 9—not a subsidized train—on the Southern Railroad, leaving at 8.12 a. m., which carries a postal car to Danville, Va., and pouches ahead to points between Danville and Charlotte, N. C., by closed mails.

This train arrives at Charlotte at 9.35 p. m., twenty-five minutes ahead of special-mail-facilities train 35. That is, from the city of New York as far south as the city of Charlotte, N. C., this fast mail for which we pay $190,000 does not carry a single letter unless that letter happens to be mailed between 1 o'clock and 3 o'clock in the morning; otherwise it all goes by the unsubsidized mail and gets to Charlotte twenty-five minutes ahead of this special subsidized train. This train arrives at Charlotte at 9.35 p. m., twenty-five minutes ahead of the special-facilities train 35. Train 23, leaving New York at 9 p. m., takes the bulk of the business mail.

Most letters, as we all know, are written and mailed before 6 o'clock p. m. When you walk through lower Broadway the wholesale houses and banks have their shutters closed and lights out at 6 o'clock; the business of the day is done. The letters are mailed. Those letters come here on the 9 o'clock train from New York, reaching Washington at 4 o'clock and 5 minutes a. m. This train, however, has no direct connection over the Southern road to the South. Another train leaves New York with express mail at 12.15 a. m., reaching Washington at 7.40 a. m. You will see, therefore, that these three trains leave but little New York mail for the special-facilities train 35, leaving New York at 4.20 a. m. There is not a single letter, unless in some sporadic and unusual instance, that ever is brought by that mail from New York destined to Charlotte or points north of it. It does get, however, the entire New England mail, leaving Boston, Mass., at 7 p. m.; but the earlier New England mail reaches New York in time for the earlier trains.

Now, Mr. President, as for train 37, leaving New York at 4.30 p. m., we have a train leaving New York at 3.30 p. m., arriving in Washington at 8.35, as against 10.20 p. m., the arrival of train 37 (train 63 from New York). This 3.30 train could, of course, take the bulk of the New York mail forwarded on train 37, and its running time is forty-five minutes less. South of Washington there is but one through train at night, and that is train 37.

Now, Mr. President, I want to go on and show you what happens when the train gets to New Orleans. No mail is opened up to Charlotte, not a letter is delivered after this train gets to New Orleans at 8.10 at night, and I am told it is usually late. It reaches the city at 8.10, and the mail is not distributed until long after it arrives, later than any carrier distribution permits it to be distributed, and there is no delivery of the letters in the city of New Orleans, where for this fast mail we pay $190,000, but the unsubsidized train, the train for the service of which we pay a million dollars, which arrives at New Orleans at 7.40 the next morning, before these New Orleans business men and bankers arrive at their offices the mail from that unsubsidized train which has left New York has been distributed and is upon their tables.

There is no gain from this so-called fast service. It may be that there is, as was stated by the junior Senator from Georgia [Mr. CLAY], a certain gain as to delivery in certain intermediate portions between Charlotte and New Orleans on the mail arriving there by day, but the testimony under oath of the Second Assistant Postmaster-General again and again is that, judging by his experience with every other railroad in the country, he can make arrangements without a subsidy that will get the Senator from Georgia, at Atlanta and every other town in the South, just exactly as prompt delivery of the mail as he gets it by this subsidized service.

Mr. President, there is no personal feeling about this in the mind of anybody. The Senator from Montana [Mr. CARTER] suggested that we ought to wait, because the Postal Commission are considering the whole matter; but he forgets that the House of Representatives have already, in their wisdom, left this appropriation out of the bill. This is not the continuance of a thing which comes to us from the other House of Congress; it is new matter—new matter brought in by the Committee on Appropriations—and we are asked to put it on our legislation, not to continue it. There has been a stop in this extravagance. The House of Representatives has ended it, and the Committee on Appropriations is asking us to continue it, and has put it again on the appropriation bill. Of course personally it is a matter of utter indifference to anybody what is done with it; but it is bad public service; it is all wrong.

Whatever result may be reached by the investigation we are making of the question of railway mail pay, why should you pick out a little railroad running from St. Joe to Newton, Kans., violate every principle the Department acts under in carrying the mails, and pay out of the public Treasury a subsidy for that service, when the great Post-Office Department, charged with the duty of economically, properly, speedily, and satisfactorily fulfilling the behests of the people in delivering its mail matter, tells you they do not need it and do not want it; that it is a useless extravagance; that they can deliver mail in every town in the United States just as quickly, just as speedily, and just as satisfactorily if they do not have it?

Mr. BACON. I do not desire to detain the Senate or to follow the Senator through his elaborate presentation of this question. I simply desire to call the attention of the Senate to two points in the Senator's statement. One is, that all the argument which the Senator uses based upon the schedules to show that there will be as good service without this extra compensation—for I decline to call it a subsidy—as with it, is limited to the points on one hand between Washington and Charlotte, and then skips the territory from Charlotte to New Orleans, nearly 1,000 miles, and limits the question as to the particular effect at that terminal point.

Charlotte, N. C., is in the southern part of that State. As has been explained here by several Senators, it is not simply the delivery of the mail upon the immediate line of this road, but it is the delivery of the mail upon the various ramifications connecting with the road and between the points I have indicated which the Senator has called the attention of the Senate to, as based upon schedules. There is the entire territory of the States of South Carolina, Georgia, Alabama, and Mississippi, not one square foot of which will be touched or served by reason of the schedules which the Senator has here presented to the Senate.

I repeat, Mr. President, there is no foundation for the statement of the Postmaster-General that he can secure as good service without this appropriation as with it. It is a bald statement without any argument to support it. It did not exist before the extra compensation was granted, and there is no reason to believe that it will exist if the extra compensation be withdrawn.

Mr. WOLCOTT. If the Senator will permit me, I will read a sentence from Assistant Postmaster-General Shallenberger's testimony. This question was asked him:

I want to know if any Southern roads going from anywhere to New Orleans—

That is, the through mail—

Q. I want to know if any Southern roads going from anywhere to New Orleans make as good time as these two fast trains?
A. I will refer to Mr. Grant's statement—

That is the one I read—

I think he gives the time from Cincinnati to New Orleans. I am not prepared to say that any other road makes the same or equal schedule time, but I still say that I have no reason to doubt the continuance of the service with such connections as we might be able to make.

That is the through service. Now, as to the local service. I read from a question asked by Mr. MOODY:

Mr. MOODY. I understand your opinion is that you could get just as good service without the subsidies?

This is the local, not the through service.

A. I say that we could get substantially just as good service on all sections of these routes. We could in general get what I regard as better service throughout the country on other roads.

Mr. BACON. That is exactly what I have said.

Mr. WOLCOTT. Then this question was asked him:

Q. How much time would it lessen the service between Washington and New Orleans?
A. I am of the opinion that it need not lessen it appreciably.

That is all.

Mr. BACON. Exactly as I have said. The Second Assistant Postmaster-General simply gives an opinion, without a single word of evidence or reason upon which to base such an opinion. It is simply a bald assertion. Against that I present the fact that before we had this extra compensation we did not have this fast service, and I present the fact—which, of course, is not in the shape of testimony—that all the assurances which have been given us by the Department which is in charge of this business were that without it they could not do it, and the statement made by the senior Senator from South Carolina [Mr. TILLMAN] as to the passage through this long expanse of territory of almost empty trains in some periods of the year sustain the assertion of the railroad authorities that without this extra compensation they can not afford to run the trains which would give this fast mail service.

I want to say that over this entire territory, not simply upon the immediate line of the road, but in all the business communities in these four or five or six States, they have held public meetings, and there is almost consternation in business circles at the idea that they are to be remitted to the slow schedules of ten years ago, with the consequent loss to the business enterprises which will necessarily be involved.

The PRESIDING OFFICER. The question is on the adoption of the amendment reported by the Committee on Appropriations.

Mr. WOLCOTT. I call for the yeas and nays.

Mr. QUAY. I desire to say a word.

Mr. WOLCOTT. I understand the Senator from Pennsylvania has some remarks to make.

The PRESIDING OFFICER. Is the call for the yeas and nays seconded?

The yeas and nays were ordered.

Mr. QUAY. I ask that the call for the yeas and nays may be withdrawn for one moment, Mr. President.

The PRESIDING OFFICER. The Senator is entitled to address the Senate after the demand for the yeas and nays has been seconded.

Mr. QUAY. Mr. President, I desire to say, in response to a question put a few moments ago by the Senator from Illinois [Mr. CULLOM], that I have since received the letter referred to in my reply then to him, and that it indicates there has not been any reduction during the present fiscal year in disbursement of the appropriation made for special facilities furnished by the Southern Railroad, but that the company has already been paid $80,000 on that account. So that the discretion of the Postmaster-General has been exercised during the present year to that extent and with that result favorably to the principle of this amendment.

As to the history of this bill, the Senator from Colorado [Mr. WOLCOTT] in his remarks indicated it came like a sunburst from the firmament of the Committee on Appropriations into the Senate. I desire to say that the pending proposition was reported favorably from the Committee on the Post-Office and Post-Roads in the House of Representatives and failed there, as has been said, afterwards, on the discussion of the bill, by a scant vote. I do not remember when this scheme first appeared in Congress, but it was soon after I appeared in this Chamber, and annually the same old dry straw which has been thrashed out here to-day was thrashed out in this Chamber, the thrashers sometimes coming from one quarter, sometimes from another.

Certain charges were made of extravagant favoritism to the railway transportation companies, sustained by the authority of the Post-Office Department, and always, after mature investigation by committees in both Houses, the appropriation was sustained. Each House sustained it, and the lawmaking power adjudicated in favor of the proposition. Therefore, when from the other branch of Congress to the Committee on Appropriations came this Post-Office appropriation bill bearing no such appropriation, and to restore to it the position which it occupied in the last bill the Senator from Alabama [Mr. PETTUS] sent to the Committee on Appropriations an amendment in the exact language indorsed by Congress a year ago, the committee adopted it without hesitation, believing that the half dozen or dozen indorsements already given to the proposition by Congress heretofore fully justified them in so doing. There was absolute unanimity in the committee on the subject, and if there were any railroad influence exercised in behalf of it I certainly did not hear of it. We considered then that it had been settled by long usage and adjudications in Congress to be a meritorious appropriation. We so decided, and we believe it ought to pass.

Mr. CHANDLER. Mr. President, I will not detain the Senate long, but I desire to emphasize the point last made by the Senator from Georgia [Mr. BACON] that the opinion of the Post-Office Department that the same speed for its Southern through mails can be obtained after this extra appropriation is withdrawn is a mere matter of opinion.

The Senator from Colorado [Mr. WOLCOTT] has read some portions of the statements made by Second Assistant Postmaster-General Shallenberger before the Postal Commission. The testimony taken before that commission has been printed in sheets, and members of the commission have it, but it has not been made public. I wish to read two or three statements made by the Second Assistant Postmaster-General. He says, on page 697, speaking of the New England train which connects with the special train from New England No. 35:

I am not prepared to say that it would not be disastrous if that train should be taken off and nothing substituted for it, but we assume that if the special-facility fund were withdrawn the natural volume of traffic would justify on competing roads sufficient facilities for us to utilize.

Again, being asked what would be the train that the New England mail connected with if this train No. 35 were taken off, he says:

That I could not answer. We would have to cast about for another connection. We would at once appeal to the other roads.

Q. Have you any idea that it would in the end make very much delay to that New England mail in reaching Philadelphia, Washington, and the South?

A. I think not, for the reason that there are two great competing lines which would be extremely anxious for the business that we could give them.

A little later, referring to the discontinuance of the payments out West, he says:

Long since we have ceased to pay any special appropriation to those lines, because traffic is so heavy and competition so active that we have no trouble in securing the very best mail service. Our position is that, while it did not seem reasonable to expect these Southern roads when they put on these fast trains to do so without additional compensation, it does now seem reasonable that that special appropriation should not be required. The Department assumes now that it has sufficient competition over all great routes to secure what it needs without that.

Later he is asked:

How do you expect to have the same fast train if you take away the subsidy?

A. It may be that the special-facility trains would still have the same reason for maintaining a quick schedule for the passenger and freight traffic, so that we could avail ourselves of the commercial requirements between these two points and secure service that formerly we were not able to secure.

Q. Do you mean to say that prior to the subsidy system these trains over the Southern road outstripped the trains over all other roads to such an extent as to secure from them the freight and passenger business?

A. No; I think these trains have been developed since the period when the subsidy became available.

Still later, when asked about the withdrawal of the fast train to Charlotte, he said:

A. Well, I am not prepared to say what effect it might have upon any one train. We take some risk when we say that we hope to have equally good service if the facility appropriation were withdrawn. I do not know what effect it might have upon the railroad interests. We simply speak from our experience in other sections of the country over roads of like character where the traffic is equally great. Up to this time we have been able to secure, in many cases, equally good service. Now, we assume that in this section we would be able to secure satisfactory service; but it remains, as I say, an open question.

When the question was asked whether or not giving one road extra compensation did not result in stimulating the competing roads to increase the speed of their trains, the Assistant Postmaster-General admitted that it would. He was then asked whether, if the special subsidy money was withdrawn, the roads would not fall back in their time, and he said:

A. That would remain to be seen. Some might. We do not think so, but we might be deceived.

Then he was asked the question:

But is there any doubt at all that having established this one fast mail route throughout the South to New Orleans carrying passengers, all the other roads would try to make as good time as that so as to carry passengers into New Orleans at the same time?

A. Yes; that is likely.

Q. Now, if you dispense with this special fund and stimulus there will only remain competition between the railroads, none of them being specially stimulated; and yet you don't think that would lessen the time for mail and passenger transportation?

A. Not to an extent that would seriously cripple our service.

Q. How much time would it lessen the service between Washington and New Orleans?

A. I am of the opinion that it need not lessen it appreciably.

Q. Would the mail train go just as fast?

A. We assume that it would substantially.

Later he was asked:

Q. And yet you think that you can get just as good service and quick speed out of this best line, without this extra money, as you can with it, or substantially?

A. Substantially as good; but I do not say that we could secure just as good. I say, in view of the evils attending the system, that in looking the field over we think the general interests of the service would be subserved.

* * * * * * * *

Q. Then you don't think that the rapidity of trains is increased by the extra mail pay?

A. I would not say that. I think they have been increased; but I think there is now no justification for the Department paying the money to secure reasonable service.

Q. You understand that these systems have reached that point so that you can get just as good speed without the money as with it?

A. That is the idea.

A. Yes.

Q. That is the departmental position, is it?

Mr. President, these extracts show that the idea that we can get as fast a through mail from New York to New Orleans by withdrawing this appropriation for special mail facilities is wholly a matter of opinion, based upon the proposition that by competition among the various roads a time equal to that which is now

secured can be obtained. I say, on the other hand, that that is not demonstrated, the subject has not been sufficiently investigated, it stands like all the other questions which are connected with the postal service, undecided by the Postal Commission. The opinion of the commission never has been invoked, and there is not another single reform proposed upon this bill based upon investigation made by the Postal Commission. The whole question of whether this $30,000,000 for the railway-mail pay and the $4,000,000 extra for the postal cars is too much or too little is under investigation, and the Committee on Appropriations has not encountered a single recommendation for any reduction of those expenditures.

Mr. QUAY. The reason is that the Postal Commission has not reported and has made no recommendation.

Mr. CHANDLER. The Postal Commission has not reported and has made no recommendation upon this subject. The opinion of the Department is cited by the Senator from Colorado as a reason why we should make this reduction at this time.

Mr. CULLOM. May I inquire of the Senator if it is not the purpose of the commission to investigate this as well as the other question?

Mr. CHANDLER. The question is under investigation by the Postal Commission and no opinion has been expressed on the subject, and I say no opinion has been expressed upon any one subject connected with the Post-Office Department by the Postal Commission, and I for one believe that the expediting of the mails between New York and New Orleans will cease and the trains will fall back substantially to their old schedule time the moment this compensation is withdrawn.

Mr. CULLOM. The Committee on Appropriations is waiting for the Postal Commission to report on these matters.

Mr. CHANDLER. I will not discuss the question of the action of the Postal Commission. It was only able to take the subject up for a few days last summer, Congress having adjourned on the 8th day of July, and there could not be much work done by the commission prior to the election. The commission went to work immediately after the election, but soon Congress was upon us, and although it has taken a great amount of testimony and been very diligent, according to my observation in its work, the commission has not been able to make any report, and the pending appropriation bill provides for continuing the commission to investigate all these subjects.

Now, Mr. President, I ask why this experimental economy should be tried upon this fast through mail from New York to New Orleans, while every other abuse, if there is any, and while every other extravagance, if there is any, in connection with the postal service is maintained exactly as it has existed for many years in the past?

Mr. LODGE. I wanted to ask the Senator from New Hampshire a question before he sat down. I wanted to ask him if he thought the railroads were now inadequately compensated for the general service of carrying the mails?

Mr. CHANDLER. I do not; but if the present rate of compensation of $30,000,000 and of $4,000,000 is to be maintained, I think $200,000 to expedite the mails from New York to New Orleans, on to Texas and Mexico, and on to Florida and Cuba is an economical expenditure of the public money if the $30,000,000 and the $4,000,000 is an economical expenditure of the public money.

Mr. LODGE. That was not precisely what I meant. There is a great reluctance, I notice, in certain quarters to call this a subsidy. It does not seem to me to matter much what it is called, but it has been named "extra compensation." The only excuse for extra compensation is that the regular compensation is not sufficient, and I want to find out whether in the Senator's opinion—and he has looked into this subject a great deal, and I remember he said something about it last year—the railroads are inadequately compensated for giving their fast service?

Mr. CHANDLER. What I said last year I say now, that I have a general belief that the railroads are paid too much. I do not know how much in excess is paid to them. The Senator from North Carolina [Mr. BUTLER] and the Senator from South Dakota [Mr. PETTIGREW] have investigated this subject, they know just how much, and they are prepared to move a reduction in the $30,000,000 appropriation and the $4,000,000 appropriation, but I am not and the Postal Commission is not. We would be just as much justified, in my judgment, in moving to cut the $30,000,000 down to $27,000,000 and the $4,000,000 down to $3,000,000 as we would be in striking off this little sum of $200,000 which we are expending for the Southern fast mail.

Mr. LODGE. Does not this railroad get any compensation for regularly carrying the mail?

Mr. CHANDLER. It gets the regular compensation, and this is a proposition to give additional compensation.

Mr. LODGE. It amounts, as I understand, to about a million dollars.

Mr. CHANDLER. I do not think it does. That is one of the things I just alluded to that I am in doubt about, but the Senator from South Dakota knows all about it. The Postal Commission has not got as far as that. The Southern Railway has a mileage of 5,000 miles, and it gets, I suppose, a half million dollars for carrying the mails, perhaps a million dollars. The Senator from South Dakota said it would be equal to $1,000 per mile when we took into consideration the 5,000 miles and cut it down to 1,300 miles. I do not know by what process the Senator did it, but that is a subject which the Postal Commission is investigating.

Why we should be called upon to begin the work of reform right here and now upon this particular appropriation bill, I have been unable to discover. I disclaim the idea that was advanced by the Senator from Colorado that either the Senator from Massachusetts or any other New England Senator is influenced in voting against this special appropriation because the special appropriation that once existed for the New England mail has been withdrawn. I disclaim that. I voted for the whole appropriation as long as it had been proposed here and had been desired by the people who were to be accommodated by the expenditure. I shall continue to vote for it so long as I have a chance until the Postal Commission puts its evidence before all the Senators and all the members of the House of Representatives, and in its report tells us more distinctly than has been yet stated to the Senate how we can get along without this extra mail compensation.

Mr. QUAY. Regular order, Mr. President.

The PRESIDING OFFICER. The Secretary will call the roll on the amendment reported by the Committee on Appropriations.

The Secretary proceeded to call the roll.

Mr. BACON (when his name was called). I have a general pair with the junior Senator from Rhode Island [Mr. WETMORE], but I am informed that if he were present he would vote in the affirmative. I therefore vote "yea."

Mr. BATE (when his name was called). I am paired on this vote with the Senator from Mississippi [Mr. SULLIVAN], and therefore withhold my vote. If he were present, I understand he would vote "yea." I should vote "nay."

Mr. BUTLER (when his name was called). I have a general pair with the junior Senator from Maryland [Mr. WELLINGTON], but on this vote I am informed the Senator from Maryland would vote the same way that I do. We are both opposed to the amendment. I transfer my pair with the junior Senator from Maryland to the Senator from Oregon [Mr. MCBRIDE]. The Senator from Oregon would vote for the amendment and the junior Senator from Maryland would vote against it. They are both absent, and I make this statement in their behalf. I am therefore at liberty to vote, and vote "nay."

Mr. CAFFERY (when his name was called). I am paired with the Senator from Michigan [Mr. BURROWS]. I am not aware how he would vote if present, and therefore withhold my vote.

Mr. CHILTON (when his name was called). I am paired with the Senator from Delaware [Mr. GRAY].

Mr. GALLINGER (when his name was called). I announce my pair with the senior Senator from Texas [Mr. MILLS]. Not seeing him in the Chamber, I will withhold my vote.

Mr. GEAR (when his name was called). I have a general pair with the Senator from New Jersey [Mr. SMITH]. Not knowing how he would vote if present, I withhold my vote.

Mr. HANNA (when his name was called). I am paired with the junior Senator from Utah [Mr. RAWLINS]. Not knowing how he would vote on this question, I withhold my vote.

Mr. HARRIS (when his name was called). I have a general pair with the Senator from Wyoming [Mr. CLARK], who is absent, and therefore I withhold my vote.

Mr. MALLORY (when his name was called). I have a general pair with the senior Senator from Vermont [Mr. PROCTOR]. I do not know how he would vote if present. If he were here, I should vote "yea."

Mr. PASCO (when his name was called). I am paired with the Senator from Washington [Mr. WILSON]. I do not know how he would vote upon this question. If he were present, I should vote "yea."

Mr. PENROSE (when his name was called). I am paired with the junior Senator from Delaware [Mr. KENNEY]. I understand that it has been arranged to transfer my pair to the junior Senator from Tennessee [Mr. TURLEY]. I will therefore vote. I vote "yea."

Mr. PERKINS (when his name was called). I have a general pair with the junior Senator from North Dakota [Mr. ROACH], and if agreeable to the junior Senator from Ohio [Mr. HANNA] I will transfer my pair to the Senator with whom he is paired, and that will permit both of us to vote.

Mr. HANNA. That is satisfactory.

Mr. PERKINS. I vote "yea."

Mr. PRITCHARD (when his name was called). I have a general pair with the junior Senator from South Carolina [Mr. MCLAURIN]. Inasmuch as we agree upon this amendment, I will vote. I vote "yea."

Mr. SHOUP (when his name was called). I am paired with the Senator from California [Mr. WHITE], and therefore withhold my vote.

Mr. PASCO. I suggest to the Senator from Idaho that we

transfer our pairs, if agreeable to him, so that the Senator from California [Mr. WHITE] will stand paired with the Senator from Washington [Mr. WILSON].

Mr. SHOUP. Very well. I vote "yea."

Mr. TILLMAN (when his name was called). I have a general pair with the Senator from Nebraska [Mr. THURSTON]. He is absent, and not knowing how he would vote, I withhold my vote. If I were at liberty to vote, I should vote "yea."

Mr. TURLEY (when his name was called). On this question I agreed to pair with the junior Senator from Delaware [Mr. KENNEY]. I understand that if present he would vote "yea." If he were present, I should vote "nay."

Mr. JONES of Arkansas (when Mr. TURPIE'S name was called). The Senator from Indiana [Mr. TURPIE] is detained from the Senate Chamber by illness.

Mr. WARREN (when his name was called). I have a general pair with the Senator from Washington [Mr. TURNER], but on this vote, as the Senator from Indiana [Mr. FAIRBANKS] has been called out of the Chamber, the pair will be transferred, so that the Senator from Indiana will be paired with the Senator from Washington. I will vote. I vote "yea."

The roll call was concluded.

Mr. PASCO. In pursuance of the arrangement under which pairs have been transferred, as announced a few minutes ago, I will vote. I vote "yea."

The result was announced—yeas 42, nays 10; as follows:

YEAS—42.

Allison,	Elkins,	Martin,	Quay,
Bacon,	Faulkner,	Mason,	Sewell,
Baker,	Foraker,	Mitchell,	Shoup,
Carter,	Hale,	Money,	Simon,
Chandler,	Hanna,	Morgan,	Spooner,
Clay,	Hansbrough,	Nelson,	Stewart,
Cockrell,	Hawley,	Pasco,	Sullivan,
Cullom,	Lindsay,	Penrose,	Teller,
Daniel,	McEnery,	Perkins,	Warren.
Davis,	McMillan,	Pettus,	
Deboe,	Mantle,	Pritchard,	

NAYS—10.

Bate,	Hoar,	Pettigrew,	Wolcott.
Berry,	Jones, Ark.	Platt, Conn.	
Butler,	Lodge,	Ross,	

NOT VOTING—38.

Aldrich,	Gear,	Mallory,	Turley,
Allen.	Gorman,	Mills,	Turner,
Barrows,	Gray,	Murphy,	Turpie,
Caffery,	Harris,	Platt, N. Y.	Vest,
Cannon,	Heitfeld,	Proctor,	Wellington,
Chilton,	Jones, Nev.	Rawlins,	Wetmore,
Clark,	Kenney,	Roach,	White,
Fairbanks,	Kyle,	Smith,	Wilson.
Frye,	McBride,	Thurston,	
Gallinger,	McLaurin,	Tillman,	

So the amendment was agreed to.

Mr. QUAY. Before proceeding further with the reading of the bill, I desire to turn to page 13, line 12, where I move to insert an amendment there which I have received from the Department since we have passed that clause in the bill. I send it to the desk.

The PRESIDING OFFICER. The amendment will be stated.

The SECRETARY. On page 13, line 12, strike out "for" and insert "received during," and after the word "year" insert "ending June 30;" so that the line will read:

On a star route received during the fiscal year ending June 30, 1900, shall be, etc.

The amendment was agreed to.

Mr. QUAY. On page 15, line 8, I move to strike out the word "two" and insert the word "sixty-five," and in the same line I move to strike out "five hundred;" so that it will read:

For railway post-office clerks, $8,765,000.

The amendment was agreed to.

Mr. QUAY. I desire to state that after concluding the committee amendments, and I believe there is but one unimportant one in the remainder of the bill, I will ask to have the bill laid over until Saturday morning.

Mr. CULLOM. I desire to inquire of the Senator in charge of the bill whether, when Saturday morning comes and the bill is taken up, it will be subject to amendment?

Mr. QUAY. It will be subject to all amendments.

Mr. WOLCOTT. Is the bill to go over now?

Mr. QUAY. No, not now; when its reading shall have been concluded.

The reading of the bill was resumed. The next amendment of the Committee on Appropriations was, under the subhead "Office of the Fourth Assistant Postmaster-General," on page 19, section 2, line 20, after the word "incapacitated," to strike out "by age or otherwise for employment in" and insert "for performing;" and in line 22, after the word "roll," to strike out "or an honorable service roll;" so as to make the section read:

SEC. 2. That the appropriations herein made for the officers, clerks, and persons employed in the postal service shall not be available for the compensation of any persons permanently incapacitated for performing such service. The establishment of a civil pension roll, or the exemption of any of the officers, clerks, and persons in the postal service from the existing laws respecting employment in such service, is hereby prohibited.

The amendment was agreed to.

The reading of the bill was continued to the end of line 20, on page 20.

Mr. BUTLER. I should like to ask the Senator from Pennsylvania whether he has any information as to the work of the Postal Commission during the last twelve months?

Mr. QUAY. I desire to state, in response to the Senator from North Carolina, that I have no evidence of the work accomplished by the commission beyond taking a great mass of testimony——

The VICE-PRESIDENT. Will the Senator from Pennsylvania please address the Chair, so that he can be heard by the Reporters.

Mr. QUAY. The surface indications are that they have been doing a good deal of work. I have no official information as to what they have done or what they propose to do, but my understanding is that it is the desire of the commission to be continued in office and that the members expect to accomplish very important results in the line along which they have been working.

Mr. CHILTON. We can not hear what is transpiring.

Mr. BUTLER. I certainly hope they will accomplish very important results, for there is a great deal to be investigated and very important results ought to be arrived at. But certainly we do not want to be five or ten years at it. It seems that the commission have already gathered information that they are able to use, at least certain information, and I hope that within twelve months, with such able and astute and diligent commissioners, we will be able to have at least a little information as to some of the important sections of this bill which the commission was created to investigate.

On the very question under discussion and in controversy, which caused this commission to be created—that is, to investigate the pay for railway mail service and postal-car service—we have had no information. I should like to inquire if the commission has not yet gotten hold of some information on those important questions that would throw some light upon this bill and would enable us to act intelligently upon it.

Mr. QUAY. I do not see the Senator from Colorado [Mr. WOLCOTT], who is chairman of the commission, in his seat; but the Senator from New Hampshire [Mr. CHANDLER] is present, as usual, and I refer the Senator from North Carolina to him for information.

Mr. CHANDLER. The Senator from Iowa [Mr. ALLISON] is the leading member, I may say, upon the commission, as he is in any body of which he is a member. I am only an humble and diligent member. I stated a little while ago what the commission had been doing. There are a thousand pages of testimony which has been taken by the commission, and it is in my judgment valuable testimony. There is nothing in the testimony that does not bear directly upon the subject-matter of the inquiry.

The Senator from North Carolina will remember, however, that while he and I and one or two other members of the Senate desired to have the subject-matter of the inquiry made nothing but the amount paid the railroads for mail transportation, the Committee on Appropriations of this body, led at that time by the Senator from Pennsylvania in charge of this bill, insisted, against our wishes, on providing that the Postal Commission should investigate the whole question of the receipts and expenditures of the Post-Office Department, not only its expenditures for railway mail transportation, but all other expenditures, and the question of second-class matter, which had previously been the subject of inquiry by both Houses of Congress, and upon which subject a great amount of testimony had been taken and reports made to both Houses of Congress. The Senator will see that that was a very broad field of inquiry, forced upon the Postal Commission against the judgment of many Senators and Representatives, but in accordance with the determination of the majority of Congress.

As I said, Congress adjourned about the 15th of July, in the midst of the hot season. The commission necessarily could make but little progress at that time, and before the commission knew it the fall elections were upon them.

Mr. BUTLER. Does the Senator say that that was before the commissioners knew it?

Mr. CHANDLER. Before the commissioners realized that the time was passing so rapidly the fall elections were upon the country, and it was not possible to do any more work before election. Immediately after election the commission went to Chicago. It there took important testimony. The commission then came to Washington. It has taken testimony in Washington down to a very recent period, and has at last succeeded in having the same printed. The commission, in my judgment, has exercised due diligence in the investigation of this very important subject.

I wish to say that I entered upon the inquiry with the feeling that the railroads were paid too much money for the transportation of the mails. I have not, however, so far satisfied myself

upon that point as to undertake to make a demonstration of the fact to the Senate. I am not able to suggest to-day upon any well-considered ground that the compensation should be cut down nor the extent to which it should be cut down, if it is reduced, nor am I able to propose upon any well-considered facts any new method of calculating the compensation which should be paid to the railroads of the country. My mind is entirely at sea upon that subject.

I think, therefore, that this clause in the appropriation bill continuing the commission for another year was wisely conceived in the House of Representatives. I have no doubt that during the coming recess of Congress the Postal Commission will do all the work that was set for it to do, and will do it wisely and well.

Mr. BUTLER. Would the Senator suggest, then, inasmuch as he seems to have had his opinion partly changed so far by the testimony, that we had better create a new commission, putting on it, by reason of converting Senators, those who are not yet converted, leaving out myself? I should wish to be excused, because I would be in such a minority that I would not be troublesome to the Senate; but I would suggest placing others who had any doubts about it on another commission as the most effective way of converting them.

Mr. CHANDLER. What made the Senator say that I have changed my views? I have not changed my views. I said that I entered upon the investigation with a conviction or a belief that the present pay is too excessive. I remain of that conviction. But I am not able, I said, upon well-grounded reasons to propose a reduction. I would not know how much to reduce it, if the mail pay ought to be reduced, and I would not propose a reduction. As I said, I could not propose any different method of calculating the compensation. I stand exactly where I was before. I have not changed my views at all, but the subject is such an uncertain one that I have not reached any new conviction on the subject.

Mr. BUTLER. Then I understand the Senator is still of the opinion that the railway mail pay is entirely too high and that it should be reduced, but so far he has been so confused by the mass of testimony and the multiplicity of the subject that has been forced upon him that his opinions are probably not as clear now as to how to reduce it as they were a year ago.

I submit, Mr. President, that is not very promising as to the clear information that the Senate will get. There is probably no Senator on the commission who was more thoroughly convinced than the Senator from New Hampshire that there should be a reduction of this pay.

The Senator from New Hampshire was very clearly of the opinion that there should be a committee or a commission to investigate the sole question of railway mail pay. He was entirely right in that, in my judgment. I think the Senator had another proposition, possibly that the Committee on Post-Offices and Post-Roads or a special committee should investigate the subject. I regret very much that the Senate did not see fit to take that course. But, as the Senator says, those who are opposed to any investigation apparently at last decided that we should have a very broad investigation, and they imposed upon the commission a very broad field of work, one that covered questions which had not aroused the opposition and discussion heretofore in the Senate that the question of railway mail pay had done. So it seems that the commission has been burdened and loaded down with matters to be investigated that were of minor importance, or which were at least not the questions that convinced the Senate that it was necessary to have an investigation on.

What is the result? Just what the Senator so eloquently predicted a year ago would be the result, and just what other Senators predicted, that you would load the committee down with subjects of minor importance to be investigated until it would be impossible for the commission to make any intelligent investigation within the time of even a whole year. That was pointed out to Senators at that time. Probably, like the Senator from New Hampshire, Senators did not think about the fall election coming on them before they were anticipated, and various other things interfered with the investigation.

But, unfortunately, Mr. President, we have got exactly what was predicted, and what was predicted by those who were most active in desiring that the truth about this matter should be known. Those of us who wanted the question of railway mail pay investigated wanted to know exactly what the facts were. We wanted to know how much reduction there should be. We wanted to know whether the facts justified the price that was paid; and if so, every one of us was willing to stand by the price we had been paying, enormous as it was. A year has rolled around. Here comes another appropriation bill along, sailing through quietly, appropriating more money than a year ago, with no investigation concluded and no report made to this body on which we can act.

I submit that if one year from to-day there is no report made we will be in the same condition we are in now, and we will be called upon to vote for an appropriation bill carrying $3,000,000 or $4,000,000 more than we vote for this year; and if we will continue to investigate for the next twenty-five years, during that time we will be asked to vote twice as much as this bill carries, and we will be asked to wait until the next year until we finish the investigation.

Mr. President, I realize the importance of the question of second-class mail matter which the commission was instructed by the Senate to investigate. It is a question that deserves consideration. But I submit now, as I did a year ago, that it ought to have been investigated by a separate committee or commission. We have unfortunately loaded this commission down with more work than they have proven able to do in a year. We should not appoint a committee to get information for the Senate and then load it down with work that it is impossible for it to accomplish in a year. We are not dealing squarely with the country when we do it. We have the appearance, whether it is just or not, of attempting to prevent the investigation from throwing the light upon the next appropriation bill instead of trying to get the light.

A year ago, if the Senate had desired to investigate all these questions, I submit that we ought to have appointed two committees. All Senators now see that we should have had two committees or commissions, one to investigate the other minor or secondary questions, or cognate questions, if you please, and the other committee or commission to investigate the question of railway-mail pay, so that we could have had a report before we were asked to vote upon another appropriation bill. I submit that it is not treating the Senate fair, it is not treating Senators fair who want to know the facts about this matter, to have the commission loaded down with work and let us come around a year later to the appropriation bill before us and we are unable to get information. We are more helpless than we would have been if we had not appointed the commission, because a number of us had proceeded to investigate on our own account and gotten a great deal of information that was correct and uncontradicted from any source.

I myself am to-day—if the Senate will pardon me for making the statement—prepared to present some new light on this question, more than I had a year ago—information that I am satisfied is correct, information that I think that I can establish is correct—showing that there should be a reduction in the railway-mail pay. Yet I am to be told that I must not press the matter now, forsooth; the commission appointed a year ago has not been able to report. I do not criticise the commission.

I realize something of the laborious work they have had upon their shoulders. It is work that no Senator would have willingly undertaken unless he felt it was his duty as a member of the committee or at the request of the Senate. It is labor that I myself would have shunned if I could have done so in justice to the Senate or any committee that I might have served upon. I realize the broad scope of the work. I realize that to go to the bottom of the matter it was probably impossible for them to make their report and reach their conclusion by this time.

But, Mr. President, that does not remove the fact that certain Senators on this floor insisted upon loading and succeeded in loading the commission down with a multiplicity of work, with instructions to investigate a broad field of questions that possibly made it impossible for the commission to do its work in a year. If Senators realized that at the time, then I submit they were not dealing fairly with us. If they did not realize it at the time and thought the commission could finish the work, then I submit that they ought now to agree with us for a certain reduction, a nominal reduction, if you please, such a one as the investigation so far will justify, and then let us a year from now, when the report is completed, make a further reduction according to the facts shown in the report.

Mr. President, I believe that there are Senators who can now present to the Senate sufficient reasons for a reduction without having had the benefit of being on the commission and hearing the testimony that the commission's report so far can not furnish evidence to contradict. I submit that if I can present reasons and arguments and facts here to justify a reduction in this appropriation, and if there is no testimony established and uncontradicted that will prove that my facts are incorrect, the members of the commission and every Senator here ought to be willing to make the appropriation according to the facts presented.

Mr. President, I want to know the facts, and I am willing to vote for an appropriation as big as the facts justify. If the appropriation that we are now making is too small, and the facts show that the railroads deserve more, I will be the first man to cast my vote to increase their compensation.

I give notice that I shall offer an amendment, and I shall give my reasons for supporting it; and I also give notice that I shall ask the members of the commission in good faith and in a spirit of fairness to tell me and to tell the Senate whether they have any information that they have gathered from their investigation that will show that the amendment I offer is not proper, that the reduction I shall advocate is not just.

Of course we all expected the commission to show their report, to show that there ought to be a certain reduction, but nobody

knew how much. It may be the commissioners themselves do not know yet approximately how great a reduction should be made. But I take it there is not a single Senator but who would say he believes that report would justify some reduction. There has been no effort to say in the Senate that the amount paid was probably not too high. There have been facts presented by myself and other Senators that no Senator has attempted to contradict or refute. The only answer to it was, "We do not know how much reduction to make. We will appoint a commission to find out exactly how much." We appointed the commission, and here we are asked to vote the appropriation again. The commission have not told us how much we should vote.

Mr. President, we ought to make some reduction. Let us make one, then, since the report is not ready, that is surely in the bounds of justice, both to the railroads and to the taxpayers of the country. I shall offer such an amendment later.

Mr. WOLCOTT. Mr. President, I have but a word to say, called forth by the remarks of the Senator from North Carolina.

The joint Congressional commission to investigate the question of railway mail pay, the question of the second-class mail service, the question of pneumatic tubes, and other kindred questions, was appointed in July last, when the summer had already commenced. It was the year of the Congressional elections. The committee met and through subcommittee and whole committee occupied as much time as could possibly be given to the consideration of the question.

We have accumulated something like a thousand pages of testimony, some of it valuable and some of it valueless. There has been no time wasted. The commission looks forward, if it shall be continued, to devoting very much of the coming summer, after the 4th of March, to the further investigation of this question. There is not a member of the commission who enters into the investigation from other than a sense of public duty, or with other than a very great sacrifice of his personal interests. We may not be intellectually capable of grasping these questions, but in every other respect the commission is entirely able to deal with the questions which have been presented to it under the resolution of Congress.

We expect during the summer to formulate and present to the Senate in December next some plan which we hope will be intelligent and will command the respect of both Houses of Congress upon the questions of the investigation with which we are intrusted. We found ourselves at the threshold of the investigation met with the very serious problem upon what the question of the railway mail pay should be based, whether upon space, whether upon weight, whether upon speed, or upon comparison with the earnings of other departments of railway service. Through experts, through scientists, through people who have studied this subject, as well as through railroad officials, we are now engaged in investigating these questions as carefully and as thoroughly as we can, I beg to assure the Senator from North Carolina; and I trust and believe that our efforts will not be in vain so far as our ability to shed light upon the questions is concerned.

The VICE-PRESIDENT. The Secretary will continue the reading of the bill.

The Secretary resumed and concluded the reading of the bill.

Mr. QUAY. Now the bill may go over until Saturday morning, at the conclusion of the morning business, when I shall call it up; and I will say to the Senate that it will be open to all amendments then.

CONSIDERATION OF PENSION BILLS.

Mr. GALLINGER. Mr. President, some ten days ago the Senate kindly consented that pension bills might be taken up on Monday last. I was absent from the Chamber on that day, suffering from illness, and they were not taken up for consideration. I desire to request that after the routine morning business to-morrow, unless an appropriation bill is before the Senate, the time intervening until 2 o'clock, if so much time be required, be given to the consideration of the Pension Calendar.

The PRESIDING OFFICER (Mr. FAULKNER in the chair). The Senator from New Hampshire asks unanimous consent that immediately after the routine business to-morrow morning the Pension Calendar shall be taken up and considered until 2 o'clock, unless an appropriation bill is before the Senate.

Mr. HALE. I do not, of course, like to interfere with pensions, but the personnel bill for the reorganization of the Navy was taken up by the Senate this morning in the morning hour, and it went over to give way to the appropriation bill. It has not been finished. I wish to have the Senate go on with it to-morrow morning. I shall not long be in the way of the Senator from New Hampshire.

Mr. GALLINGER. I will include the naval personnel bill and the appropriation bills.

The PRESIDING OFFICER. The Senator from New Hampshire asks unanimous consent that to-morrow morning, after the routine business, the Pension Calendar be taken up, if neither an appropriation bill nor the naval personnel bill is before the Senate, and its consideration continued until 2 o'clock. Is there objection?

Mr. PETTUS. Mr. President, the chairman of the Pension Committee of the Senate has been very diligent. He has been diligent day in and day out, in the daytime and in the nighttime, in having pension bills passed. But I do not think they ought to get in the way of the regular order of business any more than they have already done.

Mr. GALLINGER. My reply to the Senator from Alabama is that we have really taken not a great deal of time. In the other branch they have one evening each week, and frequently a half day. We have made a Pension Calendar separate from the other business of the Senate, and our pension bills never would be reached unless we are given a little time now and then. I have meant not to be obtrusive in this matter. I have had at least twelve Senators within the last two hours urge me to ask for this privilege. I have myself no interest in it beyond that of every other Senator.

The PRESIDING OFFICER. Is there objection to the request of the Senator from New Hampshire?

Mr. ALLISON. What is the request?

The PRESIDING OFFICER. The request of the Senator from New Hampshire is that to-morrow morning, immediately after the routine business, the Pension Calendar shall be taken up and continued until 2 o'clock, provided that no appropriation bill is before the Senate and that the naval personnel bill is not before the Senate. Is there objection to the request of the Senator from New Hampshire? The Chair hears none, and it is so ordered.

ADDITIONAL JUDGE FOR THIRD JUDICIAL CIRCUIT.

Mr. SPOONER. I ask unanimous consent of the Senate for the present consideration of the bill (H. R. 7094) providing an additional circuit judge in the Third judicial circuit.

The VICE-PRESIDENT. Is there objection to the request of the Senator from Wisconsin?

Mr. CULLOM. That will not displace the unfinished business?

Mr. SPOONER. Not at all.

There being no objection, the Senate, as in Committee of the Whole, proceeded to consider the bill. It provides that there shall be in the Third judicial circuit an additional circuit judge, who shall be appointed by the President, by and with the advice and consent of the Senate, who shall possess the same qualifications and have the same powers and jurisdiction now prescribed by law in respect to the present circuit judge, and be entitled to the same compensation.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

REORGANIZATION OF THE ARMY.

Mr. HAWLEY. Mr. President, I wish to give notice that to-morrow morning at a suitable moment I will ask the Senate to take up, or I shall move to take up, the new Army reorganization bill.

Mr. HOAR. For what hour to-morrow does the Senator give the notice?

Mr. HAWLEY. At the earliest moment I can get in. I can not, of course, displace orders already made.

CODE FOR ALASKA.

Mr. CARTER. Mr. President, in view of the discussion which obtained yesterday evening with reference to the Alaska bill, it became quite manifest to the Committee on Territories that the effort made to add as an amendment to the bill a code of civil procedure would involve an amount of time at this stage in the session of Congress which could not well be spared. With the consent of the committee, or the members of the committee—and I have consulted them all, I believe—the report of the committee may be considered as amended by striking out all after page 248 of the bill as reported. That will leave the code of criminal procedure and the codification of the criminal laws together with various meager amendments made by the committee to the criminal code.

It is a matter of the most grave importance that this criminal code should become law before the conclusion of this session of Congress. As I stated yesterday evening, there can not now be impaneled a legal jury within the district of Alaska. That district, comprising nearly 600,000 square miles, and having a population of over 30,000 white inhabitants at the present time, with fair prospects of a population of over 100,000 during the coming year, will be in a condition of practical anarchy unless we can pass this bill at this session.

The difficulty arises in a manner that Senators, without reflection, would not realize. It was provided by an act of Congress some years ago that the general laws of the State of Oregon should apply to the district of Alaska so far as applicable. It has been found very difficult to determine just what the laws of the State of Oregon were at the date of the passage of that act. There has not been a codification of the laws of that State for

many years, and consequently it is necessary to refer to the various session laws of the State.

One of the most serious difficulties encountered was in the qualification of jurors. The laws of Oregon require that a person to be eligible upon either a grand or petit jury in either a civil or criminal case shall be a taxpayer. Now, it so happens that there is no law applicable to the district of Alaska whereby any tax can be assessed or levied. Consequently there can not now be, nor has there been at any time in the past, a legal jury organized within that district. It is unfortunate, but yet true, that persons have been indicted, convicted, and executed under a condition of affairs certainly very lamentable to reflect upon.

Mr. President, this criminal code will provide a guaranty to American citizens residing within the district of Alaska of trial by a legally constituted jury at least.

In order that the bill may pass at the present session of Congress it is essential that the good nature of the Senate should be indulged in to permit a reading of the bill in a formal manner, it being understood that no other business will be transacted during the formal reading, save and except the reading of the bill. I ask unanimous consent that this portion of the bill as reported, to and including page 248, be read this evening before adjournment. It will take probably two hours or two hours and a half to read the bill. I couple with the consent agreement which I seek the statement that no other business of any kind is to be transacted during the formal reading of the bill. I present the request in that form.

The VICE-PRESIDENT. Is unanimous consent given that the reading of the bill may be proceeded with?

Mr. BATE. It can not all be read to-night. Let it be divided, and a portion read to-night and the remainder to-morrow.

Mr. CULLOM. The reading of the 248 pages will not require more than two hours.

Mr. HALE. And no other business to be done?

Mr. CARTER. No other business to be done but the reading.

Mr. CULLOM. I hope the unfinished business will be laid before the Senate.

Mr. HOAR. Of course the understanding being that a quorum is to remain present.

Mr. CARTER. Theoretically it is so understood.

Mr. BATE. Can not half of the bill be read this evening and the remaining half to-morrow?

The VICE-PRESIDENT. The proposition is that the reading be proceeded with and no other business be transacted until the reading is completed.

Mr. CAFFERY. I inquire of the Senator from Montana if the laws of Oregon relating to trial by jury can not be so modified as to suit the conditions in Alaska, without passing this bill, which contains 248 pages?

Mr. CARTER. Mr. President, the difficulty encountered in attempting to impanel a legal jury, which will be found to constitute one of the many objections to the importation of the laws of a State to apply to a district organized as this is, I have cited, because that involves a denial to our citizens residing there of the constitutionally guaranteed right of trial by jury. That flagrant proposition was presented for the purpose of challenging the attention of the Senate. Throughout the entire code of Oregon it will be found in attempting to adjust it to the affairs of the district of Alaska that most serious difficulties are encountered in determining what law is applicable to that district, considering the formation of its government as contradistinguished from the government of a State.

The VICE-PRESIDENT. Is consent given to the request of the Senator from Montana [Mr. CARTER]?

Mr. CAFFERY. I object.

The VICE-PRESIDENT. Objection is made to the request of the Senator from Montana.

Mr. BATE. I suggest to the Senator from Montana that he move to take up the bill.

WASHINGTON PUBLIC LIBRARY.

Mr. MCMILLAN. I ask unanimous consent of the Senate for the consideration at this time of the bill (S. 5289) to provide a site for a building for the Washington Public Library.

The VICE-PRESIDENT. Is there objection to the request made by the Senator from Michigan?

There being no objection, the Senate, as in Committee of the Whole, resumed the consideration of the bill.

Mr. MCMILLAN. I will say that the bill has been read in full and the amendments agreed to. So far as I know, the only Senator who desired to debate the bill was the Senator from Missouri [Mr. VEST]. He told me this morning that he did not care to say anything further about it, but was quite satisfied to let the bill go as it is.

Mr. HAWLEY. I should like to ask the Senator from Michigan what is the limit of the appropriation for this purpose?

Mr. MCMILLAN. The bill provides for the purchase of ground, and the limit is $250,000. The session is approaching so near to a close that it is important to get the bill through; and if we do not get it through now the chances are that it may fail altogether.

The VICE-PRESIDENT. The bill has been heretofore read at length.

Mr. MCMILLAN. And I understand the amendments to it were acted upon the other day.

The VICE-PRESIDENT. There is an amendment pending, which will be read.

Mr. CHANDLER. Mr. President, I dislike to antagonize the Senator from Michigan, but I made an inquiry when this bill was called up heretofore which has not been answered, and that is why Mount Vernon square is not a suitable and proper place for this library and why we should appropriate $250,000 to buy a lot?

Mr. MCMILLAN. The answer to that is that a great many Senators and a great many of those interested in the library thought we ought not to build it on any of the public squares in the city of Washington. The objection was so strong on the floor of the Senate that the committee thought it wiser under all the circumstances to buy a site.

Mr. CHANDLER. What will the Senators do who think it is not wise to buy a site, but that it is wise to use Mount Vernon square? What is their duty?

Mr. MCMILLAN. We want to avail ourselves of the offer of Mr. Carnegie to erect a four or five hundred thousand dollar library building in this city. The great object to be accomplished is to secure the erection of the library as proposed by Mr. Carnegie; and it seems to me to accomplish that we can afford to spend a little money.

Mr. CHANDLER. I know that Mr. Carnegie has made a magnificent donation to the District of Columbia, which I wish should be secured for the District, but the idea was that the District should get it without paying any money for it. Mount Vernon Square is absolutely a suitable and proper place, which we can get without money and without price. I am opposed to appropriating $250,000 to buy a lot for the erection of a building, and therefore feel bound to object to the consideration of the bill.

The VICE-PRESIDENT. Objection is made, and the bill goes over.

CODE FOR ALASKA.

Mr. CARTER. I move that the Senate now proceed to the formal reading, to and including page 248, of the bill (H. R. 8571) to define and punish crimes in the district of Alaska and to provide a code of criminal procedure for said district.

Mr. CULLOM. Pending that motion, I move that the Senate proceed to the consideration of executive business.

The VICE-PRESIDENT. The motion of the Senator from Illinois [Mr. CULLOM] is in order.

Mr. HOAR. I will move to adjourn unless there be some special reason assigned why an executive session should be held.

Mr. CARTER. I will say to the Senator from Illinois that there is no desire to displace the regular order, except for a purpose that is manifestly and clearly demanded by the public interests and which is self-evident to everybody.

Mr. CULLOM. I am perfectly willing the Senator shall have his bill taken up and allow the unfinished business to be set aside temporarily.

Mr. STEWART. I object.

Mr. CULLOM. But I am not willing that the bill shall now be taken up otherwise.

Mr. STEWART. Objection is made, Mr. President.

The VICE-PRESIDENT. The question before the Senate is the motion of the Senator from Montana [Mr. CARTER] to proceed to the consideration of the bill named by him without interfering with the unfinished business.

Mr. CULLOM. I do not object to the bill being taken up if the unfinished business be laid aside informally; but unless that arrangement is made, I propose to proceed with the consideration of the unfinished business.

Mr. HALE. I think if the Senator from Montana will renew his proposition that the formal reading of the bill shall be completed to-night, no other business to be done, that no objection will be made to that request. It will not interfere with anything else, but will simply dispose of the nominal reading. Everything will be left open to amendment after that, and every Senator who wants to scrutinize the bill can scrutinize it and offer amendments to it.

The motion of the Senator from Montana is simply in the direction of disposing of that indispensable thing, if any Senator insists upon it. It gives to the bill of the Senator from Montana the opportunity which was given this morning to the Navy personnel bill, of its being read formally, but it does not in any way commit the Senate or any Senator to any proposition contained in the bill. I hope there will be no objection to the request.

Mr. CAFFERY. I did not hear the statement of the Senator from Maine.

Mr. HALE. I simply said—and I call the attention of the Senator from Louisiana—that the request of the Senator from Montana, if granted, does not in any way prevent scrutiny, amendment, or whatever may be desired to be done afterwards. It is

simply giving the Senator an opportunity of having the formal reading of his bill, with no other business in any way interposing. I do not think that is a serious thing in the business of the Senate or an undue thing for a Senator to ask.

Mr. CAFFERY. Mr. President, I quite agree with the Senator from Maine, but if the bill is taken up at all I want it taken up so as to displace the unfinished business. The bill which stands as the unfinished business is, in my opinion, a very important bill, and if we are going to discuss it I want to know it, or if it is merely being held over us as a club.

Mr. HALE. The Senator in charge of that bill can make his own statement.

Mr. CULLOM. I simply want to say, so far as I am concerned, that I am not holding the anti-scalping bill over the Senate as a club, and have only held it, so far as I have had anything to do with it, as the unfinished business for the time being, for the purpose of ascertaining a little later on whether it will be practicable to consider the bill at this session. I had hoped that when the appropriation bills got further along we might have an opportunity to fairly consider the bill in the Senate. It has thus far occupied no time. I have freely allowed it to be set aside temporarily for one bill and another as they came along, believing that they were important bills and that they would take little time.

Now, I think it is but fair to the friends of that measure that it should be allowed to hold its place as unfinished business until it can be demonstrated whether we can take it up and consider it properly, or whether it ought to be set aside. I think that time has not quite come. I hope the bill will not be displaced by any motion at this time.

Mr. CARTER. Mr. President, I ask the Chair to again state to the Senate the request I made.

The VICE-PRESIDENT. The Senator from Montana asks unanimous consent that the formal reading of the bill referred to by him may now be proceeded with until it is read through, without action upon the bill, no other business to intervene between now and the time of adjournment.

Mr. CULLOM. And without interfering with the unfinished business.

The VICE-PRESIDENT. And without interfering with the unfinished business.

Mr. ALLISON. The long amendment having been eliminated.

The VICE-PRESIDENT. The long amendment having been eliminated.

Mr. CAFFERY. I see no reason for the reading of the bill now. I am perfectly willing to dispense with the reading of it when the bill comes up.

Mr. BATE and Mr. COCKRELL. You can not do that.

The VICE-PRESIDENT. Is there objection to the request of the Senator from Montana? The Chair hears no objection.

Mr. COCKRELL and Mr. TILLMAN. What is the request?

The VICE-PRESIDENT. The Chair will restate the request. It is that the formal reading of House bill 8571 be now commenced and proceeded with until the bill is read through so far as it is reported by the committee, including 248 pages, no other business in the meantime to be transacted and the unfinished business not to be displaced.

Mr. COCKRELL. I do not think we ought to make the clerks stay here until 12 o'clock to-night. I think that is asking a little too much. I am willing for them to stay to a certain fixed hour.

Mr. TILLMAN. If the reading is begun, I give notice that a quorum must stay here to listen to the reading.

Mr. CARTER. I will suggest to the Senator from Missouri——

Mr. CULLOM. I move that the Senate proceed to the consideration of executive business.

Mr. CARTER. I wish to state to the Senator from Missouri that the major portion of this bill has been, by the consent of the committee, eliminated, and there are now only 248 pages, which can be read in two hours.

Mr. COCKRELL. That does not dispense with the reading of the bill, Mr. President, and we can not pass a bill without its being read.

Mr. CARTER. I have been directed by the committee to amend the report by striking out all of the bill after page 248, which embodies the code of civil procedure.

Mr. COCKRELL. Let us not misunderstand each other. I am perfectly willing the reading shall be commenced and continued to a reasonable hour, but I am not willing that the Senate shall evacuate the Chamber and nobody be here but the clerk who stands at the desk to read the bill. It would be a disgrace to the Senate, a standing and burning shame that a body pretending to be legislative should conduct its business in that way.

Mr. CHANDLER. I have seen the Senator from Missouri passing bills here with others when there were only half a dozen Senators here, and sometimes nobody but the Senator from Missouri himself. [Laughter.]

Mr. COCKRELL. That was when the Senate was legitimately in session, and when Senators were in the cloakrooms and could be readily assembled.

Mr. CHANDLER. Oh, no, Mr. President.

Mr. COCKRELL. But now it is proposed to continue this matter after the hours when the Senate usually transacts business, and to have a clerk standing there at the desk reading the bill while all of us are at home and at dinner would be farcical and ridiculous.

Mr. CHANDLER. I do not see any difference in the two cases.

Mr. CARTER. Any Senator may make a motion to adjourn when he feels that the clerks have been burdened sufficiently.

The VICE-PRESIDENT. The Senator from Illinois [Mr. CULLOM] moves that the Senate proceed to the consideration of executive business.

Mr. HOAR. I wish to say one thing, if I may be permitted. I have myself in former years sat in that chair, called there temporarily by the permanent occupant, and have seen bills passed for five or six hours at the rate of two a minute, no one of which bills was read. I wish to add that as my contribution to the pending discussion.

Mr. CULLOM. The Senator from Montana has asked me to withdraw the motion for an executive session for a moment; which I do.

Mr. CARTER. I do not understand that any objection has been preferred to proceeding with the formal reading of the bill.

Mr. TILLMAN. I have simply given notice that a quorum must listen to the reading. That is all. I shall not object to the bill being taken up.

Mr. BATE. Let the bill be taken up.

The VICE-PRESIDENT. Is there objection to the request of the Senator from Montana [Mr. CARTER]?

Mr. CAFFERY. We can not stay here to hear the bill read.

The VICE-PRESIDENT. Is there objection to the request of the Senator from Montana?

Mr. CAFFERY. I object.

The VICE-PRESIDENT. Objection is made; and unanimous consent is not given.

EXECUTIVE SESSION.

Mr. CULLOM. I renew my motion that the Senate proceed to the consideration of executive business.

The motion was agreed to; and the Senate proceeded to the consideration of executive business. After seven minutes spent in executive session the doors were reopened, and (at 5 o'clock and 35 minutes p. m.) the Senate adjourned until to-morrow, Friday, February 17, 1899, at 12 o'clock meridian.

NOMINATIONS.

Executive nominations received by the Senate February 16, 1899.

APPOINTMENTS IN THE NAVY.

Mr. Ernest P. Goodrich, a citizen of Michigan, to be a civil engineer in the Navy.

Mr. Leonard M. Cox, a citizen of Kentucky, to be a civil engineer in the Navy.

Mr. Alfred C. Lowerenz, a citizen of Michigan, to be a civil engineer in the Navy.

CONFIRMATIONS.

Executive nominations confirmed by the Senate February 16, 1899.

COMMISSIONER OF INTERNAL REVENUE.

George W. Wilson, of Ohio, to be Commissioner of Internal Revenue.

INDIAN AGENT.

Howell P. Myton, of Salt Lake City, Utah, to be agent for the Indians of the Uintah and Ouray Agency in Utah.

SECRETARIES OF EMBASSY.

Samuel Morrill, of Massachusetts, to be third secretary of the embassy of the United States at Paris, France.

H. Percival Dodge, of Massachusetts, to be third secretary of the embassy of the United States at Berlin, Germany.

Spencer F. Eddy, of Illinois, to be third secretary of the embassy of the United States at London, England.

POSTMASTERS.

William McMeekin, to be postmaster at Galva, in the county of Henry and State of Illinois.

Albert W. Errett, to be postmaster at Kewanee, in the county of Henry and State of Illinois.

Martin Cameron, to be postmaster at Ellensburg, in the county of Kittitas and State of Washington.

Clarence F. Buck, to be postmaster at Monmouth, in the county of Warren and State of Illinois.

Dennis H. Cronin, to be postmaster at O'Neill, in the county of Holt and State of Nebraska.

Nancy H. Watson, to be postmaster at Western Springs, in the county of Cook and State of Illinois.

William B. Stickney, to be postmaster at National Stock Yards, in the county of St. Clair and State of Illinois.

HOUSE OF REPRESENTATIVES.

THURSDAY, *February 16, 1899.*

The House met at 12 o'clock m. Prayer by the Chaplain, Rev. HENRY N. COUDEN.

The Journal of yesterday's proceedings was read and approved.

AGRICULTURAL APPROPRIATION BILL.

Mr. WADSWORTH. Mr. Speaker, the Agricultural appropriation bill has come back from the Senate with sundry amendments and is now on the Speaker's table. I ask unanimous consent that the House disagree to all the amendments and ask a conference with the Senate on the bill and amendments.

Mr. BAILEY. I wish to ask the gentleman from New York [Mr. WADSWORTH] whether this matter has been considered by his committee since the bill came from the Senate?

Mr. WADSWORTH. Not as a committee——

Mr. BAILEY. I mean by the Committee on Agriculture.

Mr. WADSWORTH. No, sir.

Mr. BAILEY. Then you are not able to say——

Mr. WADSWORTH. There has simply been a conference among several members of the committee.

Mr. BAILEY. The only point of my inquiry is whether the attention of our friends on the committee has been directed to this matter. Of course I have no objection——

Mr. WADSWORTH. I do not think any members of the committee have any objection. I have seen one or two of them.

Mr. BAILEY. On that statement, I will not object.

The SPEAKER. In the absence of objection, the request of the gentleman from New York will be considered as agreed to.

There was no objection.

The SPEAKER announced the appointment of Mr. WADSWORTH, Mr. WARNER, and Mr. WILLIAMS of Mississippi as conferees on the part of the House.

SUNDRY CIVIL APPROPRIATION BILL.

On motion of Mr. CANNON, the House resolved itself into Committee of the Whole on the state of the Union (Mr. HOPKINS in the chair), and resumed the consideration of the sundry civil appropriation bill.

The Clerk read as follows:

For hospital, including the same objects specified under this head for the Central Branch, $30,000.

Mr. DOCKERY. Mr. Chairman, I move to strike out the last word for the purpose of asking the Clerk to read a preamble and resolution adopted by the house of representatives of the State of Missouri.

The Clerk read as follows:

Whereas President McKinley having declared in a recent public address that the "time has come for the Government to aid in the care of the graves of the Confederate dead;" and

Whereas many Confederate cemeteries are now in poor condition;

Resolved, That Congress be requested to at once adopt such measures as may be deemed necessary to the end that the Government may take charge of all Confederate graves and cemeteries and bestow upon them the same care and attention as is now given the graves of Union soldiers or soldiers of the United States Army.

Resolved, That the chief clerk of this house send to our Senators and Representatives in Congress a copy of these resolutions.

Mr. DOCKERY. I call the attention of the House to the resolutions, and having done so, withdraw the pro forma amendment.

Mr. BARTLETT. Mr. Chairman, I move to strike out the last word for the purpose of calling attention to a matter which I may not later on have an opportunity of bringing to the notice of the House, when we reach the item relative to paying $20,000,000 to Spain for the Philippine Islands.

On the 13th of the present month the Secretary of the Treasury, Mr. Lyman J. Gage, made in Chicago a statement which was published in the Washington Post of the 14th instant, and which may be considered authentic. In the published interview he is reported to have said:

The situation in the Philippines does not give us any uneasiness. The opposition to the American occupation is entirely the effect of manipulation. The leaders have temporarily misled the people. But the strife will soon be over, and as soon as the natives have become quiet, so as to listen to reason, we have no fear that they will not acquiesce in all we propose to do there. As to the islands being a heavy tax on this country, that is all moonshine. The revenues of the Philippines will at all times be ample to defray all possible expenses of government.

Any ordinary expression, even by officials of this Government, might not require notice here; but, Mr. Chairman, when the head of the Treasury Department of the United States gives forth in an authentic interview, published in the newspapers of this country, a statement that the anxiety of the people as to the great expense that will be incurred by our Government in permanently maintaining its power over those islands is "all moonshine," and when it goes out from the Secretary of the Treasury that the revenues to be raised from those islands will be at all times sufficient to defray the expenses incurred by this Government by reason of such a policy, such a statement, if not true, ought to challenge attention and meet contradiction.

This is the first time when anyone has been bold enough to assert that the situation in the Philippine Islands does not give this country any uneasiness. It was left for the head of the Treasury Department to announce the absolute ease with which the great problem that now confronts the American people is to be solved, though it is one at which the wisest may well be perplexed and the boldest staggered; and while he endeavors to mislead by his inaccurate statements, he has the effrontery to charge that other people are temporarily misleading the people of this country. It may be true that the strife in the Philippine Islands may soon be over. Doubtless it will, and doubtless the natives will "soon become quiet and listen to reason." They are being quieted with shot and shell, and no doubt will soon listen to the reason of force and butchery.

But, Mr. Chairman, I do not intend to enter into the question of the policy of permanently acquiring the Philippine Islands, or of the power of this Government to permanently govern them by military rule or as a colony. This policy I oppose and shall continue to oppose. It is in opposition to all our known principles of government and to the teachings of the fathers upon which our Republic is founded. It can only lead to disaster and complications which, in my judgment, will eventually aid in overthrowing the liberties of our own people. I desire simply now to put into the RECORD authentic statements furnished by our own Government, in publications authorized and issued in part by the War Department and in part by the Treasury Department itself, showing that at no time in the future, if we are to judge by what has happened in the past, can we expect the revenues to be derived from the Philippine Islands to defray the expenses which this Government will incur in maintaining its power and sovereignty over those islands.

At no time during the three hundred years that Spain has owned and maintained her power over those islands has the revenue she has received from them exceeded the sum of $12,000,000 per annum, and this revenue in large part has been raised by direct taxation—by customs, monopolies, and lotteries. In the imposition and collection of taxes, as we are told, Spanish ingenuity has been exercised to the utmost, and the basis of the financial system in the Philippine Islands, so far as Spain is concerned, has been a poll tax which every adult under 60 years of age, male or female, has been obliged to pay. There is no export duty on tobacco, but almost every article of import is heavily taxed, and on muslin and petroleum the duty is about 100 per cent of the cost.

Now, Mr. Chairman, if Spain, with all its tyrannies, all of its oppressions, its ingenuity, and efforts in the inauguration, development, and execution of an intolerable scheme of oppressive taxation on the people of those islands, has been unable to make the possessions to pay expenses, what should we expect? If, with an oppressive tax on every man, woman, and child in these islands, she has been able to raise only in the neighborhood of $12,000,000 revenue, what will this Government, under any fair and equitable system of taxation, be able to realize? We know that at least it will require 25,000 soldiers to "quiet the natives" and make them "listen to reason." These will cost us $25,000,000 per annum, not taking into consideration their transportation and the 25 per cent additional pay authorized to be paid for service in time of war. Where is the revenue to come from to pay this, if we are to raise it from the Philippines or to receive it from these islands? What are the sources of ample revenue? If we extort the $12,000,000 obtained by Spain, we will not have half enough.

On page 25 of Military Notes on the Philippines, a publication recently issued from the War Department of this Government, it is stated:

The public revenue is about $12,000,000 per annum, of which the larger part is raised from direct taxation, customs, monopolies, and lotteries. For the imposition and collection of taxes Spanish ingenuity has been exercised to the utmost, but the basis of the financial system in the Philippines is the poll tax, which every adult under 60 years of age, male or female, has to pay. There is no export duty on tobacco, but almost every article of import is heavily taxed. On muslin and petroleum the duty is about 100 per cent of cost.

But the expenses of governing these islands can not in the near future be estimated at less than forty millions per annum.

According to a British foreign office report (No. 1932, annual series, 1897), the total imports into the Philippine Islands in 1896 were valued at $10,631,250 and the exports at $20,175,000. The trade with several of the most important countries, compiled from the respective official statistics, was:

Country.	Imports.	Exports.
Great Britain	$2,467,000	$7,467,500
Germany	744,928	223,700
France	1,794,900	1,987,900
Belgium	272,240	45,660
United States	162,446	4,982,857
China	103,680	13,770
Japan	98,782	1,387,909

Whence, then, is to come these "ample revenues" which will at all times defray all possible expenses of government, so flippantly spoken of by Mr. Gage; and who has misled the people, Mr. Gage or those who have stated the facts? Let the facts as furnished by the officials of this Government answer.

But, sir, more than that. I desire to call the attention of the people of this country to the fact that England, which has more and greater and richer colonial possessions than any other nation on the face of the earth, has never yet obtained from any of them, in the administration of their government—in all of the years of her colonial system, and since she has exercised power over her colonial possessions—she has never yet been able, except in extremely rare instances, to obtain sufficient revenues from them to meet the expenditures involved in their control. I hold in my hand a list of the dependencies and colonies of Great Britain, which show the amount of the expenditures and also the total receipts derived from these possessions, and I again repeat that this class of statistics, made by the statistician of the Treasury Department and furnished to each member of the House, will show that in nearly every instance the expenditures of the English Government have been greater than the receipts. And let me call your attention to one or two specially. Take, for instance, British India. The expenditures there over and above the receipts from the revenues are nearly 25,000,000 rupees——

The CHAIRMAN. The time of the gentleman has expired.

Mr. BARTLETT. I should like to proceed a few moments longer.

Mr. BAILEY. I ask unanimous consent that additional time be given the gentleman from Georgia.

The CHAIRMAN. Without objection, the gentleman will proceed for five minutes longer.

There was no objection.

Mr. BARTLETT. Mr. Chairman, I desire to put these figures in the RECORD solely for the purpose of showing to the country, through official sources, that except in a very few instances the English colonial system has been a burden and a source of expenditure of money to that country over the revenues she has received from them. The figures that I have at hand come from official sources, and I ask particular attention with reference to those showing the revenues derived from the Philippine Islands, which are taken from the military notes of officials there and furnished from the Adjutant-General's Office, under the direction and control of the War Department. The other statistics which I shall furnish are from a recent publication by Mr. Austin, the statistician of the Treasury Department, with reference to the colonial systems of the different nations of the world.

Take, for instance, as I said a moment ago, Great Britain, with more and richer colonies than any other nation on earth. We find that the expenditures that she is called on to meet on account of these great possessions in nine cases out of ten exceed the revenues obtained from them. Taking British India, we find the deficit in the revenues reaches the amount of 24,640,000 rupees. In the Cape Colony settlement the revenues show a deficit of 1,247,688 rupees. Newfoundland and Labrador show a deficit of $256,023; Canada, a deficit of £519,982. Australia shows a deficit of £391,288.

And so I might go through the entire list; and these statistics, these figures furnished by the Treasury Department itself, under the sanction and approval of the present Secretary of the Treasury, show that his statement when he made it to the public that "the Philippine Islands at all times would furnish all necessary and ample revenue to meet the expenses incurred in their government" is unreliable and inaccurate, and that his own statement was the "merest moonshine," and not authorized by the facts that were then resting in the hands and under the control of the Secretary himself. If he was in earnest and knew the facts as they are, it shows another effort on the part of those who essay to speak for the Administration to mislead the public and deceive the country into being satisfied with a policy which the American people do not approve—a policy that will be repudiated by the sober thought of the people when they pass upon it at the polls. When they do, I believe that both this new policy and its inaugurators and advocates will meet at the hands of the people a just and merited rebuke. [Applause on the Democratic side.]

I ask permission, Mr. Chairman, to put into the RECORD a statement of the figures to which I have referred and the statistics accompanying, which will be of interest in connection with the statements which have been made concerning the proposed policy of the Administration and the Government in dealing with these islands. I ask permission, therefore, to incorporate these statistics and to extend to some extent my remarks upon this question in the RECORD.

The CHAIRMAN. Under the authority already given the gentleman has that right.

Mr. BARTLETT. The following are the tables and statistics added, compiled from Colonial Systems of the World, recently published by the Government, and prepared by the Chief of the Bureau of Statistics of the Treasury Department:

Statement showing deficiencies in revenues of British colonies and dependencies in 1897.

Colonies and dependencies.	Expenditures.	Revenue.	Deficit.
British India ..... rupees..	981,408,000	956,768,000	24,640,000
Straits Settlements ..... dollars..	4,429,694	4,320,207	109,487
Cape Colony ..... pounds..	8,637,854	7,389,966	1,247,888
Mauritius ..... rupees..	8,626,798	7,996,706	630,092
Gold Coast Colony ..... pounds..	406,370	237,857	168,513
Sierra Leone ..... do....	111,678	106,009	5,669
Canada ..... do....	38,349,760	37,829,778	519,982
Falkland Islands ..... do....	13,632	12,969	667
British Guiana ..... do....	500,619	555,774	34,845
British Honduras ..... dollars..	322,980	314,017	8,973
Newfoundland and Labrador ..... do....	1,866,811	1,610,788	256,023
Jamaica ..... pounds..	706,749	672,535	124,214
Bahamas ..... do....	63,405	62,754	651
Windward Islands ..... do....	144,174	138,093	6,061
Leeward Islands ..... do....	140,926	124,768	16,158
Trinidad ..... do....	622,364	611,434	10,930
Australia ..... do....	30,527,680	30,136,392	391,288

Deficits in revenue of British colonies and dependencies.

British India	rupees..	24,640,000
Straits Settlements	pounds..	109,487
Cape Colony	do....	1,247,688
Mauritius	do....	630,092
Gold Coast Colony	do....	168,513
Sierra Leone	do....	5,669
Canada	do....	519,982
Falkland Islands	do....	667
British Guiana	do....	34,845
British Honduras	dollars..	8,973
Newfoundland and Labrador	do....	256,023
Jamaica	pounds..	124,214
Bahamas	do....	651
Windward Islands	do....	6,061
Leeward Islands	do....	16,158
Trinidad	do....	10,930
Australia	do....	391,288

Statement showing revenues equal to or in excess of expenditure in British colonies and dependencies.

Colonies and dependencies.	Revenue.	Expenditure.	Excess.
Gibraltar ..... pesetas..	1,581,785	1,508,705	73,080
Malta ..... pounds..	313,680	308,902	4,778
British North Borneo ..... dollars..	411,699	300,559	111,140
Ceylon ..... rupees..	24,000,521	21,634,377	2,372,144
Cyprus ..... pounds..	188,658	129,494	59,164
Hongkong ..... dollars..	2,686,914	2,641,409	45,505
Basutoland ..... pounds..	45,867	45,768	99
Natal ..... do....	1,964,313	1,812,318	151,995
Gambia ..... do....	39,415	27,059	12,356
Bermudas ..... do....	35,965	35,704	261
Barbados ..... do....	184,706	172,551	12,155

RECAPITULATION.

Total deficit in revenues of British colonies and dependencies	$21,474,221
Total of excess in revenues collected in British colonies and dependencies	1,849,729
Net loss	19,624,492

Statement showing expenditures by France in several of her colonies and dependencies. (French budget.)

French Indo-China	francs..	322,629
Cambodia	Mexican dollars..	2,025,000
Cochin-China	francs..	3,150,000
Tonking	do....	24,450,000
French Kongo and Gabun	do....	2,584,000
Senegal	do....	6,074,000
Madagascar	do....	15,710,000
French Guiana	do....	6,161,000
Martinique	do....	2,638,000
Guadeloupe and dependencies	do....	1,652,000
St. Pierre and Miquelon	do....	302,000
New Caledonia and dependencies	do....	7,833,000

Representing a total expenditure on the part of France in the maintenance of the governments of her colonies and dependencies of $15,167,825, provided for in the French budget, over and above the amounts raised in the colonies.

Statement showing value of commerce of Great Britain with her various colonies and dependencies.

Colonies and dependencies.	Imports from England.	Exports to England.	Total commerce with England.
Malta ..... pounds..	143,629	2,357,890	2,501,519
British North Borneo*			
Ceylon ..... pounds..	5,436,274	5,396,289	10,832,563
Hongkong ..... do....	2,079,951	606,314	2,686,265
British India ..... rupees..	504,175,010	316,463,040	820,638,050
Straits Settlements ..... dollars..	28,746,443	25,926,224	54,672,667
Cape Colony ..... pounds..	9,976,849	8,631,001	18,607,850
Mauritius ..... rupees..	6,650,241	474,229	7,124,470
Natal ..... pounds..	3,407,088	753,359	4,160,447
Gambia ..... do....	97,181	35,235	132,416
Gold Coast Colony ..... do....	526,411	581,904	1,108,315

* Total tonnage of British vessels entered, 52,480.

Statement showing value of commerce of Great Britain, etc.—Continued.

Colonies and dependencies.	Imports from England.	Exports to England.	Total commerce with England.
Sierra Leone ..... pounds..	377,508	174,998	552,506
Niger Coast Protectorate ..... do....	504,803	497,589	1,002,392
Bermudas ..... do....	90,025	2,853	92,878
Canada ..... do....	29,412,180	77,227,500	106,639,680
Falkland Islands ..... do....	62,641	131,186	193,827
British Guiana ..... do....	740,873	949,014	1,689,892
British Honduras ..... dollars..	436,463	769,867	1,256,330
Newfoundland and Labrador .. do....	1,960,999	1,349,273	3,310,272
Barbadoes ..... pounds..	474,621	33,971	508,592
Australia ..... do....	24,967,027	29,172,771	54,139,798

Total commerce of other colonies and dependencies of Great Britain.

Colonies and dependencies.	Imports.	Exports.	Total.
Cyprus	£240,051	£129,494	£369,545
Basutoland	100,280	136,499	236,779
British Central Africa	80,054	23,209	103,263
Jamaica	1,864,613	1,448,443	3,313,055
Bahamas	156,010	149,085	305,095
Windward Islands	416,429	344,995	761,424
Leeward Islands	312,657	328,496	641,153
Trinidad	2,161,231	1,994,926	4,056,157

The Clerk read as follows:

At the Marion Branch, at Marion, Ind.: For current expenses, including the same objects specified under this head for the Central Branch, $25,000.

Mr. STEELE. I move to strike out the word "five" in line 18, and insert the word "six." In line 21, in the next paragraph, I shall move to strike out the words "and five," making the amount in the paragraph just read "twenty-six thousand" instead of "twenty-five thousand," and in the second paragraph "one hundred thousand" instead of "one hundred and five thousand." It is because of the posthumous fund turned into the Treasury not being available for the paying for effects, due the heirs of deceased soldiers, that we must increase this first paragraph to the amount indicated.

The CHAIRMAN. The Clerk will report the amendment.

The Clerk read as follows:

On page 91, line 18, strike out the word "twenty-five" and insert the word "twenty-six."

Mr. CANNON. That is a transposition of appropriation from one item to another. The gentleman being upon the Board of Managers has better knowledge of it than I have, and I have no objection to it.

The CHAIRMAN. Without objection, the amendment will be considered as agreed to.

There was no objection.

The Clerk read as follows:

For subsistence, including the same objects specified under this head for the Central Branch, $105,000.

Mr. STEELE. I move to amend by striking out the words "and five" in the paragraph just read, so as to appropriate $100,000 instead of $105,000.

Mr. CANNON. There is no objection to that.

The amendment was agreed to.

The Clerk read as follows:

In all, $229,750.

Mr. CANNON. I move to amend by striking out "nine" and inserting "five," so as to read "$225,750."

The amendment was agreed to.

The Clerk read as follows:

For president of the Board of Managers, $4,000; secretary of the Board of Managers, $2,000; general treasurer, who shall not be a member of the Board of Managers, $3,500; one inspector-general, $2,500; one assistant inspector-general, $2,000; clerical services for the offices of the president and general treasurer, $7,500; messenger service for president's office, $144; clerical services for managers, $2,400; agents, $2,400; for traveling expenses of the Board of Managers, their officers and employees, $10,500; for outdoor relief, $1,500; for rent, medical examinations, stationery, telegrams, and other incidental expenses, $4,000; in all, $42,444.

In all, $3,314,044.

Mr. CANNON. Mr. Chairman, on page 95, line 3, I move to strike out "fourteen" and insert "ten."

The amendment was agreed to.

The Clerk read as follows:

For fees of United States district attorney for the District of Columbia, $23,800.

Mr. POWERS. Mr. Chairman, I move to strike out the last word, for the purpose of interrogating the gentleman in charge of this bill as to the paragraph just read, beginning with line 8, on page 99. I notice that the preceding paragraph provides for the salaries and expenses of district attorneys. And the paragraph just read is a provision of $23,800 for the fees of the United States district attorney for the District of Columbia. What does this official get now?

Mr. CANNON. The gentleman will recollect that legislation was had two or three years ago, under the lead of the Committee on the Judiciary, touching the salaries, fees, and so on, of district attorneys and other officials of the United States courts. Very radical legislation was had covering all salaries in the main except the compensation of the district attorney for the District of Columbia. That legislation did not apply to the District. His compensation is, then, paid under the old system.

Mr. POWERS. Do you mean that the law allows the district attorney here the sum of $23,800 a year?

Mr. CANNON. Oh, no; he gets substantially $6,000.

Mr. POWERS. Then what becomes of the balance of this fund?

Mr. CANNON. It goes for the payment of clerks and other expenses, office hire, and incidental and necessary expenses connected with the office. These items are all regulated by law.

Mr. POWERS. How much does the district attorney receive?

Mr. CANNON. Not exceeding $6,000. He is paid, I will state, from fees, excepting the sum of $500, which is set apart as the regular compensation. All compensation in excess of that, up to the sum of $6,000, is paid by fees. Six thousand dollars, however, is the maximum.

Mr. POWERS. Do I understand that the district attorney of the District of Columbia is not classed as a "district attorney of the United States?"

Mr. CANNON. He is of course a district attorney of the United States, but the compensation for some reason was placed upon a different footing.

Mr. POWERS. Should he not come within the provisions of the preceding paragraph?

Mr. CANNON. I will say to my friend that this appropriation is in pursuance of the law upon the statute book, and amended under the lead of my colleague from Illinois and the gentleman from Iowa. And the gentleman may recollect that this matter was under consideration and advisement, and the whole scheme of emoluments or payments of these parties was changed. There was a comprehensive amendment offered, which, however, for some reason did not apply to the district attorney for this District. He is paid under the law as it was before the amendment was made, but for what reason the exception was made I am unable to say.

Mr. POWERS. The special information I desire is this, whether the district attorney of the District of Columbia receives $23,800 a year in fees or compensation of any kind?

Mr. CANNON. Oh, no; $6,000 is the maximum which can be retained by way of compensation from the fees.

Mr. LACEY. What, then, becomes of the balance of the appropriation—nearly $18,000? The general law adopted on the report of the Updegraff committee limited him to $6,000. That was never changed, as I understand it.

Mr. CANNON. The law provides also, however, the number of assistants, and for their payment, and when you add those amounts together you will get this total. That is all there is of it.

Mr. LACEY. But the assistants are salaried, also. There is a limit fixed by the general law. I ask the gentleman if that is not correct, as to their salaries?

Mr. CANNON. But they are paid out of the fees that are collected, and if there is anything left the remainder is covered into the Treasury.

Mr. LACEY. But does the district attorney pay his assistants in the District of Columbia? He does not in any other district.

Mr. CANNON. Why, they are paid out of the fees collected.

Mr. LACEY. But this appropriation is fees to the district attorney, not to his assistants. There is no requirement that he shall apply them in the payment of the salaries of assistants.

Mr. CANNON. The item reads:

For fees of United States district attorney for the District of Columbia, $23,800.

Mr. LACEY. I suggest that we pass this item over for a little further examination. I remember pretty well about this law when it was passed——

Mr. CANNON. Well, now, I will say to the gentleman that it is perfectly simple, I find, after consultation with a gentleman who is more familiar with these matters than I am. The fees earned by the district attorney under the law are covered into the Treasury, all of them. Now, in order to get them out you have got to appropriate them. Therefore it says:

For fees of the United States district attorney for the District of Columbia, $23,800.

When you get them out, not exceeding $5,500 would go to the district attorney himself, and the remainder would go to the assistant district attorneys and such other officials as the law provides, and when they are paid the accounts must be audited and passed upon by the Comptroller.

Mr. LACEY. Who are the other officers?

Mr. CANNON. O Lord, I do not know that.

Mr. LACEY. That is the reason why I suggest that it will be better to pass this over until an examination can be made.

Mr. CANNON. This item is not new at all. It has run this way from year to year since the law was amended.

Mr. LACEY. There is nothing so sacred as an abuse after it has run a while.

Mr. CANNON. Oh, no; but I will say to my friend that there is no abuse in this matter. It is the ordinary method.

Mr. LACEY. The ordinary method used to be a uniform abuse. And I am told that the District of Columbia was not changed by the Updegraff bill. We ought at least to know where these items go.

Mr. CANNON. I will discuss any amendment the gentleman desires to offer. I have said to him frankly what the law is and what this appropriation is for. It is not to give the district attorney $33,000.

Mr. LACEY. I move to strike this item out, and pending that I ask my friend to pass this over for the present without prejudice, so that the item may be examined.

Mr. CANNON. Now, out of regard for my friend, I am perfectly willing on his request to pass it over; but he will have to look it up pretty rapidly, and when he finds it he will find it to be as I told him.

The CHAIRMAN. Without objection, the item will be passed over.

There was no objection.

Mr. SPIGHT. Mr. Chairman, I have had nothing to say in the deliberations of the House, because, being a new member, I felt that it was proper to listen and learn rather than obtrude myself upon those who have been here so much longer. But I hope I may be pardoned for a few minutes to say a word in connection with the $20,000,000 appropriation to be paid to Spain. I say in the outset that I am in favor of the appropriation. I think it was unwise to promise it, but to refuse to pay it would be a breach of faith. The President and the Senate having entered into a treaty contract with Spain agreeing to pay the $20,000,000 for the Philippine Islands, we are honor bound to vote the appropriation.

In fact, there is no escape from it without returning to a state of war or redelivering the islands to Spain—a disgraceful perfidy we could never be guilty of. But while I am in favor of the appropriation, and shall vote for it, I shall also vote for the strongest resolution declaratory of the policy of this country against permanent retention of the Philippine Islands and in favor of the speedy recognition of their independence. I have no sympathy with the idea sometimes expressed that such a declaration would embarrass the Administration. Why so? If the Administration, which means, strictly speaking, the President and his Cabinet, have a policy distinctly different from that of the Congress of the United States, the Administration ought to be embarrassed, and continue to be embarrassed until the voice of the people, as expressed through their representatives in Congress, is heard and heeded. The Administration has no right to a policy hostile to that of the people, unless imperialism is already an accomplished fact and republican government a thing of the past.

I read in an evening paper last night—an expansion paper—that—

> It has been the desire of the Administration to be left free to act as it may seem fit, and not to be hampered by the passage of any resolution declaring the policy of this country toward our recently acquired possessions.

If it be "hampering the Administration" for Congress to have a voice in declaring our policy, then I am in favor of "hampering," and the sooner the "hampering" commences the better for the country. Why should everything be left to the Administration? Is all the wisdom, all the farseeing statesmanship, all the patriotism, concentrated in the President and his official family? I have great respect for the good intentions of the President, but I am not willing to concede to him autocratic powers involving such vast interests for the present and coming generations. To clothe any man with such fearful responsibilities is, to say the least of it, dangerous, and not in accord with the principles of a republican form of government. The Czar of all the Russias would scarcely ask for more power.

Congress should resolutely take hold of the matter and, at least, make an effort to formulate some fixed policy in connection with the Philippine Islands, and when and whatsoever we do, let it be something worthy of the cause and the occasion.

The RECORD shows that the Senate has passed the following joint resolution, now on the Speaker's table, which may mean something, or nothing, according to the temper of the Administration—most likely nothing:

> *Resolved by the Senate and House of Representatives of the United States of America in Congress assembled*, That by the ratification of the treaty of peace with Spain it is not intended to incorporate the inhabitants of the Philippine Islands into citizenship of the United States, nor is it intended to permanently annex said islands as an integral part of the territory of the United States; but it is the intention of the United States to establish on said islands a government suitable to the wants and conditions of the inhabitants of said islands to prepare them for local self-government, and in due time to make such disposition of said islands as will best promote the interests of the citizens of the United States and the inhabitants of said islands.

The same evening paper to which I have referred said of the resolution which passed the Senate: "The McEnery resolution is probably as harmless as any resolution could be on that subject." Yes; harmless from the Administration standpoint, because it throws no obstacles in the way; but harmful from an anti-expansion standpoint, because it lays down propositions subversive of our system of government and cold-blooded in its dealing with the Filipinos. If the Bacon resolution or something similar had been adopted, it would have been a step in the direction of a fixed and humane policy, but the McEnery resolution as adopted is like giving a stone in lieu of bread, or a serpent when a fish is asked for. To my mind it means either a colonial policy, that the Islands are to be held and governed, not as States or Territories, but as dependent colonies, or that, in the exercise of an unlimited discretion, they may be bartered or sold in open market to the highest bidder.

Either would be destructive of the fundamental principles upon which our system of government rests. Before we can embark in the business of acquiring and holding colonies, we must rewrite our Declaration of Independence and re-form our Constitution. The declaration "we are of right and ought to be free" would be a mockery in the ears of the liberty-loving people of those islands who for so long a time have struggled to throw off the yoke of Spanish oppression. What a spectacle we would present in the eyes of the world! The greatest Republic that the sun ever shone upon subjugating, by the strong arm of military power, a people not so enlightened as ours, it is true, but whose freedom from political thraldom is as dear to them as ours to us; shooting down the men and impoverishing the women and children that they may enjoy the beneficence of our boasted Christian civilization. Are we willing to throw to the winds the great underlying principle upon which our Republic rests, that "all government derives its just powers from the consent of the governed?"

"Taxation without representation" was one of the rallying cries of the fathers of the American Revolution, and here it is proposed to take and hold these islands subject to all the burdens of taxation, and without holding out the faintest hope that they shall ever become citizens, or their country admitted to statehood, or even be accorded the poor privilege of becoming a Territory.

The Filipino leaders will never be caught by the chaff of the last clause of the resolution: "In due time make such disposition of said islands as will best promote the interests of the citizens of the United States and the inhabitants of the islands."

Much is said about "pacification" and satisfying the Filipinos of our "good intentions," and yet they are told by this resolution, in effect, that the islands and the people are to be "disposed of" as the United States may see proper. No wonder they refuse to be pacified and prefer dying with arms in their hands. The world has seldom seen such a display of sublime courage as that of the brave islanders armed with bows and arrows standing to be mowed down by the shot and shell of American rifles and American cannon. Such a people deserve a better fate than bloody subjugation.

The second proposition presented by this resolution is that it involves the right of this Government to barter or sell the islands in open market to the highest bidder.

I came of a family of former slave owners. I was raised upon a plantation, and from my earliest childhood was taught that African slavery was right, and although only a boy at the breaking out of the civil war, I was thoroughly imbued with all the tenets of the proslavery party, and without entering upon a discussion of the question as to whether slavery was rightfully recognized by the Constitution or not, it is sufficient to say all this was settled by the arbitrament of arms, and to set the matter forever at rest the Constitution was amended so as to declare that "neither slavery nor involuntary servitude shall exist in the United States or in any place subject to their jurisdiction," and with it came the prohibitive doctrine that never again shall the traffic in human beings be permitted to any individual within the jurisdiction of the United States.

If I had it in my power I would not expunge this constitutional provision, nor fasten again the shackles of slavery upon the poorest and humblest negro in all the land, nor would I again permit the traffic in human beings; and while this is denied to the individual, the Government shall never, with my consent, engage in the business on its own account. What is wrong in the abstract is wrong in the concrete. What is prohibited to the individual citizens must be prohibited to the Government.

We frequently hear it said that the islands may be sold to England or some other foreign power, or may be exchanged for other islands nearer our own shore. Yes, it may be done, but only in the exercise of an imperialistic power which is subversive of our system of government and would render us a republic only in name.

I said it was wrong to buy these islands of the sea, because when we bought the land we bought the people who live there; but I am not in favor of committing a still greater crime against Christian civilization by selling them to the power that will give us the best bargain. Far better that this proud Republic should be

true to its traditions as the friend of the oppressed, and let the cost of wresting the islands from Spain be an offering upon the altar of universal liberty, and say to the struggling Filipinos: "We found you fighting for release from merciless oppression and our hearts went out in sympathy to you. With our guns and our gold we struck the shackles from your limbs, and though it cost us much money and many precious lives, we give it all to you and bid you Godspeed in your race for national independence."

I do not mean by this to say that it would be wise to immediately withdraw from the islands and leave them in disorder, but, as in Cuba, encourage and assist them in restoring order and in establishing a government. And whenever this kind of declaration is made known to the Filipinos and they become satisfied of our good faith, then "pacification" will come naturally and not at the muzzles of rifles.

But if we want to get back our gold, let it be, as in Cuba, a charge upon the revenues of the island until paid back. They would gladly agree to it, and this would give us a still better opportunity to exercise a kind of protectorate over them, and thus aid them in setting up a stable government, and secure their lasting good will.

I do not believe we will ever want those islands as a permanent part of our territory, but there will be no difficulty in retaining, by amicable arrangement, sufficient foothold for all naval purposes, and this, I think, is all we need; but if after the native government has been established and it should ever be thought that annexation is desirable by both parties, then it might be considered, but not otherwise; but I do not believe that, upon mature reflection, when the "war blood" has cooled and comes the sober second thought, annexation of these far-away islands, with their mixed population of a people wholly dissimilar to ours, having but little in common with us from a moral, social, religious, or business standpoint, will be seriously considered by our people.

The cost of maintaining our sovereignty, even if it could be peacefully acquired—which is impossible, as the fighting now in progress proves—would be enormous and out of all proportion to the probable, or even possible benefits to be derived. But when we take into consideration the fact that if annexation is now to be the policy of the Government it must mean a protracted war, if not along the lines which accord with the principles of civilized warfare, of a more annoying and demoralizing character, in which the crafty natives, familiar with every foot of the ground, hiding in the jungles and fastnesses, fortified by their burning zeal for freedom and intensified by their memories of centuries of oppression, will wage against us a war which will cost us a vast amount of money and, what is of far more consequence, much of the flower of American young manhood.

I give every meed of praise to our gallant soldiers and sailors who are so proudly and grandly sustaining the honor of the American flag in those islands, but I could wish that they were fighting, not for conquest and the subjugation of a people yearning for liberty, but for those principles of which our flag has been the emblem for more than a hundred years. While they are kept there by the will of the Government I shall favor every measure for their protection, support, and comfort, but I shall hail with delight the day, as doubtless they will, when with honor they can return to their homes and loved ones so anxiously looking forward to their coming.

But, aside from all these considerations, there arises the danger of foreign entanglements and complications in European politics, always treacherous and full of pitfalls.

Upon our own shores and in defense of our own homes, we need not fear the world. With such a navy as I hope soon to see, we can protect our commerce upon all the seas, but with a European war upon our hands and these scattered islands thousands of miles away to be defended, the cost in men and money would be immeasurable. With the lights before me, I am not willing to favor any policy fraught with so much danger to our people and so foreign to our precedents and traditions.

I may not indulge in prophecy, but I wish to sound a note of alarm and express the apprehension that if the policy of territorial expansion and the consequent imperialistic tendencies which must necessarily accompany it are put into effect, irretrievable disaster will be the result, and will bring not only the shame of having abandoned the landmarks erected by the fathers of the Republic to guide us in the march of progress, civilization, and Christianity, but may be the first line of an epitaph to be written upon the headboard of a dead republic. God grant that my fears may be groundless! [Applause.]

The Clerk read as follows:

Fees of district attorney, southern district of New York: For fees of district attorney for the southern district of New York, under section 825, Revised Statutes, $100.

Mr. WHEELER of Kentucky. Mr. Chairman, I want to make the point of order against the following paragraph, and I can make it now, or shall I wait until the Clerk reads the paragraph?

The CHAIRMAN. The paragraph must be read. The Chair understood the gentleman from Texas [Mr. BALL] would also make a point of order on the paragraph.

Mr. WHEELER of Kentucky. Mr. Chairman, I am aware of the custom to read the paragraph, but in order that I may have an opportunity to make the point of order against it I simply desire to say to the Chairman——

The CHAIRMAN. Several gentlemen have indicated their desire. The gentleman from Texas [Mr. BALL] has informed the Chair that he desires to reserve the point of order against the paragraph. The Clerk will read the paragraph, and then the Chair will hear gentlemen.

The Clerk read as follows:

For the purpose of carrying out the obligations of the treaty between the United States and Spain concluded at Paris on the 10th day of December, A. D. 1898, to become immediately available upon the exchange of the ratifications of said treaty, $20,000,000.

Mr. BALL. Mr. Chairman——

Mr. McRAE. Mr. Chairman, I desire to submit the amendment to this paragraph which I send to the desk.

Mr. WHEELER of Kentucky. A point of order. I make the point of order against the paragraph.

The CHAIRMAN. The gentleman from Texas [Mr. BALL] and the gentleman from Kentucky [Mr. WHEELER] have both indicated to the Chair that they desired to make the point of order against the paragraph; and the Chair will hear——

Mr. McRAE. I hope the point of order will be reserved until we can have the general debate that has been agreed upon between the gentleman from Illinois and myself.

Mr. BALL. I make the point of order against the amendment, but am willing that it shall be pending.

Mr. McRAE. I offer this amendment, and ask that it be read without prejudice to the point of order made by the gentlemen.

Mr. BALL. I make the point of order, but reserve it.

Mr. CANNON. I will say to my friend that it seems to me, if the point of order is to be made upon this provision, that it had better be disposed of now. I am quite willing, if no point of order is to be made, for the gentleman to offer his amendment——

Mr. WHEELER of Kentucky. The point of order has been made.

Mr. CANNON (continuing). To be read, and then I am quite willing to arrange with him to allow debate on it; but——

Mr. McRAE. Will not the gentleman agree to carry out the private understanding that we had about further general debate, reserving the point of order, if he wishes, until that is done?

Mr. CANNON. I do not feel, at this stage of the session, justified in having debate if a point of order is to be made upon the paragraph as it stands. In the event that the point of order is to stand——

Mr. McRAE. The point of order was not made by me, and of course I can not withdraw it.

Mr. WHEELER of Kentucky. I made the point of order.

Mr. McRAE. I understand that and I have no chance to make it if I had intended to make it. Now, if the gentleman from Illinois insists upon the debate upon the point of order, perhaps we will be denied the opportunity for those gentlemen I have promised some time since the beginning of this debate. I sincerely trust the gentleman will not now disappoint me and my friends on this side.

Mr. CANNON. I must say to my friend that while I am perfectly willing to agree to an hour on a side, which he and I talked about, I did not know at that time that any point of order would be made to the provision itself.

Mr. WHEELER of Kentucky. A parliamentary inquiry.

The CHAIRMAN. The gentleman from Kentucky makes a parliamentary inquiry.

Mr. WHEELER of Kentucky. Has the Chair recognized me to make the point of order on the paragraph?

The CHAIRMAN. The Chair has recognized the gentleman from Kentucky and the gentleman from Texas both on that point.

Mr. WHEELER of Kentucky. Will the Chair indicate which gentleman he desires to hear at this time?

The CHAIRMAN. The Chair will hear the gentleman from Kentucky now.

Mr. WHEELER of Kentucky. Mr. Chairman, the point of order I make upon this paragraph I do not care to discuss at any length, because the matter was fully discussed on yesterday. It is in clause 2 of Rule XXI, which provides that—

No appropriation shall be reported in any general appropriation bill, or be in order as an amendment thereto, for any expenditure not previously authorized by law.

In stating my point of order, Mr. Chairman, I shall not go into a discussion of this rule, as I say the matter was fully gone over yesterday. The Chair has ruled upon this question. The only question involved in this discussion, as I conceive it, is as to the

status of the treaty between the United States and Spain, which has been formally ratified by the Senate of the United States. If ratification alone gives effect to a treaty, I confess, sir, my point of order is not well taken. But in looking to this treaty itself it seems to me that it has not received life nor become effective, and therefore can not, under the decisions of our Supreme Court, become "the law of the land" until its ratification is complete, according to its own terms and tenor.

In the treaty between the United States and Spain the third article contains this significant language:

> The United States shall pay Spain the sum of $20,000,000 three months after the interchange of the ratification of the present treaty.

That of itself shows, sir, even if the Spanish Cortes do ratify this treaty, if the interchange has not taken place it will not, according to its own terms and tenor, become the law of this land.

But it is known of all men, and I suppose, sir, I am warranted in saying that Congress will take notice of the fact, that the Spanish Cortes has not ratified the treaty, and that the ratification on the part of the Federal Senate of this Republic gives no effect or dignity to that treaty in this country until the other contracting party has consented. And I go further. Even if that were true, even if Spain had formally ratified, in the language of the treaty itself, if the interchange of ratification had not been made, if each Government had not been formally notified of the ratification by the other, and such other indicia as goes to make up a formal ratification had not been gone into, the treaty would not be effective.

Mr. HENRY of Texas. Let me suggest to the gentleman the decision of the Supreme Court, in the case of Cross *vs.* Harrison (16 How.), holds that the territory will not become a part of the territory of the United States until the treaty is ratified by the sovereignties.

Mr. WHEELER of Kentucky. Yes; and in another case the Supreme Court some years ago assented to the idea suggested by myself a few days ago in discussing this appropriation, when I stated that treaties ratified by the Federal Senate, if they require any legislation to carry them into effect, that provision requiring legislation is not the law of the land until the legislation necessary to carry it into effect is had.

Now, sir, it is clear that the treaty between Spain and the United States has not been confirmed and ratified; that is, there is no "existing law" to warrant this appropriation. And at the time this bill was introduced into the House of Representatives the Senate of the United States had not ratified the treaty and this appropriation was attempted to be thrust in here before the Senate had ratified the treaty.

The bill was reported on the 6th day of February. That, Mr. Chairman, briefly stated, is my objection to this clause of the bill. I think there can be no doubt but that my position is sound, that the treaty has not been formally ratified by Spain, and although it has been formally ratified by the upper House of Congress, it can in no event become effective until it is ratified, notifications exchanged, and the President of the United States issues his proclamation giving formal notice that it has been ratified by both parties and is the law of the land.

The CHAIRMAN. The Chair would like to hear, before the gentleman sits down, his views upon this point. It is a matter of public notoriety that the treaty has been confirmed by the Senate of the United States and signed by the President. What further is there for the United States to do to create the liability provided for in the third article of the treaty?

Mr. WHEELER of Kentucky. Mr. Chairman, I tried to make that clear in my preliminary statement. If the Chair will turn to the third article of the treaty, the last two lines say, "The United States shall pay Spain the sum of $20,000,000 within three months after the interchange of ratifications of the present treaty." Do I understand the Chair claims that there has been any interchange in ratifications of the Treaty?

The CHAIRMAN. The Chair is claiming nothing; he is asking questions to have the gentleman from Kentucky discuss it fully in all its phases.

Mr. WHEELER of Kentucky. I do not understand that anyone claims, or that it is held by any gentleman on this floor, that the treaty becomes the supreme law of the land until the formal ratification, and the question now comes up whether a mere ratification by the Senate of the United States and the signature, as announced by the Chair, of the President to a treaty gives it full force and effect. What would be the effect if the Spanish Cortes should refuse to ratify it? Suppose the Carlists were in majority in the Spanish Cortes, and they should repudiate this treaty.

No contract can be perfect, Mr. Chairman, until both parties to that contract have given their assent to its terms and tenor. A treaty between nations is nothing more or less than a contract between them. No contract between individuals is complete and perfect until each have signed it, if it be a written contract, or until it has been assented to, if it be a verbal contract. The treaty is a contract, upon a larger scale, between the people of the United States and the people of Spain. The people of the United States have indicated their willingness, according to the legal formula, to stand by the written agreement or written contract between these two nations.

Mr. BAIRD. I understood the gentleman in his argument day before yesterday to hold that the treaty was not final and complete until it had become vitalized, as he said, by the payment of this very $20,000,000 provided for.

Mr. WHEELER of Kentucky. The gentleman is in error; I took no such position. I stated that the provision which required the appropriation of twenty millions of money by the House of Representatives carried with it the idea of the free and untrammeled volition of this House to grant or refuse the appropriation, and if the House of Representatives refused to appropriate the $20,000,000 it was in the nature of an amendment to that instrument or the acceptance of the treaty with a nullification of the clause requiring the payment of the twenty millions.

Mr. HAY. I heard the gentleman refer to a decision of the Supreme Court which struck me as being very important.

Mr. WHEELER of Kentucky. I have the decision here.

Mr. HAY. I should like to hear the points of that decision.

Mr. BARTLETT. Before the gentleman reads from that decision I should like to make a suggestion, if he will permit me. I desire to call his attention and that of the House to the seventeenth article of the treaty, which expressly provides that—

> The present treaty shall be ratified by the Queen Regent of Spain and the President of the United States, in agreement and with the approval of the Senate, and ratifications shall be exchanged in Washington within a delay of six months from this date, or earlier if possible.

I desire to call attention also to the fact, as stated in the pamphlet which I hold in my hand, that—

> It has not infrequently happened that treaties concluded by commissioners have failed to meet the approbation of a two-thirds majority of the Senate. This happened, amongst other instances, in the following cases: Treaty for annexation of Texas; treaty for annexation of San Domingo, 1870; treaty for annexation of Hawaii; Bayard-Chamberlain fisheries treaty, 1888. The treaty of peace in 1848, with Mexico, was not accepted as a whole as it came from the commissioners, but was conditionally ratified with certain amendments and omissions, subject to acceptance by Mexico, and when Mexico accepted the changes the treaty became operative.

Mr. WHEELER of Kentucky. Mr. Chairman, I have not had time to examine these authorities as fully as I should like, but in what are known as the Head-money cases, in 112 United States Reports, this language is used by the Supreme Court:

> A treaty is primarily a compact between independent nations, and depends for the enforcement of its provisions on the honor and the interest of the governments which are parties to it.

That, sir, carries out exactly the idea that I was attempting to state when interrupted by the gentleman from Louisiana, that the Senate of the United States has ratified this treaty in as full and complete a manner as it can, and, as I am told, the treaty has been signed by the President of the United States. That completes every action required on our part. But that gives no life to the treaty or the contract, because we can simplify this matter by stating it in the terms of a contract rather than in treaty terms. It is a mere contract between nations, as contracts frequently exist between individuals.

This treaty or compact has no vitality, no life, no force until the Spanish Cortes agrees to it; and until the Queen Regent of Spain has also agreed to it (according to the terms of the treaty as read by the gentleman from Georgia) and until the formal notifications of the ratification have been exchanged the treaty is not in force.

Mr. CARMACK. We appropriate the money now nunc pro tunc.

Mr. WHEELER of Kentucky. Yes; as the gentleman from Tennessee suggests, we make the appropriation now nunc pro tunc. We appropriate the money now when there is no existing legal obligation upon us to do so, when we have no reason to know that the Spanish Cortes will ratify the treaty.

Mr. CARMACK. If they do not, the money will not be paid.

Mr. WHEELER of Kentucky. Mr. Chairman, this question is deeper than one of dollars and cents. So far as I am concerned, I am opposed to this appropriation upon principle, and I am disposed to take advantage of every technicality possible in order to defeat it.

Mr. DRIGGS. Is it not a fact that, so far as the United States are concerned, this treaty is now the supreme law of the land?

Mr. WHEELER of Kentucky. No, sir; it is not the supreme law of the land.

Mr. DRIGGS. Not so far as we are concerned?

Mr. WHEELER of Kentucky. No, sir. Would the gentleman contend that if he and the gentleman beside him had entered into a contract which was to be put into writing, and that contract

had been signed only by himself, the contract would be in force against him, but not in force against the other party?

Mr. DRIGGS. I would not for a moment suggest any such position as that. At the same time I would contend that when the Constitution has expressly declared how treaties shall be made, and when a treaty has been ratified by the Senate and signed by the President, it becomes, so far as we are concerned, the supreme law of the land.

Mr. WHEELER of Kentucky. Oh, no. The gentleman confuses the case of a proposed treaty and a treaty which has been agreed to by both parties.

Mr. Chairman, I believe I have now about stated my objection, unless the Chair desires to hear something further; and I reserve the balance of my time.

Mr. BALL. Mr. Chairman, I understood the Chair to recognize me to make the point of order. Not caring by whom it was made, I allowed the gentleman from Kentucky to go on with his statement without interruption. But I do not understand that he can reserve the balance of his time.

The CHAIRMAN. There is no reservation of time on a point of order. The extent of the debate is purely within the discretion of the Chair. If the gentleman from Texas desires to be heard, the Chair will listen to him.

Mr. BALL. Mr. Chairman, I do not wish to discuss this matter at any great length. In view of the very full discussion yesterday upon a question precisely similar to the present, and in view of the rule which was invoked in the decision of that question, it seems to me there is hardly any necessity for a discussion to-day. It is true that yesterday I refused, as was my privilege, to sustain by my vote the decision of the Chair. It may be that in my zeal for a great enterprise—the Nicaragua Canal—which has been indorsed, so far as I know, by every national convention, and, so far as I know, by every State convention and by every political party which has taken action on the subject, I was led to favor a violation of Rule XXI, which I now invoke. If so, it was in order to legislate upon a question vital to the American people, upon which a hearing was denied here.

The only question, Mr. Chairman, under that clause in Rule XXI which provides that "no appropriation shall be reported in any general appropriation bill for an expenditure not previously authorized by law," the only question for the decision of the Chair turns upon the fact as to whether or not the treaty in question with Spain for the possession of the Philippine Archipelago by the United States and the payment by this country of $20,000,000 is now the supreme law of the land. So far as I am concerned, I am inclined to think that were the treaty ratified by both countries the $20,000,000 would be a just and valid demand upon the Government of the United States, regardless of the action of Congress. But no one will surely contend that where the treaty is made by its terms contingent on its ratification by the Government of Spain as well as by our Government that it will be of any force or effect until so ratified. I read now from the closing paragraph of the third clause of the treaty:

> The United States will pay to Spain the sum of $20,000,000 in three months after the exchange of the ratification of the present treaty.

Again, Article XVII of the same proposed treaty provides:

> That the present treaty shall be ratified by the President of the United States, by and with the advice and consent of the Senate thereof, and by Her Majesty the Queen Regent of Spain, and the ratification shall be exchanged at Washington within six months from the date hereof, or earlier if possible.

Now, surely it will not be seriously contended that the present treaty has any practical force, effect, or vitality other than is expressed by its own terms. It will not be contended that it has any more force or effect than the treaties which have been characterized by the distinguished chairman of the Committee on Appropriations on yesterday as "last year's birds' nests that never held an egg." No one will contend that should Spain fail of ratification, or refuse to carry out the treaty, which, so far as we are concerned, has already been ratified, that we would be under any obligation to pay the $20,000,000, or that the territory of the Philippine Archipelago would pass into our possession.

The Chairman properly asked the gentleman from Kentucky [Mr. WHEELER] as to whether or not the Government of the United States had not already done all that was incumbent upon it to do and all that it could do to make the treaty of full force and effect. I answer to that question, yes, unquestionably. But, sir, where it requires two parties to a compact—if it requires the joint signature of myself and some other person in order to make a contract complete, it could not be held by any sort of legal reasoning that the contract was complete until both parties who were necessary to the compact had signed and all of the formalities had been complied with.

Mr. LACEY. Will the gentleman allow an interruption just there?

Mr. BALL. Certainly.

Mr. LACEY. Then, if I understand the argument correctly, it is that this will not be existing law until it has been enacted by the Spanish Government. In other words, that the law of this land, in this respect, must be enacted in Spain to make it obligatory and binding?

Mr. BALL. The gentleman from Iowa may have understood me in that way; but if so I did not make myself clear, and I will endeavor now to do so.

I say that while a treaty is the supreme law of the land, this is not yet a treaty, and the gentleman from Iowa is himself too good a lawyer to claim it is a treaty until the ratification of the Spanish Cortes has been secured. Such ratification is absolutely necessary before this proposed treaty can become the supreme law of the land. I think the gentleman understands that position. I think that every man on the floor of the House understands it. Even a tyro in law would understand that if the proposed treaty is rejected by the Spanish Cortes it would not be a treaty, but simply an offer to make one, and that by its terms it is required to be submitted to both Governments, and is of no binding force and effect until each Government shall have ratified and accepted its provisions.

Mr. CARMACK. What is the rule to which the gentleman refers for the statement he is making? I would be very glad if he would quote it.

Mr. BALL. The particular point I am making is sustained by Rule XXI of the House, which was invoked yesterday to defeat the Nicaragua Canal. It reads:

> No appropriation shall be reported in any general appropriation bill, or be in order as an amendment thereto, for any expenditure not previously authorized by law.

Mr. CARMACK. But the point, if the gentleman will permit me, that I suggest is this: This expenditure has been authorized by law so far as this country is concerned or is competent to make the law. It is of course conditioned upon the Spanish ratification. But if that ratification is not secured the money will not be appropriated. It does not, in making the appropriation, make a law for the payment of the money, but it provides that the payment shall go into effect in the event the treaty is ratified by Spain, and the authorization, so far as this country is concerned, for the payment is conditional. Unless Spain ratifies the treaty, therefore, the money will not be expended, because the appropriation is a conditional one.

Mr. BALL. I understand the gentleman from Tennessee to make the point that this appropriation is not an appropriation——

Mr. CARMACK. Only a conditional appropriation.

Mr. BALL (continuing). Until certain things are complied with. But if the gentleman from Tennessee will observe the language of this provision he will find that it reads as follows:

> For the purpose of carrying out the obligations of the treaty between the United States and Spain, concluded at Paris on the 10th day of December, A. D. 1898, to become immediately available upon the exchange of the ratifications of said treaty, $20,000,000.

Mr. CARMACK. To become available at that time?

Mr. BALL. Yes; but it has been decided time and again that every appropriation which is a charge upon the Treasury is an appropriation in the proper sense of the word. Now, I do not undertake to say that Congress can not make the appropriation in a proper way, but I do say that this is either an effort to make an appropriation or it is not, and that under Rule XXI there can be no appropriation properly put on this bill unless previously authorized by law. Now, surely the gentleman from Tennessee [Mr. CARMACK] will not contend that we have any treaty of peace with Spain now, or that that treaty is the supreme law of the land or will become the supreme law of the land until everything that is necessary to vitalize it and to give it force and effect has been complied with.

Mr. LIVINGSTON. Nor until the proclamation of the President makes it so.

Mr. BALL. It will not be complete, nor will our authority under the decisions read by the gentleman from Kentucky extend to the Philippine Islands lawfully, nor will they become a part of the territory of the United States, until this treaty is ratified by the Government of Spain.

Mr. LIVINGSTON. And not then until the proclamation of the President. It requires the proclamation of the President to make a treaty binding.

Mr. BALL. Now, Mr. Chairman, I fail to catch any distinction between the ruling of the Chair upon yesterday, that the appropriation was not in order and was subject to a point of order which provided for the construction of the Nicaragua Canal, that is desired by the great bulk of the American people, and this appropriation. So far as I am concerned, if this treaty were ratified, if Spain had ratified the treaty also, I for one would be ready to vote to carry out the obligation of this Government regardless of

how much I might deplore the terms of the treaty and the conversion of a war that was begun in the name of liberty and humanity into one of spoil, of conquest, and of greed.

Mr. CANNON. With the gentleman's permission, I should like to ask him there: This item to which the gentleman makes the point of order appropriates the money to be available only after the notice of ratification of the respective Governments has been exchanged. Now, my friend says that if the notice had come of the ratification by the Spanish Queen, or the Cortes, as the case may be, and the formal exchange had been made, he would be willing to appropriate the money. Now, aliunde the point of order, I will ask the gentleman why is he not willing to appropriate the money, not one dollar of which appropriation can be paid out of the Treasury unless the treaty is ratified by the Spanish Cortes and notice of the ratification by the respective Governments exchanged?

Mr. TATE. Because it is a violation of the rule.

Mr. CANNON. I will ask the gentleman why he is not willing to make it conditionally, as he would be if the contingency had happened?

Mr. BALL. When the gentleman from Illinois, with such dramatic fervor, on day before yesterday held up this copy of the rules——

Mr. CANNON. I am not talking about the rule. [Laughter.]

Mr. BALL. I will answer the gentleman in my own way. The gentleman almost converted me to his side of the question, and to-day he has converted me, because, having retired temporarily from the ranks of the insurgents on yesterday, I now desire to transact the business of this House in the manner in which the gentleman from Illinois would have it transacted—under the due and orderly procedure as laid down by these sacred rules. [Laughter.] And I say now that the very language of the rule——

Mr. CANNON. Oh, I am not speaking to the point of order. I think it is entirely likely that the point of order is well taken, but I ask the gentleman the question. He said if this was ratified by Spain, and the notice of ratification was exchanged, then he would be willing to vote the $20,000,000 appropriation. I ask him why not vote the appropriation now, withdrawing the point of order, when not one dollar of the appropriation can be paid unless the thing happens which he says if it does happen he will be willing to appropriate the money?

Mr. BALL. In answer to that, outside of the fact, which I will not plead, that it is an open violation of the rules, the last refuge of the minority on this side of the House——

Mr. CANNON. How did the gentleman vote yesterday?

Mr. BALL. I did not want any refuge.

Mr. CANNON. Oh!

Mr. BALL. But I will say to my friend that I deplore this treaty, that I deplore the payment of this $20,000,000 for subjects who have not yet been delivered; and while I am ready to respect the faith and honor of the United States Government, I never intend to vote for any measure or any purpose looking to the conquest of the Philippine Islands until I am forced to do so for the protection of the honor of this Government. That is why I insist on my position. And I wish to say, in conclusion, that everything about this—the very language of the appropriation—shows a recognition on the part of the great Committee on Appropriations that they well know that it is in violation of the rules of the House, because they undertake to make the appropriation available upon the exchange of the ratification of the treaty. That shows that they realize that the treaty is not the law of the land until such ratifications have been exchanged.

Mr. CANNON. Why, it would be a bold man, indeed, who would propose by any legislative enactment to pay one dollar or one cent until the treaty was ratified by both Governments and formal notice has been given. The gentleman finds authority to satisfy his own judgment, and he is the keeper of his own judgment about making the point of order here. Now, that is for him.

Mr. LIVINGSTON. Let me suggest to my colleague that should the Spanish Cortes make it a condition of ratification that the twenty millions must be first paid, or we should be in favor of paying this sum within this bill, I should be in favor of paying the twenty millions in advance of the ratification if it should become a condition.

Mr. CANNON. I would not. The Spanish Cortes will have to ratify, so far as I am concerned, this treaty as the Senate of the United States have ratified it before I will vote one dollar or one cent to pay them. But as these are the closing hours of the session, and we are soon to depart to our homes, we place this item in the bill for the consideration of the House and committee; and by its very terms not one cent can be paid until after the treaty is approved by both countries and due notice is given. Now, then, I am quite content, if the point of order is well taken, that the gentleman shall insist upon it, because I believe in the substantial enforcement of Rule XXI. Aye, more; I am willing that the gentleman who yesterday sought to trample upon it, and spat upon it and denied it, should here make the bare technical objection, if he wants to; but I would not like to take him into full connection with the church as a convert to Rule XXI. I would keep him about six months under probation, because I do not believe he now believes in Rule XXI. [Laughter.]

Mr. BELL. I want to suggest to the gentleman from Illinois this fact, that all treaties must stand on a different footing from a law. That is, I mean to say this: That if you make a treaty with an Indian tribe or with anybody else, and afterwards that treaty is confirmed by Congress, as it must be, that the law dates from the time the treaty was made between the two powers.

Mr. CANNON. That depends upon the treaty.

Mr. BELL. Yes; it does. It has been decided——

Mr. LINNEY. Absolutely.

Mr. BELL. It has been decided over and over again in criminal cases. For instance, a treaty between the Ute Indians and the Government of the United States was made and it was subject to the approval of Congress. Between the time of the making of the treaty and the ratification that great cannibal, Albert Packer, killed five men in the San Juan country and ate them, wintered on them. The question came up in the court afterwards, Was that Indian ground subject to the exclusive jurisdiction of the United States, or was it a crime that could be tried by the State of Colorado? Now, the treaty had been made, but had not been confirmed by Congress. All the decisions of the United States courts were gathered, and the line of decisions were that like treaties after confirmation by Congress relate back to the time of the agreement between the treaty-making powers. I think it is the same in this case. Now, suppose that this treaty is made, it relates back, if it is confirmed, to the time of the agreement of the two parties.

Mr. CANNON. Well, now, the gentleman may be correct about that. I know one thing, however. Whether he is correct or not, whether this provision is subject to a technical point of order or not, I know one thing—that there can be no dollar of money go out of the Treasury under this provision until after it is ratified by Spain and due notice is given of exchange of ratifications. Now, if that should not happen for three months, and in the meantime no notice should be given for three months and Congress not in session, it might involve an extraordinary session of Congress. But I think I know another matter. I hope I do. That whether this point of order is well taken or not, so far as this House is concerned, I hope and believe before the expiration of this Congress that this matter will come up under conditions where Rule XXI does not apply, if it applies here. And I am not—I will say it respectfully—I am not here to find fault with the gentleman who makes this point of order. You know what the boy said on the Fourth of July. When he was picking his nose and it was bleeding a little bit, a man said to him, "Sonny, don't pick your nose." "Oh," said he, "it is Fourth of July, and I will pick thunder and lightning out of it if I want to." [Laughter.]

Mr. WILLIAMS of Mississippi. Will the gentleman allow me to ask him a question?

Mr. CANNON. I am not discussing the point of order. My friend from Iowa is going to do that. He is a lawyer, and I am not much of one.

Mr. WILLIAMS of Mississippi. Does not the gentleman from Illinois think that if a mere rule of the House stands between the House and an important matter of legislation like this the House ought to overrule the rule and do what is right on a national and international matter?

Mr. CANNON. No; I do not think so. The rules of this House, made under the Constitution, are the growth of a hundred years and over. Therefore, I believe the rules ought to be enforced, and if it is held that this item or this paragraph is technically subject to the rule, I believe the rule ought to be sustained.

But there are other rules under which there can be legislation as well as appropriation bills which can be invoked to take care of this $20,000,000, and no doubt will be invoked to take care of it. I stand by the rules, and shall vote to enforce the rules; not vote against it, to break it down yesterday and then seek to have it technically enforced to-day. Yes; gentlemen have the right——

Mr. SIMS. Let me ask the gentleman a question.

The CHAIRMAN. The gentleman from Iowa has the floor.

Mr. LACEY. Mr. Chairman, I have no feeling growing out of the action of this House on yesterday, and I trust that this matter may be approached in no spirit of ill feeling because of any ruling that may have been made yesterday, or by the invoking of the rule yesterday.

Mr. WHEELER of Kentucky. Will the gentleman permit me?

Mr. LACEY. I prefer not to be interrupted now, but will answer later.

Mr. WHEELER of Kentucky. But as I made the point of order, I desire to direct the attention of the gentleman to this fact, that several days ago, before the controversy arose yesterday in regard to the construction of this rule, I announced my purpose on the floor of fighting this appropriation in every way that lay in my power. I have no feeling as far as the rule yesterday

was concerned. My motives are entirely higher and more patriotic and loftier than any feelings about the construction of the rule.

Mr. LACEY. I am glad to know that my friend takes this lofty view of it. In some discussion we had to-day the action of yesterday was appealed to on the ground of technical invocation and the peculiar construction of this rule. Mr. Chairman, "the letter killeth, but the spirit keepeth it alive." We must go to the spirit of this word "law." What is the meaning of the words "existing law" within the meaning of this rule? It means such authority of law as shows that the legislative body or the authority having the power to act upon it can determine the conditions out of which an appropriation shall arise. We have here a treaty made by the President of the United States, and it is confirmed and ratified by a two-thirds majority of the United States Senate.

As far as the United States of America is concerned, that is existing law within the spirit, the fair spirit, of this rule. It may be true, it no doubt is true, that in order to make this law operative elsewhere the consent of some one else must first be obtained, in accordance with the laws of another country. But we are not legislating for another country; we are legislating for the United States of America. Now, have the previous steps to be taken by the Government which we do control been taken? If so, then it is existing law within the spirit and fair purport of this rule. Otherwise it would be impossible to make a treaty and provide by a law, with that treaty, hand in hand, the money to carry it out.

Then, again, what is existing law? The existing law is a state of war—war with Spain declared by the House and the Senate and approved by the President of the United States. That is existing law. Whatever appropriations may be necessary to carry on that war are authorized by existing law and may be put on appropriation bills. The act declaring war is a law to base it upon. The termination of this war is part of the war itself, just as necessary as to carry it on, and a good deal more important. Is it possible that this House is bound under the effect of some technical rule that prevents it, when the condition of war has been declared, from appropriating money to carry it on and with which to terminate it?

Now, Mr. Chairman, on other grounds this point of order ought to be overruled. First, it is "existing law" within the meaning of that section. It may be true, and I concede it, that the existing law as made by us to be operative requires the signature of Spain or the confirmation by the Cortes, but it is existing law so far as we are concerned. We have enacted it, and it provides that we shall appropriate money. The President of the United States and two-thirds of the Senate have said to Spain: "Here is a treaty; that is the law proposed by us; it is the will of the United States; if you accept it it becomes operative, binding you. Now, here are $20,000,000 that must go with it." It seems to me clear that the term "existing law" does not mean the strict technical thing contended for by the gentleman from Texas. Otherwise a treaty placed in the form and in the manner pointed out by the Constitution of the United States, carrying with it and requiring, in order to make it operative, a payment of money could not, under the rules of this House, carry an appropriation.

Mr. GILLETT of Massachusetts. It would require a special bill.

Mr. LACEY. A special bill might be offered, but it would require a special rule to get it up. The appropriation would not be authorized by existing law, and it would require a special rule to reach it. The Committee on Appropriations has no privilege in a special appropriation. It seems to me, on the other hand, that this is an appropriation to terminate the war; which war was declared by law, and that the appropriation to terminate it comes within and is authorized by existing law.

Mr. CRUMPACKER. Mr. Chairman, I entirely concur with the views of the gentleman from Iowa [Mr. LACEY] on this point of order. It seems to me that gentlemen who have spoken in favor of the point of order misunderstood the situation. If it were true that the treaty is the only authority for this appropriation, the point would doubtless be well taken. But it must be kept in mind that the appropriation is a part of the treaty itself; consequently the treaty can not stand as the authority for it; it is in a sense contingent; it is a conditional appropriation, and necessarily so.

In the exercise of the treaty-making function it becomes necessary sometimes to employ the legislative agency of the Government to cooperate with the treaty-making power; the two departments must proceed together; they must do their work in a sense contingently. It seems to me that the statement of the gentleman from Iowa [Mr. LACEY] that the declaration of war is the basis for the treaty and of the appropriation is unanswerable.

It seems to me that no one can doubt the right of this House, under Rule XXI, to appropriate money necessary to carry on a war and to conclude a peace. The declaration of war passed by Congress less than a year ago is all the authority that this House needs, under Rule XXI, to appropriate $20,000,000, or any other sum. To conclude peace is an incident of the power to make war. It grows out of the war. It is as much an incident of warfare as an appropriation of money to arm and equip soldiers in the field, or for any other purpose.

Mr. CARMACK. Will the gentleman from Indiana [Mr. CRUMPACKER] allow me a suggestion?

Mr. CRUMPACKER. Yes, sir.

Mr. CARMACK. Rule XXI provides:

> No appropriation shall be reported in any general appropriation bill, or be in order as an amendment thereto, for any expenditure not previously authorized by law.

Now, my suggestion is that this expenditure has been authorized by law—by the treaty-making power of the United States; but it can only be made upon the happening of a future contingency, and when so made it will be made in pursuance of existing law.

Mr. CRUMPACKER. Now, Mr. Chairman, there is another provision of the rule which must be taken into consideration in the determination of this question—the provision authorizing appropriations for "public works or objects already in progress." The clause is not confined to the construction of public works. Any "public object in progress" which involves an appropriation for its prosecution or for its conclusion authorizes the House under this rule to make the necessary appropriation.

Suppose, Mr. Chairman, that the paragraph in this bill instead of being stated in the terms of the text had simply provided that there be appropriated out of the Treasury a sum of money, not otherwise appropriated, not exceeding $20,000,000 be expended by the President in concluding peace with Spain. Is there a man on the floor of this House who believes that such a provision would be open to a point of order? "A public object in progress." A war with a foreign country, under the terms of this rule, authorizes Congressional legislation and Executive action. The very safety and peace of the country lie at the foundation of this proposed Congressional action.

I submit, therefore, that this proposition is clearly within the rule—within its spirit, and I believe clearly within its letter—and I hope the Chair will overrule the point of order.

Mr. GARDNER. Mr. Chairman, this House makes its rules by authority of the Constitution. The treaty-making power, under the Constitution, concludes treaties; and the latter power, if the relative importance may be measured, is superior. Nobody will claim that the House could adopt a rule that in any way infringed upon the treaty-making power. So that it is a power independent of the House. The treaty-making power, in pursuance of its constitutional authority, has concluded a treaty; and I rise to suggest that a rule of this House can not be invoked to defeat a proposition in an appropriation bill or elsewhere to carry out the provisions of a treaty made by the President and the Senate under the Constitution.

Mr. GAINES. I wish to ask the gentleman a question before he sits down.

The CHAIRMAN. The Chair does not desire to hear any further discussion on the subject.

Mr. GAINES. I desire simply to ask a question.

Mr. BELL. I desire a moment. I am a member of a committee——

The CHAIRMAN. This is a matter under the control of the Chair.

Mr. GAINES. I desire to address the Chair.

The CHAIRMAN. The Chair does not wish to hear any further argument on the point.

Mr. GAINES. I propose to read the Constitution.

The CHAIRMAN. The Chair is ready to decide the question. The objection raised to the pending paragraph invokes that part of Rule XXI which provides that "no appropriation shall be reported in any general appropriation bill or be in order as an amendment thereto for any expenditure not previously authorized by law," etc. The question is as to whether there is any law that authorizes this proposed appropriation. Under the Constitution all treaties made under the authority of the United States shall be the supreme law of the land. A treaty is a compact or agreement between two sovereign, independent states. The treaty does not become binding and effective until it has been executed by both the contracting sovereign states.

The appropriation in the pending bill against which the point of order is made is to carry out and make effective the treaty of peace negotiated and executed by the commissioners on the part of the United States and those representing the Spanish Monarchy at Paris on the 10th day of December last. The question arises, then, whether this treaty has reached that stage of completion, or rather ratification, where it can be treated as the supreme law of the land. Article XVII of the treaty reads as follows:

> The present treaty shall be ratified by the President of the United States by and with the advice and consent of the Senate thereof and by Her Majesty

the Queen Regent of Spain, and the ratification shall be exchanged at Washington within six months from the date hereof, or earlier if possible. * * * Done in duplicate at Paris the 10th day of December, A. D. 1898.

While it is true that the Senate of the United States has approved this treaty and it has been signed by the President, it has not as yet been ratified by Her Majesty the Queen Regent of Spain and there has been no exchange of ratifications at Washington, as provided for in the article of the treaty which the Chair has just read. That part of Article III of the treaty which contains the $20,000,000 clause reads as follows:

The United States will pay to Spain the sum of $20,000,000 within three months after the exchange of the ratifications of the present treaty.

This clearly shows that the Government of the United States does not become liable for the payment of the $20,000,000 until the exchange of the ratifications of the treaty at Washington. At the present time, then, there is no existing legal liability for the payment of which it is proposed to make the twenty million appropriation. The treaty itself does not become the supreme law of the land until it is ratified by Spain, as provided in the treaty, and the ratifications of the two Governments are exchanged at Washington. Hence the proposed appropriation is "not previously authorized by law." So the Chair feels constrained to sustain the point of order.

Mr. WILLIAMS of Mississippi. Mr. Chairman, from that decision I respectfully take an appeal to the House.

Mr. CANNON. I hope my friend will not filibuster.

Mr. WILLIAMS of Mississippi. No; I am not filibustering. I think the Chairman is clearly wrong, and I make the appeal for the purpose of placing the matter before the committee.

Mr. BELL. Mr. Chairman, is the appeal from the decision of the Chair debatable?

The CHAIRMAN. It is.

Mr. BELL. Then, I want to ask the attention of the members present for a few moments.

I have been opposed to this entire measure from the first; but I concede that this appropriation becomes a debt of the Government after the treaty has been ratified. Now, there is one thing about which I have no doubt—that is, that it falls beyond and without the rule. If this is not obnoxious to the rule, then we ought to overturn the decision of the Chair.

Now, let us see what the rule is, why it is made, and what purpose is sought to be accomplished. This rule has been enacted for just one purpose, and one only, and that is to say to the House, "You shall not, under the guise of an appropriation bill, enact a statute upon which an appropriation may be made." That is all it does. You can not come in and provide for the employment of a commission, for instance. You can not come in and provide for the expenses of a treaty under this appropriation bill; but you can come in and make an appropriation which does not enact a new law, and provide the money to meet the appropriation which you will make.

Bear in mind when you make this appropriation you are not enacting a statute. You are not putting a law upon the statute books wherein an appropriation must follow as a matter of necessity. And that is the distinction which must be borne in mind—the distinction between an appropriation itself and the enactment of a law requiring an appropriation.

Now, as I said before, the treaty is different from the ordinary law of the land, as treaties take effect from their making and not from their approval. The treaty is the law, to all intents and purposes, as far as the lawmaking power of the United States can make it such. The President has acted upon it under the Constitution, the Senate of the United States has acted upon it, and we have done all that we could do under the Constitution. Now, we make an appropriation, an appropriation for an existing law, as far as this body is concerned, and I take it that if the point is good, that if you enact a law to-morrow and it was to take effect in six months from to-day, on that day, then, you could make the same point of order against that appropriation that you can make against this one. But the making of an appropriation was not what the rule was intended to avoid, but to avoid making the basis for the treaty.

Mr. LINNEY. Will the gentleman allow a suggestion just there?

Mr. BELL. Certainly.

Mr. LINNEY. Is this not the case of a condition precedent?

Mr. BELL. That is correct. I say it is. But that does not come within the spirit of the law at all. It was not within the purview of the rule to avoid simple appropriations? It is not within the rule to say that an appropriation could not be made until the law actually existed. The intention of the law was that you should not enact a statute instead of making an appropriation. In other words it was to confine the appropriation bills to their legitimate function of making provision for the expenditures authorized by law made previously. It is not the object of the law to say that we shall not make a provisional appropriation. The object and spirit of the law are that you shall do nothing in the bill except to make appropriations. That is the point in a nutshell.

Mr. LACEY. I would like to suggest, with the gentleman's consent, in this connection that this appropriation is no broader than the treaty.

Mr. BELL. Not a particle.

Mr. LACEY. And if it does not go beyond the terms of the treaty, it is already authorized by law.

Mr. BELL. Certainly. But a complete answer to the whole proposition is embodied in the proposition that the rule is to prevent the House from doing anything under the guise of an appropriation bill except to make an appropriation. We are directly within the rule when we make an appropriation, whether conditional or otherwise, because that is the object of the rule—to confine you to the making of an appropriation and to prohibit you from enacting any other law.

Mr. CARMACK. This money will be expended, when it is expended, in pursuance of existing law.

Mr. BELL. Yes; and under this rule you can not make a law for the spending of the money. Now, that seems to me so clear that it is not subject to mistake.

Mr. WILLIAMS of Mississippi. Will the gentleman from Colorado allow me to interrupt him?

Mr. BELL. Yes.

Mr. WILLIAMS of Mississippi. I want to say to the gentleman, with his permission, that by the very letter of this provision this appropriation becomes either an appropriation or no appropriation.

Mr. BELL. Yes.

Mr. WILLIAMS of Mississippi. That is to say, it becomes an appropriation in the event that the treaty is ratified and the notice of ratification exchanged.

Mr. BELL. Yes.

Mr. WILLIAMS of Mississippi. And by its own provisions it is so hedged and limited that in the event there shall be no existing law—that is to say, in the event that no ratification shall be exchanged—the appropriation is inoperative. Therefore it is either no appropriation at all or it is an appropriation strictly in accordance with existing law.

Mr. BELL. Yes; but my other position is unanswerable; and that is that this rule is put upon this House for the purpose of warning the House that in this bill it can not enact any legislation except to make appropriation—no legislation enacted in other bills.

Mr. LINNEY. Appropriation founded upon existing law.

Mr. BELL. Founded upon existing law; but the fact that the law is existing or is contingent does not touch the spirit of it at all. The prohibition of the rule is that you shall not enact any other legislation than appropriations. That is all there is to it; and it seems to me it is as clear as day.

Mr. CANNON. Mr. Chairman, I am not able to agree with the gentleman from Colorado [Mr. BELL], and now I am not in sympathy with this point of order, or, as it seems to me, with the spirit which inspired it; yet the point of order being made, in my judgment, under Rule XXI the amendment is subject to the point of order and for the following reasons. Just a word, and then I will sit down.

Mr. HENDERSON. Will the gentleman from Illinois answer one question?

Mr. CANNON. Certainly.

Mr. HENDERSON. Have we any information showing that the Spanish Government has ratified the treaty?

Mr. CANNON. We have not. The fact is that a treaty was made which becomes law when ratified by the United States and by Spain.

Mr. WILLIAMS of Mississippi. This appropriation does not become law until then either, does it?

Mr. CANNON. No; I will come to that in a minute. The United States has ratified the treaty. Spain has not ratified it. Perchance she may never ratify it.

Mr. LACEY. Will my friend allow me to ask him a question?

Mr. CANNON. Well, I did not want to take up much time.

Mr. LACEY. I think you can not take up too much time on a proposition of this kind, whether we shall end this war with Spain or not. Now, if we pass a bill here appropriating $20,000,000 to take effect upon the final ratification of this treaty, then we make an appropriation, do we not, in pursuance of law, authorized by law.

Mr. CANNON. Well, I will say to my friend——

Mr. WALKER of Massachusetts. And not available unless there is a law.

Mr. LACEY. Not available unless the law is completed.

Mr. CANNON. I will answer my friend. The condition is this: Technically this treaty does not become law until it is ratified

according to its provisions. Nobody will dispute that. Has it been so ratified? Nobody will say that it has.

Mr. WILLIAMS of Mississippi. Will the gentleman from Illinois pardon one question?

Mr. CANNON. Just let me state my position, and then I will answer my friend.

The CHAIRMAN. The gentleman declines to yield.

Mr. WILLIAMS of Mississippi. This comes in right here and it will help you right here.

Mr. CANNON. I will yield to my friend in a moment, but I want to state my position briefly.

Mr. WILLIAMS of Mississippi. Very well.

Mr. CANNON. No man in this House claims that the treaty has been ratified so that it is a law to-day. Now, we are morally certain that it will be ratified a little later on, but to-day it is not the law of the land. Gentlemen say we have done all we can to make it law. Yes, except to receive notice of the ratification by Spain, and when that notice is received, then for the first time it becomes a law.

Mr. LACEY. May I ask my friend a question?

Mr. CANNON. I want to state my position, and then I will yield. Now, the Committee on Appropriations believed that no harm could come in making this money payable when the notice of ratification is exchanged between the two Governments.

But in comes Rule XXI. I want to state it, just for a minute, and then I will yield. Now, that being the condition, here is the rule. Let me read it:

> No appropriation shall be reported in any general appropriation bill, or be in order as an amendment thereto, for any expenditure not previously authorized by law.

Authorized by law—prior thereto. Now, then, is this authorized by law this minute? No. Now, gentlemen may say that is technical. You may say that it falls in the letter of the rule, and that the rule, when made, did not contemplate such a provision as that. I am not replying to that statement, if it is made. Yet there is a law and a rule, and invoked as it is, and the Chair having ruled as he must rule, to sustain the rule, it destroys the amendment. I believe that the Chair ruled correctly, and therefore shall vote to sustain the Chair.

Now, then, I beg gentlemen to keep this distinction in their minds: This rule was made to cover mere matters of appropriations, and its object was to keep the appropriations in the general appropriation bills in pursuance of law. Now, the House has full authority through its other committees to legislate. We can make this appropriation and legislation both, under other rules of the House, not upon the general appropriation bills, and I have no doubt will before this Congress adjourns. Now, that is all I desire to say about it——

Mr. WILLIAMS of Mississippi. Now, if the gentleman will allow me.

Mr. LACEY. I desire to ask the gentleman a question.

Mr. CANNON. I yield to the gentleman from Iowa.

Mr. LACEY. I will ask the gentleman this question: Suppose the treaty had been made to pay twenty millions at the time of the exchange of the papers. Then do you hold that we could not make an appropriation in this House in advance of that time?

Mr. CANNON. Now, the gentleman supposes an impossible case.

Mr. LACEY. It is quite a possible one.

Mr. CANNON. Oh, no.

Mr. LACEY. If the money was coming to us, we would require that Spain should pay it on the spot.

Mr. CANNON (continuing). Because it is not in the power of commissioners appointed by two countries to make a treaty that is binding as law I think answers that question.

Mr. WILLIAMS of Mississippi. Now, will the gentleman let me ask him a question?

Mr. CANNON. Yes.

Mr. WILLIAMS of Mississippi. The language of the rule is, "unless previously authorized by law."

Mr. CANNON. Yes.

Mr. WILLIAMS of Mississippi. Now, this treaty will or will not be ratified by the action of the Cortes. If the Cortes shall ratify the treaty, then it becomes law. Now, when it becomes law, of what date does it become law? Why, it becomes law of the date of the making of the treaty and not the day of the ratification of the treaty.

Mr. CANNON. If it does not ratify it, when does it become law?

Mr. WILLIAMS of Mississippi. Never; and your appropriation becomes law then never. The gentleman follows the other line. I am going on a line of what I know will take place. But even if it is never ratified, your appropriation never becomes law; therefore, you can not say an appropriation has been made contrary to existing law, because no appropriation has been made.

Now then, if, upon the other hand, the treaty shall be ratified, then it will be in accordance not only with then existing law, but now existing law. And why? Because when the treaty is ratified, then it dates back as a law of the date of its making. It is not dated from the ratification of the Cortes at all.

Mr. CANNON. Now, if my friend will allow me. If this provision as it is carried in the bill is enacted, it is one of two things. It is an appropriation, or it is legislation. If it is an appropriation, it must be under existing law if the rule is invoked against it. If it is legislation, then it is not in order.

Mr. WILLIAMS of Mississippi. It is not one of two things. On the contrary, it is one thing, and it is a different thing, and that one thing is this: It is an appropriation to take effect upon the happening of a contingency, and if the contingency does not happen, it does not take effect, and if the contingency shall happen, then it will take effect in consequence of and in pursuance of law. It becomes law at the taking effect of the contingency, namely, the ratification, and it becomes a law not on the date of ratification by the Cortes, but the day of the making of the treaty.

Mr. BELL. Prior to the time of ratification?

Mr. WILLIAMS of Mississippi. Prior to the time of ratification.

Mr. CANNON. Now, my friend confuses this rule with other rules, and gets mixed up with what he wants to do. I take this rule and the provision. I regret exceedingly that the point of order was made against the rule, but it was made by two gentlemen on that side of the House. Anybody can invoke the rules of the House, and when invoked, they should be enforced without regard to who invokes them.

Mr. WILLIAMS of Mississippi. Unless the interests of the country stand in the way, and then they ought not to be.

Mr. CANNON. If the interests of the country stand in the way, if it can not be reached under this rule, reach it under the other rules.

Mr. BRUCKER. I want to ask the gentleman from Illinois one question. Under Article III of the treaty $20,000,000 becomes payable within three months of the time of notice of ratification. Now, unless this money is appropriated at this time and the Spanish Cortes should at once ratify this treaty, is there any authority of law for the payment of this $20,000,000, except by appropriation of an act of Congress?

Mr. CANNON. Of course not.

Mr. BRUCKER. Then, in that event, it would come to this point, that this country would stand in the eyes of the world as a defaulter unless there was a special session of Congress called to appropriate this money?

Mr. CANNON. Well, I recommend my friend to go to the two parties on that side of the House and get them to withdraw their point of order.

Mr. BRUCKER. I not only go to the members making the point of order, but I appeal to every member of this House on both sides not to allow any "technical" construction of this rule to stand in the way of our meeting our obligations, national or otherwise, when they fall due.

Mr. CANNON. Oh, you voted yesterday to spit on the rules, and you are now indulging in a subterfuge to try to justify yourselves.

Mr. WILLIAMS of Mississippi. They ought to be spit upon when they stand in the way of the public demand.

Mr. BRUCKER. I will say to the gentleman from Illinois that I did vote yesterday to override what seemed to me to be a very technical construction of this rule, not only in justice to myself, but because I was satisfied there was a demand, not only by all the people of my district, but by the people of the United States, for the building of the Nicaragua Canal, for that was the question then before the House, and I plant myself to-day upon that broad ground. The people will demand that our obligations shall be observed, and will not permit any finespun technical construction of some rule of this House to stand in the way. [Applause.]

Mr. CANNON. Let me say to the gentleman that in my judgment there is a majority of the House of Representatives that stands ready when the rules are invoked by any one member of the House to enforce them, the gentleman's notions to the contrary notwithstanding.

Mr. SIMS. May I ask the gentleman from Illinois a question?

Mr. CANNON. I will yield to the gentleman from Tennessee.

Mr. SIMS. I want to ask the gentleman, in all seriousness, if this rule does not apply to the committee as a committee, without any special invocation, and does it not apply to the House as a House without being invoked, or are the rules simply sleeping giants, to act only when they are invoked?

Mr. CANNON. The rules do not act only when they are invoked, but it is within the power of any man to invoke them. Why the minority, or anyone from the minority, should seek to stamp on them when they constitute the only protection of the minority is more than I can conceive.

Mr. DOCKERY. Mr. Chairman, I would like to be heard one moment in respect to the new doctrine announced by some gentlemen on the floor—the "higher law" doctrine. It is not Democratic, whatever else it may be. The suggestion has been made in derision, because the technical provisions of the rules are invoked. Are not all rules technical? Undoubtedly they are; and it was intended that they should be. I have understood by the reading of the history of the Democratic party for one hundred years that it has always stood for strict construction.

Mr. WILLIAMS of Mississippi. The gentleman from Missouri is mixed.

Mr. DOCKERY. No, I am not so mixed as my brilliant friend from Mississippi [Mr. WILLIAMS] is on this question. The Democratic party has always stood for strict construction. So far as this point of order is concerned, let me say that I did not invoke it, but the gentlemen who interposed it had a technical right under the rules to do so. Until the treaty is finally consummated by the action of the Spanish Cortes, this whole question may possibly be more or less in dispute. When, however, the Spanish Government shall have ratified the treaty, then, in my opinion, no American citizen can antagonize the appropriation except at the menace of national honor. Again let me say that I have not invoked this point of order, but I do desire to sustain the Chair when the Chair stands for the integrity of the rules. And I believe that this side of the House will sustain his decision without regard to the merits of the proposition against which the point of order was made.

Mr. CANNON. Mr. Chairman, I move that all debate be closed upon the appeal within one hour, that hour to be divided, of course, between the two sides.

Mr. WILLIAMS of Mississippi. Mr. Chairman, a parliamentary inquiry.

The CHAIRMAN. The gentleman will state it.

Mr. WILLIAMS of Mississippi. I believe I took the appeal from the decision of the Chair. Who is to close the debate?

Mr. BAILEY. Mr. Chairman, another parliamentary inquiry. Is it competent for the committee to close debate?

Mr. CANNON. I think it is; it did yesterday.

The CHAIRMAN. In a motion of this kind the Chair thinks that the appeal does not take the control of this matter from the gentleman in charge of the bill.

Mr. WILLIAMS of Mississippi. I did not ask that.

The CHAIRMAN. That would necessarily give the gentleman in charge of the bill the close on this debate.

Mr. BAILEY. Mr. Chairman, a parliamentary inquiry. I hardly think the gentleman's motion is necessary, because I think that the committee will be ready to vote inside of an hour. But I am not willing to see a motion of that kind prevail without raising the point that in my view the Committee of the Whole can not close any debate except the debate under the five-minute rule. I think, however, that if the gentleman asks unanimous consent to close the debate in half an hour, it can be done.

Mr. CANNON. I think probably that gentlemen who wish to take part in the debate will need an hour. Without pressing my first motion—withdrawing it for a moment—I will ask unanimous consent that the debate be closed in an hour.

The CHAIRMAN. The gentleman in charge of the bill asks unanimous consent that all debate on the question arising on the appeal from the decision of the Chair be closed in one hour. Is there objection? The Chair hears none.

Mr. BAILEY. Now, I ask unanimous consent that the gentleman from Illinois [Mr. CANNON] be permitted to control thirty minutes of the hour, and the gentleman from Mississippi [Mr. WILLIAMS] thirty minutes.

The CHAIRMAN. Is there objection to the request of the gentleman from Texas, that the gentleman from Illinois control thirty minutes of the time, and the gentleman from Mississippi the other thirty minutes? The Chair hears no objection; and it is so ordered.

Mr. CANNON. I now yield five minutes to the gentleman from Indiana [Mr. FARIS].

Mr. FARIS. Mr. Chairman, I had no thought or purpose of interjecting a word into this interesting and important debate until the present condition of the proceedings before the committee arose. I have no doubt, sir, that the decision just announced by the Chair must be sustained by the committee in the pending appeal. The rule which has been invoked has been under such profound and exhaustive discussion and consideration in this committee for the last few days that to my mind there can be no doubt that it applies to the pending question in the manner stated by the occupant of the chair. Mr. Chairman, I believe it is absolutely unwarranted for this House of Representatives, as long as controlled by a rule of this character, to make an appropriation of public money in anticipation of the enactment of some law in the future. I therefore am clear that the Chair is correct in his ruling.

Mr. Chairman, what particularly brought me to my feet is the political phase of the situation on the question now before the committee. I call attention of this body to what I believe the country will take note of in the proceedings here within the last few minutes. This rule would not have been violated in voting the $20,000,000 for payment to Spain under the treaty. The rule could operate to prevent the appropriation only when raised by some member of this House. It has been so raised by gentlemen on the other side. And I would also call attention to what certain gentlemen on the Democratic side are already squirming under—that this rule has been invoked to prevent this appropriation by the very men on that side who placed every obstruction that was placed in the way of the Congress of the United States and every obstruction that was placed in the way of the President of the United States, to strip our country of the glorious benefits of the war with Spain. I call attention to it particularly now in the closing hour of the consideration of this appropriation bill.

Under the terms of the protocol and treaty now pending between the two Governments we are under a sacred obligation as a great people and a great Republic; and I call attention to the fact that gentlemen on the other side, always ready to resort to obstructive tactics, have invoked this rule to impede and obstruct the ordinary proceedings on this floor in this most important matter to the honor and integrity of the United States.

Mr. BARTLETT. Will the gentleman name one instance in which the minority on this side has done so—just one instance?

Mr. FARIS. Mr. Chairman, it is a matter of public history, I will say to the gentleman from Georgia. It is so plain that even he who runs may read; that every obstruction that could be placed in the way of the promotion of our interests in the treaty with Spain has been placed there by gentlemen on that side who share the views of the gentlemen who invoke the rule.

Mr. BARTLETT. Will the gentleman name one such instance?

The CHAIRMAN. The time of the gentleman from Indiana has expired.

Mr. CARMACK. Mr. Chairman, I do not desire to follow the example of the gentleman from Indiana [Mr. FARIS] who has just taken his seat, by injecting a partisan stump speech into this discussion over a point of order. If I should do so, if I were disposed to retort and retaliate, I would say that upon the other side of the Chamber this very rule was yesterday invoked and these very obstructive tactics resorted to for the express and declared purpose of defeating the Nicaragua Canal project, and for no other purpose, as stated by one gentleman on the other side of the Chamber. I must confess that in the midst of conflicting opinions on the part of parliamentary authorities I am not entirely clear in my own view; but I simply want to place before the committee a few suggestions upon this question for whatever they may be worth.

This rule which has been invoked reads:

> No appropriation shall be reported in any general appropriation bill or be in order as an amendment thereto for any expenditure not previously authorized by law.

Now, the suggestion that has occurred to me is that this rule in its spirit, and I believe in its letter, does not apply to the appropriation of $20,000,000 now under consideration, for the reason that so far as the lawmaking power—that is, the treaty-making power—of this country is concerned, it has already acted.

The expenditure is authorized by law in so far as the lawmaking powers of this country are concerned. They have authorized the expenditure on a future contingency. That contingency is the ratification of the treaty by the Spanish Government.

This money will not be paid out, Mr. Chairman, then, unless the treaty is so ratified, and it can not be paid and never will be paid except in pursuance of existing law. That complies with all of the reasons, all of the requirements, or all of the arguments that could have been made in favor of the establishment of the rule when it was adopted, and that was to prevent legislation and appropriation from going hand in hand, or making a statute and an appropriation to be carried into effect at the same time. That could not be done under this rule; and that can not be done under this provision as it appears in the bill. The appropriation is made in pursuance of the action of the treaty-making power of the United States, and the money is appropriated and will be spent in pursuance of that treaty on its ratification, and not before, and under no other conditions or circumstances. In other words, the money can not be expended except strictly in pursuance of existing law.

Mr. CANNON. I yield two minutes to the gentleman from Tennessee [Mr. SIMS].

Mr. SIMS. Mr. Chairman, I voted on yesterday to sustain a rule of the House which I was told originated in the days of James K. Polk and had been lived up to ever since, and in sustaining that rule prevented the consideration of a measure that I favored.

Now, I do not think that these rules have no effect except when that effect is favorable to our own views, whatever those views may be. The rules are designed, as I understand them, to apply alike to all measures, whether we favor them or whether we are opposed to them.

The only question, then, as I understand it, before the committee is as to whether or not this provision in the bill against which the point of order is made is existing law. A treaty can not be made, consummated, or completed except by the action of all parties concerned in it; and until that is done, and until a ratification by all the contracting parties has been accomplished, it is not a law, and certainly is not a law within the sense of the rule whereby an appropriation of money from the public treasury may be justified on a general appropriation bill.

Can it be contended for a moment that when an act passed by the House and Senate but not signed by the President is an existing law within the meaning of the term of the rule, or is such a law as would enable an appropriation to be based upon it within the meaning of the rules of the House, although it may be morally certain that the President will sign the act?

I believe, sir, that all rules intended to protect the Treasury of the people, and to protect us in hours of great excitement from hasty or arbitrary action of a majority, should be lived up to in spirit as well as in the letter.

[Here the hammer fell.]

Mr. WILLIAMS of Mississippi. Now, Mr. Chairman, I yield seven minutes to the gentleman from Massachusetts [Mr. WALKER].

Mr. WALKER of Massachusetts. Mr. Chairman, I rise to express my entire approval of every word which has been uttered by the gentleman from Tennessee [Mr. SIMS] who has just addressed the committee, and of every word that he has uttered in enforcing upon us our duty to sustain our rules. I also voted on yesterday to sustain a rule of the House when it was against my interest and my desire.

But the only question now before us is whether or not this ruling is in accordance with the rule; and to that I wish to address myself. I say the appropriation of the $20,000,000 is clearly within the rule of appropriations, under the rules. We made a law which governs all of us, and under which we prosecuted to a successful termination a great war. When we made the declaration of war we passed a law clearly covering every act necessary to the termination of that war. We did not enter into a condition of interminable war. We pass a law declaring a war—a law presenting a proposition to prosecute, and that involves the idea of some time or other making peace. And any legislation, I say, in the same line—that is, in the line of the prosecution of the war to a successful termination—must provide for its termination.

Now, a treaty of peace was just as much contemplated in passing a declaration of war as the direct prosecution of the war itself.

Mr. LINNEY. Will the gentleman allow an interruption?

Mr. WALKER of Massachusetts. I will yield to my friend only for a question.

Mr. LINNEY. Only for a question. You found your argument on the declaration of war. Now, has any declaration of war ever been made that authorized the President or the Senate or anybody else to acquire territory?

Mr. COOPER of Wisconsin. By the payment of money?

Mr. WALKER of Massachusetts. This question can not be confined within any such narrow limits. This is a payment of $20,000,000, which is a part of the proceedings involved in the declaration and termination of war. In other words, it is a war measure, a payment which precedes the termination of war.

We, as gentlemen well know, have assumed many obligations in payment of damages growing out of the war. We have as much right, under the Constitution of the United States, to appropriate the $20,000,000 covered by this bill for bringing the war to a successful conclusion, as to appropriate $20,000,000 or any other sum to provide for the pay of the Army or Navy or to buy provisions or clothing or any other necessary thing which may be demanded by that service or either branch of the war service.

The law under which we have a right to make this appropriation under Rule XXI is the law in which we declared war upon Spain. If it does not stand upon that ground, it has no ground to stand upon. I will vote to sustain the Chair, and have done so during my whole service under every circumstance, whether the decision has been for or against me, or for or against my party.

Mr. SULZER. Or right or wrong.

Mr. WALKER of Massachusetts. And whether this point of order was raised for partisan reasons or for any other reasons, it makes no difference. I will vote to sustain the Chair against any——

Mr. WILLIAMS of Mississippi. The gentleman will remember that if a Democrat raised the point of order, a Democrat also took the appeal from the decision of the Chair

Mr. WALKER of Massachusetts. It makes no difference why this point of order was raised or by whom. The only point for us to decide is whether this appropriation has any justifiable place on this bill, without reference to who raised the point of order.

Mr. SULZER. Is it not a fact that we will not have to pay the money until Spain ratifies the treaty?

Mr. WALKER of Massachusetts. We shall not have to pay the money until Spain ratifies the treaty.

Mr. SULZER. Then what is the use of quibbling and splitting hairs?

Mr. WALKER of Massachusetts. I should like to do some of the talking in my own time. [Laughter.]

The CHAIRMAN. The committee will be in order.

Mr. WALKER of Massachusetts. I do not see how any gentlemen can vote to sustain the Chair in this ruling unless we are determined that we will not furnish the President with the means of concluding peace.

Mr. BELL. May I ask the gentleman one question?

Mr. WALKER of Massachusetts. Yes.

Mr. BELL. I want to suggest to the gentleman from Massachusetts that this bill under consideration is a sundry civil bill, gathering up the different——

Mr. WALKER of Massachusetts. I think I understand that as well as the gentleman does.

Mr. BELL. Well——

Mr. WALKER of Massachusetts. I can not yield. I do not want to be told that the sun shines or that water runs.

Mr. BELL. Well, I want to make a suggestion.

Mr. WALKER of Massachusetts. I do not want any suggestions. You said you had a question to ask.

Mr. BELL. I would have asked you a question if you had been patient.

[Here the hammer fell.]

Mr. WILLIAMS of Mississippi. I yield two minutes to the gentleman from New Jersey [Mr. GARDNER].

Mr. GARDNER. Mr. Chairman, when this point of order was under discussion before the appeal, I suggested to the Chair and the committee that this rule could not be invoked as against legislation even in an appropriation bill to carry out the obligations of the treaty-making power. The discussion has certainly justified the position. At this moment the entire contention of the other side rests upon the possibility of this treaty being defeated by a future contingency of some sort.

Now, if they are to sustain themselves they must go further and distinguish among contingencies. Under the ruling and the reasons given for sustaining it, we are in this position: If the treaty-making power of this Government entered into a compact with another government to take effect when each government deposited a sum of money with an international trustee, this rule could be successfully invoked to defeat the treaty-making power of the Government under the Constitution.

Mr. BARHAM. Oh, no; we could pass a separate bill.

Mr. GILLETT of Massachusetts. It could be done under a special bill, but could not be done on an appropriation bill under this rule.

Mr. GARDNER. I repeat what I have said. I wish I could make the gentleman understand what I mean. The answer comes, that it would be in the power of the House of Representatives, by some other proceeding and under some other method, to accomplish this purpose. The point is, the rule can not be invoked to defeat a higher power granted by the Constitution.

[Here the hammer fell.]

Mr. WILLIAMS of Mississippi. Does the gentleman from Illinois desire to occupy some time?

Mr. CANNON. I will take a little time now, and I yield five minutes to the gentleman from Vermont [Mr. POWERS].

Mr. POWERS. Mr. Chairman, it seems to me that gentlemen are laboring under some misapprehension as to the proper construction of Rule XXI. Some gentlemen who have discussed this question seem to argue it as if it rested upon the last paragraph of this rule, namely, that it is a provision changing existing law. I insist that the whole question is contained within the first paragraph of the rule, and that the last one has no application whatever. The first paragraph of the rule is:

> No appropriation shall be reported in any general appropriation bill * * * for any expenditure not previously authorized by law.

That is this case. This is a general appropriation bill. Here is an appropriation reported by the committee; and the question is, Is it for an expenditure previously authorized by law? It is not a question whether previous existing law has been changed, but whether any law has ever been framed warranting this expenditure.

Now, then, the argument is that this treaty is a law that has been passed warranting this expenditure. But has the treaty been passed? I concede that a treaty duly framed, confirmed, and ratified is a law. By the language of our Constitution it is the supreme law. It overrides every other. But there are successive steps to be taken in the making of a treaty, as there are in the making of a statutory law. The treaty must be agreed to. It is a contract between sovereign nations, and so long as one nation has not as yet concurred in it, agreed to it, there has not been that mutual agreement of minds necessary. It is all in the air, all in fieri. It is not a consummated work. Therefore, there

is no existing law upon which you can base this expenditure; and therefore the Chairman is exactly right in holding that this point of order is well taken.

Now, something has been said by the gentleman from Mississippi as to the payment of this money. He argues it as if it were a due in præsenti. It is not so. The provision of the treaty itself, which I say has not yet been adopted, is that this money shall be paid within three months after the exchange of the ratifications. It is the same thing as a promissory note payable three months from a specified day or upon the happening of a particular event. It is a payment in the future. Again, the gentleman from Massachusetts argues that the proposition to appropriate the $20,000,000 is a proposition that is warranted by our declaration of war, and the previous steps taken by this country having gone up to the point of the treaty of peace, that it is already warranted by existing legislation, and therefore the $20,000,000 appropriation is warranted. But how is that?

When this country declared war, Mr. Chairman, was there any appropriation of money? Certainly. It was made for the carrying on of that war. It was not made as a solatium to Spain for her wounded pride for being obliged to surrender the Philippine Islands. But our commissioners of peace, when they sat down to agree upon the terms of peace, concluded to recommend to their respective nations an appropriation of $20,000,000 in exchange for the Philippine Islands. Therefore, it is nothing but a mere recommendation. There is no law ever passed, no position ever been taken, that makes this an expenditure of money for a purpose previously warranted by law.

Mr. WILLIAMS of Mississippi. Mr. Chairman, I desire to yield seven minutes to the gentleman from Iowa [Mr. HEPBURN].

Mr. HEPBURN. Mr. Chairman, the gentleman from Vermont invokes the first clause, the first paragraph or sentence of the second clause of Rule XXI, which I intend to read:

No appropriation shall be reported—

I would like that some emphasis be given to the word "reported" in that rule— [Laughter.]

in any general appropriation bill, or be in order as an amendment thereto, for any expenditure not previously authorized by law.

No gentleman would say but what there is a law now existing that would authorize an expenditure in order to prosecute war against Spain, and yet gentlemen will not indulge us authorizing an expenditure to secure peace.

Mr. WALKER of Massachusetts. That is it exactly.

Mr. HEPBURN. What is the object of war? To right wrongs, to punish enemies, and to secure, finally, peace. And yet these gentlemen say that, while we may make appropriations for prosecuting the war, we can make no appropriations to terminate the war. To my mind that position is not correct.

Mr. Chairman, I do not want to talk about that particularly. But I want to say something about the sanctified character of the rules of this House that certain gentlemen now seem to be thinking about. I want to call the attention of the House to the fact that while the Constitution gives us the power to prescribe rules for the government of the House, it in no way prescribes the time or the manner in which those rules shall be formed. The whole subject is left in the power of the House, the majority of the House, to fix these rules when they want them, and how they want them, to accomplish those purposes that the lawmaking majority choose. I can conceive that the rules of the House are obligatory upon the servants of the House, and that the chairman of the Committee on Appropriations is guilty of an offense against the House, I say, when he reported this amendment, which he now acknowledges to be a violation of the rules. They are obligatory upon the Speaker of the House.

They control all the servants of the House; but I want it to be understood that the House itself, when it chooses and how it chooses, may, for the then action, make that rule that it desires to make, and that the action of the House at the time that it acts is a rule, and that it has the authority under the Constitution to make it.

Mr. Chairman, let me call your attention to the form in which you must, probably, later on submit this very proposition: "Shall the decision of the Chair stand as the judgment of the House?" That is the form. We will determine then and there whether that is to be the rule of the House, to stand as the judgment of the House, and, in my humble opinion, no man stultifies himself when, on a matter of appeal, he says that he then and there, under the constitutional provision that authorizes him to make a rule, makes a rule for the government of the House, and if it is the rule adopted by the majority on a question of this kind, lawfully and properly submitted to it, it becomes for that occasion at least the rule of the House.

Why, Mr. Chairman, how lightly the rules of the House sit upon gentlemen on occasions. Yesterday was a memorable day. Here were three august personages proclaiming the sanctity of the rules, prophesying the dire calamities that would come upon us if we did not adhere to the rules. Is one rule more sanctified than another? Do they not all derive their authority from the same source? And yet, while these three august gentlemen, the chairman of the committee [Mr. CANNON], a member of the Committee on Rules [Mr. DALZELL], and the gentleman from Missouri [Mr. DOCKERY], were making their arguments and foretelling the disaster that would come if we did not observe the rules, one, the gentleman from Illinois, violated that rule that attempts to secure decency and order of discussion. He referred to a member of the House as the joker, that comes jumping into the ring turning somersaults and champing his bit. To say nothing about the bad taste and mixture of metaphor, is it not a little singular that the gentleman engaged in the holy labor of sustaining the rules should violate in that manner that rule? [Laughter.] Then comes the gentleman from Missouri, always profound, always oracular, and from his lips there drops nothing but pearls of wisdom.

[Here the hammer fell.]

Mr. HEPBURN. I would like to have another minute. [Laughter.]

Mr. CANNON. If the gentleman has not the time, I will yield the gentleman another minute.

Mr. HEPBURN. I thank the gentleman from Illinois. Then comes the gentleman from Missouri, insisting on the sacred character of the rules, full of fear that is coming to the Democratic party that fails to observe the rule that came from the wisdom of James K. Polk sixty years ago. [Laughter.] And yet, while the rule required him to confine himself to the subject under discussion, he forgot all about the subject under discussion, and discussed a subject that was not in existence then, and did not become the subject of discussion until after the Chair had decided.

Then comes the gentleman from Pennsylvania, who jumped into the arena to support the immaculate character of the rules, and attempted to apply a rule of the House to the committee that was then sitting, and insisted that he had a right by motion to lay an appeal on the table that had been taken. [Laughter.] So much for the sanctity of the rules.

Mr. DALZELL. My friend from Iowa is mistaken, I did not insist, but yielded gracefully. [Laughter.]

Mr. HEPBURN. Yes; when detected the gentleman attempted to hide the property. [Great laughter.]

Mr. CANNON. Now, Mr. Chairman, I yield five minutes to the gentleman from New York [Mr. PAYNE].

Mr. PAYNE. Mr. Chairman, the simple question is, Is this appropriation authorized by existing law? The gentleman from Iowa [Mr. HEPBURN], who is generally, at least, more happy in stating legal propositions than to-day, says it is authorized in carrying on the war.

Why, Mr. Chairman, war is inaugurated by the vote of Congress. The President can carry it on, but the President can not conclude peace, or agree upon terms of peace, except through a treaty ratified by the Senate.

It can not be that this appropriation is authorized from a declaration of war. More logical are those who say that it is authorized by a treaty of peace; but the difficulty there is that the treaty of peace is made between two high contracting powers, and it is not a treaty of peace until each contracting power has yielded its full assent and evidenced it by execution of the treaty of peace.

I have heard some gentlemen say that this treaty was existing law, because the terms had been proposed by a commission, ratified by the Senate, and signed by the Executive, and then submitted to Spain for its ratification. They say that that makes it the existing law, so far as we are concerned. It would be no more absurd to claim that because the House of Representatives had passed a bill and sent it over to the Senate for the gentleman from Iowa, standing here with one of his amendments to appropriate under that bill, to claim that it was existing law, so far as the House of Representatives is concerned, although it had not been passed by the Senate and had not been approved by the Executive.

It seems to me, Mr. Chairman, that the question is too clear for argument; and hence it is that the gentleman from Iowa is driven to the extremity of saying that the rules of Congress are whatever Congress may choose to make them during every moment of its existence. Sir, we adopt rules; and in those rules we provide how they may be changed. They can not be changed at the individual whim of members. They can not be changed by the gentleman from Iowa trampling them under foot. They can not be changed because the Committee on Appropriations brings in an appropriation that is contrary to the rules. When any proposed appropriation is contrary to the rules, any gentleman in the House may meet it with a point of order.

Mr. LACEY. Will the gentleman allow me a single suggestion? In the admission of Utah and other Territories into the Union we passed enabling acts that were to be accepted by the ratification of a vote of the Territory, and then in subsequent provisions we appropriated money to hold elections. Now, would the gentleman say that such provisions were not in pursuance of existing law?

Mr. PAYNE. The whole subject of the Territories is under the will and dominion of Congress and of the laws of the United States. Spain is not. We are now dealing with a nation equal in contracting power to our own. We can not force a treaty on Spain. Unless Spain accepts it—forced to do so by the duress of our arms or otherwise——

Mr. WALKER of Massachusetts. Did we not, in the very provision mentioned by the gentleman from Iowa, make Utah equal with us, so far as that particular matter was concerned?

Mr. PAYNE. We did not make Utah equal with us in that very provision. We had a right to legislate down to that point, and we did legislate; and we were supreme. It was only after Utah had accepted the provision that she became an independent State of this nation.

Mr. RIDGELY rose.

Mr. PAYNE. Mr. Chairman, I want to use a little of my time myself.

If gentlemen will read the Annals of Congress, if they will read the debates upon the Jay treaty and the purchase of Louisiana, they will find that statesmen almost equal to the gentlemen who wish to trample down the rules to-day held in those days that the treaty-making power of the United States, lodged as it is in the President and the Senate, can not be completed by their action when there is further legislation required to carry a treaty into effect.

[Here the hammer fell.]

Mr. CANNON. I will yield the gentleman from New York [Mr. PAYNE] five minutes more if he wishes.

Mr. PAYNE. And where an appropriation is required to carry a treaty into effect, the foreign nation deals with us subject to the limitations of our Constitution; and the treaty is not law between the nations concerned until Congress and the President have passed the appropriation which the President and two-thirds of the Senate as the treaty-making power could not authorize. So that according to the construction of the fathers a treaty is not existing law until Congress has by law appropriated the money to carry the treaty into effect.

Mr. HEPBURN. Will the gentleman permit a question?

Mr. PAYNE. Certainly.

Mr. HEPBURN. Does the gentleman mean to say that a treaty which has been ratified can not create an obligation—an obligation which has all the sanction of law—until after legislation by Congress has been had?

Mr. PAYNE. "The gentleman" means to say that where the obligation contemplated in the terms of a treaty goes beyond the power of the President and the Senate of the United States to carry it into effect, while there is raised the highest kind of a moral obligation for the nation to carry out such a provision, still the treaty is not complete; and the foreign nation takes the treaty subject to the right of the Congress of the United States and the President to make the appropriation necessary to carry the treaty into effect. That is what "the gentleman" means to say.

Mr. HEPBURN. I am glad to hear him define himself.

Mr. PAYNE. But, Mr. Chairman, the question is not as to existing law. We have got past that point, it would seem, in the last few days. The question is whether the rules shall be observed—nay, whether this salutary rule now under consideration shall be observed. I have heard many debates on our rules, but I never heard a single man say a word in opposition to clause 2 of Rule XXI. I have heard the eloquent gentleman from Iowa talk about his proposed amendment requiring the Speaker to recognize every one of the 360 members of the House at the same time, if they should all rise and cry out "Mr. Speaker." But I never before have heard him inveigh against this clause of our rules, which would separate legislation from appropriation bills, which would take it away from the power of either House to compel the other, by holding back a supply bill, to assent to obnoxious legislation.

We must stand by the rules, Mr. Chairman. When we make the rules in the next Congress we shall then discuss whether the rules proposed to that body are right or wrong. But if we want to avoid confusion and anarchy and chaos we must stand by the rules of the House.

Mr. HEPBURN. Mr. Chairman, I desire to interrupt the gentleman from New York solely for the purpose of giving him an opportunity to retract an untruthful statement. He has never heard "the gentleman from Iowa" clamor for a change in the rules whereby the Speaker would be compelled to recognize each one of the 358 men who might be clamoring at once for recognition—never.

Mr. PAYNE. The amendment of the gentleman from Iowa was, in effect, that whenever any member arose, or when members arose, and said "Mr. Speaker," the Speaker should recognize them.

Mr. HEPBURN. No, sir; I deny it emphatically.

Mr. PAYNE. And, therefore, as a consequence, whenever the 360 members arose the Speaker must recognize all of them.

The CHAIRMAN. The time of the gentleman from New York has expired.

Mr. HEPBURN. Mr. Chairman, I rise to a question of personal privilege. I am not willing that the gentleman from New York shall, by an untruthful statement, place me in that ridiculous position. I say it is not true; that I have not made any such proposition; never, sir, anywhere, and never proposed to change the rule from what it is now, that where two members rise the Speaker shall determine which he shall recognize. I want the gentleman to make that acknowledgment.

Mr. PAYNE. I stated the amendment of the gentleman fairly and precisely as I recollected it. Of course, it was several years ago——

Mr. HEPBURN. I have never offered such an absurd proposition.

Mr. PAYNE (continuing). And my recollection was that the amendment read that whenever a member or members rose and said "Mr. Speaker," the Speaker should recognize him; and it was pointed out to the gentleman from Iowa at the time he offered the amendment, and it did not arouse his ire as much as it seems to be aroused to-day, that it was entirely impracticable, for if the whole assembly arose and said "Mr. Speaker," under that provision he must recognize all of them.

Mr. HEPBURN. The gentleman must have known—and I charge that the gentleman did know it—that I did not propose to change in the slightest degree the following clause of that rule, that when two or more members arise simultaneously to their feet, the Speaker should determine which one should have precedence.

Mr. WILLIAMS of Mississippi. Mr. Chairman, I would like to ask how much time is remaining under my control.

The CHAIRMAN. The gentleman has eleven minutes.

Mr. WILLIAMS of Mississippi. How much is remaining to the gentleman from Illinois?

The CHAIRMAN. The gentleman in opposition to the motion has seven minutes.

Mr. WILLIAMS of Mississippi. I yield five minutes to the gentleman from Illinois [Mr. CONNOLLY].

Mr. CONNOLLY. Mr. Chairman, I would very much like to be able to vote to sustain the decision of my colleague who occupies the chair, and should do so if I felt that that decision was a correct one. I do not.

If this appropriation is authorized by law now, then the decision of the Chair is wrong. There are but two ways in which law can be made in the United States—one by the concurrent action of the House of Representatives, the Senate, and the President of the United States, and the other by the concurrent action of the President and the Senate. When in the process of making a law the President and the Senate have concurred under the Constitution, and have agreed upon a treaty, the whole of the lawmaking power of the United States has been exhausted on that particular question; and while the gentleman from New York [Mr. PAYNE] suggests that it may not be a law binding upon Spain, yet it is unquestionably a law binding upon the people of the United States. We have exhausted our lawmaking power, and there is not an ounce of it left in any of the departments of the United States Government.

All laws may not be required to take effect instantly or immediately upon their promulgation. Many laws are passed which take effect upon the occurrence of a contingency which may be very remote in the future. Congress often passes such laws; and whether this law—this treaty—is a law for the United States, it is a law for our citizens and for our Congress.

Mr. WHEELER of Kentucky. Will the gentleman allow me to read one single section from the decision of the Supreme Court bearing upon this point?

Mr. CONNOLLY. Certainly.

Mr. WHEELER of Kentucky. I read from the decision:

> But the ratification by the United States was in February following, and the treaty did not take effect until its ratification by both parties operated like the delivery of a deed to make it the binding act of both.

Mr. CONNOLLY. I understand that. I have alluded to that feature. I have just stated that it may take effect in the future. The law does not necessarily take effect immediately it is passed by Congress. They do that often in the enactment of laws. We may pass a law, for instance, giving the Secretary of War the right to use the troops and money of the Government in building up levees or for the purpose of preventing crevasses on the Mississippi River. We may make a general law and put it on the statute books, and Congress may proceed to make the appropriations. But the law does not take effect at the time it is passed, and does not become operative at all unless the crevasse occurs on the Mississippi River.

Mr. MAGUIRE. Will the gentleman permit a question?

Mr. CONNOLLY. We have exhausted our lawmaking power in this country. It may not affect Spain. It may not be operative there, but under our Constitution we have made it a law, and, in the language of that Constitution, the supreme law of the United States, overriding all other law. Now, having made it a law, having exhausted our power, shall we be told here now that we

have no law until the lawmaking power of Spain has been invoked? I maintain we have a law, we have made a law within the meaning of that rule, and this appropriation is authorized by that law.

Mr. MAGUIRE. Will the gentleman allow me to ask him a question?

Mr. MAHANY. Will the gentleman allow me to ask him a question?

Mr. CONNOLLY. I yield first to the gentleman from California [Mr. MAGUIRE], who first expressed a wish to ask me a question.

Mr. MAGUIRE. Has not the President of the United States been operating under the action of the United States Senate ever since the 7th of February in extending the military dominion of this country over the Philippine Islands?

Mr. CONNOLLY. I regard that as an entirely irrelevant question. While it may be true, yet this is the naked question, Have we a law? If we have made a law, I maintain that the highest lawmaking power in this land, in making this treaty, have made it a law. It is not a law for Spain until she acquiesces.

Mr. POWERS. Will the gentleman allow me to ask him a question?

Mr. CONNOLLY. Yes.

Mr. POWERS. I understand the gentleman to be urging that, so far as Congress is concerned, the ratification of the treaty makes a law.

Mr. CONNOLLY. Makes a law for the United States and makes a law for our recognition.

Mr. POWERS. Does not the treaty itself in terms say that it shall have effect when ratified by Spain?

Mr. CONNOLLY. Yes; we often have laws taking effect a year hence.

The CHAIRMAN. The time of the gentleman has expired.

Mr. WILLIAMS of Mississippi. Does the gentleman from Illinois desire to occupy any time now?

Mr. CANNON. I have but seven minutes.

Mr. CONNOLLY. I should like two or three minutes if I could have it. My time was taken up by questions.

Mr. WILLIAMS of Mississippi. I will yield to the gentleman from Illinois [Mr. CONNOLLY] one minute to finish his last statement.

Mr. CONNOLLY. Mr. Chairman, in the remaining one minute assigned me, for which I thank the gentleman from Mississippi, I can not elaborate further upon the idea that I have expressed. My idea is simply this: We have made a law, we have exhausted the lawmaking power of the United States and can go no further. When we have done that, shall it be said that we have no law authorizing an appropriation? I think we have.

MESSAGE FROM THE SENATE.

The committee informally rose; and Mr. DALZELL having taken the chair as Speaker pro tempore, a message from the Senate, by Mr. PLATT, one of its clerks, announced that the Senate had passed bill and joint resolution of the following titles; in which the concurrence of the House was requested:

S. R. 227. Joint resolution authorizing the President to appoint Osborne W. Diegnan a cadet to the Naval Academy at Annapolis; and

S. 5225. An act recognizing the patriotic devotion and benevolence of Helen Miller Gould.

The message also announced that the Senate had passed with amendments the bill (H. R. 3307) to increase the pension of Andrew S. Evans; in which the concurrence of the House was requested.

The message also announced that the Senate had passed without amendment bill and joint resolution of the following titles:

H. R. 6670. An act setting apart a certain tract of land in Oklahoma Territory to the Stella Friends Academy and Church Association; and

H. Res. 307. Joint resolution authorizing the Secretary of the Navy to pay certain laborers, workmen, and mechanics at United States navy-yards and naval stations 50 per cent additional for work performed in excess of eight hours per diem.

The message also announced that the Senate had passed the following resolution:

Resolved, That the Secretary be directed to request the House of Representatives to return to the Senate the bill (S. 5342) granting a pension to John M. Palmer and the message requesting a conference on said bill and amendment.

The message also announced that the Senate had passed with amendments the bill (H. R. 11717) making appropriations for the support of the Military Academy for the fiscal year ending June 30, 1900; in which the concurrence of the House was requested.

SENATE BILLS REFERRED.

Under clause 2 of Rule XXIV, Senate bill and joint resolution of the following titles were taken from the Speaker's table and referred to their appropriate committees, as indicated below:

S. 5225. An act recognizing the patriotic devotion and benevolence of Helen Miller Gould—to the Committee on Military Affairs.

S. R. 227. Joint resolution authorizing the President to appoint Osborne W. Diegnan a cadet to the Naval Academy at Annapolis—to the Committee on Naval Affairs.

SUNDRY CIVIL APPROPRIATION BILL.

The committee resumed its session.

Mr. WILLIAMS of Mississippi. Mr. Chairman, it seems to me that a great deal of confusion has grown out of the commingling of two entirely different things. A treaty has a twofold aspect. Internationally speaking, a treaty is a contract. Nationally speaking, it is a law. Now, everything that our country can do which is necessary to make it a law, for the purpose of demanding and compelling the obedience of its own citizens to its provisions, has been done, and yet until the other contracting power has also ratified the treaty it does not become an international contract or binding upon it, but it is a national law. Whenever the Senate and the President have ratified a treaty, whenever there has proceeded from us everything which we can do, when we have done everything which can be sought at our hands, when we have done all that we can do, then we have undoubtedly made it a law from a national aspect. Now, this rule relates to that sort of a law. The language of the rule is:

> Unless authorized by law.

Now, what was the reason of this rule? Why was it brought into existence? Why was the old, time-honored principle by means of which English-speaking freedom had won its every fight with tyranny, namely, the power to make legislation upon appropriation bills in the granting of subsidies and reliefs—why was it surrendered? It was surrendered for a reason, and that was that the right of the king or of the executive to prorogue the assembly and thereby prevent them from legislating no longer existed. Now, when the reason of a rule ceases, the rule ought to cease, and whenever you are confronted with a situation where you can not legislate, then the reason of the rule which is predicated upon the idea that you are free to legislate ceases, and the rule ought to cease with it.

Mr. COOPER of Wisconsin. Will the gentleman allow me to ask him a question?

Mr. WILLIAMS of Mississippi. Certainly.

Mr. COOPER of Wisconsin. Before I ask the question I desire to call the attention of the gentleman from Mississippi to this clause of the Constitution:

> All treaties made or which shall be made under the authority of the United States shall be the supreme law of the land.

Now, in order to make this treaty it requires the assent of the United States and of Spain, does it not—requires the assent of both Governments before the treaty is complete?

Mr. WILLIAMS of Mississippi. Mr. Chairman——

Mr. COOPER of Wisconsin. Wait a moment. Is not that true?

Mr. WILLIAMS of Mississippi. I was about to answer it.

Mr. COOPER of Wisconsin. Is a treaty completed, is it more than half completed, when the United States alone has ratified it?

Mr. WILLIAMS of Mississippi. That is just what I am going to answer now. I have only two minutes.

Mr. COOPER of Wisconsin. So that you can answer the whole argument which I am trying to introduce into this question. This is the point: When the United States makes its half of a treaty, the treaty is but half made. When the United States signs a treaty and sends it to Spain to be ratified, Spain being an equal contracting party, the treaty is but half made; and when a treaty is but half made, it is not the supreme law of the land; but a completed treaty, a treaty made by both Spain and the United States, is the supreme law of the land. In other words, Mr. Chairman——

Mr. WILLIAMS of Mississippi. I can not let the gentleman take up all my time.

Mr. COOPER of Wisconsin (continuing). It is begging the question when you say that half a treaty is a treaty.

Mr. WILLIAMS of Mississippi. Mr. Chairman, when the United States has done its half toward making a treaty it has done all that the United States can do.

Mr. COOPER of Wisconsin. Has it made a treaty?

Mr. WILLIAMS of Mississippi. It has not made a treaty that is complete in the sense of an international contract. It has not made a treaty that is binding on Spain. It has done all it can do, and it has passed its law for the purpose of making that law the law of the land. We are acting in Porto Rico and the Philippines upon the basis that the treaty is binding on the people of those islands.

Mr. Chairman, one or two words about some of the amusing events that have occurred during this debate. The gentleman from Illinois the other day held up the rules as if we were going to crucify the whole country if we failed strictly to obey one of them, and my colleague from Missouri [Mr. DOCKERY] stands here this morning engaged in his daily business of throwing bouquets at the gentleman from Illinois [laughter], and whilst——

The CHAIRMAN. The time of the gentleman has expired.

Mr. FITZGERALD. I ask that the gentleman have two minutes more. [Cries of "Vote!"]

The CHAIRMAN. The gentleman from Massachusetts asks that the time of the gentleman from Mississippi be extended two minutes.

Mr. LACEY. I ask that the gentleman's time be extended five minutes, as he has been interrupted.

There was no objection.

Mr. WILLIAMS of Mississippi. Now, Mr. Chairman, the gentleman from Missouri, engaged in his daily business of throwing bouquets at the gentleman from Illinois, while they fondle together with that genial Christian benevolence that distinguishes both of them [laughter], held up his hand this morning in holy horror and said that he had thought for a hundred years that the Democratic party was recognized as a party of strict construction—of what? Rule XXI of the Rules of this House! And when we intimated to him that perhaps he confused the Constitution of the United States, under which the Congress had its being, and the rules, the mere fruit of the work of Congress, the mere children of Congress, the mere instrumentalities by means of which the will of Congress is to be done, he said, "No; he was not as confused as the gentleman from Mississippi was."

Now, Mr. Chairman, there is nothing sacred about the rules of the House as there is about the Constitution. The Speaker of this House sat in that place at one time and made a ruling. He said that a certain ruling made by him in the Fifty-first Congress, which had been questioned, may or may not have been parliamentary law at that time; but when the Speaker had made the ruling and the House had sustained the ruling it became, for the purposes of this body and for that legislative purpose, a rule of the House and parliamentary law for the House.

Now, if it be true that we make parliamentary law in sustaining the Speaker for the purposes of that particular time, why may you not make parliamentary law by overruling the Speaker? Are the rules so very sacred? Why is it that the very gentleman who is now sustaining the Chair in this ruling on this proposition is the very gentleman who, conjointly with my colleague from Missouri, brought that very measure into this House as a part of the bill? What is a rule? It is something to be worked under. It is the creature of the House, the slave of the House, and the House is not to be the slave of the rule.

But, outside of that, Mr. Chairman, I want to résumé very briefly why I think this is "authorized by existing law." It will be partly a restatement of what I have already said.

Mr. ADAMS. Before the gentleman begins, will he allow me to ask him a question?

Mr. WILLIAMS of Mississippi. I have not time. If I get through with my statement and have time, I will yield to the gentleman.

Mr. ADAMS. It bears right on your argument.

Mr. WILLIAMS of Mississippi. The treaty is law now for us, in my opinion. Now, then, from a contract standpoint the treaty does not become law as to the citizens of Spain until agreed to by Spain. Admitting that, for the nonce, then it will become a law at that time.

But gentlemen must not forget that when it becomes law it becomes so retroactively, and that it becomes law from the date of making the treaty—that is, it binds all of our citizens and subjects, if we have any subjects, from that date.

Now, what takes place? You have an appropriation that takes effect on the exchange of ratification. If ratification is not exchanged, it never takes effect. It is not an appropriation, and therefore is not obnoxious to the rule, because the rule calls in question only appropriations. If, upon the other hand, it does take effect, the treaty is ratified by both sides and becomes a law, that law, too, not from the date of the exchange of ratifications, but becomes retroactively the law. Having become a law from this date on, it is now existing law. Now, my contention is that until something is done to keep the treaty from going into effect——

[Here the hammer fell.]

Mr. CANNON. I now yield three minutes to the gentleman from Missouri [Mr. VANDIVER].

Mr. VANDIVER. Mr. Chairman, I shall vote in the affirmative, perhaps for a different reason from that which I have heard assigned by any gentleman who has discussed the subject. Perhaps the most profound writer who has written on the philosophy of government in this country since the days of Thomas Jefferson has said that the chief function of constitutions is to protect minorities; that majorities can take care of themselves. I have looked through this book of rules commonly known as the Reed Code of Rules, and I am unable to find more than three provisions in it which protect the rights of the minority in any respect, and this is one of them.

Further than that, I put it on the ground of the wisdom of the rule itself. While I seriously object to most of the others, this one seems to me to be exceedingly wise. On yesterday there was a proposition brought into this House to tack onto an appropriation bill a scheme for the building of a great canal; perhaps a wise one. I will not discuss that. But, at any rate, the gentleman who presented that proposition as an amendment to this bill stated on the floor of this House that 306 members of Congress joined in a request to the Speaker of this House to allow time for the consideration of that measure, but they had been refused.

Three hundred and six members of Congress refused an opportunity to consider a great public measure! Then they backed down and came and asked other members to assist them by a dodge, by a subterfuge, as it were, to tack that measure onto something else instead of resting it upon its own merits, to put it upon a measure which every man must support and thus, as it were, undertake to climb into heaven up the back stairs, and heaven means to them the United States Treasury, and they wanted to climb into it by the back stairs. When they ask me to do that, I say no, but if they will come to the front door and make a manly fight for recognition of the 306 members, I will stand by them. But I will not support them in a cowardly attempt "by indirection to find directions out."

Mr. CANNON. I now yield two minutes to the gentleman from Kansas [Mr. RIDGELY].

Mr. RIDGELY. Mr. Chairman, I only wish to call attention at this stage of the game to the fact that we are discussing our right and privilege under the rules to do that which evidently a very large majority of this House wishes to do. We are discussing the question whether we ourselves shall rest under a rule which we have made and which we can unmake, and invoke that rule to prevent us from doing that which we want to do. The country will hold us responsible if we shall allow this rule to hinder us from doing that which I believe the majority here wish to do. If it shall be decided that the rule as it now stands prevents this action, I appeal to the House that we have the power to give ourselves this privilege. I wish further to call attention to the fact that the country is watching our action and will not take self-made rules for an excuse. I ask if our failure to make this appropriation will not be justly considered a premeditated excuse to be used by those who are seeking for a special session of Congress?

Mr. CANNON. Mr. Chairman, in the two minutes I have remaining I can not very well yield for a question. There is nothing additional I want to say upon the merits of this matter. The Committee on Appropriations reported this item, as they report many other items, because they believed it was eminently proper and would command unanimous consent. It does not command unanimous consent. Two members of the House make the point of order against it and invoke the rule, which rule prohibits it; therefore I am in favor of sustaining the rules. The gentleman from Iowa [Mr. HEPBURN] seems to want to fight yesterday's battle over again. Yesterday is behind us; we have got to act to-day. And, however much he may criticise the committee of which I am a member, I think the committee and myself can stand it. Roar away, my friend! That is all I have got to say. You do not quite do justice to yourself, because with your splendid ability——

Mr. HEPBURN. Mr. Chairman, I rise to a point of order. The gentleman is violating the rules by addressing me in the second person. [Laughter.]

Mr. CANNON. I was not aware I was transgressing the rules; but I will say to the distinguished and irascible gentleman from Iowa that he is one of the ablest men I have ever met, yet for practical purposes as weak as water, because, as it seems to me, he fritters away his magnificent strength upon questions that avail nothing.

Mr. HEPBURN. And that you oppose. [Cries of "Vote!" "Vote!"]

The CHAIRMAN. The question is, Shall the decision of the Chair stand as the judgment of the committee?

The question being taken, there were—ayes 149, noes 56.

So the decision of the Chair was sustained.

Mr. CANNON. I ask unanimous consent that the amendment which I send to the desk may be considered and adopted.

The Clerk read as follows:

DEPARTMENT OF STATE.

For the purpose of carrying out the obligations of the treaty between the United States and Spain, concluded at Paris on the 10th day of December, A. D. 1898, to become immediately available upon the exchange of the ratifications of said treaty, $20,000,000.

Mr. WHEELER of Kentucky. I object.

Mr. CRUMPACKER. I have an amendment which I desire to offer.

The Clerk read as follows:

In line 21, page 104, after the word "State," insert the following:

"That for the purpose of concluding peace with the Government of Spain there is hereby appropriated and made immediately available, out of any money in the Treasury not otherwise appropriated, the sum of $20,000,000, or so much thereof as may be necessary, to be expended by the President in his discretion."

Mr. WHEELER of Kentucky. I make the point of order that this amendment is subject to the same objection as the one which has been ruled out by the Chair.

Mr. CRUMPACKER. Do I understand the gentleman to make a point of order against the amendment?

The CHAIRMAN. The gentleman from Kentucky makes the point of order that it is in violation of Rule XXI.

Mr. CRUMPACKER. Mr. Chairman, I think this amendment obviates the objection which was made to the original provision of the bill. It proposes an appropriation without regard to the uncompleted treaty between this country and Spain. The original provision of the bill was based upon the obligation that the treaty was supposed to carry. Now, the amendment just read by the Clerk proposes to put in the hands of the President of the United States the sum of $20,000,000, if it shall be necessary, for the purpose of bringing to a termination hostilities now existing, in the view of the law, with the Government of Spain. And this proposition has its basis upon the resolution originally authorizing the war.

In a legal sense this country is now at war with Spain, and I believe it to be conceded on all hands that Congress has the power to appropriate money to carry on war and for any purpose incident thereto without particular or special legislation, the right of action resting upon the right to adopt legislation necessary to place the country on a war footing. I believe, Mr. Chairman, that this amendment, covering the subject-matter of the original provision, is clearly in order.

It occurs to me that it would be an extremely technical construction of the rule to hold that while the country is involved in war with a foreign government in pursuance of legislative authority, that authority giving the right to make appropriations for every exigency of the war, yet that it has not power to appropriate money out of the common fund for the purpose of concluding peace, which is an incident of war. And this appropriation is based upon no contingency. It simply gives the President, in his discretion, the power to use a certain sum of money, if it shall be necessary, to terminate hostilities now existing, in the sense of the law, with the Government of Spain. It obviates the objections that were raised, and perhaps correctly raised, to the original provision in the bill.

Mr. GROW. Mr. Chairman, this proposition is the same in substance as a provision of law which was passed many years ago to place $2,000,000 at the disposal of the President to enable him to negotiate a treaty of peace with Mexico, to which law the Wilmot proviso was attached.

The question which we had before us yesterday and the question we have to-day is on the mere construction of the rules of the House. For what are the rules made but to facilitate legislation in the conduct of public business?

If there be a doubt in the construction of the rule, it is the business of the presiding officer to construe it in favor of the public welfare, where the question is one involving some great public interest. There was a dispute as to the construction of a rule on yesterday, and there was a dispute on the construction of the rule to-day, the House being divided purely upon the question of construction.

Now, Mr. Chairman, if we have such rules so framed that we can not pass a law for the greatest question that can affect the public welfare, then we had better burn our rules. [Applause.] That is the best use we could put them to if that is their effect. There is no trouble getting into war, but it seems there is great trouble getting out. If our rules are such that we can not avail ourselves of them by fair construction to comply with war obligations, the next time we undertake a war we ought to provide at the beginning the way for getting out. It is easy enough, it seems, to begin a war, but the trouble is to get out.

Where there is a doubt in construing a rule the controlling question of construction should be the question of the public welfare. My own view with reference to the question presented was different from that enunciated by the Chair. But I do not complain of that. There were differences of opinion among the members on the floor.

The precedent cited to sustain the ruling of the Chair was the building of court-houses, dry docks, and so on, which are mere questions of detail as to public expenditures.

In such cases a presiding officer is justified, if there be a question raised as to the proper construction of the rule, and it is doubtful, to rule in favor of the Treasury. For the same reason he is bound in construing a rule to give the benefit of a doubt, if there is one, to great public interests, the same as a judge in construing the constitutionality of law if it be doubtful to favor that construction which will most greatly benefit the people at large. Suppose that this was the last day of a session of a Congress and a treaty of peace had been ratified same as this one with Spain and it provided that $20,000,000 should be paid to the Spanish Government as soon as the treaty shall be ratified by Spain.

Are we in such an imbecile position under our rules, as far as legislation is concerned, that we can not provide the money to meet such national obligation, but must go home and have the President call an extra session of Congress for the purpose of carrying out the treaty obligation after it is finally ratified? The absurdity of it is manifest, because it involves the supposition that the legislative body has itself adopted rules by which it is prevented from doing the very things which are necessary to be done for the public welfare and which we were elected to do. [Applause.]

In construing the rules by the presiding officer, where there is a doubt the construction should be such as would permit the House to act in behalf of great public interests—the construction should be in the direction of permitting legislation, not excluding it, on great public interests. And the rules of the House are always subservient to enacted law. Mr. Randall, when Speaker of the House, when the contest arose on the election of President Hayes, and the minority of the House attempted by a strict appeal to the rules to do what we call filibustering to prevent an order of both Houses being executed, decided that a law of Congress was paramount to any rule of the House of Representatives.

Great public questions are to be subserved by the rules in our action, not to be suppressed by a construction in cases of doubt. They are intended to facilitate legislation, not to obstruct it.

That is all I desired to say on the point of construction. I find no fault with the Chair. The members of the House are divided as to the construction of the rule as applicable to these questions; but I rose to call the attention of the House especially to the precedent well known in our history, where $2,000,000 was voted, before the war ended, at the disposal of the President of the United States to negotiate a treaty of peace, and the Wilmot proviso was moved as an amendment to that, restricting the appropriation and providing how it should be expended, against which the point of order was made. But the provision was held to be in order, and yet the rule under which we are operating now is precisely the same rule that was then in operation. Are we wiser than our fathers when great public questions arise for decision and when our legislation is legislation of great public interest, not only to the present, but as well to the future?

Mr. REEVES. Mr. Chairman, if I can have the attention of the committee for a moment only I want to call attention to the specific wording of the rule under which we are operating:

> No appropriation shall be reported in any general appropriation bill, or be in order as an amendment thereto, for any expenditure not previously authorized by law, unless in continuation of appropriations for such public works and objects as are already in progress.

My contention to you, Mr. Chairman, is that the object of closing this war is now in process of negotiation at least. All that we can do, substantially, has been done upon it, and this amendment offered by the gentleman from Indiana is in furtherance of the object, and hence does not, in my judgment, violate the rule.

Mr. PARKER of New Jersey. Mr. Chairman, I have but a word to say upon this question. It seems to be assumed that in enforcing this rule we are preventing the House from legislating on the subject and from appropriating the $20,000,000 involved in the treaty. Not so. A special appropriation bill for that purpose is always in order and can be passed at any time.

Mr. TAWNEY. Will the gentleman allow me?

Mr. PARKER of New Jersey. No; not yet. I will in a moment. The reason why the rule says that appropriations which change existing law shall not be put on a general appropriation bill is manifest. On any section of a general appropriation bill debate is only allowed under the five-minute rule and for a short time for each amendment. The reason is that the law already provides that the thing shall be done, and the only question is the amount. When we have to deal with something that contains a new provision, as here, where it provides for a treaty not yet existing, we do it by a special bill.

I have no doubt the Mexican $2,000,000 was appropriated in a special bill. I know that we had a special bill for the $50,000,000 to be placed in the hands of the President for the national defense. We had a special bill for the volunteers. We can bring in at any time a special bill from the Committee on Rules; we can limit debate and pass it at any time; or if we do not, any member can move to go into Committee of the Whole upon a special bill making an appropriation for this purpose. The hands of the House are not tied by this rule as to general appropriation bills. All that the rule says is that if we want to change the law or provide for new matter we shall do it specially and not by putting a single item in an appropriation bill.

Mr. TAWNEY. Would it be competent for the House under its rules to pass an appropriation bill appropriating this $20,000,000 before the treaty had been ratified or ratifications exchanged?

Mr. PARKER of New Jersey. Perfectly so. The rule says simply that no appropriation shall be made in any "general" appropriation bill. The word "general" is used in both branches of the rule. Special appropriations may always be made by special acts. That is all I have to say.

Mr. LEWIS of Washington and Mr. SIMPSON arose and addressed the Chair.

The CHAIRMAN. The gentleman from Kansas is recognized. The Chair will recognize the gentleman from Washington [Mr. LEWIS] later.

Mr. SIMPSON. Mr. Chairman, I am of the opinion, and this is backed up by my experience since I have been a member of this Congress and of the Fifty-second and Fifty-third Congresses, that the rules, whether they be so intended or not, are generally used to prevent legislation. They are generally invoked to stop the making of laws.

Gentlemen well know that one-half or two-thirds of the legislation passed in this House is passed under a suspension of the rules, under the plea of urgent necessity, and I have been greatly amused at the exhibition, particularly on the Republican side of the House, of gentlemen over there holding up the idea of the sacredness of the rules. We all witnessed the war dance executed by the gentleman from Illinois [Mr. CANNON] the other day in speaking of the sacredness of the rules. Other gentlemen followed in like manner, notwithstanding the fact that during the extra session of this Congress we sat here for nearly four months and saw the Speaker of the House, himself sworn to obey the rules of the House, violate them by refusing to appoint committees to carry on the legislation of this House.

The rules are all right when gentlemen want to use them, and they are all wrong when gentlemen do not want to use them. They are sacred sometimes, and sometimes they are not. I am reminded of the story of a great Chinese philosopher who was asked the following question by the Emperor: "Yang Foo," said the Emperor, "you have lived ninety years. In that time you must have accumulated a great deal of knowledge. What, in your opinion, is the greatest enemy to the Government?" The philosopher replied, "I think the greatest enemy to the government is the rat in the statue." The Emperor said, "What do you mean?" "Why," he said, "we build statues to our ancestors. These statues are made out of wood and are hollow, and when a rat gets inside you can not put the statue into the water and drown the rat because the statue is glued together and it would come apart. You can not smoke out the rat, because that would disfigure the image of our ancestry, and that would not do. The statue being sacred, the rat is safe." [Laughter.]

Now, that is the trouble with your rules. There is a rat inside of them, and they become so sacred that you can neither drown the rat nor smoke him out. The Speaker, by the power given him to appoint committees, becomes the sacred thing, because so many expect good places on committees they all fall down and worship.

Now, here is a proposition to appropriate $20,000,000 to fulfill a solemn contract, a treaty with a foreign nation. The treaty says that $20,000,000 shall be paid in a stated time after the ratification of this treaty.

All gentlemen here know that Spain will ratify that treaty before the assembling of the regular session of the Fifty-sixth Congress, and to my mind this is another scheme by very wily gentlemen, politicians on the other side, to make it necessary to call an extra session, which they want. So, if the ruling of the Chair is sustained, and we do not appropriate this $20,000,000, then will come the plea for calling an extra session of Congress.

Of course it will be under the guise that we have agreed to pay this $20,000,000, and Congress will be called together for that purpose; and then the Army bill will be passed, and the subsidy bill will be passed, and a lot of other legislation that our friends, the Republicans, know they can not get through at this session. They will fall back on this statement and say, "The last Congress made it necessary to call an extra session to fulfill our treaty obligations to Spain." And I am sorry to see that gentlemen on this side of the House have fallen into the trap and helped our Republican brothers out of the hole. I am also pleased to note that the Populists have stood solidly for fulfilling the treaty obligations of the Government.

Mr. LEWIS of Washington. Mr. Chairman, on yesterday I found it very agreeable to give to the Chair's ruling my support. I announced openly that my vote was for the Nicaragua Canal, although I gave to the Chair's decision my approbation, because my convictions guided me to the conclusion that the Chair was right in the construction of the rule.

My attitude was that I take the circumlocutory process to reach the end. But, Mr. Chairman—I beg the ear of the committee a moment—I wish to address a few words to my Democratic brethren on this side of the House and to my fellow-members on the other. It has been well pointed out by the severe philippic of the gentleman from Iowa [Mr. HEPBURN] and the sarcastic sardonicism of my friend from Kansas [Mr. SIMPSON] that our distinguished friends are to-day reaping the harvest which they planted.

For weeks and weeks, gentlemen, there were those of us who patiently—and let it be admitted, patriotically—insisted that the present compilation of rules served principally the object of throttling speech and paralyzing action. The distinguished Speaker of the House, who so far as I have been able to observe, is the only real sacred thing to my honorable friends—his intellectual personality was overbalancing to them. They yielded to his judgment on these rules, and they were sacred indeed whenever a word came from us against these rules.

During the debate on the tariff law three gentlemen on my right and many gentlemen on the left offered amendments seeking to restrict the power of trusts by placing several of the commodities in which they indulge either upon the free list or relieving them temporarily of the benefits they enjoyed under the measure. On each of those occasions it was ruled by the Chairman then in the chair that those amendments were contrary to the rule invoked by the gentleman here to-day.

On occasions more numerous than it is necessary now to mention were complaints made against the rulings of the Chair, by which these rules were tending to stifle debate and prevent just action by the House. Rail at these rules as we may, pray to the Speaker as we did, cry for relief, as repeatedly was done, it was all of no avail. I say to my distinguished friends on the other side that they were surrendering their own individuality, and I remind you to-day, gentlemen, that here in this hour you have now met the fate of Actæon; however strong the leash may be, and however powerful the crack of the whip, they ever turn upon their master and devour him for his persecution.

A similar situation has been actually met in this hour by this spectacle. Your invention has returned to plague the inventors and destroy its preservers. I congratulate you, my esteemed friends, that some of you are artful enough and many of you are sagacious enough to find a way around the barriers of the obstacles which now confront you, and which impede our progress by using this Democratic side of the House for your purpose and as the engines of your designs; and to-morrow, or the day following, when this Congress shall have closed and we go to the country, I venture the assertion that we will have it from your lips that there was not found in the Democratic party any respect for the obligations of the country, that in the hour when her soldiers stood in the field, when they were blazing with the flame of death, when they filled the trenches with their lives, and tears were being wrung from their mothers' eyes and moans from their patriotic fathers, there were not to be found in the Democratic party any who were anxious for the country's honor. You will charge that the Democrats were utterly regardless of their duty, oblivious of their country's needs; that they stood an immovable barrier against the fulfillment of a national obligation and doing the duty they owed to the soldiers. You will point to these parliamentary positions so justly taken by the conscientious members of this side as good proof for your political shibboleth. You did it in the late campaign. The people were imposed upon, as they ever are, by you.

Not one of you will admit that these gentlemen on this side of the House were moved by patriotic motives for the purpose of supporting the rules, for the purpose of invoking the law because it was the law, and that it was only for this they made this point of order; but you will be found, as you were in the last campaign, charging them with disloyalty to duty and nation alike.

[Here the hammer fell.]

Mr. UNDERWOOD. Mr. Chairman, I ask unanimous consent that the gentleman be allowed five minutes more.

There was no objection.

Mr. LEWIS of Washington. I shall not need that time. Now, Mr. Chairman, I beg the attention of my friends on this side of the House. If the point of order made against this amendment, tendered by the gentleman from Indiana [Mr. CRUMPACKER], the point of order made by the gentleman from Kentucky [Mr. WHEELER], be not clearly well taken, we should be the last to sustain it. I am one of those who would have the honorable obligations of this country fulfilled whenever they have been entered into.

I opposed this purchase at the time; I have continued so to do. I was unable then, as I am now, to see the wisdom of a proposition which compels a nation to fight for a thing and then pay for it, because I was confronted with the unanswerable query, If we are to pay for it, why fight for it; and if we are to fight for it, why pay for it and die for it? But that is passed. It is beyond my reach, and it is before the world at large. We are confronted with the problem and the watchful eyes of the nations of the world are upon us.

I say to the Democratic party, let us not be beguiled by temporary conditions by which we may give our honorable enemy on the other side the opportunity to pillory us before an unthinking public, who are ready to punish the sincere and deserving when they can be deceived by a false appearance. Rather let us stand by this position and vote it down, that we may go on record as maintaining the honorable obligations of this Government to the full extent of the inexorable necessities and of the law and our duty to the country. [Applause.]

The CHAIRMAN. The Chair is no more responsible for Rule XXI than any other member of the committee. The Chair is called upon to interpret the rule, and it is his duty to interpret it as he thinks is right. From the examination given of the amendment sent to the desk by the gentleman from Indiana [Mr. CRUMPACKER]

and read by the Clerk the Chair thinks it is practically the same amendment that has been ruled out by the Chair and sustained by the committee. There is no existing law for the President of the United States to pay out $20,000,000 at his discretion, and the Chair will sustain the point of order

Mr. VANDIVER. Mr. Chairman, a parliamentary inquiry.

The CHAIRMAN. The gentleman from Missouri will state it.

Mr. VANDIVER. I wish to ask if there is no other method by which the committee having this matter in charge may bring it before the House in a proper form, so that it may be considered on its merits.

The CHAIRMAN. There are many ways in which this can be provided for, and probably it will be.

Mr. MORRIS. Mr. Chairman, I offer the following amendment, which I ask to have the Clerk read:

The Clerk read as follows:

Insert after line 21, page 104, after the word "State," the following:

"For the purpose of carrying out the obligations of such treaty of peace as may be concluded between the United States and Spain, to become immediately available upon the exchange of the ratifications of said treaty, $20,000,000."

Mr. WHEELER of Kentucky. Mr. Chairman, I make a point of order against that.

Mr. BAILEY. Mr. Chairman, I desire to suggest to the gentleman from Minnesota and others that it is perfectly apparent that there is no way to make this appropriation on this bill. It is desired to finish the bill this afternoon, and it is absolutely certain that this provision can be made and will be made. A resolution will be introduced in the Committee on Rules, which will report it. I suggest that we simply let this matter go and try and conclude the bill to-night. [Applause.]

Mr. MORRIS. Mr. Chairman, I have no desire in the world to detain the House. I think the members of the House will agree that I have taken as little of its time as any other member on the floor.

Mr. WHEELER of Kentucky. Mr. Chairman, did the Chair understand that I made the point of order?

The CHAIRMAN. The Chair so understood the gentleman from Kentucky.

Mr. FITZGERALD. I desire to say, Mr. Chairman, that the gentleman from Kentucky [Mr. WHEELER] does not, in my judgment, voice the sentiments of the majority of the Democratic members upon the floor of the House in making points of order against the appropriation of $20,000,000 to carry out peace negotiations with Spain.

Mr. WHEELER of Kentucky. I am speaking for my own section. I represent the Democracy of Kentucky in fighting this appropriation.

The CHAIRMAN. The committee will be in order; and if there are any differences between members the Chair trusts that they will retire and settle them outside. [Laughter.]

Mr. MORRIS. Mr. Chairman, I merely wished to suggest to the Chair that I entirely agree with the ruling of the Chair just made. An appropriation of money under the amendment offered by the gentleman from Indiana [Mr. CRUMPACKER] would be an appropriation for an illegal purpose, because the President of the United States would have no right, nor could Congress give him such right, to spend any money in his discretion for the purpose of making peace. But that objection does not lie to the amendment which I have offered.

This country is at war with Spain under the action of the Congress of the United States. It is a necessary incident to that war that we should appropriate money for the purpose of carrying it on. And surely, after a declaration of war, no member would contend that an appropriation for that purpose would be "for an expenditure not previously authorized by law." The very declaration of war would authorize all expenditures necessary for carrying it on, and any appropriation subsequently made, whether in a general appropriation bill or otherwise, would be in pursuance of such authorization. So, too, it is a necessary incident to all wars that they should result in the making of a treaty of peace at some time.

Now, under the Constitution of the United States the power to make such treaty of peace is lodged with the President and the Senate, which constitute the treaty-making power of the Government. Under this power they have the right to stipulate for the payment of money, whether by way of indemnity or otherwise, and the expenditure of money thus stipulated to be paid is authorized by the very highest law of the land, the Constitution. When the treaty is made, it becomes the supreme law of the land. But the treaty only determines whether any money is to be paid and fixes the amount. It is the Constitution which authorizes the making of the treaty and the expenditures thereunder. Now, for the purpose of carrying out such treaty as may hereafter be made—and this covers the exact objection made by the gentlemen on the other side that there is no such treaty as a treaty made at Paris on the 10th of December, 1898, referred to in this provision of the bill—the amendment which I propose appropriates the sum of $20,000,000.

All gentlemen of the House recognize that a treaty may be made hereafter; that it will be made hereafter, and will become a treaty binding upon this country and Spain, and will, with the Constitution under which it is negotiated, be the supreme law of the land immediately upon the exchange of ratifications.

Now, what does the amendment which I offer propose? It proposes to appropriate money for the purpose of carrying out the provisions of such treaty as may hereafter be made between this country and Spain, not to be spent at the discretion of the President of the United States, but such sum as that treaty may hereafter prescribe.

A MEMBER. Is that in pursuance of existing law?

Mr. MORRIS. That is existing law. The existing law, the Constitution of the United States, is that the Congress of the United States has a right to make war; the existing law is that Congress has the right to appropriate money for the purpose of carrying on that war; the existing law is that the President of the United States and the Senate have the right to make a treaty of peace, under which an expenditure of money is to be made; the existing law is that Congress has the right to appropriate money for that expenditure. That is the law, and it is existing law. This is all I desire to say.

The CHAIRMAN. It does not appear to the Chair that the amendment offered by the gentleman from Minnesota [Mr. MORRIS] differs in principle from the amendment offered by the gentleman from Indiana [Mr. CRUMPACKER] or from the clause which was stricken from the bill on the point of order made by the gentleman from Kentucky. The Chair therefore sustains the point of order.

The Clerk resumed and concluded the reading of the bill.

Mr. CANNON. There is a paragraph which was passed over by unanimous consent and to which I now ask we may return.

The Clerk read the paragraph, as follows:

For fees of United States district attorney for the District of Columbia, $23,800.

No amendment was offered.

Mr. CANNON. Now, Mr. Chairman, I ask unanimous consent to return to page 10, line 5, at which point in the bill the gentleman from Virginia [Mr. WISE] wishes to offer an amendment.

The CHAIRMAN. Is there objection to returning to the part of the bill indicated?

There was no objection.

Mr. WISE. I offer the amendment which I send to the desk.

The Clerk read as follows:

On page 10, between the words "Virginia" and "Cape," in line 5, insert "James River, Virginia."

The amendment was agreed to.

Mr. CANNON. I desire consent to return to page 27, line 8.

The CHAIRMAN. Is there objection to returning to the portion of the bill indicated by the gentleman from Illinois?

There was no objection.

Mr. CANNON. I move to amend by striking out, in line 8, page 27, the word "seventy" and inserting "seventy-five," and by inserting, at the end of line 9, the following:

And $5,000 shall be expended in widening the Adams Mill road entrance to the Zoological Park, from the corner of Eighteenth street and Columbia road, by acquiring by purchase or condemnation a strip on the northeasterly side of said road sufficient to widen the same to a width of 100 feet; and such road so widened shall form a park under the control of the Zoological Park.

The amendment was agreed to.

Mr. LINNEY. I ask unanimous consent to return to line 7, page 33, that I may offer an amendment.

There was no objection.

Mr. LINNEY. I offer the amendment which I send to the desk.

The Clerk read as follows:

After line 7, page 33, insert the following:

"Edenton, N. C., station: Superintendent, $1,500; fish culturist, $900; two laborers, at $540 each, $1,080; in all, $3,480."

The amendment was agreed to.

Mr. SHERMAN. I ask unanimous consent to return to page 47.

There was no objection.

Mr. SHERMAN. I offer the amendment which I send to the desk.

The Clerk read as follows:

After line 20, page 47, insert the following:

"That the Commissioner of Patents, under the direction of the Secretary of the Interior, be, and he is hereby, authorized and empowered to have printed and bound by contract an alphabetical list or index of patentees from 1790 to 1873, inclusive, the cost of which shall not exceed the sum of $16,000, which sum shall be paid out of any moneys in the Treasury of the United States not otherwise appropriated: *Provided, however*, That no contract shall be entered into for the printing and binding of said index unless and until subscriptions for the same shall amount to the sum of $10,000."

Mr. DOCKERY. I object to returning to that paragraph.

Mr. SHERMAN. We have already returned to the paragraph.

Mr. DOCKERY. There can be no return to the paragraph until the amendment is read.

The CHAIRMAN. The Chair will state to the gentleman from Missouri that the gentleman from New York [Mr. SHERMAN] asked unanimous consent to return to this part of the bill, and there was no objection.

Mr. DOCKERY. I make a point of order then. I do not want the Patent Office to get all the money of the United States. I want to reserve all rights and all points of order that I have under the rule against that provision.

The CHAIRMAN. Does the gentleman state that he did not hear the request when it was put to the committee?

Mr. DOCKERY. I will not make that point.

Mr. SHERMAN. I will ask the Chair to put the request again. If the gentleman from Missouri desires to object, let him object.

Mr. DOCKERY. I do not say——

Mr. SHERMAN. I ask the Chair to put the request again.

The CHAIRMAN. The Chair will put the request again.

Mr. DOCKERY. I object. I did not state that I misunderstood the request. I did not know what the amendment was.

The CHAIRMAN. The Chair will state to the gentleman that there was considerable confusion in the Hall at the time, and in justice to the gentleman as well as to the Chair, the Chair will put the request again. The gentleman from New York [Mr. SHERMAN] requests that the committee return to page 47, line 3, for the purpose of offering an amendment. Is there objection?

Mr. DOCKERY. I object.

Mr. BARTLETT. I hope the gentleman will not object, because the gentleman from New York was snowbound and could not be here at the time the paragraph was reached in regular order.

Mr. DOCKERY. I will not interpose the one-man power. I will withdraw the objection and let the amendment come up.

Mr. COX. I renew the objection.

Mr. CANNON. It is clearly subject to a point of order, and so it is a waste of time.

The CHAIRMAN. The gentleman from Tennessee [Mr. Cox] has objected.

Mr. CANNON. Now, I move that the committee rise and report the bill as amended to the House with a favorable recommendation.

The motion was agreed to.

The committee accordingly rose; and the Speaker having resumed the chair, Mr. HOPKINS, Chairman of the Committee of the Whole House on the state of the Union, reported that that committee had had under consideration the bill (H. R. 12008) making appropriations for sundry civil expenses of the Government for the fiscal year ending June 30, 1900, and for other purposes, and had directed him to report the same back to the House with amendments, and with the recommendation that as amended the bill do pass.

The amendments recommended by the Committee of the Whole were agreed to.

The bill as amended was ordered to be engrossed and read a third time; and was accordingly read the third time.

The SPEAKER. The question is, Shall the bill pass——

Mr. HEPBURN. I have a motion to recommit the bill with instructions, which I desire to offer.

The SPEAKER. The gentleman from Iowa desires to move a recommittal.

Mr. CANNON. I wish to inquire whether that is in order or not, Mr. Speaker.

Mr. BOUTELLE of Maine. I desire to make a privileged report.

Mr. CANNON. It seems to me it is not in order. If I recollect aright, the motion to recommit comes after the previous question has been ordered and after the third reading, and not upon the passage. As I understand it, the motion has been made to reconsider.

Mr. HEPBURN. What is the point of order, Mr. Speaker?

Mr. CANNON. The point of order is, first, that there was no previous question ordered, and therefore the motion to recommit would not lie, the previous question not being ordered. Secondly, that the bill had passed a third reading and had passed the House, and a motion to reconsider and lay on the table had been made.

Several MEMBERS. Oh, no.

Mr. HEPBURN. Oh, no. I submit that the right to make this motion does not depend upon whether the previous question is ordered or not, and that the time to make it is just previous to the question, Shall the bill pass? and after the third reading.

The SPEAKER. The Chair thinks the motion is regular, and the Clerk will present it.

The Clerk read as follows:

Mr. HEPBURN moves to recommit the bill to the Committee on Appropriations with instructions to report the same back with the following amendment:

After line 21, page 71, insert the following——

Mr. HEPBURN. Mr. Speaker, in order to save time, I would state that that has been read three or four times to the House. I do not demand the reading of it. I would ask unanimous consent that the reading be dispensed with.

Mr. CANNON. What is it?

Mr. HEPBURN. It is in substance the proposition that I offered the other day.

Mr. CANNON. You mean the bill reported from the Committee on Interstate and Foreign Commerce for the construction of the Nicaragua Canal?

Mr. HEPBURN. Not exactly that bill, but substantially, I will say to the gentleman——

Mr. CANNON. I do not desire to await the reading, but I do desire to ask if it is the same proposition that was offered in Committee of the Whole?

Mr. HEPBURN. Yes; substantially.

Mr. DOCKERY. A point of order.

Mr. CANNON. Certainly it is subject to a point of order, and I desire to make it.

The SPEAKER. The gentleman makes the point of order, and the point of order is sustained.

Mr. HEPBURN. What is the point of order?

The SPEAKER. The point of order is that it is an attempt, under the guise of a motion for recommittal with instructions, to accomplish what could not be accomplished by an amendment.

Mr. HEPBURN. I submit, Mr. Speaker, that the gentleman who passes upon that motion is not yet advised and can not be advised that this is a copy of any bill pending before this body.

The SPEAKER. The gentleman requested that it should not be read, upon the ground that it had been read two or three times to the House.

Mr. HEPBURN. Yes; I said that substantially it was the same, and I say that yet.

The SPEAKER. Then if it is substantially the same, it is obnoxious to the same objection.

Mr. HEPBURN. I respectfully appeal from that decision of the Chair.

Mr. PAYNE. And I move to lay that appeal on the table.

The SPEAKER. The gentleman from Iowa appeals from the decision of the Chair——

Mr. HEPBURN. And upon that question I demand the yeas and nays.

The SPEAKER. And the gentleman from New York moves to lay the appeal on the table, and upon that the gentleman from Iowa demands the yeas and nays.

The yeas and nays were ordered.

The question was taken on the motion to lay the appeal on the table; and there were—yeas 96, nays 68, answered "present" 10, not voting 177; as follows:

YEAS—96.

Adams,	De Armond,	Knox,	Parker, N. J.
Aldrich,	Dick,	Lacey,	Payne,
Alexander,	Dockery,	Landis,	Perkins,
Baker, Md.	Dovener,	Lanham,	Pierce, Tenn.
Bartlett,	Eddy,	Lawrence,	Prince,
Benton,	Faris,	Linney,	Pugh,
Booze,	Fleming,	Lloyd,	Reeves,
Boutell, Ill.	Fletcher,	Loud,	Rhea,
Boutelle, Me.	Foss,	McCleary,	Robb,
Brewer,	Fowler, N. J.	McDonald,	Robinson, Ind.
Broderick,	Gibson,	McDowell,	Russell,
Bromwell,	Gillett, Mass.	McEwan,	Settle,
Brown,	Graham,	McIntire,	Sherman,
Brownlow,	Greene, Mass.	Maddox,	Spalding,
Burleigh,	Griffin,	Mann,	Steele,
Burton,	Hamilton,	Marsh,	Stevens, Minn.
Cannon,	Hay,	Maxwell,	Tawney,
Clark, Mo.	Hilborn,	Mercer,	Vandiver.
Clarke, N. H.	Hill,	Moon,	Van Voorhis,
Connolly,	Hopkins,	Morris,	Wanger,
Cooper, Wis.	Howell,	Mudd,	Warner,
Cowherd,	Jett,	Norton, S. C.	Weaver,
Dalzell,	Johnson, N. Dak.	Olmsted,	Weymouth,
Davidson, Wis.	Ketcham,	Otjen,	Wise.

NAYS—68.

Adamson,	Davenport,	Kitchin,	Shuford,
Allen,	Davis,	Kleberg,	Simpson,
Baird,	Dayton,	Lamb,	Stallings,
Ball,	De Graffenreid,	Lewis, Ga.	Stark,
Bankhead,	De Vries,	Lewis, Wash.	Stephens, Tex.
Barlow,	Dinsmore,	Little,	Sulloway,
Berry,	Fitzgerald,	McClellan,	Sulzer,
Bodine,	Fowler, N. C.	McLain,	Swanson,
Bradley,	Greene, Nebr.	McRae,	Taylor, Ala.
Brantley,	Griggs,	Maguire,	Thorp,
Broussard,	Grow,	Meekison,	Tongue,
Burke,	Hartman,	Meyer, La.	Underwood,
Castle,	Hawley,	Miers, Ind.	Vincent,
Cochran, Mo.	Henry, Tex.	Minor,	Wheeler, Ky.
Codding,	Hepburn,	Osborne,	Williams, Miss.
Cox,	Hunter,	Peters,	Wilson,
Cummings,	Kirkpatrick,	Ridgely,	Zenor.

ANSWERED "PRESENT"—10.

Bailey,	Cooper, Tex.	Graff,	White, N. C.
Brucker,	Driggs,	Mahon,	
Carmack,	Gaines,	Sims,	

NOT VOTING—177.

Acheson,	Curtis, Kans.	King,	Shattuc,
Arnold,	Danford,	Knowles,	Shelden,
Babcock,	Davey,	Kulp,	Showalter
Baker, Ill.	Davison, Ky.	Latimer	Skinner,
Barber,	Dolliver,	Lentz,	Slayden,
Barham,	Dorr,	Lester,	Smith, Ill.
Barney,	Elliott,	Littauer,	Smith, Ky.
Barrett,	Ellis,	Livingston,	Smith, S. W.
Barrows,	Ermentrout,	Lorimer,	Smith, Wm. Alden
Bartholdt,	Evans,	Loudenslager,	Snover,
Beach,	Fenton,	Lovering,	Southard,
Belden,	Fischer,	Low,	Southwick,
Belford,	Fitzpatrick,	Lybrand,	Sparkman,
Belknap,	Foote,	McAleer,	Sperry,
Bell,	Fox,	McCall,	Spight,
Benner, Pa.	Gardner,	McCormick,	Sprague,
Bennett,	Gillet, N. Y.	McCulloch,	Stewart, N. J.
Bingham,	Griffith,	Mahany,	Stewart, Wis.
Bishop,	Grosvenor,	Marshall,	Stokes,
Bland,	Grout,	Martin,	Stone,
Botkin,	Gunn,	Mesick,	Strait,
Brenner, Ohio	Hager,	Miller,	Strode, Nebr.
Brewster,	Handy,	Mills,	Strowd, N. C.
Brosius,	Harmer,	Mitchell,	Sturtevant,
Brumm,	Heatwole,	Moody,	Sutherland,
Brundidge,	Henenway,	Newlands,	Talbert,
Bull,	Henderson,	Norton, Ohio	Tate,
Butler,	Henry, Conn.	Odell,	Tayler, Ohio
Campbell,	Henry, Ind.	Ogden,	Terry,
Capron,	Henry, Miss.	Otey,	Todd,
Catchings,	Hicks,	Overstreet,	Updegraff,
Chickering,	Hinrichsen,	Packer, Pa.	Vehslage,
Clardy,	Hitt,	Pearce, Mo.	Wadsworth,
Clark, Iowa	Howard, Ala.	Pearson,	Walker, Mass.
Clayton,	Howard, Ga.	Powers,	Walker, Va.
Cochrane, N. Y.	Howe,	Quigg,	Ward,
Colson,	Hull,	Ray,	Wheeler, Ala.
Connell,	Hurley,	Richardson,	White, Ill.
Cooney,	Jenkins,	Rixey,	Wilber,
Corliss,	Johnson, Ind.	Robbins,	Williams, Pa.
Cousins,	Jones, Va.	Robertson, La.	Yost,
Cranford,	Jones, Wash.	Royse,	Young.
Crump,	Joy,	Sauerhering,	
Crumpacker,	Kelley,	Shafroth,	
Curtis, Iowa	Kerr,	Shannon,	

Mr. DRIGGS. Mr. Speaker, I am paired with the gentleman from West Virginia, Mr. DORR. I voted simply to be on record. I voted "yea." I desire to withdraw my vote, and be marked "present."

Mr. BRUCKER. Mr. Speaker, I would like to ask if the gentleman from Michigan, Mr. BISHOP, has voted?

The SPEAKER. The gentleman from Michigan, Mr. BISHOP, did not vote.

Mr. BRUCKER. I have a general pair with the gentleman from Michigan, Mr. BISHOP. I presumed myself it had expired, and voted. I voted in the negative; but for fear my colleague, Mr. BISHOP, thought the pair was a continuing one, I withdraw my negative vote, and desire to be marked "present."

The following pairs were announced:

Until further notice:

Mr. DORR with Mr. DRIGGS.

Mr. HENRY of Indiana with Mr. GRIFFITH.

Mr. JENKINS with Mr. ELLIOTT.

Mr. PEARSON with Mr. NORTON of Ohio.

Mr. BARTHOLDT with Mr. OGDEN.

Mr. DANFORD with Mr. FITZPATRICK.

Mr. ELLIS with Mr. STOKES.

Mr. BENNETT with Mr. GAINES.

Mr. SAMUEL W. SMITH with Mr. HENRY of Mississippi.

Mr. CHICKERING with Mr. OTEY.

Mr. WARD with Mr. DAVEY.

Mr. ODELL with Mr. KING.

Mr. LORIMER with Mr. SWANSON.

Mr. BISHOP with Mr. BRUCKER.

Mr. WEAVER with Mr. MARSHALL.

For balance of session:

Mr. JOY with Mr. CARMACK.

For this day:

Mr. UPDEGRAFF with Mr. BAILEY.

Mr. WADSWORTH with Mr. MCCULLOCH.

Mr. WARD with Mr. LENTZ.

Mr. YOST with Mr. LESTER.

Mr. WALKER of Virginia with Mr. STRAIT.

Mr. SNOVER with Mr. SIMS.

Mr. SAUERHERING with Mr. RIXEY.

Mr. QUIGG with Mr. CRANFORD.

Mr. MESICK with Mr. LIVINGSTON.

Mr. KULP with Mr. LATIMER.

Mr. BEACH with Mr. BRENNER of Ohio.

Mr. HENDERSON with Mr. COONEY.

Mr. WM. ALDEN SMITH with Mr. HANDY.

Mr. COCHRANE of New York with Mr. CLARDY.

Mr. HITT with Mr. BLAND.

Mr. HEATWOLE with Mr. CATCHINGS.

Mr. MAHON with Mr. COOPER of Texas.

Mr. ACHESON with Mr. CLAYTON.

Mr. BRUMM with Mr. CLARDY.

Mr. HARMER with Mr. MCALEER.

Mr. SAUERHERING with Mr. VEHSLAGE.

Mr. PEARCE of Missouri with Mr. ROBERTSON of Louisiana.

Mr. SOUTHARD with Mr. SHAFROTH.

Mr. STONE with Mr. SPARKMAN.

Mr. BELDEN with Mr. ERMENTROUT.

Mr. STEWART of New Jersey with Mr. SPIGHT.

Mr. EVANS with Mr. RICHARDSON.

Mr. GRAFF with Mr. TERRY.

Mr. TAYLER of Ohio with Mr. HOWARD of Georgia.

Mr. BELKNAP with Mr. FOX.

On this vote:

Mr. CURTIS of Iowa with Mr. BARRETT.

Mr. ADAMSON. Mr. Speaker, I desire to ask if the gentleman from Pennsylvania [Mr. WANGER] has voted. I voted "nay."

The SPEAKER. The gentleman from Pennsylvania has not voted, the Chair is informed.

Mr. ADAMSON. I understood that he did; but I withdraw my vote if he did not.

Mr. WANGER. I was present and voted, and my name was not called on the second roll call.

The SPEAKER. The gentleman is recorded in the affirmative.

Mr. ADAMSON. I so understood it, Mr. Speaker.

The SPEAKER. The Chair so understood it.

Mr. ADAMSON. I want my vote to stand in the negative, then.

Mr. HILL. I am announced as paired. That is evidently a mistake. I asked to be paired to-morrow and next day.

The SPEAKER. The correction will be made.

Mr. MAHON. Mr. Speaker——

Mr. HEPBURN. Mr. Speaker, I understood that the gentleman from Maine and the gentleman from Illinois——

Mr. MAHON. I am paired with the gentleman from Texas [Mr. COOPER], and want to be marked "present."

Mr. HEPBURN. I simply observed, Mr. Speaker, the gentleman from Maine [Mr. BOUTELLE] and the gentleman from Illinois [Mr. BOUTELL] both voted yea; and in the reading of the pairs I noticed that Mr. BOUTELL was paired with some gentleman.

Mr. BOUTELLE of Maine. I am not paired with anyone. I voted "yea."

Mr. BOUTELL of Illinois. Mr. Speaker, I was paired yesterday with the gentleman from Georgia [Mr. GRIGGS], but he was in the House this afternoon and voted "nay." The pair should be withdrawn.

The SPEAKER. The correction will be made. The Clerk will recapitulate the vote.

During the recapitulation:

Mr. HEPBURN. A parliamentary inquiry, Mr. Speaker. Was a recapitulation of the vote demanded by any member?

The SPEAKER. It is ordered by the Chair.

Mr. HEPBURN. I had noticed the reading of the Clerk, as if it were to take time, in order to bring in recruits.

The SPEAKER. The Chair will state to the gentleman that the question is the presence of a quorum, and the Chair is having this matter gone over carefully, so as to be sure that the record is right.

The Clerk proceeded to recapitulate the vote.

Mr. MANN. May I inquire whether this is the time to correct an error in the vote?

The SPEAKER. The Chair thinks it should be done after the recapitulation is finished.

The Clerk continued and concluded the recapitulation.

Mr. ADAMSON. Mr. Speaker, in the recapitulation my name was called as "present." I voted in the negative, and desire to be so recorded.

Mr. MANN. Mr. Speaker, I understood the Clerk to read as one of the persons voting "yea" the gentleman from Illinois, Mr. GRAFF. May I be informed if that is correct?

The SPEAKER. The gentleman from Illinois, Mr. GRAFF, is reported as paired.

Mr. MANN. The Clerk read his name as voting "yea."

The SPEAKER. If it was, it is an error. The roll does not show him to have voted. The Clerk has handed to the Chair a roll of those members not voting—Mr. BRADLEY of New York, Mr. SOUTHARD of Ohio, and Mr. BAILEY of Texas.

Mr. BRADLEY. I voted "no."

The SPEAKER. The gentleman will be recorded as voting in the negative.

Mr. COOPER of Texas. I was present, and ordered myself marked as "present." I am paired with the gentleman from Pennsylvania, Mr. MAHON.

The SPEAKER. The gentleman is recorded as "present." If there is any other gentleman who should be recorded "present," if he will kindly state he has not voted and desires himself to be "present"——

Mr. BAILEY. Mr. Speaker, I do not desire to be noted as

"present" by the Chair. I am paired. I am present and desire to be recorded as answering "present."

The SPEAKER. The gentleman will be recorded as "present." The yeas are 96, the nays 68, those who have reported themselves "present" 9, and 1 that has been noted by the Clerk. That is not a quorum, 177 being a quorum.

Mr. CANNON. Regular order.

The SPEAKER. The regular order is a call of the House; the yeas and nays are ordered, and the doors will be closed.

Mr. UNDERWOOD. A parliamentary inquiry.

The SPEAKER. The gentleman will state it.

Mr. UNDERWOOD. If the House should adjourn now, would the first thing in the morning be the taking of this vote?

Mr. CANNON. I hope the House will not adjourn, for the Senate awaits this bill.

The SPEAKER. The Chair thinks this would be in order to-morrow, but is not entirely sure, no previous question having been ordered. There are five more members needed for a quorum.

Mr. UNDERWOOD. I am anxious to have another vote on the proposition, and if this vote will be the first thing in order to-morrow morning, then I desire to move to adjourn.

The SPEAKER. The Chair thinks that we can solve all doubts by having the other members brought in; but that is for the House to determine.

Mr. SULZER. A parliamentary inquiry, Mr. Speaker. Is a motion to adjourn in order during a call of the House?

Mr. UNDERWOOD. Mr. Speaker, if it is proper for the parliamentary inquiry to be answered—and I wish to ask nothing that is improper—I will again ask the Chair to decide the question whether the roll call will be in order on this question the first thing in the morning.

Mr. TAWNEY. A parliamentary inquiry, Mr. Speaker. A call of the House having been ordered, would a motion to adjourn be in order?

The SPEAKER. The Chair thinks one motion to adjourn was provided for in the rule. The Chair thinks the House has a right to adjourn.

Mr. UNDERWOOD. And this question will be in order the first thing in the morning?

Mr. MARSH. Mr. Speaker, the Military Academy appropriation bill has come over from the Senate with some amendments, and I ask unanimous consent——

The SPEAKER. There being no quorum, unanimous consent can not be given.

Mr. UNDERWOOD. I move that the House do now adjourn.

The question was taken; and on a division (demanded by Mr. UNDERWOOD and others) there were—ayes 69, noes 70.

Mr. UNDERWOOD. The vote is so close, Mr. Speaker, that I demand tellers.

Tellers were ordered; and Mr. CANNON and Mr. UNDERWOOD were appointed tellers.

The House again divided; and there were—ayes 71, noes 66.

So the motion of Mr. UNDERWOOD was agreed to; accordingly (at 6 o'clock and 12 minutes) the House adjourned until to-morrow at 12 o'clock noon.

EXECUTIVE COMMUNICATIONS, ETC.

Under clause 2 of Rule XXIV, the following executive and other communications were taken from the Speaker's table and referred, as follows:

A letter from the Acting Secretary of the Treasury, transmitting a copy of a communication from the Secretary of War submitting an estimate of appropriation for "Renovation of old post-office building at Omaha, Nebr."—to the Committee on Appropriations, and ordered to be printed.

A letter from the assistant clerk of the Court of Claims, transmitting a copy of the findings filed by the court in the case of John Arthur, administrator of William Arthur, deceased, against The United States—to the Committee on War Claims, and ordered to be printed.

A letter from the Acting Secretary of the Treasury, transmitting a copy of a communication from the superintendent of the State, War, and Navy Department building submitting an estimate of deficiency in the appropriation for "Fuel, lights, etc."—to the Committee on Appropriations, and ordered to be printed.

A letter from the treasurer of the Washington and University Railroad Company, relating to the annual report of the company—to the Committee on the District of Columbia.

A letter from the Acting Secretary of the Treasury, transmitting a copy of a communication from the Secretary of War submitting an estimate of appropriation for Fort Point, Galveston, Tex.—to the Committee on Appropriations, and ordered to be printed.

A letter from the clerk of the Court of Claims, transmitting the conclusions of law and fact filed by the court in the French spoliation claims relating to the ship *Ganges*—to the Committee on Claims, and ordered to be printed.

A letter from the Acting Secretary of the Treasury, transmitting a copy of a communication from the Chief of the Bureau of Statistics of the Treasury Department, with draft of a proposed concurrent resolution providing for the publication of a second edition of the Statistical Abstract of the United States, 1898—to the Committee on Printing, and ordered to be printed.

A letter from the Secretary of War, transmitting a letter from the Surgeon-General of the Army relating to the relief of contract surgeons in the Army—to the Committee on Appropriations, and ordered to be printed.

REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS.

Under clause 2 of Rule XIII, bills and resolutions of the following titles were severally reported from committees, delivered to the Clerk, and referred to the several Calendars therein named, as follows:

Mr. FISCHER, from the Committee on Indian Affairs, to which was referred the bill of the Senate (S. 5427) granting to the Clearwater Short Line Railway Company a right of way through the Nez Perces Indian lands in Idaho, reported the same without amendment, accompanied by a report (No. 2144); which said bill and report were referred to the House Calendar.

Mr. HULL, from the Committee on Military Affairs, to which was referred the bill of the Senate (S. 4831) fixing the rank of the Adjutant-General of the Army, reported the same without amendment, accompanied by a report (No. 2145); which said bill and report were referred to the Committee of the Whole House on the state of the Union.

REPORTS OF COMMITTEES ON PRIVATE BILLS AND RESOLUTIONS.

Under clause 2 of Rule XIII, private bills and resolutions of the following titles were severally reported from committees, delivered to the Clerk, and referred to the Committee of the Whole House, as follows:

Mr. MIERS of Indiana, from the Committee on Invalid Pensions, to which was referred the bill of the Senate (S. 409) granting an increase of pension to Sarah Gresham, reported the same with amendment, accompanied by a report (No. 2125); which said bill and report were referred to the Private Calendar.

Mr. WARNER, from the Committee on Invalid Pensions, to which was referred the bill of the House (H. R. 12026) to increase the pension of Thomas Crinigan, reported the same with amendment, accompanied by a report (No. 2126); which said bill and report were referred to the Private Calendar.

Mr. KERR, from the Committee on Invalid Pensions, to which was referred the bill of the House (H. R. 4498) granting an increase of pension to Jackson Neace, late of Company H, Twenty-seventh Regiment Illinois Volunteers, in the war of the rebellion, reported the same with amendment, accompanied by a report (No. 2127); which said bill and report were referred to the Private Calendar.

Mr. BOTKIN, from the Committee on Invalid Pensions, to which was referred the bill of the House (H. R. 8997) for the relief of John W. Brisbois, reported the same with amendment, accompanied by a report (No. 2128); which said bill and report were referred to the Private Calendar.

Mr. DRIGGS, from the Committee on Invalid Pensions, to which was referred the bill of the House (H. R. 10480) granting a pension to Nelly V. Crosby, reported the same with amendment, accompanied by a report (No. 2129); which said bill and report were referred to the Private Calendar.

Mr. BOTKIN, from the Committee on Invalid Pensions, to which was referred the bill of the House (H. R. 11097) granting an increase of pension to William W. Patterson, reported the same with amendment, accompanied by a report (No. 2130); which said bill and report were referred to the the Private Calendar.

Mr. HENRY of Connecticut, from the Committee on Invalid Pensions, to which was referred the bill of the Senate (S. 1110) granting an increase of pension to Samuel E. Liscom, reported the same with amendment, accompanied by a report (No. 2131); which said bill and report were referred to the Private Calendar.

Mr. DRIGGS, from the Committee on Invalid Pensions, to which was referred the bill of the House (H. R. 12077) granting an increase of pension to Charles N. Smiley, reported the same with amendment, accompanied by a report (No. 2132); which said bill and report were referred to the Private Calendar.

Mr. WARNER, from the Committee on Invalid Pensions, to which was referred the bill of the House (H. R. 10900) to increase the pension of James Cooper, reported the same with amendment, accompanied by a report (No. 2133); which said bill and report were referred to the Private Calendar.

Mr. DRIGGS, from the Committee on Invalid Pensions, to which

was referred the bill of the House (H. R. 11296) granting a pension to Anna M. Rowe, reported the same with amendment, accompanied by a report (No. 2134); which said bill and report were referred to the Private Calendar.

Mr. GIBSON, from the Committee on Invalid Pensions, to which was referred the bill of the Senate (S. 3466) granting a pension to Sarah Hamilton, reported the same with amendment, accompanied by a report (No. 2135); which said bill and report were referred to the Private Calendar.

Mr. BOTKIN, from the Committee on Invalid Pensions, to which was referred the bill of the House (H. R. 4880) granting a pension to Jonathan Scott, reported the same with amendment, accompanied by a report (No. 2136); which said bill and report were referred to the Private Calendar.

Mr. KERR, from the Committee on Invalid Pensions, to which was referred the bill of the House (H. R. 3186) granting an increase of pension to William J. Holway, reported the same with amendment, accompanied by a report (No. 2137); which said bill and report were referred to the Private Calendar.

Mr. GIBSON, from the Committee on Invalid Pensions, to which was referred the bill of the House (H. R. 9502) granting a pension to Eliza Sickler, reported the same with amendment, accompanied by a report (No. 2138); which said bill and report were referred to the Private Calendar.

Mr. MIERS of Indiana, from the Committee on Invalid Pensions, to which was referred the bill of the House (H. R. 10534) for the relief of Tennessee N. Buckles, reported the same with amendment, accompanied by a report (No. 2139); which said bill and report were referred to the Private Calendar.

Mr. DRIGGS, from the Committee on Invalid Pensions, to which was referred the bill of the House (H. R. 4661) granting a pension to Dortha E. Kennoch, reported the same with amendment, accompanied by a report (No. 2140); which said bill and report were referred to the Private Calendar.

Mr. RAY of New York, from the Committee on Invalid Pensions, to which was referred the bill of the Senate (S. 1928) granting an increase of pension to first-class pilot Capt. James M. Herrington, reported the same without amendment, accompanied by a report (No. 2141); which said bill and report were referred to the Private Calendar.

Mr. SULLOWAY, from the Committee on Invalid Pensions, to which was referred the bill of the Senate (S. 4744) granting a pension to Mary E. Hatch, reported the same without amendment, accompanied by a report (No. 2142); which said bill and report were referred to the Private Calendar.

Mr. HENRY of Connecticut, from the Committee on Invalid Pensions, to which was referred the bill of the House (H. R. 8985) granting an increase of pension to James C. Jennings, reported the same with amendment, accompanied by a report (No. 2143); which said bill and report were referred to the Private Calendar.

Mr. GIBSON, from the Committee on Invalid Pensions, to which was referred the bill of the Senate (S. 1758) increasing the pension of George W. Peters, reported the same with amendment, accompanied by a report (No. 2146); which said bill and report were referred to the Private Calendar.

Mr. BOTKIN, from the Committee on Invalid Pensions, to which was referred the bill of the House (H. R. 8895) to grant a pension to Mary B. Wotring, reported the same with amendment, accompanied by a report (No. 2147); which said bill and report were referred to the Private Calendar.

Mr. STURTEVANT, from the Committee on Invalid Pensions, to which was referred the bill of the Senate (S. 1697) granting an increase of pension to John Brown, reported the same without amendment, accompanied by a report (No. 2148); which said bill and report were referred to the Private Calendar.

Mr. MIERS of Indiana, from the Committee on Invalid Pensions, to which was referred the bill of the Senate (S. 1968) granting an increase of pension to George W. Nevins, reported the same without amendment, accompanied by a report (No. 2149); which said bill and report were referred to the Private Calendar.

Mr. KERR, from the Committee on Invalid Pensions, to which was referred the bill of the Senate (S. 317) granting a pension to William J. Ford, reported the same without amendment, accompanied by a report (No. 2150); which said bill and report were referred to the Private Calendar.

Mr. GIBSON, from the Committee on Invalid Pensions, to which was referred the bill of the Senate (S. 566) granting a pension to Mary A. Thomas, reported the same with amendment, accompanied by a report (No. 2151); which said bill and report were referred to the Private Calendar.

Mr. STURTEVANT, from the Committee on Invalid Pensions, to which was referred the bill of the House (H. R. 8959) to increase the pension of Charles Williams, late captain Company A, Eighty-second Regiment Pennsylvania Volunteer Infantry, reported the same with amendment, accompanied by a report (No. 2152); which said bill and report were referred to the Private Calendar.

Mr. MIERS of Indiana, from the Committee on Invalid Pensions, to which was referred the bill of the Senate (S. 4984) granting a pension to Mary Longley Hendricks, reported the same without amendment, accompanied by a report (No. 2153); which said bill and report were referred to the Private Calendar.

Mr. DRIGGS, from the Committee on Invalid Pensions, to which was referred the bill of the House (H. R. 10696) granting an increase of pension to James W. Ingram, reported the same with amendment, accompanied by a report (No. 2154); which said bill and report were referred to the Private Calendar.

Mr. RAY of New York, from the Committee on Invalid Pensions, to which was referred the bill of the House (H. R. 12033) granting a pension to Mary A. Kennedy, reported the same with amendment, accompanied by a report (No. 2155); which said bill and report were referred to the Private Calendar.

Mr. WARNER, from the Committee on Invalid Pensions, to which was referred the bill of the Senate (S. 4414) granting a pension to Georgia H. Berry, reported the same without amendment, accompanied by a report (No. 2156); which said bill and report were referred to the Private Calendar.

Mr. SULLOWAY, from the Committee on Invalid Pensions, to which was referred the bill of the Senate (S. 1704) to increase the pension of Mrs. Helen A. De Russy, reported the same without amendment, accompanied by a report (No. 2157); which said bill and report were referred to the Private Calendar.

Mr. KERR, from the Committee on Invalid Pensions, to which was referred the bill of the House (H. R. 2625) to grant Mary Chamberlin, of Chelsea, Vt., a pension, reported the same with amendment, accompanied by a report (No. 2158); which said bill and report were referred to the Private Calendar.

Mr. HENRY of Connecticut, from the Committee on Invalid Pensions, to which was referred the bill of the House (H. R. 12013) to increase the pension of Delos M. Kenyon, reported the same with amendment, accompanied by a report (No. 2159); which said bill and report were referred to the Private Calendar.

Mr. BOTKIN, from the Committee on Invalid Pensions, to which was referred the bill of the Senate (S. 3911) granting a pension to Henry C. Bedell, reported the same without amendment, accompanied by a report (No. 2160); which said bill and report were referred to the Private Calendar.

Mr. SULLOWAY, from the Committee on Invalid Pensions, to which was referred the bill of the Senate (S. 4416) granting a pension to Mary F. Hilliard, reported the same without amendment, accompanied by a report (No. 2161); which said bill and report were referred to the Private Calendar.

Mr. KERR, from the Committee on Invalid Pensions, to which was referred the bill of the House (H. R. 10933) granting a pension to Sarah A. Kizer, reported the same with amendment, accompanied by a report (No. 2162); which said bill and report were referred to the Private Calendar.

Mr. SULLOWAY, from the Committee on Invalid Pensions, to which was referred the bill of the Senate (S. 5386) restoring to the pension roll the name of Samuel S. McDonald, reported the same without amendment, accompanied by a report (No. 2163); which said bill and report were referred to the Private Calendar.

He also, from the same committee, to which was referred the bill of the Senate (S. 4845) granting an increase of pension to George H. Lamport, reported the same without amendment, accompanied by a report (No. 2164); which said bill and report were referred to the Private Calendar.

Mr. YOST, from the Committee on Claims, to which was referred the bill of the Senate (S. 5000) for the relief of the owners of the British ship *Foscolia* and cargo, reported the same without amendment, accompanied by a report (No. 2165); which said bill and report were referred to the Private Calendar.

Mr. BELKNAP, from the Committee on Military Affairs, to which was referred the bill of the Senate (S. 4510) to correct the military record of William H. Fore, reported the same without amendment, accompanied by a report (No. 2166); which said bill and report were referred to the Private Calendar.

Mr. MEYER of Louisiana, from the Committee on Naval Affairs, to which was referred the bill of the House (H. R. 5700) to remove charge of desertion standing against James Hickey, reported the same with amendment, accompanied by a report (No. 2167); which said bill and report were referred to the Private Calendar.

PUBLIC BILLS, RESOLUTIONS, AND MEMORIALS INTRODUCED.

Under clause 3 of Rule XXII, bills, resolutions, and memorials of the following titles were introduced and severally referred as follows:

By Mr. BAILEY (by request): A bill (H. R. 12112) to amend an act entitled "An act to grant the right of way through the Indian Territory to the Denison, Bonham and New Orleans Railway Company for the purpose of constructing a railway, and for other purposes," approved March 28, 1898, and to vest in the Denison,

Bonham and Gulf Railway Company all the rights, privileges, and franchises therein granted to said first-named company—to the Committee on Indian Affairs.

By Mr. MAXWELL: A bill (H. R. 12113) making an appropriation for the payment of claims of volunteer soldiers who required the aid of a physician and medicine while absent on furlough from the company or regiment to which they respectively belonged—to the Committee on War Claims.

By Mr. WHITE of North Carolina: A bill (H. R. 12114) authorizing the President to have placed upon the retired list of the United States Army officers of the United States Volunteer Army appointed from the Regular Army who served beyond the limits of the United States—to the Committee on Military Affairs.

By Mr. LEWIS of Washington (by request): A bill (H. R. 12115) to refund pension debt and the payment of same—to the Committee on Invalid Pensions.

By Mr. JOHNSON of North Dakota: A bill (H. R. 12116) to designate Portal, in North Dakota, a subport of entry—to the Committee on Ways and Means.

By Mr. HEATWOLE: A joint resolution (H. Res. 367) providing for the remodeling the Hall of the House of Representatives, and for other purposes—to the Committee on Ventilation and Acoustics.

By Mr. JOY: A concurrent resolution (House Con. Res. No. 70) for the printing of the report entitled The Colonial Systems of the World—to the Committee on Printing.

By Mr. BLAND: A memorial from the Missouri assembly, asking for the care and attention of the Confederate cemeteries by Congress—to the Committee on Military Affairs.

By Mr. KNOWLES: A memorial from the senate and house of the State of South Dakota, favoring postal savings banks—to the Committee on the Post-Office and Post-Roads.

Also, a memorial from the legislature of South Dakota, favoring payment of taxes on Indian allotments—to the Committee on Indian Affairs.

Also, a memorial from the legislature of South Dakota, favoring the enforcement of the interstate-commerce act—to the Committee on Interstate and Foreign Commerce.

By Mr. MAXWELL: A memorial from the legislature of Nebraska, asking an appropriation by Congress to pay for medical assistance to soldiers when on furlough—to the Committee on War Claims.

By Mr. STRODE of Nebraska: A memorial from the legislature of Nebraska, asking an appropriation to pay for medical attendance of soldiers on furlough—to the Committee on War Claims.

By the SPEAKER: A memorial from the legislature of the Territory of Arizona, asking legislation to invalidate bonds issued by Pima County to railroad company—to the Committee on the Territories.

By Mr. STARK: A memorial from the house of representatives of the State of Nebraska, requesting Congress to make an appropriation for medical expenses of soldiers when on furlough—to the Committee on War Claims.

PRIVATE BILLS AND RESOLUTIONS INTRODUCED.

Under clause 1 of Rule XXII, private bills and resolutions of the following titles were introduced and severally referred as follows:

By Mr. HAMILTON: A bill (H. R. 12117) granting a pension to Mary J. Waugh—to the Committee on Invalid Pensions.

Also, a bill (H. R. 12118) for the relief of Albert Shell—to the Committee on Military Affairs.

By Mr. LEWIS of Washington: A bill (H. R. 12119) for the relief of M. M. Perl—to the Committee on Claims.

By Mr. MAHON: A bill (H. R. 12120) awarding medals of honor to Capt. Francis Tuttle, Lieuts. David H. Jarvis, Ellsworth P. Bertholf, and Dr. Samuel J. Call, officers of the Revenue-Cutter Service, for able and gallant services in the overland expedition to Point Barrow, Arctic Ocean, for relief of imperiled whalers—to the Committee on Interstate and Foreign Commerce.

By Mr. STONE: A bill (H. R. 12121) for the relief of Alexander Brown—to the Committee on War Claims.

PETITIONS, ETC.

Under clause 1 of Rule XXII, the following petitions and papers were laid on the Clerk's desk and referred as follows:

By the SPEAKER: Petition of the American Copyright League relating to a change in the copyright laws—to the Committee on Patents.

Also, petition of the Regular Army and Navy Union, Garrison No. 8, favoring amendment to the Navy personnel bill providing for the organization of the clerical force of the Navy—to the Committee on Naval Affairs.

By Mr. ALEXANDER: Petition of the Cigar Makers' Union of Buffalo, N. Y., in opposition to the acquisition of the Philippine Islands—to the Committee on Foreign Affairs.

By Mr. ARNOLD: Petition of the Presbyterian Church of Johnsonburg, Pa., favoring the passage of the Ellis bill—to the Committee on Alcoholic Liquor Traffic.

By Mr. BENNER of Pennsylvania: Petition of Adalaide Myers, of Littlestown, Pa., for relief—to the Committee on Invalid Pensions.

Also, resolutions of Cigar Makers' Union No. 316, of McSherrystown, Pa., praying for the passage of the eight-hour bill—to the Committee on Labor.

By Mr. BROWN: Petitions of W. W. Brock and 205 citizens of Loveland; J. B. Doughman and 201 citizens of Goshen; H. B. Jameson and others, H. D. Carleton and others, L. L. Norton and others, G. B. Zimmerman and others, B. T. Davis and others, Andrew Simon and other citizens, in the State of Ohio, in favor of postal savings banks—to the Committee on the Post-Office and Post-Roads.

By Mr. BULL: Petition of Picking Naval Garrison, No. 8, of Erie, Pa., urging the passage of House bill No. 11556, to promote the efficiency of the clerical service in the Navy of the United States by organizing a clerical corps of the Navy—to the Committee on Naval Affairs.

By Mr. BUTLER: Petitions of the Woman's Christian Temperance unions and various churches in Jennersville, West Grove, and other towns in Chester County, Pa., favoring the Ellis bill to prohibit the sale of liquor in Government buildings, etc.—to the Committee on Alcoholic Liquor Traffic.

By Mr. CASTLE: Petition of citizens of Fallbrook, Cal., against the seating of Representative-elect Brigham H. Roberts, of Utah—to the Committee on Elections No. 1.

By Mr. CLARKE of New Hampshire: Petitions of the Woman's Christian Temperance unions of Hillsboro and East Manchester, N. H., to prohibit the sale of liquor in Government buildings, etc.—to the Committee on Alcoholic Liquor Traffic.

Also, petition of the Woman's Christian Temperance Union of Hillsboro, N. H., to prohibit the transmission by mail or interstate commerce of pictures or descriptions of prize fights—to the Committee on Interstate and Foreign Commerce.

Also, petition of the Woman's Christian Temperance Union of Hillsboro, N. H., to forbid the transmission of lottery messages and other gambling matter by telegraph—to the Committee on the Judiciary.

By Mr. COOPER of Wisconsin: Petition of citizens of Racine, Wis., regarding the acquisition of territory—to the Committee on Foreign Affairs.

Also, petition of citizens of the First Congressional district of Wisconsin, favoring the passage of the Ellis bill and to maintain prohibition in Alaska and Indian Territory—to the Committee on Alcoholic Liquor Traffic.

Also, petition of citizens of the First Congressional district of Wisconsin, against the seating of Brigham H. Roberts as a Representative from Utah—to the Committee on Elections No. 1.

By Mr. CORLISS: Petition of the First Baptist Church of Detroit, Mich., protesting against the appropriation of public funds for sectarian purposes—to the Committee on Indian Affairs.

By Mr. COWHERD: Petitions of citizens of Saline and Lafayette counties, Mo., and S. G. Allen and others, for the improvement of the Missouri River—to the Committee on Rivers and Harbors.

By Mr. DALZELL: Protest of the Woman's Home Missionary Society of Pittsburg, Pa., against the seating of Brigham H. Roberts as a Representative from Utah—to the Committee on Elections No. 1.

By Mr. DE VRIES: Petitions of citizens of Oroville, Butler County, Cal., in regard to liquor laws in Alaska and to prohibit the sale of liquor in Government buildings—to the Committee on Alcoholic Liquor Traffic.

By Mr. DRIGGS: Petition of the Woman's Home and Foreign Missionary Society of the Presbyterian Church of Brooklyn, N. Y., protesting against the seating of Brigham H. Roberts as a Representative from Utah—to the Committee on Elections No. 1.

By Mr. GRAHAM: Petition of Mrs. L. H. Holden and others, of Allegheny, Pa., protesting against the seating of Brigham H. Roberts as a Representative from Utah—to the Committee on Elections No. 1.

Also, petition of Henry F. Knapp, civil engineer, in relation to the improvement of the streams and harbors of the Great Lakes—to the Committee on Rivers and Harbors.

By Mr. LACEY: Protest of the Young People's Christian Endeavor of Friends, of Kellogg, Iowa, against the seating of Brigham H. Roberts as a Representative from Utah—to the Committee on Elections No. 1.

Also, petition of L. B. Fuller and 31 citizens of Albia, Iowa, for woman suffrage to Hawaiian women—to the Committee on the Territories.

By Mr. LEWIS of Washington: Remonstrance of the Plymouth Congregational Church, of Seattle, and citizens of the State of Washington, against the seating of Representative-elect Brigham H. Roberts, of Utah—to the Committee on Elections No. 1.

Also, memorial asking for the creation of a new light-house district on the North Pacific coast—to the Committee on Interstate and Foreign Commerce.

Also, petition of certain churches of North Yakima, Wash., to prohibit interstate gambling by telegraph, telephone, or otherwise—to the Committee on the Judiciary.

Also, petition of citizens of Tacoma, Wash., for the passage of the Hepburn bill prohibiting the transmission by mail or interstate commerce of pictures and descriptions of prize fights—to the Committee on the Judiciary.

Also, petition of the Christian, Baptist, Congregational, Methodist Episcopal, and Seventh Day Adventist churches of North Yakima, Wash., for the passage of a bill to protect State anti-cigarette laws—to the Committee on Interstate and Foreign Commerce.

Also, petitions of certain churches and societies in Tacoma, Centralia, and other towns in the State of Washington, in favor of the Ellis bill—to the Committee on Alcoholic Liquor Traffic.

By Mr. MAHON: Petitions of the Methodist Episcopal Sunday school, Epworth League, and Young People's Society of Christian Endeavor, all of Selinsgrove, Pa., favoring the Ellis bill to prohibit the sale of liquor in Government buildings, etc.—to the Committee on Alcoholic Liquor Traffic.

By Mr. OTJEN: Protest of the Baptist Church of Wauwatosa, Wis., against the seating of Representative-elect Brigham H. Roberts, of Utah—to the Committee on Elections No. 1.

By Mr. PERKINS: Petition of 23 citizens of Sioux County, Iowa, for equal political rights to the women of Hawaii—to the Committee on the Territories.

By Mr. REED: Petitions of the Methodist Episcopal Church and George B. Ricker and other citizens of Biddeford, Me., to prohibit the sale of liquor in canteens of the Army and Navy and of Soldiers' Homes—to the Committee on Military Affairs.

Also, petition of the Methodist Episcopal Church of Biddeford, Me., to prohibit the transmission by mail or interstate commerce of pictures or descriptions of prize fights—to the Committee on the Post-Office and Post-Roads.

By Mr. SHOWALTER: Petition of J. M. Dight and 191 citizens of Trail, Pa., favoring the establishment of postal savings banks—to the Committee on the Post-Office and Post-Roads.

Also, petitions of the Christian Church and Methodist Episcopal Church of Beaver, Woman's Christian Temperance Union of Leechs Corners, United Presbyterian and Presbyterian churches of New Brighton, Methodist Episcopal and African Methodist Episcopal churches of West Bridgewater, Free Methodist and Grace Methodist Episcopal churches of New Brighton, and citizens of Mercer, all in the State of Pennsylvania, to prohibit the sale of liquor in Government buildings, etc.—to the Committee on Alcoholic Liquor Traffic.

By Mr. STALLINGS: Papers to accompany House bill No. 11967, relating to the estate of William Booth, deceased—to the Committee on War Claims.

By Mr. STONE: Petitions of the First Methodist Episcopal Church and United Brethren Church of Bradford; Trinity Methodist Episcopal, Baptist, First Presbyterian, United Presbyterian, and African Methodist Episcopal churches, and Woman's Christian Temperance unions of Oil City and other towns in Venango County, Pa., favoring the passage of the Ellis bill to forbid the sale of intoxicating beverages in all Government buildings—to the Committee on Alcoholic Liquor Traffic.

By Mr. TODD: Resolution of the Michigan Dental Association, asking for the appointment of dentists to the Army of the United States—to the Committee on Military Affairs.

By Mr. WANGER: Petition of the sessions of the First Presbyterian Church of Pottstown, Pa., against the seating of Brigham H. Roberts as a Representative from Utah—to the Committee on Elections No. 1.

By Mr. YOUNG: Petition of the Brewers' Association of the United States, for a reduction of the internal-revenue taxation of their products—to the Committee on Ways and Means.

Also, petition of the executive officers of the missionary societies of the Baptist Church and others, against sectarian appropriations—to the Committee on Indian Affairs.

Also, petition of the Presbyterian Ministerial Association of Philadelphia, Pa., B. L. Agnew, president, against the seating of Brigham H. Roberts as a Representative from Utah—to the Committee on Elections No. 1.

SENATE.

FRIDAY, *February 17, 1899.*

Prayer by the Chaplain, Rev. W. H. MILBURN, D. D.

THE JOURNAL.

The VICE-PRESIDENT. The Secretary will read the Journal of yesterday's proceedings.

Mr. HALE. It is very important that we shall go to public business as soon as possible, and I ask that the reading of the Journal be dispensed with.

The VICE-PRESIDENT. Is there any objection? The Chair hears none, and the order is made.

BENJAMIN C. COOK.

Mr. MITCHELL. I should like to correct a mistake made by me yesterday. On my motion the Senate indefinitely postponed the bill (S. 1975) granting an increase of pension to Benjamin C. Cook. I move that that vote be reconsidered, and ask that the bill be rereferred to the Committee on Pensions.

The motion to reconsider was agreed to.

The VICE-PRESIDENT. The bill will be recommitted to the Committee on Pensions.

CREDENTIALS.

Mr. FAIRBANKS. I present the credentials of Albert J. Beveridge, chosen by the legislature of Indiana a Senator from that State for the term beginning March 4, 1899; which I ask may be read and printed in full in the RECORD.

The credentials were read, and ordered to be filed, as follows:

STATE OF INDIANA.

To the President of the Senate of the United States:

This is to certify that on the 18th day of January, 1899, Albert J. Beveridge was duly chosen by the legislature of the State of Indiana a Senator from said State to represent said State in the Senate of the United States for the term of six years, beginning on the 4th day of March, 1899.

Witness: His excellency our governor, James A. Mount, and our seal hereunto affixed, at Indianapolis, this 18th day of January, A. D. 1899.

[SEAL.] JAMES A. MOUNT, *Governor.*

By the governor:

UNION B. HUNT, *Secretary of State.*

Mr. ELKINS. A few days ago I presented extracts from the journal of the senate of West Virginia of January 24, 1899, relative to the election of Hon. Nathan B. Scott by the legislature of that State. I now ask unanimous consent to withdraw these papers, as they were presented by mistake.

The VICE-PRESIDENT. It will be so ordered.

MESSAGE FROM THE HOUSE.

A message from the House of Representatives, by Mr. W. J. BROWNING, its Chief Clerk, announced that the House had passed the following bills:

A bill (S. 5126) to authorize the St. Louis, Siloam and Southern Railroad Company of Missouri and Arkansas to construct a bridge across White River, in the State of Arkansas; and

A bill (S. 5265) granting to the Clearwater Valley Railroad Company a right of way through the Nez Perces Indian lands, in Idaho.

The message also announced that the House had disagreed to the amendments of the Senate to the bill (H. R. 11266) making appropriations for the Department of Agriculture for the fiscal year ending June 30, 1900, asks a conference with the Senate on the disagreeing votes of the two Houses thereon, and had appointed Mr. WADSWORTH, Mr. WARNER, and Mr. WILLIAMS of Mississippi managers at the conference on the part of the House.

The message further announced that the House had disagreed to the amendment of the Senate to the bill (H. R. 11815) to provide for taking the Twelfth and subsequent censuses, agrees to the conference asked for by the Senate on the disagreeing votes of the two Houses thereon, and had appointed Mr. HOPKINS, Mr. RUSSELL, and Mr. DE VRIES managers at the conference on the part of the House.

The message also announced that the House had passed a bill (H. R. 12008) making appropriations for sundry civil expenses of the Government for the fiscal year ending June 30, 1900, and for other purposes; in which it requested the concurrence of the Senate.

The message further returned to the Senate, in compliance with its request, the message of the Senate disagreeing to the amendments of the House to the bill (S. 5342) granting a pension to John M. Palmer and asking a conference thereon.

The message also requested the Senate to furnish the House with a duplicate copy of the engrossed bill (S. 1227) for the relief of Julius A. Kaiser, the original having been lost or mislaid.

ENROLLED BILLS SIGNED.

The message further announced that the Speaker of the House had signed the following enrolled bills; and they were thereupon signed by the Vice-President:

A bill (H. R. 599) authorizing the Secretary of the Treasury to

pay the sum of $400 to The Brownell & Co., Dayton, Ohio, on account of penalty erroneously imposed by the Light-House Board;

A bill (H. R. 5796) granting an increase of pension to Peter E. Shipler;

A bill (H. R. 10281) authorizing the Light-House Board to provide a steam whistle at Michigan City, Ind.;

A bill (H. R. 11440) to locate the office of the deputy collector of the port of East Pascagoula, Mississippi, at Scranton, Miss.; and

A bill (H. R. 12094) making an appropriation for clearing the Potomac River of ice.

PETITIONS AND MEMORIALS.

Mr. KYLE presented a petition of the legislature of South Dakota, praying for the establishment of a safe, convenient, and beneficial plan for systematic saving through postal savings banks; which was referred to the Committee on Post-Offices and Post-Roads, and ordered to be printed in the RECORD, as follows:

A joint resolution memorializing the Congress of the United States for the enactment of a law providing a safe, convenient, and beneficial plan for systematic saving through postal savings banks.

Be it resolved by the house of representatives (the senate concurring), That the legislature of the State of South Dakota respectfully and earnestly petition and memorialize the Congress of the United States to enact a postal savings bank system, and provide for its conduct, control, and management.

We believe such a system would demonstrate its utility and prove a great benefit to the people at large as well as to the Government itself. Its creation and management by the Post-Office Department would not involve a large expenditure, and the completeness and security of its present management could be made available to reach every section of the country and every class of our population.

The pledge of the Government to repay investments would inspire confidence in the depositor and make it available especially for small savings. It would encourage economy, promote thrift and industry, attach a large element in closer and more interested sympathy with the National Government, and make available, we believe, a large sum for the use of the Treasury at a low and fair rate of interest.

The adoption and carrying out of the system by other governments has demonstrated its utility, and has proved not only to be of the highest service and benefit to the people, but to the State.

Such a system would be safe and economical, would be highly beneficial to all classes of our population, and would encourage systematic saving by the people.

That the secretary of state is authorized and directed to transmit a copy of this resolution to the Speaker of the House of Representatives of the United States and to the President of the Senate.

And your memorialists will ever pray.

A. G. SOMERS, *Speaker of the House.*

Attest:
WILLIS C. BOWER, *Chief Clerk.*

JOHN T. KEAN, *President of the Senate.*

Attest:
J. H. SCRIVEN, *Secretary of the Senate.*

STATE OF SOUTH DAKOTA,
Office Secretary of State, ss:

Filed February 7, 1899, at 2.35 o'clock p. m.

WM. H. RODDLE, *Secretary of State.*
By PHILIP LAWRENCE, *Assistant.*

UNITED STATES OF AMERICA,
State of South Dakota, Secretary's Office:

I, William H. Roddle, secretary of state of the State of South Dakota, do hereby certify that the attached instrument of writing is a true and correct copy of a joint resolution relating to postal savings banks as the same appears of record in this office, and of the whole thereof.

In testimony whereof I have hereunto set my hand and affixed the great seal of the State of South Dakota, at Pierre, this 10th day of February, 1899.

[SEAL.] WILLIAM H. RODDLE,
Secretary of State.

Mr. KYLE presented a petition of the legislature of South Dakota, praying for the enactment of legislation providing for the paying of taxes on Indian allotments; which was referred to the Committee on Indian Affairs, and ordered to be printed in the RECORD, as follows:

A joint resolution memorializing Congress for the payment of taxes on Indian allotments.

Whereas the Congress of the United States has enacted a law by which Indians are permitted to take homestead allotments of lands, which shall be free from taxation for a period of twenty-five years; and

Whereas the Indians so taking lands in severalty become full citizens, having the right to vote at all elections and by their votes to lay the burden of taxes which they do not help to bear; and

Whereas this action of Congress has reduced the amount of taxable property in certain counties and districts in this State to such an extent that other property holders in those counties and districts are severely burdened by taxation, and the administration of justice greatly embarrassed: Therefore, be it

Resolved by the senate (the house of representatives concurring), That the legislature of South Dakota hereby petition and memorialize the Congress of the United States to enact a law for the payment by the United States of the taxes thus remitted, the taxes so to be paid to be fixed by the county commissioners of the county in which such lands are situated, subject to the approval of the State board of equalization; and be it further

Resolved, That a copy of this memorial be forthwith transmitted by the president of the senate to each of our Senators and Representatives in Congress.

A. G. SOMERS, *Speaker of the House.*

Attest:
WILLIS C. BOWER, *Chief Clerk.*

JOHN T. KEAN, *President of the Senate.*

Attest:
J. H. SCRIVEN, *Secretary of the Senate.*

STATE OF SOUTH DAKOTA,
Office of the Secretary of State, ss:

Filed February 7, 1899, at 2.35 o'clock p. m.

WILLIAM H. RODDLE, *Secretary of State.*
By PHILIP LAWRENCE, *Assistant.*

OFFICE OF SECRETARY OF STATE, PIERRE, S. DAK.

UNITED STATES OF AMERICA,
State of South Dakota, Secretary's Office:

I, William H. Roddle, secretary of state of the State of South Dakota, do hereby certify that the attached instrument of writing is a true and correct copy of a joint resolution memorializing Congress for the payment of taxes in Indian allotments as the same appears on file in this office, and of the whole thereof.

In testimony whereof I hereunto set my hand and affixed the great seal of the State of South Dakota, at Pierre, this 10th day of February, 1899.

[SEAL.] WILLIAM H. RODDLE,
Secretary of State.

Mr. KYLE presented a petition of the legislature of South Dakota, praying for the adoption of an amendment to the interstate-commerce law authorizing and empowering the commission to fix reasonable and just rates on all interstate freight and passenger traffic, etc.; which was referred to the Committee on Interstate Commerce, and ordered to be printed in the RECORD, as follows:

A joint resolution memorializing the Congress of the United States to amend the law, known as the interstate-commerce act, authorizing and empowering the commission to fix reasonable and just rates on all interstate freight and passenger traffic; also for the proper enforcement and carrying out their orders and decisions therefor.

Be it resolved by the senate (the house of representatives concurring), That the legislature of the State of South Dakota respectfully and earnestly petition and memorialize the Congress of the United States to enact legislation amending the law, known as the interstate-commerce act, authorizing and empowering the commission to fix reasonable and just rates for the transportation of passengers and property on all interstate traffic; and also adequate and well-defined procedure for the proper enforcement and carrying into effect their decision and orders therefor issued in the premises. We believe the commission should be given adequate power to determine and fix rates within the purview of the law, and that their orders made therein should have the utmost conclusiveness consistent with the nature of their powers. This enlargement of the statute is imperatively needed to give the law efficiency and effectiveness, so that the object, purposes, and benefits originally designed by the legislation may be fully secured to the people. The commission not being clothed with the power to enforce its own orders, these should at least have that finality, together with their findings and record, that the courts could carry out and enforce the same, unless upon appeal thereto injustice or error in law or fact was disclosed.

The necessity for such legislation, we believe, is urgent, and is demanded by the highest considerations of every public interest in behalf of the producing as well as the consuming classes of our population. Every interest of our people is largely dependent upon the problem of transportation, and of its wise and just solution. No other legislation, we believe, would so speedily secure the desired result, or be so effective in promoting in a large degree the prosperity and well-being of the nation. The enormous powers possessed by these great corporations and the great public agencies they subserve, effecting practically the marketable value of all products of whatever character and the values and interests of every locality and individual, make it of the highest importance to every interest of the people and of the nation that all legitimate, efficient, and ample authority be exercised to hold the great agencies within the strictest, broadest, and most ample governmental control, that they may in the highest degree serve the purposes of their creation, and with exact justice to them and to the whole people. That the Secretary of State is authorized and directed to transmit a copy of this resolution to the Speaker of the House of Representatives of the United States and to the President of the Senate. And your memorialists will ever pray.

A. G. SOMERS, *Speaker of the House.*

Attest:
WILLIS C. BOWER, *Chief Clerk.*

JOHN T. KEAN, *President of the Senate.*

Attest:
J. H. SCRIVEN, *Secretary of the Senate.*

STATE OF SOUTH DAKOTA,
Office Secretary of State, ss:

Filed February 7, 1899, at 2.35 o'clock p. m.

WILLIAM H. RODDLE, *Secretary of State.*
By PHILIP LAWRENCE, *Assistant.*

OFFICE OF THE SECRETARY OF STATE, PIERRE, S. DAK.

UNITED STATES OF AMERICA,
State of South Dakota, Secretary's Office:

I, William H. Roddle, secretary of state of the State of South Dakota, do hereby certify that the attached instrument of writing is a true and correct copy of a joint resolution relating to the interstate-commerce act as the same appears on file in this office, and of the whole thereof.

In testimony whereof I have hereunto set my hand and affixed the great seal of the State of South Dakota, at Pierre, this 10th day of February, 1899.

[SEAL.] WILLIAM H. RODDLE,
Secretary of State.

Mr. MCMILLAN presented a petition of the Central Labor Union of Saginaw, Mich., praying for the passage of the eight-hour bill; which was ordered to lie on the table.

Mr. LODGE presented a petition of Local Union No. 257, Brotherhood of Painters and Decorators, of Springfield, Mass., and a petition of Local Union No. 11, Brotherhood of Painters and Decorators, of Boston, Mass., praying for the passage of the eight-hour bill; which were ordered to lie on the table.

Mr. PENROSE presented a petition of the Presbytery of Pittsburg, Pa., praying for the maintenance of the prohibition law in the Territory of Alaska; which was referred to the Committee on Territories.

He also presented the petition of Arthur Newton and Alfred G. Bates, of Pennsylvania, praying for the repeal of the act of January 14, 1889, in so far as it authorizes the appointment of the Chippewa Commission, etc.; which was referred to the Committee on Indian Affairs.

He also presented a petition of the Woman's Christian Temperance Union of Burgettstown, Pa., and a petition of the congregation of the Chartiers Street African Methodist Episcopal Church, of

Allegheny City, Pa., praying for the enactment of legislation to prohibit the interstate transmission of lottery messages and other gambling matter by telegraph; which were referred to the Committee on the Judiciary.

He also presented petitions of the legislature of Pennsylvania; of Star of Pittsburg Lodge, No. 8, Amalgamated Association of Iron, Steel, and Tin Workers, of Pittsburg; of Local Union No. 5, American Flint Glass Workers' Union, of Pittsburg; of Local Lodge No. 43, Brotherhood of Railroad Trainmen; of 22 citizens, and of Local Union No. 150, Iron Molders' Union, of Newcastle, all in the State of Pennsylvania, praying for the passage of the eight-hour bill; which were ordered to lie on the table.

He also presented petitions of the congregations of the Presbyterian Church of Slate Lick, the First Methodist Episcopal Church of Bradford, the United Presbyterian Church of Oil City, the African Methodist Episcopal Church of Oil City, the First Presbyterian Church of Oil City, the First Baptist Church of Oil City, the First Congregational Church of Mount Carmel, the United Brethren Church of Mount Carmel, the Methodist Church of Mount Carmel, the Presbyterian Church of Carlisle, the Grace United Brethren Church of Carlisle, the Universalist Church of Andrews Settlement, the Methodist Episcopal Church of Andrews Settlement, the Presbyterian Church of Millbrook, the Methodist Episcopal Church of East Waterford, the Westminster Presbyterian, the Olivet Baptist, the Reformed Episcopal, the First Baptist, the Holy Trinity Protestant Episcopal, the Bethel African Methodist Episcopal, the First Presbyterian, the Methodist Episcopal, the St. Paul's Baptist, and the African Methodist Episcopal churches, all of Westchester; the Presbyterian Church of Shawnee, the First Church of God of Carlisle, the Dickman Presbyterian Church, of Mooredale, and the United Brethren churches of Bradford and Westbranch; of the Woman's Christian Temperance unions of Clarington, Tionesta, Aston, Mount Carmel, Pottstown, Siverly, Westfield, Pittsburg, Quarryville, Andrews Settlement, Plumer, Chambersburg, Burgettstown, Brockwayville, Newtown Square, Williamsburg, Christiana, and Altoona; of the Young People's Society of Christian Endeavor of Selins Grove; the St. Joseph's Temperance Society, of Oil City; of Graham Post, No. 106, Grand Army of the Republic, Department of Pennsylvania, of Pottstown; of the Grand Council of Royal Templars of Temperance, of the Young People's Christian Association, of the King Street United Brethren Church, of Chambersburg, and of the Young People's Society of Christian Endeavor of Christiana, all in the State of Pennsylvania, praying for the enactment of legislation to prohibit the sale of liquor in canteens of the Army and Navy and of Soldiers' Homes, and in immigrant stations and Government buildings; which were referred to the Committee on Military Affairs.

He also presented a memorial of sundry officers and members of the Methodist Episcopal Home of Philadelphia, Pa., remonstrating against the repeal of the prohibition law in the Territory of Alaska, and also praying for the enactment of legislation to prohibit the sale of liquor in canteens of the Army and Navy and of Soldiers' Homes, and in immigrant stations and Government buildings; which was referred to the Committee on Territories.

He also presented a petition of Local Union No. 598, of Cambria County, Pa., praying for the enactment of legislation to increase American shipping; which was ordered to lie on the table.

Mr. BUTLER presented a memorial of the Cotton and Grain Exchange of Newbern, N. C., relative to the freedom of private property on the sea from capture during war; which was referred to the Committee on Foreign Relations.

He also presented a petition of Local Union No. 526, United Brotherhood of Carpenters and Joiners, of Galveston, Tex., praying for the passage of the eight-hour bill; which was ordered to lie on the table.

Mr. SPOONER presented the petition of T. J. Alsop and 87 other citizens of Brooklyn, Wis., praying for the maintenance of the prohibition law in the Territory of Alaska, and that it be extended to our new half-civilized dependencies; which was referred to the Committee on Territories.

He also presented the petition of T. J. Alsop and 88 other citizens of Brooklyn, Wis., praying for the enactment of legislation to prohibit any polygamist from being elected to the Congress of the United States; which was ordered to lie on the table.

He also presented petitions of the congregations of the Methodist Episcopal Church of Appleton, of the Congregational Church of Mondori, and of the Baptist Church of Mondori, and of T. J. Alsop and 87 other citizens of Brooklyn, Wis., praying for the enactment of legislation to prohibit the sale of liquor in canteens of the Army and Navy and of Soldiers' Homes, and in immigrant stations and Government buildings; which were referred to the Committee on Military Affairs.

Mr. NELSON presented a petition of the legislature of Minnesota, praying for the speedy ratification of the treaty of peace with Spain; which was ordered to lie on the table and to be printed in the RECORD, as follows:

Concurrent resolution.

Whereas there is now pending before the Senate of the United States a treaty of peace between Spain and the United States in which the greatest, most painstaking, as well as the most distinguished services of our honored Senator, C. K. DAVIS, form a large part;

Whereas we believe that undue delay and unnecessary discussion will hamper the President and retard the Congress of the United States in taking such action in regard to the government and welfare of the people of Cuba, Porto Rico, and the Philippines as is imperatively and urgently necessary; and

Whereas such delay and discussion must necessarily tend to raise and create, among the inhabitants of Cuba, Porto Rico, and the Philippines, uncertainty as to the outcome and final result of the action upon such treaty and as to the early and successful end of our present war with Spain, and affords aid and comfort to the enemies of the United States in Spain and elsewhere, and an opportunity for constant agitation, disturbance, and obstruction to our military forces in those islands on the part of thoughtless, ignorant, or dishonest inhabitants thereof, as well as by mercenary persons elsewhere, and thereby compels the retention in those islands, otherwise unnecessarily, of a large number of our volunteer soldiers, in the duty of keeping the peace and order thereof, and with constantly aggravating danger to the lives of our brave soldiers, among whom many are patriotic citizens of Minnesota: Therefore, be it

Resolved by the house of representatives (the senate concurring), That we earnestly urge upon the Senate of the United States that the treaty of peace between Spain and the United States, now pending before that body, be as promptly ratified as the importance of the subject will permit.

Mr. NELSON presented a petition of Local Union No. 66, Amalgamated Wood Workers' International Union, of Minneapolis, Minn., praying for the passage of the eight-hour bill; which was ordered to lie on the table.

He also presented a petition of the Board of Trade of New Prague, Minn., praying for the enactment of legislation to increase American shipping; which was ordered to lie on the table.

Mr. BATE presented a petition of the Tobacco Board of Trade of Clarksville, Tenn., praying that the custom-house regulations of the islands of Cuba and Porto Rico be modified so as to enable the tobaccos of Tennessee, Kentucky, and Virginia to enter the ports of those islands free of duty, etc.; which was referred to the Committee on Finance.

He also presented the petition of Catherine P. Gale, president of the National Society of Colonial Dames, of Tennessee, in behalf of the Society of Colonial Dames of the District of Columbia, praying for the enactment of legislation to prohibit polygamy as practiced by the Mormons at the present day; which was referred to the Committee on Education and Labor.

Mr. SEWELL presented a petition of the Woman's Christian Temperance Union of Closter, N. J., praying for the maintenance of the prohibition law in Alaska and the Indian Territory, and to extend it to our new, half-civilized dependencies; which was referred to the Committee on Territories.

He also presented a petition of the Woman's Christian Temperance Union of New Jersey and a petition of the congregation of the Seventh Baptist Church of Camden, N. J., praying for the enactment of legislation to prohibit the sale of liquor in canteens of the Army and Navy and of Soldiers' Homes, and in immigrant stations and Government buildings; which were referred to the Committee on Military Affairs.

He also presented a petition of the Woman's Christian Temperance Union of Closter, N. J., praying for the adoption of an amendment to the Army reorganization bill prohibiting the sale of liquor in canteens of the Army; which was ordered to lie on the table.

Mr. FAIRBANKS presented a resolution of the legislature of Indiana, praying that the internal-revenue laws of the United States be so amended that all telegraph companies and express companies shall pay the revenue tax upon all messages and packages forwarded by them, etc.; which was referred to the Committee on Finance, and ordered to be printed in the RECORD, as follows:

Engrossed concurrent senate resolution No. 3.

Whereas uncertainty as to the construction of certain provisions of the internal-revenue laws of the United States now exists and general dissatisfaction prevails because of the unjust demands of certain corporations: Therefore be it

Resolved by the senate (the house of representatives concurring), That our Representatives and United States Senators in National Congress be requested to so amend the internal-revenue laws of the United States to define specifically and fix certainly that all telegraph companies and express companies shall pay the revenue-tax upon all messages and packages forwarded by them, to the end that the expenses incurred by reason of the Spanish-American war may be equally distributed and paid by the whole people.

We, the undersigned, secretary of the senate and principal clerk of the house of representatives of the Sixty-first general assembly of the State of Indiana, now in session, do hereby certify that the above and foregoing is a true and complete copy of concurrent senate resolution No. 3, duly adopted by said general assembly on the 6th day of February, 1899.

WILL C. CONVERSE,
Secretary of the Senate.
FRED KIMBLEY,
Principal Clerk of the House of Representatives.

Mr. FAIRBANKS (for Mr. TURPIE) presented a petition of the Horticultural Society of Jefferson County, Ind., praying for the enactment of legislation to increase American shipping; which was ordered to lie on the table.

He also (for Mr. TURPIE) presented a petition of the Board of Trade of Indianapolis, Ind., praying that an increase be made in the appropriation for the display of maize and manufactured products at the Paris Exposition in 1900; which was referred to the Committee on Appropriations.

He also (for Mr. TURPIE) presented a petition of Local Lodge No. 23, Amalgamated Association of Iron and Steel Workers, of

Montpelier, Ind., and a petition of Local Union No. 197, Cigar Makers' International Union, of Warsaw, Ind., praying for the passage of the eight-hour bill; which were ordered to lie on the table.

REPORTS OF COMMITTEES.

Mr. LODGE, from the Committee on Printing, to whom was referred the amendment submitted by himself on February 16, 1899, proposing to pay $250 to Robert G. Proctor for compiling and indexing "Tariff acts passed by the Congress of the United States from 1789 to 1897," as authorized by concurrent resolution, intended to be proposed to the sundry civil appropriation bill, reported favorably thereon, and moved that it be referred to the Committee on Appropriations and printed; which was agreed to.

Mr. GALLINGER, from the Committee on Pensions, to whom was referred the bill (H. R. 9979) granting an increase of pension to Albert S. Shepard, submitted an adverse report thereon, which was agreed to; and the bill was postponed indefinitely.

He also, from the same committee, to whom was referred the bill (S. 1906) granting an increase of pension to James H. Coventon, reported it with an amendment, and submitted a report thereon.

He also, from the same committee, to whom were referred the following bills, reported them severally without amendment, and submitted reports thereon:

A bill (S. 5209) granting a pension to Belle Shumard;

A bill (H. R. 11899) granting a pension to Judith Doherty;

A bill (H. R. 7902) granting a pension to Albert Putnam;

A bill (S. 5510) granting an increase of pension to Eli Balderston;

A bill (H. R. 8179) granting a pension to Levi M. Truit;

A bill (H. R. 10858) granting an increase of pension to Amanda Willmarth; and

A bill (H. R. 1573) granting a pension to Julia Walke.

Mr. GALLINGER (for Mr. TURNER), from the Committee on Pensions, to whom was referred the bill (H. R. 11382) granting a pension to Margaret A. Lowther, reported it without amendment, and submitted a report thereon.

Mr. McMILLAN, from the Committee on Commerce, to whom was referred the amendment submitted by himself on the 15th instant proposing to appropriate $15,000 for constructing, maintaining, repairing, and operating telegraph or telephone lines between Glenhaven, Mich., and South Manitou Island, Lake Michigan, etc., intended to be proposed to the sundry civil appropriation bill, reported favorably thereon, and asked that it be printed, and, with the accompanying paper, be referred to the Committee on Appropriations; which was agreed to.

He also, from the same committee, to whom was referred the amendment submitted by himself on the 15th instant, proposing to appropriate $165,000 for the construction of two revenue cutters of the first class for service on the Great Lakes, intended to be proposed to the sundry civil appropriation bill, reported favorably thereon, and asked that it be printed, and, with the accompanying paper, be referred to the Committee on Appropriations; which was agreed to.

He also, from the Committee on the District of Columbia, to whom was referred the amendment submitted by Mr. ELKINS on the 16th instant, proposing to appropriate $34,323 to enable the Public Printer to pay an additional sum of $1.50 per square foot to the owners of lots A, B, 1, 2, 3, 4, 5, and 6, comprising 22,882 square feet, in square No. 624, for an addition to the Government Printing Office, intended to be proposed to the sundry civil appropriation bill, asked to be discharged from its further consideration, and that it be referred to the Committee on Public Buildings and Grounds; which was agreed to.

He also, from the same committee, submitted a report to accompany the bill (H. R. 8656) authorizing and requiring certain extensions to be made to the lines of the Capital Traction Company in the District of Columbia, heretofore reported from that committee.

Mr. McMILLAN. On January 26 I reported from the Committee on Commerce the bill (H. R. 3293) authorizing the Secretary of the Treasury to purchase a site for a new depot for the Sixth light-house district and erect the necessary buildings, without amendment, being Order of Business 1594 on the Calendar. I am now directed by the same committee to report the bill with amendments, to submit a written report thereon, and to ask that the bill be reprinted as proposed to be amended.

The VICE-PRESIDENT. Without objection, it will be so ordered.

Mr. BURROWS, from the Committee on Finance, to whom was referred the bill (H. R. 2871) for the relief of Mary R. Frost, reported it without amendment.

Mr. LINDSAY, from the Committee on Pensions, to whom was referred the bill (H. R. 2459) granting a pension to Mary C. Bates, reported it without amendment, and submitted a report thereon.

Mr. PLATT of Connecticut, from the Committee on Indian Affairs, to whom was referred the bill (H. R. 11868) to provide for the acquiring of rights of way by railroad companies through Indian reservations, Indian lands, and Indian allotments, and for other purposes, reported it with amendments.

Mr. TURLEY. The bill (H. R. 7389) limiting the hours of daily services of laborers, workmen, and mechanics employed upon the public works of or work done for the United States, or any Territory, or the District of Columbia, was recommitted to the Committee on Education and Labor on January 5, 1899. That committee has made further amendments, and I am instructed by it now to report it with further amendments, but without recommendation.

The VICE-PRESIDENT. The bill will be placed on the Calendar.

Mr. HAWLEY, from the Committee on Military Affairs, to whom was referred the bill (S. 5069) to amend the act approved March 15, 1878, entitled "An act for the relief of William A. Hammond, late Surgeon-General of the Army," reported it with amendments, and submitted a report thereon.

Mr. WARREN, from the Committee on Military Affairs, to whom was referred the bill (H. R. 5326) for the relief of Thomas Hickey, reported it with an amendment, and submitted a report thereon.

He also, from the Committee on Public Buildings and Grounds, to whom was referred the amendment proposing to appropriate $175,000 for constructing an addition to the public building at Hartford, Conn., submitted by Mr. HAWLEY on the 16th instant, intended to be proposed to the sundry civil appropriation bill, reported favorably thereon, and moved that it be printed, and, with the accompanying papers, referred to the Committee on Appropriations; which was agreed to.

Mr. MITCHELL. I am directed by the Committee on Pensions, to whom was referred the bill (S. 1649) granting an increase of pension to Francis Scott, to report it without recommendation, and to submit a report thereon.

The VICE-PRESIDENT. The bill will be placed on the Calendar.

EXPORT BOUNTY ON AGRICULTURAL PRODUCTS.

Mr. LODGE, from the Committee on Printing, reported the following resolution; which was considered by unanimous consent, and agreed to:

Resolved, That there be printed for the use of the Senate document room 2,000 copies of a "Memorial from Charles Nelson, of the Chamber of Commerce of San Francisco, Cal."

PASADENA AND MOUNT WILSON RAILWAY.

Mr. HANSBROUGH. From the Committee on Public Lands I report back favorably without amendment the bill (S. 5446) to grant to the Pasadena and Mount Wilson Railway Company right of way and certain lands for railroad purposes through the San Gabriel Forest Reserve. The Senator from Illinois [Mr. MASON] wishes to be heard just a moment on this report.

Mr. MASON. I desire to ask unanimous consent that the bill be put upon its passage. It is one that I introduced at the request of the senior Senator from California [Mr. WHITE], who is now absent. He asked me to make this request in his name.

Mr. HALE. Mr. President——

Mr. CULLOM. I hope the Senator from Maine will not object. It is a matter of very little consequence to the public, but very important to private individuals in California.

Mr. HALE. I will not object unless the bill gives rise to debate.

Mr. CULLOM. It will not, I think, at all.

Mr. MASON. Oh, no; there will be no debate.

The VICE-PRESIDENT. The bill will be read for information.

The Secretary read the bill, and, by unanimous consent, the Senate, as in Committee of the Whole, proceeded to its consideration.

The bill was reported to the Senate without amendment, ordered to be engrossed for a third reading, read the third time, and passed.

DONATION OF HISTORICAL PAINTINGS.

Mr. TILLMAN. Mr. President, I send to the desk a letter which I ask may be read.

The VICE-PRESIDENT. The Secretary will read as requested.

The Secretary read as follows:

1011 MADISON AVENUE, NEW YORK, *February 12, 1899.*

MY DEAR SIR: By inheritance I am the owner of three noted historical paintings, designed and executed by that old American master, the late John Blake White, of South Carolina.

In pious memory of the distinguished artist—my father—I desire to donate these pictures in perpetuo to the United States Senate, requesting that they be accorded worthy niches in the Capitol at Washington, and I ask your aid to effect this cherished purpose.

One of the pictures is the famous one representing General Marion inviting a British officer to share his meal of sweet potatoes, roasted in the ashes of his camp fire.

The second depicts the scene where Sergeant Jasper and Newton, members of Marion's band, unaided, rescued a body of American prisoners who were being conducted by a force of British soldiers to the prison camp at Savannah. The female in the foreground was the wife of one of the prisoners, who devotedly accompanied her husband.

The third represents the patriotic action of Mistress Motte, of Edge Hill district, South Carolina, in furnishing to General Marion and Light-Horse Harry Lee fire arrows with which to destroy her own mansion, then held by the British and used by them as a fort.

These pictures form a group of interesting historical incidents, illustrating the heroic spirit which animated our fathers in the stormy days of the Revolution. Each picture has in turn been awarded prizes at art exhibitions, and

each has been engraved as of first merit. These engravings are now extremely rare and valuable. Historical painting, I need hardly remind you, is conceded to be the highest expression of art, and is an uncommon gift of genius in any race, yet they are inspiring creations upon canvas, painted by an American artist nearly a century ago, and they will therefore ever be esteemed specimens of early art in America.

I may add here that the figure of Marion is a portrait from memory, as my father, when a boy, knew him well, Marion's farm adjoining the plantation of my grandfather. No other portrait of Marion is known to exist.

I have the honor to be your very obedient servant,

OCTAVIUS A. WHITE, M. D.

Hon. BENJAMIN R. TILLMAN,
United States Senator, South Carolina.

Mr. TILLMAN. I will state, in further explanation of the letter, that I conferred with the Committee on the Library in regard to this matter, and the pictures were sent on here for examination, the committee deeming it improper to accept any works of art unless they were really worthy of a place in the Capitol.

The committee has had the matter under consideration, and it finds the paintings really meritorious as works of art and of great historical interest besides, and the acting chairman, the Senator from North Dakota [Mr. HANSBROUGH], will state what its action is.

Mr. HANSBROUGH. Under section 1831 of the Revised Statutes the Joint Committee on the Library are "authorized to accept any work of the fine arts, on behalf of Congress, which may be offered, and to assign the same such place in the Capitol as they may deem suitable;" and it is provided that they "shall have the supervision of all works of art that may be placed in the Capitol." In pursuance of that section, I report a resolution from the Committee on the Library, and ask for its present consideration.

The resolution was read, considered by unanimous consent, and agreed to, as follows:

Resolved, That the Committee on the Library of the Senate be, and it is hereby, authorized to accept the three historical paintings donated by Dr. Octavius A. White to the Senate, and described in a letter addressed to Hon. BENJAMIN R. TILLMAN, dated February 12, 1899, and to have paintings suitably placed in the Senate wing of the Capitol, and the thanks of the Senate are hereby tendered to the donor.

RIVER AND HARBOR BILL.

Mr. FRYE. I am directed by the Committee on Commerce, to whom was referred the bill (H. R. 11795) making appropriations for the construction, repair, and preservation of certain public works on rivers and harbors, and for other purposes, to report it with amendments, and I give notice that I will submit a report to accompany the bill on Monday next.

The VICE-PRESIDENT. The bill will be placed on the Calendar.

On motion of Mr. FRYE, it was

Ordered, That 500 additional copies of H. R. 11795 as reported by the Committee on Commerce be printed for the use of the Senate.

BILLS INTRODUCED.

Mr. PENROSE introduced a bill (S. 5518) granting a pension to Sarah Stoner; which was read twice by its title, and referred to the Committee on Pensions.

Mr. McENERY introduced a bill (S. 5519) to provide an American register for the steamer *Esther*, of New Orleans; which was read twice by its title, and referred to the Committee on Commerce.

Mr. TURLEY introduced a bill (S. 5520) granting the right and authority to the Humboldt, Dyersburg and Tiptonville Railroad Company to build a bridge over the Obion River, in the State of Tennessee; which was read twice by its title, and referred to the Committee on Commerce.

Mr. HARRIS introduced a bill (S. 5521) for enlarging the public building at Topeka, Kans.; which was read twice by its title, and referred to the Committee on Public Buildings and Grounds.

Mr. CHILTON introduced a bill (S. 5522) to regulate the transportation of goods manufactured or sold under a contract or conspiracy in restraint of trade; which was read twice by its title, and referred to the Committee on the Judiciary.

Mr. HANSBROUGH introduced a bill (S. 5523) to designate Portal, N. Dak., a subport of entry; which was read twice by its title, and referred to the Committee on Commerce.

He also introduced a bill (S. 5524) to provide for the extension of Howard avenue; which was read twice by its title, and referred to the Committee on the District of Columbia.

Mr. SULLIVAN introduced a bill (S. 5525) to purchase Wilson Park, as an addition to St. Elizabeth Asylum, for the use of the insane soldiers and sailors of the United States Army and Navy; which was read twice by its title, and referred to the Committee on Military Affairs.

Mr. PENROSE introduced a joint resolution (S. R. 246) for the relief of R. K. Wright; which was read twice by its title, and, with the accompanying paper, referred to the Committee on Naval Affairs.

Mr. SEWELL introduced a joint resolution (S. R. 247) for the relief of ex-Naval Cadet George H. Mather; which was read twice by its title, and referred to the Committee on Naval Affairs.

AMENDMENTS TO SUNDRY CIVIL APPROPRIATION BILL.

Mr. GALLINGER. I submit an amendment proposing to appropriate $375,000 for the purchase of a site in the city of Washington, D. C., bounded by Ohio avenue, Fifteenth and C streets NW., for the erection of a public building, intended to be proposed to the sundry civil appropriation bill. I move that certain statements which I have attached to the amendment be printed in connection with it and that the amendment be referred to the Committee on Appropriations.

The motion was agreed to.

Mr. FRYE submitted an amendment authorizing the Postmaster-General to contract with an American cable company for the payment by the United States of a sum not exceeding $100,000 per year, payable quarterly, for twenty years, for the transmission by electrical means of messages of the United States, from a point on the Pacific coast of the United States to be designated by the Postmaster-General to Honolulu, Hawaiian Islands, etc., intended to be proposed by him to the sundry civil appropriation bill; which was referred to the Committee on Foreign Relations, and ordered to be printed.

EXTENSION OF PENNSYLVANIA AVENUE.

Mr. STEWART submitted an amendment intended to be proposed by him to the bill (H. R. 11629) for the extension of Pennsylvania avenue SE. to the District line; which was referred to the Committee on the District of Columbia, and ordered to be printed.

WITHDRAWAL OF PAPERS.

On motion of Mr. GALLINGER, it was

Ordered, That leave be granted to Gen. James Longstreet to withdraw from the files of the Senate the papers relating to his application for an increase of pension (S. 2272, Fifty-third Congress), there having been no adverse report thereon.

DEATH OF PRESIDENT FAURE.

Mr. MORGAN. Mr. President, the cable has transmitted to the people of the United States the very sorrowful information of the sudden death of President Faure, of France. I think it is fitting that the Senate of the United States should make some expression of its sympathy with the French people upon this very sad occasion, which is not only troublesome to France, but which may be troublesome to the entire world. I therefore offer a resolution and ask that the Senate proceed to its present consideration.

The resolution was read, considered by unanimous consent, and unanimously agreed to, as follows:

Resolved, That the Vice-President of the United States, President of the Senate, is requested to express to the Government and people of France the sympathy of the Senate of the United States in the bereavement that has so suddenly fallen upon that Republic in the death of President Faure.

HOUSE BILL REFERRED.

The bill (H. R. 12008) making appropriations for sundry civil expenses of the Government for the fiscal year ending June 30, 1900, and for other purposes, was read twice by its title, and referred to the Committee on Appropriations.

JULIUS A. KAISER.

The VICE-PRESIDENT laid before the Senate the request of the House of Representatives to be furnished a duplicate copy of the engrossed bill (S. 1227) for the relief of Julius A. Kaiser, the same having been lost or misplaced; and, by unanimous consent, the request was ordered to be complied with.

CONSIDERATION OF PENSION BILLS.

Mr. HALE. I move that the Senate resume the consideration of the bill (H. R. 10403) to reorganize and increase the efficiency of the personnel of the Navy and Marine Corps of the United States. I yielded yesterday to the two appropriation bills.

The VICE-PRESIDENT. The morning business appearing to be closed, the Senator from Maine moves that the Senate proceed to the consideration of the bill indicated by him.

Mr. GALLINGER. Pending the motion, I rise to make a request. If the naval personnel bill is completed at an hour to-day that will admit of the consideration of the Pension Calendar, I ask that we shall then proceed to the consideration of the Pension Calendar.

The VICE-PRESIDENT. Is there any objection to that request? The Chair hears none.

PERSONNEL OF THE NAVY AND MARINE CORPS.

The VICE-PRESIDENT. The question is on the motion of the Senator from Maine, that the Senate proceed to the consideration of the bill (H. R. 10403) to reorganize and increase the efficiency of the Navy and Marine Corps of the United States.

The motion was agreed to; and the Senate, as in Committee of the Whole, resumed the consideration of the bill.

Mr. HALE. The first amendment of the committee is on page 3.

The VICE-PRESIDENT. The bill has been read through, and the amendments of the Committee on Naval Affairs will be acted upon in their order.

The first amendment was, on page 3, in section 4, line 12, after

the word "Navy," to strike out "except watch duty in the engine room;" so as to read:

SEC. 4. That engineer officers transferred to the line who are below the rank of commander, and extending down to, but not including, the first engineer who entered the Naval Academy as cadet midshipman, shall perform sea or shore duty, and such duty shall be such as is performed by engineers in the Navy.

The amendment was agreed to.

The next amendment was, on page 4, section 7, line 13, after the word "ensigns," to insert:

Provided, That each rear-admiral embraced in the nine lower numbers of that grade shall receive the same pay and allowance as are now allowed a brigadier-general of infantry in the Army.

So as to read:

That the active list of the line of the Navy, as constituted by section 1 of this act, shall be composed of 18 rear-admirals, 70 captains, 112 commanders, 170 lieutenant-commanders, 300 lieutenants, and not more than a total of 350 lieutenants (junior grade) and ensigns: *Provided*, That each rear-admiral embraced in the nine lower numbers of that grade shall receive the same pay and allowance as are now allowed a brigadier-general of infantry in the Army.

The amendment was agreed to.

The next amendment was, in the same section, on page 4, line 20, after the words "rank of," to strike out "commodore" and insert "rear-admiral;" in line 21, after the word "shall," to strike out:

have the rank of commodore during the time he holds said office: *And provided further*, That a captain or commander, when specifically detailed by the Department to command a squadron of two or more vessels, shall have the rank and pay of a commodore while so detailed.

And insert:

while holding said office, have the rank of rear-admiral and receive the same pay and allowance as are now allowed a brigadier-general of infantry in the Army.

So as to make the proviso read:

Provided, That when the office of chief of bureau is filled by an officer below the rank of rear-admiral, said officer shall, while holding said office, have the rank of rear-admiral and receive the same pay and allowance as are now allowed a brigadier-general of infantry in the Army.

The amendment was agreed to.

The next amendment was, in the same section, on page 5, line 5, after the word "officers," to insert "who now have the rank or relative rank of commodore;" and in line 7, after the words "pay of," to strike out "commodore" and insert "that grade;" so as to make the proviso read:

And provided further, That nothing contained in this section shall be construed to prevent the retirement of officers who now have the rank or relative rank of commodore, with the rank and pay of that grade.

The amendment was agreed to.

The next amendment was, in section 8, page 6, line 4, after the word "grade," to insert "as now existing, including the grade of commodore;" so as to make the section read:

SEC. 8. That officers of the line in the grades of captain, commander, and lieutenant-commander may, by official application to the Secretary of the Navy, have their names placed on a list which shall be known as the list of "Applicants for voluntary retirement," and when at the end of any fiscal year the average vacancies for the fiscal years subsequent to the passage of this act above the grade of commander have been less than 13, above the grade of lieutenant-commander less than 20, above the grade of lieutenant less than 29, and above the grade of lieutenant (junior grade) less than 40, the President may, in the order of the rank of the applicants, place a sufficient number on the retired list with the rank and three-fourths the pay of the next higher grade, as now existing, including the grade of commodore, to cause the aforesaid vacancies for the fiscal year then being considered.

The amendment was agreed to.

The next amendment was, in section 9, page 6, line 13, after the words "board of," to strike out "not less than three nor more than;" so as to read:

SEC. 9. That should it be found at the end of any fiscal year that the retirements pursuant to the provisions of law now in force, the voluntary retirements provided for in this act, and casualties are not sufficient to cause the average vacancies enumerated in section 8 of this act, the Secretary of the Navy shall, on or about the 1st day of June, convene a board of five rear-admirals, and shall place at its disposal the service and medical records on file in the Navy Department of all the officers in the grades of captain, commander, lieutenant-commander, and lieutenant.

The amendment was agreed to.

The next amendment was, in the same section, on page 7, line 2, after the word "members," to strike out "a majority" and to insert "not less than four;" so as to read:

Each member of said board shall swear, or affirm, that he will, without prejudice or partiality, and having in view solely the special fitness of officers and the efficiency of the naval service, perform the duties imposed upon him by this act. Its finding, which shall be in writing, signed by all the members, not less than four governing, shall be transmitted to the President, who shall thereupon, by order, make the transfers of such officers to the retired list as are selected by the board.

The amendment was agreed to.

The next amendment was, in the same section, on page 7, line 12, before the word "grade," to strike out "the next higher" and to insert "his;" so as to read:

Provided, That not more than 5 captains, 4 commanders, 4 lieutenant-commanders, and 2 lieutenants are so retired in any one year. The promotions to fill the vacancies thus created shall date from the 30th day of June of the current year: *And provided further*, That any officer retired under the provisions of this section shall be retired with the rank and three-fourths the pay of his grade.

The amendment was agreed to.

The next amendment was, in the same section, on page 7, in line 12, after the word "grade," to insert:

But, upon the recommendation of not less than four members of said board and for special reasons given, such officer may, in the discretion of the President, be retired with the rank and three-fourths the pay of the next higher grade as now existing, including the grade of commodore: *And provided further*, That whenever the actual needs of the naval service require it the President is authorized, after reserving vacancies sufficient for the six classes of cadets now at the Naval Academy or at sea, as they may respectively graduate, to appoint from time to time ensigns in the Navy, not to exceed 40 in all: *And provided further*, That no person shall be so appointed who, at the time of said appointment, is more than 25 years of age, and no person shall be appointed unless he has had meritorious service, in the Navy or Marine Corps, in the war with Spain; and no person shall be appointed except upon such physical and professional examination as the Secretary of the Navy shall require.

The amendment was agreed to.

The next amendment was, on page 8, in section 10, line 7, after the word "lieutenant-commander," to strike out:

or lieutenant. Assistant naval constructors shall have the rank of lieutenant or lieutenant (junior grade). Assistant naval constructors shall be promoted to the grade of naval constructor after not less than eight or more than fourteen years' service as assistant naval constructor.

So as to read:

That of the naval constructors 5 shall have the rank of captain, 5 of commander, and all others that of lieutenant-commander.

The amendment was agreed to.

The next amendment was, on page 8, to add to section 10 the following:

Assistant naval constructors shall have the rank of lieutenants on being commissioned after the satisfactory completion of a special course of instruction prescribed by the Secretary of the Navy, and shall be promoted to the grade of naval constructor after not more than twelve years' service as assistant naval constructors: *Provided*, That the whole number of naval constructors and assistant naval constructors on the active list shall not exceed 40 in all.

The amendment was agreed to.

The next amendment was, on page 9, to strike out the following sections of the bill:

SEC. 11. That a judge-advocate's corps in the Navy is hereby established, to consist of one judge-advocate-general, with the rank of captain; one assistant judge-advocate-general, with the rank of commander; one deputy judge-advocate-general, with the rank of lieutenant-commander; and two judge-advocates, with the rank of lieutenant.

Appointments to the judge-advocate's corps shall be made from officers of the Navy or Marine Corps, or from civil life: *Provided*, That persons only shall be so appointed who are learned in the common as well as in naval law. Promotions in the corps shall be by seniority up to and including the grade of commander.

All officers of the judge-advocate's corps, except the judge-advocate-general, shall be available for duty at sea or on shore, as the Secretary of the Navy may direct.

SEC. 12. That any officer of the Navy, with a creditable record, who served during the civil war, shall, when retired, be retired with the rank and three-fourths the pay of the next higher grade.

SEC. 13. That from and after the passage of this act the students at the Naval Academy shall have the title of midshipman, and on successfully completing the course at that institution each shall be commissioned in the lowest grade of the line or Marine Corps, the two years' course at sea being hereby abolished.

SEC. 14. That upon the passage of this act all the naval cadets of the line and engineer divisions, who have completed the four years' course at the Naval Academy and are performing duty at sea, shall be commissioned in the lowest grade of the line or Marine Corps, and the members of each class shall take rank among themselves according to their graduating multiples as was determined at the end of the four years' course at the Naval Academy.

Mr. COCKRELL. I should like the Senator in charge of the bill to explain, first, why the entire Judge-Advocate-General's branch has been taken out, and then to explain about the change which has been made in regard to the naval cadets. It seems that these provisions are stricken out, and I should like to know whether the four years' course or the six years' course is continued by the operation of the bill.

Mr. HALE. The bill does not strike out the Judge-Advocate's Office or the service under that office now rendered in the Navy Department; but it does strike out what the House put in and what is nowhere else found in the Navy Department, a permanent Judge-Advocate's corps.

The Senator knows that the difference which has always been maintained, and a very important and useful difference between the Army and the Navy, is that all of these corps and the heads of the corps are subject at any time for proper cause to removal, and that they only hold for four years at any rate. So the Secretary of the Navy does not find himself, as the Secretary of War does, confronted with bureaus over which he has no control and whose positions last for life. There is nothing of that kind in the Navy.

The House put in these sections making a permanent corps of the Judge-Advocate's corps, a feature which does not apply to any other corps in the Navy, and the Senate committee struck them out. That is the reason for it. But it does not interfere with the Judge-Advocate, who is an officer who now serves for four years and then may be reappointed, or another appointed if it is desirable. It does not interfere with his corps of assistants who are engaged with him in the work. It is simply that we do not consent to a permanent corps being injected into the bill.

Mr. COCKRELL. In this connection I should like to ask the Senator whether all the bureau officers in the Navy Department are not filled merely by assignment practically to the duty of any naval officer the President may choose, and the officer so assigned

retains his staff position at the pleasure of the President, not exceeding four years, unless he is reassigned?

Mr. HALE. He is appointed and confirmed by the Senate, and when his duties as chief of a bureau end he returns to the rank that he holds in the line or staff of the Navy. But it is not permanent.

Mr. CHANDLER. It is what the Senator from Missouri very aptly calls it, an assignment to that duty, with the consent of the Senate, for the time being.

Mr. HALE. That is it.

Mr. COCKRELL. But that does not destroy his permanent position in the Navy.

Mr. HALE. He returns.

Mr. COCKRELL. And when he gives up the position to which he was assigned he goes back where he was, unless in the meantime he has been promoted.

Mr. HALE. He returns to his rank in the Naval Register, as scores and hundreds of officers have done and are doing, and as they will continue to do under the bill as we have now framed it.

Mr. COCKRELL. In this connection I should like to ask for information whether there has been any change in the last fifteen or twenty years in regard to the methods of supplying the naval service?

Mr. HALE. Does the Senator mean the question of supplies, the purchase of coal, etc.?

Mr. COCKRELL. Supplies of all kinds.

Mr. HALE. That is all conducted now in the Pay Department, the head of which is practically the Quartermaster-General and Commissary-General.

Mr. COCKRELL. A Paymaster-General?

Mr. HALE. A Paymaster-General of the Navy. I am glad to say that it is to-day under the management of a distinguished officer and that there has been less friction in the immense business of that corps than in any branch of the Government that I know of. The business is done promptly and done efficiently. There is no scandal about it and there is no hurry about it. It is all done methodically and it works better than any division that ever existed as to the responsibility. It is all done now by the Pay Corps.

Mr. COCKRELL. I believe the change was made from the old method about 1885 or 1886.

Mr. HALE. Yes; along there.

Mr. COCKRELL. And it has been approved and enforced by all the subsequent Secretaries, and it proved efficient during the last war.

Mr. HALE. It has worked admirably.

Mr. COCKRELL. Now, about the cadets. How is that provision left?

Mr. HALE. That is section 13. The committee did not see any reason why the old term designation of midshipmen should be restored. It was deliberately abolished, and the title of cadet was substituted for it. There is no harm in it; it works well; and it describes more what the officer is than the term midshipman. A midshipman was originally applied to the boys in the British navy. The Senator has read Marryat's novels and other naval works of fiction, and he knows what the middies were. It was thought when the change was made to cadets that that described and defined and presented to the mind a better description of what the officer is than midshipman. The Senate committee did not see any reason for going back and restoring the old term.

Mr. COCKRELL. But about the length of service. It used to be, as I recollect, about four years, the same as at the Military Academy. I do not know whether this is the section that affects that or not.

Mr. HALE. That section has not been reached. When that comes up I will explain it, or I will do so now if the Senator desires.

Mr. COCKRELL. This does not affect that question?

Mr. HALE. No; it does not affect that question.

Mr. COCKRELL. There have been a number of persons to see me in regard to the Judge-Advocate-General's Office, and that is the reason why I asked in regard to that provision. I have been furnished with a copy of the letter of the Secretary of the Navy, from which I desire to read for a moment.

NAVY DEPARTMENT,
Washington, December 9, 1898.

SIR: By existing laws (sections 1198 to 1200, Revised Statutes, as amended by the act of July 6, 1884, 23 Stats., page 113) the Judge-Advocate-General's Department of the Army consists of the following officers:

One Judge-Advocate-General, with the rank, pay, and allowances of a brigadier-general;

One Assistant Judge-Advocate-General, with the rank, pay, and allowances of a colonel;

Three deputy judge-advocate-generals, with the rank, pay, and allowances of lieutenant-colonels; and

Three judge-advocates, with the rank, pay, and allowances of majors.

In addition, the Secretary of War is "authorized to detail such number of officers of the line as he may deem necessary as acting judge-advocates of military departments, who shall have, while on such duty, the rank, pay, and allowances of captains of cavalry."

It is understood that the legal department of the Army as above organized is by no means too large, and that an increase thereof is deemed desirable.

In the corresponding branch of the Navy existing law provides for but one officer, a Judge-Advocate-General, with the rank and highest pay of captain in the Navy or colonel in the Marine Corps, as the case may be; and no express provision authorizing the detail of officers with specific rank, pay, and allowances as acting judge-advocates exists with respect to this branch of the service.

Now, has any change been made as to this point, and I call the attention of the Senator from Maine to it—

In the corresponding branch of the Navy existing law provides for but one officer, a Judge-Advocate-General, with the rank and highest pay of captain in the Navy or colonel in the Marine Corps, as the case may be—

This is the point I call attention to—

and no express provision authorizing the detail of officers with specific rank, pay, and allowances as acting judge-advocates exists with respect to this branch of the service.

In other words, this would indicate that he can detail only one. Is there any authority given for him to detail any assistant?

Mr. HALE. No; his assistants are accomplished men in the civilian line in the Department. There is only one detail or appointment, and that is the Judge-Advocate-General. The committee struck out the whole provision, with, of course, as the Senator knows from his great experience, the chance, the proper and fitting chance, that in conference something may be established here that will not make it a permanent corps and yet giving the Judge-Advocate all the assistants he needs.

Mr. COCKRELL. He certainly ought to have some assistants.

Mr. HALE. That will be cared for.

Mr. CHANDLER. I wish to say to the Senator from Missouri that, having examined this subject very carefully and having been very insistent that we should not create one bureau in the Department the chief of which should hold for life, while no other chiefs of bureaus remain longer than for four-year terms, I have felt that it would be wise to provide for perhaps two officers in the Navy Department, learned in the law, civil and military, who could do work which can not be perhaps so well done by the detail of other naval officers. If this clause is stricken out, I hope the committee of conference will make that provision. I have a draft of such a provision, introducing two officers into the Department as assistant judge-advocates-general, which I can not at this moment find, but which I will hand to the committee of conference.

Mr. COCKRELL. The Secretary of the Navy says further:

The office of Judge-Advocate-General of the Navy was established eighteen years ago (act of June 6, 1880, 21 Stats., page 164), at a time when the Navy was small and inactive. Since then its expansion and the activities consequent thereupon have occasioned an enormous increase of business, which will be permanent. In my judgment it is better that the requirements of these new conditions should be met completely and directly, under express provisions of law, rather than partially and indirectly by the unsatisfactory and certainly no less costly method of temporary details, which must result in occasionally assigning officers to important legal duty who have had no opportunity to acquire, by preliminary training, the qualifications for its efficient discharge. Naval jurisprudence is a branch of the law no simpler than others and no less important. It requires for its mastery the patient study and experience of years, and for its uniform and successful administration a trained corps of officers who devote themselves wholly to such a career. A wise and alert administration of naval jurisprudence, such as will give to every officer and man in the service the confident assurance that, duty performed, his rights and privileges are safe and will be zealously and equitably guarded, is of the highest importance, if, indeed, it be not essential to the maintenance of the efficiency of the service.

A careful consideration of this subject satisfies me that some such organization as that now existing in the Army must ultimately be adopted in the legal branch of the Navy, and a just regard for the interests of the service appears to demand that it should not be longer delayed, but that the benefits to the service of such systematic organization should be secured during the present formative period in naval affairs. I have the honor, therefore, to submit herewith and to commend to the favorable consideration of the committee a bill providing for the establishment of a judge-advocate's corps in the Navy similar as to organization to that at present existing in the Army, although much smaller, and with officers of less relative rank and pay. For these reasons the annual cost of the corps as above outlined would, it may be added, be materially less than that of the Army, and also because the pay of officers of corresponding rank is less in the Navy, and they have no "allowances." The actual additional cost of the corps to the Government would not be great, since it is simply proposed to assign to a legally recognized and trained organization work which must be done and is now done by officers incidentally detailed to such duty, and whose services, under present and prospective conditions, are and will be urgently needed elsewhere.

For this reason, and as the number of officers of the Navy available for general duty is insufficient to meet the demands of the service, the early enactment of legislation of the character herein suggested is recommended.

Very respectfully,

JOHN D. LONG, *Secretary.*

Hon. EUGENE HALE,
Chairman Committee on Naval Affairs, United States Senate.

I suppose the committee had this paper before them and discussed it fully.

Mr. CHANDLER. I think I ought to say that when the Secretary himself came to contemplate what was involved in providing for a permanent judge-advocate's corps in the Department he came to the conclusion that it was not advisable; and while he would like some provision made, he would not insist upon this permanent judge-advocate's corps.

Mr. LINDSAY. Mr. President, the striking out of section 14 necessarily followed the striking out of section 13, but I will ask the chairman of the Committee on Naval Affairs why it is that the young men of the graduating class at the Naval Academy this year, who have served at sea during the Spanish war, should be delayed two years in receiving their commissions? The service rendered by those young men during the Spanish war was certainly equal to the ordinary two years' service at sea in time of

peace. While I do not object to striking out the provision which abolishes absolutely the two years' sea service, it occurs to me that some saving ought to have been made in favor of this graduating class, and, in fact, in favor of all the cadets who rendered actual sea service during the Spanish war.

Mr. HALE. There are a good many reasons why this provision, if enacted into law, would operate badly in the Navy. In the first place, it would break in on the general rule, which is a wise one, for a six years' course, which the Senate committee provide for in this bill. The committee provide for that because now of all times is the worst time to cut short the course of these students, when we have provided that the course hereafter shall comprise a complete education, not only in the line duties, but in the engineer duties. The boys who go to Annapolis at the tender age at which they are received there can not, the committee believe, in anything less than a six years' course, compass all the instruction that is necessary for complete graduation.

That is one reason why the committee did not think it ought to make an exception of these two classes who have served in the Spanish war.

But another and a greater reason is that if you put all of these young men into the Navy now, and thrust them in at the bottom, you are making what has always been a strong reason urged for the legislation covered by this bill, another hump, as it is called, and you are getting at one time a large number injected or put into the Navy that will tend naturally to prevent the members of other graduating classes having a proper chance for promotion.

The Senate committee recognize the services of these young men, still, as the Senator from Kentucky knows, it was not a long service, it was not an arduous service, it was not a service attended with any great danger, it was not a service which involved loss or mortality; but it was a sea service which all of them were desirous of entering.

For these reasons, and others which I might give—though I think these sufficient—the committee did not believe it advisable to dump these classes into the lower end of the line officers of the Navy.

Mr. LINDSAY. Mr. President, the service rendered by these young men in the Spanish war was the same character of service as that rendered by the officers of the Navy who have been advanced by wholesale on account of the character of the service they rendered. Now, if you minimize the service rendered by these young men, where is the excuse for the advancement of practically every officer in the Navy who was close enough to an engagement to hear the reports of the guns?

Mr. HALE. Now, the Senator brings up what is an illustration of the difficulty. The advancement of the officers of the Navy to which he refers was not very great; it was not of any such salient importance as this is; it was only an advance of a few numbers in their grades; it did not disturb the normal condition of affairs in any way, as this would; and yet we found on examination, as little and as slight as was the promotion of those officers, only varying from two or three numbers to five or six numbers, that made so much trouble that we had to prepare and frame an elaborate bill providing that they should be extras, so as not to interfere with the flow of promotion.

Even in that case we had to do the thing which we would have to do here, which would be largely more disturbing in this case than it was in that; and it is a very sensitive and difficult thing to touch any of the different grades of the Navy and, I presume—although I do not know so much about that—of the Army, the disturbing of the natural relations that go along from year to year, the expectancy of promotion on the part of each officer, the expectancy of graduation of each class; but if you dump two classes right into the Navy you make trouble for those who are beyond, just as we did make trouble, as I have said, by the small promotion of the line officers—only a few, perhaps, at a time—and we had to cure that by legislation. It is a thing you can not take hold of; you can not tackle it with safety. The moment you do you begin to see the bad results.

Mr. LINDSAY. I submit that the advancement of the class that has just been graduated would not tend to create a hump in the Navy, and the succeeding class would have to have its two years at sea.

Mr. HALE. The class that graduates of course goes into the Navy.

Mr. LINDSAY. It goes in after two years' sea service.

Mr. HALE. No; the class that graduates at the end of six years.

Mr. LINDSAY. I am speaking of the class that graduates at the end of four years.

Mr. HALE. There is no class that graduates at the end of four years.

Mr. LINDSAY. Well, they finish their four years' course at Annapolis.

Mr. HALE. No; they do not. Of the six years' course they finish four at Annapolis; but there is no graduation; there is no receiving of commissions until after two years more of the course, which has proved to be very valuable, which is the sea service. There was an additional reason why the committee stuck to that, which was that, with these added burdens to the studies and duties of officers, these cadets ought to have six years. There is no graduation at the end of four years.

Mr. LINDSAY. The action of the committee is a very strong argument against the advancement of these officers, I think, 25 or 30 in one fleet, for catching and destroying the Spanish fleet, which was trying to run away from them; and I understand there are others that boards of promotion have recommended for advancement.

The House bill provides that two years' sea service should be deducted, and that all cadets should hereafter graduate at the end of four years. The point I make is not that the committee erred in striking out that general provision, but that if it is proper to advance everybody who was in the naval service during the Spanish war who held a commission, it will not go very far toward doing these young men justice to excuse them from two years' sea service.

At the proper time I shall offer an amendment which will reach these young gentlemen who have served in the Spanish war.

Mr. TILLMAN. Mr. President, I will say for the benefit of the Senator from Kentucky that if he will examine this bill critically from end to end he will find that it is a scheme of legislation, of law, that will promote officers of the Navy very rapidly. In other words, it is a rush from the time they enter the Academy until they are retired at a much more rapid pace than has existed hitherto. We offer premiums here for retirement for the purpose of getting some of the younger men up toward the top before they have to be retired—before they get so old that they are not fit to fight.

Now, if you begin in the Naval Academy by doing away with the two years' sea service and promoting officers or commissioning officers immediately after their graduation on completing the four years' course at Annapolis, while at the same time you provide and make necessary a familiarity with the duties of a line officer and an engineer both, on the part of every graduate, you will undoubtedly put into the Navy incompetent men with commissions, who at some time may be in command of a ship or a small vessel, a gunboat, or something of that kind.

I will remind the Senator that we have had an illustration of the danger of incompetent or green men being in charge of valuable Government property in the shape of costly vessels in the accident in the Mediterranean, which sunk one of the British vessels, the *Victoria*. The *Camperdown* sunk her consort, the *Victoria*, in maneuvering, because the British admiral was too green a man, was too inexperienced, and knew too little about handling a vessel to know how to properly give an order, and yet he was in command of the fleet. The result was that, by his subordinate obeying his order, his own vessel was sunk, and he, along with nearly all of her crew, went to Davy Jones's locker.

We do not want to have these green cadets or inexperienced officers put in charge of vessels until they have been seasoned somewhat, so to speak, by a cruise, and have learned the duties of commanding and navigating, as well as of running engines in the engine room. For that reason we have stricken out the House provision giving these cadets their commissions at the end of four years. That, together with the fact, as I said, that the whole scheme looks to rapid promotion—the placing of men on the retired list, in our judgment—made it necessary that we should have these young boys thoroughly drilled and put in a position to be competent to command vessels before we gave them a commission.

Mr. LINDSAY. I concur in the propriety of striking out these two sections, and that, generally, cadets should serve the full six years' course.

Mr. TILLMAN. Then the Senator, I hope, will not bring into this discussion of the naval personnel bill, which looks to legislation for the Navy for possibly a quarter of a century, the quarrel which we have had here in regard to the promotion of certain officers who were in the battle off Santiago. It may be that the President ought not to have promoted those officers, but that is a different thing, and does not properly come into this discussion.

If you are going to reach down to the cadets and give them commissions because they served during the Spanish war, let us go down to the privates, and let us take the whole of them and promote them. I am in favor of justice for the man at the bottom as well as the man at the top.

Mr. LINDSAY. There is no provision made here for promoting the privates.

Mr. TILLMAN. No.

Mr. LINDSAY. These young cadets are to be promoted either at the end of four or six years. The only question is whether those who served in the Spanish war shall wait the full six years. It would not put another commissioned officer in the Navy, but would give the cadets their commissions now.

Mr. TILLMAN. Nobody takes their places in the meantime.

Mr. CHANDLER. Will the Senator from Kentucky allow me to say one word there, because it is exactly pertinent to his inquiry?

Mr. LINDSAY. Certainly.

Mr. CHANDLER. When the Senator concedes that the six years' course shall be preserved, he concedes the whole question raised by the Committee on Naval Affairs. If we were by an act of Congress to prematurely take two classes from the Naval Academy and give them commissions at the end of a four years' course, if we keep the six years' course we will have a gap for two years.

Mr. LINDSAY. That is right.

Mr. CHANDLER. That is, you crowd the lowest grade in the service, the grade of ensign, with 60 or 70 young men now at the end of a four years' course, and then you will have no graduates.

Mr. LINDSAY. That is right.

Mr. CHANDLER. And there will be sixty or seventy vacancies for one or two years longer than would otherwise exist. That, I think the Senator will see, is unwise.

There are two methods of doing this thing. One is to do as the House of Representatives has done—shorten the course to four years, and then you would take in the two classes—one immediately and one a year from now. Then, as the classes finishing their four years' course in the future do not have to go two years at sea, there would be a regular flow of appointments into the line of the Navy, and that would be right; but if, on the other hand, Mr. President, you retain the six years' course, you must necessarily keep these two classes where they now are until the proper time arrives for them to enter the Navy.

I want to say, Mr. President, that this is a vital question, in my judgment, in connection with this bill. The six years' course at the Naval Academy is highly important, and the two years' cruise at sea is of the utmost importance. I am not willing to take into the Navy for life young men who have not been to sea any more than they go to sea while they are at the Naval Academy. I am not saying that to the Senator from Kentucky, because he concedes that, but as bearing upon the difference between the House of Representatives and the Senate in connection with this point. The six years' course ought to be retained, and if it is retained, then we must strike out the provision which puts these two classes of cadets at once into the Navy, leaving a great gap, no portion of which will be filled for two years.

Mr. TILLMAN. I call the attention of the Senator from Kentucky to the provision in section 9, which I think will show him that we have carefully considered and guarded the rights of these young men:

And provided further, That whenever the actual needs of the naval service require it the President is authorized, after reserving vacancies sufficient for the six classes of cadets now at the Naval Academy or at sea.

We do not propose that these young men shall lose their places and their commissions as soon as they have had the necessary drill and experience. We are not going to supplant them by anybody. We will hold their places for them. We simply want them to get ready to be officers before we give them their commissions.

The VICE-PRESIDENT. The question is on the amendment reported by the committee to strike out sections 11, 12, 13, and 14.

The amendment was agreed to.

The next amendment was, on page 10, in section [15] 11, line 10, after the word "as," to strike out "that" and insert "are;" and in line 18, after the word "this," to strike out "law" and insert "section;" so as to make the section read:

SEC. [15] 11. That boatswains, gunners, carpenters, and sailmakers shall after ten years from date of warrant be commissioned chief boatswains, chief gunners, chief carpenters, and chief sailmakers, to rank with but after ensign: *Provided*, That the chief boatswains, chief gunners, chief carpenters, and chief sailmakers shall on promotion have the same pay and allowances as are now allowed a second lieutenant in the Marine Corps: *Provided*, That the pay of boatswains, gunners, carpenters, and sailmakers shall be the same as that now allowed by law: *Provided further*, That nothing in this act shall give additional rights to quarters on board ship or to command, and that immediately after the passage of this act boatswains, gunners, carpenters, and sailmakers, who have served in the Navy as such for fifteen years, shall be commissioned in accordance with the provisions of this section, and thereafter no warrant officer shall be promoted until he shall have passed an examination before a board of chief boatswains, chief gunners, chief carpenters, and chief sailmakers, in accordance with regulations prescribed by the Secretary of the Navy.

The amendment was agreed to.

The next amendment was, on page 10, to strike out section [16] 12, as follows:

SEC. [16] 12. The commissioned officers of the line of the Navy, including staff officers of like grade or rank, other than naval constructors and chaplains, shall receive the same pay and allowances, except forage, as are or may be provided by or in pursuance of law for the officers of corresponding rank in the Army or Marine Corps. And all provisions of law authorizing the distribution among captors of the whole or any portion of the proceeds of vessels, or other property, hereafter captured, condemned as prize, or providing for the payment of bounty for the sinking or destruction of vessels of the enemy in time of war, are hereby repealed.

The amendment was agreed to.

The next amendment was, on page 11, to insert as a new section, the following:

SEC. 12. That commissioned officers of the line of the Navy and staff officers of like grade or rank shall receive the same pay and allowances, except forage, as are or may be provided by or in pursuance of law for the officers of corresponding rank in the infantry of the Army: *Provided*, That officers of the line of the Navy and of the medical and pay corps and chaplains (except officers above the rank of commander, who shall receive, both when at sea and ashore, an amount equal to the pay and allowances, except forage, of officers in the infantry of the Army of corresponding rank), shall, when on sea duty, receive no allowances, but 15 per cent in addition to the pay of the corresponding rank in the infantry of the Army; and when on shore shall receive the allowances, but 15 per cent less pay than is now or may be provided by or in pursuance of law for the corresponding rank in the infantry of the Army: *Provided further*, That when naval officers are detailed for shore duty beyond seas they shall receive the same pay and allowances as are or may be provided by or in pursuance of law for officers of the infantry of the Army detailed for duty in similar places: *Provided further*, That naval chaplains, who do not possess relative rank, shall have the rank of lieutenant in the Navy; and that all officers above the grade of warrant officers who have been or may be appointed to the Navy from civil life shall, on the date of appointment, be credited, for computing their pay, with five years' service. And all provisions of law authorizing the distribution among captors of the whole or any portion of the proceeds of vessels, or any property hereafter captured, condemned as prize, or providing for the payment of bounty for the sinking or destruction of vessels of the enemy hereafter occurring in time of war, are hereby repealed: *And provided further*, That no provision of this act shall operate to reduce the present pay of any commissioned officer now in the Navy; and in any case in which the pay of such an officer would otherwise be reduced he shall continue to receive pay according to existing law.

Mr. HALE. At the bottom of page 11, in the new section 12, reported by the committee, in line 25, after the word "Army," I move to insert:

But this provision shall apply to warrant officers commissioned under section 11 of this act when on sea duty only.

The committee did not consider this before the bill was reported.

The VICE-PRESIDENT. The question is on the amendment of the Senator from Maine to the amendment proposed by the committee.

The amendment to the amendment was agreed to.

Mr. HALE. There is another amendment that goes with the one which has just been adopted. In the same section, on page 12, line 7, before the words "warrant officers," I move to strike out the words "above the grade of" and to insert "including;" so that it will read:

And that all officers, including warrant officers, who have been or may be appointed to the Navy from civil life, shall, etc.

The VICE-PRESIDENT. The question is on the amendment of the Senator from Maine to the amendment proposed by the committee.

The amendment to the amendment was agreed to.

The VICE-PRESIDENT. The question recurs on the adoption of the amendment as amended.

The amendment as amended was agreed to.

Mr. BUTLER. I inquire of the Senator from Maine whether the proviso that this section shall apply to warrant officers would not come in better on page 12, line 21, at the end of the section?

Mr. HALE. No; I think it is better where it is; and that point was selected, when it was drawn, by the officers interested in the matter.

Mr. BUTLER. Is this in accordance with their suggestion?

Mr. HALE. Yes; and they suggested also the other amendment, on page 12,

Mr. COCKRELL. What is the effect of that provision in section 12 as to the increase or decrease of pay and allowances?

Mr. HALE. Does the Senator refer to what is found along by line 20?

Mr. COCKRELL. The whole provision. What change does it make? What additions does it make to the pay and allowances of the officers?

Mr. HALE. The original bill, as it came from the House of Representatives, absolutely ignored the present discrimination as to sea pay and shore pay. In fact, it was found on examination by the Senate committee that in some cases it gave more pay to an officer who was on shore than to one at sea. The committee did not think that that was a fitting thing to do and therefore introduced this feature, which does to an extent restore—not completely, but somewhat—the old difference between sea pay and shore pay, making it, as it ought to be, a premium instead of a disadvantage for sea service. That is the operation of this provision.

Mr. COCKRELL. And that increases the compensation now allowed?

Mr. HALE. At sea, and reduces the proportion on shore.

Mr. LINDSAY. Mr. President, line 7, on page 12, provides:

And that all officers above the grade of warrant officers who have been or may be appointed to the Navy from civil life shall, on the date of appointment, be credited, for computing their pay, with five years' service.

I understand the effect of that to be that an appointment from civil life to the lowest grade will give the appointee five years advantage of the cadet at the Naval Academy who has served his full six years and received his appointment. I ask the chairman why this distinction between the man who has been thoroughly educated for the place and the landsman who, by some influence or other, succeeds in getting a commission?

Mr. CHANDLER. With the permission of the chairman of the committee, of whom the question is asked, I will say to the Senator from Kentucky that the object is not to put the graduates of the Naval Academy at a disadvantage with the appointees from civil life, but to give the appointees from civil life, in computing longevity in the future of their service, advantages equal to those which the graduates of the Naval Academy possess. That is to

say, the officers who come in from civil life are supposed to have obtained their education at their own expense in private life.

Take engineer officers, for instance. The men come in from civil life. They have their education. If they are paymasters, they have their education, and paid for it themselves; and the opinion of the Navy Department is that in order that appointees from civil life shall stand not better but as well as the graduates of the Academy when they do come in they shall be credited in reckoning longevity pay—that is all—with five years as the estimated time which must have been occupied in fitting themselves for appointment in the Navy. The Senator will also notice that there are very few appointments from civil life under the present system, almost none.

Mr. LINDSAY. There ought to be none.

Mr. HALE. Very few.

Mr. TILLMAN. I will state further that the purpose of this provision is to prevent the civil engineers and physicians or surgeons from receiving less pay than they receive now, because under the ratings of pay here we have reduced some of the lower grades of officers by putting them on a par with the Army. The purpose of this provision is to prevent civil engineers from leaving the service of the Government because they would be discriminated against by this bill and would get less pay than they are now receiving. Surgeons who must have a general education and then study their profession and serve in hospitals and perfect themselves, and get in a position to stand the rigid examination before they can be appointed, would, under the provisions of the proposed act, receive a cut in their pay, unless this provision were in there.

Mr. CHANDLER. The Senator from Kentucky will see that this is especially fair in the case of surgeons. An assistant surgeon comes in. He has educated himself up to the time of his appointment as a naval officer, and he is credited with the five years that it may have taken him to be qualified for assistant surgeon.

The VICE-PRESIDENT. Is there any objection to the amendment as amended? The Chair hears none, and it is agreed to.

Mr. BUTLER. Mr. President, I think it is hardly possible that Senators understand the entire scope of the pending bill. In fact the members of the committee, who have given a great deal of attention and study to it, are no doubt not fully aware of all its effects. I wish to ask the chairman of the committee, if he has no objection to doing so, on behalf of the committee, to make at this point a statement to the Senate about the general effect of the bill, its scope, and how it will increase the Navy, its cost, and what will be the general increase not only of the personnel of the Navy, but of the pay.

Mr. HALE. My attention was diverted for a moment. Was the Senator from North Carolina appealing to me?

Mr. BUTLER. Yes.

Mr. HALE. Will the Senator repeat his statement?

Mr. BUTLER. I was calling the attention of the Senate to the importance of this bill. It is a bill which radically changes the personnel of the Navy. It not only greatly increases the force and increases the cost, but it is a radical departure not only from the personnel of our Navy in the past, but it is an untried experiment. I do not think Senators realize that this bill provides for a system that is not now in operation in any other country in the world. It has not been experimented with in any other country. It is entirely new and untried with us. The very first section of the bill reads:

> That the officers constituting the Engineer Corps of the Navy be, and are hereby, transferred to the line of the Navy, and shall be commissioned accordingly.

In no country in the world is the Engineer Corps of the Navy a part of the line. It is true that this bill has been considered for some time, and carefully, by the Department; that many of the most experienced officers of our Government have given their best thought to it; but at best it is simply an experiment, and an experiment on a gigantic scale.

I think it proper that the attention of the Senate should be called to this fact, which probably no Senator not a member of the committee would realize from a casual reading of the bill. For that reason I make the request that on behalf of the committee the chairman of the committee state to the Senate the general effect and scope and purpose of the bill and how it radically changes the personnel of the Navy.

Mr. COCKRELL. Was a written report made on the bill?

Mr. BUTLER. Before the statement is made by the chairman of the committee, I wish to state that I think it should be made to a full Senate, because the Senators have to trust the committee about such matters. The committee has given a great deal of patient attention to this bill, and yet I am frank to say that, as one member of the committee, I have grave doubts about its wisdom. I think we should have a full Senate to hear the statement of the chairman of the committee, who has given it a great deal of attention. Therefore I suggest the absence of a quorum.

The PRESIDING OFFICER (Mr. CARTER in the chair). The absence of a quorum having been suggested, the Secretary will call the roll.

The Secretary called the roll; and the following Senators answered to their names:

Allison,	Frye,	Mantle,	Shoup,
Bacon,	Gallinger,	Mills,	Simon,
Bate,	Gear,	Mitchell,	Spooner,
Berry,	Hale,	Money,	Stewart,
Burrows,	Hansbrough,	Morgan,	Sullivan,
Butler,	Harris,	Pasco,	Teller,
Caffery,	Hawley,	Penrose,	Thurston,
Carter,	Heitfeld,	Perkins,	Tillman,
Chandler,	Hoar,	Pettigrew,	Turley,
Chilton,	Jones, Ark.	Pettus,	Vest,
Clay,	Kenney,	Platt, Conn.	Warren,
Cockrell,	Lindsay,	Platt, N. Y.	Wilson,
Cullom,	Lodge,	Pritchard,	Wolcott.
Deboe,	McBride,	Rawlins,	
Fairbanks,	McMillan,	Ross,	
Foraker,	Mallory,	Sewell,	

The PRESIDING OFFICER. Sixty-one Senators have answered to their names. A quorum is present.

Mr. HALE. Mr. President, when the Senator from North Carolina [Mr. BUTLER] asks me to make a general statement as to the objects and results of the bill, without occupying too much of the time of the Senate I may say this: It is a new step, as he has said, but it is a new step because a new step needed to be taken. The subject of the reorganization of the different ranks, grades, and corps of the Navy is an old one. It has been agitated in and out of Congress. There have been committees which have given much labor to it, a special commission made up of members of both Houses of Congress, which have studied the subject; naval officers have been summoned, Secretaries have given their opinions, first upon one plan and then upon another, but all the time the necessity for something to be done has been growing.

It culminated in the early part of the life of this Congress in the preparation of what is known as the personnel bill, reorganizing the personnel of the Navy. For the first time the different corps in the ranks of the Navy fell into a condition of harmony. It was said when the bill was prepared that 95 per cent of the representatives of the Navy were in accord in desiring its passage. So it came before Congress. It was not thought by the Senate committee, at least, that pending the war Congress should undertake the subject, but it was hoped the war would not be a very great war, as it was not, and would not last very long, as it did not, and that then the House and the Senate could set themselves to the task of adjusting the personnel of the Navy.

The bill, in short, covers certain important features. One is—and that is very important—the amalgamation of the officers of the line and the Engineer Corps. Now, as the Senator from North Carolina has said, that is a departure. I do not myself feel that it has been demonstrated that it will work completely to the satisfaction of the Navy, but I legislate upon the theory that you can not demonstrate everything. We are all the time engaged in experimental legislation. Whether the youth of the country who are taken to Annapolis at a tender age can, in the six years' course, master all the details that will make their professional life, both in the line and Engineer Corps, nobody can say with certainty. But so great has been the friction heretofore between the line and the Engineer Corps, who are brought together in the little world of a battle ship, with every human jealousy likely to be aroused, and with constant complaint from one and the other, it is deemed wise to try the experiment. There are many reasons why it may be believed that it will work well.

The bill has been prepared with great care in adjusting this important feature of amalgamation and the Senate committee has retained what makes it much more likely that it can work well—the six years' feature. We did not see our way clear to crowd this course in both lines of duty and yet shorten it. So, for that matter, I will say to the Senator I am willing as one to try this experiment and see if it will work.

The bill provides also, which is a very important matter, for what the Navy has lacked, what may be best described by the phrase the flow of promotion.

Mr. CHILTON. Will the Senator from Maine excuse me before he leaves the question of the Engineer Corps? Why is it that younger officers are relieved from watch duty, as I notice by the Senate amendment? What is the reason for that, in the judgment of the Senate committee?

Mr. HALE. The Senate committee did not believe that it ought to declare arbitrarily that under no circumstances should certain officers be ordered to watch duty. That is too extreme and drastic a provision. There may occur emergencies when anybody might be ordered for watch duty, no matter who. The Senate committee did not want to put in the law the direct prohibition that under no circumstances should certain men be ordered to watch duty. The natural course of events will take care of that.

The matter of the flow of promotion is most important. It is important to the comfort of the officers, it is important for their ambition, it is important for the good of the service that men should not be kept back in the lower grades so long that they become comparatively old men before they reach the upper grades. That is important, as I say, in their work, in their life, in their

ambition, and it is important in the uses of the Navy that men who have the rank which will give them the command of ships, large or small, or squadrons, or whatever it may be, shall not be the old men in the Navy. Therefore, the bill has been so framed that that is provided for.

The appointment of 100 warrant machinists is almost the solving of the question of the working of the amalgamation feature, bringing the line and engineers together, because, while it takes the engineers and puts them into the line, relegates to them the duties of the line, and would otherwise leave an important gap unfilled, this brings into the Navy a new grade of officers, the machinists, who will be educated men, getting good, fair pay, who will do a great deal of valuable work and important work that is now done by the lower officers in the Engineer Corps of the Navy.

Mr. BUTLER. If the Senator from Maine will pardon me, you take the present engineers, who do the practical engineering, and promote them to the line, and then you put machinists in to do the work that the engineer officers have been doing.

Mr. HALE. We were met by this condition, that if we did not do something of the kind we would have to increase the Engineer Corps anyway. The adapting of these new officers to this work I deem a very happy thought, whoever it came from, and undoubtedly it will do a great deal of good.

Now, there are other features, but these are the important provisions of the bill. Of course you can not undertake the task of reorganizing the Navy upon the basis that it is now and will be in the future, compared with what it was in the past, without being at once met with the fact that you increase expenditures. If any man supposes that you can deal with either of the military establishments of the Government upon the new basis and can run it on the old basis of cost, he is mistaken. If you have a good Navy, well manned, well equipped, and everything adjusted properly to its new size and importance, you have to pay the bills. If we are going to lead a great naval dance around the world, we will have to pay the fiddler.

While this bill involves expense, it is not, when looked into, alarming or extravagant. I have been surprised that we will get out of this matter with no more increased expenditure than is covered by the bill. Inquiry has been made of the Department, and careful examination given, estimates made, information returned here, showing what will be the cost. In the line part of the Navy the increase amounts to $773,731. There are 99 new officers in addition to the present number. In the Marine Corps—which is to be thoroughly reorganized and is made more adaptable to the importance and size of our Navy, as is the marine corps in the English navy, than it has ever been before—the additional cost is, for officers $231,580, and enlisted men $997,258, or $1,228,000; making $2,002,569.

Now, while I wish that anywhere we could save money and lessen expenditures rather than increase them, I do not believe that that can be done in the Navy. As I said, I have been surprised that the increase is not more. Mr. President, when you consider the important part the Navy plays, not simply the part it has played in the war, because that came as a matter of course, but that it is to play hereafter, the undoubted admission of everybody that we are to have not an enormous navy, not a great navy, but a great navy well equipped, well officered, well manned, well paid (and in pay we only assimilate the pay of the officers to that of the Army), I do not think it is disproportionate to pass a bill that involves the annual expenditure of $2,000,000.

Mr. BUTLER. Two million dollars, if the Senator will pardon me, does not cover all the expenditures.

Mr. HALE. Undoubtedly; it includes all those covered by this bill.

Mr. BUTLER. But not what will follow as a necessary result.

Mr. HALE. Of course, what will follow will not be from this bill; but the bill is made to fit in officers and men to the Navy that will be created by other acts of Congress and which has already been created by other acts. This is only an incident. If we had not built another ship——

Mr. BUTLER. It makes the other legislation necessary.

Mr. HALE. It is the reverse of that, if the Senator will allow me. The fact that we are building up a navy and increasing the number of our ships——

Mr. BUTLER. But I say——

The PRESIDING OFFICER (Mr. PETTUS in the chair). Does the Senator from Maine yield to the Senator from North Carolina?

Mr. HALE. I yield to the Senator from North Carolina.

The PRESIDING OFFICER. The Senator from North Carolina must observe the rule in taking the floor, and address the Chair and obtain permission to interrupt the Senator who is speaking.

Mr. BUTLER. I beg the pardon of the Chair.

Mr. HALE. If the Senator will allow me, he has got the cart before the horse. The cost and expenditure of building ships and maintaining the establishment does not come from this bill, but the bill comes from the recognized condition that the American people are in and that Congress has created of the larger Navy that necessitates this measure. Therefore this is one of the things that go along with the increase of the Navy; and as I have said more than once, in this incidental bill, which goes along with the reorganization and the rebuilding and the extension of the American Navy, I have been surprised that the expenditure was not greater. It will compare favorably, I will assure the Senator, with any other branch of the Government, particularly with the other branch of the military part of the Government—the Army.

Mr. BUTLER. If the Senator will pardon me, I suppose everybody favors the enlargement of the Navy to a certain extent, but the passage of this bill makes that increase more expensive than it otherwise would be. The Senator will agree to that.

Mr. HALE. You may say that it costs a man more to maintain two houses than one. Of course it does.

Mr. BUTLER. That is not the point. Suppose we increase in size our Navy 50 per cent, and suppose that under existing law, before this bill is passed, that it would increase the cost 50 per cent. Admit that for argument's sake. Then, passage of this bill makes the 50 per cent increase of the Navy increase the cost much more than 50 per cent.

Mr. HALE. The Senator made his proposition in such a way that I was not able to follow him.

Mr. BUTLER. I am unfortunate that I have not made it clearer. This bill increases the salaries. This bill increases the expenditures of the Navy at present, even if we do not increase the size of the Navy. Suppose the bill did not provide for adding another officer, still the bill would greatly increase the annual charge upon the Treasury for sustaining the Navy Department. Now, we increase the cost of maintaining the Navy as it is and then largely increase the size of the Navy. So we not only largely increase the Navy, but we make even the present Navy cost more. That is as clear as I can state it.

Mr. HALE. I see the Senator's point, and to an extent he is right. We do make an increase here in the way of increasing the pay of the officers now in the Navy and in the future, but we have only done that to assimilate them to corresponding ranks and grades in the Army of the United States, which is the other seat of the military establishment of the Government. I repeat myself somewhat in answering the Senator's question. The committee did not feel that at present it was unjust to do that. It felt that the Navy was of sufficient importance and had its claims upon the American people rested so securely in the regard of the American people that it was not objectionable to raise their pay somewhat and make them equal to corresponding ranks in the Army. To that extent it is an increase undoubtedly, but the answer to it is very frankly given. It is simply putting them on the same basis with the corresponding grades in the Army, and we do not believe the American people will object to this, considering that it amounts to so little, only about $600,000.

Mr. BUTLER. Still the Senator will admit that the increase is remarkably large. For instance, the present pay of a Rear-Admiral on shore is $5,000, and the pay of a Rear-Admiral on sea duty at present is $6,000. The pay that they will receive after this bill is passed is $7,500 on shore or on sea, and after five years' service it is $8,364 per annum, which is an increase of more than 50 per cent in their salaries at one jump. In some cases it makes the increase of their salaries almost double. I submit, Mr. President, that it is a very radical increase, to say nothing of the radical departure made by this bill in amalgamating the Marine Corps with the line, something which has never been done by this or any other country.

It is an entirely new experiment, radical, and fundamentally radical; but it is further radical to increase at one stroke the pay of every officer in the Navy 50 per cent and more than 50 per cent at a jump when we are to have greatly increased cost put upon us by building new battle ships and manning them. If we did not increase the salaries the annual charge upon the Treasury would be greatly increased on account of the ships that are now being built. We have between forty and fifty ships now being constructed; they will soon be in service, and there will be an annual charge to maintain them, for men to officer them, and all that, so that the annual increase under the present law will be enormous; and now we propose to increase the salaries of all the officers in the service, and all who will come in hereafter, at one jump, something like 50 per cent, making an annual charge in increased pay of nearly $800,000 a year. I have not the exact figures before me. I think that is correct.

Mr. HALE. Seven hundred and seventy-three thousand dollars.

Mr. BUTLER. An increase of $773,731 for the present service. Of course when you double the personnel of the Navy you not only double the cost but you add on this 50 per cent increase to every new officer put in, and it means piling up expenditures in the future. Besides, the resultant increased cost in other directions which this bill will necessitate will run the additional annual charge in the millions of dollars.

I am in favor of a large navy. I think, situated as we are, possibly the wisest thing we could do would be to have about as

strong a navy as any country in the world, and possibly as small an army. Certainly it is not necessary to increase the size of the Army in proportion to the proposed increased size of the Navy, for our battles in the future will clearly be naval battles. If we maintain our supremacy upon the sea, our supremacy upon the land will never be questioned. But I submit that, admitting it is wise to increase the Navy, say to double it, we should be careful not to load down this country with an enormous expense by increasing the cost of the salary of every officer 50 per cent at the same time.

Mr. HALE. Well, Mr. President, the answer to that is what I have already given. The committee had no hesitation in adopting it. The committee did not believe that it was putting the naval officer on too high a rate of pay to make him the equal of the corresponding rank in the Army. The service in the Navy is certainly as important as that in the Army. It is attended with more risks. The expenditures are far greater. The naval officer is in competition with the officers of the great powers of the globe wherever he goes. He has none of the things to eke out his salary that other navies provide for their officers. He has no entertaining fund. He must hold his own with the admirals, the captains, the commanders, and lieutenants of every navy in the world. The pay that we give him in this bill will only be a reasonably fair compensation for any naval officer who performs his duty, maintains his family, and tries to get along in comfort.

I do not believe that the American people will be shocked because we have at the time of this departure in reorganizing the naval service added seven hundred and thirty-odd thousand dollars and no more to the pay of the gallant officers of the United States Navy.

I am very desirous that the bill shall be finished and gotten out of the way of other matters, and therefore I will take no more time, Mr. President.

Mr. PERKINS. Mr. President, I desire to say one word in response to my friend from North Carolina [Mr. BUTLER]. I have been a member of this committee for several sessions and we have given the subject-matter considerable thought and consideration. As the chairman of the committee states, your committee have had the benefit of the Secretary of the Navy, his able corps of assistants, and other naval officers. And here I want to say, in passing, that the pay of a naval officer is not as large comparatively as the same class of ability and the same class of service command in the private walks of life. The president of a railroad corporation, of a bank, of a manufacturing establishment receives ten times the pay of many of our naval officers holding corresponding positions that require the same ability to fill.

Mr. BUTLER. Will the Senator from California permit me?

Mr. PERKINS. Certainly.

The PRESIDING OFFICER. The Senator from North Carolina must observe the rule in taking the floor.

Mr. BUTLER. Mr. President——

The PRESIDING OFFICER. Does the Senator from California yield to the Senator from North Carolina?

Mr. PERKINS. Certainly, Mr. President.

The PRESIDING OFFICER. The Senator from North Carolina will proceed.

Mr. BUTLER. If the Senator from California will pardon me, I would like to suggest in this connection that his argument would apply to United States Senators as well as to officers of the Navy.

Mr. PERKINS. That is very true, Mr. President; but the same qualifications are not required to become a Senator of the United States which are required to become a commodore in the Navy. I venture to say that a very small percentage of those who occupy seats upon this floor could pass an examination and be received as a commodore in the Navy, even aside from the nautical qualifications required. But, be that as it may, the officers of the Navy are obliged to entertain to a greater or less degree. My friend here undoubtedly visited the White Squadron when it anchored at Newport News, in Hampton Roads. If he did, and partook of the hospitality of the commander of that ship, it was paid out of his own private fund. The Government allows nothing for his entertainment of others except that which is given as his salary.

Mr. President, I believe the salaries paid to these men, who must first devote six years of life to study in order to enter into the minor grades and then devote thirty or forty years of life before they can become one of the eighteen admirals, is meager enough. It is not as great as that paid by England and France and other foreign countries to those holding these positions.

The PRESIDING OFFICER. The Senator from California will please suspend while the Chair lays before the Senate the unfinished business, which will be stated.

The SECRETARY. A bill (S. 1575) to amend an act entitled, "An act to regulate commerce."

Mr. CULLOM. I consent to the unfinished business being temporarily laid aside until the conclusion of the pending bill.

Mr. HALE. Let it be temporarily laid aside.

The PRESIDING OFFICER. It will be so ordered, if there be no objection.

Mr. PERKINS. I will detain the Senate but a few moments. A case recently came to my knowledge, that of Admiral Kirkland, commandant at the Mare Island Navy-Yard, in California, called to that bourne from whence no traveler returns. When an account was taken of his effects, there was not sufficient to pay the funeral expenses. That, to my mind, is sufficient evidence that there is no officer in the Navy who can lay up a dollar for a cold day from the salary that is given to him by the Government.

I want to refer to the criticism of the 100 machinists that the bill provides for. Mr. President, it is an absolute necessity. I call my friend's attention to a fact regarding the new *Ironsides*, which thirty years ago, at the close of our civil war, was, I think, the largest steam vessel we had then in the Navy. That vessel had but 1 engine with 2 cylinders. To-day the battle ship *Iowa* has 70 separate engines with from 140 to 150 cylinders. Each of those engines is a piece of mechanism that requires one to be skilled in mechanics, raised or educated or serving his trade as a machinist, in order to properly manipulate and operate economically and safely.

Mr. BUTLER. Mr. President——

The PRESIDING OFFICER. Does the Senator from California yield to the Senator from North Carolina?

Mr. PERKINS. Certainly.

Mr. BUTLER. Does the Senator mean by his argument to say that by taking the Engineer Corps away from the active duty of engineers and employing machinists to whom we give smaller pay, machinists who have had less training, we are getting better men for the service, men who can better handle intricate machinery, and better perform the duties the engineers have been performing upon our ships? Are the 100 machinists necessary in addition to the Engineer Corps that we have, or are they made necessary because we take the engineers and put them in the line? Would we need as many if we kept the Engineer Corps as practical engineers, specially drilling them and educating them and training them as engineers, and kept them doing that class of work while we educated another class of officers for the line?

In that case would we need all these machinists to assist them? If so, why do we need two classes of them? Do we need a class of underlings to do their work, and are the others simply to be their superiors and directors? And have not the Engineer Corps, the superiors and directors no less than the practical machinists, been doing in the past the very work that the machinists are now going to do? Are not these machinists, who are paid less, less qualified for the work than the Engineer Corps which has been doing it in the past? It was the Engineer Corps which made it possible for us to sweep Spain's fleet from the sea. Certainly we ought to be proud of our fleet, and I am proud of it; but why do we change a system that has won such laurels for this country?

Mr. PERKINS. Mr. President, that is a long question. I could make equally as long a reply, but my remarks can not be construed by any such implication as that placed upon them by the Senator from North Carolina. He knows more about running a newspaper than I do; but I know more about running a ship than he does, and I say it without egotism. The company with which I am associated is operating some 30 steamships. I know the duties of the engineer and his assistants, of the water tender, the oiler, and the machinist on shipboard. While this bill, in my judgment, very properly places the Engineer Corps on a par with the line officers, it provides that they shall have a knowledge, and most of them do in a degree have a knowledge, of the duties of the line officer, of the deck officer, of the navigating officer.

It also provides that if the engineer or his assistant in an action is shot down the deck officer shall take his place. He will have some knowledge of the marine engines, of the triple or quadruple expansion cylinders, of the bearings and of the various other pieces of mechanism. Anyone without a practical knowledge and without experience would be lost in an engine room as much as in a dark night surrounded by a dense fog. These machinists will be selected by reason of their qualifications for the position. They have served their trade in a machine shop and they understand operating a lathe, a planing machine, the working of tools, the calipers, and all that which is necessary for any machinist to have a knowledge of in order to properly do his work.

The chief engineer to-day on those steamships goes practically into the engine room to run the engines, not placing his hands upon the throttle valve or working the levers that run the machinery, but he is there to direct it in case of an accident. His master mind is enabled to direct the machinists, his assistants, what they shall do to remedy the damage, the injury, the defect. Only a few days since, one of our trans-Atlantic liners met with an accident at sea. The engineer, having first learned his trade as a machinist and gone up step by step until he became the chief engineer of that magnificent vessel, annihilating time between this continent and Europe, by his knowledge and skill so managed that engine, that cylinder, that the vessel was enabled to proceed on her voyage, with reduced speed.

These machinists do the practical work. Every day there is work to be done in the lathes, in the engine room, and at the anvil,

Something perhaps has occurred with the furnace, a bolt is out, a pin is loose, something which it requires a skilled mechanic to replace. The chief engineer could not do it without neglecting other duties. His assistants must be at all times at their station to answer to the bell of the directing mind that is guiding the ship navigating the waters. So these subordinates do the work.

We have been sadly hampered in the Navy because we have not had a sufficient corps of mechanics to assist in doing this work and keeping the machinery in order. Only a few months since a case came to my knowledge where an inexperienced engineer, although he had his papers, was placed in charge of a marine engine, necessitated by the sickness of his superior officer; and by his want of experience an accident occurred that cost the owners of that ship $10,000. This loss might be duplicated, aye, quadrupled, in the case of one of our great battle ships or cruisers.

Another thing the bill provides for, and I think it is a most wise provision. The boatswain, the gunner, the carpenter, and the sailmaker can not be appointed a warrant officer unless he has passed an examination as to a knowledge of the duties of those respective positions; and after he has been ten years a warrant officer he may be commissioned a warrant officer and rank with an ensign on the ship. It gives him a dignity, it gives him a consciousness and a pride in the position he has, for he becomes a commissioned warrant officer of this great Government.

I would have gone further in the bill if I could have had my way, and I would have made him eligible to be a line officer, as is done in Italy and, I think, some other countries of Europe. We are sadly behind the rule which prevails in the navies of some European countries. I believe in giving the poor boy who has merit and has the nerve and has shown his capacity a chance to become a Paul Jones or a Farragut, aye, or an Admiral Dewey, if the opportunity is given him to distinguish himself. This bill is not one step, but five steps in advance of this line.

Mr. BUTLER. Will the Senator yield to me?

Mr. PERKINS. Certainly.

Mr. BUTLER. The Senator will do me the justice to say that I agree with him and that I favored such an amendment to the bill. I do not like to have him make the impression that he seems to make in replying to me that I was opposed to giving any person in the Navy an opportunity for promotion according to merit. In fact, I distinctly favored such a proposition, and I entirely agree with the Senator in what he says.

Mr. PERKINS. I am very glad to give my testimony in behalf of my friend. He has worked zealously and faithfully upon the committee, and he had, I believe, the same object in view that the chairman or any other member of the committee had in framing a bill that will redound to the general interest and welfare of our Navy, and will commend itself to the people of this country. The only thing we differ about, perhaps, is how the object may be attained. I believe it the part of wisdom to profit by the experience of others. I believe the committee have acted wisely in taking into their counsel our naval officers, every branch of the naval commanders from the line officers, the engineers, the medical department, the paymaster's department, the warrant officers, aye, the seamen themselves, and out of it we formulated this bill, which we now present to you for the consideration and we trust for the adoption of the Senate.

If time shows that we have made any mistakes, they can be readily rectified. To-day necessity demands it. Our ships were propelled thirty years ago entirely by the winds of the ocean, entirely by sail. Since then a great revolution has taken place. The great motive power is steam and electricity, and we are sending these great battle ships, these great engines of war, on voyages of 14,000 miles, as we did the *Oregon* from the Pacific coast around Cape Horn or through the Straits of Magellan, and we brought her up here on the Atlantic shore to take part in one of the great naval battles of the world, and which history will record as such.

New conditions require new appliances. So, with these great ships propelled by steam, we must have machinists and engineers to so man them that there will be no mistakes, no errors.

But I will not weary the Senate. I simply wanted to reply to the criticism upon the machinists. I think this one of the wisest provisions in this bill, providing as it does for the enlistment of a hundred machinists who shall be skilled workmen, giving preference to those who have had experience on our ships and who have passed their examination satisfactorily to the naval board.

Mr. BUTLER. Mr. President, I do not think the Senator from California [Mr. PERKINS] intended to say that I had criticised the machinists—those were his words—but I do not think he intended to say what his words seem to imply. If I have any special sympathies for one class of men above another, it is with the under dog, or the man who has to do the most work and who gets the least money for it. My sympathies go out to that class in the Navy and in the Army and in every department of the Government and in all the industries in this country more than to any other class.

This bill promotes the engineer officers to the line, with increased pay, and then provides for machinists, at less pay, to do their work. They will be responsible men, and they will do the burden of the work; and I regret, since we are paying everybody else big salaries—increasing the salary of everybody else—that these men and the gunners and other minor officers will get smaller pay than some who are less meritorious and who will do less work in the future to maintain the Navy, to defend our country, and uphold the flag. Instead of criticising the machinists, I stand here to defend them, and am only sorry that the men who are to have the real burden of work upon them will have less of honor and less of pay than others.

Mr. President, I am not criticising the proposition to increase the pay of officers when they deserve an increase of pay; I do not stand as an advocate for a niggardly policy with reference to the Navy or with reference to any other department of our Government, for I have never believed in the wisdom of niggardly salaries for public officials. I have believed, and I believe now, that many of our States make, and often Congress makes, a mistake in giving too small salaries to certain officers and employees upon whom there is put great responsibility and great labor. I should, however, like to see more equity done—that is, to see those upon whom the greatest work and greatest responsibility rest receive a more equitable share of the salaries paid by the Government than they do. Whenever it can be shown that we can get better service by an increase of salary, it is, nine times out of ten, economy to increase the salary.

I think many of the State legislatures make a grievous mistake in the salaries they pay. But, Mr. President, I felt that it was my duty as a member of this committee to make these observations, although I am not prepared to say that this bill should not pass, and did not bring in a minority report or give notice that I should fight it and ask the Senate to reject it, because I am not clear what is best. It may be that the bill will turn out to be best for the Navy. I do not know, but I have serious doubts about it.

I am always glad to learn from my distinguished friend from California. It is true he knows more about a ship than I shall ever know, and probably knows more about a ship than any other man in the Senate, and it is, as a rule, safe to follow his advice about nautical matters. He also probably knows more about the Philippine Islands than any other man in the Senate; he is the only Senator who has ever set foot on the islands, and I hope Congress will follow his advice as to what we shall do with those islands in the future. I am glad to learn from that Senator, but still it is the duty of each Senator to act as a juror in passing upon questions after having heard all the evidence, even though it comes from an expert as distinguished as the Senator from California.

I do not think the Senator from California will say that he is absolutely certain that this bill is the best that we could pass. In fact, just as he was closing his remarks he admitted that this bill might be a mistake; but he said, if it is, we can remedy it in the future. Now, I wish the attention of that Senator. I should like to ask that Senator if he thinks we will ever be able to change or repeal the principle of this bill if we once adopt it? I want to ask him if we once amalgamate the Engineer Corps with the line, if we once raise these salaries to this scale, if we once change the personnel of the Navy and make every officer in the Engineer Corps a line officer, he believes that, if we find in the future that that is a mistake, it will ever be possible to change it?

Mr. PERKINS. I think there is no question but——

The PRESIDING OFFICER. Does the Senator from North Carolina yield to the Senator from California?

Mr. BUTLER. Certainly.

Mr. PERKINS. The Senator asked me a question, Mr. President, and I shall endeavor to reply. There is no question but that the same power which invoked this legislation may repeal it. Perhaps as to those we have advanced to this grade it will not affect them; but the Good Book tells us that the average man's life is three-score years and ten, and we retire officers at the age of 62 in the Navy. We certainly can also make it apply to their successors who are to come after them.

I do not think we shall ever want to repeal this law, so far as the line officers and the engineer officers are concerned. I think it is wise policy to have those who walk the quarter-deck able to go into the engineer's room and upon the engineer's platform propel the vessel by the steam that is there generated by the boilers. So I hardly think the Senator's question is pertinent so far as it affects the wisdom or policy of the enactment of this bill into a law.

Mr. BUTLER. Mr. President, the Senator now says that he does not think we shall ever want to change this law, and yet the Senator himself admits that it is an untried experiment, that it is not to-day in operation in any other navy in the world. One thing is certain, with all these salaries once increased 50 per cent, we will never be able to reduce them. It is almost equally certain that with these engineer officers once promoted to the line, we will never be able to undo it.

This is a new policy. It is untried; it is experimental; and with all the wisdom of the Senator from California with refe ence to naval affairs and ships, surely he does not mean to say in an

experiment like this, that is as radical as this, that he is absolutely certain that we shall never want to change our legislation, but that it is just the very thing we and all the nations of the world have been looking for for six thousand years, and we have only accidentally found it and have not yet tried it. That is a proposition that does not appeal to my average common sense, notwithstanding my scarcity of knowledge of naval affairs. I think it possible, if not probable, that in such an experiment, so radical, we may want to change our legislation; and I think that we shall find the extremest difficulty in doing so. In other words, it is a step that we take that we shall hardly ever be able to undo, even if we find that it works unsatisfactorily.

Besides, when you once put salaries up to the point that this bill puts them, from top to bottom—but mostly at the top—if we find in the future the burden upon the taxpayers of this country to be too heavy, if we find that the Navy is costing us more than it ought to cost us, it will be very difficult indeed, if not practically impossible, to ever reverse that step. You will simply have to lay heavier taxes and search out new ways for raising them.

Mr. President, we are starting on a policy not only with reference to our Navy, but with reference to the Army, and with reference to colonial—I will not say "colonial," for I hope that that word will never come into our official vocabulary, but with reference to certain foreign possessions that are now, fortunately or unfortunately, under our control and direction—we are starting on a policy that no man in this Chamber can see the end of, and one that in the near future means a considerable, a radical, and an enormous increase of expenditure.

Where is the money to come from, Mr. President? The Senator from Rhode Island [Mr. ALDRICH], who is not now in the Senate and who is not in the city, stated, when presenting the last tariff bill to this body, that we had about reached the period in our life as a nation when we could not depend upon a tariff for revenue in the future; that is, for sufficient revenue.

He laid down the doctrine from the Republican standpoint, for the first time stated, to my knowledge, that we had stimulated our home industries until we had gotten to a point when we must seek foreign markets to sell our goods for less than we sold them at home; that it was profitable to overflow and sell our goods in foreign markets for less than the price for which we sold them at home, and that the result of that would be a reduction of revenues; that we should each year buy less from abroad; that the revenues which would come under any tariff, whether you called it a high protective tariff or a revenue tariff, would decrease, and that therefore we must in the near future look to new sources of revenue.

Where are we going to look, Mr. President? Are we going to keep the present burdensome war taxes, the odious stamp taxes, which the monopolists have managed to evade in most cases altogether and put on the shoulders of the people, though Congress thought it was distributing them so that the great monopolists would bear their share? Are we to keep those indefinitely? Are we to go out and hunt up more ways to put stamp taxes and other odious and oppressive taxes upon our people? The war is over and the stamp taxes have not been repealed; but, on the other hand, we are told each day that more revenue must be raised.

We have just begun in this new policy of enormous expenditures and doubtful expediency. The end is not in sight, but the beginning is just in sight. Mr. President, is it not the part of prudence, does not a just regard for the taxpayers of this country demand that before going recklessly, I might say without any disrespect for the committee—for I mean none—should we not, before taking a step like this, stop and count the cost?

Is it possible that we are going to make as radical an increase in the cost of the Army as is provided in this bill for the cost of the Navy? Is it possible that we are going into an inflated scale of cost in the whole governmental system from top to bottom? Are we going to do this without stopping to see where the money is to come from? Is it possible that any Senator will be satisfied to borrow? When you borrow, that means more taxation than if you did not borrow.

It is an easy expedient and a shifty one for politicians and public men who do not want to face the people to-day or to-morrow on an issue of increased taxes to say, "Let us borrow;" but every dollar borrowed simply shifts these burdens from to-day and to-morrow on the next generation. You not only make it as inevitable that the taxes have got to come from the people to pay that amount sooner or later, but they must come with interest charges added. A people that are not bankrupt had better pay taxes to meet expenses as they come. That was the policy laid down in England by the great Gladstone. He went so far as to say that he never wanted to see England borrow even in time of war; that the present generation had no right to burden and saddle upon future generations the debts of this with interest added.

Mr. President, we would all like to see a big navy. We are proud—everybody is proud—of what our Navy did in the last war. We have cause to be proud, but our pride in the Navy and our enthusiasm over a successful war should not make us forget the people at home, upon whose shoulders are the burdens of Government; it should not make us forget the private at home and his family; he who left his home and went into this war and gave not only his taxes to support the Government, but his life in the face of a foreign foe. When we have war, this Government depends upon the masses of the people who send forth their sons as volunteers to face the foe. They come from the homes and firesides of the humble as well as those of the rich; they come chiefly from amidst and among the great masses of the taxpayers of the country.

Let us so conduct this Government, Mr. President, that the Government will not only maintain its respect abroad, but will hold the love and allegiance of the man at home who pays the taxes to support the Government, and who must give his life, if necessary, when war comes.

We would all like to see the officers of the Government paid as much salary as they want; we would all like to see the salaries made as large as our pride would demand or as any possible contingencies in the future might require, but we should never take any step of this kind until we have duly considered the cost and what it will lead to in the future.

Mr. President, I shall not discuss what I consider the most serious feature of this bill, that is, the amalgamation of the Engineer Corps with the line, because that policy seems to have been settled by the Department; it seems to have been settled by the House of Representatives in its wisdom; it has been settled by the committee of the Senate, and it will soon, no doubt, be also and finally settled. The Senate itself has had no time to consider it fully. It is a radical departure; it is untried. But I am not an expert. I simply know how it impresses me. I shall not discuss that feature, I say, but it deserves the attention of every Senator who votes on this measure, as well as does the question of cost.

Mr. President, I shall not oppose the passage of this bill, because the committee after long consideration have reported it, but I did not think it should pass without the chairman of the committee making a statement to the Senate such as he has made and without some discussion which would call the attention of Senators and of the country to what the bill contains and what will be the almost certain result if it passes. Since it is to pass, I trust it is not a mistake, but I am impelled to say that I seriously doubt its wisdom from both standpoints.

The PRESIDING OFFICER. The next amendment reported by the Committee on Naval Affairs will be stated.

The next amendment of the Committee on Naval Affairs was, on page 13, in section [17] 13, line 4, after the word "character," to insert "not above 30 years of age;" and in line 10, after the word "character," to insert "not above 30 years of age;" so as to make the section read:

SEC. [17] 13. That upon the passage of this act the Secretary of the Navy shall appoint a board for the examination of men for the position of warrant machinists, 100 of whom are hereby authorized. The said examination shall be open, first, to all machinists by trade, of good record in the naval service, and if a sufficient number of machinists from the Navy are not found duly qualified, then any machinist of good character, not above 30 years of age, in civil life shall be eligible for such examination and appointment to fill the remaining vacancies. All subsequent vacancies in the list of warrant machinists shall be filled by competitive examination before a board ordered by the Secretary of the Navy, and open to all machinists by trade who are in the Navy, and machinists of good character, not above 30 years of age, in civil life authorized by the Secretary of the Navy to appear before said board, and where candidates from civil life and from the naval service possess equal qualifications, the preference shall be given to those from the naval service.

The amendment was agreed to.

The next amendment was, on page 15, in section [20] 16, line 7, after the words "under this," to strike out "act, as far as the Navy is concerned" and insert "section;" so as to make the section read:

SEC. [20] 16. That when an enlisted man or appointed petty officer has served as such thirty years in the United States Navy, either as an enlisted man or petty officer, or both, he shall, by making application to the President, be placed on the retired list hereby created, with the rank held by him at the date of retirement; and he shall thereafter receive 75 per cent of the pay and allowances of the rank or rating upon which he was retired: *Provided*, That if said enlisted man or appointed petty officer had active service in the Navy or in the Army or Marine Corps, either as volunteer or regular, during the civil or Spanish-American war, such war service shall be computed as double time in computing the thirty years necessary to entitle him to be retired: *And provided further*, That applicants for retirement under this section shall, unless physically disqualified for service, be at least 50 years of age.

The amendment was agreed to.

Mr. HALE. On page 15, section [21] 17, line 12, after the word "brigadier-general," I move to insert the word "commandant;" so as to read:

That from and after the date of the approval of this act the active list of the line officers of the United States Marine Corps shall consist of one brigadier-general, commandant, etc.

It is simply a technical designation.

The amendment was agreed to.

The next amendment of the Committee on Naval Affairs was, on page 15, section [21] 17, line 15, after the word "this," to strike out "act" and insert "section;" so as to make the section read:

SEC. [21] 17. That from and after the date of the approval of this act the active list of the line officers of the United States Marine Corps shall consist

of one brigadier-general, five colonels, five lieutenant-colonels, ten majors, sixty captains, sixty first lieutenants, and sixty second lieutenants: *Provided*, That vacancies in all grades in the line created by this section shall be filled as far as possible by promotion by seniority from the line officers on the active list of said corps: *And provided further*, That the commissions of officers now in the Marine Corps shall not be vacated by this act: *And provided further*, That vacancies in the grade of brigadier-general shall be filled by selection from officers on the active list of the Marine Corps not below the grade of field officer.

The amendment was agreed to.

The next amendment was, on page 15, section [22] 18, line 25, after the word "President," to strike out:

Either first, by the transfer of such officers of the line of the Navy who are graduates of the Naval Academy, and who are not above the grade of junior lieutenant, as may apply therefor within ninety days after the passage of this act, said officers to take rank in the Marine Corps next after the junior second lieutenant now in said corps who is a graduate of the Naval Academy, or.

And to insert:

From time to time, whenever the actual needs of the naval service require it, after reserving vacancies sufficient for the six classes of cadets now at the Naval Academy or at sea, as they may respectively graduate.

And in line 15, at the end of the section, to insert the following proviso:

Provided, That after said vacancies are once filled there shall be no further appointments from civil life.

So as to make the section read:

SEC. [22] 18. That the vacancies existing in said corps after the promotions and appointments herein provided for shall be filled by the President from time to time, whenever the actual needs of the naval service require it, after reserving vacancies sufficient for the six classes of cadets now at the Naval Academy or at sea, as they may respectively graduate, from the graduates of the Naval Academy in the manner now provided by law; or from those who are serving or who have served as second lieutenants in the Marine Corps during the war with Spain; or, second, from meritorious noncommissioned officers of the Marine Corps; or, third, from civil life: *Provided*, That after said vacancies are once filled there shall be no further appointments from civil life.

The amendment was agreed to.

The next amendment was, on page 16, section [23] 19, line 18, after the word "person," to strike out "except such officers as may be transferred from the Navy, and;" in line 19, after the word "officers," to strike out "and" and insert "or;" in line 23, before the word "years," to strike out "twenty-six" and insert "thirty;" and in line 2, page 17, after the word "Academy," to strike out "and those transferred from the Navy to the Marine Corps;" so as to make the section read:

SEC. [23] 19. That no person except such officers or former graduates of the Naval Academy as have served in the war with Spain, as hereinbefore provided for, shall be appointed a commissioned officer in the Marine Corps who is under 20 or over 30 years of age; and that no person shall be appointed a commissioned officer in said corps until he shall have passed such examination as may be prescribed by the President of the United States, except graduates of the Naval Academy, as above provided. That the officers of the Marine Corps above the grade of captain, except brigadier-general, shall, before being promoted, be subject to such physical, mental, and moral examination as is now, or may hereafter be, prescribed by law for other officers of the Marine Corps.

The amendment was agreed to.

The next amendment was, on page 18, to strike out section 26, as follows:

SEC. 26. That the senior officers of marines of fleets or squadrons shall, while so serving, have the rank of the grade next above their lineal rank in the Marine Corps: *Provided*, That such temporary increase of rank shall cease on the relief of such officers from duty as senior officers of marines of fleets or squadrons.

The amendment was agreed to.

Mr. CHANDLER. I offer an amendment to come in on page 5.

The PRESIDING OFFICER. The amendment will be stated.

The SECRETARY. In section 7, on page 5, after the word "Navy," at the end of line 15, it is proposed to insert:

No appointment shall be hereafter made of civil engineers in the Navy under section 1413 of the Revised Statutes.

The amendment was agreed to.

Mr. HALE. On page 8, at the end of section 10, I move the amendment which I send to the desk.

The PRESIDING OFFICER. The amendment will be stated.

The SECRETARY. On page 8, at the end of section 10, it is proposed to insert:

Provided further, That any officer who has been or may be transferred to the construction corps for special ordnance duty shall be considered an additional officer in such corps, and shall take rank with other members of such corps according to the respective dates of completion of their four years' course at the Naval Academy and standing on the merit roll, and shall be promoted to higher rank with the officer next below him.

The amendment was agreed to.

The bill was reported to the Senate as amended.

The PRESIDING OFFICER. The question is on concurring in the amendments which have been made as in Committee of the Whole. If there be no objection, the amendments will be regarded as concurred in.

Mr. LINDSAY. I object to two amendments, striking out sections 13 and 14, on page 9.

Mr. GALLINGER. Let the others be concurred in.

Mr. HALE. Let the others be concurred in, and the Senator can reserve those amendments.

Mr. LINDSAY. If those two amendments be not concurred in, then there are other amendments proposed by the Committee on Naval Affairs which ought not to be adopted. All that do not depend upon those two amendments I am perfectly willing to have concurred in.

Mr. HALE. Let a vote be taken on those two amendments, and after that the others can be adopted if those amendments are carried. I do not myself care to further discuss the bill, Mr. President.

Mr. LINDSAY. The bill as it came over from the House of Representatives required:

SEC. 13. That from and after the passage of this act the students at the Naval Academy shall have the title of midshipman, and on successfully completing the course at that institution each shall be commissioned in the lowest grade of the line or Marine Corps, the two years' course at sea being hereby abolished.

Section 14 required:

That upon the passage of this act all the naval cadets of the line and engineer divisions who have completed the four years' course at the Naval Academy and are performing duty at sea shall be commissioned in the lowest grade of the line or Marine Corps, and the members of each class shall take rank among themselves according to their graduating multiples as was determined at the end of the four years' course at the Naval Academy.

Now, I understand that this bill creates 90 additional commissioned officers in the Navy, and that the young men who have completed their course at the Naval Academy and who are now serving out the two years at sea, if commissioned at this time, would not be sufficient in number to fill the vacancies created by this bill.

The whole theory of the bill as it came over to the Senate was that these vacancies created by the provisions for additional officers should be filled from the graduates at Annapolis without regard to the two years' sea service, and from this time forward at the end of each four years of service at Annapolis the young men should go directly into the Navy, instead of spending two years at sea neither as officers nor as privates, with no defined rights and no special duties to perform.

By postponing the time when these young men, who have been educated at the public expense for the naval service, shall receive their commissions as officers, we leave forty new positions to be filled by appointment from civil life. Now, then, why should we go to civil life to get our officers for the Navy when we have a sufficient number of young men especially educated for these positions, who can take the offices now, instead of waiting two years for their commissions to be issued to them?

The chairman of the committee said awhile ago that the danger was that if these young men were now commissioned we would get what is called a hump in the Navy—more officers than we need. If we hold these young men back two years and fill these positions with appointments from civil life, leaving these young men to take their places at the end of two years, we will have the very condition which the personnel bill was intended to relieve.

Mr. TILLMAN. I have already called the Senator's attention to a provision here, found on page 7, in which the naval authorities are especially required to reserve vacancies for every one of the six classes now at the Academy.

Then I will call the Senator's attention to another phase of the bill, which possibly may explain what he considers as a wrong. That is this: We had some volunteers in this war who served in the Navy. The Naval Reserves all along the coast were called out. Some of them were on ships and went down to Cuba, and I simply submit to the Senator whether it is not proper that we should leave a small place through which meritorious young men, who have volunteered and have shown their willingness and who can stand the necessary examination, should be able to get into the Navy—a few of them, for we limit the number?

Mr. LINDSAY. If the Senator will permit me, for whom have we reserved these places? I read from the bill:

From time to time, whenever the actual needs of the naval service require it, after reserving vacancies sufficient for the six classes of cadets now at the Naval Academy or at sea, as they may respectively graduate, from the graduates of the Naval Academy in the manner now provided by law; or from those who are serving or who have served as second lieutenants in the Marine Corps during the war with Spain; or, second, from meritorious noncommissioned officers of the Marine Corps; or, third, from civil life.

Now, when we come to civil life the bars are down. We do not need to take the volunteer officers who have served in the war with Spain at all. Under that reservation any man can be appointed, without regard to whether he served as a volunteer or served in the Spanish war at all. We save places for the Marine Corps officers, but when that has been done we open the doors to any man in the United States to come in and receive appointment without regard to any service.

Mr. HALE. That is the provision in regard to the Marine Corps.

Mr. TILLMAN. That is the Marine Corps itself, and not the Navy.

Mr. LINDSAY. That is the provision to which the Senator called my attention.

Mr. TILLMAN. No; it is on page 7.

Mr. HALE. Page 7. The Senator from Kentucky has the wrong provision.

Mr. TILLMAN. I read from line 18:

That whenever the actual needs of the naval service require it the President is authorized, after reserving vacancies sufficient for the six classes of cadets now at the Naval Academy or at sea, as they may respectively graduate, to appoint from time to time, ensigns in the Navy, not to exceed 40 in all: *And provided further*, That no person shall be so appointed who, at the time of said appointment, is more than 25 years of age, and no person shall be appointed unless he has had meritorious service, in the Navy or Marine Corps, in the war with Spain; and no person shall be appointed except upon such physical and professional examination as the Secretary of the Navy shall require.

Mr. HALE. There you see it is so guarded, so restricted, so tied up that precious few will ever get into the Navy under this provision. It will give an opportunity, as the Senator from South Carolina has said, where possibly some few meritorious cases from civil life or men who have served in the war and can pass the examination can get in. The committee thought, with the Senator from South Carolina, that that was nothing more than fair; and we provided that it should not interfere with these classes. We let the regular classes go on; they graduate at the end of their six years, as they do now; every man cared for; not one shut out. Then, if on actual need a few more are required, the President shall have the chance to go into civil life and appoint perhaps ten or a dozen bright young men who have served in the Navy during the war and can pass all these examinations.

Mr. LINDSAY. And to put these young men as seniors to the graduates at Annapolis. I understand that they do graduate and deliver certificates of graduation, although the cadets are not entitled to commissions at the time their service at the Naval Academy ceases.

Mr. HALE. They complete their course, just as every other class. Places will be left for them. It is jealously guarded.

Mr. LINDSAY. After the appointees from civil life have gotten in, with the advantage in pay of five years' service and the advantage of seniority in rank, which they are to carry to end of their service.

Mr. HALE. If there are a few appointments—six or eight or ten—they will be appointed, and will enter for examination at the time of the graduation of the classes, and will go to the foot of the classes. When they come in they have to be examined. They enter the service at the same time with the others. Only they are taken from civil life—these few—and they will be placed below those who have graduated from the Academy.

Mr. LINDSAY. They will be placed below those who have served six years—four years at the Academy and two at sea—but ahead of those who have graduated at the end of their four years' course at the Academy.

Mr. TILLMAN. Will the Senator from Kentucky allow me?

Mr. HALE. Nobody graduates at the end of four years.

Mr. LINDSAY. I know there is a difference of opinion on that point. I think they do graduate; they receive certificates of graduation, but they are not entitled to their commissions until after sea service and after they have taken their final examinations. But they receive their certificates of graduation at the end of four years. They have their commencement ceremonies at the end of four years.

Mr. TILLMAN. The naval cadets who get into Annapolis are the favorites of the Government to the extent that they are given their education free; they are furnished board and everything they may need; and I want to know by what right they have the preference over the older men who have educated themselves, who volunteered in this war, who showed they were as willing to serve in the Navy as these cadets are, and who are able to stand the examination. I want to know why the cadets, who are younger, should be preferred and their commissions taken care of, and they be made the seniors of these men who came forward and volunteered in the time of the country's need?

Mr. LINDSAY. I will tell the Senator from South Carolina what I am afraid of. It is that these people who get in under this provision from civil life will not be the favorites of the Government, but the favorites of somebody who has the influence to secure their nomination. Now, we have had enough discussion about civilians in time of war monopolizing the staff positions in the Army. Why do we want the liability of the same abuse in the Navy, when we have a set of young men who from their boyhood have been taken and educated especially to serve as officers in the Navy?

Mr. TILLMAN. Does the Senator see no difference between the examination required here, as to technical knowledge and navigation and engineering and everything, and the men whom he and I and other Senators went to the War Department and begged to get into the Army last spring without any examination?

Mr. LINDSAY. I neither begged for them nor did I get any.

Mr. TILLMAN. I thought the War Department gave nearly everybody a place or two. I am sure I got one or two appointments there, and I am certain the Senator is in nearer touch with the Administration and more its favorite than I am.

Mr. LINDSAY. For that reason it was not necessary to reward the Senator from Kentucky. [Laughter.] He did not need any patronage. [Laughter.]

Mr. TILLMAN. I did not get any reward, and I did not do any begging. I went to the President when the war broke out and I said, "Mr. President, so far as I can judge from your utterances, you have no partisan bias in this matter, and I want to know from your own lips whether you are going to recognize those of us who are on the opposite side in politics?" He said, "There is no politics in it. I propose to give every section and every man his just proportion, provided he will offer me good material." I never went near him any more. I simply made out a list and sent it forward.

Mr. LINDSAY. Of course I never intimated that the Senator from South Carolina——

Mr. TILLMAN. There was no reward in it, because I assure you I have felt compelled to vote against him on every proposition he has sent here since.

Mr. LINDSAY. It was a very proper thing for the President to say that which he said to the Senator from South Carolina.

Mr. TILLMAN. I so thought, and I respected him for it.

Mr. LINDSAY. I never hesitated to indorse any worthy man who deserved a position, if he asked me for my indorsement, but it did not make the slightest personal difference to me whether the President appointed him or not. I claimed no patronage; I asked for no patronage; I expected no personal patronage. The point I make is not that anything wrong has been done, but that there is no reason why we shall open up the Navy to the appointment of men under conditions which will bring about, whether just or unjust, the criticism about which we have heard so much in regard to appointments in the Army. That is all I have to say about it.

Mr. TILLMAN. That is simply a reflection upon the good faith of the President in making these appointments and the examining board as to whether they would pass men because of favoritism or on merit. I do not believe a naval board would ever disgrace itself by letting any man into the Navy who is not competent.

Mr. LINDSAY. What I want to do is to keep these questions out of the range of suspicion.

Mr. TILLMAN. We have not now enough men, competent and educated, to fill these places, and we are allowing the President the liberty to select among those volunteers who went into the Navy and went into this war if he can find those who are fit and who can pass the examination.

Mr. LINDSAY. We are setting aside the graduates of Annapolis and requiring them to serve two years at sea in order to leave open the vacancies that will make this thing necessary.

Mr. TILLMAN. I say we simply want to pickle them and make sailors of them before we send them out in charge of vessels.

Mr. LINDSAY. I do not think any officer of the Navy will say that the two years' service results in any substantial, practical improvement of the young man who goes to sea. He is neither an officer nor a seaman. His position is such that he can not exercise the functions of an officer nor render the service of a seaman.

Mr. TILLMAN. Is not the Senator aware that these young men have to stand a further examination when they have finished the two years' cruise, and unless they have learned certain things which are required, and which they do not learn at the Academy, they can not get their commissions?

Mr. LINDSAY. I understand that, and I understand that the four years at the Academy qualifies the young men, so far as mental improvement is concerned, to become officers of the lowest rank in the Navy.

Mr. TILLMAN. Then the Senator would contend, if that is his argument, that four years at college makes a man fit for the profession of a lawyer or that of a doctor, whereas most people have to go and spend four or five or ten years afterwards learning those professions?

Mr. LINDSAY. If a young man studied law for four years at college, I would say he is ready to commence the practice of the law.

Mr. TILLMAN. Where will he get his grammar and his arithmetic, and the other necessary ground work, if he studied law for four years and nothing else?

Mr. LINDSAY. I did not say "nothing else." These young men at Annapolis study navigation as well as the sciences.

Mr. TILLMAN. They practice it at sea. They only theoretically study it at Annapolis, and when they go to sea they are made to navigate and are responsible to their superiors. They get marks for their work.

Mr. LINDSAY. I do not think the Senator from South Carolina and I, neither of us having ever seen the sea until we were mature men, are capable of settling this question with absolute accuracy. My information is that this bill came recommended by the Navy Department, excluding the two years at sea, and recommending that these young men be commissioned at the end of their four years' study at the Naval Academy.

Mr. TILLMAN. So we took it; but we thought a little something about it, and we did not want them to get in too easily and too frequently or too many of them in a bunch.

Mr. LINDSAY. As the Committee on Naval Affairs admit that they differ with the Navy Department, which is especially charged with the management of our naval affairs, it is not presumptuous on my part to decline to follow the committee and to insist that the Navy Department probably understood this question as well or better than the committee.

Mr. CHANDLER. Will the Senator from Kentucky allow me? The Navy Department did recommend this plan as a whole, but the present Secretary of the Navy has at least once, I think more than once, called attention to the great importance of their two years' service at sea before the final graduation of the cadets. I wish to emphasize what was said by the Senator from South Carolina by repeating that the instruction at the Academy for four years is academic. The one thing the cadets do not know anything about and in which they have had very little experience is the sea, the ocean, which is to be the place of their vocation for life.

For my part, I think it was a great blunder to think for one moment of reducing the course from six years to four years. It was four years until about 1872, when it was deliberately changed, and it has been a course of six years ever since. I think it would be the greatest injury that could happen to the Academy and to the Navy to shorten the course to four years and to take upon the naval list for life—for life, be it understood—all these graduates of the Academy at the end of four years who may know their academic studies well but do not know anything about the ocean.

Mr. LINDSAY. It is a very singular statement to make upon the floor of the Senate of the United States that after the young men have been educated for four years with a special view to making them seamen they come out knowing less about the sea than they know about anything else.

Mr. CHANDLER. Who said anything of that sort—if the Senator will allow me? I did not.

Mr. LINDSAY. I think if the Senator will have read from the stenographer's notes he will find that I have not misstated him.

Mr. CHANDLER. I will trust the stenographic report. They take short cruises at sea, but they do not go out upon the ocean and they do not find out whether seasickness will drive them ashore again.

Mr. LINDSAY. Then, if that be the case, we had practically as well abolish the Naval Academy and make the test two years service at sea for any man who has received a fairly good scholastic education.

In 1872, when we added these two years' sea service to the course at Annapolis, we had more naval officers than we could find places for. Our navy was going downhill. We had no places to assign these cadets to, and therefore we attempted to stop the accumulation of officers who could not be put to service, by adding the two years' sea service before they should be commissioned. But in 1899, when we are about to have a navy that requires additional officers, the theory of the committee is that we shall go into civil life and find them, instead of taking the men we have educated with a special view for service at sea. I think the Navy Department is right, and I think the House is right, and I think it will be a great mistake to strike out these two sections, and thus make places for men who have not been educated with a special view to serving as officers in the Navy of the United States, however deserving or meritorious they may be.

Mr. LODGE obtained the floor.

Mr. TILLMAN. Will the Senator from Massachusetts allow me, for just a moment, to repeat a quotation?

Mr. LODGE. Certainly.

Mr. TILLMAN. I will simply quote some doggerel poetry I learned some time ago, as exemplifying the argument of the Senator from Kentucky. As I understand it, his idea is:

"Mother, may I go out to swim?"
"Yes, my darling daughter;
Hang your clothes on a hickory limb
And don't go near the water."

[Laughter.]

Mr. LINDSAY. I will say to the Senator from South Carolina that that is probably the best speech he has made since he has been a member of this body. [Laughter.]

Mr. LODGE. Mr. President, I perhaps do not give the same importance to the question involved in this amendment that the members of the committee do or that the Senator from Kentucky, on the other side, gives to it, but I do think that the change proposed by the committee is a sound and sensible one. I think to abolish the two years' cruise at the end of the four years' academic course would be a mistake in the education of our naval officers. I believe very firmly that the only place to make a seaman is at sea, and for that reason I am utterly opposed to the present tendency to educate our naval apprentices in barracks. I think our naval apprentices ought to go to sea and learn their profession there, and I think the men whom we train as officers, to whom we give four careful years of academic education, with a special fitting for their future life, should have the two years at sea.

I also think, Mr. President, that no possible harm can be done by the proposed appointments from civil life. In my judgment, they will be very few. I doubt very much if, under the restrictions made, they will reach ten or a dozen in all; and I confess I can not see any objection to taking in a few men who served in the war with Spain, who showed special aptitude for naval life, and who are so energetic and determined that they are ready to train and fit themselves to pass the necessary examination. Therefore, I shall vote for this amendment, and I hope it will be retained; but it does not seem to me that this or any other amendment touches the vital points of this measure, which are three in number.

The first and most important is that it relieves the present stagnation in promotion, making it impossible, so far as we can devise, that men 50 years of age shall find themselves still on the lieutenants' list. The other great point is the merging of the Engineer Corps, getting that great corps into a proper position, and getting rid, once and for all, of the controversy between the engineers as part of the staff and the line. The importance of that corps has risen with the change in the ships, and I think no wiser measure could have been proposed than to give the engineers a place in the line, which this bill proposes. The third and, to my mind, one of the most important advantages in the bill is that which increases the pay of naval officers. I can not see why naval officers should not have the same rates of pay as officers of the Army and the Marine Corps, and that is all the bill undertakes to do in that direction.

The Navy of the United States has never failed the country in any war in which we have been engaged. Its whole history is a record of unbroken victory; and it seems to me that it is in the highest degree unjust that the victors of Manila and Santiago, men like Dewey, in command of the fleet, or like Wainwright, in command of the *Gloucester*, should receive less pay than an officer of the Army or an officer of the Marine Corps with whom he stands side by side. We pay our sailors better than the sailors of any other country are paid, but we pay our officers, especially in the higher grades, much less. There is no danger, in my judgment, that the officers of the American Navy will ever receive compensation at all adequate to the great debt which the country owes them. I think giving them the same pay as is given to officers of the Army and the Marine Corps is not giving them so much compensation as they really deserve, but it is at least a bare act of justice.

This bill, Mr. President, in my opinion, is one of the best and most useful measures that have been before Congress. It will be worth to the Navy, in my opinion, many ships, for it will put the organization once and for all on a proper basis. With respect to a great and useful measure like this it seems to me no amendment should be allowed to interfere with its passage. I do not think any amendment has been proposed in the Senate which does not distinctly benefit the bill. I hope that whatever happens we shall in any event secure the passage of this great bill for the benefit of the American Navy, whatever may be the fate of particular amendments.

Mr. CHANDLER. Mr. President, it is so important that the pending bill shall pass this afternoon, if it is to become a law, that I shall take only a moment to assure the Senate that there is no danger of any injurious increase of the Navy by appointments from civil life. Senators will observe that the amendment on page 7, in the first place, limits the number of appointments to 40 in all.

Mr. CHILTON. Will the Senator excuse me? Does he understand that that power will be exhausted whenever the 40 are appointed; it will not be continuing?

Mr. CHANDLER. There can never be more than 40 appointments made in all. Then no person can be appointed who is more than 25 years of age; no person can be appointed unless he has had meritorious service in the Navy or Marine Corps during the war with Spain; no person can be appointed unless he has had a physical and professional examination. And before any appointment can be made the President is charged with the duty of making it certain that every one of the six classes now at the Naval Academy who shall finally graduate shall receive his commission in the Navy. More than that, these appointments are only to be made from time to time as the actual needs of the naval service require.

Mr. President, it is my belief that there will not result from these appointments more than two or three or four or five appointments a year during the next five or six years. I am just as much opposed as the Senator from Kentucky [Mr. LINDSAY] to opening a wide door into the Navy from civil life; and if there were danger of any injury to result from this clause, I would be as anxious as the Senator from Kentucky to have it stricken out. But I beg to assure Senators that there is no such danger.

The Senator from Massachusetts [Mr. LODGE] has concisely stated the great merits of this bill. The amendments which have been made by the Senate, the retention of the six years' course at the Naval Academy and the discrimination in the pay of the officers of the Navy between sea pay and shore pay, are, in my judgment, vital. With those clauses in the bill I believe it can become

a law at the present session of Congress. Without those clauses in the bill I fear there will be so much debate, discussion, and controversy that the bill will not become a law. As a most useful and important bill to the welfare of the Navy, I hope it may be passed this afternoon.

Mr. LINDSAY. Mr. President, what is the pending question? I understand the bill has been reported from the Committee of the Whole, but that the question is on concurring in the amendments made as in Committee of the Whole.

The VICE-PRESIDENT. The bill is in the Senate, and the question is on concurring in the amendments striking out sections 13 and 14.

Mr. LINDSAY. I desire to offer an amendment to take the place of section 13.

The VICE-PRESIDENT. As a new section?

Mr. LINDSAY. As a new section to take the place of section 13.

The VICE-PRESIDENT. The Senator from Kentucky offers an amendment, which will be stated.

The SECRETARY. It is proposed to insert as a new section the following:

SEC. 13. That all the naval cadets of the line and engineer divisions who shall have completed the four years' course at the Naval Academy and who served at sea in the late war with Spain shall be commissioned in the lowest grade of the line or Marine Corps, and the members of each class shall take rank among themselves according to their graduating multiples as determined at the end of the four years' course at the Naval Academy.

Mr. LINDSAY. That amendment places the cadets who have served four years at Annapolis and are now at sea, and who served at sea during the recent war with Spain, upon the same footing with the civilians whom the bill proposes to make eligible to appointment in the Navy.

Mr. HALE. I have no objection to the amendment.

Mr. LINDSAY. If that amendment can be adopted, I have nothing further to say.

Mr. HALE. It simply gives them the preference in appointment.

The amendment to the amendment was agreed to.

The amendment as amended was concurred in.

Mr. CHILTON. The Senator from New Hampshire did not seem to catch the point of the inquiry which I made a few moments ago, and I desire to present a similar inquiry to the Senator from Maine, the chairman of the committee.

The section which has been adopted as an amendment as in Committee of the Whole, commencing at line 17 of page 7, reads:

And provided further, That whenever the actual needs of the naval service require it the President is authorized, after reserving vacancies sufficient for the six classes of cadets now at the Naval Academy or at sea, as they may respectively graduate, to appoint from time to time ensigns in the Navy, not to exceed 40 in all.

Then it proceeds to give the qualifications, which are, in my judgment, very appropriate. It seems to me, however, that that language might possibly bear the construction that 40 more appointments, continuous appointments, are vested in the President. For example, he now has 10 and it might be construed to vest in him, until there shall be a repeal of the law, a continuous power of making 40 appointments.

Mr. COCKRELL. What is the number of that section?

Mr. CHILTON. It is on page 7.

Mr. SPOONER. It is section 9.

Mr. CHILTON. I am assured by members of the committee that the design is simply to give the President authority to make 40 appointments, and that whenever those 40 appointments are made his authority is exhausted and that it is not the intention to give him a continuous power of keeping 40 more appointees in the Navy. I should like to hear from the chairman of the committee on that subject.

Mr. HALE. It clearly is not intended to be a continuing provision. If the Senator can suggest any language that would make that an absolute certainty, I would be entirely willing to accept it. I think the provision is clear in connection with what goes before it and what comes after it.

Mr. CHILTON. I would suggest that the Senator from New Hampshire and the Senator from Maine are very familiar with the subject, and they may suggest appropriate language to make the meaning clear.

Mr. CHANDLER. Let me correct the statement the Senator from Texas made when he spoke of the President having authority to appoint 10 now. He has authority to keep 10 cadets at the Naval Academy at all times. That has no relation to this subject. He can appoint 40 ensigns in the Navy, and no more, and of course when he has appointed those his authority ceases; and the limitation of the number of ensigns is that made by existing law or by the provisions of this bill.

Mr. COCKRELL. I move, after the word "all," in line 22, to insert "at any one time."

Mr. CHILTON. I do not think that would help it. That would make it the other way, if anything.

Mr. HALE. It would work the other way.

Mr. COCKRELL. How would it work the other way?

Mr. HALE. We do not want it to be 40 at any time. We want it to be exhaustive in itself, and to be only 40 in the whole time.

Mr. COCKRELL. Only 40, and then drop back to 10.

Mr. HALE. It has nothing to do with the 10.

Mr. CHANDLER. There is no question of 10 in the case.

Mr. CHILTON. It has nothing to do with that. I merely mentioned by way of illustration that the President now appoints 10, and it might be said that he is hereafter to have 40 appointments in his power.

Mr. COCKRELL. What time does he have in which to make these appointments? It looks to me like a continuing clause from time to time.

Mr. HALE. He has to adjust it to the needs of the six classes, which is the conservative feature of the provision. He can not rush them all in.

Mr. CHILTON. That is all right.

Mr. HALE. I doubt whether as many as 6 or 8 or 10 in all will be put in under this provision. He has got to adapt the whole thing to the needs and possibilities of graduation of the six classes. He has got to save places for them as they are needed, and the limitation of 40 in all, with attainments that they must have, with the qualifications and examinations, will prevent almost every appointment. In looking at it I doubt whether when the President comes to undertake it he can find any bright young men who will stand the examination and will be under 25 years of age, and every year makes it less and less likely, because they are getting older and older. We guarded it as well as we could.

Mr. CHANDLER. I have drawn an amendment. I think it is entirely unnecessary, but if the Senator from Texas wishes to have it made I will offer it.

Mr. CHILTON. I suggested to the Senator to draw it. He is very apt in such matters.

Mr. CHANDLER. After the word "all" insert:

And no additional appointments after that number has been appointed shall be made.

Mr. SPOONER. That will not help it.

Mr. COCKRELL. Let us hear how it will read.

The VICE-PRESIDENT. The Secretary will read the amendment of the Senator from New Hampshire.

The SECRETARY. At the end of line 22, after the word "all," insert:

And no additional appointments after that number has been appointed shall be made.

The amendment was agreed to.

The VICE-PRESIDENT. The question is on concurring in the amendments made as in Committee of the Whole.

The amendments were concurred in.

The amendments were ordered to be engrossed and the bill to be read a third time.

The bill was read the third time, and passed.

Mr. HALE. I move that the Senate request a conference with the House of Representatives on the bill and amendments.

The motion was agreed to.

By unanimous consent, the Vice-President was authorized to appoint the conferees on the part of the Senate; and Mr. HALE, Mr. CHANDLER, and Mr. TILLMAN were appointed.

REORGANIZATION OF THE ARMY.

Mr. HAWLEY. I give notice that on Monday, as soon as convenient after the morning business, I shall move to take up for consideration the Army reorganization bill and make it the unfinished business, and I shall try to the best of my ability to press it to some conclusion.

Mr. HAWLEY subsequently said: I find that I did not speak with precision or I was not clearly heard. I wish to give notice again that on Monday, immediately after the morning business, I shall move to take up the Army reorganization bill.

On motion of Mr. COCKRELL, it was

Ordered, That there be printed for the use of the Senate 600 additional copies of House bill 11022 and Senate bill 5516, and the reports of the Military Committee thereon.

PENSACOLA AND NORTHWESTERN RAILROAD.

Mr. MALLORY. I ask unanimous consent to call up House bill 11736.

Mr. GALLINGER. I do not know that I shall object to the Senator's bill, but I will call the attention of the Chair to the fact that a unanimous agreement was reached that at the conclusion of the naval personnel bill the Pension Calendar should be considered.

The VICE-PRESIDENT. The Chair announces to the Senate that under the unanimous-consent agreement it will now proceed with the Pension Calendar.

Mr. GALLINGER. I will yield to the Senator from Florida if the bill does not provoke debate.

Mr. MALLORY. I ask the Senate to proceed to the consideration of the bill (H. R. 11736) granting the right and authority to the Pensacola and Northwestern Railroad Company to build bridges over certain rivers in the State of Alabama.

There being no objection the Senate, as in Committee of the Whole, proceeded to consider the bill.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

STATUE OF FRANCIS E. SPINNER.

Mr. HANSBROUGH. I ask the Senator from New Hampshire if he will yield to me a moment to call up Senate joint resolution No. 73?

The VICE-PRESIDENT. Does the Senator from New Hampshire yield to the Senator from South Dakota?

Mr. GALLINGER. I will yield to the request if the joint resolution does not provoke debate.

Mr. HANSBROUGH. It will not lead to any debate. I ask for the present consideration of the joint resolution (S. R. 73) for the location and erection of a statue of Francis E. Spinner at the Treasury Department building in Washington.

There being no objection, the Senate, as in Committee of the Whole, proceeded to consider the joint resolution, which had been reported from the Committee on the Library with an amendment, which was to strike out all after the resolving clause and insert:

That permission be, and the same is hereby, granted to the General Spinner Memorial Association to erect said statue at such place in the city of Washington, other than the Capitol or Library grounds, as shall be designated by a committee composed of the Joint Committee on the Library, the Superintendent of Public Buildings and Grounds, and the president of the General Spinner Memorial Association; and the sum of $2,500, or so much thereof as may be necessary, is hereby appropriated, out of any money in the Treasury not otherwise appropriated, for the erection of a pedestal upon which to place said statue.

The amendment was agreed to.

The joint resolution was reported to the Senate, as amended, and the amendment was concurred in.

The joint resolution was ordered to be engrossed for a third reading, read the third time, and passed.

The committee reported the following preamble, which was agreed to:

Whereas the ladies employed in the United States Treasury Department and others have raised a fund for and have caused to be executed a bronze statue of Gen. Francis E. Spinner, Treasurer of the United States from March 16, 1861, to June 30, 1875, in commemoration of his faithful public service, and especially as a token of their admiration and gratitude for his successful endeavors in behalf of the employment of women in the civil service of the United States: Therefore,

The title was amended so as to read: "A joint resolution granting permission for the erection of a bronze statue in Washington, D. C., in honor of Gen. Francis E. Spinner, late Treasurer of the United States."

CODE FOR ALASKA.

Mr. CARTER. With the permission of the Senator from New Hampshire, I renew my request for unanimous consent that immediately after the conclusion of the order of business which the Senator from New Hampshire has in charge, the Secretary shall proceed with the formal reading of the House bill 8571, known as the Alaska bill, to and including page 248 of the bill, that being the criminal code.

The VICE-PRESIDENT. Unanimous consent is asked by the Senator from Montana that, immediately after the conclusion of the Pension Calendar, the bill known as the Alaska bill shall be taken up for a formal reading. Is there objection?

Mr. TILLMAN. When will the reading begin?

The VICE-PRESIDENT. At the conclusion of the Pension Calendar.

Mr. TILLMAN. That is an indefinite time. We do not know when it will be. That will depend upon how much of a Pension Calendar we have.

Mr. CARTER. I am advised by the Senator from New Hampshire that the Pension Calendar will require about one hour's time, and my request is that thereafter the reading of the Alaska bill shall proceed.

Mr. GALLINGER. Possibly it will take a little longer. I did not indicate that definitely as the time.

Mr. TILLMAN. The idea, then, is to get through with the reading this evening?

Mr. CARTER. To get through this evening. It will not take over an hour and a half or two hours.

Mr. TILLMAN. I understand that the Senator has eliminated all of the Senate committee amendments?

Mr. CARTER. Not all of the Senate committee amendments.

Mr. TILLMAN. But practically all?

Mr. CARTER. Practically all, save and except those that relate to the criminal code, or code of criminal procedure, known as the Senate bill.

Mr. FORAKER. I wish to say to the Senator from Montana that that agreement will not interfere with what I am about to propose and ask, and that is unanimous consent for the consideration at this time of House bill 1217.

Mr. CARTER. I ask the Senator from Ohio to desist for a moment until the unanimous consent proposed shall have been presented to the Senate.

Mr. FORAKER. I am only stating what it is that I propose.

The VICE-PRESIDENT. Is there any objection made to the request of the Senator from Montana?

Mr. COCKRELL. Let us hear it exactly.

Mr. CARTER. The request for unanimous consent is that immediately on the conclusion of the business presented by the Senator from New Hampshire under the order heretofore made the formal reading of the Alaska bill shall proceed, the bill as amended by the statement yesterday made only to be read—that is, the criminal code, the code of criminal procedure, and the amendments germane thereto—being that portion of the bill as reported to and including page 248, which eliminates more than two-thirds of the bill as reported to the Senate. The reading will require probably an hour and a half to two hours.

Mr. COCKRELL. I shall not object to the commencement of the reading and to reading as far as we can; but the request does not include that it shall be completed to-night?

Mr. CARTER. I do not so understand, if any Senator desires to move an adjournment before the completion of the reading.

The VICE-PRESIDENT. Is there any further objection? The Chair hears none. The order is made.

THOMAS G. TIERNON.

Mr. FORAKER. I ask unanimous consent for the immediate consideration of House bill 1217.

Mr. GALLINGER. I will take the liberty to state at this point that I want to be very courteous to all Senators, but at the same time I have a duty to perform as regards the Pension Calendar. I will yield to the Senator from Ohio, and likewise to the Senator from Florida [Mr. PASCO], who has a bill in which the Senator from Indiana [Mr. TURPIE] is interested, and who is unavoidably absent from the Chamber. Then I must insist upon the regular order.

Mr. FORAKER. I ask unanimous consent for the present consideration of the bill (H. R. 1217) for the relief of Thomas G. Tiernon, late captain of Company H, Tenth Ohio Volunteer Infantry.

There being no objection, the Senate, as in Committee of the Whole, proceeded to consider the bill. It directs the Secretary of War to revoke the order dishonorably discharging Thomas G. Tiernon, late captain of Company H, Tenth Ohio Volunteer Infantry, and to issue to him an honorable discharge, to date from the 12th of December, 1861, and provides that no pay, bounty, or other emoluments shall become due or payable by virtue of this act.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

AGRICULTURAL APPROPRIATION BILL.

Mr. CULLOM. I ask the Chair to lay before the Senate the action of the House of Representatives on the Agricultural appropriation bill, so that a conference committee may be appointed.

The VICE-PRESIDENT laid before the Senate the action of the House of Representatives disagreeing to the amendments of the Senate to the bill (H. R. 11266) making appropriations for the Department of Agriculture for the fiscal year ending June 30, 1900, and asking for a conference with the Senate on the disagreeing votes of the two Houses thereon.

Mr. CULLOM. I move that the Senate insist upon its amendments and agree to the conference asked for by the House of Representatives.

The motion was agreed to.

By unanimous consent, the Vice-President was authorized to appoint conferees on the part of the Senate, and Mr. CULLOM, Mr. QUAY, and Mr. PETTIGREW were appointed.

GEORGE ALCOTT.

Mr. PASCO. The Senator from New Hampshire [Mr. GALLINGER] has kindly yielded to me that I may ask unanimous consent of the Senate for the consideration at this time of the bill (H. R. 1794) to remove the charge of desertion now standing against George Alcott on rolls of the War Department.

I am advised that the Senator from Indiana [Mr. TURPIE], who is now absent, is interested in this bill, which has received the unanimous report of the Committee on Military Affairs.

There being no objection, the Senate, as in Committee of the Whole, proceeded to consider the bill. It directs the Secretary of War to remove from the rolls and records of the War Department the charge of desertion now standing against George Alcott, late a private in Company C, One hundred and fifty-second Regiment Indiana Volunteer Infantry, and to issue to him an honorable discharge to bear date June 13, 1865, and provides that no pay, bounty, or other emoluments shall become due or payable by virtue of this act.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

PROCEDURE IN PENSION CASES.

The VICE-PRESIDENT. The Pension Calendar is now in order.

Mr. LINDSAY. Notwithstanding the very peremptory statement of the chairman of the Pension Committee that he would give way to no other business, I desire to call his attention to House bill No. 80, providing procedure in certain pension cases,

reported from the Pensions Committee with instructions that I should call it up at the first favorable opportunity. I take it that I will get no more favorable opportunity than when the chairman of the Pension Committee has the floor.

Mr. GALLINGER. That is a general pension bill in which I am interested, and I should be very glad to yield for that bill to be considered. I think it will probably provoke no debate.

The VICE-PRESIDENT. The Senator from Kentucky asks unanimous consent for the present consideration of the bill named by him. Is there objection?

There being no objection, the Senate, as in Committee of the Whole, proceeded to consider the bill (H. R. 80) providing procedure in certain pension cases.

The VICE-PRESIDENT. The amendments reported by the Committee on Pensions will be stated.

Mr. HOAR. I should like to ask the Chair to delay putting the question one moment.

Mr. GALLINGER. There are certain amendments reported by the committee.

Mr. TELLER. I wish the chairman of the committee or some member of the committee would explain what that bill is. It seems to me a pretty important bill to be passed here without any debate or any knowledge on the part of many Senators of what it contains.

Mr. GALLINGER. I will say, in response to the Senator from Colorado [Mr. TELLER], that the Senator from Kentucky [Mr. LINDSAY] has had charge of this bill. It was considered by the Committee on Pensions and referred to a subcommittee, of which the Senator from Kentucky was chairman. So he is better acquainted with it than I am, and I wish he would take charge of it and answer the Senator from Colorado.

Mr. LINDSAY. Mr. President, the character of the bill is this: The practice of discontinuing or modifying pensions by the Pension Bureau on information which comes in a confidential way, of which the pensioner has no knowledge and as to which he has no access, has led to controversies, as Senators all know. Some years ago, I believe, Congress undertook to treat a pension as a vested right, but the courts did not sustain that proposition.

This bill now provides that wherever the fact comes to the notice of the Pension Commissioner that a pension ought to be discontinued he shall cause to be prepared a statement of facts upon which action is to be taken; that before the pension shall be set aside or discontinued a notice of these facts shall be furnished to the pensioner; that thereupon a special commissioner shall be appointed, before whom the Government and the pensioner may each have a hearing, and that the testimony, when taken, shall be sent to the Pension Bureau and passed upon by the Pension Bureau authorities, the question then to be there finally disposed of.

It seems to be only fair to the pensioner, who is prima facie entitled to his pension, that he shall have a hearing and an opportunity to meet charges which may be made against him before final action shall be taken; and this bill provides a process by and through which that may be done.

Mr. HOAR. May I ask the Senator from Kentucky where this hearing is to be had?

Mr. LINDSAY. The hearing is to be had at the post-office or town nearest the residence of the pensioner.

Mr. HOAR. I believe we have a considerable number of pensioners residing out of the country, have we not?

Mr. TELLER. Yes. We have some in Canada and some in various parts of Europe.

Mr. HOAR. Such cases ought to be in some way provided for.

Mr. TELLER. I want to ask the Senator from Kentucky if what he has stated is all that the bill contains?

Mr. LINDSAY. That is all the bill contains.

Mr. TELLER. I do not desire to retard the passage of the bill. I think it is a very good thing. I know myself of some very great hardships which have been inflicted upon good, honest pensioners. There fell under my observation a case where for ten or twelve years a pensioner had been unable to secure his pension and was unable to ascertain what complaint had been made against him. Finally, after eight or ten years or more, he succeeded in convincing the Department that they never ought to have suspended his pension. I am in hearty sympathy with the movement as I now understand it.

Mr. LINDSAY. The bill as it came from the House of Representatives provided that the confidential letters sent to the Pension Bureau should be shown or exhibited to the pensioner. The committee of the Senate were of opinion that under such conditions very few men would care to write or furnish information. So we struck out that provision and inserted in lieu thereof a provision that a statement of facts upon which the action was to be based should be prepared by the Commissioner of Pensions, or under his direction, and that statement furnished to the pensioner.

Mr. HOAR. I suggest to the Senator from Kentucky that there should be a provision that in the case of a pensioner residing out of the country the hearing should be at some convenient place, to be fixed by the Secretary of the Interior, or some other authority, who would have the direction of it; otherwise I do not see how the act can operate at all upon such a pensioner.

Mr. LINDSAY. I will say to the Senator that the attention of the committee was not called to that fact; it did not occur to any member of the committee; there was no provision made for it by the House of Representatives, and the session being so nearly at a close, we thought it not prudent to make any amendment that would not commend itself to everybody.

Mr. HOAR. I thought that the committee had proposed amendments.

Mr. LINDSAY. We propose only this amendment, that instead of exhibiting to the pensioner the confidential communication upon which the Pension Office proposes to act, the facts stated should be embodied in a statement made by the Commissioner and the confidence of the correspondent not betrayed. If the Senator will prepare such an amendment as he suggests, the committee will doubtless accept it.

Mr. JONES of Arkansas. I understood the Senator from Kentucky to state that the hearing provided for should be had before a special commissioner.

Mr. LINDSAY. A special examiner.

Mr. JONES of Arkansas. A special examiner. Does the Senator mean that an examiner is to be appointed for a single hearing?

Mr. LINDSAY. Oh, no. I take it, and the committee so understood, that the special examiners now in the field——

Mr. JONES of Arkansas. Those already employed?

Mr. LINDSAY. Those already employed should give the hearing.

Mr. HOAR. I suggest that on page 3, line 6, there should be inserted:

Or if the pensioner reside outside of the limits of the United States, then at some convenient place within the United States, to be fixed by the Secretary of the Interior.

Mr. LINDSAY. For the committee I will accept that amendment.

Mr. SPOONER. Mr. President, what objection is there to informing the pensioner whose pension is attacked of the names of the witnesses upon whose statements the attack has been made?

Mr. LINDSAY. The pensioner will have an opportunity to cross-examine all the witnesses. The point is that many men may know a man is drawing a pension who is not entitled to it, but he is their neighbor, perhaps the kinsman of their neighbors, and they are willing to give information, although they are not witnesses, to the Pension Department, but will not do it if their letters are exposed and the odium of being informers is to be attached to them.

Mr. SPOONER. It may be wise to withhold the letters, but why may the pensioner not have the names of the writers?

Mr. LINDSAY. There is nothing in the bill to prevent him having the names. The bill says that a statement of facts shall be prepared. I ask the Secretary to read lines 14, 15, 16, and 17 of section 2, on page 2 of the bill.

The Secretary read as follows:

Such special examiner shall, as soon as practicable thereafter, and having first given such pensioner and the person making such statement at least twenty days' notice thereof, in writing, proceed to take such evidence as may be submitted to him touching the merits of such case.

Mr. LINDSAY. There is no secrecy about this. The pensioner has twenty days' notice before the examination commences, and I take it there is no more reason why the Government should give him the names of the witnesses it intends to call than that any other litigant should give the names of the witnesses on whom he expects to rely.

Mr. SPOONER. I do not mean the names of the witnesses to be called by the Government, but the name or names of the person or the persons who make the charges.

Mr. LINDSAY. That was the very thing we were trying to provide against. No man is likely to make a charge against his neighbor in a matter in which he has no interest, except the interest which attaches to good citizenship, if his name is to be exposed and he is to incur the antagonism, odium, and hostility of the party whom he supposes to be fraudulently drawing a pension and all his kinsfolk. There is no reason why the name should be given to the pensioner. The question is to try whether or not he is entitled to the pension he has been drawing and not who has given the information to the Government, which the Government never could acquire unless somebody should furnish it.

I now ask that the committee amendments may be acted upon.

The first amendment reported by the Committee on Pensions was, in section 2, on page 2, line 5, after the word "facts," to strike out "duly sworn to;" after the words "shall be," at the end of the same line, to strike out "filled with" and insert "first prepared by or under the direction of;" in line 7, after the word "Pensions," to strike out "by the person or officer of the United States making such allegation, when said statement is filed in the Pension Department, or within thirty days thereafter" and insert "and;" and in line 10, before the word "transmitted," to strike out "shall be;" so as to read:

That in every case where an adjudicated pension is sought to be withheld, suspended, modified, or canceled, a full statement of all the facts shall be first

prepared by or under the direction of the Commissioner of Pensions, and a certified copy of the same transmitted to the pensioner whose pension is sought to be so withheld, suspended, modified, or canceled, and the case assigned to a special examiner of the Pension Department for investigation.

The amendment was agreed to.

The next amendment was, in the same section, on page 3, line 15, before the word "Interior," to strike out "Pension and;" and after the word "Interior," to strike out "Departments" and insert "Department;" so as to make the clause read:

If said charge is sustained, then said pension shall be withheld, modified, suspended, or canceled, as the Commissioner of Pensions shall determine; but no pension shall be withheld, suspended, modified, or canceled until a full determination of said investigation. The right of appeal shall remain as now allowed by the Interior Department.

The amendment was agreed to.

The VICE-PRESIDENT. The amendment proposed by the Senator from Massachusetts [Mr. HOAR] will now be stated.

The SECRETARY. On page 3, section 2, line 6, after the word "resides," it is proposed to insert:

Or if the pensioner reside outside of the limits of the United States, then at some convenient place within the United States, to be fixed by the Secretary of the Interior.

The VICE-PRESIDENT. The question is on the amendment proposed by the Senator from Massachusetts.

The amendment was agreed to.

The bill was reported to the Senate as amended, and the amendments were concurred in.

The amendments were ordered to be engrossed and the bill to be read the third time.

The bill was read the third time, and passed.

EMER H. ALDRICH.

Mr. GALLINGER. Let the first bill on the Private Pension Calendar be stated.

The SECRETARY. A bill (H. R. 9801) granting an increase of pension to Emer H. Aldrich.

Mr. GALLINGER. I will say that that bill has been read in full, as in Committee of the Whole, and reported to the Senate. The only question was as to the discrepancy between the name in the title and in the body of the bill. It should be "Emer H. Aldrich" in line 6, to correspond with the name in the title.

The VICE-PRESIDENT. The question is upon the correction of the name.

Mr. GALLINGER. I move to substitute the initial "H" for the initial "A," in line 6; so as to read "Emer H. Aldrich."

The amendment was agreed to.

The bill was reported to the Senate as amended, and the amendment was concurred in.

The amendment was ordered to be engrossed and the bill to be read a third time.

The bill was read the third time, and passed.

DAVID W. PENNYWITT.

The bill (H. R. 726) granting an increase of pension to David W. Pennywitt was considered as in Committee of the Whole. It proposes to place on the pension roll the name of David W. Pennywitt, late of Company I, Thirty-ninth Regiment Ohio Volunteers, and to pay him a pension of $24 per month in lieu of the pension he now receives.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

TAYLOR M'FARLAND.

The bill (H. R. 6831) granting an increase of pension to Taylor McFarland was considered as in Committee of the Whole. It proposes to place upon the pension roll the name of Taylor McFarland, late a private in Company E, Twelfth Regiment Pennsylvania Volunteers, and private in Company K, Eighth Regiment Pennsylvania Volunteers, and to pay him a pension of $24 per month in lieu of the pension he is now receiving.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

ELEANOR M'DEVITT.

The bill (S. 3003) granting a pension to Eleanor McDevitt was considered as in Committee of the Whole.

The bill was reported from the Committee on Pensions with amendments, in line 8, after the word "Infantry," to insert "and pay her a pension;" and in line 9, before the word "dollars," to strike out "eight" and insert "twelve;" so as to make the bill read:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of Eleanor McDevitt, widow of Frank McDevitt, who served in the late war as a scout with the Twenty-fifth Missouri Infantry, and pay her a pension at the rate of $12 per month.

The amendments were agreed to.

The bill was reported to the Senate as amended, and the amendments were concurred in.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

ELLIE KEE.

The bill (S. 2037) granting a pension to Ellie Kee was considered as in Committee of the Whole.

The bill was reported from the Committee on Pensions with amendments, in line 4, after the word "roll," to insert "subject to the provisions and limitations of the pension laws;" in line 7, after the word "pension," to insert "at the rate;" and in line 8, before the word "dollars," to strike out "fifteen" and insert "twelve;" so as to make the bill read:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of Ellie Kee, widow of the late Thomas Kee, Company F, Seventh Wisconsin Volunteer Infantry, and pay her a pension at the rate of $12 per month.

The amendments were agreed to.

The bill was reported to the Senate as amended, and the amendments were concurred in.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

MARGARET WILBER.

The bill (H. R. 258) granting a pension to Margaret Wilber was considered as in Committee of the Whole.

The bill was reported from the Committee on Pensions, with an amendment to strike out all after the enacting clause and insert:

That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of Margaret Wilber, mother of Thomas E. Brooks, late of Company I, One hundred and fortieth New York Infantry, and pay her a pension at the rate of $8 per month.

Mr. GALLINGER. While this bill coming from the House of Representatives is in bad form and the committee propose an amendment to it, I ask the Senate to disagree to the amendment of the committee and that the bill be passed in the form it came from the House of Representatives.

The VICE-PRESIDENT. The question is on the amendment reported by the Committee on Pensions.

The amendment was rejected.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

JULIA M. JOHNSON.

The bill (S. 2049) granting a pension to Julia M. Johnson was considered as in Committee of the Whole.

The bill was reported from the Committee on Pensions with amendments, in line 4, after the word "roll," to strike out "at the rate of $50 per month" and insert "the name of;" and in line 6, after the name "Johnson," to insert "and pay her a pension at the rate of $30 per month;" so as to make the bill read:

Be it enacted, etc., That the Secretary of the Interior be, and he hereby is, authorized and directed to place on the pension roll the name of Julia M. Johnson, widow of Bvt. Maj. Gen. Richard W. Johnson, and pay her a pension at the rate of $30 per month.

The amendments were agreed to.

The bill was reported to the Senate as amended, and the amendments were concurred in.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

MRS. REBECCA S. FOSTER.

The bill (H. R. 3271) to increase the pension of Mrs. Rebecca S. Foster was considered as in Committee of the Whole.

The bill was reported from the Committee on Pensions with amendments, in line 4, after the word "place," to insert "on the pension roll;" in line 7, after the word "Infantry," to strike out "upon the pension roll," and in line 8, before the word "month," to strike out the letter "a" and insert "per;" so as to make the bill read:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll the name of Rebecca S. Foster, widow of the late Lieut. Col. John A. Foster, of the One hundred and seventy-fifth Regiment of New York Volunteer Infantry, and pay her a pension at the rate of $40 per month in lieu of the pension she now receives.

Mr. COCKRELL. I should like to know why this pension is left at $40 per month and the pension of the widow of a brevet major-general was cut down from $50 to $30?

Mr. GALLINGER. I will say to the Senator that I think there is no reason on earth why it should be so, but the bill came over from the other House in this form.

Mr. COCKRELL. What is the rate of pension for the widow of a lieutenant-colonel?

Mr. GALLINGER. I will say to the Senator before he makes the motion which I suppose he intends to make that if the bill is reduced, as I think he proposes to reduce it, it will not benefit the claimant at all, as she is now receiving $30 per month.

Mr. COCKRELL. Then I object to the consideration of the bill.

Mr. GALLINGER. Let the bill go over.

The VICE-PRESIDENT. The bill goes over.

LUCY D. HEADY

The bill (H. R. 909) granting an increase of pension to Lucy D. Heady was considered as in Committee of the Whole.

The bill was reported from the Committee on Pensions with amendments, in line 4, after the word "place," to insert "on the pension roll;" in line 6, after the word "Volunteers," to strike out "on the pension roll;" in line 7, before the word "dollars," to strike out "eighteen" and insert "twelve;" and in line 8, after the word "month," to insert "in lieu of that she is now receiving;" so as to make the bill read:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll the name of Lucy D. Heady, widow of Henry Heady, late of Company F, Eighty-ninth New York Volunteers, and pay her a pension at the rate of $12 per month in lieu of that she is now receiving.

Mr. GALLINGER. I ask the Senate to disagree to the amendments of the committee.

The amendments were rejected.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

MARY J. FREEMAN.

The bill (S. 3001) granting a pension to Mary J. Freeman was considered as in Committee of the Whole.

The bill was reported from the Committee on Pensions with an amendment, to strike out all after the enacting clause and insert:

That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of Mary J. Freeman, widow of David Freeman, late of Company H, One hundred and sixty-eighth Regiment Ohio (National Guard) Infantry, and pay her a pension at the rate of $12 per month in lieu of that she is now receiving.

The amendment was agreed to.

The bill was reported to the Senate as amended, and the amendment was concurred in.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

The title was amended so as to read: "A bill granting an increase of pension to Mary J. Freeman."

NANCY A. DOWELL.

The bill (S. 1907) granting a pension to Nancy A. Dowell, widow of Benjamin Franklin Dowell, of Oregon, who served with the Oregon Volunteers in the years 1853, 1854, 1855, and 1856, was considered as in Committee of the Whole.

The bill was reported from the Committee on Pensions with an amendment, to strike out all after the enacting clause and insert:

That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of Nancy A. Dowell, widow of Benjamin F. Dowell, late pack master, Major Drew's command, Oregon Volunteers, and pay her a pension at the rate of $8 per month.

The amendment was agreed to.

The bill was reported to the Senate as amended, and the amendment was concurred in.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

The title was amended so as to read: "A bill granting a pension to Nancy A. Dowell."

SUSAN A. GUMMER.

The bill (H. R. 2700) granting an increased pension to Susan A. Gummer was considered as in Committee of the Whole.

The bill was reported from the Committee on Pensions with amendments, in line 7, before the word "lieutenant," to strike out "first" and insert "second;" in line 8, before the word "pay," to strike out "that he;" and in line 9, after the word "off," to strike out "the pension" and insert "that;" so as to make the bill read:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of Susan A. Gummer, widow of John Gummer, late second lieutenant Company E, Thirty-third Regiment New York Volunteer Infantry, and pay her a pension at the rate of $24 per month in lieu of that she now receives.

The amendments were agreed to.

The bill was reported to the Senate as amended, and the amendments were concurred in.

The amendments were ordered to be engrossed and the bill to be read a third time.

The bill was read the third time, and passed.

The title was amended so as to read: "A bill granting an increase of pension to Susan A. Gummer."

CORDELIA CHENEY.

The bill (H. R. 5153) granting a pension to Cordelia Cheney was considered as in Committee of the Whole.

The bill was reported from the Committee on Pensions with amendments, in line 5, after the name "Cheney," to strike out "deceased;" in line 6, after the word "late," to strike out "a member;" and in the same line, after the word "Vermont," to strike out "Volunteers" and insert "Volunteer Infantry;" so as to make the bill read:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll the name of Cordelia Cheney, widow of Nelson Cheney, late of Company K, Eighth Regiment Vermont Volunteer Infantry, and pay her a pension at the rate of $12 per month.

Mr. GALLINGER. I hope the amendments may be disagreed to.

The amendments were rejected.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

CHARLES CRITZER.

The bill (S. 3475) granting a pension to Charles Critzer was considered as in Committee of the Whole.

The bill was reported from the Committee on Pensions with an amendment, in line 6, after the name "Critzer," to strike out:

Of Spokane, Wash., and that a pension of $50 per month be granted him in lieu of the sum of $17 per month now granted him.

And insert:

Late of Company I, One hundred and twenty-ninth Regiment Illinois Volunteer Infantry, and pay him a pension at the rate of $25 per month in lieu of that he is now receiving.

So as to make the bill read:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of Charles Critzer, late of Company I, One hundred and twenty-ninth Regiment Illinois Volunteer Infantry, and pay him a pension at the rate of $25 per month in lieu of that he is now receiving.

The amendment was agreed to.

The bill was reported to the Senate as amended, and the amendment was concurred in.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

The title was amended so as to read, "A bill granting an increase of pension to Charles Critzer."

MARGARET THOMAS.

The bill (H. R. 4251) granting a pension to Margaret Thomas was considered as in Committee of the Whole.

The bill was reported from the Committee on Pensions with amendments, in line 4, after the word "roll," to insert "subject to the provisions and limitations of the pension laws;" in line 6, before the word "widow," to strike out "as;" in line 7, before the word "Infantry," to insert "Volunteer," and in line 9, before the word "pay," to strike out "to;" so as to make the bill read:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of Margaret Thomas, widow of John S. Thomas, late a private in Company I, Thirty-sixth Ohio Volunteer Infantry, and Company D, Fifth United States Veteran Volunteer Infantry, and pay her a pension at the rate of $8 per month, and also $2 per month in addition on account of each of her minor children during their minority.

The amendments were agreed to.

The bill was reported to the Senate as amended, and the amendments were concurred in.

The amendments were ordered to be engrossed and the bill to be read a third time.

The bill was read the third time, and passed.

JULIETTE HARROW.

The bill (H. R. 8723) granting an increase of pension to Juliette Harrow was considered as in Committee of the Whole.

The bill was reported from the Committee on Pensions with amendments, in line 5, before the name "William," to strike out "the late;" in line 6, before the word "brigadier-general," to strike out "who was" and insert "late;" in the same line, after the word "brigadier-general," to strike out "of volunteers during the civil war" and insert "United States Volunteers;" and in line 8, after the word "of," to strike out "the pension" and insert "that;" so as to make the bill read:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll the name of Juliette Harrow, widow of William Harrow, late brigadier-general, United States Volunteers, and pay her a pension at the rate of $30 per month in lieu of that she is now receiving.

The amendments were agreed to.

The bill was reported to the Senate as amended, and the amendments were concurred in.

The amendments were ordered to be engrossed and the bill to be read a third time.

The bill was read the third time, and passed.

AMANDA PITMAN.

The bill (S. 5211) granting a pension to Amanda Pitman was considered as in Committee of the Whole.

The bill was reported from the Committee on Pensions, with an amendment, in line 9, after the word "month," to insert "with the usual allowance for minor child;" so as to make the bill read:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of Amanda Pitman, widow of Thomas H. Pitman, late first sergeant of Company F, First Regiment Florida Volunteer Cavalry, and pay her a pension at the rate of $8 per month, with the usual allowance for minor child.

The amendment was agreed to

The bill was reported to the Senate as amended, and the amendment was concurred in.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

JOHN W. LAY.

The bill (S. 3227) granting a pension to John W. Lay was considered as in Committee of the Whole.

The bill was reported from the Committee on Pensions, with an amendment, in line 7, after the word "Cavalry," to insert "and pay him a pension at the rate of $12 per month;" so as to make the bill read:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of John W. Lay, late a private in Company I, Third Regiment Arkansas Volunteer Cavalry, and pay him a pension at the rate of $12 per month.

The amendment was agreed to.

The bill was reported to the Senate as amended, and the amendment was concurred in.

The bill was ordered to be engrossed for a third reading, read a third time, and passed.

JANE M'MAHON.

The bill (S. 5040) granting an increase of pension to Jane McMahon, widow of Bernard J. McMahon, was considered as in Committee of the Whole.

The bill was reported from the Committee on Pensions, with an amendment, in line 8, after the word "Artillery," to insert "and pay her a pension at the rate of $12 per month in lieu of the pension she is now receiving;" so as to make the bill read:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of Jane McMahon, widow of Bernard J. McMahon, late captain Companies F and C, Seventy-first Pennsylvania Infantry, and sergeant Company G, Fifth United States Artillery, and pay her a pension at the rate of $12 per month in lieu of the pension she is now receiving.

The amendment was agreed to.

The bill was reported to the Senate as amended, and the amendment was concurred in.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

The title was amended so as to read: "A bill granting an increase of pension to Jane McMahon."

WILLIAM L. QUINN.

The bill (H. R. 11048) granting a pension to William L. Quinn, was considered as in Committee of the Whole. It proposes to place on the pension roll the name of William L. Quinn, late scout and guide in the military service of the United States, and to pay him a pension of $12 per month.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

ROBERT FLETCHER.

The bill (H. R. 4001) granting an increase of pension to Robert Fletcher, was considered as in Committee of the Whole.

The bill was reported from the Committee on Pensions, with amendments, in line 4, after the word "place," to strike out "upon" and insert "on;" in line 7, before the word "Sharpshooters," to insert "Volunteer," and in line 8, before the word "dollars," to strike out "twenty-four" and insert "twenty;" so as to make the bill read:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of Robert Fletcher, late of Company A, First Michigan Volunteer Sharpshooters, and pay him a pension at the rate of $20 per month in lieu of the pension he is now receiving.

The amendments were agreed to.

The bill was reported to the Senate as amended, and the amendments were concurred in.

The amendments were ordered to be engrossed, and the bill to be read a third time.

The bill was read the third time, and passed.

MARY R. BACON.

The bill (S. 2716) granting a pension to Mary R. Bacon was considered as in Committee of the Whole.

The bill was reported from the Committee on Pensions with an amendment, to strike out all after the enacting clause and insert:

That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of Mary R. Bacon, widow of Columbus Bacon, late of Capt. Joseph Hitching's Company, Maine Militia, war of 1812, and pay her a pension at the rate of $12 per month.

The amendment was agreed to.

The bill was reported to the Senate as amended, and the amendment was concurred in.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

MARY WOODMANSY.

The bill (H. R. 9503) granting a pension to Mary Woodmansy was considered as in Committee of the Whole. It proposes to place on the pension roll the name of Mary Woodmansy, dependent mother of the late Solomon Woodmansy, private, Company L, Third Wisconsin Cavalry, and to pay her a pension of $12 per month.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

ROBERT S. MOORHEAD.

The bill (H. R. 3144) granting an increase of pension to Robert S. Moorhead was considered as in Committee of the Whole. It proposes to place on the pension roll the name of Robert S. Moorhead, late a private in Company D, One hundred and forty-fifth Regiment Pennsylvania Volunteers, and to pay him a pension of $24 per month in lieu of the pension he now receives.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

CHARLES E. BANFIELD.

The bill (S. 5267) granting an increase of pension to Charles E. Banfield was considered as in Committee of the Whole.

The bill was reported from the Committee on Pensions with an amendment, in line 8, before the word "dollars," to strike out "fifty" and insert "thirty;" so as to make the bill read:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of Charles E. Banfield, late of Company G, Thirty-fifth Regiment Massachusetts Volunteer Infantry, and pay him a pension at the rate of $30 per month in lieu of that he is now receiving.

The amendment was agreed to.

The bill was reported to the Senate as amended, and the amendment was concurred in.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

MICHAEL MEEHAN.

The bill (H. R. 9593) to increase the pension of Michael Meehan was considered as in Committee of the Whole.

The bill was reported from the Committee on Pensions with an amendment, in line 7, after the words "New York," to strike out "Volunteers" and insert "Volunteer Infantry;" so as to make the bill read:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of Michael Meehan, late private, Company A, One hundred and Seventh New York Volunteer Infantry, and pay him a pension at the rate of $30 per month in lieu of the pension he is now receiving.

Mr. GALLINGER. I ask that the amendment be rejected.

The amendment was rejected.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

REUBEN H. WATERS.

The bill (H. R. 1780) granting an increase of pension to Reuben H. Waters was considered as in Committee of the Whole.

The bill was reported from the Committee on Pensions with amendments, in line 3, after the word "and," to insert "he;" in line 4, after the word "place," to insert "on the pension roll;" and in line 6, after the word "Infantry," to strike out "on the pension roll;" so as to make the bill read:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll the name of Reuben H. Waters, late of Company A, Fifty-second Pennsylvania Volunteer Infantry, and pay him a pension at the rate of $24 per month in lieu of that he is now receiving.

Mr. GALLINGER. I ask that the committee amendments may be disagreed to. I will state, so that the Senate may understand it, that these amendments are largely verbal. They ought to be made, as a matter of fact, but it is so near the end of the session that it has been thought by the friends of the bill that it ought not to be sent back to the House with amendments; that is the purpose of it. Therefore I hope that all these amendments will be rejected.

The amendments were rejected.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

RICHARD M. HUSSEY.

The bill (H. R. 8955) granting an increase of pension to Richard M. Hussey was announced as the next business in order on the Calendar.

Mr. GALLINGER. It is not necessary that the bill should be read. The beneficiary has died since it was reported, and I move its indefinite postponement.

The motion was agreed to.

MARTHA ALLEN.

The bill (H. R. 4324) granting a pension to Martha Allen was considered as in Committee of the Whole.

The bill was reported from the Committee on Pensions with an amendment, in line 6, after the name "Allen," to strike out "deceased;" so as to make the bill read:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions

and limitations of the pension laws, the name of Martha Allen, widow of Robert Allen, late private, Company I, Second Regiment Kansas State Militia Volunteers, and pay her a pension at the rate of $12 per month.

Mr. GALLINGER. I hope the committee amendment will be disagreed to.

The amendment was rejected.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

MARY A. DENNIS.

The bill (S. 5003) granting an increase of pension to Mrs. M. A. Dennis was considered in Committee of the Whole.

The bill was reported from the Committee on Pensions with an amendment, to strike out all after the enacting clause and insert:

That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of Mary A. Dennis, widow of Elias S. Dennis, late brigadier-general, United States Volunteers, and pay her a pension at the rate of $30 per month, in lieu of that she is now receiving.

The amendment was agreed to.

The bill was reported to the Senate as amended, and the amendment was concurred it.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

The title was amended so as to read: "A bill granting an increase of pension to Mary A. Dennis."

SUSAN C. BYRD.

The bill (H. R. 10488) to increase the pension of Susan C. Byrd, widow of a Mexican war soldier, was considered as in Committee of the Whole.

The bill was reported from the Committee on Pensions with amendments, in line 7, before the word "Company," to strike out "a private in" and insert "late of;" in line 8, after the word "war," to insert "and pay her a pension;" and in line 9, before the word "she," to strike out "the pension" and insert "that;" so as to make the bill read:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of Susan C. Byrd, widow of Hugh L. Byrd, late of Company F, Thirteenth Regiment United States Infantry, in the Mexican war, and pay her a pension at the rate of $20 per month, in lieu of that she is now receiving.

The amendments were agreed to.

The bill was reported to the Senate as amended, and the amendments were concurred in.

The amendments were ordered to be engrossed and the bill to be read a third time.

The bill was read the third time, and passed.

The title was amended so as to read: "A bill granting an increase of pension to Susan C. Byrd."

MARY E. TOWNES.

The bill (H. R. 9323) to increase the pension of Mary E. Townes was considered as in Committee of the Whole.

Mr. GALLINGER. I move to strike out all after the enacting clause and insert what I send to the desk.

The SECRETARY. It is proposed to strike out all after the enacting clause and insert:

That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of Mary E. Townes, widow of James F. Townes, late of Company B, Second Tennessee Volunteers, Mexican war, and pay her pension at the rate of $12 per month, in lieu of that she is now receiving.

The amendment was agreed to.

The bill was reported to the Senate as amended, and the amendment was concurred in.

The amendment was ordered to be engrossed and the bill to be read a third time.

The bill was read the third time, and passed.

The title was amended so as to read: "A bill granting an increase of pension to Mary E. Townes."

RACHEL J. COMER.

The bill (H. R. 5054) granting a pension to Rachel J. Comer was considered as in Committee of the Whole. It proposes to place on the pension roll the name of Rachel J. Comer, widow of Thomas Comer, late of Company A, Seventy-second Regiment of Indiana Volunteer Infantry, and to pay her a pension of $8 per month.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

SARAH A. LUKE.

The bill (H. R. 5712) granting a pension to Sarah A. Luke was considered as in Committee of the Whole. It proposes to place upon the pension roll the name of Sarah A. Luke, widow of Capt. John W. Luke, late of Company E, Fifteenth Regiment Illinois Infantry Volunteers, and to pay her a pension of $20 per month, in lieu of the pension she is now receiving.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

The title was amended so as to read: "A bill granting an increase of pension to Sarah A. Luke."

JOHN YAHNE.

The bill (H. R. 4503) to increase the pension of John Yahne was considered as in Committee of the Whole.

The bill was reported from the Committee on Pensions with amendments, in line 3, after the word "and," to insert "he;" in line 6, after the word "late," to strike out "a member;" in line 7, after the word "Regiment," to strike out "of;" in the same line, after the word "Illinois," to insert "Volunteer;" in the same line, after the word "Infantry," to strike out "Volunteers;" and in line 9, before the word "he," to strike out "the pension" and insert "that;" so as to make the bill read:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of John Yahne, late of Company F, Eleventh Regiment Illinois Volunteer Infantry, and pay him a pension at the rate of $30 per month, in lieu of that he is now receiving.

The amendments were agreed to.

The bill was reported to the Senate as amended and the amendments were concurred in.

The amendments were ordered to be engrossed, and the bill to be read a third time.

The bill was read the third time, and passed.

The title was amended so as to read: "A bill granting an increase of pension to John Yahne."

JUSTUS TOWNSEND.

The bill (H. R. 9018) granting a pension to Justus Townsend was considered as in Committee of the Whole. It proposes to place the name of Justus Townsend, late acting assistant surgeon, United States Army, on the pension roll and to pay him a pension of $12 per month.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

ELLEN CHARLTON.

The bill (H. R. 4446) granting an increase of pension to Ellen Charlton was considered as in Committee of the Whole.

The bill was reported from the Committee on Pensions, with amendments, in line 4, after the word "roll," to insert "subject to the provisions and limitations of the pension laws;" in line 7, before the word "Michigan," to insert "Regiment;" in the same line, before the word "Infantry," to insert "Volunteer;" in line 8, after the word "dollars," strike out "a" and insert "per," and in the same line, after the word "month," to insert "in lieu of that she is now receiving;" so as to make the bill read:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of Ellen Charlton, widow of Robert Charlton, late of Company K, Twelfth Regiment Michigan Volunteer Infantry, and pay her a pension at the rate of $12 per month in lieu of that she is now receiving.

The amendments were agreed to.

The bill was reported to the Senate as amended, and the amendments were concurred in.

The amendments were ordered to be engrossed, and the bill to be read a third time.

The bill was read the third time, and passed.

JESSE EVERLY.

The bill (H. R. 11017) granting a pension to Jesse Everly was considered as in Committee of the Whole. It proposes to place on the pension roll the name of Jesse Everly, late a member of Company A, Twenty-sixth Regiment of Kentucky Volunteer Infantry, and to pay him a pension of $12 per month.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

ALLEN MEEKS.

The bill (H. R. 11115) granting a pension to Allen Meeks was considered as in Committee of the Whole. It proposes to place upon the pension roll the name of Allen Meeks, late of Company A, Third Arkansas Infantry, and to pay him a pension of $12 per month.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

EMMA J. M'INTIRE.

The bill (S. 5435) granting a pension to Emma J. McIntire was considered as in Committee of the Whole. It proposes to place on the pension roll the name of Emma J. McIntire, widow of Samuel McIntire, late of Company A, Twelfth Regiment New Hampshire Volunteer Infantry, and to pay her a pension of $12 per month and the usual additional pension for her two minor children.

The bill was reported to the Senate without amendment, ordered to be engrossed for a third reading, read the third time, and passed.

JOHN J. BOWEN.

The bill (H. R. 10688) granting an increase of pension to John J. Bowen was considered as in Committee of the Whole.

The bill was reported from the Committee on Pensions with amendments, in line 7, before the word "pay," to strike out "that he;" in line 8, before the word "dollars," to strike out "thirty-five" and insert "twenty," and in the same line, after the word "of," to strike out "the pension" and insert "that;" so as to make the bill read.

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of John J. Bowen, late captain in the United States Volunteers, and pay him a penson at the rate of $20 per month in lieu of that he now receives.

Mr. GALLINGER. I ask that the Senate disagree to the amendments made by the committee to this bill.

The amendments were rejected.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

MARY E. SESSIONS.

The bill (H. R. 2617) granting a pension to Mary E. Sessions was considered as in Committee of the Whole.

The bill was reported from the Committee on Pensions, with an amendment, to strike out all after the enacting clause and insert:

That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of Mary E. Sessions, mother of Henry Eells, late of Company E, Eleventh Regiment Vermont Volunteer Infantry, and pay her a pension at the rate of $12 per month.

Mr. GALLINGER. I ask that the Senate disagree to the amendment made by the committee.

The amendment was rejected.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

JAMES C. DELANEY.

The bill (S. 5036) granting a pension to James C. Delaney was considered as in Committee of the Whole.

The bill was reported from the Committee on Pensions, with an amendment, to strike out all after the enacting clause and insert:

That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of James C. Delaney, late of Company B, Second Regiment United States Infantry, Mexican war, and pay him a pension at the rate of $20 per month in lieu of that he is now receiving.

The amendment was agreed to.

The bill was reported to the Senate as amended, and the amendment was concurred in.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

The title was amended so as to read: "A bill granting an increase of pension to James C. Delaney."

HARRIET TUBMAN DAVIS.

The bill (H. R. 4982) granting an increase of pension to Harriet Tubman Davis was considered as in Committee of the Whole.

The bill was reported from the Committee on Pensions, with an amendment, to strike out all after the enacting clause and insert:

That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of Harriet Tubman Davis, widow of Nelson Davis, late a private in Company G, Eighth Regiment United States Colored Infantry, and pay her a pension at the rate of $30 per month in lieu of that she is now receiving.

The amendment was agreed to.

The bill was reported to the Senate as amended, and the amendment was concurred in.

The amendment was ordered to be engrossed and the bill to be read a third time.

The bill was read the third time, and passed.

BARBARA C. LOWE.

The bill (H. R. 1279) granting a pension to Barbara C. Lowe, was considered as in Committee of the Whole.

The bill was reported from the Committee on Pensions, with amendments, in line 4, after the word "place," to strike out "upon" and insert "on;" in line 7, before the word "late," strike out "deceased;" in the same line, before the word "of," to strike out "a member;" and in line 9, after the word "pension," to insert "at the rate;" so as to make the bill read:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension rolls, subject to the provisions and limitations of the pension laws, the name of Barbara C. Lowe, widow of William M. Lowe, late of Captain Warfield's company, employed on the Texas frontier subsequent to the Mexican war, and pay her a pension at the rate of $8 per month.

Mr. GALLINGER. I ask that the Senate disagree to the amendments made by the committee to the bill.

The amendments were rejected.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

BONAVENTURA HEINZ.

The bill (H. R. 4306) granting an increase of pension to Bonaventura Heinz was considered as in Committee of the Whole. It proposes to place on the pension roll the name of Bonaventura Heinz, late a private in Company D, Gilpin's Battalion Missouri Volunteers, Mexican war, and to pay him $18 per month in lieu of that which he is now receiving.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

JOHN SMITH.

The bill (S. 757) granting an increase of pension to John Smith was considered as in Committee of the Whole.

The bill was reported from the Committee on Pensions with amendments, in line 7, before the word "Cavalry," to insert "Volunteer;" in same line, after the word "and," to strike out "also late of;" in line 8, after the word "Regiment," to insert "United States;" in the same line, after the word "Cavalry," to strike out "United States Army" and insert "and pay him a pension;" in line 9, after the word "of," to strike out "fifty" and insert "thirty;" in the same line, after the word "dollars," to strike out the letter "a" and insert "per;" in line 10, before the word "he," to strike out "the pension" and insert "that;" and in the same line, after the word "receiving," to strike out "from and after the passage of this act;" so as to make the bill read:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of John Smith, late of Company D, Fifth Regiment Pennsylvania Volunteer Cavalry, and Company A, Fifth Regiment United States Cavalry, and pay him a pension at the rate of $30 per month in lieu of that he is now receiving.

The amendments were agreed to.

The bill was reported to the Senate as amended, and the amendments were concurred in.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

LEMON HOLTON.

The bill (H. R. 8754) granting an increase of pension to Lemon Holton was considered as in Committee of the Whole.

The bill was reported from the Committee on Pensions with an amendment, to strike out all after the enacting clause and insert:

That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of Lemon Holton, late of Company D, Tenth Regiment United States Infantry, Mexican war, and pay him a pension at the rate of $20 per month in lieu of that he is now receiving.

Mr. GALLINGER. I ask the Senate to disagree to the amendment made by the committee.

The amendment was rejected.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

ELIZABETH V. LITZENBERG.

The bill (H. R. 4838) granting an increase of pension to Elizabeth V. Litzenberg was considered as in Committee of the Whole.

The bill was reported from the Committee on Pensions with amendments, in line 3, after the word "is," to insert "hereby," and in line 9, after the word "month," to insert "in lieu of that she is now receiving;" so as to make the bill read:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of Elizabeth V. Litzenberg, widow of Henry M. Litzenberg, late second lieutenant in Company I, Eighty-eighth Regiment Ohio Volunteer Infantry, and pay her a pension at the rate of $25 a month in lieu of that she is now receiving.

The amendments were agreed to.

The bill was reported to the Senate as amended, and the amendments were concurred in.

The amendments were ordered to be engrossed and the bill to be read a third time.

The bill was read the third time, and passed.

WILLIAM R. CHRISTY.

The bill (H. R. 2122) increasing the pension of William R. Christy was considered as in Committee of the Whole.

The bill was reported from the Committee on Pensions with amendments, in line 3, after the word "and," to insert "he;" in line 7, after the word "Indiana," to insert "Volunteer;" in line 8, after the word "and," to strike out "in;" in line 9, after the word "Indiana," to insert "Volunteer;" and in line 1, page 2, after the word "month," to insert "in lieu of that he is now receiving;" so as to make the bill read:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of William R. Christy, late private in Company C, One hundred and thirty-eighth Regiment Indiana Volunteer Infantry, and Company K, One hundred and forty-second Regiment Indiana Volunteer Infantry, and pay him a pension at the rate of $24 per month in lieu of that he is now receiving.

The amendments were agreed to.

The bill was reported to the Senate as amended, and the amendments were concurred in.

The amendments were ordered to be engrossed and the bill to be read a third time.

The bill was read the third time, and passed.

The title was amended so as to read: "A bill granting an increase of pension to William R. Christy."

ELIZABETH H. BOWEN.

The bill (H. R. 5461) granting a pension to Elizabeth H. Bowen was considered as in Committee of the Whole.

The bill was reported from the Committee on Pensions with amendments, in line 5, before the word "wife," to strike out "formerly the" and insert "divorced;" and in line 6, before the word "late," to insert "deceased;" so as to make the bill read:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll the name of Elizabeth H. Bowen, divorced wife of Benjamin F. Bowen, deceased, late a chaplain, Company I, Eighth New Jersey Volunteer Infantry, and pay her a pension at the rate of $20 per month.

The amendments were agreed to.

The bill was reported to the Senate as amended, and the amendments were concurred in.

The amendments were ordered to be engrossed and the bill to be read a third time.

The bill was read the third time, and passed.

WILHELMINA BARTH.

The bill (H. R. 2171) granting a pension to Wilhelmina Barth was considered as in Committee of the Whole.

The bill was reported from the Committee on Pensions with amendments, in line 3, after the word "he," to insert "is;" in the same line, after the word "hereby," to strike out "is;" in line 7, after the word "late," to strike out "member;" and in the same line, after the word "Indiana," to insert "Volunteer;" so as to make the bill read:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of Wilhelmina Barth, dependent mother of Theodore Barth, late of Company I, Tenth Indiana Volunteer Cavalry, and pay her a pension at the rate of $12 per month.

Mr. GALLINGER. I ask that the Senate disagree to the amendments made by the committee.

The amendments were rejected.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

JOEL W. GIBSON.

The bill (H. R. 5762) granting an increase of pension to Joel W. Gibson was considered as in Committee of the Whole.

The bill was reported from the Committee on Pensions with amendments, in line 6, after the name "Gibson," to insert "late;" in line 7, after the word "Ohio," to strike out "Volunteers" and insert "Volunteer Infantry," and in line 9, before the word "he," to strike out "the pension" and insert the word "that;" so as to make the bill read:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of Joel W. Gibson, late of Company F, One hundred and twenty-third Ohio Volunteer Infantry, and pay him a pension at the rate of $50 per month in lieu of that he is now receiving.

Mr. GALLINGER. I ask the Senate to disagree to the amendments of the committee.

The amendments were rejected.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

BARTLETT CORNIFF.

The bill (S. 5264) granting an increase of pension to W. B. Carniff was considered as in Committee of the Whole.

The bill was reported from the Committee on Pensions with an amendment, to strike out all after the enacting clause and insert:

That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of Bartlett Corniff, late of Company B, Nineteenth Regiment Kentucky Volunteer Infantry, and pay him a pension at the rate of $25 per month in lieu of that he is now receiving.

The amendment was agreed to.

The bill was reported to the Senate as amended, and the amendment was concurred in.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

The title was amended so as to read: "A bill granting an increase of pension to Bartlett Corniff."

JOSEPH N. HARMON.

The bill (H. R. 8445) granting a pension to Joseph N. Harmon was considered as in Committee of the Whole. It proposes to place on the pension roll the name of Joseph N. Harmon, dependent father of William H. Harmon, late of Company B, Seventeenth Regiment Ohio Volunteers; of James E. Harmon, late of Company B, Twelfth Ohio Volunteers; of Thomas J. Harmon, late of Company C, Twenty-first Ohio Volunteers; also of John F. Harmon, deceased, late of Company C, Twenty-first Ohio Volunteers, and to pay him a pension of $12 per month.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

Mr. CHILTON. There are a few pension bills that were reported this morning, and I ask that they be considered in the unanimous-consent agreement.

The VICE-PRESIDENT. Is there any objection? The Chair hears none, and the order is made.

WILLIAM ROLLEY.

The bill (H. R. 6502) granting increase of pension to William Rolley was considered as in Committee of the Whole. It proposes to place on the pension roll the name of William Rolley, late of Company G, Thirty-sixth Regiment Illinois Volunteers, and to pay him a pension of $24 per month in lieu of the pension he now receives.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

GEORGE BLAKESLEY.

The bill (H. R. 9234) increasing the pension of George Blakesley was considered as in Committee of the Whole. It proposes to place upon the pension roll the name of George Blakesley, late of Company A, One hundred and eighty-ninth New York Volunteer Infantry, and Company D, One hundred and sixty-first New York Volunteer Infantry, and to pay him a pension of $24 per month in lieu of the pension he is now receiving.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

COL. GEORGE G. PRIDE.

The bill (H. R. 5805) for the relief of Col. George G. Pride was considered as in Committee of the Whole.

The bill was reported from the Committee on Pensions with an amendment, in line 8, before the word "dollars," to strike out "twenty-five" and insert "twenty;" so as to make the bill read.

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of George G. Pride, a volunteer aid, with rank of colonel, on the staff of Gen. U. S. Grant, and pay him a pension at the rate of $20 per month.

Mr. GALLINGER. I ask that the Senate disagree to the committee amendments to this bill.

The amendments were rejected.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

WILLIAM B. MATCHETT.

The bill (H. R. 835) granting a pension to William B. Matchett was considered as in Committee of the Whole. It proposes to place on the pension roll the name of William B. Matchett, chaplain of the Tenth Regiment of New York Volunteers, and to pay him a pension of $12 per month.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

ISAAC STEPHENS.

The bill (H. R. 9314) granting an increase of pension to Isaac Stephens was considered as in Committee of the Whole. It proposes to place upon the pension roll the name of Isaac Stephens, late lieutenant in Company A, Sixth Indiana Infantry, and to pay him a pension of $24 per month in lieu of that he now receives.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

ALICE SMITH.

The bill (H. R. 1675) granting a pension to Alice Smith, was considered as in Committee of the Whole.

The bill was reported from the Committee on Pensions with amendments, in line 3, after the word "Interior," to insert "be, and he;" in line 4, after the word "place," to strike out "upon" and insert "on;" in line 6, after the name "William," to strike out "Lanson" and insert "Waterworth;" and in line 7, after the word "alias," to strike out the name "William Waterworth" and insert "Lanson, late;" so as to make the bill read:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of Alice Smith, widow of William Waterworth, alias Lanson, late of Company C, First Ohio Cavalry, and pay her a pension at the rate of $8 per month.

The amendments were agreed to.

The bill was reported to the Senate as amended, and the amendments were concurred in.

The amendments were ordered to be engrossed and the bill to be read a third time.

The bill was read the third time, and passed.

JERE SMITH.

The bill (H. R. 6681) granting an increase of pension to Jere Smith was considered as in Committee of the Whole. It proposes to place on the pension roll the name of Jere Smith, a sergeant of Company F, Thirteenth Regiment of Tennessee Cavalry,

and to pay him a pension of $18 per month in lieu of the pension he is now receiving.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

EMILY M'LAIN.

The bill (H. R. 11420) granting a pension to Emily McLain was considered as in Committee of the Whole. It proposes to place upon the pension roll the name of Emily McLain, widow of M. T. McLain, late a private in Capt. Samuel Moore's company, D, First Arkansas Volunteers Mounted Gun Men, 1836 (called out for the protection of the Sabine frontier), and to pay her a pension of $8 per month.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

Mr. NELSON and Mr. SHOUP addressed the Chair.

Mr. CHILTON. Under the unanimous-consent agreement the pension bills reported to-day are yet to be considered.

The VICE-PRESIDENT. The Pension Calendar is not yet completed. Does the Senator from Idaho want to interfere with the Pension Calendar?

Mr. SPOONER. I will state to the Senator from Idaho that unanimous consent was given to take up a few pension bills, four or five, on the table. The unanimous-consent order for the consideration of pension bills is not yet exhausted, but it will be in a moment.

JAMES H. COVENTON.

The bill (S. 1906) granting an increase of pension to James H. Coventon was considered as in Committee of the Whole.

The bill was reported from the Committee on Pensions with an amendment, in line 6, after the word "Coventon," to strike out:

Who served in the Mexican war in the Twelfth Regiment Arkansas Volunteer Infantry, Company F, at the rate of $50 per month, in lieu of $12 per month now received under his pension certificate No. 591.

And to insert:

Late of Company F, Twelfth Regiment United States Infantry, and pay him a pension at the rate of $30 per month in lieu of that he is now receiving.

So as to make the bill read:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of James H. Coventon, late of Company F, Twelfth Regiment United States Infantry, and pay him a pension at the rate of $30 per month in lieu of that he is now receiving.

The amendment was agreed to.

The bill was reported to the Senate as amended, and the amendment was concurred in.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

BELLE SHUMARD.

The bill (H. R. 5209) granting a pension to Belle Shumard was considered as in Committee of the Whole. It proposes to place on the pension roll the name of Belle Shumard, widow of George G. Shumard, late surgeon, United States Volunteers, and to pay her a pension of $25 per month.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

JUDITH DOHERTY.

The bill (H. R. 11899) granting a pension to Judith Doherty was considered as in Committee of the Whole. It proposes to place on the pension roll the name of Judith Doherty, widow of William F. Doherty, late a corporal in Captain Russell's company, First Regiment Volunteer Mounted Gunmen, West Tennessee, Indian war of 1818, and to pay her a pension of $8 per month.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

ALBERT PUTNAM.

The bill (H. R. 7902) granting a pension to Albert Putnam was considered as in Committee of the Whole. It proposes to place upon the pension roll the name of Albert Putnam, late of Company E, Twenty-first United States Infantry, and to pay him a pension of $12 per month.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

ELI BALDERSTON.

The bill (S. 5510) granting an increase of pension to Eli Balderston was considered as in Committee of the Whole. It proposes to place on the pension roll the name of Eli Balderston, late captain of Company G, Eighth Kansas Volunteer Infantry, and to pay him a pension of $20 per month in lieu of that he is now receiving.

The bill was reported to the Senate without amendment, ordered to be engrossed for a third reading, read the third time, and passed.

LEVI M. TRUIT.

The bill (H. R. 8179) granting a pension to Levi M. Truit was considered as in Committee of the Whole. It proposes to place upon the pension roll the name of Levi M. Truit, a soldier in the Mexican war, and to pay him a pension of $12 per month.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

AMANDA WILLMARTH.

The bill (H. R. 10858) granting an increase of pension to Amanda Willmarth was considered as in Committee of the Whole. It proposes to place on the pension roll the name of Amanda Willmarth, widow of James D. Willmarth, late of Companies B and C, Seventy-sixth Regiment New York Volunteers, and to pay her a pension of $18 per month in lieu of the pension she is now receiving.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

JULIA WALKE.

The bill (H. R. 1573) granting a pension to Julia Walke was considered as in Committee of the Whole. It proposes to place on the pension roll the name of Julia Walke, widow of Henry Walke, late rear-admiral, United States Navy, and to pay her a pension of $30 per month.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

MARGARET A. LOWTHER.

The bill (H. R. 11382) granting a pension to Margaret A. Lowther was considered as in Committee of the Whole. It proposes to place on the pension roll the name of Margaret Ann Lowther, widow of Henry Lowther, deceased, late of Company E, First West Virginia Volunteers, and to pay her a pension of $12 per month.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

MARY C. BATES.

The bill (H. R. 2459) granting a pension to Mary C. Bates was considered as in Committee of the Whole. It proposes to place the name of Mary C. Bates, widow of the late Maj. Francis H. Bates, United States Army, on the pension roll, and to pay her a pension of $17 per month.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

FRANCIS SCOTT.

The bill (S. 1649) granting an increase of pension to Francis Scott was considered as in Committee of the Whole. It provides that Francis Scott, late a private in Company B, Twenty-third Regiment of Wisconsin Infantry Volunteers, now on the pension roll at the rate of $36 per month, shall, from and after the passage of this act, be entitled to receive the same pension as a soldier now receives or which shall be allowed hereafter by law to one who has lost an arm at the shoulder joint or a leg at the hip joint.

The bill was reported to the Senate without amendment, ordered to be engrossed for a third reading, read the third time, and passed.

JOHN M. PALMER.

Mr. GALLINGER. I ask that the message from the House of Representatives in reference to the bill granting a pension to John M. Palmer be laid before the Senate.

The VICE-PRESIDENT laid before the Senate the message from the House of Representatives returning to the Senate, in compliance with its request, the bill (S. 5342) granting a pension to John M. Palmer.

Mr. GALLINGER. I desire to say a single word in reference to this bill. Senators all know who John M. Palmer is—a man distinguished both in civil and military life, once a member of this body, and for a time chairman of the Committee on Pensions of the Senate. General Palmer is now in circumstances, as I understand, of destitution and practical blindness.

Mr. CULLOM. And 80 years old?

Mr. GALLINGER. And 80 years old. The Senate passed a bill granting him a pension of $100 per month, but the House of Representatives, in its wisdom, reduced the amount to $50 a month. A committee of conference was ordered, which, however, has not met. The friends of General Palmer, recognizing his urgent necessities, fearing that the bill may fail if it goes to a conference, it being so near the end of the session, prefer that he shall receive the pension of $50 per month. For that reason only, on my motion the bill has been returned to the Senate.

I now move to reconsider the vote whereby the Senate asked for a conference with the House of Representatives on the bill and amendment.

Mr. CULLOM. I hope that motion will be agreed to, Mr. President.

The VICE-PRESIDENT. The question is on the motion of the Senator from New Hampshire.

The motion was agreed to.

Mr. GALLINGER. I now move that the Senate agree to the amendment made by the House of Representatives.

Mr. CULLOM. Mr. President, I hope that will be done, notwithstanding I very greatly regret that the other body should have declined to give so distinguished a man as General Palmer a pension of $100 a month in view of the service he has rendered to his country both in war and in peace.

The VICE-PRESIDENT. The question is on agreeing to the amendment of the House of Representatives to the bill.

The amendment was agreed to.

CODE FOR ALASKA.

Mr. CARTER. I now ask that the Secretary proceed with the reading of the Alaska bill, in conformity with the unanimous-consent agreement.

The VICE-PRESIDENT. Under the unanimous-consent agreement, the reading of the bill with be proceeded with.

The Secretary proceeded to read the bill (H. R. 8571) to define and punish crimes in the district of Alaska and to provide a code of criminal procedure for said district.

The PRESIDING OFFICER (Mr. NELSON in the chair). The Chair asks the attention of the Senator from Montana. It is the understanding of the Chair that this is simply the first formal reading of the bill, and that it is not read for amendment. Is that correct?

Mr. CARTER. It is the formal reading of the bill.

Mr. SPOONER. Not for amendment?

Mr. CARTER. Not for amendment.

Mr. SPOONER. The bill is not to be acted on to-night?

Mr. CARTER. The bill is not to be acted on, nor is any other business to be transacted to-night save and except the formal reading of the bill.

The PRESIDING OFFICER. And no amendment to be acted upon?

Mr. BATE. No amendments to be either proposed or acted upon.

Mr. CARTER. That is correct; no amendment to be proposed or acted upon.

The reading of the bill was resumed and continued to the end of section 39, on page 14.

Mr. HOAR. I should like to call the attention of the chairman of the committee to one matter which perhaps I had better call attention to now than to wait for the consideration of the bill, and I ask him to look into it overnight. It has been of late years the policy of Congress—certainly ever since I have been in the Senate I have striven for that policy—never to have in ordinary legislation minimum punishments, especially where imprisonment is provided, except in some cases where the crime is always and must be an abomination. The Secretary just read a provision that in case of burglary the punishment shall be imprisonment for not less than one year.

Now, it always ought, in my judgment, to be in the discretion of the presiding judge to inflict a small and in many cases a nominal punishment. Some boy just above the age of criminal capacity does something which is a technical burglary, or a person with intellect so feeble that he is in the hands and under the influence of somebody else, commits a crime, where the judge would be very glad indeed to let him off with a slight punishment. It is not necessary, I am sure, to the Senator from Montana to amplify the suggestion. I suggest to my honorable friend to look into the matter overnight, and see if his committee or if he will not correct it when the bill comes up for actual enactment by striking out the minimum punishment, as we have done ever since I have been on the Judiciary Committee; and, indeed, before that time the Senate in every instance where the matter was called to its attention struck out the minimum punishment.

Mr. CARTER. I shall consider the point suggested by the Senator from Massachusetts.

The reading of the bill was resumed and continued to the end of section 62, on page 24.

Mr. COCKRELL. I simply wish to give notice that I shall propose some amendments to section 62 when we get to the stage of amendment.

Mr. BATE. We are not amending the bill now. It is being read formally.

Mr. CARTER. To what section did the Senator from Missouri refer?

Mr. BATE. Section 62.

Mr. COCKRELL. I think it is entirely too broad.

The reading of the bill was resumed and continued to the end of section 118, of chapter 6, Title I, on page 50.

Mr. CARTER. Mr. President, it has been suggested that the Secretary is quite weary and that Senators are anxious to retire from the Chamber at this time. I move that the Senate adjourn.

The motion was agreed to; and (at 6 o'clock and 16 minutes p. m.) the Senate adjourned until to-morrow, Saturday, February 18, 1899, at 12 o'clock meridian.

HOUSE OF REPRESENTATIVES.

FRIDAY, *February 17, 1899.*

The House met at 12 o'clock m. Prayer by the Chaplain, Rev. HENRY N. COUDEN.

The Journal of the proceedings of yesterday was read and approved.

JULIUS A. KAISER.

Mr. BUTLER. Mr. Speaker, I ask unanimous consent for the present consideration of the following resolution which I send to the desk.

Mr. UNDERWOOD. Mr. Speaker, reserving the right to object, I wish to make a parliamentary inquiry. Does the giving of unanimous consent interfere in any way with the vote that we were taking last night when the House adjourned?

The SPEAKER. No; if any gentleman calls for the regular order, the vote will proceed. The Chair is proceeding entirely upon unanimous consent of the House. This is a matter that can be disposed of in no other way.

The Clerk read the resolution, as follows:

Resolved, That the Senate be requested to furnish the House of Representatives a duplicate copy of the engrossed bill of the Senate (S. 1227) for the relief of Julius A. Kaiser, the original of the same having been lost or misplaced.

The SPEAKER. Is there objection to the present consideration of the resolution?

There was no objection.

The resolution was agreed to.

INVESTIGATION OF THE EMPLOYEES OF THE HOUSE.

Mr. BARTLETT. Mr. Speaker, I have a resolution from the Committee on Accounts, which I send to the desk.

The Clerk read as follows:

Resolved, That the authority vested in the Committee on Accounts by resolution of the House of May 12, 1898, No. 208, to make investigation of the employees of the House, be extended to authorize said committee to administer oaths to witnesses and to sit during the sessions of the House.

The resolution was agreed to.

BRIDGE ACROSS WHITE RIVER, ARKANSAS.

Mr. DINSMORE. Mr. Speaker, I ask unanimous consent for the present consideration of the bill (S. 5126) to authorize the St. Louis, Siloam and Southern Railroad Company, of Missouri and Arkansas, to construct a bridge across White River, in the State of Arkansas.

The bill was read at length.

The SPEAKER. Is there objection to the present consideration of the bill?

There was no objection.

The bill was read the third time, and passed.

On motion of Mr. DINSMORE, a motion to reconsider the vote whereby the bill was passed was laid on the table.

SETH H. SMITH.

Mr. SOUTHARD. I ask unanimous consent for the present consideration of the bill (H. R. 11504) to extend certain patents of Seth H. Smith.

The bill, with the amendments reported by the Committee on Patents, was read.

The SPEAKER. Is there objection to the present consideration of the bill?

Mr. DOCKERY. Reserving the right to object, I shall be glad if the gentleman from Ohio would give us some explanation of this bill.

The SPEAKER. The House will please be in order. This is a proposition to extend a patent.

Mr. DOCKERY. I thought it was.

Mr. SOUTHARD. Mr. Speaker, this is unquestionably a very meritorious case. The bill has received the unanimous indorsement of the Committee on Patents. It is a proposition to extend the patent on a wooden dish and on the machine that makes it. The patent has nearly expired. The man who owns it is a poor man, by reason of losses by fire and by reason of infringements upon the patent, the costly litigation in which he became involved having only been settled as late as 1894. The expense of this litigation has absorbed practically all the profits he might have made, and up to this time he has derived no benefit from his invention. The article manufactured under the patent is designed to be sold to grocers and other dealers for the purpose of being given away to their customers, just as brown paper is given away. It is a product that comes into competition with various other products of similar character. It is not anything which is in its nature a monopoly. I repeat that the bill is in every sense a very meritorious proposition.

Mr. BRUCKER. I wish to ask the gentleman from Ohio when this bill was introduced?

Mr. SOUTHARD. In the early part of the session.

Mr. BRUCKER. Can not the gentleman give me the date of its introduction?

Mr. SOUTHARD. The date is on the bill. I have not a copy of it in my hand.

Mr. BRUCKER. I would like to know the date before agreeing to the request that the bill be now considered.

Mr. SOUTHARD. I will say to the gentleman that the bill has been fully considered by the Committee on Patents.

The SPEAKER. It appears by the printed copy of the bill that it was referred to the Committee on Patents January 9 and reported to the House February 8.

Mr. BRUCKER. Mr. Speaker, I received a few days ago from some of my constituents a telegram with reference to some bill that had been introduced concerning the extension of a patent.

Mr. SOUTHARD. The chairman of the committee says this is not that bill.

Mr. BRUCKER. I want to be very sure in regard to the matter, and for that reason I shall this morning object to the consideration of this bill.

The SPEAKER. Objection is made.

Mr. SOUTHARD. I think the gentleman can easily satisfy himself that this is not the bill to which the telegram had reference.

Mr. BRUCKER. Mr. Speaker, I have positive assurance from one of my colleagues that this is not the bill with reference to which some of my constituents telegraphed me, and for that reason I withdraw my objection.

Mr. DOCKERY. As this is a proposition to extend the life of a patent beyond the seventeen years fixed by general statute, I hope the gentleman from Ohio will consent to allow the matter to go over. I do not think it ought to be considered just now.

The SPEAKER. Does the gentleman object?

Mr. DOCKERY. I do.

RIGHT OF WAY THROUGH SAN GABRIEL FOREST RESERVE.

Mr. BARLOW. I ask unanimous consent for the present consideration of the bill (H. R. 11618) to grant to the Pasadena and Mount Wilson Railway Company right of way and certain lands for railway purposes through the San Gabriel Forest Reserve.

Mr. LACEY. A request was made by the gentleman from Pennsylvania [Mr. WANGER] that no action be taken on this bill for a certain time, so that he might have an opportunity to confer with some persons about it. I do not know whether he desires that action shall be longer deferred or not.

Mr. WANGER. I withdraw that request.

The bill was read at length.

The SPEAKER. Is there objection to the present consideration of the bill?

There being no objection, the amendments recommended by the committee were agreed to; the bill as amended was ordered to be engrossed and read a third time; and it was accordingly read the third time, and passed.

On motion of Mr. BARLOW, a motion to reconsider the last vote was laid on the table.

THE CENSUS BILL.

Mr. HOPKINS. Mr. Speaker, I ask unanimous consent that the Senate amendments to the bill (H. R. 11815) to provide for taking the Twelfth and subsequent censuses be disagreed to, and that a conference with the Senate be ordered on the same.

The SPEAKER. Is there objection to the request of the gentleman from Illinois?

There was no objection.

The Speaker appointed as conferees on the part of the House Mr. HOPKINS, Mr. RUSSELL, and Mr. DE VRIES.

RIGHT OF WAY THROUGH NEZ PERCES INDIAN LANDS, IDAHO.

Mr. TONGUE. Mr. Speaker, I ask unanimous consent for the present consideration of the bill (S. 5265) granting to the Clearwater Valley Railroad Company the right of way through the Nez Perces Indian Lands in Idaho.

The SPEAKER. The bill will be read, subject to the right of objection.

The bill was read at length.

The SPEAKER. Is there objection to the present consideration of the bill?

Mr. SULZER. Mr. Speaker, reserving the right to object, I would like to ask the gentleman from Oregon if this bill has been reported by a committee of the House?

Mr. TONGUE. It has been reported unanimously by the Committee on Indian Affairs of the House and a similar report was made in the Senate, the bill having passed that body on the report of the committee.

Mr. SULZER. I would like to ask further if this bill has in it the usual provisions to protect and conserve the rights of the Indians? As I said the other day, I intend to see that the Indians are not cheated.

Mr. TONGUE. It has. It provides that if this company fails to make satisfactory provision to pay the Indians, or a satisfactory agreement with the Indians, either side may take their claim into the district court in the county in which the lands are situated and obtain a judicial decision on any disputed question.

The rights of the Indians are fully protected, I think, by the provisions of the bill.

Mr. SULZER. Is it provided for in the bill that this company shall pay the Indians for the lands that may be taken?

Mr. TONGUE. It is provided that they shall be paid. The bill provides either for a private agreement with them or under such terms as the district court of the county in which the lands are situated may fix.

It further provides, I will state to the gentleman from New York, that all rights which are granted by the bill shall be void unless the entire line of 145 miles is completed within three years. Further than that, I will say to the gentleman that the bill will be as much benefit to the Indians as to anyone else.

Mr. SULZER. I rely on the gentleman's statement and withdraw my objection. The Indians are not represented here, and we should be careful not to invade their rights or infringe their privileges.

Mr. HARTMAN. Mr. Speaker, reserving the right to object to the consideration of the bill, I would like to ask a question of the gentleman from Oregon.

Mr. TONGUE. Certainly.

Mr. HARTMAN. Has this bill been submitted to the Representative from the State of Idaho?

Mr. TONGUE. The Representative from Idaho, I understand, is not present. I tried to find him myself, but was told that he was not on the floor of the House. But I do not believe that the bill would be opposed by him. It is a Senate bill, and the Senators from Idaho, to whom it was submitted, have given their indorsement of it.

Mr. HARTMAN. The reason I make the suggestion is this: Everyone is aware that the gentleman from Idaho has been confined to the hospital for many months and is unable to be present. I noticed that he was here this morning, but do not see him now.

Mr. TONGUE. I was not aware of the fact that he was here to-day.

Mr. HARTMAN. He was here this morning; and while I do not wish to interpose any objection to the request of the gentleman from Oregon—because it would be presumptuous on my part to do so—I should like to be assured by the gentleman from Oregon, one way or the other, that the gentleman from Idaho has been consulted in reference to the matter and that the bill meets his approval.

Mr. TONGUE. As far as I know, he has not been consulted, but I requested the gentleman from Washington [Mr. JONES] to confer with him upon the subject, and I do not think there is any objection. As far as I know, there is none.

Mr. JONES of Washington. I think I can assure the gentleman from Montana that this legislation is unanimously desired by the people of Idaho.

Mr. HARTMAN. I wish the gentleman to understand me as not objecting at all. It is only to have some assurance that this met the approval of the Representative from Idaho, and, with the statement of the gentleman from Washington, I do not desire to interpose any objection to the present consideration of the bill.

Mr. JONES of Washington. I will say further to the gentleman that the Senator from Idaho who resides at Lewiston, which community is especially concerned in this project, is also in favor of the bill.

Mr. HARTMAN. I am satisfied.

The SPEAKER. Is there objection to the present consideration of the bill?

There being no objection, the bill was considered and was ordered to a third reading; and being read the third time, was passed.

On motion of Mr. TONGUE, a motion to reconsider the last vote was laid on the table.

ENROLLED BILLS SIGNED.

Mr. HAGER, from the Committee on Enrolled Bills, reported that they had examined and found truly enrolled bills of the following titles; when the Speaker signed the same:

H. R. 599. An act authorizing the Secretary of the Treasury to pay the sum of $400 to The Brownell & Co., Dayton, Ohio, on account of penalty erroneously imposed by the Light-House Board;

H. R. 10281. An act authorizing the Light-House Board to provide a steam whistle at Michigan City, Ind.;

H. R. 11440. An act to locate the office of the deputy collector of the port of East Pascagoula, Mississippi, at Scranton, Miss.;

H. R. 5796. An act granting an increase of pension to Peter E. Shipler; and

H. R. 12094. An act making an appropriation for clearing the Potomac River of ice.

EULOGIES ON THE LATE SENATOR WALTHALL AND THE LATE REPRESENTATIVE LOVE.

Mr. ALLEN. Mr. Speaker, I ask for the consideration of the resolution which I send to the Clerk's desk.

The resolution was read, as follows:

Resolved, That Saturday, February 25, 1899, be set apart for the purpose of paying tribute to the memory of Hon. EDWARD A. WALTHALL, late a Senator from the State of Mississippi, and also Hon. WILLIAM F. LOVE, late a Representative from the State of Mississippi.

The resolution was agreed to.

ADDITIONAL CADETS AT THE NAVAL ACADEMY.

Mr. HILBORN. Mr. Speaker, I ask unanimous consent for the present consideration of the bill (S. 4808) authorizing the President to appoint additional cadets at large at the United States Naval Academy.

The bill was read, as follows:

Be it enacted, etc., That the President be, and he is hereby, authorized and empowered to appoint during the next fiscal year five cadets at large at the United States Naval Academy, to be in addition to the number heretofore authorized by law, said appointments to be subject to the conditions and requirements of existing laws and regulations.

Mr. HILBORN. I move to amend by striking out the word "next" in the fourth line and inserting the word "present."

The SPEAKER. Is there objection to the present consideration of the bill?

Mr. BAILEY. Mr. Speaker, I understand that one of the purposes of this bill is to provide for the appointment of a brother of the late Ensign Worth Bagley, and I shall not object.

Mr. BOUTELLE of Maine. I will state that another purpose in the mind of the committee was to enable the President to appoint a son of the late Captain Gridley, who was commander of Dewey's flagship, the *Olympia*, in the battle of Manila, and who, for his gallant conduct on that occasion, received the thanks of Congress and was advanced several numbers, but who died immediately thereafter.

Therefore neither he nor his family have in any way received any advantage from the recognition which Congress gave to his gallantry in that fight. He has a splendid boy who is fully qualified in every way for a cadetship, and I will state as a personal matter that I know the President of the United States is exceedingly anxious to exercise such authority as Congress may give him to appoint that young man to the Naval Academy.

Mr. BAILEY. My judgment is that it is a very excellent way in which to recognize the heroism both of young Bagley and of Captain Gridley. Of the other three appointments I know nothing.

Mr. BOUTELLE of Maine. The other three were provided for such similar exigencies as might possibly arise in connection with the great deeds performed during the last year.

The SPEAKER. Is there objection to the present consideration of the bill?

There was no objection.

The amendment offered by Mr. HILBORN was read, as follows:

In line 4 strike out the word "next" and insert in lieu thereof the word "present."

The amendment was agreed to.

The bill as amended was ordered to a third reading; and it was accordingly read the third time, and passed.

ISAIAH MITCHELL.

Mr. WHITE of North Carolina. Mr. Speaker, I ask unanimous consent for the present consideration of the bill (H. R. 7915) allowing Isaiah Mitchell, of Denver, Colo., seven years within which to make a homestead entry upon certain land.

The bill was read, as follows:

Be it enacted, etc., That Isaiah Mitchell, of Denver, Colo., late a corporal of Company G, One hundred and fiftieth Regiment United States Colored Volunteer Infantry, who, on March 22, 1890, made a homestead application in the Denver (Colo.), land office for entry of the SW. ¼ of sec. 28, T. 2 S., of R. 64 W., and by reason of disabilities incurred consequent upon his service as a soldier during the late war of the rebellion was compelled to abandon said land, be, and he is hereby, granted further time and until seven years from the passage of this act within which to make final entry upon said land: *Provided*, That no adverse claim shall exist at the date of the passage of this act, and that within six months from that date he shall go upon said land and establish his residence thereupon, and that he shall thereafter continue to reside upon and cultivate the same as his home for the proper period according to the provisions of the homestead laws.

The SPEAKER. Is there objection to the present consideration of the bill?

Mr. LOUD. Reserving the right to object, I should like to know what is the object of the bill?

Mr. WHITE of North Carolina. The gentleman from Colorado [Mr. SHAFROTH], who introduced the bill, can explain it.

Mr. SHAFROTH. I will state to the gentleman that the land described in this bill was located upon by Isaiah Mitchell some four or five years ago. He nearly lost his eyesight and has been compelled to leave the land. This simply gives him the right to reenter that land, provided no one else has taken it up. It is land which I do not regard as worth a great deal of money. It is in the arid region. It is under no ditch. I do not see how he can ever make any money on it or ever complete his homestead entry.

Mr. LOUD. Why do you reserve it for seven years, which is a longer period than the homestead law requires?

Mr. SHAFROTH. It is a copy of a Senate bill and is offered in the form in which it was reported in the Senate. I do not know the particular reason.

Mr. LOUD. This man evidently had some service during the war and he could prove up in a couple of years.

Mr. WHITE of North Carolina. This is strictly under the rules of the Interior Department, as shown in the report of the committee.

Mr. LOUD. I do not think so.

Mr. SHAFROTH. This land is located about 30 miles east of Denver, and the gentleman from California [Mr. LOUD] is acquainted with the character of the land there. It is very rich land if it is irrigated, but if it is not under an irrigating ditch it is not worth anything. It seems to me there can be no harm in permitting him to prove this up within seven years.

Mr. LOUD. I can not see any objection to his going there and being permitted to prove up, but why reserve this for seven years when he can prove up in two or three years?

Mr. SHAFROTH. It is a copy of a Senate bill and is offered in the form in which it was reported in the Senate. I did not want to change the bill.

Mr. LOUD. That ought to be a very good reason.

The SPEAKER. The Chair will state to the gentleman that this is not a Senate bill.

Mr. GREENE of Nebraska. This reservation was——

Mr. SHAFROTH. It is a copy of the bill that the Senate passed last year. The language was taken from that bill. I will state to the gentleman that that is the only reason I know of. I do not think the land is worth much if anything; that is my judgment about it.

Mr. GREENE of Nebraska. Will the gentleman allow me to ask him a question?

Mr. SHAFROTH. Yes, sir.

Mr. GREENE of Nebraska. Under this bill if it becomes law that land would have to lie there seven years under the option of this claimant, and nobody else could take it during that time. Is not that the truth about this bill?

Mr. LACEY. Let me answer that question. The bill provides that he shall within six months of the passage of the bill reenter upon the land; so that it can only be kept out from entry six months.

Mr. SHAFROTH. And the land is lying with thousands and thousands of acres there that nobody desires to locate upon.

Mr. GREENE of Nebraska. Why give him seven years to prove up if he must enter in six months?

Mr. CUMMINGS. I would like to ask the gentleman from Colorado a question.

Mr. SHAFROTH. Certainly.

Mr. CUMMINGS. If a railroad company wanted this land, do you think there would be any objection?

Mr. SHAFROTH. I do not know.

Mr. STEELE. Why should he be compelled to take seven years when he can prove up in five?

Mr. GREENE of Nebraska. I can not understand why you want to give him seven years to prove up in and require him to enter in six months when he can prove up in five years.

Mr. LACEY. Under existing laws he would have eight years.

Mr. GREENE of Nebraska. He could prove up in five years.

Mr. LACEY. We give him seven.

Mr. GREENE of Nebraska. Why give him seven years if he already has eight years?

Mr. LACEY. Because he lost his time. This is a limitation or a reduction.

Mr. GREENE of Nebraska. Why do you want to reduce the man's time?

Mr. LACEY. A moment ago you asked, "Why increase from five to eight years?" It is because he has already had one chance.

The SPEAKER. Is there objection? [After a pause.] The Chair hears none.

The bill was ordered to be engrossed for a third reading; and being engrossed, it was accordingly read the third time, and passed.

On motion of Mr. WHITE of North Carolina, a motion to reconsider the vote by which the bill was passed was laid on the table.

APPEAL FROM DECISION OF THE CHAIR.

Mr. CANNON. Mr. Speaker, I demand the regular order.

The SPEAKER. The gentleman from Illinois demands the regular order. The question now before the House is on an appeal from the decision of the Chair and a motion to lay that appeal on

the table, on which the yeas and nays have been ordered. The Clerk will call the roll.

The question was taken; and there were—yeas 158, nays 95, answered "present" 10, not voting 88; as follows:

YEAS—158.

Adams,	Crump,	Howell,	Powers,
Aldrich,	Crumpacker,	Hull,	Prince,
Alexander,	Curtis, Kans.	Jenkins,	Pugh,
Arnold,	Dalzell,	Jett,	Ray,
Babcock,	Davidson, Wis.	Johnson, N. Dak.	Reeves,
Baker, Md.	De Armond,	Jones, Wash.	Rhea,
Barney,	Dick,	Ketcham,	Richardson,
Barrows,	Dockery,	Knox,	Robb,
Bartlett,	Dolliver,	Lacey,	Robbins,
Beach,	Dovener,	Landis,	Robinson, Ind.
Belknap,	Driggs,	Lanham,	Royse,
Bennett,	Eddy,	Latimer,	Russell,
Benton,	Elliott,	Lawrence,	Settle,
Bishop,	Evans,	Linney,	Shafroth,
Bland,	Faris,	Littauer,	Shattuc,
Booze,	Fischer,	Livingston,	Shelden,
Boutell, Ill.	Fleming,	Lloyd,	Sherman,
Boutelle, Me.	Fletcher,	Loud,	Smith, Ky.
Brenner, Ohio	Foote,	Loudenslager,	Snover,
Brewer,	Foss,	Lybrand,	Southard,
Bromwell,	Gaines,	McCleary,	Spalding,
Brosius,	Gillet, N. Y.	McDonald,	Sprague,
Brown,	Gillett, Mass.	McEwan,	Steele,
Brownlow,	Graham,	Maddox,	Stevens, Minn.
Brumm,	Greene, Mass.	Mann,	Stewart, Wis.
Bull,	Griffin,	Marsh,	Talbert,
Burleigh,	Grout,	Maxwell,	Tawney,
Burton,	Hager,	Meekison,	Updegraff,
Butler,	Hamilton,	Mercer,	Vandiver,
Cannon,	Hay,	Mitchell,	Van Voorhis,
Clardy,	Heatwole,	Moon,	Wadsworth,
Clark, Iowa	Hemenway,	Morris,	Walker, Mass.
Clark, Mo.	Henderson,	Mudd,	Wanger,
Clarke, N. H.	Henry, Conn.	Norton, S. C.	Warner,
Cochrane, N. Y.	Hicks,	Otjen,	Weaver,
Connolly,	Hilborn,	Overstreet,	Weymouth,
Cooper, Wis.	Hitt,	Parker, N. J.	Wise,
Cousins,	Hopkins,	Payne,	Young.
Cowherd,	Howard, Ga.	Perkins,	
Cox,	Howe,	Pierce, Tenn.	

NAYS—95.

Adamson,	Davis,	Knowles,	Skinner,
Allen,	Dayton,	Lamb,	Slayden,
Baird,	De Graffenreid,	Lentz,	Smith, Ill.
Baker, Ill.	De Vries,	Lewis, Ga.	Smith, Wm. Alden
Ball,	Dinsmore,	Little,	Spight,
Bankhead,	Dorr,	Lovering,	Stallings,
Barham,	Fenton,	Low,	Stark,
Barlow,	Fitzgerald,	McClellan,	Stephens, Tex.
Bell,	Fowler, N. C.	McCulloch,	Strowd, N. C.
Berry,	Fox,	McLain,	Sturtevant,
Bodine,	Gibson,	McRae,	Sulloway,
Brantley,	Greene, Nebr.	Maguire,	Sulzer,
Broussard,	Griggs,	Meyer, La.	Swanson,
Brucker,	Grow,	Minor,	Tate,
Brundidge,	Hartman,	Newlands,	Taylor, Ala.
Burke,	Hawley,	Osborne,	Thorp,
Castle,	Henry, Tex.	Packer, Pa.	Tongue,
Catchings,	Hepburn,	Peters,	Underwood,
Clayton,	Hinrichsen,	Ridgely,	Wheeler, Ky.
Cochran, Mo.	Hunter,	Rixey,	Williams, Miss.
Cooney,	Kelley,	Robertson, La.	Wilson,
Cummings,	Kirkpatrick,	Shannon,	Yost,
Davenport,	Kitchin,	Showalter,	Zenor.
Davey,	Kleberg,	Shuford,	

ANSWERED "PRESENT"—10.

Broderick,	Gardner,	Mahon,	White, N. C.
Carmack,	Harmer,	Sims,	
Cooper, Tex.	McDowell,	Smith, S. W.	

NOT VOTING—88.

Acheson,	Davison, Ky.	Lewis, Wash.	Sauerhering,
Bailey,	Ellis,	Lorimer,	Simpson,
Barber,	Ermentrout,	McAleer,	Southwick,
Barrett,	Fitzpatrick,	McCall,	Sparkman,
Bartholdt,	Fowler, N. J.	McCormick,	Sperry,
Belden,	Graff,	McIntire,	Stewart, N. J.
Belford,	Griffith,	Mahany,	Stokes,
Benner, Pa.	Grosvenor,	Marshall,	Stone,
Bingham,	Gunn,	Martin,	Strait,
Botkin,	Handy,	Mesick,	Strode, Nebr.
Bradley,	Henry, Ind.	Miers, Ind.	Sutherland,
Brewster,	Henry, Miss.	Miller,	Tayler, Ohio
Campbell,	Hill,	Mills,	Terry,
Capron,	Howard, Ala.	Moody,	Todd,
Chickering,	Hurley,	Norton, Ohio	Vehslage,
Codding,	Johnson, Ind.	Odell,	Vincent,
Colson,	Jones, Va.	Ogden,	Walker, Va.
Connell,	Joy,	Olmsted,	Ward,
Corliss,	Kerr,	Otey,	Wheeler, Ala.
Cranford,	King,	Pearce, Mo.	White, Ill.
Curtis, Iowa	Kulp,	Pearson,	Wilber,
Danford,	Lester,	Quigg,	Williams, Pa.

So the appeal was laid on the table.

The following pairs were announced:

Until further notice:

Mr. BARTHOLDT with Mr. OGDEN.

Mr. PEARSON with Mr. NORTON of Ohio.

Mr. DANFORD with Mr. FITZPATRICK.

Mr. ELLIS with Mr. STOKES.

Mr. JOY with Mr. CARMACK.

Mr. CURTIS of Iowa with Mr. MCDOWELL.

Mr. SAMUEL W. SMITH with Mr. HENRY of Mississippi.

Mr. SAUERHERING with Mr. HANDY.

Mr. HILL with Mr. CRANFORD.

Mr. CHICKERING with Mr. OTEY.

Mr. HENRY of Indiana with Mr. GRIFFITH.

Mr. ODELL with Mr. KING.

For this day:

Mr. STEWART of New Jersey with Mr. BRADLEY.

Mr. TAYLER of Ohio with Mr. MARSHALL.

Mr. CODDING with Mr. LEWIS of Washington.

Mr. PEARCE of Missouri with Mr. MIERS of Indiana.

Mr. KULP with Mr. SIMPSON.

Mr. WALKER of Virginia with Mr. STRAIT.

Mr. HARMER with Mr. MCALEER.

Mr. HENDERSON with Mr. BAILEY.

Mr. OLMSTED with Mr. SUTHERLAND.

Mr. MAHON with Mr. COOPER of Texas.

Mr. STONE with Mr. SPARKMAN.

Mr. WARD with Mr. VEHSLAGE.

Mr. BELDEN with Mr. ERMENTROUT.

Mr. GRAFF with Mr. TERRY.

Mr. BARRETT with Mr. LESTER.

Mr. ACHESON with Mr. BENNER of Pennsylvania.

Mr. BELFORD with Mr. JONES of Virginia.

On this vote:

Mr. GROSVENOR with Mr. MOODY.

Mr. McDOWELL. Mr. Speaker, I voted in the affirmative, but I observe that I am paired with the gentleman from Iowa, Mr. CURTIS, and as he is not here, I wish to withdraw my vote and be marked "present."

Mr. MIERS of Indiana. Mr. Speaker, I desire to be marked as "present," although I am paired.

The SPEAKER. The Chair will state that as the gentleman from Indiana did not respond, he can not be marked "present."

Mr. MIERS of Indiana. But I am paired and was present.

The SPEAKER. The gentleman should have answered when his name was called. However, the RECORD will show that he was present.

Mr. CARMACK. Mr. Speaker, I am paired with the gentleman from Missouri, Mr. JOY. I voted in the negative, and I wish to withdraw that vote.

The SPEAKER. The gentleman's vote will be withdrawn.

The result of the vote was then announced as above recorded.

The SPEAKER. The question now is on the passage of the bill.

The question was taken; and the bill was passed.

On motion of Mr. CANNON, a motion to reconsider the vote whereby the bill was passed was laid on the table.

JOHN M. PALMER.

The SPEAKER laid before the House the following request of the Senate:

Resolved, That the Secretary be directed to request the House of Representatives to return to the Senate the bill (S. 5342) granting a pension to John M. Palmer and the message requesting a conference on said bill and amendment.

The SPEAKER. Without objection, the request will be considered as granted.

There was no objection.

NAVAL APPROPRIATION BILL.

Mr. BOUTELLE of Maine. Mr. Speaker, I am instructed by the Committee on Naval Affairs to report the annual naval appropriation bill, and I ask that it be referred to the Committee of the Whole on the state of the Union.

Mr. MUDD. Mr. Speaker, I reserve all points of order.

The SPEAKER. The gentleman from Maine reports the bill (H. R. 12122) making appropriations for the naval service for the fiscal year ending June 30, 1900, and for other purposes, which will be referred to the Committee of the Whole House on the state of the Union and ordered to be printed.

Mr. BOUTELLE of Maine. Mr. Speaker, I move that the House resolve itself into Committee of the Whole on the state of the Union for the purpose of considering the naval appropriation bill, and on that I move the previous question.

Mr. HEPBURN. Mr. Speaker, a parliamentary inquiry.

The SPEAKER. The gentleman will state it.

Mr. HEPBURN. The gentleman from Maine has moved the previous question. If the previous question should be voted down, would it be competent for me to move an amendment to his motion that the Committee of the Whole on the state of the Union consider Senate bill 4792?

The SPEAKER. The Chair decides that the gentleman from Maine can not ask for the previous question upon the motion which he has made, and the question is upon the motion that he has made.

Mr. HEPBURN. Is it competent for me to move an amendment? I make the motion to amend his motion by instructing the

committee to take up and consider Senate bill 4792, relating to the Nicaragua Canal.

The SPEAKER. It would not be in order, because this is a general appropriation bill.

Mr. RICHARDSON. Mr. Speaker, a parliamentary inquiry and point of order.

The SPEAKER. The gentleman from Tennessee will state it.

Mr. RICHARDSON. I make the point of order that this bill has been this moment reported and has not been printed.

Mr. BOUTELLE of Maine. It is printed and the bill is in the House.

Mr. RICHARDSON. Not the printed bill which has been reported. It has not been printed since it was reported.

The SPEAKER. As matter of fact, the bill is printed.

Mr. BOUTELLE of Maine. Gentlemen can have a copy of it by sending to the Clerk's desk.

Mr. RICHARDSON. I can not get the reported bill, because it has just been reported.

Mr. BOUTELLE of Maine. I will say to the gentleman that the printed bill is the same as the reported bill verbatim et literatim et punctuatim. [Laughter.]

Mr. HEPBURN. Mr. Speaker, a parliamentary inquiry. If I move to strike out that part of the gentleman's motion that refers to this particular bill, and we go into Committee of the Whole House on the state of the Union, the committee not being instructed to take up a particular bill, under the rule does it give to the committee the right to decide what bill should be considered? Would that be competent?

The SPEAKER. The Chair thinks it would not be competent, because the gentleman from Maine makes a privileged motion, and the other is not. One can not be substituted for the other.

Mr. HEPBURN. Another parliamentary inquiry. If this motion is voted down, would it then be competent for me to move that the House go into Committee of the Whole on the state of the Union to consider the bill I have referred to?

The SPEAKER. It would not. The question is on the motion of the gentleman from Maine that the House resolve itself into Committee of the Whole House on the state of the Union for the purpose of considering the naval appropriation bill.

Mr. RICHARDSON. Mr. Speaker, I did not understand the Chair to make any formal ruling on the point of order I made; that is, that the bill has just been reported and we have no printed copy of the reported bill.

The SPEAKER. There are printed copies of the reported bill.

Mr. RICHARDSON. It could not be of the bill which has just this moment been reported, and the House, under the rules, must order the reported bill printed. The rules require that the bill as reported must be printed, and it has not been printed. I understand the rules to require that every bill when reported must be printed and referred to the proper Calendar.

The SPEAKER. The House has ordered it printed, and the copies are here, but it was an anticipatory printing.

Mr. RICHARDSON. Ah, but the Speaker can not assume that this bill as the gentleman has reported it is the printed bill that we have.

Mr. BOUTELLE of Maine. I state that it is.

Mr. RICHARDSON. I do not contradict that gentleman's statement, but the rule requires that the reported bill must be printed. However, I make the formal point of order, and the Chair can rule.

Mr. BOUTELLE of Maine. Does the gentleman wish to delay the consideration of this bill?

Mr. RICHARDSON. If there is any necessity for haste in this matter, and the gentleman from Maine will ask unanimous consent for the present consideration of the bill, I shall not interpose any objection. It is simply in the interest of the orderly transaction of business that I have made the point of order.

Mr. BAILEY. With the same view and in order that the point of order may be saved, I suggest (for I think it important that the bill should be considered at once) that the gentleman from Maine now ask unanimous consent.

Mr. BOUTELLE of Maine. I am perfectly willing to ask unanimous consent for so obviously proper a purpose if I shall not thereby lose my privilege upon the motion I have made.

Mr. BAILEY. You will not.

Mr. BOUTELLE of Maine. I ask unanimous consent, then, Mr. Speaker, that we proceed at once to the consideration of the bill making appropriations for the support of the Navy.

The SPEAKER. Is there objection to the request of the gentleman from Maine? The Chair hears none; and the point of order is by consent of the House waived.

On motion of Mr. BOUTELLE of Maine, the House resolved itself into Committee of the Whole, Mr. SHERMAN in the chair, and proceeded to the consideration of the bill (H. R. 12122) making appropriations for the naval service for the fiscal year ending June 30, 1900, and for other purposes.

Mr. BOUTELLE of Maine. Mr. Chairman, for the purpose of economizing time, I ask unanimous consent that the first reading of this bill be dispensed with.

Mr. MUDD. Reserving the right to object, I ask the gentleman whether he will not include in his request the proposition that the portion of the bill relating to the buildings and grounds of the Naval Academy at Annapolis be passed over until the other portions of the bill have been considered. We may desire to offer an amendment in relation to that portion of the bill after the rest of the bill is concluded.

The CHAIRMAN. The gentleman from Maine simply asks unanimous consent that the first reading of the bill be dispensed with.

Mr. BOUTELLE of Maine. I am not authorized to include in my request any such thing as the gentleman from Maryland proposes.

Mr. MUDD. But because this bill has just been furnished to members and we have had no opportunity to know what it contains with reference to this important item, I must ask that the bill be read through unless unanimous consent be given for the course I have suggested.

The CHAIRMAN. The gentleman from Maine asks unanimous consent that the first reading of the bill be dispensed with.

Mr. MUDD. I object, unless the agreement I have suggested be made.

Mr. BOUTELLE of Maine. I am not authorized to make such an agreement as that.

Mr. MUDD. I have simply asked the gentleman whether he would not include in his request for unanimous consent the proposition I have stated, or allow me to make it.

Mr. BOUTELLE of Maine. The gentleman must understand that, as chairman of the committee having charge of this bill, it is impossible for me to ask unanimous consent for the postponement of every particular clause that some member may desire to be considered at the conclusion of the bill.

Mr. MUDD. But members have the right to know what is in the bill; and I will myself ask unanimous consent for the proposition I have stated.

Mr. CUMMINGS. I suggest to the gentleman from Maryland that he withdraw his proposition, because it certainly is not in order to ask the postponement of any section or paragraph until we have reached it.

Mr. MUDD. It can be done by unanimous consent at any time. I am not making any captious objection. No member of the House except gentlemen on the committee has had opportunity to know what is in the bill.

Mr. CANNON. I suggest to the gentleman from Maryland that this whole difficulty can be obviated if the gentleman from Maine will except from his motion to dispense with the reading of the bill that portion relating to the Naval Academy.

Mr. BOUTELLE of Maine. In one word I can satisfy gentlemen that this request of the gentleman from Maryland is an unreasonable one.

Mr. MUDD rose.

Mr. BOUTELLE of Maine. If the gentleman will permit me to hold the floor for a moment——

Mr. MUDD. But the gentleman can not do so without unanimous consent.

Mr. BOUTELLE of Maine. Then I will wait until I can hold the floor in my own right.

The CHAIRMAN. This whole proceeding is by unanimous consent. The regular order is the first reading of the bill, and the gentleman from Maine has asked to dispense with that for the purpose of saving time.

Mr. BOUTELLE of Maine. Before I object to the proposition of the gentleman from Maryland, I want to make a statement. The gentleman is asking that consideration of a certain item be postponed until the rest of the bill has been concluded. Now, the item to which he refers is almost the last item in the bill, and in the regular order of procedure it would not be reached until almost all the rest of the bill had been concluded.

Mr. PAYNE. If the item in question is almost the last one in the bill it seems to me there ought to be no difficulty in these gentlemen coming to an agreement.

Mr. MUDD. The item to which I refer is on page 31 of the bill. I simply want time to investigate the matter and get information.

Mr. BOUTELLE of Maine. I withdraw my request. Let the Clerk read the bill.

Mr. MUDD. If I may be allowed, by unanimous consent, to make a statement——

Mr. BOUTELLE of Maine. Mr. Chairman, I object. Or rather I should say I withdraw my request to dispense with the first formal reading of the bill. I desired to save the time of the committee, if possible.

Mr. MUDD. Mr. Chairman, then——

The CHAIRMAN. The Clerk will proceed with the reading of the bill.

Mr. MUDD. Mr. Chairman, I will not punish the House for

the gentleman from Maine. I ask unanimous consent that the first formal reading be dispensed with.

The CHAIRMAN. Is there objection to the request of the gentleman from Maryland?

There was no objection.

Mr. BOUTELLE of Maine. I am very much obliged for the assistance of my friend from Maryland.

The CHAIRMAN. The Clerk will proceed with the reading of the bill, if no gentleman desires to discuss it.

Mr. BOUTELLE of Maine. Mr. Chairman, before proceeding briefly to explain the provisions of the bill, I wish to ask gentlemen on the other side of the House—this not being in any sense of the word a political measure—whether there is any desire on the part of members for debate upon the bill? It is important that we should get through with it as rapidly as possible. And I want to state that I am indebted to the very great courtesy and generosity of the chairman of the Committee on Military Affairs for yielding priority to this bill, because in his belief it would expedite the public business and enable us more certainly and more rapidly to utilize the brief time now remaining of this session of Congress.

It is the purpose of the Naval Committee, therefore, to consume but very little time in the general discussion, and to reserve the consumption of time for any debate that might arise when we reach the various provisions of the bill under the five-minute rule. However, it is the right of the committee to determine upon such debate as it may deem necessary; and, in view of that fact, I would like to know from gentlemen on the other side if there is any disposition to enter into a general discussion of the features of the bill; and if so, how much time gentlemen would desire?

Mr. CUMMINGS. I will say, Mr. Chairman, that I have had no application for time on this side of the House at all. I suggest to the gentleman from Maine that we go on with the consideration of the bill now, under the five-minute rule, and I think there will be no disposition to debate it.

If the gentleman from Maine will allow me——

The CHAIRMAN. Does the gentleman from Maine yield?

Mr. BOUTELLE of Maine. I yield to my colleague on the committee.

Mr. CUMMINGS. Then I ask unanimous consent that general debate be closed right here.

Mr. BOUTELLE of Maine. I yield for that purpose.

The CHAIRMAN. Is there objection to the request of the gentleman from New York?

There was no objection.

The CHAIRMAN. The Clerk will proceed to read the bill by paragraphs for debate and amendment under the five-minute rule.

Mr. BOUTELLE of Maine. Mr. Chairman, I have no desire——

[Cries of "Regular order."]

The CHAIRMAN. The regular order is demanded, and that is the reading of the bill under the rule.

Mr. BOUTELLE of Maine. I do not desire to discuss the bill, but simply to call attention to a fact which may be of interest to the members.

The CHAIRMAN. The Clerk will proceed with the reading of the bill by paragraphs.

The Clerk read as follows:

For the pay of officers on sea duty; officers on shore and other duty; officers on waiting orders; officers on the retired list; clerks to commandants of yards and stations; clerks to paymasters at yards and stations; general storekeepers, receiving ships and other vessels; extra pay to men reenlisting under honorable discharge; interest on deposits by men; pay of petty officers, seamen, landsmen, and apprentice boys, including men in the engineers' force and for the Coast Survey Service and Fish Commission, 20,000 men and 2,500 apprentices under training at training stations and on board training ships, and for men detailed for duty with naval militia at the pay prescribed by law, $12,726,440.

Mr. BOUTELLE of Maine. I move to strike out the last word, Mr. Chairman, for the simple purpose of saying to the members of the committee present that in my efforts to reduce the time to be consumed in debate as much as possible it was my purpose to ask that the members of the committee would resort to the printed report submitted by the Naval Committee for their consideration and information in regard to the pending bill. I have no desire to go further and make a restatement, orally, of the provisions which are embodied in the report, and I think the members of the committee will derive all the information that may be necessary in regard to the preparation of the bill and the items contained if they will carefully read the report which has been submitted.

That is all I desired to say. I ask a continuation of the reading of the bill and withdraw the pro forma amendment.

MESSAGE FROM THE SENATE.

The committee informally rose; and Mr. RUSSELL having taken the chair as Speaker pro tempore, a message from the Senate, by Mr. PLATT, one of its clerks, announced that the Senate had passed without amendment the bill (H. R. 7094) providing an additional circuit judge in the Third judicial circuit.

The message also announced that the Senate had passed bills of the following titles; in which the concurrence of the House was requested:

S. 5465. An act authorizing the renewal of pensions to certain soldiers, sailors, and marines who served during the war with Spain; and

S. 5446. An act to grant to the Pasadena and Mount Wilson Railway Company right of way and certain lands for railroad purposes through the San Gabriel Forest Reserve.

NAVAL APPROPRIATION BILL.

The committee resumed its session.

The Clerk read as follows:

Purchase and manufacture of smokeless powder, $1,000,000.

Mr. BRUCKER. I would like to ask the chairman of the Committee on Naval Affairs, the gentleman in charge of this bill, how much of that fund of $1,000,000 is to be used in the manufacture and how much in the purchase of this smokeless powder?

Mr. BOUTELLE of Maine. That is left to the Navy Department. I will state to the gentleman that last year we appropriated for the construction of a powder plant, which is nearing completion, but we did not feel that we had better undertake to fix what amount should be manufactured and what amount should be purchased. So we left that to the discretion of the Department.

Mr. BRUCKER. So that the ultimate intention of the United States Government is to establish a plant for the manufacture of its own smokeless powder?

Mr. BOUTELLE of Maine. Yes; that is the object. I will state to the gentleman that as a practical matter it is not the intention of the Department, nor was it the intention when the appropriation was made for the Government factory, that the Government should attempt to supply itself entirely or very largely by this plant; but there were various reasons why it was deemed necessary to have the plant, for the purpose of carrying experiments forward, and also that the Government might have a nucleus for manufacture if the exigency arose.

The Clerk read as follows:

Smokeless-powder factory: Necessary expenses incident to the work of continuing the development of the smokeless-powder factory, $25,000.

Mr. BRUMM. I move the amendment which I send to the Clerk's desk.

The amendment was read, as follows:

On page 9, line 8, after the word "dollars," insert the following paragraph: "Smokeless coal: The necessary expenses incident to experiments to test the qualities of smokeless coal for use on all vessels of the Navy, $30,000."

Mr. BOUTELLE of Maine. I must make the point of order on that.

Mr. BRUMM. I ask the gentleman to reserve the point for one moment.

The CHAIRMAN. Will the gentleman from Maine reserve the point of order?

Mr. BOUTELLE of Maine. Certainly.

Mr. BRUMM. I merely ask that I may be permitted to print certain remarks and some statistics showing why that ought to be done. That is all I ask.

The CHAIRMAN. The gentleman from Pennsylvania asks that he may be permitted to print certain remarks in the RECORD on this subject. Is there objection?

There was no objection.

The CHAIRMAN. The point of order is sustained, and the Clerk will read.

The Clerk read as follows:

Arming and equipping Naval Militia: For arms, accouterments, signal outfits, boats and their equipments, and the printing of the necessary books of instruction for the Naval Militia of the various States, under such regulations as the Secretary of the Navy may prescribe, $60,000.

Mr. BRUCKER. I move to amend this paragraph by striking out the word "sixty," in line 22, page 10, and inserting the words "one hundred;" so that it will read "$100,000."

The CHAIRMAN. The gentleman from Michigan.

Mr. BRUCKER. Mr. Chairman, I have no set speech to offer in support of this amendment, but I desire to submit a few impromptu observations in support thereof.

Whether we will or not, this nation is destined to become one of the great naval powers, if not the greatest in the world, and that, too, in the near future. In this bill, and in the report of the committee accompanying it, we find that something like $45,000,000 is here appropriated for the purpose of establishing this nation as a great naval power, and yet we provide in this bill, in this section, the "extravagant" sum of $60,000 for the purpose of aiding and encouraging the youth of the several States to enlist, procure boats, uniforms, arms, and all the paraphernalia necessary to drill and familiarize themselves with navy service and fit themselves to go into the regular Navy in case of actual hostilities.

Now, I think that this great Government, especially under the present complications, actual and impending, if it expects to rely at all on these naval-reserve companies which we find organized throughout the different States of the Union, if we are to seek

their aid and support in time of actual hostilities, we ought, in a bill in which we appropriate $45,000,000 for the Navy, to be willing to deal, not generously, not extravagantly, but at least fairly with them in the matter of appropriations. Now, in my home city of Saginaw, in the State of Michigan, we have one of these naval-reserve commands. It joined with the command at Detroit, Mich., during the late unpleasantness with Spain, manning the good ship *Yosemite*, and doing valiant service both in Cuban and Porto Rican waters, at one time maintaining for forty-eight hours, single-handed and alone, a successful blockade of San Juan Harbor, Porto Rico, repulsing every attempt to run the blockade, for the United States Government.

I think the House owes it to the different commands throughout the Union that we extend not only a helping hand but encouragement to those young men who belong to these naval-reserve commands, encouragement to enlist and become members of them, and in this way build up this reserve force, which will do us good service in times of need. I do not think we will be wasting public money. I do not think it will be extravagant if, under the circumstances, we increase this appropriation from $60,000 to $100,000, and therefore, Mr. Chairman, I have proposed the amendment. [Applause.]

Mr. BOUTELLE of Maine. I desire to state simply that the committee have reported here the full amount recommended by the Navy Department. That Department is the best advised as to the needs of this service, and in granting the full appropriation that the Department recommended to be desirable, the committee felt that they had taken the wisest action under the circumstances. I hope the amendment will not prevail.

Mr. CUMMINGS. I would like to say a word or two.

The CHAIRMAN. The Clerk will report the amendment.

The Clerk read as follows:

On page 10, line 22, strike out "sixty" and insert "one hundred."

The CHAIRMAN. The question is on agreeing to the amendment.

Mr. CUMMINGS. I want to make one suggestion. Within six years this paragraph has been increased from $25,000 to $60,000. We give all that the Secretary of the Navy asks in giving $60,000. I think the gentleman will find that this sum will increase each year. I believe within four years the Secretary will recommend $100,000.

Mr. BRUCKER. I would like to ask the gentleman how much the naval budget has increased within the past six years? Has it increased in proportion to the appropriation made for the Naval Reserves?

Mr. CUMMINGS. The appropriation for the Naval Reserves has increased far more in proportion. It has been more than doubled within four years.

Mr. BRUCKER. Has not your bill been increased twice as much?

Mr. CUMMINGS. No.

The question was taken; and the amendment was rejected.

The Clerk read as follows:

The Secretary of the Navy is hereby authorized to transfer to the officers of Yale University the custody of the two Maxim rapid-fire guns, with their mounts and the stand of colors, presented by its students and graduates to the United States at the opening of the war with Spain for use upon the auxiliary cruiser *Yale*, to be retained until said guns may be required for use by the Government.

Mr. FITZGERALD. I would like to ask the chairman of the committee a question. I understand there was a stand of colors presented by the Harvard University to the cruiser *Harvard;* and I understand also that there is a provision in this bill which allows the Yale University to get back their stand of colors. I would like to know if any application was made for the stand of colors presented from Harvard?

Mr. BOUTELLE of Maine. What is the gentleman's question?

Mr. FITZGERALD. It is in reference to this paragraph:

The Secretary of the Navy is hereby authorized to transfer to the officers of Yale University the custody of two Maxim rapid-fire guns, with their mounts and the stand of colors.

Mr. BOUTELLE of Maine. You mean for the stand of colors——

Mr. FITZGERALD. Presented by Harvard University.

Mr. BOUTELLE of Maine. The committee and officers of Harvard University made a request of the Navy Department to transfer the two guns——

Mr. FITZGERALD. You mean Yale University. My object in making the inquiry was to furnish through this bill the same opportunity for Harvard University to obtain possession of the stand of colors presented by that institution to the cruiser *Harvard* as is afforded to Yale. Certainly if Harvard has made no request I will not ask that the legislation be incorporated in the bill.

Mr. BOUTELLE of Maine. None at all.

Mr. CUMMINGS. None at all.

Mr. BOUTELLE of Maine. The gentleman inadvertently said Harvard University.

The Clerk read as follows:

Ocean and lake surveys: Ocean and lake surveys; the publication and care of the results thereof; the purchase of nautical books, charts, and sailing directions, and freight and express charges on the same; preparing and engraving on copperplates the surveys of the Mexican coasts, and the publication of a series of charts of the coasts of Central and South America, and for surveys of the imperfectly known parts of the coasts and harbors of the Philippine Archipelago and the islands of Cuba and Porto Rico, with their bordering keys and waters and the minor outlying islands; to be made immediately available, $100,000.

Mr. DOCKERY. I move to strike out the last word, for the purpose of making an inquiry of the chairman of the committee. I notice a provision for the preparation of a series of charts for the islands of Cuba, Porto Rico, and the Philippine Archipelago. I am not sure but this is a duplication of appropriation carried in the sundry civil bill. I simply wanted to call the attention of the chairman to that matter.

Mr. BOUTELLE of Maine. If so, it is an inadvertence. I hardly think it is. Twenty-four thousand dollars was appropriated last year for this purpose in the appropriation bill of May, 1898, and in the estimates sent to us——

Mr. DOCKERY. I will look it up; and if it is a duplication, I have no boubt the gentleman will have it stricken out.

Mr. BOUTELLE of Maine. I will be very much obliged to the gentleman if he will inform me if this has been provided for anywhere else.

The Clerk read as follows:

That the Secretary of the Navy is hereby authorized to provide for the enlargement of the slip or dock at the southern boundary of the United States navy-yard at Boston, Mass., partly upon the land of the navy-yard and partly upon lands belonging to the Fitchburg Railroad Company, said slip to be enlarged beyond its present width 80 feet upon the lands of the United States and 20 feet upon the lands of the Fitchburg Railroad Company, so that the same shall be 160 feet in width, measured northerly from the land parallel to and 20 feet southerly from the boundary between the lands of the United States and the lands of the Fitchburg Railroad Company, and to be increased in length to a total of 570 feet, measured from the harbor commissioner's line as now established upon the front of the said railroad company's property; the said slip to be used by both the Fitchburg Railroad and the United States for the berthing of vessels at their respective wharves; and the Secretary of the Navy is empowered to make a contract with the said Fitchburg Railroad Company pursuant to the provisons of this act.

That in consideration of the privileges granted by this act to the Fitchburg Railroad Company for the use of a portion of this slip extending northerly of the boundary line of the United States navy-yard, said railroad company shall build suitable retaining walls upon the east side and at the head of the slip upon the Government lands, or in lieu thereof shall pay to the United States such sums of money as may be determined by arbitration, and shall dredge the entire slip or basin to a depth of 30 feet at mean low water and maintain such depth as long as it enjoys the privileges above stated. It is further provided that the said railroad company shall use and occupy only 60 feet of the width of the said basin within the limits of the navy-yard property, and is to erect no construction of any kind within the limits of the said basin, either upon the lands of the Government or upon that portion of the said railroad company's lands included in the basin.

That the right to use said dock or any part thereof by said railroad company may be temporarily suspended by the Secretary of the Navy whenever in case of war or other emergency it shall be necessary, in his judgment, for the United States Government to have the exclusive use of the same, and for any such suspension said company shall not be entitled to any compensation. The Secretary of the Navy shall notify the railroad company to that effect, and thereupon and during the continuance of such emergency the Government shall have the sole use of said dock. That the entire expense of the construction of the said slip or basin shall be borne by the said railroad company, including the excavation and removal of any wharves, piers, buildings, earth, or constructions of any kind that may be upon the said site, and said materials and constructions shall be disposed of in such a manner or deposited in such places as shall be designated, with the approval of the Secretary of the Navy, and the construction and improvement herein provided for shall be without any expense whatever to the United States. That the privileges hereby granted to the Fitchburg Railroad Company shall become null and void unless the improvements hereby authorized are begun within six calendar months from the date of the approval of this act, and completed in every respect in accordance with the terms hereof, and to the acceptance of the Secretary of the Navy, within eighteen calendar months from the same date.

Mr. DOCKERY. I desire to reserve the question of order against the paragraph just read, beginning with line 1, page 23, down to and including line 12, on page 25.

Mr. BOUTELLE of Maine. Mr. Chairman, I am sorry the gentleman from Missouri has felt constrained to make this point of order against that legislation.

Mr. DOCKERY. I reserve the point of order.

Mr. FITZGERALD. I challenge the record as to whether the gentleman made the point of order.

Mr. DOCKERY. I made the point of order, but I will reserve the point of order to hear from the gentleman.

The CHAIRMAN. The gentleman from Maine has the floor. The point of order is reserved.

Mr. BOUTELLE of Maine. I want to explain to the gentleman from Missouri the exact purport and purpose of this legislation. A paragraph covering this subject was inserted in the naval appropriation bill last spring in the Senate. It came up near the close of the session of this House, and in conference the appearance presented was that of a joint operation between the Government of the United States and a private corporation, and inasmuch as there were several propositions of joint action of the Government and private individuals for the erection of dry docks and

some other subjects, and the time for consideration being very short, all of these propositions were left out of the bill.

I have taken occasion since that time to make a personal examination of the facts in that case, and also a personal examination of the premises involved, and I have found that it is the consensus of the judgment of all the officers of the Government who have given the matter their attention, including the commandant of the yard at Boston and the chief of the Bureau of Yards and Docks in Washington and the Secretary of the Navy, that this proposition is a very desirable one for the Government.

Mr. DOCKERY. Has the gentleman a letter from the Secretary of the Navy?

Mr. BOUTELLE of Maine. Yes.

Mr. DOCKERY. I wish you would read the letter.

Mr. BOUTELLE of Maine. And prior to reading them, I want to state to the gentleman the ground work of this proposition.

Mr. DOCKERY. Very well.

Mr. BOUTELLE of Maine. I know of only one officer at the Department who takes any exception whatever to this proposition, and that was in its early stages, before the bill had been so modified as to remove some of the suppositious objections that might arise. The Boston Navy-Yard, situated in Charlestown, abuts directly on the premises of the Fitchburg Railroad Company, which is both a private corporation and a corporation in which the State of Massachusetts holds a great deal of stock, and to which it has furnished more or less subsidy. It connects with the Hoosac Tunnel, and forms one of the most important outlets to the seaboard for grain and other products of the West. Their terminal facilities are unavoidably crowded, coming up against the bridge on the Charles River on the one hand and the boundary of the navy-yard on the other.

It is impossible for them to extend their premises laterally. They are obliged to accommodate, for the transshipment of a great amount of grain and other products, berths for the largest steamships in the freight business that we have afloat, and it is daily becoming more desirable that they should accommodate still other lines of trans-Atlantic traffic at their wharves. Between the premises of the Fitchburg Railroad and the navy-yard there is now a narrow slip which is in a state of innocuous desuetude, we might say. On the one side is the wharf line of the Fitchburg Railroad Company's property and on the other side a very dilapidated wall on the navy-yard property.

The Government line extends out into the water, so that the boundary of the navy-yard property is a water line; but the dock is very narrow—too narrow for use and too shallow for use, and too short from the outer ends of the pier to the inner ends for use by large vessels in the Navy.

It is now used by smaller vessels and to some extent for coaling purposes. Along near the Government property, near the wall, are old sheds of a dilapidated character, entirely unfit under modern methods for coaling naval ships. It is intended by the Navy Department to build there, as we are building at other points, a permanent system of tramways and chutes along the edge of this wharf for the purpose of coaling our ships; in other words, making a practical coaling station there. That is an impossibility now. I wish I had a diagram here.

Mr. CUMMINGS. I have a diagram.

Mr. BOUTELLE of Maine. That is not large enough to show to the members of the House. To-day that passageway between the Fitchburg road and the navy-yard is of practically no use. There is practically no facilities for either the navy-yard or the Fitchburg Railroad Company to transact business on a large scale with large ships. Now, this railroad company, for purposes of its own advantage and for the advantage of the general trade facilities of that great port, has made what, to my mind and to the Secretary of the Navy and the other officers of the survey with the exception of one, appears to be a most advantageous proposition.

Mr. DOCKERY. What officer objects to it?

Mr. BOUTELLE of Maine. Commander Bradford raised some technical objection which I would not like to characterize, but he seemed to feel that, it being a private corporation, this was giving an advantage to a private corporation that perhaps the Government ought not to do. My conception has been entirely different. I have looked upon the management of the Navy and its administration as intended for the general public benefit. I have always felt that one primary object of the Navy was to maintain, protect, and promote commerce.

Here is an opportunity where, by permitting this railroad company to carry out a very liberal proposition, the United States Government will get a dock dredged out to 597 feet in length, and walls built along the Government end and along the Government side of the dock, maintaining a maximum depth great enough for our largest ships, and done by this railroad company. The Government is not asked to spend a dollar; it is simply asking a grant, for the prosecution of this joint enterprise, of a certain amount of space, part of it water and part of it on this old pier, amounting to about 80 feet.

Mr. CUMMINGS. And 20 feet of which belongs to the Fitchburg road?

Mr. BOUTELLE of Maine. Yes; 60 feet from the Government, thereby making a width of 160 feet, which is regarded as ample for the berthing on the one side of one of the largest freight steamers and on the other side of one of the largest battle ships at the coal wharf.

Mr. RIDGELY. Does the Government part with its title to the land by this provision?

Mr. BOUTELLE of Maine. No, it does not; we have remodeled the bill on that line. The Fitchburg Company gives 20 feet of its width, and would give more except that the bridge beyond limits the amount it can yield from this line.

The Government is asked to give 60 feet, making, with the 20 feet, 80 feet water space. Admiral Howison, commandant of the yard, recommends this measure in the strongest terms. The Chief of the Bureau of Yards and Docks also recommends it very emphatically, and the Secretary of the Navy has written a letter, which I have here. This project has been gone over at the Navy Department with the utmost care.

Mr. DOCKERY. Let me ask the gentleman whether this arrangement is not in fact a partnership between the Government and the railroad company?

Mr. BOUTELLE of Maine. No; it is not, because every right of the Government is retained.

Mr. DOCKERY. But it seems to me that if the Government has use for this property it ought to condemn it and own it in fee simple. If it has no use for it, and if the railroad company needs it, then the railroad company should buy it.

Mr. BOUTELLE of Maine. The railroad company does not want to buy the whole of it. Let me illustrate. We will suppose [illustrating] that this is the railroad company's wharf. Here is the Government land. The company wants to extend this slip (which, perhaps, is that broad) at their own expense—to extend and broaden it so as to put big ships alongside of the wharf, and at the same time make it broad enough for the Government to put battle ships or other large vessels on its own side. The company agrees to do the whole work, the cost of which amounts to some two or three hundred thousand dollars.

Mr. GAINES. Will not that lessen the space controlled by the Government and hereafter would it not have less land for its operations?

Mr. BOUTELLE of Maine. Undoubtedly.

Mr. GAINES. How much land is there?

Mr. BOUTELLE of Maine. Sixty feet.

Mr. GAINES. How long is the tract?

Mr. BOUTELLE of Maine. They are to build 597 feet; but that is now occupied by those old, dilapidated coal sheds. It is a part of the Government scheme recommended by the board that investigated the subject of coal stations last year to build there proper facilities for the rapid coaling of our ships.

Mr. GAINES. Do you propose to give this privilege to the railroad company?

Mr. BOUTELLE of Maine. The privilege of coaling?

Mr. GAINES. No; the right to make this change there and to take charge of that property.

Mr. BOUTELLE of Maine. The proposition is to allow the railroad company to build that dock at its own expense, to dredge it out for its full width and depth; and all the company will have will be the use of their own side of the dock, which they have put back 20 feet; and by reason of the Government going back 60 feet they will be enabled to receive the largest ships in their docks, while at the same time the Government can put its largest ships in on its side.

Mr. GAINES. Is this a mere license, or does the railroad company take the fee?

Mr. BOUTELLE of Maine. That is a question for some one more of a lawyer than myself to discuss. The other day in the committee room some question was raised over the phraseology of this proposition; and the lawyers of that committee, who I believe are among the very ablest in this House, concluded that under this provision the interests of the Government will be entirely safe.

Mr. GAINES. I really should like to have that question answered.

Mr. DAYTON. The railroad company will have a perpetual easement on the land; and without that no railroad company would undertake such an immense work.

Mr. GAINES. Then they can perpetually exclude the Government unless it comes in and condemns the land.

Mr. DAYTON. The rights of the Government are entirely protected by its being authorized to use this dock always in connection with the railroad company.

Mr. FITZGERALD. And to use it absolutely in time of war.

Mr. DAYTON. Yes, sir.

Mr. DOCKERY. Is the committee unanimously in favor of this partnership agreement?

Mr. DAYTON. Yes, so far as I know.

Mr. CUMMINGS. I wish to say that I was not present at the committee meeting at which this measure was passed, and if I had been I should have opposed it.

Mr. GAINES. Then, as a proposition of law, the railroad company is to take the fee of this property, and to that extent it will have the power to exclude the Government.

Mr. DAYTON. Oh, no.

Mr. GAINES. A perpetual lease will be practically the same as a title in fee.

Mr. DAYTON. The railroad company will have the perpetual right to the use of this land for its purposes, subject to the right of the Government to use it for the same purposes, and to have the exclusive use of it in case of necessity.

Mr. HILBORN. Without compensation?

Mr. DAYTON. Without compensation; and substantially it is fit for no other purpose.

Mr. GAINES. It seems, however, that the Government at one time took it for another purpose.

Mr. BOUTELLE of Maine. But I will state to the gentleman from Tennessee that the only dock or slip there has fallen into decay and disuse. I have photographs of it, which of course could not be seen by the whole House, but gentlemen can inspect if they desire to do so, which will show the condition of it at the present time. It is too narrow to be utilized for any other purpose, and has fallen into decay, and must be built over to be of any service whatever. Congress would not authorize an expenditure for the enlargement of it, because we would not go to the expense of building a wall there, which must be built, and inclose a water space which is too narrow for any public use. That is the condition at the present time.

We think that in this provision we are getting a very advantageous bargain, and we lose nothing. The gain is all on our side. Besides that, it is provided that at any time when the public interests or exigency may require it, the Secretary of the Navy may take possession of it immediately and without notice.

Mr. DAYTON. In other words, we are getting practically a work which costs $300,000, and the advantage of it, for nothing.

Mr. BOUTELLE of Maine. As my colleague says, we are getting the advantage of the expenditure of $300,000 without any cost to ourselves. The Government will not be at the expenditure of a dollar, and when the work is done the Government will have the dock and will be able to utilize it and make available the expenditure which the railroad company will put upon the construction there. It will be of great benefit to us in cases of emergency.

Mr. GAINES. Let me ask the gentleman another question. Is the Committee on Naval Affairs unanimous on this question?

Mr. BOUTELLE of Maine. I had supposed, Mr. Chairman, that the committee were unanimous until my colleague from New York [Mr. CUMMINGS] stated that he was not in favor of it. I did not know it before.

Mr. RIXEY. Will the gentleman from Maine yield to me for a moment?

Mr. BOUTELLE of Maine. Certainly.

Mr. RIXEY. I do not think I was present when this matter was first considered. Afterwards I made a suggestion in connection with it that the Government should reserve the right to rescind the concession at any time if they chose to do so. I think that right ought to be retained at all times by the Government. It is a right we now have as to other property, and it seems to me, when we give this railroad company such a privilege as is proposed in this paragraph of the bill, it should not be a right which is not revocable at the instance of the Government at any time it sees proper to do so.

Mr. BOUTELLE of Maine. Mr. Chairman, I want to read in this connection a communication from the Secretary of the Navy, which explains the importance and necessity of the work; and in the same connection to read a report from the Chief of the Bureau of Yards and Docks:

NAVY DEPARTMENT, *Washington, January 9, 1899.*

SIR: I have the honor, replying to your letter of the 20th ultimo with reference to H. R. 11185, "To provide for enlarging a slip or wet dock at the United States Navy-Yard, Boston, Mass.," to say that the Department approves the bill as advantageous to the Government, and incloses herewith a letter of even date of the Bureau of Yards and Docks, recommending that it receive the approval of the Department.

While the dock will undoubtedly be of great advantage to the Fitchburg Railroad Company, yet as the bill provides for its construction at the expense of that company, it is believed that the opportunity is one which ought not to be lost for securing to the United States, without expense to itself, the permanent use of it for the berthing of vessels at its own wharf, and, in case of war or other emergency, the exclusive use of it.

In accordance with the further request stated in your letter asking for any official reports or surveys made in connection with the project, I inclose copies of an indorsement of the Bureau of Yards and Docks, dated October 8, 1898, and an indorsement of the Bureau of Equipment, dated October 1, 1898, which indorsements were made upon the report of a naval coal board upon the location of coaling depots at the different navy-yards and stations, also Sketch A, made to accompany said third indorsement, being a plan of the premises.

Very respectfully, JOHN D. LONG,
Secretary.

Hon. CHAS. A. BOUTELLE,
Chairman Committee on Naval Affairs,
House of Representatives, Washington, D. C.

I will state that this bill was forwarded to the Secretary of the Navy in the usual form for his approval or for suggestions, and this letter was in response thereto.

The report of the Chief of the Bureau of Yards and Docks is as follows. But before reading the report I will say that the bill has been further modified to meet the views of the Chief of that Bureau at this time. I beg the attention of the committee to the statement embodied:

BUREAU OF YARDS AND DOCKS,
Washington, D. C., January 9, 1899.

SIR: Referring to a bill (H. R. 11185) providing for enlarging a slip or wet dock at the United States navy-yard, Boston, Mass., handed to me this morning by you for comment, I have examined its provisions, and would respectfully state that while they are somewhat different from those originally contemplated and recommended by this Bureau, I believe them to be in the main fair, equitable, and advantageous to the Government for the purposes had in view, and recommend that the same receive the approval of the Department.

The Navy has at this point at the present time a small slip, which is only about 60 feet in width at its widest part, and would have to be widened 40 feet more upon Government lands in order to make it sufficient for the convenient handling of vessels of the Navy. The enlargement of the slip as proposed by the accompanying bill involves a greater extension upon Government lands than just stated; but in consideration of the mutual advantages of having an ample and deep slip for all purposes, that the entire expense of the construction of the slip is to be borne and its depth maintained by the Fitchburg Railroad Company, and that authority is vested in the Secretary of the Navy to suspend the use of the slip by the said railroad at any time that the interests of the service may require it, I believe that the interests of the Government in the matter will be subserved by the construction now proposed.

Very respectfully, MORDECAI T. ENDICOTT,
Chief of Bureau.

The SECRETARY OF THE NAVY,
Navy Department.

Of course, where he refers there to the "small slip only 60 feet in width," and the necessity of widening it "40 feet more upon the Government lands," it means at the expense of the Government.

In this same connection there is a further indorsement of the naval coal board, to which I ask attention.

The document is as follows:

WASHINGTON, D. C., *October 8, 1898.*

Respectfully forwarded to the Department.

This Bureau concurs in the recommendations of the board, with the following exceptions:

NAVY-YARD, BOSTON.

The recommendation of the board that the slip at the western end of the yard be enlarged upon lands belonging to the Fitchburg Railroad Company and upon lands belonging to the United States navy-yard is approved, and the conditions to govern such improvement are approved, with modifications.

The Bureau regards the construction of the basin in this slip in this section of the yard, to be used in connection with the naval coaling station, as important and necessary, the present slip being too narrow for the purposes of the Navy when its largest vessels are coaling. It will therefore become necessary to enlarge this slip upon the Government land to a considerable extent, certainly for a width of 40 feet, in order to make it convenient for berthing and handling the largest vessels.

In view of the proposition submitted by the Fitchburg Railroad Company to add 20 feet from lands belonging to them to the width of this basin, it is believed that it will be advantageous to the Government to enlarge it upon its own land 40 feet in addition to the 40 stated above as necessary, and provide a large basin sufficient for the purposes of both the railroad company and the Government.

The Bureau recommends, however, that such concession on the part of the Government be met by the following obligations on the part of the railroad company and the Commonwealth of Massachusetts, which has a large proprietary interest in the Fitchburg Railroad Company. The conditions and obligations on the part of both the railroad company and the Government which are suggested are briefly as follows:

1. The railroad company to contribute a strip of land 20 feet wide and of the depth proposed for the basin.

2. The United States Government to contribute a width of 140 feet of land and water and of the same depth, lying immediately east of its western boundary line; this area and that mentioned above to constitute a slip or basin 160 feet in width and 570 feet in depth, measured from the harbor commissioner's line as now established in front of the railroad company's property. The location of such basin is shown upon the sketch marked "A" accompanying this indorsement.

3. The railroad company to build retaining walls of construction approved by the Navy Department at the head and on the east side of the proposed slip.

4. The railroad company to dredge the entire basin to a depth of 30 feet at mean low water, and maintain such depth.

5. The Commonwealth of Massachusetts, as part owner of the Fitchburg Railroad Company, to cede to the United States the land under water in front of the navy-yard and extending outward to the harbor line recently established by the United States War Department, shown in a plan accompanying this indorsement, marked "B."

6. The railroad company to have the use of 60 feet of the basin lying immediately east of the Government's western property line, but to erect no constructions of any kind within the limits of the basin as proposed.

7. The Government to grant the railroad company the right to the use of the portion of the basin within the Government lines, subject to revocation by the Secretary of the Navy upon ninety days' notice, or immediately when the military necessities of the United States Government require it.

The Bureau does not regard it as necessary that the railroad company should be granted a lease of any of the lands of the Government for this purpose, and it is deemed better that such concession as may be granted them in this matter be in the form of a simple grant by Congress for the use and

occupancy of the portion of the lands indicated above during such time as the Secretary of the Navy may consider it to be to the interests of the Government to continue such grant or concession.

PORTLAND, ME.

This Bureau concurs in the recommendation of the Bureau of Equipment that a coaling station be established at Portland, Me., for the reasons that it is regarded safer and better that the Government should own and control a coaling station in its own right at this point, notwithstanding its proximity to the navy-yard at Portsmouth, N. H., in consideration of the fact that the Portsmouth yard is not easily and safely accessible for the largest war vessels of the Navy at all times of the tide.

FRENCHMANS BAY.

The Bureau would add that it strongly approves the recommendation of the board that a coaling station be established at Frenchmans Bay, not only because of the local advantages of the site, but particularly because it is near the northern extremity of the United States possessions upon the Atlantic coast.

Very respectfully, MORDECAI T. ENDICOTT,
Chief of Bureau.

In addition to what I have already said, I want to add that the State of Massachusetts has already adopted legislation authorizing its State harbor commissioners to grant to the United States the privilege of extending its territory beyond the harbor lines, to enable the Government to create on the front of the dock a very large addition to the present property by filling in; and this has been done because the State of Massachusetts, aside from its general interest in the prosperity of the harbor of Boston, is directly interested in helping to improve and advance the facilities of this great highway of commerce from the West, and is desirous of meeting the Government of the United States under the most liberal terms possible in every feature, as I conceive, in extending the offer.

Mr. RIDGELY. Will the gentleman permit a question?

Mr. BOUTELLE of Maine. Certainly.

Mr. RIDGELY. I notice that while you put on the company the expense of making the improvement, you are granting to them the perpetual use, jointly with the Government, of this property, but say nothing about the expense of maintenance and repairs. Would it not be well to put that provision into the bill?

Mr. BOUTELLE of Maine. Yes; it is all covered there.

Mr. RIDGELY. I do not so read the language of the bill. There is nothing said about maintenance, is there?

Mr. BOUTELLE of Maine. They must maintain it at a certain depth.

Mr. RIDGELY. In what part of the bill is that?

Mr. FITZGERALD. On line 4, page 24—

And maintain such depth as long as it enjoys the privileges above stated.

Mr. BOUTELLE of Maine. I call the gentleman's attention to the provision beginning near the bottom of page 23, in line 20:

That in consideration of the privileges granted by this act to the Fitchburg Railroad Company for the use of a portion of this slip extending northerly of the boundary line of the United States navy-yard said railroad company shall build suitable retaining walls upon the east side—

That is the Government side—

and at the head of the slip upon the Government lands—

The east side is the Government side, the navy-yard side, and the Government property runs across the larger portion of the head. Of course they take care of their own side—

or in lieu thereof shall pay to the United States such sums of money as may be determined by arbitration.

Now, that was put in the bill on the ground that the Government of the United States might desire to build on its own side something more than an ordinary retaining wall for the purpose of constructing there the great tramways that would be necessary for a modern coal delivery for ships; that the Government may desire to build a very much heavier wall than would ordinarily be required as a retaining wall, and that unless the wall that the railroad company might build would suffice for all the purposes of the Government, in case the Government desired to build a much larger and more expensive wall there purely for Government purposes, that the railroad company shall contribute such share of that expense as an arbitration may determine.

Further on it says:

And shall dredge the entire slip or basin to a depth of 30 feet at mean low water and maintain such depth as long as it enjoys the privileges above stated.

Mr. LACEY. Let me call the attention of the chairman of the committee to the clause beginning "or in lieu thereof." That does not seem to me to protect the Government in the respect which the gentleman speaks of. It does not provide that the Government shall at its option make the change which the gentleman suggests, but it seems to leave it at the option of the railroad company. They might not wish to have it constructed in the way the gentleman states.

Mr. BOUTELLE of Maine. That was not the intention. If the legal verbiage is faulty, I should be glad to have it amended.

Mr. LACEY. I suggest that it should read:

Or if the Government of the United States shall so elect—

Leaving the option with the Government rather than with the company.

Mr. BOUTELLE of Maine. Where will the gentleman have that language inserted?

Mr. LACEY. In line 1, of page 24, instead of the words—

Or in lieu thereof—

Insert the words—

Or if the Government of the United States shall so elect.

Under the explanation which the gentleman has made, that will carry out the intention.

Mr. BOUTELLE of Maine. That was the intention.

Mr. HILBORN. The gentleman ought to accept that amendment.

Mr. BOUTELLE of Maine. I am glad to do so. I will ask unanimous consent, while we are considering it, to accept that amendment.

Mr. DOCKERY. The point of order is still reserved. Now, Mr. Chairman, I want to say this——

Mr. BOUTELLE of Maine. Let the Clerk report the amendment.

Mr. DOCKERY. This proviso seemed to me to be unsatisfactory, and I have reserved the point of order against it. With entire respect to the members of the committee, let me say that it does not address itself to my judgment at all, because it proposes a partnership with a railroad company, and I do not think it wise for the Government to enter into a partnership of this sort, or any other sort.

Mr. BOUTELLE of Maine. It is a pretty good thing when we get the best of the bargain.

Mr. DAYTON. Under the law, if they should abandon this——

Mr. DOCKERY. The gentleman from New York [Mr. CUMMINGS] informs me that he is opposed to this project, and other gentlemen say they were not there at the time the matter was considered in committee.

Mr. CUMMINGS. I will give my reasons when I get the floor.

Mr. DOCKERY. Under the circumstances, I feel that members of the committee should determine whether the point of order should be insisted upon. I am against the proposition and shall vote against it, but I think gentlemen of the committee who are much more familiar with it than I am should determine whether the point of order shall be insisted upon. If it is not insisted upon, I shall simply antagonize the proposition with my vote.

The CHAIRMAN. Does the gentleman withdraw his point of order?

Mr. BOUTELLE of Maine. The bill is here, subject to any amendment which seems to be desirable.

Mr. DOCKERY. I have simply indicated that I think gentlemen who are familiar with the matter should assume the responsibility, without requiring me to bear the "odium" of insisting upon the point of order.

Mr. CUMMINGS. If the gentleman desires to withdraw his point of order, I will renew it.

Mr. DOCKERY. I withdraw the point of order, which the gentleman from New York [Mr. CUMMINGS] says he will renew.

Mr. BOUTELLE of Maine. Mr. Chairman, I merely wish to make one additional statement, and then I close. This proposition has been before the committee, was before the committee a year ago, and published to the world at that time. Up to the present day I have heard of no opposition to this proposition from any source until to-day. I was unable to conceive that there was likely to be opposition to it on the part of the interests of the Government. The only conjecture that I could make as to any source from which any opposition might possibly come was that something of that kind might proceed from some railroad rivalry—rivalry of some other corporation. But if there is rivalry or antagonism of that kind, I am unable to see how it could be based upon any claim of any other corporation that it is to be injured by this legislation. It must be based simply, it seems to me, on the plea that this legislation is beneficial to the Fitchburg Railroad.

It seems to me that if such a plea as that is made, or opposition proceeds from any such consideration as that, it ought not to prevail in the House of Representatives, because wherever the Government has prosecuted any great public work for its own benefit I believe that where there are two or three different methods of doing it, that if there is a method of carrying out the improvement not involving any expense or burden on the Government, and if it may be carried out in a certain way, will surely prove of great benefit to the commerce and business of the United States or the city in which it is located or the neighborhood, that the Government ought to be very glad to carry on its business in that way. That is all I desire to say.

Mr. CUMMINGS. Mr. Chairman, I was sorry that sickness prevented me from attending the meeting of the Naval Committee when this proposition was brought forward. Since then I have endeavored to get at the facts of the case. It came before us originally in the last Congress as an amendment put upon the appropriation bill by the Senate. The honored chairman of the

committee and myself agreeing at that time in opposing it, it went out. You will notice that this railroad company is seeking, and has been seeking, this arrangement, and not the Government. A commission was appointed by the Secretary of the Navy to look out for coaling stations in the United States, and they were examining the navy-yards when the Secretary received the following letter:

226 DEVONSHIRE STREET, BOSTON, MASS., *June 16, 1898.*

DEAR MR. LONG: I noticed a statement recently in the papers that a commission has been appointed to select coaling stations for the Navy. As previously suggested, the United States Government, by timely action now, can secure a coaling station at the Charlestown Navy-Yard, by building a dock of sufficient depth and width, from which, with modern facilities and appliances, it would be practicable to coal the largest ship of the Navy in ten hours. Probably a more advantageous site for such a dock is not available at any point on either coast, there being ample room in the yard itself for suitable sheds and appliances, while the situation of the navy-yard insures freedom from attack and from rough winds and water. You will perceive that this is in line with the plan formerly indicated in connection with the Commonwealth's interests adjoining the navy-yard. Doubtless it will have occurred to you to direct the attention of the commission to the points noted.

With my best remembrances, I am, yours, faithfully,

J. R. LEESON.

Hon. JOHN D. LONG,
Navy Department, Washington, D. C.

The following letter was afterwards received by Mr. Leeson:

BROOKLINE, MASS., *June 2, 1898.*

DEAR SIR: The members of the coal board are going south to-morrow for the examination of the coaling facilities at the different navy-yards, but will return here to prepare their report.

Meanwhile will you be good enough to request President Codman, of the Fitchburg Railroad, to put his proposition in writing as regards the joint interests of the board, the Commonwealth, and the Government in the matter of suggested coaling facilities at the Boston Navy-Yard. If you will also, as the commissioner of the Commonwealth, send to the board a brief statement of your views in writing it will be of great assistance in the preparation of the report to be submitted to the Navy Department.

Respectfully,

GEO. E. BELKNAP,
Rear-Admiral, United States Navy, Retired, President of Board.

Hon. J. R. LEESON,
Boston, Mass.

The following letter explains itself:

226 DEVONSHIRE STREET, BOSTON, MASS., *June 27, 1898.*

MY DEAR SIR: Following the line of your very courteous suggestions June 22, it gives me pleasure, as a State director of the Fitchburg Railroad Corporation, also in behalf of the railroad, to submit briefly an outline of propositions in regard to the establishment of a coaling station for the United States Navy on the south side of the navy-yard at Charlestown, Mass.

Believing that an examination of the ground will satisfy your honorable board of the desirability of the particular location named for serving the purposes involved in the board's appointment, it seems unnecessary for me to say more on that subject than to express my entire coincidence with such plans.

The Commonwealth of Massachusetts having invested nearly $30,000,000 in the construction of the Hoosac Tunnel and its approaches, for the purpose of enabling not only its own citizens but also the important producing interests originating in Western territory to avail themselves thereof and enable those interests to place their products in the world's markets successfully in competition with the producers of foreign lands, necessarily is deeply interested in the maintenance of existing, and the securing of increased, facilities in the port of Boston, essential for the furtherance of the original design. As the largest single owner in the Fitchburg Railroad, the Commonwealth imposes upon its representatives on the board the duty of seeing to it that facilities for performing the functions committed to it shall not be in any way abridged.

To illustrate the wisdom of the State's expenditures, it is probably known to your honorable board that of all the merchandise exported over the seas from the port of Boston in 1897, 51¼ per cent was brought to tide water over the rails of the Fitchburg Railroad. The volume of business offered the road being constantly increased as the wealth of the country is added to, and its capacity to meet the demand of foreign consumers multiplied, it necessarily follows that the board must add to its terminal facilities in order to enable it to fulfill the objects for which so large a portion of public money has been expended. There is only one direction in which such additional facilities may be secured, owing to the physical conditions by which the board is surrounded. That, as you have already informed yourselves by personal inspection, is on the north side of the railroad wharves, and adjoining the property comprising the United States navy-yard.

I can but feel that a careful and candid examination of the ground and conditions will lead your honorable board to the conclusion reached by myself and others, that in the construction of the proposed dock for the accommodation of the coaling business of the Navy it will be practicable, while securing a coaling station for the Navy of the first class, to give the Fitchburg Railroad Company the facilities which are imperatively needed, without loss to the Navy—in fact, as it would appear, with a positive gain. In carrying out this suggestion in its broadest application, of the 87½ acres comprising the navy-yard area not more than half an acre will be required, and at the point designated this space can well be spared without the slightest detriment to the convenience or value of what remains.

It is doubtless well known to your honorable board that for the transaction of ocean commerce ships of large tonnage are now essential, so as to reduce the cost of transportation and handling to a minimum. These large vessels, bringing and taking enormous cargoes, require piers of much greater width than those formerly needed for the service of smaller vessels. This being the condition under which alone ocean commerce may be profitably carried on, it follows, in order to procure its share of such business, and thus meet the ends proposed, it is essential that the width of the pier of the railroad known as No. 7 be in no way curtailed; hence, in order to secure the necessary width and at the same time a dock of sufficient width and length to accommodate the large steamers now employed in the foreign service, the line needs to be pushed farther into the navy-yard, thus giving ample accommodation for the ships of the Navy and the vessels running to the railroad wharf to use the dock simultaneously without friction or danger. To meet this requirement it seems necessary to have a dock of 160 feet in width from the outside line of the railroad property, as shown by plans now on file with the honorable the Secretary of the Navy, at Washington, indorsed by the Secretary.

My proposal to your honorable board, therefore, is, as representing the large stake of the State of Massachusetts in this matter, that, as representing the United States, you approach the consideration of this question in a spirit of amity and upon broad line of public policy, with the purpose to give to both sides, without detriment to either, conveniences and facilities which the large interest of both upon a fair consideration would seem to demand.

I would further say, as representing the Commonwealth and the Fitchburg Company in this matter, that should your honorable board see fit to recommend and the Navy Department adopt the proposition as substantially outlined, in defraying the costs and expenses which may be involved the railroad company will bear such proportion as in the judgment of your board may be deemed equitable and just.

Thanking you for the opportunity to make these suggestions and for your courtesy, and trusting to see you personally upon your return to Boston, I am,

Yours, faithfully,

J. R. LEESON.

Admiral GEORGE E. BELKNAP,
Chairman Naval Coaling Station Commission,
Care Commissioner's Office, State House, Boston.

Admiral Belknap replied as follows:

JULY 27, 1898.

MY DEAR SIR: The board having the coal matter in hand is about to make its report. Will it be possible for the president of the Fitchburg Railroad to lay before the board a written statement as to what the road proposes to do toward the enlargement of the docking facilities at the navy-yard here adjoining the wharves of the Fitchburg Railroad Company? In order that the board may proceed intelligently to make their report to the Navy Department, in so far as it relates to navy-yard at this port, it is very desirable to have such proposition laid before it in writing.

Will you, therefore, as chairman of the Massachusetts railroad commission, kindly do what you can to forward this matter, in so far as it pertains to the interest of the Fitchburg Railroad and the Commonwealth of Massachusetts, as well as that of the United States?

I make this request of you because in your letter to the board, under date of June 27, 1898, "as a State director of the Fitchburg Railroad corporation, and also in behalf of the railroad," the proposition you outline does not seem to be sufficiently explicit to lay before the Navy Department in the positive manner in which the board desires to deal with it.

With high respect, I am, faithfully, yours,

GEO. E. BELKNAP,
Rear-Admiral, United States Navy, Retired, President of the Board.

Mr. J. R. LEESON,
226 Devonshire street, Boston, Mass.

The president of the company responded as follows:

FITCHBURG RAILROAD COMPANY, OFFICE OF THE PRESIDENT,
Boston, July 30, 1898.

DEAR SIR: I have been directed by Mr. J. R. Leeson, State director of this company's board, to make a written proposition to you, as president of the Naval Coal Board, with regard to the construction of a dock on the navy-yard property here in Boston, alongside the company's Hoosac Tunnel dock premises.

Accordingly I beg to lay before you the following: If the United States Government will grant to the Fitchburg Railroad the right to use the adjoining half of a proposed dock alongside the Fitchburg Railroad property in Charlestown, the railroad company will agree to contribute to the area of said dock a strip of land 20 feet wide extending the full length thereof, will build the pier on its own side for its own use, will build a concrete or masonry wall at the head of said dock, the full width thereof, and excavate the whole area to a depth of 30 feet below mean low water. Said dock shall be 160 feet wide and about 570 feet long.

Yours, truly,

E. D. CODMAN,
President.

Rear-Admiral GEORGE E. BELKNAP, U. S. N.,
President Naval Coal Board, Statehouse, Boston.

I will say right here that the Fitchburg Railroad Company, while it contributes 20 feet to the pier, asks for 80 feet from the Government of the United States. Here is the recommendation of the Belknap board after that proposition was offered:

BOSTON, MASS., *August 16, 1898.*

2. The president of the board, having put himself in communication by letter with the Chief of the Bureau of Equipment, Navy Department, pursuant to paragraph 3 of orders No. 117306, assembled the board at Boston, Mass., on the 16th of June, 1898, and began its work.

3. The first point visited was the navy-yard at Boston, Mass. This yard, located at the head of a deep and well-fortified harbor and in the center of a large manufacturing and commercial population, presents many advantages of site, of railway communication, ready supply of material of every sort, and limitless skilled labor to draw upon. Such advantages would seem to suggest the wisdom of its fullest development into a dock, building, and equipping yard of latest improved plant and best appliances for economical and efficient working as a great public workshop. But it is submitted that such national establishment will not be complete until equipped with the most approved receptacles and appliances for the receipt and handling and the storage and delivery of coal, whether pertaining to ships or to yard furnaces and workshops.

4. The present coal sheds at this yard are located at its extreme western end adjacent to the ocean freight wharves of the Fitchburg Railroad. The best water along the water front is to be had there, and such location for coal storage could not be bettered. The board therefore recommends the erection of coal pockets and machinery on that site, so arranged that ships can be moored to a wharf and take coal from the coal pockets, and also, if necessary, from lighters on the other side of the ship at the same time. This would require the construction of a slip of sufficient dimensions to admit a battle ship for coaling from coal pockets on the wharf, either at the side or at the end of the slip.

5. The Fitchburg Railroad and the Commonwealth of Massachusetts, as largest owners of Fitchburg Railroad stock, desire, as shown by correspondence marked Appendix B and map marked Appendix C, to have the Navy Department confirm this site for a coal pocket and construct a slip of such width and length as will enable the railroad company to use one side of the slip, while the ships of the Government use the other side. This proposition demands, if carried out, the relinquishment of the use of some portion of the area of the navy-yard, but in consideration of such relinquishment Mr. E. D. Codman, president of the Fitchburg Railroad Company, in a letter addressed to the board under date of July 30, 1898, hereto appended, marked D, states:

"If the United States Government grants to the Fitchburg Railroad the right to use the adjoining half of the proposed dock along the Fitchburg Railroad property of Charlestown, the railroad company will agree to contribute

to the area of said dock a strip of land 20 feet wide extending the full length thereof; will build a pier on its own site for its own use; will build a concrete or masonry wall at the head of said dock the full width thereof, and excavate the whole area to a depth of 30 feet below mean low water. Said dock will be 160 feet wide and about 570 feet long."

6. In view of such proposition, the board is of the opinion that the plan proposed would be of mutual benefit to the United States and to the Commonwealth of Massachusetts, as well as an advantage to the Fitchburg Railroad and to the commerce of this the second commercial port in importance of the United States. The board, while recommending the adoption of such proposed measure, is of the opinion that the Commonwealth should release to the General Government the title of its land in front of the navy-yard between the present shore line and the new line to be determined upon by the Navy Department. The board in its investigation of the whole matter has consulted freely with the harbor commissioners of the State of Massachusetts, as well as Mr. J. R. Leeson, chairman of the railroad commission of the Commonwealth. Those officials have been much interested in the proposed improvement, and will recommend to the general court of the State such legislation as may be necessary on the part of the Commonwealth to secure the favorable action of the Government of the United States.

7. The benefit from such extension of the water front, thus increasing the area of the navy-yard, would accrue not only to the General Government but also to the Commonwealth of Massachusetts in making it possible to develop more perfectly the yard in varied directions and furnish highly paid employment to an increased number of residents of the Commonwealth.

8. In view of the foregoing consideration and conclusions, the board recommends that a slip 550 feet long and 180 feet wide be constructed at the point indicated, i. e., the western end of the yard, adjacent to the property of the Fitchburg Railroad Company, and that coal-handling machinery and pockets to hold 15,000 tons be built on the east side of the slip. This, from its several personal examinations of the site and its surroundings, the board believes to be entirely feasible.

9. In the event of the adoption of these recommendations it is suggested that in the interest of all parties concerned the Fichburg Railroad Company be given a perpetual lease to the use of 8 feet of the western side of the slip, on condition that said railroad bears all the expense of dredging the slip, and the Commonwealth will release to the United States all title to and rights and interest in land now included between the present water front of the navy-yard and a new line to be determined upon and defined by the joint action of the Navy and War Departments and harbor and land commissioners of the Commonwealth of Massachusetts.

10. In its several visits to the yard the board noticed that large quantities of coal were being unloaded from colliers and carted to different parts of the yard at considerable distance from the water front and piled in the open air. Such incident of dock-yard procedure was evidently unavoidable because of the fact that the present coal shed, where it is proposed to erect coal pockets with appropriate handling machinery, was already full; but it suggested double labor in the handling of the coal before it reached its ultimate destination of ship or shore furnaces, together with the increased expense attendant upon such crude, old-time method.

Now, Mr. Chairman, here is what the Bureau of Equipment and Repair had to say regarding the Belknap report:

4. Navy-yard, Boston.—The recommendation of the board that coal pockets and machinery for stowing and handling coal be erected at this yard is approved.

(*a*) In reference to that part of the report discussing a proposition of the Fitchburg Railroad Company to dredge a slip for the joint use of the Fitchburg Railroad Company and the navy-yard, the Bureau submits the following:

The Fitchburg Railroad Company offers to dredge a slip 570 feet long, 160 feet wide, and 30 feet deep, one-half to belong to the railroad company and one-half to the navy-yard.

The site for this slip is entirely navy-yard property with the exception of a strip 20 feet wide on one side belonging to the railroad company. In addition to dredging this slip, the railroad company propose to build a retaining wall across its inner end. The board recommends that the slip be 550 feet long instead of 570 feet, and 180 feet wide instead of 160. The board also recommends that, in addition to the retaining wall and the work of dredging, the Commonwealth of Massachusetts, which is a large owner of stock in the Fitchburg Railroad, be required to cede to the General Government the right to advance the pier heads of the navy-yard to deeper water as may be desired. This privilege has already been granted to the Fitchburg Railroad Company.

(*b*) The Bureau apprehends no difficulty in acquiring authority to extend the pier heads of the navy-yard toward the channel as desired. Should there be, however, the remedy for the General Government is simple. The proposition therefore resolves itself to this: The Government obtains a slip 90 feet wide by 550 feet long, with a retaining wall at the end, for which it presents to the Fitchburg Railroad a slip 70 feet wide and 550 feet long. The necessary dredging to construct the slip is easy and of small cost. This alone does not fairly represent the situation. Upon examining the plan, Appendix C, it will be observed that the Government loses a granite pier, which will of course supply stone for the retaining wall of the proposed slip. In addition, the eastern boundary of the proposed slip passes through a slip of the navy-yard on the east side of the granite pier above mentioned and reduces its width so much that it will be useless. Two coal houses, although not at present of great value, also disappear, and no retaining wall is left on the east side of the proposed slip, where the boundary is now a portion of the navy-yard land. Furthermore, the great depth of the proposed slip cuts off a portion of a brick house near the railway entrance to the yard.

(*c*) Upon inquiry, in regard to the object of the Fitchburg Railroad Company for making such a proposition, the Bureau learns that with the additional slip the railroad can load an additional large trans-Atlantic freight steamer each week, which will add $9,000 a week income to the company, or $486,000 per year.

(*d*) There is another objection to the construction of a slip of this kind for the purpose of coaling ships. A coal wharf should be accessible at any stage of the tide, and should be one which ships can approach or depart from without loss of time. The proposed slip under construction is in direction across the flow of the tide. It would therefore be unsafe for a large battle ship to enter the slip, particularly with another vessel inside, except at slack water. This occurs only twice every twenty-four hours, and as one period occurs during the night it would practically reduce the time to the entrance or departure of one vessel a day.

(*f*) The water front at the Boston Navy-Yard is of limited extent and very valuable. The Bureau therefore recommends that it all be retained; that the present western slip, which is shallow, be filled in up to the navy-yard boundary; also, that the slip next east of it be filled in; and that coal houses be erected on the ground thus prepared in a direction parallel to the water front. This will permit ships to come alongside the coal wharf at any stage of the tide, as they will move in the direction of its ebb and flow.

(*g*) In the opinion of the Bureau, the interests of the Government demand that the proposition of the Fitchburg Railroad Company be rejected in its entirety. In fact, from a naval point of view, it is not worthy of a moment's consideration.

Mr. FITZGERALD. Who is that signed by?

Mr. CUMMINGS. By the Chief of the Bureau of Equipment.

Mr. BOUTELLE of Maine. I want to remind the gentleman that the Secretary of the Navy and other officers entirely disagree with my friend Captain Bradford, for whom I have a very high regard.

Mr. CUMMINGS. He probably knows very well what he is talking about; and he is not from Massachusetts.

Mr. BOUTELLE of Maine. He comes from Maine, and so do I; and we do not agree on that.

Mr. GREENE of Nebraska. Can the gentleman from New York state what is the value of this strip of land 80 feet wide by 570 feet long that it is proposed to turn over to this railroad?

Mr. CUMMINGS. The value of it to this railroad company is $486,000 a year, as I have just described.

Mr. FITZGERALD. It is not worth 5 cents, and the wharf is rotting down.

Mr. BOUTELLE of Maine. If we can add $480,000 a year to the business of Boston without costing us a single cent, I would like to know who is hurt?

Mr. CUMMINGS. If the gentleman will allow me to finish.

Mr. BOUTELLE of Maine. I beg the gentleman's pardon.

Mr. CUMMINGS. I add a letter from the Chief of the Bureau of Equipment and Repair in response to my request for the above documents:

DEPARTMENT OF THE NAVY, BUREAU OF EQUIPMENT,
Washington, D. C., February 13, 1899.

DEAR SIR: In accordance with your verbal request, made during the absence of the Chief of Bureau on Friday last, the Bureau takes pleasure in inclosing the following information, viz:

(*a*) Correspondence between Mr. J. R. Leeson, State director of the Fitchburg Railroad Corporation and Rear-Admiral George E. Belknap, United States Navy (retired), president of a board for the purpose of recommending the construction of necessary facilities for storing coal at navy-yards and other places along the northern Atlantic seaboard.

(*b*) The recommendation of the Belknap board in regard to the above-mentioned coal storage at the navy-yard, Boston, Mass.

(*c*) Comments of this Bureau on the board's recommendation.

(*d*) A blue print showing the proposed slip urged by the Fitchburg Railroad corporation.

2. In explanation, the Bureau desires to state that the proposition of Mr. Leeson was made to the Navy Department more than a year ago. It is understood, in a general way, that an amendment to the last naval appropriation bill favoring this proposition was proposed in the Senate Naval Committee, but not accepted.

3. In accordance with directions from the Department, the Chief of Bureau inspected the site of the proposed slip last July, and reported against it.

4. The war developed great deficiencies in facilities for storing coal at navy-yards, the custom having been to rely upon contractors to supply necessary coal for naval purposes. During the war the supplies of coal in the hands of contractors were inadequate and the prices very high. The Bureau, finding that it was unsafe to trust to them for furnishing the requisite amount of coal, requested the Department to detail a board to visit the various navy-yards and stations along the northern Atlantic seaboard and other places where coal was needed and to recommend what steps should be taken to insure the necessary supplies of coal and fresh water for naval ships. In accordance with this request, the Belknap board was ordered. Besides Rear-Admiral Belknap, it consisted of Capt. Allen V. Reed, U. S. N. (retired), and Civil Engineer Charles W. Parks, U. S. N., members.

5. Mr. Leeson, having failed in his former efforts to acquire by legislation the necessary cession of territory belonging to the Boston Navy-Yard, and learning by the newspapers the appointment of the above-mentioned board, took up the question, as will be seen by the correspondence marked "A."

6. The Bureau further adds that the water front of the Boston Navy-Yard is limited, and, in its opinion, should all be retained. The particular site in question was purchased during the civil war and added to the territory already possessed. The experience of that war demonstrated the necessity of this addition.

7. The Bureau desires to emphasize what it states in the indorsement C as to the difficulties of entering the slip across the tide; also the fact that the slips already existing should be filled in, and that slips for rapid coaling should head in the direction of the moving tide.

8. Referring to the blue print inclosed, attention is called to the fact that the slip already existing next to the Fitchburg Railroad property is used at present for discharging colliers. The dock belonging to the navy-yard, now marked "Proposed dock," is a granite pier. In the proposed dredging this granite will of course supply the necessary stone for a retaining wall across the inner end which the Fitchburg Railroad proposes to erect. The present coal houses will also disappear, and the next slip to the above mentioned in the navy-yard property will be encroached upon seriously.

Very respectfully,

R. B. BRADFORD,
Chief of Bureau.

Hon. AMOS CUMMINGS, M. C.,
House of Representatives.

Now, Mr. Chairman, what is this proposition? The Fitchburg Railroad Company is already in partnership with the State of Massachusetts, and they ask the United States Government virtually to furnish further capital and enter into the partnership. They can very well afford to pay for building the pier when they furnish 20 feet in return for 80 feet from the United States. The profit of $485,000 in one year is more than double the cost of the pier, and this profit is to be increased each year under a perpetual lease. Four hundred and eighty thousand dollars a year is turned over to this company by the aid of the Government of the United States.

If the pier had been given for the use of all the steamship companies in Boston, or for the use of the State, there might have been some excuse for the demand, but when it is given for the

use of a private corporation entirely it seems to me a proposition, in view of the statement of the Bureau of Equipment and Repairs, that ought to be refused. It ought not to be entertained for a minute. There is no question, after reading these reports, but that it will injure instead of benefit the interests of the Government.

Let us look at another thing. Why should the United States give a private railroad corporation in Massachusetts facilities for contending with other great traffic lines from the West?

Mr. FITZGERALD. That is it.

Mr. CUMMINGS. Do you not practically discriminate against the city of New York by doing it?

Mr. FITZGERALD. That is the trouble; that is the milk in the cocoanut.

Mr. CUMMINGS. Do you not practically discriminate against Newport News, Baltimore, Savannah, and all other cities on the Atlantic coast? Mr. Chairman, I do not desire to waste the time of the committee, but I want to outline this situation so that the members of the House can see it and vote upon it, for I am going to give you an opportunity to do so. There is nothing mean about me. Mr. Chairman, I withdraw the point of order.

Mr. BOUTELLE of Maine. Mr. Chairman, I desire to be recognized for a few moments only. This is a simple proposition, and I think the committee must understand it. If this proposition is obnoxious to the judgment of this committee because one of the results of adopting this measure shall be to increase the prosperity of the city of Boston, then it ought to be voted down. If it is a disadvantage to the United States that in building a slip or rearranging the line of one of its navy-yards—if one of the collateral results is to increase the facilities of a great traffic line, one of the greatest export terminals in the United States; if it is to result in enabling the farmer of the West to crowd his products through nearer to the European markets, shortening the sea voyage, and thereby shortening the time of transportation, then you ought to vote it down.

But if it is true, as recommended by the Secretary of the Navy, by the Chief of the Bureau of Yards and Docks, by Admiral Howison, chief of the navy-yard at Boston; if it be true, as shown by photographs taken on the spot, that this proposition is calculated to replace this dock, decayed wall, this tumbled-down rookery, this half-filled-up old basin, so small that you can not put an ordinary torpedo boat in it with any facility——

Mr. FITZGERALD. You can not get a tugboat into it.

Mr. BOUTELLE of Maine. So small that you can not get a tug boat in, as my friend says—if that can be done without costing the Government a dollar, if the result is to replace that situation on the site of our navy-yard in Boston, next to this property by a dock 570 feet long, broad enough for our largest battle ship, and to furnish us with the facilities recommended by a competent board of skilled naval officers who examined this last year, and freely selected the Boston Navy-Yard as one of the points at which it is absolutely desirable that we should establish a coal depot, and where we will establish a coal depot in the near future at the Government's expense, if we refuse to let the Fitchburg Railroad build it, then this ought to be voted down.

This talk about how much the Fitchburg Railroad may make in a year is fanciful conjecture. Not a dollar comes from the United States, not a dollar of the profit made by the transportation which is cheapened by furnishing the facilities comes out of the pockets of the people. If it be true, as Commodore Howelson says, that the Fitchburg Railroad—talking about this valuable property—that the Fitchburg Railroad Company asks the Government to give nearly one-half of the land largely covered by water, making about $60,000, estimated of the value at the time of the purchase, and that the building of this dock by this company granted this privilege will be of advantage to the Government of between $200,000 and $300,000, I do not see how the Government can be injured.

Mr. BURKE. Will the gentleman from Maine allow me a question?

Mr. BOUTELLE of Maine. Certainly.

Mr. BURKE. Is there any other railroad convenient to this proposed dock other than the Fitchburg Railroad?

Mr. BOUTELLE of Maine. No, sir; I do not think there is.

Mr. FITZGERALD. The Boston and Maine is near, but it has no western connections.

Mr. BOUTELLE of Maine. I will say to the gentleman from Texas that although this is a railroad corporation, the facilities to be extended are for the water transportation. The gentleman will understand that it is for the foreign commerce that will be facilitated at this point.

Mr. BURKE. Yes. My motive in asking the question is this: If there are other railways convenient, I could not see the necessity of the Government giving an exclusive privilege to one without giving it to another.

Mr. BOUTELLE of Maine. I think the gentleman from Texas is entirely right in making that suggestion. I will say that I have heard up to this point not a solitary word of objection from any corporation in the vicinity of Boston; and the only hint that has come to us that any corporation or any community would object to this proposition you have heard as I have this afternoon.

If it be true that building a wharf at the navy-yard at Boston and granting permission to a railroad company whose stock is owned largely by the State to build a dock which otherwise we must build ourselves, thus relieving the Government of all expense—if it be true that this measure, while adding to the prosperity of the port of Boston is a detriment to the interests of the port of New York, then I can see some force in this objection. But, in my judgment, the building up of the commerce of any port in the United States is an advantage to the whole people of the United States. This railroad company is a corporation; but it is a corporation deemed by the State of Massachusetts so important to the business of the whole country that the State has invested millions of dollars in the building of the Hoosac Tunnel, one of the greatest and most important outlets of the products of the West in this country, not simply for local interests, but because this road was a great national highway.

I want to say further, and I wish to have gentlemen take in the full force of the remark, that, as I am informed, one of the principal sources from which any objection that might arise was expected was the Fitchburg Railroad, because the great liberal State of Massachusetts has put its money into this great Hoosac Tunnel and opened this through line, thus enabling the products of the West to get to the Eastern seaboard cheaper than ever before. If that is not true, I am perfectly willing to have the statement corrected. But that is my information.

Now, I do not undertake to say that the vitality of this nation depends upon whether we shall pass this provision in this bill. But I do undertake to say that the prosperity of this country depends upon the principle involved. And I do insist that when a provision in this bill accomplishes all the objects that the Government has in view, and at the same time advances the general prosperity of the whole people of this country, it would be strange indeed for the House of Representatives to turn its back upon it and vote it down on the ground that the people are to be benefited. Navy-yards are built for the people. If a navy-yard is not constructed for the people and to promote their interests, what do we want with it? I would not vote to drive a bolt or a rivet in a naval ship if the principle were to be laid down that the country is made for the Navy, not the Navy for the country.

For sixteen years I have advocated on this floor the rebuilding of the American Navy. I have advocated it on what I believe to have been patriotic grounds, and one of the grounds I have never failed to put forward has been a reminder to the Congress of the United States that commerce follows the flag and that the duty we owe to the upbuilding of every industry in this country in any way connected with ocean traffic requires that we should improve and extend our Navy, because it is the great encouragement and promoter of the commercial prosperity of this country.

Here is the report of the commandant of the Boston Navy-Yard, and he shows us what this improvement will accomplish:

> The water front of the yard now embraced along the harbor front of our westernmost wharf, commonly known as White's Wharf, is about 70 feet, with about 200 feet within the comparatively shallow slip.
>
> Should the dock, as proposed, be constructed 80 feet wide, the front of White's Wharf, would be reduced to about 45 feet, and the wharfage for the navy-yard along the navy-yard side of the new dock would be 570 feet, making a gain of wharfage for the yard of some 345 feet, all of deep water, as against the 70 feet of deep water and the 200 feet of shallow water, as now. Should the dock be 160 feet in width, then the whole of White's Wharf would be taken into the new dock, making a gain of wharfage to the navy-yard of about 300 feet of deep water.

Gentlemen who know anything about commerce, who have any understanding about water fronts, know very well that along the commercial wharves of a great city a concession that gives away land to extend water facilities is not a sacrifice; that water facilities are what we want. What is needed at the Boston yard to-day is water frontage, wharfage for ships. And a specific purpose for which the dock board appointed by the Secretary of the Navy reported it desirable for us to extend facilities at that yard is along this very line, where the Government, if it carries out the recommendation of its own board, has got to dredge away at its own expense the very same soil that this company proposes to dredge away at its expense and maintain a dock there 30 feet deep in perpetuity so long as it is granted the privilege of landing steamers at its own wharf.

I was in Boston last fall and visited this yard. I have gone all over it. I do not mean to say ad captandum that this is any reason why members should vote one way or the other, but it does bring to this House the information of one who has looked at the situation, who has consulted with every man of authority connected with that navy-yard. And I say to you that to-day this wharf is absolutely worthless so far as large ships of the Navy are concerned. No ship of any considerable size can get in there. We have got to go to work and spend money. And I know in regard to the Fitchburg Railroad side of the question, which, in my

judgment, so far as this proposition is concerned, is the side of the people of the United States.

I know positively that while I was in that city the agents of a great trans-Atlantic corporation, running a line of the largest steamers on the ocean, came down to Boston and interviewed the people having charge of this great railroad to find out whether they were going to be able to increase their wharf facilities; and the object of this trans-Atlantic steamer line in obtaining this information was to determine whether they could change the terminal of their great ocean line from a port in Canada, where they now have their facilities, to the port of Boston. The president of that company said that they wanted to come to the United States; that they could do business better in the United States; that it was better for them in every way; but that they did not want to come too far south; that they preferred to come out of Canada and preferred to come to Boston, and were ready to come there, and would make a contract to bring their line there if the Fitchburg Railroad Company would give any assurance that they would have a wharf to tie u[illegible]o when they got there.

Now, because that is an American railroad corporation and will enable the enormous traffic, which is increasing every year, to be brought to the port of Boston, is that a reason why we should say, in prosecuting a Government work and making a slight improvement beside a Government navy-yard, that we must refuse because we might make a great addition to the commerce of one of the greatest ports in the United States by allowing the slight privilege which the bill proposes in this respect?

Mr. DAYTON. Mr. Chairman, I desire to ask, before taking the floor to speak on the subject under consideration, what the parliamentary situation is at this time? I understood the point of order was reserved by the gentleman from New York [Mr. CUMMINGS] and subsequently withdrawn.

The CHAIRMAN. The parliamentary status is that the debate on the informal amendment, to strike out the last word, is exhausted, and the question would be on the next paragraph, which the Clerk will read. If there be no objection, the informal amendment will be considered as withdrawn. [After a pause.] The Chair hears none.

Mr. CUMMINGS. I desire, Mr. Chairman, to move to strike out the paragraph.

The CHAIRMAN. That motion is in order.

Mr. DAYTON. And upon that I desire to be heard. I supposed that was the motion my colleague on the committee intended to make.

The CHAIRMAN. The Chair did not understand the gentleman from New York had heretofore made the motion. But it is in order now.

Mr. DAYTON. I want to call the attention of the committee to the fact that this question is one largely between the State of Massachusetts and the Government of the United States, and it is not a question, it seems to me, for the committee to consider whether or not it will give some special advantage or privilege to the port of Boston which is not enjoyed by any other port. In other words, it is not a question between two of the great cities of the country.

Mr. CUMMINGS. Will the gentleman allow an interruption?

Mr. DAYTON. Certainly.

Mr. CUMMINGS. I ask the gentleman does the State of Massachusetts ask this legislation?

Mr. DAYTON. I understand that the State of Massachusetts has $10,000,000 of the stock of the Fitchburg Railroad Company and that the proposition now pending came directly from the State director in that railroad company.

Mr. BOUTELLE of Maine. And further, if my colleague will allow me, the legislature of Massachusetts has already passed upon this question.

Mr. DAYTON. Yes; authorizing us to have 20 acres of her land on these conditions.

Mr. BOUTELLE of Maine. The State of Massachusetts, by its legislature, has already granted to the United States, in consideration of the proposed legislation, the privilege of advancing in the harbor beyond the State harbor lines along its whole harbor front.

Mr. FITZGERALD. Embracing some 20 acres of ground.

Mr. CUMMINGS. And had already granted this privilege to the railroad company.

Mr. BOUTELLE of Maine. It had done so, and now it proposes to grant it to the Government of the United States. And that only adds force to what I have already stated, that the State regards it as a great public measure and one of national importance.

Mr. CUMMINGS. If the railroad company did not pay for the privilege, why should we?

Mr. DAYTON. It is not a question of profit to the railroad company. It is not a question as to what they may derive from it. It is a question far beyond that. It is a question, and a question only, for us to consider as to how much advantage the Government of the United States will derive from the proposed arrangement.

There can not be any dispute or doubt about the fact that this is a right granted perpetually, though I think the Government of the United States is fully protected and its rights absolutely maintained by the privilege which is embodied in the provision of taking possession of this wharf property at any time, in any emergency, where it appears necessary to do so without cost to the Government.

There is no question but that the whole strip of land, half of which is to be taken for the railroad, cost the Government only $123,000. One-half of this is to be taken and improved for the benefit of the Government at a cost to the railroad company of $300,000. It is a mistake to say that the Government is paying anything for it, then. And if it is not done by the railroad company in this way, the Government must do the work and pay the cost itself.

Now, Mr. Chairman, it seems to me under these circumstances that your committee has been wise in recommending this arrangement. Work amounting to $300,000 is to be done by a corporation—a railway company—and all of the rights, uses, and privileges are retained by the Government without a dollar of expenditure to the Government. Under these circumstances, I repeat that the committee was wise in making the arrangement, notwithstanding it might be profitable to the railroad company also. And when you remember that this company is largely owned by the State of Massachusetts, certainly a spirit of charity and good will toward this great Commonwealth should make us glad and urgent to formulate so satisfactory an arrangement so beneficial to all parties concerned.

Mr. FITZGERALD. Mr. Speaker, I was utterly unable to understand the opposition of the gentleman from New York to this measure until the closing minutes of his remarks. He practically says that this improvement should not be made because of the advantage that would accrue to Boston and the State of Massachusetts in the matter of increased opportunities for the exportation of breadstuffs. New York is jealous of the increasing export and import trade of Boston, and the gentleman from New York [Mr. CUMMINGS] is only acting in the interest of that port when he makes objection to this improvement.

It is true, as some of the gentlemen who have preceded me have stated, that the State of Massachusetts is greatly interested in this project. Many years ago the great Commonwealth, realizing the benefits that would accrue to the working classes of people from the cheaper transportation of breadstuffs to the great city of Boston, and wishing to avail itself of the opportunity to cheapen the cost of transportation from the granaries of the West to the markets of the world, invested millions of money in helping this railroad to construct the great Hoosac Tunnel. Boston was enabled thus to compete better with New York, and the cost of transporting grains from the West was greatly reduced.

The enterprise of the Boston merchants and her railroads has caused Boston to be a dangerous competitor with New York for the export trade of the country, and the opposition of the gentleman from New York to-day emphasizes this fact. I think this proposition should be accepted by the House. Under its provisions the Government will obtain for all time the use of one-half of a large dock 580 feet long, 180 feet wide, and 30 feet deep. The Fitchburg Railroad Company is to bear all the expense of dredging and putting this dock in order, and in time of war or at any time the Secretary of the Navy may determine, the entire dock is given over to the exclusive possession of the Government. Since my entrance into Congress I have found that a great prejudice has existed against the Charlestown Navy-Yard, and it is only within the past two years that this yard has received any consideration.

It is only during the past two Congresses that appropriations of any account have been made for the Charlestown Navy-Yard. Hundreds of thousands of dollars have been appropriated every year for New York, Mare Island, League Island, and Norfolk navy-yards, while the Boston Navy-Yard was practically closed.

The situation is now happily changed. We have been getting our share the past few years, and I intend, as far as my efforts are concerned, to fight every inch of the ground until the Charlestown yard gets everything that belongs to it.

To-day it is impossible to dock a second-class battle ship in this yard, and many vessels are turned away to New York and Norfolk which should be repaired in this yard, because of insufficient dock accommodations. This is not fair to the large body of mechanics and laboring men in the city of Boston who would receive employment if these conditions did not exist.

Every foot of land southwest of this proposed dock to the bridge is now used, and the only manner in which increased accommodations for the large ocean steamers which dock in this vicinity can be obtained is to take land bordering near the navy-yard. The people are bound to be benefited. It means an increased commerce for Boston and the employment of additional laboring men in loading and unloading steamers. It means cheaper food products for the working classes as well as increased prices to the farmer,

by reason of more competition with New York and other large exporting centers.

It means also great advantage to Boston's navy-yard at no cost to the Government. When the dock is built and the dry dock already provided for is constructed, Boston will have obtained her share of the privileges which have been in other years doled out to other yards. It will mean the repairs of the larger vessels of the Navy, and the consequent employment of laborers and mechanics; it will mean the coaling of the larger vessels of the Navy, and in time of war it will mean the opportunity of the Government to obtain absolute possession as long as may be necessary, without a dollar of cost, of one of the largest docks in the world.

I appeal, therefore, to my colleagues upon the floor of the House not to be led astray by the sophistry of the gentleman from New York into believing that this measure is in the sole interest of the Fitchburg Railroad corporation and possesses no compensating advantages to the Government and the people.

No man on the floor of this House has fought or will fight the unjust exactions of corporations more than I, but upon this proposition I am willing to go before the people of my district and abide by the results.

The railroad has made, to my mind, an eminently fair proposition. The plan is indorsed by the naval board who investigated the matter; it is indorsed by the commandant of the navy-yard as essential for the prosperity of the yard; it is indorsed by the State directors of the Fitchburg Railroad, Hon. J. R. Leeson, one of our foremost and most representative business men, and finally it has the unqualified approval of Secretary Long. The gentleman from New York means to strike a blow at the commerce of the city of Boston, and I know the members of this House will not follow him by indorsing his proposition to strike out this legislation from the naval bill.

Mr. LOW. Now, will my friend permit me?

Mr. FITZGERALD. Certainly.

Mr. LOW. Is this the granite dock shown in this photograph which the gentleman from New York referred to?

Mr. FITZGERALD. I believe so.

Mr. LOW. That is not a granite dock; it is only a granite bulkhead.

Mr. FITZGERALD. I should like to have the members of the House look at the photograph of this dock.

Mr. CUMMINGS. Show them the plans, too.

Mr. FITZGERALD. Certainly. I wish members would look at the plans and specifications, and there would not be a member of this House who would vote against this proposition if they saw the photograph and the plans.

Mr. POWERS. Will the gentleman yield for a moment?

Mr. FITZGERALD. Certainly.

Mr. POWERS. I should like, for my own information, to know the exact status of this question.

The CHAIRMAN. The gentleman from Massachusetts has the floor and yields to the gentleman from Vermont for a question.

Mr. POWERS. Do I understand that the Government proposes to increase its dockage opportunities or possibilities at Boston?

Mr. FITZGERALD. Yes; under this bill, if it can, and if this bill fail, the Government must undertake the work on its own account.

Mr. POWERS. And it will cost the Government three or four hundred thousand dollars?

Mr. FITZGERALD. It will cost the Government nothing under this bill.

Mr. POWERS. If they do not take this proposition?

Mr. FITZGERALD. It will certainly cost the Government one-half million dollars.

Mr. POWERS. And if this privilege be allowed the Fitchburg Railroad it will cost the Government nothing?

Mr. FITZGERALD. Certainly not.

Mr. POWERS. Will you tell me why that is not a good proposition for the Government?

Mr. FITZGERALD. It is a good proposition for the Government and an excellent opportunity to obtain increased docking accommodations free of cost. It will cost, as I said before, the Government half a million dollars if it has to do it, and it will cost them nothing if this proposition is accepted.

Mr. BURKE. How much land is given by this proposition?

Mr. FITZGERALD. About 60 feet wide.

Mr. BURKE. What is the area?

Mr. FITZGERALD. It is about 570 feet long, which would be about 35,000 feet. This land originally cost the Government $60,000, and to fit it up with proper dock facilities would require nearly $500,000 more. I understand that the State of Massachusetts has given many hundred thousand feet of land for this same project, and there was never a whimper about it. The State felt that the improvement increased commerce as well as aided the Government, and gladly contributed her share to the enterprise.

Mr. BOUTELLE of Maine. Mr. Chairman, what is in order?

The CHAIRMAN. The motion to strike out the paragraph, made by the gentleman from New York.

Mr. BOUTELLE of Maine. I hope we may have a negative vote.

Mr. LACEY. I wish to offer an amendment to the paragraph. It is one that was agreed to by the gentleman in charge of the bill.

Mr. CUMMINGS. Mr. Chairman——

The CHAIRMAN. Does the gentleman from New York desire recognition prior to action on the amendment?

Mr. CUMMINGS. I do, for one minute.

I want to say, Mr. Chairman, that the statements of the gentleman from Massachusetts [Mr. FITZGERALD] and that of the Bureau of Equipment and Repair do not agree at all. They are as wide apart as the poles. I want to add, Mr. Chairman, that in my opinion this is special legislation of the worst sort. The Government had to pay $122,000 for this land. You give it away to a railroad company for nothing, because you make this lease perpetual. I would rather see the railroad company buy that land and the navy-yard be circumscribed than that the Government cahoot with a railroad company.

Mr. Chairman, we are already paying money to increase the area of the Norfolk yard. They are asking for money to increase the area of the Port Royal yard. Six years ago you sold a portion of the Brooklyn Navy-Yard, and to-day the naval authorities are complaining because they need more land there. You can not afford to lessen the area of this Boston yard. The gentleman from Boston says that the Navy Committee never does anything for Boston. Why, we gave them last year over a million of dollars to construct a granite dock there. Even a cormorant would be satisfied with over a million a year.

Mr. Chairman, I have said all I desire to say. I have called the attention of the House to the facts in the case, and if it sees fit to give to this railroad corporation what it asks, I must content myself by voting against it, and hereafter maintain my peace when such propositions come before this House.

Mr. BOUTELLE of Maine. I hope we will have a vote now.

Mr. LACEY. I desire to offer the amendment that I suggested to the chairman of the committee.

The CHAIRMAN. The Chair will recognize the gentleman from Alabama.

Mr. CLAYTON. Mr. Chairman, I am opposed to the measure, H. R. 11312, that has been reported to this House by the Committee on Merchant Marine and Fisheries, of which I am a member, known as the Hanna-Payne subsidy bill. Whenever that bill comes up for consideration I intend to make an argument against it. At this time I ask leave to extend my remarks in the RECORD for the purpose of printing a criticism of the bill prepared by Dr. Samuel Adams Robinson. Dr. Robinson is a highly respected and influential citizen of New York. He is a prominent Republican and a member of the Protective Tariff League of America. He was a delegate from the Board of Trade of New York City to the last convention, composed of the representatives of boards of trade throughout the country, and in that body was a member of its committee on merchant marine.

Mr. BOUTELLE of Maine. I hope there will be no objection.

The CHAIRMAN. The question is on granting unanimous consent to the gentleman from Alabama to print certain remarks in the RECORD. Is there objection? [After a pause.] The Chair hears none.

The document is as follows:

SOME FACTS REGARDING THE HANNA-PAYNE SHIPPING BILL.

[By Samuel Adams Robinson, M. D., with a thorough study of its probable cost by Capt. William W. Bates, author of American Marine, etc., and late United States Commissioner of Navigation.]

To those who know me it is not necessary to explain the incentive of this appeal in order to prevent them from misunderstanding my position, but for those who do not I will say that as I own property in New York City, including deep-water front, which this bill would surely increase the value of, and have no property or other interest, except my interest in the general welfare of the country, that it could injure, its enactment into law would certainly benefit me pecuniarily.

About two months ago, while a delegate to the leading commercial organization of the United States and a member of its committee on merchant marine, I first heard of this bill. It had not been published and was not introduced into Congress until four days after we adjourned, but those interested in shipping and in railroads knew so much about it that I learned from them at that convention most of its provisions—indeed, every one of importance. Those interested were fully and ably represented and were thoroughly prepared to induce the convention to indorse this bill, which had been conceived in their interests, though it had not been officially born. I was informed in the most positive manner that it would be useless to oppose it, as it would surely become a law by the 4th of March, 1899.

Knowing that a committee largely composed of representatives of the most powerful transportation lines in the United States and Europe had been for a number of years working to secure legislation in the interest of those great corporations, I could but infer that they were the authors of this bill, and thought it fair to conclude that it was intended to benefit the interests they represented, regardless of all else. Though as anxious as anyone to restore our merchant marine, duty compelled me to oppose the indorsement of a measure so prepared and proposed, and I succeeded in inducing the committee to make a report strongly urging the restoration and maintenance of our merchant marine without recommending specific legislation. Shortly before we submitted our report an able director of one of our largest railroads appeared, upon the scene with a very shrewdly drawn resolution

recommending legislation upon the lines of this bill, and I was urged to permit his resolution to be made a part of our report.

As I positively refused to consent, he presented it as a separate measure and after considerable opposition the convention adopted it, though not as a part of the report of its committee on merchant marine. If he had introduced the Hanna-Payne bill, I am confident that the convention would not have indorsed it, but his resolution was simply an approval of the message of the President and the report of the Secretary of the Treasury with the recommendation of a law to carry them into effect, and it would probably have received a majority vote in any commercial body in the United States at that time, as nearly everyone felt like standing by the Administration until after the ratification of the treaty of peace. It is likely that no delegate except those pecuniarily interested in the Hanna-Payne bill knew enough about it or understood the connection between it and the railroad director's resolution well enough to know what his vote really signified.

To show how unreliable the adoption of such resolutions by commercial bodies is, so far as indicating the judgment or wishes of their members, I will cite the fact that a prominent New York newspaper recently published a list of 163 organizations which it said had adopted resolutions indorsing the Hanna-Payne bill, and at the head of the list was the name of the organization above referred to. To illustrate how such indorsements are secured, I will say that one of the printed resolutions which the Press Bureau, organized to promote the Hanna-Payne bill, sends out with letters urging their adoption, was presented to the board of directors, of which I am a member, of a chamber of commerce.

The resolution and accompanying letter were read by our secretary, and the board was about to recommend the indorsement of the resolution at our next meeting, which would have probably secured its adoption by that chamber of commerce. I had refrained from saying anything in order to observe how such things were apt to go through, but just before action was taken I briefly outlined the Hanna-Payne bill, with the result that that board unanimously refused to indorse it. I hope Representatives and Senators who are daily deluged with accounts of bodies having indorsed the Hanna-Payne bill will carefully consider these facts. I also wish to warn them against attaching too much importance to what newspapers say regarding this bill.

During the six years in which I have devoted my time and income to economic work I have always been able to secure a fair presentation of my views in such newspapers as I selected, and although, owing to a desire to avoid notoriety, I rarely signed an article, and, indeed, seldom presented my views in my own words, thousands of newspapers all over the land have published what I sent them. Though an active advocate of the gold standard and currency reform, I have very seldom found a man or paper advocating free silver that would not give a fair hearing to my side of the case, and this has done much to convince me that the great majority of our so-called silver men are sincere and honest in their belief; certainly if they thought they were wrong they would not court discussion.

It has remained for those who advocate this bill to teach me that a large part of the press of the United States can be so muzzled as to make it wellnigh impossible to get the truth before the public. Only inability to get what I have said and will say in this circular to the people in the usual way has induced me to publish it in this manner. I am by no means alone in this experience, as will be seen by the following, which is one of numerous instances that have come to my knowledge.

One of the most prominent, able, and honorable officers of labor organizations, members of which are engaged in the shipbuilding trades, as well as in other industries, informs me that in his long experience he has always found newspapers ready to print any information which he gave them and anxious to interview him upon subjects in which the organizations he represents were interested, but that he has seen the editors of many papers that had heretofore been anxious to publish his contributions, and has been unable to induce one of them to print a line against the Hanna-Payne bill, though he knew that some of them were personally opposed to it.

I know instances in which newspapers have been compelled by those advocating the bill to stop the publication of anything calculated to teach the people its true character. Men in very high positions have amazed me by their efforts to muzzle the press with regard to this bill. In view of these facts Representatives and Senators must not think that because much is said for and almost nothing against the Hanna-Payne bill in the newspapers that the people will approve it when they learn its character. Indeed, I read a newspaper almost daily whose editor is to my certain knowledge very much opposed to the bill, while every issue of the paper advocates it and urges its passage.

Whether this is done through the great advertising patronage of the railroads, steamships, and other corporate interests which are beneficiaries of the bill, or whether more specific and direct influence is necessary to secure it, I do not know; but I do know that never before in a long and busy life, during which I have always kept in reasonably close touch with the press of my country, have I had reason to suspect that the brutal power of capital and corporations could so suppress the truth, and I warn them that our free schools have taught our people the importance of a free press. As indicative of how the most influential labor organizations engaged in the shipbuilding trades feel regarding the Hanna-Payne bill, I will say that for about a month largely attended meetings of various branches of them have been held, at which such resolutions as that from which I now quote have, after open and thorough discussion, been unanimously adopted.

"The third is known as the Hanna-Payne bill, officially entitled S. 5024, and is one of the most un-American bills ever presented in the interest of foreign corporations, being practically a free-ship bill, with sufficient Americanism held in reserve to enable its progenitors to loot the United States Treasury, and even barring itself from being compelled to employ American crews. It asks for the admission of foreign ships to our registry in the ratio of 2 to 1; it asks for a bounty to owners of these foreign-built vessels of the larger and swifter class of approximately 4½ cents per gross ton on every 100 miles sailed, leaving a small inducement to the owners of lesser craft.

"Its provisions would debar the ships constructed by its requirements in American shipyards from employment in our coasting trade, and the bill is so covertly worded as to mislead any but those thoroughly acquainted with matters marine, and is intended only for the benefit of gigantic corporations which are largely alien. * * * We denounce in the most emphatic terms the bill commonly known as the Hanna-Payne shipping bill." * * *

I know of bodies containing over 45,000 voters that have unanimously adopted this resolution. There are so many more workers than employers, so many more poor and well-to-do men than rich men, that it would be well to consider the fact, and to remember that each man is a voter, and that the Australian ballot protects him from coercion. The following table shows mileage cost of subsidies:

Compensation under (a), section 1.—Steam or sail of any tonnage.

Ports.	Distance in miles.	Each ton, cents. (Multiplier.)	Hundred miles. (Multiplicand.)	Computed product.	Total per ton.	Per 1,000 tons.	Per round trip.	2,000 tons. Round trip.	3,000 tons. Round trip.	4,000 tons. Round trip.
				Cents.	*Cents.*					
Portland to Liverpool	2,778	1.5	15	22.5	35.28	$352.80	$705.60	$1,411.20	$2,116.80	$2,822.40
		1	12.78	12.78						
Boston to Havre	2,942	1.5	15	22.5	36.92	369.20	738.40	1,476.80	2,215.20	2,953.60
		1	14.42	14.42						
Boston to Montevideo	5,738	1.5	15	22.5	64.88	648.80	1,297.60	2,595.20	3,892.80	5,190.40
		1	42.38	42.38						
New York to Liverpool	3,010	1.5	15	22.5	37.6	376.00	752.00	1,504.00	2,256.00	3,008.00
		1	15.1	15.1						
New York to Rio Janeiro	4,778	1.5	15	22.5	55.28	552.80	1,105.60	2,211.20	3,316.80	4,422.40
		1	32.78	32.78						
New York to Hongkong	16,000	1.5	15	22.5	167.5	1,675.00	3,350.00	6,700.00	10,050.00	13,400.00
		1	145	145						
Philadelphia to Liverpool	3,160	1.5	15	22.5	39.1	391.00	782.00	1,564.00	2,346.00	3,128.00
		1	16.6	16.6						
Baltimore to Liverpool	3,324	1.5	15	22.5	40.74	407.40	814.80	1,629.60	2,444.40	3,259.20
		1	18.24	18.24						
Baltimore to Rio Janeiro	4,840	1.5	15	22.5	55.9	559.00	1,118.00	2,236.00	3,354.00	4,472.00
		1	33.4	33.4						
Charleston to Liverpool	3,500	1.5	15	22.5	42.5	425.00	850.00	1,700.00	2,550.00	3,400.00
		1	20	20						
Savannah to Havre	3,631	1.5	15	22.5	43.81	438.10	876.20	1,752.40	2,628.60	3,504.80
		1	21.31	21.31						
New Orleans to Liverpool	4,553	1.5	15	22.5	53.03	530.30	1,060.60	2,121.20	3,181.80	4,242.40
		1	30.53	30.53						
New Orleans to Havre	4,603	1.5	15	22.5	53.89	538.90	1,077.80	2,155.60	3,233.40	4,311.20
		1	31.39	31.39						
Galveston to Liverpool	4,730	1.5	15	22.5	54.8	548.00	1,096.00	2,192.00	3,288.00	4,384.00
		1	32.3	32.3						
Galveston to Havre	4,816	1.5	15	22.5	55.66	556.60	1,113.20	2,226.40	3,339.60	4,452.80
		1	33.16	33.16						
San Francisco to Yokohama	4,564	1.5	15	22.5	53.14	531.40	1,062.80	2,125.60	3,188.40	4,251.20
		1	30.64	30.64						
San Francisco to Hongkong	6,080	1.5	15	22.5	68.3	683.00	1,366.00	2,732.00	4,098.00	5,464.00
		1	45.8	45.8						
San Francisco to Manila	6,254	1.5	15	22.5	70.04	700.40	1,400.80	2,801.60	4,202.40	5,603.20
		1	47.54	47.54						
San Francisco to Melbourne	6,954	1.5	15	22.5	77.04	770.40	1,540.80	3,081.60	4,622.40	6,163.20
		1	54.54	54.54						
San Francisco to Batavia	7,613	1.5	15	22.5	83.63	836.30	1,672.60	3,345.20	5,017.80	6,690.40
		1	61.13	61.13						
Port Townsend to Nagasaki	4,746	1.5	15	22.5	54.96	549.60	1,099.20	2,198.40	3,297.60	4,396.80
		1	32.46	32.46						
Port Townsend to Canton	5,834	1.5	15	22.5	65.84	658.40	1,316.80	2,633.60	3,950.40	5,267.20
		1	43.34	43.34						
Port Townsend to Sydney	6,804	1.5	15	22.5	75.54	755.40	1,510.80	3,021.60	4,532.40	6,043.20
		1	53.04	53.04						
Port Townsend to Manila	5,968	1.5	15	22.5	67.19	671.90	1,343.80	2,687.60	4,031.40	5,375.20
		1	44.69	44.69						
Port Townsend to Batavia	7,328	1.5	15	22.5	80.78	807.80	1,615.60	3,231.20	4,846.80	6,462.40
		1	58.28	58.28						

Compensation under (b), section 1.

STEAMERS OVER 1,500 AND UNDER 3,000 TONS, 14 TO 15 KNOTS.

Ports.	Distance in miles.	Each ton, cents. (Multiplier.)	Hundred miles. (Multiplicand.)	Computed product.	Per ton by (a). (Added.)	Per total ton by (b).	Per 1,501 tons.	Per round trip.	Per 2,999 tons.	Per round trip.
				Cents.	*Cents.*	*Cents.*				
New York to Liverpool	3,010	1.5	15	22.5	37.6	67.7	$1,016.17	$2,032.34	$2,030.32	$4,060.64
		1	15.1	15.1	30.1					

ADDITION FOR 15 to 16 KNOT SPEED.

New York to Liverpool	3,010	1.5	15	22.5	37.6	70.71	1,052.20	2,104.40	2,102.30	4,204.60
		1	15.1	15.1	33.11					

ADDITION FOR 16 KNOTS OR OVER IN SPEED.

New York to Liverpool	3,010	1.5	15	22.5	37.6	73.72	1,106.53	2,213.06	2,210.86	4,421.72
		1	15.1	15.1	36.12					

ADDITION FOR STEAMERS OVER 3,000 AND UNDER 8,000 TONS, 17 TO 18 KNOTS.

New York to Liverpool	3,010	1.5	15	22.5	37.6	79.74	a2,302.99	4,785.98	b6,375.37	12,750.74
		1	15.1	15.1	42.14					

ADDITION FOR 18 TO 19 KNOTS SPEED.

New York to Liverpool	3,010	1.5	15	22.5	37.6	85.76	2,573.65	5,147.30	6,859.94	13,719.88
		1	15.1	15.1	48.16					

ADDITION FOR 19 KNOTS OR OVER IN SPEED.

New York to Liverpool	3,010	1.5	15	22.5	37.6	91.78	2,754.31	5,508.62	7,341.48	14,682.96
		1	15.1	15.1	51.18					

ADDITION FOR STEAMERS OVER 8,000 AND UNDER 10,000 TONS, 20 TO 21 KNOTS.

New York to Liverpool	3,010	1.5	15	22.5	37.6	97.8	c7,824.97	15,649.94	d9,779.02	19,558.04
		1	15.1	15.1	60.2					

ADDITION FOR 21 KNOTS OR OVER IN SPEED.

New York to Liverpool	3,010	1.5	15	22.5	37.6	106.83	8,547.46	17,094.92	10,681.93	21,363.96
		1	15.1	15.1	69.23					

a 3,001 tons. b 7,999 tons. c 8,001 tons. d 9,999 tons.

It has been impossible to get the promoters of this bill to express a definite opinion as to the amount that it would take from the United States Treasury. Indeed, the chief among them have said that they do not know; that no one can tell how much shipping would enter under it, etc., and such opinions as they have dared to express differ widely. The most cautious among them say that not less than 250,000 tons of foreign-built steamships which were in service December 1, 1898, would be admitted under it.

This is equal to 25 steamers of 10,000 tons each, which would, if they had shown a speed of 21 knots in a four hours' trial, and should make 13 round trips from New York to Liverpool in a year, or the equivalent of this on some other line, each draw $277,758 a year, which would give the twenty-five $6,943,950 annually, and $138,879,000 during the twenty years of their contract. Adding to this the one-half as much tonnage required to be built in the United States, which would draw from the Treasury during the twenty years $69,439,500, would give a total of $208,318,500 to these ships during the term of their contracts. This makes no provision for the many vessels now carrying our flag which would be subsidized, nor for the large amount of shipping other than that above mentioned that would be built here, while it is probable that a much greater number of foreign-built ships would enter under the clause admitting those under contract for construction on the 1st day of February, 1899.

One of the letters which their press bureau has sent to commercial bodies says that the "bill will compel the building of $60,000,000 worth of new shipping in the United States during the next five years." This means that $120,000,000 worth of foreign-built steamships would be entered.

Mr. Clement A. Griscom, president of the International Navigation Company, in an address before the Senate Committee on Commerce, January 12, 1899 (see page 29 of the official report), said his company would have to build 60,000 tons of ships, at a cost of $7,500,000, if the bill became a law. This is equivalent to his saying that such ships cost $125 a ton.

Taking this as a basis, the $120,000,000 would represent 960,000 tons, which, in ships of 10,000 tons each, would give 96 ships, which could, if they had shown 21 knots an hour in a four hours' trial, draw $277,758 each annually, which would amount to $26,664,768 a year, and to $533,295,360 during the 20 years of their contract. This would be money paid to foreign-built ships, and, as one-half as much tonnage would have to be built here, it would, if costing the same price per ton and in the same class of ships, build ships which could draw $266,647,680 during the 20 years of their contract, making an aggregate of subsidies for shipping, based on foreign ships and the tonnage required on account of their registering, of $799,943,040. Of course Mr. Griscom and the very competent head of their press bureau did not intend that the above statements should be brought together as a basis for estimating a part of the cost of the Hanna-Payne bill.

As the advocates of this bill mention only smaller and medium ships in their published statements, carefully avoiding anything over 8,000 tons, and as such ships draw smaller subsidies than ships of 10,000 tons and over, I presume they will say that it is unfair to base estimates on the provision made for large ships. A few facts will answer this objection. There are now 92 steamers running to New York on regular trans-Atlantic passenger lines. They have an aggregate of 683,232 gross tons, which is an average of 7,426.43+ tons each. As many of the older ships are from 2,524 to 4,000 tons, it is evident that the modern ships average much more than 8,000 tons. Indeed, 30 of the above-named ships are over 8,000 tons, while 22 are more than 10,000 tons each.

At a recent hearing of the Committee on Rivers and Harbors I heard the best representatives of leading European and American steamship lines say that not less than 70 vessels of from 10,000 to 18,000 tons each would be in service within four years, and that many of them were then building and others contracted for. In view of the above it is clear that estimates based on ships of less than 10,000 tons would be misleading.

The vast sum which this bill would take from the taxpayers of the United States for subsidies is not its most dangerous feature. The gigantic monopoly which it would create is much more to be feared. It would certainly give to a few railroads and the steamship lines which they own, together with other steamship lines and railroads which they would control, an almost absolute monopoly of our foreign carrying trade. For a better understanding of this, let us consider some of the factors involved and their relations to each other.

The sailing vessel is the ship most reliably advantageous to farmers, lumbermen, iron producers, and all those whose products are shipped over sea and do not require rapid transportation. It is also the nursery of our Navy. No man is considered a thorough seaman until he has had the training of experience as a sailor on a sailing vessel. Not having the heavy machinery of a steamer, nor to carry coal to furnish the power that moves her, she can carry a much larger cargo in proportion to her size, and, especially when schooner rigged (as the largest sailing vessels are now built), needs a much smaller crew. A good specimen of this class of ship is the 5-masted schooner *Prescott*, recently launched, which has a carrying capacity of 4,300 tons.

One of her principal owners is her captain, and as she will probably carry not more than 12 men all told it is likely that her crew will all be citizens of the United States. For many generations it has been customary for families and communities of our seafaring men to unite in building and manning sailing vessels, and among them are found the most intelligent, brave, and patriotic seamen. As a class they are probably the best all-round seamen in the world.

The worst enemy these men and their ships have had is the tramp steamer, but as a tramp steamer of 4,000 tons has to carry her machinery and coal and requires about five times as many men as a 4,000-ton schooner, while four of her men have to be educated engineers, our ships have been able to remain in business. The competition of these sailing vessels has done much to keep down the cost of carrying grain, lumber, and similar products, and has thereby protected the producers of such products as well as their over-sea

consumers from extortionate charges. Inasmuch as they have done this they have interfered with the business of the large steamship lines, and the corporations owning these lines have realized it.

The commerce of the Pacific has become important and many think that it will in time exceed that of the Atlantic, and as distances are great and coal costly in that part of the world, the large steamship companies have decided that they must, if possible, prevent sailing vessels from competing with them for that trade. The above are some of the facts which account for the Hanna-Payne bill, which is much the worst enemy the American sailor has ever had and from which nothing but the Congress of the United States can protect him.

Of course this bill had to be so drawn as to appear to protect our sailing vessels; if it had not been, its purpose to force them out of all business except in our coastwise trade would have been too obvious; hence this bill assumes a virtue it does not possess. It proposes that a sailing vessel of 4,000 tons shall receive for a voyage from New York to Liverpool and back $3,008. When we consider that heretofore this vessel had to make the voyage for nothing, except what she received for freight and perhaps a stray passenger, this seems fair and even generous.

But in connection with the fact that the bill provides that a steamer of 4,000 tons, which has shown a speed of 19 knots during a four hours' trial under favorable conditions, shall receive $7,342.40 for the same trip, while one of 10,000 tons, which has shown 21 knots speed in a similar trial, shall receive $21,366 for the same trip, and that one of 17,000 tons and a speed of 21 knots under similar conditions shall receive $36,322.02 for the same voyage, it is plain that the bill, if enacted into law, would compel the sailing vessel to retire from business.

A 4,000-ton sailing vessel might, under favorable conditions, make this voyage 4 times in a year and receive $12,032, while the 4,000-ton steamer can easily make 13 voyages in a year (the bill permits each class to make 16) and would receive $95,451.20; the 10,000-ton steamer could easily make 13 voyages in a year, for which she would receive $277,758, and a 17,000-ton steamer, like the *Oceanic*, could easily make 13 trips a year, for which she would receive $472,186.26.

During the five years allowed for those entering foreign-built ships under this bill to build half as much tonnage in this country as they bring in from Europe, our American-owned and American-manned sailing vessel might receive $60,160, while the steamships, at least half of them of foreign build, and all of them (with the exception of one-fourth of the navigating crew and one American boy to each 1,000 tons, which would give about 11 Americans, among from 400 to 500 men, on a 10,000-ton ship) manned by foreigners, could receive for a 4,000-ton ship $477,256, for a 10,000-ton ship $1,388,790, and for a 17,000-ton ship $2,360,931.30.

As the contract under this bill is for twenty years, the sailing vessel could receive $242,640 and the steamships $1,909,024, $5,555,160, and $9,443,725 each, respectively. The bill provides for the payment of much greater subsidies to large ships of 22 and 23 knots speed, but wishing to be entirely fair and to present what might reasonably be supposed to be an average cost, I have omitted those ships from this calculation.

But the steamship and railroad companies that dictated this bill intend to destroy the business of ordinary tramp steamers as well as that of sailing vessels. With this object in view they have provided in the bill that no steamer of not over 1,500 gross tons or having a speed of less than 14 knots an hour shall be paid any more than sailing vessels. As but few tramp steamers can show a speed of 14 knots an hour this would give the faster steamers of the corporations back of this bill absolute control of our foreign commerce and would make them by far the greatest monopoly in the world.

What the result of this would be is plainly indicated by the expression so common with transportation men, that they "charge all that the traffic will bear," which means all that can be charged without seriously restricting production or consumption and thereby injuring their business; in short, the producer and consumer would only have left what the transportation lines could not take without injuring themselves. Every large shipper knows this to be true. It costs as much to bring freight from less than 200 miles east of New York to New York as to send the same freight to Chicago. This is because the Sound steamers and the railroads with which they should compete, agree, and of course "charge all that the traffic will bear."

I wish to warn everyone who is not more interested in the transportation lines which this bill favors than in production and consumption that it is a dangerous bill for them, and that if they wish to defeat it they can only do so by prompt, energetic, and united effort. It is promoted by the most powerful influences I have ever known advocate a bill. To indicate what one of these influences is I quote from a recent number of the New York Journal of Commerce and Commercial Bulletin:

"Whether it is entirely consistent with dignity to resign a Senatorship and undertake the promotion of legislation and visit the committees of Congress in the interest of measures of great pecuniary value to their proposed beneficiaries, is a problem regarding which we will enter into no controversy with ex-Senator Edmunds; and whether his value to the shipowners and shipbuilders * * * lies in his legal erudition or his personal and political influence with his recent colleagues in Congress is a matter that only the gentlemen who have retained him can absolutely know.

"Senator Matt Carpenter used to joke in a rather undignified way about the great access of law business that came to him when he became chairman of the Senate Committee on the Judiciary, which passes upon all nominations of judges, and its decrease when he retired from that position. Senator Edmunds also was for many years chairman of the Judiciary Committee, and he had very much more business before the Supreme Court than any of his colleagues.

"But we have no hesitation in controverting some of the statistics of Mr. Edmunds's brief."

Mr. Edmunds probably feels that he has a perfect right to advocate this bill notwithstanding the fact that he voted in the Senate against the bill under which the Griscom, which is our only subsidized line, now runs; he was then a Senator from Vermont, and being now a Philadelphia lawyer his position is of course entirely different; indeed, I am told by one of the men on the inside of shipping circles that he now receives only $1,000 for each time he goes to Washington to promote the passage of the bill. This is a very moderate charge for an attorney of his ability and commanding position in regard to Congressional legislation.

In considering the interests involved in this bill we must remember that it would subsidize railroads as well as ships, because they own more than half of the stock of some of the most important steamship companies, and some of them are now building ships to run in connection with their cars. These railroad companies, some of which own leading transcontinental lines, would of course concentrate all the freight they could control at the ports that their steamers entered. By being able to bill freight from any point on their lines to the foreign ports to which their steamships run, they would have such an advantage over other railroads that they could compel them to unite with them in concentrating business at the ports from which the monopolistic lines could ship it to its foreign destination. They already have great power in this direction.

More than 50 per cent of the wharf and dock privileges of our Atlantic, Pacific, and Gulf coasts are owned by railroad corporations as terminals, while more than 32 per cent of the remaining half is leased and controlled by railroads and shipping companies which work in harmony. The passage of this bill would lead to an alliance or trust embracing practically all of the transcontinental and trunk lines of railroad and the over-sea transportation interest, which would be much the greatest monopoly the world has ever known. All our foreign trade would be concentrated at a few of the large ports, and the producer and his over-sea consumer would be at the mercy of the monopoly. Individual enterprise would be powerless under this subsidy and bounty plan, and I think our people would soon conclude that they had been mortgaged to a gigantic monopoly for thirty years.

Perhaps one outside corporation would be able to profit by the bill. This is the Standard Oil Company. It has a large fleet of steamers and sailing vessels, nearly all of which, I am credibly informed, could draw subsidies under this bill. It has over 35 steamers, which, I am told, made 211 entries at Bayone in New York Harbor last year. They vary in size from the *Ocean*, which is 1,656 tons, to the *Tuscarora*, which is 3,955 tons, and average about 2,600 gross tons, all of them being over 1,500 tons and engaged in foreign trade.

I think the slowest of them could show more than 14 knots speed in a four hours' trial, and some of them are much faster; so that they would be pretty heavily subsidized. Having its own pipe lines to bring its oil to the coast, as well as enjoying fairly friendly relations with the railroads, it might be able to maintain its independence. As each $100 share of its stock sells readily for $472, our people might think it unnecessary to tax them to pay it over $1,000,000 a year for attending to its own business.

It would admit not less than 250,000 tons of foreign-built ships already in service and many of them old, and an ominously unknown but certainly very large number of foreign ships which were contracted for on or before February 1, 1899, to our register and let them carry our flag over foreign crews. It gives them exorbitant subsidies and requires nothing of them except that they "shall have received or shall be fit to receive" a certain rating which need never be renewed. If they show a given speed during a four hours' trial, the subsidy is permanently increased, and they can be worn out at any speed their owners prefer.

The "one-fourth of her navigating crew" required to be citizens of the United States need never be more than one man, while the "one American boy for each 1,000 tons" would employ but one American among from twenty to fifty aliens or more, according to the size and class of the ship. The clause relating to the 80 per cent of the stock of American or foreign corporations, which the bill stipulates shall have been owned by citizens of the United States on December 1, 1898, and until the bill is passed, can be justly regarded as a subterfuge, for the entire stock of a corporation can be transferred with a pen full of ink, and stock is habitually transferred and held for specific purposes.

During the first ten years owners of ships can contract to receive bounties for twenty years, but after the said ten years no such contract can be made; this would overstimulate shipbuilding for ten years, and kill it for the next twenty, as no ship built after the ten years could be subsidized, and of course could not compete with the ships that were. The great corporations would be able to secure enough ships during the ten years to give them absolute control during the remaining twenty. This is rotten economics. The drawers and promoters of this bill ask Congress to mortgage the right of eminent domain for thirty years. They seem to fear that the people would resort to it to rid themselves of the terrible burden their representatives are urged and expected to impose upon them. I think this fear well founded, for, after a few sales of Government bonds to pay the subsidies, the people would surely insist that the robbery must stop.

After devoting over a month to the study of the Hanna-Payne bill, under favorable conditions, I decided that I did not know enough of what it would cost us to be entitled to a definite opinion and that its promotors intended that no one should learn. Feeling that the truth must be ascertained and published, the highest authority in the United States was appealed to for a statement of the probable cost, and I herewith present a table giving the result of a most thorough study of this subject by Capt. William W. Bates, author of "American Marine," "Rules for the Construction and Classification of Vessels," formerly manager of the Inland Lloyd's Register, and late United States Commissioner of Navigation.

This table came without comment of any kind upon the merits of the bill or the motives of its promoters. It is simply the result of a long, careful, and thorough study of every factor involved, from a cold-blooded scientific standpoint. I presume no one will claim that there is anyone else as able and well qualified to make such a study. His American Marine is the book which a person wishing to understand the subject must read, and he is in all respects the best authority. I commend this table to those who wish to learn the truth regarding the Hanna-Payne bill.

It shows that if but 5 per cent of the ships engaged in our foreign commerce the first year after the bill was enacted into law were subsidized, and but 80 per cent the ninth year and thereafter during the term of the subsidy contracts, it would cost the taxpayers of the United States $52,222,699 for the first five years; $193,914,329 for the next five years; $281,948,408 for the next five years; $332,296,210 for the next five years; $382,803,930 for the next five years, and $350,202,048 for the remaining four years of the contracts—a total of $1,573,367,622 for the entire period.

If an average of but 50 per cent of the ships engaged in our foreign commerce during the thirty years were subsidized, the bill would cost us $1,087,514,510.

As 90 per cent of our exports and 93 per cent of our imports were American carried in 1810, when we were comparatively poor and powerless, and we carried 71 per cent of our exports and 77 per cent of our imports in 1815, after a war which England forced upon us for the purpose of destroying our sea power, it is highly probable that much more than an average of 50 per cent of the ships engaged in our foreign commerce during the thirty years would be subsidized. In former times we only charged "10 per cent discriminating duty on all imports in ships or vessels not of the United States," whereas the Hanna-Payne bill proposes to pay so much to the owners of high-class ships under our register that, as one of them recently told me, they can "carry cargo one way and go empty the other and do well."

Please note that we used to favor American ships only on what they actually carried. This bill proposes to pay them not for what they carry, or for what they could carry, but for their gross tonnage, which includes all their machinery, coal, etc., the full measured capacity of the ships; in short, to pay them roundly for every mile they move themselves. How long would our people submit to the Government's selling bonds to pay these subsidies? But how could they help themselves when their Congressmen had mortgaged even the right of eminent domain to the corporations owning the ships, and the mortgage was for thirty years?

The genesis of this bill is greed, its mask enterprise and patriotism, and its purpose monopoly. No foreign-built or foreign-manned ship should be subsidized with American money. If ships must be subsidized, let them be American built and American manned, and let the law give all citizens of the United States equal opportunity.

SAMUEL ADAMS ROBINSON.

WASHINGTON, D. C., *February, 1899.*

Approximate estimate of annual cost of "compensation" to tonnage in foreign trade under the terms set forth, with increase allowed for, both in commerce and in carrying.

Year.	Entire fleet.	90 per cent.	80 per cent.	70 per cent.	60 per cent.	50 per cent.	40 per cent.	30 per cent.	20 per cent.	12½ per cent.	8 per cent.
1900	$40,278,351	$36,250,515	$32,222,680	$28,194,845	$24,167,010	$20,139,175	$16,111,340	$12,083,505	$8,055,670	$5,034,794	*$3,222,268*
1901	42,795,747	38,516,172	24,236,597	29,957,022	25,677,448	21,397,873	17,118,298	12,838,724	8,559,149	*5,349,468*	3,423,659
1902	45,313,143	40,781,828	36,250,530	31,719,200	27,187,885	22,656,576	18,125,257	13,593,942	*9,062,628*	5,664,142	3,625,051
1903	47,830,539	43,047,485	38,264,431	33,481,377	28,698,323	23,915,269	19,132,215	*14,349,161*	9,566,107	5,978,817	3,826,443
1904	50,347,935	45,313,141	40,278,348	35,243,554	30,208,761	25,173,967	*20,139,174*	15,104,380	10,069,587	6,293,491	4,027,834
1905	52,865,331	47,578,797	42,292,264	37,006,731	31,719,198	*26,432,660*	21,146,132	15,859,599	10,573,066	6,608,166	4,229,226
1906	55,382,727	49,844,454	44,306,181	38,767,908	*33,229,636*	27,691,363	22,153,090	16,614,818	11,076,545	6,922,840	4,430,618
1907	57,900,123	52,110,110	46,320,098	*40,530,086*	34,740,073	28,950,061	23,160,049	17,370,036	11,580,024	7,237,515	4,632,009
1908	60,417,519	54,375,767	*48,374,015*	42,292,263	36,250,511	30,208,759	24,167,007	18,025,255	12,083,502	7,552,189	4,833,401
1909	62,934,915	56,641,423	*50,347,932*	44,054,440	37,760,949	31,467,457	25,173,966	18,880,474	12,586,983	7,866,864	5,034,833
1910	65,452,311	58,907,079	*52,361,848*	45,816,617	39,271,386	32,726,155	26,180,924	19,635,693	13,090,462	8,081,538	5,236,184
1911	67,969,707	61,172,736	*54,375,765*	47,578,794	40,781,824	33,984,853	27,187,882	20,390,912	13,593,941	8,496,213	5,437,576
1912	70,487,103	63,438,392	*56,389,682*	49,340,972	42,292,261	35,243,551	28,194,841	21,146,130	14,097,420	8,810,887	5,638,968
1913	73,004,499	65,704,049	*58,403,597*	51,103,149	43,802,699	36,502,249	29,201,799	21,901,349	14,600,899	9,125,562	5,840,359
1914	75,521,895	67,969,705	*60,417,516*	52,865,326	45,313,137	37,760,947	30,208,758	22,656,568	15,104,379	9,440,236	6,041,751
1915	78,039,281	70,235,352	*62,431,424*	54,627,496	46,823,568	39,019,640	31,215,712	23,411,784	15,607,856	9,754,908	6,243,142
1916	80,556,667	72,501,000	*64,445,333*	56,391,666	48,334,000	40,278,333	32,222,666	24,167,000	16,111,333	10,069,583	6,444,533
1917	83,074,053	74,766,647	*66,459,242*	58,151,837	49,844,431	41,537,026	33,229,621	24,922,215	16,614,810	10,384,256	6,645,924
1918	85,591,439	77,032,295	*68,473,151*	59,914,007	51,354,863	42,795,719	34,236,575	25,677,431	17,118,287	10,698,929	6,847,315
1919	88,108,825	79,297,942	*70,487,060*	61,676,177	52,865,295	44,054,412	35,243,530	26,432,647	17,621,765	11,013,603	7,048,706
1920	90,626,211	81,563,589	*72,500,968*	63,438,347	54,375,726	45,313,105	36,250,484	27,187,863	18,125,242	11,328,276	7,250,096
1921	93,143,597	83,829,237	*74,514,877*	65,200,517	55,886,158	46,571,798	37,257,438	27,943,079	18,628,719	11,642,949	7,451,487
1922	95,660,983	86,094,884	*76,528,786*	66,962,688	57,396,589	47,830,491	38,264,393	27,698,294	19,132,196	11,957,622	7,652,878
1923	98,178,369	88,360,532	*78,542,695*	68,724,858	58,907,021	49,089,184	39,271,347	29,453,510	19,635,673	12,272,296	7,854,269
1924	100,695,755	90,626,179	*80,556,604*	70,487,028	60,417,453	50,347,877	40,278,302	30,288,726	20,139,151	12,588,219	8,055,660
1925	103,213,141	92,891,826	*82,570,513*	72,249,198	61,927,884	51,606,570	41,285,256	30,963,942	20,642,628	12,901,642	8,257,051
1927	105,730,527										
1928	108,247,913										
1929	110,765,299										

Mr. LACEY. I now offer an amendment. It is the amendment that the chairman thought ought to go into the bill.

The CHAIRMAN. The pending amendment is a motion to strike out the paragraph.

Mr. LACEY. I will let that be read for information.

The CHAIRMAN. Is this an amendment to the paragraph?

Mr. LACEY. It is an amendment to the paragraph.

The CHAIRMAN. The Clerk will report the amendment.

The Clerk read as follows:

Insert on page 24, line 1, after the word "or," the following: "if the United States shall so elect."

Mr. BOUTELLE of Maine. I accept the amendment.

Mr. DOCKERY. What line is that?

Mr. LACEY. Page 24, line 1.

The amendment was agreed to.

Mr. LACEY. I offer another amendment, Mr. Chairman.

The Clerk read as follows:

Insert in line 23, page 24, after the word "basin," the following: "and all future repairs thereto."

Mr. BOUTELLE of Maine. Mr. Chairman, I am perfectly willing to have the bill amended in any way to better it, but I want to ask the gentleman from Iowa if he knows what the repairs of a basin are?

Mr. LACEY. I do not. The statement was made by the chairman of the committee that the repairs were provided for by the bill. It turns out that they are not, and so I offered this amendment. There are necessary repairs in any basin; there must be. There is dredging, building of retaining walls, etc. I see there is a wall provided for here. We have been shown the picture of a wall badly out of repair, and I think perhaps the chairman can tell us better what the repairs are than anybody else. If it is not the purpose that the company shall keep up the repairs, then this ought not to go in.

Mr. BOUTELLE of Maine. I do not think it ought to go in.

Mr. DOCKERY. Did I understand the chairman to say that it is not the purpose of the company to keep up the repairs?

Mr. BOUTELLE of Maine. If anybody can tell me what the repairs are on a wet dock, I will put it in. I never heard of the water in a dock being repaired; I never heard of the mud under the water in the dock being repaired.

Mr. DOCKERY. No; but I understand there is something about a dock that you can repair. Of course you can not repair the water. What is the amendment offered by the gentleman from Iowa?

The CHAIRMAN. The Clerk will report again the amendment.

The Clerk again read the amendment.

Mr. BOUTELLE of Maine. I want to state to the gentleman from Iowa that the purpose is——

Mr. LACEY. I will withdraw the amendment if it is objectionable. The gentleman stated that it was proposed to build these walls and to keep this dock in repair, and I wanted to carry out his suggestion.

Mr. BOUTELLE of Maine. The Fitchburg Railroad Company keep their own side of the wharf in repair. They are bound under this act to build a portion of the sea wall on the Government side, but the bill is so prepared as to permit the Government to build the sea wall in a peculiar manner if it sees fit.

The CHAIRMAN. The Chair understands the gentleman from Iowa [Mr. LACEY] to withdraw the amendment.

Mr. DOCKERY. I desire to renew the amendment.

Mr. BOUTELLE of Maine. I accept it, Mr. Chairman.

The amendment was agreed to.

The CHAIRMAN. The question now is on the motion of the gentleman from New York [Mr. CUMMINGS] to strike out the section.

The question was taken; and on a division (demanded by Mr. CUMMINGS) there were—ayes 27, noes 66.

So the motion was rejected.

The Clerk, proceeding with the reading of the bill, read as follows:

Navy-yard, Norfolk, Va.: Quay wall for fitting out basin, $100,000; ship fitters' shop for construction and repair, $100,000; building for electric plant, plumbers' shop, and machine shop (yards and docks) $75,000; blacksmith shop and plumbers' shop, $50,000; 120-ton floating derrick, $70,000; 2 officers' quarters, $10,000; grading and paving streets and for sewers, $20,000: storehouse for torpedoes, etc., $75,000; in all, navy-yard, Norfolk, $500,000.

And the sum of $145,687.50, or so much thereof as may be necessary, is hereby appropriated to pay and satisfy the amount awarded to the property owners as found by the final judgment to be rendered in the matter of the condemnation proceedings begun under the direction of the Attorney-General of the United States under the district court of the United States for the eastern district of Virginia on the 24th day of June, 1898, for the condemnation of the tract of land mentioned therein for the use of the United States at Norfolk, Va.; and such further sum is appropriated as may be necessary to pay the costs of said proceedings: *Provided*, That said sum, the purchase money, shall be paid into court to be distributed among those entitled thereto, or their attorneys of record, under said judgment and decree in full satisfaction of the payment for the lands mentioned and described therein.

Mr. DAYTON. Mr. Chairman, a verbal correction. On page 28, line 9, strike out the word "under" and insert the word "in."

The CHAIRMAN. The Clerk will report the amendment.

The Clerk read as follows:

Page 28, line 9, strike out the word "under" and insert the word "in;" so that it will read, "in the district court of the United States."

The amendment was agreed to.

The Clerk, proceeding with the reading of the bill, read as follows:

Building and grounds, Naval Academy: A joint select committee of Congress is hereby constituted, to consist of members of the Fifty-fifth Congress who are also accredited members of the Fifty-sixth Congress, three of whom shall be appointed by the President of the Senate and three by the Speaker of the House, whose duty it shall be to examine the present condition of the buildings and grounds of the Naval Academy at Annapolis, and to report to the first session of the Fifty-sixth Congress a comprehensive plan for such rearrangement and reconstruction of the said buildings and grounds as they may deem expedient, together with an estimate of the cost of the same.

For the purpose of such examination and report said committee is authorized, in its discretion, to employ experts in engineering and construction, and to procure preliminary plans from five architects or firms of architects of conspicuous ability and experience, the cost of such examination, employment, and plans not to exceed the sum of the appropriation herein made for the purposes of said committee. The committee is also empowered to visit the Naval Academy; to call for and examine such persons and papers as may be required in the prosecution of this inquiry; to employ a clerk and stenographer, and to sit at any time during the recess or the sessions of Congress. For the expenditures herein authorized there is hereby appropriated, out of any money in the Treasury not otherwise appropriated, the sum of $10,000, or so much thereof as may be necessary, to be immediately available. And all operations and expenditures under the following paragraph in the act making appropriations for the naval service for the fiscal year ending June 30, 1899,

namely, "The Secretary of the Navy is authorized to contract for the construction, at the Naval Academy, Annapolis, Md., of a building suitable for use as an armory, at a cost not to exceed $300,000; a boathouse, at a cost not to exceed $300,000; a power house, at a cost not to exceed $100,000; four double houses for officers' quarters, at a cost not to exceed $80,000; for grading, electric-light wiring, removing old buildings, and preparing plans, at a cost not to exceed $90,000; for constructing the line of sea wall on the river side, piling, dredging, and filling in, as may be necessary, $150,000; and the sum of $500,000 is hereby appropriated toward the construction of the public works herein authorized," are hereby suspended and made inoperative and dependent upon such future legislation as may result from the examination and report of the committee hereby constituted, except where and in so far only as it shall be necessary to fulfill contracts already made and entered upon.

During the reading of the paragraph:

Mr. MUDD. Mr. Chairman, there seem to be two paragraphs that are objectionable and subject to a point of order. Out of abundant caution I thought I had better interpose one at this point, and I make the point of order against all that is contained between line 16, page 31, down to and including all that is in line 17, page 33. With that understanding, I suggest that the Clerk read until he comes to line 17, page 33; but I want it understood that I make the point of order as to all of it.

The CHAIRMAN. The Chair thinks that the provision down to the word "available," in line 18, page 32, is one proposition and what follows is another.

Mr. MUDD. Well, I make the point of order at this time.

Mr. BOUTELLE of Maine. What is the point of order?

The CHAIRMAN. That it is obnoxious to clause 2, Rule XXI, I suppose.

Mr. MUDD. I think, Mr. Chairman, that all of this is one proposition, because it will be seen, when the Clerk reads further along, that the rest of the paragraph suspends the work until the committee goes down there and makes its report. It is all connected, all a part of one general provision. It contemplates the appointment of a committee, and it suspends the work until the report of that committee. I contend that it is all a part of one general provision, all of which is obnoxious to clause 2, Rule XXI, as new legislation.

Mr. DAYTON. Will the gentleman allow me a question?

Mr. MUDD. Certainly.

Mr. DAYTON. Does the gentleman admit that the work that is suspended has been authorized by law?

Mr. MUDD. Unquestionably.

Mr. DAYTON. Then your point is that it can not be suspended or investigated or in any manner examined into by a subsequent bill because it is new legislation. Is that true?

Mr. MUDD. Not on a general appropriation bill. It can be inquired into and examined into and legislated about, but not on a general appropriation bill. The language of the rule is as clear as crystal and has been decided upon a thousand times in this House. The rule says:

> No appropriation shall be reported in any general appropriation bill or be in order as an amendment thereto for any expenditure not previously authorized by law, unless in continuation of appropriations for such public works and objects as are already in progress; nor shall any provision changing existing law be in order in any general appropriation bill or in any amendment thereto.

This so clearly changes existing law, Mr. Chairman, that it suspends, and qualifies, and, pro tanto, repeals, the act which was passed in a similar bill, the Naval appropriation bill, at the last session of Congress.

It creates a commission, and it has been decided hundreds of times in this House that language creating commissions of this kind upon general appropriation bills is obnoxious to the point of order. I apprehend there can be no doubt whatever as to that. I do not think there can be any necessity to argue the question.

Mr. BOUTELLE of Maine. Mr. Chairman, this provision in the bill does not seem to me obnoxious to the rule. An appropriation was made last year authorizing the Secretary of the Navy to erect certain buildings and to do certain things at the Naval Academy. The Naval Committee, owing to the circumstances with which these appropriations are surrounded, have asked the House of Representatives to modify the action under that appropriation. There is nothing that prevents. We do not propose the repeal of any law. Every dollar heretofore appropriated may yet be utilized and expended to carry out the objects of the appropriation of last year. The present provision proposes simply a method of ascertaining more fully the conditions under which the appropriation should be expended.

I apprehend that if a direct provision were inserted in the bill taking issue with some action that the Secretary of the Navy might have adopted under that appropriation, on the ground that he was not properly carrying out the law or the spirit of the law, it would not be obnoxious to the rule which prohibits the changing of any existing law upon an appropriation bill. This provision proposes simply to call a halt until Congress can ascertain, through a properly appointed committee or commission, how this money ought to be expended. It is absolutely essential that this power should exist. Under the appropriation of last year action has been taken at the Naval Academy which clearly is not authorized by any existing law. Public buildings which have cost a great deal of money have been demolished, and entirely removed from the grounds, without any action of Congress authorizing the removal.

It seems to me that this provision is merely directory as to the manner in which the appropriation of last year shall be utilized. The object of the appropriation, the spirit of the law, was to provide means for the erection of certain structures at Annapolis. This provision simply directs that the operations under that law be suspended until Congress can advise itself as to the proper manner of utilizing the appropriation.

Mr. MUDD. Possibly the Chair does not want to hear from me further.

Mr. DAYTON. I hope the Chair will hear some other members of the committee who honestly believe this point of order is not properly taken.

The CHAIRMAN. The Chair would like to hear one gentleman on each side.

Mr. MUDD. If other gentlemen wish to be heard, I will yield now.

Mr. DAYTON. Very well. I am ready to say what I have to say. Mr. Chairman, as I understand the situation, the House of Representatives at its last session provided for the erection of certain buildings in connection with the Naval Academy at Annapolis. That appropriation was made upon the motion, I believe, of the gentleman from Maryland [Mr. MUDD] who now raises this point of order against the provision in this bill. At least it was placed upon the appropriation bill by an amendment offered in the House.

The gentleman himself has distinctly admitted that he understands that by that provision the erection of those buildings at Annapolis has been authorized by law, and that the law exists today. Now, analyze the provision of this bill against which this objection is made by the gentleman from Maryland and you will ascertain it to be simply and purely this: The appointment of a legislative committee to investigate the plans adopted to carry out the law, and also the character and plans of the buildings that are to be erected in accordance with the appropriation of last session, which the gentleman admits is the foundation of the work which is being done. The provision in this bill proposes not a repeal of the appropriation of the last session, but a suspension of its expenditure until there can be a proper plan adopted for the purpose of carrying on those improvements.

Now, I do not believe in discussing the merits of a proposition upon a point of order, but I think it is just to the Naval Committee that the House and the Chairman should understand the necessity of this provision. At the last session of Congress, after the Naval Committee had determined that it was unwise to take up a general plan for the reconstruction of the Naval Academy buildings and grounds at Annapolis, the gentleman came here with an amendment which seemed to be an appropriation for $500,000 for the erection of certain buildings on those grounds. That amendment involves, in fact, an expenditure of eight to twenty million dollars, with no plans prepared, with no arrangements made, no understanding as to what buildings shall be removed or what shall be the character of the buildings constructed in their stead, with no man in charge of the work by any authorization of law.

Now, some action by Congress has become necessary, because of the appropriation made in that slipshod and indefinite manner——

Mr. HENDERSON. And put in as limitations upon the appropriation.

Mr. DAYTON. Yes; put in as limitations upon the appropriation, as the gentleman from Iowa so aptly suggests, and I thank him for the suggestion.

Why, Mr. Chairman, if the pending provision of this bill be not authorized by law, how in the name of reason and common sense can we ever get at the proper solution of the difficulty in which we are involved by the very fact that the gentleman had placed upon the statute books at the last session a provision of law so objectionable that we are undertaking a work involving an expenditure of $8,000,000, with no plans, with nothing to base it upon.

Mr. DOCKERY. Will the gentleman allow a suggestion?

Mr. DAYTON. With pleasure.

Mr. DOCKERY. I know nothing whatever of the controversy between the committee and the gentleman from Maryland. It seems to me, however, that the point of order is well taken. But that question, of course, will be determined by the Chairman of the committee.

I only desired to call the attention of the gentleman to the fact that the committee by this proposition propose to exercise executive functions, which is unusual, to say the least.

Mr. BOUTELLE of Maine. How so?

Mr. DOCKERY. In the mode of exercising the power you have conferred upon the committee.

Mr. HENDERSON. Will the gentleman from Missouri allow me to interrupt for a question?

Mr. DOCKERY. Certainly.

Mr. HENDERSON. Would it not be in the power of the House—had a fair, reasonable, and appropriate limitation been placed upon the appropriation—would it not be in the power of the House to provide suitable means for acquiring the necessary information, with a view to intelligently and properly expending the money which had been appropriated? Now, if that could have been done at the time that this provision was inserted in the appropriation bill, and was not done, the money not being expended which has been appropriated, is it not still within the power of the House to fix a limitation upon the expenditure according to its judgment and discretion?

Mr. DOCKERY. The gentleman must not understand me as opposing that proposition. I am in sympathy with fixing a limitation upon such expenditures. I am only discussing the form in which this matter is presented.

Mr. BOUTELLE of Maine. Does the gentleman from Missouri mean to say that the point of order applies to this provision for a commission?

Mr. DOCKERY. I am calling the attention of the committee to the facts. You devolve on a commission the power to report a comprehensive plan for rearrangement and reconstruction of the buildings, which seems to be an executive function and outside of the province of an ordinary commission.

Mr. BOUTELLE of Maine. They are simply directed to report to Congress.

Mr. DOCKERY. But they are clothed with executive functions. They are to provide for a rearrangement or a reconstruction of buildings, and matters of that kind.

Mr. BOUTELLE of Maine. Oh, no; if the gentleman will pardon me. It is simply to make a report for legislation subsequently.

Mr. DOCKERY. I do not wish, I repeat, to be understood as antagonizing the committee, for I know nothing whatever of the matter.

Mr. BOUTELLE of Maine. The gentleman from Missouri understands, of course, the distinction between a commission appointed to make a report to Congress and a commission appointed to take cognizance of matters of this kind, which would involve the expenditure of the money appropriated by Congress.

Mr. DOCKERY. Of course——

Mr. DAYTON. Extraordinary emergencies sometimes require extraordinary action. Here is a dilemma which we must meet. We embarked on the work two years ago, covered by the paragraph in question, under a provision which the House did not understand and could not have understood, or certainly it would not have adopted it in that form. That is the full extent and meaning of the paragraph in question. Now, we do not desire to undo the action of the last House, but we desire to have a basis or foundation for the work already authorized.

Mr. DOCKERY. I would like to ask the gentleman if plans have been prepared? Have any plans been prepared by the Supervising Architect, and submitted, in accordance with the provision to which reference is made?

Mr. DAYTON. None whatever.

Mr. BOUTELLE of Maine. Nothing of the kind has been done.

Mr. DAYTON. And the Supervising Architect had nothing whatever to do with the matter. There is not a line or a syllable in any plan of any kind or character on the subject from him.

Mr. BELKNAP. Has anything been done with the $500,000 which was appropriated?

Mr. DAYTON. I have already said that the Secretary states that some part of it has been expended on a wall——

Mr. BOUTELLE of Maine. And they removed some structures that had been already erected.

Mr. DAYTON. I was going on to remark that in accordance with the plans there has been some pulling down of old buildings that, with all due respect, I have the opinion should not have been torn down.

So it is time, Mr. Chairman, that we should get to some point and provide some scheme, if Congress intends to go any further, to put it in proper shape. That is the object of the provision of the pending bill.

Mr. BOUTELLE of Maine. It is a very important section of our bill, not only in the amount of expenditure, but in relation to the utility, usefulness, and convenience, as well as the safety, of one of the greatest institutions of the country.

My colleague has stated with great precision the situation as it exists. The proposition was urged on the committee last year to enter upon the entire reconstruction of the Naval Academy, its buildings and grounds. The committee were not prepared to recommend to Congress such sweeping legislation until some investigation could be made with reference to the matter.

Mr. BERRY. Will the gentleman allow me a question?

Mr. BOUTELLE of Maine. Yes.

Mr. BERRY. I would like to ask if the Superintendent and officers of the Academy have not agreed on a plan which they present and recommend as more suitable and desirable than any that has been presented?

Mr. BOUTELLE of Maine. I do not know whether such plan is more desirable and suitable.

Mr. BERRY. But have they not recommended some such plan?

Mr. BOUTELLE of Maine. They are not architects.

Mr. BERRY. Of course, I understand that, but they are educated men, and understand drafting; and as I understand it, are pleased with the plan which has been submitted.

Mr. BOUTELLE of Maine. Does the gentleman think they are better capable of discharging the duty which has been devolved upon men trained in that business?

Mr. BERRY. I do not mean to say that. I say that they might be as capable of discharging it as other people might be. My question was whether or not such plans had not been prepared and met their approval.

Mr. BOUTELLE of Maine. The gentleman from Kentucky thinks that if certain officers were charged with a certain duty they would discharge it better than other officers who are not charged with it. I think that is true.

Mr. BERRY. I am glad you agree with me about that.

Mr. BOUTELLE of Maine. I agree with you entirely, and I want you to agree with me.

Mr. BERRY. I will if I can.

Mr. BOUTELLE of Maine. I am trying to get your assistance and agreement. I was about to say that there have been no complaints made which the Government of the United States or anybody else is bound to respect.

Mr. BERRY. There have been plans made. I am asking for information.

Mr. BOUTELLE of Maine. I am not obliged to take cognizance of that fact, because those plans have not been officially presented. In our committee we must act upon official information.

Mr. BERRY. I was asking for information. I am not a member of the committee.

Mr. BOUTELLE of Maine. I am told that such plans have been made.

Mr. BERRY. I understand that Admiral McNair and the officers of the Academy have agreed upon the plans presented, and that they are thoroughly satisfied with them.

Mr. BOUTELLE of Maine. How do you know that?

Mr. BERRY. From some of the gentlemen themselves, and from another gentleman who is a very reliable authority.

Mr. BOUTELLE of Maine. Who were they?

Mr. BERRY. One was a member of the board appointed to visit that institution at the graduation last year.

Mr. BOUTELLE of Maine. Had he any authority to determine?

Mr. BERRY. I can not tell you. I wanted the chairman of the Committee on Naval Affairs, who is supposed to be full of knowledge on the subject, to tell me.

Mr. BOUTELLE of Maine. I am trying to impart it to you.

Mr. BERRY. If I were on the committee, I would certainly know something about it. I want to know how far these plans have progressed, and whether they are satisfactory to those there.

Mr. BOUTELLE of Maine. When my friend gets through telling me what he does not know, I will tell him what I do know.

Mr. BERRY. It will not take you as long to tell what you do know as it will for me to tell what I should like to know. [Laughter.]

Mr. BOUTELLE of Maine. I certainly hope not. [Laughter.]

The CHAIRMAN. The committee will be in order.

Mr. BOUTELLE of Maine. I was about to state that some considerable pressure was brought upon our committee to induce us to enter upon legislation proposing an entire remodeling and rebuilding of the Naval Academy. It was an absolute and complete revolution of plans, materials, and everything. There were some gentlemen who came before us, one of whom had been an occupant of this exalted body, known as the Board of Visitors to the Naval Academy. I presume some of the members of the House have served on that board and they know how much authority they are invested with. One of these gentlemen came to us with a proposition to make a very beautiful institution there.

I do not know but that it might be the finest and most desirable institution in the world, but it had no authority. A gentleman from New York, who had accompanied some of the members of the board, made some sketch plans of an entire revolutionizing of the Academy. We were not prepared, on the mere statement of some members of the Board of Visitors, to accept these voluntary plans and enter upon this enormous expenditure which it involves.

And if my friend from Kentucky [Mr. BERRY] will only remember, I think he will bear me out in the statement that last year I called the attention of the Committee of the Whole in the most earnest language that I could command to the undesirability of forcing through the House, largely under a sectional plea that the Naval Academy was the only institution of the kind below Mason and Dixon's line and that we had been very partial to West Point,

an appropriation that practically committed or was intended to commit the Government to a plan that had never been authorized by any lawful body, which would involve an entire revolutionizing of the whole institution and might or might not, so far as we were advised, be the best or a desirable way of doing it.

The then Secretary of the Navy, Mr. Herbert, had, exercising simply his function as Secretary of the Navy, ordered a board consisting of Commodore Matthews, then Chief of the Bureau of Yards and Docks, and one or two other naval officers who had no more power to recommend or to formulate plans that should be binding upon anybody than I or the man in the moon to go down to the Academy and make a report to him, presumably for his information.

I do not know where they struck these plans that were gotten up, but they made a report to the Secretary in which they did not indicate by name the plans of any person, but they did, as it seems to me, on a cursory examination, outline a plan that was intended to fit these designs that have been made by a gentleman named Flagg, who is an architect of some repute.

Mr. BERRY. I would like to ask the gentleman——

Mr. BOUTELLE of Maine. Let me go ahead; I will tell it as true as gospel. [Laughter.] I asked the House to let our committee go ahead and take some orderly direction of the method by which we should determine what really ought to be done at the Naval Academy, how much ought to be done, and how it ought to be done. The Committee of the Whole was wiser than we; and in spite of our protest they thought it wise to put upon our appropriation bill, without any basis or foundation, a provision giving an appropriation of $500,000 as a part of the expenditure for doing certain things at the Academy.

One of the things was building an armory to cost $300,000, one was to authorize the Secretary of the Navy to construct a power house to cost $100,000, and another was to authorize the Secretary of the Navy to build a boathouse to cost $300,000, and various other things. That went into operation and became law, and under it the Secretary of the Navy, in the exercise of his power, as he stated to us in the hearings before the committee the other day, felt that he was bound to put these buildings somewhere, and as there was only one proposition, and the only plan of which he had ever heard was that of this board composed of Mr. Matthews and some——

Mr. BERRY. Was there any competitive bid about these plans?

Mr. BOUTELLE of Maine. No; it was simply the suggestion of one party. That is all. The entire matter has never been submitted to competitive bids.

Mr. BERRY. Then I am satisfied. I thought there was some sort of competition.

Mr. BOUTELLE of Maine. The Matthews board, having been invited by Secretary Herbert to make a report, had suggested certain plans, and in it this splendid affair. The Superintendent of the Naval Academy, Superintendent Cooper, was very much in favor of these plans, and advocated them from the first. The Secretary of the Navy proceeded, under the law, to advertise for proposals and to make contracts for the construction of these buildings in accordance with the law, so far as he should understand it. Now, in doing that he located the armory building——

Mr. BERRY. If the gentleman is talking for my benefit, I will say that since his explanation I am for the bill.

Mr. BOUTELLE of Maine. I am talking for the benefit of all. Suppose that this area represents the area of the Academy [illustrating]. In this area here [illustrating] they located the armory, in this extreme portion of the grounds. They tore down the marine barracks to make a place for it. They tore down the boathouse, a structure of considerable value, to make a place here.

They located the boathouse over in the extreme over here, and then proceeded to locate the power house up here [illustrating]. So that if these buildings should be begun, the ground broken and the Government were committed to this whole scheme, this magnificent plan of rebuilding the entire Academy, turning the whole thing on its axis, removing nearly all the buildings there, I do not say that that would not be a good thing to do. I am not here urging to-day that the plan recommended by the Matthews board may not be an excellent one.

I do not know that it may not be the best one; but it has never been authorized. The subject has never been gone into by any authorized body, and we do not know whether this great expenditure ought to be incurred. We do not know whether it is desirable to do this thing, and the fact that some Superintendent of the Naval Academy here or some chief of a bureau there has selected papers there and is satisfied with the plans gotten up in this informal way is liable, on the statement of those who have been engaged in formulating these plans, to involve expenditures first and last of six to eight million dollars sure, and, as I believe, liable to run from ten to twelve million dollars. That being the case, the Committee on Naval Affairs, I am frank to say, did not feel justified in putting into this bill this year the million dollars that the Department recommended, which was sure to be utilized in the carrying out of this unauthorized plan.

Mr. SMITH of Kentucky. What is the proposition of the committee with reference to the improvement of the Naval Academy grounds?

Mr. BOUTELLE of Maine. I will state. The $500,000 appropriation has been utilized in part by the Navy Department in removing some of the buildings at the Academy, which I think was of doubtful expediency. I think the removal may have been made by the Superintendent in the full belief that this plan was to be carried out. They have advertised for propositions for a boathouse, armory, and power house. I think the contract for the power house has been let.

Mr. DAYTON. The bids were more than the appropriation, and so none of them were accepted, but there has been certain work done.

Mr. BOUTELLE of Maine. I think if my colleague will permit me, I was told day before yesterday by a very worthy citizen of my own State that his bid had been accepted. It may have been for the furnishing of material. I think I can state, on reflection, that the contract had not been made, but the order to locate the buildings on the grounds has been made, and if they had gone forward they would have proceeded to build an armory here, and a boathouse there, and the logical, and practically inevitable, consequence of that would be the location between them of a cadet barracks building which has been estimated and an appropriation asked for a building to cost $3,500,000; and other buildings of a similar character as to cost and expensiveness have been asked for in this same bill.

Now, the committee did not feel authorized to go in and ask for an appropriation of millions of dollars, one building to cost $3,500,000, when we could not answer the first question that might be asked on this floor as to the plan upon which this money was to be expended, how the designs were authorized, and under what recommendations it came here. While we respect the Superintendent of the Academy and those officers of the Navy Department, we have had some experience in the way of designs and buildings constructed under some of the Departments of this Government, and we have learned that they are not infallible.

One solitary experience we had was where we built a structure for a war college at Newport some years ago and appropriated the full amount asked for by the Navy Department. The building was constructed, but it was hardly completed before we had demands made for an additional appropriation. For what? To build cross walls to hold the building together.

Mr. BERRY. Will the gentleman allow me an interruption for a question?

Mr. BOUTELLE of Maine. Certainly; with pleasure.

Mr. BERRY. Is it contemplated to remove the remains of that school at Newport to Annapolis and combine the two?

Mr. BOUTELLE of Maine. No; that has not been mentioned at all. The committee, in looking this matter over, felt it to be their duty, before recommending additional appropriations of less expensive character, involving so much larger appropriations in the future, to report the condition of affairs at the Naval Academy to this body, and we do it in the shape of legislation which we recommend. We have no power to enforce our views, and do not desire to force them on Congress. I want to say that the committee has laboriously investigated this matter, and we have sincerely tried to see where we could get some solution of the difficulties in which we found ourselves. The committee at the outset were of the opinion that the first thing we must have was some authority of law to proceed at all. There is not a scintilla of legislation to provide for the entire rebuilding of that Academy.

We believe to a very large extent it should be rebuilt. I am in favor of as fine an institution as can be properly put there, but I do say that we have not information before us yet that warrants us in assuming that one particular design, of a very expensive character, and of a very destructive character, so far as the present structures are concerned, is the only one to be considered, and that we ought to look into this matter and find out what is the best way to proceed.

Mr. COX. Will the gentleman from Maine allow me a question?

Mr. BOUTELLE of Maine. Certainly.

Mr. COX. If I understand the proposition you are discussing here, it is to make improvements in the way of building.

Mr. BOUTELLE of Maine. Yes; and enlarge the water front by building a stone wall out there and filling in.

Mr. COX. Your committee reports unanimously?

Mr. BOUTELLE of Maine. We reported for the appointment of a joint committee of three members from each House to take this whole matter into consideration, to furnish them with means to employ the proper and necessary experts to go to the Academy and decide how far, in their judgment, the entire renovation of the institution should be carried; and, in addition to that, to call for preliminary plans from five architects of conspicuous ability and reputation, and then report to this House.

Mr. COX. And that they should take no action at all until you get the report.

Mr. BOUTELLE of Maine. And that all action under the appropriation be suspended until we get the report.

Mr. SHATTUC. Mr. Chairman, I rise to a point of order. What is the question before the House? We should like to hear what is going on.

The CHAIRMAN. The question is the point of order made by the gentleman from Maryland [Mr. MUDD].

Mr. BOUTELLE of Maine. Mr. Chairmain, out of great regard for my friend from Ohio, I will proceed to address a few more words as to the point of order. The House has had no possibility of being informed on this question except through the information that it gets here to-day, and if there is any gentleman on the committee who wants to vote without knowing anything about this question, or wants action to be taken without other members knowing anything about it, I am perfectly willing that he shall take that responsibility.

Mr. HULL. Mr. Chairman, the argument of the gentleman from Maine——

Mr. STALLINGS. If the gentleman from Iowa [Mr. HULL] will yield for a moment, I would like to put this question to the gentleman from Maine—whether the foundations of those buildings at Annapolis have not already been laid? That is my recollection.

Mr. DAYTON. No, they have not been laid.

The CHAIRMAN. The gentleman from Iowa will proceed.

Mr. HULL. Mr. Chairman, I was about to say that the argument of the gentleman from Maine is undoubtedly, to my mind, a good one, as showing that the Committee of the Whole House should not take legislation out of the hands of the appropriate committees. But, having been on the Board of Visitors at Annapolis, I must say that for years there has been a plan adopted by the officers there, and, while I was on the board, approved by the Secretary of the Navy. Whether that was a plan under the law or not is a question that does not concern me at all.

Personally, I believe that in all these improvements, either at Annapolis or West Point, there should be a specific appropriation made for the buildings known to be most needed; and let the obligation of Congress stop with that. I do not believe that a blanket appropriation should ever be made. But the proposition in the bill seeks to create a new board, seeks to establish a new method of carrying on public improvements. That is the point I want to make. I think the Committee on Naval Affairs is perfectly justifiable in not reporting the appropriation of a single dollar until perfectly satisfied that the money will be properly expended.

Mr. BOUTELLE of Maine. May I ask the gentleman a question?

Mr. HULL. Certainly.

Mr. BOUTELLE of Maine. Does the gentleman understand the character of the buildings that were recommended last year?

Mr. HULL. I do not.

Mr. BOUTELLE of Maine. Was this plan, which is now so much talked about—the plan of Mr. Flagg—was that plan brought up at the time you were a member of the board?

Mr. HULL. It was.

Mr. BOUTELLE of Maine. How long ago?

Mr. HULL. Three years ago, when Captain Cooper was Superintendent. The gentleman from Georgia [Mr. TATE], who was a member of the board at the same time, will correct me if I am wrong.

Mr. BOUTELLE of Maine. Does the gentleman from Iowa remember any authorization of the plans that were exhibited at that time?

Mr. HULL. Not at all; but I do not——

Mr. BOUTELLE of Maine. They were tentative.

Mr. HULL. They were tentative. They were plans made by the professors under the direction of the Superintendent; comprehensive plans for the improvement of the Academy; and the Secretary of the Navy at that time cordially indorsed those plans as a whole. As I recollect now, quite a large number of members of Congress, including members of the Naval Committee, were invited there to look them over.

Mr. BOUTELLE of Maine. When?

Mr. HULL. That same summer, I believe.

Mr. BOUTELLE of Maine. I must plead "not guilty" to that.

Mr. HULL. At any rate, there was such an invitation.

Mr. BOUTELLE of Maine. I understand the gentleman to say that the officers or professors there made these plans. Does he understand that those are the plans now presented to us and explained by Mr. Flagg as his plans?

Mr. HULL. I have no information on that subject. I am simply stating that these plans have been "in the air;" that they have been submitted to different Boards of Visitors—I do not know whether they were so submitted while the gentleman from Maine was on the board or not.

Mr. BOUTELLE of Maine. Plans made by officers of the Academy?

Mr. HULL. Made under the authority of the Superintendent and with the approval of the Secretary of the Navy.

Mr. BOUTELLE of Maine. Made by the officers?

Mr. HULL. I suppose they were made by some draftsman whom they employed.

Mr. DAYTON. Some man who came along with the suggestion of a plan?

Mr. HULL. Perhaps so. They had it all figured out, and submitted them to the Board of Visitors.

Mr. BOUTELLE of Maine. Does the gentleman recollect those plans?

Mr. HULL. No, sir. I did not regard myself as competent to pass on the plans.

Mr. BOUTELLE of Maine. I will ask my friend a question with which he is entirely competent to deal. If it is true that those plans were the same that have been submitted to us, and if, under the appropriation of last year, the Secretary of the Navy should locate a boathouse here and an armory there and a power house somewhere else, does not the gentleman think it would almost, if not quite, necessitate a retroversion of that Academy in order to meet those plans?

Mr. HULL. Mr. Chairman, I am not controverting the wisdom of this proposition. I am not controverting that at all. If I was chairman of the Committee on Naval Affairs, as my distinguished friend from Maine is, and they were making expenditures that I did not think wise, I should refuse to appropriate a dollar for it. And for that reason I think the proper way, in matters of this kind, is to make the appropriations as they are needed, for a single building at one time, that Congress should think proper, and thus, in the judgment of Congress, let the whole work go on gradually, and not commit us to the expenditure of eight or ten millions of dollars on an unknown and untried plan.

Now, as to the proposition which is under consideration and on which the point of order is pending. If I may be permitted, I think the proper way for the committee would be to refuse absolutely to make the appropriation except for a specific building. At West Point, by pursuing that policy we have had no trouble in the past. We have gone on year after year making, from time to time as occasion arose, appropriation for a specific building, which, in the judgment of the Military Committee, was necessary, and not adopting a plan for the entire remodeling and changing the whole construction. There, in every case, the Secretary of War and the Government officials were competent to carry out the appropriation in accordance with the intent of the committee.

The section under consideration in this bill provides for a committee of so many members of the House and so many members of the Senate who shall have jurisdiction over the plans, and generally have control of and report the condition of the buildings and grounds of the Naval Academy at Annapolis, so that the next Congress may take cognizance of that report. That, Mr. Chairman, is a committee or a commission not known to our laws. It never has, as I remember, in an appropriation bill, been provided that the erection of a building anywhere should be conducted in this manner.

This would be in order clearly, if the Committee on Naval Affairs had proposed this legislation in a separate bill, to be adopted after consideration on its own merits. But this is an appropriation bill, a general appropriation bill, and under our rules no legislation can be placed on the appropriation bill except under the conditions named in the rule itself.

Turn to page 32 of the bill and you find this provision:

> For the purpose of such examination and report said committee is authorized, in its discretion, to employ experts in engineering and construction, and to procure preliminary plans from five architects or firms of architects of conspicuous ability and experience, the cost of such examination, employment, and plans not to exceed the sum of the appropriation herein made for the purposes of said committee. The committee is also empowered to visit the Naval Academy; to call for and examine such persons and papers as may be required in the prosecution of its inquiry; to employ a clerk and stenographer, and to sit at any time during the recess or the sessions of Congress.

Now, I do not think that that authority can be conferred in a general appropriation bill. I believe that if there is a building to be erected there, or if the committee will make an appropriation for a building for the students for their dining hall, study room, or any other purpose, there would be no contest.

Mr. BOUTELLE of Maine. How can we?

Mr. HULL. That has been done at the Military Academy year after year, and I say if that is done the Government architects and officers are entirely competent to carry out the plans.

Mr. DAYTON. But the gentleman must remember that $500,000 was authorized for this purpose last year in this same appropriation bill.

Now, do I understand the gentleman to hold that this provision, which provides that the plans by which the money shall be

expended must be ascertained and fixed and determined by a commission appointed by Congress, is out of order, and which further declares that until this is done the appropriation shall not be expended? Do I understand the gentleman to claim that that is new legislation?

Mr. HULL. I understand that the creation of this commission is an act of new legislation.

Mr. BOUTELLE of Maine. Well, why not?

Mr. DAYTON. It is a provision to carry out properly the terms of the existing law which provides for the expenditure of this money.

Mr. HULL. Oh, that is a mere quibble, Mr. Chairman. Of course that is the language of this provision. But it is legislation for the creation of a board not now authorized by law for the expenditure of money which has been appropriated——

Mr. BOUTELLE of Maine. We have that right under certain conditions.

Mr. HULL (continuing). And I think the committee did an unwise thing last year. I do not think they should have made a blanket appropriation like that.

Mr. BOUTELLE of Maine. We never appropriated a dollar.

Mr. HULL. I am referring now to the Committee of the Whole House.

Mr. BOUTELLE of Maine. I thought you were speaking of the Naval Committee.

Mr. HULL. No; that appropriation was made by the Committee of the Whole. The only question for the Chair and for the Committee of the Whole to pass on now is whether this is new legislation or not. On that proposition I have my own views. I have no doubt on that question. It changes existing law.

Mr. BOUTELLE of Maine. Well, I think it is legislation, Mr. Chairman; it is very clearly legislation. It is legislation that I hope will be adopted, and it will be the wisest legislation we have indulged in for some time.

Mr. SULZER. Mr. Chairman, without regard especially to the point of order now under consideration, I rise for the purpose of saying to the members of this House and to the people of the country generally that I am in favor of this naval appropriation bill, shall vote for it, and so long as I am in Congress I will do everything in my power to maintain, improve, and increase the American Navy.

The American people take a just pride in their Navy. They have every reason to be proud of it, to be proud of its past, to be proud of it now, and to be proud of its future. The Navy is one of America's greatest institutions—a bulwark of defense, a mighty engine of offense—and should be liberally supported by the Congress of the United States for all its wants by generous appropriations.

Every dollar spent on the Navy is just so much money expended for insurance. A better investment could not be made. We must all stand by and for the Navy.

The most unthinking individual in the country realizes how important it is for the Government to have a strong, a great, and a mighty navy. We have a larger and more vulnerable seaboard than any other country in the world. We will soon, I believe, have a great merchant marine. We have great cities of immense wealth, of costly building, of commerce, and of property, the value of which is incalculable, all along our seacoasts. They must and should be all protected, and they can not be better protected, better safeguarded than by a modern, a commensurate, a powerful, and an efficient navy. In my judgment I believe that seven-tenths of the people of this country are more in favor of liberally appropriating money for the Navy than they are for the Army. I say this deliberately, and I am on the Military Affairs Committee. We do not want a large standing army in time of peace.

This naval appropriation bill is an honest and an economical one. It should pass the House unanimously. It only carries an appropriation of about $45,000,000, while the Army appropriation bill carries appropriations aggregating nearly $80,000,000, nearly double the amount of the naval bill. We want a mighty navy all the time. It is essential to our safety as a nation and to our supremacy on the high seas. A large standing army in time of peace is, however, contrary to the spirit of democracy and a menace to free and popular institutions.

In a Republic like ours, based on the consent of the governed, where every man is a part of the Government, where every man stands for the Government, and where every man is, or ought to be, a patriot, we do not need a great standing army in time of peace. We should rely on the volunteers and keep alive the martial spirit of our people.

In time of war every able-bodied man in this country is or should be a soldier of the Republic and bear arms, if necessary, for its defense, for its flag, and for its vindication. We need, however, a great navy for the protection, for the safety, and for the integrity of our great seaboard and our seacoast towns on the Atlantic Ocean, on the Pacific Ocean, and on the Gulf of Mexico. We need a great navy to protect our commerce on the high seas and to vindicate American citizenship and all that it stands for in every port and in every land in the world. I believe in the Navy. I stand for the Navy, and while I am in Congress I will always do all that I can for the Navy—for the men on deck, for the men below, and for the men behind the guns. All honor and all glory to the American sailors, to the American Navy, and to their patriotic, their heroic, and their splendid achievements.

I think I but voice the sentiments of the great majority of the people of this country when I say to you with all candor that we should have a great navy, the equal, in fact, of any in the world. Nothing would be more conducive to lasting peace, permanent security, and continued prosperity.

The recent war between Spain and this country demonstrated the power, the glory, and the effectiveness of the American Navy. Where would we have been in that combat if it had not been for our Navy? It was the Navy that lowered and humbled in the dust the proud banner of Spain in the Orient by the matchless genius and the thundering guns of Dewey. It was the Navy that dethroned the haughty power of Spain on the Western Hemisphere under the great Commander Schley. It was the Navy—our Navy, the Navy of the Republic—that forced the proud and puffed-up Spaniards, who had derided and ridiculed us for years, to hastily sue for peace when Schley's unerring guns sunk the Spanish fleet.

It was the Navy that vindicated the greatness, the glory, and the power of the United States of America and placed us in the front rank of the great powers of the world. It was the Navy that settled the controversy and won the war. Without the Navy we would have been impotent and powerless.

I am glad of this opportunity to speak for the Navy and to speak for the men in the Navy, from the lowest in the ranks to the highest in command. They all did, and they all do their duty. They are all heroes, each and every one.

Sir, I would vote for this bill if it appropriated more money than it does. There has been no fraud in the Navy, no stealing, no hypocrisy, no slander, no corruption. Its proud banner is spotless, and history will give it its full measure of praise and glory.

For all that our Navy has recently done and for all that it is to-day we owe much—more than words can tell—to the distinguished chairman of the Naval Committee [Mr. BOUTELLE], to his patriotic colleagues on that committee, especially to my friend and colleague from New York [Mr. CUMMINGS] and to the recent Secretaries of the Navy, among whom should be particularly mentioned Secretary Chandler, Secretary Whitney, Secretary Tracy, Secretary Herbert, and the present efficient and distinguished Secretary, Mr. Long. The country owes them a debt of gratitude it can never pay. The great work they have done for the Navy and for the Republic can hardly be estimated and I doubt not will never be really and truly appreciated. All honor to them, I say. Their best reward, however, is in the consciousness of duty well done for duty's sake. As the years come and go let us indulge the hope that their work will be more and better understood, and their patriotic efforts duly recognized and sincerely applauded.

We are a mighty people. We have a great and a superb country. We are the great, the peerless, Republic. We have an immense seaboard. We must build up a great merchant marine; we must build and own the Nicaragua Canal, and we want a great navy to promote, to safeguard, and to protect it all now and for all time to come.

We are all proud of the heroism and the great deeds of valor and of gallantry of our immortal naval commanders. What true American is there from one end of the land to the other whose blood does not stir and tingle when he reads or thinks or hears of the heroic deeds of daring and of bravery of Paul Jones, of Wickes, of Hull, of Perry, of Lawrence, of McDonough, of Decatur, of Stewart, of Farragut, of Porter, of Foote, of Evans, of Phillips, of Clark, of Schley, and of our great admiral, the immortal Dewey?

Their gallant names, their heroic deeds, and their matchless valor brighten and illumine every page of American history. Their monuments, more enduring than marble or brass, are in the grateful hearts of their patriotic countrymen, and their illustrious fame will never die while American history lives, is read, and continues to be, as I pray it ever will, a beacon light to the oppressed of other lands and an inspiration to liberty, to freedom, and to equal rights and equal opportunities for all. No words can do them and their great deeds full justice.

But, sir, in this connection I desire to say a few words about another matter. If I had my way, I would make the Naval Academy at Annapolis and the Military Academy at West Point great national universities. I would make them great institutions of naval and military learning. I would open them freely to the youth of the land. I would make them as free to the poor man's son as they are to the rich man's son. In this regard, let me say, I agree with and concur in the policy of that great metropolitan newspaper, the New York Journal. I stand for that policy and

will do all I can to carry it out. I would give all a chance, under proper rules and regulations to be prescribed by Congress. Instead of having one cadet at West Point and Annapolis from each Congressional district, I would have as many as could be accommodated by a proper enlargement of the two academies, so that anyone, no matter how poor or humble he might be, could enter and be educated, provided he could pass the necessary physical and mental examination.

I would pass a law providing that some of these students, when graduated, should spend a certain length of time in the service of the Government, and that others should go into the walks of private life, to be ready to serve the Government when called for in case of trouble or war. This is the true solution, in my judgment, of the making of a great navy and a great reserve army, and then men in almost every walk of life, educated at West Point and Annapolis, could command volunteers and ships in case of war. I would like to see the way as open and clear for the youth of our country to go to West Point and Annapolis as it is now for them to go to Princeton, to Yale, or to Harvard.

The people are thinking about this matter, and the day, in my opinion, is not far distant when Congress will have to take some decisive action in regard to it. I know that nothing will be done now, that nothing can be done now, but there must be a beginning to everything. I begin this agitation. I know that many here think my proposition is impracticable, but let me say to you in all sincerity that what you think is now inconsistent and impracticable will be a realization and a blessing in a few years. Some one must make the start. Some one must inaugurate the discussion. Some one must make the first effort to bring about reform and a departure from old practices and obsolete theories. I have tried to do that to-day, and I doubt not that these few brief remarks, uttered without preparation or premeditation, will bear fruit and ultimately consummate this great reform at West Point and Annapolis so devoutly wished for by the young men of our land. [Loud applause.]

Mr. RIXEY. Mr. Chairman, I desire to say one word upon the question of order which is now before the Chair. As I understand it, the contention is that the provision in the bill which is now under consideration is obnoxious to the second clause of Rule XXI. That section provides that—

> No appropriation shall be reported in any general appropriation bill or be in order as an amendment thereto for any expenditure not previously authorized by law, unless in continuation of appropriations for such public works and objects as are already in progress, etc.

A year or more ago Congress appropriated $500,000 looking to the rebuilding or reconstruction of the buildings at Annapolis. Unquestionably, the care of and provision for the Naval Academy at Annapolis comes properly under the jurisdiction of the Naval Committee. It is the duty of that committee to provide for the building or reconstruction of such buildings as may be necessary.

Two questions were before the committee in reporting this bill. One was as to whether the Naval Committee should recommend to Congress an appropriation looking to the carrying on of the work for the reconstruction of these buildings at Annapolis, without plans and without business methods; or whether they should properly guard the interests of the Government in this matter by first formulating the necessary plans.

I take it that the conclusion of the committee not to appropriate more money for the reconstruction of buildings, which will ultimately cost from six to ten million dollars, without some general plans, was wise and in accordance with business methods.

Mr. TODD. I request order, so that we can hear the gentleman.

The CHAIRMAN. Gentlemen will please maintain order for the very few moments left to the Committee of the Whole.

Mr. RIXEY. The Committee on Naval Affairs very wisely concluded that it would not appropriate the money to complete the reconstruction of the buildings until it was decided what plans should be adopted by the Government. I understand that certain gentlemen complain that the plan adopted of appointing a select committee to report is not the plan which has been adopted in other similar cases. That is not the question upon a point of order. The question is not whether it is the wisest plan that can be adopted, but it is whether it was in the province of the committee to recommend a commission at all.

Mr. BOUTELLE of Maine. Is the Chair ready to rule? The committee must rise in a moment.

Mr. RIXEY. I will give way for that purpose.

Mr. BOUTELLE of Maine. As the committee is about rising——

Mr. RIXEY. I will give way to the gentleman.

Mr. BOUTELLE of Maine. With the consent of my colleague, I now move that the committee rise.

The CHAIRMAN. The Chair was ready to rule.

Mr. BOUTELLE of Maine. I move that the committee do now rise.

The CHAIRMAN. The gentleman from Virginia yields to his colleague for that purpose?

Mr. RIXEY. I do.

The motion was agreed to.

The committee accordingly rose; and the Speaker having resumed the chair, Mr. SHERMAN, Chairman of the Committee of the Whole House on the state of the Union, reported that that committee had had under consideration the bill (H. R. 12122) making appropriations for the naval service for the fiscal year ending June 30, 1900, and for other purposes, and had come to no resolution thereon.

ENROLLED BILLS SIGNED.

Mr. HAGER, from the Committee on Enrolled Bills, reported that they had examined and found truly enrolled bill and joint resolution of the following titles; when the Speaker signed the same:

H. R. 6670. An act setting apart a certain tract of land in Oklahoma Territory to the Stella Friends Academy and Church Association; and

H. Res. 307. Joint resolution authorizing the Secretary of the Navy to pay certain laborers, workmen, and mechanics at United States navy-yards and naval stations 50 per cent additional for work performed in excess of eight hours per diem.

The SPEAKER announced his signature to enrolled bills of the following titles:

S. 5027. An act to correct the relative rank of Richard R. Steedman, captain, Eleventh Infantry, United States Army; and

S. 1964. An act for the erection of a public building for the use of the custom-house and post-office at Newport News, in the district of Newport News, Va.

SENATE BILLS REFERRED.

Under clause 2 of Rule XXIV, Senate bills of the following titles were taken from the Speaker's table and referred to their appropriate committees as indicated below:

S. 5465. An act authorizing the renewal of pensions to certain soldiers, sailors, and marines who served during the war with Spain—to the Committee on Pensions.

S. 5446. An act to grant to the Pasadena and Mount Wilson Railway Company right of way and certain lands for railroad purposes through the San Gabriel Forest Reserve—to the Committee on the Public Lands.

The SPEAKER. The hour of 5 o'clock having arrived, the House is in recess until 8 o'clock this evening, and the gentleman from Iowa, Mr. LACEY, will please take the chair.

EVENING SESSION.

The recess having expired, the House was called to order at 8 o'clock p. m. by Mr. LACEY as Speaker pro tempore.

The SPEAKER pro tempore. The Clerk will read the rule for Friday-night sessions.

The Clerk read as follows:

> The House shall on each Friday at 5 o'clock p. m. take a recess until 8 o'clock, at which evening session private pension bills, bills for the removal of political disabilities, and bills removing charges of desertion only shall be considered; said evening session not to extend beyond 10 o'clock and 30 minutes.

Mr. RAY of New York. Mr. Speaker——

Mr. BRUCKER. Mr. Speaker——

The SPEAKER pro tempore. Does the gentleman from New York yield to the gentleman from Michigan?

Mr. RAY of New York. Oh, yes; to hear what the gentleman has to say.

SETH DAVIS.

Mr. BRUCKER. I ask unanimous consent for the present consideration of the bill which I send to the Clerk's desk, and I ask that it be considered in the House as in Committee of the Whole.

Mr. RAY of New York. Reserving the right to object, I would like to know what the bill is. If it is one we have jurisdiction of, I have no objection.

The Clerk read as follows:

A bill (H. R. 2151) for the relief of Seth Davis, Company E, Fourth Michigan Infantry.

Be it enacted, etc., That the Secretary of War be, and he is hereby, authorized and directed to remove the charge of desertion from the military record of Seth Davis, late a first lieutenant of Company E, Fourth Michigan Infantry (reorganized), and issue to said Seth Davis an honorable discharge from said service, to date April 23, 1866.

The SPEAKER pro tempore. Is there objection to the present consideration of the bill?

Mr. ROBINSON of Indiana. Reserving the point of order.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Michigan?

Mr. RAY of New York. I do not see any point of order, and I do not see any objection to having it considered now.

Mr. ROBINSON of Indiana. Let us have a statement.

The SPEAKER pro tempore. Is there objection to the consideration of the bill? [After a pause.] The Chair hears none. The question is on the engrossment and third reading of the bill.

Mr. CONNOLLY. Mr. Speaker, I would like to hear the report

on that bill, if the committee has reported it. It is to remove a charge of desertion.

Mr. RAY of New York. Would not the gentleman be content to let the report be read?

Mr. BRUCKER. I will put all the evidence and the record from the War Department in the RECORD.

I will state for the information of the House that there is no written report from the Committee on Military Affairs, but I obtained permission of the chairman of the committee to take this bill and bring it up in this way, if the House would give consent.

Mr. CONNOLLY. Is there a report made by the committee?

Mr. BRUCKER. There is not. I will state that very frankly.

Mr. STALLINGS. Has it ever been considered by the committee?

Mr. BRUCKER. It has not. It has only been considered by the subcommittee.

Mr. RIDGELY. Can the gentleman state the facts?

Mr. BRUCKER. I can state the facts very briefly as they appear from the record furnished by the War Department.

Mr. CONNOLLY. Let that be done, then.

Mr. BRUCKER. It shows that Mr. Davis served four years—from 1862 to 1866. He enlisted as a private, being next promoted to second lieutenant, and then to first lieutenant of his company. He was with his command in Texas after the close of the war, having served during the war. He was taken sick, and received leave of absence to go home to Detroit. That was his home and the place where he enlisted. His leave of absence was for forty days. Thinking that his regiment was to be transferred to Detroit and there mustered out, he did not return to the regiment from Detroit to Texas, but remained in Detroit; and when the boys came home he ascertained for the first time that the company had been mustered out in Texas, and for that reason he is recorded as a deserter.

I have the record of the War Department, which will bear out my statement, and I will print it in the RECORD.

The record is as follows:

STATE OF MICHIGAN, *County of Saginaw, ss:*

Seth Davis, being duly sworn, deposes and says that he is a resident of Saginaw, Mich.; that he was enrolled into Company A, of Michigan Provost Guards, in October, 1863, and served therein until the fall of 1864, when he was discharged for promotion to second lieutenant of Company H, Fourth Regiment Michigan Infantry Volunteers, reorganized; that he was again promoted in February, 1865, to the office of first lieutenant of Company E, Fourth Regiment Michigan Infantry Volunteers, in which capacity he served until January 22, 1866.

That during his service in Texas he was sick for a long time, and came near to death; that soon after recovering from said sickness he procured leave of absence, to wit, at San Antonio, Tex., January 22, 1866, for thirty days. At New Orleans he got the time extended ten days; that it was then generally understood among the officers that the regiment would, in all probability, be home before his leave of absence would expire, and the regiment was at that time simply waiting there for orders to go home; that he went home on said leave of absence, expecting to meet the regiment at Detroit, Mich., and be mustered out with the rest of the regiment; that he was advised by Major-General Wright, commanding the Department of the Gulf at the time his leave of absence was extended (the thirty days having about half expired at that time), that the regiment would soon return to Michigan to be mustered out, and that deponent better not return to the regiment until the same reached Detroit.

Said extension of time for ten days was obtained especially to save the necessity of returning to Texas to rejoin the regiment; that deponent acted upon this advice, fully intending and expecting to rejoin the regiment at Detroit; that there was no incentive and no intention so to do; that the regiment was not mustered out as soon as expected, and when it was mustered out it was not at Detroit, but at Houston, Tex. Deponent did go to Detroit, but the comrades came home as private citizens, and there was no chance to rejoin the regiment. The war was over. There was nothing for him to do in service except to draw his pay, which amounted to over $100 per month; that this application is to procure an honorable discharge from the said service, to date from April 23, 1866.

SETH DAVIS.

Subscribed and sworn to before me this 2d day of February, 1899.

D. W. LE VALLEY,
Notary Public, Saginaw, Mich.

Case of Seth Davis, late of the Fourth Michigan Infantry.

It is shown by the records that Seth Davis was enrolled November 24, 1863, and mustered into service December 15, 1863, as a private in Captain Robinson's first company (subsequently Company A), Provost Guards, Michigan Infantry, to serve three years. He served in this organization until October 5, 1864, when mustered into service as second lieutenant, Fourth Michigan Infantry, serving in the latter organization as second lieutenant of Companies H and E until February 14, 1866, from which date until May 20, 1866, the date of the muster out of the regiment, he is reported as having been absent without leave.

He was "dishonorably discharged the service of the United States" by direction of the President, in Special Orders, No. 185, dated April 23, 1866, from this department, upon the report of the regimental commander and recommendations of superior officers, as follows:

HEADQUARTERS OF THE FOURTH REGIMENT MICHIGAN INFANTRY,
San Antonio, Tex., March 28, 1866.

COLONEL: I have the honor to bring to your notice the following case and would respectfully ask for a decision in the same:

Seth Davis, a first lieutenant of this regiment, received a leave of absence for twenty days on the 15th day of January, 1866, per Special Orders, No. 113, dated Headquarters Department of Texas, December 23, 1865, and upon the recommendation of the department commander was granted an extension of ten days, per Special Orders, Headquarters Military Division of the Gulf, No. 16.

His leave expired on the 14th day of February, 1866, and since that time he has not reported to his regiment or forwarded certificates, and from remarks made by him previous to his departure it is undoubtedly his intention to remain absent. He has been reported absent without leave since February 27, 1866, and I would respectfully ask that authority be given me to drop him from the regimental record as a deserter or that he be dishonorably dismissed the service of the United States. Inclosed please find copy of charges against him.

I am, very respectfully, your obedient servant,

J. W. HALL,
Colonel, Commanding Regiment.

Col. GEO. S. HARTSUFF,
Assistant Adjutant-General, Military Division of the Gulf.

STATE OF MICHIGAN, *County of Lapeer, ss:*

In matter of the claim of Seth Davis, late first lieutenant of Company E, Fourth Regiment Michigan Volunteer Infantry, personally appeared before me the undersigned, duly authorized to administer oaths in and for said county, George H. Henderson, of Lapeer, Mich., who, being duly sworn, said:

I, the affiant, became acquainted with Seth Davis, late a lieutenant of Company E, Fourth Regiment Michigan Infantry, in the fall of 1864; that during his service in Texas he was sick for a long time and came near to death; that soon after recovery from said sickness he was procured leave of absence, to wit, at San Antonio, Tex., on January 22, 1866, for thirty days.

It was then generally understood among the officers that the regiment would in all probability be home before his leave of absence would expire, and the regiment was at times waiting there for orders to go home; that he went home on said leave of absence, expecting to meet the regiment at Detroit, Mich., and be mustered out with the rest of the regiment. The regiment was not mustered out as soon as expected, and when it was mustered out of service it was at Houston, Tex., May 26, 1866. I make the above statement in my own handwriting.

GEORGE H. HENDERSON.

Subscribed and sworn to before me this 26th day of January, 1899, and I certify that the affiant is well known to me, and that I have no interest, direct or indirect, in the prosecution of this claim.

J. H. BIDWELL,
Clerk of the Court.

[First indorsement.]

HEADQUARTERS SEPARATE BRIGADE,
CENTRAL DISTRICT OF TEXAS,
San Antonio, March 28, 1866.

Respectfully forwarded approved.

JAMES SHAW, JR.,
Brevet Brigadier-General, Commanding.

[Second indorsement.]

HEADQUARTERS DEPARTMENT OF TEXAS,
Galveston, April 4, 1866.

Respectfully forwarded approved.

H. G. WRIGHT,
Major-General, Commanding.

[Third indorsement.]

HEADQUARTERS MILITARY DIVISION OF THE GULF,
New Orleans, La., April 14, 1866.

Respectfully forwarded to the Adjutant-General of the Army with recommendation that this officer be dropped from the rolls.

P. H. SHERIDAN,
Major-General, U. S. A., Commanding.

[Inclosure.]

Charges and specifications against First Lieut. Seth Davis, Fourth Regiment Michigan Volunteer Infantry.

Charge first. Conduct unbecoming an officer and a gentleman.

Specification first. In this, that the said Seth Davis, a first lieutenant of the Fourth Regiment Michigan Infantry, having obtained a leave of absence, did, when asked by First Sergt. Charles L. Jenny, Fourth Michigan Infantry, to bring him a message from his brother when he returned, say: "By Jesus Christ, I am not coming back at the expiration of my leave; neither shall I resign, as there is no necessity for it if a man works his card right."

All this at the camp of the Fourth Michigan Infantry at San Antonio, Tex., on or about the 10th day of January, 1866.

Specification second. In this that the said Seth Davis, a first lieutenant of the Fourth Regiment Michigan Infantry, having obtained a leave of absence did fail to report at the expiration of said leave either in person or by letter, and has yet failed to report.

This between the 14th day of February and 26th day of March, 1866, at San Antonio, Tex.

Charge second. Desertion.

Specification first. In this that the said Seth Davis, a first lieutenant of the Fourth Regiment Michigan Infantry, having obtained a leave of absence did fail to report at the expiration of said leave either in person or by letter.

This on or about the 14th day of February, 1866, at San Antonio, Tex.

Specification second. In this that the said Seth Davis, a first lieutenant of the Fourth Michigan Infantry, having obtained a leave of absence did fail to report at the expiration of said leave and has remained absent without leave for the period of forty-two days (and is yet absent).

This between the 14th day of February and 28th day of March, 1866.

M. J. VREELAND,
Lieutenant-Colonel Fourth Michigan Infantry.

Witnesses: John W. Spear, captain; William F. Bradley, lieutenant and adjutant; David H. Wood, first lieutenant; Charles L. Jenny, first sergeant, Company H.

In November, 1867, Mr. Davis applied for an honorable discharge from service, declaring under oath, that he had never received a discharge from the Fourth Michigan Infantry, for the following reasons:

"Had been sick for months and left to die, at one time, at Indianola, Tex.; afterwards obtained leave of absence to return home, about February, 1866, and before he returned to the regiment he got word that regiment would be back before he could get back to them, and so he got extension of leave of absence from Major-General Wright, at New Orleans. The regiment was discharged about April, 1866."

Under date of December 3, 1867, the application for an honorable discharge was denied, there being no authority vested in the War Department to revoke, modify, or set aside a duly executed order of dismissal, or to honorably discharge an officer who has been dismissed thereby.

It is proper to add that no record has been found that this officer was under

medical treatment subsequent to July, 1865, when he was treated at Indianola, Tex., for remittent fever.

Respectfully submitted.

F. C. AINSWORTH,
Colonel, United States Army, Chief Record and Pension Office.

RECORD AND PENSION OFFICE, WAR DEPARTMENT.

The SECRETARY OF WAR.

Mr. BRUCKER. Mr. Speaker, I move to amend by adding at the end of the bill the words "*Provided*, That no pay or other emoluments shall become due or payable by reason of the passage of this act."

The amendment was agreed to.

The bill as amended was ordered to be engrossed and read a third time; and it was accordingly read the third time, and passed.

On motion of Mr. BRUCKER, a motion to reconsider the vote whereby the bill was passed was laid on the table.

Mr. RAY of New York. Mr. Speaker, I move that the House resolve itself into Committee of the Whole for the purpose of considering business on the Private Calendar under the rule.

The motion was agreed to.

Accordingly the House resolved itself into Committee of the Whole, with Mr. CONNOLLY in the chair, for the purpose of considering business on the Private Calendar under the rule.

CHARLES THOMPSON.

The first business on the Private Calendar was the bill (H. R. 10132) to remove the charge of desertion from the naval record of Charles Thompson.

The Clerk read the bill, as follows:

Be it enacted, etc., That the Secretary of the Navy be, and he is hereby, authorized and directed to remove the charge of desertion standing on the rolls of the U. S. S. *Wissahickon* against the name of Charles Thompson, of date June 21, 1865, and to issue and transmit to him a discharge as of that date.

Mr. TALBERT. Mr. Chairman, I would like to hear the report read.

The Clerk read the report (by Mr. DAYTON), as follows:

The Committee on Naval Affairs, having fully considered the bill (H. R. 10132) for the relief of Charles Thompson, report and recommend that said bill do pass.

This bill was formulated by the Secretary of the Navy himself, forwarded to this committee, and introduced by the chairman of the subcommittee on private bills of this committee for the purpose of carrying out the expressed wishes of the Department.

This fact, as also those upon which relief is asked, are fully set forth in the annexed letter, made a part hereof.

NAVY DEPARTMENT, *Washington, April 9, 1898.*

SIR: I have the honor to inclose herewith, for the consideration of the committee, a draft of a bill for the removal of the charge of desertion standing on the rolls of the U. S. S. *Wissahickon* against the name of Charles Thompson, of date June 21, 1865, and, in view of the fact that Thompson has served in the Navy for a period of nearly thirty-six years, before, during, and since the war of the rebellion, to recommend the same to the favorable consideration of the committee.

If this case had been presented while the act of Congress "to relieve certain appointed or enlisted men of the Navy and Marine Corps from the charge of desertion," approved August 14, 1888, was in force, the charge of desertion could have been removed under the provisions thereof.

Very respectfully,

JOHN D. LONG, *Secretary.*

Hon. CHARLES A. BOUTELLE,
Chairman Committee on Naval Affairs, House of Representatives.

Mr. TALBERT. Mr. Chairman, it seems to me that there is no merit whatever in this case from the reading of the report. There is nothing going to show that he has not been a deserter. The report goes on to say that if he had applied under the act of 1888, which extended forgiveness for all deserters, he could have been relieved; but he did not do it, and no reason is stated in the report why the charge should be removed.

Mr. RAY of New York. The man never was a deserter within the meaning of the law.

Mr. TALBERT. Never was mustered in?

Mr. RAY of New York. Yes; but it was a technical matter. Congress long ago passed a law relieving him and all soldiers similarly situated if they applied. Now, this man, through his ignorance, did not apply; so he lost the benefit of that act. The charge of desertion would have been removed and he would have been cleared of the charge if he had been as well informed as to the law as my friend from South Carolina or myself.

Now, why should not a special act be passed to help this man out? This was not a case of actual desertion, but merely technical. I would fight, equally with the gentleman from South Carolina, against the removal of a charge of desertion standing against a man who, after entering the military service, had deserted in order to shirk military duty. I despise a man of that character, and I despise a bill which proposes to relieve such a man. But this is not such a case. The desertion in this case was merely technical.

Mr. JETT. There are a great many cases not reached by the statute that the gentleman has referred to. It is not broad enough.

Mr. RAY of New York. I am aware of that; but this is a case which the statute did reach. Congress, in its wisdom, saw fit to pass the law relieving of this charge all who made application and presented a proper case within a specified time. But this man did not apply, because he did not know of the existence of the law. The case is one of substantial merit.

Mr. TALBERT. Does the bill contain the usual proviso that the beneficiary shall receive no pay or emolument by reason of the passage of the act? If not, I move that amendment.

The CHAIRMAN. There seems to be no such provision in the bill.

Mr. TALBERT. Then I move that the usual provision, which I have just cited, be added to the bill.

The amendment of Mr. TALBERT was agreed to.

The bill as amended was laid aside to be reported favorably.

ORDER OF BUSINESS.

Mr. TALBERT. Now, Mr. Chairman, I ask unanimous consent that all bills for the removal of the charge of desertion that may be reached to-night on the Calendar be passed over.

Mr. RAY of New York. I suggest to the gentleman that he add to his request the proviso, unless the member who introduced the bill is present.

Mr. TALBERT. I will agree to that.

The CHAIRMAN. What is the motion of the gentleman from South Carolina?

Mr. TALBERT. I ask unanimous consent that all bills for the removal of charges of desertion which may be reached to-night be passed over unless the member who introduced the bill is present.

The CHAIRMAN. In the absence of objection, that order will be made.

There was no objection, and it was ordered accordingly.

Mr. RAY of New York. Now I suggest that we go on regularly; and if any gentleman here has a desertion case he can call it up.

Mr. TALBERT. Would it not be well that by unanimous consent the roll be called, and each member present, as his name is reached, be permitted to designate a bill?

Mr. RAY of New York. If we proceed in regular order, we can clean up all these bills in a short time.

MRS. JENETTE E. ARNOLD.

The next business was the bill (H. R. 10478) granting increase of pension to Mrs. Jenette E. Arnold.

The bill was read as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to increase to the sum of $25 per month the pension of Mrs. Jenette E. Arnold, widow of Solomon Arnold, late of Captain Pope's company of Georgia Volunteers, war of 1812, the same to be in lieu of the pension now drawn by her under certificate No. 10682.

The amendments reported by the committee were read, as follows:

Change the title so as to read: "A bill granting an increase of pension to Jennett E. Arnold."

In line 4 strike out the word "twenty-five" and substitute therefor the word "twenty," so as to fix the rating at $20 per month.

In line 5 strike out "Mrs.," and change the spelling of the claimant's Christian name so as to read "Jennett."

Mr. TALBERT. Mr. Chairman, I submit that unless the bill is explained by some member, the report ought to be read; or if it is very long, let enough be read to give members information upon which they may vote intelligently.

Mr. STALLINGS. This is a very short report, and I suggest that it be read.

Mr. TALBERT. I do not make this proposition for the purpose of killing time or anything of that sort.

The report (by Mr. STALLINGS) was read, as follows:

The Committee on Pensions, to whom was referred the bill (H. R. 10478) granting an increase of pension to Jennett E. Arnold, have considered the same and report:

The claimant is the widow of Solomon Arnold, who is shown by the records to have served as a private in Captain Pope's company, Georgia Volunteers, from October 8, 1814, to March 11, 1815, in the war of 1812. Mrs. Arnold is now a pensioner at $12 a month on account of the service of her husband, who died July 19, 1871.

It is shown by the testimony of two credible witnesses that the claimant is now about 88 years of age, infirm and helpless, and without income aside from her pension. She lives with her son-in-law, who is himself in feeble health and straitened financial circumstances. It is further shown that her condition is such as to require the services of a nurse, and that her present pension does not provide her with the ordinary necessities and requirements of life.

Mrs. Arnold resides at Newell, Randolph County, Ala.

There are several precedents for the allowance of an increase of pension to the aged, helpless, and needy widows of soldiers of the war of 1812, and in the light of the facts related above, the passage of the bill is recommended, amended, however, as follows:

Change the title so as to read: "A bill granting an increase of pension to Jennett E. Arnold."

In line 4 strike out the word "twenty-five" and substitute therefor the word "twenty," so as to fix the rating at $20 per month.

In line 5 strike out "Mrs." and change the spelling of the claimant's Christian name so as to read "Jennett."

The question being taken, the amendments reported by the committee were agreed to; and the bill as amended was laid aside to be reported favorably.

MRS. ANNIE M. CLEMENS.

The next business was the bill (H. R. 2550) granting a pension to Mrs. Annie M. Clemens.

The bill was read, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll the name of Mrs. Annie M. Clemens, widow of George Clemens, late of Company H, Tenth United States Cavalry, and to pay her a pension of $12 per month.

The amendments reported by the committee were read, as follows:

Strike out the word "Mrs." where it occurs in the title and the body of the bill; also strike out the word "twelve," in line 7, and substitute therefor the word "eight," so as to fix the rate of pension at $8 per month.

Mr. TALBERT. I ask that the report be read.

Mr. STALLINGS. I hope the gentleman will withdraw that request. I drew this report, and I know that the case is right.

Mr. TALBERT. I think the report had better be read; I should like to know something about the case.

The report (by Mr. STALLINGS) was read, as follows:

The Committee on Pensions, to whom was referred the bill (H. R. 2550) granting a pension to Annie M. Clemens, have considered the same and report:

A similar bill was before your committee at the second session of the Fifty-fourth Congress, and the favorable report made thereon (House Report No. 2486) fully setting forth the facts is adopted by your committee as their report, and the bill is returned with the recommendation that it do pass, amended, however, as follows:

Strike out the word "Mrs." where it occurs in the title and the body of the bill; also strike out the word "twelve" in line 7 and substitute therefor the word "eight," so as to fix the rate of pension at $8 per month.

The claimant's post-office address is No. 2655 Morgan street, St. Louis, Mo.

[House Report No. 2486, Fifty-fourth Congress, second session.]

The Committee on Pensions, to whom was referred the bill (H. R. 3932) granting a pension to Mrs. Annie M. Clemens, have considered the same and report:

The claimant is the widow of George Clemens, late a private of Company H, Tenth United States Cavalry. He was discharged from the service September 16, 1870, because of blindness originating in the line of duty, and at the time of his death, which occurred January 20, 1891, he was receiving a pension of $72 per month for total blindness.

The widow's application has been rejected by the Pension Bureau on the ground that epithelioma, the cause of the soldier's death, was not due to the disease of eyes nor otherwise shown to be due to service. An appeal was taken to the Secretary of the Interior, but that official declined to set aside the rejection, it being held that the opinion of the medical referee upon the medical questions involved should be sustained.

The testimony of Dr. H. H. Mudd, a prominent physician of St. Louis, Mo. is as follows:

"That he attended the soldier for epithelioma of orbit and nose in the year 1890 in the months of September, October, November, and December. At the time he commenced observations there was a tumor involving the minor canthus of right eye. The bone was involved so the nose, the frontal sinus, and the orbit right side communicated and were part of diseased mass. The globe of the eye was involved also. He (soldier) had suffered for many, years with neuralgia, pain in, and more or less persistent soreness of the eye.

"The eyes presented evidence of old chronic inflammation and may have accounted for the development of the epithelioma. There is no more positive evidence of the origin of the disease of which he died. It is impossible to show direct origin of such a growth."

The claimant is in feeble health and stands in much need of the pension.

Your committee believe that the doubts in this case may very properly and justly be resolved in the claimant's favor, and the passage of the bill is therefore recommended.

The amendments reported by the committee were agreed to; and the bill as amended was laid aside to be reported favorably.

JOHN BIGLEY.

The next business was the bill (H. R. 9344) to pension John Bigley, a soldier of the Mexican war.

The bill was read, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and hereby is, directed to place on the pension roll the name of John Bigley, a soldier of the Mexican war, now residing in Camden County, Mo., at the rate of $25 per month, subject to the limitations of the pension laws.

The amendments reported by the committee were read, as follows:

Change the title so as to read: "A bill granting an increase of pension to John Begley."

Change the spelling of claimant's surname to "Begley."

Strike out all after the word "Begley," in line 4, and substitute therefor the words "late a private of Captain Newman's company, First Tennessee Cavalry, Mexican war, and pay him a pension at the rate of $20 per month, the same to be in lieu of that he is now receiving."

Mr. TALBERT. I ask for the reading of the report.

Mr. LOUDENSLAGER. I will make a brief statement, if that will be satisfactory to the gentleman from South Carolina.

Mr. TALBERT. Certainly.

Mr. LOUDENSLAGER. This man is 83 years old, totally dependent, without any means of support except his pension. He also has a wife 63 years old, who is feeble, and there are many precedents for raising the allowance from $12 a month, which they are entitled to under the general law, up to $20.

Mr. TALBERT. I will say, Mr. Chairman, that that is perfectly satisfactory, and I think this House ought to know that.

The amendments recommended by the committee were agreed to.

The bill as amended was ordered to be laid aside to be reported to the House with a favorable recommendation.

LIEUT. JOHN E. GULLETT.

The next business was the bill (H. R. 8329) to increase the pension of Lieut. John E. Gullett.

The bill was read, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to increase the pension of John E. Gullett, of Wilcox County, Ala., a lieutenant in the Creek Indian war of 1836, from $8 to $15 per month.

The following amendment, recommended by the Committee on Pensions, was read:

Amend the title so as to read: "A bill granting an increase of pension to John E. Gullett."

Mr. TALBERT. I should like to have the report read, or some statement made of the case.

Mr. STALLINGS. I will make a brief statement that I think will be perfectly satisfactory to the gentleman from South Carolina. This man is 83 or 84 years of age. He served as a lieutenant in one of the Indian wars—that of 1836, I think. He has no means of support, besides his pension, except between seventy-five and one hundred dollars rent which he receives on a little place. I know the man well myself.

The amendment recommended by the committee was agreed to.

The bill as amended was ordered to be laid aside to be reported to the House with a favorable recommendation.

JANE V. DAVIDSON.

The next business was the bill (S. 1831) granting an increase of pension to Jane V. Davidson.

The bill was read, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of Jane V. Davidson, widow of Edward C. Davidson, late first lieutenant of Captain Caldwell's company, Third Regiment United States Dragoons, and pay her a pension at the rate of $12 per month in lieu of that she is now receiving.

Mr. TALBERT. Mr. Chairman, I ask unanimous consent that the report in every case be read or that some member make a statement.

Mr. LOUDENSLAGER. I will make a statement in regard to this case.

The CHAIRMAN. The gentleman from South Carolina [Mr. TALBERT] asks unanimous consent that in every case the report be read or that a member explain the necessity for a bill.

Mr. TALBERT. I do not want to get up every time and ask for the reading of the report, but I suggest that the report ought to be read or that somebody make a statement.

The CHAIRMAN. Is there objection to the request of the gentleman from South Carolina?

There was no objection.

Mr. LOUDENSLAGER. Mr. Chairman, this is a bill to pension the widow of a soldier of the Mexican war. The testimony before the committee shows that she is 66 years of age and physically unable to do anything, and without any means of support. The bill simply increases her pension from $8 to $12 per month.

The bill was ordered to be laid aside to be reported to the House with a favorable recommendation.

W. P. SNOWDEN.

The next business was the bill (S. 168) granting an increase of pension to W. P. Snowden.

The bill was read, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of W. P. Snowden, late private in Company C, First Missouri Mounted Volunteers, Mexican war, and grant him a pension at the rate of $20 per month in lieu of that he is now receiving.

The report (by Mr. STRODE of Nebraska) was read, as follows:

The Committee on Pensions, to whom was referred the bill (S. 168) granting a pension to W. P. Snowden, have considered the same and respectfully report as follows:

The bill is accompanied by Senate Report No. 1195, Fifty-fifth Congress, second session, and the following facts are taken therefrom:

"The records of the War Department show that this man served in the war with Mexico from June 7, 1846, to June 21, 1847. He was enrolled as a sergeant in Company B, Fifth Iowa Cavalry, September 1, 1861, and after the expiration of his first term of service reenlisted as a veteran volunteer January 1, 1864. He was promoted to veterinary surgeon. Was mustered out with field and staff August 11, 1865.

"January 20, 1884, he filed a claim under the general law for chronic diarrhea and results. This claim was rejected April 29, 1884, on the ground of no disability.

"March 30, 1887, he filed a claim as a Mexican war survivor and was pensioned under the act of January 29, 1887, at $8 per month. August 22, 1890, he applied under the act of June 27, 1890, and was pensioned at $12 for lumbago, disease of left leg, and debility. November 18, 1892, he made application again under the general law and alleged also atrophy of muscles of left leg. In rejecting this claim the following language is used:

"'Reject alleged affection or atrophy of muscles of left leg on the ground that the same was incurred in the Mexican war, not rebellion service, as shown by claimant's statements and the evidence on file.'

"Diarrhea and disease of rectum again rejected on ground of no disability. An issue of $2 per month was made June 1, 1896, for chronic diarrhea and resulting disease of rectum from date of first application, January 26, 1884, to January 28, 1887, date of commencement of pension under act of January 29, 1887.

"He filed and established a claim for restoration to the general law rolls July 2, 1896, and was permitted to elect whether he would take the same rate under old or new laws. He is still drawing under the act of June 27, 1890.

"His examinations report as follows: December 2, 1891, rated four-eighteenths for lumbago, eight-eighteenths for digestive organs, four-eighteenths for atrophy of thigh; July 13, 1892, rated six-eighteenths for age; June 3, 1894, no rates are given. Description of disease of rectum and diarrhea: May 6, 1896, six-eighteenths for chronic diarrhea, four-eighteenths for rectal disease, and four-eighteenths for atrophy left leg and lumbago; December 23, 1896, ten-eighteenths for rheumatism, fourteen-eighteenths for chronic diarrhea and rectum, six-eighteenths atrophy left leg, eight-eighteenths digestive organs, eight-eighteenths debility.

"The claimant is 73 years of age and evidently greatly disabled, the most of his disability being due to service. It is strange that his disease of left leg, which is admitted by the Pension Office as due to service in Mexican war, should not entitle him to more pension. It seems reasonable that this disability should be added to others of service origin, and he should be rated accordingly."

The passage of the bill is respectfully recommended.

The bill was ordered to be laid aside to be reported to the House with a favorable recommendation.

JOHN N. CORGAN.

The next business was the bill (S. 730) granting an increase of pension to John N. Corgan, of McPherson, Kans.

The bill was read, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of John N. Corgan, late of Company G, Fourth United States Infantry, and grant him a pension at the rate of $30 per month, in lieu of the pension he is now receiving.

Mr. LOUDENSLAGER. The report in this case is quite long, and I think I can satisfy the members of the committee in regard to the equity of this bill. This is to increase the pension of John N. Corgan, of Company G, Fourth United States Infantry. He is a pensioner under the general pension law, having been granted a pension first of $8 a month, then raised to $15, then to $18, then to $24, and finally to $30, which he is now receiving. I will read one of the reports of the examining surgeons, which, I think, will satisfy the members of the House in reference to the case.

Examining Surgeon Henry Bell, in his report to the honorable Commissioner of Pensions, under date of September 6, 1876, states:

I find the pensioner has had both feet frozen badly. His right foot was frozen so badly that all the toes of that foot were amputated. The left foot's toes are so badly contracted under his foot that it is necessary for him to wear a pad at the sole in order for him to get along at all. The cicatrices of both feet are very tender. He has to have some one around all the time to do for him, for he can hardly walk, and consequently can do no work where it is necessary to be on the feet. His habits are first class; disability permanent. I think he should be classed under grade first.

The board of examining surgeons at Ellsworth, Kans., make a report to the honorable Commissioner of Pensions, under date of April 20, 1887, showing a marked increase in his disability.

There are several other reports of examining surgeons in that line. He is without any means of support whatever, and therefore the committee felt justified in recommending the increase of pension.

Mr. TALBERT. How did his feet come to be frozen?

Mr. LOUDENSLAGER. Those disabilities were received in the service.

Mr. TALBERT. Clearly traceable to service origin?

Mr. LOUDENSLAGER. Yes.

The bill was ordered to be laid aside to be reported to the House with a favorable recommendation.

JOHN S. DRAPER.

The next business was the bill (H. R. 10716) to pension John S. Draper.

The bill was read, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he hereby is, directed to place the name of John S. Draper, late a private in the war with Mexico, and subsequently a sergeant in Company E, Third United States Infantry, upon the pension roll, and to pay him a pension at the rate of $12 per month.

The committee recommended amending the title so as to read: "A bill granting a pension to John S. Draper."

Mr. SLAYDEN. Mr. Chairman, here is a report on that case.

Mr. LOUDENSLAGER. A short statement will be sufficient.

Mr. SLAYDEN. I know this man myself, and have known him for a great many years. The records of the War Department show that he was enlisted January 11, 1848, at Nashville, Tenn., for the war with Mexico, and discharged July 16, 1848, by expiration of service, at Newport Barracks, Ky., a recruit, general service, United States Army. Again enlisted November 28, 1849, at Pittsburg, Pa., and was assigned to Company E, Third United States Infantry; discharged November 28, 1854, by expiration of service, at Fort Fillmore, N. Mex., a sergeant.

Mr. Draper filed a claim at the Pension Bureau under the Mexican war service pension act of January 29, 1887, but the same was rejected on the ground that claimant was not in Mexico, on the coasts or frontier thereof, or en route thereto during the war with that nation.

When he got to Nashville his troops were going to Mexico, but he was not sent there, but sent to Newport Barracks. He went into the Regular Army and served for a number of years and behaved most gallantly on the frontier.

Mr. TALBERT. Has he ever applied at the Pension Department?

Mr. SLAYDEN. He is not eligible for a pension because he did not actually go to Mexico. He went to Nashville and from there was transferred.

Mr. TALBERT. He has no pensionable status and yet ought to be pensioned?

Mr. SLAYDEN. Yes; I think so.

Mr. LOUDENSLAGER. Perhaps I can make it a little clearer. The Mexican act grants pensions to those who served in the Mexican war a certain number of days or who were a certain number of days going to and from Mexico. This man enlisted to go to Mexico, but he was ordered by his superior officers to a different post, so that all this bill does practically is to give him the amount to which he is entitled the same as others who enlisted for the Mexican war.

Mr. TALBERT. I will ask the chairman of the committee, was not a rule adopted by which applicants must first apply to the Pension Bureau?

Mr. LOUDENSLAGER. I want to say that this man has applied.

Mr. TALBERT. I understood the gentleman [Mr. SLAYDEN] to say that he had not applied.

Mr. LOUDENSLAGER. He has applied to the Pension Bureau, but that Department properly rejected his claim, because technically he did not come within the law. He did not serve either in the war or going and coming a certain number of days.

Mr. RAY of New York. It is only a technicality.

Mr. LOUDENSLAGER. Yes; a technicality.

The amendment recommended by the committee was agreed to.

The bill as amended was ordered to be laid aside to be reported to the House with a favorable recommendation.

JOHN M'VICAR.

The next business on the Private Calendar was the bill (S. 4575) granting an increase of pension to John McVicar.

The bill was read, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of John McVicar, late a private of Company K, One hundred and sixty-ninth Regiment, New York Volunteer Infantry, and pay him a pension at the rate of $30 per month in lieu of the pension he is now receiving.

Mr. RAY of New York. Mr. Chairman, this is the case of an old soldier who did service, who has no one on which to depend, and he has no property. He is totally blind, probably of service origin.

Mr. TALBERT. Probably?

Mr. RAY of New York. He can not prove it absolutely. He is pensioned at $12 a month, and because of his poverty and blindness we increase it to $30 a month. The Senate has passed upon the bill, and we concur.

Mr. TALBERT. You say he has no taxable property?

Mr. RAY of New York. He has no taxable property.

Mr. TALBERT. Has his wife any taxable property?

Mr. RAY of New York. No; there is none in the family. He is old and dependent, and did good service; he is a good man, a good citizen, of good character; and we do not report any bill, I want to say to the gentleman, unless the man is of good character, and unless it is to relieve absolute necessity.

Mr. TALBERT. Mr. Chairman, I have always commended the chairman of the committee for his strict criticism and investigation of these claims. I believe he has scrutinized every bill, and generally, as I have said, when bills come in here they are meritorious; but I must submit that sometimes his good nature may be imposed upon. He may be deceived along with other members. Now, I asked the gentleman if this man has any taxable property. He says, "None." I asked him if his wife had any taxable property and he says "None."

Well, I have no doubt that is correct, so far as the gentleman's information goes; and I do not know that this man or his wife has any taxable property. But we did pass a claim on last Friday night in which I asked identically the same question, and the gentleman answered honestly, I have no doubt, from all the information he had at that time. But I must submit he must have been very badly deceived, because I understand that that party has taxable property.

Mr. RAY of New York. What claim do you refer to?

Mr. TALBERT. I refer to the claim of General Palmer, of Illinois. We gave him $50 a month. I asked that it be reduced to $30 a month. The committee refused to do that. It was then stated that he was 82 years old, and blind. I asked the question if he had any taxable property, and the gentleman said "not a dollar in the world."

Mr. RAY of New York. I said "unless we had been outrageously lied to." That language is in the RECORD.

Mr. TALBERT. Now, since that time I have taken it upon

myself to make particular inquiry, and I have been informed—and I think reliably, too—that this man has a fine plantation in Illinois. In Macoupin County, I think it is, of some three or four hundred acres. I have been informed that it is in the best land in Illinois, and I have been also informed that land of that character goes from $40 to $75 per acre.

Now, I think my informant is reliable; and I have also been informed that in Springfield, in the town in which he lived, some time ago he sold a brick house, for which he got $10,000. And in addition to that, I am informed that his wife pays taxes upon considerable property. Now, these being the facts, if I had had that information I would have been here yet before I would have submitted to his getting $50 a month, because I do not believe he ought to have it. If there was any way in which to get it back now I would take it from him; but the bill has gone to conference, and that is the reason I asked the question in regard to this man.

Mr. RAY of New York. The evidence before the committee in writing and affidavits shows absolutely that General Palmer has no property.

Mr. TALBERT. I am not criticising my friend at all. I have exonerated you, and stated that I believed you stated the matter honestly; that you had got that information; but I believe that you have been deceived.

Mr. RAY of New York. Now, I do not know that we were deceived. This property referred to, the only property, is owned by the wife of General Palmer, and it is very small in value. There is no such thing as a plantation and——

Mr. ROBINSON of Indiana. Is it stated that that property owned by the wife of General Palmer is of small value?

Mr. RAY of New York. That is what I am informed.

Mr. ROBINSON of Indiana. I am informed by credible parties that it draws a revenue of $1,500 a year.

Mr. RAY of New York. This information in reference to this property has come to me since that. I heard the statement that General Palmer had property. By the way, you will permit me here to say that after we had passed the bill at $50 a month the Senate refused to accept that proposition and insisted that it should be retained at $100. They disagreed to our amendment and asked for a conference.

Then I heard these reports as to property, and took some pains to make careful inquiry; and I was then told that the only property in the family was in the name of the wife, and that it was small in value; and this came from gentlemen who know. I have been interceded with by members of this House even to-day—prominent members—saying, "Why not let it go at a hundred?" and I told them we could not do it, and that there is property in the family to some extent, owned by the wife. They then assured me that it was of small value; but, at any rate, we would not consent that the pension should go above $50 a month, for we think that it is all that justice demands. Now, this case is one that comes to us——

Mr. ROBINSON of Indiana. If the gentleman will permit me at this point, I think if the gentleman's inquiries were carried far enough he will find the property—in the joint name of General Palmer's wife and her sister—draws a revenue of $3,000 a year, making the share of the wife $1,500 of annual revenue.

Mr. RAY of New York. I am not, of course, prepared to deny that, for I do not know. But I will say that we did take pains to investigate.

Now, in this case we have made careful inquiry. There is a gentleman here to-night in whose district this man resides; and I think the gentleman from New Hampshire [Mr. SULLOWAY] must know something about this case. We have letters and affidavits in support of the bill. It is a Senate bill; and Senator GALLINGER knows the man and knows the facts of the case. From all these different sources we are assured that this man is in necessitous circumstances. I think we have gone as far in this case as we ought to go.

Gentlemen of the House—all who have had bills before us—know that I have written them many letters asking them to furnish evidence of the financial condition of the claimant before we would report the bill favorably, and they know that when they have come to the committee room and made their oral statements, I have declined to receive such statements, which might be forgotten, and which, if repeated on the floor, I could not back up by any documentary evidence; and I have asked them to reduce their statements to writing and sign them, which they have always done. And where they personally had not the information desired, I have asked them to send home and get the proof.

No gentlemen of this House will deny this statement, although some of them have at times complained that it was a rather arbitrary proceeding on the part of the committee to require them to furnish evidence in this way. But we have done it, and I think it has expedited legislation. I believe this method of proceeding is in the interest of the old soldiers and in the interest of the country. [Cries of "Vote!" "Vote!"]

Mr. TALBERT. Again I want to say that I do not criticise the gentleman; I rather commend him; and I am not in opposition to the present claimant. I am willing that this bill should pass just as it is, without a word of objection. I was perfectly willing that General Palmer's bill should pass at $30; but I do not think he ought to have had more. That statement I have made heretofore on this floor, and I now repeat it; but we have passed the pension at that rate, and the case is now out of our reach.

I have only called the attention of the committee to these facts in answer to some unjust criticisms upon myself, such as the statement that I stand here every Friday night asking the reading of reports in order to kill time. I deny it. My object is not to kill time; but I believe these reports ought to be read and ought to be scrutinized and investigated so that we may get all the information we can instead of going along in the dark and passing pension claims because gentlemen cry out "Vote!" "Vote!" It is not my object to kill time, but to get light by fair inquiry and investigation. Gentlemen see now that they went too fast in passing the claim of General Palmer; but that bill has been passed, and I do not see any way in the world to correct our action.

I submit again that these reports ought to be read in every case so that we may act upon proper information.

Mr. DRIGGS. Mr. Chairman, I merely desire to say as a member of this committee that the course which the gentleman from South Carolina [Mr. TALBERT] has pursued on this floor has been pursued by me in that committee. Ever since I have been a member of it I have repeatedly asked the question when these bills for increase of pension came before us whether the applicant was in needy circumstances. I have fought in the committee as hard as the gentleman from South Carolina has fought on this floor to secure in every case proper evidence on this point; and so far as I know, not a bill has gone through that committee granting an increase of pension to any man or woman who was not in necessitous circumstances. [Applause.]

I remember very well when the case of General Palmer came up. I have always had the highest respect and admiration for him. The evidence filed with our committee—and members of the committee will bear out the statement of our chairman—the evidence which came over to us from the Senate in support of the bill was that General Palmer was in needy circumstances, although his wife had a little property.

Time and again these applications for increase of pension, from $24 to $30, from $30 to $40, from $40 to $50, from $50 to $72, have come before our committee; and, as a Democrat, I assure my political associates on this side of the House that not one of those cases has gone through the committee where it has appeared that the claimant was the possessor of any considerable property.

I do not desire to stand here as the defender of the chairman of the committee, but I believe in the old adage, "Give even the devil his due;" and I believe we should give the chairman of this committee his due. [Laughter.] He has stood firmly in the committee, asking in every case of this kind, "Is it true that this person is in needy circumstances?"

And our grand old friend from the Green Mountain State [Mr. SULLOWAY], who has ever been the friend of the soldier in that committee, while liberal in the treatment of these cases, has always stood in the committee in favor of finding out whether the claimant was in necessitous circumstances, so that the needy old soldier might receive the benefit of our action, and that we might not vote to still further enrich some wealthy wife or widow. I submit that the members of this committee are entitled to as much respect as any other members on the floor of this House, because we have been so careful in reporting our bills. I am in favor of this measure. That is all I have to say. [Applause.]

Mr. TALBERT. Mr. Chairman, I am glad to hear the statement just made by the gentleman from New York [Mr. DRIGGS]. I believe that this committee has pursued faithfully the course he has described. I want to say again that I am not criticising the committee. But I believe that in the case referred to they were deceived, and I want to prevent the recurrence of any such thing in the future. That is what I am aiming at. I want the committee to look carefully into these cases, and require full and satisfactory information. I will ask any member of this committee whether 400 acres of land in the best part of the State of Illinois is an inconsiderable piece of property?

Mr. DRIGGS. No, sir; I do not intend to say that for a moment; but I do say that in many cases we are absolutely dependent upon the honor and honesty of the gentlemen who send us their statements. If in any case we are deceived, it certainly is not the fault of the chairman or of any member of the committee. We have endeavored in all these cases to do our best.

Mr. TALBERT. I believe you have done your best; and I am willing to say to you now, "Go, and sin no more." [Laughter.]

The question being taken, the bill was laid aside to be reported favorably.

JOHN C. EMERY.

The next business was the bill (S. 2101) granting a pension to John C. Emery.

The bill was read, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of John C. Emery, late assistant surgeon of the Thirteenth Regiment New Hampshire Volunteer Infantry, at the rate of $20 per month.

The following amendments, recommended by the Committee on Invalid Pensions, were read:

In line 7, after "Infantry," insert "and pay him a pension."
In line 8 strike out "twenty" and insert "twelve."

Mr. RAY of New York. This is a Senate bill. We cut the amount down from $20 to $12. The man is old and he is poor, and we give him $12 a month on account of his services, his old age, and his poverty.

The amendments recommended by the committee were agreed to.

The bill as amended was ordered to be laid aside to be reported to the House with a favorable recommendation.

BEERI SERVISS.

The next business was the bill (H. R. 10738) granting an increase of pension to Beeri Serviss.

The bill was read, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll the name of Beeri Serviss, late a private in Company K, Ninety-sixth Regiment Illinois Volunteer Infantry, and pay him a pension of $72 per month in lieu of the pension he is now receiving.

The following amendments, recommended by the Committee on Invalid Pensions, were read:

In line 4, after the word "roll," insert the words "subject to the provisions and limitations of the pension laws."
In line 6, after the word "pension," insert the words "at the rate of forty-five."
In line 7 strike out the words "of seventy-two."

Mr. RAY of New York. This bill increases this soldier's pension from $30 to $45 per month. He was a good soldier and performed long and honorable service. He lost his leg in the Army. He is now old, broken down, and poor. The bill was introduced by the gentleman from Illinois [Mr. HITT], who came before the committee and made a statement, and we also had abundant written affidavits and proof.

Under the general law a soldier who has a leg amputated so near the body that he can not wear or use an artificial limb is given $45 a month. This man's leg was not amputated so close that he could not wear an artificial limb, but on account of the diseased condition of the stump, which is constantly growing worse, he can not wear an artificial leg. So what there is of the stump is an absolute incumbrance. On that account, and on account of his old age and poverty, we give him $45 a month.

Mr. TALBERT. I will ask the chairman of the committee why it is that this soldier, who is in that awful condition, could not go before the Pension Bureau and get his increase under the law.

Mr. RAY of New York. I have stated the reason. The law is absolute and express that where the leg is amputated so near the body that he can not wear or use an artificial limb he shall have $45 a month, so that every soldier who lost a limb which was amputated so close to the body that he can not wear an artificial limb gets $45 a month, even if the stump is perfectly sound and healthy and he is sound and healthy in every other respect.

Now, this old soldier is worse off than that man. He has been to the Pension Bureau, and within the limits of the law they give him $36 a month, but can not, under the law, consider the diseased condition of the limb, and therefore can not give him $45 a month. So we put him on the same basis as the man he really stands equal with.

The amendments recommended by the committee were agreed to.

The bill as amended was ordered to be laid aside to be reported to the House with a favorable recommendation.

ROBERT HUNT.

The next business was the bill (H. R. 11794) granting a pension to Robert Hunt.

The bill was read, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll the name of Robert Hunt, late a private in Company C, Sixty-seventh Illinois Infantry, and Company D, Seventeenth Illinois Cavalry, and pay him a pension of $50 a month.

The Committee on Invalid Pensions recommend the following amendments:

In line 4, after the word "roll," insert the words "subject to the provisions and limitations of the pension laws."
In line 7 strike out the words "of fifty" and insert the words "at the rate of twenty-four."
Amend the title so as to read: "A bill granting an increase of pension to Robert Hunt."

Mr. RAY of New York. Mr. Chairman, since we reported this bill this claimant, on account of disease contracted in the service, has died. We can not do him any good, and therefore I ask unanimous consent that the bill be laid aside, to be reported to the House with the recommendation that it lie upon the table.

The CHAIRMAN. The gentleman from New York asks unanimous consent that the bill be laid aside, to be reported to the House with the recommendation that it do lie upon the table. Is there objection?

There was no objection.

FRANCIS SCOTT.

The next business was the bill (H. R. 8214) to increase the pension of Francis Scott, late a private of Company B, Twenty-third Regiment of Wisconsin Infantry Volunteers.

The bill was read, as follows:

Be it enacted, etc., That Francis Scott, late a private in Company B, Twenty-third Regiment of Wisconsin Infantry Volunteers, now on the pension roll at the rate of $36 per month, shall, from and after the passage of this act, be entitled to receive the same pension as a soldier now receives, or which shall be allowed hereafter by law to one who, while in the line of his duty as a soldier of the United States of America, has lost one arm at the shoulder joint or one leg at the hip joint.

The Committee on Pensions recommended the following amendments:

Strike out all after the enacting clause and insert:
"That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of Francis Scott, late private, Company B, Twenty-third Wisconsin Volunteer Infantry, and pay him a pension at the rate of $45 per month in lieu of that he now receives."
Amend the title so as to read: "A bill granting an increase of pension to Francis Scott."

Mr. COOPER of Wisconsin. Mr. Chairman, the facts concerning this case are succinctly set forth in the report. This soldier served faithfully in Company B, Twenty-third Regiment Wisconsin Volunteer Infantry, and was shot in battle at Currins Crow Bayou, Louisiana, November 3, 1863, through the upper part of the arm and shoulder, necessitating resection so near the shoulder joint as to render the arm and hand not only absolutely useless, but an incumbrance. Had amputation been resorted to this soldier would get $45 per month. As it was not he gets $36, but the actual disability is the same as that for which $45 is given under the general law. He is old and very poor, and hence as he has no remedy at the Pension Bureau special legislation is eminently proper.

Mr. TALBERT. This case is similar to the one we have just passed.

Mr. COOPER of Wisconsin. Yes.

The amendments recommended by the committee were agreed to.

The bill as amended was ordered to be laid aside to be reported to the House with a favorable recommendation.

CHARLES W. TILTON.

The next business was the bill (S. 4701) granting an increase of pension to Charles W. Tilton.

The bill was read, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of Charles W. Tilton, late of Company K, Fourth Regiment New Hampshire Volunteer Infantry, and pay him a pension at the rate of $30 per month in lieu of that he is now receiving.

The report (by Mr. GIBSON) was read, as follows:

The Committee on Invalid Pensions, to whom was referred the bill (S. 4701) granting an increase of pension to Charles W. Tilton, have examined the same and all the evidence relating to the same and respectfully report:

This act proposes to increase, from $17 to $30 per month, the pension of Charles W. Tilton, of Tilton, N. H., who served as second lieutenant Company K, Fourth New Hampshire Infantry, from July 22, 1861, to January 16, 1862, when his resignation, tendered on account of rheumatism, was accepted. He was enrolled in Company C, Ninth New Hampshire Infantry, July 17, 1862, and mustered out December 5, 1862, as first lieutenant, on tender of resignation, which was tendered "for the good of the service." The facts as to the allowance of his pension, increase, etc., are correctly stated in the Senate report.

The certificates of recent examinations do not show that claimant is totally disabled for the performance of any manual labor by reason of pensionable disabilities or of disabilities due to his military service, which condition must be shown to entitle the soldier to $30 per month. He has such disabilities, however, and as the soldier is shown to be in necessitous circumstances the increase is fully justified.

The Senate bill is therefore reported back with the recommendation that it pass.

Mr. RAY of New York. I want to add to that that this soldier is blind in one eye and nearly blind in the other.

The bill was ordered to be laid aside to be reported to the House with a favorable recommendation.

CHARLOTTE B. COZZENS.

The next business was the bill (H. R. 6913) to increase the pension of Mrs. Charlotte B. Cozzens.

The bill was read, as follows:

Be it enacted, etc., That from and after the passage of this act the pension of Mrs. Charlotte B. Cozzens, widow of First Lieut. Henry H. Cozzens, of the Twenty-first Battery of New York Volunteer Artillery, be, and is hereby, increased from $17 per month to $50 per month.

The following amendments recommended by the Committee on Invalid Pensions were read:

Strike out all after the enacting clause and insert:
"That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of Charlotte B. Cozzens, widow of Henry H.

Cozzens, first lieutenant, Twenty-first Battery, New York Volunteer Artillery, and pay her a pension of $25 per month in lieu of that she now receives."

Amend the title so it will read: "A bill granting an increase of pension to Charlotte B. Cozzens."

Mr. RAY of New York. Mr. Chairman, this is the widow of an old soldier who served faithfully and long. He died in the service. Four sons went into the service. One was captured and died at Andersonville, and another was wounded in the service and died as the result of those wounds. She is old and poor. She did more for the country than some of the generals who led armies. Now, in her old age and necessitous condition, we give her this pension.

The amendments recommended by the committee were agreed to.

The bill as amended was laid aside to be reported to the House with a favorable recommendation.

MIANDA A. SANFORD.

The next business was the bill (H. R. 10860) granting a pension to Mianda A. Sanford.

The bill was read, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of Mianda A. Sanford, widow of Ryland M. Harvey, late of Company K, One hundred and sixty-first Regiment New York Volunteers, and pay her a pension at the rate of $25 per month.

The following amendment, recommended by the Committee on Invalid Pensions, was read:

In line 8 strike out "twenty-five" and insert "twelve."

Mr. RAY of New York. This is a case of a remarried widow. This woman's first husband was a soldier during the war. After he had served over a year he died in the service, of disease there contracted. A pension of $12 per month was granted the widow. After drawing it a few years she found a man she liked, who promised to take care of her, and she married him. She lived with him some fifteen or twenty years, when he died. She is old and poor. We restore the pension. She did everything she could to relieve the Government from the payment of a pension to her, and if some good man would go now and marry her she would not ask for a pension.

Mr. TALBERT. I think she is to be commended, because she saved the Government about fifteen years' payment of the pension while she was married.

The amendment recommended by the committee was agreed to.

The bill as amended was ordered to be laid aside to be reported to the House with a favorable recommendation.

NELLIE M. GUILD.

The next business on the Private Calendar was the bill (S. 4374) granting a pension to Nellie M. Guild.

The bill was read, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of Nellie M. Guild, widow of Charles F. Guild, late pay inspector, United States Navy, and pay her a pension at the rate of $20 per month.

Mr. TALBERT. Mr. Chairman, I would like to have the report read in this case.

The Clerk proceeded to read the report.

Mr. RAY of New York. Mr. Chairman, I was going to make a statement in regard to this case, instead of having read the long report. This widow was denied a pension at the Bureau upon the technical ground that her husband died from exhaustion as the result of a surgical operation performed upon him in taking care of wounds received in the service. They held at the Bureau that, although the wounds were received in the service and he died of exhaustion succeeding a surgical operation, she was not entitled to a pension. The Senate say, and we say, that if it is not the direct it is the indirect result of his army service, made necessary by it, and she is entitled to the pension that she would otherwise draw.

Mr. TALBERT. What pension is she drawing now?

Mr. RAY of New York. She is drawing none. She is aged, poor, and needs it.

The bill was ordered to be laid aside with a favorable recommendation.

SERVICE-PENSION BILL.

Mr. STARK. Mr. Chairman, I desire to have printed in the RECORD the service-pension bill introduced by myself on April 10, 1897, together with the written argument submitted in support of the same.

[In the House of Representatives of the United States, Fifty-fifth Congress, second session.]

To the Committee on Invalid Pensions:

In the matter of H. R. 2779, a copy of which is hereto attached.

I have the honor to herewith submit my views and state in part my reasons for believing that said bill should be enacted into law. I respectfully ask your consideration of the following showing:

On April 8, 1897, during the last session of the State legislature of Nebraska, the house unanimously passed a resolution, a copy of which is hereto attached and made a part hereof. Said resolution is in words and figures following:

"Whereas, now that more than thirty years have passed since the close of the war of the rebellion; and

"Whereas a great many of the soldiers and sailors of the war are entitled to pensions but unable to obtain them; and

"Whereas those who do obtain pensions are obliged to subject themselves to examinations and many needless inquiries; and

"Whereas a service pension is just and equitable and would save the Government from the expense of examining boards: Therefore, be it

"*Resolved*, That we urge our Senators and Representatives in Congress to use all possible efforts to pass a service-pension bill; and, further,

"*Resolved*, That the chief clerk of the house be instructed to send a copy of these resolutions to each of our Senators and Representatives in Congress.

"The resolution was agreed to by unanimous consent."

The fact that one of the States of the Union having so large a proportion of the survivors of the late war has spoken by one branch of its legislature for Congressional action for a service pension challenges attention. It, of course, is understood that a resolution of one branch of the legislature of the State which a member of Congress has the honor to in part represent requires action, and that the same should receive careful and painstaking consideration by the committee and Congress itself.

Fortunately for me, I am in perfect accord with the sentiment expressed by the legislature of my State, and in response to the resolution have prepared and introduced the pending measure.

It provides that every soldier, sailor, or marine, whether an officer or enlisted man, who was regularly enlisted and honorably discharged from the service of the United States, may receive a pension of $16 per month. No difference is made between officer and private. That difference is essential for the purposes of discipline and conduct of war, but there should be neither discrimination or gradation when tendering the thank offering of a grateful people.

The amount is fixed at $16 per month, which was the monthly pay of a private soldier in time of service.

The act provides that it shall in no manner interfere with any pension now received by a pensioner except to raise those receiving less than $16 to that amount. Neither does it interfere with any right of increase or rerating.

There is a very general feeling among ex-soldiers that in addition to present legislation, which is based upon the theories of pensioning for injuries received during service and inability to earn a living by manual labor, they are entitled to compensation for the opportunities lost by offering the best years of their life for the preservation of the nation. Such a measure would give relief to a large class who are unable to comply with the technical requirements of present laws and who, having an equitable case, are unable to establish it by reason of the lapse of time and death of officers and comrades.

It would be but simple justice to enact a law recognizing this additional item in the great debt of gratitude which has never as yet been audited and allowed to the defenders of our property and people. During an epoch in American history, when large fortunes were amassed by those who remained safely at home, these men, from motives of patriotism, surrendered their business prospects and ambitions and submitted their lives to the hazard of battle for the sake of the common welfare, and they feel that they deserve recognition for their services, as well as payment on account of poverty, wounds, and injuries, at the hands of the Government for which the sacrifices were made.

The bill provides that the only evidence required shall be the rolls and an honorable discharge, and the Department shall formulate rules for the identification of the applicants, and as an emergency exists, provision is made to increase the clerical force so that there may be a speedy adjudication of the rights of the applicants for this pension, finally resulting in a great saving in that department of the Government.

There is a further provision affecting the rights of widows and orphans.

At this place the practical question arises, from what source will the money be derived to pay these increased pensions? And it seems to me to be the part of wisdom instead of making an additional demand upon our revenues under present conditions to follow the precedent established in the early part of our civil war—to issue demand notes, which are in effect noninterest-bearing obligations of the United States having the legal-tender function which constitutes money, and behind it as a guaranty the wealth of this nation—over two and a half billion acres of land, with all the cities, villages, and property of our country, and all the genius, energy, rustle, and capacity of 75,000,000 people—said notes to be redeemable at any time after five years from the date of issue at the option of the Government; and it is provided that they shall be receivable at their nominal value in full payment for all taxes, internal-revenue duties, excises, duties on imports, amounts due on sale of public land, debts and demands of every kind due to the United States of America.

This is an application of the law of set-off, that has existed in the common law of England time out of mind, and is the "law of the land" because it is not inconsistent with the Constitution of the United States or with any law passed by Congress. There is a way to redeem legal-tender notes other than by exchanging gold or silver coin for them, and that is by set-off, by standing ready to receive the notes in payment of all taxes, internal-revenue duties, excises, duties on imports, debts and demands of every kind due to the United States of America.

Set-off signifies the subtraction or taking away of one demand from another opposite or cross demand, so as to extinguish the smaller demand and reduce the greater by the amount of the less; or, if the opposite demands are equal, to extinguish both. It was also formerly sometimes called "stoppage," because the amount sought to be set-off was stopped or deducted from the cross demand. (Waterman on Set-off, Recoupment, and Counter Claims, section 1.)

There is no act of Congress regulating set-off in suits brought by the Government. There are, however, various acts, such as the third and fourth sections of the act of March 3, 1797 (c), and others which imply that set-off may be allowed. (Waterman on Set-off, Recoupment, and Counter Claim, section 34; First Kent's Commentaries, ninth edition, page 325, note, and cases cited.)

My district is full of sleek, well-fed, contented Alderneys, Jerseys, and Holstein cows that give down pails of rich milk, which, after setting in the cooling tank, sends up many degrees of cream ready for the power churn. Now, while this has been going on, the "mortgage lifters," as our people call them, the Plymouth Rocks, Langshans, and Buff Cochins, have been making their contribution of fresh-laid eggs.

At the noon hour father and the boys come in from the field, stop at the tank and wash off the dust, sit down to the table under the trees, ask a simple blessing, and while they eat their hearty meal talk about the national, State, and their own affairs, and finally conclude that mother and the girls will go to town with the butter and eggs. So one of the boys takes the salt box and "catches up" the road team, another boy pulls out of its shed the "runabout," with its canopy top and curtains, for all is done for the comfort of the Western woman possible, as she always does her part with good cheer—no nagging

or complaining. The team is hitched up, the jars of butter are wrapped in wet blankets, the eggs are packed in oats, and all is ready.

If you like a horse, you will have noticed that the team has kindly eyes, thin ears, wide nostrils, short back, flat legs, and feet that never knew a shoe. You can see in their form the strain of Hambletonian or Justin Morgan. There is a chirrup and they are away for town, clipping it off at 10 miles an hour over the black, smooth prairie roads of Nebraska.

At the town the merchant hurries out, greets them kindly, unloads the butter and eggs, ties the team—for I have noticed that the successful Western merchant is always a gentleman—names the going price for butter and eggs, weighs and counts, and gives the proper credit in his daybook; then the lady trades for what she wants and the balance is either paid in money or stands to her credit. This is not barter. It is a business transaction arising on a contract, that of payment for the butter and eggs, and the value of the goods which were purchased are set off against the merchant's liability.

It is barter pure and simple when men swap horses at the roadside. The same principle that obtained in the butter and egg transaction applies in our relations with the Government; there are always debts due to it and they may be satisfied by paying money or turning in a set-off.

To illustrate: On February 14, 1896, the Government receipts were as follows, viz:

Customs	$230,020.79
Internal revenue	816,787.64
Miscellaneous	15,927.51
Total receipts	1,092,735.94

The pension money provided in this act could be used by way of set-off to pay in part some of these debts and demands due the United States, and could be redeemed and paid in that way; under the option of the Government, after five years from the date of its issue, it may redeem the notes in gold or silver coin, and being issued every three months, no such amount could be presented at any one time as to deprive the Government of ample funds to meet other obligations.

The United States Supreme Court decided in Bank *vs.* Supervisors, 7 Wallace, page 26, "The dollar note is an engagement to pay a dollar, and the dollar intended is the coined dollar of the United States; a certain quantity in weight and fineness of gold or silver authenticated as such by the stamp of the Government."

Because of that decision it would seem to be the part of a conservative Representative to make a time limit of at least five years before the Government could be required to redeem in coin, in order that provision could be made by law, for silver to enjoy the same coinage privileges as gold at the "standard value of July 14, 1870," so that it might be employed in part to pay off the great bonded indebtedness as well as other obligations of the Government.

To my mind it would not be prudent to provide at this time for any issue of paper money redeemable in coin on demand until we have the coinage of silver and gold, and at the ratio that obtained at the time said decision was made, thereby coming within the letter and spirit of the decision quoted above.

I indulge in the hope that within the next five years the good people of this land will have thought it out, and through their representatives caused it to be so written on the statute books of our Government.

It is further provided that it shall be in denominations of three and four dollar bills. The object of the provision at the time of preparing the bill was to make a peculiarity in the notes to call the attention of the holder to the kind of money, but subsequent reflection has convinced me that the same is not so important as first thought, and no objection would be made to changing the denominations.

Another provision of the act is for the information of the general public as to how much money has been issued.

A practical question constantly arises as to the amount to be issued to meet the requirements of this bill.

On July 21, 1897, I received a letter from the Hon. H. Clay Evans, a copy of which is as follows:

DEPARTMENT OF THE INTERIOR, BUREAU OF PENSIONS,
OFFICE OF THE COMMISSIONER,
Washington, July 21, 1897.

MY DEAR SIR: In response to your request for information as to the probable increase in the number of pensioners, and increase of appropriations resulting from the passage of bill (H. R. 2779) granting a service pension of $16 per month, and the time when theoretically there will be no more pensioners of the civil war, I have the honor to state that any estimates made along the lines indicated are necessarily uncertain and can only approximate the actual results. (Based upon report of this Bureau for fiscal year 1896, to bring all pensioners below $16 up to that amount it would require $67,576,980 additional annual appropriation.)

The estimate made by the War Department shows that on June 30, 1897, there will be 1,095,628 survivors of the war of the rebellion (excluding deserters). There are now 735,176 invalid pensioners on the rolls, including those who are pensioned for causes arising since the war of the rebellion. The increase in the number of pensioners, including widows, would probably approximate a half million under the provisions of the bill in question. Of the 949,000 pensioners on the rolls, about 113,000 receive $16 per month or more. The number of persons who are now pensioned for causes arising since the close of the war of the rebellion can not be ascertained, and it is equally impracticable to state the amount of increase in the appropriations necessary to pay the pensions. It is safe to say, however, that the annual appropriation would be more than twice what it is now.

In reply to the third question I will state that in an estimate made by the War Department in April, 1896, it is believed that after 1945 there will be no survivors of the war of the rebellion. The time when there will be no more widow pensioners of the said war is too uncertain to permit an approximation.

Very respectfully, H. CLAY EVANS,
Commissioner.

Hon. W. L. STARK,
House of Representatives.

[The estimate made by the honorable commissioner was on the basis of a $16 rating, which, if deemed too great, could be reduced.]

Since that time I have made diligent effort to compute the amount, but as I have no access to such reliable data as a committee could have, by taking testimony and making computations upon the same, I leave that matter with you, calling your attention to the fact that the regular insurance expectancy for an average age of 60 years is fourteen years; for an average age of 65 years is eleven years. The last survivor of the Revolutionary war was Daniel F. Blakeman, who died April 5, 1869, at Freedom, Cattaraugus County, N. Y., aged 105 years.

Of course, it must always be taken into consideration that the amount would decrease very rapidly, from the fact that so many of the veterans are constantly passing away.

I suppose the burden is upon me to show if possible a historical precedent for the proposed legislation. It gives me great pleasure to be able to point with pride to Congressional action by our own country.

On August 26, 1776, the next month after the adoption of the Declaration of Independence, the old Congress passed resolutions promising pensions to soldiers and seamen who might be disabled in the war. Thus, at what were practically the first real military operations of this Government, was recognized the fact that the granting of pensions is an act of justice, gratitude, and humanity to those men who have sacrificed themselves and their opportunities in the service of their country.

Originally pensions were granted and paid by the State, but in September, 1789, Congress enacted a law and provided that the military pensions, which had been granted and paid by the States, should be continued and paid by the United States. This provision was continued by the act of June 16, 1790.

The act of March 18, 1818, provided that every officer, noncommissioned officer, musician, marine, private soldier, etc., who served in the war of the Revolution for a period of nine months or longer, who, by "reason of his reduced circumstances in life, was or should be in need of assistance of his country for support," should receive a pension from the United States.

Pensions are a stated stipend for services already rendered. The act of 1818 was intended only to provide for indigent or unfortunate people, and of this act our present law of June 27, 1890, is, in its practical workings, a copy as to the rights of soldiers' widows. In 1828 our fathers, realizing more fully the services rendered by those who bore the heat and burden of battle, passed the act granting a pension of full pay for life to all survivors of the Revolutionary war. The act is as follows:

An act for the relief of certain surviving officers and soldiers of the army of the Revolution.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That each of the surviving officers of the army of the Revolution in the Continental Line who was entitled to half pay by the resolve of October 21, 1780, be authorized to receive, out of any money in the Treasury not otherwise appropriated, the amount of his full pay in said line, according to his rank in the line, to begin on the 3d day of March, 1826, and to continue during his natural life: *Provided*, That under this act no officer shall be entitled to receive a larger sum than the full pay of a captain in said line.

SEC. 2. *And be it further enacted*, That whenever any of said officers has received money of the United States, as a pensioner, since the 3d day of March, 1826, aforesaid, the sum so received shall be deducted from what said officer would otherwise be entitled to under the first section of this act; and every pension to which said officer is now entitled shall cease after the passage of this act.

SEC. 3. *And be it further enacted*, That every surviving noncommissioned officer, musician, or private in said army who enlisted therein for and during the war and continued in service until its termination, and thereby became entitled to receive a reward of $80, under a resolve of Congress passed May 15, 1778, shall be entitled to receive his full monthly pay in said service, out of any money in the Treasury not otherwise appropriated, to begin on the 3d day of March, 1826, and to continue during his natural life: *Provided*, That no noncommissioned officer, musician, or private in said army who is now on the pension list of the United States shall be entitled to the benefits of this act.

SEC. 4. *And be it further enacted*, That the pay allowed by this act shall, under the direction of the Secretary of the Treasury, be paid to the officer or soldier entitled thereto, or their authorized attorney, at such places and days as said Secretary may direct; and that no foreign officer shall be entitled to said pay, nor shall any officer or soldier receive the same until he furnish to said Secretary satisfactory evidence that he is entitled to the same, in conformity to the provisions of this act; and the pay allowed by this act shall not, in any way, be transferable or liable to attachment, levy, or seizure, by any legal process whatever, but shall inure wholly to the personal benefit of the officer or soldier entitled to the same by this act.

SEC. 5. *And be it further enacted*, That so much of said pay as accrued by the provisions of this act before the 3d day of March, 1828, shall be paid to the officers and soldiers entitled to the same as soon as may be in the manner and under the provisions before mentioned; and the pay which shall accrue after said day shall be paid semiannually in like manner and under the same provision.

Approved May 15, 1828.

The resolution on the part of the Nebraska legislature means that the time has come when this nation should adopt the policy of the act of 1828, to grant a reasonable pension, and that speedily, to the surviving veterans of the civil war.

The fathers saw the manifest injustice of the act of 1818 and took a step in advance. The Nebraska legislature notes that a great many of the soldiers and sailors of the war are entitled to pensions but are unable to obtain them, and so they ask that we take the same step as was taken for the continental soldiers.

A pension is not a gratuity, but a thank offering for services rendered. The act of 1818 endured upon the statute book for ten years.

The act of June 27, 1890, recites that all persons who served ninety days or more in the military or naval service of the United States during the late war of the rebellion, and who have been honorably discharged therefrom, and who are now, or who may hereafter be, suffering from a mental or physical disability of a permanent character, not the result of their own vicious habits, which incapacitates them from the performance of manual labor in such a degree as to render them unable to earn a support, shall upon making due proof of the fact, according to such rules and regulations as the Secretary of the Interior may provide, be placed upon the pension roll and be entitled to receive a pension not exceeding $12 per month, and not less than $6 per month, proportionate to the degree of inability to earn a support.

This provision has been upon the statute book for nearly eight (now nine) years, and there ought to be an advance to the same high ground as heretofore taken by the Congress of the United States.

Respectfully submitted.

W. L. STARK.

[H. R. 2779, Fifty-fifth Congress, first session.]

In the House of Representatives, April 10, 1897.—Mr. STARK introduced the following bill; which was referred to the Committee on Invalid Pensions and ordered to be printed.

A bill granting a service pension to soldiers, sailors, marines, and their widows and orphans, and for other purposes.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That every soldier, sailor, or marine, whether an officer or an enlisted man, who enlisted and was sworn into the military, naval, or marine service of the United States in the war for the suppression of the rebellion, and who was honorably discharged therefrom, shall, from and after the passage of this act, receive a service pension of $16 per month: *Provided*, That the provisions of this act shall in no manner interfere with any pension now being received by a pensioner, except to raise the same to the sum of $16 per month where a less sum is now being received; nor

shall it in any manner interfere with the right to an increase, rerating of a pension, or other right now enjoyed under the pension laws in force.

SEC. 2. That the Army, Navy, and Marine Service rolls and an honorable discharge shall be the only evidence required to entitle any soldier, sailor, or marine to the pension granted by this act; and the Commissioner of Pensions is hereby directed to formulate such rules for the identification of such soldiers, sailors, or marines as may be necessary; and the Secretary of War and the Secretary of the Interior are hereby authorized and directed to increase their clerical force necessary to the end that in one year from the passage of this act every soldier, sailor, or marine entitled to a pension under the provisions of this act shall be in receipt of the same; and the money necessary to pay such additional clerical force is hereby appropriated out of any money in the United States Treasury not otherwise appropriated.

SEC. 3. That in the event of the death of any soldier, sailor, or marine who is drawing or who has drawn a pension under the provisions of this act or under the provisions of any other law or laws of the United States, no matter what the cause of death may be, the widow of such soldier, sailor, or marine, while she remains such widow, shall be entitled to a widow's pension of $16 per month; and any minor child or children of any dead soldier, sailor, or marine, who, if living, would be entitled to a pension under the provisions of this act or any other law or laws now enforced, shall be allowed the sum of $5 per month each until each child or children shall have attained the age of 16 years.

SEC. 4. That the Secretary of the Treasury is hereby authorized and directed to cause to be issued quarterly full legal-tender paper money of the United States of America, which shall be receivable at its nominal value in full payment for all taxes, internal-revenue duties, excises, duties on imports, amounts due on sale of public lands, debts and demands of every kind due to the United States of America, and be redeemable at any time after five years from the date of its issue, at the option of the Government, in sufficient quantity to pay the amounts due under the provisions of this act and in denominations of three and four dollar bills in equal amounts; and all pension payments under the provisions of this act shall be made in these bills to pensioners, and said money shall be reissued whenever and as often as it may become the property of the United States of America, until redeemed under the provisions of this act; and all penalties for counterfeiting and all provisions of law for the renewal of any mutilated or worn-out United States of America paper money shall apply to the pension money hereby created.

SEC. 5. That in all official statements and publications of the Treasury Department of the United States of America showing the amounts of gold and silver coins and certificates, United States notes, and national-bank notes in circulation the various amounts issued under this act shall be designated as "Pension money."

Mr. BOTKIN. Mr. Chairman, the survivors of our heroic Army and Navy, whose valor on land and sea a third of a century ago won imperishable fame and saved to posterity the greatest and best government ever established on earth, are growing old. The wounds received on the field of battle and the diseases and infirmities inherited from exposures in camp and on the march have rendered countless thousands of them incapable of earning a living by toil. Multitudes of these veterans, through no fault of their own, are to-day in poverty. They are dying at the rate of thirty or forty thousand per annum. We shall have them with us but a little time.

While they linger they deserve the best this Government can give. An honorable member of this House from one of the Southern States, a gentleman who served four years in the Confederate army, said to me recently that "the proposition to pension the men who once sought to destroy this Union is preposterous, but a government that fails to grant liberal pensions to its defenders has no right to live." This sentiment, coming as it does from an extreme Southern man who belongs to that party which has hitherto been supposed to be against a liberal pension policy, will find an echo in thousands of loyal hearts throughout the North.

I now desire to call attention to a rule or practice of the honorable chairman of the Invalid Pensions Committee, which I think works an injustice to thousands of the most needy and deserving old soldiers. Early in the second session of this Congress the chairman sent out circular letters to the members requesting each to send one or two names of the most needy and deserving soldiers for whom he had introduced private pension bills. From that time until the present it has been the practice, I think, to grant each member his turn at the House pension mill.

Doubtless a few members have had less than their share of bills reported by the committee, while others have had more than their share, but the evident purpose has been to distribute these favors somewhat equally among the members of Congress. The injustice of this practice will be seen in a moment upon reflection that there are members who represent ten times, perhaps fifty times, as many old soldiers as other members represent. Again, the old soldiers in some States are in much greater financial distress than they are in others.

It is generally understood that Kansas contains more old soldiers in proportion to its population than any other State in the Union. There are States having as many Congressmen as Kansas that have not one-tenth as many ex-soldiers. If pensions are to be distributed among Congressmen as personal compliments, or to assist them in making records for campaign purposes, the prevailing practice is all right. But if the policy of this Government is to grant pensions to old soldiers according to their needs and deserts, then the man who represents 10,000 old soldiers should have ten times as many bills reported favorably by our committee as that other Congressman who represents but 1,000 soldiers, assuming that the physical and financial conditions of these soldiers are the same.

It will be remembered that Kansas has been chiefly settled since the war. Thousands of men returning from the Army, finding their former places occupied by others and having acquired from army life a sort of roving and adventurous disposition, went West to grow up with the country. Kansas, with her broad and fertile acres and with her glorious record in the cause of freedom, held out special attractions to these men.

As a result, we have as above stated the largest percentage of old soldiers in our population. Most of them are farmers and have performed heroic service in developing that grand agricultural State. But owing to successive crop failures in recent years, the exceedingly low prices for agricultural products, and the general depression in values, commonly called "hard times," multitudes of Western farmers, including thousands of old soldiers, have lost their all. These veterans are above 50 years of age, and, as a rule, when a man of that age loses his property and his home he is never able to recoup himself.

Thousands of these men, broken in health and in fortune, discouraged and sore, with no income but a pittance of six, eight, or twelve dollars per month pension, justly feel that this "wealthiest Government on earth" they offered their lives to protect and perpetuate should now help them in their extreme necessities. I have been impelled to this reflection by the recent action of the Invalid Pensions Committee, to which I have the honor to belong, in reporting favorably a bill to increase a soldier's pension from $36 per month to $45 per month.

This soldier lived in a State quite a distance east of Kansas, a State whose people have not suffered in recent years as others have. This soldier's disability arises from the fact that a section of the bone above the elbow in one arm is entirely gone, as a result of a wound received in battle, rendering the arm entirely useless. I did not vote against a favorable report upon this case for the reason that I believe he deserves the increase. Besides, the Representative who introduced the bill urged its favorable report on the ground that he lacked one of having his full share of bills favorably reported.

But, Mr. Chairman, in comparison with thousands of other cases appealing to this Congress for relief, that man did not deserve an increase. I myself have introduced about fifty bills granting pensions and increase of pensions to soldiers and soldiers' widows. I believe that in every case the physical disabilities fully equal the loss of an arm, and in many of these cases they equal the loss of both arms.

Some of these old veterans, being totally incapacitated for labor of any sort and being a burden upon their families, have taken refuge in Soldiers' Homes, leaving their families to shift for themselves. Others of them are being assisted by their neighbors, and possibly others by the county in which they live. Not one of them would have thought of asking for an increase of pension by act of Congress or otherwise if he had been receiving $36 a month. I insist that these Congressional favors should be distributed according to the number and needs of the old soldiers and soldiers' widows, and not as so many compliments to be equally apportioned among the members of this House.

Mr. Chairman, there are strong indications that the old cry, "Purge the pension rolls," is to be renewed. All advocates of liberal pensions should carefully note the source of this demand. It does not come from "rebel brigadiers," of whom we have heard so much in past years. This periodical demand is being made by some of the leading Administration papers of this country. These papers are the organs of that party that has hitherto assumed a monopoly of love and friendship for the old soldiers.

Last Sunday's Washington Post contained an editorial on "Coast defenses and pensions," in which it quotes extensively from a recent editorial in the Chicago Tribune. The latter paper pleads for large expenditures of money for coast defenses and military establishments and operations, and proposes that the veterans who fought the battles of the Union in 1861 to 1865, and their widows and orphans, shall pay the bills. It says:

> If the public does not want to stand the extra taxation, let it order its demagogues to cut down, revise, and reform the wasteful pension law, which is squandering the people's money.

As the Republican party is in control of this Congress, and therefore has the sole power to "cut down, revise, and reform the wasteful pension law," it follows that Republican members are the "demagogues" the Tribune had in mind. This most serious charge brought by the great Chicago daily against its political friends I shall not at this time attempt to refute.

Again the Tribune says:

> There is an abundance of money to be saved by a just and searching revision of the pension rolls without doing any wrong or injustice to a single deserving pensioner. There is enough money being squandered annually on undeserved pensions to put and keep all our seaports in a state of ample defense and complete protection.
>
> The Regular Army could at the same time be recruited up to the new 100,000 maximum and paid an increased wage for colonial garrison work simply out of the present wastage that is going on to please demagogues and to enrich claim agents. Let this ruinous leakage be cut off and turned into national defenses, and the next war alarm will not find us as unprepared as the last one did.

To this the Post adds these significant words:

There can be no reasonable doubt that, under the act of 1890, there has been an unjustifiable expansion of the pension roll. There is as little reason to doubt that a similar wrong has been committed by Congress in passing special pension bills in cases that ought to have been rejected.

The charge that money is being squandered for pensions under any existing law, or that under the law of 1890 "there has been an unjustifiable expansion of the pension roll," or that Congress has been profligate in passing special pension bills will have no weight with men who believe in just pensions and who are acquainted with the policy of the present Administration as it is seen both in the Pension Bureau and in Congress.

The conduct of the Bureau by the present Commissioner of Pensions needs no elucidation. All old soldiers and their friends are thoroughly informed upon that subject. They know that if it was proper to charge the illiberal pension policy of the last Administration to President Cleveland and his Secretary of the Interior, Hoke Smith, it is equally proper to charge the still more illiberal policy of the present Administration to President McKinley and his Secretary of the Interior, Cornelius N. Bliss.

It is perfectly apparent to all that the President has the power to heed the righteous demand of the Grand Army of the Republic for the removal of the Commissioner of Pensions or the correction of the pension policy of the Administration. That he has done neither is positive evidence that he approves the present policy of the Pension Bureau and prefers the friendship of the men who demand such a policy to the friendship of the old soldiers of this nation.

To show that in Congress and its committees, as well as in the Pension Bureau, the present Administration is and has been from the beginning disposed to heed the demands of a subsidized press, owned and controlled by the great syndicate interests of the country, for retrenchment in pension expenditures, I only need to mention a few facts:

First. The Speaker of the House refused to appoint the committees during the extra session, thus permitting four and a half months to pass in comparative idleness without a single act for the relief of war veterans.

Second. The chairman of the Invalid Pensions Committee did not call the committee together for work in the second session until about the middle of January, 1898, thus wasting more than a month of valuable time.

Third. He did not call the committee together this winter until after the middle of January, thus wasting another month.

Fourth. During this term we have been in actual session about fourteen months. The rules require us to hold a pension session every Friday night. But we have held just nineteen such sessions, including to-night, in the interest of war veterans and their widows and orphans. The records show that in almost every case the motion to adjourn over Friday night was made by a Republican leader and was supported by a solid Republican vote, many gentlemen doubtless voting against their convictions and feelings out of loyalty to their party leaders.

As a result of this do-nothing policy in the House and in its committee, only a few hundred special pension bills have been passed out of the many thousands of meritorious ones introduced.

The claim is set up that, notwithstanding our tariff policy, our heavy war tax, and our bond issue, the expenditures of the Government are far in excess of its receipts, and therefore we must retrench. This is all sadly true; but in opposition to the Chicago Tribune and the apparent policy of the present Administration I solemnly aver that this Government would better provide liberally for the necessities of those whose sacrifice and valor a third of a century ago rescued it from threatened destruction than to ignore the righteous claims of these veterans and squander the people's money in the establishment and support of a powerful standing army for purposes of territorial conquest, and for the suppression and oppression of 10,000,000 of people on the other side of the globe who are struggling, as our forefathers did, for freedom and independence.

I now desire, Mr. Chairman, to present as a part of my remarks a few excerpts from an open letter and also from a signed statement written by an honorable gentleman of Vermont whose relations, political and otherwise, entitle him to speak upon this subject. Mr. Deavitt, the gentleman referred to, is president of the Capital Savings Bank and Trust Company, of Montpelier, a prominent lawyer, an old soldier, and a life-long Republican. He is vouched for by prominent officials of his State as a gentleman of high character. Following is the letter:

MONTPELIER, VT., *September 8, 1897.*

DEAR SIR: My answer to inquiries of anxious veterans to know what effect the change of Administration has had on pensions is a disappointment to those who had a right to expect in the new both a friendly and a do-something administration.

If there has been any improvement in the granting of pensions the first six months of President McKinley's Administration over the maladministration of President Cleveland, it is too slight to mention.

The great increase of applications for pensions by Union veterans who manifested a lively interest in the election of Comrade McKinley to his high office, with fond hopes of his immediate correction of pension abuses, has renewed activity in the Bureau of Pensions and in the pension boards of examining surgeons, while the pensions granted have been like angels' visits—few and far between.

In the domination of his desire to break the solid South politically, President McKinley, in his inaugural address, departed from the time-honored custom of Republican Presidents to make appreciative mention of the service of Union soldiers in the war of the rebellion and suggestion as to pensions, and made no mention of either Union soldiers or pensions, winning at once the approval of pension-hating newspapers of the South for thus silently and negatively approving the anti-pension policy of President Cleveland, a policy never before known in the American Government.

A policy when viewed in the light of the liberal pension laws enacted by both the great political parties, unrepealed on the statutes of the United States, is tyrannical, with suffering, sorrow, and death in its results, so wicked that God took Cleveland and scattered him; and when he left the President's Mansion at the end of his term of office he had no home or party to return to, his wife and children going one way and he another, with the people proclaiming "good riddance."

President McKinley has nowhere uttered one word in rebuke of that policy.

Yours, very truly,

T. J. DEAVITT.

Hon. J. M. THURSTON,
United States Senate.

It is said that Mr. Deavitt has prosecuted more pension claims than any other attorney in New England, and he is a recognized authority on pension laws. He declares that it is not pleasant for an attorney to criticise the court before whom he has practiced on friendly personal relations with all the officials of the Bureau of Pensions for more than twenty-five years, but he deems it his duty to make the following statement, which he published a few weeks ago:

THE MALADMINISTRATION OF PENSIONS.

There seems appropriateness in the Department of Vermont of the Grand Army of the Republic planning to hold its next encampment meeting in Canada, since the Union soldiers have been betrayed by the President of the United States.

The New York Independent contains an article from Mr. Kniffin, chief of division, Bureau of Pensions, that says "more claims might be adjudicated but for the custom of Congressmen calling for the status of claims filed by their constituents. Such calls reached 200,000 last year. During the session of Congress the time of three-fourths of the examiners is occupied in replying to calls of this character. It is safe to say," continues Mr. Kniffin, "that nearly double the number of claims might be disposed of but for this useless expenditure of time."

The cause for such a remarkable interference by Congressmen with the work of the Bureau of Pensions, not stated by Mr. Kniffin, is either the inability of the officials of that Bureau to do its work, or a willful neglect of duty to withhold from aged, respected, and patriotic American citizens the pensions the law gives them. There would be no necessity for Congressmen inquiring after pension claims but for the well-nigh criminal neglect of the Bureau of Pensions to adjudicate such claims and to answer courteous inquiries from claimants and their attorneys.

It is not unusual for the Bureau of Pensions to refuse for a year or more to answer any inquiry from an applicant or his attorney relating to his claim, and the only way available to obtain information is through a friendly Congressman, who meekly submits to the requirements of the Bureau of Pensions to sign a statement that the applicant resides in his Congressional district and that the inquiry did not come from an attorney.

When E. J. Phelps, a Vermont lawyer, was minister to England, he told our British cousins that defeated suitors in America could do one of two things—take an appeal, or go to the tavern and damn the court that beat them. The latter course is about the only one left a defeated applicant for an invalid pension. If he takes the so-called appeal to the Secretary of the Interior, the medical referee of the Bureau of Pensions, who first passed on his right to a pension and who usurps the authority given by law to the examining boards to rate pensions, is the presiding judge in the appellate court, where the Secretary of the Interior acts only as clerk in writing the dismissal of the appeals.

Prior to March 4, 1893, when Grover Cleveland became President of the United States the second time, Congress had appropriated, on a conservative estimate, with a fair execution of the pension laws, $165,000,000 for the payment of pensions for the year ending June 30, 1894. The President's opposition to pensions, displayed in his first term in office with eager energy in vetoing pension bills, now appeared in his regular messages to Congress and in his determination to select men in accord with himself to execute the pension laws; so he appointed Hoke Smith Secretary of the Interior, and William Lochran Commissioner of Pensions.

The anti-pension policy was promptly inaugurated for the first time in America. The 600,000 applications for pensions then waiting action, 200,000 of which were ready for certificates to issue, were rejected or neglected, and the clerical force of the Bureau of Pensions set to reviewing the granted pensions of former administrations, cutting down and cutting off pensions. It was soon announced from that Bureau that the high-water mark in the payment of pensions had been reached and was decreasing $1,500,000 a month, and at the end of the first year there remained more than $25,000,000 that Congress had appropriated for the payment of pensions unexpended.

The withholding of these millions that went to the extremities of the nation, the rural sections, to fields of labor and shops of toil, where a dollar went a great way in supplying the necessaries of life, caused distress among the people by taking away a stipend of support. It filled the Soldiers' Homes and the county poorhouses with soldiers and paupers as they had never been filled before. This anti-pension policy was condemned by veterans, by Republicans, by Democrats, by Congress that enacted the pension laws that were being ignored, and by the people as much as it could be condemned in a Presidential election where other questions were involved.

The advocates of Major McKinley's election denounced the existing anti-pension policy and declared that he, an old soldier himself, was friendly to a fair execution of the pension laws enacted by both of the great political parties. The veterans, the majority of whom had voted for every successful candidate for President since the war, voted with alacrity for Major McKinley, who has been a sore disappointment to Grand Army of the Republic men in continuing the anti-pension policy with increased pressure on the needy veterans and their widows. He appointed a Wall street banker who was opposed to pensions Secretary of the Interior.

He appointed H. Clay Evans, a Southern politician with no special knowledge of the pension laws, Commissioner of Pensions. He removed the Democratic physicians and surgeons on the examining boards of pensions and filled their places with Republicans, a political maneuver of the peanut order, unworthy a statesman; for there is no difference between a Democratic surgeon and a Republican surgeon in a matter of business like examining an

applicant for a pension under private and confidential instructions from the Bureau of Pensions.

With more than 500,000 applicants who had "waited long" and were "waiting still" when President McKinley came into power, with new applications pouring into the Bureau of Pensions at the rate of 40,000 a month from veterans who had withheld their applications from the unfriendly Administration of President Cleveland, the new Commissioner of Pensions discharged 180 clerks from the Bureau of Pensions and disbarred, for trivial causes, more than 800 attorneys from practice before that Bureau, some of whom are men of high standing in the community in which they live.

With the appropriation for the payment of pensions as low as the lowest of President Cleveland's Administration, at the end of the first year of President McKinley's Administration there was more than $3,000,000 of the appropriations unexpended. To the numerous appeals from comrades for aid in their struggles with disease and poverty, and for the pensions the law gives them, his only answer was he had referred them to the consideration of the Bureau of Pensions.

Since his election President McKinley has kept silent on the pension question when there was a demand for him to speak, for "he that is not for me is against me." He departed from the time-honored custom of Republican Presidents since the great rebellion to make appreciative mention in their messages to Congress of the services of the nearly 3,000,000 of men, living and dead, who served in those four years of bloody war for the preservation of the Union of the States, and mentioned them not. Have these brave men outlived their usefulness and overstayed their welcome in the land they fought to save?

* * * * * * *

The Union soldiers of 1861-1865, who have sustained the Government in all its conflicts in peace as well as war, and with their sons, their fathers, their uncles, and their brothers voted for every President of the United States since the civil war, made a mistake in voting for Major McKinley in 1896 that they can correct only in not voting for him in 1900.

* * * * * * *

These two [Republican and Democratic] great political parties in their platforms and in the laws enacted by Congress granting pensions have been equally friendly to the soldiers. The Democratic party has been betrayed by President Cleveland and the Republican party by President McKinley.

If the Union soldiers, who have been called thieves and frauds and hounded like criminals by the two last Administrations, will be united they can elect the next President of the United States, and it is their duty to do it.

T. J. DEAVITT.

MONTPELIER, VT.

JAMES E. SEARL.

The next business on the Private Calendar was the bill (H. R. 7657) for the relief of James E. Searl.

The bill was read, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he hereby is, authorized and directed to place upon the pension roll the name of James E. Searl, late of Company F, One hundred and eighty-sixth New York Volunteers, and that he be granted a pension of $30 per month, in lieu of the pension he now receives.

The amendments recommended by the committee were read, as follows:

Line 6, strike out "that he be granted" and insert "pay him."

Line 7, strike out "of thirty" and insert "at the rate of twenty-four."

Amend the title so it will read: "A bill granting an increase of pension to James E. Searl."

Mr. RAY of New York. Mr. Chairman, this old soldier lives at Copenhagen, N. Y., in the district of my colleague [Mr. CHICKERING], who introduced the bill. My colleague knows him very well. The man is totally helpless and poor. He is a worthy man, a good citizen. It is true that all these disabilities did not come from army service, but he had a good long record as a soldier, is an honorable, upright man; and we increase his pension from $12 to $24.

Mr. TALBERT. Suppose these disabilities could be traced to army service, the pension would run up a good deal?

Mr. RAY of New York. It would be $72 a month under the law.

The amendments recommended by the committee were agreed to.

The bill as amended was ordered to be laid aside with a favorable recommendation.

RICHARD ATKINSON.

The next business on the Private Calendar was the bill (H. R. 9455) granting a pension to Richard Atkinson.

The bill was read, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of Richard Atkinson, late a private, Company F, Ninety-eighth Regiment New York Volunteer Infantry, and pay him a pension at the rate of $30 per month, in lieu of the pension he is now receiving.

The amendment recommended by the committee was read, as follows:

In line 8, strike out "thirty" and insert "twenty."

Mr. RAY of New York. Mr. Chairman, this man was shot through the back during the war. The ball touched the backbone. They have given him a pension at the Bureau of $8 a month, and while he is in a substantially helpless condition, caused by paralysis, the Bureau say they can not say with any certainty that this wound to the backbone caused the paralysis; that it might come from something else. The committee thinks that when a man is shot through the backbone by a musket ball and subsequently has paralysis it is very liable to be the result of the original wound when nothing else is shown. We do not give him $72 a month, but seek to divide it, and give him $20. He is old and poor and a good citizen.

The amendment recommended by the committee was agreed to.

The bill as amended was ordered to be laid aside with a favorable recommendation.

GEORGE W. REISINGER.

The next business on the Private Calendar was the bill (H. R. 8578) granting a pension to George W. Reisinger.

The bill was read, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of George W. Reisinger, late lieutenant-colonel of the One hundred and sixty-sixth Regiment Pennsylvania Infantry, and adjutant of the Two hundred and first Regiment Pennsylvania Infantry, and pay him a pension at the rate of $30 per month.

The amendments recommended by the committee were read, as follows:

At the end of line 10 add the following: "in lieu of that he is now receiving."

Amend the title so it will read: "A bill granting an increase of pension to George W. Reisinger."

Mr. RAY of New York. Mr. Chairman, this bill increases from $12 to $30 a month the pension of George Reisinger. He was a lieutenant-colonel in the Army. He rendered good service. He is 67 years of age, and in view of this man having served long and faithfully, that he is old and poor, has a wife to support, is totally disabled from disabilities in all probability incurred in the service of his country, your committee recommend an increase of his pension from $12 to $30 a month.

Mr. TALBERT. What is his financial condition generally?

Mr. RAY of New York. He has nothing.

Mr. TALBERT. Has his wife anything? Possibly she has a plantation in Illinois!

Mr. RAY of New York. The gentleman from Pennsylvania [Mr. DALZELL], who introduced the bill, assured me that they did not have anything. He knows the whole family, and they are poor and in necessitous circumstances. I do not think he would make a misstatement.

The amendment recommended by the committee was agreed to.

The bill as amended was ordered to be laid aside with a favorable recommendation.

MARY E. TAYLOR.

The next business was the bill (H. R. 2358) granting a pension to Mary E. Taylor.

The Clerk read the bill, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of Mary E. Taylor, dependent and permanently helpless daughter of John Taylor, late a private in Company F, Fifteenth Regiment New Hampshire Volunteer Infantry, and pay her a pension of $14 per month.

The following amendment was recommended by the committee:

In line 9, strike out "of fourteen" and insert "at the rate of twelve."

Mr. RAY of New York. Mr. Chairman, this is a case of the helpless child of an old soldier. The fact is that he had no property; he was very poor, and the child has been permanently helpless from infancy. The only reason it could not get a pension under the law is that the father died just after the child became 16 years of age, instead of before—and the child was not to blame for that.

The amendment was agreed to.

The bill as amended was laid aside to be reported to the House with a favorable recommendation.

ANNA M. WEHE.

The next business was the bill (H. R. 1677) for the benefit of Anna M. Wehe, mother of William Wehe, deceased.

The bill was read, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, directed to place the name of Anna M. Wehe, mother of William Wehe, Company B, Eleventh Ohio Infantry Volunteers, who lost his life by drowning, on the pension roll at the rate of $12 per month.

With the following committee amendments:

In line 3, after "hereby," insert "authorized and."

In line 4, after "place," insert "on the pension roll, subject to the provisions and limitations of the pension laws."

In line 4, after "Wehe," insert "dependent."

In line 6 strike out "who lost his life by drowning, on the pension roll" and insert "and pay her a pension."

Amend the title so it will read: "A bill granting a pension to Anna M. Wehe."

Mr. RAY of New York. Mr. Chairman, this is the case of the widow of an old soldier who served faithfully and incurred disease in the service which weakened him and ran him down so he could hardly move. He was on his way home, and when getting off from a steamboat, on account of sickness and weakness he fell overboard and could not do anything to save himself. He was drowned, and the Pension Bureau held that that death did not occur in the service. That is true; it did not; but indirectly it

was caused by sickness, and because weak from disease incurred in service he fell overboard and could not do anything to save himself.

Mr. TALBERT. What is the condition of his mother?

Mr. RAY of New York. Poor and in necessitous circumstances.

The committee amendments were agreed to.

The bill as amended was laid aside to be reported to the House with a favorable recommendation.

NOAH PILLSBURY.

The next business was the bill (S. 1031) to grant a pension to Noah Pillsbury.

The bill was read, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of Noah Pillsbury, late private of Company E, Twenty-fifth Regiment Maine Volunteer Infantry, and pay him a pension at the rate of $12 per month from this date without any deduction.

The following committee amendment was read:

Lines 8 and 9, strike out the words "from this date without any deduction."

Mr. RAY of New York. Mr. Chairman, I will say that this is the case of a poor old soldier. He has a hernia, and they claim that it existed before he went into the service. If it did, it did not amount to anything. He did not know it. The doctor might have known it, but they accepted him, and he served long and faithfully. This bill gives him a pension of $12 a month. We believe that the Government having accepted him, and he having performed services, he is entitled to a pension. He was good enough to serve his country, and in his old age and necessitous circumstances is good enough to receive a pension.

The amendment was agreed to.

The bill as amended was laid aside to be reported to the House with a favorable recommendation.

Mr. TALBERT. Mr. Chairman, I desire again to renew my request that those who are here may be called upon and take up such bills as they wish. A good many do not come here. I ask unanimous consent that the Clerk call the roll, and let those who are here call up such bills as they wish, and afterwards we can go back and take up the Calendar in its regular order.

Mr. RAY of New York. If the gentleman will allow us, we will pass all of the bills.

Mr. TALBERT. I have no interest in this particularly.

Mr. RAY of New York. Let us go right on, and we will pass them all.

SOLOMON KLINE.

The next business was the bill (S. 4233) granting an increase of pension to Solomon Kline.

The bill was read, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of Solomon Kline, late of Company I, Forty-sixth Indiana Infantry, and pay him a pension at the rate of $50 per month in lieu of the pension which he is now receiving.

Mr. TALBERT. Mr. Chairman, I move that the amount be made $30 instead of $50.

Mr. RAY of New York. The man is drawing $30 now. He was shot through the body in both thighs. Now he is old and poor and has a family and can not do a thing, and he requires almost constant aid and attendance.

Mr. TALBERT. We have passed a number of bills in the same condition and we have given them only $30. I do not see why you should make a discrimination in this case.

Mr. RAY of New York. No; I beg the gentleman's pardon. Where disabilities are not of service origin, we give from $20 to $24, and sometimes $30 when totally blind and they have a family to support. But we give more where the disabilities were incurred in the service, in actual battle.

Mr. TALBERT. If the disability was incurred in the service, he ought to have been pensioned by the Bureau.

Mr. RAY of New York. I admit that they ought to have increased the pension. We give him more on account of his old age.

Mr. TALBERT. It seems to me that he could have got all that he deserved at the Pension Bureau. I move to make it $40 instead of $50, Mr. Chairman.

Mr. RAY of New York. Why should you do that?

Mr. TALBERT. Because I think he does not deserve any more than $30, but I am willing to compromise the matter and make it $40.

Mr. RAY of New York. Now, this man went into the service and served long and faithfully, and he received these gunshot wounds. They have grown worse and worse until he is disabled, and his poverty has increased because he could not earn anything. Now, this old, battle-scarred, helpless veteran with a family comes here, and won't you give him $50 a month?

Mr. COX. Oh, yes; give him $50.

Mr. GIBSON. He can not move without crutches.

The question was taken; and the Chairman announced that the noes seemed to have it.

Mr. TALBERT. Division.

Mr. RAY of New York. Will not the gentleman withdraw his demand for a division?

Mr. TALBERT. No; I decline to do it.

Mr. RAY of New York. Then I ask that the committee accept the amendment.

The CHAIRMAN. Without objection, the amendment will be agreed to.

Mr. TALBERT. No, Mr. Chairman; I do not want to take it in that way. I made a motion, and I want it voted upon. I do not want it put by unanimous consent. If they want to vote it down, let them vote it down.

The question was taken, and the amendment was agreed to.

The bill as amended was laid aside to be reported to the House with a favorable recommendation.

JESSIE GOLDIE.

The next business was the bill (H. R. 9959) granting a pension to Jessie Goldie.

The bill was read, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of Jessie Goldie, mother of Garlis McKay, late of Company L, Third New York Infantry Volunteers, at the rate of $12 per month.

The amendments reported by the committee were read, as follows:

Line 7, strike out "Infantry."
Line 7, after "Volunteers," insert "Cavalry, and pay her a pension."
Line 6, after "Goldie," insert "dependent."

Mr. RAY of New York. Mr. Chairman, this is a proposition to give $12 a month to the old and absolutely dependent mother of a soldier who is dead. The proof in the case did not satisfy the Pension Bureau that the death of the soldier was of service origin. The committee believed that it was. But whether that be so or not, this old woman has exhausted her remedy under the law. Her husband is dead; and since the death of her only son she has no one to depend on. So we give her a pension of $12 a month.

The question being taken, the amendments were agreed to; and the bill as amended was laid aside to be reported favorably.

LEWIS E. HUMPTON.

The next business was the bill (S. 2965) granting an increase of pension to Lewis E. Humpton.

The bill was read, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of Lewis E. Humpton, late private, Company A, Ninety-seventh Regiment Pennsylvania Infantry Volunteers, and pay him a pension at the rate of $30 per month in lieu of that he is now receiving.

Mr. RAY of New York. Mr. Chairman, this is the case of a soldier who rendered long and honorable service. He is now old and poor. He was a working man, a carpenter, and after his service in the Army, and while receiving a pension of $12 a month, he met with an accident a few years ago by falling from a scaffold, breaking both his legs very badly, so that they had to be amputated. That is his present disabled condition; and for that reason we have reported in favor of increasing his pension.

Mr. TALBERT. I wish to ask the gentleman whether his committee proposes to establish as a precedent the granting of pensions on accounts of accidents that happen while the person is engaged in his ordinary avocation?

Mr. RAY of New York. No, sir; we do not.

Mr. TALBERT. Have you not done so in this case?

Mr. RAY of New York. This increase of pension is not granted for that reason alone. Let me state why we make this report. This man was a good soldier. He was pensioned at $12 a month, and that was as far as the Pension Bureau could go under the law, as the Bureau does not grant pensions exceeding $12 a month where the disability has not been incurred in the service.

Now, this man, on account of such disability, was drawing a pension of $12 a month. Since receiving that pension, and while striving by his own industry to earn a living for himself, his wife, and his children, he meets with this accident by falling from a scaffold, in consequence of which he loses both his legs. Now he must go to the poorhouse unless we increase his pension. We say a grateful people will not sanction such a thing, and we will increase the pension to $20 a month, so as to enable him to keep out of the poorhouse.

Mr. TALBERT. Then you propose to establish the precedent of pensioning people who incur disabilities in pursuing their private avocations. I ask the gentleman whether the committee propose to do that.

Mr. RAY of New York. No; we do not put the case that way, because that is not a correct way of putting it. We propose to

to increase this pension because this man was a good soldier; because he incurred disability to some extent in the service of his country; and now, he having since met with misfortune and being old and in necessitous circumstances, we propose to allow him a greater rate of pension because of the exceptional character of the case.

The question being put, the bill was laid aside to be reported favorably.

REBECCA PAULDING MEADE.

The next business was the bill (H. R. 3298) granting a pension to Rebecca Paulding Meade, widow of Rear-Admiral Richard W. Meade, late of the United States Navy.

The bill was read, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll the name of Rebecca Paulding Meade, widow of Rear-Admiral Richard W. Meade, late of the United States Navy, and to pay her a pension at the rate of $100 a month.

The amendments reported by the committee were read, as follows:

After the words "pension roll" insert "subject to the provisions and limitations of the pension laws."

Strike out "$100" and insert "$50."

Mr. RAY of New York. This lady is getting old. She states that her husband left a small amount of life insurance. She has three daughters unmarried, who are struggling as hard as they can to get a living. She resides in the city of Philadelphia. A pension of $30 a month does not enable her in her old age——

Mr. TALBERT. She gets now $30 a month?

Mr. RAY of New York. Yes; and this pension does not enable her to live well. We have refused in such cases to increase the pension beyond $50 a month. But we do not want to drive the widow of such an officer as her husband was into the country to live at a farmhouse where she might get board for four or five dollars a week.

Mr. TALBERT. Several weeks ago did not the gentleman from New York call a quorum upon a pension case similar to this—the case of a widow lady who is now, if I recollect correctly, in some charitable institution in this city?

Mr. RAY of New York. Yes, sir.

Mr. TALBERT. And now the gentleman is proposing to increase the pension of this lady from $30 to $50. I would like him to explain the inconsistency.

Mr. RAY of New York. I do not see any inconsistency, and I think the gentleman from South Carolina will not see any if he will listen to my statement.

In the case to which he has referred I called a quorum only because it then lacked eight minutes of half past 10 o'clock, and the chairman of the committee, who reported that bill, was not here. Therefore I wanted to hold the matter up until he could be here to attend to his own business. I did not think it fair that the bill should go through at $50, or any more than the committee had reported, without his presence.

But we have adopted a rule that where the husband died of disease contracted in the service, we would in a meritorious case grant the widow as high a pension as $50. This is such a case. Where the husband has not died of disability contracted in the service we grant only $30. The gentleman will remember that on the very night to which he has referred I moved to increase the pension of Mrs. Tyler from $20 to $30, so that our action might be consistent. That amendment subsequently prevailed.

Now, the difference is, this man died of disease contracted in the service. In your case he did not die of disease contracted in the service.

Mr. TALBERT. Well, now here comes another compromise. Mr. Chairman, I move to amend the amendment by making it "forty" instead of "fifty."

The CHAIRMAN. The gentleman from South Carolina moves that the word "fifty" be stricken out of the committee amendment and the word "forty" be inserted.

The amendment as amended was agreed to.

The other committee amendment was agreed to.

The bill as amended was ordered to be laid aside, to be reported to the House with a favorable recommendation.

SAMUEL B. KOONTZ.

The next business was the bill (H. R. 4249) to place on the pension roll the name of Samuel B. Koontz.

The bill was read, as follows:

Be it enacted, etc., That the Secretary of the Interior is hereby authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of Samuel B. Koontz, as of rank of second lieutenant.

The following amendments, recommended by the Committee on Invalid Pensions, were read:

From line 6 strike out "as of rank of second lieutenant" and insert "and pay him a pension at the rate of $15 per month."

Amend the title so as to read: "A bill granting a pension to Samuel B. Koontz."

Mr. RAY of New York. This is the case of a poor, decrepit, broken-down old man who lives up in West Virginia. The bill was introduced by the gentleman from West Virginia [Mr. DORR]. The applicant is a worthy man and a good citizen. He was made a first lieutenant before he left the service, but at the time he incurred the disability he was not a lieutenant, so he can not get more than $12, the rate for a private. We increase it to $15 per month. He is getting the rate of a private, and we give him the pension he would be entitled to if he had had the rank of first lieutenant at the time of his disability.

Mr. TALBERT. You are not pensioning him for increased disability, but just for promotion.

Mr. RAY of New York. No; we are giving him the rate because he is now old and poor, and broken down and decrepit. He was promoted while he was in the service.

The amendments recommended by the committee were agreed to.

The bill as amended was ordered to be laid aside to be reported to the House with a favorable recommendation.

JOHN LYNCH.

The next business was the bill (H. R. 11363) to increase the pension of John Lynch.

The bill was read, as follows:

Be it enacted, etc., That the pension of John Linch, late Company B, Tenth Regiment, be increased from $12 per month to $30 per month.

The following amendments recommended by the Committee on Invalid Pensions were read:

Strike out all after the enacting clause and insert:

"That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of John Lynch, late private, Company B, Tenth Tennessee Volunteer Infantry, and pay him a pension at the rate of $24 per month."

Amend the title so as to read: "A bill granting an increase of pension to John Lynch."

Mr. COX. Mr. Chairman, that is my case.

Mr. TALBERT. Mr. Chairman, I ask for the reading of the report. [Cries of "Vote!" "Vote!"]

Mr. COX. There is no question about this case being a meritorious one.

Mr. TALBERT. I do not like this halloing "Vote, vote, vote" here, so much like a fog horn. Let us have light on these questions. I am unwilling to go on in this way.

Mr. COX. I did not know anything about the fog-horn business at all. I know this old man, and I ask that the report be read.

Mr. RAY of New York. Let me make a statement. This man served over three years in the Army. He has a good service record. He is now drawing $12 per month and we propose to increase his pension to $24, because, with that three years' service, he is now old, poor, and in necessitous circumstances.

Mr. COX. He can scarcely feed himself.

Mr. RAY of New York. We give him this to keep him out of the poorhouse. He is a constituent of the gentleman from Tennessee [Mr. COX].

Mr. COX. And he votes the Democratic ticket.

Mr. TALBERT. Has he a family?

Mr. RAY of New York. He has no one to whom he can look to help him except the Republican party.

Mr. TALBERT. I should like to ask the gentleman from New York [Mr. DRIGGS] if he has examined this case.

Mr. DRIGGS. Yes; I examined it when it came up. I am perfectly satisfied that it is just and proper. He is one of the men who went into the Union Army from one of the border States.

Mr. TALBERT. Has he a wife?

Mr. DRIGGS. He has a wife.

Mr. TALBERT. Did you find out whether he has any property or not?

Mr. COX. They have one old horse, and that is all.

Mr. TALBERT. And I suppose he is mortgaged?

Mr. COX. I suppose he is.

The amendments recommended by the committee were agreed to.

The bill as amended was ordered to be laid aside to be reported to the House with a favorable recommendation.

WASHINGTON SWEATT.

The next business was the bill (S. 4975) granting an increase of pension to Washington Sweatt.

The bill was read, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of Washington Sweatt, late of Company K, Sixth Regiment New Hampshire Volunteer Infantry, and pay him a pension at the rate of $45 per month in lieu of that he is now receiving.

Mr. RAY of New York. This case is precisely like one other that we had here. On account of the diseased condition of the stump, this poor man can not wear an artificial limb. He suffers great pain, and is worse off than a great many other soldiers who draw $45; and because he can not wear the artificial limb, and

because he is old and poor, we put him on the same basis that the law puts those upon who draw $45 a month.

Mr. TALBERT. I should like to ask the gentleman, in view of what has transpired here at other Friday night sessions, to explain what he means by saying that the man is poor. If a man has a fine plantation of four or five hundred acres in Illinois, you are not willing to admit that that amounts to anything. Now, I should like to have the gentleman state what he means by "poor."

Mr. RAY of New York. If a man had a farm that was worth $500, I would not say that he was poor or in necessitous circumstances. If I knew that he had a wife and she was well off and able to take care of him and herself, and she lived with him and was a good wife to him, I would not say they were poor or in necessitous circumstances.

Mr. TALBERT. Except for this technicality he could get a good deal more than $45, then, as I understand.

Mr. RAY of New York. He might get more, but he would certainly be entitled to $45 a month as a matter of law for that one disability.

The bill was ordered to be laid aside to be reported to the House with a favorable recommendation.

ZENAS T. HAINES.

The next business was the bill (S. 3005) granting a pension to Zenas T. Haines.

The bill was read, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of Zenas T. Haines, late corporal of Company D, Forty-fourth Regiment Massachusetts Volunteer Militia, and pay him a pension at the rate of $12 a month.

Mr. ROBINSON of Indiana. Mr. Chairman, this is a Senate bill introduced by the senior Senator from Massachusetts [Mr. HOAR], and reported by the Senator from New Hampshire, chairman of the Pensions Committee of the Senate.

The soldier enlisted September 12, 1862, in the Forty-fourth Massachusetts Regiment, and served until mustered out in 1863. He has exhausted his remedy at the Pension Department, and properly comes to Congress. He is 67 years of age and poor. It is clearly established and conceded that he is totally disabled from the performance of manual labor, but it is claimed that his disabilities are the result of disease contracted some twenty years before his enlistment. He was examined, pronounced sound, and admitted into the Army, where he served nearly a year.

The medical evidence establishes to our satisfaction that his present condition is quite largely due to his Army service, and that the bill ought to pass.

His first examination was by the board of surgeons at Auburn, Me., October 24, 1883. The board reports:

Applicant has well-marked locomotor ataxia. His walk is particularly significant, and his history quite a typical one. * * * He is entirely unable to perform any manual labor.

The bill proposes to pension him at the rate of $12 per month.

The bill was laid aside to be reported to the House with a favorable recommendation.

EMMA V. GILE.

The next business was the bill (S. 2652) granting an increase of pension to Emma V. Gile.

The bill was read, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of Emma V. Gile, widow of the late George W. Gile, colonel Eighty-eighth Regiment Pennsylvania Infantry, and brevet brigadier-general volunteers, and colonel, United States Army, retired, at the rate of $30 per month, to be paid to her from and after the passage of this act, in lieu of the pension which she is now receiving.

Mr. RAY of New York. Mr. Chairman, this widow is 60 years of age. She is poor and has a daughter dependent upon her who is not capable fully of taking care of herself. She is getting $8 a month. The disabilities of which the soldier died were not incurred in the service, and so we refuse to go above $30 a month. It is a Senate bill, and there is a great deal of evidence which I have attached to the report here showing the gallant record of her husband and the need she has of this increase.

Mr. TALBERT. You give her $20?

Mr. RAY of New York. Thirty. She was the wife of the soldier during the war.

Mr. TALBERT. Here is another case of increasing a pension on account of disabilities that can not be traced to service origin. I do not think it is right to make that increase, and I move to amend by making it $25 instead of $30.

The CHAIRMAN. The gentleman from South Carolina moves to strike out "thirty" and insert "twenty-five."

The amendment was agreed to.

The bill as amended was ordered to be laid aside to be reported to the House with a favorable recommendation.

MARTHA M. DE VOU.

The next business on the Private Calendar was the bill (H. R. 7636) granting a pension to Martha M. De Vou.

The bill was read, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, at the rate of $30 per month, the name of Martha M. De Vou, of the city of Philadelphia, Pa., formerly the widow of Joseph L. Mahan, deceased, brevet captain of the Sixth Regiment Maryland Volunteer Infantry.

The amendments recommended by the committee were read, as follows:

In lines 4 and 5 strike out "at the rate of $30 per month" and insert "subject to the provisions and limitations of the pension laws."

In line 6 strike out "of the city of Philadelphia, Pa."

At the end of line 8 add the following: "and pay her a pension at the rate of $30 per month."

Mr. RAY of New York. Mr. Speaker, this is a case of a remarried widow. She was granted a pension under the law. She got married again. She did everything she could to help the Government, but her second husband died, and now she is old and poor and asks to be restored to the pension roll.

Mr. TALBERT. What do you give her?

Mr. RAY of New York. What she had before—$20 a month.

The amendments recommended by the committee were agreed to.

The bill as amended was ordered to be laid aside with a favorable recommendation.

LEWIS KYLE.

The next business on the Private Calendar was the bill (S. 4248) granting an increase of pension to Lewis Kyle.

The bill was read, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of Lewis Kyle, late of Company H, Fifth Regiment Pennsylvania Reserve Volunteers, and pay him a pension at the rate of $24 per month in lieu of that he is now receiving.

The amendment recommended by the committee was read, as follows:

In line 8, strike out "twenty-four" and insert "eighteen."

Mr. RAY of New York. Mr. Chairman, this is a case where most of the disability was incurred since the applicant came out of the service. He is old, poor, and broken down, and he has lost by accident one of his heels, so that he can not use his foot, and he can use his feet and legs but little.

Mr. TALBERT. Did he lose it dancing?

Mr. RAY of New York. Oh, no; he lost it by an accident while hard at work trying to earn a living.

Mr. TALBERT. What do you give him?

Mr. RAY of New York. This is a Senate bill. They give him $24, and we cut it down from $24 to $18.

The amendment recommended by the committee was agreed to.

The bill as amended was ordered to be laid aside with a favorable report.

SARAH GRESHAM.

The next business on the Private Calendar was the bill (S. 409) granting an increase of pension to Sarah Gresham.

The bill was read, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of Sarah Gresham, widow of Benjamin Q. A. Gresham, late colonel Third Indiana Volunteer Cavalry, and pay her a pension at the rate of $30 per month in lieu of that she is now receiving.

The amendment recommended by the committee is as follows:

In line 8 strike out "thirty" and insert "twenty."

The amendment of the committee was agreed to.

The bill as amended was ordered to be laid aside with a favorable recommendation.

ORDER OF BUSINESS.

Mr. GREENE of Nebraska. Now, Mr. Chairman, I think it is quite evident to every member that we can not get through this list. There are 88 claims here yet, and we can not get through with them to-night. I now ask unanimous consent that the members present be allowed to call up one claim, in alphabetical order, and after we get through with that we can take up the list as it appears on the Calendar.

Mr. RAY of New York. I think myself that at the time we have gotten rid of those the committee will have to rise and report the bills to the House in order to pass them.

Mr. GREENE of Nebraska. I ask unanimous consent that that be done.

Mr. RAY of New York. I hope that will be done, Mr. Chairman.

The CHAIRMAN. The gentleman from Nebraska asks unanimous consent that members present may be allowed to call up bills, and that those bills be considered as they are called up. Is there objection to the request?

Mr. GREENE of Nebraska. To call them in the order they are on the Calendar.

The CHAIRMAN. The request is to call the bills up in the order they appear on the Calendar, and if the members are present that they be considered. Is there objection? [After a pause.] The Chair hears none.

Mr. GREENE of Nebraska. Then I desire, under that arrangement, to call up the bill H. R. 1255.

Mr. WILLIAMS of Mississippi. You will have to call the bill up in its order.

THOMAS CRINIGAN.

The next business considered was the bill (H. R. 12026) to increase the pension of Thomas Crinigan.

The bill was read, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and hereby is, authorized and directed to place on the pension roll the name of Thomas Crinigan, late a private in Company C, Fourteenth Regiment Illinois Volunteer Cavalry, and pay him a pension of $50 per month, in lieu of that which he is now receiving.

Mr. WARNER. The Committee on Invalid Pensions made it $40.

Mr. GIBSON. Twenty-four dollars is what the report says.

Mr. WARNER. He is already drawing $30. This is reducing it from $50 to $40. Let us have the report read.

Mr. RAY of New York. If he is drawing $30 a month, where did he get it, by some special act?

Mr. WARNER. No; at the Pension Bureau.

Mr. RAY of New York. The papers sent up from the Pension Office show he is getting $17. This case was carefully considered, and the committee proposed to increase the pension from $17 to $24 in the case of Thomas Crinigin.

Mr. WARNER. Probably I was mistaken in the case.

Mr. RAY of New York. Yes; you are.

The amendments recommended by the committee were read, as follows:

In line 4, after the word "roll," insert "subject to the provisions and limitations of the pension laws."

In line 8 strike out the words "of fifty" and insert "at the rate of twenty-four."

The amendments were agreed to.

The bill as amended was ordered to be laid aside with a favorable recommendation.

JOHN W. BRISBOIS.

The next business taken from the Calendar was the bill (H. R. 8997) for the relief of John W. Brisbois.

The bill was read, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and hereby is, authorized and directed to pay to John W. Brisbois, late private of Company A, Third Iowa Volunteer Infantry, the pension due him under certificate No. 111715, irrespective of any pension heretofore paid to him.

The amendments recommended by the committee are as follows:

In line 4 strike out "pay to" and insert "place on the pension roll the name of."

Strike out all after "Infantry," in line 5, and insert the following: "and pay him a pension at the rate of $24 per month; and same shall be paid him under the rules of the Pension Office as to mode and times of payment without any deduction or rebate on account of former alleged overpayments or erroneous payments of pension."

Amend the title so as to read: "A bill granting an increase of pension to John W. Brisbois."

The amendments were agreed to.

The bill as amended was ordered to be laid aside with a favorable recommendation.

NELLY B. CROSBY.

The next business was the bill (H. R. 10480) granting a pension to Nellie B. Crosby.

The bill was read, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll the name of Nelly V. Crosby, helpless child of Henry Crosby, late of Company G, Nineteenth Maine Infantry, and pay her, through her legally constituted guardian, a pension at the rate of $12 per month.

With the following committee amendments:

Line 4, after "roll," insert "subject to the provisions and limitations of the pension laws."

Line 5, after "Crosby," insert "permanently dependent and."

Mr. DRIGGS. Mr. Chairman, I came up here for the purpose of speaking in favor of this bill. A better bill was never reported from our committee than this one under consideration.

The amendments were agreed to.

The bill was laid aside to be reported to the House with a favorable recommendation.

WILLIAM W. PATTERSON.

The next business was the bill (H. R. 11097) granting an increase of pension to William W. Patterson.

The bill was read, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to pay to William W. Patterson, late of Company K, Seventy-ninth Regiment Illinois Infantry, and of First United States Engineers, a pension at the rate of $50 per month in lieu of the pension he is now receiving.

With the following committee amendments:

Line 4, strike out "pay to" and insert "place on the pension roll, subject to the provisions and limitations of the pension laws, the name of."

Line 6, after "Engineers," insert "and pay him;" and also, same line, strike out "fifty" and insert "twenty-four."

The amendments were agreed to.

The bill was laid aside to be reported to the House with a favorable recommendation.

SAMUEL E. LISCOM.

The next business was the bill (S. 1110) granting an increase of pension to Samuel E. Liscom.

The bill was read, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of Samuel E. Liscom, late of Company A, Fourteenth Regiment New Hampshire Volunteer Infantry, and pay him a pension at the rate of $30 per month in lieu of that he is now receiving.

With the following committee amendment:

Line 8, strike out the word "thirty" and insert the word "twenty-four."

The amendment was agreed to.

The bill as amended was laid aside to be reported to the House with a favorable recommendation.

CHARLES N. SMILEY.

The next business was the bill (H. R. 12077) granting an increase of pension to Charles N. Smiley.

The bill was read, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of Charles N. Smiley, late a captain of the regiment of United States Colored Infantry, at the rate of $30 per month in lieu of the pension now received.

With the following committee amendments:

Line 6, strike out "of the" and insert "Company B, Eighty-first;" and also strike out the word "of" at the end of the line.

Line 7, after "Infantry," insert "and pay him a pension."

Line 8, strike out "now received" and insert "he now receives."

The amendments were agreed to.

The bill was laid aside to be reported to the House with a favorable recommendation.

Mr. WILLIAMS of Mississippi. Mr. Chairman, I understood a moment ago that unanimous consent was had that bills should be read by Calendar number, and if the bill was not represented by some member present it was to be passed. It is evident, if we undertake to put all the bills on their passage, we can not get through.

The CHAIRMAN (Mr. BELKNAP). The Chair will say to the gentleman that these bills we have just been considering have each one been represented by a member on the floor.

Mr. WILLIAMS of Mississippi. Every bill has been read in succession, in the order on the Calendar.

The CHAIRMAN. It is a coincidence, but it is a fact, however, that they have been represented by members present.

Mr. WILLIAMS of Mississippi. Mr. Chairman, I ask unanimous consent that each member be allowed to call up one bill.

There was no objection.

ANNA M. ROWE.

The next business was the bill (H. R. 11296) granting a pension to Anna M. Rowe.

The bill was read, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of Anna M. Rowe, permanently helpless and dependent daughter of Jerome Rowe, late captain Company A, Thirty-second New York Volunteers, and pay her a pension at the rate of $25 per month.

The following committee amendment was read:

In line 9 strike out "twenty-five" and insert "twelve."

The committee amendment was agreed to.

The bill as amended was laid aside to be reported to the House with a favorable recommendation.

Mr. GIBSON. Mr. Chairman, the next bill being a Senate bill, I ask that it be taken up. We must treat the Senate with proper courtesy.

Mr. BOTKIN. I ask that the Senate bills be treated in the same way as the House bills.

SARAH HAMILTON.

The next business was the bill (S. 3466) granting a pension to Sarah Hamilton.

The bill was read, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll the name of Sarah Hamilton, widow of Joseph Hamilton, late captain Company F, Second North Carolina Mounted Infantry, at the rate of $12 per month from the passage of this act.

The amendments recommended by the committee are as follows:

Line 4, after "roll," insert "subject to the provisions and limitations of the pension laws."

Line 6, after "Infantry," insert "and pay her a pension."

Line 7, strike out "from the passage of this act."

The amendments were agreed to.

The bill as amended was laid aside to be reported to the House with a favorable recommendation.

JONATHAN SCOTT.

The next business was the bill (H. R. 4880) granting a pension to Jonathan Scott.

The bill was read, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, at the rate of $72 per month, subject to the provisions and limitations of the pension laws, the name of Jonathan Scott, of Oswego, Kans., late of Company M, Sixth Regiment Iowa Volunteer Cavalry.

The following committee amendments were read:

In lines 4 and 5 strike out "at the rate of $72 per month."

In line 7 strike out "Sixth" and insert "Fifth."

In line 8, after "Cavalry," insert "and pay him a pension at the rate of $50 per month."

In line 7 strike out "of Oswego, Kans."

Mr. TALBERT. Mr. Chairman, I think we are going a little too fast here now.

Mr. RIDGELY. I will say to the gentleman that this old soldier is confined to his bed, helpless and blind. His wife, who was his wife while he was in the Army, is almost helpless and his only nurse. They are living in a rented home. At one time he was allowed a pension as high as $72, and the question was raised by the Department whether he could prove that his injuries were of service origin. He attempted to make the proof, and failed to convince the Department. However, the proof submitted to the Committee on Invalid Pensions has convinced it of the fact, and they say in the report:

Soon after the close of the war the claimant made application for pension, and on March 9, 1873, he was placed upon the roll at $6 per month from August 12, 1865. On January 1, 1878, his pension was increased to $8 per month, thence to $24. On March 3, 1883, was increased for disease of eyes to $50, and on July 1, 1885, for the same, and resulting in total blindness his pension was increased to $72 per month. He was dropped from the pension roll August 13, 1895, for the sole reason that the disability for which the pension was granted existed prior to his enlistment.

The testimony on file in the Pension Office clearly shows the contrary. The claimant is now past 72 years of age, totally blind, afflicted with a complication of diseases, and is as helpless as a child. He is without any means of support, with an aged wife depending upon him, and must depend upon public charity unless relief speedily comes. Now, in his distressed and pitiable condition, due to his long and faithful service, he turns to that Government for which he sacrificed so much and appeals to Congress to protect him and his wife from the poorhouse.

Therefore, the question of disability, in the belief of the committee, originated during the war, and instead of restoring it to $72 they merely give him $50, which will be necessary to take care of him in his old age and in his necessity.

Mr. TALBERT. Is he totally blind?

Mr. RIDGELY. Totally blind; and has no children and no help but his wife, who is almost helpless herself.

Mr. TALBERT. Why did you not put in a little for his wife?

Mr. RIDGELY. They ought to.

The amendments were agreed to.

The bill as amended was laid aside to be reported favorably to the House.

WILLIAM J. HOLWAY.

The next business was the bill (H. R. 3186) granting an increase of pension to William J. Holway.

The bill was read, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, and pay him a pension of $50 a month, William J. Holway, late private in Company G, Sixty-sixth Regiment Ohio Volunteer Infantry, the same to be in lieu of the pension he now receives.

The following committee amendments were read:

Lines 4 and 5, strike out "and pay him a pension of $50 a month" and insert "subject to the provisions and limitations of the pension laws, the name of."

Line 7, strike out "the same to be" and insert "and pay him a pension at the rate of $30 per month."

The amendments recommended by the committee were agreed to.

The bill as amended was laid aside to be reported favorably to the House.

TENNESSEE N. BUCKLES.

The next business was the bill (H. R. 10534) for the relief of Tennessee N. Buckles.

The bill was read, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to restore to the pension roll the name of Tennessee N. Buckles, late of Company I, Sixth Kansas Cavalry, and pay him a pension at the rate of $15 per month.

The amendments reported by the committee were read, as follows:

In line 4, strike out "restore to" and insert "place on;" and in same line, after the word "roll," insert "subject to the provisions and limitations of the pension laws."

In line 6, strike out "fifteen" and insert "twelve."

Mr. TALBERT. I would like to know something about this case.

Mr. RAY of New York. After being placed on the pension roll this man was stricken off on the ground that he had served voluntarily in the Confederate army. We examined the evidence thoroughly, and we found that he never did.

The question being taken, the amendments were agreed to, and the bill as amended was laid aside to be reported favorably.

JAMES M. HERRINGTON.

The next business was the bill (S. 1928) granting an increase of pension to First-class Pilot James M. Herrington.

The bill was read, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to increase the pension of First-class Pilot Capt. James M. Herrington, who was permanently disabled by gunshot wounds while serving in the Mississippi Squadron, United States Navy, in the late war, to $30 per month.

The question being taken, the bill was laid aside to be reported favorably to the House.

MARY E. HATCH.

The next business was the bill (S. 4744) granting a pension to Mary E. Hatch.

The bill was read, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of Mary E. Hatch, dependent stepmother of Byron B. Hatch, late of Company K, Fifth Regiment Vermont Infantry Volunteers, and pay her a pension at the rate of $12 per month.

The question being taken, the bill was laid aside to be reported favorably.

GEORGE W. PETERS.

The next business was the bill (S. 1758) increasing the pension of George W. Peters.

The bill was read, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of George W. Peters, late captain of Company A, Twelfth Tennessee Volunteer Cavalry, and pay him a pension at the rate of $30 per month, in lieu of the pension he is now receiving.

The amendment reported by the committee was read, as follows:

In line 8, strike out "twenty" and insert "seventeen."

The amendment was agreed to.

The bill as amended was laid aside to be reported favorably.

JOHN BROWN.

The next business was the bill (S. 1697) granting an increase of pension to John Brown.

The bill was read, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of John Brown, late a private in Company A, Fifty-eighth Regiment Pennsylvania Infantry, and pay him a pension at the rate of $30 per month in lieu of that he is now receiving.

The question being taken, the bill was laid aside to be reported favorably.

MARY B. WOTRING.

The next business was the bill (H. R. 8895) to grant a pension to Mary B. Wotring.

The bill was read, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he hereby is, authorized and directed to place the name of Mary B. Wotring, widow of Dr. Jonathan Wotring, assistant surgeon, Eighty-third Regiment Pennsylvania Volunteer Infantry in the civil war, on the pension roll at the rate of $12 per month.

The amendments reported by the committee were read, as follows:

In line 4, after "place," insert "on the pension roll, subject to the provisions and limitations of the pension laws."

In lines 6 and 7 strike out "in the civil war, on the pension roll" and insert "and pay her a pension."

In line 7 strike out "twelve" and insert "eight."

Amend the title so as to read: "A bill granting a pension to Mary B. Wotring."

Mr. McDOWELL. Why has not the committee allowed $12 a month in this case?

Mr. RAY of New York. Under the evidence and the law there was no ground on which we could possibly do so. In its circumstances this was an $8 case. We have fixed the pension at $8, because that was consistent with our action in other cases and according to law.

The amendments reported by the committee were agreed to; and the bill as amended was laid aside to be reported favorably.

GEORGE W. NEVINS.

The next business was the bill (S. 1968) granting an increase of pension to George W. Nevins.

The bill was read, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of George W. Nevins, late of Company C, Second Wisconsin Infantry Volunteers, and pay him a pension at the rate of $30 per month, in lieu of the pension he is now receiving.

Mr. TALBERT. I understand that in this case the bill proposes to grant a pension of $50.

Mr. MIERS of Indiana. I represent this bill to-night, at the request of the gentleman from Wisconsin [Mr. BABCOCK]. The question in the case is one of proof. The committee were of the opinion that the Pension Office ought to have granted this man a

pension of $72 a month. We resolved the doubt by agreeing to raise the pension from $30 to $50. If I had been acting on this case as Commissioner of Pensions, I should certainly have allowed $72 a month.

Mr. TALBERT. I move to amend by striking our "fifty" and inserting "forty."

Mr. MIERS of Indiana. I hope the gentleman will not move to cut down the pension which we propose to allow this old soldier. He is now 72 years of age, and is entirely helpless. The case is as clear a one as I ever saw.

Mr. DRIGGS. This is certainly a very just bill, and I hope the gentleman from South Carolina will not insist on his amendment.

Mr. RAY of New York. This is the case of an old soldier who suffered with fever, and who, besides, was shot through the chest and also shot through both sides.

Mr. TALBERT. I insist on my amendment. This man is in no more deserving position than others whose pensions have been to-night cut down to $40. In justice to those other cases, I think we should not make this pension $50.

Mr. MIERS of Indiana. The man is absolutely helpless, as the proof on file shows.

The question being taken on the amendment of Mr. TALBERT, it was agreed to.

The bill as amended was laid aside to be reported favorably.

WILLIAM J. FORD.

The next business was the bill (S. 317) granting a pension to William J. Ford.

The bill was read, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of William J. Ford, late of Capt. E. G. B. McNutt's provisional company of Monroe County (Mo.) Volunteer Militia, at a rate of pension proportionate to the degree of disability found to exist from gunshot wound of left elbow.

The bill was laid aside to be reported favorably.

MARY A. THOMAS.

The next business was the bill (S. 566) granting a pension to Mary A. Thomas.

The bill was read, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of Mary A. Thomas, widow of Henry A. Thomas, late private in Company G, Fortieth Massachusetts Volunteers, and pay her a pension at the rate of $8 per month.

The question being taken, the bill was laid aside to be reported favorably.

Mr. FARIS. Mr. Chairman, I call attention to the fact that there are nine more Senate bills on this page of the Calendar, and if the course now being pursued should continue the arrangement which was understood to be made here in good faith will be rendered nugatory so far as nearly every member present is concerned.

Mr. MARSH. Will the gentleman allow me to state to the gentleman from Indiana that Calendar No. 1263, while it is a Senate bill, is also my bill.

Mr. FARIS. Very well; that is perfectly within the rule.

The CHAIRMAN. The Chair will say to the gentleman from Indiana that he is informed that each one of these Senate bills is represented by a member of the House present this evening.

Mr. FARIS. Then I suggest that when one of these bills is called, the gentleman who represents it on this floor shall rise and let me know, so that we will understand that his bill is passed.

Mr. SLAYDEN. Calendar No. 1260 is represented by the gentleman from Indiana [Mr. LANDIS].

Mr. FARIS. That is all right.

Mr. MARSH. Now I ask unanimous consent to take up No. 1263.

Mr. CRUMPACKER. Let us take them up in their order.

Mr. DRIGGS. Mr. Chairman, I object to the request of the gentleman from Illinois.

Mr. MARSH. I withdraw my request.

CHARLES WILLIAMS.

The next business was the bill (H. R. 8959) to increase the pension of Charles Williams, late captain Company A, Eighty-second Regiment Pennsylvania Volunteer Infantry.

The bill was read, as follows:

Be it enacted, etc, That the Secretary of the Interior be, and he is hereby, authorized and directed to increase the pension of Charles Williams, late captain Company A, Eighty-second Regiment Pennsylvania Volunteer Infantry, invalid certificate No. 475590, additional act, June 27, 1890, to the rate of $100 per month.

The following amendments, recommended by the Committee on Invalid Pensions, were read:

In line 4 strike out "increase the pension" and insert "place the name."

Strike out all after "Infantry," line 6, and insert the following: "on the pension roll, and pay him a pension at the rate of $25 per month."

Amend the title so as to read: "A bill granting an increase of pension to Charles Williams."

The amendments recommended by the committee were agreed to.

The bill as amended was ordered to be laid aside to be reported to the House with a favorable recommendation.

MARY LONGLEY HENDRICKS.

The next business was the bill (S. 4984) granting a pension to Mary Longley Hendricks.

The bill was read, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of Mary Longley Hendricks, widow of John H. Hendricks, late commissary sergeant, Company G, Fifty-fifth Indiana Volunteer Infantry, and pay her a pension at the rate of $12 per month.

The bill was ordered to be laid aside to be reported to the House with a favorable recommendation.

ORDER OF BUSINESS.

Mr. DRIGGS. The next is Calendar No. 1261.

A MEMBER. I think the gentleman from New York has had one or two bills this evening.

Mr. DRIGGS. No; I have not. I represented the gentleman from Maine [Mr. BURLEIGH] on the other bill. I waive my right on this bill to my colleague from Mississippi [Mr. WILLIAMS], to call up Calendar No. 1264. The gentleman from Mississippi [Mr. WILLIAMS] is here representing a sick member of the House, and I am exceedingly desirous to help him out.

Mr. WILLIAMS of Mississippi. My colleague [Mr. CATCHINGS] is sick, but wrote to me and asked me to come here to represent him on this bill.

The CHAIRMAN. Without objection, the bill will be read. What is the number?

Mr. WILLIAMS of Mississippi. The number is Senate 1704.

MRS. HELEN A. DE RUSSY.

The bill (S. 1704) to increase the pension of Mrs. Helen A. De Russy was read, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of Mrs. Helen A. De Russy, of Washington, D. C., widow of Col. Réne E. De Russy, Corps of Engineers, and brevet brigadier-general, United States Army, and pay her a pension of $50 per month, the same to be in lieu of the pension now drawn by her.

Mr. TALBERT. I move to strike out "fifty" and insert "forty."

Mr. WILLIAMS of Mississippi. I think if my friend will listen to my statement he will not insist on that. I did not introduce this bill, never had a pension bill here in my life, but I understand practically all about the case. Colonel De Russy served fifty years in the United States Army. He died from disease contracted in the service, because he died in the service. He entered the Army in 1812 and died in the Army in 1865, after having served with honor through two wars. His widow has absolutely nothing except her present pension of $30 a month. She is now 65 years of age and dependent on a son-in-law who lives in California, who is in the last stages of consumption.

Mr. TALBERT. I insist on my amendment.

The amendment was agreed to.

The bill as amended was ordered to be laid aside to be reported to the House with a favorable recommendation.

MARY A. KENNEDY.

The next business was the bill (H. R. 12033) granting a pension to Mary A. Kennedy.

The bill was read, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place upon the pension roll, subject to the provisions and limitations of the pension laws, the name of Mary A. Kennedy, mother of Peter Kennedy, who enlisted October 31, 1863, and was assigned to Company F of the Fifty-second New York Infantry, and mustered out of service July 1, 1865, and pay her a pension at the rate of $12 per month.

The Committee on Invalid Pensions recommended the following amendments, which were read:

In line 6, after "Kennedy," insert "dependent."

In lines 6, 7, and 8 strike out all after "Kennedy," line 6, down to the word "company," line 8.

In line 8 strike out "of the."

In lines 9 and 10 strike out "and mustered out of service July 1, 1865."

In line 10, after "pension," insert "at the rate."

The amendments recommended by the committee were agreed to.

The bill as amended was ordered to be laid aside to be reported to the House with a favorable recommendation.

GEORGIA H. BERRY.

The next business was the bill (S. 4414) granting a pension to Georgia H. Berry.

The bill was read, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of Georgia H. Berry, widow of Col. William W. Berry, of the Fifth Kentucky Volunteer Infantry, and to pay her a pension at the rate of $30 per month.

The bill was ordered to be laid aside to be reported to the House with a favorable recommendation.

SARAH A. KIZER.

Mr. RAY of New York. I move that the committee rise and report the bills to the House.

Mr. WEAVER. One moment. I have not had a pension bill this session.

Mr. RAY of New York. If we are ever going to pass these bills, we must do it now.

Mr. WEAVER. My bill is the next bill, and I ask that it be read.

The bill (H. R. 10933) granting a pension to Sarah A. Kizer was read, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he hereby is, authorized and directed to place on the pension roll the name of Sarah A. Kizer, blind and dependent daughter of David L. Kizer, deceased, late sergeant, Company K, Thirty-first Regiment Ohio Veteran Volunteer Infantry, and pay her a pension of $50 per month.

The following amendments, recommended by the Committee on Invalid Pensions, were read:

In line 4, after "roll," insert "subject to the provisions and limitations of the pension laws."

In line 8, after "pension," strike out "of fifty" and insert "at the rate of twelve."

The amendments recommended by the committee were agreed to.

The bill as amended was ordered to be laid aside to be reported to the House with a favorable recommendation.

ORDER OF BUSINESS.

Mr. BROWNLOW. Mr. Chairman, I have a bill here, and I ask unanimous consent——

Mr. RAY of New York. I move that the committee rise and report the various bills to the House with a favorable recommendation.

Mr. ROBINSON of Indiana. I will ask the gentleman from New York if he will not also couple with that the request that if we get through with the passage of these bills in time we may return and consider others?

Mr. RAY of New York. Oh, certainly.

Mr. STURTEVANT. The gentleman from Tennessee [Mr. BROWNLOW] has been here all evening. Let him have one bill.

Mr. RAY of New York. I insist on my motion.

Mr. ROBINSON of Indiana. I think under the arrangement the gentleman from Tennessee [Mr. BROWNLOW] can get his bill through later.

The motion of Mr. RAY of New York was agreed to.

The committee accordingly rose; and Mr. LACEY having resumed the chair as Speaker pro tempore, Mr. BELKNAP, Chairman of the Committee of the Whole House, reported that that committee had had under consideration sundry pension bills, and had directed him to report the same back to the House, some with and some without amendments; that the bills reported without amendments do pass, and that the bills with amendments do pass as amended; also, that the committee had had under consideration one bill and had directed him to report the same back with the recommendation that it lie upon the table.

HOUSE BILLS WITH AMENDMENTS PASSED.

In the following House bills reported from the Committee of the Whole with amendments, the amendments were severally agreed to, the bills as amended ordered to be engrossed for a third reading; and being engrossed, were read the third time, and passed:

A bill (H. R. 10132) to remove the charge of desertion from the naval record of Charles Thompson;

A bill (H. R. 10478) granting increase of pension to Mrs. Jenette E. Arnold;

A bill (H. R. 2550) granting a pension to Mrs. Annie M. Clemens;

A bill (H. R. 9344) to pension John Bigley, a soldier of the Mexican war;

A bill (H. R. 10738) granting an increase of pension to Beeri Serviss;

A bill (H. R. 8214) to increase the pension of Francis Scott, late a private of Company B, Twenty-third Regiment Wisconsin Infantry Volunteers (title amended);

A bill (H. R. 6913) to increase the pension of Mrs. Charlotte B. Cozzens;

A bill (H. R. 10860) granting a pension to Mianda A. Sanford;

A bill (H. R. 7657) for the relief of James E. Searl (title amended);

A bill (H. R. 9455) granting an increase of pension to Richard Atkinson;

A bill (H. R. 8578) granting a pension to George W. Reisinger;

A bill (H. R. 2358) granting a pension to Mary E. Taylor;

A bill (H. R. 1677) for the benefit of Anna M. Wehe, mother of William Wehe, deceased;

A bill (H. R. 9959) granting a pension to Jessie Goldie;

A bill (H. R. 3298) granting a pension to Rebecca Paulding Meade, widow of Rear-Admiral Richard W. Meade, late of the United States Navy;

A bill (H. R. 4249) to place on the pension roll the name of Samuel B. Koontz;

A bill (H. R. 11363) to increase the pension of John Linch;

A bill (H. R. 7636) granting a pension to Martha M. De Vou;

A bill (H. R. 12026) granting a pension to Thomas Crinigan;

A bill (H. R. 8997) for the relief of John W. Brisbois (title amended);

A bill (H. R. 10480) granting a pension to Nelly V. Crosby;

A bill (H. R. 11097) granting an increase of pension to William W. Patterson;

A bill (H. R. 12077) granting an increase of pension to Charles N. Smiley;

A bill (H. R. 11296) granting a pension to Anna M. Rowe;

A bill (H. R. 4880) granting a pension to Jonathan Scott;

A bill (H. R. 3186) granting an increase of pension to William J. Holway;

A bill (H. R. 10534) for the relief of Tennessee N. Buckles (title amended);

A bill (H. R. 8895) to grant a pension to Mary B. Wotring (title amended);

A bill (H. R. 8959) to increase the pension of Charles Williams, late captain, Eighty-second Regiment, Pennsylvania Volunteer Infantry;

A bill (H. R. 12033) granting a pension to Mary A. Kennedy; and

A bill (H. R. 10933) granting a pension to Sarah A. Kizer.

HOUSE BILLS WITHOUT AMENDMENT PASSED.

The following House bills, reported by the Committee of the Whole without amendment, were severally ordered to be engrossed for a third reading; and being engrossed, were read the third time, and passed:

A bill (H. R. 8329) to increase the pension of Lieut. John E. Gullett (title amended);

A bill (H. R. 10716) to pension John S. Draper (title amended);

In the following Senate bills reported by the Committee of the Whole with amendments, the amendments were severally agreed to, the bills as amended ordered to a third reading, read the third time, and passed:

A bill (S. 2101) granting a pension to John C. Emery;

A bill (S. 1031) granting a pension to Noah Pillsbury;

A bill (S. 4233) granting an increase of pension to Solomon Kline;

A bill (S. 2652) granting an increase of pension to Emma V. Gile;

A bill (S. 4248) granting an increase of pension to Lewis Kyle;

A bill (S. 409) granting an increase of pension to Sarah Gresham;

A bill (S. 1110) granting an increase of pension to Samuel E. Liscom;

A bill (S. 3466) granting a pension to Sarah Hamilton;

A bill (S. 1758) increasing the pension of George W. Peters;

A bill (S. 1968) granting an increase of pension to George W. Nevins;

A bill (S. 566) granting a pension to Mary A. Thomas;

A bill (S. 1704) to increase the pension of Mrs. Helen A. De Russy;

The following Senate bills, reported by the Committee of the Whole without amendment, were severally ordered to a third reading, read the third time, and passed:

A bill (S. 1831) granting an increase of pension to Jane V. Davidson;

A bill (S. 168) granting an increase of pension to W. P. Snowden;

A bill (S. 730) granting an increase of pension to John N. Corgan, of McPherson, Kans.;

A bill (S. 4575) granting an increase of pension to John McVicar;

A bill (S. 4701) granting an increase of pension to Charles W. Tilton;

A bill (S. 4374) granting a pension to Nellie M. Guild;

A bill (S. 2965) granting an increase of pension to Lewis E. Humpton;

A bill (S. 4975) granting an increase of pension to Washington Sweatt;

A bill (S. 3005) granting a pension to Zenas T. Hines;

A bill (S. 1928) granting an increase of pension to First-Class Pilot James M. Herrington;

A bill (S. 4744) granting a pension to Mary E. Hatch;

A bill (S. 1697) granting an increase of pension to John Brown;

A bill (S. 317) granting a pension to William J. Ford;

A bill (S. 4984) granting a pension to Mary Longley Hendricks;

A bill (S. 4414) granting a pension to Georgia H. Berry.

Mr. RAY of New York. Mr. Speaker, I move to reconsider the several votes by which the various bills have been passed, and also move that the motion to reconsider be laid on the table.

The latter motion was agreed to.

ALFRED T. MORELAND.

Mr. BROWNLOW. Mr. Speaker, I ask unanimous consent to consider the bill (H. R. 6924) for the relief of Alfred T. Moreland in the House as in Committee of the Whole.

The bill was read, as follows:

Be it enacted, etc., That the Secretary of War be, and he is hereby, authorized and directed to place the name of Alfred T. Moreland on the rolls of

Company L, Thirteenth Tennessee Cavalry Volunteers, and grant him an honorable discharge therefrom, showing that he was a member of said company from the 1st day of November, 1864, to the 1st day of February, 1865.

The amendment recommended by the committee was read, as follows:

Provided, That no pay or other allowances shall become due or payable by reason of the passage of this act.

The SPEAKER pro tempore. Is there objection to the present consideration of the bill? [After a pause.] The Chair hears none.

The amendment recommended by the committee was agreed to.

The bill as amended was ordered to be engrossed for a third reading; and being engrossed, it was accordingly read the third time, and passed.

GEORGE GREGG.

Mr. FARIS. Mr. Speaker, I ask unanimous consent for the present consideration of the bill (H. R. 7093) for the relief of George Gregg.

The bill was read, as follows:

Be it enacted, etc., That the Secretary of War is hereby directed to remove the charge of desertion from the military record of George Gregg, late a private of Company C, Fifty-first Regiment Indiana Volunteer Infantry, and to issue to him an honorable discharge as of the date of the muster out of said regiment, and that said Gregg shall be entitled to receive from the accounting officers of the Treasury all pay and allowances which may have been due him on said date of discharge, excluding therefrom the time of his absence without leave.

The amendment recommended by the committee was read, as follows:

Strike out all after line 7 and insert the following:
"*Provided*, That no pay, bounty, or other emoluments shall become due or payable by virtue of the passage of this act."

The SPEAKER pro tempore. Is there objection to the present consideration of the bill? [After a pause.] The Chair hears none.

The amendment recommended by the committee was agreed to.

The bill as amended was ordered to be engrossed for a third reading; and being engrossed, it was accordingly read the third time, and passed.

On motion of Mr. FARIS, a motion to reconsider the vote by which the bill was passed was laid on the table.

LIEUT. EDWARD B. HOWARD.

Mr. BELKNAP. Mr. Speaker, I ask unanimous consent for the present consideration of the bill which I send to the desk.

The Clerk read as follows:

A bill (H. R. 11053) to correct the military record of Lieut. Edward B. Howard.

Be it enacted, etc., That the Secretary of War be, and is hereby, authorized and directed to amend the military record of Lieut. Edward B. Howard, Company G, Fourteenth New Hampshire Volunteers, and grant him an honorable discharge.

The amendment recommended by the committee was read, as follows:

At the end of line 6 add the following:
"*Provided*, That no pay, bounty, or other emoluments shall become due or payable by virtue of the passage of this act."

The SPEAKER pro tempore. Is there objection to the present consideration of the bill? [After a pause.] The Chair hears none.

The amendment recommended by the committee was agreed to.

The bill as amended was ordered to be engrossed for a third reading; and being engrossed, it was accordingly read the third time, and passed.

On motion of Mr. BELKNAP, a motion to reconsider the vote by which the bill was passed was laid on the table.

JAMES C. JENNINGS.

Mr. STURTEVANT. Mr. Speaker, I would like to call up the bill House Calendar No. 1252. This bill was introduced by the gentleman from Connecticut, Mr. HENRY. He was unable to be here to-night but is very anxious that the bill shall pass. He has always been here at the evening sessions. I ask that it be considered in the House as in Committee of the Whole.

The bill was read, as follows:

A bill (H. R. 8985) granting an increase of pension to James C. Jennings.

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place upon the pension roll the name of James C. Jennings, private, Company D, Eighth Connecticut Volunteer Cavalry, and pay him a pension of $12 per month in lieu of the pension he is now receiving.

The amendments recommended by the committee were read, as follows:

In line 4, after "roll," insert "subject to the provisions and limitations of the pension laws."
In line 6, after "pension," insert "at the rate."

The SPEAKER pro tempore. Is there objection to the present consideration of the bill? [After a pause.] The Chair hears none.

The amendments recommended by the committee were agreed to.

The bill as amended was ordered to be engrossed for a third reading; and being engrossed, it was accordingly read the third time; and passed.

On motion of Mr. STURTEVANT, a motion to reconsider the vote by which the bill was passed was laid on the table.

The SPEAKER pro tempore. The hour of 10.30 having arrived, the House stands adjourned until to-morrow at 12 o'clock m.

EXECUTIVE COMMUNICATIONS, ETC.

Under clause 2 of Rule XXIV, a letter from the Acting Secretary of the Treasury, transmitting a copy of a communication from the Attorney-General submitting certain estimates of appropriations to be included in the deficiency bill, was taken from the Speaker's table, referred to the Committee on Appropriations, and ordered to be printed.

REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS.

Under clause 2 of Rule XIII, bills and resolutions of the following titles were severally reported from committees, delivered to the Clerk, and referred to the several Calendars therein named, as follows:

Mr. PACKER of Pennsylvania, from the Committee on Indian Affairs, to which was referred the bill of the Senate (S. 5076) authorizing the Sioux City and Omaha Railway Company to construct and operate a railway through the Omaha and Winnebago Reservation, in Thurston County, Nebr., and for other purposes, reported the same with amendment, accompanied by a report (No. 2172); which said bill and report were referred to the House Calendar.

Mr. MERCER, from the Committee on Public Buildings and Grounds, to which was referred the bill of the Senate (S. 5130) to provide for the erection of a building for the Department of Justice, reported the same without amendment, accompanied by a report (No. 2173); which said bill and report were referred to the Committee of the Whole House on the state of the Union.

Mr. KLEBERG, from the Committee on the Public Lands, to which was referred the bill of the House (H. R. 11771) to amend section 1 of an act to provide for the entry of lands in Greer County, Okla., to give preference right to settlers, and for other purposes, reported the same with amendment, accompanied by a report (No. 2174); which said bill and report were referred to the House Calendar.

Mr. LACEY, from the Committee on the Public Lands, to which was referred the bill of the House (H. R. 11455) granting to the city of Boulder, in the State of Colorado, certain lands for park purposes, with Senate amendments thereto, submitted a report (No. 2175) thereon; which said bill and report were referred to the Committee of the Whole House on the state of the Union.

Mr. GRIFFIN, from the Committee on Military Affairs, to which was referred the bill of the House (H. R. 12020) to amend an act entitled "An act to reimburse the governors of States and Territories for expenses incurred by them in aiding the United States to raise and organize and supply and equip the Volunteer Army of the United States in the existing war with Spain," approved July 8, 1898, reported the same without amendment, accompanied by a report (No. 2176); which said bill and report were referred to the Committee of the Whole House on the state of the Union.

Mr. SWANSON, from the Committee on Ways and Means, to which was referred the bill of the House (H. R. 11138) to establish the compensation for the collector of customs for the district of Richmond, Va., reported the same with amendment, accompanied by a report (No. 2180); which said bill and report were referred to the Committee of the Whole House on the state of the Union.

REPORTS OF COMMITTEES ON PRIVATE BILLS AND RESOLUTIONS.

Under clause 2 of Rule XIII, private bills and resolutions of the following titles were severally reported from committees, delivered to the Clerk, and referred to the Committee of the Whole House, as follows:

Mr. FENTON, from the Committee on Military Affairs, to which was referred the bill of the House (H. R. 7727) to amend the military record of James C. Howard, late second lieutenant Company E, Forty-sixth Ohio Infantry Volunteers, reported the same without amendment, accompanied by a report (No. 2169); which said bill and report were referred to the Private Calendar.

Mr. HULL, from the Committee on Military Affairs, to which was referred the bill of the Senate (S. 4548) for the relief of James H. Latham, reported the same without amendment, accompanied by a report (No. 2170); which said bill and report were referred to the Private Calendar.

Mr. FENTON, from the Committee on Military Affairs, to which was referred the bill of the House (H. R. 787) for the relief of

James C. Slaght, reported the same without amendment, accompanied by a report (No. 2171); which said bill and report were referred to the Private Calendar.

Mr. HOWE, from the Committee on Pensions, to which was referred the bill of the House (H. R. 4677) to increase pension of Mrs. Rebeccah McMullen, reported the same with amendment, accompanied by a report (No. 2177); which said bill and report were referred to the Private Calendar.

Mr. BROMWELL, from the Committee on Pensions, to which was referred the bill of the House (H. R. 6328) for the relief of Mary F. Cobb, widow of Lewis Bryant, Second Regiment Kentucky Volunteers, war of 1812, and daughter of Daniel Gano, captain-lieutenant in Capt. Andrew Moody's company, Second Regiment of Continental Artillery, Revolutionary war, reported the same with amendment, accompanied by a report (No. 2178); which said bill and report were referred to the Private Calendar.

Mr. STRODE of Nebraska, from the Committee on Pensions, to which was referred the bill of the Senate (S. 1759) granting a pension to James H. Preston, reported the same without amendment, accompanied by a report (No. 2179); which said bill and report were referred to the Private Calendar.

PUBLIC BILLS, RESOLUTIONS, AND MEMORIALS INTRODUCED.

Under clause 3 of Rule XXII, bills, resolutions, and memorials of the following titles were introduced and severally referred as follows:

By Mr. MAXWELL: A bill (H. R. 12123) to authorize the President of the United States to negotiate a treaty with the States of Costa Rica and Nicaragua for the right to excavate, construct, own, and control a ship canal and waterway from the most suitable point on the Caribbean Sea, by way of the San Juan River and Lake Nicaragua, to the Pacific Ocean, such canal and waterway to be of sufficient dimensions and capacity to permit the passage through the same of the largest war vessels of the United States—to the Committee on Interstate and Foreign Commerce.

By Mr. GILLETT of Massachusetts: A bill (H. R. 12124) appropriating $20,000,000 to carry out the obligations of the treaty with Spain and declaring the purpose of the United States relative to the territory to be ceded by said treaty—to the Committee on Appropriations.

By Mr. CANNON: A bill (H. R. 12125) making an appropriation to carry out the obligations of the treaty between the United States and Spain concluded December 10, 1898—to the Committee on Appropriations.

By Mr. DINSMORE: A bill (H. R. 12126) to amend an act entitled "An act authorizing the Arkansas Northwestern Railway Company to construct and operate a railway through the Indian Territory, and for other purposes," and extending the time for constructing and operating the said railway for two years from the 5th day of April, 1899—to the Committee on Indian Affairs.

By Mr. MANN: A bill (H. R. 12127) to authorize the construction of a drawbridge across the Little Calumet River, in the city of Chicago, Ill.—to the Committee on Interstate and Foreign Commerce.

By Mr. MAHON: A bill (H. R. 12128) to amend an act entitled "An act to reimburse the governors of States and Territories for expenses incurred by them in aiding the United States to raise and organize and supply and equip the Volunteer Army of the United States in the existing war with Spain," approved July 8, 1898, and for other purposes—to the Committee on War Claims.

By Mr. LENTZ: A bill (H. R. 12135) to provide for the publication and distribution of maps of the United States to the public, private, and parochial schools in each Congressional district of the United States where recommended by the Representative or Delegate—to the Committee on Printing.

By Mr. McRAE: A joint resolution (H. Res. 368) declaring the purpose of the United States as to the Philippine Islands—to the Committee on Foreign Affairs.

By Mr. RICHARDSON: A concurrent resolution (House Con. Res. No. 71) favoring the printing of the Manual of Fish Culture, containing the report of the United States Commissioner of Fish and Fisheries for 1897—to the Committee on Printing.

By Mr. ROBINSON of Indiana: A memorial from the senate and assembly of the State of Indiana, making the internal-revenue laws so plain that the telegraph and express companies will have to pay their tax—to the Committee on Ways and Means.

By Mr. MIERS of Indiana: A memorial from the legislature of Indiana, to amend the internal-revenue law so as to compel the express and telegraph companies to pay their own tax—to the Committee on Ways and Means.

By Mr. CRUMPACKER: A memorial from the legislature of the State of Indiana, favoring the amending of the internal-revenue laws, and making it plain that express and telegraph companies must pay their own tax—to the Committee on Ways and Means.

By Mr. STRODE of Nebraska: A memorial from the house of representatives of Nebraska against seating any polygamist in the House or in any office of trust—to the Committee on Elections No. 1.

By Mr. MERCER: A memorial from the legislature of Nebraska, asking Congress to pay for medical services for volunteer soldiers when absent from their regiment—to the Committee on War Claims.

By Mr. STARK: A memorial from the house of representatives of the State of Nebraska, protesting against the seating of any polygamist in Congress—to the Committee on Elections No. 1.

Also, memorial from the senate of the State of Nebraska, requesting Congress to expedite and facilitate the speedy connection of the Port Arthur Canal with the waters of the Gulf of Mexico—to the Committee on Railways and Canals.

PRIVATE BILLS AND RESOLUTIONS INTRODUCED.

Under clause 1 of Rule XXII, private bills and resolutions of the following titles were introduced and severally referred as follows:

By Mr. CHICKERING: A bill (H. R. 12129) for the relief of Adolphus Sterling—to the Committee on Invalid Pensions.

By Mr. DOVENER: A bill (H. R. 12130) for the relief of the heirs of Moses Cunningham, deceased, of Braxton County, W. Va.—to the Committee on War Claims.

By Mr. LAWRENCE: A bill (H. R. 12131) to amend the military record of Alexander Brown—to the Committee on Military Affairs.

By Mr. LITTAUER: A bill (H. R. 12132) granting a pension to Mrs. Ellen Hardin Walworth—to the Committee on Pensions.

By Mr. MILLER: A bill (H. R. 12133) for the relief of James M. Clouston—to the Committee on War Claims.

By Mr. ROBBINS: A bill (H. R. 12134) granting a pension to David Graham—to the Committee on Invalid Pensions.

PETITIONS, ETC.

Under clause 1 of Rule XXII, the following petitions and papers were laid on the Clerk's desk and referred as follows:

By Mr. ALEXANDER: Petitions of Delaware Avenue Auxiliary to the Woman's Home Missionary Society of the Methodist Episcopal Church, and of the Riverside Methodist Episcopal Church, and of members and friends of the Woman's Home Missionary Society of the Linwood Avenue Methodist Episcopal Church, all of Buffalo, N. Y., against the seating of Brigham H. Roberts as a Representative from Utah—to the Committee on Elections No. 1.

By Mr. ARNOLD: Petition of the Swedish Mission Congregation, and Johnsonburg Union, all of Elk County, Pa., favoring the Ellis bill—to the Committee on Alcoholic Liquor Traffic.

By Mr. CRUMPACKER: Resolutions of the Quarterly Conference of White County, Ind., against the seating of Brigham H. Roberts as a Representative from Utah—to the Committee on the Judiciary.

By Mr. DOVENER: Paper to accompany House bill relating to the claim of the estate of James Cunningham, deceased—to the Committee on War Claims.

By Mr. FERGUSSON: Petition of Enoch H. Sweet and 54 others, to prohibit the sale of liquor in Government buildings—to the Committee on Alcoholic Liquor Traffic.

By Mr. HEPBURN: Petitions of Robert J. Carswell and 30 citizens of Blanchard, and H. L. Byers and 30 citizens of Lucas, State of Iowa, asking for equal suffrage rights for women in Hawaii—to the Committee on the Territories.

By Mr. McCLEARY: Resolution of the Minneapolis (Minn.) Board of Trade, favoring Government construction and ownership of the Pacific cable—to the Committee on Interstate and Foreign Commerce.

Also, petition of the Presbyterian and Methodist Episcopal churches of Tracy, Minn., for the continuance of the prohibitory law in Alaska—to the Committee on the Territories.

By Mr. MERCER: Resolutions of the International Association of Machinists, with reference to the eight-hour law—to the Committee on Labor.

Also, resolutions of the Nebraska Beet Sugar Association, against the annexation of sugar-producing islands to the United States—to the Committee on the Territories.

By Mr. PAYNE: Petition of the Woman's Home Missionary Society of the Methodist Episcopal Church of Mecklenburg, N. Y., against the seating of Brigham H. Roberts as a Representative from Utah—to the Committee on Elections No. 1.

By Mr. RAY of New York: Petition of citizens of Delhi, N. Y., in favor of the Ellis bill—to the Committee on Alcoholic Liquor Traffic.

By Mr. SPERRY: Petition of officers of the Connecticut Naval Battalion, in support of a bill to establish and maintain a naval reserve—to the Committee on Naval Affairs.

SENATE.

SATURDAY, *February 18, 1899.*

Prayer by the Chaplain, Rev. W. H. MILBURN, D. D.

The Secretary proceeded to read the Journal of yesterday's proceedings, when, on motion of Mr. HALE, and by unanimous consent, the further reading was dispensed with.

MESSAGE FROM THE HOUSE.

A message from the House of Representatives, by Mr. H. L. OVERSTREET, one of its clerks, announced that the House had passed the following bills:

A bill (S. 168) granting an increase of pension to W. P. Snowden;
A bill (S. 317) granting a pension to William J. Ford;
A bill (S. 730) granting an increase of pension to John N. Corgan, of McPherson, Kans.;
A bill (S. 1697) granting an increase of pension to John Brown;
A bill (S. 1831) granting an increase of pension to Jane V. Davidson;
A bill (S. 1928) granting an increase of pension to First-Class Pilot James M. Herrington;
A bill (S. 2965) granting an increase of pension to Lewis E. Humpton;
A bill (S. 3005) granting a pension to Zenas T. Haines;
A bill (S. 4374) granting a pension to Nellie M. Guild;
A bill (S. 4414) granting a pension to Georgia H. Berry;
A bill (S. 4575) granting an increase of pension to John McVicar;
A bill (S. 4701) granting an increase of pension to Charles W. Tilton;
A bill (S. 4744) granting a pension to Mary E. Hatch;
A bill (S. 4975) granting an increase of pension to Washington Sweatt;
A bill (S. 4984) granting a pension to Mary Longley Hendricks; and
A bill (S. 5376) authorizing the terms of the district court of the United States for the southern district of Mississippi to be held hereafter at Biloxi.

The message also announced that the House had passed the following bills, each with an amendment; in which it requested the concurrence of the Senate:

A bill (S. 409) granting an increase of pension to Sarah Gresham;
A bill (S. 566) granting a pension to Mary A. Thomas;
A bill (S. 1031) granting a pension to Noah Pillsbury;
A bill (S. 1110) granting an increase of pension to Samuel E. Liscom;
A bill (S. 1704) to increase the pension of Mrs. Helen A. De Russy;
A bill (S. 1758) increasing the pension of George W. Peters;
A bill (S. 1968) granting an increase of pension to George W. Nevins;
A bill (S. 2652) granting an increase of pension to Emma V. Gile;
A bill (S. 4233) granting an increase of pension to Solomon Kline;
A bill (S. 4248) granting an increase of pension to Lewis Kyle; and
A bill (S. 4808) authorizing the President to appoint additional cadets at large at the United States Naval Academy.

The message further announced that the House had passed the following bills, each with amendments; in which it requested the concurrence of the Senate:

A bill (S. 2101) granting a pension to John C. Emery; and
A bill (S. 3466) granting a pension to Sarah Hamilton.

The message also announced that the House had passed the following bills; in which it requested the concurrence of the Senate:

A bill (H. R. 1677) granting a pension to Anna M. Wehe;
A bill (H. R. 2151) for the relief of Seth Davis, Company E, Fourth Michigan Infantry;
A bill (H. R. 2258) granting a pension to Mary E. Taylor;
A bill (H. R. 2550) granting a pension to Annie M. Clemens;
A bill (H. R. 3186) granting an increase of pension to William J. Holway;
A bill (H. R. 3298) granting an increase of pension to Rebecca Paulding Meade;
A bill (H. R. 3425) for the relief of George A. Dickel & Co., at Nashville, Tenn.;
A bill (H. R. 4249) granting a pension to Samuel B. Koontz;
A bill (H. R. 4880) granting a pension to Jonathan Scott;
A bill (H. R. 6913) granting an increase of pension to Charlotte B. Cozzens;
A bill (H. R. 6924) for the relief of Alfred T. Moreland;
A bill (H. R. 7092) for the relief of George Gregg;
A bill (H. R. 7636) granting a pension to Martha M. De Vou;
A bill (H. R. 7657) granting an increase of pension to James E. Searl;
A bill (H. R. 7915) allowing Isaiah Mitchell, of Denver, Colo., seven years within which to make a final homestead entry upon certain land;
A bill (H. R. 8214) granting an increase of pension to Francis Scott;
A bill (H. R. 8329) granting an increase of pension to John E. Gullett;
A bill (H. R. 8578) granting an increase of pension to George W. Reisinger;
A bill (H. R. 8895) granting a pension to Mary B. Wotring;
A bill (H. R. 8959) granting an increase of pension to Charles Williams;
A bill (H. R. 8985) granting an increase of pension to James C. Jennings;
A bill (H. R. 8997) granting an increase of pension to John W. Brisbois;
A bill (H. R. 9344) granting an increase of pension to John Begley;
A bill (H. R. 9455) granting an increase of pension to Richard Atkinson;
A bill (H. R. 9959) granting a pension to Jessie Goldie;
A bill (H. R. 10132) to remove the charge of desertion from the naval record of Charles Thompson;
A bill (H. R. 10478) granting an increase of pension to Jennett E. Arnold;
A bill (H. R. 10480) granting a pension to Nelly V. Crosby;
A bill (H. R. 10534) granting a pension to Tennessee N. Buckles;
A bill (H. R. 10716) granting a pension to John S. Draper;
A bill (H. R. 10738) granting an increase of pension to Beeri Serviss;
A bill (H. R. 10860) granting a pension to Mianda A. Sanford;
A bill (H. R. 10933) granting a pension to Sarah A. Kizer;
A bill (H. R. 11053) to correct the military record of Lieut. Edward B. Howard;
A bill (H. R. 11097) granting an increase of pension to William W. Patterson;
A bill (H. R. 11296) granting a pension to Anna M. Rowe;
A bill (H. R. 11363) granting an increase of pension to John Lynch;
A bill (H. R. 11618) to grant to the Pasadena and Mount Wilson Railway Company right of way and certain lands for railway purposes through the San Gabriel Forest Reserve;
A bill (H. R. 12026) to increase the pension of Thomas Crinigan;
A bill (H. R. 12033) granting a pension to Mary A. Kennedy; and
A bill (H. R. 12077) granting an increase of pension to Charles N. Smiley.

ENROLLED BILLS SIGNED.

The message further announced that the Speaker of the House had signed the following enrolled bills and joint resolution; and they were thereupon signed by the Vice-President:

A bill (S. 1964) for the erection of a public building for the use of the custom-house and post-office at Newport News, in the district of Newport News, Va.;

A bill (S. 5027) to correct the relative rank of Richard R. Steedman, captain, Eleventh Infantry, United States Army;

A bill (H. R. 6670) setting apart a certain tract of land in Oklahoma Territory to the Stella Friends Academy and Church Association;

A bill (H. R. 7094) providing an additional circuit judge in the Third judicial circuit; and

A joint resolution (H. Res. 307) authorizing the Secretary of the Navy to pay certain laborers, workmen, and mechanics at United States navy-yards and naval stations 50 per cent additional for work performed in excess of eight hours per diem.

The message also announced that the House had passed a concurrent resolution to print 3,000 copies of the Manual of Fish Culture (with revisions), as contained in the report of the United States Commissioner of Fish and Fisheries for 1897; in which it requested the concurrence of the Senate.

PETITIONS AND MEMORIALS.

Mr. MORGAN presented the petition of Rev. L. C. Branscomb and 24 other citizens of Huntsville, Ala., praying for the maintenance of the prohibition law in Alaska and the Indian Territory, and to extend it to our new, half-civilized dependencies; which was referred to the Committee on Territories.

He also presented the petition of Rev. L. C. Branscomb and 24 other citizens of Huntsville, Ala., praying for the enactment of legislation to prohibit the sale of liquor in canteens of the Army and Navy and of Soldiers' Homes, and in immigrant stations and Government buildings; which was referred to the Committee on Military Affairs.

Mr. ALLEN presented a petition of the legislature of Nebraska, praying that an appropriation be made to pay all claims of volunteer soldiers who required the aid of a physician and medicine

while absent from their respective companies or regiments, etc.; which was referred to the Committee on Military Affairs.

He also presented a petition of the congregation of the First Methodist Episcopal Church of Pawnee, Nebr., praying for the enactment of legislation to prohibit the interstate transmission of lottery messages or other gambling matter by telegraph; which was referred to the Committee on the Judiciary.

He also presented a memorial of the Nebraska Sugar Beet Association, remonstrating against the annexation of sugar-producing islands to the United States; which was referred to the Committee on Foreign Relations.

He also presented the memorial of G. A. Eckles and sundry other citizens of Chadron, Nebr., remonstrating against the appointment of a civilian as Indian agent at the Pine Ridge Agency; which was referred to the Committee on Indian Affairs.

Mr. MCMILLAN presented a memorial of the Baptist Ministers' Conference of Detroit, Mich., remonstrating against any appropriation being made for the maintenance of sectarian schools; which was ordered to lie on the table.

He also presented petitions of Local Branch, Granite Cutters' National Union, of Detroit; of Local Union No. 154, Typographical Union, of Ann Arbor, and of Local Union No. 130, Cigarmakers' International Union, of Saginaw, all in the State of Michigan, praying for the passage of the eight-hour bill; which were ordered to lie on the table.

He also presented a petition of the board of directors of the Michigan Dental Association, of Detroit, Mich., praying for the creation of a new department in the Army of the United States employed in foreign service, to be known as the Department of Dentistry; which was referred to the Committee on Military Affairs.

Mr. TELLER presented a petition of the Trades and Labor Union of Denver, Colo., praying for the passage of the eight-hour bill; which was ordered to lie on the table.

He also presented a memorial of the Lincoln County Cattle Growers' Association and the Lincoln and Elbert County Wool Growers' Association, of Colorado, remonstrating against the transfer of the public lands of the United States to the States wherein they lie; which was referred to the Committee on Irrigation and Reclamation of Arid Lands.

He also presented petitions of the congregations of the First Methodist Episcopal Church South, of the First Baptist Church, and the Westminster Presbyterian Church, and of the Patterson Woman's Christian Temperance Union, all of Pueblo, in the State of Colorado, praying for the enactment of legislation to prohibit the sale of intoxicating liquors in all Government buildings; which were referred to the Committee on Public Buildings and Grounds.

He also presented a memorial of the United States Monetary League, of Denver, Colo., remonstrating against the passage of the bill to define and fix the standard of value and to regulate coinage, and provide for redemption thereunder, and for other purposes; which was referred to the Committee on Finance.

Mr. LODGE presented a petition of the Board of Trade of Worcester, Mass., praying for the enactment of legislation to insure the construction of the Nicaragua Canal; which was ordered to lie on the table.

He also presented a petition of the Trades and Labor Council of Lowell, Mass., praying for the passage of the eight-hour bill; which was ordered to lie on the table.

Mr. QUAY presented a petition of the Trades League of Philadelphia, Pa., praying for the enactment of legislation to provide for the placing of Railway Mail Service transportation compensation upon an equal basis, and also praying for the adoption of the one-cent letter postage; which was referred to the Committee on Post-Offices and Post-Roads.

He also presented a petition of the Trades and Labor Assembly of Newcastle, Pa., praying for the passage of the eight-hour bill; which was ordered to lie on the table.

He also presented petitions of Waterloo Council, No. 108, Royal Templars of Temperance, of Polk, Pa.; of Phelps Post, No. 164, Grand Army of the Republic, Department of Pennsylvania, of Smithfield; of the Woman's Christian Temperance Union of Olivet, of the Preachers' Alliance of Carbondale, and of 50 citizens of Glen Campbell, all in the State of Pennsylvania, praying for the enactment of legislation to prohibit the sale of liquor in canteens of the Army and Navy and of Soldiers' Homes, and in immigrant stations and Government buildings; which were referred to the Committee on Military Affairs.

Mr. SHOUP presented a petition of the legislature of Idaho praying for the enactment of a free-homestead law; which was referred to the Committee on Public Lands, and ordered to be printed in the RECORD, as follows:

[House joint resolution No. 3. By McBee, Hanlon, Wright, and Johnesse.]

A joint resolution in favor of the passage of the free-homestead act.

Whereas legislation is now, and for some years has been, pending before Congress providing for what is commonly known as free homesteads to settlers on the public domain; and

Whereas it has been the policy of the National Government, ever since the passage of the original free-homestead bill in 1862, to provide for the disposition of our public domain to homestead settlers without charge other than the entry and land office fees; and

Whereas the failure of Congress to speedily pass such legislation will result in the loss of homes to a great number of struggling and worthy settlers on the ceded portions of the Nez Perce and Coeur d'Alene Indian reservations in the State of Idaho, who have in good faith established homes thereon, by reason of their inability to make the required payments; and will cause them to lose, in addition to their labor and means expended, their future right of homestead; and

Whereas our Government has heretofore provided, through the beneficent land laws of the United States, free homes to its citizens, and no sufficient reason appears for a departure from its time-honored custom herein in the case of the settlers of Idaho upon said Indian reservations: Therefore, be it

Resolved by the house of representatives of the State of Idaho (the senate concurring therein), First. That our Senators and Representatives in Congress be, and they are hereby, requested to vote for the passage of free-homestead legislation when the opportunity shall offer, and also to use every effort to secure the earliest possible consideration and passage of such legislation in the Congress of the United States.

Second. The secretary of state is hereby directed to forward copies of this resolution to each of our Representatives in Congress.

This joint resolution passed the house of representatives on the 24th day of January, 1899.

D. L. EVANS,
Speaker of the House of Representatives.

This joint resolution passed the senate on the 25th day of January, 1899.

JOSEPH H. HUTCHINSON,
President of the Senate.

I hereby certify that the within house joint resolution No. 3 originated in the house of representatives of the legislature of the State of Idaho at the fifth session.

JAMES A. KEAT,
Chief Clerk of the House.

EXECUTIVE DEPARTMENT,
SECRETARY'S OFFICE, STATE OF IDAHO.

I, M. Patrie, secretary of the State of Idaho, do hereby certify that the annexed is a full, true, and complete transcript of house joint resolution No. 3, in favor of the passage of the "free-homestead act," which was filed in this office the 4th day of February, A. D. 1899, and admitted to record.

In testimony whereof, I have hereunto set my hand and affixed the great seal of the State. Done at Boise City, the capital of Idaho, this 10th day of February, A. D. 1899.

[SEAL.] M. PATRIE, *Secretary of State.*

Mr. SHOUP presented a petition of the legislature of Idaho, praying for the election of United States Senators by a direct vote of the people; which was referred to the Committee on Privileges and Elections, and ordered to be printed in the RECORD, as follows:

[House joint memorial No. 2. By Jones.]

A joint memorial concerning the election of United States Senators.

To the Senate and House of Representatives of the United States:

We, your memorialists, the legislature of the State of Idaho, respectfully represent that the people of this State are very strongly in favor of the election of United States Senators by a direct vote of the people, and we therefore petition your honorable bodies to submit to the States an amendment to the Constitution of the United States providing for their election in such manner.

This house joint memorial No. 2 passed the house of representatives on the 30th day of January, 1899.

D. L. EVANS,
Speaker of the House of Representatives.

This joint memorial No. 2 passed the Senate on the 2d day of February, 1899.

F. R. GOODING,
President pro tempore of the Senate.

I hereby certify that the within house joint memorial No. 2 originated in the house of representatives of the legislature of the State of Idaho, at the fifth session.

JAMES A. KEAT,
Chief Clerk of the House.

EXECUTIVE DEPARTMENT,
SECRETARY'S OFFICE, STATE OF IDAHO.

I, M. Patrie, secretary of the State of Idaho, do hereby certify that the annexed is a full, true, and complete transcript of house joint memorial No. 2, concerning the election of United States Senators, which was filed in this office the 4th day of February, A. D. 1899, and admitted to record.

In testimony whereof, I have hereunto set my hand and affixed the great seal of the State. Done at Boise City, the capital of Idaho, this 10th day of February, A. D. 1899.

[SEAL.] M. PATRIE, *Secretary of State.*

Mr. SHOUP presented a petition of the legislature of Idaho, praying that an appropriation be made for the improvement of the Columbia and Snake rivers and their tributaries from that State to the Pacific Ocean; which was referred to the Committee on Commerce, and ordered to be printed in the RECORD, as follows:

[House joint memorial No. 1. By Stainton, Hanlon, Patterson, and Mrs. Wright.]

A joint memorial to Congress for the improvement of the Columbia and Snake rivers and their tributaries from the said State of Idaho to the Pacific Ocean.

To the honorable Senators and Representatives in Congress of the United States:

Whereas the Columbia and Snake rivers and their numerous and important tributaries have, within the State of Idaho, a drainage basin of nearly 100,000 square miles, being a greater area than is embraced in all the New England States combined, the resources of this magnificent inland empire being greatly diversified, the climate being equable, the soil being prolific, bidding fair to be thickly populated and the seat of many thriving cities in the near future; and

Whereas the products of this region of the State of Idaho, as well as the

adjoining region of the State of Washington, are yearly increasing in bulk and value, and new markets and cheap rates of transportation are demanded by water; and

Whereas large sums of money have heretofore been wisely expended by the Federal Government to remove obstructions to navigation of the Columbia River, so that transportation by means of said river is now complete from the sea to a point near The Dalles, Oreg., affording a healthy competition for all trade entering along said river at these points; and

Whereas there still remains unnavigable a great extent of said Columbia and Snake rivers and their tributaries, of the most vital interest to the welfare of the people of Idaho; and

Whereas the practicability of rendering navigable said streams and their tributaries within the State of Idaho having been reported upon favorably by the Government engineers, and such improvements being necessary to the welfare of the State; be it

Resolved, That we respectfully memorialize the Congress of the United States to make liberal appropriations for the improvements needed to establish complete and safe navigation from and to the State of Idaho and the Pacific Ocean, believing thereby the Government would confer a lasting and decided benefit upon the people of the Northwest.

This joint memorial passed the house of representatives on the 31st day of January, 1899.

D. L. EVANS,
Speaker of the House of Representatives.

This joint memorial passed the senate on the 6th day of February, 1899.

JOSEPH H. HUTCHINSON,
President of the Senate.

I hereby certify that the within joint memorial, No. 1, originated in the house of representatives of the legislature of the State of Idaho during the fifth session.

JAMES A. KEAT,
Chief Clerk of the House.

EXECUTIVE DEPARTMENT,
SECRETARY'S OFFICE, STATE OF IDAHO.

I, M. Patrie, secretary of the State of Idaho, do hereby certify that the annexed is a full, true, and complete transcript of house joint memorial No. 1, for the improvement of the Columbia and Snake rivers and their tributaries from the said State of Idaho to the Pacific Ocean, which was filed in this office the 8th day of February, A. D. 1899, and admitted to record.

In testimony whereof I have hereunto set my hand and affixed the great seal of the State.

Done at Boise City, the capital of Idaho, this 10th day of February, A. D. 1899.

[SEAL.] M. PATRIE, *Secretary of State.*

Mr. SHOUP presented a petition of the legislature of Idaho, praying that the President of the United States open up to settlement a portion of the Priest River Forest Reserve, in Kootenai County, in that State; which was referred to the Committee on Public Lands, and ordered to be printed in the RECORD, as follows:

[House joint memorial No. 7. By McBee. Priest River Forest Reserve.]

Memorializing the President of the United States to throw open to settlement a portion of the Priest River Forest Reserve, in Kootenai County, Idaho.

Hon. WILLIAM MCKINLEY,
President of the United States of America:

Whereas under and by virtue of the act of Congress approved March 3, 1891, entitled "An act to repeal timber-culture laws, and for other purposes," the President of the United States did, by proclamation, on the 22d day of February, 1897, set apart and reserve from settlement a tract of land in Kootenai County, Idaho, including the following boundaries: Beginning at the southeast corner of township 57 north, range 4 west, Boise meridian; thence north on the township line between ranges 3 and 4 to the northeast corner of township 59, range 4 west, Boise meridian; thence west on the north line of said township to the northwest corner thereof; thence south on the west line of said township to the center of the east line of township 59, range 5 west, Boise meridian; thence on the center line of said township to the State line between the States of Idaho and Washington; thence south on the said State line to a point where the north line of township 56, range 6 west, Boise meridian, intersects said State line; thence east on said north line of townships 56, range 6; 56, range 5; and 56, range 4, to the place of beginning, comprising five full townships, one half township, and three small fractional townships on the west line thereof, making a total of about 120,000 acres of land; and

Whereas the land within this vast reservation is well adapted for successful cultivation, being well watered and drained by large streams, the soil being fertile and easily reduced to a tillable condition, and containing great areas of rich meadow lands, and the conditions generally being attractive to the husbandman; and

Whereas about 8,000 acres were located and entered in good faith under the homestead laws of the United States prior to the aforesaid proclamation; and

Whereas, if the boundaries of the said reservation remain unmodified and the lands are withheld from public settlement, it will result in great injury to the said settlers and great and irreparable loss to the State of Idaho and the county of Kootenai:

Wherefore your memorialists, the legislature of the State of Idaho, respectfully request that that part of said forest reserve in the county of Kootenai, State of Idaho, embraced in the above-mentioned description be taken from said forest reserve and thrown open to settlement under the homestead laws.

This joint memorial passed the house of representatives on the 6th day of February, 1899.

D. L. EVANS,
Speaker of the House of Representatives.

This joint memorial passed the senate on the 7th day of February, 1899.

JOSEPH H. HUTCHINSON,
President of the Senate.

I hereby certify that the within joint memorial, No. 7, originated in the house of representatives of the legislature of the State of Idaho during the fifth session.

JAMES A. KEAT,
Chief Clerk of the House.

EXECUTIVE DEPARTMENT,
SECRETARY'S OFFICE, STATE OF IDAHO.

I, M. Patrie, secretary of the State of Idaho, do hereby certify that the annexed is a full, true, and complete transcript of house joint memorial No. 7, memorializing the President of the United States to throw open to settlement a portion of the Priest River Forest Reserve, in Kootenai County, Idaho, which was filed in this office the 8th day of February, A. D. 1899, and admitted to record.

In testimony whereof I have hereunto set my hand and affixed the great seal of the State. Done at Boise City, the capital of Idaho, this 10th day of February, A. D. 1899.

[SEAL.] M. PATRIE, *Secretary of State.*

Mr. SHOUP presented a petition of the legislature of Idaho, praying for the enactment of legislation to provide for the free and unlimited coinage of silver, and fixing the value thereof; which was referred to the Committee on Finance, and ordered to be printed in the RECORD, as follows:

[Senate joint memorial No. 3. By Watts.]

Asking Congress for the passage of a law providing for the free and unlimited coinage of silver, and fixing the value thereof.

To the honorable the Senate and House of Representatives in Congress assembled, and to His Excellency the President of the United States, at Washington, D. C.:

Your memorialists, the legislature of the State of Idaho, would most respectfully but urgently ask for the passage by the present Congress of a law providing for the free and unlimited coinage of silver as it existed prior to the demonetization act of 1873, and that the relative standard value thereof be fixed on the basis of 412½ grains to the dollar, nine hundred (900) fine.

This joint memorial passed the senate on the 1st day of February, 1899.

JOSEPH H. HUTCHINSON,
President of the Senate.

This joint memorial passed the house of representatives on the 8th day of February, 1899.

D. L. EVANS,
Speaker of the House of Representatives.

Received and filed in the office of the secretary of state February 10, 1899.

EXECUTIVE DEPARTMENT,
SECRETARY'S OFFICE, STATE OF IDAHO.

I, M. Patrie, secretary of the State of Idaho, do hereby certify that the annexed is a full, true, and complete transcript of senate joint memorial No. 3, asking Congress for the passage of a law providing for the free and unlimited coinage of silver, and fixing the value thereof, which was filed in this office the 10th day of February, A. D. 1899, and admitted to record.

In testimony whereof I have hereunto set my hand and affixed the great seal of the State.

Done at Boise City, the capital of Idaho, this 13th day of February, A. D. 1899.

[SEAL.] M. PATRIE, *Secretary of State.*

Mr. SHOUP presented a petition of 30 citizens of New Mexico, praying for the enactment of legislation to prohibit the sale of liquor in canteens of the Army and Navy and of Soldiers' Homes, and in immigrant stations and Government buildings; which was referred to the Committee on Military Affairs.

Mr. PENROSE presented a petition of the committee on postal affairs of the Trades League of Philadelphia, Pa., praying that an appropriation be made to provide for the continuance of the pneumatic-tube service in that city; which was ordered to lie on the table.

He also presented a petition of Salem Grange, No. 291, Patrons of Husbandry, of Luzerne County, Pa., praying for the enactment of legislation to increase American shipping; which was ordered to lie on the table.

He also presented a petition of the Woman's Christian Temperance Union of Olivet, Pa., and a petition of Phelps Post, No. 124, Grand Army of the Republic, Department of Pennsylvania, of East Smithfield, Pa., praying for the enactment of legislation to prohibit the sale of liquor in canteens of the Army and Navy, and of Soldiers' Homes, and in immigrant stations and Government buildings; which were referred to the Committee on Military Affairs.

He also presented petitions of Carpenter's Union No. 122, of Germantown; of the Central Labor Union of Erie; of Local Union No. 55, American Flint Glass Workers' Union, of Washington; and of 55 citizens, all in the State of Pennsylvania, praying for the passage of the eight-hour bill; which were ordered to lie on the table.

REPORTS OF COMMITTEES.

Mr. MITCHELL, from the Committee on Military Affairs, to whom was referred the bill (S. 4007) to remove the charge of desertion standing against Jacob C. Breyfogle, reported it with an amendment, and submitted a report thereon.

He also, from the same committee, to whom was referred the bill (H. R. 6930) for relief of and to correct record of Jacob Couvert, reported it without amendment, and submitted a report thereon.

Mr. MANTLE, from the Committee on Indian Affairs, to whom was referred the bill (S. 5514) to amend an act entitled "An act to grant the right of way through the Indian Territory to the Denison, Bonham and New Orleans Railway Company for the purpose of constructing a railway, and for other purposes," approved March 28, 1898, and to vest in the Denison, Bonham and Gulf Railway Company all the rights, privileges, and franchises therein granted to said first named company, reported it without amendment.

Mr. LODGE, from the Committee on Printing, reported an

amendment proposing to appropriate $750,000 toward the construction of a building for the use of the Government Printing Office upon the land acquired by the United States in square numbered 624, in the city of Washington, D. C., under the provisions of the sundry civil appropriation act approved July 1, 1898, etc., intended to be proposed to the sundry civil appropriation bill, and moved that it be printed, and, with the accompanying paper, referred to the Committee on Appropriations; which was agreed to.

Mr. ALLEN, from the Committee on Forest Reservations and the Protection of Game, to whom was referred the amendment submitted by Mr. PETTIGREW on January 10 relative to the extension over any forest reservation of the laws of each State for the protection of fish and game, intended to be proposed to the sundry civil appropriation bill, reported it with amendments, and moved that it be referred to the Committee on Appropriations and printed; which was agreed to.

Mr. HANSBROUGH, from the Committee on Public Lands, to whom was referred the bill (H. R. 6551) withdrawing from entry and sale and granting unto the State of Wisconsin certain lands therein described, reported it without amendment.

Mr. VEST, from the Committee on Commerce, reported amendments proposing to appropriate $40,000 for completing revetment work at New Madrid, Mo.; to increase the appropriation for improving the Missouri River from its mouth to Sioux City, Iowa, from $200,000 to $300,000; and also proposing to appropriate $10,000 for improvement of the river at Boonville, Mo., and providing further that of said amount of $300,000, the sum of $90,000, or so much thereof as may be necessary in the discretion of the Secretary of War, shall be expended upon the first reach of the river or in renewing and repairing the plant of the Missouri River Commission, etc., intended to be proposed to the sundry civil appropriation bill, and moved that they be referred to the Committee on Appropriations and printed; which was agreed to.

Mr. JONES of Arkansas, from the Committee on Indian Affairs, to whom was referred the bill (S. 5462) to authorize certain persons who have intermarried with Cherokees to sue for their interest in certain moneys of the tribe from which they were excluded, reported it without amendment.

ARKANSAS NORTHWESTERN RAILWAY.

Mr. JONES of Arkansas. I am directed by the Committee on Indian Affairs to report back favorably, without amendment, the bill (S. 5513) to amend an act entitled "An act authorizing the Arkansas Northwestern Railway Company to construct and operate a railway through the Indian Territory, and for other purposes," and extending the time for constructing and operating the said railway for two years from the 5th day of April, 1899, and I ask for its immediate consideration.

There being no objection, the Senate, as in Committee of the Whole, proceeded to consider the bill.

The bill was reported to the Senate without amendment, ordered to be engrossed for a third reading, read the third time, and passed.

GAINESVILLE, M'ALESTER AND ST. LOUIS RAILWAY.

Mr. JONES of Arkansas. I am directed by the Committee on Indian Affairs, to whom was referred the bill (H. R. 11084) to amend an act entitled "An act to grant to the Gainesville, McAlester and St. Louis Railway Company a right of way through the Indian Territory," to report it favorably without amendment.

Mr. MILLS. I ask unanimous consent for the present consideration of the bill. It is merely to give an extension of time to a bridge company. It will take but two minutes.

Mr. PETTIGREW. As I understand it, this is a right-of-way bill for a railroad, and immediately after the routine morning business I desire to call up a general bill on the subject.

Mr. MILLS. It is simply the extension of time for the completion of the road through the Indian Territory. It is a unanimous report from the committee, I understand. It is only a little road 20 miles long.

Mr. PETTIGREW. I shall not object, although it is entirely useless.

There being no objection, the Senate, as in Committee of the Whole, proceeded to consider the bill.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

BILLS INTRODUCED.

Mr. LODGE (by request) introduced a bill (S. 5526) to provide for the publication and distribution of maps of the United States to the public, private, and parochial schools in each Congressional district of the United States where recommended by the Representative or Delegate; which was read twice by its title, and referred to the Committee on Education and Labor.

Mr. PRITCHARD introduced a bill (S. 5527) to provide for a public building at Winston, N. C.; which was read twice by its title, and referred to the Committee on Public Buildings and Grounds.

Mr. MORGAN introduced a bill (S. 5528) granting a pension to Eliza L. Reese; which was read twice by its title, and referred to the Committee on Pensions.

He also introduced a bill (S. 5529) to authorize the Secretary of War to cause to be investigated and to provide for the payment of the claim of the Cumberland Presbyterian Church, of Athens, Limestone County, Ala., for the use and occupation of said church building for Government purposes by the United States military authorities during the late war, and all claims for damages resulting from the appropriation to Government use of any of the furnishings or materials pertaining to said building, and for damage to said building; which was read twice by its title, and referred to the Committee on Claims.

Mr. McMILLAN introduced a bill (S. 5530) to establish a code of law for the District of Columbia; which was read twice by its title, and referred to the Committee on the District of Columbia.

Mr. HAWLEY introduced a bill (S. 5531) to reimburse civil or other hospitals for expenses incurred in connection with soldiers or sailors discharged while in their care; which was read twice by its title, and referred to the Committee on Military Affairs.

AMENDMENTS TO APPROPRIATION BILLS.

Mr. McMILLAN submitted an amendment proposing to appropriate a sum not to exceed $200,000 for the manufacture of smokeless powder by the Government in its own factory, intended to be proposed by him to the naval appropriation bill; which was referred to the Committee on Naval Affairs, and ordered to be printed.

Mr. HAWLEY submitted an amendment proposing to appropriate a sum not exceeding $50,000 to enable the Secretary of War to purchase the patent No. 539733, dated May 21, 1895, of Gregory Gerdom for a gas check for breech-loading guns, intended to be proposed by him to the general deficiency appropriation bill; which was ordered to be printed, and, with the accompanying papers, referred to the Committee on Military Affairs.

Mr FORAKER submitted an amendment proposing to appropriate $25,000 to enable the Secretary of the Interior to purchase from Albert Douglas, administrator of the estate of Samuel Kendrick, deceased, late of Ohio, certain original records and indexes of lands, surveys, maps, and papers pertaining to lands and locations within the Virginia military districts of Kentucky and Ohio, intended to be proposed by him to the sundry civil appropriation bill; which was referred to the Committee on Appropriations, and ordered to be printed.

He also submitted an amendment authorizing the Commissioner of the General Land Office to examine cases, and, if satisfactory, to thereupon issue a certificate to any soldier, sailor, his widow, or minor children, or to their assignee, certifying to the right in such soldier, sailor, his widow, or minor children, or his assignee, to make such additional homestead entry and have patent issued to him on the location of said certified claim, intended to be proposed by him to the sundry civil appropriation bill; which was referred to the Committee on Appropriations, and ordered to be printed.

Mr. PERKINS submitted an amendment proposing to appropriate $2,000 for conducting the necessary operations of a commission to examine and locate a proper site for the establishment of a naval coaling and repair station in California, south of San Francisco, etc., intended to be proposed by him to the naval appropriation bill; which was referred to the Committee on Naval Affairs, and ordered to be printed.

CANALS CONNECTING ALBEMARLE AND LONG ISLAND SOUNDS.

Mr. PENROSE. I offer a concurrent resolution, which I ask to have read and referred to the Committee on Commerce.

The VICE-PRESIDENT. The concurrent resolution will be read.

The Secretary read as follows:

Resolved by the Senate (the House of Representatives concurring), That the Secretary of War is hereby authorized and directed to investigate and report, at the opening session of the Fifty-sixth Congress, the sum or sums of money necessary to acquire by condemnation and purchase, either singly or collectively, the several canals hereafter enumerated, forming the connecting links along the Atlantic coast between Albemarle and Long Island sounds, which are now operated by private corporations charging tolls on interstate commerce, to wit:

The Albemarle and Chesapeake Canal,
The Chesapeake and Delaware Canal,
The Delaware and Raritan Canal,

with their accessories, locks, dams, reservoirs, bridges, buildings, plant, equipments, and franchises with a view to their utilization and enlargement for commercial, naval, and strategic waterways, free of toll to the people of the United States.

Resolved, That for this purpose the Secretary of War is hereby authorized and instructed to appoint as commissioner for this service any retired officer of the United States Corps of Engineers who may be available, at a rate of compensation to be fixed by the President, and that such commissioner shall be empowered to select and appoint such engineers, clerks, and other assistants and upon such terms as may be necessary to enable him to comply with the conditions of this resolution, the expenses for such commission to be provided for from any unexpended balance appropriated to the sundry civil service of the United States.

Mr. CULLOM. I should like to inquire whether this is a simple resolution of inquiry?

Mr. PENROSE. It is a resolution which I have offered to be referred to the Committee on Commerce.

Mr. CULLOM. For the purpose of investigating the question whether the Government should buy all these canals?

Mr. PENROSE. To refer the matter to the War Department.

Mr. CULLOM. It is a large contract, but I am willing to let the resolution be referred to the committee.

Mr. PENROSE. I only want it referred to the committee.

Mr. ALLISON. That seems to me to be a very important resolution, but I do not object to its being referred.

The VICE-PRESIDENT. In the absence of objection, the concurrent resolution will be referred to the Committee on Commerce.

REPORT ON "THE COLONIAL SYSTEMS OF THE WORLD."

Mr. FAIRBANKS submitted the following concurrent resolution; which was referred to the Committee on Printing:

Resolved by the Senate of the United States (the House of Representatives concurring), That there be printed 10,500 copies of the report entitled "The Colonial Systems of the World," prepared by the Bureau of Statistics, Treasury Department, 5,000 copies for the use of members of the House of Representatives, 3,000 copies for the use of members of the Senate, and 2,500 copies for the use of the Bureau of Statistics, Treasury Department.

ALEXANDER M'KEE.

Mr. FAIRBANKS. I ask unanimous consent for the present consideration of the bill (H. R. 6317) to remove the charge of desertion against Alexander McKee.

There being no objection, the Senate, as in Committee of the Whole, proceeded to consider the bill. It proposes to remove the charge of desertion existing against Alexander McKee, late a private in Company B, Fifty-ninth Indiana Volunteers, on the records of the War Department, and to grant him an honorable discharge. But no pay, bounty, or other emoluments shall become due or payable by virtue of the passage of this act.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

CAPITAL TRACTION COMPANY.

Mr. McMILLAN. I ask unanimous consent to call up the bill (H. R. 8656) authorizing and requiring certain extensions to be made to the lines of the Capital Traction Company in the District of Columbia.

Mr. QUAY. I desire to have the Senate proceed to the consideration of the Post-Office appropriation bill as soon as possible. Will the bill lead to debate?

Mr. McMILLAN. I do not think it will.

Mr. JONES of Arkansas. I do not think that the bill ought to be considered under the existing circumstances. The Senate is not full. It is a matter relating, I understand, to railroads in the District of Columbia, and one concerning which there is considerable interest felt. I do not think it ought to be taken up under these circumstances, and I object.

The VICE-PRESIDENT. Objection is made.

PREFERENCE RIGHT OF ENTRY.

Mr. ALLEN. I ask unanimous consent to call up the bill (S. 4225) to give a preference right of entry to persons procuring a cancellation of fraudulent or double allotments to Indians.

There being no objection, the Senate, as in Committee of the Whole, proceeded to consider the bill, which had been reported from the Committee on Indian Affairs with an amendment, in line 5, after the word "to," to strike out "an Indian" and insert "any person;" so as to make the bill read:

Be it enacted, etc., That any person who, at his own expense, procures a cancellation by the Secretary of the Interior of a double or fraudulent allotment made to any person, as provided for by the act of Congress of 1895, shall have the same preference right of entry for said tract of land covered by such double or fraudulent allotment as is given to a person procuring the cancellation of a fraudulent homestead right.

Mr. ALLISON. That seems to be a very important amendment. It relates to giving a prior right to any one who will pursue another to the point of setting aside an entry.

Mr. ALLEN. No; hardly that.

Mr. ALLISON. I do not think there ought to be a premium of that sort given to people who are endeavoring to cancel homestead entries.

Mr. ALLEN. Under the law as it now stands a preference right of entry can be given to a person who pursues a fraudulent or double entry. That is held out as a premium to some extent. There are a great many fraudulent entries, and if a person at his own expense procures a cancellation of the fraudulent entry, it simply awards him a preference right to make the entry himself, if he be eligible to do so.

This amendment was made by the committee. It is not my amendment. I confined the bill to an Indian. But under our statutes as they now exist persons have an opportunity very frequently to enter upon Indian reservations and take up lands under certain conditions. If they find there that a fraudulent entry has been made, just as fraudulent entries of homesteads are made, and if they, at their own expense, procure a cancellation of that fraudulent entry, this proposed act would give them a preference right to that land.

Mr. ALLISON. It seems to me that it opens a door to litigation and contention, if it is to be spread over every entry of public lands.

Mr. ALLEN. I submit to the Senator from Iowa that this amendment might be formally adopted, and if the bill would finally go into conference it would no doubt be there examined.

Mr. ALLISON. It is reported from the Committee on Public Lands?

Mr. ALLEN. It is reported from the Committee on Indian Affairs.

Mr. ALLISON. It extends the public-land laws in a way not heretofore provided for.

Mr. ALLEN. It gives the person who now has a right to contest a fraudulent entry a right to contest a fraudulent entry of Indian lands. That fraudulent entry may be by an Indian or it may be by a white person.

Mr. ALLISON. It is confined to Indian lands?

Mr. ALLEN. It is confined to Indian lands. Instead of saying that the preference right shall be given to an Indian, it gives the preference right to all persons who may contest and succeed.

Mr. ALLISON. It applies, then, only to Indian lands.

Mr. ALLEN. That is all.

The amendment was agreed to.

The bill was reported to the Senate as amended, and the amendment was concurred in.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

RIGHTS OF WAY THROUGH INDIAN RESERVATIONS, ETC.

Mr. PETTIGREW. I ask unanimous consent for the present consideration of the bill (H. R. 11868) to provide for the acquiring of rights of way by railroad companies through Indian reservations, Indian lands, and Indian allotments, and for other purposes.

There being no objection, the Senate, as in Committee of the Whole, proceeded to consider the bill, which had been reported from the Committee on Indian Affairs with amendments.

The first amendment was, in section 1, page 2, line 6, after the word "intent," to insert "and ability;" and in line 7, after the word "road," to insert:

And in case objection to the granting of such right of way shall be made, said Secretary shall afford the parties so objecting a full opportunity to be heard: *Provided further*, That when a right of way has been heretofore or shall be hereafter granted no parallel right of way within 10 miles on either side shall be granted by the Secretary of the Interior unless in his opinion the public interest will be promoted thereby.

So as to make the proviso read:

Provided, That no right of way shall be granted under this act until the Secretary of the Interior is satisfied that the company applying has made said application in good faith and with intent and ability to construct said road, and in case objection to the granting of such right of way shall be made, said Secretary shall afford the parties so objecting a full opportunity to be heard: *Provided further*, That when a right of way has been heretofore or shall be hereafter granted no parallel right of way within 10 miles on either side shall be granted by the Secretary of the Interior unless in his opinion the public interest will be promoted thereby.

The amendment was agreed to.

Mr. JONES of Arkansas. I suggest to the chairman of the committee that at the end of section 2 the following clause be added as an amendment:

Provided, That this section shall apply to all rights of way heretofore granted to railroads in the Indian Territory where no provisions defining the width of the rights of way are set out in the act granting the same.

Mr. PETTIGREW. I have no objection to that amendment.

The amendment was agreed to.

The next amendment of the Committee on Indian Affairs was, in section 3, page 3, line 8, after the word "nation," to strike out "or individual Indian, as the case may be;" in line 11, after the word "determined;" to insert "and paid;" and in line 12, after the word "prescribe," to strike out the proviso in the following words:

Provided, That the compensation herein provided for must be paid for the benefit of the allottee or person in possession before construction is commenced through such allotment or possessory rights, and the other compensation shall be paid at such time for the whole line, or such part thereof as the Secretary may provide.

So as to read:

That the line of route of said road may be surveyed and located through and across any of said lands at any time, upon permission therefor being obtained from the Secretary of the Interior; but before the grant of such right of way shall become effective a map of the survey of the line or route of said road must be filed with and approved by the Secretary of the Interior, and the company must make payment to the Secretary of the Interior for the

benefit of the tribe or nation of full compensation for such right of way, including all damage to improvements and adjacent lands, which compensation shall be determined and paid under the direction of the Secretary of the Interior, in such manner as he may prescribe.

The amendment was agreed to.

The next amendment was, on page 3, to insert the following at the end of section 3:

Before any such railroad shall be constructed through any land, claim, or improvement, held by individual occupants or allottees in pursuance of any treaties or laws of the United States, compensation shall be made to such occupant or allottee for all property to be taken, or damage done, by reason of the construction of such railroad. In case of failure to make amicable settlement with any such occupant or allottee, such compensation shall be determined by the appraisement of three disinterested referees, to be appointed by the President of the United States, who, before entering upon the duties of their appointment, shall take and subscribe before competent authority an oath that they will faithfully and impartially discharge the duties of their appointment, which oath, duly certified, shall be returned with their award to the Secretary of the Interior.

If the referees can not agree, then any two of them are authorized to make the award. Either party being dissatisfied with the finding of the referees shall have the right within sixty days after the making of the award and notice of the same, to appeal, in case the land in question is in the Indian Territory, by original petition to the United States court in the Indian Territory sitting at the place nearest and most convenient to the property sought to be condemned: and if said land is situated in any State or Territory other than the Indian Territory, then to the United States district court for such State or Territory, where the case shall be tried de novo and the judgment for damages rendered by the court shall be final and conclusive. When proceedings are commenced in court as aforesaid, the railroad company shall pay double the amount of the award made by the referees into court to abide the judgment thereof, and then have the right to enter upon the property sought to be condemned and proceed with the construction of the railway. Each of the referees shall receive for his compensation the sum of $4 per day while engaged in the hearing of any case submitted to them under this act. Witnesses shall receive the fees usually allowed by courts within the district where such land is located. Costs, including compensation of the referees, shall be made part of the award or judgment, and be paid by such railroad company.

The amendment was agreed to.

The next amendment was, in section 4, page 5, line 8, after the word "That," to strike out "should" and insert "if;" in the same line, after the word "company," to insert "shall;" in line 9, after the word "operation," to strike out "any portion of" and insert "one-tenth of its entire line in one year, or to complete;" and in line 15, after the word "extend," to insert "for a period not exceeding two years;" so as to make the section read:

SEC. 4. That if any such company shall fail to construct and put in operation one-tenth of its entire line in one year, or to complete its road within three years after the approval of its map of location by the Secretary of the Interior, the right of way hereby granted shall be deemed forfeited and abandoned ipso facto as to that portion of the road not then constructed and in operation: *Provided*, That the Secretary may, when he deems proper, extend, for a period not exceeding two years, the time for the completion of any road for which right of way has been granted and a part of which shall have been built.

The amendment was agreed to.

The next amendment was, in section 5, page 6, line 8, after the word "time," to strike out "and the grants herein are made upon condition that the companies shall transport mails whenever required to do so by the Post-Office Department;" so as to make the section read:

SEC. 5. That where a railroad is constructed under the provisions of this act through the Indian Territory there shall be paid by the railroad company to the Secretary of the Interior, for the benefit of the particular nation or tribe through whose lands the road may be located, such an annual charge as may be prescribed by the Secretary of the Interior, not less than $15 for each mile of road, the same to be paid so long as said land shall be owned and occupied by such nation or tribe, which payment shall be in addition to the compensation otherwise required herein. And within the Indian Territory upon any railroad constructed under the provisions of this act the rates and charges for passenger and freight service, if not otherwise prescribed by law, may be prescribed by the Secretary of the Interior from time to time.

The amendment was agreed to.

The bill was reported to the Senate as amended, and the amendments were concurred in.

The amendments were ordered to be engrossed and the bill to be read a third time.

The bill was read the third time, and passed.

Mr. PETTIGREW. I move that the Senate request a conference with the House of Representatives on the bill and amendments.

The motion was agreed to.

By unanimous consent, the Vice-President was authorized to appoint the conferees on the part of the Senate; and Mr. PETTIGREW, Mr. PLATT of Connecticut, and Mr. JONES of Arkansas were appointed.

PRESIDENTIAL APPROVAL.

A message from the President of the United States, by Mr. O. L. PRUDEN, one of his secretaries, announced that the President had on this day approved and signed the act (S. 2768) to grant lands to the State of Alabama for the use of the Industrial School for Girls of Alabama, and of the Tuskegee Normal and Industrial Institute.

POST-OFFICE APPROPRIATION BILL.

Several Senators addressed the Chair.

Mr. QUAY. If Senators will kindly yield to me, I wish to call up the Post-Office appropriation bill, and then I will give way for a little while that bills which will provoke no debate may be considered.

I move that the Senate proceed to the consideration of the bill (H. R. 11683) making appropriations for the service of the Post-Office Department for the fiscal year ending June 30, 1900.

The motion was agreed to.

WILLIAM HENRY WOODWARD.

Mr. SPOONER. Will the Senator from Pennsylvania yield to me for a moment?

Mr. QUAY. I yield to the Senator from Wisconsin.

Mr. SPOONER. I ask unanimous consent for the present consideration of the bill (H. R. 3297) to remove the charge of desertion from the military record of William Henry Woodward.

There being no objection, the Senate, as in Committee of the Whole, proceeded to consider the bill, which had been reported from the Committee on Military Affairs with an amendment, in line 8, after the word "discharge," to insert "as of date December 4, 1865;" so as to make the bill read:

Be it enacted, etc., That the Secretary of War be, and he is hereby, authorized and directed to remove the charge of desertion standing against the military record of William Henry Woodward, as private in Battery L, Fourth Regiment United States Artillery, and grant to said William Henry Woodward an honorable discharge as of date December 4, 1865: *Provided*, That no pay, bounty, or other emoluments shall become due or payable by virtue of the passage of this act.

The amendment was agreed to.

The bill was reported to the Senate as amended, and the amendment was concurred in.

The amendment was ordered to be engrossed and the bill to be read a third time.

The bill was read the third time, and passed.

FRANCIS SCOTT.

Mr. SPOONER. Late yesterday afternoon the Senate passed the bill (S. 1649) granting an increase of pension to Francis Scott. Last night the House of Representatives passed a similar bill. I move to reconsider the vote by which the Senate passed this bill, and request that the bill, with the accompanying papers, be returned to the Senate by the House of Representatives.

The motion to reconsider was agreed to.

The VICE-PRESIDENT. The request will be made for the return of the bill.

RESERVOIRS FOR IRRIGATION PURPOSES.

The VICE-PRESIDENT laid before the Senate the following message from the President of the United States; which was read, and, with the accompanying papers, referred to the Committee on Irrigation and Reclamation of Arid Lands, and ordered to be printed:

To the Senate:

I transmit herewith the response of the Secretary of Agriculture to the resolution of the Senate of February 8, 1899, calling for information in his possession regarding the practical usefulness of reservoirs to agriculture in the irrigated region of the United States, especially as affecting the distribution of water to crops, the area and value of reclaimed land, and the stability and profitableness of farming where irrigation is practiced.

WILLIAM MCKINLEY.

EXECUTIVE MANSION,
Washington, February 18, 1899.

MANUAL OF FISH CULTURE.

The VICE-PRESIDENT laid before the Senate the following concurrent resolution of the House of Representatives; which was referred to the Committee on Printing:

Resolved by the House of Representatives (the Senate concurring), That there be printed 3,000 copies of the Manual of Fish Culture (with revisions), as contained in the report of the United States Commissioner of Fish and Fisheries for 1897, of which 500 shall be for the use of the Senate, 1,000 for the use of the House of Representatives, and 1,500 for the use of the Fish Commission.

HOUSE BILLS REFERRED.

The following bills were severally read twice by their titles, and referred to the Committee on Pensions:

A bill (H. R. 1677) granting a pension to Anna M. Wehe;

A bill (H. R. 2258) granting a pension to Mary E. Taylor;

A bill (H. R. 2550) granting a pension to Annie M. Clemens;

A bill (H. R. 3186) granting an increase of pension to William J. Holway;

A bill (H. R. 3298) granting an increase of pension to Rebecca Paulding Meade;

A bill (H. R. 4249) granting a pension to Samuel B. Koontz;

A bill (H. R. 4880) granting a pension to Jonathan Scott;

A bill (H. R. 6913) granting an increase of pension to Charlotte B. Cozzens;

A bill (H. R. 7636) granting a pension to Martha M. De Vou;

A bill (H. R. 7657) granting an increase of pension to James E. Searl;

A bill (H. R. 8314) granting an increase of pension to Francis Scott;

A bill (H. R. 8329) granting an increase of pension to John E. Gullett;

A bill (H. R. 8578) granting an increase of pension to George W. Reisinger;
A bill (H. R. 8895) granting a pension to Mary B. Wotring;
A bill (H. R. 8959) granting an increase of pension to Charles Williams;
A bill (H. R. 8985) granting an increase of pension to James C. Jennings;
A bill (H. R. 8997) granting an increase of pension to John W. Brisbois;
A bill (H. R. 9344) granting an increase of pension to John Begley;
A bill (H. R. 9455) granting an increase of pension to Richard Atkinson;
A bill (H. R. 9959) granting a pension to Jessie Goldie;
A bill (H. R. 10478) granting an increase of pension to Jennett E. Arnold;
A bill (H. R. 10480) granting a pension to Nelly V. Crosby;
A bill (H. R. 10534) granting a pension to Tennessee N. Buckles;
A bill (H. R. 10716) granting a pension to John S. Draper;
A bill (H. R. 10738) granting an increase of pension to Beeri Serviss;
A bill (H. R. 10860) granting a pension to Mianda A. Sanford;
A bill (H. R. 10933) granting a pension to Sarah A. Kizer;
A bill (H. R. 11097) granting an increase of pension to William W. Patterson;
A bill (H. R. 11296) granting a pension to Anna M. Rowe;
A bill (H. R. 11363) granting an increase of pension to John Lynch;
A bill (H. R. 12026) to increase the pension of Thomas Crinigan;
A bill (H. R. 12033) granting a pension to Mary A. Kennedy; and
A bill (H. R. 12077) granting an increase of pension to Charles N. Smiley.

The following bills were severally read twice by their titles, and referred to the Committee on Military Affairs:

A bill (H. R. 2151) for the relief of Seth Davis, Company E, Fourth Michigan Infantry;
A bill (H. R. 6924) for the relief of Alfred T. Moreland;
A bill (H. R. 7092) for the relief of George Gregg; and
A bill (H. R. 11053) to correct the military record of Lieut. Edward B. Howard.

The bill (H. R. 7915) allowing Isaiah Mitchell, of Denver, Colo., seven years within which to make a final homestead entry upon certain land was read twice by its title, and referred to the Committee on Public Lands.

The bill (H. R. 10132) to remove the charge of desertion from the naval record of Charles Thompson was read twice by its title, and referred to the Committee on Naval Affairs.

The bill (H. R. 3425) for the relief of George A. Dickel & Co., at Nashville, Tenn., was read twice by its title, and referred to the Committee on Finance.

The message also announced that the Senate had insisted upon its amendments to the bill (H. R. 11266) making appropriations for the Department of Agriculture for the fiscal year ending June 30, 1900, and agreed to the conference asked by the House on the disagreeing votes of the two Houses thereon, and had appointed Mr. CULLOM, Mr. QUAY, and Mr. PETTIGREW as the conferees on the part of the Senate.

PERSONNEL OF THE NAVY AND MARINE CORPS.

Mr. HALE. I move that the naval personnel bill be reprinted with the Senate amendments duly numbered. There is a great call for it.

The motion was agreed to.

ISSUE OF PATENTS WHEN INVENTORS BECOME INSANE.

Mr. PLATT of Connecticut. I ask the Senator from Pennsylvania to yield to me for the purpose of having a House bill passed. It will take no time, and it is very necessary that it should be passed, so that a little amendment which has been proposed by the Committee on Patents can be considered by the House.

Mr. QUAY. If the bill provokes no discussion, I have no objection.

Mr. PLATT of Connecticut. I ask the Senate to proceed to the consideration of the bill (H. R. 7346) to amend section 4896 of the Revised Statutes.

I will state now what is the amendment of the law proposed. Under the patent law as it exists, if a person having made a new invention dies, his executor or administrator can apply for the patent and obtain it. But there is no such provision in case an inventor becomes insane, and this is simply to allow the same practice in case he is insane as is the present law in case he dies.

The VICE-PRESIDENT. Is there objection to the present consideration of the bill?

There being no objection, the Senate, as in Committee of the Whole, proceeded to consider the bill, which had been reported from the Committee on Patents with amendments, page 1, line 10, after the word "guardian," to insert "conservator, or representative;" and page 2, line 19, after the word "guardian," to insert "conservator, or representative;" so as to make the bill read:

Be it enacted, etc., That section 4896 of the Revised Statutes is hereby amended by inserting after the words "in his lifetime" the following words: "and when any person having made any new invention or discovery for which a patent might have been granted becomes insane before a patent is granted, the right of applying for and obtaining the patent shall devolve upon his legally appointed guardian, conservator, or representative in trust for his estate, in as full manner and on the same terms and conditions as the same might have been claimed or enjoyed by him while sane;" and by inserting at the end of said section the following words: "The foregoing section, as to insane persons, is to cover all applications now on file in the Patent Office or which may be hereafter made," so that the said section as amended will read as follows:

"SEC. 4896. When any person, having made any new invention or discovery for which a patent might have been granted dies before a patent is granted, the right of applying for and obtaining the patent shall devolve on his executor or administrator, in trust for the heirs at law of the deceased, in case he shall have died intestate; or if he shall have left a will disposing of the same, then in trust for his devisees in as full manner and on the same terms and conditions as the same might have been claimed or enjoyed by him in his lifetime; and when any person having made any new invention or discovery for which a patent might have been granted becomes insane before a patent is granted, the right of applying for and obtaining the patent shall devolve on his legally appointed guardian, conservator, or representative in trust for his estate, in as full manner and on the same terms and conditions as the same might have been claimed or enjoyed by him while sane; and when the application is made by such legal representatives, the oath or affirmation required to be made shall be so varied in form that it can be made by them.

"The foregoing section, as to insane persons, is to cover all applications now on file in the Patent Office or which may be hereafter made."

The amendments were agreed to.

The bill was reported to the Senate as amended, and the amendments were concurred in.

The amendments were ordered to be engrossed and the bill to be read a third time.

The bill was read the third time, and passed.

SAMUEL J. BRENT.

Mr. FORAKER. Will the Senator from Pennsylvania yield to me for just a moment?

Mr. QUAY. Certainly.

Mr. FORAKER. I ask for the present consideration of the bill (H. R. 9768) for the relief of Samuel J. Brent, executor of the will of Frances Brent and administrator de bonis non of the estate of Reverend J. Brent.

There being no objection, the Senate, as in Committee of the Whole, proceeded to consider the bill. It instructs the Secretary of the Treasury to issue duplicates in name of Samuel J. Brent, administrator de bonis non of the estate of Reverend J. Brent, in lieu of United States 4 per cent registered bonds issued under the acts of July 14, 1870, and January 20, 1871, No. 36028, 36241, for $500 each, and No. 66628, for $1,000, inscribed in name of Reverend J. Brent; also, to issue a duplicate in name of Samuel J. Brent, executor of Frances Brent, in lieu of United States 4 per cent registered bond issued under the acts of July 14, 1870, and January 20, 1871, No. 99034, for $1,000, inscribed in name of Frances Brent, said bonds, it is alleged, having been lost or destroyed. But Samuel J. Brent, as administrator and as executor, shall first execute and file in the Treasury bonds in the penal sum double to the amounts, respectively, of the lost or destroyed bonds, and the interest which would accrue thereon until the principal thereof becomes due or payable, with sufficient sureties to be approved by the Secretary of the Treasury, with condition to indemnify and save harmless the United States from any claim because of said lost or destroyed bonds.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

HENRY C. RAWSON.

Mr. BURROWS. I ask the Senator from Pennsylvania to yield to me to call up House bill 6127, a brief bill which will take no time.

Mr. QUAY. What is the character of the bill?

Mr. BURROWS. It is simply to remove a charge of desertion.

Mr. QUAY. That can go over until Monday. I think I must object to the introduction of any other business.

Mr. FRYE. Will the Senator from Pennsylvania stop right here? I am sorry.

Mr. PERKINS. I think the Senator forgets his promise made to me a few moments since. I will ask him to yield to me.

Mr. QUAY. I will yield to the Senator from California [Mr. PERKINS], the Senator from Michigan [Mr. BURROWS], the Senator from North Dakota [Mr. HANSBROUGH], and the Senator from Maine [Mr. FRYE], and then I must ask the Senate to proceed with the Post-Office appropriation bill.

Mr. BURROWS. I ask the Senate to proceed to the consideration of the bill (H. R. 6127) for the relief of Henry C. Rawson.

There being no objection, the Senate, as in Committee of the Whole, proceeded to consider the bill. It proposes to amend the military record of Henry C. Rawson, late first lieutenant Company B, Tenth United States Colored Heavy Artillery, by setting aside Special Order No. 278, Department of the Gulf, dated November 7, 1863, so far as it applies to him, and granting to him an honorable discharge as of date November 7, 1863.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

SURVEY OF RAILROAD LANDS.

Mr. HANSBROUGH. I ask unanimous consent for the present consideration of the bill (S. 5368) to authorize the Commissioner of the General Land Office to cause public lands to be surveyed in certain cases.

The VICE-PRESIDENT. Is there objection to the consideration of the bill? The Chair hears none.

Mr. HANSBROUGH. I am authorized by the Committee on Public Lands, to whom was referred the bill (H. R. 11971) to authorize the Commissioner of the General Land Office to cause public lands to be surveyed in certain cases, to report it without amendment. It is almost identical with the bill which was introduced in the Senate and was heretofore reported from the Committee on Public Lands. I ask that the House bill be put upon its passage.

There being no objection, the Senate, as in Committee of the Whole, proceeded to consider the bill. It provides that when any railroad company claiming a grant of land under any act of Congress, desiring to secure the survey of any unsurveyed lands within the limits of its grant, shall file an application therefor in writing with the surveyor-general of the State in which the lands sought to be surveyed are situated, and deposit in a proper United States depository to the credit of the United States a sum sufficient to pay for such survey and for the examination thereof pursuant to law and the rules and regulations of the Department of the Interior under the direction of the Commissioner of the General Land Office, it shall thereupon be the duty of the Commissioner of the General Land Office, or the Director of the Geological Survey, as the case may be, to cause said lands to be surveyed. For any deposits made by any railroad company hereunder certificates shall be issued, which may be used by such railroad company, its successors or assigns, to the same extent as cash is now allowed in payment of entries of public lands under existing law and regulations for any public lands of the United States in the States where the surveys were made, or for any survey or office fees due the United States from such railroad company on account of surveys of lands within its grant. The Secretary of the Interior shall provide such rules and regulations as may be necessary for carrying out the foregoing provisions.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

Mr. HANSBROUGH. I move that the bill (S. 5368) to authorize the Commissioner of the General Land Office to cause public lands to be surveyed in certain cases be indefinitely postponed.

The motion was agreed to.

TELEPHONE LINE IN LIGHT-HOUSE SERVICE.

Mr. PERKINS. The Senator from Pennsylvania kindly yields that I may ask unanimous consent to call up the bill (H. R. 9513) to construct a telephone from Table Bluff to Salmon Creek, in Humboldt County, Cal. It is a very short bill.

There being no objection, the Senate, as in Committee of the Whole, proceeded to consider the bill. It authorizes the Secretary of the Treasury to construct a telephone line from the United States light-house at Table Bluff, Cal., to connect with the general telephone system at Salmon Creek, in Humboldt County, Cal., at a cost not to exceed $1,500.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

MICHAEL F. BARRY.

Mr. FRYE. I report back favorably from the Committee on Commerce without amendment the joint resolution (H. Res. 303) granting a life-saving medal to Michael F. Barry, of New York City, and I ask for its present consideration. It will take only a second.

There being no objection, the Senate, as in Committee of the Whole, proceeded to consider the joint resolution. It authorizes the Secretary of the Treasury to bestow upon Michael F. Barry, of the city of New York, borough of Brooklyn, a life-saving medal in recognition of his heroic services in rescuing from drowning, at the peril of his life, several people under the most trying difficulties on several occasions between the years 1887 and 1897.

The joint resolution was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

POTTAWATOMIE AND KICKAPOO INDIAN RESERVATIONS.

Mr. QUAY. I yield to the Senator from Kansas [Mr. BAKER].

The VICE-PRESIDENT. The Senator from Kansas is recognized.

Mr. BAKER. I ask unanimous consent for the present consideration of the bill (H. R. 8480) providing for the sale of the surplus lands on the Pottawatomie and Kickapoo Indian reservations in Kansas, and for other purposes.

There being no objection, the Senate, as in Committee of the Whole, proceeded to consider the bill.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

POST-OFFICE APPROPRIATION BILL.

The Senate, as in Committee of the Whole, resumed the consideration of the bill (H. R. 11683) making appropriations for the service of the Post-Office Department for the fiscal year ending June 30, 1900.

Mr. QUAY. Mr. President, returning to the bill, on page 13, I desire to suggest from the Post-Office Department an amendment in lines 23 and 23, and I will send the letter of the Second Assistant Postmaster-General, with the amendment marked, to the Secretary's desk.

The VICE-PRESIDENT. The amendment will be stated.

The SECRETARY. On page 13, in the appropriations for "Office of the Second Assistant Postmaster-General," in line 22, after the word "contract," it is proposed to strike out "hereafter executed" and insert "based on a bid received during the fiscal year ending June 30, 1900;" so as to make the proviso read:

Provided further, That no payment for carrying the mail on a star route under a contract based on a bid received during the fiscal year ending June 30, 1900, shall be made unless there shall be on file in the Post-Office Department evidence satisfactory to the Postmaster-General that the contractor resides on or contiguous to the route and personally superintends the performance of the service.

The amendment was agreed to.

Mr. QUAY. Mr. President, the committee amendments are now completed, and the bill is still open to amendment.

Mr. CULLOM. I offer an amendment to the bill, to come in after the clause in relation to pneumatic tubes.

Mr. QUAY. The provision for pneumatic tubes is on page 14, in the clause from line 7 to line 9, inclusive.

Mr. CULLOM. Then at the end of line 9, on page 14, I offer the amendment which I send to the desk.

The VICE-PRESIDENT. The amendment will be stated.

The SECRETARY. On page 14, at the end of line 9, it is proposed to insert:

For transportation of mail by pneumatic tube, or other similar devices, by purchase or otherwise, $500,000; and the provision of the act approved June 13, 1898, making appropriations for the service of the Post-Office Department for the fiscal year ending June 30, 1899, relating to the extension of the pneumatic-tube service, as follows: "And no additional contracts shall be made unless hereafter authorized by law," is hereby repealed.

Mr. CULLOM. I simply desire to say that the amendment which I have offered is an amendment reported by the Committee on Post-Offices and Post-Roads, as the heading of the amendment shows.

I have been myself in doubt whether to offer the amendment in the shape that it came from the committee or for some other specific sum for some particular place; but the judgment of some friends was that it should be offered as I have offered it. I offer it hoping that some amendment may be adopted enlarging the amount to be used for pneumatic tubes and providing that they may be used in other cities than where they are now located. We have now a pneumatic-tube service in New York, in Philadelphia, and in Boston. The people of other sections of the country, especially those in the city of Chicago, in my own State, have been long anxious to secure the benefit of the pneumatic-tube service, if it be a benefit, which seems to be demonstrated by their use in the cities to which I have referred.

The people of Chicago are very solicitous to have this service, and the business people of that city write more letters, perhaps, than any other equal number of people anywhere in the country. They have petitioned that this amount be enlarged so that the people of Chicago may have the opportunity very soon of getting the use of pneumatic tubes in that city.

The language of the amendment does not locate the distribution or use of the money in any particular city, but it would be left, if the amount be appropriated, naturally to the disposition of the Postmaster-General as to where it shall be used.

I hope that the Senator from Pennsylvania in charge of the bill will allow the amendment to be adopted by the Senate.

Mr. QUAY. Mr. President, I sympathize largely in the suggestion of the Senator from Illinois [Mr. CULLOM] conveyed in the amendment he proposes, which comes, as he says, from the Committee on Post-Offices and Post-Roads; but the decision of the Committee on Appropriations was adverse to the proposition, and therefore I do not feel authorized to accept his amendment.

The pneumatic-tube service has been in operation for some time in the cities of Philadelphia, Boston, and New York, and has proved of great service to the public in those places.

In the city of Philadelphia, especially during the recent storm, the pneumatic tubes were almost the only method of conveying the mails in that city. I have here an extract from the New York Sun, which I ask to have read, showing the condition of affairs also in that city.

The VICE-PRESIDENT. The Secretary will read as requested.

The Secretary read as follows:

GOOD FOR THE MAIL TUBES—THEY SAVED THE LOCAL SERVICE, BEING INDEPENDENT OF SNOWDRIFTS.

The storm did not cause half the delay in the local mail service that many smaller storms have caused, and Assistant Postmaster Morgan declared yesterday that it was the pneumatic mail tubes that saved the service. The

tubes run from the main post-office to the Produce Exchange, from the main office to the Grand Central Palace, and from the main office to the general post-office in Brooklyn. The Forty-second street line has a number of branch lines that connect with branch stations between the general post-office and the Grand Central Palace. The tubes being underground, of course, unusual conditions on the surface do not affect them, and since the changes that have been made in their management and operation they have done remarkably good service.

It has always been New York's experience in a storm that tied up the street traffic to have the mail service tied up, too. The big wagons could not get around in the storm to collect the mail from the stations, and things simply had to wait until the conditions were improved. This has caused untold inconvenience and trouble, and in some cases loss to business people. The assistant postmaster said yesterday, when he was asked about the condition of the city service:

"There has been little or no delay in our city delivery, and this has been largely due to the effectiveness of the pneumatic-tube service. The mail-wagon service was seriously hampered and for long distances was rendered practically useless by the snow. But the tubes did their work on time, and most of the downtown and uptown mail went through them. They were especially serviceable in delivering the mails to what is called the Wall street section of the city. Brooklyn and the upper section of Manhattan borough also profited from the fact that the snow could not block the tubes. They certainly have proved to be an especially valuable adjunct to the postal service in weather like this and have enabled us to deliver large quantities of mail which under the old mail-wagon system would have stalled in the main office here."

The assistant postmaster explained that the tubes carried nearly all the first-class letter mail between the stations they connected, and that in the delivery of special delivery letters, particularly, there was scarcely any noticeable delay. It took the messengers who carried these letters after they reached the offices a little longer to get around, of course, but that was all. Some of the post-office folks and some of the employees of the Dispatch Company, which owns the tubes, declared that all during the storm the post-office beat the telegraph companies when they came into competition and that letters, when they bore the 10-cent special delivery stamps, reached their destination ahead of telegraph messages sent at the same time.

The delay in the mail service was confined entirely to the out-of-town service and the service in that part of the city where the tubes do not reach. But the service in those parts of the city was better than usual, too, for the effective work of the tubes made it possible for the postal authorities to withdraw some of the wagons used on the tube route and send them to the unsupplied districts to help out. A reason for extending the system.

Mr. QUAY. This pneumatic-tube service is as yet purely experimental. The experiment has been successful, to my mind, but it is not complete, and the investigation upon this and kindred subjects is progressing in the hands of the commission, of which the Senator from Colorado [Mr. WOLCOTT] is chairman, and from which we have as yet received no report.

The object of the amendment of the Senator from Illinois, as I understand it, practically is to establish a plant in the city of Chicago. The city of Chicago is certainly entitled to this pneumatic-tube service if any city in the United States is entitled to it. If it is to be continued, I also desire to increase the appropriation $200,000 for the metropolis of Philadelphia, so as to establish a better service there.

Mr. CULLOM. I wish to say at that point——

Mr. QUAY. If the Senator will permit me, I prefer to conclude what I have to say now.

Mr. CULLOM. Very well.

Mr. QUAY. If this improvement is to be continued and the experiment adopted as a part of our postal system, then the appropriation proposed by the Senator from Illinois is too small; if it is to be dropped, the amount is too large; but in any event I am absolutely precluded by the action of the Committee on Appropriations from accepting the amendment of the Senator from Illinois. If it should be the sense of the Senate that the amendment should be inserted in the bill, then I will ask to have the amount increased as I have indicated and molded so that it shall be applied specifically not only to the city of Chicago, but also to the city of Philadelphia.

Mr. ALLISON. Mr. President, this matter of pneumatic tubes is an important one, I agree, and there is a commission investigating the subject of the further extension of the system.

Last year the Senate made provision in the Post-Office appropriation bill that no further contracts should be made unless specifically authorized by law. Therefore the amendment proposed by the Senator from Illinois is in fact general legislation upon this bill, and under the rule should be excluded from the bill.

As the appropriation for the pneumatic-tube system now stands in the bill, it is in accordance with the estimates of the Department, and is to carry out existing contracts.

I make the point of order on the amendment.

Mr. CULLOM. I desire to say that the amendment I have offered is exactly the amendment reported from the Committee on Post-Offices and Post-Roads.

Mr. ALLISON. That does not make it in order.

Mr. LODGE. Before the point of order is ruled upon, I should like to say a word on the amendment as affecting the city of Boston.

The city of Boston was one of the first places where the pneumatic-tube system was tried. At the time it was introduced all the northern railroads coming into the city were concentrated in a single station and the pneumatic-tube system was established between the central post-office and the Northern Union Station. The company undertook the transmission of all mail—that is, they took the wagon service in addition to the pneumatic-tube work—and they have made an entire success of it.

Since then the southern roads have also been concentrated in a single station at the other end of the city. So that all the mails are transmitted between those two points from the northern station to the central post-office and from the central post-office to the southern station, but there is no appropriation for extending the service from the central office to the Southern Union Station. It will be an immense saving in the transmission of mails to be able to transmit, I think, from station to station, and it is absolutely needed to complete the work which is now already done there.

Mr. President, the amount asked for Boston was $45,000 to complete the existing system. It was withheld from us on the ground that other cities were asking for the service and that the Department could not give it to all. If there is any place where the system can be thoroughly tried, where the experiment has already been a success, it is in Boston, owing to the concentration of the railroads in those two great stations at either end of the city.

I felt very strongly that the additional appropriation ought to be made for Boston. I can not myself say why it should not be made for other large cities like Chicago and Philadelphia, but I do think the extension ought to be given to this system, which has already proved its value, as has been shown by some of the extracts which the Senator from Pennsylvania [Mr. QUAY] has read. I had hoped very much the committee would have been willing to give us the comparatively small amount which we require for the city of Boston, and which would have completed the work of the experiment there. I hope, therefore, that a vote may be taken on this amendment.

Mr. CHANDLER. Mr. President, with reference to the point of order, I wish to say a word. Is it the point of order that this is an increased appropriation, or is it that it changes existing law? If the Senator from Iowa will kindly tell me, I shall be obliged to him.

Mr. ALLISON. It is legislation because it repeals a law; and certainly that is general legislation. Secondly, there is a prohibition as against these appropriations until they are authorized by law. Therefore, it is general legislation if we ever had any general legislation in this Chamber.

Mr. CHANDLER. Then I do not understand that the Senator bases his objection merely upon the fact that the proposition is to increase the appropriation from $225,000 to $500,000, the increase being recommended by the Committee on Post-Offices and Post-Roads. That, I understand, is not the Senator's point.

Mr. ALLISON. I do not make that point now.

Mr. CHANDLER. Does the Senator make it at all? If he does, I wish to have all the points of order at once, so that we may discuss them all at once.

Mr. ALLISON. That may be considered pending.

Mr. CHANDLER. Then, I will speak first to that. The proposition to increase the amount from $225,000 to $500,000 is clearly and unquestionably in order, because it is recommended by the Committee on Post-Offices and Post-Roads. So much for that.

Mr. President, that this is general legislation changing an existing law is not correct according to any fair construction of the rule of the Senate in connection with the last appropriation. One year ago a provision was made that no further pneumatic-tube contracts should be made except by authority of Congress.

Now, Congress can at this session, with an appropriation before it, provide any method of expending that appropriation which it sees fit to adopt, and the Senate can, in its discretion, make any provision of law which it chooses to place upon this bill governing the particular expenditure that is to be made. That is done every year. An appropriation made one year is to be expended in a particular way with specific conditions and limitations applied to the expenditure of that money. In this case, it is in order to move an amendment to this clause as it came from the House of Representatives that the $325,000 shall be expended in a particular way in making contracts of one sort or another. It is in order to move that in making the contracts certain specific conditions and limitations shall be applied to those contracts.

Further, Mr. President, it being in order, as it clearly is, to increase this amount from $325,000 to $500,000, if there is an existing obstacle in an appropriation bill of last year which says that in pursuance of that appropriation no additional contract shall be made it is in order in the appropriation this year to provide for removing that obstacle.

Mr. President, I wish to say that the Senate, on any claim that it is forbidden by the rules of the Senate, can not afford to give up the right to provide how a particular appropriation bill shall be guarded and limited. They may annex amendments which will limit the expenditure, as compared with the existing authority in the Department, or they may enlarge the powers of the Department under existing law, and I think it is almost the first time I have ever heard it asserted in the Senate that the provision of the rule that existing law shall not be altered on an appropriation bill because it is general legislation should be applied to specific authority which is to govern a special appropriation in the bill.

I do not think I ever heard it contended before that under an

appropriation of half a million dollars, which it is in order to move, the Senate can not remove a limitation, made by a previous law, upon the method of expending that money. We can have the money we appropriate, which we have the right to appropriate, the amount of which we have the right to enlarge under existing law, appropriated according to the existing law, or we can change existing law so as to control the appropriation. It seems to me that the Senator from Iowa invokes a rule that does not apply to this case.

Mr. ALLISON. I simply desire to quote the law.

Provided, That no part of this appropriation shall be used in extending such pneumatic service beyond the service for which contracts already are entered into.

That is why this appropriation is here. It is in pursuance of a contract, and we do not propose to violate our contract. Then the statute adds:

And no additional contracts shall be made unless hereafter authorized by law.

The amendment which is now at the desk proposes to repeal existing law.

Mr. CHANDLER. Then does the Senator from Iowa gravely contend here that that clause having been put in the appropriation bill last year we never can upon an appropriation bill authorize the expenditure of money to make additional pneumatic-tube contracts; that we must provide for additional pneumatic-tube service by a special law, and can not do it upon an appropriation bill? You can not do it at all, according to the Senator's proposition. We can not do it even with the sanction of a committee of this body. So a little clause, slipped into the appropriation bill last year, that no further pneumatic-tube contracts shall be made without the authority of Congress not only requires the action of Congress, but requires that that action shall be taken outside of an appropriation bill.

Mr. President, if the Committee on Appropriations are willing to be governed by this rule, I for one would be willing to be governed by it; and then off would go from this bill, upon the suggestion of any Senator, every possible limitation or extension of the objects for which a particular appropriation is made that is not in accordance with existing law. I ask the Senator from Iowa, in all seriousness, whether he holds that the provision he has read, put into the appropriation bill last year, is such an iron statute that it can not ever again be changed upon an appropriation bill if one Senator chooses to object to having the change made?

Mr. ALLISON. That a law is found upon an appropriation act makes it no less a statute law. This item was not slipped in, I will say to the Senator from New Hampshire. It was fully debated in this Chamber. It must be understood that this is not an appropriation of $500,000. It authorizes, by its terms, a contract for $500,000 per annum from the time that this appropriation is inserted, if it is inserted, extending within the purview of the Post-Office Department for four years; and when private parties have expended the money in creating these tubes, which can not be used and are not used for any other purpose than for the transmission of small first-class mail matter, it will place upon us the obligation hereafter to do what we are doing now—appropriating per annum $325,000, because the Postmaster-General made this contract for a period of four years.

It seems to me absolutely clear that the proper committee of this body should present to us a proposed law which should be carefully guarded. To provide for the erection of tubes in New York City, Boston, Philadelphia, Baltimore, Washington, Chicago, St. Louis, and Cincinnati, covering all the great cities of this Union, would involve an expenditure possibly of twenty-five or fifty million dollars, and we would be bound forever afterwards to appropriate an annual sum extending into the millions. That is the trouble with opening up the question of these tubes, looking after the cost of this plant as respects its value to the Post-Office Department, because it is not used anywhere else or for any other purpose.

Mr. President, I submit that this is a question which should address itself to the judgment and common sense of the Senate, as to whether, without the fullest examination and the fullest consideration, we will enlarge this great method of dealing with first-class mail matter to the extent of involving millions of dollars. I desire to see the commission, of which the Senator from Colorado is chairman and the Senator from New Hampshire a most valued member, after examining this question, report what shall be done, the restraints and restrictions that shall be thrown around this great enterprise, if we enter upon it, and the cost not only of the construction, but the cost to the Government annually for the use of these tubes. It is for that purpose, and not that I am hostile to any proper examination or use of these tubes, that I make the point of order.

Mr. CHANDLER. The Senator from Iowa will excuse me, but having made the point of order he is proceeding to argue the merits of the expenditure. Will not the Senator withdraw the point of order and let the discussion upon the merits proceed? It seems to me he ought to do that, because otherwise——

Mr. ALLISON. If any Senator wishes to discuss the merits briefly—I did not discuss the merits, but simply made a statement—I am perfectly willing to withdraw the point of order temporarily. So that the Senator from New Hampshire may give his views, I withdraw the point of order temporarily.

Mr. CHANDLER. Mr. President, the Senator from Iowa has stated substantially the whole argument that he has to make. He condenses a great deal into a few words when he undertakes to do so. He has stated, upon the point of order, substantially the whole argument he has to make against this appropriation.

I was seeking to ascertain whether the amendment was so in order that it could be discussed, and I want the Senator not to go off from the question which I asked him to a general debate against the merits of the increase. I desire to have him answer the question which I put to him, whether he holds, as a consequence of the clause in the appropriation act last year, there never can be an increased appropriation, under which additional pneumatic-tube contracts can be made, put upon an appropriation bill in this body if one Senator objects?

Mr. ALLISON. I will answer the Senator's question. The rule I invoke is the rule against general legislation on appropriation bills; and whether the legislation that is to be changed is found in an appropriation act or otherwise does not affect the rule. Therefore I have a right to invoke the rule, although the legislation may have been put upon an appropriation bill of a prior year.

Mr. CHANDLER. Then I understand the Senator to say that we can never enlarge this appropriation for pneumatic-tube service and authorize additional contracts to be made for pneumatic-tube service upon an appropriation bill if one Senator objects. That I want to place upon record as the position of the Senator from Iowa; and I say that no such construction has ever been given to the rule. The Senator said I spoke of the prohibition of last year as having been slipped into the bill. I meant no criticism upon the fact that it was put there. It was put there, however, by a committee of conference.

Mr. PETTIGREW. Will the Senator from New Hampshire yield to me for a moment?

Mr. CHANDLER. Certainly.

Mr. PETTIGREW. The Senator will find in the Post-Office appropriation bill of last year as reported by the Committee on Appropriations this very provision:

And no additional contracts shall be made unless hereafter authorized by law.

It was placed there by the Committee on Appropriations and reported to the Senate as an amendment, and it was adopted here by unanimous consent.

Mr. CHANDLER. The Senator from South Dakota is right; and when he says it was put there by unanimous consent, he means that it was finally adopted without any question being raised. The Senator from South Dakota was very hostile to this pneumatic-tube service, and he succeeded in getting this provision—how would the Senator from Iowa like me to express it; I was going again to say slipped in—he succeeded in getting it inserted. The word inserted——

Mr. ALLISON. Will the Senator from New Hampshire allow me to interrupt him? It was the unanimous report of the Committee on Appropriations, and was presented here with the bill.

Mr. CHANDLER. It was inserted in the bill—there is no doubt about that—by the committee, and the committee had their own way.

Mr. QUAY. Will the Senator allow me to interrupt him?

Mr. CHANDLER. In a moment. But if the Senator from Iowa had told the Senate that putting this little provision in the appropriation bill made a law that never could be changed without a special bill and that further contracts could never be authorized upon a future appropriation bill, he would have found issue taken with him immediately.

Mr. President, that is the whole point we are now arguing. We are not arguing the merits of the case. The Senators from Illinois and other Senators who come from the States having large cities which need this service will argue the merits of the case. But we are arguing the question of order, and I should like to say, if I be permitted to say so without somebody criticising my language, that the claim that a limitation of this kind, put in as it was last year upon an appropriation act, is forever irremovable upon an appropriation bill if any one Senator objects to it is absurd. I have never heard any claim of any such extension of the rule in this body. It was never supposed that a limitation of this kind put on an appropriation bill could not be removed in another appropriation bill in connection with an enlarged amount of appropriation.

Mr. WOLCOTT obtained the floor.

Mr. SPOONER. Will the Senator from Colorado allow me to ask him a question for information?

Mr. WOLCOTT. With pleasure.

Mr. SPOONER. I desire to know whether the investigation of the utility of this system was specially committed to the Postal Commission?

Mr. WOLCOTT. It was, and it is now being investigated. The point of order, I understand, has been withdrawn?

Mr. ALLISON. Only temporarily.

Mr. WOLCOTT. I mean that it has been withdrawn temporarily.

Mr. ALLISON. It will be renewed.

Mr. WOLCOTT. That makes it proper for me to say a word.

Mr. President, I do not understand the Senator from New Hampshire [Mr. CHANDLER] to intimate here that there was subterfuge when the amendment was carried in the appropriation act of last year which provided that no additional contracts should be made unless thereafter authorized by law. Nor do I understand him to suggest that the language is vague or uncertain, or that it does other than absolutely govern the rule as to the admissibility of an amendment or an increased appropriation until the law shall be changed by bill, as only the law can be changed.

But there is a word to say about this appropriation which I think the Senate ought to have before it votes upon the question. While the appropriation sounds small, yet it may appear to some Senators upon explanation as a rather important amendment. It will cost something more than $25,000,000 a year to furnish pneumatic-tube service to the principal cities of the United States. New York, Brooklyn, Philadelphia, and Boston have it now. There is no reason, if the pneumatic-tube service is to be generally adopted, why it should not extend to Chicago, St. Louis, New Orleans, Atlanta, Buffalo, Detroit, Cleveland, Cincinnati, and the other great cities of the country; but, Mr. President, when we come to adopt it we have to reach a plan whereby we can measure the sum we pay for it.

Now, in the city of Boston the service is rendered with the greatest possible economy. We appropriate but $18,000, but it competes with the wagon service, and the Boston people therefore said, "We will take the wagon service off your hands;" and of the $18,000, the small pittance, that we give to Boston for the service, $9,000 goes to the wagon service, and the Government saves that much. In Philadelphia the service is comparatively small. It was the first city to adopt the system, and its demands are of the most modest character. But look at the difference in the city of New York and see the absolute suicide, from a public expenditure point of view, of our proceeding without further investigation.

The pneumatic tubes in New York are used exclusively for mail service, and they carry mail in pouches 6, 7, or 8 inches by 21 inches. No other package can be carried in the pneumatic service. It does not serve the general public, but serves only mail matter. It goes to but three of the substations in the city of New York out of twenty-five or thirty. It goes from the Produce Exchange and the general post-office in New York to the substation near the Forty-second Street station, and it goes to the Forty-second Street ferry. I think I have accurately described it. It goes about to those stations and not otherwise.

It carries as between those stations only some 85 per cent of the first-class mail matter. The testimony before the commission—and we are in the midst of taking it—shows that it carries practically none of the second-class mail matter, and absolutely none of the third and fourth classes of mail matter. It saves, as between the general post-office and the delivery at the Forty-second street railway station—it has to go by pneumatic tube first to the substation opposite the station, and it takes from ten to fifteen minutes to get it over to the station—from fifteen to thirty minutes in the carriage of these letters, and it carries, as I say, nothing else.

Not only does it not save in the wagon service, but we pay these people $148,000 a year for this service in the city of New York. We pay for the wagon service in the city of New York $225,000 a year; and while the pneumatic tubes have been in service not only has the wagon service not decreased, but the cost to the Government of the wagon service has increased, and up to this time the Government is out the amount of its wagon service plus the amount it pays for pneumatic service.

Not a Senator here represents a State that has not in it a city which is entitled to that service if the city of New York is entitled to it. We ought to know—this Government has to know sooner or later—how it ought to be adopted; whether the Government ought to own it; whether the Government should insist that the company which operates it shall do so in connection with commercial service, using the postal service as an adjunct, or whether or not it shall be based upon the cost of the plant, the cost of equipment, and the cost of operation.

Mr. President, there never has been the slightest testimony of which we have yet been able to get hold showing definitely what the installation of the plant in New York cost. It was intimated in another Chamber that the whole plant had cost under $200,000. It does no commercial business, and we pay them $148,500 a year for service between the New York post-office and the station at the Forty-second Street ferry and the substation, and we pay them, in addition, $14,500 to get to Brooklyn. Out of this appropriation there will be another enormous sum to go to them.

Mr. President, the pneumatic-tube service has come to stay. There is no doubt of that. It is going, eventually, into every great city of this country. But if the Government does not start in on a proper, economical, wise, and careful basis and determine how it ought to be constructed, we are going to be involved in the precedent of enormous payments here, perhaps based upon calculations absolutely irrespective of the cost of the plant, to an extent that will lead us to endless trouble in future installations of the service or in future attempts we may make to check it. The proposition, it is true, came from the Post-Office Committee, but it came from a very divided committee, and the right was reserved by some of us to present the facts to the Senate.

Mr. President, very meritorious pressure is brought to bear on this bill by the city of Chicago. It would be excellent to have the system there. It is going there. It will surely go there in a little while. But look at it. In the city of Chicago, for instance—and I take as my authority the present postmaster of the city of Chicago—in the first place, it is not settled that the post-office is going to be where it is at present. In the second place, Chicago has not yet its system of union stations or depots, and the result is that there are six or eight enormous railroad stations in and about the city of Chicago at a distance, some of them, of two or three miles from each other.

Now, if you are going to have pneumatic-tube service in the city of Chicago, for instance, you do not want it alone for your local service, but you must have it for your through mails. If mail comes in on the Illinois Central Railroad, for instance, the station of which is at Twelfth street, on the lake shore, and you want to send it out by the Chicago and Northwestern to go to St. Paul, the station of which is on Wells street, on the North Side, a mile and a half or more away, you must have the pneumatic-tube service for that purpose. So if mail comes to the Chicago and Northwestern station that is going out by the Wabash, you must have the pneumatic-tube service connecting that station with the Wabash station; and you must, under ground, make an intricate network of pneumatic tubes, which will not only go from the central station or general post-office in the city of Chicago to the different railway stations, but from one post-office station to another.

If it is an enormous expense, it is a perfectly justifiable expense. No intelligent man who studies our great postal system, with its marvelous growth and its wonderful ability and desire to serve the public, will hesitate for a moment to say that the pneumatic-tube service has come to stay. But it ought to come to this country intelligently. It ought to come so that we can arrange in some official and proper way the basis upon which the compensation shall be made. It is for these reasons that, for my part, I trust the point of order will be sustained; and if not, that the appropriation may be limited, at least for another year, to where it is at this time.

Mr. MASON. Mr. President, I do not care to discuss the point of order, but simply to give notice that if the point of order is sustained there are some other amendments that have been put in as to star routes with respect to which we ought to have a ruling. I do not see how it is possible that on an appropriation bill we can make a law which we can not repeal on another appropriation bill if the Post-Office Committee has recommended it.

But I desire to follow the suggestion made by the Senator from Colorado a day or two ago, when he said that if we could not trust the Post-Office Department on matters of this kind he did not know whom we could trust. It has been stated by its chairman that the commission created to investigate the matter still has it under consideration; but others have investigated it—the Postmaster-General himself—and while the commission has been engaged with other matters, he has given the matter considerable attention and has testified before the Appropriations Committee. What the Senator from Colorado stated is true. The pneumatic tube has come to stay, but it meets a condition like that which encountered the railroad that was built from New York to Philadelphia. The stage drivers held a convention and decided that the railroad meant not only ruination to the drivers' business, but that it was dangerous to life to carry passengers by steam power.

Everyone who has examined the question says that this is a most marvelous change for the better in handling the mails. I have given it some little time and attention. I went to New York expressly to see the operation of it. The first-class mail is dropped into the office and within a few minutes it is on its way to its place of destination. Every eighteen seconds in that office, as fast as they can fill the pouches, they are shot through the pneumatic tubes to the places of delivery.

I desire to read, for the benefit of Senators, what the Second Assistant Postmaster-General says about it. Mr. Shallenberger, the Second Assistant Postmaster-General, was on the stand. He

testified that because of the fact that last year Congress decided to make no more appropriations the Department determined that it would not be proper for them to make recommendations for appropriations; and I desire to call the Chair's attention to the fact that in this amendment increasing the appropriation are also provisions expressly repealing that law. Senator CULLOM asked him this question:

What is your own official or personal judgment on the question of the extensive use of pneumatic tubes?

Mr. SHALLENBERGER. My judgment is that the use of pneumatic tubes is something we can not well dispense with in view of the existing conditions of the postal service. As to a general extension, I should say that that would have to be governed by the ability to appropriate for it, and also by the ability of the cities that are interested to show the necessity; also that reasonable provision was made for it. We would not extend widely or largely, but we would deem it very important that the Department should have a fund at its disposal—

I desire to say that is all this provides for. It does not fix the city where it shall be expended—

so as to utilize the tenders of service that may be made to us from time to time by companies organizing for the extension of the tube service in connection with commercial lines as well as along post-office lines.

Senator CULLOM. As the matter stands now you are carrying out the contracts for this service in New York, Philadelphia, and Boston?

Mr. SHALLENBERGER. Yes, and Brooklyn.

Senator CULLOM. In Chicago they have been making more or less complaint about the matter for several years, and they have been held off. Chicago is the second city in the United States, and probably more mail goes through it and to it than any other. What I should like to know is, if you are satisfied that the system is a good one, whether it ought not to be applied to Chicago.

Mr. SHALLENBERGER. I think it should. I think there are sections of Chicago in which the experience that we have reached up to this time would avail us in making a better contract for the Government than perhaps any other city in which we have yet undertaken to establish the service.

Senator CULLOM said again, in examining the Second Assistant Postmaster-General:

For several years you have been spending money and using these tubes. In your judgment, do you know enough about it to justify you in saying that it ought to be extended, for instance, to Chicago?

Mr. SHALLENBERGER. I have no hesitation in saying that I believe it should be extended, and judiciously extended—extended after a very careful investigation and a comparative test of the merit of several propositions.

I call the attention of the Senate to the fact that this amendment does not fix any amount for any city, but it does provide for the general extension of the system under the direction of the Postmaster-General, and it is a matter in his discretion. He is not going to overpay. It may be that in the case of the first tube established in New York, being a pioneer enterprise, a novelty, they demanded and have received more than a fair compensation. But, as the Senator from Colorado says, it has come to stay. The Postmaster-General is not bound to accept any tender of service. He is not bound to make any contracts. We ought not to assume that the Postmaster-General is going to pay more than the service is worth.

I beg Senators to observe further what the Post-Office Department says about it, and I want to call attention now to the point where the real delay is. I beg Senators, especially west and south of Chicago, to note the importance to them of having this service in the great city of Chicago. Mr. Shallenberger says:

But that mail which is now being transported over the country at the rate of 60 miles an hour between stations should, the moment it reaches the confines of a large city, come down to 7 miles an hour on wagons, or less than 7 miles per hour through crowded streets, is something which I do not think the genius of our institutions is quite willing to admit.

In other words, we are expending large amounts of money for fast mail service. In some of the cities, like Chicago, the moment that fast mail reaches the limits of the city it has to come down in its time. The proposition now is to give to the city of Chicago the same service and the same opportunities that they have in Philadelphia, in Boston, and in New York. Mr. Shallenberger proceeds:

I believe that the trend of progress in this country is such as to require that when we are speeding up our fast mail trains all over the country from 40 to 60 miles an hour we shall have some method devised which will take up that mail at the outlying stations and expedite it into the city office and to the outlying stations at something like a reasonable speed.

Mr. President, it may be, as is charged by the Senator from Colorado, that in the first or the pioneer plant we pay too much for this service. That is a matter which he as chairman of the Committee on Post-Offices and Post-Roads can investigate and report upon at any time. It may be that in the city of Boston we are getting our service too cheap; it may be that we are paying too much in Philadelphia; but I know we are not paying enough for it in Chicago. I know that that city would accommodate more people and more of the States certainly than any two of the cities that now have that benefit.

I think it is only fair that you should give this appropriation not to the city of Chicago, but that you should carry out the suggestion of the Postmaster-General and give him a fund so that if the service is tendered to him he can make proper use of it. He does not have to pay at the same rate in Chicago that he pays in New York.

Mr. President, I most sincerely hope that we shall get simply fair play. I suppose more mail goes through the great city of Chicago than any other city in the United States. We propose simply by this amendment to give the Postmaster-General a fund.

There is a proposition to extend the plant already established in Boston. Boston needs an extension. The same is true of Philadelphia. The same is true of New York, as I am informed. So these four large cities would have simply this opportunity. Suppose that to-morrow a tender should be made to the United States to carry the mail by pneumatic tubes from depot to depot, or from depot to post-office, in one-eighth of the time at one-half the cost. The Postmaster-General is absolutely powerless to accept it. The stage driver and the wagon seem to be in the way.

I stood and watched this great machine, and it is simply one of the marvels of the generation. It is one of the marvels of the century. You drop a letter in one part of the great city and receive a stamped answer to it within five or ten minutes, the distance being 4 or 5 miles. To stop this appropriation now means to stop this improvement, and to refuse to give the Postmaster-General a chance to accept a tender of service in the great city of Chicago refuses to that great city of the West what you have already given to three cities of the East.

Mr. PETTIGREW. Mr. President, the amendment proposes to appropriate $500,000 for the rental of pneumatic tubes for the purpose of more rapidly carrying the mails in the cities of this country. These pneumatic tubes go into the post-offices in the great cities. In New York the Government furnishes the power to operate them. It is proposed to rent from private parties the use of pneumatic tubes for transporting the mail. The offices of the tube companies are to be in the post-offices or other public buildings of the country, and the power is to be furnished by the Government.

The argument made by the Senator from Illinois that this is a good service and that it is essential to the proper conduct of the mail business of the country is the strongest argument which can be made against the system which he proposes. If we should have pneumatic tubes to transport the mails in the cities of the country, the Government of the United States should put in the tubes and own and operate them. The system now proposed will have the effect to build up in this country another great corporation with hundreds of millions of dollars of capital stock, and upon which the Government of the United States will be called to pay dividends, and it will collect the money to do it by taxation out of the people of the United States.

Mr. MASON. Will the Senator allow me to interrupt him for a moment?

Mr. PETTIGREW. I yield to the Senator from Illinois.

Mr. MASON. I think the Senator is pretty nearly right about the suggestion he makes. I stood for a year after beginning the investigation of the matter entirely upon his side, and thought that the Government ought to build and own these tubes. After an investigation I have changed my mind about it, and I think I am right. I want the Senator to know why. I think I talked to him about it. The proposition is made in several cities to have these pneumatic tubes built for commercial purposes and to sell a part of their service to the Government, exactly as a railroad company——

Mr. PETTIGREW. I do not yield to the Senator from Illinois for the purpose of explaining his position or making a speech. I would rather that he would wait and reply to me, if he wishes to do that.

Mr. MASON. All right.

Mr. PETTIGREW. We appropriate $150,000 for New York to-day, for instance. That is 3 per cent on $5,000,000. Yet the chairman of the Committee on Post-Offices and Post-Roads says that the total expenditure for the plant is only $200,000. We are paying 3 per cent on $5,000,000 for the use of it, besides furnishing the power and the room in which is located the pneumatic tube. If this is true of New York, with their inefficient and short service, what will be the case when the service is extended to every city in the Union? We shall be paying 3 per cent interest on hundreds of millions of dollars of stock which represents no investment whatever.

Therefore, Mr. President, I oppose this proposition, not on the ground that it is not a good thing, for I do not know whether it is an efficient means of transporting the mails or not, but I oppose it because I am opposed to the building up of great corporations whose capital stock represents no investment and upon which the people of this country, against their will and without being consulted, are compelled to pay interest. Convince me more and more of the efficiency and necessity of this service, and then I am more and more unalterably opposed to this method of acquiring it.

Why do not the people who own this patent—it is a patent—propose to the Government to sell to us the right to put in pneumatic tubes? Why do they not come here and say, "We will sell to you the right to put in pneumatic tubes and you can operate them yourselves?" There is not a city in the Union where these

tubes are used for any other purpose except for transporting the mails. I will tell you why, Mr. President. Because it is so profitable to organize corporations and invest $200,000 and get 3 per cent on $5,000,000 that a dozen of the cities of this country have come here with a lobby composed of men who have organized corporations to do this same thing in the other cities.

They appeared from Chicago. They came here and came before the Committee on Appropriations, urging that we make this appropriation so that they could put in the service there and rent it to the Government. When I asked one of them if he was connected with a company to put in the plant, he said he was not, and within fifteen minutes thereafter the man who invented the pneumatic tube testified before our committee that this gentleman was one of a company organized for the purpose of putting in the plant.

Mr. CULLOM. I think it is due to that gentleman for me to say that he is not, and has not been, a member of any company for any such purpose. I refer to Dr. Kerr, of Chicago.

Mr. PETTIGREW. It is perfectly evident from the statement—I have made the statement, and the testimony is printed and is accessible to any Senator—Dr. Kerr said that he was not a member of any such company, and yet the man who invented the tube and who has the rights to sell stood up before our committee and said that Dr. Kerr was a member; and Dr. Kerr sat there and did not contradict it. You can draw your own inference.

Mr. CULLOM. I myself have talked with Dr. Kerr once or twice since then. I did not notice at the time the remark of the man to whom the Senator refers, otherwise I myself would have made further inquiry; but Dr. Kerr has told me since that he was not a member of any company at all in connection with this business.

Mr. PETTIGREW. Oh, well, Mr. President, that may be possible. As an individual he with others may have negotiated with the owners of the patent, and the very moment we make the appropriation he can organize his company and thereby be in a position to evade the apparent falsehood which he told. That is undoubtedly his status.

Now, what else? Gentlemen appeared from other cities, and while I did not ask the others the same question, it was perfectly apparent that the same situation existed as to them. Of course, you will find plenty of men ready to lobby and urge the adoption of this course if they can, as in New York, by investing $200,000, and get out of the Treasury of the United States 3 per cent interest on $5,000,000. This is what I object to.

Show me that the pneumatic-tube service is essential and necessary. Then bring in a proposition to buy the right to put it in. Let the Government make the investment and handle its plant.

It is suggested by the Senator from Illinois [Mr. MASON] that they are going to operate commercially with these tubes; that if we will pay the interest on the plant they will transport goods for other people. That has not been done yet. There is no plant for that purpose in existence in the world; and the proposition that they are going to do it is not sufficient reason for me to change my mind upon the subject.

The plants in New York, Boston, and Philadelphia are built exclusively for transporting the mails, and they transport the first-class mail matter and nothing else, practically. The tubes are so small, being 8 inches, and the cartridges 21 inches in length, that they can carry but a limited quantity of mail matter. Nothing is sent through the tubes but the first-class mail matter, and the time saved, I have been informed by gentlemen who examined and investigated the operations of these tubes in New York, was but twelve minutes between the post-office and the Forty-second Street station.

But I do not care, Mr. President, to argue for one moment the question of the desirability of putting in this service. I simply protest against the method of putting it in. I protest against building up in this country, as we have done in many other instances, another corporation with inflated and watered stock upon which the people of the country are to pay interest. The telegraph system of this country ought to be owned by the Government. It is bonded and stocked for $130,000,000. It can be reproduced for $25,000,000. The people of the United States are paying interest on $105,000,000 of something that does not exist—watered stock. It is by these methods, by this way of doing business, that you have accumulated the wealth of the people of the United States in the hands of 235,000 men. No country ever attained its freedom or ever maintained free institutions when the property of that country had become accumulated in the hands of a small per cent of its population.

It is this broad question, this great question that confronts us, and it is this question that we can solve and solve right, or we, too, will lose our liberties. It seems to me it is an alarming question; and yet the proposition is to go on piecemeal and build up another one of these great corporations and take out of the pockets of the people the interest with which to pay for it.

Mr. CULLOM. Mr. President, I desire to say a word. I do so because I am a member of the Committee on Appropriations, but it so happened that I was not present, having been snow-bound in New York when the committee took action upon the bill.

I desire to say that for some years this pneumatic-tube appropriation has been made from year to year for the three cities which have been referred to, and I was content to remain silent and not to ask for an appropriation for Chicago, because for the first two or three years it seemed to me that the system ought to be tested as to its feasibility, so as to show whether it should be used for the transportation of the mails in and through the cities. As Chicago was not put in the bill in the first instance by some neglect or other, I was willing to let it go along and let us test the question whether it was really useful and economical or not; but it seemed to me this year that the question of the experimental use of it had come to a point where it was demonstrated that it was useful. As my colleague has read in his testimony before the Appropriations Committee, the Second Assistant Postmaster-General said it was beyond question a useful system; that it had come to stay; that it was established in all the great cities of Europe, and he thought it ought to be continued and extended in this country. So, having that sort of evidence before us, I felt that I could not longer consistently sit silent and not ask that it be furnished to the great city of Chicago, the mails of which are perhaps larger than in almost any other city in the Union.

Now, so far as the remarks of the Senator from South Dakota [Mr. PETTIGREW] are concerned, I myself would be glad if the Government could control the system, so that if there are great profits in putting in the pneumatic tubes for use by the different cities the Government should get the benefit of it and we would not be exposed to the danger of paying out large sums of money, the interest amounting, as the Senator says, to two or three million dollars where only two or three hundred thousand dollars have been expended. I should like to avoid that; but if we are to go on in the way we have been going from year to year, I simply want Chicago to have a chance to get the benefit of the rapid transportation of mails as well as other cities.

Mr. ALLEN. What percentage of population would these pneumatic tubes accommodate?

Mr. CULLOM. I can not answer, as the tubes are in the other cities, but, I apprehend, a pretty large portion. In New York, for instance, the tubes, I understand, are put in well down in the southern part of the city, and they run pretty well up toward the north end of the city, and in that way the mails are brought nearer to the people in a pretty large section of the city.

Mr. ALLEN. If the Senator will permit me, let me ask why it would not be the part of wisdom to purchase this patent?

Mr. CULLOM. I think possibly it would.

Mr. ALLEN. And then the Government itself could construct the pneumatic tubes.

Mr. CULLOM. If that could be done, I should be glad to have it done; but what I do not want is that this service shall go on from year to year with three cities of the Union getting the advantage of it, while Chicago and other great cities in the West and other portions of the country are not getting the advantage of it.

Mr. ALLEN. The Senator knows, of course, that we are paying every year much more rent for mail cars than the construction of the cars costs.

Mr. CULLOM. I would not like to go into a discussion of the mail-car business. We have had that heretofore.

Mr. ALLEN. The same principle is involved in both cases.

Mr. CULLOM. I know the argument that is made, and there may be much virtue in it; but let us run one question at a time.

Mr. ALLEN. But, if the Senator will permit me, here is a repetition of the absolute wastefulness of the mail-car service. Here we propose to make a contract with a private party to put in and operate these tubes at an enormous price, for possibly a much larger sum than they can be constructed for. We have for years been paying for railway mail service more than the cars in which the mail is carried are worth or could be constructed for. Would it not be the part of folly now to pursue that policy as respects the pneumatic-tube service? Would it not be better to let the thing pass over now for the present session of Congress and authorize the Committee on Post-Offices and Post-Roads or the Postmaster-General to see what can be done as respects the purchase of these patents, so that the whole thing will be in the hands of the Government?

Mr. CULLOM. I think it would be well enough to make that investigation.

The VICE-PRESIDENT. The hour of 2 o'clock having arrived, the Chair lays before the Senate the unfinished business, which will be stated.

The SECRETARY. A bill (S. 1575) to amend an act entitled "An act to regulate commerce."

Mr. CULLOM. I ask that the unfinished business be temporarily laid aside.

The VICE-PRESIDENT. The unfinished business will be temporarily laid aside, in the absence of objection.

Mr. QUAY. Mr. President——

Mr. MASON. If the Senator from Pennsylvania will allow me——

Mr. QUAY. Certainly.

Mr. MASON. I wish to put in the RECORD a letter of the Postmaster-General. I do not care to read all of it. I also want to make a statement in reply to the Senator who replied to me. I will take but five minutes.

Mr. QUAY. I am very anxious to expedite the passage of the bill.

Mr. MASON. Very well. Then I will simply ask to put in the letters for the benefit of Senators, although they ought to read the report of the Acting Assistant Postmaster-General and the Assistant Postmaster-General. This is a short letter of only ten lines, from Charles Emory Smith, the Postmaster-General, in which he says:

I recommend that your committee give favorable consideration to the suggestion that the existing law prohibiting the making of new contracts for pneumatic-tube service be repealed, and that a suitable appropriation be made for the extension of the service during the next fiscal year.

Signed by the Postmaster-General.

The letters referred to are as follows:

OFFICE OF THE POSTMASTER-GENERAL,
Washington, D. C., January 30, 1899.

SIR: I have the honor to forward herewith and to invite your attention to a copy of a letter addressed to me by the Second Assistant Postmaster-General in regard to the pneumatic-tube mail service.

I recommend that your committee give favorable consideration to the suggestion that the existing law prohibiting the making of new contracts for pneumatic-tube service be repealed, and that a suitable appropriation be made for the extension of the service during the next fiscal year.

Yours, respectfully,

CH. EMORY SMITH, *Postmaster-General.*

Hon. WILLIAM B. ALLISON,
Chairman Committee on Appropriations,
United States Senate, Washington, D. C.

POST-OFFICE DEPARTMENT,
SECOND ASSISTANT POSTMASTER-GENERAL,
Washington, January 30, 1899.

SIR: In view of the representations made to the Department during the past year as to the advantages to be derived from an extension of the pneumatic-tube mail service, I invite your attention to the present status of the law on that subject.

Congress in making the appropriation for the current year for the tube service inserted the provision in the bill that no additional contract should be made unless thereafter authorized by law. Therefore, this office in submitting its last annual report referred to the provision of law just quoted, and in view of it recommended the appropriation for next year the same as that for the current year, as it had no authority to make further expenditures until Congress should take further action authorizing new contracts. Neither did the Department feel authorized to entertain any formal proposition for an extension of the service when the matter was informally presented.

There is no doubt that much good to the service would be derived from a judicious extension of the pneumatic-tube service in congested centers of population. For instance, in Boston the present tube connects the main post-office with the Northern Union Station, and has been operated in a manner most satisfactory to the postmaster at Boston and to this office. Since that tube was established the new Southern Union Station has been completed in Boston, and the Department has been asked to connect that station with the main office, so as to complete the line of tubes that would connect the two stations and enable through mail to be transferred from station to station without being distributed in the post-office or delayed in the wagon transfer, as well as improve the handling of local mail. This is one point where we feel that a reasonable sum could be expended for additional tube service with much advantage in the manner of expediting mail.

Another instance might be cited in the case of Philadelphia, where it has been informally suggested to the Department that an extended system of tubes was being contemplated for the purpose of handling general commercial business, and it has been clearly shown that the transportation of the mails could be combined with this in a manner that would greatly advance the mails between the main post-office and certain important branch post-offices in that city, thus not only connecting those branch post-offices with the main office, but also giving those branch offices the benefit of the tube service now existing between the main post-office and the two principal railroad stations. By combining the mail service with commercial business it is evident that the cost would be apportioned between the two so that the burden of maintaining the entire cost of the tube would not rest upon the Department.

It has also been suggested to the Department that some of the more important branch post-offices in New York could be connected with the main post-office in such manner as to expedite the handling of mails there; but as above stated, this office, in view of the existing law, has not felt justified in inviting formal propositions in writing or attempting to outline the details of such system.

In submitting my annual report for the last fiscal year I incorporated reports from the postmasters in the cities where the tube service was in operation, showing the benefits to the postal service by the introduction of pneumatic tubes, so far as had been demonstrated at that time. Since then the New York post-office has given more attention to the development of the tube service, resulting in the handling of much more mail matter by that means.

We have also devised and introduced a special interior-locked carrier, whereby registered matter can be handled without going into the hands of the tube employees, and also making it possible for through mail to be carried between two points without being opened or handled at intermediate points, as, for instance, mail may be sent from the Brooklyn post-office, via the New York post-office, to the Grand Central Depot without the interior carrier being opened or the mail being examined in the New York office.

The existing conditions seem to indicate clearly the advisability of repealing the provision of the law which prohibits the making of new contracts, and the desirability of having an additional appropriation made to be used in the discretion of the Postmaster-General for extending the pneumatic-tube service where the advantages to the postal service are clearly apparent. The Post Office bill, as reported by the House committee to the House, did provide for the repeal of the law referred to, and for making a slight additional appropriation for the extension of the service, but this went out on a point of order in Committee of the Whole.

As the Post-Office bill is now pending before the Senate Committee on Appropriations, it might be possible to have action taken in this matter if it were promptly brought to the attention of the committee.

Yours, respectfully,

W. S. SHALLENBERGER,
Second Assistant Postmaster-General.

Hon. CHARLES EMORY SMITH,
Postmaster-General.

OFFICE OF THE POSTMASTER-GENERAL,
Washington, D. C., February 17, 1899.

DEAR SIR: In response to your inquiry I have the honor to forward herewith copy of the correspondence transmitted by this Department to Hon. WILLIAM B. ALLISON, chairman Committee on Appropriations, United States Senate, on January 30, 1899, which fully covers the present position of the Department in relation to the extension of the pneumatic-tube service.

Very respectfully,

PERRY S. HEATH,
Acting Postmaster-General.

Hon. WILLIAM E. MASON,
United States Senate.

Mr. MASON. I also want to call the attention of the Senator from South Dakota to the amendment which I have offered in regard to the use of pneumatic tubes. It provides for the transportation of mail by pneumatic tubes or other similar device, by purchase or otherwise, and it does exactly what was suggested by the Senator from Nebraska [Mr. ALLEN]. It gives the Postmaster-General an opportunity either to decline a tender for rent or to accept a tender of sale.

Mr. ALLEN. If the Senator will strike out of his amendment the words "or otherwise," it would meet exactly the objection which I make.

Mr. MASON. That leaves something to the discretion of the Postmaster-General, and if we can not trust the Post-Office Department to get the best contract possible for the Government, I do not know whom we can trust.

Mr. ALLEN. If the Senator will permit me, I will state that the objection I make is to renting the tubes.

Mr. MASON. In other words, you do not want the Postmaster-General to have any discretion——

Mr. ALLEN. To buy them or have nothing to do with them.

Mr. MASON. I understand the Senator. I want also to say that the Senator from Colorado was mistaken as to the statement of the New York system. But I do not care to take any further time.

Mr. QUAY. I am anxious to get the bill into conference as soon as possible, and if passed at all it should be passed to-day. I therefore feel compelled to move to lay the amendment on the table.

Mr. CARTER. I ask the Senator from Pennsylvania to withhold the motion not to exceed five minutes. I should like, on behalf of the Committee on Post-Offices and Post-Roads, to make a statement.

Mr. QUAY. I will withdraw the motion for that purpose.

Mr. PETTIGREW. I believe there is a point of order pending.

Mr. FAULKNER. That has been withdrawn.

Mr. PETTIGREW. Then I renew the point of order.

Mr. CARTER. Mr. President, with the indulgence of the Senator from Pennsylvania——

Mr. QUAY. My understanding is that the motion to lay upon the table is withdrawn solely for the purpose of permitting the Senator from Montana to make an explanation, and it will be renewed immediately when he takes his seat.

Mr. CARTER. I desire to make a very brief statement as a member of the Committee on Post-Offices and Post-Roads, the committee from which the amendment was favorably reported.

The committee has not inspected the pneumatic-tube service, but the united and apparently uncontradicted testimony of merchants, commercial bodies, bankers, brokers, associations, societies, lodges, all manner of organizations in the large cities where these tubes have been in use, favored the extension of the system. The Post-Office Department, without reservation or evasion, recommended the extension of the system. The testimony of a large number of persons, communicated to the committee in the form of resolutions, letters, and petitions, together with the testimony of the Post-Office Department upon the practical workings of the system, seemed to make it manifest to the committee that this was a transition similar to that which occurred when transportation was transferred from the ox team to the railroad car, from the stagecoach to the train of palace cars crossing the continent, from the old to the new, from the imperfect to the approximately perfect system of transferring the mails from one part of a thickly populated section to another.

In view of the manifest demand for extension in the cities where the service was in progress of completion, and the demand from other cities where the service was equally necessary, it seemed but proper that the Committee on Post-Offices and Post-Roads should recommend that a reasonable increase be allowed. It was not intended to commit the Government to any policy with reference to the future, but it was intended by the committee, in so far as its voice was expressed in reference to the amendment, to give

the system such a thorough test as would in the least possible time enable the Government to determine the exact basis upon which the system would be elaborated throughout the entire country.

According to my own view of the case the amendment ought to be adopted. If this is a system such as the merchants of Philadelphia, New York, and Boston assert, then we are derelict in our duty in administering the postal service to the extent that we delay one hour in giving all thickly populated cities of the country the benefit of the service.

It is suggested by the Senator from South Dakota that only twelve minutes are gained in time between the transfer of mail from the post-office to the Central Station at Forty-second street in New York. Let me suggest to the Senator that there is not a delivery wagon in the city of New York that can be driven from the post-office to Forty-second street during the busy hours of the afternoon inside of one hour's time.

Mr. CULLOM. It requires nearly two hours.

Mr. CARTER. It requires on an average more than an hour, but I state the minimum time, and I deem it very conservative.

Mr. PETTIGREW. I should like to say in that connection that what I said was procured from one of the committee now investigating this subject, a member of the House of Representatives. Senators must remember that it takes some time to locate these little cartridges and fire them through the tubes.

Mr. CARTER. The point of the proposition is involved in this consideration: The cartridges leave the station at regular intervals of about eighteen seconds, I believe. Consequently it so happens that the entire discharge of mail at the Forty-second Street station for any train will be brought in from the last cartridge which left the central post-office not over fifteen minutes before. The discharge of mail from the post-office is continuous in the direction of the distributing stations.

The experiment, we thought, had not proceeded far enough to give to the country and to give to other cities a fair conception of the great benefits this system might ultimately be expected to confer, because they have reached but few stations. The stations, in so far as experience teaches us anything, have wonderfully improved the service, and have likewise increased the postal revenues at the respective points from which the mail is received and discharged.

Mr. QUAY. I renew the motion to lay the amendment upon the table.

The VICE-PRESIDENT. The Senator from Pennsylvania moves to lay the amendment offered by the Senator from Illinois [Mr. CULLOM] on the table. The question is on that motion.

Mr. MASON. I call for the yeas and nays.

The yeas and nays were ordered; and the Secretary proceeded to call the roll.

Mr. GEAR (when his name was called). I am paired with the Senator from New Jersey [Mr. SMITH]. Not knowing how he would vote, I withhold my vote.

Mr. HANSBROUGH (when his name was called). I am paired with the Senator from Virginia [Mr. DANIEL], and therefore withhold my vote.

Mr. MITCHELL (when his name was called). I am paired with the Senator from New Jersey [Mr. SEWELL], and therefore withhold my vote.

Mr. MONEY (when his name was called). I am paired with the Senator from Oregon [Mr. MCBRIDE]; but I am told, if present, the Senator from Oregon would vote "nay;" so I will vote "nay."

Mr. PRITCHARD (when his name was called). I have a general pair with the Senator from South Carolina [Mr. MCLAURIN]. Inasmuch as I understand he and I agree about this matter, I vote "nay."

Mr. SHOUP (when his name was called). I am paired with the Senator from California [Mr. WHITE], and therefore withhold my vote.

Mr. TILLMAN (when his name was called). I am paired with the Senator from Nebraska [Mr. THURSTON]. In his absence I will have to withhold my vote. If at liberty, I should vote "yea."

Mr. WOLCOTT (when his name was called). Upon this specific question I am paired with the junior Senator from New York [Mr. PLATT]. If he were present, I should vote "yea" and he would vote "nay."

The roll call was concluded.

Mr. MALLORY. I desire to announce my pair with the senior Senator from Vermont [Mr. PROCTOR]. If he were present, I should vote "yea."

Mr. BACON. I am paired with the junior Senator from Rhode Island [Mr. WETMORE], and unless some Senator present can tell me how the Senator from Rhode Island would vote I will have to withhold my vote. [A pause.] In the absence of any information I will have to withhold my vote. If at liberty, I should vote "nay."

Mr. BUTLER. I have a general pair with the junior Senator from Maryland [Mr. WELLINGTON] on all party questions; but according to our understanding the pair does not cover a proposition of this kind. Therefore I take the liberty of voting, and vote "yea."

Mr. GALLINGER (after having voted in the negative). I have voted in the negative, but I find the senior Senator from Texas [Mr. MILLS], with whom I have a general pair, is absent from the Chamber, and so I desire to withdraw my vote.

The result was announced—yeas 29, nays 23; as follows:

YEAS—29.

Allen,	Faulkner,	Perkins,	Teller,
Allison,	Hale,	Pettigrew,	Turley,
Bate,	Hawley,	Pettus,	Vest,
Berry,	Lindsay,	Quay,	Warren,
Butler,	McMillan,	Rawlins,	Wilson.
Chilton,	Martin,	Ross,	
Clay,	Pasco,	Stewart,	
Deboe,	Penrose,	Sullivan,	

NAYS—23.

Carter,	Frye,	Lodge,	Murphy,
Chandler,	Harris,	McEnery	Platt, Conn.
Cullom,	Heitfeld,	Mantle,	Pritchard,
Elkins,	Hoar,	Mason,	Roach,
Fairbanks,	Kenney,	Money,	Spooner.
Foraker,	Kyle,	Morgan,	

NOT VOTING—38.

Aldrich,	Gallinger,	Mallory,	Thurston,
Bacon,	Gear,	Mills,	Tillman,
Baker,	Gorman,	Mitchell,	Turner,
Burrows,	Gray,	Nelson,	Turpie,
Caffery,	Hanna,	Platt, N. Y.	Wellington,
Cannon,	Hansbrough,	Proctor,	Wetmore,
Clark,	Jones, Ark.	Sewell,	White,
Cockrell,	Jones, Nev.	Shoup,	Wolcott.
Daniel,	McBride,	Simon,	
Davis,	McLaurin,	Smith,	

So Mr. CULLOM'S amendment was laid on the table.

Mr. WOLCOTT. I have an amendment to offer, reported from the Committee on Post-Offices and Post-Roads, which I will send to the desk and ask to have read, and then returned to me.

The VICE-PRESIDENT. The amendment will be stated.

The SECRETARY. It is proposed to insert the following:

The Postmaster-General may cause to be paid to clerks in charge of substations the compensation for the issue of postal money orders which is fixed by existing laws for post-offices of the fourth class; money orders may be drawn by the Superintendent of the Money-Order System without the exaction of an additional fee for the purpose of correcting errors made by issuing or paying postmasters; and the Postmaster-General shall prescribe the conditions, the fees, and the forms for the issue of money orders.

Mr. ALLISON. I understood the Senator from Colorado to propose to modify that amendment so as to provide for the discretion of the Postmaster-General only as to forms for money orders.

Mr. WOLCOTT. I will say to the Senator from Iowa that the amendment offered does cover three separate provisions. The first, and most important, is as to the form of the money order now in use, concerning which the Department asks for these changes. It covers also a minor matter, which I propose, under the impression that the Senator from Iowa and other Senators having a special interest in the appropriations in this bill will not object to, which is, that where a duplicate order is issued by the Post-Office Department to correct a mistake, as, for instance, where a postal money order is issued in Chicago to some one in Delaware and it comes to Washington, D. C., the wrong destination being named, under existing law the person taking a duplicate order has to pay for the lost order, or where there is a mistake in the order the purchaser of the money order is obliged to pay 3 cents additional, or whatever the sum may be for procuring a new order.

I was anxious also that that should be covered, but if it will facilitate the passage of the rest of the amendment I do not at all object to leaving out so much of the amendment as ends in the middle of line 4, which I understand will meet the objections of the Senator from Iowa. This amendment was reported by the Post-Office Committee, but with the consent of the other members of the committee the amendment may be so modified.

Mr. QUAY. Where does the Senator propose to insert the amendment?

Mr. WOLCOTT. I will state the proper place for the amendment in a moment. I will strike out from the amendment proposed by the Post-Office Committee all up to the word "money," in the middle of the fourth line of the amendment, and then strike out the words in the eighth line of the amendment "the conditions, the fees, and;" so that the amendment will read as follows:

Money orders may be drawn by the Superintendent of the Money-Order System without the exaction of an additional fee for the purpose of correcting errors made by issuing or paying postmasters; and the Postmaster-General shall prescribe the forms for the issue of money orders.

The PRESIDING OFFICER (Mr. CLAY in the chair). The question is on the amendment proposed by the Senator from Colorado [Mr. WOLCOTT].

Mr. ALLISON. Does the Senator from Colorado propose that amendment to come in at the end of line 14 on page 21?

Mr. WOLCOTT. At the end of line 14 on page 21. I understand that to be acceptable to the chairman of the Committee on Appropriations.

Mr. ALLISON. If it is acceptable to the Senator in charge of the bill, I have no objection.

Mr. QUAY. The amendment is accepted by the committee, Mr. President.

The PRESIDING OFFICER. The question is on the amendment proposed by the Senator from Colorado [Mr. WOLCOTT].

The amendment was agreed to.

Mr. WOLCOTT. I desire to offer one or two other very slight amendments. I first offer an amendment to come in at the end of section 4, after the amendment just adopted on page 21, which was reported by the Committee on Post-Offices and Post-Roads, as follows:

The franking privilege, as the same is regulated by law, shall extend to the Hawaiian Islands.

Mr. QUAY. That amendment is also accepted by the committee, Mr. President.

The PRESIDING OFFICER. The question is on the amendment.

The amendment was agreed to.

Mr. WOLCOTT. It becomes my duty also to present a further amendment, reported from the Committee on Post-Offices and Post-Roads, in the following language:

For clerk hire at third and fourth class post-offices, $1,250,000. The Postmaster-General is hereby authorized to make a reasonable allowance from said sum of $1,250,000 for clerk hire at third and fourth class post-offices whenever in his judgment the public service demands clerical assistance in addition to the whole time of the postmaster.

This was very carefully considered by the Committee on Post-Offices and Post-Roads and deemed a wise amendment; but I understand that the Committee on Appropriations have to an extent and partially adopted certain of the suggestions made in the amendment. I would ask the chairman of the committee if he will please inform us what has been done in that respect?

Mr. HOAR. Let the amendment be read from the desk.

The PRESIDING OFFICER. The amendment submitted by the Senator from Colorado [Mr. WOLCOTT] will be stated.

The SECRETARY. It is proposed to insert, after the amendment last adopted, the following:

For clerk hire at third and fourth class post-offices, $1,250,000. The Postmaster-General is hereby authorized to make a reasonable allowance from said sum of $1,250,000 for clerk hire at third and fourth class post-offices whenever in his judgment the public service demands clerical assistance in addition to the whole time of the postmaster.

Mr. ALLISON. On page 10, line 3, as the Senator from Pennsylvania [Mr. QUAY] will observe—perhaps it was done during his absence—we provided for clerk hire at third and fourth class post-offices without changing the amount of the appropriation.

Mr. QUAY. Seven hundred and fifty thousand dollars.

Mr. WOLCOTT. Without increasing the amount. On that statement, Mr. President, I will withdraw the amendment.

The PRESIDING OFFICER. The amendment submitted by the Senator from Colorado is withdrawn.

Mr. CHANDLER. I should like to have the Senator from Pennsylvania or the Senator from Iowa inform us whether the words "for separating mails at third and fourth class post-offices," which are stricken out in this provision, carry out the general purpose of the amendment of the committee; whether anything is now paid for separating the mails at such offices?

Mr. ALLISON. Yes, sir.

Mr. CHANDLER. How, then, does the clause reported by the Committee on Appropriations provide clerk hire for the third and fourth class post-offices not now allowed by law?

Mr. ALLISON. The Post-Office Department hold that in the phraseology "separating mails" they can only employ clerk hire at that class of offices, whereas if the words "separating mails" are struck out, and the words "clerk hire" inserted instead, it will enable them to employ clerks at other places than where there happens to be only a separation of the mails.

Mr. CHANDLER. I have not heard the amendment. If the Secretary will read lines 3 and 4 as amended, then I shall understand it.

The Secretary read as follows:

For clerk hire at third and fourth class offices, $750,000.

Mr. CHANDLER. That is satisfactory. I was not aware that that change had been made in the bill.

On page 19, line 12, after the word "actually," I move to strike out "traveling" and insert the words "employed away from home."

Mr. QUAY. I see no objection to that amendment, Mr. President. What does the Senator from Iowa think of it?

Mr. ALLISON. I suggest that it proposes a very radical change in the law.

Mr. CHANDLER. I think it does not change the spirit of the existing law, and I think the Senator from Iowa will agree with me if he will listen to me for a moment.

The allowance as it stands in the bill is a subsistence allowance for inspectors in the field while actually traveling on business of the Department.

I see there is a difference of opinion between the chairman of the Committee on Appropriations and the chairman of the subcommittee on this matter, and I should like the attention of both of them.

As long as the word "traveling" is used the accounting officers sometimes refuse to allow subsistence to inspectors in the field and away from home, on the ground that they are not traveling. As an illustration, suppose an inspector was to be ordered from New York City to Philadelphia and should stay there a week. Certainly if the Senator from Iowa or I was the Auditor for the Post-Office Department we would construe him as traveling during the week while he was in Philadelphia, because he would be away from home. That construction has not always been put upon the law, and the Post-Office officials, as well as the accounting officers, I think, have taken it upon themselves to hold that an inspector should not have his per diem allowance, although he might be in the field and away from his home employed on duty for the Department, because he was not actually traveling during that period.

I hold that the amendment I propose makes the clause read exactly as it should read, a per diem allowance for subsistence to inspectors in the field; not while actually traveling, but while actually employed away from home on business of the Department. They must subsist. They can not subsist at home, and therefore they are entitled to an allowance, whether they spend one day in a place or two days in a place or ten days in a place.

Mr. ALLISON. Or a year.

Mr. CHANDLER. I do not say that, Mr. President, because no inspector would be likely to be ordered away from home and employed a year; but I do say that that narrow construction ought not to be placed upon this provision, and that employment away from home is what the statute means, and what ought to be expressed in the law.

Mr. QUAY. I suggest to the Senator from Iowa that we take the amendment into conference and examine it.

Mr. ALLISON. I should like to make just a single suggestion.

Mr. CHANDLER. I beg the Senator that he will not undertake to resist the Senator from Pennsylvania and myself, since we happen to be for once united.

Mr. ALLISON. Certainly not. I am very glad the Senator from Pennsylvania is united with the Senator from New Hampshire in this matter, and I regret that I also can not unite with him.

The difficulty with the amendment proposed by the Senator from New Hampshire is that if an inspector resides, for example, in Iowa, and is ordered permanently to the city of Chicago, where there are a half dozen or a dozen inspectors constantly, he will be allowed not only to draw salary, but he will be allowed, under the amendment proposed by the Senator from New Hampshire, to draw in addition $4 a day for his subsistence. The contemplation of the statute as it now stands is that when an inspector is traveling on business of the Department, if he stays a day or two days or a week, or even longer, away from home, he is allowed the necessary per diem.

If the amendment proposed by the Senator from New Hampshire is adopted, all the inspectors who reside in cities like the city of Washington, or in any other city, will at once move to Laurel, or to some adjacent village, and they will be drawing not only their salary, but also their per diem wherever they may be. So we shall have no resident inspectors anywhere else except in the country or at some village places. I therefore think the amendment proposed by the Senator is rather a wide departure from the existing regulations and the existing law.

Mr. CHANDLER. I do not see how the proposed change can do any harm unless the provision should be abused at the Post-Office Department. My complaint now is that injustice is done to inspectors, because the head of the Department may say, although they are away from home a week or two weeks in a particular place, that they are not traveling, and therefore withhold from them their subsistence. I should be willing to have the clause which I propose limited in some way, if the Senator from Iowa thinks it ought to be limited.

I certainly hope that the suggestion made by the Senator from Pennsylvania [Mr. QUAY] will be agreed to, and that the conferees on this bill, if there shall be conferees, may look into the question involved in the amendment and see whether or not it is obnoxious to the objection made by the Senator from Iowa.

Mr. ALLISON. I only desire to state that this is a very radical change from existing law, and that even without abuse it will largely add to the expenses of the Department.

Mr. CHANDLER. I think the case put by the Senator is rather an extreme one—of absence a year from home or of an inspector employed in Washington living at Laurel. But take the case I put. Suppose a New York inspector is ordered to Philadelphia and stays there a week, should he or should he not have an allowance?

Mr. ALLISON. Undoubtedly he should have an allowance. But suppose the Postmaster-General—the inspector residing at Laurel, for illustration—should order that inspector to go to Philadelphia and stay six months, as many inspectors do stay in the large cities and live in them, because they are employed there, he

would receive additional compensation because of the character of his duties. If in addition they receive $4 a day for their subsistence, living away from the original place of appointment, of course it largely increases their compensation. If the Senator from Pennsylvania having in charge the bill desires that the amendment shall go into conference for the purpose of further examination, I certainly shall not interfere with him in that regard, but I happen to know that if it is adopted by the two Houses it will very largely increase the expenditures of the Post-Office Department and the compensation of the inspectors.

Mr. CHANDLER. I wish to ask the Senator from Iowa another question, if he will pardon me. In the case I supposed, where a New York inspector is ordered to Philadelphia for one week, and wants the allowance, can the accounting officers hold, by a fair construction of the law, that during that week he is traveling on business of the Department?

Mr. ALLISON. There is no doubt of it as I understand it; but if he was there for three months, or even a month, I think it would be doubtful.

Mr. CHANDLER. It would not be traveling. I appreciate the force of the argument made by the Senator from Iowa that the right should be in some way limited, and—addressing myself now to the Senator from Pennsylvania—I hope that some clause or word can be found to take the place of the word "traveling," so that in the case I supposed the inspector may get his allowance without any such abuses growing up in the Post-Office Department as the Senator from Iowa says there is danger of.

Mr. QUAY. That was my suggestion. Unless the Senator from Iowa insists upon his objection, I will accept the amendment.

Mr. ALLISON. I merely wish to point out to the Senate and the committee that under the provision as now proposed by the Senator from New Hampshire a man can reside in Maine and be in the service in New Orleans, being constantly employed there, or in Chicago or San Francisco or St. Paul, and receive not only his salary, but his subsistence allowance of $4 a day which is allowed to all these inspectors. I think that ought to be guarded, and I desired to call attention to it. I shall not ask for a yea-and-nay vote on the question.

Mr. CHANDLER. While guarding against that abuse, can the law be made so unmistakable that where an inspector is not actually traveling, but is employed by the Government away from home for a reasonable period, he may have his allowance? That is all I want.

Mr. QUAY. The amendment can be modified so as to protect the Government before the legislation is finally disposed of, and I take the responsibility of accepting the amendment.

The PRESIDING OFFICER (Mr. TURLEY in the chair). The question is on agreeing to the amendment proposed by the Senator from New Hampshire [Mr. CHANDLER].

The amendment was agreed to.

Mr. MONEY. Mr. President, I ask the Senate to recur to page 13 of the bill, line 11, being an amendment reported by the Committee on Appropriations, beginning with the word "Provided," and running through that page and including the first two lines on page 14.

This is an amendment of the committee to restrict the bidding on star routes to bidders living on or contiguous to those routes, or to such persons as will pledge themselves to remove to and live upon the routes. This is done, I wish to say in fairness, upon the recommendation and suggestion of the Second Assistant Postmaster-General, and he recommends it because he says that many complaints have come from members of Congress and others that the present system results in great hardship to local bidders, who can not compete with the speculative bidders, which is probably true to a great extent.

Now, as a matter of fact, I am not considering this matter with reference to how the particular individual who carries the mail may be affected by the amendment, but I am considering the service itself. The effect of this amendment will be to limit and almost to destroy competition for star-route transportation. As it is to-day, we all know that there are firms of bidders who make it their business to bid for star routes in different parts of the country, as they are advertised, and then to sublet in a great measure those contracts. Where they are not able to sublet themselves without a loss—and generally they make a profit or they would not remain in the business—they undertake to carry the mail themselves. Nevertheless, the result is that it is done at a very reduced cost to the postal service. The cost of this service last year was about five and one-quarter million dollars, that was for all the star routes of the United States.

Now, it would be very desirable, in my opinion, to have the mail carried by people who live upon or contiguous to the routes; but those people do not see fit to bid. As has been stated, they do not bid because they are aware of the fact that they will be underbid. Yet, as a matter of fact, it is these same bidders who afterwards subcontract to carry the mails, in very great measure.

The Second Assistant Postmaster-General does not pretend that this is a measure of economy, but, on the contrary, that it will largely increase the expenditures of the United States mail service in this particular. Not only that, but he shows by his report, to which I invite attention, that there will be difficulty in getting the routes bid on at all, and I now direct the attention of the Senate to a paragraph on page 7 of the report of the Second Assistant Postmaster-General, which reads as follows:

> It is conceded that if speculative bidders were excluded the cost of the service to the Government would be increased. Some data on this subject were prepared at the request of a Congressional committee last winter. An examination was made of the proposals received for all the star routes in the State of Texas, which were then being relet. The number of routes was 1,081. For about one-half of these no bid was received from a person living on or contiguous to the route. As to the remaining one-half, if all speculative bids from nonresidents had been rejected and the contracts awarded to local bidders, the cost would have been increased 28 per cent.
>
> A similar examination was made as to the service in California—496 routes. No bids from persons living near the routes were received for about one-fifth of these. As to the remaining four-fifths, if the speculative bids had been rejected and the lowest local bids accepted, the cost would have been increased 29 per cent.

Here is an instance where the test was made to see what would happen, and the result was that in one State, Texas, there were no bids whatever for half the routes, and on the other half the increased cost was 28 per cent. In California no bids were received for one-fifth of the routes, and as to the other four-fifths, the increased cost was 29 per cent.

Now, I have taken the trouble to go over the section that is included in the general letting for my country—the States that are embraced within the Southern letting. The States are North Carolina, South Carolina, Georgia, Florida, Alabama, Mississippi, Tennessee, and Kentucky. The cost of transportation last year upon those routes was $934,811, and if you apply the percentage of increase as shown by the Second Assistant Postmaster-General in his report, the increased cost would be $233,500 in those States on a total of $934,000.

Mr. TILLMAN. Is the Senator from Mississippi through with his quotation? Does he wish to make further remarks?

Mr. MONEY. I am perfectly willing to yield to the Senator from South Carolina.

Mr. TILLMAN. I simply desire to state that, while the facts as presented in the report of the Second Assistant Postmaster-General may show that the speculators who bid on these routes may save the Government money, it is at the expense of the service. We get all sorts of old broken-down mules and dilapidated carts and every kind of apparatus; and they do not come half the time on some of the routes. It is an abuse and an abomination.

Mr. STEWART. That is what it is. It is a disgrace to the Government.

Mr. MONEY. I have to say, as to that matter, that we have nothing whatever to do with it, nor will the change proposed by the Appropriations Committee affect that in the slightest particular. As a matter of fact, when you let the star routes the Government does not prescribe the method or the mode of conveyance, and the man, when he has secured the contract, can take the star-route mail on his back, or on his mule, or in his cart, or in a four-horse coach—in any way he chooses. The team can be good, bad, or indifferent. The Government only concerns itself that he shall deliver the mail upon certain schedule time, starting and arriving at certain hours, and it does not go any further than that.

Mr. TILLMAN. Is the Senator from Mississippi cognizant of a single instance in which the contractor who bids off these routes, the speculator, does not sublet to somebody in the neighborhood and make money by the operation?

Mr. MONEY. I do not know what they have made. I presume they have made money or they would quit the business. I do not suppose any set of men would be continually contracting unless they made money out of it, but I do not care whether they make money or not. I am speaking for the United States.

Mr. STEWART. I want to speak for the United States when the Senator from Mississippi gets through.

Mr. MONEY. It is quite true, as stated by the Senator from South Carolina, that somebody in the neighborhood carries the mail. I want to know, then, why they do not bid low enough in the first instance to get the contract?

Mr. STEWART. I will tell the Senator.

Mr. MONEY. If the field is limited to those gentlemen, you will find the condition just as shown by the Second Assistant Postmaster-General—half the bids not bid on at all, and those that are bid on 28 per cent higher. I predict that if this amendment shall remain upon the bill the increased cost in ten years for star-route transportation upon these same lines will be almost double. It will be about $10,000,000. As it is, there is no interference anywhere with the bidding. Everybody is invited to bid. The Government goes to the expense of publishing its proposals for bids, and they are circulated everywhere in the land. Any person who wants one can write to the Department and get it.

There is hardly a member of Congress who does not ask for the books, and they are sent all the time. Any bidder who wants to bid

on a fifty-dollar route can get one of these books, which shows for what the mail is now being carried and what he is likely to have to propose to succeed in getting the contract. He has all this notice. He is fully armed in that respect; and here is the Second Assistant Postmaster-General who in his report shows that they will not bid. So when you restrict the sphere of competition you inevitably put the cost that much higher. That would be conclusive as a matter of argument, if there were no facts; but the facts prove it. The report of the Second Assistant Postmaster-General itself shows it.

About the only argument he gives, as I understand it, is that it will result in improved equipment:

> Furthermore, I believe that a considerably larger sum for star transportation would be well expended if it resulted in improved equipment, as many of the horses and vehicles now used in carrying the mails present such a dilapidated and disreputable appearance as to be a strong argument in condemnation of the present system.

The Second Assistant Postmaster-General has no means of ascertaining whether it is the contractor or the subcontractor who is using the conveyances, and he does not know, and neither does anybody else know, whether they will be improved. That is left by law entirely to the man who carries the mail, whether it be by contractor or subcontractor. He can provide what he chooses, and there is no way provided by law or by regulation of the Department to in any manner supervise and provide for any better material than we now have used all over on these routes. I know myself from personal experience that the mails are frequently carried in one of these road carts. You will see a negro boy or man with a mule and a road cart going down the road carrying the mail. That is about as cheap a mode as can be devised. But the mail is carried. It is carried upon schedule time.

When one of the contractors fails to comply with his contract, I know the Department has been pretty rigid with him, not only in deducting the pay for that day's transportation, but also in fining him for failure. The contractors are held to a pretty rigid account. I should like to see this service improved, but unless somebody can show that there is to be improved service, then there ought not to be incurred an increased expense; and that that is to follow inevitably is shown by the Second Assistant Postmaster-General himself. It can not be controverted.

Mr. President, I have had a good deal to do with this star-route business. I was the man who first introduced a resolution for an investigation into the rascalities of the star-route service. I was made chairman of the committee. I have no sort of sympathy with these speculative bidders or middlemen. Our business is not to take care of them or anybody else. It is to see that the United States provides for the people the most efficient service possible at the smallest cost to the people. All this money that you propose to spend now upon a lot of fellows who want to have something to fill out their other means of living, their vocation, whatever it may be, is a tax upon the people. The postage stamp has long since ceased to be regarded as compensation for the service rendered, because the inequalities are too great.

The carrying of the mail is a distinct function of the Government. It is as much the duty of the Government to carry the mail as to hold court or to sustain the Army and the Navy. It has no more right to expect that that service or that function shall pay its own way than that the other branches of the Government shall pay their way. While we are taxing the people they should have all they can get for their money; and for that reason I think it an unwise proposition so to restrict the field of competition that inevitably the expense will be increased from 28 to 29 per cent, as shown by the Second Assistant Postmaster-General, and at the same time have no assurance that better service will be provided.

I felt it my duty, Mr. President, to say this much, without having any particular concern about it whatever, except that I know—and we have here what the Second Assistant Postmaster-General himself says about it—there is nothing in the way of argument to justify the increased expense which will come as a consequence of this amendment.

Mr. STEWART. Mr. President, I am opposed to levying unnecessary taxes upon the people to carry the mail, but I am also opposed to levying those taxes upon the people for the purpose of giving several hundred thousand dollars each year to a lot of speculators who by some means get inside information. I traveled for about four or five months over Utah and Nevada a couple of years ago, and I found the mail being carried by poor men on the line for a mere pittance.

What first attracted my attention to it was that we met a man with a horse and cart. His horse had given out. He had nothing to feed him. We gave him some oats. He said he would lose a day in getting in. I asked him if he was not afraid he would be reported. He said no, the postmaster knew what sort of a time he had, and he would not report him. I said, "We are getting our mails very irregularly." He said, "We are doing the best we can." I said, "How do you happen to be in that fix?" He said, "Mr. So and So had the contract, and he said I must carry it for such an amount"—a sum which was entirely inadequate. "Why do you do it?" I asked. He said, "I live in this valley; I have a horse and some provisions here, and I had no other way of getting any money at all to pay my taxes. I have lived here and I have been in the habit of doing it for years." I said, "Are you losing money at it?" He said, "I am not making any. If, of course, they would report me I could not do it. If the postmaster reported me it could not be done."

Then I went to inquiring about the State. I found there was not a single case in Nevada where the contractor was carrying the mail. All the time it was carried by a subcontractor. I asked local people why they did not do it. They said they had put in their bids for years, but it was utterly impossible to get the contracts; that no matter where they would put in the bid it would always be underbid. I called attention to this matter last year and offered an amendment. It was suggested that it would cost more; that there would be unreasonable bids. I then suggested in argument that power should be given to the Department to refuse any bid until they got a reasonable bid. They know what the mail is being carried for now. That feature is provided for in this amendment. If the Department do not get a reasonable bid they will not accept it. Three or four hundred thousand dollars is made here by these sharks. If it was distributed among these poor people under the supervision of the Department we would have better service. You can tell a mail carrier on these star routes as far as you can see him anywhere on the plains. He has a poor old horse, the man going afoot, walking along, and here you have your rich speculators getting three or four hundred thousand dollars a year.

I offered a resolution last session asking the Department to give a full statement of the matter—how many contracts certain men had and how much money they received. The Department said they would not have time to make the report at that session, but if we would ask for a few samples they would give them. So I asked in my resolution for 12 samples; and we found that among the 12 each had from 50 to 500 mail contracts. There is a sort of understanding between them. They parcel out the territory. One man has this territory, another that. They divide up the spoils. A certain man has a certain State, and he gets it all the time. Do you tell me they are honest bids? Of course they are not honest. If the administration will do its duty and not let contracts at unreasonable rates, the service can be improved, and it ought to be.

The postmaster should feel at liberty to report the contractors if they do not come in on time. At several places where I inquired at the post-office why they did not report the contractor when the mails were delayed, they told me it would break the contractor. "He has done the best he could. His horses gave out. He can not afford to carry oats or barley to feed them. They have to be turned out on the grass. We would not get the mail at all if we broke him up in his business. Poor fellow, he can not afford it." That is the condition all over this country. You will find it a miserable service.

You vote large sums of money to railroads, large sums of money everywhere, while it costs only $5,000,000 for the star-route service everywhere; and of that five million speculators get four or five hundred thousand dollars. It does not go to the real parties. The amendment provides that if people do not put in reasonable bids the Postmaster-General shall withhold the contracts until he gets reasonable bids. He can control it if you have an honest administration of the office, and no doubt you would have if they had the means of detecting fraud. So long as you have a system whereby the contractors divide out the country and rob the poor fellows who carry the mail, you will get it done cheaply, but you will get it done miserably. It is a reproach to the Government all through the country to have a dishonest system. The star-route system is regarded as a thieving system in the whole interior of the West.

The Department should have full power to refuse to let a contract except at a reasonable rate. I do not believe in farming it out to a lot of sharks in this town to make hundreds of thousands of dollars each year. It is outrageous; it is one of the worst abuses in this Government; and I congratulate the committee on having brought in an amendment which I hope and believe will cure the evil.

Mr. JONES of Arkansas. Mr. President, some of the provisions of the proposed amendment seem to me to be unreasonable. The provision that the bidder shall reside on or contiguous to the route on which the service is to be performed, it seems to me, narrows the discretion of the Post-Office Department entirely too much. That the amendment will cure an evil which ought to be cured I have no doubt. I think there is no greater outrage than this practice of having a few contractors bid for great numbers of star routes with the intention of subletting them and not carrying the mail themselves. The system ought to be broken up.

There is no mail route anywhere in the country on which there is not some poor, impecunious fellow, who has no sort of business sense, who does not understand what work is worth, and one of

these shrewd, unscrupulous, sharp speculators will induce a man of that sort to take a subcontract. In my State particularly, colored men with no business experience and no business judgment are wheedled into taking subcontracts. These people, in the first instance, have bid, perhaps, to do the service for less than it is worth, and in many instances they induce these poor people to take it for less than they themselves have bid, and sometimes to undertake to do the work for one-half of what it is worth.

The Senator from Nevada [Mr. STEWART] I think places the amount at entirely too small a figure. On routes which have come under my observation they have induced this class of poor people—bad managers—to take subcontracts in many instances for one-half of what they get from the Government. They make an enormous profit, and if there is any way to break it up it ought to be done.

Mr. STEWART. A man does not have to reside on the route in order to bid; but if he gets the contract, he must go there and attend to it himself.

Mr. JONES of Arkansas. I think the language should be altered to some extent, and that there should be a wider field for bidders in that respect; but if there could be a provision put in which would prevent subletting and providing that the people who bid off the routes shall do the work, it would break it up. I do not know just what is the best course to be taken. This amendment, if it goes into the bill, can be considered in conference, and whatever changes are necessary to be made to it to accomplish the purpose can be made by the conference committee.

So far as I am concerned, I would very much prefer that this amendment should be adopted as it is rather than not have some such provision; but I wanted to call the attention of the Senator in charge of the bill to the fact that the provision seems to me to be too rigid, and there should be some change made, if not here, at least in conference.

Mr. QUAY. In what manner would the Senator from Arkansas suggest the liberalization of that provision? I do not exactly see at present, on the spur of the moment, in what way the language could be changed so as to accomplish the object.

Mr. MONEY. The suggestion of the Senator from Arkansas would, I think, end the whole matter; that is, in preventing any subcontracting. That would destroy the whole system of speculative bidding without any doubt.

Mr. STEWART. The amendment already in the bill does it. It disposes of subcontracting.

Mr. JONES of Arkansas. I do not think it does.

Mr. STEWART. Oh, certainly it does. Let me read it:

Provided further, That no payment for carrying the mail on a star route, under a contract hereafter executed, shall be made unless there shall be on file in the Post-Office Department evidence satisfactory to the Postmaster-General that the contractor resides on or contiguous to the route and personally superintends the performance of the service.

Mr. JONES of Arkansas. He can do that by an agent, not by himself. If the intention is to break up subletting, the best way to do it is to strike out, in line 16, the words "reside on or contiguous to said route and" and make it read "that in the event of the service being awarded to him he will not sublet the same, but will give his personal supervision to the performance of the service;" and then repeal the provision of law which now enables a subcontractor to get his money directly from the Post-Office Department. When these subcontracts are made there is such a transfer under the present law that the money is paid by the Department to the subcontractor and he gets his part of it. He has no claim on the contractor, who is not bound to pay him a share of it, and the contractor takes his part of it as clear profit and without any expense.

Mr. STEWART. I think that suggestion might be an improvement.

Mr. QUAY. I think the Senator from Nevada is correct, and probably the amendment is a little too rigid in that provision; but I suggest to him that it can be molded to suit him in conference, and as the discussion has proceeded for some time I move to table the motion to reconsider.

Mr. MONEY. I have no objection in the world to its going into conference. I want to call the attention of the Senate, however, to a fact, and to repeat it, if they will indulge me. While I have no sympathy whatever with these men—I have more sympathy for the poor man who wants to get a job of carrying the mail, as described in the graphic and pathetic language of the Senator from Nevada—yet I do not consider that the Post-Office Department is an eleemosynary institution that is to provide anybody with a living or anything of that sort. However, my sympathy is with that class of people very decidedly. But I want to repeat what I said. I am willing for it to go into conference. I have made no motion about reconsidering, except that I simply wanted to go back to be heard upon this proposition. Whatever restrictions are placed on competition in bidding, it is evident to every mind that it will also increase the cost of the transportation. The best evidence of that fact is furnished in the instance which I read here, as quoted in the annual report of the Second Assistant himself.

Mr. TILLMAN. Will the Senator from Mississippi answer me on one point? He can only guess at it, I imagine, but I have found this situation in our part of the country. One of these speculators will bid all the routes in the entire State this year. Of course, he sublets every one of them. The next year the local bidders get the very information which the Senator states is accessible to them and put in their bids a little below that at which the speculator got it the year before. But somehow the speculator knows it and he goes and underbids them. How does he get the information.

Mr. MONEY. I do not think that question is very properly addressed to me, as I am not a part of the executive branch of the Government. I do not believe, though, in the intimation, as I believe has been charged by somebody, of fraud in the Department. I do not think that is so. I can not imagine it can be true, for the reason that under the regulation of the Department all bids cease at 12 o'clock and none are opened until 12 o'clock, and the very moment that the opening begins not another bid is received. We all know that to be the rule of the Department. How the contents of sealed bids can be communicated to anybody else in time to do him any good I can not imagine, as no bids are received after the opening has begun. However, there is no doubt but that somehow or other these men do get a great many of these contracts. They do not get them for a whole State. They will bid for a whole State, but they will get probably two or three thousand out of fifteen or twenty thousand. They put a net over the whole country and they get what they can.

It also happens very frequently that a subcontractor is paid more than the contractor receives upon his bid. Nevertheless, they do make a profit—how much I do not know. I do not believe anybody does. It is a very good business, for it is evident they do not lose anything. If it can be corrected, I would be very glad to see it done, so that there may be a local bidder who can have the opportunity to carry the mail.

Mr. PASCO. Mr. President, I hope the amendment suggested by the Senator from Arkansas will be offered and that it will prevail, so that an effective effort may be made to break up the business of subletting the mails.

I have listened to what the Senator from Nevada [Mr. STEWART] has said, and he has described a condition which exists also in my own State. I have traveled all over Florida and I have often met upon the roads vehicles of all descriptions carrying the United States mail, which ought to be creditable to this great country, but it is generally carried by broken-down horses and in dilapidated wagons, and it does not do the country any credit.

We have an inefficient service. It is performed by people whose only recommendation frequently is that they will work cheaply, and they are ground down in their prices by these middlemen, who in some way or other manage to secure contracts and control the entire business to the exclusion of local bidders.

I think the system should be changed. I am in favor of requiring a contractor to carry the mail himself, or at least to superintend the work. He should discharge the duty that he contracts with the Government to perform. If that is done, the speculators will be excluded and the people living in the neighborhood where the mails are to be carried and delivered will perform the service and get a living price for their work.

I am glad the committee have taken this matter up, and I hope that some reform will result from their labors. It may cost a little more at first; it may bring additional expense upon the Government, but the result will be to secure better service. The result will be to deprive speculators of their unearned profits, and the money that is paid by the Government will go to the men who really earn it.

Mr. QUAY. On behalf of the committee, I desire to offer an additional amendment, to come in on page 21, if the Secretary will turn to it.

Mr. PASCO. Was the amendment proposed by the Senator from Arkansas adopted?

The PRESIDING OFFICER. The Chair is not aware that any amendment was proposed.

Mr. QUAY. No amendment was proposed.

Mr. JONES of Arkansas. I did not propose an amendment. I simply made a suggestion to go to the committee of conference.

Mr. QUAY. On page 21, line 8, where provision is made for the expenses of the Postal Commission, I move to amend by inserting after the word "time" the words:

And an additional sum of $7,000 is hereby appropriated for said purpose.

The PRESIDING OFFICER. The question is on agreeing to the amendment submitted by the Senator from Pennsylvania.

Mr. BUTLER. Let the amendment be stated from the desk.

Mr. QUAY. It is an additional appropriation of $7,000 for the expenses of the Postal Commission.

Mr. BUTLER. Have the commission found their labors broader than they thought they were?

Mr. QUAY. This seems to be necessary in order that they may

complete their labors to the extent desired by the Senator from North Carolina.

Mr. BUTLER. Is it not the case that they have been given so much work that they can not do any of it intelligently?

Mr. QUAY. They desire, I have no doubt, to do the work thoroughly and faithfully.

Mr. ALLISON. If the Senator from North Carolina will allow me a moment, I think I can explain it.

Mr. BUTLER. I would be very glad to hear the explanation.

Mr. ALLISON. The commission has expended of the original $20,000, I think, about $8,000, leaving $12,000 yet unexpended. The original authority to the commission authorizes the employment of experts, and they ought to be employed, and will be employed, in the line intimated the other day by the Senator from South Carolina. Now, if that is to be done (and it ought to be done, as it is the intention and purpose of the commission to make a thorough investigation), this additional sum will be required. I hope there will be no objection to it. I will state that the Senator from Colorado [Mr. WOLCOTT] and the members of the commission on the House side desire it.

Mr. BUTLER. I notice that the bill provides for continuing this commission for two more Congresses.

Mr. ALLISON. I have not observed that the bill does that. It ought not to do so.

Mr. BUTLER. One more Congress, I mean. It runs over the next two sessions of Congress. Does the commission think that it will take the time of the next two sessions of Congress before we can get a report from the commission?

Mr. ALLISON. I hope not. I think the commission hopes to have its report ready during an early period in the next session, but we thought we could have a report——

Mr. BUTLER. In December of this year?

Mr. ALLISON. In December of this year. We hoped to have a report at the present session, but found it impossible. The examination took a pretty wide range.

Mr. QUAY. The language of the bill, if the Senator from Iowa will permit me to interrupt him, is that the "commission shall make report as soon as practicable after the beginning of the first session of the Fifty-sixth Congress."

Mr. ALLISON. I think that ought to be satisfactory.

Mr. BUTLER. The Senator will notice that in another section the life of the commission is continued over the next two sessions of Congress. My attention was drawn to that. It is on page 20, line 19.

Mr. ALLISON. That is not the purpose of the commission.

Mr. BUTLER. The bill reads that the commission "is hereby continued during the Fifty-sixth Congress." That covers both sessions.

Mr. ALLISON. Very well. I would suggest to the Senator to move to change that provision by inserting "until the end of the regular session of the Fifty-sixth Congress beginning the first Monday of next December." The commission certainly ought to have a little time to discuss and debate their report. It will be a very comprehensive one, I am sure, and I will suggest to the Senator that it will necessarily cover more than the railway mail question, now that we have the pneumatic-tube matter under consideration, upon which a great deal of testimony has been taken and more will be taken.

Mr. BUTLER. Does the Senator think—he is the chairman, I believe, of the commission——

Mr. ALLISON. I am not the chairman. I am a very humble member of the commission. The Senator from Colorado [Mr. WOLCOTT] is the chairman.

Mr. BUTLER. Here are two distinguished members of the commission present. Does the Senator think that the report can be ready by the 1st of January, 1900?

Mr. ALLISON. I hope so, but suppose it can not be. The matter of a report, a matter of great moment, comprehensive in its nature and character, and involving a great deal of testimony, should not be tied down to a particular day, and especially the 1st day of January. We will not be here on that day, probably.

Mr. BUTLER. Well, say, then, "a year from the passage of the bill;" and certainly a year is sufficient.

Mr. ALLISON. I believe that is a very good suggestion, but I think we have reasonably well provided for it by saying "as soon as practicable after the beginning of the first session of the Fifty-sixth Congress." I think that is a direction to the commission that will be observed.

Mr. BUTLER. It provides for simply a partial report, if the commission should see fit. Of course the commission will take notice of the intention of Congress by the wording of the act. While we all want as complete a report as possible, and no Senator would be disposed to hurry the commission either, to the inconvenience of the members or to the detriment of the work, yet of course the commission takes notice of the intention of Congress by the wording of the act, and it is a matter of having an understanding.

Mr. ALLISON. I suggest to the Senator that there will be no difficulty about it.

Mr. BUTLER. Then will it be agreeable for me to offer an amendment saying that "one year after the passage of this act," or "one year from the 1st of February," or any time that would be reasonable, we shall get this report?

Mr. ALLISON. Say "on or before the 4th of March, 1900." That would be a very good time.

Mr. PETTIGREW. That would be too late. We would have another appropriation bill before that time.

Mr. ALLISON. Oh, no. It will be a long session, and there will be no trouble about it. I am sorry that the Senator from Colorado, who is the chairman of the commission, is not present. I think the Senator and the Senate can trust the commission under the phraseology now in the bill, which says, "as soon as practicable after the first day of the first session."

Mr. BUTLER. No one has more confidence in the commission than I have, and it gives me pleasure to state that but a year ago this question that the commission is investigating was debated fully in the Senate. It was debated with a great deal of earnestness and interest, and, if I may be pardoned for saying it, inasmuch as other Senators took part in it besides myself, considerable information was dug up and presented to the Senate with a great deal of care and labor and with some force and effect. There has been a great deal of investigation done for years past. Last year was not the first time this question was discussed, and discussed intelligently, discussed with arguments and facts that were not, I think, met or answered satisfactorily by anybody.

We were told a year ago that Congress wanted to make some reduction; that this matter ought to be reformed and that we must investigate it first; that "we are not satisfied until we investigate it." I suppose every Senator thought that we would have a report before we were asked to vote on another appropriation bill. Here we are to-day with no report, not even a partial report, not even a preliminary report. It seems that the commission has not even investigated one branch of the dozens of important questions they are loaded down with. Now, shall we proceed along for another year, and pass this bill with no understanding that when we come to vote upon the appropriation bill a year from now we are to have a report from this commission?

I submit, Mr. President, that the Senate owes it to itself not to trifle with the country.

Mr. ALLISON. The Senator from North Carolina seems to have a very indefinite comprehension of what the commission proposes. Does he suppose that any member of the commission is undertaking to trifle with the country? I respectfully dissent from that sort of phraseology. If the Senator wants to secure a report, let him offer an amendment here fixing a time as soon as practicable after the opening of the next session of Congress, and not later than any day he may fix.

Mr. BUTLER. That suggestion is agreeable to me, and I will offer such an amendment. I am glad the Senator has made the suggestion. But still I am sorry that he has construed my remarks as a reflection upon him or the commission.

Mr. ALLISON. Certainly not.

Mr. BUTLER. Or that they called forth any feeling.

Mr. ALLISON. I do not construe anything the Senator says as a reflection.

Mr. BUTLER. I did not charge the commission with trifling with the country, but I put in a plea that we should not pursue a course that would lead the country to suppose that we were trifling with them or any just ground for suspicion of that kind. I made no such charge. A careful reading of my remarks, I think, will carry out the statement I now make.

Mr. ALLISON. I take no exception to the Senator's remarks. I move to add:

And not later than March 1, 1900.

The PRESIDING OFFICER. There is an amendment already pending, the one offered by the Senator from Pennsylvania.

Mr. ALLISON. Very well; let that be disposed of first.

Mr. QUAY. That had better be disposed of.

Mr. ALLISON. I will then move to amend as I have indicated.

The PRESIDING OFFICER. The question is on agreeing to the amendment of the Senator from Pennsylvania. The Secretary will read the amendment.

The SECRETARY. At the end of line 8, page 21, insert:

And an additional sum of $7,000 is hereby appropriated for said purpose.

The amendment was agreed to.

Mr. QUAY. Now, the amendment of the Senator from Iowa comes in the third line.

Mr. ALLISON. There is no objection to that amendment?

Mr. CHANDLER. No.

Mr. QUAY. There is no objection to it.

Mr. BUTLER. No.

Mr. QUAY. After the word "Congress," in the third line, insert:

Not later than the 1st day of March, A. D. 1900.

The PRESIDING OFFICER. The question is on the amendment offered by the Senator from Iowa, which will be read by the Secretary.

The SECRETARY. After the word "Congress," line 3, page 21, insert "not later than the 1st day of March, 1900."

The amendment was agreed to.

Mr. BUTLER. I should like to inquire of the Senator from Iowa, if he does not object to stating to the Senate, whether or not the commission has completed any branch of its investigations; and, if so, what branch? Which one of the many subjects that the commission was to investigate has it pursued up to the present time?

Mr. CHANDLER. Mr. President, I take the liberty of saying that the commission has finished no one branch of inquiry. I have hitherto stated to the Senate that the commission only organized one day last summer, and time passed so rapidly that the summer was over before any branch of the inquiry was concluded. Then, in November we began again, and during the winter we have taken testimony and made investigation——

Mr. HOAR. Mr. President——

The PRESIDING OFFICER. Does the Senator from New Hampshire yield to the Senator from Massachusetts?

Mr. CHANDLER. Always.

Mr. HOAR. I merely desired to inquire whether any branch of the inquiry had been begun; and if so, what?

Mr. CHANDLER. I was about to state, when prodded by the Senator from Massachusetts, that the main subject of investigation has been the railway mail pay. But incidentally these other questions came up for discussion. I agreed with the Senator from North Carolina that the commission was being loaded by the Appropriations Committee and by Congress, but it was the privilege of the Appropriations Committee to propose an enlarged investigation and it was the privilege of Congress to order the commission to cover the whole field of Post-Office expenditures. We also went on to investigate the pneumatic-tube service. We investigated the subject of canceling machines; we investigated the subject of fourth-class matter, and incidentally testimony was taken upon some other subjects.

Now, Mr. President, all I want to maintain is that the commission has acted with due diligence, and as rapidly and as vigorously as could have been expected, considering all the circumstances. I do not understand the Senator from North Carolina as criticising the commission, and yet it looks very much as if he were doing so when he rigidly insists upon putting a limitation upon the time within which the commission is to submit the result of its inquiries.

I think, Mr. President, that all these amendments which have been put on ought to be left off and the clause continuing the commission left to stand as it came from the House of Representatives. If you can not trust the members of the Postal Commission, I am very willing to say I do not think there are any eight members of the House and Senate who can be trusted.

Mr. BUTLER. Mr. President——

Mr. ALLISON. If the Senator from North Carolina will allow me a few moments, I desire to say, in one word, on behalf of the report made by the Committee on Appropriations last year respecting this investigation, that if we never had knowledge before, we have knowledge now that there are other subjects relating to the postal service that do need investigation and examination, of which the pneumatic-tube system is one.

I will also say that one of the great controversies respecting the expenditures of the postal service has been that relating to second-class mail matter, it being contended, upon the one hand, that the publishers of the country are being benefited by the low rates of postage on second-class mail matter, and that those who pay 2 cents for an ounce of letter mail are being robbed for the benefit of the publishers.

Mr. President, in dealing with appropriations amounting to $100,000,000, as these appropriations do, annually, and expenditures of a like amount, it is worth while not only to inquire as to the cost of the Railway Mail Service, but respecting the other expenditures by and large, especially great items of expenditure and new proposals of expenditure, in order that we may see whether we can reduce the expenditure properly and still have an efficient mail service.

It is my own view, which was concurred in generally, I believe, by the Committee on Appropriations, that it was not wise to appoint a commission which would deal only with one of the great controverted questions respecting the method of dealing with the mail matter of the country. Therefore we believed that it was wise, instead of confining this investigation to a single subject—which the debate here has shown to be a subject wherein it is necessary—to make an investigation in order to dissipate some of the information or misinformation we had at that time, and endeavor to get the information which would be necessary and proper to make a proper disposition of the Railway Mail Service, including also the disposition of the second-class mail matter, which we were told here over and over again was costing the Government $30,000,000 in addition to what it received as postage upon second-class mail matter. That may be a little thing which should be cast aside without examination or reflection, but it seemed to me that it was necessary to consider that question as well as the other question which the Senator from New Hampshire now says ought to have been included only in the investigation made by the commission.

Mr. BUTLER. Why does the Senator say that misinformation was given to the Senate a year ago? I should like to know what he means by the statement "in order to dissipate the misinformation given to the Senate."

Mr. ALLISON. I mean no reflection on the Senator from North Carolina, because he does not give us misinformation on any subject.

Mr. BUTLER. Mr. President——

Mr. PETTIGREW. If the Senator from North Carolina [Mr. BUTLER] will allow me, I think the Senator from Iowa [Mr. ALLISON] alludes to the testimony taken before the Committee on Appropriations of the railroad attorneys of this country, which was printed and came before us, which undoubtedly was a whole volume of misinformation. No doubt that is what the Senator from Iowa alludes to.

Mr. ALLISON. That is the opinion of the Senator from South Dakota, and we now have his view on the subject also.

Mr. BUTLER. Mr. President, I am satisfied the Senator from South Dakota [Mr. PETTIGREW] is correct since the Senator from Iowa has exonerated the Senator from South Dakota and me from furnishing misinformation, because the only other information that has been presented was the misinformation to which the Senator from South Dakota referred.

The question of second-class mail matter, which the Senator from Iowa says is a subject which has not been investigated, and therefore needed investigation, has already been fully investigated by two standing committees of Congress. The question of second-class mail matter has been investigated by the House Committee on Post-Offices and Post-Roads and it had been investigated by the Senate Committee on Post-Offices and Post-Roads.

The House of Representatives had passed a bill prepared by its committee, after a full investigation, dealing with that question. That bill came here to the Senate; it was investigated thoroughly by the Senate committee; witnesses were called from many different States, and a mass of testimony was taken. The Senate committee reported to this body that bill with an exhaustive majority and minority report.

There has been no question connected with the mail service which has been investigated more thoroughly within the last five years than the question of second-class mail matter. So, if there was any question connected with the mail service that did not need investigating by the Postal Commission, it was that question which had already been investigated by both Houses.

It may be, as the Senator from Iowa says, that he did not know anything about the question on account of the heavy duties he has to perform as chairman of the omnium gatherum committee which has assumed to superintend all of us and all other committees. I admit that I do not see how it would be possible for him to have any special information outside of the routine work of his monopolistic committee, and he is a wonderful man who can grasp all the subjects which go through the Committee on Appropriations, as the Senator from Iowa does, without doing anything outside.

But aside from the Senator and those who are burdened down as the Senator has been with the laborious work of the Appropriations Committee, the Post-Office Committees of both Houses, and those who have taken an interest in the subject for the last three or four years have been considering and investigating officially the question of second-class mail matter, you have the testimony now taken in the Senate Committee on Post-Offices and Post-Roads and you have the testimony taken over on the House side. I dare say the Postal Commission, as intelligent as it is, as able as it is, as diligently and as thoroughly as it will do its work, will not be able to secure any better, more accurate, or more intelligent and comprehensive testimony on the subject of second-class mail matter than has already been collected and printed by the standing committees of both branches of Congress.

Mr. President, there was no valid excuse under high heaven for again going into this second-class mail matter investigation. I will not say that it was purposely done to load down the Postal Commission, so that it could not within any reasonable time do the work which it was really created to do, but that has been the result. I do not believe the commission can do better work investigating the alleged abuses of second-class mail matter than the two permanent committees have done. I know the report on the House side was exhaustive, for I have read it. I was a member of the committee which investigated the subject on this side, and I know something of the amount of testimony taken by it.

You have the information here, and anybody who wants to see

it can have it, and could have had it at any time during the last two or three years. It is useless, and worse than useless, to have this Postal Commission instructed to wade all through that mass of investigation again. Congress has had the testimony on that question before it, and Congress reached its decision intelligently.

The question of railway mail pay is the one that this investigation was intended to cover. That is a big question, but the commission could have covered that question and given us a report by this time. As it is, we have no report now on any question.

But we are called upon to pass another appropriation bill, and one that carries a larger appropriation by nearly $3,000,000 for railway mail pay alone than the bill passed last year.

Mr. President, I understand that the Chair will desire a little time before 4 o'clock to lay certain matters before the Senate, and, as it is only ten minutes till that hour, I will yield now for that purpose and continue my remarks on Monday.

Mr. QUAY. Mr. President, the Post-Office appropriation bill may go over now until Monday. I desire to give notice that I shall call it up for consideration at the close of the morning business on that day.

The VICE-PRESIDENT. The Senator from North Carolina [Mr. BUTLER] will then be entitled to the floor.

PASADENA AND MOUNT WILSON RAILWAY.

The VICE-PRESIDENT laid before the Senate the bill (H. R. 11618) to grant to the Pasadena and Mount Wilson Railway Company right of way and certain lands for railway purposes through the San Gabriel Forest Reserve; which was read twice by its title.

Mr. CULLOM. The bill, the title of which has just been read, is an exact copy of a bill which was passed by the Senate yesterday.

Mr. COCKRELL. To what does it relate?

Mr. CULLOM. It is a little local bill giving a right of way in California, which the senior Senator from that State [Mr. WHITE] desires to have passed, and after he had been called home he asked my colleague to attend to the matter for him.

The VICE-PRESIDENT. Is there objection to the request of the Senator from Illinois for the present consideration of the bill?

Mr. COCKRELL. Let the bill be read at length for information.

Mr. CULLOM. Of course the bill ought to be read, but I desire to say that we passed an exactly similar bill in the Senate yesterday.

Mr. COCKRELL. I understand that. I remember the bill very distinctly.

Mr. CULLOM. I am very anxious to have this bill passed today so that it may become a law.

The VICE-PRESIDENT. The bill will be read for information.

The bill was read; and, by unanimous consent, the Senate, as in Committee of the Whole, proceeded to its consideration.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

Mr. CULLOM. I desire to enter a motion to reconsider the vote by which the Senate yesterday passed the bill (S. 5446) to grant to the Pasadena and Mount Wilson Railway Company right of way and certain lands for railroad purposes through the San Gabriel Forest Reserve.

The VICE-PRESIDENT. The motion to reconsider will be entered.

Mr. CULLOM. I now move that the House of Representatives be requested to return the bill to the Senate.

The motion was agreed to.

REPORT ON RIVER AND HARBOR BILL.

Mr. FRYE. I am instructed by the Committee on Commerce to make a report covering the changes proposed by that committee in the river and harbor bill as it came from the House of Representatives. The report of the items required by the Senate is now in the hands of the printer and will be here by Monday. I ask that this report may be received now, and sent to the printer immediately, so that it can be added to that report.

The VICE-PRESIDENT. Is there objection to the request of the Senator from Maine? The Chair hears none, and the order is made.

MEMORIAL ADDRESSES ON THE LATE REPRESENTATIVE SIMPKINS

Mr. LODGE. Mr. President, in accordance with notice given a few days ago, I desire to call up the House resolutions relating to the death of the late JOHN SIMPKINS, Representative from the State of Massachusetts, and ask that those resolutions may be read.

The VICE-PRESIDENT. The Chair lays before the Senate a message from the House of Representatives, which will be read.

The Secretary read as follows:

IN THE HOUSE OF REPRESENTATIVES, *January 23, 1899.*

Resolved, That the business of the House be now suspended that opportunity may be given for tributes to the memory of Hon. JOHN SIMPKINS, late a Representative from the State of Massachusetts.

Resolved, That as a particular mark of respect to the memory of the deceased and in recognition of his eminent abilities as a distinguished public servant the House, at the conclusion of these memorial proceedings, shall stand adjourned.

Resolved, That the Clerk communicate these resolutions to the Senate.

Resolved, That the Clerk be instructed to send a copy of these resolutions to the family of the deceased.

Mr. LODGE. I offer the resolutions which I send to the desk, and ask to have them read.

The VICE-PRESIDENT. The resolutions submitted by the Senator from Massachusetts will be read.

The Secretary read as follows:

Resolved, That the Senate has heard with profound sorrow the announcement of the death of the Hon. JOHN SIMPKINS, late a Representative from the State of Massachusetts.

Resolved, That the business of the Senate be now suspended, in order that fitting tribute be paid to his memory.

Resolved, That the Secretary be instructed to transmit a copy of these resolutions to the family of the deceased.

Resolved, That as an additional mark of respect the Senate, at the conclusion of these ceremonies, do adjourn.

Mr. LODGE. Mr. President, mankind has always been ingenious in finding phrases which should serve to explain and give consolation for sorrows they could not understand and which seemed too hard to bear. It was this bitter need of humanity which has given us the familiar proverb, coming down across the years from ancient times, that those whom the gods love die young. It was for this reason that—

> The Thracians wisely gave
> Tears to the birthcouch, triumph to the grave.

All such phrases were alike the pitiful and pathetic efforts of humanity to deceive itself about its own keenest sorrows and to find concealment and some healing balm for the deepest and sharpest wounds. The real truth differs widely from the soothing words. The death of the very young is always the hardest to bear, and the loss of those who stand upon the threshold of a bright career is to our finite intelligence the hardest of all losses to understand.

These thoughts are inseparable in my mind from the resolution now before the Senate. We are about to commemorate the death of one who was united with us here in public service and pay to him the honors which the Congress always gives to those members who die with the harness on their backs. In this case the man for whom we sorrow and whose memory we honor was young and with a bright future opening before him. JOHN SIMPKINS was born in New Bedford, Mass., in the year 1862, when the country was in the midst of its great struggle for life, and he belonged therefore to the generation to whom the civil war, and all that led up to it, was but history. He was educated first in the public schools of Yarmouth, on Cape Cod, where he ever after made his home. Thence he went to St. Mark's School at Southboro, and from there to Harvard College, where he graduated in 1885. He took an eager interest in all phases of college life, and an especial part in athletic sports, as he was a man of remarkable physical strength. He came out of college popular, well known to all his contemporaries, and master of a handsome fortune.

The story of the men who have raised themselves from nothing, of the poor boys who have struggled up to the highest ranks of fame and fortune, is always the theme of deserved praise, and that the tale has been so often lived and told in the United States is one of the great glories of a land which gives larger opportunities for such careers than any other country in the world. But it is not on this account well to forget that praise and honor also belong to the man who is born to the wealth, the position, the education, and the opportunities which all desire and so many toil for in vain and who is not content to sit idly down and merely enjoy what fortune has given him. To a young man thus endowed by the accident of birth the world looks very pleasant when first he goes forth to meet it, and the temptations to idleness, to amusement, to self-indulgence are very strong and very alluring. The path of easy and luxurious living opens fair before him and is a very easy one to tread. Too many of those thus happily placed yield to the temptation, too many forget that their good fortune makes greater their responsibilities, that their debt to their country is heavier than that of other men because their country has given them more. Some with a sense of duty are too feeble to carry their good intentions into action and turn weakly from the "stern daughter of the voice of God," because, like the young man in the gospel, they have "great possessions."

To the man who resists the temptations and allurements of a life of ease, who feels and acts up to his responsibilities, who does not seek to occupy himself in adding more dollars to the heap which he possesses, but who goes forth to serve the public with a generous ambition and honest aim, "to scorn delights and lead laborious days," great praise and honor are due. Such a man was JOHN SIMPKINS. He began at the beginning. He threw himself into the life of that purest of democracies, the New England town, took his share in the town meetings, and played his part in town affairs. Thence he went to the State senate, where he served efficiently and well. He was active and earnest in all the many fields where disinterested work is sorely needed and where there is no pay to be had. He was one of the founders of a club within his own political party which soon grew to great strength and power

and became a vigorous element for good in the politics of the State. A strict and consistent party man, he labored for what was highest and best, both in general politics and within the ranks of his own party. His influence was always thrown for what was most worthy in men and measures or in public action alike within his party and beyond its borders.

In due time he was sent to Congress. He labored here with unflagging industry in the interests of his country, his State, and his district. No national interest was too large, no matter concerning his constituents too small, to command his best thought and his earnest attention. He did not undertake to make long set speeches, but he entered into the work of the House and showed himself on more than one occasion a vigorous and promising debater, well prepared on the subject in hand, and abundantly able to defend himself and his position against attack. He was emphatically a growing man, and his painstaking industry and clear, good sense were opening to him an ever wider career of public usefulness. Thus engaged, and with a life full of achievement and of promise, toward the close of his second term he died suddenly, and without any apparent reason, in the fullness of his strength.

To him with his simple and direct nature, his sound sense and abundant humor, the extravagant words of perfunctory eulogy would be as unfitting as they would have been distasteful to the living man. He loved truth and had no sympathy for unrealities or for the utterance of vain things. We can afford to speak of him as he was. He devoted himself early to the public service and brought to that service high character, earnestness of purpose, education, industry, ability, and disinterestedness. He worked hard and well. He had strong convictions, but was never narrow; he was firm without being intolerant. He was open-handed and generous always, not with the generosity which gives because it is easy, but with the thoughtful kindness which springs from a good and tender heart. His benefactions were many, and were as liberal as they were carefully hidden. He was one of those who really do "good by stealth, and blush to find it fame." With simple, unpretending manners, he was thoroughly democratic in all his ways, and where he was best known there was he loved best, among his neighbors on Cape Cod, where he had always lived. To his personal friends his death was a real and lasting sorrow. To the public which he served it was a serious loss, for he was the kind of a man who can ill be spared, even in these crowded, hurrying days. He was a very honest and loyal gentleman, a faithful public servant, a brave and patriotic man. He has left a memory fragrant with many gentle deeds, and lived a manly, useful life, which his State holds in grateful remembrance.

Mr. WOLCOTT. Mr. President, it would have seemed a deprivation to me if I had not the opportunity somewhere to say a word about my friend JOHN SIMPKINS. There are many things I could tell of his official career, for my membership on the Finance Committee of the Senate brought me often into contact with him, especially while the tariff bills were being framed. He was most alert for the welfare of the constituency which sent him here, and he was constantly pressing their interests, always with force and with intelligence. But others here have spoken and will speak of his usefulness and abilities as a member of Congress. I want to say a word of the personal qualities of the man.

It had been my good fortune to know him for many years, long before he entered public life, and to have seen much of him after he came to Washington. He was unaffected, direct, and genuine. He hated sham and pretense, and he always looked you in the eye as he talked with you. He had much humor and a most genial nature. With fine abilities, he was modest and almost shy. A truer friend never lived, nor a more manly character. All men who knew him well were greatly attracted toward him, and perhaps the quality they felt most was his unvarying consideration for others and his kindness of heart.

The world keeps full enough, as far as numbers are concerned, and in the conduct of the business and affairs of life there is always somebody to take the vacant place. But a lost friend is not so easily replaced. We gather ourselves together and life goes on about as usual, but there is something gone that never comes back. He left us, however, that which neither time nor his death can take from us—the remembrance of an honorable, true-hearted, straightforward man, who brought good alone to those who knew him, and who has left behind him only pleasant and happy memories.

Only a few days before he died we stood together on the heights near Arlington overlooking the Potomac. It was a glorious morning in early spring; the city lay at our feet bathed in mist, and the swelling hills and the broad river stretched far away until they mingled with the horizon. He spoke of the wonderful beauty of the landscape and of the pleasure it gave him. When I was next in his presence, it was as a mourner at the touching burial service of that beautiful religion which he cherished, and great banks and masses of flowers covered all that was left of him. And as my thoughts turned back to that vision of hill and river, closed to him forever, I realized that perhaps his eyes had already opened where no horizon limited his gaze, in pure ether, and, illumined with the "white radiance of eternity," he looked with unclouded vision upon some fairer scene.

Fame, as men count it, is shadowy and illusive and fickle. Our friend leaves behind him that sort and quality of fame which has always seemed to me most to be desired and the finest. He will be cherished in deep affection until the last of those who knew him here shall go to join him. His identity, his individuality will then be gradually forgotten by men, and what he did will be merged in the general sum of the achievements of his generation. His constituency will be always the gainer because of his faithful service, and the world will for all time be a kindlier world and more wholesome and better because even for the few years of his young manhood JOHN SIMPKINS lived in it.

[Mr. ALLISON addressed the Senate. See Appendix.]

Mr. PASCO. Mr. President, the distinguished son of Massachusetts whose memory we are here at this hour to honor seems to have been singularly favored by fortune from his advent into the world, and all his surroundings and advantages were of a character to make life happy and attractive.

He belonged to a family that for many generations had been revered and honored and trusted; his father had successfully managed large business transactions, and left an ample estate to be inherited by his children; personally he was robust and vigorous, and in his early days excelled in manly sports and athletic exercises; he was trained in the public schools of his home town, was afterwards prepared for college, and graduated at Harvard in 1885, with a respectable rank in his class, beloved and admired by his classmates.

Thus he stood at the threshold of active life with the advantages of good birth, a generous patrimony, a sound constitution, a liberal education, and popular manners. Many so situated would have felt that there was no inducement to enter upon an active career, and, instead of struggling for success in the great field of human activity, would have wrapped up their talents in the napkin of ease and personal comfort and enjoyment. But JOHN SIMPKINS had higher and nobler purposes in view. He devoted himself to the public service and to a life of usefulness with a resolve to win fame and position. He discharged the duties of citizenship among the people of his town and county in a faithful and conscientious manner. His splendid home at Sandy Side, near Yarmouth, was the scene of a generous hospitality. He gave freely of his abundance to those in poverty and distress and in a manner so unostentatious that those who were benefited by his bounty were often unaware of the source from which it flowed.

Five years after receiving his college diploma he became a State senator, and was reelected the following year. A year later, in 1892, he served as a Presidential elector for Harrison and Reid, and in this campaign became one of the recognized leaders of his party in his State.

In 1894 he announced himself as a candidate for the nomination of Representative in Congress from his district. His competitor had the advantage of being a resident of a large city, and during a service of three terms had gained many friends and had a strong following. Mr. SIMPKINS entered into the canvass with great resolution and energy. It was almost a house-to-house contest, and a great deal of interest was aroused. The result was in his favor, and he served his constituency so acceptably that he was reelected for a second term. But little more than half of this had passed when the hand of disease was laid upon him. No serious apprehension troubled his friends, for his healthful appearance and strong constitution promised a speedy recovery, but the symptoms grew worse. Medical skill was unable to arrest the progress of his malady, and when life was at its brightest and the future appeared most promising he was called away from earthly scenes and his spirit returned to God who gave it.

I shall not enter into the details of his public life here in Washington. The Senators from his own State are better prepared to do this than I am. But in the brief examination I have made of his Congressional work I have been impressed with his desire to be useful to his own people. His home was on the seacoast. Many of his constituents were sailors and fishermen, and in his committee assignments—on Interstate and Foreign Commerce and Merchant Marine and Fisheries—he was so placed that he could look after their welfare. He especially interested himself in the pilotage laws and legislation to ameliorate the condition of seamen, and was always ready to speak and act when an opportunity was afforded to do anything in their behalf.

Mr. SIMPKINS died in his thirty-sixth year, leaving as a legacy to his relatives and friends a memory fragrant with good deeds and noble acts. Those who were intimate with him bear testimony to his kind disposition, his sweet and gentle nature, and his open-handed generosity, which brightened many a fireside and

cheered many a despondent heart. From a human standpoint it would appear that his departure came too soon; but who can foretell what the future would have developed had his life been continued? It was a trite saying more than two thousand years ago that a man's life could not be judged before his death whether as a whole it would turn out well or badly.

I said in the early part of my remarks that he was singularly favored by fortune and he passed away in the full meridian of success and prosperity, after an honorable life, an untarnished record, in the enjoyment of an undiminished popularity. If the future had in store for him trouble and failure and disappointment, such as often falls to the lot of even the most deserving, he was not called away too soon, and in passing judgment upon his life we may well pronounce it a happy one.

He performed his life's work faithfully and well and has gone to his rest leaving his memory to be preserved and cherished by the people of his native State. The regret and sorrow caused by the departure of so good a man is not for him, but for the loved ones in the family circle, the friends who enjoyed his society, the poor and suffering who profited by his benevolence, and the constituency whom he served faithfully, industriously, and conscientiously.

Mr. CHANDLER. Mr. President, during the thirty-three years which have elapsed since I first came to enter into busy life at the nation's capital, men in public life have come and gone as fleetingly as meteors across the sky or as the snowflakes of the past week, until at last almost no one is to be seen in active participation in public affairs—I now see here present only the Senator from Iowa, Mr. ALLISON, and the Senator from Illinois, Mr. CULLOM—who with me witnessed in Washington the jubilant and glorious closing days of the great civil war, followed by that tragic event, the assassination of Abraham Lincoln, which so grotesquely signalized the dawn of lasting peace in a reunited country to which that war, through a great price of blood and treasure, had brought the new blessing of universal liberty to all within its borders.

While recalling to mental vision those who have thus passed across the stage before me, pleasing, though quickly transient, in my memory arise the face and form of the subject of this afternoon's memorial exercises in the Senate.

On the 5th day of May, 1897, as the guests of a mutual friend, we sat together during a long conversation which revealed him to me as a true gentleman, a man of high culture, who sought to be guided by lofty principles of action in private and public life; who was, in his views of humanity, imbued with a keen sense of gentle humor, and who possessed a soul full of kind thoughts and sweet wishes for the persons and things he loved.

Thereafter I thought of him as a personal friend and as a public official whose career of bright promise would be adorned with benefits and blessings which he would help to bring to the country he desired faithfully to serve. Alas, these expectations were not to be realized. God, in His inscrutable providence, arrested his life on earth, with little warning, and transferred him from the activities of this world to the unknown duties of a higher sphere, leaving to his relatives and friends only the tender memories which they will forever cherish of his cheerful greetings, his attractive personality, and his helpful labors for their happiness and for the welfare of his State and country.

The events of Mr. SIMPKINS's life have already been briefly narrated by the junior Senator from Massachusetts [Mr. LODGE], and they should be carefully contemplated as an incentive to similar careers on the part of the young men of America who may be in like manner blessed from birth with the advantages of full education and ample worldly fortune.

He was born in New Bedford, Mass., June 27, 1862. Soon after his graduation at Harvard University, at the age of 23, he began to take an interest in political affairs. In 1890 he became a member of the Massachusetts State senate. Continuing in the active service of the Republican party in honorable ways, he was elected from the Thirteenth district of Massachusetts to the Fifty-fourth Congress, at the age of 33, and, being reelected to the Fifty-fifth Congress, he died in Washington on the 26th day of March, 1898.

In presenting the life of Mr. SIMPKINS—so short, so industrious, so useful—as one worthy of imitation by other young men of America, it is well to consider the needs of the public for the services of such men in the legislative and executive branches of the State governments and the National Government.

It is not necessary to underrate the usefulness in public affairs of those who are called the self-made men, those who, without early advantages, giving to them college educations and ample means of livelihood while engaging in politics, have yet by native force of character, by rigid self-denial, and by untiring industry forced themselves to the front and have properly become the leaders of men and of nations. The presence of such men will never be lacking and their influence will never fail powerfully to affect the movements of governments and of mankind.

But supplementing the work and influence of the self-made men of America, there is always needed, and now more than ever, the participation in public affairs of the young men of education and fortune, always presupposing that they enter political life not alone with a view to making names and fame for themselves, but with a determination and zeal born of study and reflection usefully to lend helping hands to secure for their State and country such pure and intelligent government as will benefit the people whom that government exists to serve.

In politics in these our present days the poor man who enters public life always finds himself with increased needs for money, and he is frequently surrounded with great temptations illegitimately to increase his income; and too often is such a man lacking in that fearless independence which is so essential to usefulness in public station. From such conditions as these men of ample fortune are exempt. They usually have also the learning which will help to teach them what, in the light of the past experiences of the nations, is on the whole the right way for the State or the country, and they can have no excuse whatever for yielding to inducements of any sort which may be presented to them to depart from the open, clear, and direct paths of public duty.

Irrespective, however, of the consideration of this question of the advantages in public life which belong to men of independent fortune compared with those possessed by men of limited means, the young men of this country, whether poor or rich, should be encouraged to enter early into participation in political affairs. Far be it from me to oppose the continued activity and influence in public affairs of the wise old men of any country. Their counsel certainly should be sought and duly considered to the end of their days. Yet it is not alone for fear that physical infirmities may prevent the usefulness in battle of the old sailors and soldiers of the Republic that the ages of 62 and 64 are fixed as the imperative retiring periods in the Army and Navy. There must also enter into that decision the idea that with advancing age comes a weakening of mental faculties which makes it expedient that the power shall be transferred to younger hands. Is there not also in mind the truth that with age comes too great an unwillingness to change views, to adapt them to changing circumstances, to realize what human progress demands, and to act accordingly?

But such views as these, if they have helped to cause the retirement at certain ages of military officers of the Government, have never yet resulted in compelling the retirement of civilians from service in the State or National Government at any particular age except in the cases of the judges of the courts. The people are left free to keep in their civil service men of any age. The true method, then, is to supplement the labors, the counsels, and the influence of the sages and veterans in politics by the more general advance into the public service of the young men of the nation.

They should not linger too long behind their fathers. When the question was whether the wrongs of the Cuban people should cease, the sympathies and the influence of the young men of America brought on the war with Spain. They also gave success to that war, and by volunteering with alacrity and overwhelming force by sea and land they gave to this country a speedy victory over the Spanish arms.

The old century closes with great questions for decision by the American people, with important action to be taken to determine the destiny of the country in the new century which begins. The responsibility devolves upon the young men of the new America. Their name is legion. Let them think and act intelligently, conscientiously, and fearlessly, realizing that the future prosperity and honor and glory of their nation depend upon them more than upon those of us who belong to the retiring generations of the nineteenth century. Young men, the power, the duty, and the opportunity are yours.

We, the older, perhaps not the wiser, men, after all are only waiting—

Only waiting till the shadows
Are a little longer grown;
Only waiting till the glimmer
Of the day's last beam is flown,
Till the light of earth has faded
From the hearts once full of day,
Till the stars of heaven are breaking
Through the twilight soft and gray.

Only waiting till the Reapers
Have the last sheaf gathered home.

Mr. PENROSE. Mr. President, I rise to add my tribute to the memory of JOHN SIMPKINS, late Congressman from Massachusetts. I met him for the first time during the closing days of the last Congress. He had been at Harvard University with my brother, and they had been associated in athletic pursuits there. This fact and the fact that I also was a graduate of that university gave ground for a ready acquaintance, which developed into personal friendship. We happened to be thrown much together, and

I learned to esteem his personal worth and his sterling public qualities.

In social intercourse he was genial and generous. He was one of those men whose companionship was always welcomed by his friends. He was straightforward, brave, and honorable. Having trained and excelled in athletic contests, he had great physical strength and vigor. As a graduate of Harvard University he possessed a fine education and all the splendid advantages of mental training derived at that great university. His early and continued participation in public affairs had given him that practical experience and comprehension without which the mere scholar is inferior in good sense to the man without education. His qualities were sterling and rugged, giving assurance of his continued, lasting success in his public career.

In fact, Mr. President, he was an admirable type of American citizenship. He came of honorable ancestors in the great State which he in part represented. His great-grandfather was a minister, his grandfather the publisher of the first newspaper in his county, his father a successful business man. At an early age he took an active part in public affairs. He had been a member of the Massachusetts Republican State committee, a Presidential elector, and a State senator. With this political training he came to Congress, and was serving his second term at the time of his death.

His friends predicted for him a long and brilliant public career. He doubtless looked forward to such a career himself. But, Mr. President, to-day, instead of eulogy for deeds performed and successes achieved through many years crowned with honor, we have only to express our deep regret, our genuine personal sorrow, for his untimely death and the cutting short of a career of such promise.

Seldom have I been shocked by the death of anyone as I was by the death of Mr. SIMPKINS. We had spent the evening together but a few days before. He was apparently the most stalwart and vigorous of our little party. He seemed in high spirits, bright, active, and hopeful for the future. A few days later, without having known that he had been sick, I learned that he was dead.

Mr. President, the great constituency which he represented has lost a vigorous, capable, and patriotic champion. His family has suffered a bereavement for which time alone can give consolation. His friends and colleagues take this occasion to suspend the important deliberations imposed upon us at this time to pay their tribute of respect and sincere sorrow. Those who knew him will cherish the memory of his genial, honorable, and vigorous character.

Mr. HOAR. Mr. President, his colleagues in the other House and my colleague have adequately portrayed the delightful personal quality of Mr. SIMPKINS and his valuable and faithful, though modest, public service. Representatives and Senators from other States have responded with tributes not less affectionate and just. I do not think it is needful that I should repeat what they have said, or should undertake to add anything to it myself. I wish only to put on record my sense of personal loss and my admiration and affection for this noble, sincere, and simple-hearted gentleman.

Few men ever came into either House of Congress who won so quickly the cordial regard of every man with whom they came into contact. There was a sweetness, a gentleness, a deference, yet a manliness and strength which made instantly their impression on the most casual acquaintance with Mr. SIMPKINS. The character of the man shone through his countenance as through a window. It spoke in the glance of the eye, in the smile, in the carriage of the person, in the grasp of the hand. Without anything of adulation or extravagance, you were at once aware that you were in the presence of a friendly and hearty nature, pervaded by a sincere good will toward all humanity. He was a man who liked to say pleasant things, but who liked better to do pleasant deeds. His dwelling was the scene of a cordial and refined hospitality, full of good books, tasteful household ornaments, and everything that makes home delightful and dear. No man who has ever partaken of that refined hospitality, who has seen Mr. SIMPKINS in the presence of his neighbors and friends, will ever forget the occasion.

It has been the good fortune of the Massachusetts delegation of late years that they have been a band of brethren and friends, increasing the influence of the old Commonwealth by cordial cooperation in everything that has made for her interest or for the interest of the country as her people conceive it. But of our whole company no man has been more absolutely beloved than Mr. SIMPKINS, and no man has been borne to his grave with a deeper sense of personal loss in the heart of every one of us than he.

I move, as a token of honor to his memory, that the Senate do now adjourn.

The VICE-PRESIDENT. The question is on the adoption of the resolutions, which includes the motion of the Senator from Massachusetts.

The resolutions were unanimously agreed to; and the Senate (at 4 o'clock and 53 minutes p. m.) adjourned until Monday, February 20, 1899, at 12 o'clock meridian.

HOUSE OF REPRESENTATIVES.

SATURDAY, *February 18, 1899.*

The House met at 12 o'clock noon. Prayer by the Chaplain, Rev. HENRY N. COUDEN.

The Journal of the proceedings of yesterday was read and approved.

JOHN BREEN.

Mr. WANGER. Mr. Speaker, I ask unanimous consent for the present consideration of the bill (H. R. 1542) for the relief of John Breen, lately postmaster at Gladwyne, Pa.

The Clerk read the bill, as follows:

Be it enacted, etc., That the Postmaster-General be, and is hereby, authorized and directed to give credit to John Breen, lately postmaster at Gladwyne, Pa., in the sum of $1,100, for money orders fraudulently obtained from said office on the 13th day of August, 1893, and to which the signature of said John Breen was forged, and said money orders were fraudulently issued and payment thereof obtained through no fault of the said John Breen.

Mr. UNDERWOOD. Mr. Speaker, reserving the right to object, I would like to have the report read.

Mr. SMITH of Kentucky. I would like to hear some explanation, Mr. Speaker.

The Clerk read the report (by Mr. MINOR), as follows:

The Committee on Claims, to whom was referred the bill (H. R. 1542) for the relief of John Breen, late postmaster at Gladwyne, Pa., having carefully considered the same, recommend that it do pass.

The facts are set forth in the following letters from the Post-Office Department:

POST-OFFICE DEPARTMENT,
OFFICE FIRST ASSISTANT POSTMASTER-GENERAL,
Washington, D. C., February 16, 1899.

SIR: I beg to acknowledge the receipt (by reference) of your letter of the 20th instant addressed to the Postmaster-General, in which you ask for a statement of the facts in the case of John Breen, late postmaster at Gladwyne, Pa., for whose benefit H. R. 3106 (of which you inclose a copy) has been introduced.

In reply I have to inform you that when a change was made in the form of the money order postmasters were instructed to return to the Department all unused blank money-order forms of the old issue remaining in their hands on June 30, 1894. No forms of the old issue having been received from the post-office at Gladwyne, Pa., a communication was sent to the postmaster at that office calling his attention to the fact that no old forms had been received therefrom, and inquiring whether he had on hand on July 1, 1894, any blank money orders of the old issue. To which, under date of November 15, 1894, I. B. Cornman, postmaster at Gladwyne, Pa., replied: "I never had any of the old forms of money orders and advices. When I took charge of the office, John Breen, former postmaster, told me the money-order business had been suspended, and the blank money orders and advices were given to an agent who called at the office and took a receipt from him." This was the first information the Department had concerning this matter, although Mr. Breen claimed that the forms were taken from him about August 15, 1893.

On November 21, 1894, this office addressed a letter to the postmaster at Gladwyne, quoting the statement made by him in his letter of November 15, and requesting that he would see the late postmaster and request the latter to show the receipt to which he referred and furnish this office with a copy thereof. To this letter the postmaster at Gladwyne, on November 22, replied that he had seen J. Breen, who now "tells me he did not get any receipt. He told me before that he took a receipt. He says the agent produced a paper giving him authority." November 27, 1894, Mr. John Breen addressed a letter to this office, from which I quote as follows: "In writing this note to you in reference to money-order blanks which were taken from this office about August 15, 1893, by an authorized agent of the Post-Office Department. The blank was only taken at that time so that no more could be issued from this post-office—Gladwyne, Pa. But the books and stamp and dater were not taken, but were left here with the understanding that in the near future no doubt would be returned again to Gladwyne post-office. I would state to you that the last money-order issued from this office by me was on August 11, 1893, for $1.50 at Philadelphia, Pa."

When the money-order account of John Breen, late postmaster at Gladwyne, Pa., was adjusted by the Auditor for the Post-Office Department it was ascertained that he had not accounted for money-order forms numbered consecutively from 40 to 50, inclusive, although these forms had apparently been issued at his office and had been paid at various offices in Connecticut, Massachusetts, and Rhode Island, having been drawn for $100 each and dated August 14, 1893. Thereupon it appears that demand was made upon Mr. John Breen for the payment of a balance due by him on money-order account, including the amount of the money orders in question.

From other papers in this case it appears that Mr. John Breen alleges that August 13, 1893, a person of good address called at the post-office in the absence of Mr. Breen and exhibited to Mrs. Breen what purported to be an appointment as inspector or other officer in the postal service and stated that the Post-Office Department had determined to discontinue the small money-order offices and that he was directed to receive the money-order blanks from the Gladwyne post-office; that thereupon Mrs. Breen, being satisfied from the authority exhibited to her and the statements made that the visitor was a postal official, delivered over to him the eleven money-order blanks remaining in the office. No investigation by a post-office inspector was made at the time of this occurrence, because the circumstances were not reported to the Department by Mr. Breen, and the Department had no knowledge of the transaction, which Mr. Breen supposed to be entirely regular.

Very respectfully,

F. H. JONES,
First Assistant Postmaster-General.

Hon. CHARLES N. BRUMM,
Chairman Committee on Claims, House of Representatives,
Washington, D. C.

POST-OFFICE DEPARTMENT,
OFFICE OF THE POSTMASTER-GENERAL,
Washington, D. C., May 18, 1896.

SIR: I have the honor to inform you that at my request the Attorney-General has ordered the United States attorney for the eastern district of Pennsylvania to continue the case of the United States *vs.* John Breen and his sureties.

Very respectfully,

WM. L. WILSON, *Postmaster-General.*

Hon. I. P. WANGER,
House of Representatives.

OFFICE OF THE POSTMASTER-GENERAL,
Washington, D. C., December 11, 1896.

DEAR SIR: Responding to your letter of December 11, requesting me to furnish for the use of your committee so much of the report of the inspector as the Department can supply in the matter of the claim of John Breen (H. R. 3106) without prejudice to the interest of the United States, I have the honor to say that in accordance with the promise of my letter of May 16, 1896, to Mr. WANGER, I wrote him on May 28, 1896, a letter of which the inclosed is a copy.

I have examined the inspector's report filed in the office of the auditor, and do not find that it contains any further information than what is stated in my letter as to the facts connected with the claim of Mr. Breen. When I wrote my letter of May 16, I was under the impression that there was on file in the Department some evidence or report giving more definite information with reference to this claim than the subsequent examination of the papers disclosed.

Very respectfully,

WM. L. WILSON, *Postmaster-General.*

Hon. CHARLES N. BRUMM,
Chairman Committee on Claims, House of Representatives.

OFFICE OF THE POSTMASTER-GENERAL,
Washington, D. C., May 28, 1896.

DEAR SIR: I have caused search to be made in this Department for further papers relating to the claim of John Breen, late postmaster at Gladwyne, Pa., for repayment by the Government of the amount of certain money orders alleged to have been fraudulently obtained from the post-office at Gladwyne on the 13th of August, 1895, by an individual representing himself as an agent of the Post-Office Department, without being able to find anything bearing particularly upon that case.

It does appear from the reports in this Department that some time in the year 1893 and the beginning of 1894 an individual afterwards identified as Leroy Harris, a former clerk in the New York post-office, had visited various post-offices of the country, and, in the manner alleged by Mr. Breen in his case, had secured money-order blanks from postmasters.

After a long chase by the inspectors of the Department Harris was arrested and transferred to the northern district of Illinois for trial, where he was indicted for passing forged money orders at Aurora, Ottawa, and La Salle, Ill. He was tried and convicted upon each of these three indictments, and on the 21st of March, 1894, was sentenced by Judge Bunn, of the United States court, to confinement in the penitentiary at Joliet, Ill., at hard labor, for five years.

I return herewith copy of letter of the First Assistant Postmaster-General, of date February 25, 1896, relating to the case of Gladwyne.

Very respectfully,

WM. L. WILSON, *Postmaster-General.*

Hon. IRVING WANGER,
House of Representatives.

The SPEAKER. Is there objection to the present consideration of the bill?

Mr. BAILEY. Mr. Speaker, reserving the right to object, I want to inquire how it is that a man whose name was forged has been compelled to pay. Under the law the man who paid a forged post-office order or other instrument would be the man to come here for relief.

Mr. WANGER. He has not been compelled to pay, as yet.

Mr. BAILEY. He could not be compelled to pay.

Mr. WANGER. A suit has been pending in the district court in Philadelphia, and has been since 1895, and that trial has been postponed on the recommendation of the Postmaster-General; but finally they have been directed that the case shall proceed to trial.

Mr. BAILEY. It is impossible to obtain a judgment against a man upon an instrument to which his name was forged, unless it might be on the ground that he was guilty of gross negligence in putting the implements of forgery within the reach of other people.

Mr. WANGER. The parties are subjected to the annoyance and expense of a trial, and the testimony is in the Department here. All the United States is required to do is to introduce a bond in evidence and a statement of settlement of the money-order account.

Mr. BAILEY. And all the defendant has to do is to prove that his name was forged to these instruments; and I should think he would want to do that, anyway.

Mr. WANGER. He has to call for the production of the instruments themselves, and he has proved this to the satisfaction of the Committee on Claims.

Mr. BAILEY. Has he proved it to the satisfaction of the United States district attorney in charge of the case? If he has, the attorney, I should think, would dismiss the suit.

Mr. WANGER. He has not, but the ground, as I understand it, and on which the United States bases its claim, is that notwithstanding his name was forged he allowed the money-order blanks to go into the possession of another person, who made the fraudulent use of them.

Mr. BAILEY. I do not suppose that even under the circumstances stated in the report negligence of such a character as that would bind him.

Mr. WANGER. I do not think that it would, still there is the annoyance of a trial.

Mr. BAILEY. I understand; but a man who puts it into the power of other people to defraud is fortunate if he is only annoyed with a trial. Now, I will ask the gentleman from Pennsylvania if the Post-Office Department has also been satisfied that this man ought to be relieved. I do not understand that the Department makes a direct recommendation to that effect.

Mr. WANGER. The Department has never made a direct recommendation, but the late Postmaster-General Wilson told me about May 16, the time he asked the Attorney-General to continue the trial, that he would so recommend, and repeated that statement at different times; but unfortunately he never dictated his letter at the time of my being at the Department. He would speak of it and then it would pass out of his mind.

Mr. BAILEY. The difficulty in my mind is this: I can not understand how a lawyer representing the Government could expect to recover on the state of facts that are set out in the report. If all that is said is true, and they have said all which relates to the case, it would seem to me that any reputable lawyer would dismiss it at once, because nobody would expect to recover a judgment against a man upon a forged instrument, provided he could demonstrate to the satisfaction of the jury that his name had been forged. Of course I do not mean to intimate that the gentleman from Pennsylvania knows anything outside of the papers, but there must be something in this case beyond what has been developed or else the attorney for the Government would dismiss it.

Mr. WANGER. With one exception; there is a regulation of the Post-Office Department that any postmaster who allows money-order blanks to go out of his possession without receiving the money is liable.

Mr. BAILEY. Oh, well, they are suing him for that and not for the forgery.

Mr. GREENE of Nebraska. Will the gentleman from Pennsylvania allow me a question? Were these orders that had been signed in advance by the postmaster?

Mr. WANGER. Not at all.

The SPEAKER. Is there objection to the present consideration of the bill?

Mr. SMITH of Kentucky. I shall have to object, Mr. Speaker.

The SPEAKER. Objection is made.

MESSAGE FROM THE SENATE.

A message from the Senate, by Mr. PLATT, one of its clerks, announced that the Senate had passed bills and joint resolutions of the following titles; in which the concurrence of the House was requested:

S. R. 73. Joint resolution for the location and the erection of a statue of Francis E. Spinner at the Treasury Department building in Washington;

S. 3003. An act granting a pension to Eleanor McDevitt;

S. 2037. An act granting a pension to Ellie Kee;

S. 2049. An act granting a pension to Julia M. Johnson;

S. 3001. An act granting a pension to Mary J. Freeman;

S. 1907. An act granting a pension to Nancy A. Dowell;

S. 3475. An act granting a pension to Charles Critzer;

S. 5211. An act granting a pension to Amanda Pitman;

S. 3227. An act granting a pension to John W. Lay;

S. 5040. An act granting an increase of pension to Jane McMahon, widow of Bernard J. McMahon;

S. 2716. An act granting a pension to Mary R. Bacon;

S. 5003. An act granting an increase of pension to Mrs. M. A. Dennis;

S. 5207. An act granting an increase of pension to Charles E. Banfield;

S. 5435. An act granting a pension to Emma J. McIntire;

S. 5036. An act granting a pension to James C. Delaney;

S. 757. An act granting an increase of pension to John Smith;

S. 5264. An act granting an increase of pension to W. B. Carniff;

S. 1906. An act granting an increase of pension to James H. Coventon;

S. 5510. An act granting an increase of pension to Eli Bladerston; and

S. 1649. An act granting an increase of pension to Francis Scott.

The message also announced that the Senate had passed without amendment bills of the following titles:

H. R. 2459. An act granting a pension to Mary C. Bates;

H. R. 11382. An act granting a pension to Margaret A. Lowther;

H. R. 1573. An act granting a pension to Julia Walke;

H. R. 10858. An act granting an increase of pension to Amanda Willmarth;

H. R. 8179. An act granting a pension to Levi M. Truit;

H. R. 7902. An act granting a pension to Albert Putnam;

H. R. 11084. An act to amend an act entitled, "An act to amend an act to grant to Gainesville, McAlester and St. Louis Railway Company a right of way through the Indian Territory;"

H. R. 11899. An act granting a pension to Judith Doherty;

H. R. 5209. An act granting a pension to Belle Shumard;

H. R. 11420. An act granting a pension to Emily McLain;

H. R. 6681. An act granting an increase of pension to Jere Smith;

H. R. 9314. An act granting an increase of pension to Isaac Stephens;

H. R. 5805. An act for the relief of Col. George G. Pride;

H. R. 9234. An act increasing the pension of George Blakesley;

H. R. 6502. An act granting increase of pension to William Rolley;

H. R. 8445. An act granting a pension to Joseph N. Harmon;

H. R. 5762. An act granting an increase of pension to Joel W. Gibson;

H. R. 2171. An act granting a pension to Wilhelmina Barth;
H. R. 8754. An act granting an increase of pension to Lemon Holton;
H. R. 4806. An act granting an increase of pension to Bonaventura Heinz;
H. R. 1279. An act granting a pension to Barbara C. Lowe;
H. R. 2617. An act granting a pension to Mary E. Sessions;
H. R. 10688. An act granting an increase of pension to John J. Bowen;
H. R. 11115. An act granting a pension to Allen Meeks;
H. R. 11017. An act granting a pension to Jesse Everly;
H. R. 9018. An act granting a pension to Justus Townsend;
H. R. 5054. An act granting a pension to Rachel J. Comer;
H. R. 4324. An act granting a pension to Martha Allen;
H. R. 1780. An act granting an increase of pension to Reuben H. Waters;
H. R. 9593. An act to increase the pension of Michael Meehan;
H. R. 3144. An act granting an increase of pension to Robert S. Moorhead;
H. R. 9503. An act granting a pension to Mary Woodmansy;
H. R. 11048. An act granting a pension to William L. Quinn;
H. R. 5153. An act granting a pension to Cordelia Cheney;
H. R. 909. An act granting an increase of pension to Lucy D. Heady;
H. R. 6831. An act granting an increase of pension to Taylor McFarland;
H. R. 6317. An act to remove charge of desertion against Alexander McKee;
H. R. 258. An act granting a pension to Margaret Wilber;
H. R. 835. An act granting a pension to William B. Matchett;
H. R. 726. An act granting an increase of pension to David W. Pennywitt;
H. R. 1794. An act to remove the charge of desertion now standing against George Alcott on rolls of the War Department;
H. R. 1217. An act for the relief of Thomas G. Tiernon;
H. R. 11736. An act granting the right and authority to the Pensacola and Northwestern Railroad Company to build bridges over certain rivers in the State of Alabama;
H. R. 9801. An act granting an increase of pension to Emer H. Aldrich;
H. Res. 303. Joint resolution granting a life-saving medal to Michael F. Barry, of New York City;
H. R. 9768. An act for the relief of Samuel J. Brent, executor of the will of Frances Brent and administrator de bonis non of the estate of Reverend J. Brent;
H. R. 9513. An act to construct a telephone from Table Bluff to Salmon Creek, in Humboldt County, Cal.;
H. R. 8480. An act providing for the sale of the surplus lands on the Pottawatomie and Kickapoo Indian reservations in Kansas, and for other purposes; and
H. R. 6127. An act for the relief of Henry C. Rawson.

The message also announced that the Senate had passed with amendments the bill (H. R. 10403) to reorganize and increase the efficiency of the Navy and Marine Corps of the United States, asked a conference with the House of Representatives on the bill and amendments, and had appointed Mr. HALE, Mr. CHANDLER, and Mr. TILLMAN as the conferees on the part of the Senate.

The message also announced that the Senate had passed with amendments bills of the following titles, in which the concurrence of the House was requested:

H. R. 80. An act providing procedure in certain pension cases;
H. R. 2700. An act granting an increased pension to Susan A. Gummer;
H. R. 4251. An act granting a pension to Margaret Thomas;
H. R. 8723. An act granting an increase of pension to Juliette Harrow;
H. R. 4001. An act granting an increase of pension to Robert Fletcher;
H. R. 10488. An act to increase the pension to Susan C. Byrd, widow of a Mexican war soldier;
H. R. 9323. An act to increase the pension of Mary E. Townes;
H. R. 5712. An act granting a pension to Sarah A. Luke;
H. R. 4503. An act to increase the pension of John Yahne;
H. R. 4446. An act granting an increase of pension to Ellen Charlton;
H. R. 4982. An act granting an increase of pension to Harriet Tubman Davis;
H. R. 4838. An act granting an increase of pension to Elizabeth V. Litzenberg;
H. R. 2122. An act increasing the pension of William R. Christy;
H. R. 5461. An act granting a pension to Elizabeth H. Bowen; and
H. R. 1675. An act granting a pension to Alice Smith.

The message also announced that the Senate had passed the following resolution:

Resolved, That the Secretary be directed to furnish the House of Representatives, in compliance with its request, a duplicate engrossed copy of the bill (S. 1227) for the relief of Julius A. Kaiser.

ENROLLED BILL SIGNED.

Mr. HAGER, from the Committee on Enrolled Bills, reported that they had examined and found truly enrolled bill of the following title; when the Speaker signed the same:

H. R. 7094. An act providing an additional circuit judge in the Third judicial circuit.

GEORGE A. DICKEL & CO.

Mr. GAINES. Mr. Speaker, I ask unanimous consent for the present consideration of the bill (H. R. 3425) for the relief of George A. Dickel & Co., at Nashville, Tenn.

The Clerk read the bill, as follows:

Be it enacted, etc., That in order to reimburse George A. Dickel & Co., wholesale liquor dealers and distillers, of Nashville, Tenn., for $1,227.38 expended by that firm for revenue stamps on the 2d day of April, 1897, to be affixed to serial packages 1 to 11 and 23 to 36, containing distilled spirits produced by Cashion & Brown, distillery 577, Fifth district of Tennessee, and sold to the said George A. Dickel & Co., in bond, which serial packages of distilled spirits were destroyed by fire on the night of the same day the stamps were purchased and before they were affixed; that the Secretary of the Treasury be, and is hereby, authorized and directed to pay to the said George A. Dickel & Co., out of any money in the Treasury not otherwise appropriated, the said sum of $1,227.38 as restitution and reimbursement, and cancel the stamps so redeemed.

With the following committee amendment:

In line 10, page 1, strike out "Cushion" and insert the word "Cashion."

Mr. PAYNE. I should like to know whether the Treasury Department has made any recommendation in this case.

Mr. GAINES. It has recommended payment.

Mr. PAYNE. I should like to hear read the recommendation of the Department.

Mr. GAINES. I ask the Clerk to read the letter from the Treasury Department.

The Clerk read as follows:

TREASURY DEPARTMENT, OFFICE OF THE SECRETARY,
Washington, D. C., January 20, 1899.

SIR: I have the honor to acknowledge your reference of H. R. bill No. 3425, "For the relief of George A. Dickel & Co.," Nashville, Tenn., which you submit for a report.

In reply, I have to state that the bill was referred to the Commissioner of Internal Revenue, and herewith I transmit copy of his report, which meets my approval.

The papers referred with the bill are herewith returned.

Respectfully, yours,

O. L. SPAULDING, *Acting Secretary.*

Hon. CHARLES N. BRUMM,
Chairman Committee on Claims, House of Representatives.

Mr. GAINES. Mr. Speaker, I can shorten the consideration of this matter in a few words, and then the Clerk can proceed. On page 2 of the report of the committee you will find a unanimous report filed in this case, and a letter of Acting Commissioner Wilson, dated January 19, 1899, touching upon this claim, and which is referred to in the letter of Secretary Spaulding, just read. I will state, that the House may more clearly understand the contents of the Commissioner's letter, these facts:

Dickel & Co., the claimants, wholesale whisky dealers in Nashville, Tenn., April 2, 1897, purchased revenue stamps amounting to $1,227.38, to be affixed on certain packages of distilled spirits. On the same day, that is, April 2, 1897, these stamps were purchased the packages were burned in the warehouse of Cashion & Brown, and without any fault, negligence, or knowledge of the claimants.

Dickel & Co. purchased the whisky from Cashion & Brown, where it was stored in the latter's warehouse, some 40 miles from Nashville. Cashion & Brown have a claim pending now before the Department, growing out of the loss of their property in this fire. Dickel & Co. can not use these stamps on any other packages than those for which they were originally intended, and, as I have stated, they were burned up, so they are simply out the $1,227.38 represented by these useless stamps, and they now ask that this amount be refunded to them.

The claimants are without fault and had nothing to do with the fire in which the whisky was consumed, and Mr. Schwab states as much in his affidavit, which I have here. On that point I desire to read, in corroboration of what I have stated, the following letter of the Commissioner:

TREASURY DEPARTMENT,
OFFICE COMMISSIONER OF INTERNAL REVENUE,
Washington, D. C., January 19, 1899.

SIR: I transmit herewith a bill (H. R. 3425) for the relief of George A. Dickel & Co., at Nashville, Tenn., referred to this office by the Committee on Claims of the House of Representatives, on the 17th instant, for examination and report. The bill provides for the payment to the said George A. Dickel & Co. the sum of $1,227.38, being the amount paid by that firm April 2, 1897, to the collector of the district as tax due on certain packages of distilled spirits purchased by that firm while stored in distillery warehouse of Cashion & Brown, distillers, in the Fifth district of Tennessee, which warehouse and contents were destroyed by fire April 6, 1897, before the stamps denoting payment of said tax had been affixed to said packages. I also transmit certain papers relating to this matter, heretofore referred to this office; also copies of office letters addressed to the Department under date of March 29, 1898, and May 24, 1898, in reference to the bill for the relief of these parties under consideration.

As stated in letter of March 29, 1898, a claim for the abatement of tax on the spirits alleged to have been destroyed by this fire, which claim is found to include the spirits on which the tax had been paid by Messrs. Dickel & Co.,

was filed by the distillers under section 3221, Revised Statutes, and disallowed by the Secretary of the Treasury March 14, 1898, the proof submitted as to the actual and accidental destruction of the spirits not being satisfactory.

The claim, however, was reopened for additional evidence June 6, 1898, and while the evidence since obtained goes to show that the fire was not an accidental one, nothing has developed in the case tending in any way to implicate Messrs. Dickel & Co. or any member of that firm in the destruction of the warehouse.

In view of the facts stated, and after careful inquiries made respecting the character and standing of this firm, I am fully satisfied that the destruction of this warehouse was without fault or negligence on their part, and that they are equitably entitled to the relief asked for. The only relief, however, is by Congressional action, and I would recommend that with the above statement of facts the matter be returned to Congress for such action as it may see fit to take.

Respectfully, yours,

G. W. WILSON,
Acting Commissioner.

THE SECRETARY OF THE TREASURY.

It will be noticed in paragraph 3 of this letter the Commissioner says "the claim"—that is, the claim of Cashion & Brown, and not the claim of Dickel & Co.—"was reopened for additional evidence June 6, 1898, and while the evidence since obtained goes to show that the fire was not an accidental one, nothing has developed in the case tending in any way to implicate Messrs. Dickel & Co. or any member of that firm in the destruction of the warehouse."

The fourth paragraph states, "In view of the facts stated and after careful inquiries made respecting the character and standing of this firm, I am fully satisfied that the destruction of this warehouse was without fault or negligence on their part"—that is, Mr. Speaker, on the part of Dickel & Co.—"and that they"—that is, Dickel & Co.—"are equitably entitled to the relief asked for. The only relief, however, is by Congressional action, and I would recommend that with the above statement of facts the matter be returned to Congress for such action as it may see fit to take."

Thus it will be seen, Mr. Speaker, that the claimants' whisky was destroyed without their fault, rendering useless the stamps, and the claimants are out the value of the stamps, to wit, $1,227.83, and we simply ask that they be reimbursed to that amount.

Mr. PAYNE. That is not a very strong recommendation. Is there any provision in the bill that payment shall not be made except upon surrender of these stamps?

Mr. GAINES. I have the stamps in my possession, and will see that they are surrendered.

Mr. PAYNE. I suggest that there be inserted in the bill a proviso that this money shall not be paid until the stamps have been surrendered.

Mr. GAINES. I will personally see to it that the stamps are surrendered before any part of this money is paid.

Mr. PAYNE. Let a provision to that effect be inserted in the bill.

Mr. GAINES. I accept the gentleman's suggestion.

Mr. PAYNE. I have no objection to the bill if an amendment be inserted providing that the stamps be surrendered.

Mr. GAINES. As soon as the bill is open to amendment, I will move this proviso:

Provided, That the stamps herein named shall first be returned.

The SPEAKER. Is there objection to the consideration of the bill with the amendment proposed? The Chair hears none.

The House proceeded to the consideration of the bill.

The amendment reported by the committee was agreed to.

Mr. GAINES. I now move to amend by inserting this proviso:

Provided, That the stamps herein named shall first be returned to the Treasury Department.

The amendment was agreed to.

The bill as amended was ordered to be engrossed and read a third time; and it was accordingly read the third time, and passed.

On motion of Mr. GAINES, a motion to reconsider the last vote was laid on the table.

PRINTING OF MANUAL OF FISH CULTURE.

Mr. PERKINS. I ask unanimous consent for the present consideration of the concurrent resolution which I send to the desk:

The Clerk read as follows:

Resolved by the House of Representatives (the Senate concurring). That there be printed 3,000 copies of the Manual of Fish Culture (with revisions), as contained in the Report of the United States Commissioner of Fish and Fisheries for 1897, of which 500 shall be for the use of the Senate, 1,000 for the use of the House of Representatives, and 1,500 for the use of the Fish Commission.

The question being taken, the resolution was agreed to.

On motion of Mr. PERKINS, a motion to reconsider the vote by which the resolution was agreed to was laid on the table.

UNITED STATES COURTS IN MISSISSIPPI.

Mr. McLAIN. I ask unanimous consent for the immediate consideration of the bill (S. 5376) authorizing the terms of the district court of the United States for the southern district of Mississippi to be held hereafter at Biloxi.

The bill was read, as follows:

Be it enacted, etc., That the terms of the district court of the United States for the southern district of Mississippi, now required by law to be held at Mississippi City, shall hereafter be held at Biloxi.

SEC. 2. That all processes heretofore or hereafter issued returnable at Mississippi City shall be returnable and proceeded with at Biloxi; and all bonds taken for appearances at Mississippi City are hereby made returnable and require the appearance of parties at Biloxi; and all causes, civil or criminal, heretofore triable at Mississippi City shall be triable and finally determinable at Biloxi.

SEC. 3. That this act shall take effect immediately upon its passage.

There being no objection, the House proceeded to the consideration of the bill; which was ordered to be engrossed and read a third time, and it was accordingly read the third time, and passed.

On motion of Mr. McLAIN, a motion to reconsider the vote by which the bill was passed was laid on the table.

FRANCISCO V. DE COSTER.

Mr. HEATWOLE. I ask unanimous consent for the consideration of Senate bill 2035.

The bill (S. 2035) for the remuster of Francisco V. De Coster as captain of Companies A and D, Mississippi Marine Brigade Cavalry Volunteers, was read.

Mr. DOCKERY. Reserving the right to object, let us have the report read.

The report was read.

The SPEAKER. Is there objection to the present consideration of this bill?

Mr. LOUD. Reserving the right to object, I should like to hear some explanation of the bill.

Mr. HEATWOLE. Mr. Speaker, the beneficiary named in this bill served as a captain without having received a commission. He was ordered to act as such during a vacancy in that position. The captain was killed in action, leaving but one officer entitled to command, Lieutenant Kirk. On the 8th day of July, 1863, General Ellet, commanding the brigade, appointed De Coster to the rank of captain, assigned him to the duties of a captain, and recommended that a commission be issued to him——

Mr. PAYNE. Did he get pay as a lieutenant during the time that he so served?

Mr. HEATWOLE. No; he was paid simply as an orderly sergeant.

Mr. LOUD. Well, Mr. Speaker, I call the attention of the House to the fact that if the House agrees to pass a bill of this character it would simply be establishing a precedent—a dangerous precedent—that would probably affect a hundred thousand men who served during the civil war in various capacities and were brevetted or promoted or made to perform the duties of some other position than that which they occupied and for which they were paid.

Now, if you put this man on this plane, or if you pay him because he, as a sergeant, had discharged the duties of a commissioned officer, under the orders of a brigade commander, then you establish a precedent for paying every other person in the Army or in the civil service of the Government for the duties of any position he may temporarily occupy.

Mr. COX. Oh, that is a mistake.

Mr. LOUD. Well, now, if that is a mistake will you kindly point out where it is a mistake?

Mr. COX. Why, this man was promoted, so far as the orders were concerned, to a captaincy, and assumed and discharged the duties.

Mr. LOUD. I have not disputed that fact.

Mr. COX (continuing). He performed all of the duties required of a captain, was involved in certain expenditures necessarily pertaining to his rank, and under the circumstances the committee, in considering the matter, unanimously voted in favor of putting him in that position and paying him according to the rank he held.

Mr. LOUD. Now, Mr. Speaker, I have a case right in point—a case with reference to which I am entirely familiar. On one occasion during the war I was promoted to the honorable position of a corporal——

Mr. COX. A very high position for you. [Laughter.]

Mr. LOUD. Very high, indeed. I served as such for a period of four or five weeks. I was occupying the position of what was known as lance corporal; but as to the extra pay, I got none.

Mr. TAWNEY. Let me ask the gentleman a question.

Mr. LOUD. Certainly.

Mr. TAWNEY. Were you entitled to more pay as a corporal?

Mr. LOUD. Why, certainly, I would have been entitled to more pay as a corporal. But it was a softer job. [Laughter.]

It is, Mr. Speaker, precisely the same condition that confronts us here in the employees of the House of Representatives. A person gets a position as a folder, and the work is hard and he does not want to do it. He manages to get a detail as a messenger, and then comes and asks Congress to appropriate $1,200 a year for his salary in the softer position. Now, if the House desires to do it in this case, they must do it in all cases where the same circumstances are presented. I tell you that there are fully a hundred thousand similar cases.

Mr. HEATWOLE. Will the gentleman permit me a single statement? Mr. De Coster performed the duties of a command-

ing officer of this company, having been detailed to that duty by General Ellet, the commanding officer of the brigade——

Mr. LOUD (interrupting). Of course there never was a case where a man was promoted or brevetted that he had not his brevet rank or promotion from somebody.

Mr. HEATWOLE (continuing). But just permit me a moment. He performed all the duties of the office, made requisitions which were honored by the Department as an officer occupying that rank——

Mr. LOUD. I have no doubt in the world but that he performed the duties which were connected with the office. I am not disputing that.

Mr. HEATWOLE. But at the same time he was necessarily at the expense of a captain, and was assured by General Ellet that the commission would be issued to him, and his pay would accrue in that connection. But the commission was not issued.

Mr. LOUD. Well, suppose he did tell him that. Suppose that General Ellet, or anybody else, made such a promise to him, are you to assume that that is binding upon the Government?

Mr. HEATWOLE. Not at all; but there is an affidavit from General Ellet reciting the facts in the case.

Mr. LOUD. I am entirely willing to accept it as a statement of fact; but it makes no difference as to the principle involved.

I am not going to object to this case, but I am willing to swear that I would never present one myself of a similar character. If this House chooses to make this a precedent, I have done all that I could, simply to state my belief as to what would be the result.

Mr. HEATWOLE. This is an exceptional case, where relief ought to be afforded.

Mr. LOUD. Oh, well, of course all cases are exceptional in some regards.

Mr. COX. Well, let us get along with the bill.

The SPEAKER. Is there objection to the present consideration of the bill?

Mr. STEPHENS of Texas. I object.

NAVAL APPROPRIATION BILL.

Mr. BOUTELLE of Maine. I ask for the regular order, Mr. Speaker, and move that the House resolve itself into Committee of the Whole House on the state of the Union for the further consideration of the naval appropriation bill.

The motion was agreed to.

The House accordingly resolved itself into Committee of the Whole House, Mr. SHERMAN in the chair.

The CHAIRMAN. At the time the committee rose last evening the gentleman from Virginia [Mr. RIXEY] was addressing the Chair on the point of order. The Chair does not see the gentleman from Virginia here now.

Mr. MUDD. I should like to be heard for a moment on the point of order.

The CHAIRMAN. The Chair will hear the gentleman from Maryland.

Mr. MUDD. Mr. Chairman, I apprehend that the question now before the House is the point of order submitted by myself. Everything else than the point of order has been discussed, but I assume that after the almost prayerful appeals that have been made to the House in the last two or three days in favor of the sanctity of the obligations of the rules of this House that we will be able to hold ourselves down to the consideration of just what rule is now under discussion. Two gentlemen who have discussed the question seem to think that if they can show that a previous authorization has been made for the work that will relieve this House from the obnoxiousness of the paragraph in the bill against which the point of order was interposed. The point of order, Mr. Chairman, was made under the last portion of clause 2 of Rule XXI, which says:

> Nor shall any appropriation changing existing law be in order in any general appropriation bill or in any amendment thereto.

I am not contending that any appropriation is made here which is not in order, so that you may show all the previous authorization in the world, for the general purposes of the language objected to, and you still do not relieve it from the prohibition of the rule, because it contains a provision for new legislation. This legislation might relate to work that had been authorized, it might relate to objects and works now in progress, and yet under the section of the rule to which I refer, which stands separate and independent of other sections, relating entirely to new legislation, the point of order still, in my judgment, should be sustained.

Now, as bearing upon that, I want to call attention to one point, and then I will leave the matter to be ruled upon.

In order to determine whether or not legislation changes existing law, it is not out of place sometimes to recur to just what is the existing law. The portion of the bill which I claim to be obnoxious to the rule proposes practically to repeal the provision in the last naval appropriation bill carrying appropriations for the Naval Academy. In the last portion of it it says that all of these works are hereby suspended and made inoperative and dependent upon future legislation. In other words, it is the same as if all that we did at the last session was absolutely repealed by this provision, because everybody knows that it is not in the power of even the Naval Committee to tie up the hands of future Congresses, and when you say this work shall be suspended and tied up unless future legislation shall declare otherwise, you have done what in effect is equivalent to saying that you repeal that law.

Now, let me say just a word as to a question of fact before I go further. I take it, sir, that this committee will not assume that the Secretary of the Navy has not performed any part of his duty. There is a general elementary provision of law which assumes that public officers do their duty until the contrary is shown, and I do not know of any reason, either of fact or of law, under which the gentleman from Maine [Mr. BOUTELLE] or anyone else has a right to assume that the Secretary of the Navy has not done all that the law authorized and required him to do.

Mr. BOUTELLE of Maine. We have a right to know that he has done all that the law required him to do.

Mr. MUDD. Well, you are about the only person in the United States who does not know that he has done it, and it seems to me that you are unwilling to know it.

Mr. BOUTELLE of Maine. If the gentleman talks loud enough, I probably will be informed.

Mr. MUDD. I think it would take more than that to get information to you. I know that it is very difficult to do that.

Mr. BOUTELLE of Maine. Thank you. I am inclined to think you are right on that.

Mr. MUDD. Yes; and I think the House will agree with me in that view. Now, Mr. Chairman, not only is the Secretary of the Navy impliedly authorized to prepare and devise plans when he is given authority to contract and construct, because I apprehend it will not be contended that when you are authorized to go into construction of buildings that you have not the right to get plans, but in the act passed at the last session there is specific authority given him to provide plans, and I desire to call the attention of the committee to it.

Under the section of the bill of the last session referring to the Naval Academy, I find the following language:

> The Secretary of the Navy is authorized to contract for the construction, at the Naval Academy, Annapolis, Md., of a building suitable for use as an armory, etc.

Reciting the various acts the Secretary is authorized to do, and for which appropriations are made, "for grading, electric-light wiring, removing old buildings, and preparing plans," etc.

Now, sir, unless the gentleman from Maine proposes to enter into a verbal criticism and a philological disquisition as to the meaning of the word "prepare," and contend that it does not give sufficient authority, I say there has been explicit authority given to the Secretary of the Navy to do all that need be done, explicit authority to provide such plans as he may find necessary and proper.

Now, a word as to what the gentleman from Maine has with such vociferous iteration said of this Visiting Board having no plan. The fact is, the Secretary of the Navy, as he was amply empowered to do, instead of procuring entirely new plans, simply adopted the plans that were formulated by the Matthews board, whose work was put in operation under authority of the Board of Visitors of the Academy during the administration of Secretary Herbert, approved by him, and approved by the present Secretary; and they constitute, in my judgment, such plans for the building up of this Academy and for the rearrangement of the buildings and construction of new buildings as can not be surpassed by anybody.

The Secretary of the Navy has thus prepared and provided plans under specific authority. He may not have adopted plans that may suit the fancy of the gentleman from Maine, but he has adopted such plans as were made by a board of officers who have made that Academy in a large respect their life study. The plans have been approved by Secretary Herbert and by Secretary Long, who constitute fairly accredited authorities of the United States. They may not have met the approval of the chairman of the Committee on Naval Affairs.

Mr. BOUTELLE of Maine. They did not meet the approval of the Committee on Naval Affairs.

Mr. MUDD. Oh, I understand that the committee has permitted the editorial here that you put in your report out of courtesy to the gentleman from Maine. Now, sir, the simple question is this: Is this portion of the bill to which I have made objection new legislation? It has been decided that an act construing former acts is new legislation in the purview of the rule. It has been decided that an act upon a subject-matter upon which there was not at the time any particular legislation was a "provision changing existing law," on the ground that it changed the general status and the body of the law as it existed theretofore. But this language goes much further than either of these, in that it is in the very teeth of the specific language which the House with practical unanimity put into the bill last session. Those authorized to prepare plans then prepared them. The committee of Congress-

men whom it is proposed to send down there next summer are either going to adopt this plan or they will not. If they are going to adopt the same plan, it is absurd and senseless to make the expenditure of money to send them there. If they are going to change the plans, then, sir, in a still larger sense than I have stated thus far, I think it is true that this language constitutes a provision which changes existing law.

Now, Mr. Chairman, with these observations, I submit the point of order.

Mr. BOUTELLE of Maine. Mr. Chairman, I understand perfectly well that this is a question for the Chair to decide, and that it is a question of parliamentary rules. I want, in connection with this ruling, for a moment to call attention to the fact that what is attempted here now in regard to this bill is merely the employment of a technicality to prevent the Congress of the United States, if possible, by regular methods exercising its power and judgment over an important public work that it is proposed to enter upon at the Naval Academy. There is no denial that we are partially committed to-day to the reconstruction of an institution of this country to cost many millions of dollars.

The point of order is raised here simply to prevent what? Not to prevent the carrying out of these plans absolutely, because Congress may determine, possibly, upon the adoption of something similar to these plans or identical with them; but this point of order is raised here to prevent the House of Representatives from exercising its judgment as to its action, and in this peculiar, informal, and unauthorized way be committed to a great public work, involving vast consequences, not only in expenditures, but to the future convenience of this institution. Here is a proposal to practically, within the next few years, dig up everything there is of the Naval Academy. No provision is made for carrying on the work of the institution elsewhere; and these cadets, in whom we are all interested, are kept there, amid the dangers, whatever they may be, of carrying on their studies in the vicinity of a general upheaval of the soil of the whole locality.

Now, that may be necessary, it may be inevitable; but it strikes me as a remarkable thing that a representative of the locality where this institution is situated should come here and attempt to invoke a rule which was put into our code for the purpose of securing and conserving the interests of the American people, to prevent us from doing even by inadvertence a wrong, and it is invoked here to-day to prevent the Congress of the United States taking cognizance of the manner in which a great public work shall be carried forward, so as to prevent waste, so as to prevent the possibility of great error of design, to prevent possibly not only an expenditure of many millions, when eventually we may discover that we have made a great mistake. It is invoked solely for that purpose.

The Committee on Naval Affairs, representing all sections of this country, utterly impartial, having devoted their attention to this subject with the utmost carefulness, have come to this House and told them that in its judgment great public expenditures are to be entered upon that if allowed to proceed for any considerable time in the future will absolutely commit the Government to the carrying out of a gigantic plan which never, up to this time, has been carefully considered by any persons authorized to act for the Government and never has been accepted by any department of the Government in any authorized way.

It strikes me that it is a remarkable proposition that the gentleman should come here and, by interposing a technical point of order, object to having the House consider this proposition; because the Committee on Naval Affairs are by no means insisting that this proposition which we have reported shall be carried out. It is the best we could devise, and, in the discharge of what we conceive to be our duty, we have brought it here and ask this body to consider what we have recommended as the best solution, and to exercise its judgment, and amend, modify, or improve it; but at any rate to remove from the shoulders and consciences of this committee the responsibility for irregularly and unauthorizedly committing this Government to a great work of this kind.

One illustration. While I was at the Naval Academy a few days ago my attention was called to the fact to which I have just alluded, that under this procedure we are to remove practically all the buildings there; that they have all got to be dug up, taken away, and replaced by new structures. The suggestion was made to me, what condition are we going to be in while this is going forward? In connection with the others, a suggestion was made that where the Academy is now located there is a serious lack in the depth of water in the harbor; hardly a tugboat can get up there now. It has been a complaint for years, and this officer with whom I was speaking said to me, "If you are going to rebuild the institution entirely, why not go down to some point" which he named, not far away, where, as he stated, there was ample water.

Mr. MUDD. Will the gentleman allow me an interruption?

Mr. BOUTELLE of Maine. Not just now; I wish to proceed.

Mr. MUDD. The gentleman declines to be interrupted?

Mr. BOUTELLE of Maine. Oh, well, I will hear the gentleman.

Mr. MUDD. You are arguing now that this is not a suitable place for the Naval Academy.

Mr. BOUTELLE of Maine. I am addressing myself to the judgment of this committee and to the Chair, and they will give such weight to what I say as it is entitled to. This question was, "Why not go and rebuild this institution where the situation is very much more favorable and desirable, and let it go on where it is now located, so far as the work of the Academy is concerned, until this work of digging up the earth and disturbing the whole surroundings has been completed, and then transfer your Academy a mile and a half, or 2 miles, whatever may be the distance, to this location, so infinitely better, and where you can provide for every facility of the Academy without this enormous expenditure of extending the front by a sea wall and filling?"

I call the attention of the House to this feature of the subject because I want the committee to understand the situation we occupy here to-day. We are considering the future interest of the Naval Academy as much as the interest of the Government of the United States.

The CHAIRMAN. The Chair is ready to rule.

Mr. DRIGGS. Mr. Chairman, I would like to say a few words in reply to what has been said by the chairman of the Committee on Naval Affairs. It seems to me that those who oppose this section in the bill are justified in addressing the Chair in relation to our position, although the Chair, no doubt, has made up his mind as to what the proper ruling is. I would like to say that it is not proposed by those who are opposed to this section to attack it indirectly, as the gentleman has said, but we are opposed to this section because we believe that if it is adopted it will absolutely prevent the construction of these buildings at Annapolis; and we are in favor of allowing the old law to stand, because we realize that it will perfect the construction of these buildings. Yesterday in his remarks the chairman of the Naval Committee made this assertion: "Every dollar heretofore appropriated may yet be utilized."

Now, what does he mean by "may?" As I understand it, that is a contingent possibility. "May be utilized." It is no absolute fact that it will be utilized. But in the bill passed by this House last year the Secretary of the Navy "is authorized." That is the language. Now, that is an absolute fact. It is a mandatory condition in the bill that authorizes the Secretary of the Navy to construct these buildings. I believe, without taking up any more time of the committee, which I do not desire to do needlessly, that the contention made by the gentleman from Maryland [Mr. MUDD] is sound. I would like, Mr. Chairman, unanimous consent to insert in my remarks a newa item in the Brooklyn Daily Eagle of last night in reference to the new Naval Academy.

The CHAIRMAN. The gentleman from New York asks unanimous consent to insert as a part of his remarks the item which he describes. Is there objection? [After a pause.] The Chair hears none.

The following is the article:

[From the Brooklyn Daily Eagle, February 17, 1899.]

NEW NAVAL ACADEMY IS NOW UNDER WAY—SEA WALL WILL RECLAIM LAND FOR THE ERECTION OF MODERN BUILDINGS—BROOKLYN MAN LOWEST BIDDER—P. J. CARLIN WILL CONSTRUCT THE SEA WALL AT ONCE AND MAY GET OTHER WORK.

Work upon the new buildings of the United States Naval Academy at Annapolis will begin at once, probably this week. Antiquated structures will be demolished and replaced by elaborate halls of granite, in which the future admirals and commodores will be afforded the most modern appliances and the most comfortable abode during their preparatory course. In keeping with the national growth, the result, in a large measure, of the achievements of the Navy during the recent war, will come a corresponding increase in the Naval Academy. It is preparing to expand, and in place of the collection of makeshift buildings where the cadets have been housed and trained during past years will rise the most elaborate array of modern structures, the construction of which will probably fall into the hands of a Brooklyn man.

Yesterday bids were opened for the construction of the new armory and the boathouse. P. J. Carlin, of 25 Court street, Brooklyn, was the lowest bidder on both of these buildings. He is already under contract to erect the sea wall, and is in Annapolis to-day for the purpose of beginning the work. This sea wall is the first of a series of radical changes and big improvements which are to follow at the Academy. Its building will reclaim a good tract of land from the bay and will make room for the armory and boathouse. The wall will be erected on a pile foundation, upon which big blocks of cement made on shore are to be placed. For the construction of this wall Congress has appropriated $150,000 to be paid out this year.

This contract was awarded to Mr. Carlin about a month ago, and at the same time a bid was put in by the same firm for the erection of the new power house. This amounted to $125,000; and although it was not the lowest bid, the Secretary of the Treasury has advised its acceptance, and it will probably be heard from in a few days.

In the meantime bills were put in for the boathouse and armory. These were opened at the Navy Department in Washington yesterday, and five bidders appeared on each project and eight bidders for constructing both buildings. The original appropriation was $300,000 for each building, but the Navy Department put an additional 25 per cent to this amount, so that granite instead of sandstone could be used. This increase, of course, was subject to the approval of Congress. The bid put in by Mr. Carlin, which was the lowest, amounted to $750,000 for both buildings, or on the boathouse $370,000 and on the armory $380,000. Mr. Carlin offers to build one structure within eighteen months or both in two years. Other bidders on the combined project were John Gill & Son and D. W. Thomas, of Baltimore, $820,323; Grace & Hyde, of New York, $855,000; William H. Ellis, of Cincinnati, $835,000; the Structural

Iron Company, of Baltimore, $976,000, and Woodbury & Leighton, of Boston, $840,000.

Secretary Long is now in Boston, and it is thought that he will decide on the award as soon as he returns to Washington. These two buildings are, however, only a minor feature of the extensive improvements to be made. If all bids put in by Mr. Carlin are awarded, he will have contracts at the Academy for over a million and a quarter dollars.

No bids have been asked for the erection of the cadets' quarters, which will be the largest of the new buildings. The armory, which will be located about 200 feet from the cadets' quarters and for the construction of which the bids were opened yesterday, will be 450 feet long and 100 feet wide in the clear. It will be connected with the cadet quarters by a colonnade, so as to afford easy and direct access from one building to another. The main floor of the armory is on a level with the parade ground and therefore about 18 feet below the main floor of the cadets' quarters. The colonnade connecting the two, like the cadet quarters, will stand on a terrace. The plans show that on passing from that building to the armory you would enter the latter at the level of the gallery, which is carried all the way around the interior, serving as a place for the display of models, for spectators at drill, and for the annual ball, which is always held in the armory. In addition to the main drill hall, gallery for models, and the like, the armory will contain a number of recitation rooms, a workshop, and several offices. The armory will be lighted by large circular-headed windows on the sides and by a great arched opening at either end.

The boathouse corresponds in size and general appearance to the armory, and occupies in the plans a corresponding position to the north of the cadets' quarters, with which it is also connected by a colonnade of the same length as the one which leads to the armory on the south. The western end of the boathouse is open toward the basin. Marine ways extend from the basin into the boathouse, so that vessels can be readily run in and housed. It will contain accommodation for 12 cutters, 12 sailing launches, 12 steam launches, 4 small torpedo boats, and 2 large ones. It will contain also six recitation rooms for seamanship, a model room, a sail loft, workroom, blacksmith shop, paint shop, and storeroom.

In the whole improvement to be made at the Academy over $6,000,000 will be expended. Congress has not provided for this amount, but it is thought there will be no difficulty. The new Naval Academy was laid out after plans presented by Ernest Flagg, a New York architect.

Mr. DRIGGS. This clearly establishes the contention of the gentleman from Maryland [Mr. MUDD], that plans were adopted and contracts awarded by the Secretary of the Navy in accord with existing law for the construction of these buildings; therefore the amendment of the chairman of naval committee clearly conflicts with the second clause of Rule XXI, viz:

Nor shall any provision changing existing law be in order in any general appropriation bill or in any amendment thereto.

Mr. Chairman, another important question is involved, which is, Shall the affairs of the Government be conducted on business principles or in accordance with the whims of some committee? We probably all believe in the first method. This, then, being admitted as true, it is not just or fair to the eight reputable, responsible business men (who at considerable expense and much trouble submitted bids for this work) to permit this amendment to remain in the bill. I therefore trust, sir, that in your wisdom you may see fit to declare the same out of order.

Mr. MUDD. Mr. Chairman, is it understood that the point of order which I made applies to all the language that I have named, or only one paragraph?

The CHAIRMAN. The Chair understands that the gentleman from Maryland made a point of order of all that section, beginning at line 17 on page 31, to and including line 17 on page 33.

Mr. MUDD. That was my intention, Mr. Chairman.

Mr. CUMMINGS. Mr. Chairman, do I understand that the Chair is ready to rule?

The CHAIRMAN. The Chair is.

Mr. CUMMINGS. If so, I will stop, and make my remarks some other time. [Laughter.]

The CHAIRMAN. During the discussion of the point of order much has been said of the merits of the proposition. However meritorious or advisable or absolutely necessary any legislation may be or appear to be, it is not the province of the Chair to take that into consideration. And that fact, it seems to the present occupant of the chair, has been emphasized during the earlier days of this week. It is the province of the Chair simply to apply the rules which the House has heretofore adopted to the proposition now before the Chair.

Under the second section of Rule XXI, which need not be reread, because all members of the committee are very familiar with it, the House is prohibited from putting on a general appropriation bill any provision changing existing law or to make any appropriation except for the continuance of objects already in progress. It seems to the Chair, and those who have discussed the proposition, including members of the Naval Committee, have admitted, that this is a legislative proposition. It seems to the Chair perfectly clear that this is a provision materially changing existing law; and so understanding, the Chair is constrained to sustain the point of order.

Mr. BOUTELLE of Maine. Mr. Chairman, the Committee on Naval Affairs in considering this matter found themselves confronted, of course, at the outset by the difficulty that the House last year, despite the warning and appeals of our committee, incorporated legislation in the naval appropriation bill. This created the difficulty in which we find ourselves to-day; and we had to elect the method which we would pursue in bringing this condition of things to the attention of the House. We naturally had some apprehension in regard to the clause of the rule to which the Chair has adverted; and the committee has, of course, no criticism whatever to make upon the ruling of the Chair.

But we incorporated this provision in the bill with the knowledge that it ought to come before this House, and with the belief that no one would try to prevent it coming before the House for action. Objection having been raised here technically on the part of the Representative from Maryland [Mr. MUDD], it prevented the House from considering this matter under the ordinary procedure. I merely give notice that in the discharge of what I conceive to be my duty as representing the unanimous judgment of the committee over which I have the honor to preside, I shall resort to another of the regular methods provided by the rules of the House to obtain for this body an opportunity simply to express its judgment on this great matter. I shall therefore appeal to the Committee on Rules and ask them to give us a special rule for this special purpose, and in all other ways, with the support of my committee in absolute unanimity, I shall endeavor to prevent the further committing of the Government in the direction of this unauthorized procedure by seeking in every way to prevent future appropriation along this line until Congress shall have some opportunity to authorize the methods by which the design shall be carried out and the money expended. I ask that the Clerk read the bill.

Mr. MUDD. I desire to offer the amendment which I send to the desk.

The Clerk read as follows:

After line 16, on page 31, insert:

"For completion of buildings and other works authorized under the act making appropriation for the naval service for the fiscal year ending June 30, 1899, under such plans as may be adopted by the Secretary of the Navy, not to exceed in cost $1,220,000, $720,000."

Mr. MUDD. Mr. Chairman, I desire to have the Clerk read a letter of the Secretary of the Navy to the chairmen of the Committees on Naval Affairs of the House and Senate.

The CHAIRMAN. The Clerk will read the letter as a portion of the remarks of the gentleman from Maryland.

The Clerk read as follows:

NAVY DEPARTMENT, *Washington, January 23, 1899.*

SIR: Referring to the matter of the buildings about to be erected at Annapolis for the Naval Academy, I beg to say that, in accordance with the suggestion of the chairman of the Senate Committee on Naval Affairs, the architect was directed to make the plans and specifications for buildings to be constructed of granite, as this material is specially desirable in view of the permanency of the buildings and their dignity and importance. The architect, Mr. Flagg, reports to me:

"I have planned all three of these buildings as economically as I could consistently with good workmanship and stability. But they are necessarily so large that they can not be built of granite for the amount appropriated. Judging from the power house, I should say the armory and boathouse will each cost $400,000. I should be sorry to see the work delayed, but if I may venture a suggestion, inasmuch as the difficulty has arisen, would it not be best to ask Congress now to appropriate enough to build all three buildings, making the money so appropriated immediately available. This means an additional appropriation, say, of $220,000."

The three buildings to which he refers, and which are the only ones thus far authorized—although they are a part of the general plan which will take some time to complete—are the power house, the armory, and the boathouse. The appropriation for the power house was $100,000. The Bureau of Navigation report to me that the lowest bid for the construction of this power house was $114,000, to which should be added $4,750, in case enameled brick are used to face the walls of the engine room and the coal hoisting tower built in connection with the power house; also that the next lowest bid, which is recommended as the most advantageous, was $116,900, to which should be added, as above, $5,662.

Under these circumstances, if the buildings are to be made of granite, which the Department recommends, the Department approves the suggestion of Mr. Flagg that there be an additional appropriation for these three buildings of $220,000, and that the money be made immediately available.

I expect Mr. Flagg will be here during the present week, and I will take the liberty of asking him to call and confer with you and your committee.

Very respectfully,

JOHN D. LONG.

Hon. C. A. BOUTELLE,
Chairman Committee on Naval Affairs,
House of Representatives, Washington, D. C.

Mr. MUDD. I now ask the Clerk to read a brief paragraph, which I have marked, from a paper that I send to the desk, which is an extract from a letter sent by the Secretary of the Navy to this House at the last session.

The Clerk read as follows:

The following important buildings have been surveyed and found to be unsafe: (1) The armory, which was abandoned until supported by the erection of heavy timber props along the western wall; (2) the boathouse, which was declared unsafe for many of its original purposes and unworthy of repair.

Mr. MUDD. Now, Mr. Chairman, I shall occupy but very little time on this subject. At the last session of Congress we appropriated $500,000 for the reconstruction of the two buildings which the Secretary of the Navy says are about to tumble down, and one other, a power house, which I apprehend there is no need of argument to show that the Naval Academy ought to have. In addition to this, we authorized the Secretary of the Navy to contract for buildings to cost $1,000,000. While we appropriated only one-half million dollars, we in fact authorized the expenditure of $1,000,000—that is to say, we authorized contracts to that amount.

Bids for these three buildings were given out with the understanding that they should be constructed of brick. After a little time, however, the Secretary of the Navy came to the conclusion that if we were going to build up this Naval Academy it was proper that we should build it up in the best and most enduring manner; so he concluded to put out the bids for the construction of the buildings of granite. If they are to be thus constructed, in accordance with the recommendation of the letter read at the desk and as he asked Congress to give him authority to do, he will need an additional sum of $220,000.

In effect my amendment simply gives him $220,000 additional, because, while the amendment purports to appropriate $720,000, $500,000 of that sum is to cover buildings for which bids have been already put out and for which the Secretary may be said to have already contracted; and the $220,000 additional is to enable him to construct the buildings of granite instead of brick.

Now, Mr. Chairman, the Secretary of the Navy, I repeat, has said in a communication sent heretofore to the House——

The CHAIRMAN. The time of the gentleman has expired.

Mr. MUDD. Mr. Chairman, I should like to have a few minutes more.

Mr. BOUTELLE of Maine. I hope the gentleman will be allowed to proceed.

The CHAIRMAN. Without objection, the gentleman will proceed for five minutes longer.

There was no objection.

Mr. MUDD. The Secretary of the Navy, as I was about to say, who, I apprehend, feels the same interest that we do in this great institution of the Government—certainly as much interest as any of us on the floor of the House could possibly feel—has stated, in the communication that I had read from the desk a few moments ago, that the chief buildings which are necessary to be reconstructed, and in reference to which the recommendation for their reconstruction has been made, are about to fall down.

They are, in other words, in a dilapidated and possibly in a dangerous condition. I have been there myself and speak upon the testimony of my own eyesight when I say that the armory building to-day, unless it has been already torn down, as I hope it has been torn down, is in a dangerous condition and is propped up by timbers to prevent it from falling down on the heads of the students who are compelled to be in the building. I know that to be a fact. I have seen this condition of affairs in the armory, and I presume that the members of the Naval Committee who have investigated the matter have also seen it and know the facts I state to be accurate.

Now, sir, the question presented to us is, Will we retard the beginning of this great work, which is so necessary, for a period of about eighteen months more, instead of beginning it now, because the Committee on Naval Affairs seems to think the best policy that we can pursue is a policy of delay in prosecuting—even in beginning—a work that should have been done twenty years ago?

The gentleman from Maine, the chairman of the Committee on Naval Affairs, has submitted his views to the House, and contends that if we want to go to work to build up the Academy, the best way to do it is by still further pursuing this general policy of delay which is recommended by the committee. He contends that the best way to build up the Academy is practically to tear it down. He contends that if you want to go to work to build up an institution of this character, you must do nothing and suspend all the operations that have heretofore been commenced. He has faith in the "manana" policy of Spain. He believes that the best way to do a thing is to delay it and then to provide some means to prevent the possibility of its being done at any time.

That seems to be the policy of the committee. They want to postpone operations, to create a junketing committee or commission to go to Annapolis to get light for members of Congress and the Navy Department for the performance of their respective duties. I concede, of course, that the interests of the nation are borne in mind by these gentlemen, and I do not doubt that this committee is honest and conscientious in its efforts. But I beg to differ with them. I think it best to commit this entire work to the control of the Secretary of the Navy, with the assistance of such agencies as he may desire, to enable him to make proper prosecution of it. I do not believe it is good policy or good form to commit the execution of such works in any part to committees of Congress. I do not think we ought to legislate for public buildings in the manner proposed in this bill, or constitute ourselves a body of architects to pass upon the merits of plans and propositions which must necessarily be determined by the officials in charge of the work.

Mr. BERRY. I would like to interrupt the gentleman for an inquiry. I would like to ask him how were the plans arrived at by the Secretary of the Navy? I understand that plans have been prepared and presented and have met the approval of the officials, or some of them.

Mr. MUDD. The gentleman from Maine [Mr. BOUTELLE] has repeated the assertion, which he previously made, that there has been no general plan. Four or five years ago there was a plain, exhaustive, comprehensive, general plan devised by a committee of prominent naval officials, and it met the approval of the officers of the Academy and the Department, and I think of all others to whom it was referred; a commodious plan, which was calculated and was expected and believed to meet the requirements of the situation and furnish all that was required and all that was desired at the Academy.

In the bill of last year we authorized the Secretary of the Navy to prepare the plans for the work he was therein authorized to do. He adopted plans that the commission—known as the Matthews board—desired, which had received the approval of Secretary Herbert, and it is in accordance with those plans that it is now proposed to construct the buildings heretofore authorized and for which further appropriation is now asked of Congress in the amendment which I have offered. And, sir, in support of my contention that there are plans, and adequate plans, for the buildings we seek to place there now, if the gentleman from Maine would read to the House the papers I hold in my hand, which he has seen, or if I could have time to read them, they would show that these buildings are to be placed on the exact spots which are recommended by the Matthews board, which gave a thorough and full investigation to the subject and provided an elaborate and harmonious system for the rearrangement and construction of the Academy. So there is a carefully prepared and well-devised plan of work.

The buildings are not to be constructed without a plan, but in pursuance of the general plan, and the excellent plan in my judgment, which will make them as a whole, in architectural finish and appearance, and in convenience of location and attractiveness, a suitable framework of one of the grandest institutions of the kind in the world, as this Naval Academy ought to be.

The CHAIRMAN. The time of the gentleman has expired.

Mr. MUDD. I ask, Mr. Chairman, that I may have a few minutes more.

Several MEMBERS. "Regular order!"

Mr. BOUTELLE of Maine. I hope the objection will be withdrawn. The gentleman is so very entertaining——

The CHAIRMAN. The Chair hears no objection. The gentleman will proceed.

Mr. MUDD. I thank the gentleman from Maine for his courtesy.

Now, here is the situation: If we want to build a naval academy, let us go to work and build it. The Secretary of the Navy of the United States again and again has reported that the buildings at present at Annapolis are not fit for the purposes to which they are to be applied. He says that they are not safe. I think myself that these young men who constitute the flower of the Navy of the United States, the men to whom we are to look in future for our naval victories, are entitled to better treatment than they have been receiving in the miserable old rookeries in which they are now confined.

I do not believe that we ought to allow their young lives to be placed in jeopardy in buildings about to fall down over their heads because the gentleman from Maine thinks that there ought to be a report from some Congressional committee appointed to examine, prepare, and suggest plans for the reconstruction of the buildings. We are spending millions of dollars for battle ships—it is right and proper that we should do so—but I think the construction and building up of a good naval academy is of as much service to this country as, for instance, at least one battle ship.

The money necessary to build one battle ship would do nearly all the work that is contemplated now and for the future. We are paying salaries of Cuban soldiers, we are making a donation of $20,000,000 to Spain in return for that which we are said to have acquired in the Philippines, we are concerning ourselves much over projects for sanitation in Havana, and yet down here in the nursery of our own Navy we are pursuing a policy of parsimony and niggardly economy, endangering the lives of those who are to make up the greatness of that Navy in the days to come, in order that there should be delay in the preparation of plans by a junketing committee of Congressmen.

Mr. CUMMINGS. Mr. Chairman, the Committee on Naval Affairs was confronted with an anomalous situation when it reached the estimates for new buildings at Annapolis. It was facing a condition and not a theory. The House had appropriated $500,000 for the construction of three buildings and a quay wall there last year. In the discussion that ensued the gentleman from Maryland [Mr. MCINTIRE], I believe, referred to a plan recommended by what was known as the Matthews board.

Being entirely at sea with regard to the situation, the Committee on Naval Affairs asked the Secretary of the Navy and the commandant at Annapolis to come before the committee and give them information. It was discovered that the contract for the building of the quay wall had already been given out. This necessitated the filling in of about 7 acres of water front. The contracts for the three buildings had not been given out, because no

bids had been received that would come within the amount of money appropriated.

Then the Secretary was asked if the quay wall was being constructed in accordance with any plans. He said that it was being constructed in accordance with the plans recommended by the Matthews board. It seems that the Matthews board had sent in to the Secretary a plan, so far as I could see, without recommendation, drawn by Mr. Flagg, an architect from New York.

Upon endeavoring to ascertain the authority for the Matthews board, we learned that it had been appointed by the Secretary of the Navy, not in accordance with any act of Congress, but because the Board of Visitors to Annapolis had recommended that the Secretary should appoint a board to report a plan for the reconstruction of the buildings at Annapolis. The Matthews board had sent the plan of Mr. Flagg.

No money had ever been paid for it, no money was asked for it, but the Secretary was intending to build the three buildings and the quay wall authorized by the House, in accordance with this general plan. He undoubtedly believed that it was his duty to see that the reconstruction of the Academy should be begun in accordance with some general plan, or the money would be wasted. The Committee on Naval Affairs discussed the situation for two weeks at least, and finally came to the conclusion that the best plan would be to get up some plan authorized by Congress. They therefore drew up this provision in the bill.

But, Mr. Chairman, the authorization of the $500,000 in the last Congress gave the Secretary the power to remove buildings at Annapolis, and several buildings there have been torn down. The commandant began by destroying the marine barracks, and we have been compelled to put in a provision for a temporary structure for the marines on the other side of the river. Other buildings have been torn down, and the Academy is certainly in the dilapidated condition which the gentleman from Maryland [Mr. MUDD] describes.

Of course, under the plan submitted by the Naval Committee—and I do not advocate that plan—the construction of buildings would be delayed for two years at least. I saw in the Washington Post a week ago a statement that the authorities at Annapolis had found it necessary to construct temporary quarters there for 127 cadets. It seems to me, Mr. Chairman, in view of the delay required under the bill, that it would be better for the House to continue the construction of the buildings already authorized rather than delay the work for two years. The work has already been authorized and begun. The Secretary of the Navy has the matter in charge and is working after a general plan. I am not entirely satisfied in my own mind with either measure, but prefer the one that will give direct and practical results.

It seems to me unfortunate that last year the House did not act with more care and give the Secretary of the Navy authority to accept any plan he saw fit; but he has acted wisely in working from a plan because it would be better to construct the buildings in compliance therewith than to construct them haphazard and have a hodgepodge of architecture under the guise of a reconstructed naval academy.

This, Mr. Chairman, is the situation. I simply wanted to detail it so that the members of the House can understand it and vote intelligently upon the proposition. Let the work go on under the supervision of the Secretary of the Navy, and I am satisfied that we will have an academy that will be creditable to the Department and to the nation.

Mr. NEWLANDS. Mr. Chairman, I have listened with great interest to the discussion regarding these proposed buildings at the Naval Academy. I understand that the purpose both of the mover of the amendment and of the chairman of the committee is to perfect these buildings. The delay asked for by the committee is for the purpose of obtaining comprehensive plans, plans that will present a harmonious whole, but that involves, according to the suggestion of the committee, a delay possibly of a year in the commencement of construction.

The mover of the amendment, the gentleman from Maryland, insists that the work should go on in accordance with the recommendation of the Secretary of the Navy, and that a sufficient sum should be appropriated now in order to perfect these buildings according to the plans of the architect and to construct them of the best material that may be obtained. Now, it seems to me the object of both these gentlemen can be accomplished, and can be accomplished by present action. So far as the plans are concerned, it seems to me that we can much better leave the plans for these buildings to the Secretary of the Navy, aided as he is by competent engineer officers of the Navy, aided as he is by Mr. Flagg, known to be one of the most competent architects of the country.

We can safely trust this work to them; and we are more likely to have satisfactory results than if this question is left to a committee composed of members of the Senate and House of Representatives. We have the judgment of trained men, men trained in the Navy, trained in its requirements, men trained in engineering, men trained in architecture; and it seems to me we can safely trust the plans to them. It seems evident, however, that we have not appropriated sufficient money for such buildings as ought to be constructed there, and it seems that this money ought to be provided now.

The Naval Academy will play a very important and prominent part in the educational system of this Government, and in the Government itself. The Navy of our country never yet has failed us in any emergency. The Navy at the commencement of the war made no mistakes and no blunders such as have marked the administration of our War Department. What is the reason of this? The difference is not in the men, for the officers of the Navy come from the same class as the officers of the Army. They come from the same source, the great body of the people. The difference must be in training. The naval officer, the man who graduates at Annapolis, becomes immediately a citizen of the world. He travels all over the world in the ships of the United States Government; becomes familiar with all races and all peoples. He is required in the practice of his profession to acquire some knowledge of international law, and, finally, both in the subordinate and superior commands of ships themselves, he has more or less to exercise government—government over almost everything that pertains to civilization. Machinery, electricity, sanitation, discipline, all come under his observation and within the range of his experience.

How is it with the Army officer? Just as soon as he graduates at West Point he is sent to some frontier post. His range of experience hardly ever goes beyond the company or the battalion with which he is connected. His training from the time he leaves the Military Academy tends toward provincialism, while the training of the naval officer makes him a citizen of the world. Then, when the emergency comes, we have in the Navy trained men—not inexperienced men. There are no blunders, no mistakes. We dare not trust a ship worth $5,000,000 to untrained men, though we will intrust a regiment of a thousand precious lives to untrained men.

The CHAIRMAN. The time of the gentleman has expired.

Mr. NEWLANDS. I ask that my time be extended ten minutes.

Mr. DAYTON. I have no objection to a reasonable extension of the gentleman's time.

Mr. NEWLANDS. Five minutes will do.

There was no objection.

Mr. NEWLANDS. These men, then, these trained men, these men who learn the science of government, these men who acquire a knowledge of international law, are the men through whom this country is to have its contact, in the larger extension of its energies that has taken place, with the outside world, and it is of the highest importance that this school above all other schools should be enlarged, increased, and perfected.

For my own part, I believe that the men who are to govern these new acquisitions just acquired, whether permanently or temporarily, should be turned over to the Navy rather than to the Army, simply because they have had the training that fits them for government. They acquire in traveling about the world race tolerance and a knowledge of the peculiarities and weaknesses of other races. This was exhibited in a marked degree in Cuba in the late war. You will all recollect the famous battle between the marines, the naval forces at Guantanamo, and the Spaniards, a battle lasting for several days, a continuous battle day and night. You remember there that the officers of our naval forces spoke in terms of commendation of the great services that were rendered to them by the Cuban allies. Now, why did they get good service out of them, and why did our Army not get good service out of them at Santiago?

Simply because our naval officers in traveling about the world had obtained some knowledge of other races, the peculiarities of the Latin race, their pride, their high sense of courtesy, their punctiliousness, and thus they were enabled to utilize and make efficient the very men that were regarded so contemptuously by our Army officers, who had not acquired race tolerance, but who, on the other hand, by reason of their provincial training in this country, had contracted a degree of race prejudice. From our Navy, therefore, should come not only the men who are to command our ships, but the men who are to administer our affairs in these new acquisitions, and the Naval Academy becomes important as the training school of those who in time should assume the duties corresponding to those belonging to the colonial system of England.

Mr. BOUTELLE of Maine. Will the gentleman permit a question?

Mr. NEWLANDS. Yes.

Mr. BOUTELLE of Maine. Does not the gentleman from Nevada deem it very important that in entering upon a work like that which is proposed here the proceedings should be regularly authorized and well considered?

Mr. NEWLANDS. I do.

Mr. BOUTELLE of Maine. Does the gentleman entertain the

opinion that there has been taken that consideration and been provided that lawful authorization which is certainly desirable in a proposition that is to revolutionize and entirely reconstruct a great institution of the country, involving an expenditure of many millions of dollars?

Now, I want to appeal to the well-known candor of my friend from Nevada, and ask him if he really believes that it is the proper method for us to legislate and put one or two million dollars, or any other sum, into this appropriation bill, to be expended by the Secretary of the Navy in repairing the Naval Academy on some plan, or any plan that he may see fit, that may be thrust upon him by more or less prejudiced or more or less ill-informed advisers? Does he think that the Congress of the United States would be justified on a basis of orderly procedure in putting block appropriations into money bills to authorize an executive officer, who may be changed to-morrow, to go on and expend that money, not only so far as the appropriation is concerned, at will, but to expend it in such a way as might necessarily involve the expenditure in addition of an enormous sum and carrying out improvements and changes on a gigantic scale that no one has ever considered?

Is not, in the opinion of the gentleman, the Committee on Naval Affairs acting in a wise and conservative way when it comes to the House and states what the House did not know before, that we are being committed to an enormous outlay, a gigantic operation, the limits of which are not hinted at, and asks the House as to the wisdom of having some proper, legal, regular method of investigating and determining what we are to do, the extent of what we are to do, and the manner in which it shall be done?

I assure the gentleman that so far as my knowledge is concerned, and I have studied the question with all the ability that I could bring to bear, I have no knowledge of any authorized limit to what may be done under the guise of rebuilding or under the guise of removing and replacing unfit buildings at Annapolis. I do think there ought to be a limit, and I think the gentleman from Nevada thinks so himself.

Mr. NEWLANDS. I will say to the gentleman from Maine that I have heard no suggestion about revolutionizing the Academy.

Mr. BOUTELLE of Maine. When I say revolutionize, I mean to pull down every vestige of what is there, and replacing it with something else, located in different relations to each other from what the buildings now are. I mean it is to be re-created on some basis which is not presented to Congress, and which Congress knows nothing about, and the expense of which I understand can not, in its outer limit, be estimated, but which will necessarily involve anywhere from six to ten million dollars.

Mr. NEWLANDS. I will say to the gentleman from Maine that it is one thing to re-create the buildings and it is another thing to re-create the Academy. We do not propose to re-create the Academy. We are satisfied with the Academy, with its professors, with the method of construction, with the high sense of honor that is taught there, and everything that pertains to it. We seek only to enlarge it, to extend it, and give it proper quarters. The question of quarters is simply one of administration. I contend that we have in the Navy Department a force of men more competent than any committee of Congress to determine the needs of these buildings, their general scope, and expend the amount of money that should be expended upon them.

Mr. BOUTELLE of Maine. The gentleman does not wish to give the impression that we should yield to the subordinate officers, without any authorization or any sanction, to determine how great an expenditure of public money should be made to re-create or remove the buildings of the institution now existing, and to replace them with others?

Mr. NEWLANDS. We simply leave to the Executive Department the plans for the buildings that are to be administered by that Executive Department.

Mr. BOUTELLE of Maine. And we are to appropriate so many million dollars——

Mr. NEWLANDS. Not necessarily.

Mr. BOUTELLE of Maine. And allow the Department to build whatever it sees fit.

[Here the hammer fell.]

Mr. MUDD. I ask that the time of the gentleman from Nevada [Mr. NEWLANDS] be extended for five minutes.

Mr. BOUTELLE of Maine. I make the same request.

There was no objection.

Mr. BOUTELLE of Maine. Now, the gentleman from Nevada certainly does not propose——

Mr. NEWLANDS. I certainly do not propose to turn over to the Navy Department the determination of the amount of money that is to be expended there. That is a matter within the control of Congress, of course. I propose that Congress shall exercise that control; it has already exercised it.

Mr. BOUTELLE of Maine. It is not exercising it in this amendment, because the amendment proposes to give to the Secretary of the Navy authority to spend so many million dollars as he sees fit; and the only limitation upon the provision is that he shall spend that money in the vicinity or on the grounds of the Naval Academy; otherwise he may do whatever he sees fit. Now, I submit that this is not in accord with the custom of the Government from its foundation, and I do not think it safe legislation.

Mr. NEWLANDS. The place for those buildings is determined; they are to be upon Government ground.

Mr. BOUTELLE of Maine. What I wish to impress upon the gentleman and the House is that that matter has never been determined by any authorized method.

Mr. NEWLANDS. I mean to say that the ground on which it is proposed to erect these buildings is now in the ownership of the Government, is it not?

Mr. BOUTELLE of Maine. I mean to say this: Just what Government property the Secretary of the Navy shall cause to be destroyed and removed to enable him to locate some new structure upon the site is not defined anywhere, and nobody knows what is to be the determination in that respect. We do know that under the orders of the Superintendent of the Academy within the last year the marine barracks were torn down and removed; that the boathouse and other structures, which have been appropriated for and built by the Government at great expense, have been removed.

The gentleman is a good enough lawyer to understand how much authorization there has been when I refer him to the language of the appropriation of last year, put on in the Committee of the Whole, which simply appropriates a block sum of $95,000 for electric light and some other items—preparing plans, removal of buildings, etc. And without the removal of any special building having been authorized anywhere, the Superintendent, or whoever else may have taken charge of this work, has proceeded under that appropriation to remove certain buildings at his will and discretion; and the marines have been transferred across the river because their quarters, which the Government built for them, have been taken away. This has never been authorized by Congress. Buildings have been torn down and removed without any authority of Congress, and the location of the new buildings to take the place of those removed or torn down has not been fixed. One of the items recommended to us in the estimates this year for insertion in this bill was for a new cadet barracks to cost $3,500,000. The location of this new structure has never been determined by anybody.

A bill which might be brought into this House to appropriate fifty or sixty thousand dollars for a public building in some community in this country would be doomed from the outset if it proposed that the money be put into the hands of the Secretary of the Treasury, who should locate the building wherever he saw fit, and who might proceed to do work which would involve a future expenditure enormously exceeding the original proposition.

The proceeding in the present case is entirely irregular. We are not complaining of the improvement of the Academy; we are not opposing it; we are in favor of it. But we want some method or plan laid down; we want to know something about the probable limit to which this work is to be carried, what it is to cost, and the manner in which Government property at Annapolis today is to be destroyed and replaced by new buildings.

Mr. NEWLANDS. Now will the gentleman listen to me?

Mr. BOUTELLE of Maine. I will not disturb the gentleman further.

Mr. NEWLANDS. I wish to say that I am not wedded to any particular form of amendment.

Mr. MUDD. May I interrupt the gentleman a moment? This amendment provides for the construction of three buildings which are specifically named, at an expense which is limited, in pursuance of a plan which the Secretary of the Navy has approved, and upon a location which has been fixed.

Mr. BOUTELLE of Maine. Mr. Chairman, the approval of the Secretary of the Navy, whatever that may be, means that he is going to proceed to locate still more of these new structures according to this plan which has never been authorized by anybody. The gentleman understands perfectly well that when the Secretary of the Navy has appointed two or three officers to go down to Annapolis and look over the buildings and make recommendations to him, that does not authorize the design which they may report; there is no sufficient authority in such a proceeding.

Mr. NEWLANDS. Well, all I have to say to the gentleman is that if no plans have been authorized, we can authorize them now; if no Government board has been authorized, we can authorize it now.

Mr. BOUTELLE of Maine. We have not the necessary information.

Mr. NEWLANDS. In my view the Navy Department is competent to take hold of this thoroughly executive matter. The parallel which the gentleman has drawn between an appropriation for a public building and this improvement is not a correct one. When a public building is ordered by Congress, does the Congress of the United States authorize the Public Buildings and Grounds Committee to determine the plans?

Mr. BOUTELLE of Maine. No; it is done by a commission.

Mr. NEWLANDS. It is left entirely to the Treasury Department, and a provision is inserted in the bill allowing the Supervising Architect to make the plans, or providing for competitive bids from architects throughout the country.

Mr. BOUTELLE of Maine. That is precisely what we desire to provide here.

Mr. NEWLANDS. And that can be done now by adding to the provisions of the amendment which has been presented.

Now, if the gentleman from Maine and the committee are not satisfied with the plans which have been prepared——

Mr. BOUTELLE of Maine. I know nothing of them. I have not studied them.

Mr. NEWLANDS (continuing). We can authorize the Secretary of the Navy to invite bids from various architects, five or more, as the provision in the bill contemplates, to make sketches and suggestions.

Mr. CANNON. Now, just on that point, if my friend will allow me, I desire to state that I am quite in harmony with many of the suggestions he makes. It seems to me, if I understand his position, that I should not object to his suggestion. But what I wish to say, and I want to know if we understand it in the same way, is that the buildings, the entire plan of the construction and location, as they are liable to be, on the present site—that is, if you complete the whole thing to correspond with what is desired and is admitted to be necessary, I believe it is conceded that the cost will reach the sum of $12,000,000.

Mr. McINTIRE. Six or eight millions has been estimated as the amount.

Mr. CANNON. Well, whatever it may be, whether it be six millions or eight millions or ten millions, we ought to be able to devise a plan in advance of the prosecution of the work.

Mr. NEWLANDS. That is the very point that I am suggesting.

Mr. CANNON. If my friend will allow me a moment.

I am quite content if you fix the limit at any sum which in the judgment of the House may be proper for this expenditure. That is the rule governing the Treasury Department. They can make the plans, but they can not break the limit of the appropriation.

Now, it seems to me that that provision ought to be applied here. I am inclined to think that five or six millions ought to be sufficient, and that the expenditure could not and ought not exceed that. The building of the Library of Congress, out here, cost only $6,000,000, though it was liable at one time to cost the Government $15,000,000; and yet it is an entirely satisfactory building.

Mr. BERRY. And that was built by the Army.

Mr. NEWLANDS. I am inclined to think that an appropriation of $6,000,000 would be ample——

Mr. CANNON. It would seem so.

Mr. NEWLANDS. Provided we have, and we ought to have in advance, a comprehensive plan, so that the buildings will fit in with each other. But all of this can be provided for in connection with the amendment which is pending. We can provide all that is necessary to carry on the work; and I insist that we should not wait a year or longer, but should proceed with it now. We do not need to wait for a report from a commission, representing any of the Executive Departments, or any department of the Government anywhere. We know precisely what is required.

Mr. DAYTON. Do you think this body, or any other set of men, could go to work and in two or three or four or six weeks' time, with no information of any kind or character, formulate a general scheme or plan for rebuilding the Academy buildings, involving an expenditure of six or eight millions of dollars, without the assistance of architects, men competent to prepare plans and specifications for such work? That is the reason the Naval Committee reached the conclusion it did reach, that a commission should be appointed for the purpose of investigating the matter and determining upon the character of the work to be performed. It is a reasonable suggestion, and one that seems to me should commend itself to all of the members of the House.

Now, the delay is but for six months altogether, if the plan of the Naval Committee is pursued, but if you strike out that provision it may be two years or longer before the work may proceed.

Mr. McINTIRE. I would like to ask the gentleman from West Virginia if there is not already a matured plan for this work, a plan which was prepared by the Matthews board, which is before the Committee on Naval Affairs, which was considered by the committee and by the Secretary of the Navy, and the expenditures involved are specified, running from six to eight millions of dollars, upon which plan Congress voted two years ago and authorized the expenditure of certain sums of money in the direction of the pursuance of those plans? Is it not also true that the work already done—the improvements inaugurated at Annapolis—are in accordance and in conformity with that plan—the Matthews plan, to which I have referred?

Mr. DAYTON. It has been asserted over and over again that no matured plans had been prepared and adopted. There was no Matthews plan accepted——

Mr. BOUTELLE of Maine. No plan was authorized by anybody who had a lawful right to make a plan.

Mr. McINTIRE. But was not the plan, which was prepared by somebody, approved by the Secretary of the Navy?

Mr. BOUTELLE of Maine. No, sir.

Mr. DAYTON. Let the facts be plainly stated, so that there can be no mistake about it. The Secretary says and admits that he knew of no plan but the Matthews plan, and the Superintendent of the Academy admits that a Mr. Flagg, at the instance of somebody, formulated a general sketch, at the cost of nobody, with a view to get a job, undoubtedly, by which, if the "plans" were adopted, he might receive a commission of $200,000 or more in connection with the proposed work. That is about the substance of it.

Mr. MUDD. Here are the signatures of six naval officers, who state that they did formulate a plan.

Mr. BOUTELLE of Maine. But they had no authority to formulate a plan.

Mr. MUDD. That may be true. I do not admit that. But we gave the Secretary of the Navy authority last winter to do it, and he did it in this way.

Mr. NEWLANDS. The gentleman from West Virginia [Mr. DAYTON] put a question to me as to whether I thought a committee or a commission could, within four weeks, determine plans. I do not believe that a committee could.

Mr. DAYTON. Then how can we have present action, as you suggest?

Mr. NEWLANDS. I do believe that a naval board skilled in engineering and familiar with the requirements of the Naval Academy could do so, and I do not care whether that naval board has been authorized or not. I only want to know whether it has deliberated upon the matter. If it acted wisely when it had no authority, why, we can ratify its action now.

Mr. BOUTELLE of Maine. How are we to know whether it acted wisely or not when it had no authority?

Mr. NEWLANDS. What I want to do is to refer this thing to the Secretary of the Navy.

Mr. BOUTELLE of Maine. I do not believe Congress will do that to any head of a bureau.

Mr. NEWLANDS. I do not believe in waiting six months or a year.

Mr. DAYTON. I want to call the attention of the gentleman from Maryland to this fact, and he is no greater friend of this Naval Academy than I am. I want to call his attention to how this plan came to be called the Matthews plan. Here is the statement made before the committee. I quote from the hearings.

Mr. HILBORN. Who made the statement?

Mr. DAYTON. It was made by the Superintendent of the Naval Academy himself.

> The CHAIRMAN. They do not say anything there about the plans.
> Secretary LONG. This is very long.
> The CHAIRMAN. There does not seem to be a recommendation of any particular plan there. Is there any recommendation?

Then the Superintendent of the Naval Academy immediately spoke up and said:

> They did not themselves formulate any plan, but it was formulated later by the Superintendent with the assistance of an architect.

In other words, the Matthews board did not formulate any plans of any kind or character, but the Superintendent, with the assistance of an architect whom he had selected, formulated a general sketch, without any authority of law and without any cost to the Government.

Mr. MUDD. What Superintendent was that?

Mr. DAYTON. Superintendent McNair.

Mr. MUDD. I hold in my hand the signatures of six naval officers who did present a plan.

Mr. DAYTON. Is that the Matthews board?

Mr. MUDD. Yes.

Mr. DAYTON. You can not find one word or syllable in that Matthews board report adopting a plan. The Secretary of the Navy in the hearing himself says so.

I will tell you what was done. Just as Superintendent McNair has stated here, after the Matthews board had adjourned the Superintendent and this architect did formulate a plan, and somehow or other it got bound up in the latter part with the Matthews board report, and therefore it is called the Matthews board plan.

Mr. CUMMINGS. The Superintendent, as I understand, was one of the Matthews board.

Mr. DAYTON. Well, that may be.

Mr. BERRY. Mr. Chairman——

The CHAIRMAN. The gentleman from Kentucky.

Mr. BERRY. I have listened to this discussion——

Mr. GROSVENOR. Mr. Chairman, I suggest that the time has arrived for the special order for to-day.

The CHAIRMAN. The gentleman from Ohio suggests that as to-day was fixed for the special order to pay tribute to the memory of the late Representative NORTHWAY, that the committee

should now rise for the purpose of executing that special order. The Chair will entertain a motion that the committee rise.

Mr. BERRY. Was not that special order fixed for 2.30?

The CHAIRMAN. No hour was fixed. If the gentleman from Kentucky will yield to the gentleman from Maine [Mr. BOUTELLE], the Chair will entertain a motion that the committee rise.

Mr. BERRY. If the discussion is to go on, I wish to say a word; and if it is not, why of course I do not care to.

The CHAIRMAN. The Chair will recognize the gentleman from Kentucky at a later period.

Mr. BOUTELLE of Maine. If the hour for the special order has arrived, I move that the committee rise.

The committee accordingly rose; and the Speaker having resumed the chair, Mr. SHERMAN, chairman of the Committee of the Whole House on the state of the Union, reported that that committee had had under consideration the naval appropriation bill and had come to no resolution thereon.

DEATH OF HON. STEPHEN A. NORTHWAY.

Mr. GROSVENOR. Mr. Speaker, I call up the resolutions made the special order for to-day.

The SPEAKER. The Clerk will read the resolutions.

The Clerk read as follows:

The House of Representatives has heard with profound sorrow that the Hon. STEPHEN A. NORTHWAY, a Representative from the Nineteenth Congressional district of the State of Ohio, died at his home in Jefferson, Ohio, on September 8, 1898: Therefore, be it

Resolved, That the business of the House be now suspended that opportunity may be given for tributes to the memory of Hon. STEPHEN A. NORTHWAY, late a member of the House of Representatives from the State of Ohio.

Resolved, That as a particular mark of respect to the memory of the deceased, and in recognition of his eminent abilities as a distinguished public servant, the House, at the conclusion of these memorial proceedings, shall stand adjourned.

Ordered, That the Clerk communicate the resolutions to the Senate.

The resolutions were unanimously agreed to.

Mr. DICK. Mr. Speaker, STEPHEN A. NORTHWAY was born in Christian Hollow, N. Y., June 19, 1833, and died at Jefferson, Ohio, September 8, 1898.

The temporary suspension of the business of this House to pay tribute to the memory of a man of high character and splendid attainments must be productive of good, since in the presence of death "earthly passions grow cool, and holy purposes gain strength."

Mr. NORTHWAY'S untimely death, so deeply and so universally mourned, was a great loss to the district he represented and to the country, both of which he served with ability, fidelity, and patriotic devotion.

By reason of his talents and integrity he rose from the humblest walks of life to a position of eminence in his country's service. To recount in words of eulogy his early struggles, his success in his chosen profession, his steady advancement in the field of public duty, and his excellence of character will be an incentive to better and nobler effort.

For six years he was in your presence, an honored member of this great legislative body, representing the Nineteenth Congressional district of Ohio, of which Blaine, in his splendid eulogy on Garfield, said:

Garfield was especially fortunate in the constituency which elected him. Descended almost entirely from New England stock, the men of Ashtabula district were intensely radical on all questions relating to human rights. Well educated, thrifty, thoroughly intelligent in affairs, acutely discerning of character, not quick to bestow confidence, and slow to withdraw it, they were at once the most helpful and exacting of supporters. Their tenacious trust in men in whom they once confided is illustrated by the unparalleled fact that Elisha Whittlesey, Joshua R. Giddings, and James A. Garfield represented the district for fifty-four years.

I shall not dwell on the public services of Mr. NORTHWAY, except as directly connected with his own district and State. Others better qualified by reason of their association with him on this floor, and who doubtless early in his public career recognized his skill as a debater, and were impressed with his comprehensive grasp of public questions and his knowledge of public affairs, will pay tribute to his character and ability as a legislator and as a public man. To me is accorded the privilege of speaking of those personal traits and habits of life which, after all, go to make up the character of the man.

We shall not see his kindly face again, but the example of his life, his patriotism, his devotion to duty, both public and private, his untiring industry, his unassailable honesty, his rigid adherence to honorable purpose, and all the lessons of his splendid career as a private citizen and as a public man, will make us better for having known him. To his friends there remains the fragrance of a life in which was exhibited charming manners, a striking personality, great intellectual force, and the highest order of moral and physical courage. They are comforted by the thought that this noble man did not live in vain—that he recognized the great responsibilities which life imposes, and met and discharged them with ability, courage, and fidelity.

His family removed from New York to Ohio in 1840, where his father, like thousands of other fearless and aggressive men of his day who sought a home in the West, bought land and entered on the pioneer life of that time. A log cabin was built, the forest was felled, the seed sown, and the harvest gathered. The boy of tender years, with willing hands assisted in establishing a home amid the virgin forests of old Ashtabula and shared the privations and sacrifices incident to frontier life. The log cabin was not peculiar to any one section of the country, but the curling smoke from the rudely-constructed home of the pioneer, whether in the fertile valleys of the South, the granite hills of New England, the forest fastnesses of the Middle States, the rolling prairies of the mighty West, or the ore-seamed lands of the North was the harbinger of that resistless wave of a higher civilization before which in sullen protest receded a race that had long dwelt in undisputed possession of the land.

At the mother's knee, the altar of the pioneer home, Stephen received his first religious impressions, and from her gentle teachings the rudiments of an education. From his mother's side he passed to the rude log schoolhouse—that homely university of the young Republic—at which giants matriculated, and from which emerged some of the grandest characters in American history.

Young Stephen grew tall and straight and sinewy of limb; he grew in intellectual and moral strength, and in all amiable qualities; with these grew a desire for a more liberal education, with which to meet the requirements of his higher aims in life. In order to obtain the means to gratify this ambition, he again entered the log schoolhouse, now as a teacher instead of a pupil, and thus was enabled to enter upon an advanced course of study—first, at the academy at Kingsville, and then at Orwell, Ohio. When he had completed his academic course youth had ripened into manhood, and Stephen Northway was prepared to enter upon a career of usefulness honorable to himself and beneficial to the community and the times in which he lived.

He drew his political inspiration from the doctrines of William Lloyd Garrison, Elisha Whittlesey, and Joshua R. Giddings, and sat among their disciples with Benjamin F. Wade, James A. Garfield, and Ezra B. Taylor. He imbibed the spirit that actuated them in the great struggle between freedom and slavery, and though a thorough partisan, he was tolerant in his treatment of those entertaining opposite views. In every phase of life STEPHEN A. NORTHWAY was a Christian gentleman.

He entered upon the study of law and was imbued with an ambition to attain eminence in his chosen profession. The zeal and determination manifested by him as a schoolboy characterized him as a student of the law. After a thorough course of study he was, in the year 1859, admitted to the bar, and even then was so intrenched in the confidence of the people that clientage was soon gained and success was assured. Within two years he was elected prosecuting attorney of Ashtabula County, which position he held for two terms.

As a further evidence of the confidence reposed in him, in 1865 he was elected to the Ohio general assembly. That year marked an epoch, and was perhaps the most eventful in the annals of our history as a nation. That year the war of the great rebellion ended. Peace had been gained, but at a terrible sacrifice of blood and treasure. The great tragedy of the century was enacted. Abraham Lincoln was assassinated, and a change of administrative policy seemed imminent. His death had shrouded the nation in gloom. Doubt, unrest, and mutterings were prevalent on every hand. Dark clouds overcast our sky. The exigencies of the times demanded strong hands and cool heads in the adjustment of our affairs to existing conditions. Wade and Sherman were in the National Senate. Garfield and Hayes, and such as they, were members of the House. In looking for a man to represent them in the State legislature in those trying times the people of Ashtabula district turned to STEPHEN A. NORTHWAY.

Mr. NORTHWAY declined a second term in the legislature. With his mind broadened by legislative experience, and having already acquired a thorough elementary knowledge, he again took up the study and practice of law with renewed zeal and energy. He devoted himself to the great masters of jurisprudence. He knew the law and the reason for it. He knew its birthplace and the cause of its origin. The study of its history and development was a work of love which he pursued until he had mastered it in its largest, broadest, and deepest meaning, and in its most comprehensive scope. Step by step he advanced to a leading position at the bar. His reputation widened, and the ablest lawyers sought his counsel. He gained high eminence in his profession.

Mr. NORTHWAY had long cherished a desire to represent his district in Congress, and the people of Ashtabula County would at any time have been glad to give him their support; but there was a tacit agreement among the counties comprising the Nineteenth district that the representation in Congress should rotate, and that so long as a Representative served satisfactorily he would be continued in office. For more than three-quarters of a century this district was represented by six men. Elisha Whittlesey served fourteen years, Joshua R. Giddings twenty-two years,

James A. Garfield eighteen years, and Ezra B. Taylor twelve years. Whittlesey and Giddings both voluntarily retired from Congress; Garfield was elected to the United States Senate, and succeeded to the Presidency; and Judge Taylor declined a renomination.

Mr. NORTHWAY was elected a member of the Fifty-third Congress, and was reelected to the Fifty-fourth and Fifty-fifth Congresses; was nominated for a fourth term, and his reelection was certain had he lived. It was not ordained that he should complete his last term; yet the time he served was ample for judgment. His grasp of public questions was comprehensive; his knowledge of detail critical; his industry constant. Merit forced him forward, and his usefulness was early recognized by the Speaker of this House, who chose him for important duties, which he met and discharged with intelligence and unswerving honesty.

Fortunate though he was in professional and public life, he found his greatest happiness in the society of his loving wife, a woman of rare qualities of mind and heart, who was Miss Lydia A. Dodge, and whom he married on the 1st day of January, 1863. In his union with this accomplished lady there began one of the sweetest companionships that ever attested the beauty and holiness of the sacrament of marriage. Theirs was truly a union where love and devotion filled the home with sunshine, music, and flowers. It developed new phases of his life, and awoke the gentler sentiments of heart and soul to better, higher, and nobler endeavor and achievement. Their home life was ideal, and their happiness increased until the touch of death's icy hand upon their infant first born broke the spell, and sorrow entered where joy before had reigned supreme. The bitter cup was pressed to their lips, but no murmur escaped them. Christian fortitude sustained them in their sore bereavement. Then the coming of a baby girl again gladdened their stricken home, intensified their affection, and beautified their lives.

For a number of years Mrs. Northway was an invalid, and his unfailing devotion throughout her long illness was a poem of love. Until the time that he himself passed beyond the vale she had been to him a sweetheart as well as a wife. When Mr. NORTHWAY returned home at the close of the last session he found his faithful companion prone upon the bed of sickness, and when informed by her physicians that she could not survive he abandoned all interest in earthly affairs, and in words that showed the anguish of a heart under the shadow of a great sorrow, he exclaimed: "If she must die, I can not live."

Although himself rapidly failing in health, his every waking hour was spent at her bedside. Day by day he became weaker, until there came an hour when he could not rise, and the gathering mists presaged speedy dissolution. He met the dire enemy with the calm and Christian courage which characterized his whole life. As his strength was rapidly ebbing, his eyes for a moment rested upon a vase of flowers. With a smile, and in a voice almost inaudible, he whispered: "Beautiful flowers!" Then sinking into a tranquil sleep he entered the door to that life which has no end.

To him the summons came first—a link in the golden chain was broken—but only a few weeks elapsed when the wife whom he so tenderly loved was also beckoned to the other shore, and the broken link was reforged in that "mansion not made with hands, eternal in the heavens." "They were lovely and pleasant in their lives and in their death were not divided."

With the admirable qualities that made Mr. NORTHWAY a kind and affectionate husband and father was combined a keen perception of the beauties in nature. He was fond of flowers, and a portion of his premises was set apart for their culture, that with his wife and daughter he might to the fullest extent enjoy their beauty and fragrance. His earlier traits clung to him, and he was never happier than when at work in his garden.

The children of his home town knew and loved him. The scriptural declaration, "Of such is the Kingdom of Heaven," was a part of his creed, and often as he passed along the streets of his home, the little ones would be seen clinging to his fingers, while they told him their stories and listened to his.

He loved his fellow-man. No hour was so busy that human want could not make its plea; no subject so engrossed his attention that the cry of distress was unheeded. The appeal that touched his heart opened his purse. As the one sympathized, the other responded.

Although eminently successful in his profession, and enjoying a liberal income from his practice, Mr. NORTHWAY accumulated little property. While not an improvident man, his quiet and unostentatious benevolence absorbed a large part of the income derived from his professional labors. With more than liberal hand his charities were dispensed, falling on the unfortunate and distressed as the "rain falls on the parched and weary land." He was imbued with that passion of Divine origin—that love for his fellow-man—exemplified in the manger at Bethlehem, and sealed forever on the heights of Calvary.

Mr. NORTHWAY had a keen sense of honor; his convictions were strong, deep, and abiding; the demands of duty were paramount; where they led, he followed. He tolerated no compromise with wrong. In the discharge of public duty he studied the best interests of the people, and sought to serve the rights of all in a spirit of equity. Nothing that was worthy was too small or insignificant for his attention; nothing so great or important as to exclusively command him. The minutiæ of life interested him equally with its larger affairs.

The cloak of charity, a garment that "doth befit a king or a peasant," was always on his shoulders, save when removed to cover the faults of others. He was not blind to error. Keen, accurate, and discriminating, but wise and considerate, he judged in mercy, encouraged the weak, and lifted the fallen. He was always for the right. He walked among his fellow men an object of admiration—a hero,

> On whom even God did seem to set his seal,
> To give the world assurance of a man.

Those who knew him well loved him. He won their respect, earned their confidence, and merited both. They recognized the amiability, honesty, and force of his character. Old members have told me that he had not an enemy in this body. I believe it. He was the most sterling character I ever knew to be without enemies. Those who love virtue, admire ability and sincerity, and hate the vile and insincere, were of necessity his friends. Conscience ruled all his hours and measured all his acts. He had no hidden ways. The sunlight was sufficient for all his purposes.

Near the town of Jefferson is a sacred spot, a spot where some one has said is—

> Neither solitude nor society—something human is there—but the folly, the bustle, the vanities, the pretensions, the pride of humanity are gone; men are there, but their passions are hushed and their spirits are still; malevolence has lost its power of harming; appetite is sated, ambition lies low, and lust is cold; anger has done raving, all disputes are ended, all rivalry is over; the fellest animosity is deeply buried, and the most dangerous sins are safely confined by the thickly piled clods of the valley; vice is dumb and powerless and virtue is waiting in silence for the trump of the Archangel and the voice of God.

In this spot are gathered the fathers of that beautiful hamlet—here sleep in dark chambers the high and the low, the rich and the poor. The passing years are adding to the inhabitants of that silent city. Its population never decreases, but constantly increases. Each year adds to the mounds, and so it will be to the end. Taste and liberality have beautified and adorned, and love has consecrated these sacred acres where death's trophies are laid. To-day it is a famous city—made so by its mighty dead. It is fit that STEPHEN A. NORTHWAY should be buried there. The place of interment is most appropriate. There, a few feet to the right of his mound, lie the mortal remains of Joshua R. Giddings, and near by, on the left, slumbers Benjamin F. Wade. Together these three are in the "long, long sleep" under a blanket of "beautiful flowers." Together they will make answer to the final summons: "Speak, Lord, for Thy servant heareth."

The circumstances and environments which surrounded Mr. Giddings and Mr. Wade were vastly more effective in the development of human character than were those which surrounded Mr. NORTHWAY. In his convictions, fixedness of purpose, and conscientiousness he was the equal of either. But the conditions which prevailed while the two great philanthropists were in active life did not surround Mr. NORTHWAY. We are thankful that this was so. He lived when the strife was over—when the wounds of civil war were healing under the magnanimous policy of the victor and the returning loyalty of the conquered—when, to quote Garfield:

> Under the crossed swords and locked shields of Americans, North and South, our people sleep in peace and rise in liberty, love, and harmony under the union of the Stars and Stripes, and in the strength of liberty and the restored Union, win the grander victories of peace.

Monuments are reared to the memory of our illustrious dead. Granite columns, kissed by morning sunbeams, tell the story of a nation's gratitude for conspicuous public service. Our public buildings are adorned with statues of spotless marble, on which are preserved the features of those upon whom the nation with lavish hand bestowed honors for services in the field and the forum; but greater and more enduring than all these is the impress of genius left by a public man upon the times and age in which he lived, and which, by reason of distinguished service rendered in the cause of the people, is enshrined in their heart of hearts. No shaft may be reared to the memory of STEPHEN A. NORTHWAY; no Parian marble may preserve his classic features; but his services will not be forgotten, nor will his image be effaced from the memory of the people he so ably and so faithfully served.

For this honored statesman, devoted husband, and kind father death had no sting, and the dark portals of the grave no terrors. The unbidden messenger was not unwelcome. With undaunted

courage and serene confidence this noble son of Ohio joined the countless multitude who—

> Sustained and soothed
> By an unfaltering trust, approach their graves
> Like one who wraps the drapery of his couch
> About him, and lies down to pleasant dreams.

Mr. ROBINSON of Indiana. Mr. Speaker, this solemn convocation is something more than a meeting assembled to pay reverence to the dead. An instinct born of popular government inspires us to show due homage to faithful public services, whether rendered in the field or in the halls of legislation, and thus the rising generation is taught that noble service to country always commands its reward. These occasions bind us in stronger bonds as servants of the Republic—make us better citizens, better legislators, better men.

Uniting in these memorial services to-day, among others, are the great States of Pennsylvania, Illinois, and New York, all joining in tributes to the memory of our colleague from the sister State of Ohio.

Charged as are the representatives of this people with the enactment of the most momentous legislation, when a valued actor in this great drama passes from the stage of his former service we should remember him to the country, that others may profit by his example and imitate his virtues.

My acquaintance with STEPHEN A. NORTHWAY as a legislator was supplemented by an association when he was not busy with the cares of state.

His life and standing at home will be voiced by those who can tell from personal knowledge, as I have learned from others, of the tributes to his memory that were offered on his death, of the fragrant flowers that were lain upon his bier by his neighbors and friends as evidence of their gratitude and love. These are the highest tokens that can be shown to his worth as a legislator, as a man.

Our deceased friend was close to the common people, from whom he sprung and to whom he ever looked for support, and it was the ambition of his life to protect their interests and serve them well. He exemplified in his career that performance of duty and success go hand in hand. A love of his fellow-man was inborn in him, and that he had eminently shown this virtue among his people was attested by his first nomination for Congress. He was chosen to represent the Nineteenth Ohio district, which is famous for the length of service and the eminence of those who preceded him. Not noting the minor changes that came from redistricting the State at different times, the heart of this district for seventy-five years—from 1823 to 1898—had been represented in Congress by but six men, each of whom reflected a luster on his State. Elisha Whittlesey served from 1823 to 1837, for fourteen years; Joshua R. Giddings served from 1837 to 1859, for twenty-two years; John Hutchins served from 1859 to 1863, for four years; James A. Garfield served from 1863 to 1881, for eighteen years; Ezra B. Taylor served from 1881 to 1893, for thirteen years.

Mr. NORTHWAY was first elected in 1892, and was serving his third term in Congress at the time of his death. He had already received a fourth nomination and would doubtless have been elected to the Fifty-sixth Congress. These repeated indorsements, by a district that had so recently before sent James A. Garfield to Congress, more strongly than words speak of his fidelity to the high trust reposed in him. He rendered valuable service to his district and to the country in the Fifty-fifth Congress as a member of the important Committees on Appropriations and on Reform in the Civil Service. In close touch with the masses, no one in his district ever appealed to him in vain. Though not a soldier in the war of the rebellion, the soldiers had in him a faithful champion. A trait that came to him from the lessons of his early life was, that the humblest citizen was at home in his company, and this approachability made "STEVE" NORTHWAY, as he was familiarly called, win friends on every hand.

As his position was eminent at his death, so was his beginning modest, and he was an exemplar of the story often told, but that never grows old, of rise from humble obscurity to distinguished honors. The story of his early life upon the farm, his struggle for an education, his teaching school, his early entrance to the bar, his rise in his profession—these were often told, and gave him a hold on his constituency that was proven whenever occasion arose. He never forgot these favors, and through many weary hours of sickness and pain he labored to serve his people.

In late years Mr. NORTHWAY was not a robust man, but his ailment was unknown to many. Like others, he chose to suffer and bear his pain in silence, and many of his intimates who were brought under the sunshine of his cheerful disposition and were wont to hear his "flashes of merriment" did not know of the fatal malady that soon would terminate his life. He bore it all with fortitude, and his last act of love and devotion to his invalid wife, who, like himself, for years had been a patient sufferer, broke the thread that held him to human existence, and he predeceased her a few short weeks.

Our deceased colleague has joined that long list of Ohio's distinguished statesmen who have illumined her history by ability and faithful performance of duty.

Though our friend be dead, he still lives on and will live in memory, in kind recollection, till we ourselves shall join that invisible choir. The problem of life, the mystery of death, is shrouded in uncertainty and doubt, but to live in hearts we leave behind is not to die. This life, all told, is but the measure of a span, and in that space so fugitive we have a complication of obligations, responsibilities, and suffering. All are ended by death alone.

Our brother has passed from the woes of this world as well as from its joys. Though he has passed from the pleasures and happiness of this life, he is also free from its cares, miseries, and dissensions. We trust he has gone to that felicity the reward of the just.

A philosopher once said, "Be not grieved beyond measure for thy deceased friends; they are not dead, but have only taken that course which it is necessary for all of us to go. We ourselves must all go to that grand place of reception where they are assembled, and in that general rendezvous of mankind live together in another state of being."

The lessons of duty, whether in private life or public function, are severely taught by the end that must come to all, the occasion of which assembles us here to-day. While I speak these words of tribute, who among us can know but that in a year from to-day words in your memory or in memory of me may be spoken by others when our lips are still and our cold faces turned to the roots of the daisies that grow over us? These solemn thoughts, these occasions teach us our duty to ourselves, to our country, to our God.

Our departed colleague did his duty as a legislator, civilian, husband, father, and friend. What more can be said?

Monuments erected by man may crumble and waste away, but so long as liberty shall survive in this country so long will its archives record deeds of heroism in the field and acts of statesmanship in this Hall—undying monuments till the end of the Republic. A fame thus secured, to reach till the great book of state is sealed and delivered to the Supreme and Infallible Ruler of all, satisfies the ambition of man.

Lying in that village graveyard, within a circle that incloses other Ohioans who attained distinguished honors and renown, he rests after a well-spent life in the bosom of his constituency and friends. His people, whose chosen servant he was, will miss him as we will, but all will give him that grateful remembrance that follows a life well spent in the faithful performance of duty after the spirit has flown.

Mr. BROSIUS. Mr. Speaker, I can not hope to add anything to the truth or beauty of the tributes with which love and esteem have garlanded the memory of the distinguished dead; but I crave the indulgence of a moment to mingle my voice with the swelling anthem of affectionate and eloquent eulogy, because I respected and honored our departed friend and feel a sincere and reverential regard for his memory.

In this world there is no other event so profoundly impressive as death, although we are all as sensible as were the Arabs that it is a camel that kneels at every man's door. It is useful to survivors only as they comprehend its lessons. It comes like a faithful schoolmaster with the open book of a closed life and assigns the lesson which we must study or lose its teaching.

Mr. NORTHWAY was no common man. Born in a cabin, cradled in poverty, schooled in adversity, apprenticed to toil, spurred by the incentive of difficulties, succeeding by tireless endeavor, until by bearing the cross of hard circumstances he won the crown of just applause for having deserved well of his country.

No finer tribute can be paid to our system of free institutions than such a career as this occasion presents for our contemplation. It is the glory of our social and political system that from the humblest origin man, winged with merit, can rise to the highest eminence. Our departed friend is only one of a long and distinguished roll who have made our history luminous with character which has had all base alloy melted out by the fires of adversity. No adventitious aids, neither birth nor rank nor fortune, helped him upward to the clear-aired heights he reached and kept. His allies were parts and poverty. He climbed with beak and claw. The spurs he wore in the tournament of life were fashioned by his own effort and buckled to his heels with his own hands.

From what I have heard to-day and from my own observation of his public career, not only on this floor but in the intimate relations of committee work and in social and public functions, among the attributes which summed up a strong personality there are some traits worthy to be set before the world as examples. Honor, courage, and duty were conspicuous jewels in the crown of his character; and over his new-made grave I place them before the public eye as the golden texts in the lesson of his life. Honor is the noble mind's distinguishing perfection; and it is a happiness to believe that in no other age has this perfection been so much in fashion in public life as now. Mr. NORTHWAY was the soul of

honor. He belonged to that category of men who, like the virtuous Andrew Fletcher, would give their lives to serve their country, but would not do a base thing to save it.

His courage was conspicuous. The only Aladdin's lamp he ever knew was the quenchless fire of a heroic soul that no difficulty ever daunted. His courage never wavered before an adverse cast of fortune. He despised servility. His conscience was his harness, and he wore no other. He hated the thrift that follows fawning. He walked erect in the majesty and dignity of conscious rectitude. When inspired by conviction and commanded by duty he was a heroic fighter, and the man who broke a lance with him in the forum of debate was likely—

To know the joy that warriors feel
In foemen worthy of their steel.

To him a sense of duty was a "Thus saith the Lord." In this he was as true as the shipmaster in the story who prayed to Neptune: "Oh, god, thou mayst save me if thou wilt, or destroy me; but however it be, I will hold my rudder true." If Schiller's poetic soul had put to Mr. NORTHWAY the question, "What shall I do to gain eternal life?" his kindred spirit would have answered in the poet's own glowing words:

Thy duty ever;
Discharge aright the simple duties
With which each day is rife; yea, with thy might.

He did not live man's appointed time. The mysterious clock which the Angel of Life wound up to run three score years and ten before handing the key to the Angel of the Resurrection ran down before the lapse of the allotted time. But the bounds that are fixed to the duration of life do not always measure its worth. His career, though cut off in the midst of its usefulness, has not failed to teach that the path of duty is the upward way; that—

Not once or twice in our fair land's story
The path of duty was the way to glory.

His death was marked, I am told, by an unusual willingness to enter into rest on the other shore of that mysterious sea "that never yet has borne on any wave the image of a homeward sail." The foreshadowing of an anticipated grief made him indifferent to life. For him death had no sting, the grave no victory. He passed into the unseen, I can easily believe, with the exultant words of Whitman's death song upon his lips:

Joy! shipmate, joy!
Our life is closed, our life begins;
The long, long anchorage we leave.
The ship is clear at last—she leaps.
She quickly courses from the shore;
Joy! shipmate, joy!

Now, as we leave the contemplation of our departed friend, those who loved him can carry with them the consolatory reflection "that while green grass will cover his grave, blue skies bend over it, sweet birds sing near it, and the place will be hallowed ground, yet greener than the grass, fairer than the skies, sweeter than the birds, more hallowed than the grave itself will be his fragrant memory enshrined with supreme sacredness in their heart of hearts."

[Mr. CANNON addressed the House. See Appendix.]

Mr. DOCKERY. Mr. Speaker, when STEPHEN A. NORTHWAY died the public lost one of its ablest servants and the House of Representatives was deprived of one of its most diligent and conscientious members. His decease marked the end of a long and useful career. During my association with him upon the great Committee on Appropriations I learned to value his integrity of purpose, his capacity for detail work, and his fidelity to duty.

I regret that the exacting demands of committee and representative duties incident to the closing days of this short session have prevented me from preparing a suitable tribute to the memory of our friend and late colleague. I can not forbear, however, even though unprepared, from uttering a single word in eulogy of him.

He was free from malice or envy, noble and manly in his contact with the world, eminent in good works, stainless and exemplary in private life, and faithful and indefatigable in the public service. He lived worthily, and died gallantly at his post of duty. He was an unostentatious friend to humanity, courteous, gentle, and yet strong and courageous. Mr. Speaker, let us who yet remain upon the scene strive to fashion our characters in emulation of his, so that when with us

Life's fitful fever is o'er

we may be entitled, as is our late friend, to receive the plaudit, "Well done, thou good and faithful servant * * * enter thou into the joy of thy Lord."

Mr. ALEXANDER. Mr. Speaker, my acquaintance with Mr. NORTHWAY, although confined to this Congress, was sufficient to disclose his possession of those splendid traits of character and that sincere devotion to duty which have already been so beautifully and truthfully portrayed. It was my good fortune to draw a seat in close proximity to his, so that each day I caught his cordial morning greeting, always accompanied with a smile that illuminated his pleasant, handsome face, making a new member feel that, although in a strange environment, he was at least in a realm where reign true courtesy and sincere friendships.

To him I often appealed respecting the business before the House, and I never left him without increased respect for his accurate knowledge and his clear understanding of the different views of every question presented. He was equally ready with reasons in support of his own opinions, unfolding them modestly, without emphasis or feeling, yet so earnestly and tersely that he easily won the attention and the respect of all who came within the radius of his individuality. Perhaps few men in the House exerted a greater personal influence with those associated with him on committees or who came often into his company in the cloakroom and elsewhere.

This was particularly noticeable during those long and trying weeks preliminary to the Spanish-American war. He made no set speeches, nor does his name appear in the RECORD among those who filled its pages during that eventful and now historic period; but day after day, quietly and calmly, in committee room, in lobby, and in corridor, he discussed every phase of every question with a patience that amounted to inspiration, and with a sublime faith in the man upon whom God and the people had placed the great burden of responsibility. Without seeming or apparently desiring to lead, he was readily followed, winning not so much by the force of learned or studied argument as by the good common sense that inspired his suggestions.

Mr. Speaker, Mr. NORTHWAY was born in Onondaga County, N. Y., a few miles from the beautiful city of Syracuse, his parents having emigrated from New England very soon after the first canal boat had threaded its way along the historic valley of the Mohawk, and through the narrow, picturesque pass that cuts a southern spur of the distant Adirondacks. But a knowledge of his nativity or of his ancestors was unnecessary to a perfect understanding of his rich and splendid inheritance, for a single day in his company was sufficient to prove him a type of that Puritan stock which gave him his sound and stalwart endowments of mind and character. He had a touch of that sweet gentleness and refined courtesy which, combined with his great integrity and firmness, made him ideal as a friend and legislator.

Mr. NORTHWAY'S leave-taking at the close of the last session was freighted with gratitude for the past and hope for the future. Of his return to Congress he spoke with the assurance of one having conserved the energies of life and with the faith of one whose clear vision and sound conclusions were based upon perfect health; yet within a three-month he fell by the way, illustrating again with startling effect the great uncertainty of our tenure upon life. His death, however, so deeply regretted by all who knew him with intimacy, has been but the unveiling of a most gentle and loving spirit upon which little of the world's dross was allowed to cling.

[Mr. GROSVENOR addressed the House. See Appendix.]

Mr. BROMWELL. Mr. Speaker, in all ages of the world a humane and refined sense of justice has demanded that nothing but good shall be spoken of the dead. The poet has crystallized this beautiful sentiment into the charming couplet:

Be to their faults a little blind,
But to their virtues very kind.

It adds therefore a melancholy pleasure to the sad duty we are so frequently called upon to perform in passing judgment on the merits of those who have played their little part on the stage of life and made their exits when we can truthfully feel and say that broad-minded charity is called upon to cover but few defects in the life and character of the one who has departed, and that the finger of detraction can point to few or none of the incidents of his life or the elements of his character as worthy of its condemnation.

This in an eminent degree is the case with our departed friend and colleague, on whose memory we are to-day to sit in judgment, as it were, and whose record as a man in private and public life we are called upon to review. For it is not in a spirit of fulsome flattery nor of that partiality which springs from an intimate personal friendship with our deceased friend that prompts me to say that few men who have sat upon this floor have displayed higher qualities of mind and heart or have been more entitled to freedom from adverse criticism for acts done or words spoken than STEPHEN A. NORTHWAY. He had his faults, no doubt; for perfection is incident to divinity and frailty is the lot of humanity. But his faults were few and his virtues were many, and when the balance shall be struck by the recording angel most surely will he be entitled to the commendation, "Well done, good and faithful servant."

STEPHEN A. NORTHWAY came of that sturdy pioneer stock which two generations ago was gradually extending into the then Far West, the borders of civilization, and carrying its blessings with the course of the sun from the Atlantic seaboard to the Pacific.

He was a child of that vast immigration into the wilderness which was then the home alone of savage beasts and savage men, that leveled forests and built up churches and schools. Hardy and rugged, inured to privations and hardships, the children of these pioneers grew up sturdy and self-reliant, cherishing the traditions of their ancestors, breathing in with every inspiration a love of liberty under the beneficent influences of our free institutions, and earnestly seeking, by means of education and industry, to better fit themselves for the struggle of life which lay before them.

STEPHEN A. NORTHWAY was the offspring of parents who formed a part of this movement. He came with them, while yet a lad of tender years, into the sparsely settled State of Ohio, and found his home in that portion which had been and was then being largely settled by the children of New England, and which even to this day displays the characteristics of the section from which they came in their thrift, their intelligence, their love of liberty, and their regard for religion.

Surrounded by these influences, striving against the difficulties and embarrassments which hampered the opportunities of even the most favored of his class, he succeeded in acquiring a fairly good academic education, and in due course of time entered upon the practice of his profession as an attorney at law. In this he was more than usually successful, and became one of the leading members of the bar in northeastern Ohio. He was honored by his neighbors with public office. To whatever positions of public duty he was called he was painstaking, conscientious, and above reproach. Paraphrasing the poet, we might say of him:

> The secret consciousness
> Of duty well performed; the public voice
> Of praise that honors virtue and rewards it;
> All these were his.

As a natural result of the struggles and hardships through which he had to pass as a boy, he grew up as a man rugged, earnest, and strong. Unswerving in his convictions, he was ever ready, though he stood alone, to maintain and defend them; but withal, there was associated with this sturdy manhood a tenderness and consideration as gentle and beautiful as that of a woman. Hearty and genial in his friendships, "his little, nameless, unremembered acts of kindness and of love" to those with whom he came in contact brightened many lives and smoothed and rounded up his own high character.

He was conscientious to an extreme and courageous without limit, and however great the odds against him, hesitated not to raise his voice and record his vote against measures which he deemed unwise, unjust, and unpatriotic. At the same time, while denouncing wrongs as he saw them, he was ever considerate and just to those whose views were not in sympathy with his own. He was devoted to his duty, and spared himself neither labor nor hardship in its accomplishment. To him more than to most men might be applied the beautiful words of Rogers:

> Generous as brave,
> Affection, kindness, and the sweet offices
> Of love and duty were to him as needful
> As his daily bread.

He came to this Congress from a district which had been made famous by great statesmen whom it had sent to the Halls of the National Legislature. To the heights of their reputation he did not and could not aspire; but overshadowed though he may have been by their fame, his position in the three Congresses of which he was a member was far from that of mediocrity. As a member of important committees he did his work conscientiously and well.

Private interests could not corrupt his judgment. His every effort seemed to be to search out that which was good for the interests of the whole country. He seemed ever to have before him as the guiding star of his conduct the beautiful maxim from Virgil, "The noblest motive is the public good," and having determined in his mind the course which he thought best subserved the public welfare, nothing could divert him from its support.

He took part in many of the important debates on the floor of this House. While friendly partiality could not claim for him the rank of a great orator, even adverse criticism must do him the justice to say that he was sincere and earnest in his advocacy of what he thought to be right and his condemnation of what he thought to be wrong, and his evident earnestness and sincerity carried conviction where the more flowery arts of oratory might have failed to impress the minds of his associates. He was an unselfish man, and while his noble ambition prompted him in an honorable effort to secure a place of rank and standing, he never by word or deed endeavored to detract from the just merits of others.

We see the sun at the close of day sink beneath the western horizon; but the twilight lingers long after the great orb which gave it birth has passed from our view. So it is in the case of our deceased friend and colleague. His day has indeed ended; his sun of life has set beneath and beyond the horizon of our vision; yet streaming upward with its milder radiancy toward the zenith lingers the sweet twilight of the memory of his good deeds and his good life, and it will abide with us for many, many days to come.

In the quiet city of the dead at his little home town, which was the scene of his struggles and his triumphs, all that is mortal of our friend reposes in that last long slumber into which we too shall fall. No stately mausoleum marks the spot to do him honor, but that silent grave itself does honor to the place in which it lies.

> The soil that would not lightly o'er him rest,
> Or to be under him would feel opprest,
> Were in the sight of earth and seas and skies unblest.

Rest to his ashes and peace to his soul.

Mr. FENTON. Mr. Speaker, I had the pleasure of forming the acquaintance of the Hon. STEPHEN A. NORTHWAY in the city of Zanesville, Ohio, in the summer of 1895. My first impressions of the man were indeed most favorable, and these impressions were fully confirmed after having been subsequently associated with him on numerous occasions during the past three years. When, on the 9th day of last September, I received a telegram conveying the sad intelligence that the spirit of STEPHEN A. NORTHWAY had taken its everlasting flight from earth, I was brought once more to a realization of the truth that—

> Death rides on every passing breeze;
> He lurks in every flower.

When, at the close of the second session of this Congress, some of us bade our genial friend and colleague, whose life and character we here commemorate, a hasty adieu, as we then supposed for the recess only, how distant the thought that this separation was to be final.

It is pleasant to remember him of whom we speak as one whose kindly manner and hearty greeting when he mingled with his friends and acquaintances were in the nature of an inspiration. With him the traits of good-fellowship abounded toward all about him, and were all the more prominent in contrast with the assumed dignity of some persons in official life whose greatness seems so burdensome that it almost prevents their observance of the rules of common civility when one perchance comes in contact with them. But STEPHEN A. NORTHWAY, like a gallant knight of old, was not only courteous in his intercourse with his fellow-men, but as courageous in his advocacy and defense of the right, as he saw the right, as he was magnanimous in the hour of victory, and ever considerate of the views and feelings of others.

In him we have another illustration of the possibilities open to the American youth. Born in a rural district of the Empire State, brought by his parents in early childhood to the then undeveloped State of Ohio, where he toiled in changing a portion of the wilderness of virgin forests into farming lands; attended the district schools in the meantime, and later the academy; taught school to procure means to prosecute his studies; read law, and finally developed into the brainy, cultured, manly man, lawyer, and statesman who so ably represented the district and former home of such intellectual giants and fearless champions of human rights as Giddings, Wade, Garfield, and others. It would not be strange that after having been reared in such an atmosphere his natural repugnance to shams, to all forms of political intrigue, to undue assumptions of power, or to slavish obsequiousness toward those temporarily in high position was somewhat intensified by his recollections of the examples and teachings of these great commoners.

While Mr. NORTHWAY might be classed as a strong partisan, loyal to the cardinal principles enunciated by his party, he was not blindly so, or deaf to the murmurs of discontent which are occasionally heard from the rank and file because of some occasional unpopular or perhaps unjust measure of party policy, even if incorporated into his party platform. In asserting that he had no sympathy with so-called civil-service reform as advocated and practiced in recent years, I state a truth which simply illustrates the fact that he was a true American, believing in and sympathizing with the great masses of the people with whom he was identified by birth, and whose interests neither education, association, nor promotion to a seat in the greatest legislative body on earth caused him for a moment to forget.

As an orator he was fervent, forcible, and at times very eloquent, but the latter accomplishment he did not seek to cultivate, his object being rather to convince by the use of strong language without resort to the ornate. I am here reminded of the last speech I heard him deliver on this floor, which was in opposition to the granting of certain privileges to a sectarian organization on the military reservation at West Point, in which he made a strong and convincing argument, showing that it was contrary to the spirit of the Constitution and a most dangerous and objectionable precedent. But it must not be inferred from his opposition to the measure referred to that he was not in sympathy with the religious sentiment of the country. For this sentiment and belief he had the most profound respect.

But he has passed over the dark river to test the realities of the

unknown. Does he live again or shall he live again? We instinctively answer in the affirmative, else why this brief dream on earth, this mere preface to an existence? No, we do not—we can not—believe that death is an eternal sleep.

> The soul's dark cottage batter'd and decay'd
> Lets in new light through chinks that time hath made.
> Stronger by weakness wiser men become
> As they draw near to their eternal home;
> Leaving the old, both worlds at once they view
> That stand upon the threshold of the new.

[Mr. BURTON addressed the House. See Appendix.]

[Mr. LENTZ addressed the House. See Appendix.]

Mr. LYBRAND. Mr. Speaker, I wish to pay my tribute of respect to the memory of my colleague STEPHEN A. NORTHWAY, of Ohio, who departed this life on the 8th day of September, 1898.

> We must all die!
> All leave ourselves, it matters not where, when,
> Nor how, so we die well; and can that
> Man that does so
> Need lamentation for him?

My acquaintance with the deceased began with my membership in the Fifty-fifth Congress. I knew him by reputation only, and did not know him personally until I met him as a member of the House of Representatives. I noted his official conduct here, and soon learned that he was not only held in high esteem by his colleagues, but by his fellow-members as well. He made no pretense as an orator, but his plain and forcible way of speaking always held the attention of the House. He never participated in debate, unless he had something pertinent to say. He was most efficient in his committee work, and his opinion on all public questions was sought for and commanded respect.

The character of a public man, one who has been aggressive, active, participating in and identified with the great questions pertaining to his State and country, can be safely estimated by the esteem in which he is held by his neighbors, associates, and fellow-citizens. Mr. NORTHWAY, in his young manhood, began his career as a school-teacher, studied law, was admitted to the bar, and located in the town of Jefferson, Ohio. He soon took rank among the leaders of his chosen profession. The Congressional district which he represented was and is noted for its patriotism and high order of intelligence. The Hon. Joshua R. Giddings and Benjamin F. Wade were his fellow-townsmen, and they, with James A. Garfield, were his illustrious predecessors as Representatives of his district. He was elected to the Fifty-third, Fifty-fourth, and Fifty-fifth Congresses, and had been renominated to serve as a member of the Fifty-sixth Congress when his distinguished career was ended by his sudden death.

It was my duty as well as privilege to attend his funeral. I found the town in which he lived in grief and mourning. In respect to his memory all business had been suspended and the citizens of the town and county had assembled at his home to do honor to his memory. It was truthfully said of him that he had done his country great service, was always loyal to his party, and true to his friends.

STEPHEN A. NORTHWAY has gone from us to "that bourne from whence no traveler returns"—

> Like one that wraps the drapery of his couch
> About him, and lies down to pleasant dreams.

Mr. NORTON of Ohio. Mr. Speaker, as we look into each other's faces this afternoon and try with our lips to utter the thoughts of our hearts, speaking in memory of STEPHEN A. NORTHWAY, my colleague and my friend, words seem weak and speech feeble. We mourn a fellow-member gone. A statesman has passed out from this Chamber, fallen beneath the sickle of the grim reaper Death, but the memory of his kindly deeds, his loving ways, his conscientious and faithful performance of every duty coming upon him, will reach far on in years whose harvests we shall never garner, and speak for him eloquent eulogium.

To each of us there comes the sense of a personal loss. In our daily assembling we miss his presence. We look in vain for his coming—he in whose counsels wisdom and rare sweetness of spirit mingled, and on such a lofty plane of honor that rank partisanship and prejudice sank abashed.

In the nation's roll of honor there may be others whose eloquence was far beyond that of our friend, others whose vast depth of learning and broad statesmanship were greater than his. In the list of our heroic dead we have those whose brilliant genius outshone his unassuming greatness, those whose military achievements made a more lurid blaze than the light shed by his straightforward, honest discharge of every trust reposed in and imposed upon him, but in all the annals of our country's history there is not one whose whole life of high purpose, pure motive, and unquestioned integrity the youth of America could better choose as an exemplar, a model, and a guide.

We are but mortal. We breathe the breath of life here but a moment and are gone; our bodies die and the elements take back their own; the configurations of the earth, the strongest structures of the skill of man, are touched by the corroding finger of time and are changed, but the results and far-extending influence of a life like that of STEPHEN A. NORTHWAY reach out into eternity and never die.

There is much in life if we choose to make it; it is full of golden opportunities. Death is oft regarded as a calamity, and to us who are left behind it is; but who among us, if in our hands were placed the gift, would dare unlock the closed portal and call back to earth again our friend from the bosom of his God? To rest serene in the effulgent light and halo of his priceless memory of unspotted honor surpasses beyond compare all wreaths of bay and laurel the future might bring.

Others have portrayed in most fitting terms the incidents of his life and works: I wish only to pay this brief and simple tribute to a friend. I knew him well; I loved him. He was a man, honest, faithful, and brave; he was a friend, kind, loving, and true. In life's busy harvest, wherever the work was the hardest he was at the fore, taking up his burden as he found it, and only laid it down when the Master said, "It is enough." He has gone. The Lord has called him to a brighter world, to fairer skies, to sweeter, more glorious service, and there—

> In that same beautiful world,
> Under the same glowing sky,
> Led by the Father's hand
> To a home of light on high;
> Beyond this earth land of ours,
> May our greeting be as one,
> And the Lord of the harvest there,
> Accept us with the words "well done."

Mr. McDOWELL. Mr. Speaker, my acquaintance with Mr. NORTHWAY began on the morning following my arrival in Washington to attend the extraordinary session of the Fifty-fifth Congress. He was the first Ohio member whom I had the pleasure to meet here. Very soon after meeting him he invited me to join him in a visit to the Executive Mansion to pay our respects to the President, which invitation I gladly accepted. Our acquaintance from that time on was most cordial. Our political differences were no bar to an exchange of friendly words whenever we met.

While I had not personally known Mr. NORTHWAY before meeting him here, I had known of him in Ohio politics. To represent the Nineteenth Congressional district of Ohio in the national Congress was itself sufficient to make his name known to everyone interested in Ohio politics. He had the distinguished honor to represent the district which had been represented for so many years by those great Ohioans, Giddings and Garfield. He came from a district famous for retaining her Representatives for a period of years in Congress. For a period of seventy-five years this district had but six Representatives in the House of Representatives. Is it any wonder that the men representing the Nineteenth district of Ohio have performed distinguished service in making the laws of the nation, and that the interests of the people of the district have been so well cared for?

It seems to have been the aim of this district from the beginning of its existence to be ably represented in Congress, and, recognizing that it requires much experience to equip members thoroughly for legislative duties, this district has pursued the policy of returning its Representatives term after term.

Mr. NORTHWAY was serving his third term in Congress at the time of his death. He had been nominated for a fourth term. It is not new information to the members of the Fifty-fifth Congress for me to say that Mr. NORTHWAY had become one of the very useful members of this body. He was a faithful and industrious member. He was so conscientious in the performance of his public duties that he was present in this Hall many times when he was scarcely physically able to be here. He had impressed me as one of the most interested members in the proceedings of the House. He was not heard to speak so often as some members who had been here a shorter time, but when he spoke his remarks were clear in thought, forcible in expression, and convincing in effect. He spoke not to amuse, but to instruct. He always seemed to me to show a proper regard for the rules of this House and the rights of its members.

The career of STEPHEN A. NORTHWAY is another worthy example of the possibilities of our American youth. He was of humble parentage, born in the country, reared on the farm, trained to habits of industry, self-reliance, self-denial, and economy.

Not blessed with the means to enter any of the celebrated colleges of the land, yet by hard work and perseverance he acquired, at such schools as he could attend and by self-study, a very good general education. He had learned what was of great importance, to be a student; yea, he had learned what was best of all, to be a man. He was a clean man, an honorable man. He was an honest man, incapable of willful and deliberate untruthfulness. He was true to himself, to his constituents, and to his friends. He was true to every trust reposed in him.

Mr. NORTHWAY was a modest man, yet he was firm and positive in his opinions. He was frank in stating his position on questions and was a person who, I believe, never meant to deceive any man. He was not narrow-minded, selfish, nor bigoted; he was broad, generous, and charitable. He was affable, genial, and courteous in his manners. It was a delight to know him and to be with him.

Mr. NORTHWAY belonged to the class of men who have achieved and are achieving the greatest and noblest results in all pursuits and vocations of life. He came from hardy pioneer stock. He was schooled in hard work and frugal ways of living. He had early learned to rely upon his own efforts. He knew no such word as fail. He could have won success probably in any of the professions or callings. He was a growing man. The sickle of death cut him down at the time of his greatest usefulness. Although he has been taken from us, he will live in our memories in the exemplary life that he lived, in the grand work that he wrought.

> We live in deeds, not years; in thoughts, not breaths;
> In feelings, not in figures on a dial.
> * * * * He most lives
> Who thinks most, feels the noblest, acts the best.

Mr. WEAVER. Mr. Speaker, the brief statement in the Congressional Directory of the life and public services of the man whose memory we revere and whose virtues we this day extol sets forth sufficient data upon which to base much more extended remarks than I shall attempt to make upon this occasion.

His span of life was not so great as that of many men, covering as it did a little less than two-thirds of a century, and yet it covered a time when the progress of development in all directions was so swift and so comprehensive that the fullness of life was attained not alone by the measurement of time.

From 1833 to 1898 great events were in progress, great topics were discussed, and great principles elucidated and established. One of the products of these times was STEPHEN A. NORTHWAY. Without rank or wealth or lineage behind him to spur him on to still greater achievements or possessions, he, as sturdy as the soil upon which he was born and as gratefully responsive as that to which he removed while yet a child of tender years, brought forth the full fruit of rugged manhood. Educated by nature rather than by books, by toil rather than by teachers, he equipped himself for the contest with the world and became the master of many of its great problems and conditions. He was one of those men whose strength, as well as pride, lay largely in the fact that he was the son of a pioneer and was himself a pioneer. One of those whose duty it was to first subdue and then love and cultivate and stimulate adverse nature, plant fields where forests had stood, construct roads where straggling paths had been, build towns and cities where the waste of the wilderness had held sway, and lay the foundation, broad and deep, for the glorious superstructure of later and even greater civilization, culture, and refinement.

All through his life his work was of a character that others rather than himself should reap the benefit of it. To such a man mere worldly wealth or distinguished social environments or professional or political preferment was not a necessity for the procuring of happiness or the attaining of an honorable career. Those ends were both sought and attained by a strict adherence to duty, a loyalty to principle that never faltered, an aptitude and willingness to discern that which was right, and then to do it. In the great State where he was reared and spent all of the active years of his life he made his impress on the history of its progress, both in the halls of legislation and of the courts. Never was there a good cause he did not uphold; never a bad one he did not condemn. In his earlier life, charged with the official duty of prosecuting doers of evil deeds, he was swift, but sure and relentless, always remembering that he was the sacred minister of the State. He never forgot to hold himself in exact equipoise between an outraged public, the unjustly accused, or the hardened criminal; and likewise never forgot that the reformation of the vicious was the true object of the prosecution, and that justice tempered with mercy was ever a proper shield to be interposed against the exaction of the full pound of flesh.

Of his distinguished services in Congress—through successive terms—I do not intend so speak. Let that be done by those who were his colleagues and colaborers for a longer period than myself; or, better yet, give tongue to the silent RECORDS and the dead echoes of the committee rooms and let them say, as they both can and will, that he was always ready, always industrious and untiring, and ever brought to the faithful discharge of his duty a clear and comprehensive knowledge of his responsibilities and the needs of his country.

Just one word more and I have done. Many others in this House will agree with me that absolute injustice would be done to the memory of our friend if we did not mention his extreme kindness to all with whom he came in contact, and which was one of his most attractive traits. Unlike some, his years of public service, crowned with honor and replete with success, did not lead him to forget even for a moment that he too had at one time stood on the bottom round of the ladder and with trembling limb and faltering eye had hesitated to attempt to climb to a point of real usefulness until some one had given him a word of hope or inspiration or had patiently told him how to firmly grasp the round above and thus escape from the mist that obscured his vision. A kind word in season fitly spoken was ever on his lips, and many a heart, both here and elsewhere, has been made the happier thereby.

These are but plain words about a plain man. No word picture I could create would do him justice or adequately portray the feeling of personal loss we have on account of his death. The world would be better and life easier if there were more like him, and we can say with exact truth that his name will always be a fragrant memory to all who knew him.

Mr. VAN VOORHIS. Mr. Speaker, I shall find it difficult to add to the well-deserved tributes paid to the memory of STEPHEN A. NORTHWAY here to-day. I first became acquainted with him in the campaign of 1880, but our intimate acquaintance and personal friendship commenced when we entered Congress in the extraordinary session of the Fifty-third Congress. His was a most congenial nature, that made fast friendships within the circle of his associates and added zest and cheerfulness to life. At any social gathering of his friends he was the central figure, entertaining his eager listeners with a rare fund of story and reminiscence. It is rare that one is called upon to pay tribute to so generous and lofty a spirit.

STEPHEN A. NORTHWAY was not only great in heart, but strong in intellect. He was not only a loyal friend, but a faithful representative of the common people, courageous in the performance of his duty. His life began in the country, amid the rugged surroundings of a pioneer home, and largely by dint of his own efforts he came to be the recognized leader in a district famous for strong men. Had life and health continued he promised to become a leader in Congress. His second term of service found him a member of the Committee on Appropriations, where his faithful and efficient work gave him high rank among his colleagues. He was a working member. While not an active participant in the ordinary debate of the House, he was an accomplished orator, and the few speeches he made always commanded attention.

It was my pleasure to know something of the home life of Mr. NORTHWAY. It was a model of domestic felicity. His wife was a cultured lady of most lovable qualities, and the harmony of their lives and purposes was beautiful. The fact that a fatal malady had seized her so wrought upon his mind as to contribute largely to his illness and its result. Just three weeks after the husband's death the wife followed him.

The record of a life of kind deeds is made up. His gentleness, his gracious mein, his patient fortitude, his manly strength and courage, his love of home, of wife and child—these shall be his monument.

Mr. SOUTHARD. Mr. Speaker, I became personally acquainted with STEPHEN A. NORTHWAY at the beginning of the Fifty-fourth Congress. I can speak of him only as his personality impressed itself on me. His disposition was always cheerful, and my associations with him were most cordial and agreeable. He was in every sense a man and a gentleman.

He was a scholar, an able lawyer, and an earnest, honest, courageous, and painstaking representative, not only of the people of his own district, but of the whole country; conscious of his own powers, and with full confidence in his judgment of things and men, he was considerate and respectful of the opinions of others.

He was kind and courteous toward all, yet in his desire to please he did not permit himself to go beyond the point where duty to his constituents and his country began.

He was a forcible and convincing speaker, yet his talents in this direction were used only when some new and needed light could be thrown on a pending question. His nature was sympathetic, and in the performance of his public duty he always guarded with watchful eye the interests of those who are least able to protect themselves.

His character was such that he easily won and retained the confidence of all those with whom he came in contact.

We all have missed and shall continue to miss his genial presence, many of us his helpful assistance.

The country has lost in him an honorable, patriotic, and devoted servant, whose example, however, will not be lost on those who have been privileged to know him.

Mr. TAYLER of Ohio. Mr. Speaker, my friend and colleague, Mr. NORTHWAY, possessed ability and capacity of so high an order, ability and capacity which for the mere purpose of display he never exhibited here, that I am moved by a special impulse to bear testimony to them to-day.

I think that no man in Congress possessing in so full measure the accomplishments of a debater so resolutely effaced himself as a public character as Mr. NORTHWAY. He was courageous, he was informed, he was of acute and agile intellect, he had great capacity for speaking and large experience in it, and his committee position gave him a suitable status. Yet, considering his ability and opportunities, he rarely spoke. His example is worthy of emulation.

I think he was strongest in the peculiar talents that make men conspicuously felt on this floor, and I do not think he was ignorant of his powers. He had fire, earnestness, quickness of perception, and fluency of language, wit, convictions, and a faculty for repartee. Yet he never offended the House, if that were possible, by too much speaking. He could do this safely. So far as his constituents were concerned, they knew him well, and they knew that it was not by pyrotechnics on the floor, but by solid work in his committee and in conference, that the great labors of legislation were borne and made effective.

The most valuable testimony of his usefulness is given by his colleagues on the Appropriations Committee. By that his career here may best be measured, and happy is he who can merit what has been said of Mr. NORTHWAY by these colleagues.

If I were to characterize in the manner most satisfactory to myself the impression made by Mr. NORTHWAY upon those with whom he came into contact, I would say that he seemed to clear the atmosphere of sham and humbug, that the air was purer and freer after he had spoken, whether in conversation or on this floor, and that one left him always with a sense of refreshed and invigorated intellectuality. He left nothing torpid, or sodden, or vacuous. There was a breezy, vivid healthfulness about his mental operations that insensibly invigorated his associates.

If I admired him much, I liked him more. His place, whether as a man or as a legislator, will be hard to fill. I have missed him. We have all missed him, but we remember his personality with affection and his abilities with respect.

Mr. MEEKISON. Mr. Speaker, to speak fittingly of the dead, of his character and virtues, one should have an intimate acquaintance with the person while living. I confess that I had not the honor of such an acquaintance. Although residents of the same State our homes were as far apart as State lines would permit. My acquaintance is limited to my observations on his public services in the brief time that I have served with him in this House.

But loving hearts are here to-day, bowed in sorrow for the loss of that friend, who knew him long and well, and with one accord testify to his genial nature, his cleanness of heart and purpose, his fidelity to every trust, and zeal for his country's welfare.

As has been said, STEPHEN NORTHWAY was born in the State of New York, and was tall and graceful, like one of her northern pines, and when he occupied the floor of the House looked like Saul among his brethren.

In his early youth he came with his family to the rich forest lands of Ohio, and with ax in his hand hewed a home for the family from the dense woods and converted a forest into productive fields.

From this fact and the struggles he had to obtain an education, we can say that he was of the plain, moral, and upright people of the United States, a rich inheritance to any man, and the hope and pride of our land.

This country is full of examples of the possibilities that lie before the gifted and ambitious youth of America.

In STEPHEN NORTHWAY they have another worthy example. To all of us he is a lesson and a hope; for I care not who sings our songs, so long as the American people send such men as STEPHEN NORTHWAY to write our laws the institutions of this country are safe.

[Mr. POWERS addressed the House. See Appendix.]

Mr. KERR. Mr. Speaker, when I came here four years ago to take a seat in the House STEPHEN A. NORTHWAY was one of the few members with whom I had a personal acquaintance, and my acquaintance with him consisted in a single meeting some years before, but the quality of his greeting was so kindly and so cordial that in the somewhat chilly atmosphere of this Chamber it has lived a most agreeable memory. His unexpected death last summer refreshed in my mind the kindly character of this trifling episode, and I felt I should not let this occasion pass without some words expressive of my deep regret at his death and in appreciation of his honorable character and distinguished career.

He came into the House at the beginning of the Fifty-third Congress and at a time when there was little opportunity for personal distinction and with a task, as Representative, of exceptional difficulty. For more than fifty years the people of his district had worshiped at the shrine of great men in the persons of their Representatives. Their ideals of statesmanship were colossal and upon the pedestals in their Valhalla giants stood.

In the Nineteenth district of Ohio old Ben Wade lived and wrought his way to that exalted and enduring fame which constitutes no inconsiderable part of the most important and illustrious epoch of our country's history. This district had been represented by Joshua R. Giddings, whose superlative courage and tremendous blows for freedom loosened the landslide under which slavery was buried forever. From the midst of these people to this Chamber came Garfield to tread, in very truth, the path to the perilous heights of fame and to his martyrdom.

A district which had been the home of Wade and which had been represented for a generation by Giddings and Garfield could not and would not be satisfied with talents and services which did not in some degree sustain the splendid reputation of its past. Mr. NORTHWAY'S predecessors had brought to the old Nineteenth district such renown that to represent it was to stand conspicuously in the public eye and inevitably to have his work and service measured by theirs.

Men of conspicuous attainments and position are measured by those who have gone before them and in whose footsteps they seek to tread. Upon the stature and within the outlines of the forms of Demosthenes and Cicero is marked the height and breadth of every great orator since. Every great soldier, before he receives his crown of glory, must stand back to back with Alexander and Napoleon. The sculptors and painters are measured by Phidias and Raphael and Michael Angelo, the philosophers by Socrates and Aristotle and Plato, the poets by Homer and Shakespeare.

In statesmanship no ancient standard suffices to receive and measure the sublime proportions of Gladstone and the German chancellor, but upon an isolated eminence these two great careers will stand an example and a measure for ages to come. Even the brave and heroic, to whom our hearts always go in generous impulse, must stand as the fierce blaze of Thermopylæ and Balaklava. And so, in accordance with the rule, NORTHWAY was compared and contrasted with Giddings and Garfield.

He may not have been as courageous as Giddings—he was never tried—he certainly was not as eloquent as Garfield; but when he entered the House the heroic age of American politics was passed, and the stirring events of the civil war, which had inspired Garfield to transcendent eloquence, were history. Time does not permit an analysis of the characteristic and moving forces of his life, nor to sketch with any justice the breadth and depth of his mental powers.

As he impressed me, his mental qualities, great and varied, as I believe them to have been, were not of the popular character in public speech; his disposition was toward utility rather than ornamentation; his temperament was essentially judicial, and his habits and methods those of a painstaking and accurate lawyer. Here much depends upon length of service. Had Mr. NORTHWAY come into the House at 50 or under and served twenty years, he would have become inevitably a leader—in many respects such an one as the other day resigned the leadership of this side with his life.

At his age practical statesmanship was merely a supplement to or rather a rounding out of his professional career. He practiced law in a country town, but with the narrow opportunities of such an environment he achieved high rank at a State bar which has contributed to the national juridical firmament such stars as Ranney and Chase and Waite and Thurman and Mathews.

Brought up on the Western Reserve Mr. NORTHWAY was a partisan, but an independent partisan upon questions involving morals as well as politics. In his section in the ante-bellum days party fealty was a matter of conscience and anti-slavery principles a part of the religion of the people. In those days, dark with the shadow of the coming conflict, the old Western Reserve Republican went to the polls with his ballot in one hand and his Bible in the other. Thus surrounded, breathing this atmosphere, the character of our departed colleague was formed.

No higher eulogium could be pronounced upon him as a man than to say that he was a true and genuine representative of that virile and patriotic manhood which had made the Western Reserve such a conspicuous and potent factor in the days of emancipation and regeneration. No higher eulogium could be pronounced upon his public career than to say that his services as a Representative were satisfactory to his constituency—a constituency which had been served and honored and glorified as no other single district in the Republic had been.

His life is ended; the book of his deeds is closed and sealed; fulsome eulogy will not add to and detraction can not take from it. His people knew him best of all, and his epitaph is written in their hearts. I write my tribute upon these records. He was a conscientious lawyer, a careful legislator, an honest partisan, and a good citizen.

Mr. BROWN. Mr. Speaker, those who knew Mr. NORTHWAY for a long time, and who served with him here for many years,

are qualified and entitled to place in the record a just estimate of his worth, and to express the true sense of the great loss which his death brought to this House, to his State, and to his country. I knew him personally less than two years. I first met him when I came to Washington as a member of the Fifty-fifth Congress. He was then entering upon his third term. I at once formed his acquaintance. His manner and bearing impressed and touched me. Though an old member, approach to him by the new member was easy and pleasant.

No air of lofty superiority, coming from the fact that he was an old member, was apparent in him. Old member that he was, he did not appear to look down in amusement or compassion on the new member. I often went to him for information, and always obtained it. He was frank, thoughtful, generous, and kind, and my first impression of him, that he was a good and noble character, soon grew into respect, regard, and affection, and if he is today where he can hear what we say he will know that this very brief and most imperfect tribute to his memory is at least as sincere as words can be.

One week ago this afternoon we heard in this Chamber eloquent eulogies on the usefulness and the beauty of the life of Hon. Nelson Dingley. On that occasion one gentleman quoted lines, which I here repeat as containing also a true picture of Mr. NORTHWAY:

> He seemed the thing he was, and joined
> Each office of the social hour
> To noble manners, as the flower
> And native growth of noble mind,
> And thus he bore without abuse
> The grand old name of gentleman.

Mr. GROSVENOR. Mr. Speaker, as a further mark of respect to the memory of the deceased I move that the House do now adjourn.

The motion was agreed to; and accordingly (at 3 o'clock and 18 minutes p. m.) the House adjourned until Monday, February 20, at 12 o'clock noon.

EXECUTIVE COMMUNICATIONS, ETC.

Under clause 2 of Rule XXIV, a letter from the Acting Secretary of the Treasury, transmitting a copy of a communication from the Secretary of War submitting an estimate of appropriation for removal of snow and ice, was taken from the Speaker's table, referred to the Committee on Appropriations, and ordered to be printed.

REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS.

Under clause 2 of Rule XIII, bills and resolutions of the following titles were severally reported from committees, delivered to the Clerk, and referred to the several Calendars therein named, as follows:

Mr. SHERMAN, from the Committee on Indian Affairs, to which was referred the bill of the House (H. R. 12042) granting right of way through Indian reservations in the Indian Territory and Oklahoma Territory, reported the same with amendment, accompanied by a report (No. 2181); which said bill and report were referred to the Committee of the Whole House on the state of the Union.

Mr. GRIFFIN, from the Committee on Military Affairs, to which was referred the bill of the Senate (S. 4926) to amend section 5 of the act approved July 5, 1884, entitled "An act to authorize the location of a Branch Home for Disabled Volunteer Soldiers and Sailors in either the State of Arkansas, Colorado, Kansas, Iowa, Minnesota, Missouri, or Nebraska, and for other purposes," reported the same with amendment, accompanied by a report (No. 2183); which said bill and report were referred to the House Calendar.

Mr. CUMMINGS, from the Committee on the Library, to which was referred the joint resolution of the House (H. Res. 357) to erect a monument to the memory of Capt. Charles Vernon Gridley in the Arlington National Cemetery, reported the same without amendment, accompanied by a report (No. 2187); which said resolution and report were referred to the Committee of the Whole House on the state of the Union.

Mr. MAHON, from the Committee on War Claims, to which was referred the bill of the Senate (S. 5260) to amend an act entitled "An act to reimburse the governors of States and Territories for expenses incurred by them in aiding the United States to raise and organize and supply and equip the Volunteer Army of the United States in the existing war with Spain," approved July 8, 1898, and for other purposes, reported the same with amendment, accompanied by a report (No. 2192); which said bill and report were referred to the Committee of the Whole House on the state of the Union.

REPORTS OF COMMITTEES ON PRIVATE BILLS AND RESOLUTIONS.

Under clause 2 of Rule XIII, private bills and resolutions of the following titles were severally reported from committees, delivered to the Clerk, and referred to the Committee of the Whole House, as follows:

Mr. GRIFFIN, from the Committee on Military Affairs, to which was referred the bill of the Senate (S. 660) for the relief of John Stull, reported the same with amendment, accompanied by a report (No. 2182); which said bill and report were referred to the Private Calendar.

Mr. MAHON, from the Committee on War Claims, to which was referred the bill of the House (H. R. 10451) for the relief of James M. Wright, of Logan County, Ark., reported the same without amendment, accompanied by a report (No. 2184); which said bill and report were referred to the Private Calendar.

Mr. OVERSTREET, from the Committee on War Claims, to which was referred House bill 12052, reported in lieu thereof a resolution (House Res. No. 406) for the relief of George A. Exline, accompanied by a report (No. 2185); which said resolution and report were referred to the Private Calendar.

Mr. BRENNER of Ohio, from the Committee on War Claims, to which was referred House bill 809, reported in lieu thereof a resolution (House Res. No. 407) for the relief of Mrs. C. N. Graves, accompanied by a report (No. 2186); which said resolution and report were referred to the Private Calendar.

Mr. LOUDENSLAGER, from the Committee on Pensions, to which was referred the bill of the House (H. R. 6433) granting a pension to Jeremiah B. Moore, reported the same with amendment, accompanied by a report (No. 2188); which said bill and report were referred to the Private Calendar.

He also, from the same committee, to which was referred the bill of the Senate (S. 4681) granting an increase of pension to Joseph F. Mollere, reported the same with amendment, accompanied by a report (No. 2189); which said bill and report were referred to the Private Calendar.

He also, from the same committee, to which was referred the bill of the Senate (S. 3766) granting an increase of pension to Nancy M. Lindsey, reported the same without amendment, accompanied by a report (No. 2190); which said bill and report were referred to the Private Calendar.

Mr. MEYER of Louisiana, from the Committee on Naval Affairs, to which was referred the joint resolution of the House (H. Res. 304) for relief of J. T. Bootes, late lieutenant (junior grade), United States Navy, reported the same with amendment, accompanied by a report (No. 2191); which said resolution and report were referred to the Private Calendar.

PUBLIC BILLS, RESOLUTIONS, AND MEMORIALS INTRODUCED.

Under clause 3 of Rule XXII, bills, resolutions, and memorials of the following titles were introduced and severally referred as follows:

By Mr. BRODERICK: A resolution (House Res. No. 405) that Tuesday, February 21, 1899, be set apart for the consideration of Senate bill No. 3729, relating to the government of Alaska, consideration to commence immediately after the reading of the Journal—to the Committee on Rules.

By Mr. BOUTELLE of Maine: A resolution (House Res. No. 408), an amendment to H. R. 12132, making naval appropriations, will be offered in the Committee of the Whole—to the Committee on Rules.

By Mr. KNOWLES: A memorial from the senate and house of South Dakota, favoring the establishment of a regimental post at Fort Meade, with permanent brick barracks—to the Committee on Appropriations.

By Mr. FARIS: A memorial from the senate and house of Indiana, favoring the amending of the internal-revenue laws, so as to make it plain that the express and telegraph companies must pay their tax—to the Committee on Ways and Means.

By Mr. GREENE of Nebraska: A memorial from the legislature of Nebraska, asking that Congress make provision for paying the medical expenses incurred by soldiers in the late war when on furlough—to the Committee on War Claims.

Also, a memorial from the legislature of Nebraska, protesting against the seating of any polygamist in Congress or any other office in the United States—to the Committee on Elections No. 1.

PRIVATE BILLS AND RESOLUTIONS INTRODUCED.

Under clause 1 of Rule XXII, private bills and resolutions of the following titles were introduced and severally referred as follows:

By Mr. GAINES: A bill (H. R. 12136) for the relief of Meriwether Snuff and Tobacco Company, at Clarksville, Tenn.—to the Committee on Claims.

By Mr. SIMS: A bill (H. R. 12137) to increase the pension of Festus Dickinson—to the Committee on Pensions.

By Mr. OVERSTREET, from the Committee on War Claims: A resolution (House Res. No. 406) for the relief of George A. Exline—to the Private Calendar.

By Mr. BRENNER of Ohio, from the Committee on War Claims: A resolution (House Res. No. 407) for the relief of Mrs. C. N. Graves—to the Private Calendar.

PETITIONS, ETC.

Under clause 1 of Rule XXII, the following petitions and papers were laid on the Clerk's desk and referred as follows:

By Mr. ADAMS: Petition of the Evangelical Alliance for the United States, against reopening the question of sectarian appropriations—to the Committee on Indian Affairs.

Also, petition of the Trades League of Philadelphia, Pa., favoring 1-cent letter postage and the parcels-post system—to the Committee on the Post-Office and Post-Roads.

By Mr. ARNOLD: Petitions of the Presbyterian Church of Wilcox, and Albert W. Perrin Post, No. 370, Grand Army of the Republic, of Ridgway, Pa., favoring the Ellis bill to prohibit the sale of liquor in Government buildings—to the Committee on Alcoholic Liquor Traffic.

By Mr. BROWN: Petitions of the First Baptist Church, Zion Baptist Church, First Methodist Episcopal Church, and Trinity Methodist Episcopal Church, of Xenia, Ohio, and Epworth Leagues of New Richmond, Amelia, Laurel, Clover, Pleasantplain, Level, Lebanon, Pleasanthill, Williamsburg, Mulberry, Bethel, and Milford, Ohio, to prohibit the sale of liquor in Government buildings, etc.—to the Committee on Alcoholic Liquor Traffic.

By Mr. CONNELL: Petitions of Morgan Jones and 194 citizens of Dunmore, C. B. Stackhouse and 199 citizens of Pondhill, Howard Bird and 204 citizens of Weatherby, and Stonechurch, Royer, Springdale, Homer City, and various other towns in the State of Pennsylvania, favoring the establishment of postal savings banks—to the Committee on the Post-Office and Post-Roads.

Also, petition of Elm Park Woman's Home Missionary Society of the Methodist Episcopal Church of Scranton, Pa., against the seating of Brigham H. Roberts as a Representative from Utah—to the Committee on Elections No. 1.

By Mr. DALZELL: Resolutions of the Trades League of Philadelphia, in favor of reduction of pay for railway mail carriage—to the Committee on the Post-Office and Post-Roads.

Also, protest of the Evangelical Alliance for the United States, against reopening the question of sectarian appropriations—to the Committee on Indian Affairs.

Also, protest of the Ministerial Association of Braddock, Pa., against the seating of Brigham H. Roberts as a Representative from Utah—to the Committee on Elections No. 1.

By Mr. DAVIS: Petition of Thomas Roberts and 12 citizens of Clay County, E. L. Maxson and 18 citizens of Orange County, Fla., asking for the passage of a bill increasing the compensation of fourth-class postmasters—to the Committee on the Post-Office and Post-Roads.

By Mr. DAYTON: Petition of James I. Evans and 205 citizens of Leadmine, M. H. Adams and 197 citizens of Okonoko, W. Va., urging the establishment of postal savings banks—to the Committee on the Post-Office and the Post-Roads.

By Mr. GAINES (by request): Petition of 58 citizens of Erin, Tenn., to prohibit the sale of liquor in canteens and in immigrant stations and Government buildings—to the Committee on Alcoholic Liquor Traffic.

By Mr. GRAHAM: Petition of the Evangelical Alliance for the United States, William E. Dodge, president, against the reopening of the sectarian-school question, and favoring the advancement of education among the Indians on the basis of the American common-school system—to the Committee on Indian Affairs.

Also, a resolution of the Trades League of Philadelphia, Pa., in favor of the parcels-post system and 1-cent postage—to the Committee on the Post-Office and Post-Roads.

By Mr. GREENE of Nebraska: Petition of Charles E. Connell and 20 citizens of Whitney, Nebr., against the seating of Representative-elect B. H. Roberts, of Utah—to the Committee on Elections No. 1.

By Mr. HENDERSON: Paper of Hon. E. Townsend, Cedar Falls, Iowa, protesting against increased advantages given to exporters of grain—to the Committee on Interstate and Foreign Commerce.

Also, papers of W. A. Wallace, of Albany, N. Y.; Caswell Le Clair, of Brooklyn, N. Y., and O. P. Clarke, of Mount MacGregor, N. Y., urging the passage of Senate bill No. 3256, for pension to veterans—to the Committee on Rules.

By Mr. HOPKINS: Petition of the First Baptist Church of Downers Grove, Ill., against the seating of Brigham H. Roberts as a Representative from Utah—to the Committee on Elections No. 1.

By Mr. KNOWLES: Petition of fourth-class postmasters of Hutchinson County, S. Dak., for the passage of House bills Nos. 4930 and 4931—to the Committee on the Post-Office and Post-Roads.

By Mr. KNOX: Papers to accompany House bill No. 5736, to remove the charge of desertion now standing against Daniel Walsh—to the Committee on Naval Affairs.

By Mr. McCALL: Petition of the Evangelical Alliance for the United States against the appropriation of money for sectarian schools among the Indians—to the Committee on Appropriations.

Also, petition of the Trades League of Philadelphia, Pa., relating to railway mail transportation—to the Committee on the Post-Office and Post-Roads.

By Mr. McCORMICK: Petitions of fourth-class postmasters, of Graham, Sheridan, and Osborne counties, Kans., urging the passage of House bills No. 4930 and 4931, relating to the compensation of fourth-class postmasters—to the Committee on the Post-Office and Post-Roads.

Also, resolutions of the Commercial Club of Kansas City, Mo., thanking Congress for improved mail facilities in the West and Southwest—to the Committee on the Post-Office and Post-Roads.

Also, resolution of the Ministerial Union of Topeka, Kans., against the seating of Representative-elect B. H. Roberts, of Utah—to the Committee on Elections No. 1.

Also, petitions of the Woman's Christian Temperance unions of Kirwin, Phillipsburg, and Logan, Kans., and Mrs. Bertha Lee and others, to prohibit the sale of liquor in canteens and in immigrant stations and Government buildings—to the Committee on Alcoholic Liquor Traffic.

By Mr. McRAE: Petition of James A. Swift and 5 citizens of Texarkana, Ark., favoring House bill No. 4582, for the classification of clerks in post-offices—to the Committee on the Post-Office and Post-Roads.

By Mr. MEEKISON: Petition of fourth-class postmasters of Defiance County, Ohio, for the passage of House bills Nos. 4930 and 4931—to the Committee on the Post-Office and Post-Roads.

By Mr. NEWLANDS (by request): Petitions of E. J. Jones and 90 citizens of Blaine and vicinity, in the State of Nevada, in favor of the establishment of postal savings banks—to the Committee on the Post-Office and Post-Roads.

By Mr. OTJEN: Petition of the Wisconsin Annual Conference of the Methodist Episcopal Church, to prohibit the sale of liquor in canteens of the Army and Navy and of Soldiers' Homes, etc.—to the Committee on Military Affairs.

By Mr. RAY of New York: Petition of the Methodist Episcopal Church of Groton, N. Y., praying for the passage of House bill No. 11735, providing that no polygamist shall be a Senator or Representative—to the Committee on Elections No. 1.

Also, petitions of the Methodist Episcopal Church of Groton, N. Y., in favor of the Ellis bill and to maintain prohibition in Alaska and Indian Territory—to the Committee on Alcoholic Liquor Traffic.

By Mr. ROBBINS: Petitions of the Young People's Christian Endeavor Society of the Presbyterian Church of New Alexandria, Pa., and citizens of Glen Campbell, Pa., in favor of the Ellis bill and for the continuance of the prohibitory law in Alaska—to the Committee on Alcoholic Liquor Traffic.

By Mr. ROBINSON of Indiana: Petition of fourth-class postmasters in Noble County, Ind., urging the passage of House bills Nos. 4930 and 4931, relating to the compensation of fourth-class postmasters—to the Committee on the Post-Office and Post-Roads.

By Mr. ROBERTSON of Louisiana: Petition of citizens of Crowley, La., asking for the construction of a public building at that city—to the Committee on Public Buildings and Grounds.

By Mr. STEELE: Petitions of the Woman's Home Missionary Society of the Methodist Episcopal Church of Peru and First Baptist Church of Kokomo, Ind., against the seating of Representative-elect B. H. Roberts, of Utah—to the Committee on Elections No. 1.

Also, petition of 33 citizens of Indiana, to prohibit the sale of liquor in Government buildings, etc.—to the Committee on Alcoholic Liquor Traffic.

By Mr. SULLOWAY: Petition of the Willard Woman's Christian Temperance Union, the Free Baptist Church, and the Grange of Stratford Corner, N. H., for the maintenance of prohibition in Alaska and the Indian Territory, and to extend the same to our new dependencies—to the Committee on Alcoholic Liquor Traffic.

Also, petition of the Woman's Christian Temperance unions of Derry and Hampton Falls, N. H., to prohibit interstate gambling by telegraph, telephone, or otherwise—to the Committee on the Judiciary.

Also, petition of the Woman's Christian Temperance unions of Hampton Falls and Derry, N. H., for the passage of the Hepburn bill prohibiting the transmission by mail or interstate commerce of pictures and descriptions of prize fights—to the Committee on Interstate and Foreign Commerce.

By Mr. TAYLER of Ohio: Petitions of the Young Men's Christian Association of East Liverpool; Woman's History Club, of

Hiram; R. M. Hawkins, of Barberton, and the First Presbyterian Church of Canton, State of Ohio, against the seating of Representative-elect B. H. Roberts, of Utah—to the Committee on Elections No. 1.

By Mr. UNDERWOOD: Petition of L. C. Branscomb and 24 citizens of Huntsville, Ala., in favor of the passage of the Ellis bill and to continue the present liquor laws of Alaska, etc.—to the Committee on Alcoholic Liquor Traffic.

By Mr. UPDEGRAFF: Petition of J. T. Ayers and 33 citizens of Elma, Iowa, for woman suffrage in the Hawaiian Islands—to the Committee on the Territories.

Also, petition of the Methodist Episcopal Church of Riceville, Iowa, to forbid interstate gambling by telegraph or telephone—to the Committee on the Judiciary.

Also, petitions of the Congregational Church, Baptist Church, and Methodist Episcopal Church of Riceville, Iowa, to prohibit the transmission by mail or interstate commerce of pictures or descriptions of prize fights—to the Committee on Interstate and Foreign Commerce.

By Mr. WEYMOUTH: Papers to accompany House bill No. 12056, granting a pension to Mary M. Hitchcock—to the Committee on Invalid Pensions.

By Mr. WISE: Petition of fourth-class postmasters of Norfolk County, Va., in favor of the passage of House bills Nos. 4930 and 4931—to the Committee on the Post-Office and Post-Roads.

By Mr. YOUNG: Petition of the Evangelical Alliance for the United States, against the reopening of the sectarian-school question and favoring the American common-school system among the Indians—to the Committee on Indian Affairs.

Also, petition of the Trades League of Philadelphia, Pa., in favor of 1-cent postage and the parcels-post system—to the Committee on the Post-Office and Post-Roads.

SENATE.

MONDAY, *February 20, 1899.*

Prayer by the Chaplain, Rev. W. H. MILBURN, D. D.

The Secretary proceeded to read the Journal of the proceedings of Saturday last, when, on motion of Mr. QUAY, and by unanimous consent, the further reading was dispensed with.

RELIEF OF PEOPLE IN ALASKA.

The VICE-PRESIDENT laid before the Senate a communication from the Secretary of War, transmitting, pursuant to the requirements of section 2 of the act of Congress approved December 18, 1897, a report relative to the relief of people who are in the Yukon River country in Alaska; which, with the accompanying papers, was referred to the Committee on Military Affairs, and ordered to be printed.

PUBLIC SCHOOLS FOR WHITE CHILDREN IN INDIAN TERRITORY.

The VICE-PRESIDENT laid before the Senate a communication from the Acting Secretary of the Interior, transmitting a report from the Commissioner of Indian Affairs, relative to the establishment of public schools for white children in the Indian Territory; which, with the accompanying papers, was referred to the Committee on Indian Affairs, and ordered to be printed.

TRANSFER OF OBSOLETE RIFLES.

The VICE-PRESIDENT laid before the Senate a communication from the Secretary of War, transmitting a letter from the Secretary of the Interior, recommending legislation permitting the transfer from the War Department to the Interior Department, upon requisition of the Secretary of the Interior, such worn-out rifles or rifles of obsolete pattern as may be no longer needed for Army purposes, for use in Indian schools in training the pupils in the manual of arms; which, with the accompanying papers, was referred to the Committee on Military Affairs, and ordered to be printed.

WAR DEPARTMENT LEGISLATION.

The VICE-PRESIDENT laid before the Senate a communication from the Secretary of War, calling attention to the absolute necessity of enactment into law at an early date of House bill 11879, to amend an act entitled "An act to suspend the operation of certain provisions of law relating to the War Department, and for other purposes;" which, with the accompanying paper, was referred to the Committee on Military Affairs, and ordered to be printed.

FIRST SOUTH DAKOTA VOLUNTEER INFANTRY.

The VICE-PRESIDENT laid before the Senate a communication from the Secretary of War, transmitting, in response to a resolution of the 10th instant, certain information relative to the pattern of guns, or small arms, which have been issued to the members of the First South Dakota Volunteer Infantry, now at Manila, etc.; which was referred to the Committee on Military Affairs, and ordered to be printed.

PACIFIC RAILROADS.

The VICE-PRESIDENT laid before the Senate a communication from Hon. L. J. Gage, Secretary of the Treasury, Hon. Cornelius N. Bliss, Secretary of the Interior, and Hon. John W. Griggs, Attorney-General, the commission appointed by the act of Congress approved July 7, 1898, to settle the indebtedness of the Government growing out of the issue of bonds in aid of the construction of the Central Pacific and Western Pacific railroads, transmitting a report of the settlement of the indebtedness with the Central Pacific Railroad Company, the owner of the railroads, which, with the accompanying paper, was referred to the Committee on Pacific Railroads, and ordered to be printed.

PETITIONS AND MEMORIALS.

Mr. QUAY presented petitions of the Young Men's Christian Association of Towanda, of the congregation of the First Methodist Episcopal Church, of Du Bois, and of Local Council No. 33, Royal Templars of Temperance of Franklin, all in the State of Pennsylvania, praying for the enactment of legislation to prohibit the sale of liquor in canteens of the Army and Navy, and of Soldiers' Homes, and in immigrant stations, and Government buildings; which were referred to the Committee on Military Affairs.

Mr. ALLEN presented a petition of the Woman's Christian Temperance Union of Monroe, Nebr., and a petition of Local Lodge No. 32, Independent Order of Good Templars, of Monroe, Nebr., praying for the enactment of legislation to prohibit the sale of liquor in canteens of the Army and Navy and of Soldiers' Homes, and in immigrant stations and Government buildings; which were referred to the Committee on Military Affairs.

He also presented the petitions of Thomas Wilkinson and sundry other citizens of Blair, Nebr., praying that an appropriation of $43,000 be made for the erection of a public building at that city; which were referred to the Committee on Public Buildings and Grounds.

Mr. PERKINS presented a petition of the congregation of the First Christian Church of San Francisco, Cal., praying for the enactment of legislation to prohibit the interstate transmission of pictures or descriptions of prize fights; which was referred to the Committee on the Judiciary.

He also presented a petition of sundry citizens of Oroville, Cal., and a petition of the congregation of the First Christian Church of San Francisco, Cal., praying for the enactment of legislation to prohibit the sale of liquor in canteens of the Army and Navy and of Soldiers' Homes, and in immigrant stations and Government buildings; which were referred to the Committee on Military Affairs.

He also presented a petition of the congregation of the First Christian Church of San Francisco, Cal., praying for the enactment of legislation to prohibit interstate gambling by telegraph, telephone, or otherwise; which was referred to the Committee on the Judiciary.

He also presented a petition of sundry citizens of Oroville, Cal., and a petition of the congregation of the First Christian Church of San Francisco, Cal., praying for the maintenance of the prohibition law in the Territory of Alaska; which were referred to the Committee on Territories.

Mr. BATE presented a petition of the board of directors of the Cotton Exchange of Memphis, Tenn., praying that an appropriation of $8,000,000 be made for the opening of Southwest Pass at the mouth of the Mississippi River; which was referred to the Committee on Commerce.

He also presented a petition of the board of directors of the Cotton Exchange of Memphis, Tenn., praying for the passage of the so-called Loud bill, relating to second-class mail matter; which was referred to the Committee on Post-Offices and Post-Roads.

He also presented a petition of 53 citizens of Erin, Tenn., praying for the enactment of legislation to prohibit the sale of liquor in canteens of the Army and Navy and of Soldiers' Homes, and in immigrant stations and Government buildings; which was referred to the Committee on Military Affairs.

Mr. PLATT of New York presented a petition of the congregation of the First Methodist Episcopal Church of Groton, N. Y., praying for the enactment of legislation to prohibit the seating of any polygamist in the Congress of the United States; which was ordered to lie on the table.

He also presented the petition of S. W. Collins, of New York City, N. Y., and a petition of the congregation of the Methodist Episcopal Church of Groton, N. Y., praying for the maintenance of the prohibition law in the Territory of Alaska and the Indian Territory, and to extend it to our new, half-civilized dependencies; which were referred to the Committee on Territories.

He also presented petitions of Mrs. George Munro and sundry other citizens, of the Woman's Christian Temperance Union of Ithaca, and of the congregation of the Methodist Episcopal Church of Groton, all in the State of New York, praying for the enactment of legislation to prohibit the sale of liquor in canteens of the

Army and Navy and of Soldiers' Homes, and in immigrant stations and Government buildings; which were referred to the Committee on Military Affairs.

Mr. PENROSE presented a petition of the Trades League of Philadelphia, Pa., praying for the enactment of legislation to reduce letter postage to 1 cent per ounce; which was referred to the Committee on Post-Offices and Post-Roads.

He also presented a petition of the National American Woman Suffrage Association, praying that women be granted the right of suffrage in Hawaii; which was referred to the Select Committee on Woman Suffrage.

He also presented the petitions of Oscar E. Franke and 53 other citizens of Philadelphia; of George E. Schanz, of Scranton; of George H. Bohl, of Scranton, and of the Trades and Labor Assembly of Newcastle, all in the State of Pennsylvania, praying for the passage of the eight-hour bill; which were ordered to lie on the table.

He also presented petitions of the Woman's Christian Temperance Union, the Young People's Society of Christian Endeavor, the congregation of the Westminster Presbyterian Church, the Only Young People's Christian Union of the United Presbyterian Church, of the officers of the National Bank, and of the Association of the Teachers of the Public Schools, all of Burgettstown; of the congregations of the Free Methodist Church, the Grace Methodist Episcopal Church, and the United Evangelical Church, all of Oil City; of the congregations of the Free Methodist Church, the Grace Methodist Episcopal Church, and the United Presbyterian Church, all of New Brighton; of the Woman's Christian Temperance Union of Parkesburg; the congregations of the Methodist Episcopal and the African Methodist Episcopal churches of West Bridgewater; of the Woman's Christian Temperance unions of Westchester, Newlin, Jennersville, Russellville, Lincoln, Londonderry, West Whiteland, Oxford, Honeybrook, and East Brandywine, all of Chester County; of the Young Men's Christian Association of Towanda; of 29 members of the Salem Free Baptist Church, of Mercer County; of the official board of the Methodist Episcopal Church of Foxburg; of Foxburg Post, No. 249, Department of Pennsylvania, Grand Army of the Republic, of Foxburg; of the Woman's Relief Corps of Foxburg; of the Epworth League of Selins Grove; of the Methodist Episcopal Sabbath school of Selins Grove; of the Uniontown Woman's Christian Temperance Union of Fayette County; of the congregations of the First Congregational Church of Ridgway, the Presbyterian Church of New Brighton, the First Methodist Episcopal Church of Dubois, the Methodist Church, the Presbyterian Church, and the First Baptist Church of Kennett Square; of Albert W. Perrin Post, No. 370, Department of Pennsylvania, Grand Army of the Republic; of the Woman's Christian Temperance Union of Westgrove; of Hiram Warner Post, No. 594, Department of Pennsylvania, Grand Army of the Republic; of the Woman's Christian Temperance Union of South Oil City; of the Woman's Christian Temperance Union of Foxburg; of the Epworth League, the Young People's Society of Christian Endeavor of the Presbyterian Church, the congregation of the Methodist Episcopal Church, and the Presbyterian Sunday school of Berwick; of the Church of God, of Floyd, and of the Woman's Christian Temperance Union of Osceola, all in the State of Pennsylvania, praying for the enactment of legislation to prohibit the sale of liquor in canteens of the Army and Navy and of Soldiers' Homes, and in immigrant stations and Government buildings; which were referred to the Committee on Military Affairs.

Mr. CHANDLER. I present the petition of Lafayette Grover, of Portland, Oreg., formerly a United States Senator, praying that he be reimbursed for expenses incurred by him in defending his seat in the Senate. I move that the petition be referred to the Committee on Privileges and Elections.

The motion was agreed to.

Mr. CHANDLER presented the memorials of H. W. Ferron, jr., and 19 other citizens, of W. S. Wheir and 19 other citizens, of O. W. Geisenderfer and 19 other citizens, H. A. Andrews and 19 other citizens, G. D. Smith and 19 other citizens, William E. Dietz and 19 other citizens, W. M. Furman and 19 other citizens, J. D. Peyer and 19 other citizens, J. Makeover and 19 other citizens, Frank Farr and 19 other citizens, James Smith and 19 other citizens, O. H. Allen and 18 other citizens, D. L. Lloyd and 19 other citizens, Frederick Hoffa and 18 other citizens, Frank S. Browne and 18 other citizens, E. Berry and 18 other citizens, B. S. Adams and 18 other citizens, D. F. Bartlett and 18 other citizens, F. L. Slocum and 17 other citizens, G. D. Smith and 17 other citizens, James Johnstone and 17 other citizens, and of William W. Wright and 11 other citizens, all in the United States, remonstrating against the passage of the anti-scalping ticket bill; which were ordered to lie on the table.

Mr. MITCHELL presented a petition of Local Union No. 212, Cigar Makers' International Union, of West Superior, Wis., praying for the passage of the eight-hour bill; which was ordered to lie on the table.

He also presented the petitions of R. J. Leutzker, of Antigo; of J. L. Mead, of Antigo; of L. A. Platts, pastor of the Seventh Day Baptist Church, of Milton; of Henry Colman, of Milwaukee; of W. A. Peterson, pastor of the First Methodist Episcopal Church, of Antigo; of C. T. Burnley, pastor of the Presbyterian Church, of Hudson; of W. H. Marsh & Co., of Antigo; of William Crawford, pastor of the Congregational Church, of Sparta, and of the societies of Cuersulem and Soar, of Wild Rose, all in the State of Wisconsin, praying for the enactment of legislation to prohibit the sale of liquor in canteens of the Army and Navy and of Soldiers' Homes, and in immigrant stations and Government buildings; which were referred to the Committee on Military Affairs.

Mr. GALLINGER presented a petition of the Young People's Society of Christian Endeavor of the First Congregational Church of Littleton, N. H., praying for the enactment of legislation to prohibit the sale of liquor in canteens of the Army and Navy and of Soldiers' Homes, and in immigrant stations and Government buildings; to provide for the maintenance of prohibition in the Territory of Alaska; and to protect State anti-cigarette laws by providing that cigarettes imported in original packages on entering any State shall become subject to its laws; which was referred to the Committee on Military Affairs.

Mr. TELLER presented a petition of Companies B and C, Second Infantry, Colorado National Guard, praying that an increased appropriation be made for the support of the National Guard; which was referred to the Committee on Military Affairs.

He also presented petitions of the Musicians' Protective Association of Leadville, of the Tailors' Union of Leadville, of the International Association of Machinists of Denver, and of the Granite Cutters' National Union of Denver, all in the State of Colorado, praying for the passage of the eight-hour bill; which were ordered to lie on the table.

He also presented the petition of Dr. J. C. Bowen and sundry other citizens of Rochester, N. Y., praying that women be granted the right of suffrage in Hawaii; which was referred to the Select Committee on Woman Suffrage.

Mr. DAVIS presented petitions of Local Union No. 66, Amalgamated Wood Workers' International Union, of Minneapolis; of Division No. 31, Amalgamated Association of Street Railway Employees, of Duluth; of Local Union No. 30, Typographical Union, of St. Paul; of the Local Branch of the Granite Cutters' National Union of St. Cloud; of Local Union No. 55, Amalgamated Wood Workers' International Union, of Minneapolis; and of the Trade and Labor Council of Winona, all in the State of Minnesota, praying for the passage of the eight-hour bill; which were ordered to lie on the table.

He also presented a petition of the Board of Trade of New Prague, Minn., praying for the enactment of legislation to increase American shipping; which was ordered to lie on the table.

He also presented a petition of the congregation of the Methodist Episcopal Church of Stockton, Minn., praying for the enactment of legislation to prohibit the sale of intoxicating liquors in all Government buildings; which was referred to the Committee on Public Buildings and Grounds.

He also presented a petition of the Epworth League and of the Woman's Christian Temperance Union of the Methodist Episcopal Church of Spring Grove, Minn., praying for the enactment of legislation to prohibit the seating of polygamists in the Congress of the United States; which was ordered to lie on the table.

He also presented a petition of the Board of Trade of Minneapolis, Minn., praying that the employees of the Census Bureau be placed under the civil-service rules and regulations; which was ordered to lie on the table.

He also presented petitions of the Board of Trade of Minneapolis; the Epworth League and the Woman's Christian Temperance Union of the Methodist Episcopal Church of Spring Grove, and of Gilbert Chapter, Epworth League, of Winona, all in the State of Minnesota, praying for the enactment of legislation to prohibit the sale of liquor in canteens of the Army and Navy and of Soldiers' Homes, and in immigrant stations and Government buildings; which were referred to the Committee on Military Affairs.

Mr. THURSTON presented a petition of the legislature of Nebraska, praying for the speedy connection of the Port Arthur Canal with the waters of the Gulf of Mexico; which was referred to the Committee on Commerce.

He also presented a petition of the legislature of Nebraska, praying that an appropriation be made for the purpose of meeting the expenses of soldiers of the recent war with Spain incurred for medical aid while on furlough; which was referred to the Committee on Military Affairs.

He also presented the memorial of G. A. Eckels and sundry other citizens of Chadron, Nebr., remonstrating against the appointment of a civilian as agent at the Pine Ridge Indian Agency; which was referred to the Committee on Indian Affairs.

He also presented a petition of the congregation of the Centenary Methodist Episcopal Church, of Beatrice, Nebr., and a petition of

the congregation of the First Presbyterian Church of Beatrice, Nebr., praying for the enactment of legislation to prohibit the sale of liquor in canteens of the Army and Navy and of Soldiers' Homes, and in immigrant stations and Government buildings; which were referred to the Committee on Military Affairs.

Mr. MCENERY presented a petition of the American Public Health Association, praying that improved methods be adopted in the collection of mortality statistics by the United States Census Office; which was ordered to lie on the table, and to be printed in the RECORD, as follows:

COLUMBUS, OHIO, *February 13, 1899.*

To whom it may concern:

This is to certify that at a meeting of the American Public Health Association, held in Ottawa, Canada, September 27–30, 1898, the following resolution was adopted:

"*Resolved*, That the American Public Health Association earnestly recommends that a plan be incorporated in the act to provide for the taking of the next United States census whereby reliable representative vital statistics may be secured for the nonregistration States."

Attest: C. O. PROBST, *Secretary.*

Memorial of the committee of the Public Health Association on demography and statistics in their sanitary relations, to the Congress of the United States, in behalf of improved methods of collecting mortality statistics by the Twelfth United States Census.

To the honorable Senators and Representatives of the United States in Congress assembled:

The undersigned, members of the committee on demography and statistics in their sanitary relations, of the American Public Health Association, and other members thereof, being, for the most part, executive officers of our several State and municipal boards of health, and as such charged with the practical administration of the laws relating to the collection and compilation of vital statistics as well as with the use of such statistics in the prevention and restriction of diseases as an essential part of the public-health service, have the honor to respectfully present the following statements and recommendations relating to the collection of mortality statistics by the United States census:

The collection of accurate mortality statistics for the "nonregistration States" is absolutely necessary to make the statistics of mortality of the United States as a whole and of the individual States of value for general comparative and practical sanitary purposes. These States comprised all of the States of the Union at the Eleventh Census, except Massachusetts, Connecticut, New Hampshire, Vermont, Rhode Island, New York, New Jersey, and Delaware, and the District of Columbia, which has "fairly complete" registration of deaths during the census year. (Eleventh Census, Part I, Vital and Social Statistics, page 1.) Only two or three more States will be available as "registration States" in 1900 than in 1890, so that the task of obtaining reliable mortality statistics for the country at large will fall as before upon the census.

The Eleventh Census, like its predecessors, failed entirely in establishing the general death rate of the country. It did not even satisfactorily determine whether the mortality of the country was greater or less in the census year 1890 than in 1880:

"The total number of deaths reported as having occurred in the United States during the census year is 875,521, giving a death rate of 13.93 to the thousand of living population. This death rate is lower than that given in the census of 1880, viz, 15.09, and higher than that given by the census or 1870, viz, 12.77. This does not indicate any actual change in the death rate, but rather that the enumerators' returns of the Eleventh Census are more deficient as regards the deaths than was the case in 1880." (Compendium of the Eleventh Census, Part II, page 3.)

The failure was, of course, even more complete as regards the nonregistration States than for the country as a whole, under the last census:

"The actual death rate for the nonregistration area in 1880, as based upon the enumerators' returns, was 13.42 per 1,000 of population, while the same class of returns now give a rate of but 10.79 per 1,000; hence there must have been either a great increase in the healthfulness of the country or the enumerators' returns must be more incomplete as regards the deaths than they were in 1880." (Compendium of the Eleventh Census, Part II, page 4.)

The results of the method of enumerating deaths at the close of the census year have been recognized as extremely unsatisfactory ever since their first employment under the Seventh Census:

"The tables of the census which undertake to give the total number of births, marriages, and deaths in the year preceding the 1st of June, 1850, can be said to have but little value. Nothing short of a registration system in the States will give these data with even approximate truth, and where such a system has been best established difficulties have continually occurred requiring a very long period of time to be removed. Against all reasonings the facts have proved that the people will not, or can not, remember and report to the census taker the number of such events, and the particulars of them, which have happened in the period of a whole year prior to the time of his calling." (Seventh Census of the United States, 1850, page xxxix.)

"It is manifest that neither in 1850 nor in 1860 was the entire mortality of any State ascertained and reported; nor was even such an approximation obtained as will permit any reliable calculation to be made of the rate of mortality or any safe estimate of the proportion of the deaths to the living. The proportions of the deaths reported in 1850 and in 1860 vary so widely—from over 2 per cent to less than one-half of 1 per cent—that not even the amount of deficiency can be estimated." (Eighth Census of the United States, 1860; Mortality and Miscellaneous Statistics, page xxv.)

"At no one of the three censuses taken under the act of May 23, 1850, has the aggregate number of deaths returned by the assistant marshals risen above two-thirds of the number of deaths probably occurring during the year of enumeration." (Ninth Census of the United States, 1870; Vital Statistics, page ix.)

"The fact that it is impossible in any large community to collect complete and reliable data with regard to births and deaths by means of an inquiry made only at the end of the year for which the data are desired is well known to all who are practically familiar with the subject of vital statistics, and the experience of the United States census furnishes no exception to this rule. The results of each of the four censuses in which an attempt has been made to ascertain the number of persons who died in the United States during the preceding year have shown that the enumerators did not obtain and record more than 60 to 70 per cent of the actual number of deaths, and the introductory remark to the statistics of mortality of the Ninth Census still holds good, viz, that 'if the value of the statistics of mortality in a census of the United States, taken under existing laws, depended upon the return of substantially the whole body of deaths occurring during the year covered by the enumeration, the results would not be worth the space occupied by publication, much less the expense of collection and compilation.'" (Tenth Census of the United States, 1880; Mortality and Vital Statistics, Part I, page xi.)

This discredited method, which has thus proved a failure for five successive United States censuses, is the method solely provided for the nonregistration States, and thus for the United States as a whole, in the bills (S. 4545 and H. R. 11815) under consideration by the present Congress. The experience of the past has been conclusive as to its futility, and the failure to present accurate and also timely mortality statistics for the country is fraught with great injury to the sanitary services of the States. Reliable mortality statistics are essential in practical public-health work.

It is perfectly practicable, within the reasonable limits of expenditure by the census for this purpose, to collect accurate mortality statistics for the nonregistration States; or, if the unreliable method of enumeration at the end of the year be retained, as at present provided by the bills referred to, then it is also even more feasible to provide for accurate registration in representative areas of the nonregistration States, to the end that the amount of deficiency in the returns obtained by enumeration may be approximately known and thus the data be rendered available for important comparisons.

To this end the American Public Health Association, at its last annual meeting, and after the subject had received a year's consideration from the executive committee, unanimously adopted a resolution "earnestly recommending that a plan be incorporated in the act to provide for the taking of the next United States census whereby reliable representative vital statistics may be secured for the nonregistration States."

In pursuance of the expressed desire of the association, and in behalf of the practical collectors and users of vital statistics included in its membership, we therefore respectfully petition that general authority for the collection of reliable mortality statistics for representative areas of nonregistration States, if not for nonregistration States as a whole, to the entire disuse of the obsolete method of enumeration at the end of the year, be incorporated in the organic census law to be passed by Congress, and that all provisions limiting the collection of mortality statistics of a reliable character solely to registration areas be stricken out.

Inasmuch as the beginning of the census year 1899–1900 is near at hand, and as the collection of reliable mortality statistics requires constant supervision during the registration year, it would be very desirable that the mortality statistics to be collected by the Twelfth Census should be for the calendar year 1900, instead of for the year 1899–1900. This would not only give the necessary time for preliminary organization of an efficient registration service as part of the general census work, but would render the mortality statistics more comparable with (1) the statistics of States, cities, and foreign countries, most of which are taken for the calendar year; and (2) with the population, as obtained by the census, for the very important purpose of computing death rates. The advantage in basing rates upon the mean population of the registration year, instead of the population at the end of the year, as has been done by previous censuses, clearly appears in the following extract from the Mortality and Vital Statistics of the Tenth Census, Part I, page 19:

"Still less is it possible to make useful comparisons of these death rates with those of other countries. They are in every case too small, for two reasons: The first is the failure to record all of the deaths which occurred during the census year; the second is that the calculations are based, not on the mean population of the year—that is to say, the number of living persons who actually furnished this number of deaths—but upon the number of survivors at the end of the year, which is greater than that of the mean population, and therefore gives a less death rate. With the exception of the life-table computations, to be referred to hereafter, all the calculations of death rates in this report and in the tables are based on the number of survivors at the end of the year, instead of taking the mean population, as is the rule in the statistics of other countries."

These representations are made with the confident belief that Congress will share our conviction that it is vastly important that the mortality statistics to be obtained under the approaching Federal census shall be accurate, and with the hope that the expression of our opinion, as practical sanitary and registration officials, whose everyday concern is the collection and use of such data, that it is entirely feasible to collect thoroughly reliable and useful mortality statistics for the United States, may have a special value at this time and lead to the incorporation of the necessary provisions in the pending legislation.

In conclusion, referring to the purpose expressed in the bills now before Congress that the work shall be completed at an early date, we wish to most heartily commend this purpose. It will add in a very marked degree to the usefulness of any mortality statistics collected by the census to have them promptly available for use. Indeed, by the adoption of a modern method of registration, reliable statistics might be available within sixty days after the beginning of the registration year. Ample postal facilities should be at the disposal of the census in order to secure prompt returns. With proper provisions for the collection of reliable representative mortality statistics in nonregistration States, we shall have made a beginning of placing our country on a plane in this respect similar to that occupied by most civilized nations, and a firm foundation will have been laid for sanitary improvement during the coming century.

Respectfully submitted.

The Committee of the American Public Health Association on Demography and Statistics in Their Sanitary Relations: Cressy L. Wilbur, M. D., chairman, chief of division of vital statistics, state department, Michigan; H. M. Bracken, M. D., secretary of State board of health and registrar of vital statistics, Minnesota; Chas. V. Chapin, M. D., superintendent of health and registrar of vital statistics, city of Providence, R. I.; A. G. Young, M. D., secretary of State board of health and registrar of vital statistics, Maine; John S. Fulton, M. D., secretary of State board of health and registrar of vital statistics, Maryland.

INDORSEMENTS.

We have read the preceding memorial addressed to Congress by the committee of the American Public Health Association in behalf of improved methods of collecting mortality statistics by the Twelfth United States Census, and cordially indorse the same.

Name.	State or city.	Official title.
N. O. B. Wingate, M. D.	Milwaukee, Wis	Secretary State board of health.
F. M. Schuls	do	Health commissioner.
J. W. Coon, M. D.	do	Registrar of vital statistics.

PERSONNEL OF THE NAVY AND MARINE CORPS.

Mr. CHANDLER. I enter a motion to reconsider the vote whereby the Senate passed the bill (H. R. 10403) to reorganize and increase the efficiency of the personnel of the Navy and Marine

Corps of the United States. I also ask that a request may be made of the House to return the bill to the Senate. There are one or two mistakes in connection with the bill which ought to be corrected before it is acted upon by the House.

The VICE-PRESIDENT. Does the Senator desire to make the motion now?

Mr. CHANDLER. I enter the motion, and ask to have the bill returned to the Senate.

The VICE-PRESIDENT. The motion will be entered. The request will be made of the House to return the bill to the Senate.

Mr. CHANDLER subsequently said: I withdraw the motion I entered to reconsider the passage of the naval personnel bill, and ask that the message which has been sent to the House to recall the bill be itself recalled.

The VICE-PRESIDENT. Is there objection to the present request of the Senator from New Hampshire? The Chair hears none.

REPORTS OF COMMITTEES.

Mr. BURROWS, from the Committee on Finance, to whom was referred the bill (H. R. 2374) authorizing the Secretary of the Treasury to issue a duplicate bond to Benjamin H. March, executor of the last will and testament of Ruth March, deceased, reported it without amendment.

Mr. HAWLEY, from the Committee on Military Affairs, to whom was referred the bill (S. 5525) to purchase Wilson Park as an addition to St. Elizabeth Asylum, for the use of the insane soldiers and sailors of the United States Army and Navy, asked to be discharged from its further consideration, and that it be referred to the Committee on Public Buildings and Grounds; which was agreed to.

Mr. PETTUS, from the Committee on the Judiciary, to whom was referred the bill (S. 5458) providing for the execution of new bonds by officers, employees, and clerks in any of the Executive Departments of the United States and for the release of sureties on original bonds, reported it without amendment.

Mr. HANSBROUGH, from the Committee on Public Lands, to whom was referred the bill (H. R. 8739) to authorize a resurvey of certain lands in Cheyenne County, in the State of Nebraska, and for other purposes, reported it with an amendment, to strike out the preamble, and submitted a report thereon.

He also, from the same committee, to whom was referred the bill (H. R. 11737) granting the right of way to the Pensacola and Northwestern Railroad Company over and through the United States naval and military reservations near Pensacola, in the State of Florida, reported it without amendment.

Mr. PETTIGREW, from the Committee on Public Lands, to whom was referred the amendment submitted by himself on the 11th instant relative to the claims of all persons who may have heretofore or may hereafter settle upon that portion of the Great Sioux Indian Reservation which was opened up to settlement under and by virtue of the act of March 2, 1889, etc., intended to be proposed to the sundry civil appropriation bill, reported favorably thereon, and moved that it be referred to the Committee on Appropriations, and, with the accompanying papers, be printed; which was agreed to.

Mr. HANNA, from the Committee on Pensions, to whom was referred the bill (H. R. 3155) granting a pension to Kitty Ann Patterson, reported it without amendment, and submitted a report thereon.

He also, from the same committee, to whom was referred the bill (H. R. 3123) granting an increase of pension to Frank S. Devol, reported it without amendment, and submitted a report thereon.

Mr. QUAY, from the Committee on Public Buildings and Grounds, to whom was referred the bill (S. 5525) to purchase Wilson Park as an addition to St. Elizabeth Asylum, for the use of the insane soldiers and sailors of the United States Army and Navy, reported it without amendment, and submitted a report thereon.

He also, from the same committee, to whom was referred the bill (H. R. 10969) for the erection of a public building in the city of Blair, Nebr., reported it without amendment, and submitted a report thereon.

He also, from the same committee, to whom was referred the bill (S. 5499) to supplement and amend an act entitled "An act for the erection of a new custom-house in the city of New York, and for other purposes," approved March 3, 1891, reported it without amendment, and submitted a report thereon.

EIGHT-HOUR BILL.

Mr. KYLE. I present the report of the hearings on the bill (H. R. 7389) limiting the hours of daily service of laborers, workmen, and mechanics employed upon the public works of, or work done for, the United States, or any Territory, or the District of Columbia, and ask that it be printed as a document for the benefit of the Senate, to accompany the report made by the Senator from Tennessee [Mr. TURLEY] on Friday last.

The VICE-PRESIDENT. Is there objection to the request of the Senator from South Dakota? The Chair hears none, and it is so ordered.

MANUAL OF FISH CULTURE.

Mr. LODGE, from the Committee on Printing, to whom was referred the following concurrent resolution from the House of Representatives, reported it without amendment, and it was considered by unanimous consent, and agreed to:

Resolved by the House of Representatives (the Senate concurring), That there be printed 3,000 copies of the Manual of Fish Culture (with revisions), as contained in the report of the United States Commissioner of Fish and Fisheries for 1897, of which 500 shall be for the use of the Senate, 1,000 for the use of the House of Representatives, and 1,500 for the use of the Fish Commission.

JUDICIAL DISTRICTS OF MISSISSIPPI.

Mr. HOAR. I am directed by the Committee on the Judiciary, to whom was referred the bill (S. 5450) to attach Claiborne County, Miss., to the western division of the southern judicial district of Mississippi, to report it favorably without amendment. It is a bill of merely a few lines, and I ask that it may be put on its passage.

There being no objection, the Senate, as in Committee of the Whole, proceeded to consider the bill.

The bill was reported to the Senate without amendment, ordered to be engrossed for a third reading, read the third time, and passed.

COURTS IN TEXAS.

Mr. CHILTON. From the Committee on the Judiciary I report a bill providing for the transfer of courts from one branch of the United States court to another, and I ask for its immediate consideration, as it is purely formal.

The VICE-PRESIDENT. The bill will be read.

The Secretary read the bill (H. R. 11495) to amend section 3 of an act entitled "An act to change the time and places for the district and circuit courts of the northern district of Texas," approved June 11, 1896.

The VICE-PRESIDENT. Is there objection to the present consideration of the bill?

There being no objection, the bill was considered as in Committee of the Whole.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

BILLS INTRODUCED.

Mr. PRITCHARD introduced a bill (S. 5532) granting a pension to Louise D. Smith; which was read twice by its title, and referred to the Committee on Pensions.

Mr. SPOONER introduced a bill (S. 5533) to permit volunteer regiments to retain their colors; which was read twice by its title, and referred to the Committee on Military Affairs.

Mr. PETTIGREW introduced a bill (S. 5534) to incorporate the Grand Lodge of the Independent Order of Odd Fellows of the Indian Territory; which was read twice by its title, and referred to the Committee on Indian Affairs.

Mr. PLATT of New York introduced a bill (S. 5535) for the erection of a public building at Elmira, N. Y.; which was read twice by its title, and referred to the Committee on Public Buildings and Grounds.

Mr. WOLCOTT introduced a bill (S. 5536) for the relief of Lewis B. Brasher; which was read twice by its title, and, with the accompanying papers, referred to the Committee on Military Affairs.

Mr. GEAR (by request) introduced a bill (S. 5537) providing for the erection of an addition to the United States custom-house and post-office building in the city of Dubuque, Iowa; which was read twice by its title, and referred to the Committee on Public Buildings and Grounds.

Mr. LODGE introduced a bill (S. 5538) for the erection of a public building at Fitchburg, Mass.; which was read twice by its title, and referred to the Committee on Public Buildings and Grounds.

He also introduced a bill (S. 5539) to erect a public building at Lawrence, Mass.; which was read twice by its title, and referred to the Committee on Public Buildings and Grounds.

He also introduced a bill (S. 5540) authorizing the extension of the post-office building at Springfield, Mass.; which was read twice by its title, and referred to the Committee on Public Buildings and Grounds.

Mr. FORAKER introduced a bill (S. 5541) providing for the erection of an addition to the United States public building at Canton, Ohio; which was read twice by its title, and referred to the Committee on Public Buildings and Grounds.

Mr. MITCHELL introduced a bill (S. 5542) to provide for the purchase of a site and the erection of a public building thereon at the city of Eau Claire, in the State of Wisconsin; which was read twice by its title, and referred to the Committee on Public Buildings and Grounds.

Mr. BUTLER introduced a bill (S. 5543) to provide for the erection of a public building at Elizabeth City, N. C.; which was read twice by its title, and referred to the Committee on Public Buildings and Grounds.

Mr. ROSS introduced a bill (S. 5544) for the erection of a public

building at Newport, Vt.; which was read twice by its title, and referred to the Committee on Public Buildings and Grounds.

Mr. PERKINS introduced a bill (S. 5545) to increase the limit of the cost for the erection of a public building in Stockton, Cal., and making provision for the acquisition of additional land or a new site therefor; which was read twice by its title, and referred to the Committee on Public Buildings and Grounds.

Mr. THURSTON introduced a bill (S. 5546) to increase the limit of cost for the purchase of site and the erection of a public building at Omaha, Nebr.; which was read twice by its title, and referred to the Committee on Public Buildings and Grounds.

Mr. WELLINGTON introduced a bill (S. 5547) for the erection of a public building at Annapolis, Md.; which was read twice by its title, and referred to the Committee on Public Buildings and Grounds.

Mr. BERRY introduced a bill (S. 5548) to provide for a building for the use of the post-office, office of the superintendent of the Hot Springs Reservation, and other civil offices in the city of Hot Springs, Ark.; which was read twice by its title, and referred to the Committee on Public Buildings and Grounds.

Mr. ALLEN introduced a bill (S. 5549) to increase the limit of cost for the purchase of site and the erection of a public building at Omaha, Nebr.; which was read twice by its title, and referred to the Committee on Public Buildings and Grounds.

Mr. CULLOM introduced a bill (S. 5550) to provide for the purchase of a site and the erection of a public building thereon at Joliet, in the State of Illinois; which was read twice by its title, and referred to the Committee on Public Buildings and Grounds.

He also introduced a bill (S. 5551) for the erection of a public building in the city of Elgin, Ill.; which was read twice by its title, and referred to the Committee on Public Buildings and Grounds.

Mr. BACON introduced a bill (S. 5552) to provide for enlarging and improving the United States Government building at Macon, Ga., and to appropriate $58,000 therefor; which was read twice by its title, and referred to the Committee on Public Buildings and Grounds.

He also introduced a bill (S. 5553) to enlarge and improve the United States public building at Columbus, Ga.; which was read twice by its title, and referred to the Committee on Public Buildings and Grounds.

Mr. LODGE introduced a joint resolution (S. R. 248) to authorize the appointment of Robert F. Wynne a second lieutenant in the Marine Corps; which was read twice by its title, and referred to the Committee on Naval Affairs.

Mr. MARTIN introduced a joint resolution (S. R. 249) to authorize the appointment of Henry W. Carpenter a second lieutenant in the Marine Corps; which was read twice by its title, and referred to the Committee on Naval Affairs.

Mr. CHANDLER introduced a joint resolution (S. R. 250) to authorize the appointment of Charles S. Hill a second lieutenant in the Marine Corps; which was read twice by its title, and referred to the Committee on Naval Affairs.

Mr. BACON introduced a joint resolution (S. R. 251) to authorize the appointment of Louis J. Anderson a second lieutenant in the Marine Corps; which was read twice by its title, and referred to the Committee on Naval Affairs.

AMENDMENTS TO APPROPRIATION BILLS.

Mr. SEWELL submitted an amendment requiring all accounts of the receipts and expenditures of the National Home for Disabled Volunteer Soldiers to be supervised and examined by the Board of Managers of said Home, intended to be proposed by him to the sundry civil appropriation bill; which was referred to the Committee on Appropriations, and ordered to be printed.

He also submitted an amendment proposing to increase the number of assistant inspectors-general of the National Home for Disabled Volunteer Soldiers to two, and increasing the appropriation therefor from $2,000 to $4,000, intended to be proposed by him to the sundry civil appropriation bill; which was referred to the Committee on Appropriations, and ordered to be printed.

He also submitted an amendment proposing to increase the appropriation for salaries of officers and employees of the Board of Managers of the National Home for Disabled Volunteer Soldiers, and for outdoor relief and incidental expenses, $2,000, intended to be proposed by him to the sundry civil appropriation bill; which was referred to the Committee on Appropriations, and ordered to be printed.

Mr. PERKINS submitted an amendment providing for a commission to be appointed by the Secretary of War to report to Congress certain information concerning the roadways in Yosemite National Park, California, intended to be proposed by him to the sundry civil appropriation bill; which was referred to the Committee on Forest Reservations and Preservation of Game, and ordered to be printed.

Mr. CHANDLER submitted an amendment proposing to appropriate $34,323 to enable the Public Printer to pay an additional sum of $1.50 per square foot to the owners of lots A, B, 1, 2, 3, 4, 5, and 6, in square 624, for an addition to the Government Printing Office, intended to be proposed by him to the sundry civil appropriation bill; which was referred to the Committee on Appropriations, and ordered to be printed.

Mr. PLATT of Connecticut submitted an amendment proposing to appropriate $12,500 to pay a certain judgment, with interest and costs, against Capt. John C. Bates and Lieut. Jonathan A. Yeckley, United States Army, rendered in the district court of Dakota Territory and affirmed by the Supreme Court of the United States, intended to be proposed by him to the sundry civil appropriation bill; which was referred to the Committee on Claims, and ordered to be printed.

Mr. QUAY submitted an amendment proposing to appropriate $25,000 for continuing the improvement of Dam No. 7, Ohio River, intended to be proposed by him to the river and harbor appropriation bill; which was referred to the Committee on Public Buildings and Grounds.

Mr. QUAY subsequently, from the Committee on Public Buildings and Grounds, reported the above amendment favorably, and moved that it lie on the table and be printed; which was agreed to.

Mr. SULLIVAN submitted an amendment authorizing the Secretary of the Interior to purchase Wilson Park, in the District of Columbia, for the exclusive use of the insane sailors and soldiers in the Government Hospital for the Insane, intended to be proposed by him to the sundry civil appropriation bill; which was referred to the Committee on Public Buildings and Grounds.

Mr. QUAY subsequently, from the Committee on Public Buildings and Grounds, reported the above amendment favorably, and moved that it be referred to the Committee on Appropriations and printed; which was agreed to.

Mr. HAWLEY submitted an amendment intended to be proposed by him to the Army appropriation bill; which, with the accompanying papers, was referred to the Committee on Military Affairs, and ordered to be printed.

Mr. PLATT of Connecticut submitted an amendment proposing to appropriate $60,000 for a light and fog signal on Greens Ledge, Norwalk Harbor, Connecticut; $10,000 for a light and fog signal on Peeks Ledge, Norwalk Harbor, Connecticut; $2,500 for a light on Long Beach Day Beacon, Norwalk Harbor, Connecticut, and $600 for lighted beacons at Round Beach, Fitchs Point, White Rock Reef, and Grassy Hammock, Norwalk Harbor, Connecticut, intended to be proposed by him to the sundry civil appropriation bill; which was referred to the Committee on Appropriations, and ordered to be printed.

Mr. HANSBROUGH submitted an amendment proposing to appropriate $1,500 for continuing the work of cleaning and repairing works of art in the Capitol, including the repairing of frames, etc., intended to be proposed to the sundry civil appropriation bill; which was referred to the Committee on Appropriations, and ordered to be printed.

Mr. CARTER submitted an amendment directing the disbursing officers or heads of Departments to present to the Auditor, along with accounts for any telegraphic services rendered the United States, etc., intended to be proposed by him to the sundry civil appropriation bill; which was referred to the Committee on Military Affairs, and ordered it to be printed.

REORGANIZATION OF THE ARMY.

Mr. PROCTOR submitted an amendment, intended to be proposed by him to the bill (H. R. 11022) for the reorganization of the Army of the United States, and for other purposes; which was ordered to be printed.

Mr. COCKRELL submitted an amendment intended to be proposed by him to the bill (H. R. 11022) for the reorganization of the Army of the United States, and for other purposes; which was ordered to be printed.

WITHDRAWAL OF PAPERS.

On motion of Mr. GALLINGER, it was

Ordered, That the papers in the pension claim of Arthur Peck (S. 5037) be withdrawn from the files of the Senate and transmitted to the claimant, no adverse report having been made in the case.

CONVENTION OF INSTRUCTORS OF THE DEAF.

Mr. COCKRELL submitted the following resolution; which was considered by unanimous consent, and agreed to:

Resolved, That there be printed for the use of the members of the Convention of American Instructors of the Deaf, bound in style similar to that of the Report of the American Historical Association, 500 copies of the Report of the Proceedings of the Convention of American Instructors of the Deaf.

COST OF ARMY.

Mr. COCKRELL submitted the following resolution; which was considered by unanimous consent, and agreed to:

Resolved, That the Secretary of War be directed to submit to the Senate a detailed statement, showing the cost of paying and maintaining the United States Army as it existed by law prior to April 20, 1898, and the cost of paying and maintaining the Army as it is proposed to be organized by H. R. 11022 as amended and presented to the Senate by Senator HAWLEY and giving the aggregate pay of the staff and the general officers and the regimental officers and the enlisted men, and the cost of maintaining the Quartermaster's Department, the Subsistence Department, the Medical Department, the Ordnance Department, the Signal Corps, and the Pay Department, not including the pay of officers and enlisted men.

PAY OF STENOGRAPHER.

Mr. KYLE submitted the following resolution; which was referred to the Committee to Audit and Control the Contingent Expenses of the Senate:

Resolved, That the stenographers employed to report the hearings on the bill (H. R. 7389) limiting the hours of daily service of laborers, workmen, and mechanics employed upon the public works of or work done for the United States or any Territory, or the District of Columbia, before the Committee on Education and Labor, be paid from the contingent fund of the Senate.

HEARINGS ON SHIPPING BILL.

Mr. FRYE submitted the following resolution; which was referred to the Committee to Audit and Control the Contingent Expenses of the Senate:

Resolved, That the stenographer employed by the Committee on Commerce to report hearings on the bill to promote the commerce and increase the foreign trade of the United States be paid out of the contingent fund of the Senate.

LEGISLATIVE, EXECUTIVE, AND JUDICIAL APPROPRIATION BILL.

Mr. CULLOM. I submit a conference report on the legislative, executive, and judicial appropriation bill, and ask that it be considered.

The report was read, as follows:

The committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H. R. 11414) making appropriations for the legislative, executive, and judicial expenses of the Government for the fiscal year ending June 30, 1900, and for other purposes, having met, after full and free conference have agreed to recommend and do recommend to their respective Houses as follows:

That the Senate recede from its amendments numbered 22, 25, 26, 36, 37, 38, 55, 60, 61, 64, 65, 87, 93, 98, 99, 100, 101, 102, 103, 104, 105, 109, 116, 130, 131, 132, 134, 137, 139, 140, 148, 149, 150, and 153.

That the House recede from its disagreement to the amendments of the Senate numbered 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, 14, 15, 16, 17, 18, 19, 20, 21, 23, 24, 31, 32, 33, 34, 35, 39, 40, 41, 43, 44, 45, 46, 47, 51, 52, 53, 54, 56, 57, 58, 62, 63, 66, 67, 69, 72, 73, 74, 75, 76, 81, 82, 83, 84, 85, 86, 88, 89, 90, 91, 92, 94, 95, 96, 97, 106, 107, 108, 110, 111, 114, 115, 117, 119, 121, 122, 123, 124, 125, 126, 127, 128, 129, 133, 135, 136, 141, 142, 143, 144, 145, 147, 151, 152, and 154, and agree to the same.

That the House recede from its disagreement to the amendment of the Senate numbered 27, and agree to the same with an amendment as follows: In lieu of the sum proposed insert "$44,340;" and the Senate agree to the same.

That the House recede from its disagreement to the amendment of the Senate numbered 28, and agree to the same with an amendment as follows: In lieu of the number proposed insert "twenty;" and the Senate agree to the same.

That the House recede from its disagreement to the amendment of the Senate numbered 29, and agree to the same with an amendment as follows: In lieu of the sum proposed insert "$130,070;" and the Senate agree to the same.

That the House recede from its disagreement to the amendment of the Senate numbered 30, and agree to the same with an amendment as follows: In lieu of the sum proposed insert "$2,000;" and the Senate agree to the same.

That the House recede from its disagreement to the amendment of the Senate numbered 42, and agree to the same with an amendment as follows: Add after the amended paragraph as a separate paragraph the following:

"For two expert accountants at the rate of $2,000 per annum each, from March 1 to June 30, 1899, inclusive, $1,333.33."

And the Senate agree to the same.

That the House recede from its disagreement to the amendment of the Senate numbered 48, and agree to the same with an amendment as follows: On page 36, in line 19 of the bill, strike out the word "forty-three" and insert in lieu thereof the word "forty-two;" and in line 21 strike out the word "eleven" and insert in lieu thereof the word "ten;" and the Senate agree to the same.

That the House recede from its disagreement to the amendment of the Senate numbered 49, and agree to the same with an amendment as follows: In lieu of the sum proposed insert "$297,300;" and the Senate agree to the same.

That the House recede from its disagreement to the amendment of the Senate numbered 50, and agree to the same with an amendment as follows: Strike out lines 1, 2, and 3 of said amendment and insert in lieu thereof the following:

"For the temporary employment of additional clerks and messengers, in the discretion of the Secretary of the Treasury, as may be required in the office of the Auditor for the."

And the Senate agree to the same.

That the House recede from its disagreement to the amendment of the Senate numbered 59, and agree to the same with an amendment as follows: In lieu of the sum proposed insert "$531,780;" and the Senate agree to the same.

That the House recede from its disagreement to the amendment of the Senate numbered 68, and agree to the same with an amendment as follows: In lieu of the words inserted by said amendment insert the following: "and one clerk;" and the Senate agree to the same.

That the House recede from its disagreement to the amendment of the Senate numbered 70, and agree to the same with an amendment as follows: In lieu of the sum proposed insert "$204,760;" and the Senate agree to the same.

That the House recede from its disagreement to the amendment of the Senate numbered 71, and agree to the same with an amendment as follows: In lieu of the matter stricken out by said amendment insert the following:

"If in the discretion of the Secretary of the Treasury the mint at Carson, Nev., be not operated as a coinage mint during the whole or any part of the fiscal year 1900, the foregoing appropriations for said mint shall only be available during the fiscal year 1900, or such part of said year as the said mint is not operated for coinage purposes, for maintaining the same as an assay office, and as follows:

"For assayer in charge, who shall also perform the duties of melter, $2,000; assistant assayer and one clerk, at $1,500 each; for wages of workmen and watchmen, $7,500; for incidental and contingent expenses, $3,000; in all, $15,500."

And the Senate agree to the same.

That the House recede from its disagreement to the amendment of the Senate numbered 77, and agree to the same with an amendment as follows: In lieu of the words inserted by said amendment insert the following: "and for machinery and repairs:" and the Senate agree to the same.

That the House recede from its disagreement to the amendment of the Senate numbered 78, and agree to the same with an amendment as follows: In lieu of the sum proposed insert "$15,000;" and the Senate agree to the same.

That the House recede from its disagreement to the amendment of the Senate numbered 79, and agree to the same with an amendment as follows: In lieu of the sum proposed insert "$1,400;" and the Senate agree to the same.

That the House recede from its disagreement to the amendment of the Senate numbered 80, and agree to the same with an amendment as follows: In lieu of the sum proposed insert "$3,400;" and the Senate agree to the same.

That the House recede from its disagreement to the amendment of the Senate numbered 112, and agree to the same with an amendment as follows: In lieu of the number proposed insert "twenty-one;" and the Senate agree to the same.

That the House recede from its disagreement to the amendment of the Senate numbered 113, and agree to the same with an amendment as follows: In lieu of the sum proposed insert "$495,770;" and the Senate agree to the same.

That the House recede from its disagreement to the amendment of the Senate numbered 118, and agree to the same with an amendment as follows: In lieu of the number proposed insert "fourteen;" and the Senate agree to the same.

That the House recede from its disagreement to the amendment of the Senate numbered 120, and agree to the same with an amendment as follows: In lieu of the sum proposed insert "$127,720;" and the Senate agree to the same.

That the House recede from its disagreement to the amendment of the Senate numbered 138, and agree to the same with an amendment as follows: In lieu of the sum proposed insert "$106,540;" and the Senate agree to the same.

That the House recede from its disagreement to the amendment of the Senate numbered 146, and agree to the same with an amendment as follows: In lieu of the sum proposed insert "$1,750;" and the Senate agree to the same.

The committee of conference recommend that on page 53 of the bill, after the word "purposes," in line 13, there be inserted the following:

"And for salaries and expenses of 10 additional agents provided for in section 3 and the 20 additional clerks and agents provided for in section 47 of said act of June 13, 1898."

S. M. CULLOM,
H. M. TELLER,
Managers on the part of the Senate.
J. A. HEMENWAY,
A. M. DOCKERY,
Managers on the part of the House.

Mr. CHILTON. It is not proposed to take the report up for consideration now?

Mr. CULLOM. I think we may as well dispose of it. I will say to the Senator that there is very little in it except that the Senate conferees gave away where we had increased a few salaries. We had to give them up pretty generally.

Mr. CHILTON. That part of it is a pretty good thing, but I am satisfied that there is not a member of the Senate who understands the report from the reading, and to vote on it now would be just a matter of trust.

Mr. CULLOM. I am not particular, if the Senator from Texas prefers that it shall go over.

Mr. CHILTON. Let it lie over until to-morrow. There will be no question about it.

Mr. CULLOM. I have no objection.

Mr. COCKRELL. There is an agreement on the part of the conferees?

Mr. CULLOM. Yes, sir; an agreement.

Mr. PLATT of Connecticut. A full agreement?

Mr. CULLOM. Yes.

The VICE-PRESIDENT. The conference report will go over, and be printed.

SARAH GRESHAM.

The VICE-PRESIDENT laid before the Senate the amendment of the House of Representatives to the bill (S. 409) granting an increase of pension to Sarah Gresham, which was in line 8, before the word "dollars," to strike out "twenty" and insert "thirty."

On motion of Mr. GALLINGER, the amendment was concurred in.

MARY A. THOMAS.

The VICE-PRESIDENT laid before the Senate the amendment of the House of Representatives to the bill (S. 566) granting a pension to Mary A. Thomas, which was in line 8, before the word "dollars," to strike out "eight" and insert "twelve."

On motion of Mr. GALLINGER, the amendment was concurred in.

NOAH PILLSBURY.

The VICE-PRESIDENT laid before the Senate the amendment of the House of Representatives to the bill (S. 1031) granting a pension to Noah Pillsbury, which was in line 8, after the word "month," to strike out down to and including "deduction," in line 9.

On motion of Mr. GALLINGER, the amendment was concurred in.

SAMUEL E. LISCOM.

The VICE-PRESIDENT laid before the Senate the amendment of the House of Representatives to the bill (S. 1110) granting an increase of pension to Samuel E. Liscom, which was, in line 8, before the word "dollars," to strike out "thirty" and insert "twenty-four."

On motion of Mr. GALLINGER, the amendment was concurred in.

HELEN A. DE RUSSY.

The VICE-PRESIDENT laid before the Senate the amendment of the House of Representatives to the bill (S. 1704) to increase

the pension of Mrs. Helen A. De Russy, which was, in line 9, before the word "dollars," to strike out "fifty" and insert "forty."

On motion of Mr. GALLINGER, the amendment was concurred in.

GEORGE W. PETERS.

The VICE-PRESIDENT laid before the Senate the amendment of the House of Representatives to the bill (S. 1758) increasing the pension of George W. Peters, which was, in line 8, before the word "dollars," to strike out "twenty" and insert "seventeen."

On motion of Mr. GALLINGER, the amendment was concurred in.

EMMA V. GILE.

The VICE-PRESIDENT laid before the Senate the amendment of the House of Representatives to the bill (S. 2652) granting an increase of pension to Emma V. Gile, which was, in line 9, before the word "dollars," to strike out "thirty" and insert "twenty-five."

On motion of Mr. GALLINGER, the amendment was concurred in.

SOLOMON KLINE.

The VICE-PRESIDENT laid before the Senate the amendment of the House of Representatives to the bill (S. 4233) granting an increase of pension to Solomon Kline, which was, in line 7, before the word "dollars," to strike out "fifty" and insert "forty."

On motion of Mr. GALLINGER, the amendment was concurred in.

LEWIS KYLE.

The VICE-PRESIDENT laid before the Senate the amendment of the House of Representatives to the bill (S. 4248) granting an increase of pension to Lewis Kyle, which was, in line 8, before the word "dollars," to strike out "twenty-four" and insert "eighteen."

On motion of Mr. GALLINGER, the amendment was concurred in.

JOHN C. EMERY.

The VICE-PRESIDENT laid before the Senate the amendments of the House of Representatives to the bill (S. 2101) granting a pension to John C. Emery.

The amendments were, in line 7, after "Infantry," to insert "and pay him a pension;" and in line 8, before the word "dollars," to strike out "twenty" and insert "twelve."

On motion of Mr. GALLINGER, the amendments were concurred in.

SARAH HAMILTON.

The VICE-PRESIDENT laid before the Senate the amendments of the House of Representatives to the bill (S. 3466) granting a pension to Sarah Hamilton.

The amendments were, in line 4, after "roll," to insert "subject to the provisions and limitations of the pension laws;" in line 6, after "Infantry," to insert "and pay her a pension;" and in line 7, to strike out the words "from the passage of this act."

On motion of Mr. GALLINGER, the amendments were concurred in.

GEORGE W. NEVINS.

The VICE-PRESIDENT laid before the Senate the amendment of the House of Representatives to the bill (S. 1968) granting an increase of pension to George W. Nevins, which was, in line 8, before the word "dollars," to strike out "fifty" and insert "forty."

Mr. GALLINGER. I move that the Senate disagree to the amendment of the House of Representatives and request a conference on the disagreeing votes of the two Houses.

The motion was agreed to.

By unanimous consent, the Vice-President was authorized to appoint the conferees on the part of the Senate, and Mr. GALLINGER, Mr. SHOUP, and Mr. MITCHELL were appointed.

FRANCIS SCOTT.

The bill (H. R. 8214) granting an increase of pension to Francis Scott was read twice by its title.

Mr. SPOONER. The Senate passed a bill identical with this bill, which was passed by the House on the same day. I entered a motion to recall the Senate bill from the House with a view to reconsider the vote by which the Senate passed it. I ask that the House bill be taken up.

There being no objection, the bill was considered as in Committee of the Whole. It proposes to place on the pension roll the name of Francis Scott, late private, Company B, Twenty-third Regiment Wisconsin Infantry Volunteers, and to pay him a pension at the rate of $45 per month in lieu of that he now receives.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

APPOINTMENT OF ADDITIONAL CADETS AT NAVAL ACADEMY.

The VICE-PRESIDENT laid before the Senate the amendment of the House of Representatives to the bill (S. 4808) authorizing the President to appoint additional cadets at large at the United States Naval Academy, which was, in line 4, to strike out "next" and insert "present."

Mr. CHANDLER. I move that the Senate concur in the amendment of the House.

The motion was agreed to.

GRAND RAPIDS (MINN.) WATER POWER AND BOOM COMPANY.

Mr. NELSON. I ask unanimous consent for the immediate consideration of the bill (H. R. 11732) to authorize the Grand Rapids Water Power and Boom Company, of Grand Rapids, Minn., to construct a dam and bridge across the Mississippi River.

There being no objection, the Senate, as in Committee of the Whole, proceeded to consider the bill.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

ESTATE OF ROGER A. HIERN.

Mr. MONEY. I move that the Committee on Appropriations be discharged from the further consideration of the bill (S. 2408) to remove a suspension upon the disbursement of an appropriation and that the bill be placed on the Calendar.

The motion was agreed to.

FOREST RESERVES.

Mr. MCBRIDE. I ask unanimous consent for the present consideration of the bill (H. R. 8162) to authorize the Secretary of the Interior to rent or lease certain portions of forest reserves.

There being no objection, the Senate, as in Committee of the Whole, proceeded to consider the bill. It authorizes the Secretary of the Interior, under such rules and regulations as he from time to time may make, to rent or lease to responsible persons or corporations applying therefor suitable spaces and portions of ground near or adjacent to mineral, medicinal, or other springs, within any forest reserves established within the United States, or hereafter to be established, and where the public is accustomed or desires to frequent for health or pleasure, for the purpose of erecting upon such leased ground sanitariums or hotels to be opened for the reception of the public.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

POST-OFFICE APPROPRIATION BILL.

Mr. QUAY. I move that the Senate proceed to the consideration of the Post-Office appropriation bill.

The motion was agreed to; and the Senate, as in Committee of the Whole, resumed the consideration of the bill (H. R. 11683) making appropriations for the service of the Post-Office Department for the fiscal year ending June 30, 1900.

The VICE-PRESIDENT. When the bill was last under consideration the Senator from North Carolina [Mr. BUTLER] was speaking to some provision of the bill. The Chair understands that no amendment is pending.

Mr. BUTLER. Mr. President, when the Senate on Saturday postponed until to-day the consideration of the Post-Office appropriation bill, I was discussing the situation in which the Senate was placed on account of the Postal Commission appointed to investigate the whole subject of postal affairs not being able to report at this session of Congress.

A year ago, when the Post-Office appropriation bill was under consideration, I offered an amendment providing for a reduction of the appropriation for railway mail pay from $30,500,000 to $24,500,000, a reduction of $6,000,000. At that time I addressed the Senate at some length explaining why I offered the amendment, and attempted with facts and arguments to show why the Senate should adopt the same.

I called attention to the fact that the amendment was in the exact form of amendments heretofore adopted by Congress on Post-Office appropriation bills. I called attention to the fact that in 1876 an amendment in the same form was offered and adopted on the appropriation bill providing for a reduction of 10 per cent and instructing the Postmaster-General to rearrange and scale down the amount paid for railway mail transportation in accordance with that provision.

I called the attention of the Senate to the fact that again in 1878, only two years later, a similar amendment was again offered and put upon the appropriation bill of that year providing for a further reduction of 5 per cent, making a total reduction within two years of 15 per cent. That reduction was made as a result of an investigation by a special commission on railway mail transportation. That was the Gardiner Hubbard Commission of 1876.

That reduction that was made was a compromise, for I think I am safe in saying that the investigation showed that a greater reduction was justified. I have taken the trouble and time to examine to some extent the testimony taken by that commission. So we see that the last reduction was made twenty-one years ago. The child in its cradle when that reduction was made is now a grown man, more than 21 years of age. So during the time that

our generation has passed away and a new generation has been born and grown up there has been no reduction or revision in the amount paid by the Government for railway mail transportation.

During that time passenger rates have been reduced about 20 per cent—voluntarily reduced by the railroads themselves, without any legislation by Congress. During that time freight rates have been reduced more than 40 per cent—voluntary reductions made by the railroads themselves, without any action by Congress to require them to do it.

I presented to the Senate a large mass of data which I had collected proving the statements that I had made, which statements were not contradicted. Not only were they not successfully contradicted, but no attempt was made by anyone upon this floor to contradict the statements of fact which I made then.

I may be pardoned for saying that there was no answer to those facts in the possession of any Senator sufficient to refute them—at least they were not produced; but my proposition for a reduction of 20 per cent was met by the proposition that we had better have another investigation by a commission to ascertain how great a reduction should be made. I think it was the general opinion of this body that a reduction should be made.

I expected, and I think every Senator expected, that we should have this information before we were asked to vote upon another Post-Office appropriation bill. It is not the fault of the commission, except those who took part in it, that they are loaded down with so much work, so that it is impossible for them to intelligently conclude their labors by this time. A number of us foresaw the trouble then, and regretted that the Appropriations Committee saw fit to so load down the commission.

But, Mr. President, I submit that while this investigation is being made, at least we should not in this appropriation bill increase the amount to more than it was in the last appropriation bill. It stands proven before the Senate at this time that a reduction of 20 per cent at least should be made. Unless the commission shall be able to gather information to prove that the data furnished here a year ago was incorrect, then it is proven, and will continue to be proven, and I think no one expects the commission to be able to produce data to prove that we are not paying enough for railway mail transportation; yet here we are met a year later on with an appropriation bill which increases the annual amount of the railway mail pay more than any increase which has ever been made at any one time heretofore.

I have before me the amount of the appropriation made every year for the last twenty-five years. The increases amounted sometimes to a few hundred thousand dollars and sometimes to $1,000,000, but have never amounted to as much as $2,000,000 in any one year.

But this bill brought in here now, while we are investigating the very question to find out how much reduction should be made, proposes to increase the appropriation by nearly $3,000,000 for railway transportation alone. I submit that at least we ought to keep the appropriation at what it was a year ago until this commission can report. The case is proven that there ought to be a 20 per cent reduction; and it would stand so proven before any court of justice on the evidence submitted.

Then, if the commission can not report now, why not keep down the appropriation for this year to at least no more than it was a year ago? A year ago we appropriated $30,500,000. This bill appropriates $33,275,000—the biggest increase that has ever been made.

Mr. COCKRELL. How much do I understand the Senator to say was appropriated last year?

Mr. BUTLER. Thirty million five hundred thousand dollars.

Mr. COCKRELL. And how much this year?

Mr. BUTLER. Thirty-three million two hundred and seventy-five thousand dollars—the biggest increase that has ever been made in the history of the Post-Office Department in one year; and that, too, in the face of the fact that we are now, through a special Postal Commission, investigating the question to see how much reduction can be made in the railway mail pay.

Therefore, Mr. President, I simply offer this amendment now to hold down this appropriation for this current year to what it was a year ago, and not increase it while we are investigating to see how much we can reduce it. I submit, as a common-sense proposition to every Senator on the floor, that there is no shadow of excuse for increasing this appropriation more than we ever increased one before while we are investigating to see how much to reduce it.

I ask that the amendment I have offered, which is in the usual form that has been heretofore adopted in making reductions, be stated. That amendment simply provides for keeping the appropriation this year down to what it was last year until the commission shall report.

The VICE-PRESIDENT. The amendment submitted by the Senator from North Carolina [Mr. BUTLER] will be stated.

The SECRETARY. In the clause making appropriations "for inland transportation by railroad routes," on page 15, line 3, after the word "distribution," it is proposed to strike out "$33,275,000" and to insert:

Thirty million five hundred thousand dollars; and the Postmaster-General is hereby authorized and directed to readjust the compensation to be paid from and after the 1st day of July, 1898, for the transportation of mails on railway routes by reducing the compensation to all railroad companies for the transportation of mails at least 10 per cent per annum from the rate fixed in section 4002 of the Revised Statutes, as amended by act of July 12, 1876, entitled "An act making appropriations for the service of the Post-Office Department for the fiscal year ending June 30, 1877, and for other purposes," and as further amended by act of June 17, 1878, entitled "An act making appropriations for the service of the Post-Office Department for the fiscal year ending June 30, 1879, and for other purposes," for the transportation of mails on the basis of the average weight; and the above amount appropriated shall cover full compensation for railway mail transportation.

Mr. QUAY. Mr. President, the amount appropriated in this bill for railway mail transportation is, it is true, increased from two to three million dollars above the appropriation of last year. That is about the ordinary increase in each annual appropriation bill. Probably some portion of it is due to the abnormal stimulus of business and to the existing war, which has increased the postal business immensely.

If it were right to pass the appropriation of last year at the figures then adopted by the Committee on Appropriations and agreed to by the Senate, it is right to pass the appropriation this year as the Committee on Appropriations has reported it.

It is true, as the Senator from North Carolina [Mr. BUTLER] has stated, that he bitterly assailed the appropriation last year, alleging that we were paying to the railroad companies several million dollars to which they were not entitled. The Senator says he distinctly proved that to the satisfaction of the Senate, but I think he has not.

Mr. BUTLER. If the Senator will pardon me, I did not say that.

Mr. QUAY. As I understood the Senator, he said he had distinctly proved that to the satisfaction of the Senate.

Mr. BUTLER. No; I did not say that, for I had no way of ascertaining that. I simply know, and I so stated, as my remarks will show, that I presented facts showing that there should be a reduction of at least 20 per cent. I stated that these facts were not contradicted or refuted, and I said I presumed if any Senator had had any facts in his possession to show that I was wrong he would have presented them to the Senate. I further stated that the Senate met the proposition of a 20 per cent reduction, which stood proved—proven because the facts and arguments presented were not refuted—by adopting the proposition made by the Committee on Appropriations to create a special commission to investigate the whole question and report to the Senate. That is what I stated.

Now, the remarks Senators made at that time, when the last appropriation bill was under consideration, will show that they stated that they would support the proposition of the Appropriations Committee for an investigation rather than my proposition for a 20 per cent reduction, because they were not sure that there should be that much reduction, or just what reduction should be made, but that we should investigate the matter officially and then act on the information so secured. That was about the substance of the discussion.

Mr. QUAY. The facts are, Mr. President, that the Committee on Appropriations last year had made a partial investigation of this subject, and the accuracy of the results of the investigation was challenged by the Senator from North Carolina. Thereupon a commission was appointed to take charge of this subject in addition to other branches of the postal service and to make an investigation. That commission is now in charge of the investigation and is progressing with it, but has made no report.

The contention of the Senator from North Carolina is that we shall now blindly strike out $3,000,000 this year from this appropriation without having any evidence before us to show that the railroad companies are or are not being paid too much.

Mr. BUTLER. The proposition is simply not to increase the appropriation while we are investigating, but to make the appropriation the same now as it was last year.

Mr. QUAY. If the appropriation made last year was the correct amount, then the appropriation ought to be $2,000,000 or $3,000,000 more this year in the ordinary course of business, which compels every year an increase of this appropriation for the Post-Office Department.

Mr. BUTLER. Of course I understand that there is an increase of business each year. We have each year appropriated from $500,000 to $1,000,000, and sometimes over $1,000,000, but never as much as $2,000,000, to cover that increase of business following the old law—the old rate fixed in 1878, over twenty years ago.

As far back as 1883, Mr. Gresham, who was then Postmaster-General, realized that the rate of pay fixed by the law of 1878 was too high, and that under that law he would be forced each year to make estimates for increased appropriations that were too large for the service rendered. He was authorized by act of Congress of March 3, 1883, to investigate the matter and report to Congress.

This report is found in Executive Document No. 35, Forty-eighth Congress, first session. Again, in 1885, the Postmaster-General in his annual report called the attention of Congress to the fact that rate of pay for railway mail transportation was too high, and that the Department was powerless to reduce the rate unless authorized to do so by Congress.

Therefore, I submit that while we are investigating to find out how much to reduce the appropriation, surely we should not make the greatest increased appropriation we have ever made, and that it would be safe to stand on the amount appropriated a year ago.

Mr. QUAY. We are not investigating to ascertain how much we should reduce the appropriation, but we are investigating to ascertain how much should rightly be paid to the railroad companies, and whether the rate should be reduced or increased. That is my understanding of the duty of this commission.

Mr. BUTLER. Certainly if we should find that we are paying the railroad companies too little, and that can be established to the satisfaction of Senators, no one will vote more cheerfully than I will to increase the rate of pay to the railroads, and pass a relief bill for them so that they will not be imposed upon.

Mr. QUAY. The commission is not instructed to report a reduction.

Mr. BUTLER. There never having been any evidence to show that the railroads were paid too little, or any such attempt made on this floor, I did not suppose that was in the mind of the Senator as a possibility.

Mr. QUAY. I merely mentioned it as an illustration of the duty of the commission, that they were not appointed to reduce the railway mail pay, but to ascertain the exact limit, the just limit, of this appropriation.

Mr. BUTLER. But the Senator will admit that since considerable evidence was produced here—or testimony, I will say, at least, but I think it was evidence, because it was not contradicted—showing that there should be at least a 20 per cent reduction, and that proposition having been met, not with facts and arguments in rebuttal, but by the appointment of a commission to investigate officially and report, that it is reasonable to say that the purpose Congress had in view was to see how much reduction should be made in the railway mail pay. But that is neither here nor there. That, however, explains why I used the language I did.

Will the committee accept the amendment?

Mr. QUAY. I will say that I can not accept the amendment.

Mr. CHANDLER. Mr. President, the difficulty which the Senator from North Carolina must encounter is that in reducing the amount of the appropriation without changing the method of paying the railroads he saves nothing. This amount of $33,275,000 is estimated as necessary to pay for transporting the mails under the existing system of compensation at so much per pound for the mail carried.

As long as that method of estimating the pay goes on, then we must pay the amount, either in the regular annual Post-Office appropriation bill or in a deficiency bill. So if the service to be performed for the next fiscal year according to the present statutory rate of pay will require $33,000,000, the Senator from North Carolina knows we must pay it, and it makes no difference whether we appropriate $30,000,000 now and $3,000,000 in a deficiency bill, or whether we appropriate the $33,000,000 at this time. I can see no good myself in creating a deficiency to be appropriated for a year later. I see no wisdom in holding back from the railroads the pay which they earn under existing law in order to appropriate it as a deficiency.

Mr. BUTLER. Will the Senator allow me?

Mr. CHANDLER. Only one word more, if the Senator from North Carolina will allow me.

Mr. BUTLER. I only wished before the Senator sat down to call his attention to a statement made by him——

Mr. CHANDLER. The Senator from Pennsylvania [Mr. QUAY] has stated correctly the object of the commission. The commission did not assume that the object of its creation necessarily was to reduce the railway mail pay. The object of the commission is to ascertain what is a fair amount of pay for the railroads and by what method their compensation should be computed.

While I remain, I repeat, of the decided impression that the railway mail pay is too large, I am utterly unable—and so is the Senator from North Carolina—to determine how much the pay should be reduced, or by what system the pay should be reduced. I do not think it wise at this time to undertake to make, or to appear to make, an arbitrary reduction of the amount when we do not in fact lessen the obligations of the Government to the railroad companies during the next fiscal year by one single dollar.

Now I yield to the Senator.

Mr. BUTLER. The Senator from New Hampshire says it will accomplish nothing to adopt this amendment, because we will have to appropriate the money in a deficiency appropriation bill to pay what the railroads will earn under existing law if this amendment is adopted. The Senator has not read the amendment. Every point raised by the Senator I had considered before preparing the amendment. Of course, as is well known to Senators, if we, for an arbitrary or for a good reason, reduce an appropriation which is made according to the estimate under existing law, then there will most likely be a deficiency appropriation required.

Therefore I used in this amendment precisely the form which has been approved by Congress and by the Appropriations Committee itself and placed upon appropriation bills twice, once in 1876 and once in 1878, when a similar reduction was made.

The amendment provides for a reduction to the amount appropriated last year; but it further provides that in order that there shall not be a deficiency appropriation, the Postmaster-General shall rearrange and readjust the amount to be paid under existing law so as to scale the amount down 10 per cent. In 1876 we did exactly that thing; in 1878 we provided for a reduction and a scaling down of 5 per cent, and this scaling down of 10 per cent now, it happens, would reduce the proposed appropriation to just what it was last year. So, with that reduction on a 10 per cent scale, it would leave the appropriation proposed in this amendment just as it was last year. Therefore there would be no deficiency appropriation.

I have offered the amendment because it seemed to me, with all due respect to the work being done by the Postal Commission and with all due desire to get the information that it will furnish, there should not be the slightest doubt, with the data we have, that a 10 per cent reduction, which would only reduce the proposed appropriation down to $30,500,000, what it was a year ago, was too large.

Mr. President, should we adopt this amendment we would be simply doing now what the Postmaster-General recommended that Congress should do fourteen years ago. During those fourteen years the amount of the increase of railway mail pay has jumped from $14,000,000 a year to $33,275,000 in this bill; and since the Department appealed to Congress to reduce this pay in 1885 we have increased the amount of the appropriation bill 250 per cent.

Mr. President, it is the most unprecedented thing that has ever occurred in the legislation of Congress. I do not believe that the reduction is one-half what it should be, in justice to the taxpayers of the country and with ample justice to the railroads, but I have offered the amendment simply because we can not get the report of the Postal Commission, and because I suppose every Senator would be willing to admit that this small reduction is surely inside of the lines of justice.

Mr. President, if the committee is not willing to accept a small compromise measure like that, one that simply keeps the appropriation for the coming year at what it was last year, until the commission can report, then I shall feel it my duty to again put on record, and to give to Congress and to the people of the country, so far as it may reach them, the reasons why a reduction of more than 20 per cent should be made.

Mr. CHANDLER. Will the Senator allow me a word now?

Mr. BUTLER. Yes.

Mr. CHANDLER. It is due to the Senator from North Carolina that I should say that upon reading his proposed amendment I find that he does provide against a deficit by providing for an arbitrary reduction of 10 per cent of the compensation of the railroads of the country. In reference to that, until the Postal Commission makes a report, I am unwilling to make any arbitrary reduction or any reduction at all. When that commission does report I shall probably find in their report material for voting for a reduction in the amount annually paid to the railroads for transporting the mails.

Mr. BUTLER. Will the Senator pardon me for asking him, what, from the investigation so far, has been his impression, gathered from the testimony before the commission, as to whether we are paying too much or too little for the Railway Mail Service?

Mr. CHANDLER. I have already stated that once or twice. My impression is confirmed that we are paying larger sums than we ought to pay, but if I were called upon to justify that impression by facts or evidence, and to propose a new method of making payment or a reduction in the rate of payment, I could not do it.

Mr. ALLISON. Mr. President, may I say a word respecting this subject?

The VICE-PRESIDENT. Does the Senator from North Carolina yield?

Mr. BUTLER. Certainly.

Mr. ALLISON. The Senator from North Carolina makes the point that we are constantly increasing the pay of the railways for carrying the mails. That is true; but it is equally true that we are constantly deriving increased revenue from the service.

If you will take—I only speak from memory now—the appropriations of 1885 and 1886 in the aggregate, and also take the receipts for the same period in the aggregate, you will find that the receipts have increased quite as rapidly as, if not more rapidly than, have the expenditures, showing that from year to year and every year there has been an increase in the revenue from the mails.

Mr. BUTLER. To such an extent that we have now a surplus in the Post-Office Department!

Mr. WOLCOTT. Oh, no.

Mr. ALLISON. We do not have a surplus.

Mr. BUTLER. Probably the Senator thought from the remark I made that I was not aware of the actual condition.

Mr. ALLISON. I do not know why the Senator should say that, but I will say, Mr. President, that we have a smaller deficit than we had in 1873, before the law which is now the rule of estimating the railway mail pay was passed. I remember that very well. In 1873 the revenues of the Post-Office Department were $22,000,000 and the expenditures were $28,000,000, in round numbers, making a deficit for that year of $6,000,000.

Now, twenty-six years later, instead of having a revenue of $22,000,000 in that period, we have increased our postal revenue to more than $90,000,000, and in the meantime we have reduced the rate of postage on letters from 3 cents for half an ounce to 2 cents an ounce, thus showing the enormous progress and development of our country in these twenty-six years.

The railway mail pay is fixed by the law, dependent upon the weight carried; chiefly upon the weight carried, and practically wholly upon the weight of the mails. Now, the Senator proposes an arbitrary reduction. I have seen enough of the testimony taken by the Postal Commission to believe, if I do not know, that in many cases the compensation paid to the railroads is less than it ought to be, and that applies to a vast majority of the mileage of the smaller lines of railroad, which carry a small weight of mail. They are not receiving the just compensation under the existing arbitrary method that they should receive, while it may be true that some lines are receiving more than they should receive.

Now, the Senator's amendment proposes an arbitrary reduction of 10 per cent, which, in my judgment, would be a monstrous injustice, or, at least, a great injustice to the great body of the railroad companies of the country. I need give no better illustration of that than the fact that only two days ago on this bill there were only 8 votes cast in the Senate against increased pay to one of the large railway systems in our country to the extent of $172,000 per annum, because this present method of estimating the mail pay did not give sufficient to enable them to conduct the fast mail service on the Southern Railway between here and New Orleans.

Mr. BUTLER. And the Senator would call that a case of Congress arbitrarily increasing the railway mail pay, and he would be right in calling it arbitrary action on the part of Congress, because the Department protested against it.

Mr. ALLISON. Very well.

Mr. BUTLER. That was done in the face of every particle of evidence that we could get from those to whom we looked for information, while in this case I am backed by the Department in standing here and asking for a reduction.

Mr. ALLISON. What Department?

Mr. BUTLER. The Post-Office Department as far back as 1885 appealed to Congress to do something to reduce this enormous increase in pay of the railroads. The next report, in 1887, did the same. If there should have been a reduction then, there should be a still greater reduction now.

Mr. WOLCOTT. I should like to have the Senator point us to any recommendation within ten years from the Post-Office Department that the pay for the Railway Mail Service should be reduced.

Mr. BUTLER. I will put the recommendations made by the Post-Office Department into the RECORD.

Mr. QUAY. I will state that the amount appropriated by this bill is the exact amount estimated for by the Post-Office Department.

Mr. ALLISON. If the Senator from North Carolina [Mr. BUTLER] who has the floor will indulge me a moment longer, I wish to say that the Post-Office Department for years has recommended that there be a readjustment of the rate for carrying second-class mail matter.

Mr. WOLCOTT. Yes.

Mr. ALLISON. And the Department has stated that by such readjustment this deficit from year to year could be wiped out; but I do not know of such an instance, except that it is possible the late Senator Vilas, a former member of this body, when he was Postmaster-General made some question about the railway mail pay. With that exception, I do not know of a single Postmaster-General who has suggested a way to get rid of the deficit, except by means of an increased tax upon second-class mail matter.

Whatever the commission may do, and I do not know what they will do, I am, as the Senator from New Hampshire says he is, ready to modify any view I have had heretofore respecting railway mail pay. I have heard enough to believe that the present method of payment is an unjust one, and that it is, as to a large part of the railroad mileage of the country, a less sum than ought to be paid, whilst it may be more than ought to be paid to a few of the great trunk lines. I am not sure about it. Therefore it appears that the method suggested by the Senator from North Carolina would be an unjust way of dealing with the matter.

Mr. BUTLER. Does the Senator think that the method adopted in 1876 to reduce the surplus to which he has referred as existing before that day is an unjust method?

Mr. ALLISON. I do. We readjusted it twice on the basis of the Senator's proposal, and it was conceded by everybody familiar with the details of the transportation of the mails that that was an unjust method of dealing with them.

Mr. BUTLER. I will ask the Senator if it was not a method recommended by the Postal Commission of 1876 and again by the special commission of 1883?

Mr. ALLISON. No, Mr. President, it was not. It was an arbitrary reduction.

Mr. BUTLER. Arbitrary? What does the Senator mean by "arbitrary?"

Mr. ALLISON. A given percentage applying to all railroads alike.

Mr. BUTLER. Why did not somebody propose a method different from what the commission recommended? It was discussed fully in this body.

Mr. ALLISON. It was not discussed very fully—I was in this body at that time—nor did they recommend an arbitrary reduction, as I remember. There is no question about the injustice of the amendment proposed by the Senator, and it will so operate. Why is it that the Senator makes this proposal when the commission specially designated for the purpose of making this investigation and other kindred investigations is at work, and why does he insist now that we shall change and investigate afterwards—change without sufficient knowledge to know whether the proposition is a just or unjust one?

Mr. BUTLER. This is a slight reduction proposed to be made while we are investigating, and one that it seems to me would come on the inside of any fair reduction that should be made.

I should like to call the Senator's attention to a matter. He referred to the year 1885, and said we have been getting increased revenues all the time, and therefore we were not paying too much since then. We were paying only $121.95 a mile at that time. To-day we are paying nearly $180 a mile, as the bill will make it. The only answer that can be made to those figures is that the amount of mail matter——

Mr. ALLISON. The Senator must know that the minimum rate is $42 a mile, and that it applies probably to more than half the mileage of the country, certainly to a third of it; and then the scale goes up according to weight over 5,000 pounds.

Mr. BUTLER. It is a very high rate.

Mr. ALLISON. It is constantly diminishing now relatively as compared with the rate of which he is speaking. In other words, a large additional amount of mail matter is carried, and when it is carried the rate is diminished as respects that additional weight, so that the average cost compared with the carriage of mail matter is less than it was two years ago or three years ago.

Mr. BUTLER. What the Senator refers to is due to the fact that we pile up a large amount on more roads that carry above 200 pounds. It is not diminished in any sense except that you are giving roads more mail matter than you did. There are more roads that carry over 200 pounds; there are more that carry over 500 pounds each year. The amount we pay per ton per mile when they carry only 200 pounds is $1.17. That is the enormous price which we paid the small roads.

The Senator said a few moments ago that there were a number of roads that were not paid enough, and that they were the small roads, and that possibly on the trunk lines there ought to be a reduction; but in the investigation made by the Appropriations Committee last year, which I have before me, they found that on these big trunk lines we were paying 6¼ cents a pound—on the lines that carried the largest amount of matter. So the kind of reduction that the Senator speaks of is to get up to the trunk lines, where we are reducing constantly; but even there the minimum is 6¼ cents a pound, and that is more than we pay for freight, more than we pay for express, more than any passenger in this country pays to be hauled as a passenger.

It never has been contended by the railroads or by anybody else that they ought to be paid more for carrying the mails than they are paid for carrying so much weight of passengers under similar conditions. In fact, with every commission which has been appointed to investigate this matter the railroads have started out by laying down the claim that they ought to be paid as much for mail as for passengers; that the comparison ought to be made with passenger fare. That has been their contention all the time.

To-day there is not a passenger in this country who pays as much to be carried in a palace car with his seat given to him, upholstered and cushioned, the cars lighted by electricity and heated, with every comfort, as we pay to have the mail in bulk hauled in a common mail car. More than that, we pay more for rent than the car is worth. We pay for the car more rent than it would cost to buy it, and then pay for the mail that is hauled in it more than any passenger back in the train pays to have himself hauled. That fact is proven. It is proven not only by the evidence which I presented a year ago, but it is proven by the investigation made by the Appropriations Committee itself.

Last year I made a calculation based on the investigation made

by the Committee on Appropriations as to what it costs each passenger per pound to have himself hauled, and here is the statement I made. I presented it to the Senate, and while I was interrupted from the beginning of the speech to the end by Senators who thought they could correct me here and there, nobody attempted to correct the statement, though the attention of the Senate was sharply called to it.

I had Poor's Railroad Manual in my hand, and I took the facts gathered by the Committee on Appropriations with the facts presented in Poor's Railroad Manual, which is certainly a standard authority and is so recognized by all the railroads. This is what I said:

> Assuming a passenger and his baggage to weigh 200 pounds, each pound of a passenger is carried at less than 3½ cents a pound.

While we pay 6½ cents for dead mail matter piled up in bulk in the end of a car.

In connection with that I quoted what the railroad said before the commission of which Mr. Gardiner Hubbard was chairman, to investigate this matter, and every railroad president who appeared before him said, "You ought to allow as much as we get for passenger fare, and then we will be content." I said further:

> If these facts are correct, I want to ask how the Committee on Appropriations can ask us to delay another year in reducing this pay. Will they ask us to believe the statements of railroad attorneys rather than the facts from such a high authority?

Mr. President, the average amount paid to the railroads for freight in this country is eight-tenths of a cent a ton a mile, less than 1 cent a ton. It has been decreasing steadily for twenty years, and that represents a decrease of over 40 per cent since we have made any reduction in mail pay. The amount which the railroads get for carrying a pound of express matter is shown by the following calculations, which were made at the time, taken from the census reports and from the reports of the express companies themselves.

It was shown that the railroad companies and the express companies combined, two great corporations, both charging for express, together got only a cent and a half on each pound. Then the express matter pays only a cent and a half a pound, which is divided between the railroads and the express companies. Freight matter pays only eight-tenths of a cent a pound. Passengers, with 200 pounds baggage each carried free on what they pay for themselves, pay only 3½ cents a pound, and yet we pay 6½ cents for mail carried in cars that we buy every year by the enormous rent we pay for their use.

The passenger does not pay rent for the car in which he rides in addition to his fare. The farmer does not have to pay rent for the car equal to the cost of the car in addition to the freight he pays for his cotton or corn or produce. So we pay for mail not only twice as much as anybody else to the railroads when they do not pay for the rent of the car, but in addition to that we pay more rent for the cars than they are worth.

Mr. President, these facts I have presented to two successive Congresses. They have been argued and discussed, but no evidence has been presented here or before the Committee on Appropriations, or anywhere else, to prove that the railroads are not getting more for the mail than they do for passenger fare. When these facts were presented a year ago, we were met with the proposition to investigate. I am glad the investigation is going on, but I submit there is no reason why we should continue to increase the appropriation while the investigation is carried on.

The Postmaster-General himself has investigated this matter since last year. He sent the Second Assistant Postmaster-General to Europe and had him visit England, France, and Germany; and he made an exhaustive examination into the methods of compensating and the amount of pay. The report of the Second Assistant Postmaster-General will be found on page 317 of the last Annual Report of the Postmaster-General. There is enough information in this report to justify a reduction if there was no other information given.

The Second Assistant Postmaster-General, who was sent to Europe expressly to investigate this matter and get all the information he could from foreign countries, commences his report by saying:

> Pursuant to your instructions I proceeded to London, Paris, and Berlin, in the month of July last, and made a careful investigation into the character and cost of railway mail transportation in Great Britain, France, and Germany, and have the honor to submit the following report of my investigations.

Now, on page 320 of this report, what does the Assistant Postmaster-General say? He is giving now the result of his investigation in Great Britain. He says:

> In reply to a question as to what was regarded a reasonable compensation for a mail train, I was told that it must not in any event exceed the revenue derived by the railway company from an average passenger train of like size.

So it seems that in Great Britain the post-office department charters whole trains and runs out a train of ten cars at night so as to reach the most distant part of the Kingdom the next morning, a train that has not an express car or freight car or passenger car attached to it. It is a whole train of ten cars, a special engine, every man on it—the conductor, brakeman, fireman, engineer, and so on—there simply to perform service for the post-office department, and not for a passenger train and incidentally to haul the mail. Yet in that case, where the post-office department has the whole special train put at its disposal, they say they never consider that they should pay more than what an ordinary average passenger train would get from passenger receipts on that trip.

That has been the contention, and the highest contention, which the railroads have made for themselves to my knowledge.

He continues:

> One of the contracts which I was permitted to see provided that the Postmaster-General and his officers may require the company to provide and run any express or special trains for the convoyance of mails, etc., for a payment at the rate of 3s. 6d. for each and every mile such express or special train shall travel. This would be at the rate of 85 cents per running mile.

Mr. President, that is 85 cents a mile for a whole train. What do we pay in this country for one car simply coupled into a whole train—a train carrying express, carrying passengers, and carrying everything else? We simply couple in one car, an incident, and one that costs no more to the railroad company than the coal to put up a few more pounds of steam. We pay 25½ cents a mile for each car.

At that rate 10 cars would cost $2.50 a mile, to say nothing of the cost of the engine, to say nothing of the salaries paid to the engineer and the fireman and the brakeman and the whole outfit, if run for the Government and nobody else. We pay 25½ cents for each car per mile, while for 10 cars, engine and everything supplied for the Government exclusively, Great Britain pays only 85 cents. Their post-office department is self-sustaining. Ours is not. The explanation is evident.

The VICE-PRESIDENT. Will the Senator from North Carolina desist for a moment? The hour of 2 o'clock has arrived, and the Chair must lay before the Senate the unfinished business, which will be stated.

The SECRETARY. A bill (S. 1575) to amend an act entiled "An act to regulate commerce."

Mr. CULLOM. I ask that the unfinished business be temporarily laid aside, so that the appropriation bill may be continued.

Mr. QUAY. I rose to make that request.

Mr. HAWLEY. I ask——

Mr. PETTIGREW. I object.

Mr. QUAY. I ask that the unfinished business be temporarily laid aside.

Mr. PETTIGREW. I object to its being temporarily laid aside.

Mr. HAWLEY. I ask unanimous consent that the unfinished business be laid aside for the purpose of taking up the Army reorganization bill.

Mr. PETTIGREW. To that I object, Mr. President.

Mr. CULLOM. Mr. President——

Mr. HAWLEY. I move——

The VICE-PRESIDENT. Objection is made to the request of the Senator from Illinois.

REORGANIZATION OF THE ARMY.

Mr. HAWLEY. I move that the Senate proceed to the consideration of the Army reorganization bill, House bill 11022.

Mr. QUAY. I shall be compelled to object to the proposition of the Senator from Connecticut, for it will interfere with the progress of the appropriation bill.

Mr. HAWLEY. It is not my proposition. It is the proposition coming from the absolute necessities of the country, not from an individual.

The VICE-PRESIDENT. The motion of the Senator from Connecticut is in order.

Mr. QUAY. I sincerely trust the Senate will not take up that bill at the present time. I think within an hour we can pass the Post-Office appropriation bill.

Mr. HAWLEY. I suggest the absence of a quorum. I say frankly and kindly to my friend from Pennsylvania, I will not yield. I am at the end of my rope.

Mr. QUAY. I shall insist upon the continuation of the Post-Office appropriation bill.

The VICE-PRESIDENT. The absence of a quorum is suggested by the Senator from Connecticut. The Secretary will call the roll.

The Secretary called the roll, and the following Senators answered to their names:

Allison,	Gallinger,	Mantle,	Ross,
Bacon,	Gear,	Mitchell,	Sewell,
Bate,	Hanna,	Morgan,	Simon,
Berry,	Hansbrough,	Pasco,	Stewart,
Burrows,	Harris,	Perkins,	Sullivan,
Butler,	Hawley,	Pettus,	Teller,
Carter,	Heitfeld,	Platt, Conn.	Tillman,
Chilton,	Jones, Ark.	Platt, N. Y.	Turley,
Clay,	Kenney,	Pritchard,	Warren,
Cockrell,	McBride,	Proctor,	Wellington,
Cullom,	McEnery,	Quay,	White.
Deboe,	McMillan,	Rawlins,	
Foraker,	Mallory,	Roach,	

The VICE-PRESIDENT. Fifty Senators have answered to their

names. A quorum is present. The Senator from Connecticut moves that the Senate proceed to the consideration of the bill (H. R. 11022) for the reorganization of the Army of the United States, and for other purposes.

Mr. HAWLEY. On that motion I ask for the yeas and nays.

Mr. BUTLER. I wish to make a parliamentary inquiry. Has the unfinished business been temporarily laid aside?

The VICE-PRESIDENT. The Chair understands that the motion of the Senator from Connecticut, if carried, will displace the unfinished business.

Mr. BUTLER. I should like to inquire if the unfinished business takes me from the floor. As I understand it——

The VICE-PRESIDENT. The Chair so understands.

Mr. BUTLER. This is not the unfinished business. The question is whether a motion is in order that would take me off the floor in the event the unfinished business is not laid aside. In other words, can I be taken from the floor?

The VICE-PRESIDENT. The Chair understands that the Senator from North Carolina is already taken off the floor by the motion of the Senator from Connecticut, which is to proceed to the consideration of House bill 11022.

Mr. BUTLER. But can I be——

The VICE-PRESIDENT. The Senator can not be entitled to the floor unless the motion of the Senator from Connecticut is voted down.

Mr. HAWLEY. The Senator lost the floor anyhow when the hour of 2 was reached, did he not?

The VICE-PRESIDENT. The Chair so understands. The unfinished business was then laid before the Senate.

Mr. HAWLEY. He lost it without any motion.

The VICE-PRESIDENT. In place of the unfinished business the Senator from Connecticut makes a motion to proceed to the consideration of another bill.

Mr. QUAY. I do not desire to interfere at all with the Army bill; but it is my belief that we can conclude the Post-Office appropriation bill within an hour and a half. I sincerely trust the Senator from Connecticut will not press his motion.

Mr. HAWLEY. If that be so, it can be taken up and concluded at almost any time.

Mr. QUAY. That depends on when the Army bill can be finished.

Mr. HAWLEY. I have only to repeat kindly to my friend that as chairman of the Committee on Military Affairs I have in charge this enormously important measure, and I will not wait any longer. I shall accept no terms but those of unconditional surrender.

Mr. CULLOM. Mr. President, I desire to say one word.

Mr. STEWART. I rise to a question of order. The motion to take up the bill is not debatable?

The VICE-PRESIDENT. It is not debatable.

Mr. BURROWS and others. Regular order!

Mr. CULLOM. I know it is not debatable, but I ask the consent of the Senate to say that I have been allowing the unfinished business to be passed over or set aside informally for some time, hoping that we would reach a point before the session ended which would enable us consistently to take up the bill for consideration. I believe that a day or a day and a half will be all that the bill will require for consideration before acting upon it. I sincerely hope that the Senate will allow it to be temporarily laid aside for the appropriation bills from time to time, including the Army bill. I am in good faith anxious to have the bill considered, and I hope the Senate will be inclined to be courteous enough to me to give me a chance to have a hearing upon it before the session closes. I am not complaining of the Senator from Connecticut, because he asked that the bill be temporarily laid aside for that purpose. That is all I wanted to say about it.

The VICE-PRESIDENT. The Chair desires to state to the Senator from Illinois that the unfinished business can not be temporarily laid aside except by unanimous consent.

Mr. CULLOM. I now ask unanimous consent for that purpose.

The VICE-PRESIDENT. Is unanimous consent given that the unfinished business be temporarily laid aside?

Mr. PETTIGREW. I object.

The VICE-PRESIDENT. Objection is made. The motion of the Senator from Connecticut to proceed to the consideration of House bill 11022 is in order, on which the yeas and nays have been demanded.

The yeas and nays were ordered; and the Secretary proceeded to call the roll.

Mr. GEAR (when his name was called). I am paired with the senior Senator from New Jersey [Mr. SMITH]. I will transfer my pair to the Senator from South Dakota [Mr. KYLE] and vote "yea."

Mr. PRITCHARD (when his name was called). I have a general pair with the junior Senator from South Carolina [Mr. MCLAURIN]. If he were present, I should vote "yea."

Mr. VEST (when his name was called). I am paired with the Senator from Rhode Island [Mr. ALDRICH]. I would vote "yea" if he were present.

The roll call was concluded.

Mr. CULLOM. I have a general pair with the senior Senator from Delaware [Mr. GRAY]. Not knowing how he would vote, I withhold my vote.

Mr. BACON (after having voted in the affirmative). I have a general pair with the junior Senator from Rhode Island [Mr. WETMORE]. In his absence I withdraw my vote.

Mr. BURROWS (after having voted in the affirmative). I desire to inquire if the senior Senator from Louisiana [Mr. CAFFERY] has voted?

The VICE-PRESIDENT. The Senator has not voted.

Mr. BURROWS. I am paired with that Senator, and I withdraw my vote.

The result was announced—yeas 44, nays 26; as follows:

YEAS—44.

Allison,	Hanna,	Mantle,	Ross,
Baker,	Hansbrough,	Mason,	Sewell,
Burrows,	Harris,	Morgan,	Shoup,
Carter,	Hawley,	Murphy,	Simon,
Chandler,	Hoar,	Nelson,	Spooner,
Davis,	Kenney,	Pasco,	Stewart,
Deboe,	Lindsay,	Penrose,	Thurston,
Elkins,	Lodge,	Perkins,	Warren,
Foraker,	McBride,	Platt, Conn.	Wellington,
Gallinger,	McMillan,	Platt, N. Y.	Wilson,
Gear,	Mallory,	Proctor,	Wolcott.

NAYS—26.

Allen,	Daniel,	Mitchell,	Sullivan,
Bate,	Gorman,	Money,	Teller,
Berry,	Heitfeld,	Pettigrew,	Tillman,
Butler,	Jones, Ark.	Pettus,	Turley,
Chilton,	McEnery,	Quay,	White.
Clay,	Martin,	Rawlins,	
Cockrell,	Mills,	Roach,	

NOT VOTING—20.

Aldrich,	Cullom,	Hale,	Smith,
Bacon,	Fairbanks,	Jones, Nev.	Turner,
Caffery,	Faulkner,	Kyle,	Turpie,
Cannon,	Frye,	McLaurin,	Vest,
Clark,	Gray,	Pritchard,	Wetmore.

So the motion was agreed to; and the Senate, as in Committee of the Whole, proceeded to consider the bill (H. R. 11022) for the reorganization of the Army of the United States, and for other purposes.

Mr. HAWLEY. Mr. President——

The VICE-PRESIDENT. The Secretary will read the bill.

The Secretary proceeded to read the bill.

Mr. HAWLEY. I intended to take the floor for a few moments.

Mr. CARTER and Mr. PLATT of Connecticut. Let the bill be first read.

Mr. HAWLEY. Very well.

Mr. COCKRELL. Mr. President——

Mr. PLATT of Connecticut. Is not the reading of the bill first in order, Mr. President?

The VICE-PRESIDENT. The Chair so directed, but the Senator from Connecticut [Mr. HAWLEY] interrupted the reading, and then the Senator from Missouri [Mr. COCKRELL] addressed the Chair.

Mr. HAWLEY. I yielded, Mr. President, to the reading of the bill.

Mr. PLATT of Connecticut. I think the bill ought to be read. It has to be read some time, and it might as well be read now as at any other time.

Mr. CARTER. I ask that the bill be read.

Mr. COCKRELL. Is not the bill debatable after it has been laid before the Senate and before it has been read?

The VICE-PRESIDENT. The Chair thinks not. The Senator from Missouri, however, is more familiar with the precedents than is the Chair. The Chair would decide that the regular order was the reading of the bill.

Mr. COCKRELL. Very well.

Mr. BUTLER. I should like to inquire which one of the Army bills is now before the Senate?

The VICE-PRESIDENT. The bill (H. R. 11022) for the reorganization of the Army of the United States, and for other purposes, which has been taken up on the motion of the Senator from Connecticut [Mr. HAWLEY].

Mr. BUTLER. I did not understand the Senator from Connecticut to name any bill by number. I understood him to move to take up the Army bill. As I understand, there is no committee bill here, but there are two bills.

The VICE-PRESIDENT. The Senator from North Carolina is mistaken. The Chair distinctly named the bill moved by the Senator from Connecticut by its number before putting the motion.

Mr. BUTLER. I understood the Senator from Connecticut to move to take up one of the two bills on the table, five members of the committee having voted for one bill and five members of the committee having voted for another.

The reading of the bill was resumed and concluded.

Mr. QUAY. I now ask the unanimous consent of the Senate to resume the consideration of the Post-Office appropriation bill.

Mr. HAWLEY. I was about to yield to the convenience of the Senator from Pennsylvania, reserving my right to take the floor again at any time.

The VICE-PRESIDENT. The Senator from Pennsylvania asks unanimous consent that the pending bill be laid aside and that the bill (H. R. 11683) making appropriations for the service of the Post-Office Department for the fiscal year ending June 30, 1900, be taken up.

Mr. HAWLEY. Is it necessary to do that formally?

Mr. CARTER. That the Army bill be temporarily laid aside and the right reserved to the chairman of the Committee on Military Affairs to call it up at any time if the debate on the Post-Office bill be protracted?

Mr. HAWLEY. Yes.

The VICE-PRESIDENT. Is there objection to the request? The Chair hears none.

POST-OFFICE APPROPRIATION BILL.

The Senate, as in Committee of the Whole, resumed the consideration of the bill (H. R. 11683) making appropriations for the service of the Post-Office Department for the fiscal year ending June 30, 1900.

Mr. QUAY. I move to lay on the table the amendment of the Senator from North Carolina [Mr. BUTLER].

The VICE-PRESIDENT. The Senator from North Carolina is not in his seat.

Mr. QUAY. I see he is not in his seat.

Mr. BATE. The Senator from North Carolina is not in the Chamber. I think he ought to be present before we take any action on the amendment. I left the Senator in the lunch room a moment ago.

Mr. CARTER. I should like to inquire of the Senator from Pennsylvania if there is not an amendment pending, presented by the Senator from South Carolina [Mr. TILLMAN]?

Mr. GORMAN. We can not hear a word on this side. We should like to.

The VICE-PRESIDENT. The Senator from Montana inquires whether there is not an amendment pending offered by the Senator from South Carolina [Mr. TILLMAN]. The actual pending amendment before the Senate is the one offered by the Senator from North Carolina [Mr. BUTLER]. The Senator from South Carolina has not yet offered his amendment.

Mr. COCKRELL. I think it would be only right, the Senator from North Carolina not being in the Chamber, and having been sent for, as I understand——

Mr. BATE. He is in the lunch room.

Mr. CHANDLER. The Senator from South Carolina has an amendment he can offer at the present time.

Mr. TILLMAN. I can fill in the gap, I hope, until the Senator from North Carolina renews his interesting and instructive speech. I have an amendment which I desire to offer.

The VICE-PRESIDENT. If there is no objection, the amendment will be received. The Chair hears none.

Mr. TILLMAN. I move to insert the amendment I send to the desk.

The SECRETARY. It is proposed to insert after the amendment adopted on page 14 the following additional proviso:

Provided further, That the Postmaster-General, in making contracts for the transportation of the mail on star routes, is authorized to prescribe such regulations as will require the contractors to deliver mail into and collect mail from boxes located along the line of such routes, such boxes to be erected and maintained at the expense and risk of persons living on or near such routes who may desire to have their mail so carried.

Mr. QUAY. To avoid discussion and save time I accept the amendment of the Senator from South Carolina.

The VICE-PRESIDENT. The Senate has heard the amendment offered by the Senator from South Carolina.

Mr. TILLMAN. Mr. President——

The VICE-PRESIDENT. Does the Senator from South Carolina desire to discuss it?

Mr. TILLMAN. I do not desire to discuss the amendment after such genial agreement to my proposition by the Senator in charge of the bill; but I am afraid when it goes into conference it will die, because the reasons which prompt its presentation will not have been submitted, and I do not want that to occur. If you will agree to take care of the amendment and see that it does not go out, I will subside at once.

Mr. QUAY. I can not make any agreement as to the action of the conference committee.

Mr. CARTER. The Senator can not give bond.

Mr. QUAY. I will say to the Senator that the committee of conference will give him a hearing on the question.

Mr. CHANDLER. The Senator from Pennsylvania says that the Senator from South Carolina can come before the committee of conference.

Mr. TILLMAN. I should like to have the chairman of the Committee on Post-Offices and Post-Roads state that this amendment meets the approval of the committee and would have been recommended but for the fact that we thought the Appropriations Committee——

Mr. BUTLER. Let the amendment be stated again.

The VICE-PRESIDENT. The Senator from North Carolina asks that the amendment be again read. The Secretary will again read the amendment.

The Secretary again read the amendment.

Mr. CHANDLER. The Committee on Post-Offices and Post-Roads had this proposition before them for consideration. A similar proposition was recommended by the Post-Office Department, and I do not think there will be any objection to it. I will go before the committee——

Mr. TILLMAN. I was going to suggest——

Mr. CHANDLER. I will go before the committee of conference with the Senator from South Carolina and——

Mr. TILLMAN. I suggest——

Mr. CHANDLER. I wish the Senator from South Carolina would not try to talk until I get through. As I was about to say to him, I will go with him before the committee of conference and endeavor to induce them to stand firm upon this amendment.

Mr. TILLMAN. I am very much obliged to the Senator from New Hampshire as well as to the Senator from Pennsylvania. I will simply ask leave to have inserted in the RECORD, as an explanation of the amendment, a letter from the Second Assistant Postmaster-General to my colleague, Mr. STOKES, of the House of Representatives, who is entitled to any credit that may come for this proposition.

The VICE-PRESIDENT. There being no objection, the letter will be printed in the RECORD.

The letter referred to is as follows:

POST-OFFICE DEPARTMENT,
OFFICE OF SECOND ASSISTANT POSTMASTER-GENERAL,
Washington, January 28, 1899.

SIR: I have the honor to acknowledge the receipt of your letter of the 26th instant, asking me for an expression of opinion in regard to bill H. R. 11682, introduced by you in the House on January 14, 1899, entitled "A bill to extend free delivery of mail along star routes," and in reply to state that the object of the bill has my entire approval and recommendation. I would, however, suggest several changes therein, so that the bill as changed would read as follows:

"That all contracts for carrying mail on star routes made after the passage of this act shall include the deposit in the proper boxes placed on the line of the routes for this purpose, without charge to the addressees, of any mail matter that may be intrusted to the carrier for such distribution by any postmaster on the route.

"SEC. 2. That it shall also be the duty of said carrier, in addition to the duties imposed by section 3993 of the Revised Statutes of the United States, to take up such mail matter, properly prepaid by stamps, as he shall find in said mail boxes and deposit the same for mailing at the next post-office at which he arrives on his route without additional compensation.

"SEC. 3. That any person desiring his mail deposited along the line of any star route within the terms of section 1 of this act shall erect a box as convenient as practicable on the roadside and file with the postmaster at the post-office at which his mail is addressed, which shall be one of the two post-office on the route on either side and next to the box, a request in writing for the delivery of his mail to the proper carrier for deposit in said mail box.

"SEC. 4. That it shall be the duty of the postmaster at every such post-office, upon a written order from any person living on or near an established star route which comes within the provision of section 1 of this act, to deliver to the proper mail carrier for that route any mail matter, except registered mail, with instructions as to the proper mail box at which said mail matter shall be deposited; but no mail matter so delivered to a carrier for deposit shall be carried past another post-office on the route before being deposited in a box.

"SEC. 5. That all mail boxes along such star routes shall be numbered or marked, as may be directed by the Postmaster-General.

"SEC. 6. That the Postmaster-General may prescribe regulations for the proper performance of service under this act."

I think it is entirely feasible to combine a system of box deliveries and collections in connection with the existing star routes, now numbering about 22,000, in such manner as to largely increase the mail accommodation to people residing in rural districts without detriment to the star service or without a large increase in the cost thereof. We know that it is the practice now on many star routes for the carriers to take the mail and deposit it in boxes along the line of the routes, but in the absence of legislation it rests entirely with the pleasure of the carriers whether they will give the people this accommodation or not. It also puts it in the power of a carrier to discriminate against some people while accommodating others on the same route. The proposed law would give equal accommodation to all people living on or near the line of star routes.

I do not think it would largely increase the cost, because the distance traveled by the carriers would not be increased at all. It would require a little more time, of course, for the carriers to stop and deposit the mail or collect it from the boxes, and in some cases it would require more intelligent carriers than are now employed, as all carriers must be able to read addresses on the mail matter taken by them outside of the bags to be placed in the proper boxes. It is also possible that in those cases where carriers are now charging the people along the line of route a fee for delivering their mail into boxes that there would be a tendency to slightly increase the price under the contract if the law prohibited the charging of such fees; but as these star-route contracts are let after having been widely advertised, and as there is much competition in bidding for them, I think that the increase in cost would be but slight compared with the additional facilities rendered to the public.

If it should be found impracticable to get this bill acted upon in both the House and Senate during the present session of Congress, I suggest that practically the same object could be accomplished by introducing an amendment

to the Post-Office appropriation bill, now pending in the Senate committee, to the following effect:

"*Provided*, That the Postmaster-General, in making contracts for the transportation of the mail on star routes, is authorized to prescribe such regulations as will require the contractors to deliver mail into and collect mail from boxes located along the line of such routes, such boxes to be erected and maintained at the expense of persons living on or near such routes who may desire to have their mail so carried."

Very respectfully,

W. S. SHALLENBERGER,
Second Assistant Postmaster-General.

Hon. J. W. STOKES,
House of Representatives.

Mr. HOAR. Mr. President, I should like to understand what is meant by the suggestion of the Senator from South Carolina [Mr. TILLMAN] and the Senator from New Hampshire [Mr. CHANDLER] that after the Senate has declared itself in favor of some policy they will go and endeavor to persuade the Senate conferees to stand by it. Now, I had supposed that if there was a single obligation of honor resting upon Senators—and of course such obligations are always resting upon all Senators—it was to stand by in conference anything that the Senate had voted, and to stand by with more scrupulous care those that the individual conferee does not agree with than those he does agree with. Otherwise we have to change our whole policy.

We appoint on a committee of conference the members of the committee who report the general bill, whereas in all other parliamentary bodies they appoint men who are on the side of the body appointing them in regard to the particular matter in dispute. I for one desire to object strenuously to the idea that the conferees, if they accept places on the committee of conference, are not bound to stand by the action of the Senate, whether they like such action or not, without any spur or any persuasion.

The VICE-PRESIDENT. The amendment proposed by the Senator from South Carolina [Mr. TILLMAN] is before the Senate. Is there any objection to agreeing to it? The Chair hears none, and it is agreed to. The Senator from Pennsylvania [Mr. QUAY] moves to lay on the table the amendment offered by the Senator from North Carolina [Mr. BUTLER].

Mr. QUAY. I withdraw the motion, and ask the unanimous consent of the Senate that a vote upon the final passage of the bill and any amendments pending be taken at 1 o'clock to-morrow. With that understanding the bill can go over. It seems to me it is scarcely possible to pass it now.

Mr. HAWLEY. Without further discussion this afternoon?

Mr. QUAY. Without further discussion this afternoon. It goes over at once.

Mr. BUTLER. Just a moment. The Senator from South Dakota [Mr. PETTIGREW] I know has some remarks which he desires to make. I should not like to agree to an agreement without knowing how much time this afternoon or in the morning before 1 o'clock he can have. I wish a few moments to-morrow before 1 o'clock. I should like to have some understanding about that before an agreement is made.

Mr. QUAY. Will 1.30 o'clock answer the purpose of the Senator from North Carolina?

Mr. BUTLER. The trouble about 1.30 is that if an agreement is made to vote at that hour, and morning business to-morrow morning, or some discussion, should continue to 1.30, it would cut off all chance to be heard.

Mr. HOAR. Take up the bill after the routine morning business.

Mr. HAWLEY. I will agree to nothing that will displace the Army bill. I can not hear what is being said.

Mr. CARTER. I suggest, as a solution of the matter, that the Post-Office appropriation bill be taken up immediately after the conclusion of the routine business in the morning, and that a final vote be taken, as suggested by the Senator from Pennsylvania, on the bill and all amendments then pending at 1 o'clock and 30 minutes.

Mr. QUAY. Will that be satisfactory?

[Mr. BUTLER addressed the Senate. See Appendix.]

Mr. PETTIGREW. On page 20 of the bill, in line 18, after the word "continued," I move to strike out "during the Fifty-sixth Congress," and insert "until March 1, 1900." I move the adoption of that amendment.

The PRESIDING OFFICER. The Senator from South Dakota moves the adoption of the amendment proposed by the Senator from North Carolina [Mr. BUTLER].

Mr. PETTIGREW. Mr. President, I will say in that connection that we have tried for two years to have a proper readjustment of the railway mail pay. Two years ago the Committee on Appropriations brought in an amendment to the Post-Office appropriation bill providing for the appointment of a commission for the purpose of investigating this subject. The amendment was discussed upon the floor and vigorously and bitterly attacked by one of the members of the Post-Office Committee, the then acting chairman of that committee, the Senator from New Hampshire [Mr. CHANDLER].

Mr. CHANDLER. Will the Senator allow me for a moment?

Mr. PETTIGREW. I yield.

Mr. CHANDLER. I will have to correct the Senator's errors as he goes along. I was not acting chairman of the committee. The Senator from Colorado [Mr. WOLCOTT] was here then.

Mr. PETTIGREW. Very well. I had supposed it was during the time of the absence of the Senator from Colorado, but I know it was during that session that the Senator from New Hampshire acted as chairman of the committee or was the active chairman of the committee.

Mr. CHANDLER. Only an active member.

Mr. PETTIGREW. The Senator led the attack on this provision in the appropriation bill and succeeded finally in defeating it. Last year we brought it in again, and as it was understood that certain individuals were to constitute the commission, we succeeded in having the amendment adopted.

Eight months have rolled by since the commission was provided for, and we have no report. Those of us who believed that the railway mail pay is excessive used every effort to have the investigation limited to this question, the important question then before the Senate and before the country, but, instead of that, the amendment was loaded down with provisions for investigating canceling machines, pneumatic tubes, and every possible branch of the Railway Mail Service and the railway service and the postal service, star routes, and steamboat service. I thought then that the desire to investigate these other branches was manifested in absolute good faith, but it appears now that the purpose was to have so much to investigate that the investigating commission could never get through.

It is proposed to perpetuate the commission, which have been in existence for eight months, for two years more, taking them beyond the next Presidential election. It is objected that they shall make a final report in a year, while everyone knows if they are desirous of making a report at all they can make it in less than a year. Everyone knows perfectly well that if they desire to perpetuate their existence more than one year more there is a purpose to carry their investigation and report beyond the next Presidential election, a purpose to defeat by indirection that which they are afraid to defeat previous to a Presidential election. So this delay. We have a right, then, to insist upon our amendment, and particularly when we find it is bitterly opposed by the members of the commission themselves.

Mr. President, the commission began no investigation until November. The commission then began to take the testimony of the railroad lawyers of this country, and they have been at that interesting occupation ever since, occasionally, of course, looking into some other subject. Is this to go on during the whole next Congress, during the whole next two sessions, to the expiration of the next Congress? As this bill now provides, the commission are certain to be perpetuated and to continue their investigation beyond the next Presidential election.

Mr. President, I should have said nothing about the dilatory course of the commission if it had not been for the efforts to perpetuate the commission until after the Presidential election; and while I do not attribute to those gentlemen any motives, while I know they will have nothing to do with the transaction, yet I know how easy it is for the national committee which wishes to raise a fund, if this investigation is pending, to get out of the railroad companies of this country untold millions of money under a pledge that if they are successful this thing shall be continued in the future.

To-day we pay $37,500,000 for railway mail service in this country. We pay for carrying the mails per pound ten times as much as the express companies pay to the railroads for carrying express. In other words, the express companies would get the same weight of express matter as the mail weighs carried for $3,750,000, and we pay $37,500,000. And yet in the face of this fact it is proposed to continue to investigate forever and never to relieve the people of this country from this unjust and unfair burden.

We pay more than fifty times more per pound for carrying the mail than the people of this country pay for carrying freight. We pay twice as much per pound for carrying the mail as passengers pay, if the average passenger weighed 150 pounds; and yet it is proposed to continue and perpetuate this exaction and collect the money per capita—for that is the way this nation is supported; by per capita taxes, not a property tax—out of the people of this country to pay for it. We attacked this system two years ago, a year ago, and now again, and the answer is, "We will perpetuate the commission to take the testimony of the railroad attorneys of this country for two years more."

I am going very briefly to place in the RECORD some facts which I put into the RECORD last year on the subject. According to the census of 1890 the number of express waybills was 44,475,000; packages carried, not valuable, like second-class mail matter, 98,118,000; weight of same in pounds, 3,292,000,000; number of valuable waybills, 11,614,000; number of valuable packages, 17,258,000. The express companies thus carried 3,292,000,000 pounds of express matter, not counting the 17,000,000 packages of valuable matter, which were not weighed. Giving them the benefit, then, of the

17,000,000 packages of valuable matter which was not weighed, we find that the express companies paid the railroads for transporting everything, including the valuable matter, $19,827,000, which is 5¾ mills per pound.

In other words, the railroad companies received for transporting express matter in 1890 one-tenth of what we paid for carrying the mail matter last year, besides throwing in and counting of no weight whatever 17,000,000 packages of valuable goods, money and jewelry, etc., and where they carried money packages on every trip they carried a safe weighing hundreds and hundreds of pounds, which, of course, is not estimated at all. It is therefore absurd to suppose that we are not paying an excessive sum for carrying the mail when we pay ten times as much as the railroad companies receive for carrying express matter.

Now, I believe that the adjustment of the railway pay is wrong. I think that in the thinly settled portions of this country the compensation is not too great, as the quantity of mail matter carried there is exceedingly slight, amounting in weight to almost nothing; but we are paying upon the great trunk lines of the country enough money for carrying the mails to pay 3 per cent on the entire cost of the road, with all its terminal facilities—yes, on some of them 5 per cent of the entire cost of the road itself.

Mr. BUTLER. We pay the interest on their investment.

Mr. PETTIGREW. We are paying the New York Central Railroad, merely for carrying the mail, 5 per cent on a valuation of $60,000 a mile; and yet the Senate of the United States insists, year after year, in continuing these payments and refuses to make any reduction whatever. This is the third session at which they have made the excuse that it must be investigated, and now it is proposed in the pending bill to investigate through two sessions more.

The argument, and the only argument, made is that we must investigate. For my part I can not understand the unwillingness of the Senate to make this correction. For my part I do not believe any political party can afford to continue this exaction. The people of the country are coming to understand it. They want 1-cent postage. They could have it if we paid only what we ought to pay for carrying the mails on the railroads of this country. You could save on this item more than $20,000,000 and yet pay the railroads more than they receive for any other service they perform. There is no justification for the continuance of this system, and I predict that if the commission investigates for two years longer without reducing the amount of compensation the Republican party will collect from these railroad companies millions of dollars to help them to carry the next Presidential election.

Mr. President, I have here a statement upon this subject prepared by Mr. James Lewis Cowles, of Farmington, Conn. He is and always has been a citizen of Connecticut, and I desire to have it read. For the purpose of relieving myself, I ask the Secretary to read it.

The PRESIDING OFFICER. The Senator from South Dakota requests that the paper mentioned by him be read. Is there objection?

Mr. CHANDLER. I suggest to the Senator to let the paper go into the RECORD as a part of his remarks without being read, if that is agreeable to him.

The PRESIDING OFFICER. Does the Senator from South Dakota desire to have it read?

Mr. PETTIGREW. I desire to have it read because I have not had time to read the whole of it myself, and there may be portions of it that I should dislike to have go into the RECORD.

Mr. CHANDLER. How is the Senator going to avoid that when it is read?

Mr. PETTIGREW. I can stop the reading.

Mr. CHANDLER. I have no objection to its going into the RECORD as a part of the remarks of the Senator; but if it is read, I prefer that he should read it himself.

Mr. PETTIGREW. Very well, if the Senator objects.

Mr. CHANDLER. I do not object to its being printed in the RECORD as a part of the Senator's remarks, but he himself says there may be some things in it which are doubtful.

Mr. PETTIGREW. If there are, I can have them omitted.

The PRESIDING OFFICER. The Senator from New Hampshire objects to the paper being read from the desk.

Mr. CHANDLER. It ought to be submitted to the Senate.

Mr. PETTIGREW. I think the motion was made by the Senator from North Carolina [Mr. BUTLER] to strike out, in line 18, page 20 of the bill, the words "during the Fifty-sixth Congress" and insert the words "until March 1, 1900;" and I now renew that motion.

The PRESIDING OFFICER. The Senator from South Dakota renews the motion of the Senator from North Carolina that on page 20 of the bill, line 18, the words "during the Fifty-sixth Congress" be stricken out and that the words "until March 1, 1900," be inserted in lieu thereof.

Mr. QUAY. I move to lay on the table the amendment of the Senator from South Dakota.

Mr. PETTIGREW. I withdraw the amendment.

Mr. BUTLER. I raise the point that the motion to lay on the table is not in order. The Senator from South Dakota can not be taken off his feet in that way.

Mr. QUAY. The amendment is withdrawn.

Mr. BUTLER. I give notice that I will renew it.

Mr. PETTIGREW. I ask unanimous consent that on page 20, line 18, the words "during the Fifty-sixth Congress" be stricken out and the words "until March 1, 1900," be inserted.

Mr. QUAY. I object.

The PRESIDING OFFICER. The bill is still in the Senate as in Committee of the Whole and open to amendment. If there be no further amendments proposed, it will be reported to the Senate.

Mr. BUTLER. I make the point of order that the Senator from South Dakota has the floor, and that the bill can not be reported to the Senate while he is holding the floor to address the Senate as in Committee of the Whole.

Mr. CHANDLER. Upon what does the Senator from South Dakota propose to speak, the amendment having been withdrawn?

Mr. PETTIGREW. I hope we will be able to reach an agreement by which we can vote on the bill to-morrow.

Mr. CHANDLER. I agree to that.

Mr. PETTIGREW. I should like very much to have an hour fixed, so as to dispose of the matter, that the Senate may go on with other business; but the friends of the measure seem determined that we shall not fix an hour to-morrow to vote on the bill.

While we desire no delay and do not propose to talk for delay and are ready to fix an hour for a vote upon the bill, we do not propose that the bill shall pass, if we can help it, and allow the commission to be continued for two years more, with the old excuse that the railway mail pay can not be reduced until the commission reports. We have had three sessions of that already, and if we can prevent it we are not going to have it continued.

Mr. CHANDLER. Right here, will the Senator allow me to deal candidly with him?

Mr. PETTIGREW. I yield to the Senator from New Hampshire for the purpose of doing something that he never did before in his life.

Mr. CHANDLER. I hope the seed will find lodgment in good ground. I am perfectly willing that unanimous consent shall be given to take a vote upon the bill to-morrow. The Senator knows that very well. I am perfectly willing that he shall have a vote upon this particular amendment, and have the Senate adopt it or reject it, as the Senate chooses; but when the Senator says, "We will agree to a vote on this bill to-morrow, provided there is unanimous consent for the adoption of this little amendment," I say that it is an incongruity. I am willing that the amendment shall be voted upon now or to-morrow, when the rest of the bill is disposed of. That ought to satisfy the Senator.

Mr. PETTIGREW. The members of the investigating commission are present, and we seem to be unable to get out of them any statement on this subject. No one pretends that it is necessary to continue the commission more than a year, and yet members of the commission themselves insist upon continuing their existence during the next two sessions of Congress for the purpose of getting at this thing and getting at the facts.

Mr. CHANDLER. Why does not the Senator submit to the Senate his question whether it shall be continued during the Fifty-sixth Congress, or until the 1st day of March, 1900? Why does he get up here and lecture the committee and the Senate because it will not unanimously agree to terminate the powers of the commission on the 1st of March, 1900, in order to get a unanimous-consent agreement to vote upon the passage of the bill to-morrow?

I will say, Mr. President, that that is not a proper way to do business, and nobody knows it any better than the two distinguished parliamentarians from South Dakota and North Carolina.

Mr. PETTUS. I ask leave of the Senator from South Dakota to call up a local bill.

Mr. PETTIGREW. I yield to the Senator from Alabama.

PUBLIC BUILDING AT SELMA, ALA.

Mr. PETTUS. I ask for the present consideration of the bill (S. 2657) to provide for the purchase of a site and the erection of a public building thereon in the city of Selma, in the State of Alabama.

Mr. PLATT of Connecticut. I will not object to this bill; but after it has been considered I wish to give notice that I shall object to the consideration of any other bill and also to the introduction of morning business. We may as well dispose of the matter we have on hand.

The PRESIDING OFFICER. The Senator from Alabama asks unanimous consent for the present consideration of the bill indicated by him. Is there objection?

There being no objection, the Senate, as in Committee of the Whole, proceeded to consider the bill, which had been reported from the Committee on Public Buildings and Grounds with an

amendment, in section 2, line 13, before the word "feet," to strike out "thirty" and insert "forty;" so as to make the bill read:

Be it enacted, etc., That the Secretary of the Treasury be, and he is hereby, authorized and directed to acquire, by purchase, condemnation, or otherwise, a site in the city of Selma, in Dallas County, in the State of Alabama, and cause to be erected thereon a suitable building, including fireproof vaults, ventilating and heating apparatus, elevators and approaches, and fences, for the use and accommodation of the United States post-office and other Government offices, the cost of said building, including said vaults, ventilating and heating apparatus, elevators, approaches and fences, complete, not to exceed the sum of $100,000, which sum, or so much thereof as may be necessary, is hereby appropriated for the purposes aforesaid.

SEC. 2. That the money hereby appropriated shall not be used for the purposes aforesaid until a valid title to the site for said building shall be vested in the United States, nor until the State of Alabama shall have ceded to the United States exclusive jurisdiction over said site, during the time the United States shall be the owner thereof, for all purposes except the administration of the criminal laws of said State and the service of civil process therein; and the said building shall be unexposed to danger from fire by an open space of at least 40 feet on each side thereof, including streets and alleys.

The amendment was agreed to.

The bill was reported to the Senate as amended, and the amendmend was concurred in.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

POST-OFFICE APPROPRIATION BILL.

Mr. PLATT of Connecticut. I insist on the regular order.

The VICE-PRESIDENT. The regular order is called for, which is the Post-Office appropriation bill.

The Senate, as in Committee of the Whole, resumed the consideration of the bill (H. R. 11683) making appropriations for the service of the Post-Office Department for the fiscal year ending June 30, 1900.

The VICE-PRESIDENT. The Chair understands that the pending question is on the amendment of the Senator from South Dakota [Mr. PETTIGREW].

Mr. QUAY. I understand that the amendment of the Senator from South Dakota was withdrawn.

Mr. PETTIGREW. I withdrew the amendment.

Mr. WOLCOTT. I ask what the regular order is?

The VICE-PRESIDENT. The regular order is the amendment of the Senator from North Carolina [Mr. BUTLER].

Mr. WOLCOTT. Is that amendment still before the Senate?

The VICE-PRESIDENT. The Chair understands at the desk that that amendment has been withdrawn.

Mr. WOLCOTT. Then I ask what is the regular order?

The VICE-PRESIDENT. The bill is in Committee of the Whole and open to amendment.

Mr. BUTLER. I offered an amendment to the bill, which was read early in my remarks, providing for a reduction of the appropriation for railway mail pay from $33,275,000 to $30,500,000, a scaling down and readjustment of the pay of 10 per cent. That is the amendment which is pending. The other small amendment was the question upon which I was asking unanimous consent. The amendment I offered this morning is now pending, and I have not concluded my remarks on it. I yield to the Senator from South Dakota, and will continue when he is through.

Mr. WOLCOTT. I understand that the Senator from South Dakota has the floor. I understand also that the only amendment pending before the Senate is an amendment making a horizontal reduction of 10 per cent in the total amount appropriated for the Railway Mail Service for the ensuing year. I ask the Chair if I am correct in that statement?

The VICE-PRESIDENT. The Chair understands that that is the situation. It certainly is after the statement of the Senator from North Carolina.

Mr. WOLCOTT. Will the Senator from South Dakota, who is entitled to the floor, yield to me a moment?

Mr. PETTIGREW. I yield to the Senator from Colorado.

Mr. WOLCOTT. This gives me an opportunity to say that his statement that the members of the Postal Commission are here and that he is unable, or we, as he expresses it, are unable, to procure from them any statement as to when they will report is far from the fact. After this amendment was presented the Senator from North Carolina constantly had the floor. He was followed by the Senator from South Dakota, who has held the floor since. When those Senators are through with their remarks and have taken their seats, it will be in order for some member of the commission to make any proper answer to any inquiries which have been made. But it is not proper to criticise a member of the Senate, likewise a member of the Postal Commission, because he does not see fit to interrupt a Senator in the course of his remarks to make a statement as to what his conduct shall be or what his expectations are as to the fruit or result of an inquiry.

Mr. PETTIGREW. I wish to say very briefly that my amendment to limit the time when the commission should report was pending. Unanimous consent to agree to it had been refused by one of the commissioners who is present constantly. The Senator from Pennsylvania [Mr. QUAY] then moved to lay my amendment on the table. It had reached that stage, and no one said a word except simply to stubbornly object to unanimous consent. Then I withdrew the amendment.

Mr. CHANDLER. I ask for the regular order.

Mr. WOLCOTT. Let us have the regular order, Mr. President.

The VICE-PRESIDENT. The question is on the amendment of the Senator from North Carolina. Is the Senate ready for the question?

[Mr. BUTLER addressed the Senate. See Appendix.]

Mr. BUTLER. I wish to interrupt the Secretary for a moment. The reading of this document shows how much information has been carefully prepared by some of the brightest business men in the country and officially put forth by the National Board of Trade on this question. Therefore, in view of that information already gathered, and in view of the fact that they have a committee still at work gathering further information, I ask unanimous consent that on page 20, line 18, of the bill, it be amended by striking out the words "during the Fifty-sixth Congress" and inserting in lieu thereof "until March 1, 1900."

The VICE-PRESIDENT. Does the Senator desire to have that question put now?

Mr. BUTLER. Yes, sir.

The VICE-PRESIDENT. Unanimous consent is asked by the Senator from North Carolina to amend the bill by striking out in line 18, page 20, the words "during the Fifty-sixth Congress" and inserting "until March 1, 1900." Is there objection?

Mr. PLATT of Connecticut. I object.

Mr. BUTLER. Then I ask for the adoption of the amendment. I do not care to discuss it if we can come to a vote. I hope a vote will be taken directly on the amendment.

The VICE-PRESIDENT. The question is on agreeing to the amendment of the Senator from North Carolina. [Putting the question.] It appears to be lost.

Mr. BUTLER and Mr. PETTIGREW called for the yeas and nays, and they were ordered.

Mr. BATE. Let the amendment be read.

The SECRETARY. On page 20, line 18——

The VICE-PRESIDENT. Which amendment does the Senator propose shall be voted upon?

Mr. BUTLER. The amendment I asked unanimous consent to be made and the amendment that is now before the Senate. I temporarily withdraw the other amendment in order that we may consider this amendment at the present time.

The VICE-PRESIDENT. The amendment before the Senate is to strike out the words "during the Fifty-sixth Congress" and insert the words "until March 1, 1900," in line 18, page 20. The yeas and nays have been ordered upon agreeing to the amendment, and the Secretary will call the roll.

The Secretary proceeded to call the roll.

Mr. BACON (when his name was called). I am paired with the junior Senator from Rhode Island [Mr. WETMORE].

Mr. HANNA (when his name was called). I am paired with the Senator from Utah [Mr. RAWLINS].

Mr. HANSBROUGH (when his name was called). I am paired with the Senator from Virginia [Mr. DANIEL], and withhold my vote.

Mr. LODGE (when his name was called). I am paired with the junior Senator from Georgia [Mr. CLAY].

Mr. PRITCHARD (when his name was called). I have a general pair with the junior Senator from South Carolina [Mr. MCLAURIN], and therefore withhold my vote.

Mr. PROCTOR (when his name was called). I am paired with the Senator from Florida [Mr. MALLORY]. Not seeing him present, I withhold my vote.

Mr. SHOUP (when his name was called). I am paired with the senior Senator from California [Mr. WHITE], and therefore withhold my vote.

Mr. TILLMAN (when his name was called). I have a general pair with the Senator from Nebraska [Mr. THURSTON].

The roll call was concluded.

Mr. CULLOM (after having voted in the negative). I have taken the liberty of voting, although I have a general pair with the senior Senator from Delaware [Mr. GRAY]. I am satisfied that he would vote as I have voted, and therefore I will let my vote stand.

Mr. PROCTOR. I will transfer my pair with the Senator from Florida [Mr. MALLORY] to the Senator from Nebraska [Mr. THURSTON], and that relieves the Senator from South Carolina [Mr. TILLMAN] and myself. I vote "nay."

Mr. TILLMAN. I vote "yea."

Mr. GALLINGER (after having voted in the negative). I have a general pair with the senior Senator from Texas [Mr. MILLS], who does not seem to be in the Chamber. I will transfer my pair to the Senator from Rhode Island [Mr. ALDRICH] and let my vote stand.

Mr. PASCO. I am paired with the Senator from Washington

[Mr. WILSON]. I suggest to the Senator from North Dakota [Mr. HANSBROUGH] that he and I exchange our pairs so as to enable us both to vote. I vote "yea."

Mr. HANSBROUGH. I vote "nay."

Mr. GALLINGER (after having voted in the negative). The Senator from Florida [Mr. PASCO] informs me that the Senator from Rhode Island [Mr. ALDRICH] is paired with the Senator from Missouri [Mr. VEST], so I will withdraw my vote and announce my pair with the senior Senator from Texas [Mr. MILLS].

Mr. LODGE. I suggest to the Senator from Georgia [Mr. BACON] that we transfer our pairs, so that the Senator's colleague [Mr. CLAY] will stand paired with the Senator from Rhode Island [Mr. WETMORE]. That will enable us both to vote. I vote "nay."

Mr. BACON. I vote "yea."

Mr. HANNA. I vote "nay."

Mr. PRITCHARD. For the purpose of making a quorum I have decided to vote as I think my pair would vote if he were here. I vote "yea."

Mr. GALLINGER. I will state that my pair with the senior Senator from Texas [Mr. MILLS] is of such a nature that I feel justified in voting, and I will vote "nay."

Mr. MALLORY. I transfer my pair with the Senator from Nebraska [Mr. THURSTON] to the Senator from Texas [Mr. MILLS], and vote "yea."

Mr. SHOUP. I vote "yea."

The result was announced—yeas 19, nays 27, as follows:

YEAS—19.

Bacon,	Cockrell,	Morgan,	Sullivan,
Bate,	Gorman,	Pasco,	Teller,
Berry,	Harris,	Pettigrew,	Tillman,
Butler,	Heitfeld,	Pritchard,	Turley.
Chilton,	Mallory,	Shoup,	

NAYS—27.

Allison,	Frye,	McBride,	Ross,
Carter,	Gallinger,	Mason,	Simon,
Chandler,	Hanna,	Murphy,	Spooner,
Cullom,	Hansbrough,	Pettus,	Stewart,
Deboe,	Hawley,	Platt, Conn.	Warren,
Elkins,	Hoar,	Proctor,	Wolcott.
Foraker,	Lodge,	Quay,	

NOT VOTING—44.

Aldrich,	Faulkner,	McMillan,	Roach,
Allen,	Gear,	Mantle,	Sewell,
Baker,	Gray,	Martin,	Smith,
Burrows,	Hale,	Mills,	Thurston,
Caffery,	Jones, Ark.	Mitchell,	Turner,
Cannon,	Jones, Nev.	Money,	Turpie,
Clark,	Kenney,	Nelson,	Vest,
Clay,	Kyle,	Penrose,	Wellington,
Davis,	Lindsay,	Perkins,	Wetmore,
Daniel,	McEnery,	Platt, N. Y.	White,
Fairbanks,	McLaurin,	Rawlins,	Wilson.

So Mr. BUTLER's amendment was rejected.

Mr. QUAY. I ask unanimous consent that after the conclusion of the morning business, not later than 1 o'clock to-morrow, the Post-Office appropriation bill be taken up, and that at 2 o'clock the vote be taken upon pending amendments and upon the bill without further discussion.

Mr. HAWLEY. I do not care to lose my opportunity at 2 o'clock. I have a right to take the floor at 2.

Mr. QUAY. At 2 o'clock we take the vote.

Mr. HAWLEY. I have a right to take the floor on the Army bill at 2 o'clock.

Mr. GORMAN. Then we can vote at 15 minutes before 2. I suggest to the Senator from Pennsylvania to change the request to 1.45.

Mr. PETTIGREW. We can undoubtedly agree without any hesitation whatever upon the suggestion made by the Senator from Pennsylvania.

Mr. BERRY. I hope it will be agreed to.

Mr. GORMAN. Oh, yes; let it be agreed to.

The VICE-PRESIDENT. The Senator from Pennsylvania asks unanimous consent that the Post-Office appropriation bill and all amendments pending be voted upon after the morning business to-morrow and not later than 2 o'clock.

Mr. GORMAN. And that the bill be taken up at 1 o'clock.

The VICE-PRESIDENT. At 1, or immediately after the morning business.

Mr. FRYE. And that the unfinished business be temporarily laid aside for that purpose.

The VICE-PRESIDENT. For the purpose of taking the vote. The Chair so understands. Is there objection?

Mr. BUTLER. That arrangement is agreeable to me with the condition that I shall have leave to have some matter of importance that I sent to the desk to be read, and the reading of which was not finished, put into the RECORD, and some other data that I have prepared which I wish briefly to discuss to-morrow. I wish about thirty minutes and the Senator from South Dakota [Mr. PETTIGREW] wants about thirty minutes. We have agreed to this with the understanding that probably no one else wishes to speak, but we wish about thirty minutes each. Whatever matter I consider pertinent that I can not get through discussing I shall ask permission of the Senate to put into the RECORD. I should not wish the unanimous-consent agreement to prevent me from putting it into the RECORD.

Mr. QUAY. There is no objection to the proposition of the Senator from North Carolina.

Mr. BUTLER. I agree to the unanimous consent with that understanding.

The VICE-PRESIDENT. Is there objection? The Chair hears none, and the order is made.

Mr. CARTER. I desire to have it distinctly understood that the unanimous consent given to vote at 2 o'clock to-morrow——

The VICE-PRESIDENT. If not reached before.

Mr. CARTER. If not reached before, is not to operate to displace the unfinished business.

The VICE-PRESIDENT. It is so understood.

Mr. CARTER. Except temporarily, for the purpose of taking the vote.

PACIFIC CABLE.

Mr. FRYE. I report back favorably from the Committee on Foreign Relations a proposed amendment to the sundry civil appropriation bill touching the Pacific cable. I move that it be printed and referred to the Committee on Appropriations.

The motion was agreed to.

Mr. CHANDLER. Will the Senator from Maine kindly state what the amendment proposes to do?

Mr. FRYE. It proposes that the Postmaster-General shall issue proposals and give the building of the cable to the lowest bidder.

Mr. BUTLER. Is it a resolution?

Mr. CHANDLER. No; it is reported from the Committee on Foreign Relations and referred to the Committee on Appropriations. I ask that it may be read.

Mr. FRYE. It is lengthy.

Mr. CHANDLER. Then the Senator will please state what it does.

Mr. FRYE. It authorizes the Postmaster-General to issue advertisements for constructing a Pacific cable to Honolulu, to be finished by July, 1900, and thence to Manila, and thence to Japan or Australia, and it authorizes the United States Government to pay $175,000 a year for twenty years, its messages to be free thereafter, one-third of the commercial messages, etc.

Mr. STEWART. It is so important to have information in regard to the amendment that I think it had better go into the RECORD. Many people will want to know about it. I ask that it be printed in the RECORD.

Mr. FRYE. I asked that it be printed and referred to the Committee on Appropriations.

Mr. STEWART. I ask that it may be printed in the RECORD.

The VICE-PRESIDENT. Is there objection to the request of the Senator from Nevada?

Mr. PETTIGREW. I object.

The VICE-PRESIDENT. Objection is made.

Mr. BUTLER. I ask the Senator from Maine if he has any objection to the amendment being referred first to the Committee on Post-Offices and Post-Roads, which is now considering a bill——

Mr. FRYE. Yes; I should object, because the Committee on Foreign Relations has had the matter under consideration for three years, and has finally come to a conclusion, and the amendment has been referred to the Committee on Appropriations.

Mr. QUAY. Mr. President——

Mr. FRYE. Will the Senator allow me to give a notice?

Mr. QUAY. Certainly.

RIVER AND HARBOR BILL.

Mr. FRYE. I desire to give notice that I shall ask the Senate to proceed to the consideration of the river and harbor bill on Thursday morning immediately after the morning business is completed.

EXECUTIVE SESSION.

Mr. QUAY. I move that the Senate proceed to the consideration of executive business.

The motion was agreed to; and the Senate proceeded to the consideration of executive business. After fifteen minutes spent in executive session the doors were reopened, and (at 6 o'clock and 30 minutes p. m.) the Senate adjourned until to-morrow, Tuesday, February 21, 1899, at 12 o'clock meridian.

NOMINATIONS.

Executive nominations received by the Senate February 20, 1899.

APPOINTMENTS IN THE ARMY.

To be captain by brevet.

First Lieut. Matthew F. Steele, Eighth Cavalry, July 1, 1898.

CORPS OF ENGINEERS.

To be second lieutenants.

1. Cadet James A. Woodruff, vice Conner, promoted.
2. Cadet William Kelly, vice Oakes, promoted.

3. Cadet Horton W. Stickle, vice Wolf, promoted.
4. Cadet Lewis H. Rand, vice Cheney, promoted.

To be additional second lieutenants.

5. Cadet Edward M. Markham.
6. Cadet Thomas H. Jackson.

ARTILLERY ARM.

To be second lieutenants.

To fill original vacancies created by section 4 of the act of Congress approved April 26, 1898:
7. Cadet Le Vert Coleman.
8. Cadet Alfred B. Putnam.
9. Cadet George W. Bunnell, jr.
11. Cadet Albert E. Waldron.
12. Cadet Jesse C. Nicholls.
13. Cadet Frank C. Jewell.
14. Cadet Fred H. Gallup.
15. Cadet Michael J. McDonough.
19. Cadet Herman W. Schull.
20. Cadet Henry B. Farrar.
21. Cadet Clifton C. Carter.
25. Cadet Henry B. Clark.
29. Cadet Francis N. Cooke.
30. Cadet Stanley D. Embick.
32. Cadet Ralph S. Granger.

CAVALRY ARM.

To be second lieutenant.

10. Cadet Hubert L. Wigmore, vice Clayton, Fifth Cavalry, promoted.
16. Cadet Patrick W. Guiney, vice Hof, Sixth Cavalry, appointed first lieutenant in the Ordnance Department.
17. Cadet Hugh A. Roberts, vice Sweezey, Eighth Cavalry, promoted.
22. Cadet Leon B. Kromer, vice Rockenbach, Tenth Cavalry, promoted.
23. Cadet Charles A. Romeyn, vice Day, Tenth Cavalry, transferred to the Seventh Cavalry.
34. Cadet Evan H. Humphrey, vice O'Shea, Seventh Cavalry, promoted.
37. Cadet George V. H. Moseley, vice Batson, Ninth Cavalry, promoted.
38. Cadet Charles C. Farmer, jr., vice Barton, Tenth Cavalry, promoted.
43. Cadet Stuart Heintzelman, vice Stout, Sixth Cavalry, appointed first lieutenant in the Ordnance Department.
50. Cadet John D. Long, vice Tompkins, Seventh Cavalry, promoted.
53. Cadet Grayson V. Heidt, vice Walker, Third Cavalry, promoted.
54. Cadet James C. Rhea, vice King, Seventh Cavalry, transferred to the Eighth Cavalry.

INFANTRY ARM.

To be second lieutenants.

18. Cadet Charles B. Clark, vice Hampton, Twenty-third Infantry, promoted.
24. Cadet Irvin L. Hunt, to fill an original vacancy in the Nineteenth Infantry.
26. Cadet George S. Simonds, vice Cavenaugh, Twenty-second Infantry, transferred to the Twentieth Infantry.
27. Cadet Llewellyn N. Bushfield, vice Ovenshine, Seventeenth Infantry, promoted.
28. Cadet James B. Ray, vice Pearce, Seventh Infantry, promoted.
31. Cadet Samuel T. Ansell, vice McGrew, Eleventh Infantry, promoted.
33. Cadet Robert H. Peck, vice Schenck, Tenth Infantry, promoted.
35. Cadet Halsey E. Yates, vice Mitchell, Fifth Infantry, promoted.
36. Cadet Clement A. Trott, vice McClure, Seventh Infantry, retired from active service.
39. Cadet Wilson B. Burtt, to fill an original vacancy in the Eighth Infantry.
40. Cadet Walter S. Brown, vice Bugge, Third Infantry, promoted.
41. Cadet Josiah C. Minus, vice Howland, Twentieth Infantry, promoted.
42. Cadet Charles M. Bundel, vice Bernard, Fourth Infantry, deceased.
44. Cadet Gwynn R. Hancock, vice Charles, Tenth Infantry, promoted.
45. Cadet Henry L. Harris, jr., vice Smith, Twentieth Infantry, promoted.
46. Cadet Laurence Halstead, vice Shelton, Eleventh Infantry, promoted.
47. Cadet Pierce C. Foster, vice Schoeffel, Third Infantry, transferred to the Ninth Infantry.
48. Cadet Frederick W. Van Duyne, vice Gurney, Twenty-fourth Infantry, promoted.
49. Cadet Charles D. Herron, vice Grubbs, Eighteenth Infantry, promoted.
51. Cadet Robert B. Calvert, vice Bolles, Eighteenth Infantry, promoted.
52. Cadet George D. Jarrett, vice Berry, Tenth Infantry, promoted.
55. Cadet James Hanson, vice Miles, Fourteenth Infantry, promoted.
56. Cadet Fred R. Brown, vice Darrah, Ninth Infantry, promoted.
57. Cadet William T. Merry, vice Goodale, Twenty-third Infantry, promoted.
58. Cadet Frederick B. Kerr, vice Newell, Twenty-second Infantry, promoted.
59. Cadet Lawrence D. Cabell, vice Maclay, Fifth Infantry, resigned.
60. Cadet Clyffard Game, vice Darrach, Eleventh Infantry, resigned.
61. Cadet George W. Stuart, vice Russell, Seventh Infantry, promoted.
62. Cadet Robert C. Foy, to fill an original vacancy in the Eighth Infantry.
63. Cadet Henry N. Way, vice Henry, Fourth Infantry, transferred to the First Cavalry.
64. Cadet William T. Patten, vice Paine, Thirteenth Infantry, promoted.
65. Cadet Duncan K. Major, jr., vice Allen, Fourteenth Infantry, promoted.
66. Cadet James Justice, vice Lewis, Twenty-second Infantry, promoted.
67. Cadet Llewellyn W. Oliver, vice Hickox, Second Infantry, resigned.
68. Cadet Arthur S. Cowan, to fill an original vacancy in the Fifteenth Infantry.
69. Cadet Hector A. Robichon, vice Bash, Thirteenth Infantry, promoted.
70. Cadet Reginald E. McNally, vice Sturtevant, Twenty-fifth Infantry, promoted.
71. Cadet Ephraim G. Peyton, vice Purdy, Sixth Infantry, promoted.
72. Cadet Albert N. McClure, vice Burnside, Fourteenth Infantry, promoted.

APPOINTMENTS IN THE VOLUNTEER ARMY.

FIFTH REGIMENT VOLUNTEER INFANTRY.

Second Lieut. William A. Crossland, to be first lieutenant, vice Jennings, resigned.

First Sergt. Albert G. Goodwyn, Company F, to be second lieutenant, vice Crossland, promoted.

NINTH REGIMENT VOLUNTEER INFANTRY.

To be assistant surgeon with the rank of first lieutenant.

Allen J. Black, of Virginia (late assistant surgeon Sixth Virginia Volunteers), vice Mitchell, promoted.

THIRD REGIMENT VOLUNTEER ENGINEERS.

Second Lieut. Raymond W. Hardenbergh, to be first lieutenant, vice Barney, resigned.

Sergt. James F. Nourse, Company E, to be second lieutenant, vice Hardenbergh, promoted.

To be brigade surgeon.

Azel Ames, acting assistant surgeon, United States Army.

PROMOTIONS IN THE NAVY.

Asst. Paymaster Timothy S. O'Leary, to be a passed assistant paymaster in the Navy, from the 10th day of July, 1898, vice P. A. Paymaster Thomas H. Hicks, promoted.

Asst. Paymaster Ulysses G. Ammen, to be a passed assistant paymaster in the Navy, from the 23d day of October, 1898, to fill a vacancy existing in that grade.

P. A. Engineer Benjamin C. Bryan, to be a chief engineer in the Navy, from the 20th day of January, 1899, vice Chief Engineer Charles J. MacConnell, retired.

P. A. Engineer Harold P. Norton, to be a chief engineer in the Navy, from the 10th day of February, 1899 (subject to the examinations required by law), vice Chief Engineer George J. Burnap, retired.

WITHDRAWAL.

Executive nomination withdrawn February 20, 1899.

First Lieut. Matthew W. Steele, Eighth Cavalry, for appointment as captain by brevet in the Army of the United States, to rank from July 1, 1898.

CONFIRMATIONS.

Executive nominations confirmed by the Senate February 20, 1899.

ASSISTANT SECRETARY OF THE TREASURY.

Horace A. Taylor, of Wisconsin, to be Assistant Secretary of the Treasury.

APPOINTMENTS IN THE ARMY.

General officer.

Col. Marcus P. Miller, Third Artillery, to be brigadier-general.

INFANTRY ARM.

To be second lieutenant, to rank from February 9, 1899.

William B. Parker, private, Company B, First Infantry.

GENERAL APPRAISER OF MERCHANDISE.

William B. Howell, of New Jersey, to be general appraiser of merchandise.

POSTMASTERS.

William W. Scott, to be postmaster at Sewickley, in the county of Allegheny and State of Pennsylvania.

Herman H. North, to be postmaster at Bradford, in the county of McKean and State of Pennsylvania.

Sewell M. Moore, to be postmaster at Cambridge, in the county of Dorchester and State of Maryland.

Frank A. Moesta, to be postmaster at Kittanning, in the county of Armstrong and State of Pennsylvania.

John F. Austin, to be postmaster at Corry, in the county of Erie and State of Pennsylvania.

Washington G. Tuck, to be postmaster at Annapolis, in the county of Anne Arundel and State of Maryland.

Charles N. Matheny, to be postmaster at St. Marys, in the county of Pleasants and State of West Virginia.

Edward D. Taylor, to be postmaster at Orange Valley, in the county of Essex and State of New Jersey.

George Spalding, to be postmaster at Monroe, in the county of Monroe and State of Michigan.

E. J. March, to be postmaster at Hillsdale, in the county of Hillsdale and State of Michigan.

Leonard Rusby, to be postmaster at Nutley, in the county of Essex and State of New Jersey.

William E. Harrison, to be postmaster at McKeesport, in the county of Allegheny and State of Pennsylvania.

Clarence N. Andrews, to be postmaster at Easton, in the county of Northampton and State of Pennsylvania.

Cephas E. Wheeler, to be postmaster at Hopkinton, in the county of Middlesex and State of Massachusetts.

HOUSE OF REPRESENTATIVES.

MONDAY, *February 20, 1899.*

The House met at 12 o'clock m. Prayer by the Chaplain, Rev. HENRY N. COUDEN.

The Journal of the proceedings of Saturday last was read and approved.

The SPEAKER. The Chair desires to lay before the House the business on the Speaker's table.

DISTRICT AND CIRCUIT COURTS AT BATESVILLE, ARK.

The first business on the Speaker's table was the bill (S. 5319) to change and fix the time of holding the terms of the district and circuit courts at Batesville, Ark.

The SPEAKER. The Senate bill is the same as the House bill already reported and on the Calendar.

The bill was ordered to be read a third time; and it was accordingly read the third time, and passed.

Mr. HENDERSON. The House bill should lie on the table.

The SPEAKER. Without objection, the House bill will lie on the table.

There was no objection.

FOURTH ARKANSAS MOUNTED INFANTRY.

The next business on the Speaker's table was the bill (H. R. 9219) for the relief of the Fourth Arkansas Mounted Infantry, with Senate amendments.

The Senate amendments were read.

Mr. HULL. Mr. Speaker, this is a bill that passed the House, and the Senate has passed the bill with amendments which simply provide that the Government shall detail an experienced Army officer instead of selecting a referee, and I think it makes the act more efficient. I therefore move that the House concur in the Senate amendments.

The motion was agreed to, and the Senate amendments were concurred in.

PROCEDURE IN PENSION CASES.

The next business on the Speaker's table was the bill (H. R. 80) providing procedure in certain pension cases, with Senate amendments.

The Senate amendments were read.

Mr. RAY of New York. Mr. Speaker, I move that the House concur in the Senate amendments.

The motion was agreed to, and the Senate amendments were concurred in.

WIDENING OF NINETEENTH STREET NW.

The next business on the Speaker's table was the bill (H. R. 11605) for the widening of Nineteenth street NW., with a Senate amendment.

The Senate amendment was read.

Mr. CURTIS of Iowa. Mr. Speaker, I move that the House concur in the Senate amendment.

The motion was agreed to, and the Senate amendment was concurred in.

MESSAGE FROM THE SENATE.

A message from the Senate, by Mr. PLATT, one of its clerks, announced that the Senate had passed the following resolution:

Resolved, That the Secretary be directed to request the House of Representatives to return to the Senate the bill (H. R. 10403) to reorganize and increase the efficiency of the personnel of the Navy and Marine Corps of the United States.

The message also announced that the Senate had passed with amendments bills of the following titles in which the concurrence of the House was requested:

H. R. 7346. An act to amend section 4896 of the Revised Statutes; and

H. R. 3297. An act to remove the charge of desertion from the military record of William Henry Woodward.

The message also announced that the Senate had passed with amendments the bill (H. R. 11868) to provide for the acquiring of rights of way by railroad companies through Indian reservations, Indian lands, and Indian allotments, and for other purposes, asked a conference with the House of Representatives on the said bill and amendments, and had appointed Mr. PETTIGREW, Mr. PLATT of Connecticut, and Mr. JONES of Arkansas as the conferees on the part of the Senate.

The message also announced that the Senate had passed without amendment bills of the following titles:

H. R. 11971. An act to authorize the Commissioner of the General Land Office to cause public lands to be surveyed in certain cases;

H. R. 11618. An act to grant to the Pasadena and Mount Wilson Railway Company right of way and certain lands for railroad purposes through the San Gabriel Forest Reserve; and

H. R. 8214. An act granting an increase of pension to Francis Scott.

The message also announced that the Senate had passed the bill (S. 4225) to give a preference right of entry to persons procuring a cancellation of fraudulent or double allotments to Indians; in which the concurrence of the House was requested.

The message also announced that the Senate had receded from its disagreement to the amendments of the House of Representatives to the bill (S. 5342) granting a pension to John M. Palmer, and had agreed to the same.

The message also announced that the Senate had passed the following resolution:

Resolved, That the Secretary be directed to request the House of Representatives to return to the Senate the bill (S. 1649) granting an increase of pension to Francis Scott.

PENSION BILLS PASSED.

The SPEAKER laid before the House bills of the following titles returned from the Senate with amendments; which were read, and on motion of Mr. RAY of New York, concurred in:

A bill (H. R. 3307) to increase the pension of Andrew S. Evans;

A bill (H. R. 2700) granting an increased pension to Susan A. Gummer;

A bill (H. R. 4251) granting a pension to Margaret Thomas;

A bill (H. R. 8723) granting an increase of pension to Juliette Harrow;

A bill (H. R. 4001) granting an increase of pension to Robert Fletcher;

A bill (H. R. 5712) granting a pension to Sarah A. Luke;

A bill (H. R. 4503) to increase the pension of John Yahne;

A bill (H. R. 4446) granting an increase of pension to Ellen Charlton;

A bill (H. R. 4982) granting an increase of pension to Harriet Tubman Davis;

A bill (H. R. 4838) granting an increase of pension to Elizabeth V. Litzenberg;

A bill (H. R. 2122) increasing the pension of William R. Christy;

A bill (H. R. 5461) granting a pension to Elizabeth H. Bowen; and

A bill (H. R. 1675) granting a pension to Alice Smith.

The SPEAKER also laid before the House bills of the following titles, returned from the Senate with amendments; which were read, and on motion of Mr. LOUDENSLAGER, concurred in:

A bill (H. R. 10488) to increase the pension of Susan C. Bryd, widow of a Mexican war soldier; and

A bill (H. R. 9323) to increase the pension of Mary E. Townes.

CARL F. W. STOLLE.

The SPEAKER also laid before the House the bill (H. R. 1798) to remove the charge of desertion against Carl F. W. Stolle, of Iron Ridge, Wis., with amendments; which were read, and, on motion of Mr. RAY of New York, concurred in.

LETITIA TYLER SEMPLE.

The SPEAKER also laid before the House the bill (S. 1776) to increase the pension of Mrs. Letitia Tyler Semple, on which the Senate had disagreed to the amendments of the House and asked for a conference.

Mr. LOUDENSLAGER. I move that the House insist on its amendments and agree to the conference asked by the Senate.

The motion was agreed to; and the Speaker announced the appointment of Mr. LOUDENSLAGER, Mr. WEYMOUTH, and Mr. SIMS as conferees on the part of the House.

GEORGE HUGHES.

The SPEAKER also laid before the House the bill (S. 1154) for the relief of George Hughes, of Portland, Oreg., on which the Senate had disagreed to the amendments of the House and requested a conference.

Mr. LOUDENSLAGER. I move that the House insist on its amendments and agree to the conference asked.

The motion was agreed to; and the Speaker announced the appointment of Mr. LOUDENSLAGER, Mr. WEYMOUTH, and Mr. SIMS as the conferees on the part of the House.

SAMUEL TEWKSBURY.

Mr. GROW. I ask unanimous consent for the present consideration of the bill (H. R. 10500) for the relief of the legal representatives of Samuel Tewksbury, deceased.

The bill was read, as follows:

Be it enacted, etc., That the Secretary of the Treasury be, and he hereby is, authorized and directed to pay to the legal representative of Samuel Tewksbury, late of Scranton, Lackawanna County, Pa., deceased, out of any money not otherwise appropriated, the sum of $5,697, in full compensation for the use and occupation by the United States Government of a brick building and premises owned by him in the city of Scranton, Pa., as a depot or barracks for United States troops by the provost-marshal of the United States from June, 1862, to June, 1865, inclusive.

Mr. ROBINSON of Indiana. Reserving the right to object, I should like to hear some explanation of this bill.

Mr. GROW. Mr. Speaker, the facts in this case are these: The provost-marshal of the district of Susquehanna and Luzerne, which I at that time represented, took a new building that had been erected in the city of Scranton by Mr. Tewksbury for stores and public offices, and used it as barracks during the draft in 1862. An arrangement was made by the provost-marshal with Mr. Tewksbury fixing the compensation for the use of the building, with a promise that a written agreement should be signed by the parties. But it never was signed, the provost-marshal having failed to perform his promise in the matter.

But, as I have stated, he used this building for barracks for the drafted men. At the close of the draft Colonel Kerrigan, with two companies of soldiers, was sent to that district to suppress some trouble growing out of the draft, and he retained the building until the close of the war. This bill proposes simply to pay for the use of that building the consideration that was found to have been agreed upon between the parties, but which never was paid. The Department can not pay because there was no written agreement produced, but there is no question as to the facts in regard to the occupancy of the building. I know all about the facts as well as I know about anything in my neighborhood. Nothing having ever been paid by the Government for the use of the building, this bill simply proposes to pay the heirs the amount which was originally agreed upon.

Mr. ROBINSON of Indiana. What action has the House committee taken on this bill?

Mr. GROW. They reported it unanimously. If there is any objection to its consideration, I would like to have the report read, as it fully explains the facts.

Mr. ROBINSON of Indiana. What committee reported it?

Mr. GROW. The Committee on War Claims.

I will state to the House that this bill was sent by the committee to the Court of Claims, which decided that it had not jurisdiction of the matter, it not being a claim arising in an insurrectionary State.

Mr. ROBINSON of Indiana. What court?

Mr. GROW. I say it was sent to the Court of Claims, which could not take jurisdiction.

Mr. ROBINSON of Indiana. It is a very old claim, I will suggest, and there may be some doubt of its validity.

Mr. GROW. Of course it is an old claim. It has been pending for a long time, but payment could not be made for reasons that all gentlemen understand here—the difficulty in getting claims through the House. We have many claims of the same character.

The SPEAKER. Is there objection to the present consideration of the bill?

Mr. MADDOX. I object.

Mr. GROW. Well, Mr. Speaker, I move to suspend the rules and pass the bill. It has been pending for many years—ever since the war—and the Court of Claims can not consider it, not having jurisdiction.

Mr. MADDOX. On the motion of the gentleman from Pennsylvania I demand a second.

Mr. GROW. I ask unanimous consent that a second be considered as ordered.

Mr. MADDOX. To that I object.

The SPEAKER. Objection is made, and the bill will be read, and the Chair will appoint tellers.

Mr. GROW. I ask also that the report be read, as it is very short and explains the matter thoroughly, so that members can understand it before voting upon the proposition.

The SPEAKER. The report will be read after the debate has commenced.

The bill was read at length.

The SPEAKER. The Chair will appoint the gentleman from Pennsylvania, Mr. GROW, and the gentleman from Georgia, Mr. MADDOX, as tellers.

The House divided; and the tellers reported—ayes 83, noes 29.

So a second was ordered.

The SPEAKER. The gentleman from Pennsylvania will be recognized for twenty minutes and the gentleman from Georgia for twenty minutes under the rule.

Mr. BELL. What is the pending question?

The SPEAKER. The question now before the House is, Shall the bill pass under a suspension of the rules?

Mr. MADDOX. Mr. Speaker, I would like to have the report read in my own time.

The SPEAKER. The report will be read.

The report (by Mr. FITZGERALD) was read, as follows:

The Committee on War Claims, to whom was referred the bill (H. R. 10500) for the relief of the legal representatives of Samuel Tewksbury, deceased, submit the following report:

The claim is for compensation for use and occupation by the United States Government, during the late civil war, of a brick building and premises in Scranton, Pa. Claim stated at $5,697.

Samuel Tewksbury was the owner of a brick building in the city of Scranton, Pa., in 1861-63. The building was in about the center of the business part of the city; was 50 feet by 38, three stories. The first floor was for a store; the other two stories were partitioned off into 15 or 16 rooms to be rented for business offices. Cost of the building, about $12,000, and rented for from $100 to $150 per month.

In the month of June, 1862, Stephen N. Bradford, provost marshal Twelfth district of Pennsylvania, counties of Luzerne and Susquehanna, took possession of this building and used it for barracks for drafted and enlisted men before they were sent to the companies in the field. After some months' use by the provost marshal the building was used and occupied by Colonel Kerrigan as barracks for his men until June, 1865.

Samuel Tewksbury never received any rent from the Government for this building while it was occupied by the United States provost marshal and the soldiers of Colonel Kerrigan's command for the three years from June, 1862, to June, 1865.

The claimant brought a suit in November, 1867, in the court of common pleas for Luzerne County, against Capt. Stephen N. Bradford, for the use and occupancy of this building, and obtained a judgment in said court for $5,697.76, which judgment has not been paid.

The proof shows that when the Government vacated the building it was in a ruinous condition. The windows, doors, floors, and partitions were broken, defaced, and injured, and the whole building was in a foul, partially prostrate, bad, and untenantable state. The repairs alone to make the said building habitable cost the sum of $3,000, and that sum of money was actually paid by Mr. Tewksbury to make the premises tenantable.

He made claim for compensation to the honorable Secretary of War on or about August, 1865, which was rejected on May 10, 1866, on the ground that "claimant must look to the officers who took the building."

The claimant, believing said rejection to be unjust, subsequently petitioned Congress for relief, and said petition was, by the Committee on War Claims, on February 25, 1892, referred to the Court of Claims for a finding of facts under the terms of the Bowman Act, and the petition was dismissed by said court for want of jurisdiction.

Your committee is of the opinion that the use and occupation of this property under such circumstances creates an obligation on the part of the Government to reimburse the owner to the full value of the service, and upon all the facts stated the estate of Samuel Tewksbury is entitled to the sum of $5,697. The bill is therefore reported back with the recommendation that it do pass.

Mr. MADDOX. Mr. Speaker, does the gentleman from Pennsylvania desire to take some of his time now?

Mr. GROW. No; I would like to hear the gentleman from Georgia, as he objects to the claim.

Mr. COOPER of Texas. I would like to inquire, before the gentleman proceeds, what committee this comes from?

Mr. MADDOX. The Committee on War Claims.

Now, sir, it seems that the claim, as I understand from the record—for this is the first information that I have had in reference to it—has been rejected heretofore by the Government. But notwithstanding that fact, as to whether the claim be a just or an unjust one, I take it for granted that the committee which considered it found that there was somewhere or somewhat of justification in the payment of the claim. I am not disputing that fact. The ground of my opposition does not rest at all on that basis. I know nothing of the justice or injustice of the claim, but I make my objection on entirely different grounds; and I call the attention, especially of gentlemen on this side of the House around me, to the fact. This is a question of discrimination, and

that is the reason I oppose it. It may be just or it may be unjust. I repeat, I know nothing of the facts.

Now, what are the grounds on which I base my objection? You all know that we have claims which have been pending here for thirty long years and over, and yet we can not get consideration of them. Why should preference be given to this claim?

Now, the gentleman from Tennessee, my friend Mr. RICHARDSON, has time and again explained one fact to the House, and I know it to be true in my district, as I am sure you all know it to be true in your districts, that there were men just as true to the Union as God Almighty ever made who resided there. These men have had claims pending before Congress year after year, and time again, and yet no action can be had upon them. They can not even get their claims considered. Objection is always raised. They have been postponed over and over again, until these men have gone to their graves in poverty without a cent.

A MEMBER. Yes, to their graves as paupers.

Mr. MADDOX. Yes, as the gentleman says, as paupers, because their claims could not receive consideration from the Government.

Mr. BARTLETT. Have they not had their claims adjudicated?

Mr. MADDOX. Of course, the court has adjudicated them and approved them and we can not get any appropriation.

Mr. GAINES. Can the gentleman from Georgia tell us why that is?

Mr. MADDOX. I do not know; but I want to state one thing to you, that you are not going to get anything paid unless you fight for it. You might as well understand that; and you had just as well get up here and demand your rights, and not sit quietly in your seats. I ask you to vote against this proposition, not because it is an unjust claim, but simply because it is an unjust discrimination. Let us demand the rights that belong to us and fight for them in this House and then we will get them. We will never get them before we do that.

I have said all I desire to say, and I reserve the balance of my time.

Mr. ROBINSON of Indiana. Will the gentleman yield to me?

Mr. MADDOX. I do not know how much time I have remaining.

Mr. ROBINSON of Indiana. The gentleman has two or three minutes.

Mr. MADDOX. Mr. Speaker, how much time have I?

The SPEAKER. The gentleman has twelve minutes.

Mr. MADDOX. I reserve the balance of my time.

Mr. GROW. Mr. Speaker, the gentleman's reasons for not paying a just debt would justify the repudiation of all debts.

It makes no difference how a claim comes before this House, if it is a just claim when it comes here it is the duty of the House to pay it, and if it is unjust it is the duty of the House to vote against it, but not to say that because some other just claim has not been considered they will not pay this.

If I recollect aright, millions of dollars have been paid for the same kind of claims as this in the rebellious States. I know I have voted for four different separate bills here to pay for injury to institutions in the South. The bill for the relief of the Methodist book concern in Tennessee passed the House a short time ago. Now you claim you can not get any consideration. A bill is pending between the two Houses to-day involving some millions of dollars under the Bowman Act.

Mr. COX. Will the gentleman yield to me for one question?

Mr. GROW. Yes, sir.

Mr. COX. When this claim was up before I made objection and it went out. Now, I want to ask you a plain, simple question. When the forces took possession of that house—let us get the point down so we can understand it—did not your claimant sue the marshal for the possession of the property?

Mr. GROW. I did not quite hear the gentleman, but if I understand him——

Mr. COX. I will make myself understood before I get through. When the marshal took possession of the property and used it for governmental purposes, did not your claimant sue the marshal for the occupation of the property, sue him as an individual?

Mr. GROW. No, sir; he did not sue him until after the war, and then as marshal of the United States.

Mr. COX. Now, the point I want to bring out is this——

Mr. GROW. Wait one minute. He did not sue the marshal until after the war was all over and his claim had been presented to the Secretary of War and the War Department had said it could not be paid because there was no contract before the Secretary of War.

Mr. COX. Now, my dear sir——

Mr. GROW. Then he brought a suit against him as marshal of the United States. The property was used by the United States marshal as barracks for drafted men and, after the draft, by soldiers of the United States under Colonel Kerrigan.

Mr. COX. And you got a judgment.

Mr. GROW. So I think it is a just claim.

Mr. COX. Now you want the Government to pay a judgment that you have recovered against a marshal. I say, now, what are you going to do with that judgment?

Mr. GROW. The marshal was bankrupt, and he is dead. So the judgment——

Mr. COX. There are a great many men who are dead who have had judgments rendered against them. [Laughter.]

Mr. GROW. If this claimant had not gone to court and had the amount adjudicated, gentlemen would be saying to-day that this was an exorbitant claim; but the courts have settled what is a just amount.

Mr. COX. You elected and decided to bring the case in the court against this marshal, and you got your judgment, and it turned out to be an insolvent judgment, and now you ask the Government to pay it. Is that right?

Mr. GROW. Took it from the officer.

Mr. COX. Is not that the proof?

Mr. GROW. No; it is not right. The officer of the Government took that property, and the party sued him as an officer of the Government. The Government used the building for the use of the Army; and are we to repudiate such an obligation of the Government?

Mr. COX. Oh, never mind about repudiation of the thing. [Laughter.] When you elected to sue the marshal, did you not assume the responsibility that the marshal owed the debt?

Mr. GROW. No, sir.

Mr. COX. But you sued the marshal?

Mr. GROW. The marshal as an individual did not owe any debt, but as a marshal of the United States he owed for the rent of this property.

Mr. COX. You sued him as an individual, and got your judgment?

Mr. GROW. Now, the gentleman must allow me right here.

Mr. COX. Why, of course, I allow anything.

Mr. GROW. This claimant waited until the end the war, expecting his claim for the use of this property would be paid. It was not paid. He used all due diligence, had it presented at the War Department, and their objection was that there was no contract made between the claimant and the marshal, and hence he must look to Congress or some other source. Then, after waiting a few years, he had it presented to Congress, and by the death of a member it was postponed. Then he brought his suit in order to have adjudicated what damage he sustained, and he obtained his judgment against an officer of the Government, not as an individual. Then that comes to Congress, and it is referred to the Court of Claims; but they decided that they had no jurisdiction, because it was not in an insurrectionary State. If it had been, they could have heard and considered the claim. Now, why make an objection to it after a duly authorized court of law has passed upon the claim and the Government has not paid it?

Mr. COX. Will the gentleman yield to me for one moment?

Mr. GROW. I yield first to the gentleman from Texas.

Mr. COOPER of Texas. Why was not this claim paid by the Quartermaster's Department?

Mr. GROW. Because there was no contract made for the use of the building. It was taken for use by the provost-marshal.

Mr. COOPER of Texas. Under the act of 1864, according to my understanding of the law, the Quartermaster-General was authorized to settle all claims of this kind; and by the act of 1875——

Mr. GROW. It was never settled. I understand all the circumstances of this case. At that time I was Representative in this House of that district. The claimant never received any pay, nor have his heirs, for the use of this property, which cost $2,000 to put into a condition for use after the soldiers left. It was used for soldiers' barracks. Now I yield to the gentleman from Tennessee.

Mr. COX. I broke up this claim once when a request was made for unanimous consent. Now, I desire to ask the gentleman, in the presence of this House, did not your claimant sue an individual and obtain judgment?

Mr. GROW. He was an officer of the Government.

Mr. COX. Oh, he was an officer; but he sued him?

Mr. GROW. He sued him as provost-marshal in a claim against the United States.

Mr. COX. Why did you not sue the Government?

Mr. GROW. You can not sue the Government without its consent.

Mr. COX. Oh! [Laughter.]

Mr. GROW. Without some law for it. Now I yield to the gentleman from Delaware for a question.

Mr. HANDY. May I ask the gentleman from Pennsylvania whether it is not a fact that the Government of the United States made an allowance to this provost-marshal to pay that rent, and the provost-marshal failed to pay the rent?

Mr. GROW. That is possible; but I do not know the facts.

Mr. HANDY. If that is the fact, the Government has already paid once for this thing.

Mr. GROW. No; they have not.
Mr. HANDY. They paid it to the marshal.
Mr. GROW. They did not pay the money to the individual. The Government is responsible for its officer, and responsible for paying to the citizen if its officer fails to pay. The citizen does not lose by fault of an officer of the Government.
Mr. GAINES. Let me ask the gentleman from Pennsylvania a question.
Mr. GROW. Certainly.
Mr. GAINES. A United States officer took charge of this property, and used it as such officer for the benefit of the United States Government?
Mr. GROW. Certainly.
Mr. GAINES. Used it for some length of time?
Mr. GROW. Used it from 1863 to the end of the war.
Mr. GAINES. Did the committee unanimously report the claim?
Mr. GROW. They are unanimous in the report. The gentleman from Massachusetts [Mr. FITZGERALD], a Democrat, member of the committee, made the report.
Mr. GAINES. Now, then, this claimant sued this officer as marshal. Suppose they did sue him and got judgment and the judgment remained unpaid, has not Congress the perfect right to——
Mr. GROW. I do not exactly hear your proposition. I was just going to appeal to the Speaker for more order.
The SPEAKER. The Chair desires order in the House preparatory to asking for order in the galleries. All gentlemen will cease conversation.
Mr. GROW. Now I yield to the gentleman from Tennessee.
Mr. GAINES. Now, this officer took charge of this property as an officer of the Government and used it, as I understand?
Mr. GROW. They had it for barracks for drafted men and for returning soldiers on furlough to and from their homes.
Mr. GAINES. He did not take charge of it to use for his own personal benefit?
Mr. GROW. Not at all.
Mr. GAINES. He sued the officer and got judgment against him?
Mr. GROW. Yes; in the county courts.
Mr. GAINES. And that officer is dead and his estate insolvent, even if the judgment was against him personally. Now, suppose that he and the Government were a joint trespasser, would not the right to recover at law be against either or both?
Mr. GROW. Certainly.
Mr. GAINES. And until a judgment in a joint tort is paid you can sue each trespasser and recover until the claim is actually paid; and that is the principle you invoke here?
Mr. GROW. That is the law, as I understand it. There never has been any payment in this case, and there is no question about the Government having used the property for barracks for drafted men, for returned soldiers coming home. Colonel Kerrigan held it two years after the draft was over and used it as barracks for United States soldiers.
Mr. ROBINSON of Indiana. Has the gentleman got an execution on his judgment?
Mr. GROW. I do not remember exactly, but I think an execution was returned nulla bona. The gentleman from Tennessee [Mr. GAINES] has stated the question, not only in regard to the law, but the equity. The officer of the Government is a trespasser. The Government can not be a trespasser, but somebody else must be. You sue the officer, and behind him stands the United States Government, and if a party can not collect his judgment of the officer, then he looks to the Government to pay, and if the party does collect it of the officer, then the officer looks to the Government to reimburse him. Now, the Government has never paid this claim.
Mr. MADDOX. I yield five minutes to the gentleman from Indiana [Mr. ROBINSON].
Mr. ROBINSON of Indiana. Mr. Speaker, the reading of this report indicates no ground or reason why this claim should be presented to the House in preference to hundreds of other claims now pending, based upon the same reason and justice as this. We remember the many days of filibustering in this Congress by the other side of the House against claims like this. Friday after Friday was adjourned over to avoid claims similar to this, and it seems strange how one claim can percolate its way through the bulwark that prevents the consideration of claims due to loyal American citizens, while others are barred from the consideration of the House.
While it may be said that no just claim should go unallowed, yet when we come to a suspension of the rules on a measure of this kind, where we can not give it that consideration that claims thirty years old should have, I think it is a just ground of objection to the allowance of one claim that it is a discrimination against hundreds of other claims that are presented to this House. I simply want to emphasize the fact that hundreds of other claims, fully as meritorious, are denied a consideration.

Mr. DOCKERY. I want to suggest to the gentleman from Indiana [Mr. ROBINSON] at this point that it is well enough to go back to the language of the report. The report says that the claimant made a claim for compensation to the honorable Secretary of War on or about August, 1865, which claim was rejected on May 10, 1866, on the ground that the claimant must look to the officers who took the building. Why, there is no liability of the Government, and clearly was so held by the Secretary of War. It was an individual transaction. It seems that the claimant has exhausted his remedy, has secured his judgment, which proved to be worthless, because the party is dead and his estate is valueless. There is absolutely no equity in the claim, because there is no liability on the part of the Government.
Mr. ROBINSON of Indiana. As has been said by the gentleman from Missouri [Mr. DOCKERY], at the time when the facts were fresh in the minds of the witnesses it was presented to the accredited agents of the Government, and at that time they denied it. Now, we are asked in twenty minutes' debate on either side to pass this measure involving an expenditure of public money and suppressing hundreds of other claims of like merit. I do not believe it is just, and I do not think the claim ought to have that vantage ground.
Mr. GROW. One word, Mr. Speaker, and I am done. It seems to be the idea of some members of the House that because we can not pay all the claims that are presented against the Government we should not pay any.
The SPEAKER. The question is on suspending the rules and passing the bill.
The question was taken; and the Speaker announcing that the Chair was in doubt, the House divided; and there were—ayes 89, noes 44.
Mr. MADDOX. Mr. Speaker, I call for the yeas and nays.
The question was taken.
The SPEAKER. Thirty-four gentlemen rising, a sufficient number.
Mr. GROW. I demand the other side.
The other side was taken; and there were 106 in the negative.
So the yeas and nays were ordered.
The question was taken; and there were—yeas 129, nays 76, answered "present" 10, not voting 136; as follows:

YEAS—129.

Adams,	Dick,	Linney,	Shelden,
Alexander,	Dorr,	Lovering,	Sherman,
Arnold,	Eddy,	Low,	Showalter,
Babcock,	Faris,	Lybrand,	Skinner,
Baker, Md.	Fenton,	McCleary,	Slayden,
Ball,	Fischer,	McIntire,	Smith, Ill.
Belknap,	Fowler, N. J.	Mahon,	Smith, S. W.
Booze,	Gaines,	Mann,	Smith, Wm. Alden
Boutelle, Me.	Gardner,	Marsh,	Southard,
Broderick,	Gibson,	Mercer,	Spalding,
Bromwell,	Graff,	Mesick,	Sperry,
Brosius,	Greene, Mass.	Miller,	Sprague,
Brown,	Grosvenor,	Minor,	Stewart, Wis.
Burleigh,	Grow,	Mitchell,	Stone,
Butler,	Gunn,	Moody,	Strode, Nebr.
Capron,	Hamilton,	Moon,	Sturtevant,
Carmack,	Hawley,	Morris,	Sulloway,
Clark, Iowa	Hentwole,	Mudd,	Sulzer,
Clarke, N. H.	Henry, Conn.	Otjen,	Tawney,
Cochrane, N. Y.	Hepburn,	Overstreet,	Updegraff,
Connell,	Hicks,	Packer, Pa.	Van Voorhis,
Connolly,	Hilborn,	Perkins,	Wadsworth,
Cooper, Wis.	Hitt,	Powers,	Walker, Mass.
Corliss,	Hopkins,	Pugh,	Wanger,
Cousins,	Howe,	Ray,	Ward,
Crump,	Howell,	Reeves,	Warner,
Crumpacker,	Johnson, N. Dak.	Richardson,	Weymouth,
Cummings,	Kerr,	Robbins,	White, N. C.
Curtis, Iowa	Ketcham,	Royse,	Williams, Pa.
Curtis, Kans.	Kirkpatrick,	Russell,	Yost.
Dalzell,	Knox,	Shafroth,	
Davenport,	Lacey,	Shannon,	
Davidson, Wis.	Latimer,	Shattuc,	

NAYS—76.

Adamson,	Davis,	Lloyd,	Robertson, La.
Allen,	De Armond,	Loud,	Robinson, Ind.
Baird,	De Graffenreid,	McClellan,	Shuford,
Baker, Ill.	Dockery,	McCormick,	Simpson,
Bartlett,	Driggs,	McCulloch,	Smith, Ky.
Bell,	Greene, Nebr.	McDowell,	Spight,
Benton,	Handy,	McLain,	Stark,
Bland,	Hay,	Maddox,	Steele,
Brantley,	Henry, Miss.	Maguire,	Strait,
Brewer,	Henry, Tex.	Maxwell,	Strowd, N. C.
Broussard,	Howard, Ga.	Meekison,	Sutherland,
Brucker,	Hunter,	Miers, Ind.	Talbert,
Brundidge,	Jett,	Ogden,	Tate,
Burke,	Jones, Wash.	Osborne,	Taylor, Ala.
Clardy,	Kitchin,	Pierce, Tenn.	Todd,
Clark, Mo.	Kleberg,	Rhea,	Underwood,
Cochran, Mo.	Lanham,	Ridgely,	Wheeler, Ky.
Cooney,	Lentz,	Rixey,	Wilson,
Cowherd,	Lewis, Ga.	Robb,	Zenor.

ANSWERED "PRESENT"—10.

Bennett,	Elliott,	Norton, S. C.	Tongue.
Clayton,	Griffith,	Sims,	
De Vries,	Hull,	Snover,	

NOT VOTING—136.

Acheson,	Colson,	Hill,	Odell,
Aldrich,	Cooper, Tex.	Hinrichsen,	Olmsted,
Bailey,	Cox,	Howard, Ala.	Otey,
Bankhead,	Cranford,	Hurley,	Parker, N. J.
Barber,	Danford,	Jenkins,	Payne,
Barham,	Davey,	Johnson, Ind.	Pearce, Mo.
Barlow,	Davison, Ky.	Jones, Va.	Pearson,
Barney,	Dayton,	Joy,	Peters,
Barrett,	Dinsmore,	Kelley,	Prince,
Barrows,	Dolliver,	King,	Quigg,
Bartholdt,	Dovener,	Knowles,	Sauerhering,
Beach,	Ellis,	Kulp,	Settle,
Belden,	Ermentrout,	Lamb,	Southwick,
Belford,	Evans,	Landis,	Sparkman,
Benner, Pa.	Fitzgerald,	Lawrence,	Stallings,
Berry,	Fitzpatrick,	Lester,	Stephens, Tex.
Bingham,	Fleming,	Lewis, Wash.	Stevens, Minn.
Bishop,	Fletcher,	Littauer, .	Stewart, N. J.
Bodine,	Foote,	Little,	Stokes,
Botkin,	Foss,	Livingston,	Swanson,
Boutell, Ill.	Fowler, N. C.	Lorimer,	Tayler, Ohio
Bradley,	Fox,	Loudenslager,	Terry,
Brenner, Ohio	Gillet, N. Y.	McAleer,	Thorp,
Brewster,	Gillett, Mass.	McCall,	Vandiver,
Brownlow,	Graham,	McDonald,	Vehslage,
Brumm,	Griffin,	McEwan,	Vincent,
Bull,	Griggs,	McRae,	Walker, Va.
Burton,	Grout,	Mahany,	Weaver,
Campbell,	Hager,	Marshall,	Wheeler, Ala.
Cannon,	Harmer,	Martin,	White, Ill.
Castle,	Hartman,	Meyer, La.	Wilber,
Catchings,	Hemenway,	Mills,	Williams, Miss.
Chickering,	Henderson,	Newlands,	Wise,
Codding,	Henry, Ind.	Norton, Ohio	Young.

So (two-thirds not voting in the affirmative) the motion of Mr. GROW to suspend the rules and pass the bill was not agreed to.

The following pairs were announced:

Until further notice:

Mr. MCEWAN with Mr. VEHSLAGE.

Mr. SAMUEL W. SMITH with Mr. HENRY of Mississippi.

Mr. BARTHOLDT with Mr. DAVEY.

Mr. ODELL with Mr. KING.

Mr. HENRY of Indiana with Mr. GRIFFITH.

Mr. PEARSON with Mr. NORTON of Ohio.

Mr. JOY with Mr. CARMACK.

Mr. CHICKERING with Mr. OTEY.

Mr. GRIFFIN with Mr. BRENNER of Ohio.

Mr. SNOVER with Mr. FOX.

Mr. TONGUE with Mr. LAMB.

Mr. LORIMER with Mr. SWANSON.

Mr. WISE with Mr. NORTON of South Carolina.

Mr. DANFORD with Mr. FITZPATRICK.

Mr. ELLIS with Mr. STOKES.

Mr. BULL with Mr. CRANFORD.

Mr. HARMER with Mr. MCALEER.

Mr. WEAVER with Mr. MARSHALL.

Mr. BARRETT with Mr. LESTER.

For this day:

Mr. JENKINS with Mr. WILLIAMS of Mississippi.

Mr. GRAHAM with Mr. TERRY.

Mr. YOUNG with Mr. ERMENTROUT.

Mr. ACHESON with Mr. CATCHINGS.

Mr. KULP with Mr. DINSMORE.

Mr. BELFORD with Mr. JONES of Virginia.

Mr. TAYLER of Ohio with Mr. SPARKMAN.

Mr. STEWART of New Jersey with Mr. BENNER of Pennsylvania.

Mr. CODDING with Mr. CLAYTON.

Mr. OLMSTED with Mr. SWANSON.

Mr. WHITE of Illinois with Mr. STEPHENS of Texas.

Mr. BOUTELL of Illinois with Mr. GRIGGS.

Mr. COUSINS with Mr. MCRAE.

On this vote:

Mr. HENDERSON with Mr. ELLIOTT.

Mr. HEPBURN with Mr. UPDEGRAFF.

Mr. TONGUE (having voted in the affirmative). Mr. Speaker, I am paired with the gentleman from Virginia, Mr. LAMB. I therefore desire to withdraw my vote.

Mr. GRIGGS. Mr. Speaker, did the gentleman from Illinois, Mr. BOUTELL, vote?

The SPEAKER. He did not.

Mr. GRIGGS. I am paired with that gentleman. If he had been present, I would have voted "no."

Mr. MEYER of Louisiana. Mr. Speaker, I desire to be recorded as "present." I was not in the Hall when my name was called, but I came in before the conclusion of the vote.

The SPEAKER. There being a quorum present, the gentleman's statement does not entitle him to be recorded on the roll as "present;" he will be obliged to content himself with the statement he has just made.

The result of the vote was announced as above recorded.

EXTENSION OF THE POSTAL SERVICE.

Mr. LOUD. Mr. Speaker, on behalf of the Committee on the Post-Office and Post-Roads, I move to suspend the rules and pass the bill (S. 460) to extend the uses of the mail service.

The SPEAKER. The bill will be read.

The bill was read, as follows:

Be it enacted, etc., That it shall be lawful for the postal cards and envelopes, with coupons attached, as patented and now or hereafter owned by the United States Economic Postage Association or its successors, a corporation created under and by the laws of the State of West Virginia, to be carried in the mails of the United States, under such rules and regulations as may be prescribed by the Postmaster-General, and the postage thereon, at the regular postal-card and letter rates, paid on presentation of the coupons from the said cards and envelopes when detached at the office of delivery; and the Postmaster-General may, in his discretion, test the practical operation of this act in such one or more cities as he may select before extending it generally throughout the country, and if the result be unfavorable suspend its operation altogether.

SEC. 2. That before the said cards and envelopes shall be so carried through the mails the said association shall enter into a bond to the United States, with corporate or other sufficient security, to be approved in form and sufficiency by the Postmaster-General, in the sum of $100,000, or such larger sum as the Postmaster-General shall in the beginning or from time to time prescribe, conditioned for the redemption in cash when presented of each and every one of said coupons taken from cards and envelops at the office of delivery. Upon failure at any time for ten days to redeem said coupons in cash the Postmaster-General may, by order, stop the carrying of said envelopes and cards in the mails of the United States.

SEC. 3. That all cards and envelopes furnished by the United States Economic Postage Association shall conform in size to the requirements of the Post-Office Department; shall be used only for return messages; shall have printed thereon, and upon the coupon attached thereto, the address of the individual, firm, company, or corporation to whom such cards and envelopes are to be returned; and may also have printed upon the address side the penalty prescribed for any violation of this act, and upon each coupon such words as will indicate that the postage will be paid when the card or envelope is delivered to the addressee.

SEC. 4. That it shall be unlawful to mail, and postmasters and other postal officials shall refuse to send or carry in the mails, any envelopes or cards of the said association on which the name of the individual, firm, company, or corporation imprinted thereon has been erased; and any person convicted of the violation of this statute shall be fined not exceeding $100 or imprisoned not more than thirty days on failure or refusal to pay the fine.

SEC. 5. That said association shall pay postage upon each and every piece of matter passing through the mails, which shall be patented or now or hereafter owned by said association or its successors.

SEC. 6. That said association shall, if required by the Postmaster-General, at all times keep a sum in cash, deposited as the Postmaster-General may direct, sufficient in amount for the redemption of said coupons daily or weekly, or monthly.

SEC. 7. That in every case where an envelope of the said association when mailed carries more than a single-rate message, the postmaster shall place upon the coupon attached to said envelope and cancel as many postage-due stamps as may be required by existing law, in the same manner as is now done with all other similar mail matter; and the said association shall redeem and pay for the stamps so added to the coupons at the same time that the coupon is redeemed and paid for.

SEC. 8. That postmasters shall cancel all coupons attached to the cards and envelopes of said association in the same manner as stamps are now canceled, and shall be entitled to the same compensation for canceling said coupons as is allowed for the cancellation or sale of stamps.

SEC. 9. That nothing shall be paid by the United States Government for or on account of any patent owned by the United States Economic Postage Association, and no claim for damages shall be made or exist against the United States for or on account of the alteration, amendment, or repeal of this act.

Mr. CORLISS. Mr. Speaker, I demand a second.

Mr. BROMWELL. Mr. Speaker, I ask unanimous consent that a second be considered as ordered.

The SPEAKER. Is there objection?

Mr. MADDOX. I would like to have some explanation of the bill, but shall not object.

Mr. GILLETT of Massachusetts. I object.

The SPEAKER. The Chair will then appoint tellers.

Mr. LOUD and Mr. CORLISS were appointed tellers.

The House divided; and the tellers reported—ayes 104, noes 3.

So a second was ordered.

The SPEAKER. The gentleman from California will be recognized for twenty minutes, and the gentleman from Michigan, in opposition to the bill, for twenty minutes.

Mr. LOUD. I call for the reading of the report, which was made by Mr. CLARK of Iowa, who reported the bill to the House, and which is thoroughly explanatory of its purposes.

The report was read, as follows:

The Committee on the Post-Office and Post-Roads, to whom was referred the bill (S. 460) to extend the uses of the mail service, and commonly known as the economic postage bill, have had the same under consideration and beg to submit herewith their favorable report upon the measure.

This is a bill to make it lawful for the postal cards and envelopes with coupons attached, as patented by the United States Economic Postage Association, to be be carried in the mails of the United States under the provisions set forth in the act. By the method proposed the sender of these cards or envelopes will pay the full rate as required by law, but he will not pay return postage unless the card or envelope is actually returned. As it is now business men and others who solicit trade or information by inclosing stamps, stamped envelopes, or postal cards to a correspondent say that only about 10 per cent are returned. This limits this use of the mails.

It is claimed by upward of two thousand business men, who have made statements submitted to the committee, that they would vastly increase the sending out of cards and envelopes if they could be certain their investments would not be lost. Under this bill, and by the use of the proposed cards and envelopes, a method is provided by which the difficulties business men have heretofore labored under in this respect will be obviated.

In a report made to the Fifty-fourth Congress from the Committee on the Post-Office and Post-Roads, accompanying this same bill, the careful and well-informed chairman of the committee—Mr. LOUD, who drew up the report—estimated, from such data as he had, that it might not be extravagant

to say that the stimulus given to mercantile and commercial interests throughout the whole country, under the operation of this law, would approximate $30,000,000 net revenue. The bill has been carefully prepared so as to guard fully the rights and interests of the Government. The Postmaster-General may, in his discretion, test the practical operation of this act in such one or more cities as he may select before extending it generally throughout the country, and, if the result be unfavorable, suspend it altogether. This is a matter that must be tested, as to its good or ill consequences, by administrative trial. The bill charges the Post-Office Department with the making of this trial.

If the American people are served, business promoted, popular convenience increased, and the revenues of the Post-Office Department multiplied by its operation without conflict with the rights of the Government, then the people and the Government should have these benefits. If it does not work these results, then the Post-Office Department and the statute books should not be burdened with it. The preliminary test under the supervision of the Postmaster-General will solve the whole problem with perfect safety for the Government and all concerned. Objections can easily be made, based upon hypothetical assumptions, to the bill and the plan proposed, but the committee do not deem it necessary to discuss these, in view of the fact that the Postmaster-General is to make a trial of the plan before adopting it. If these objections, based on presumptions, prove well founded, he will suspend the operations of the act; if they prove unfounded, the committee will but have wasted its time in discussing them.

A bill for the same purpose, but not so well guarded in its provisions, was introduced in the Fifty-third Congress by Mr. Henderson, then chairman of the House Committee on the Post-Office and Post-Roads, and was favorably and unanimously reported from that committee to the House. The bill was introduced in the Senate in the Fifty-fourth Congress by Senator Vilas, late Postmaster-General, and it was favorably reported and unanimously passed by the Senate February 18, 1897. The bill, being approved by Hon. William L. Wilson, then Postmaster-General, was introduced into the House in the Fifty-fourth Congress, and favorably reported from the Committee on the Post-Office and Post-Roads. In the Fifty-fifth Congress the bill as now before the House unanimously passed the Senate March 15, 1898.

Your committee recommend its passage.

Mr. LOUD. Mr. Speaker, I will state to the House that this is not a new question for consideration in this body. It has received the attention of the Post-Office Committee for some years past. While for the past two years I have not given it close personal attention, yet when Mr. Wilson was Postmaster-General, in conjunction with him we carefully went over the bill, and such amendments were prepared as, in our judgment, were deemed to be necessary to perfect it.

The bill then proposed was gone over carefully and every interest of the Government protected. It provided for a minimum bond of $100,000 to be given by this company before it could enter into business as the bill proposes. An amendment was also provided, which is incorporated in the present bill, that the Postmaster-General should require a deposit of such sum of money as, in his judgment, might be necessary to redeem the coupons day by day at the principal post-offices.

We further suggested in the same connection an amendment, which is also incorporated in the pending bill, that this experiment might be tried in one or two of the cities of the country—not exceeding two—for the purpose of ascertaining the practicability of the scheme proposed and its value to the Post-Office Department.

Mr. Speaker, most every business man in the country knows that there is a large field for the increase of existing business orders by means of postal cards or letters; and that is what this bill seeks to accomplish, and that is what the committee believes it will substantially accomplish and that it will result in large revenues to the Department.

Mr. CANNON. Will the gentleman allow me?

Mr. LOUD. Certainly.

Mr. CANNON. I want to see if I understand the provisions of the bill. We have before us a copy of the return postal card, which is embodied in the report just read from the desk. Now, for business purposes this postal card may be inclosed in an envelope and sent to the customer, who may subsequently fill it up and return it, and the postage coupon is to be detached by the postmaster.

Mr. LOUD. That is correct; but when the card is sent out the party sending it may use such means as he sees fit. He need not send it by mail; but if it be sent through the mail it would be subject to third-class postage rates, or 8 cents a pound. But it is very probable that in the larger cities these cards would be delivered personally to the customers in many instances.

Mr. CANNON. And without the payment of postage.

Mr. LOUD. Certainly. If it is distributed by the company itself, there would be no payment of postage, but if sent through the mails it would pay the same rate as other printed matter; that is to say, 8 cents a pound, as I understand it.

Mr. CANNON. Now, let me see if I understand the gentleman. If I understand it, the postal card is sent to any one of the 75,000,000 people, through the 80,000 post-offices that we have, and if received, the party can turn it over on the other side and write an order or a message to be transmitted to the sender. It goes back then to the writer—we will say "Mr. Richard Roe," of Washington, D. C., or to whatever name may be written or printed on it—and it comes to the post-office at Washington or New York, or goes to Buncombe County Cross Roads—wherever this corporation, the Economic Postage Association, is located—and the postmaster tears off the coupon and transmits it to some place where this corporation is in business and presents it, and then the United States will receive 1 cent for carrying that card.

In other words, it would have passed through the mails and it would have come to the post-office in Washington, or Buncombe Cross Roads, or somewhere else——

Mr. LOUD. Oh, well, if the gentleman from Illinois is to make a speech I hope he will take his own time.

Mr. CANNON. I only want to see if I understand it. I was going to say that the postmaster must tear off the 1-cent coupon and transmit it to the company before he can get payment of the postage.

Mr. LOUD. The gentleman is mistaken.

Mr. CANNON. Very well, then, I want to know precisely what this thing does.

Mr. LOUD. The Postmaster-General is authorized to provide means for taking up the coupons; and this bill only provides that he may establish this system in one or two cities for the purpose of making a test of its provisions, and if desirable, after experiments, he may extend it. That is all.

Mr. CANNON. Now, let me see if this is not possible and probable. There are 80,000 post-offices in the United States. To-morrow 80,000 postmasters get these cards on which the postage has not been paid and 80,000 postmasters tear off 80,000 coupons——

Mr. LOUD. Oh, but they do not.

Mr. CANNON. Eighty thousand postmasters tear off 80,000 coupons——

Mr. LOUD. If the gentleman is going to make that kind of a speech, I should prefer to have him make it in his own time.

Mr. CANNON. I am asking for information. Would it not be done in that way?

Mr. LOUD. No; the bill permits the Postmaster-General to put this in operation in but one or two cities and the cards can only come back to one or two places.

Mr. CANNON. Why should not all have it, if it is a good thing? I am trying to test the wisdom of it.

Mr. LOUD. We thought it advisable to experiment with this thing before we embarked generally upon it.

Mr. GILLETT of Massachusetts. Will the gentleman allow me to ask him where in the bill it states that it only applies to one city?

Mr. LOUD. That is my understanding of the bill.

Mr. GILLETT of Massachusetts. I suppose the gentleman knows all about the bill.

Mr. BABCOCK. The matter is left in the hands of the Postmaster-General, is it not?

Mr. BROMWELL. It is, in lines 13 and 14 of the bill.

Mr. ROBINSON of Indiana. The gentleman from Ohio [Mr. BROMWELL] states that it is, in lines 13 and 14 of the bill.

Mr. LOUD. It authorizes the Postmaster-General, as I stated.

Mr. BROMWELL. I can answer the gentleman's question. It is in lines 13 and 14 of the first page of the bill.

Mr. GILLETT of Massachusetts. That does not limit it to one or two cities.

Mr. BROMWELL (reading)—

And the Postmaster-General may, in his discretion, test the practical operation of this act in such one or more cities as he may select before extending it generally throughout the country.

Mr. GILLETT of Massachusetts. But it allows him to extend it generally throughout the country.

Mr. BROMWELL. It says "in one or more cities."

Mr. FISCHER. Who pays the expense of the accounting between the company and the Government? It will require additional clerks, will it not?

Mr. LOUD. It will require some additional help, but let me say to the House of Representatives that the first-class matter, in which this will be included, is the only paying portion of the post-office business that we have. In other words, less than one-tenth of the mail matter carried returns to us more than $70,000,000 out of a total revenue of about eighty-eight million or eighty-nine million dollars, and anything that can be done to build up first-class matter must necessarily bring back into the revenues of the Post-Office Department a very large increase.

Mr. RIDGELY. Will the gentleman permit a question?

Mr. LOUD. Yes.

Mr. RIDGELY. Has your committee made an estimate as to whether this will increase or decrease the receipts upon the same tonnage? Or will it increase the tonnage without increasing the receipts?

Mr. LOUD. It provides the regular rate of postage now prescribed by law.

Mr. HANDY. It will increase the paying part of the matter that is carried in the mails.

Mr. BABCOCK. It is all first-class matter.

Mr. LOUD. It is all first-class matter.

Mr. HEPBURN. How far will it diminish that which pays now?

Mr. RIDGELY. It has been stated that a large amount of this advertising is now done by postal cards, which never return. In that case the Government gets the pay for the card without carrying it, does it not?

Mr. LOUD. The Government does get a little revenue from cards that are never used, but it is not a very large amount of money. The merchants of the country seem to be perfectly certain that this will vastly encourage the transmittal of first-class matter.

Mr. RIDGELY. I was simply wanting to get the judgment of the committee as to whether it will increase the Government receipts for the business done.

Mr. LOUD. I think that it would encourage first-class matter, and hence increase the revenues of the Government.

I reserve the balance of my time.

The SPEAKER. The gentleman from California reserves the balance of his time.

Mr. CORLISS. Mr. Speaker, as I do not trouble the House frequently with my remarks, I trust I may have order.

The SPEAKER. The House will please be in order and gentlemen will cease conversation.

Mr. CORLISS. Mr. Speaker, this bill, upon its face and upon the reading of the report, would appear to be a very innocent little measure for the benefit of our commercial and mercantile interests and for the great advancement of our Post-Office Department. But when you stop to analyze and examine with care the objects, purposes, and scope of this bill, you will understand the character of it, the dangers of such legislation, and the purpose of the promoters of this project.

In the first place, this corporation claims, and it is stated that it has secured, letters patent of the United States for a particular character of postal card and envelope with coupons attached. To that extent they have enjoyed the privileges that are accorded to every other citizen of the United States, and secured for a period of seventeen years an absolute monopoly of an invention and the sole right to manufacture, use, and sell the same, and to that extent they enjoy an absolute control and monopoly of this patent——

Mr. BROMWELL. May I ask the gentleman a question?

Mr. CORLISS (continuing). And can go into the market and use it as any other man may use his genius and his ability and the results of his labor and skill.

Mr. BROMWELL. May I ask the gentleman a question?

Mr. CORLISS. I yield to the gentleman for a question.

Mr. BROMWELL. I would like to ask the gentleman what advantage it is to the Economic Postage Association to have this patent and to get this monopoly, and get all the advantages the gentleman speaks of, when as a matter of fact unless this bill passes the House and becomes a law their matter can not be admitted into the mails. Will you explain to the House what advantage the patent would be to them if their matter was not admitted to the mails?

Mr. CORLISS. I did not suppose gentlemen advocating this measure would take the position that I was going to take in an argument against this measure. The gentleman now admits that the patent is worthless, and that the owners of it can not use it to advantage or profit without special legislation by Congress.

Now, then, the patent is absolutely worthless. Then, let me ask, Mr. Speaker, if that is true, why should Congress legislate so as to place in the hands of one corporation the power to use a patented article which is worthless, when perhaps some other genius may, and probably will in the near future, devise a better and more economical, more useful device, who would be compelled to come to Congress and ask for an act similar to this, giving the privilege of using the United States mails? But we can judge from the persistency of the representatives of this corporation that they would have difficulty in securing legislation for their relief.

Mr. WILLIAMS of Mississippi. Will the gentleman permit another question?

Mr. CORLISS. I prefer not to be interrupted, with all due respect, because I desire in my twenty minutes to present to the House such information as I have upon this question, in order that members may understand it; and I trust the leader of the House will give me his attention.

Now, Mr. Speaker, this bill authorizes this corporation, and this corporation only, to use the public mails of the United States on credit——

Mr. BROMWELL. Oh, no.

Mr. CORLISS. A privilege that is denied every other citizen of the United States. You can not send your letters through the post-office and have the postmaster at the other end collect the revenue from the man who has received your letter. Will gentlemen please give me a little order?

The SPEAKER. Will the House be in order?

Mr. CORLISS. I really think, Mr. Speaker, that if gentlemen would listen they would get more information than they will in discussing it privately.

The SPEAKER. The Chair assumes gentlemen are discussing this bill privately. The Chair hopes they will listen to the suggestion of the gentleman from Michigan with reference to discussing the bill privately.

Mr. CORLISS. With all due respect to the gentlemen who seem to be conversing around here, I am sincerely laboring for the purpose of preserving for the people what it seems to me they are entitled to. Now, if there is any Department of our Government sacred to the people of our country, it is the Post-Office Department. They care not whether it is maintained within its own resources. They want service, they want good service in all parts of our country, and here is a proposition in this legislation to transfer part of the business of the post-office into the hands of a private corporation.

How many members would consent to transfer the Post-Office Department into the hands of a corporation under contract to carry on the business of the Post-Office Department? Now, this to a certain extent does that very thing. It authorizes this corporation to distribute throughout the United States its postal cards, its envelopes, containing coupons, and it authorizes the men who receive them to send them back to the party who sent them. It enables this corporation to sell their cards at any price that they can get. There is no provision in the bill that you or I or any other man can buy these cards at the same price that they may be purchased by a large corporation that wants to use thousands of them. There is no protection for the masses of the people who may want to enjoy this privilege.

Mr. GREENE of Nebraska. Will the gentleman allow me to ask him a question?

Mr. CORLISS. Not until I finish. I will try to save enough time to answer questions.

The SPEAKER. The gentleman declines to yield.

Mr. GREENE of Nebraska. I am with you in your position against the bill.

Mr. CORLISS. Now, it seems to me there are three or four vital objections to this bill. It takes from the hands of the Post-Office Department a certain part of its business and enables this corporation to enjoy it. It grants such privilege on credit. Mind you, these coupons attached to these cards or attached to these envelopes are to be sent through the mail and the postmaster who receives them is compelled to tear off the coupons and send them to the office of this company for collection. This would entail upon the Post-Office Department of the Government in every city in our country the expense of an additional clerk to tear off the coupons, count them, and make up the account and settle with this corporation.

You may increase the volume of business, but I submit that today the Government of the United States is receiving a large amount of revenue from the sale of postal cards that are sent out and never returned, and by this measure the Government would be deprived of that revenue. Secondly, you give this company an exclusive control of the privilege for all time. There is no limit under this bill unless the Postmaster-General limits it. He is given the power, if he does not think it a success, to cut it off; but I submit that Congress ought not to permit the Postmaster-General under any Administration to determine whether or not this or any other scheme of like character be established when the corporation is granted a special privilege over other men.

If this is wise, authorize any corporation that has a device which it desires to use through the mails of our Government to go before the Department and submit its design. Are you not willing to encourage genius and skill? Then why select this device as the best? No instrument of any kind has ever been invented that can not be improved on by man. Why not give any other genius who has an improvement the right to go before the Postmaster-General and have it adopted? And in a little while these private interests would run the Post-Office branch of our Government.

There are two good reasons why this bill ought not to pass. First, it takes from the Government a certain branch of the post-office business. Second, it grants a special privilege that is denied to every other citizen of our country. It seems to me, after careful examination of this bill, that it was conceived in the greed of man, inspired by a wicked heart, and born through illicit cohabitation. It has grown strong, Mr. Speaker, with every returning Congress. It came here in the Fifty-fourth Congress, and was just as effectively presented. The chairman of the committee, from whom we have heard the features of this bill discussed, presented it in the same manner. The 2,000 business men whose attention has been cursorily called to this measure have approved of it, but what are 2,000 business men compared to all business interests of our country? What do they know of the effect of this measure? I dare say it was never submitted to any of them.

Mr. WILLIAMS of Mississippi. Perhaps they have stock in it.

Mr. CORLISS. No, I do not want to accuse them of that. Mr. Speaker, how much more time have I?

The SPEAKER. The gentleman has seven minutes.

Mr. CORLISS. I yield four minutes to the gentleman from Illinois [Mr. CANNON].

Mr. PRINCE. I would like to ask the gentleman from Michigan [Mr. CORLISS] if he will not put a concrete illustration of the working of this bill. Suppose from your home you write a letter to me and inclose one of these cards. Will the gentleman explain the operation of the proposed bill?

Mr. CORLISS. I will. Suppose I was a large manufacturer and had a thousand customers or 10,000 customers, and I desired to sell my products. I would write to the 10,000 customers and put into my envelope, with my letter, a postal card addressed back to me, without any postage stamp, but with a coupon attached, and ask my customer to make me an order for my manufactures. Now, perhaps one-half of these customers would reply and order my goods. The object they seek to get here is this: Now, I am compelled to buy a postage stamp or a postal card that costs a cent and send it out with my letter and take the chance of my customers replying with an order for goods. This bill enables me, as a manufacturer, to send out the postal cards without a stamp and take my chance of a reply, and when it comes in the Government tears off the coupon and gets the postage from this company.

Now, that seems innocent on its face, and in some instances would work advantageously, but I submit that you ought not, by an act of Congress, to give to me that which you deny to some other man. I submit that the Government of the United States has, until the present time, maintained a cash basis of running the Post-Office Department. Whenever you desire to mail a letter or send out papers or other periodicals, you must go to the post-office and pay cash. "Cash on delivery" is the motto of the Post-Office Department, and it is a good business principle. Here you sell on credit, and I submit that the Post-Office Department ought not to be permitted to go into the credit business and trust to this corporation or any other corporation to redeem the coupons at the point where they are finally received. I now yield to the gentleman from Illinois [Mr. CANNON].

Mr. CANNON. Now, Mr. Speaker, from a hasty examination of this bill I think it is to breed a great trouble if enacted and put in force. There are 80,000 post-offices in the United States and 75,000,000 people. If this bill was in operation to-morrow, this thing could happen: Any inhabitant in the United States could send these orders to all of the other 75,000,000 inhabitants. Now, then, any one of these inhabitants can mail the postal card with coupon attached to any other inhabitant at any one of the 80,000 post-offices.

Mr. LOUD. He can only mail it to the person mentioned on the coupon.

Mr. CANNON. Precisely. It goes through the mail without the payment of postage. When it is delivered to the postmaster at that office, he tears off the coupon. The Government has not yet got its money. He must present that coupon to this Economic Association. This bill applies also to envelopes. Envelopes can be sent this way as well as postal cards. The bill provides that when the envelope, on being weighed, costs more than 2 cents, the postmaster at the office of receipt must put the necessary stamps on the coupon.

Mr. LOUD. Is there not a similar regulation now in regard to all ordinary first-class matter?

Mr. CANNON. But now the deficiency of postage is collected on the delivery of the letter. It is a cash transaction.

Mr. LOUD. But the stamp is never put on until the letter reaches the office of delivery.

Mr. CANNON. Now, my claim is that to keep in 80,000 offices an account of this work done upon credit for this Economic Association would cost, in my judgment, more than it does—I should not say more than it does, but I think it would cost quite a large percentage of as much as it now costs to keep the accounts in the various offices. I am afraid of the bill for this reason; and therefore, as it would enlarge this credit business done with this one customer at these 80,000 offices, the United States being compelled to keep the accounts and present the coupons, it seems to me it would not be in the interest of the Government to adopt this measure.

Mr. WILLIAMS of Mississippi. Before the gentleman sits down, I would like to call his attention to one thing. The provisions of the bill which purport to secure payment to the Government do not make it absolutely obligatory that this company shall pay at a certain time. The provision reads:

> Upon failure at any time for ten days to redeem said coupons in cash the Postmaster-General may—

Not "shall."

Mr. CANNON. That is true. The money may be paid or may not be. I think it would be paid; but still this business involves keeping an account at at least 80,000 offices.

Mr. WILLIAMS of Mississippi. And again, as to requiring the company to deposit a certain amount of cash, the bill provides that it shall be done if required by the Postmaster-General—not that it shall be done absolutely.

The SPEAKER. The gentleman from Michigan has half a minute remaining.

Mr. CORLISS. I will occupy that half minute by saying that I am credibly informed that Postmaster-General Gary gave his opinion upon this matter and was very much opposed to the measure before the House. I will ask the gentleman in charge of the bill whether that is not true?

Mr. LOUD. I do not think that Mr. Gary recommended or opposed the bill. He wrote a negative letter. I yield two minutes to the gentleman from Ohio [Mr. GROSVENOR].

Mr. GROSVENOR. Mr. Speaker, this proposition comes here with the indorsement of the Post-Office Department. The First Assistant Postmaster-General, who is one of the best-informed officers, as I think will be admitted, in the Department, has approved of this measure. He advocated it before he became an official of the Government and has made a report in favor of it. A few minutes ago he called me to the telephone and stated that after a careful examination he was earnestly in favor of the passage of the bill.

I have listened very attentively to the speech of the gentleman from Michigan [Mr. CORLISS], based, as I understand, mainly upon the ground that there is some monopoly in this bill that is going to favor a corporation. I think a corporation starts out evenhanded with our people when it is of the practical character indicated here. I can see no reason why, under a bill so safely guarded as this, we may not venture to give the authority proposed. I find it provided in the first section that if the experiments which may be made in the actual operation of this measure do not prove satisfactory the Postmaster-General shall have the right to suspend absolutely the operations of the law. I do not think there is anything in the measure that need deter any of us from voting to give the proposition a trial.

Mr. CORLISS. I should like to ask the gentleman from Ohio a question before he takes his seat. Does he not think that other inventive people who may get up something better than this, along the same line, ought to have equal privileges with this company?

Mr. GROSVENOR. Well, let them come with something better.

Mr. CORLISS. Would it not be best to incorporate a provision of that kind in the bill, so that if some other person or persons should devise something which it will be an advantage for the Post-Office Department to use they may have equal privileges with this company?

Mr. GROSVENOR. In that case the Department can use the device if it sees fit.

Mr. CORLISS. They can not use it now, can they?

Mr. GROSVENOR. Would the gentleman refuse to compel the use, for instance, of a particular railway brake because somebody else may devise a better one?

Mr. BROMWELL. Or a canceling machine?

Mr. GROSVENOR. We are now forcing the railroad companies to put into use a certain brake. We do not allow the killing of railroad employees to go on while we are waiting to see whether somebody else may not invent something better.

Mr. CORLISS. If the gentleman will examine the law on that subject, I think he will find that the railroad companies may adopt any device that will accomplish the purpose of the act.

Mr. GROSVENOR. I think not.

Mr. HENDERSON. That matter is controlled by the Interstate Commerce Commission.

Mr. CORLISS. Then there is a power on the part of Government officers to determine what particular device shall be used. On the same principle, if I or any other man or corporation should get up a better device than that here proposed the Postmaster-General ought to have authority to use it. Such a provision would relieve this bill of one of my objections to it.

Mr. LOUD. Mr. Speaker, I yield to the gentleman from New York [Mr. SULZER].

Mr. SULZER. Mr. Speaker, in my judgment the apparent opposition to this bill is not well taken. The bill is known as the economic postal bill, and if any gentleman will take the trouble to read the able and concise report of the gentleman from Iowa [Mr. CLARK] he will quickly and thoroughly understand the object of the bill.

All that the bill does, to state it briefly, is to make it lawful to send out envelopes and postal cards with a coupon attached. The sender of these envelopes and cards must pay the full postage now provided by law, but he will not have to pay return postage for the answer unless it is actually used and returned. That is all there is to it. Business men and others who use the mails to solicit trade or information say that by inclosing stamps or stamped envelopes or postal cards only about 10 per cent are answered and returned. This limits this use of the mails and none other.

A great many well-known business men in New York City have requested me to favor and vote for this bill. I agree with them, and shall do so. They claim that many difficulties they have heretofore labored under will be obviated by this bill.

It seems to me that the opposition to this bill is founded upon assumptions which are at variance with every principle of logic. The bill is a good bill in the interest of the Government and for the benefit of the people, and it ought to pass. I have carefully examined the bill in all its provisions, and I believe that it will not alone bring in additional revenue to the Government and aid the Postal Department, but will also be of immense service—a great boon and a great benefit—to business people and to the poor people all over the country.

It does not limit or restrict any right of the Post-Office Department that it now exercises. It infringes on no privilege which the Department can exercise under the present law. On the contrary, it lodges all the powers and responsibilities in the hands of the Postmaster-General, and in his discretion, after an investigation of the merits of the system by experiment, he can try it in a limited number of places. He can make an experiment of this economic postal plan, and if it does not inure to the interest of the Government under the law, he can suspend its operation permanently, and its provisions will be a dead law on the statute books. What harm, then, I ask, can be done by giving the economic postal system a fair trial? It promises valuable results to the Government and incalculable advantages and conveniences to the people. It may solve an intricate postal problem.

If it should do what the gentleman from Michigan [Mr. CORLISS] suggests and assumes, of course it will immediately and promptly be suspended. But the argument of the gentleman from Michigan is untenable and based on false premises.

If, on the other hand, however, it operates in the interest of the people of the United States, if it proves to be a convenience and a material benefit to them, and at the same time brings in additional revenue to the Government, as its friends and supporters claim, then it will manifestly be a good law, and the Department will maintain it and keep it on the statute books.

I listened to the argument of the gentleman from Michigan [Mr. CORLISS] and gave attention to the reasons he assigned for his opposition to this measure; and so far as I could understand he could find no valid reason excepting a specious and flimsy suggestion of a possibility which, to my mind, can never and will never materialize. If that contingency, however, should come to pass, as I have already said, the Postmaster-General will suspend the operation of the law, and there is an end to it. What injury, then, can be done? What harm can be sustained by the Government? Absolutely none whatever. In my judgment, let me say to the members of the House that we ought in all justice and all fairness give the people who own this patent an opportunity to test it and make a trial to honestly determine whether or not it will do what they claim. If it does, it is conceded by all that it will be a good thing for the Government and the people. If it does not, there will be no loss, and no harm can or will be done.

The bill has passed the Senate unanimously. It has passed this House also in several previous Congresses. It has been recommended, I believe, by every Postmaster-General for the last ten years. The present head of that Department should and wants to give it a trial. I am in favor of doing that. I want to see the test made; and if it is not satisfactory, then the law will be suspended.

Mr. Speaker, I stand with the distinguished chairman of the Post-Office Committee [Mr. LOUD]. He knows more about postal matters, in my opinion, than any other member of this House. He has said that he estimated from such data as he had that it might not be extravagant to say that the stimulus given to mercantile and commercial interests throughout the whole country under the operation of this law might approximate $30,000,000 net revenue a year.

The bill seems to be carefully drawn, and guards in every way the rights and interests of the Government. I shall vote for it, and I hope it will pass. [Applause.]

Mr. LOUD. Mr. Speaker, several gentlemen have suggested that they were in doubt about the question of the payment of postage when these cards are sent out. I will state briefly that they will be sent out under the operation of the present law and pay the same postage. I yield the remainder of the time to the gentleman from Ohio.

Mr. BROMWELL. Mr. Speaker, there are but one or two points to which I can refer in the brief time at my disposal. The first is to a reference made by the gentleman from Illinois [Mr. CANNON] to the fact that there are 80,000 post-offices and 75,000,000 people who will immediately come in touch with this legislation.

Now, in the first section of the bill it is provided:

> And the Postmaster-General may, in his discretion, test the practical operation of this act in such one or more cities as he may select before extending it generally throughout the country, and if the result be unfavorable suspend its operation altogether.

The probability is that the whole system will be inaugurated in only one or two, or possibly three, cities at the outside, for the purpose of making the experiment; in which event the operation will be limited to a small number of citizens, while the radius of its operations, the business points to which these cards will be sent, will necessarily be of corresponding dimensions, as they will be forwarded only to those persons interested in the business operations in the immediate vicinity of the points where the cards are sent out. So, instead of there being 80,000 post-offices interested in the work, and instead of 75,000,000 people to whom these cards will be sent, it is possible that there may not be over a hundred post-offices and a correspondingly limited number of people.

Mr. HENDERSON. Let me ask the gentleman from Ohio if it is not true that if, as the Post-Office Department believes, economy will result and increased facilities be furnished by this system to our business people, it will not be better to extend this service to all of our post-offices?

Mr. BROMWELL. Undoubtedly.

But there is another point, Mr. Speaker, to which I wish to refer. The gentleman from Michigan [Mr. CORLISS] said this is to be a great monopoly. Now, as a matter of fact, a large bond is required of this company before it can commence operations, and this bond can be increased from time to time, in the discretion of the Postmaster-General, to meet any increases in the business that may follow. The minimum amount of the bond is $100,000, and it may be increased to any extent to meet the necessities of the occasion.

In addition to that they are required to keep on hand at the post-offices of delivery, for the purpose of meeting current expenditures from day to day, any amount of money in the way of cash payments, and deposit the same with the postmaster, that may be required, in order to redeem the daily, weekly, or monthly accumulations, as the Post-Office Department may decide. The same system may be required as in the case of the great newspapers, which have money in the hands of the postmaster, and as fast as the papers are sent out they are checked up against the deposit, and the deposit is required to be made good from time to time to meet emergencies. If there is a failure in ten days to redeem the postage, the Postmaster-General can retract the privilege and suspend the operations of the act.

Gentlemen have said that this would be an advantage to a great monopoly. I reply by saying that any patent right is a great monopoly, and yet it is a constitutional right that we all recognize and whose value we appreciate. A man takes out a patent on any particular device. He has the right to make and vend and dispose of that patent to the exclusion of any other man in the country.

Mr. CORLISS. Will the gentleman yield?

Mr. BROMWELL. I have not time. This Economic Postal Association has a special device. The gentleman started out by saying they were going to make a great amount of money out of it, because they alone had the right to make these cards; but I call attention to the fact that without this privilege given in this bill this patent right is worthless, and there is nothing in this bill that will prevent any other organization or person from improving on that device and going to the Post-Office Department and getting a recommendation and coming before the Congress, just as this association has done, and securing the same right.

In other words, there is no exclusive privilege given to this association. They are permitted to use the mails. Where one postal card is sent out now under the present system by a merchant to his customers, there will be a hundred sent out if he knows that his postal cards, which go out to would-be customers, are not to be diverted and the return name scratched off and another name substituted at his expense. Where he sends out one card now he will send out a hundred. The Government will get the benefit of that when the cards go out, as they are carried as third-class matter, which is a paying class of mail matter. The Government will also get the benefit of the postage when the cards come back.

Mr. CLARK of Iowa. May I interrupt my colleague for one minute?

Mr. BROMWELL. Yes.

Mr. CLARK of Iowa. Let me also call the attention of my colleague on the committee to the fact that the owners of this patent get absolutely no profit from it except upon the sale of the cards.

Mr. CORLISS. Yes; and there is no price fixed.

Mr. CLARK of Iowa. If there is any profit whatever, it will simply be because the American people and these business men and citizens use the cards.

Mr. BROMWELL. And because there are from 2,000 to 10,000 merchants to-day asking this privilege.

The SPEAKER. The gentleman's time has expired. Debate is closed and the question is, Shall the rules be suspended and the bill passed?

The question being taken, the Speaker announced that he was in doubt.

The House divided; and there were—ayes 81, noes 49.

Mr. BROMWELL. I call for the yeas and nays.

The question being taken on ordering the yeas and nays, 33 members voted in favor thereof.

Mr. CORLISS demanded the other side.

The question was taken on ordering the yeas and nays; and there were—ayes 33, noes 57.

Accordingly (more than one-fifth voting in favor thereof) the yeas and nays were ordered.

The question was taken; and there were—yeas 125, nays 97, answered "present" 6, not voting 123; as follows:

YEAS—125.

Adams,	Davis,	Littauer,	Robinson, Ind.
Aldrich,	Dayton,	Livingston,	Settle,
Allen,	De Vries,	Loud,	Shattuc,
Babcock,	Dick,	Loudenslager,	Sherman,
Bailey,	Dinsmore,	Lybrand,	Showalter,
Baird,	Dolliver,	McCleary	Simpson,
Baker, Md.	Elliott,	McCormick,	Skinner,
Ball,	Fenton,	McCulloch,	Slayden,
Barham,	Fletcher,	McDonald,	Southard,
Barlow,	Foote,	McDowell,	Sparkman,
Bartlett,	Gardner,	McIntire,	Sprague,
Belknap,	Gibson,	Mahon,	Stallings,
Bodine	Griggs,	Mann,	Stone,
Brantley,	Grosvenor,	Maxwell,	Strode, Nebr.
Broderick,	Gunn,	Meekison,	Sturtevant,
Bromwell,	Hager,	Meyer, La.	Sulloway,
Broussard,	Handy,	Miers, Ind.	Sulzer,
Brown,	Hartman,	Miller,	Swanson,
Brucker,	Henderson,	Morris,	Tate,
Brundidge,	Henry, Tex.	Mudd,	Van Voorhis,
Burleigh,	Hicks,	Newlands,	Wadsworth,
Burton,	Hilborn,	Ogden,	Wanger,
Butler,	Hitt,	Osborne,	Ward,
Carmack,	Hull,	Overstreet,	Weymouth,
Catchings,	Hunter,	Payne,	Wheeler, Ky.
Clark, Iowa	Jones, Wash.	Pearce, Mo.	White, N. C.
Cochran, Mo.	Kerr,	Prince,	Williams, Pa.
Cochrane, N. Y.	Ketcham,	Quigg,	Wilson,
Connell,	Lacey,	Ray,	Zenor.
Cooper, Tex.	Landis,	Reeves,	
Curtis, Iowa	Lentz,	Robbins,	
Dalzell,	Linney,	Robertson, La.	

NAYS—97.

Adamson,	Fischer,	Lewis, Ga.	Shelden,
Arnold,	Fleming,	Lloyd,	Shuford,
Baker, Ill.	Gillet, N. Y.	Lovering,	Sims,
Barney,	Gillett, Mass.	Low,	Smith, Ky.
Bell,	Graff,	McClellan,	Sperry,
Benton,	Greene, Mass.	Maddox,	Spight,
Bishop,	Greene, Nebr.	Maguire,	Stark,
Bland,	Grow,	Marsh,	Steele,
Brenner, Ohio	Hemenway,	Mercer,	Stevens, Minn.
Brosius,	Henry, Conn.	Mesick,	Stewart, Wis.
Burke,	Henry, Miss.	Mills,	Stokes,
Cannon,	Hill,	Minor,	Strait,
Clardy,	Hopkins,	Otjen,	Strowd, N. C.
Clark, Mo.	Howard, Ga.	Packer, Pa.	Sutherland,
Clarke, N. H.	Howe,	Perkins,	Talbert,
Cooney,	Howell,	Peters,	Tawney,
Cooper, Wis.	Jenkins,	Pierce, Tenn.	Todd,
Corliss,	Johnson, N. Dak.	Rhea,	Vandiver,
Cowherd,	Kirkpatrick,	Richardson,	Vincent,
Crump,	Kleberg,	Ridgely,	Warner,
Crumpacker,	Knowles,	Rixey,	Williams, Miss.
Davenport,	Knox,	Robb,	Yost.
De Armond,	Lanham,	Royse,	
Eddy,	Latimer,	Russell,	
Faris,	Lawrence,	Shafroth,	

ANSWERED "PRESENT"—6.

Clayton,	Griffith,	Norton, S. C.	Walker, Mass.
Driggs,	Moody,		

NOT VOTING—123.

Acheson,	Cousins,	Henry, Ind.	Otey,
Alexander,	Cox,	Hepburn,	Parker, N. J.
Bankhead,	Cranford,	Hinrichsen,	Pearson,
Barber,	Cummings,	Howard, Ala.	Powers,
Barrett,	Curtis, Kans.	Hurley,	Pugh,
Barrows,	Danford,	Jett,	Sauerhering,
Bartholdt,	Davey,	Johnson, Ind.	Shannon,
Beach,	Davidson, Wis.	Jones, Va.	Smith, Ill.
Belden,	Davison, Ky.	Joy,	Smith, S. W.
Belford,	De Graffenreid,	Kelley,	Smith, Wm. Alden
Benner, Pa.	Dockery,	King,	Snover,
Bennett,	Dorr,	Kitchin,	Southwick,
Berry,	Dovener,	Kulp,	Spalding,
Bingham,	Ellis,	Lamb,	Stephens, Tex.
Booze,	Ermentrout,	Lester,	Stewart, N. J.
Botkin,	Evans,	Lewis, Wash.	Tayler, Ohio
Boutell, Ill.	Fitzgerald,	Little,	Taylor, Ala.
Boutelle, Me.	Fitzpatrick,	Lorimer,	Terry,
Bradley,	Foss,	McAleer,	Thorp,
Brewer,	Fowler, N. C.	McCall,	Tongue,
Brewster,	Fowler, N. J.	McEwan,	Underwood,
Brownlow,	Fox,	McLain,	Updegraff,
Brumm,	Gaines,	McRae,	Vehslage,
Bull,	Graham,	Mahany,	Walker, Va.
Campbell,	Griffin,	Marshall,	Weaver,
Capron,	Grout,	Martin,	Wheeler, Ala.
Castle,	Hamilton,	Mitchell,	White, Ill.
Chickering,	Harmer,	Moon,	Wilber,
Codding,	Hawley,	Norton, Ohio	Wise,
Colson,	Hay,	Odell,	Young.
Connolly,	Heatwole,	Olmsted,	

So (two-thirds not having voted in favor thereof) the House declined to suspend the rules and pass the bill.

The following additional pairs were announced:

Until further notice:

Mr. BENNETT with Mr. GAINES.

For this day:

Mr. WM. ALDEN SMITH with Mr. UNDERWOOD.

Mr. DOVENER with Mr. FITZGERALD.

Mr. CURTIS of Kansas with Mr. HINRICHSEN.

Mr. LORIMER with Mr. DE GRAFFENREID.

Mr. SAUERHERING with Mr. BANKHEAD.

On this vote:

Mr. FOSS with Mr. JETT.

Mr. BINGHAM with Mr. DOCKERY.

The result of the vote was then announced as above recorded.

MESSAGE FROM THE SENATE.

A message from the Senate, by Mr. PLATT, one of its clerks, announced that the Senate had passed the following resolution:

Resolved, That the Secretary be directed to request the House of Representatives to return to the Senate its message recalling the bill (H. R. 10403) to reorganize and increase the efficiency of the personnel of the Navy and Marine Corps of the United States.

The message also announced that the Senate had agreed to the amendments of the House of Representatives to bills of the following titles:

S. 409. An act granting an increase of pension to Sarah Gresham;

S. 566. An act granting a pension to Mary A. Thomas;

S. 1031. An act granting a pension to Noah Pillsbury;

S. 1110. An act granting an increase of pension to Samuel E. Liscom;

S. 1704. An act to increase the pension of Mrs. Helen A. De Russy;

S. 1758. An act increasing the pension of George W. Peters;

S. 2101. An act granting a pension to John C. Emery;

S. 2652. An act granting an increase of pension to Emma V. Gile;

S. 3466. An act granting a pension to Sarah Hamilton;

S. 4233. An act granting an increase of pension to Solomon Kline;

S. 4248. An act granting an increase of pension to Lewis Kyle;

S. 4808. An act authorizing the President to appoint additional cadets at large at the United States Naval Academy;

The message also announced that the Senate had disagreed to the amendment of the House of Representatives to the bill (S. 1968) granting an increase of pension to George W. Nevins, asked a conference with the House on the disagreeing votes of the two Houses thereof, and had appointed Mr. GALLINGER, Mr. SHOUP, and Mr. MITCHELL as the conferees on the part of the House.

The message also announced that the Senate had passed without amendment the following resolution:

Resolved by the House of Representatives (the Senate concurring), That there be printed 3,000 copies of the Manual of Fish Culture (with revisions), as contained in the report of the United States Commissioner of Fish and Fisheries for 1897, of which 500 shall be for the use of the Senate, 1,000 for the use of the House of Representatives, and 1,500 for the use of the Fish Commission.

The message also announced that the Senate had passed with amendments bills of the following titles in which the concurrence of the House was requested:

H. R. 11732. An act to authorize the Grand Rapids Water Power and Boom Company, of Grand Rapids, Minn., to construct a dam and bridge across the Mississippi River; and

H. R. 11495. An act entitled "An act to amend section 3 of an act entitled 'An act to change the time and place for the district and circuit courts of the northern district of Texas,'" approved June 11, 1896.

Mr. WALKER of Massachusetts. A parliamentary inquiry. I ask for what purpose these bills are read, or pretended to be read, in this way?

The SPEAKER. The gentleman is not in order.

Mr. WALKER of Massachusetts. No man can hear a word.

The SPEAKER. The gentleman makes the point of order that the House is in disorder. Gentlemen will please be seated.

ORDER OF BUSINESS.

Mr. BABCOCK. Mr. Speaker, I desire to ask at this time that it may be in order to call up the business reported from the Committee on the District of Columbia next Thursday morning. Last Monday was District day, and was taken by an appropriation bill. Last Thursday was assigned in lieu of last Monday, but the bill was still on the floor. It will take but a little time, but we have some important measures, and I hope there will be no objection.

The SPEAKER. The gentleman from Wisconsin asks unanimous consent that Thursday be set apart, or so much of it as is necessary, for the consideration of business reported by the Committee on the District of Columbia.

Mr. HULL. I object to that, unless it give way to the Army appropriation bill.

Mr. BAILEY. Let the order be made, subject to appropriation bills.

Mr. BABCOCK. Let it be subject to the consideration of the Army appropriation bill.

Mr. BOUTELLE of Maine. I shall have to insist on excepting the naval bill also.

Mr. BABCOCK. The naval bill is on now.

Mr. BOUTELLE of Maine. I wish it was.

Mr. BAILEY. Mr. Speaker, it is impossible to hear.

The SPEAKER. The gentleman from Wisconsin asks unanimous consent that District business shall be in order on Thursday, subject to the right of way on the part of appropriation bills. Is there objection?

Mr. CRUMPACKER. Mr. Speaker, I have arranged to call up the contested-election case of Brown against Swanson next Thursday, and I shall object. I now give notice to the House that that contested-election case will be called up immediately after the reading of the Journal on next Thursday.

Mr. BAILEY. I do not think it will take long to dispose of that, as I expect the House will refuse to consider it.

Mr. BABCOCK. I ask that this request be subject to the election case.

The SPEAKER. The gentleman asks that the request also be subject to the election case. Is there objection?

Mr. BAILEY. Subject to the right of the gentleman to call it up, not subject to it, because the question of consideration will doubtless be raised, and I do not want that order made.

The SPEAKER. That will not interfere with raising the question of consideration, in any event.

Mr. BARTLETT. I understand that the gentleman has the right to call up the contested-election case at any time, as it is a matter of the highest privilege, and that it is not necessary to make that point to the request of the gentleman from Wisconsin.

The SPEAKER. The Chair thinks it would hardly be necessary; but it is arranged, unless objection is made.

There was no objection.

HOUSE BILL WITH SENATE AMENDMENTS REFERRED.

Under clause 2 of Rule XXIV, a House bill of the following title, with Senate amendments, was taken from the Speaker's table and referred to its appropriate committee as indicated below:

H. R. 10403. An act to reorganize and increase the efficiency of the personnel of the Navy and Marine Corps of the United States—to the Committee on Naval Affairs.

REIMBURSEMENT OF GOVERNORS OF STATES AND TERRITORIES FOR EXPENSES IN RAISING VOLUNTEER ARMY.

Mr. MAHON. Mr. Speaker, I would like to have the attention of the House for a moment.

The SPEAKER. The gentleman from Pennsylvania, from the Committee on War Claims, moves to suspend the rules and pass the bill which the Clerk will report to the House.

Mr. MAHON. It is the Senate bill with an amendment.

The SPEAKER. It is a Senate bill with a substitute. The Clerk will read the bill, and will also read the substitute.

The Clerk read as follows:

An act to amend an act entitled "An act to reimburse the governors of States and Territories for expenses incurred by them in aiding the United States to raise and organize and supply and equip the Volunteer Army of the United States in the existing war with Spain," approved July 8, 1898, and for other purposes.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the act entitled "An act to reimburse the governors of States and Territories for expenses incurred by them in aiding the United States to raise and organize and supply and equip the Volunteer Army of the United States in the existing war with Spain," approved July 8, 1898, be so amended that the Secretary of the Treasury shall be, and is hereby, authorized to allow, in the settlement of the claims of States and of the governors of States and Territories for reimbursement under the provisions of the said act, expenses incurred after as well as before July 8, 1898: *Provided*, That no reimbursement shall be made for service of members of the National Guard or organized militia of any State or Territory who were not accepted into the Volunteer Army of the United States as of the same grade: *Provided further*, That compensation, at the rate paid to officers and soldiers in the Regular Army, shall be allowed to the States and governors of States as pay to such volunteers and Naval Reserves as appeared and remained at the place of muster and were afterwards received into the service, for the period between the date of assembly at the rendezvous and the date on which they were mustered in.

SEC. 2. That under the appropriation made by said act the Secretary of the Treasury is hereby authorized to reimburse the governor of any State or Territory, or the States and Territories, for reasonable expenses incurred by him in the actual transportation of the members of organized militia or National Guard of his State from the place of company, battalion, or regimental rendezvous to the State rendezvous or place designated for examination and acceptance of the members of such organization into the Volunteer Army of the United States, and the actual transportation from the State rendezvous to their respective company, battalion, or regimental rendezvous of such men as were rejected for lack of physical qualifications: *Provided*, That no reimbursement shall be made for the transportation of any man who did not in good faith present himself for enrollment in the Volunteer Army of the United States: *And provided further*, That the provisions of this section shall apply also to individual volunteers who presented themselves in good faith for enrollment in the Volunteer Army of the United States.

SEC. 3. That nothing in said act of July 8, 1898, shall be so construed as to prohibit the reimbursement of any State or the governor of any State or Territory for reasonable expenses incurred in the subsistence of the members of any organization of the organized militia or National Guard of his State or Territory after having been called out by the governor on or after April 25, 1898: *Provided*, That such organization shall afterwards have been accepted into the Volunteer Army of the United States.

SEC. 4. That the expenses incurred by the States or governors of States in carrying out the provisions of this act shall be reimbursed and paid to them, notwithstanding any unsettled accounts, claims, or indebtedness of the United States against their States, and without prejudice to such unsettled accounts: *And provided further*, That where an officer of the Army detailed as mustering officer for volunteers purchased equipment necessary for the comfort of the men in camp or rendezvous, and said equipment was subsequently taken into the United States service by said volunteers and no receipts given to such military officer, the certificate to that effect of the governor of the State or Territory to which the volunteers belonged shall be held sufficient to authorize the settlement of such accounts. And where the commander of a company or companies or troop or troops or regiment has purchased supplies necessary for the comfort or subsistence of the men in camp or rendezvous between the date of the enrollment under the call of the President and the mustering in of the company or troop, the certificate to that effect of the governor of the State or Territory to which the volunteers belonged shall be held sufficient to authorize the payment of such accounts to the parties entitled.

SEC. 5. That the Secretary of the Treasury be, and is hereby, authorized to pay, out of any money in the Treasury not otherwise appropriated, the just and proper account or claim of any railroad, transportation company, or person who has at the request of the Quartermaster-General of the Army or his agents, or at the request of any United States mustering officer or other officer authorized by the Secretary of War to enroll, muster, or mobilize volunteers for the war with Spain, for transportation of men or troops from place of enrollment to point of rendezvous, and also to pay such just and proper accounts as may be presented for transportation back from point of rendezvous to place of enrollment of men who volunteered in good faith and were rejected on account of disqualification as found by medical officers duly appointed by the War Department: *Provided*, That the amount allowed and paid for such transportation shall not be in excess of the rates charged for transporting troops of the United States under like circumstances.

All claims under the provision of this act must be filed in the office of the Auditor for the War Department, and must be supported by proper vouchers or other conclusive evidence of interest.

SEC. 6. That all claims for reimbursement under this act or the act of July 8, 1898, shall be presented in itemized form to the Treasury Department on or before January 1, 1900, or be forever barred.

Strike out all after the enacting clause and insert the following:

"That the act entitled 'An act to reimburse the governors of States and Territories for expenses incurred by them in aiding the United States to raise and organize and supply and equip the Volunteer Army of the United States in the existing war with Spain,' approved July 8, 1898, be so amended that the Secretary of the Treasury shall be, and is hereby, authorized to allow, in the settlement of the claims of the governors of States and Territories for reimbursement under the provisions of the said act, expenses incurred and paid after as well as before July 8, 1898: *Provided*, That no reimbursement shall be made for service of members of the National Guard or organized militia of any State or Territory who were not accepted into the Volunteer Army of the United States, and no reimbursement shall be allowed for payments made to any person in excess of the pay and allowances authorized by the laws of the State or Territory for the grade in which he was accepted into the Volunteer Army of the United States. That compensation, at the rate paid to officers and soldiers in the Regular Army, shall be allowed to the States and governors of States as pay to such volunteers and Naval Reserves as appeared and remained at the place of muster and were afterwards received into the service, for the period between the date of assembly at the rendezvous and the date on which they were mustered in.

"SEC. 2. That under the appropriation made by said act the Secretary of the Treasury is hereby authorized to reimburse the governor of any State or Territory for reasonable expenses incurred and paid by him for the actual transportation of the members of organized militia or National Guard of his State from the place of company, battalion, or regimental rendezvous to the State rendezvous, or place designated for examination and acceptance of the members of such organization into the Volunteer Army of the United States, and the actual transportation from such State rendezvous, or such place designated for examination and acceptance, to their respective company, battalion, or regimental rendezvous of such men as were rejected by the medical examiner or mustering officer: *Provided*, That no reimbursement shall be made for the transportation of any man who did not present himself for enrollment in the Volunteer Army of the United States as provided by law: *And provided further*, That the provisions of this section shall apply also to payments made by the governor of any State or Territory for the actual transportation of individual volunteers who presented themselves for enrollment in the Volunteer Army of the United States and who were rejected by the medical examiner or mustering officer.

"SEC. 3. That nothing in said act of July 6, 1898, shall be so construed as to prohibit the reimbursement of the governor of any State or Territory for reasonable expenses incurred and paid for the subsistence of the members of any organization of the organized militia or National Guard of his State or Territory after having been called out by the governor on or after April 25, 1898: *Provided*, That such organization shall afterwards have been accepted into the Volunteer Army of the United States.

"SEC. 4. That the expenses incurred and paid by the governors of States in carrying out the provisions of this act shall be reimbursed and paid to them, notwithstanding any unsettled accounts, claims, or indebtedness of the United States against their States, and without prejudice to such unsettled accounts: *And provided further*, That where any officer of the Army detailed as mustering officer of volunteers, or commander of a company or companies, or troop or troops, or battery, or battalion, or regiment, or brigade, has purchased supplies or equipments for the comfort of the men in camp or rendezvous, and said supplies were used and equipments were subsequently taken into the United States service by said volunteers, and no receipts given to such military officer, the certificate to that effect of the governor of the State or Territory to which the volunteers belonged shall be held sufficient to authorize the settlement of such account on investigation, if the Treasury Department shall be satisfied of the fact of such purchase of such equipments and supplies, and such use of such supplies, or such taking of such equipments into the United States service, and the voucher or vouchers of said officers be produced by said governor.

"SEC. 5. That the Secretary of the Treasury be, and is hereby, authorized to pay, out of any money in the Treasury not otherwise appropriated, the just and proper account or claim of any railroad, transportation company, or person for transportation of men or troops from place of enrollment to point of rendezvous, furnished at the request of the Quartermaster-General of the Army or his agents, or at the request of any United States mustering officer or other officer authorized by the Secretary of War to enroll, muster, or mobilize volunteers for the war with Spain; and also to pay such just and proper accounts as may be presented for transportation back from point of rendezvous to place of enrollment of men who volunteered and were rejected by the medical examiner or mustering officer: *Provided*, That the amount allowed and paid for such transportation shall not be in excess of the rates charged for transporting troops of the United States under like circumstances.

"All claims under the provision of this act must be filed in the office of the Auditor for the War Department, and must be supported by proper vouchers or other conclusive evidence of interest.

"SEC. 6. That all claims for reimbursement under this act or the act of July 8, 1898, shall be presented in itemized form to the Treasury Department on or before January 1, 1900, or be forever barred."

Mr. DOCKERY. Mr. Speaker, for the purpose of obtaining an explanation, I ask for a second.

The SPEAKER. If there be no objection, a second will be considered as ordered. [After a pause.] The Chair hears no objection, and the gentleman from Pennsylvania has the floor.

Mr. DOCKERY. I simply ask the gentleman to make an explanation.

Mr. MAHON. Mr. Speaker, this bill is in the interest of every State of the Union. In 1861 an act was passed which allowed a settlement between the General Government and the States on putting in volunteers. In that act is found the following language:

For troops employed in aiding in suppressing the present insurrection.

So that the act was not applicable to the war with Spain. Then, in July, 1898, Congress passed an act containing the following language:

That the Secretary of the Treasury be, and he is hereby, directed, out of any money in the Treasury not otherwise appropriated, to pay to the governor of any State or Territory, or to his duly authorized agents, the reasonable costs, charges, and expenses that have been incurred by him in aiding the United States to raise the Volunteer Army in the existing war with Spain, by subsisting, clothing, supplying, equipping, paying, and transporting men of his State or Territory who were afterwards accepted into the Volunteer Army of the United States.

You notice the language of that act, "have already been expended." That is to the 29th of June, 1898, and no expenses incurred by the governor after that comes under this act. Now, then, the act of 1898 did not cover the necessary expenses of putting men in the field,

Under the act of 1898 the States of Alabama, Arkansas, California, Colorado, Connecticut, Florida, Georgia, Idaho, Illinois, Indiana, Louisiana, Maine, Minnesota, Mississippi, Montana, Nebraska, Nevada, New Hampshire, New Jersey, New York, South Carolina, Ohio, North Carolina, Pennsylvania, Rhode Island, South Dakota, Utah, Washington, West Virginia, Wisconsin, Wyoming, Arizona, Oklahoma, and the Indian Territory filed their claims at the War Department.

Mr. HOPKINS. Under the law of——

Mr. MAHON. Under the act of 1898. The amount of the claims filed aggregates $2,066,172.11. Under that act the Treasury Department was only enabled to settle claims amounting to $496,881.61. One-half of the States have not received anything.

Mr. HOPKINS. Why could they not settle?

Mr. MAHON. Because the act did not cover all the expenditures made.

Mr. GROSVENOR. I desire to call attention here to the fact that I find on the sixth page of the bill, at line 12, the following:

That compensation, at the rate paid to officers and soldiers in the Regular Army, shall be allowed to the States and governors of States as pay to such volunteers and Naval Reserves as appeared and remained at the place of muster and were afterwards received into the service, for the period between the date of assembly at the rendezvous and the date on which they were mustered in.

Now, as I understand that, a company of militia or any number of militia called out by the governor of a State, taken to the State capital and there camped, retained there for a number of days before being mustered in, are now to be paid by the United States, and they are to be paid, as this bill provides, the pay of the Regular Army, which is about 52 cents a day. I have a statement that more than one-half of the States have already been reimbursed at the rate that the militia of the State is paid, which in my State is $2 a day. If that be true, it would be a most inequitable procedure to now limit the amount to the pay of the Regular Army.

Mr. COOPER of Texas. To what section of the bill does the gentleman allude?

Mr. GROSVENOR. To the provision beginning at line 12 on page 6 of the bill. I have a note here stating that over one-half of the States have already been paid at the rate of the State compensation, which in my State is $2 a day. Now, if that be true, we are now cutting down these unsettled accounts of that character to 52 cents.

Mr. MAHON. I will say to the gentleman from Ohio that this was put in by the Senate. Some of the States have no law on that subject whatever. Their militia, when they go into camp, do so without pay, and they have no law on the subject. The States differ as to the amount they pay to their National Guard. This pays them from the time they reached the rendezvous until they were enrolled into the United States service and became United States soldiers the same rate paid United States soldiers. I will say that we could not ascertain what each State paid its militia.

Mr. GROSVENOR. If this bill passes it will go into conference, I understand.

Mr. MAHON. Yes.

Mr. GROSVENOR. Then it is not worth while taking further time, because it can be settled in conference.

Mr. COOPER of Texas. There are other matters, I will say to the gentleman from Ohio, that will also probably be corrected in conference.

Mr. MAHON. The committee could not get at the data as to what the different States paid, and the committee thought they had better let it remain as it was in the Senate bill, and after getting the proper information in conference correct it there.

Mr. HOPKINS. Does not the gentleman think it would be better to have the information before the House is called upon to legislate about a matter of this importance, that takes millions out of the Treasury?

Mr. MAHON. If any gentleman asks unanimous consent to strike this provision out of the bill, I will not object.

Mr. ROBBINS. But there ought to be some provision in the bill as to the rate to be paid.

Mr. GROSVENOR. That would be worse, because some of the States have already been paid at the rate at which they pay their own militia.

Mr. HOPKINS. The point I was trying to make is that, according to the gentleman's confession, the committee is not prepared to bring the full information to the House.

Mr. GROSVENOR. Would it not be better to let the bill be passed and go to conference?

Mr. LANHAM. This can all be corrected in conference. All the States are interested.

Mr. HOPKINS. That is no reason why sufficient data should not be presented here, so that every member can vote intelligently on every paragraph of the bill at the time he is asked to do so. The proposition here is to let it go to conference and let the conferees gather the statistics and prepare the bill and have us accept it afterwards. That is not a part of the functions of the committee of conference.

Mr. DALZELL. I understand the passage of this bill would foreclose the claim of any State not included in it?

Mr. MAHON. No; this is a bill to cover all the States.

Mr. DALZELL. Is there no limitation as to what claims are to be presented?

Mr. ROBBINS. The bill limits the pay our soldiers shall receive and the amount that they shall pay. We paid our soldiers from Pennsylvania $1.50 a day. In Pennsylvania we have already paid out over $300,000 as expenses of assembling our National Guard.

Mr. GROSVENOR. If the bill should pass in its present form and go to a committee of conference, the defect which gentlemen undertake to point out could be remedied by an amendment of two or three lines saying that the refund shall be on the ratio or basis of the accounts paid by the several States.

Mr. DALZELL. How could a committee of conference have jurisdiction of that question?

Mr. GROSVENOR. I think such an amendment might be incorporated by a committee of conference.

Mr. HOPKINS. Not at all. It would be impossible for a conference committee to remedy the fatal defect in the bill which the gentleman having charge of it now admits to exist.

Mr. MAHON. Mr. Speaker, this substitute has been gone over very carefully upon consultation with the Comptroller and Auditor of the Treasury Department, who handle these accounts. As to the question which the gentleman from Illinois presents, they express no opinion one way or the other; they regard that as a matter entirely for Congress.

A bill of this kind, providing for the payment of these enormous expenses growing out of the war, should be right at the threshold carefully guarded. We have amended the bill so as to conform to the precedents growing out of the civil war, when the accounts in connection with the assembling of nearly 4,000,000 volunteers were settled in the Treasury Department.

The Senate bill provided for the payment of expenses "incurred." This substitute insists that before accounts for any expenses by the governors of the States shall be audited at the Treasury Department the money upon those accounts must actually have been paid out. That provision has been adopted for this reason: If you once throw open the gates and depart from the precedents established in the civil war; if you allow settlement of expenses which have been incurred by the State officers but not settled by them, you disable the officers of the Treasury Department from enforcing that great safeguard which they ought to be empowered to enforce—that is, that the governors of the States presenting their claims shall present them in itemized form and with vouchers showing payment. If a requirement of this kind is insisted upon, the governors of the States will be very careful not to pay any claim not warranted by law.

Mr. WM. ALDEN SMITH. I should like to ask the gentleman what is the purpose of the provision barring all claims of this kind after the 1st of January next?

Mr. MAHON. The reason of that provision is this: In the settlement of accounts of this kind growing out of the civil war, under the act of 1861, which provided reimbursement for "expenses incurred," the Treasury Department had a great deal of trouble, running through years, with the governors who objected to the requirement that they should produce vouchers showing that the amounts claimed had been paid. This bill has been amended so

as to avoid any difficulty of that kind and to make it clear beyond question that the governors of the States must produce vouchers.

Mr. WM. ALDEN SMITH. That is all right; let them be required to produce their vouchers, but what difference does it make whether that be done this year or next year?

Mr. MAHON. In the recent war there were only 275,000 volunteers, the great State of New York furnishing at the outside only twenty-odd thousand. There is no reason why the governor of any State should not be able to present his claim within one year, and if he does not present it in that time, it is reasonable that it should be barred.

Mr. WM. ALDEN SMITH. This bill does not allow a year.

Mr. MAHON. Under this bill there will be plenty of time.

Mr. ROBBINS. Suppose a State legislature in session during the present winter should fail to make provision to enable the governor to pay these claims, and then suppose that the legislature meets biennially and there is no meeting of the legislature for two years, such a State would find its claims barred under this bill.

Mr. MAHON. Officers of the Treasury Department do not care what action the legislature may have taken. If the governor comes with his vouchers from the colonel of the regiment, or other officer, in proper form to be audited at the Treasury Department, the Department can issue the warrants for payment, the vouchers being filed at the Department. The matter then becomes one between the governor and the men with whom he is dealing—his own constituents. In this respect the requirement of this bill is similar to that of the pension law—not a pensioner on our rolls can draw his pension at the Treasury of the United States until he has placed his voucher receipted on file.

Mr. WM. ALDEN SMITH. That is perfectly proper; we are not finding any fault with that; what we object to is the limitation that requires these claims to be filed before the 1st of January next.

Mr. MAHON. We are simply following the suggestion of the men who are to make these accounts; they say the time allowed will be ample; there is no reason why any governor should not present his accounts within that time.

Mr. WM. ALDEN SMITH. And there is no reason for barring the accounts if he does not present them within the time.

Mr. HOPKINS. I think the gentleman from Pennsylvania [Mr. MAHON] does not fully answer the suggestion of his colleague [Mr. ROBBINS], because in line 20, section 3, the word used is "reimbursement," which supposes the governor to have made payment.

Mr. MAHON. It is not presumed that the governor has paid out the money or has not. The Treasury Department has no controversy with the governor about that.

Mr. HOPKINS. But under that section the Treasury Department can not repay the money to the governor unless he has already paid the bills; if he has made payment, he is to be reimbursed. That is the language of the bill.

Mr. MAHON. And he produces the vouchers.

Mr. HOPKINS. Now, take this condition: Suppose the governor has not paid them.

Mr. MAHON. I will answer the gentleman by reading from the report of the committee, which covers fully the point he has been making.

Mr. OTJEN. Section 4 would seem to cover that point——

Mr. MAHON. The act of 1861 covers precisely a similar condition of affairs and uses this language——

Mr. PARKER of New Jersey (interrupting). Section 4, to which the gentleman refers, reads as follows:

SEC. 4. That the expenses incurred and paid by the governors of States in carrying out the provisions of this act shall be reimbursed and paid to them, notwithstanding any unsettled accounts, claims, or indebtedness of the United States against their States, and without prejudice to such unsettled accounts: *And provided further*, That where any officer of the Army detailed as mustering officer of volunteers, or commander of a company or companies, or troop or troops, or battery, or battalion, or regiment, or brigade, has purchased supplies or equipments for the comfort of the men in camp or rendezvous, and said supplies were used and equipments were subsequently taken into the United States service by said volunteers, and no receipts given to such military officer, the certificate to that effect of the governor of the State or Territory to which the volunteers belonged shall be held sufficient to authorize the settlement of such account on investigation, if the Treasury Department shall be satisfied of the fact of such purchase of such equipments and supplies, and such use of such supplies, or such taking of such equipments into the United States service, and the voucher or vouchers of said officers be produced by said governor.

Mr. HOPKINS. But I submit that does not meet the condition I have suggested.

Mr. MAHON. If the gentleman will allow me a moment, the act of 1861 covers the case exactly. It provides for the payment to the governor of any State, or its duly authorized agent, of the costs, charges, and expenses properly incurred by such State in connection with the civil war.

Now, what did the Treasury Department do under that act? They made the following rules and regulations, in accordance with the act of 1861, which provided for these payments as to how they should be determined and what claims should be considered. The following rulings were made by the Department, to which I wish to call your special attention:

IV. Bills of particulars, with dates and rate of charge and the receipt of the party to whom payment was made, must, in all cases, be furnished. It is not sufficient to show that a gross amount was expended; still less that sums were turned over to individuals to expend, without evidence showing that they were expended by them and how they were expended. In short, original vouchers for expenditures of every description must be furnished. The expenditures should be classified, and separate abstracts, with the vouchers, presented for pay, subsistence, clothing, transportation, arms, and equipments, and other expenses; and they should also designate, as far as practicable, the particular regiment or corps on account of which the expenditure was incurred. Claims for pay of troops must be accompanied with complete pay rolls for each corps, properly certified and receipted, the same as are required in the regular service.

Now, it will be seen from this citation that these conditions are required before the claim could be considered at all.

Mr. HOPKINS. But if the gentleman will permit me, I think he misapprehends the point made by his colleague from Pennsylvania. According to the reading of the bill it must first appear to the accounting officer of the Treasury Department that the governor had paid the soldiers their transportation and all of the items which were read from the paragraph of the bill by the gentleman from New Jersey [Mr. PARKER].

Now, suppose the legislature of the State of Illinois, which meets only every second year, fails to provide money by which the governor can make these payments; the State could not be paid under this bill.

Mr. MAHON. Then of course your remedy will be by an application to the Treasury Department, and a statement of the facts——

Mr. HOPKINS. But why put such a limitation in the bill at all?

Mr. WM. ALDEN SMITH. Why not strike out the words "paid by"——

Mr. MAHON. I will state to the gentleman, if he will allow me to proceed, the reasons. These words were not in the act of 1861, but simply the word "incurred."

Mr. WM. ALDEN SMITH (interrupting). Or why not make it a year longer, to cover all ground of difficulty?

Mr. MAHON. If I can be permitted to proceed, Mr. Speaker, I will try to explain the reasons.

Mr. LANHAM. Let me interrupt the gentleman for a single suggestion. If the gentleman from Pennsylvania would insert the words "incurred or paid" in the section in controversy, would it not meet the objection which has been urged?

Mr. MAHON. I have no objection, of course, to making the bill absolutely specific, but I do not see the necessity.

Mr. LANHAM. If you consent to the insertion of the word "or" instead of "and" in the paragraph, so as to read "or paid," it seems to me it would meet the objection. Now, certainly, these expenses ought to be paid, whether they were incurred by the governor or not.

Mr. MAHON. I want to call the gentleman's attention to this list of over $3,000,000, only about $400,000 worth of which is represented by proper vouchers. These claims have been in the Department since last July. The Treasury Department will not, and should not, pay a dollar out of the Treasury until the governors produce the proper vouchers.

Mr. WM. ALDEN SMITH. The gentleman will understand——

Mr. MAHON. I have no objection to the gentleman's suggestion, but we can not make it here under suspension of the rules. I am perfectly willing that the conferees, whoever they may be, shall change that.

Mr. WM. ALDEN SMITH. I do not want to embarrass the passage of this bill, but if a governor has not had an appropriation made by his legislature, and he does not happen to have the means himself, why, he would not pay these bills and therefore he would be barred.

Mr. MAHON. In a great many of the States the governors have already provided the money in some way and paid these claims.

The SPEAKER. The time of the gentleman from Pennsylvania has expired. Does the gentleman from Missouri [Mr. DOCKERY] desire to be heard in opposition?

Mr. DOCKERY. Does the gentleman from Pennsylvania desire any more time?

Mr. MAHON. I only want a few minutes.

Mr. DOCKERY. I yield ten minutes to the gentleman from Pennsylvania.

Mr. MAHON. I just want to say that the governor of South Carolina has provided this money——

Mr. DALZELL. I should like to see whether I understand this or not. Suppose the governor of Pennsylvania does not pay the expenses incurred until after the 1st day of January, 1900, then is not the Pennsylvania claim under this act forever barred?

Mr. MAHON. Yes; but why should he not file his vouchers before that time?

Mr. DALZELL. Suppose the governor has not had the opportunity to pay, has not had the means to pay. Suppose he has not paid the expenses incurred by the Pennsylvania troops, for whatever cause, until after the 1st day of January, 1900. Of course, he could not file a claim for reimbursement in itemized form, and would not the claim of Pennsylvania, under those circumstances, be forever barred under the language of your act, under section 6?

Mr. MAHON. I want to explain the method of settlement.

Mr. HOPKINS. Explain your bill. That is better.

Mr. MAHON. I will explain it, if gentlemen will give me a chance. It is the business of the governor to produce his itemized accounts and vouchers properly receipted.

Mr. WM. ALDEN SMITH. And paid.

Mr. DALZELL. He can not present the vouchers until he has paid the money.

Mr. WM. ALDEN SMITH. No.

Mr. MAHON. Why not?

Mr. DALZELL. I do not suppose any man is going to receipt for money which he has not been paid.

Mr. MAHON. Do not the pensioners send in their vouchers two weeks ahead of receiving their money?

Mr. DALZELL. Oh, that is a different case.

Mr. ROBBINS. It is not right to ask a man to sign a receipt until he is paid.

Mr. DALZELL. Under the terms of this bill, the money must be paid and vouchers presented before the 1st day of January, 1900, or the claim will be barred.

Mr. MAHON. How much time do you want?

Mr. HOPKINS. Extend the time two years.

Mr. MAHON. Mr. Speaker, a parliamentary inquiry. Can we amend by unanimous consent?

The SPEAKER. The Chair supposes the bill can be amended by unanimous consent.

Mr. MAHON. I will ask unanimous consent to insert the words "and one" after the words "nineteen hundred." That will give them ample time.

The SPEAKER. The gentleman from Pennsylvania asks unanimous consent to amend the last clause on page 10 of the substitute. The Clerk will report the amendment.

The Clerk read as follows:

Insert after "hundred" the words "and one."

Mr. HOPKINS. Make it "and two."

Mr. MAHON. Make it "and two."

Mr. HOPKINS. That is better.

The amendment as modified was read by the Clerk, as follows:

After the word "hundred" insert the words "and two."

Mr. MAHON. The legislatures will all be in session before that time expires.

The SPEAKER. Is there objection to the request of the gentleman from Pennsylvania?

There was no objection.

Mr. TALBERT. Mr. Speaker, I would like to ask the chairman if he will not ask unanimous consent to have another amendment placed upon this bill? In several States the governors have not paid these bills, they have only stood as sureties, and the word "reimburse" does not cover the ground. Would it not be well to use the word "payment" so as to cover the States where the governors have not actually paid the bills?

Mr. MAHON. I will state to the gentleman from South Carolina that the claim of his State is only $7,000, and this amendment now allows your legislature ample time to give the governor all the money he needs. It allows them nearly three years, so that there will be no trouble about it.

Mr. TALBERT. It seems to me that would not alter the effect of the bill in any particular. It does not answer it at all. The question is, How are you going to reimburse where the bills have not been filed?

Mr. MAHON. I insist that they ought to be paid before the Treasury pays them.

Mr. GROSVENOR. Mr. Speaker, I want to ask the gentleman to allow an amendment to the bill in lines 12 and 13, on the sixth page, in the first section of the bill, by striking out the words "Regular Army" and inserting the words "National Guard of such State;" so that it will read in the first section: "That the compensation at the rate paid the officers and soldiers of the National Guard of such State shall be allowed to the State," etc.

Mr. MAHON. I want to call the gentleman's attention——

Mr. HOPKINS. What change does that make in the paying?

Mr. GROSVENOR. It makes a difference between where a State pays $2 and where 52 cents is paid.

Mr. HOPKINS. Does the gentleman think that a fair proposition?

Mr. GROSVENOR. The payment has been made in over half of them. I am informed by the Auditor that over half of the States have settled, and have been paid their money on that basis.

Mr. MORRIS. Will the gentleman allow me to ask him a question?

Mr. GROSVENOR. Certainly.

Mr. MORRIS. Under your amendment which you propose, if the State of Michigan or the State of Ohio should pay a private soldier $5 a day for the time, would he get from the United States Treasury $5 a day for the time between the time of the rendezvous and the muster?

Mr. GROSVENOR. That is just what we have done.

Mr. MORRIS. And if the State of Minnesota only paid its soldiers $15 a month, the same as the Regular Army receive, the State of Minnesota would be able to draw back only what it has paid. Any State, under such arrangement, could afford to be generous to its volunteers; under those circumstances some States might give their volunteers $10 a day.

Mr. GROSVENOR. I do not care anything about it, but over half the States have already drawn their pay on the basis of $2 a day.

Mr. MORRIS. Put it not to exceed $2 a day.

Mr. GROSVENOR. That is the highest pay in the United States.

Mr. MORRIS. Put it to not exceed $2 a day.

Mr. GROSVENOR. I am willing to put it at that.

Mr. MOODY. Will the gentleman from Ohio permit a suggestion?

Mr. GROSVENOR. Yes, sir.

Mr. MOODY. I suggest the only legal name of any body of troops the States are permitted to use is the "militia."

Mr. GROSVENOR. Nearly all these States call it by law the "National Guard."

Mr. HENRY of Mississippi. I call for order. We can not hear a word.

The SPEAKER. The Chair will again call the House to order.

Mr. MOODY. My suggestion——

Mr. HOPKINS. Does the gentleman from Ohio know what States have been paid?

Mr. GROSVENOR. No; but I have a note saying over half of them have been paid on that basis.

Mr. HOPKINS. I think what the Regular Army is paid ought to be allowed. I am told by my colleague that Illinois pays $2 to her soldiers.

Mr. GROSVENOR. And she has got her pay. [Laughter.]

Mr. HOPKINS. And it ought to be limited, so that the Government of the United States does not have to pay any more.

Mr. GROSVENOR. That ought to have been so in the first instance, but a great many other wrongs got into this scheme, such as the taking of the old equipments, the old tents, the old guns, and dumping them on the General Government, and then drawing payment for them on the basis of some former cost.

Mr. HOPKINS. Under this practice a State can pay $60 a month to its soldiers, and when the volunteers go into war they get $17.50 a month.

Mr. GROSVENOR. That is right; that is the trouble. I am representing nothing except an equitable proposition that has come to me. I think the State of Ohio has received her pay, which is $2 a day, from the General Government.

Mr. MAHON. No, sir; not from the General Government. Your State has got no money.

Mr. GROSVENOR. It has settled.

Mr. MAHON. Yes; Ohio got something over $68,000.

Mr. HENRY of Mississippi. I would ask the gentleman from Ohio, Is the purpose of your amendment to make it $2 a day?

Mr. GROSVENOR. Yes.

Mr. HENRY of Mississippi. That is about the average cost of a Filipino for the whole period of his life. [Laughter.] I think that is what has been estimated. [Renewed laughter.] I think we ought to make this equal and let it be uniform throughout the United States. I have had a little experience in this business myself, and I have never learned yet that one soldier was worth more than another per capita, where they were properly handled; and I think we ought to act upon this same basis. Therefore I do not think it would be right to say that one State should receive a dollar and a half a day for its volunteers, another $2, and another, when no provision is made at all about the amount to be paid, should be relegated to the pay of a regular soldier.

Mr. GROSVENOR. But, as the gentleman suggests, this is an equitable settlement of this claim as between the Government and the State when over half of the States have already drawn their pay at the rate which they pay their militia at home.

Mr. HENRY of Mississippi. I would make it equitable and fair upon all States alike and to pay to the governor the same amount that is paid to any other State.

Mr. GROSVENOR. Well, how are you going to do it now? We have paid several of the States in the ratios I have named. How are you going to do it?

Mr. HENRY of Mississippi. If these States have all gotten their pay, I do not think it right for them to come in here and make a

virtue of it by posing before the country and asking to be reimbursed.

Mr. GROSVENOR. I care nothing about it, but I do not like to see one State pay $2 a day and another State only 52 cents.

Mr. HENRY of Mississippi. Then we agree on the general proposition, which is that, so far as the Government is concerned, the pay should be uniform.

Mr. MORRIS. Will the gentleman from Ohio allow me a suggestion?

Mr. GROSVENOR. Certainly.

Mr. MORRIS. I suggest this amendment to the bill, that "compensation at the rate paid the officers and soldiers in the Regular Army, and no more, shall be allowed."

Mr. MAHON. That is what the bill provides now.

Mr. MORRIS. The words "no more shall be allowed" are not in there. I would not allow another cent more, and if they have been paid more than that let them pay it back.

The SPEAKER. Does the gentleman from Pennsylvania [Mr. MAHON] desire to resume possession of the remainder of his time?

Mr. MAHON. I do. I want to say, Mr. Speaker, that some of the States have no law on the question; they pay their militia nothing whatever. Some States pay $1.50 a day and some $2 a day. Now, my State is as much interested in the matter as any one else. The committee took the position that the minute a man was enrolled as a United States soldier he should have the pay of a United States soldier. During the great civil war the citizens of some of our great States paid for bounties to volunteers as high as from $300 to $900, and have never yet been reimbursed, and certainly these great patriotic States and governors can afford to accept in payment what is paid the United States officer and soldier. I can not see any other way to make this bill uniform. If it can be done, I will not object. I yield to the gentleman from South Carolina [Mr. TALBERT].

Mr. TALBERT. Mr. Speaker, I ask unanimous consent that the bill be amended on page 6 by striking out the word "reimbursement" and inserting the word "payment," and on page 7, line 8, page 7, line 20, and on page 8, line 6, and wherever it occurs, so as to conform to the first amendment. My reason for this is that in a number of States the governors have not paid these bills in accordance with instructions. They have gone ahead and bought supplies and are now sureties for these bills, and I do not think this amendment will alter the force and effect of the bill at all to allow these to come in and conform to the conditions where the bills have not been paid.

Mr. MAHON. I can not consent to that amendment.

The SPEAKER. Objection is made.

Mr. DOCKERY. Mr. Speaker, I yield four minutes to the gentleman from Texas [Mr. COOPER].

Mr. COOPER of Texas. Mr. Speaker, I am a member of the committee that reported this bill, although I did not concur in it in all respects. The end sought to be attained had my aid and support, and I voted to favorably report the bill. The facts of the case have been well stated by the chairman of the committee. Under the law of 1898 a number of States could not be reimbursed for the expenses they have been put to. Take my own State; there was neither authority of law nor was there an appropriation made by the State for the purpose of paying expenses incurred in providing for the soldiers.

This bill undertakes to cure that defect and reimburse the States for payments made. I offered an amendment in the committee to strike out the word "and" and insert the word "or" where the words "incurred and paid" occurs, because a number of States had incurred this indebtedness but had not paid it. The majority of the committee believed that the Treasurer, under the provisions of this bill, would have authority to pay these claims, notwithstanding they had not been paid. I yielded to that view with the expectation that in another forum, a branch of this Congress, whatever errors existed in this bill might be corrected. I refer to the committee of conference that is expected to pass on the question.

It is true it never may be passed upon by the committee of conference, but it is expected that it will be, and such crudities, irregularities, and ambiguities as exist in the bill can be corrected. Gentlemen on that side have called attention to the differential in the pay of the soldiers of the several States. There were no means of reaching this accurately and therefore the bill could not state it accurately. Some of the States gave no pay to their militia; others allowed their soldiers as high as $3 a day. The fairest means we could devise was to allow them such pay as we allow the soldiers in the Regular Army.

Mr. BRUCKER. Will the gentleman allow me an interruption?

Mr. COOPER of Texas. Certainly.

Mr. BRUCKER. It has been stated that some States have already been paid.

Mr. COOPER of Texas. Some have been paid.

Mr. BRUCKER. On what basis?

Mr. COOPER of Texas. For expenses incurred up to the 8th day of July, 1898.

Mr. BRUCKER. Were the soldiers paid so much per day?

Mr. COOPER of Texas. I can not state positively.

Mr. BRUCKER. The gentleman from Ohio [Mr. GROSVENOR] stated that States had already been paid, and in some cases $2 a day for the soldiers.

Mr. COOPER of Texas. They were paid the expenses incurred up to the 8th of July.

Mr. BRUCKER. Does that include per diem for the soldiers?

Mr. COOPER of Texas. I do not know.

Mr. BRUCKER. Why could that not be taken as a basis—take the highest pay of any soldier in any State? Why could not that be taken as a basis upon which to frame this bill?

Mr. COOPER of Texas. That might have been taken as a basis; but in order to deal uniformly and fairly with all the States we took as a basis the pay allowed a soldier in the Regular Army.

Mr. BRUCKER. I understand that the States that have already been paid have not been paid on that basis, but have been paid at the rate paid by the State to the State militia.

Mr. COOPER of Texas. The gentleman may be correct; I can not dispute his statement; I am disposed to think it is true.

Mr. BRUCKER. If that statement is true, a soldier in any one of the States ought to be worth as much to the Government as a soldier coming from any other State.

Mr. COOPER of Texas. It is my understanding that the State of Ohio pays her soldiers $2 per day while in camp or rendezvous, and the State of Texas does not pay her soldiers anything.

Mr. SLAYDEN. May I ask my colleague a question?

Mr. COOPER of Texas. Certainly.

Mr. SLAYDEN. My understanding, like that of my colleague, is that in Texas we pay nothing to our volunteers while in camp or rendezvous. That being so, under this bill as now drawn, the volunteers from our State, as I understand, will be paid nothing from the time of their assembling at rendezvous until they were actually mustered in and received as soldiers by the United States.

Mr. COOPER of Texas. My colleague is correct, except that under the provisions of this bill they will be paid at the same rate as soldiers of the Regular Army.

Mr. SLAYDEN. Is it mandatory that they be paid at that rate? Does not the bill say that they shall only be paid at the rate allowed by the State to its militia?

Mr. COOPER of Texas. The pay is to be the same as that allowed soldiers of the Regular Army.

[Here the hammer fell.]

Mr. DOCKERY. I yield the one minute I have remaining to the gentleman from Delaware [Mr. HANDY].

Mr. HANDY. Mr. Speaker, I am going to vote against this bill, because it does not seem equitable and just as between the States. If we undertake to repay the States what they have expended in raising soldiers, we ought to repay to each State the exact amount thus expended. If a State has expended, as my State has, in the payment of its volunteers, $1.50 a day each for the time they were in camp before mustering into the service of the United States, that State should receive in repayment $1.50 a day for each soldier. But if a State—Texas, for instance—has paid nothing in this way, it should receive nothing. Where nothing has been expended there is no place for repayment.

Again, if the State of Ohio has paid to her soldiers $2 a day, in good faith, while they were in rendezvous, Ohio should receive back the $2 thus paid out. As this bill can not be amended, under this motion to suspend the rules, I shall vote against it, hoping that a bill may be brought in here that will carry out what I regard as simple justice. If we start out on the principle of paying back to the States what they have expended in raising soldiers for the National Government, there is no difficulty in getting at an equitable basis. We have simply to find out what the States have honestly expended and return that amount to the State treasuries. For the reason stated, I shall vote against the bill.

The SPEAKER. The question is on suspending the rules and passing the Senate bill with the substitute proposed by the gentleman from Pennsylvania and the amendment unanimously agreed to by the House.

The question being taken, there were—ayes 155, noes 15.

So (two-thirds voting in favor thereof) the bill as amended was passed.

PAYMENT OF $20,000,000 TO SPAIN.

Mr. CANNON. By direction of the Committee on Appropriations, I move to suspend the rules and pass the bill which I send to the desk.

The Clerk read as follows:

A bill (H. R. 12125) making an appropriation to carry out the obligations of the treaty between the United States and Spain concluded December 10, 1898.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That for the purpose of carrying out the obligations of the treaty between the United States and Spain concluded at

Paris on the 10th day of December, A. D. 1898, to become immediately available upon the exchange of the ratifications of said treaty, there is hereby appropriated, out of any money in the Treasury not otherwise appropriated, the sum of $20,000,000.

Mr. CANNON. Mr. Speaker, I ask——

The SPEAKER. Is there a second demanded on the motion to suspend the rules?

Mr. DOCKERY. For the purpose of debate and amendment, I demand a second.

Mr. CANNON. I ask unanimous consent that a second may be considered as ordered.

Mr. DOCKERY. Pending that, I ask the gentleman from Illinois to consent to the offering of an amendment declaring the policy of the United States in respect to the Philippine Islands. [Cries of "Oh, no!" and "Regular order!"]

Mr. CANNON. Having made this motion by direction of the Committee on Appropriations, I have no power to assent to the gentleman's request. I could not if I would, and I may go further and say I would not if I could.

Mr. BAILEY. I desire to ask the gentleman a question. He says that, acting under the direction of the committee, he can not consent to the request of the gentleman from Missouri. Does he mean to say that the Committee on Appropriations instructed him not to agree to this request?

Mr. CANNON. No. The committee instructed me to move the passage of the bill which has just been read.

Mr. BAILEY. But the committee gave you no instructions about the other.

Mr. CANNON. Under that instruction I could not submit to the offering of an amendment if I would, and I suppose I might go further and say that I would not if I could.

Mr. BAILEY. I know that is true.

The SPEAKER. Is a second considered as ordered?

Mr. PAYNE. I hope we shall get along with the debate.

Mr. DOCKERY. The gentleman from Illinois means to be understood that by direction of the majority of the committee he objects to the amendment? He does not mean all the committee?

Mr. CANNON. Oh, certainly; a majority.

Mr. DOCKERY. Then, do I understand the gentleman to decline to accept the amendment?

Mr. CANNON. Oh, yes.

Mr. HOPKINS. You ought to understand it.

Mr. DOCKERY. Mr. Speaker, a parliamentary inquiry. Under the rules of the House is it in order to offer an amendment to this proposition?

The SPEAKER. It is not. Is a second considered as ordered?

Mr. WHEELER of Kentucky. I demand the appointment of tellers.

The SPEAKER. The gentleman from Kentucky objects. The gentleman from Missouri [Mr. DOCKERY] and the gentleman from Illinois [Mr. CANNON] will take their places as tellers. As many favoring ordering a second will pass between the tellers.

The House divided; and the tellers reported—ayes 157, noes 11.

Accordingly a second was ordered.

The SPEAKER. The gentleman from Illinois is recognized for twenty minutes.

Mr. CANNON. Mr. Speaker, a few days ago I ventured to prophesy that under the rules of the House, a little later on the House would have an opportunity to make the appropriation, if it saw proper to do so, of $20,000,000, under the treaty of Paris, payable after the treaty was ratified. The Committee on Appropriations considered a bill referred to it and directed its chairman to move to suspend the rules and pass the bill. At this time I do not desire to say anything further about it. In my judgment, nine-tenths of the House stand ready to pass the bill. [Cries of "Vote!" "Vote!"]

I will reserve the balance of my time.

Mr. DOCKERY. Mr. Speaker, I ask the Clerk to read at the desk the amendment which I desired to offer to the bill and which was objected to by the gentleman from Illinois [Mr. CANNON] in charge of the bill.

The Clerk read as follows:

SEC. 2. That by the ratification of the treaty of peace with Spain it is not intended to incorporate the inhabitants of the Philippine Islands into citizenship of the United States, and the United States hereby disclaims any disposition or intention to exercise permanent sovereignty, jurisdiction, or control over said islands and asserts its determination, when a stable and independent government shall have been erected in said islands, entitled, in the judgment of the Government of the United States, to recognition as such, to transfer to said government, upon terms which shall be reasonable and just, all rights secured under the cession by Spain and thereupon to leave the government and control of said islands to the people thereof.

Mr. DOCKERY. Mr. Speaker, the section which has just been reported at the desk is a combination of what are known as the McEnery and Bacon resolutions, and I now ask unanimous consent of the House to offer that section as an amendment to the bill.

Mr. CANNON. The gentleman has had it read in his time. I would not desire to cut him off from such reading if I could. Further I can not go. [Laughter.]

The SPEAKER. The gentleman from Illinois objects.

Mr. DOCKERY. Does the Chair hold that to be an objection? The Chair has not submitted the request.

Mr. ARNOLD. Mr. Speaker, I object.

The SPEAKER. It is not necessary to submit a request for unanimous consent where an objection has already been made.

Mr. DOCKERY. I accept the judgment of the Chair, but in my opinion the amendment should be incorporated as an additional section of the bill. The United States should declare its policy without further delay.

Mr. BELL. Mr. Speaker, I am in favor of the amendment, and think that we have made a great mistake—that the Administration has made a great mistake. In the first place, the declaration of war contained a notice that we would not fight this war for the purpose of acquiring territory. That went to the civilized world. When we got over into the Philippine Islands, we found a great insurrection of the inhabitants in progress against the Spanish Government, a common foe. Our people went at once to forming an alliance with the insurgents. Our representatives consulted with the leaders of the insurgents. We armed and furnished them with ammunition.

We accepted their services in breaking the power of Spain in the Philippine Islands. The natives understood that we had gone to war not for the acquisition of territory, but to break the shackles of human oppression and to extend liberty. Understanding that, and we forming an alliance with them, they had every reason on earth to believe that we intended to free them as we did the people of Cuba. But what did we do? The moment we got possession of the islands, instead of treating them kindly, we denied them the right to use their own flag.

We denied them the right to negotiate with us as a tribe or people. We denied them any privileges except as obedient subjects of the United States, and at once made them suspicious of us. We made them believe—indeed, convinced them—that our object was not to give them liberty, but to take from them the control of a weak power that they had been in revolution against for a quarter of a century, and to put over them a stronger power; in other words, a mere change of masters. Now, the President of the United States, in Boston the other night, said that Congress was the power that ought to fix the relation of the Philippines.

If that be so, I want to say that Congress ought, at the first possible moment, to say to the Filipinos, "We do not want your country; we do not want what you possess; we want to give you liberty; we want to give you self-government," and stop all bloodshed and this enormous expense. If we had said that in the beginning, if we had said to the Filipinos, "We come as friends," if we had extended to them the hand of friendship, had insisted on their forming a government, we should not have had the bloodshed that is daily reported through the papers. And I want to say to you that before midsummer the Philippine Islands will become a great burial ground of American citizens. Who is responsible for it? The men will be responsible for it who did not treat with the chiefs representing the different tribes. They say that Aguinaldo is unfit to be trusted or considered.

The other day there returned from the Philippine Islands one of the staff officers of General Otis, the brilliant young Capt. Samuel Belford, who was invited to address the people in one of the great churches of the city of Denver. He stated to those people that he had visited Aguinaldo at his house, that he had had numerous conferences with him, and he says that the people of the Philippine Islands regard Aguinaldo as the father of their country as truly as the colonists of America regarded George Washington as the father of their country.

He says:

The war spirit is rampant in Manila, and one may see as many as 800 little children playing soldier and shouting at the top of their voices for General Aguinaldo.

The latter is a small man, but bright and quick, and it is folly to think of him as a light-headed fanatic. He should be treated with respect. He has great magnetism, and is looked upon as the father of his country.

The partisan press, purporting to represent the President, has stated from time to time that Aguinaldo was ignored by the soldiers and was seeking to sell out—a mere thing of barter.

Who taught the lower tribes of this country the idea of barter? There never has been a treaty with an Indian tribe during my recollection for a sale or change of their reservation that this Government did not bribe the chiefs; not only that, but they have bribed them in times of peace in order to keep them at peace. Why should not Spain be expected to follow our exalted example and bribe the chief of the Philippine tribes, as has become the habit of superior nations when dealing with inferior ones?

Is it preferable to go at them with shot and shell and exterminate them?

The partisan press, assuming to voice the sentiments of the War

Department, have boasted of the fact that General Otis was without instructions and would apply his Indian tactics to the Filipinos and give them a merciless thrashing in the very beginning.

There has been no attempt to extend the olive branch of peace to this unfortunate people or to offer to deal with them on the theory that they had any rights as a people or nation, but they were treated as though we had a right to buy them and Spain a right to sell them. This same question was fought to a finish in the rebellion in the United States, and our people had a right to believe that it had been settled for all time. The same issue was involved then as now—that of self-government.

Douglas contended that the white people of the Territories were admitted to be good enough to govern themselves, but that Mr. Lincoln believed them not good enough to govern a few thousand miserable negroes. Mr. Lincoln laid down the premises that when the white man governed himself, that was self-government; but when he governed himself and also another man, that was more than self-government—that was despotism.

The people of the United States established the doctrine of Lincoln by the sword, and the contention of this Administration is nothing less than the old Southern doctrine before the rebellion. It is a return to human slavery, though it be a political instead of a personal slavery.

Take the dispatches this morning from Havana and from San Juan, and the natives are asking this question, "Are we to pay for the services of the United States soldiers to misrepresent and make our conditions worse?" That is a question that I want to ask. Who is to pay the expenses of these soldiers in the Philippine and West India islands? The President may go down in history as a cruel and merciless warrior, but never as a sagacious financier.

It is heartrending to read the dispatches from day to day describing the mowing down of this half-civilized people on their soil in the Philippines, including women and children, the burning of their churches, convents, houses, etc. It is a crime to require the splendid young manhood of this country to be sacrificed unnecessarily in this distant land. It may seem brave and chivalrous for the President and the generals who stand on secure ground and command the young men of this country to follow these unfortunate natives into the tropical jungles with every chance of their destruction by bullet or climate.

It is absurd folly to attempt to deal with the people of Cuba, Porto Rico, or the Philippine Islands as though they were capable of appreciating or adapting our form of government, and the longer our soldiers remain in Cuba or any of these other islands the more difficult it will be to withdraw. Every time our soldiers kill a native or destroy their property or churches they add to the flame of hate that is now being engendered in every part of these possessions. On the 19th instant the mayor and the majority of the municipal council of San Juan tendered their resignations, declaring that it was impossible for them to work with the Americans.

The newspapers of the Spanish and Cuban sympathizers in Havana agree in stating that the—

> United States sends men ignorant of the country's customs and needs and of the economical situation, whose first impressions will be acted upon at Washington. * * * Before we are taxed we should be informed if Cuba is to pay the expenses of the army of occupation. * * * If Cuba is not given scope to exercise her abilities for self-government, how can she advance, and how prove that she is able to govern herself?

We have certainly gotten into a comedy of errors that will bring sore regret upon the people generally of this nation. It has been the hope that we might maintain the manhood of this country for peaceable pursuits. Those who return from these distant islands will have their veins filled with the poisonous virus common to the inhabitants. As for me, I think the whole affair has been a craze brought on by those interested and by the English Government—not for the good of the masses of our people. [Applause.]

Mr. DOCKERY. I yield one minute to the gentleman from New Jersey [Mr. GARDNER]. As I do not see him, I will yield three minutes to the gentleman from Michigan [Mr. BRUCKER].

Mr. BRUCKER. Mr. Speaker, if this proposition to pay Spain $20,000,000 came to this House as an independent one for us to adopt or reject, I should certainly cast my vote against its payment. But we are simply asked to appropriate and pay this large sum of money, $20,000,000, to fulfill and carry out our treaty and contract obligations with Spain, and the question of amount and payment, as far as this House is concerned, is a "closed incident."

Our sole and lawfully constituted agents under the Constitution, the President of the United States and the Senate—the treaty-making power—have supreme and absolute authority and jurisdiction in the premises, with no right to question or appeal therefrom on the part of this House, and they having entered into this treaty, having ratified the treaty, having agreed absolutely to bind this country to the payment of this sum, there is nothing left for the House to do but to put its hands into the National Treasury and "shell out and pay." Were the proposition an independent one for this House to decide to pay Spain this money or not, I should never give my consent to its payment.

We are paying to his young Majesty the King of Spain $20,000,000 for what? "Absolutely nothing;" for a quitclaim to nothing. We do not acquire a foot of territory by the payment of this vast sum of money, but at the same time we are buying a war which will cost us many millions more before we are through with it. My judgment is that the stipulation in the treaty to pay Spain this sum of money should never have been a part of the treaty. My judgment is that we should have kept this money and with it taken care of the widows and orphans, made so by this war for humanity's sake. [Applause.]

The SPEAKER. The time of the gentleman from Michigan has expired.

Mr. DOCKERY. I ask the gentleman from Illinois to use a part of his time.

Mr. CANNON. I yield five minutes to my colleague on the committee [Mr. MOODY].

Mr. MOODY. The only use that I personally shall make of the time yielded to me is to state that my colleague [Mr. MCCALL], who for some time has been detained from the House by illness, desires to have it stated that if present he would vote against the appropriation. I need not say that I do not agree with him in that position. I do not feel the necessity of justifying by any speech the vote that I am about to give, and I now yield the balance of my time to my colleague [Mr. GILLETT of Massachusetts].

Mr. GILLETT of Massachusetts. Mr. Speaker, I shall vote in favor of this bill because I believe that it is an honest obligation of this Government, but I very much regret that the parliamentary situation does not allow any amendments and that we can make no declaration of our policy in the new territory. I introduced a bill at the same time the gentleman from Illinois [Mr. CANNON] introduced this one, which had a section declaring that when the Filipinos were fit for self-government we would give it to them, but I suppose that sleeps in the wastebasket of the Committee on Appropriations.

That committee, by the way, has not, in my opinion, properly jurisdiction over this bill, which belongs to the Committee on Foreign Affairs both by the letter and spirit of the rule; but that is a matter of little importance. What is of importance is that this has been ingeniously brought up in such a way that no amendment is in order. The passage of this bill is probably the last opportunity for any binding resolution as to the future of the Philippines. We all declare that we took them not from greed but from humanity.

I believe that the controlling motive which influenced the American people in desiring the acquisition was not selfishness, but an unwillingness to leave them to the oppression of Spain. But if that is our real motive, we ought, in justice to ourselves, to the Philippines, and to our standing before the world, to say so in some way which should bind us in the future. I do not see why we should shrink from it. Until we do that we can not complain if our sincerity is doubted. Now is our opportunity—probably the only one—and a rule of the House is invoked to prevent us. I do not think we ought to boast much of the purity of our intentions when we evade the only chance to express them in binding form.

If we had openly announced that our policy was permanent acquisition, that to the victors belong the spoils, few could criticise us. All the other great powers have ugly facts in their own past history which would prevent their throwing the first stone. But what I especially dislike is that we should expose ourselves fairly to the charge at the same time of greed and hypocrisy.

I believe that the Philippines will be a weakness and an expense to us. But I also believe that if we are to keep them for missionary purposes then our self-respect and our duty to the Filipinos demand that we should promise to release them when those purposes are fulfilled. We all believe that self-government is the best for those who are fitted for it, hence we can not consistently refuse to promise the Philippines self-government when they shall be capable.

We now claim to be acting solely for their good, but we are unwilling to let go the thing which can be used for our selfish advantage. I think the manly way and the wise way would be to declare now that we shall keep them until fit for self-government and then let them go, and not run on without any declared policy, subject always to the suspicion by other nations, and, more important, by the Filipinos themselves, that our only purpose is self-aggrandizement. [Applause.]

The SPEAKER. The time of the gentleman has expired.

Mr. DOCKERY. Mr. Speaker, I yield two minutes to the gentleman from Kansas [Mr. RIDGELY].

[Mr. RIDGELY addressed the House. See Appendix.]

The SPEAKER. The gentleman asks unanimous consent to

print some further observations on this subject. Is there objection? [After a pause.] The Chair hears none.

Mr. DOCKERY. I ask the gentleman from Illinois to take some time.

Mr. CANNON. I do not desire to consume time.

Mr. DOCKERY. I yield four minutes to the gentleman from Alabama.

Mr. CLAYTON. Mr. Speaker, I did not intend to inflict upon the House any views on the Philippine question. I do not think that question now before the House, but I find that I differ from some of my associates on this side of the Chamber. In the judgment of many wise men there has been but one thing to do since the signing of the treaty of Paris that concluded hostilities between the United States and Spain, and that was the ratification of that treaty. I do not think it was either necessary or wise for the Peace Commission, at the President's suggestion or without it, to put into the treaty the obligation of the United States to pay this $20,000,000.

I do not think it was wise in the President and the commissioners to insist upon the cession of the Philippine Islands. It is to be regretted that we have the Philippine problem to deal with at all. Perhaps it would have been better for the people of the United States had Dewey sailed away from Manila after the destruction of the Spanish fleet. I have wished that he had done so. And, Mr. Speaker, no man is more opposed than I am to a policy of imperialism, or to a scheme of colonization, or to the retention of the Philippine Islands.

But the approval of the treaty has never been for this House to determine. The treaty has been negotiated and been ratified. The Executive possesses this lawmaking function. Treaties made by the United States are expressly declared to be the supreme law of the land. This power is given to the President, and it has but one limitation, and that is the treaty negotiated by him shall be ratified by two-thirds of the Senate. The Government is constitutionally bound to pay this money. There is but one contingency, and that the improbable one that the Spanish Cortes will not ratify the treaty. In that event the money would not be paid.

So that, Mr. Speaker, we find the supreme law of the land requires the payment of this money. The contract to pay it, the law to pay it, have been made pursuant to constitutional methods. And that law must be obeyed or defied. If the law is bad, let those who made it meet with the censure of the American people.

It is to be regretted that the President has not had some definite policy toward the Philippines. What the President has not done in this regard furnishes much ground for just criticism. But he has correctly said in his speech at Boston that what shall be done hereafter with the Philippine Islands is now a legislative question and not an executive one. I believe it ought to be made known that the United States does not intend permanently to hold those islands, and I believe it is the duty of Congress to tender assurance to the inhabitants of the Philippines that the United States will encourage such a government there as the people of those islands desire. I stand ready to aid in such declaration.

Mr. LENTZ. Mr. Speaker, I intend to vote for this appropriation of $20,000,000, but not because I think we are buying anything. Spain was certainly unable to deliver anything, or she would not have begged us to deliver to her her prisoners, which she could not take from the Malays. If she had any title to that property, she would have gone in and taken home her own prisoners. I am willing to give her the $20,000,000 in charity, just as we have agreed to do by the action of the Senate in ratifying the treaty.

We are no longer confronted by a theory; we are facing a fact. In substance the Administration, acting as our agent, contracted for 10,000,000 human beings at $2 a head. This is cheaper than you can buy sheep in Ohio, and inasmuch as the world regards it as a debt, I am willing to pay it, notwithstanding I regret the fact that the gold-worshiping party of these United States has become so callous that it can rejoice in the purchase of slaves by the island full instead of the ship full—slaves not to pick cotton under the lash, but to pay taxes under Springfield rifles and magazine guns; slaves to relieve wealth from an income tax; slaves to justify a large standing army, so that the sons of Senators and Congressmen may wear shoulder straps and live in idleness and luxury; slaves to justify a large standing army which shall be a burden to the farmer and a menace to the liberty of the laboring classes, who have not yet forgotten how their brothers were shot in the back at Hazleton for meeting to discuss their misery, their grievances, and their rights.

Let us pay the twenty millions, not so much because the Senate has ratified the treaty, not because the President and his advisers have been swelled and puffed up with the conceit of empire, not because we could not use the twenty millions to better purpose for our own national family, but because it is the shortest and most economical route back home for the public mind. It is the shortest and most economical route by which we can divorce ourselves from foreign complications and foreign thoughts. It is the shortest and most economical route to return to the immediate consideration of the principles and purposes which inspired our ancestors to frame the Declaration of Independence and construct the Constitution of the United States.

It has been the trick of European powers to get into war with each other whenever the masses of the people began to consider and discuss the "rights of man." And so I fear in this country those who dictate the policy of this Administration became so thoroughly alarmed at the awakening which took place in 1896, and have been so much disturbed by the persistent and determined study and discussion of economic questions within our own land, that they have sought refuge temporarily from their impending fate by hiding their greedy purposes behind war clouds, hoping and preferring to involve this Republic not only in an entangling alliance with Great Britain, but also with prejudice and hostility against other nations, as well as to complicate us with oriental questions and difficulties.

Of the many thousands of years that man has struggled on earth for existence and civilization we know but little except through some brief scraps of sacred and profane history covering the last six thousand years. But all we do know teaches us that Deity himself has not been able to construct a man of heroic proportions anywhere on the face of this big round earth within 20° either north or south of the equator.

The Philippines lie between the parallels of 6 and 19 degrees from the equator; possibly MARK HANNA and William McKinley can, by shooting "benevolent assimilation" into them with 13-inch guns and by riddling them with Maxim rapid-fire and Gatling guns, do for them what God found himself too weak to do. As for myself, I have no more respect for that Christianity which projects itself through the agency of magazine guns than I have for that Mohammedanism which centuries ago carried on its process of "benevolent assimilation" with fire and sword, and recently projected itself with the insolence and arrogance of bigotry into Christian Armenia.

We have in this country one great American, William Jennings Bryan, who without any power reposed in him and without any patronage except the confidence of a great people, has formulated and declared his policy in graphic words when he said:

> I object to shooting Christianity into the Philippines with Gatling guns, first, because it does not do any good to those that are hit; and second, it keeps those who are not hit so busy burying the dead that they have neither opportunity nor time to profit by it.

If such a man were President everybody would know his policy, and the flag would not be made the dish rag of greedy syndicates and corporations who want to loot and plunder Cuba, Porto Rico, and the Philippines.

Let us pay the twenty millions, and do it speedily and gracefully, and learn a little of philosophy at the same time. Let us feel about it as Ben Franklin did when he found that he had paid too much for the whistle. It will be money well expended if it teaches us in the future to say to ourselves as Franklin had been taught to say to himself: "Don't give too much for the whistle." And let us hereafter have Chief Executives who get their inspiration and instruction from the hearts of the people, and not from the schemes and greedy purposes of syndicates and trusts. Let us get away from wars and rumors of war, and get the public mind back to the first principles and the holy purposes of the American Republic, as set forth in the preamble of our great Constitution in these words:

> We, the people of the United States, in order to form a more perfect union, establish justice, insure domestic tranquillity, provide for the common defense, promote the general welfare, and secure the blessings of liberty to ourselves and our posterity [not Philippines], do ordain and establish this Constitution for the United States of America.

Let us read and learn again the full meaning of Washington's immortal words in his Farewell Address, wherein he said:

> Observe good faith and justice toward all nations. Cultivate peace and harmony with all. * * * In the execution of such a plan nothing is more essential than that permanent, inveterate antipathies against particular nations and passionate attachments for others should be excluded, and that in place of them just and amicable feelings toward all should be cultivated. * * * Antipathy in one nation against another disposes each more readily to offer insult and injury, to lay hold of slight causes of umbrage, and to be haughty and intractable when accidental or trifling occasions of dispute occur. * * * So, likewise, a passionate attachment of one nation for another produces a variety of evils.
>
> Sympathy for the favorite nation, facilitating the illusion of an imaginary common interest in cases where no real common interest exists, and infusing into one the enmities of the other, betrays the former into a participation in the quarrels and wars of the latter without adequate inducement or justification. It leads also to concessions to the favorite nation of privileges denied to others which is apt doubly to injure the nation making the concessions by unnecessarily parting with what ought to have been retained and by exciting jealousy, ill will, and a disposition to retaliate in the parties from whom equal privileges are withheld.
>
> The great rule of conduct for us in regard to foreign nations is, in extending our commercial relations, to have with them as little political connection as possible. * * *
>
> Europe has a set of primary interests which to us have none or a very remote relation. Hence she must be engaged in frequent controversies, the causes of which are essentially foreign to our concerns. Hence, therefore, it must be unwise in us to implicate ourselves by artificial ties in the ordinary vicissitudes of her politics or the ordinary combinations and collisions of her friendships or enmities.

Our detached and distant situation invites and enables us to pursue a different course. * * * Why forego the advantages of so peculiar a situation? Why quit our own to stand upon foreign ground? Why, by interweaving our destiny with that of any part of Europe, entangle our peace and prosperity in the toils of European ambition, rivalship, interest, humor, or caprice? It is our true policy to steer clear of permanent alliances with any portion of the foreign world.

Neither should we ever forget that consummation and summary of political wisdom and philosophy left by Thomas Jefferson as a legacy to the American people in his first inaugural address, wherein he expressed the same thought as Washington in these immortal words:

Peace, commerce, and honest friendship with all nations; entangling alliances with none.

What a misfortune to the names of Washington and Jefferson that they can not return to earth and have MARK HANNA and J. P. Morgan assist them in revising these addresses!

Our modern political jugglers, pretending to represent the honesty and national honor of our great Republic, persistently poison the wells of information through a subsidized press, and even a subsidized pulpit, with liberal harangues in favor of a British alliance, and at the same time instigate and poison the public mind with prejudice and hostility to Germany, until Carl Schurz, Secretary of the Interior in the Hayes Administration, recently declared as follows:

I have never witnessed a more audacious, reckless, persistent, and methodical effort to excite the public mind to hostility against a foreign nation by downright lying, artful distortion of facts, or crafty insinuation. Nor has this effort been without effect, for there are many otherwise reasonable persons in the United States who thus were made to believe, and who do believe even now, that the German Government, since the outbreak of the Spanish war, has been constantly plotting against the United States.

Every intelligent and candid man—

Says Mr. Schurz—

must conclude that there has been a most outrageous attempt to gull and dupe the American people in this matter. It has been, to use a popular phrase, a bunco game of the most brazen kind, which every self-respecting American should indignantly resent as an insult to our national dignity. Most of the false or misleading stories came here through news agencies under British influence. The circumstances of the case fully authorize the belief that there were Englishmen who wished the American people to understand not only that England was the only trustworthy friend the United States had in Europe, but that other European nations were insidiously conniving against us, and that British watchfulness and power were needed to protect us against their hostility—all this to bring this Republic more and more under British influence.

It is becoming more and more apparent every day that a few men controlling the news agencies of the country may impose upon the entire Republic by falsehood with reference to conditions in remote parts of the earth and so prejudice the people that it may take years to overcome the pernicious effect and influence of the deception. How well we were warned by Washington and Jefferson against entangling alliances!

And if to the inspiration of Washington and Jefferson anything need be added that comes down to us with the solemnity and dignity of divine thought, it is contained in Lincoln's address at the dedication of Gettysburg Cemetery, on the 19th of November, 1863:

Four score and seven years ago our fathers brought forth upon this continent a new nation, conceived in liberty, and dedicated to the proposition that all men are created free and equal. Now we are engaged in a great civil war, testing whether that nation, or any nation so conceived and so dedicated, can long endure. We are met on a great battlefield of that war. We have come to dedicate a portion of that field as a final resting place for those who here gave their lives that that nation might live. It is altogether fitting and proper that we should do this. But in a larger sense we can not dedicate, we can not consecrate, we can not hallow, this ground.

The brave men, living and dead, who struggled here have consecrated it far above our power to add or detract. The world will little note, nor long remember, what we say here; but it can never forget what they did here. It is for us, the living, rather to be dedicated here to the unfinished work which they who fought here have thus far so nobly advanced. It is rather for us to be here dedicated to the great task remaining before us, that from these honored dead we take increased devotion to that cause for which they gave the last full measure of devotion; that we here highly resolve that these dead shall not have died in vain; that this nation, under God, shall have a new birth of freedom, and that the government of the people, by the people, and for the people shall not perish from the earth.

I repeat the thought and reiterate the demand that we return to the consideration and prosecution of the great business and mission of the American Republic. Let us look after the bettering and ennobling of our own 75,000,000 of people and their posterity. Let us remember that a chain is no stronger than its weakest link, and let us remember that the Republic will be no stronger against the foreigner than our weakest and most remote island possession. And let us never forget that it was Abraham Lincoln, who had no desire for pomp or glory, who saw no hope in empire and militarism, who gave it as his judgment that—

All the armies of Europe, Asia, and Africa combined, with a Napoleon for commander, could not by force take a drink from the Ohio River or make a track on the Blue Ridge Mountains in a trial of a thousand years. If destruction be our lot, we must ourselves be its author and finisher. As a nation of freemen we must live through all time or die by suicide.

For the past two years it has been conspicuous that the party which to-day arrogates to itself the name of Lincoln's party, and proclaims itself the guardian and conservator of honesty and national honor, does not dare to quote from Washington, nor Jefferson, nor Jackson, nor Lincoln, on any of the great questions which are before the American people.

And with the hope that the despotism and tyranny of a boss-ridden majority may not destroy free speech and free thought, let us turn our attention to the heathen *after* we have cared for our own family; let us create new pensioners *after* we have settled with the soldiers who saved the Union; let us Christianize the Malays *after* we have taught our own people not to tolerate a man in the United States Senate who secures his seat by bribery and fraud; let us Christianize the Malays *after* we have secured equal opportunities for the sons of the poor with the sons of the rich; let us Christianize the Malays *after* the business man of small means shall be restored to equal opportunities for existence with the syndicates and the trusts; let us Christianize the Malays *after* we have established in America that democratic doctrine of the labor organizations, "An injury to the least of us should be the concern of all of us." Let us attend to the business of the Malays when we have no business of our own.

For these reasons I want to go on record as favoring the $20,000,000 appropriation, because we can not afford to lose time quibbling about a few millions, when we can afford to spend hundreds of millions to murder Malays, instead of carrying "benevolent assimilation" to them. Why hesitate to waste these few millions while wasting so much? Let us say to the world that we do not need the money; we have money to burn. [Laughter on the Democratic side.]

Let us go on giving away the money of the people and tax them for more. The people who have to pay these taxes are not the people who would have to pay an income tax. Let the masses of the laborers come and fill up the Treasury, and let us pay it out. Our hope will be in the taxpayers realizing what is being done by this imperialistic Administration with the taxes which are coined from the sweat of the brow of the farmer and the mechanic. Let us go on and blow away our millions because we are about to have a new régime. We are to have a royal military establishment, and we are to teach the world how it is and what it is to have a President of the United States who is also King of Porto Rico, Czar of Cuba, and Emperor of the Philippines. [Laughter and applause.]

Mr. CANNON. Mr. Speaker, I certainly shall not occupy much time.

Mr. DOCKERY. The gentleman from Kentucky [Mr. WHEELER] would like a little more time, and I have only one minute to yield him.

Mr. CANNON. Does my friend desire me to yield him time?

Mr. DOCKERY. I hope the gentleman from Illinois will yield him some time.

Mr. CANNON. How much time have I, Mr. Speaker?

The SPEAKER. The gentleman has thirteen minutes.

Mr. CANNON. I will yield to the gentleman from Missouri four minutes, and then I will yield to my colleague on the committee [Mr. LIVINGSTON] four minutes.

Mr. DOCKERY. Well, I have one minute, so I will yield five minutes to the gentleman from Kentucky [Mr. WHEELER].

Mr. WHEELER of Kentucky. Mr. Speaker, it seems to be fashionable for gentlemen to say how they intend to vote on this bill. I avail myself of this opportunity to say with great pleasure that I intend to vote against the bill, because I believe it to be wrong in principle and infamous in execution. And, sir, I can not understand how gentlemen can say they are opposed to the appropriation, they are opposed to the policy of the Government, they are opposed to the destruction of the lives of innocent islanders who are fighting for their homes and firesides, and yet, for a sentiment, for fear it will give offense to some effete and decayed monarchy, they propose to vote for this measure.

To illustrate the methods resorted to by the Administration—and no condemnation too severe can be visited upon the Republican party and the Administration for their action in connection with this whole affair—to illustrate their tactics, why did not the chairman of the Committee on Appropriations bring this bill before the House in the ordinary way, that we might have the opportunity to amend it and declare what the policy of the Administration was to be in regard to the Philippine Islands?

The truth of the business is that you are soldiers of fortune; you have not the nerve, the pluck, the courage to outline what you propose to the American people in regard to those islands. Micawberlike, you are "waiting for something to turn up." It is lack of statesmanship, lack of patriotism, lack of integrity, the old-time concomitants of Republicanism, that brings this bill before the House in this shape.

The gentleman from Illinois was well aware that if he secured the unanimous consent of his committee to move a suspension of the rules, no amendment would be in order, and in that way he could have this appropriation voted under the guise of national honor or keeping a national obligation, and thus prevent amendment. Sir, I esteem my sense of right, my sense of honor, even

higher than my love for the Constitution of my country; and I believe it is dishonorable, unfair, and unprincipled to treat the people of the Philippine Islands as the Administration is now treating them. [Applause.]

I know we have the constitutional right to refuse to vote this appropriation, and behind the ægis of the Constitution I propose to exercise that right and vote against it, and to demand the yeas and nays, that the country may know how many there are of us in this body willing to go on record in defiance of the infamous penny-a-liners who are trying to drive every man out of public life who does not bow with superserviceable servility to their imperious dictates. I am not afraid of their criticism. I appeal to the enlightened, patriotic, and intelligent judgment of my constituency, confident that they will approve my action, based as it is upon my sense of right.

I am not a prophet nor the son of a prophet, but I venture to predict the time will come when those who are now so swift to give in their adherence to the policy of the Administration will be equally quick to swear that they were out of sympathy with it. And, sir, with all due deference and respect to some gentlemen on this side and some gentlemen on the other side, I can not refrain from expressing a superlative contempt for a man who believes a thing to be wrong, but for the sake of form will give in his adherence to it. [Applause.]

If I were in favor of this measure, I would say so. As I am opposed to it, "by the Eternal" I am willing to be recorded against it, it matters not what anybody else may say about it. When a man is governed by principle, it matters not whether his neighbor or anyone else agrees with him. I would rather commit an error following what I believed to be right than simply to join with the howls of the crowd because they were in the majority.

We have yet to test the sense of the American people on this question. A distinguished Republican once said—and let us give him credit for it—that "you may fool all of the people some of the time, and some of the people all the time, but you can not fool all the people all the time." And I believe, skillful as the Administration and the Republican party are in concealing their policy, eventually we will smoke them out; and when they are tried before the judgment of intelligent American public opinion, their policy throughout this entire affair will be condemned in no uncertain terms. Commencing as "a war for humanity," this contest has degenerated into the most disgraceful war of bloody extermination that has disgraced the pages of modern history. [Applause.]

A MEMBER. Or ancient, either.

[Here the hammer fell.]

Mr. CANNON. I yield two minutes to the gentleman from Massachusetts [Mr. WALKER].

Mr. WALKER of Massachusetts. Mr. Speaker, I hope this House will not forget—I hope no man in it will forget—that generosity above all things becomes men and nations. In this spirit, when we are obliged to enter into a contest with any nation, whatever it may be, and the fight is over, let us deal with her in a way to save for her every particle of self-respect and honor that we can save to her. Let us be more than just; let us be generous.

Who is the man in this assembly who, having a contest with any one, great or small, wise or unwise, honorable or dishonorable, will not, when it is over, lift his late antagonist from the ground, set him on his feet, and honor him as highly as he justly can. What are $20,000,000 to us under the present circumstances? We, a great, rich, and powerful nation, having conquered Spain, we must be generous. We are to send our minister to her. She must send hers here. She is our associate among the nations. Let us deal generously, more than justly, with her under circumstances so adverse to her. [Applause.]

Mr. CANNON. Mr. Speaker, I am ready for a vote. The gentleman from Kentucky [Mr. WHEELER] criticises the committee for reporting this bill, using various harsh words. He says there is no chance for amendment. That does not say much for the consistency of the gentleman from Kentucky, because this identical provision was upon a bill but a few days ago, where it was subject to amendment, and he, with one other gentleman upon that side of the House, made the technical point of order upon it that would not permit the Committee of the Whole either to amend or discuss it.

Mr. WHEELER of Kentucky. Will the gentleman permit a question right there?

Mr. CANNON. Certainly.

Mr. WHEELER of Kentucky. Does the gentleman mean to inform the House that an amendment defining the policy of the Government was permissible on an appropriation bill?

Mr. CANNON. I said it was subject to amendment under the rules of the House. Now, under the rules of the House this pending provision is not subject to amendment.

Now, a word in conclusion. I read from the treaty of Paris with Spain:

> The civil rights and political status of the native inhabitants of the territory hereby ceded to the United States shall be determined by the Congress.

Under that treaty of Paris, ratified by the Senate of the United States, the $20,000,000 that we appropriate to-day, so far as this House is concerned, is to be paid to Spain. Now, the gentleman from Kentucky [Mr. WHEELER], as well as the gentleman from Massachusetts [Mr. GILLETT], says they would have been glad to announce what was to be the policy of the United States. Why, an announcement in a resolution now or hereafter is but as sounding brass or a tinkling cymbal.

Mr. WILLIAMS of Mississippi. But this would be more. This would be a law, not a resolution.

Mr. CANNON. I can not yield. Until Congress is fully informed what ought to be done it is impossible for Congress to legislate under the law of the land, the treaty which I have just read. In the fullness of time Congress will be informed and Congress will legislate. At this time, with the military government now in the Philippines, and to remain there until the action of Congress, there is but one thing, in my judgment, for every patriot to do, namely, to sustain the Army and the Navy of the United States that are there to-day fighting to preserve order. [Applause on the Republican side.] And when we have preserved order, when the authority of the United States is acknowledged there as it is elsewhere in our territory, then, with due regard to our self-respect, to our own best interest, and the best interest of that people as well, Congress will be in a position to legislate and will legislate. [Applause on the Republican side.]

Mr. BAILEY. Will the gentleman permit me to ask him one question?

Mr. CANNON. I will.

Mr. BAILEY. Then when that time arrives, will the gentleman say whether or not the legislation will be to move out and leave those people in full possession of their own country?

Mr. CANNON. Well, my friend, I said a moment ago that a barren declaration as to what our policy would be in the future, after we gain the necessary information, made now under the circumstances—and I say it again—would be as sounding brass or a tinkling cymbal, useful only to people that are in arms against the people of the United States. [Applause on the Republican side and cries of "Vote!" "Vote!"]

Mr. LENTZ. Mr. Speaker——

The SPEAKER. The question is on suspending the rules and passing the joint resolution.

Mr. LENTZ. Mr. Speaker——

The SPEAKER. For what purpose does the gentleman rise?

Mr. LENTZ. I should like to ask permission to extend my remarks to the extent of making a five minutes' speech in the RECORD.

The SPEAKER. The gentleman asks unanimous consent to extend his remarks in the RECORD. Is there objection?

There was no objection.

Mr. BELL. I should like to make the same request, that I be permitted to extend my remarks in the RECORD.

The SPEAKER. The gentleman from Colorado asks unanimous consent to extend his remarks in the RECORD. Is there objection?

There was no objection.

Mr. WHEELER of Kentucky. Mr. Speaker, I demand the yeas and nays on the pending question.

The SPEAKER. The question is on suspending the rules and passing the bill, and on that question the gentleman from Kentucky [Mr. WHEELER] demands the yeas and nays.

The yeas and nays were ordered.

The question was taken; and there were—yeas 219, nays 33, answered "present" 4, not voting 95; as follows:

YEAS—219.

Adams,	Burton,	Elliott,	Henry, Tex.
Aldrich,	Butler,	Evans,	Hepburn,
Alexander,	Cannon,	Faris,	Hicks,
Allen,	Capron,	Fenton,	Hill,
Arnold,	Catchings,	Fischer,	Hitt,
Babcock,	Clardy,	Fitzgerald,	Hopkins,
Bailey,	Clark, Iowa	Fleming,	Howe,
Baker, Md.	Clarke, N. H.	Fletcher,	Howell,
Bankhead,	Cochrane, N. Y.	Foote,	Hull,
Barham,	Connell,	Foss,	Jenkins,
Barlow,	Connolly,	Fowler, N. C.	Jett,
Barney,	Cooper, Wis.	Fox,	Johnson, N. Dak.
Belknap,	Corliss,	Gibson,	Kerr,
Bell,	Cowherd,	Gillet, N. Y.	Ketcham,
Bennett,	Crump,	Gillett, Mass.	Kirkpatrick,
Berry,	Crumpacker,	Graff,	Kleberg,
Bishop,	Cummings,	Greene, Mass.	Knowles,
Bodine,	Dalzell,	Greene, Nebr.	Knox,
Boone,	Davenport,	Grosvenor,	Lacey,
Boutelle, Me.	Davey,	Grout,	Landis,
Brantley,	Davidson, Wis.	Grow,	Lanham,
Brenner, Ohio	Dayton,	Gunn,	Latimer,
Broderick,	De Vries,	Hager,	Lawrence,
Bromwell,	Dick,	Hamilton,	Lentz,
Brosius,	Dinsmore,	Hawley,	Lewis, Ga.
Brown,	Dockery,	Heatwole,	Lewis, Wash.
Brownlow,	Dolliver,	Hemenway,	Linney,
Brucker,	Dorr,	Henderson,	Littauer,
Burke,	Driggs,	Henry, Conn.	Livingston,
Burleigh,	Eddy,	Henry, Miss.	Lloyd,

Loud,	Moon,	Shattuc,	Strode, Nebr.
Lovering,	Morris,	Shelden,	Strowd, N. C.
Low,	Mudd,	Sherman,	Sturtevant,
Lybrand,	Newlands,	Showalter,	Sullivan,
McCleary,	Ogden,	Shuford,	Sulzer,
McClellan,	Otjen,	Simpson,	Sutherland,
McCormick,	Overstreet,	Sims,	Tawney
McDonald,	Packer, Pa.	Skinner,	Thorp,
McIntire,	Parker, N. J.	Slayden,	Todd,
McLain,	Payne,	Smith, Ill.	Tongue,
Maddox,	Perkins,	Smith, Ky.	Underwood,
Maguire,	Peters,	Smith, Wm. Alden	Updegraff,
Mahon,	Pierce, Tenn.	Southard,	Van Voorhis,
Mann,	Prince,	Southwick,	Vincent,
Marsh,	Pugh,	Spalding,	Wadsworth,
Maxwell,	Ray,	Sperry,	Walker, Mass.
Meekison,	Reeves,	Spight,	Ward,
Mercer,	Rhea,	Sprague,	Warner,
Mesick,	Richardson,	Stallings,	Weaver,
Meyer, La.	Ridgely,	Stark,	Weymouth,
Miers, Ind.	Robbins,	Steele,	White, N. C.
Miller,	Robinson, Ind.	Stevens, Minn.	Williams, Miss.
Mills,	Royse,	Stewart, Wis.	Williams, Pa.
Mitchell,	Russell,	Stokes,	Yost.
Moody,	Settle,	Stone,	

NAYS—33.

Baird,	Clark, Mo.	Hartman,	Robb,
Baker, Ill.	Cooney,	Hay,	Strait,
Ball,	Cooper, Tex.	Howard, Ga.	Talbert,
Bartlett,	Cox,	Hunter,	Tate,
Bland,	Davis,	Kitchin,	Vandiver,
Brewer,	De Armond,	McCulloch,	Wheeler, Ky.
Broussard,	De Graffenreid,	McDowell,	
Brundidge,	Griggs,	Norton, Ohio	
Castle,	Handy,	Rixey,	

ANSWERED "PRESENT"—4.

Clayton,	Griffith,	Norton, S. C.	Wanger.

NOT VOTING—95.

Acheson,	Cousins,	Joy,	Quigg,
Adamson,	Cranford,	Kelley,	Robertson, La.
Barber,	Curtis, Iowa	King,	Sauerhering,
Barrett,	Curtis, Kans.	Kulp,	Shafroth,
Barrows,	Danford,	Lamb,	Shannon,
Bartholdt,	Davison, Ky.	Lester,	Smith, S. W.
Beach,	Dovener,	Little,	Snover,
Belden,	Ellis,	Lorimer,	Sparkman,
Belford,	Ermentrout,	Loudenslager,	Stephens, Tex.
Benner, Pa.	Fitzpatrick,	McAleer,	Stewart, N. J.
Benton,	Fowler, N. J.	McCall,	Swanson.
Bingham,	Gaines,	McEwan,	Tayler, Ohio
Botkin,	Gardner,	McRae,	Taylor, Ala.
Boutell, Ill.	Graham,	Mahany,	Terry,
Bradley,	Griffin,	Marshall,	Vehslage,
Browster,	Harmer,	Martin,	Walker, Va.
Brumm,	Henry, Ind.	Minor,	Wheeler, Ala.
Bull,	Hilborn,	Odell,	White, Ill.
Campbell,	Hinrichsen,	Olmsted,	Wilber,
Carmack,	Howard, Ala.	Osborne,	Wilson,
Chickering,	Hurley,	Otey,	Wise,
Cochran, Mo.	Johnson, Ind.	Pearce, Mo.	Young,
Codding,	Jones, Va.	Pearson,	Zenor.
Colson,	Jones, Wash.	Powers,	

So (two-thirds having voted in the affirmative) the rules were suspended and the bill was passed.

The following additional pairs were announced:

For the balance of this day:

Mr. GARDNER with Mr. LITTLE.

Mr. SHANNON with Mr. ROBERTSON of Louisiana.

Mr. PEARCE of Missouri with Mr. COCHRAN of Missouri.

Mr. BOUTELL of Illinois with Mr. ZENOR, on this vote.

Mr. WANGER. Mr. Speaker, I am paired with the gentleman from Georgia, Mr. ADAMSON. As I do not know how he would vote, I withdraw my vote and answer "present."

The result of the vote was then announced as above recorded.

PAN-AMERICAN EXPOSITION AT BUFFALO, N. Y.

Mr. PAYNE. Mr. Speaker, by direction of the Committee on Ways and Means, I move to suspend the rules and pass the following bill.

The Clerk read as follows:

A bill (H. R. 12064) to encourage the holding of a Pan-American Exposition on the Niagara frontier, within the county of Erie or Niagara, in the State of New York, in the year 1901.

Whereas it is desirable to encourage the holding of a Pan-American Exposition on the Niagara frontier, within the county of Erie or Niagara, in the State of New York, in the year 1901, to fittingly illustrate the marvelous development of the Western Hemisphere during the nineteenth century by a display of the arts, industries, manufactures, and products of the soil, mines, and Sea; and

Whereas the proposed Pan-American Exposition, being confined to the Western Hemisphere, and being held in the near vicinity of the great Niagara cataract, within a day's journey of which reside 40,000,000 people, would unquestionably be of vast benefit to the commercial interests not only of this country but of the entire hemisphere, and should therefore have the sanction of the Congress of the United States; and

Whereas satisfactory assurances have already been given by the diplomatic representatives of Canada, Mexico, the Central and South American Republics, and most of the States of the United States that these countries and States will make unique, interesting, and instructive exhibits peculiarly illustrative of their material progress during the century about to close; and

Whereas no exposition of a similar character as that proposed has ever been held in the great State of New York; and

Whereas the Pan-American Exposition Company has undertaken to hold such exposition, beginning on the 1st day of May, 1901, and closing on the 1st day of November, 1901: Therefore,

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That all articles that shall be imported from foreign countries for the sole purpose of exhibition at said exposition, upon which there shall be a tariff or customs duty, shall be admitted free of payment of duty, customs fees, or charges, under such regulation as the Secretary of the Treasury shall prescribe; but it shall be lawful at any time during the exposition to sell for delivery at the close thereof any goods or property imported for or actually on exhibition in the exposition buildings or on the grounds, subject to such regulation for the security of the revenue and for the collection of import duties as the Secretary of the Treasury shall prescribe: *Provided*, That all such articles when sold or withdrawn for consumption in the United States shall be subject to the duty, if any, imposed upon such articles by the revenue laws in force at the date of importation, and all penalties prescribed by law shall be applied and enforced against the persons who may be guilty of any illegal sale or withdrawal: *And provided further*, That all necessary expenses incurred in carrying out the provisions of this section, including salaries of customs officials in charge of imported articles, shall be paid to the Treasury of the United States by the Pan-American Exposition Company under regulations to be prescribed by the Secretary of the Treasury.

SEC. 2. That there shall be exhibited at said exposition by the Government of the United States, from its Executive Departments, the Smithsonian Institution and National Museum, the United States Commission of Fish and Fisheries, the Department of Labor, and the Bureau of the American Republics, such articles and material as illustrate the function and administrative faculty of the Government in time of peace, and its resources as a war power, and its relations to other American Republics, tending to demonstrate the nature of our institutions and their adaption to the wants of the people. And to secure a complete and harmonious arrangement of such Government exhibit, a board of management shall be created, to be charged with the selection, purchase, preparation, transportation, arrangement, safekeeping, exhibition, and return of such articles and materials as the heads of the several Departments and the secretary of the Smithsonian Institution, the Commissioner of Fish and Fisheries, the Commissioner of Labor, and the Director of the Bureau of the American Republics may respectively decide shall be embraced in said Government exhibit. The President may also designate additional articles for exhibition.

Such board shall be composed of one person to be named by the head of each Executive Department, one by the head of the Smithsonian Institution and National Museum, one by the head of the United States Commission of Fish and Fisheries, one by the Commissioner of Labor, and one by the Director of the Bureau of the American Republics. The President shall name one of said persons so detailed as chairman, and the board itself shall appoint its secretary, disbursing officer, and such other officers as it may deem necessary. The members of said board of management, with other officers and employees of the Government who may be detailed to assist them, including officers of the Army and Navy, shall receive no compensation in addition to their regular salaries, but they shall be allowed their actual and necessary traveling expenses, together with a per diem in lieu of subsistence, to be fixed by the Secretary of the Treasury, while necessarily absent from their homes engaged upon the business of the board.

Officers of the Army and Navy shall receive this allowance in lieu of the transportation and mileage now allowed by law. Any provision of law which may prohibit the detail of persons in the employ of the United States to other service than that which they customarily perform shall not apply to persons detailed for duty in connection with the Pan-American Exposition. Employees of the board not otherwise employed by the Government shall be entitled to such compensation as the board may determine. The disbursing officer shall give bond in the sum of $20,000 for the faithful performance of his duties, said bond to be approved by the Secretary of the Treasury. The Secretary of the Treasury shall advance to said officer, from time to time, under such regulations as the Secretary of the Treasury may prescribe, a sum of money from the appropriation for the Government exhibit, not exceeding at any one time three-fourths of the penalty of his bond, to enable him to pay the expenses of said exhibit as authorized by the board of management herein created.

SEC. 3. That the Secretary of the Treasury shall cause a suitable building or buildings to be erected on the site selected for the Pan-American Exposition for the Government exhibits from plans to be approved by the board, and he is hereby authorized and directed to contract therefor in the same manner and under the same regulations as for other public buildings of the United States; but the contract for said building or buildings shall not exceed the sum of $200,000, said sum being hereby appropriated for said purpose, out of any money in the Treasury not otherwise appropriated. The Secretary of the Treasury is authorized and required to dispose of such building or buildings, or the material composing the same, at the close of the exposition, giving preference to the city of Buffalo or to the said Pan-American Exposition Company to purchase the same at an appraised value, to be ascertained in such manner as may be determined by the Secretary of the Treasury.

SEC. 4. That the United States shall not be liable on account of said exposition for any expense incident to or growing out of same, except for the construction of the building or buildings hereinbefore provided for, and for the purpose of paying the expense of selection, preparation, purchase, installation, transportation, care, custody, and safe return of exhibits by the Government, for the employment of proper persons as officers and assistants by the board of management created by this act and for their expenses, and for the maintenance of the said building or buildings and other contingent expenses, to be approved by the chairman of the board of management, or in the event of his absence or disability, by such other officer as the board may designate and the Secretary of the Treasury upon itemized accounts and vouchers; and the total cost of said building or buildings shall not exceed the sum of $200,000; nor shall the expenses of said Government exhibit for each and every purpose connected therewith, including transportation, exceed the sum of $300,000, amounting in all to not exceeding the sum of $500,000, which sum is hereby appropriated, out of any money in the Treasury not otherwise appropriated, the sum of $500,000, or so much thereof as may be necessary, to be disbursed by the board of management hereinbefore created, of which not exceeding the sum of $10,000 shall be expended for clerical service: *Provided*, That no liability against the Government shall be incurred, and no expenditure of money under this act shall be made, until the officers of said exposition shall have furnished the Secretary of the Treasury proofs to his satisfaction that there has been obtained by said exposition corporation subscriptions of stock in good faith, contributions, donations, or appropriations from all sources for the purposes of said exposition a sum aggregating not less than $500,000.

SEC. 5. That medals, with appropriate devices, emblems, and inscriptions commemorative of said pan-American exposition, and of the awards to be made to the exhibitors thereat, shall be prepared at some mint of the United States for the board of directors thereof, subject to the provisionsof the fifty-second section of the coinage act of 1873, upon the payment of a sum not less than the cost thereof; and all the provisions, whether penal or otherwise, of said coinage act against the counterfeiting or imitating of coins of the United States shall apply to the medals struck and issued under this act.

SEC. 6. That the United States shall not in any manner nor under any circumstances be liable for any of the acts, doings, proceedings, or representations of said Pan-American Exposition Association, its officers, agents, servants, or employees, or any of them, or for service, salaries, labor, or wages of said officers, agents, servants, or employees, or any of them, or for any subscriptions to the capital stock, or for any certificates of stock, bonds, mortgages, or obligations of any kind issued by said corporation, or for any debts, liabilities, or expenses of any kind whatever attending such corporation, or accruing by reason of the same.

SEC. 7. That nothing in this act shall be so construed as to create any liability of the United States, direct or indirect, for any debt or obligation incurred, nor for any claim for aid or pecuniary assistance from Congress or the Treasury of the United States in support or liquidation of any debts or obligations created by said commission in excess of appropriations made by Congress therefor.

SEC. 8. That the appropriation herein made of $500,000 in all, shall take effect and become available immediately upon the passage of this act.

Mr. BRUCKER. Mr. Speaker, I demand a second.

Mr. PAYNE. I ask unanimous consent that a second may be considered as ordered.

Mr. CANNON. Pending that demand, it is now about half past 5, and I move that the House adjourn. We evidently can not conclude this bill to-night.

Mr. PAYNE. We can conclude the bill.

Mr. BRUCKER. I object to the request that a second be considered as ordered.

The SPEAKER. Pending the demand for a second, the gentleman from Illinois moves that the House do now adjourn.

The question was taken.

The SPEAKER. The Chair is in doubt.

The House divided; and there were—ayes 51, noes 87.

Mr. BARTLETT. I make the point that no quorum is present.

The SPEAKER. The point is not well taken.

Mr. BAILEY. Mr. Speaker, this bill ought to be disposed of.

The SPEAKER. The noes have it, and the House refused to adjourn.

Mr. BAILEY. I ask unanimous consent——

Mr. BRUCKER. I demand the regular order.

Mr. BAILEY (continuing). That the bill be made the special order for to-morrow.

Mr. BRUCKER and others. I object.

The SPEAKER. Objection is made.

Mr. PAYNE. I ask unanimous consent that a second be considered as ordered.

The SPEAKER. That was objected to by the gentleman from Michigan. The gentleman from New York [Mr. PAYNE] and the gentleman from Illinois [Mr. CANNON] will please act as tellers.

The House divided; and the tellers reported—ayes 93, noes 18.

Mr. CANNON. Now, Mr. Speaker——

Mr. BRUCKER. No quorum.

The SPEAKER. The gentleman from Michigan makes the point that no quorum is present. [After counting.] One hundred and sixty-three gentlemen present—not a quorum.

Mr. HANDY. I move that the House do now adjourn.

Mr. PAYNE. I move that the House do now adjourn.

Mr. SULZER. Mr. Speaker, I move that this bill be made the special order immediately after the reading of the Journal to-morrow.

The SPEAKER. A motion that the House do now adjourn is in order.

Mr. PAYNE. I made that motion.

The motion was agreed to; and accordingly (at 5 o'clock and 31 minutes p. m.) the House adjourned.

EXECUTIVE COMMUNICATIONS, ETC.

Under clause 2 of Rule XXIV, the following executive and other communications were taken from the Speaker's table and referred as follows:

A letter from the Acting Secretary of the Treasury, transmitting a copy of a communication from the Secretary of the Interior submitting an estimate of appropriation for payment to certain deputy surveyors—to the Committee on Appropriations, and ordered to be printed.

A letter from the Acting Secretary of the Interior, transmitting a memorial relating to the education of white children in the Indian Territory—to the Committee on Indian Affairs, and ordered to be printed.

A letter from the Acting Secretary of the Treasury, transmitting a copy of a communication from the Secretary of State, with a note from the British ambassador, relating to participation in an international exposition at Glasgow, Scotland, in 1901—to the Committee on Appropriations, and ordered to be printed.

A letter from the Secretary of War, making report of his action under the act authorizing him to assist in the relief of people in the Yukon River country—to the Committee on Military Affairs, and ordered to be printed.

A letter from the Secretary of War, recommending the passage of the bill (H. R. 11879) to amend an act entitled "An act to suspend the operation of certain provisions of law relating to the War Department, and for other purposes"—to the Committee on Military Affairs, and ordered to be printed.

A letter from the Secretary of War, transmitting, with a letter from the Chief of Engineers, a copy of a report on the construction of a military road from Fort Washakie, Wyo., to the Buffalo Fork of Snake River, Wyoming—to the Committee on Military Affairs, and ordered to be printed.

A letter from the Secretary of War, transmitting a copy of a letter from the Secretary of the Interior, relating to the transfer of certain rifles to the Interior Department—to the Committee on Military Affairs, and ordered to be printed.

Report of the commissioners appointed to settle the indebtedness to the Government growing out of the issue of the bonds in aid of the construction of the Central Pacific and Western Pacific railroads—to the Committee on Pacific Railroads, and ordered to be printed.

REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS.

Under clause 2 of Rule XIII, bills and resolutions of the following titles were severally reported from committees, delivered to the Clerk, and referred to the several Calendars therein named, as follows:

Mr. MITCHELL, from the Committee on Banking and Currency, to which was referred the bill of the House (H. R. 11743) to establish an issue and redemption division in the Treasury Department, to establish a redemption fund and a gold-reserve fund, and to strengthen the public credit, reported the same with amendment, accompanied by a report (No. 2196); which said bill and report were referred to the Committee of the Whole House on the state of the Union.

Mr. ZENOR, from the Committee on Indian Affairs, to which was referred Senate bill 2801 and House bill 4920, reported in lieu thereof a bill (H. R. 12141) to provide for the revision and adjustment of the sales of the Otoe and Missouria Reservation lands, in the States of Kansas and Nebraska, and to confirm the titles under said sales, accompanied by a report (No. 2198); which said bill and report were referred to the Committee of the Whole House on the state of the Union.

REPORTS OF COMMITTEES ON PRIVATE BILLS AND RESOLUTIONS.

Under clause 2 of Rule XIII, private bills and resolutions of the following titles were severally reported from committees, delivered to the Clerk, and referred to the Committee of the Whole House, as follows:

Mr. SULLOWAY, from the Committee on Invalid Pensions, to which was referred the bill of the House (H. R. 11876) granting an increase of pension to Clarence L. Chapman, reported the same with amendment, accompanied by a report (No. 2193); which said bill and report were referred to the Private Calendar.

Mr. WARNER, from the Committee on Invalid Pensions, to which was referred the bill of the Senate (S. 1209) granting an increase of pension to Maj. John H. Gearkee, reported the same with amendment, accompanied by a report (No. 2194); which said bill and report were referred to the Private Calendar.

He also, from the same committee, to which was referred the bill of the Senate (S. 4635) granting an increase of pension to John B. Boggs, reported the same without amendment, accompanied by a report (No. 2195); which said bill and report were referred to the Private Calendar.

Mr. JETT, from the Committee on Military Affairs, to which was referred the bill of the House (H. R. 3973) to remove the charge of desertion from the military record of Sebastian Beckert, reported the same without amendment, accompanied by a report (No. 2197); which said bill and report were referred to the Private Calendar.

PUBLIC BILLS, RESOLUTIONS, AND MEMORIALS INTRODUCED.

Under clause 3 of Rule XXII, bills, resolutions, and memorials of the following titles were introduced and severally referred as follows:

By Mr. SPERRY: A bill (H. R. 12138) to reimburse civil or other hospitals for expenses incurred in connection with soldiers or sailors discharged while in their care—to the Committee on Military Affairs.

By Mr. PETERS: A bill (H. R. 12139) for the relief of Ottawa Indians of the Indian Territory—to the Committee on Indian Affairs.

By Mr. LIVINGSTON: A bill (H. R. 12140) to authorize the construction by the Wadley and Mount Vernon Railroad Company of a bridge across the Oconee River, in the State of Georgia—to the Committee on Interstate and Foreign Commerce.

By Mr. ZENOR, from the Committee on Indian Affairs: A bill

(H. R. 12141) to provide for the revision and adjustment of the sales of the Otoe and Missouria Reservation lands in the States of Kansas and Nebraska, and to confirm the titles under said sales—to the Union Calendar.

By Mr. RIDGELY (by request): A bill (H. R. 12149) to provide for the construction and operation of certain public improvements in the District of Columbia—to the Committee on the District of Columbia.

By Mr. MERCER: A resolution (House Res. No. 410) fixing February 21, after reading of the Journal, for consideration of bills indicated by Committee on Public Buildings and Grounds—to the Committee on Rules.

By Mr. McCORMICK: A memorial from the senate of Nebraska, favoring liberal action by Congress in favor of building up the American merchant marine—to the Committee on the Merchant Marine and Fisheries.

By Mr. HILBORN: A memorial relative to the abrogation of the Stanislaus Forest Reserve, in Alpine County, or a part thereof—to the Committee on the Public Lands.

By Mr. ELLIOTT: A memorial from the legislature of South Carolina, favoring the improvement of the Congaree River, in South Carolina—to the Committee on Rivers and Harbors.

By Mr. LATIMER: A memorial from the legislature of South Carolina, favoring the improvement of the Congaree River, in South Carolina—to the Committee on Rivers and Harbors.

By Mr. MERCER: A memorial of Nebraska legislature, against the seating of a polygamist in Congress or holding other Federal office—to the Committee on Elections No. 1.

Also, a memorial from Nebraska State senate, favoring the construction of Port Arthur Canal—to the Committee on Rivers and Harbors.

PRIVATE BILLS AND RESOLUTIONS INTRODUCED.

Under clause 1 of Rule XXII, private bills and resolutions of the following titles were introduced and severally referred as follows:

By Mr. BREWER (for Mr. WHEELER of Alabama): A bill (H. R. 12142) granting a pension to Mrs. Eliza L. Reese—to the Committee on Pensions.

By Mr. BELL: A bill (H. R. 12143) for the relief of William H. La Count—to the Committee on Invalid Pensions.

By Mr. FOWLER of North Carolina: A bill (H. R. 12144) authorizing the Secretary of the Treasury to defray the expenses of contestant in the contest entitled "Koonce *vs.* Grady"—to the Committee on Claims.

By Mr. HENRY of Mississippi: A bill (H. R. 12145) for the relief of Sallie A. E. Bailey, administratrix of Richard Griffith, deceased—to the Committee on Claims.

By Mr. KULP: A bill (H. R. 12146) for the relief of Isaiah Hagenbuch, of Bloomsburg, Pa.—to the Committee on War Claims.

By Mr. SOUTHARD: A bill (H. R. 12147) to pension Clarissa L. Mills—to the Committee on Pensions.

By Mr. SULLOWAY: A bill (H. R. 12148) granting a pension to Eliza S. Redfield—to the Committee on Invalid Pensions.

PETITIONS, ETC.

Under clause 1 of Rule XXII, the following petitions and papers were laid on the Clerk's desk and referred as follows:

By the SPEAKER: Petition of the Evangelical Alliance for the United States against the appropriation of money for sectarian schools among the Indians—to the Committee on Indian Affairs.

Also, petition of the Methodist Episcopal Preachers' Meeting, of Chicago, Ill., in relation to the seating of Representative-elect Roberts, of Utah—to the Committee on Elections No. 1.

By Mr. ADAMS: Protest of the Presbytery of Philadelphia, Pa., against the seating of Brigham H. Roberts as a Representative from Utah—to the Committee on Elections No. 1.

By Mr. BARTLETT: Resolutions of the Woman's Home Mission Society of the North Georgia Conference of the Methodist Episcopal Church South, against the seating of Brigham H. Roberts as a Representative from Utah—to the Committee on Elections No. 1.

By Mr. BELKNAP: Petition of the National Pure Food Association, of Chicago, Ill., urging the enactment of the Brosius bill to prevent the adulteration of food—to the Committee on Interstate and Foreign Commerce.

Also, petition of the Illinois Manufacturers' Association, asking for the publication of the official report of the committee on awards of the World's Columbian Exposition—to the Committee on Printing.

Also, letter of W. R. Castle, asking for legislation in relation to the Hawaiian Islands for the protection of all interests of person and property—to the Committee on the Territories.

By Mr. BELL: Petition of the Woman's Christian Temperance Union of Pueblo, Colo., against the seating of Brigham H. Roberts as a Representative from Utah—to the Committee on Elections No. 1.

Also, petition of Iron Molders' Union No. 192, of Pueblo, Colo., favoring the eight-hour bill—to the Committee on Labor.

Also, resolution of Company D, Second Infantry, National Guard of Colorado, for an increased appropriation for the maintenance of the National Guard—to the Committee on the Militia.

Also, petitions of United States deputy surveyors of Georgetown and Central City, Colo., in relation to compensation for surveying, etc.—to the Committee on Appropriations.

By Mr. BOTKIN: Protest of the Woman's Home Missionary Society of the Methodist Episcopal Church of Newton, Kans., against the seating of Brigham H. Roberts as a Representative from Utah—to the Committee on Elections No. 1.

By Mr. BULL: Protest of the Evangelical Young Women's Christian Association of Providence, R. I., against the seating of Brigham H. Roberts as a Representative from Utah—to the Committee on Elections No. 1.

By Mr. CANNON: Petition of citizens of Kankakee County, Ill., for the passage of House bills Nos. 4930 and 4931—to the Committee on the Post-Office and Post-Roads.

Also, protest of Horace Reed and others, of the First Methodist Episcopal Church of Danville, Ill., against the seating of Representative-elect Brigham H. Roberts, of Utah—to the Committee on Elections No. 1.

By Mr. CLARDY: Papers to accompany House bill No. 4792, for the relief of Benjamin A. Helm, of Pellville, Ky.—to the Committee on Military Affairs.

By Mr. CLARKE of New Hampshire: Petition of the Young Peoples' Christian Endeavor of Littleton, N. H., relative to the sale of spirituous liquors—to the Committee on Alcoholic Liquor Traffic.

By Mr. COOPER of Wisconsin: Petition of the members of the Baptist Church of Delavan, Wis., against the seating of Brigham H. Roberts as a Representative from Utah—to the Committee on Elections No. 1.

By Mr. CURTIS of Iowa: Resolutions of the Commercial Exchange of Des Moines, Iowa, in favor of the construction of the Port Arthur Canal—to the Committee on Rivers and Harbors.

Also, resolutions of the Tri-City Labor Congress, favorable to the privilege of House bill No. 7389, making eight hours a legal day's labor in all Government work—to the Committee on Labor.

Also, petition of E. S. Stafford and 7 other fourth-class postmasters of Muscatine County, Iowa, asking for the passage of House bills Nos. 4930 and 4931, increasing the compensation of fourth-class postmasters—to the Committee on the Post-Office and Post-Roads.

By Mr. DOLLIVER: Petition of citizens of Kossuth County, Iowa, for woman-suffrage in the Hawaiian Islands—to the Committee on the Territories.

Also, petition of the executive committee of the Grain Shippers' Association of Northwestern Iowa, protesting against the stamp tax on checks given to farmers for grain—to the Committee on Ways and Means.

By Mr. ELLIOTT: Petition of R. T. Morrison, jr., and other citizens of Charleston and Georgetown counties, S. C., for the improvement of the Santee River—to the Committee on Rivers and Harbors.

By Mr. GREENE of Nebraska: Protest of Mrs. E. Smith and 22 others, of the Woman's Home Missionary Society of the State of Nebraska, against the seating of a polygamist in Congress—to the Committee on Elections No. 1.

By Mr. GRIFFITH: Protest of officers and members of the Eggleston Club, of Vevay, Ind., against the seating of Brigham H. Roberts as a Representative from Utah—to the Committee on Elections No. 1.

By Mr. HENDERSON: Resolutions of the Commercial Exchange of Des Moines, Iowa, in favor of legislation for the construction of the Port Arthur Canal—to the Committee on Interstate and Foreign Commerce.

Also, papers of John A. Schilling, John W. White, and Samuel Gilbert, all of Brooklyn, N. Y., urging the passage of Senate bill No. 3256, for pension to veterans—to the Committee on Rules.

Also, petition of Rufus D. Black and other citizens of La Porte City, Iowa, in favor of the Ellis bill—to the Committee on Military Affairs.

By Mr. HEPBURN: Petition of J. M. Havelan, mayor, and 10 other leading citizens of Villisca, Iowa, praying for the holding of terms of the Federal courts at Creston, Iowa—to the Committee on the Judiciary.

Also, petitions of Joseph H. Clinton and 8 other postmasters of Lucas County, and George Studebaker and 19 other postmasters of Appanoose County, Iowa, asking for the passage of House bills Nos. 4930 and 4931, increasing the compensation of fourth-class postmasters—to the Committee on the Post-Office and Post-Roads.

By Mr. HILBORN: Petition of the Chamber of Commerce of

San Francisco, Cal., favoring the speedy construction of the Nicaragua Canal—to the Committee on Interstate and Foreign Commerce.

Also, resolution of the board of directors of the Manufacturers and Producers' Association of California, for the improvement of the Mississippi River to protect the Mississippi Valley from disastrous floods—to the Committee on Rivers and Harbors.

By Mr. HILL: Petition of Henry O. Bailey and other citizens of South Norwalk, Conn., favoring the Ellis bill—to the Committee on Public Buildings and Grounds.

By Mr. JETT: Petitions of E. A. Lewey and 12 others, of Montgomery County, and Emery J. Cruthis and 14 others, of Bond County, Ill., all fourth-class postmasters, for the passage of House bills Nos. 4930 and 4931—to the Committee on the Post-Office and Post-Roads.

By Mr. JONES of Washington: Petition of the First Baptist Church of Spokane, Wash., against reopening the question of sectarian appropriations, and for advancing education among the Indians on the basis of the free common-school system—to the Committee on Indian Affairs.

By Mr. KNOWLES (by request): Petition of Geo. L. Houghton, with papers, asking for relief—to the Committee on the Judiciary.

By Mr. LANDIS: Protest of C. S. Davisson and other citizens, of Camden, Ind., against the seating of Brigham H. Roberts as a Representative from Utah—to the Committee on Elections No. 1.

By Mr. McCLEARY: Resolutions of the Minneapolis, Minn., Board of Trade, favoring the abolition of the canteen or post exchange—to the Committee on Alcoholic Liquor Traffic.

Also, resolutions of the Board of Trade of Minneapolis, Minn., favoring the placing of certain officers of the census under the civil-service rules—to the Committee on Reform in the Civil Service.

By Mr. McDOWELL: Protests of the Woman's Home Missionary Society of the Methodist Episcopal Church of Fredericksburg, and citizens of New Philadelphia and Roscoe, Ohio, against the seating of Brigham H. Roberts as a Representative from Utah—to the Committee on Elections No. 1.

Also, petitions of the Presbyterian Church and Congregational Church of Fredericksburg, Charles S. Kelser and others, and citizens of Wayne and Holmes counties, State of Ohio, to prohibit the sale of liquor in canteens and in immigrant stations and Government buildings—to the Committee on Alcoholic Liquor Traffic.

By Mr. MADDOX (by request): Petition of J. F. Maples and 101 citizens, of Lavender, Ga., in favor of the establishment of postal savings banks—to the Committee on the Post-Office and Post-Roads.

By Mr. MAGUIRE: Petition of the Chamber of Commerce of San Francisco, Cal., favoring the speedy construction of the Nicaragua Canal—to the Committee on Interstate and Foreign Commerce.

By Mr. MAHON: Petitions of the Sunday school of the Reformed Church and Young People's Christian Endeavor Society of Selinsgrove, and the Woman's Christian Temperance Union of Alexandria, Pa., in favor of the Ellis bill—to the Committee on Alcoholic Liquor Traffic.

By Mr. OTJEN: Resolutions of the Chamber of Commerce of Milwaukee, Wis., urging the passage of the Hanna-Payne shipping bill—to the Committee on Interstate and Foreign Commerce.

Also, resolution of the Chamber of Commerce of Milwaukee, Wis., in favor of the passage of House bill No. 10524, relating to the organization of the consular service—to the Committee on Foreign Affairs.

Also, petition of the Congregational Club, of Milwaukee, Wis., to forbid interstate gambling by telegraph or telephone—to the Committee on the Judiciary.

Also, petition of the Congregational Club, of Milwaukee, Wis., against the seating of Representative-elect B. H. Roberts, of Utah—to the Committee on Elections No. 1.

Also, petition of the Congregational Club, of Milwaukee, Wis., in favor of the passage of the Ellis bill—to the Committee on Alcoholic Liquor Traffic.

Also, petition of the Congregational Club, of Milwaukee, Wis., against the repeal of the Alaska liquor laws—to the Committee on Revision of the Laws.

By Mr. PACKER of Pennsylvania: Petition of L. Harrison and other citizens of the State of Pennsylvania, against the seating of Representative-elect B. H. Roberts, of Utah—to the Committee on Elections No. 1.

By Mr. PAYNE: Petition of the Equal Rights Association of Sherwood, N. Y., for woman suffrage in the Hawaiian Islands—to the Committee on the Territories.

By Mr. PERKINS: Petition of 24 letter carriers of Sioux City, Iowa, favoring the passage of a bill to equalize the pay of letter carriers—to the Committee on the Post-Office and Post-Roads.

By Mr. PRINCE: Petition of John McCauley and other fourth-class postmasters of Rock Island County, Ill., asking for the passage of House bills Nos. 4930 and 4931, increasing the compensation of fourth-class postmasters—to the Committee on the Post-Office and Post-Roads.

Also, petition of Mrs. Clark and other citizens of Griffin, Ill., in favor of the Ellis bill, and for the maintenance of prohibition in Alaska, the Indian Territory, and new dependencies—to the Committee on Alcoholic Liquor Traffic.

By Mr. SAMUEL W. SMITH: Protest of the Farmers' Club of Milford and citizens of Flushing, Mich., against the seating of Representative-elect B. H. Roberts, of Utah—to the Committee on Elections No. 1.

By Mr. SOUTHARD: Petition of the Woman Suffrage Association of Toledo, Ohio, for woman suffrage in the Hawaiian Islands—to the Committee on the Territories.

By Mr. SPRAGUE: Protest of the Young People's Christian Union of the Universalist Church of Newton, Mass., for the passage of the Clarke bill against the seating of a polygamist—to the Committee on Elections No. 1.

By Mr. SPARKMAN: Petitions of fourth-class postmasters of the First Congressional district of Florida, in favor of the passage of House bills Nos. 4930 and 4931—to the Committee on the Post-Office and Post Roads.

By Mr. STARK: Protest of the Woman's Christian Temperance Union of Hamilton County, Nebr., against the seating of Brigham H. Roberts as a Representative from Utah—to the Committee on Elections No. 1.

By Mr. STEVENS of Minnesota: Protests of Nathan Hale Chapter, Daughters of the American Revolution, and the Baptist Home Missionary Society, and citizens, all of St. Paul, Minn., against the seating of B. H. Roberts as a Representative from Utah—to the Committee on Elections No. 1.

Also, resolution of the Board of Trade of Minneapolis, Minn., urging that all supervisors, statisticians, clerks, and others to be employed in the next national census shall be secured by competitive examination under the civil-service rules and regulations—to the Committee on Reform in the Civil Service.

Also, resolution of the Board of Trade of Minneapolis, Minn., to prohibit the sale of liquor in canteens, etc.—to the Committee on Alcoholic Liquor Traffic.

By Mr. SULZER: Petition of the Trades League of Philadelphia, Pa., in favor of 1-cent postage and the parcels-post system—to the Committee on the Post-Office and Post-Roads.

By Mr. TERRY: Protest of the grand jury, attorneys, and citizens of Cameron against the removal of the United States court from Cameron to Poteau, Ind. T.—to the Committee on the Judiciary.

By Mr. VINCENT: Petitions of fourth-class postmasters of Washington and Cloud counties, Kans., urging the passage of House bills Nos. 4930 and 4931, for increase of compensation—to the Committee on the Post-Office and Post-Roads.

SENATE.

TUESDAY, *February 21, 1899.*

Prayer by the Chaplain, Rev. W. H. MILBURN, D. D.

The Secretary proceeded to read the Journal of yesterday's proceedings, when, on motion of Mr. ALLISON, and by unanimous consent, the further reading was dispensed with.

EXTRA COMPENSATION FOR WAR DEPARTMENT EMPLOYEES.

The VICE-PRESIDENT laid before the Senate a communication from the Secretary of War, transmitting information relative to the granting of extra compensation for Department employees and recommending that an appropriation be made therefor; which, with the accompanying papers, was referred to the Committee on Appropriations, and ordered to be printed.

MESSAGE FROM THE HOUSE.

A message from the House of Representatives, by Mr. W. J. BROWNING, its Chief Clerk, announced that the House had passed the bill (S. 5319) to change and fix the time of holding the terms of the district and circuit courts at Batesville, Ark.

The message also announced that the House had passed the bill (S. 5260) to amend an act entitled "An act to reimburse the governors of the States and Territories for expenses incurred by them in aiding the United States to raise and organize and supply and equip the Volunteer Army of the United States in the existing war with Spain," approved July 8, 1898, and for other purposes, with an amendment in which it requested the concurrence of the Senate.

The message further announced that the House insists upon its amendments to the following bills, agrees to the conferences asked for by the Senate on the disagreeing votes of the two Houses thereon, and had appointed Mr. LOUDENSLAGER, Mr. WEYMOUTH, and Mr. SIMS managers at the respective conferences on the part of the House:

A bill (S. 1154) for the relief of George Hughes, of Portland, Oreg.; and

A bill (S. 1776) to increase the pension of Mrs. Letitia Tyler Semple.

The message also announced that the House had agreed to the amendments of the Senate to the following bills:

A bill (H. R. 80) providing procedure in certain pension cases;

A bill (H. R. 1675) granting a pension to Alice Smith;

A bill (H. R. 1798) to remove the charge of desertion against Carl F. W. Stolle, of Iron Ridge, Wis.;

A bill (H. R. 2122) increasing the pension of William R. Christy;

A bill (H. R. 3307) to increase the pension of Andrew S. Evans;

A bill (H. R. 2700) granting an increase of pension to Susan A. Gummer;

A bill (H. R. 4001) granting an increase of pension to Robert Fletcher;

A bill (H. R. 4251) granting a pension to Margaret Thomas;

A bill (H. R. 4446) granting an increase of pension to Ellen Charlton;

A bill (H. R. 4503) to increase the pension of John Yahne;

A bill (H. R. 4838) granting an increase of pension to Elizabeth V. Litzenberg;

A bill (H. R. 4982) granting an increase of pension to Harriet Tubman Davis;

A bill (H. R. 5461) granting a pension to Elizabeth H. Bowen;

A bill (H. R. 5712) granting a pension to Sarah A. Luke;

A bill (H. R. 8723) granting an increase of pension to Juliette Harrow;

A bill (H. R. 9217) for the relief of the Fourth Arkansas Mounted Infantry;

A bill (H. R. 9323) to increase the pension of Mary E. Townes;

A bill (H. R. 10488) to increase the pension of Susan C. Byrd, widow of Mexican war soldier; and

A bill (H. R. 11605) for the widening of Nineteenth street NW.

The message further transmitted to the Senate the resolutions of the House upon the death and as a tribute to the memory of Hon. STEPHEN A. NORTHWAY, late a Representative from the State of Ohio.

PETITIONS AND MEMORIALS.

The VICE-PRESIDENT presented a petition of the Bricklayers and Masons' International Union of America, praying for the enactment of legislation providing the best and most feasible route to connect the Atlantic and Pacific oceans through Nicaragua; which was ordered to lie on the table.

He also presented a petition of the executive board of the Bricklayers and Masons' International Union of America, praying that the right of franchise be granted to citizens of the District of Columbia; which was referred to the Committee on the District of Columbia.

He also presented a memorial of the American Baptist Home Mission Society, the American Missionary Association, the Congregational Home Missionary Society, the Congregational Church Building Society, the American Board of Commissioners for Foreign Missions, the Domestic and Foreign Missionary Society of the Protestant Episcopal Church of the United States of America, the Missionary Society of the Methodist Episcopal Church, the Board of Home Missions of the Presbyterian Church in the United States of America, and of the Board of Domestic Missions of the Reformed Church in America, remonstrating against any appropriation being made for the maintenance of sectarian schools; which was ordered to lie on the table.

Mr. MITCHELL presented a petition of the Chamber of Commerce of Milwaukee, Wis., praying for a reorganization of the consular service of the United States; which was referred to the Committee on Commerce.

Mr. LINDSAY presented petitions of the Woman's Christian Temperance Union of Stanford; of Dr. W. B. O'Bannon, of Stanford; of Mat Walton, of Lexington; T. F. Rogers, of Mount Sterling; W. R. Milward, of Lexington; J. H. Beauchamp, of Lexington; Joe. L. Otterman, of Lexington; J. W. Cowgill, of Hickman; George T. Parrish, of Glasgow; Hon. J. L. Leech, mayor of Glasgow; R. T. Tyler, of Hickman; N. D. Terry, of Glasgow; of T. J. Yanvill and sundry other citizens of Marion, and of H. M. Window and sundry other citizens of Carrollton, all in the State of Kentucky, praying for the enactment of legislation to prohibit the sale of liquor in canteens of the Army and Navy and of Soldiers' Homes, and in immigrant stations and Government buildings; which were referred to the Committee on Military Affairs.

Mr. ROSS presented a petition of the congregations of the Congregational and Methodist churches and of the Woman's Christian Temperance Union, all of Chelsea, in the State of Vermont, praying for the enactment of legislation to protect State anti-cigarette laws by providing that cigarettes imported in original packages on entering any State shall become subject to its laws; which was referred to the Committee on the Judiciary.

He also presented a petition of the congregations of the Congregational and Methodist Episcopal churches and of the Woman's Christian Temperance Union, all of Chelsea, in the State of Vermont, praying for the enactment of legislation to prohibit the sale of liquor in canteens of the Army and Navy and of Soldiers' Homes, and in immigrant stations and Government buildings; which was referred to the Committee on Military Affairs.

He also presented a petition of the congregations of the Congregational and Methodist Episcopal churches and of the Woman's Christian Temperance Union, all of Chelsea, in the State of Vermont, praying for the enactment of legislation to prohibit the transmission by mail or interstate commerce of pictures or descriptions of prize fights; which was referred to the Committee on the Judiciary.

Mr. BATE presented a memorial of the Cigar Makers' International Union of America, remonstrating against the annexation of the Philippine Islands; which was referred to the Committee on Foreign Relations.

Mr. FAIRBANKS presented the petitions of John C. Anderson and 69 other citizens of Flora, of Charles E. Huffer and 28 other citizens of Tipton, of Ed Lowe and 35 other citizens of Kingston, of W. H. Kellum and 32 other citizens of Fairfield, of Henry E. Stephens and 50 other citizens of Fort Wayne, and of B. W. Kelly and 83 other citizens of Plainfield, all in the State of Indiana, praying for the enactment of legislation to prohibit the sale of liquor in canteens of the Army and Navy and of Soldiers' Homes, and in immigrant stations and Government buildings; which were referred to the Committee on Military Affairs.

He also presented the petitions of Henry Scotmer and sundry other citizens of St. Maurice, of John Boswell and sundry other citizens of Woodburn, of C. M. Biggins and sundry other citizens of Marengo, J. H. Meredith and sundry other citizens of Neff, John Weisbach and sundry other citizens of St. Maurice, C. K. King and sundry other citizens of Mount Zion, Thomas L. Walker and sundry other citizens of Charlottesville, and Joseph Ayers and sundry other citizens of Paris Crossing, all in the State of Indiana, praying for the establishment of postal savings-bank depositories; which were referred to the Committee on Post-Offices and Post-Roads.

He also presented memorials of George M. Nichols and 18 other citizens, of M. E. Franklin and 18 other citizens, of C. B. Johnson and 18 other citizens, H. Kiser and 18 other citizens, Walter Carr and 18 other citizens, John Sullivan and 16 other citizens, and of Joseph Weiss and 16 other citizens, all in the State of Indiana, remonstrating against the passage of the anti-scalping ticket bill; which were ordered to lie on the table.

Mr. ALLEN presented a petition of sundry citizens of Blair, Nebr., praying that an appropriation be made for the erection of a public building at that place; which was ordered to lie on the table.

He also presented a memorial of the Evangelical Alliance of the United States, remonstrating against any appropriation being made for the maintenance of sectarian schools; which was ordered to lie on the table.

He also presented a petition of the Trades League of Philadelphia, Pa., praying for the adoption of 1-cent letter postage; which was referred to the Committee on Post-Offices and Post-Roads.

Mr. QUAY presented a petition of the congregation of the Methodist Episcopal Church of Bruin, Pa., praying for the enactment of legislation to prohibit the sale of liquor in canteens of the Army and Navy and of Soldiers' Homes, and in immigrant stations and Government buildings; which was referred to the Committee on Military Affairs.

Mr. MCMILLAN presented a petition of the Journeymen Bakers and Confectioners' International Union, of Brooklyn, N. Y., praying for the passage of the eight-hour bill; which was ordered to lie on the table.

He also presented a petition of sundry citizens of Port Huron, Mich., praying that the right of suffrage be granted to women in Hawaii; which was referred to the Select Committee on Woman Suffrage.

Mr. SPOONER presented a petition of the congregation of the Congregational Church of Milwaukee, Wis., praying for the maintenance of the prohibition law in the Territory of Alaska; which was referred to the Committee on Territories.

He also presented a petition of the congregation of the Congregational Church of Milwaukee, Wis., praying for the enactment of legislation to prohibit interstate gambling by telegraph, telephone, or otherwise; which was referred to the Committee on the Judiciary.

He also presented a petition of the congregation of the Congregational Church of Milwaukee, Wis., praying for the enactment of legislation to prohibit the sale of liquor in canteens of the Army and Navy and of Soldiers' Homes, and in immigrant stations and Government buildings; which was referred to the Committee on Military Affairs.

He also presented a memorial of Local Union No. 287, Cigar Makers' International Union, of Marinette, Wis., remonstrating against the annexation of the Philippine Islands or other foreign territory without the free consent of the people thereof; which was referred to the Committee on Foreign Relations.

Mr. PROCTOR presented petitions of the congregations of the First Christian, the First Methodist Episcopal, the Congregational, and the First Baptist churches, of the King's Daughters, and of the Woman's Christian Temperance Union, all of Randolph; of the congregations of the Methodist Episcopal and the Congregational churches of Irasburg, and of the Woman's Christian Temperance Union of West Wardsboro, all in the State of Vermont, praying for the enactment of legislation to prohibit the sale of intoxicating liquors in Government buildings; which were referred to the Committee on Public Buildings and Grounds.

He also presented a petition of the congregations of the Congregational Church and the Methodist Episcopal Church of Irasburg, Vt., and a petition of the Woman's Christian Temperance Union of West Wardsboro, Vt., praying for the enactment of legislation to prohibit the interstate transmission of lottery messages and other gambling matter by telegraph; which were referred to the Committee on the Judiciary.

He also presented a petition of the congregation of the First Baptist Church of Randolph, Vt., praying for the enactment of legislation to protect State anti-cigarette laws by providing that cigarettes imported in original packages on entering any State shall become subject to its laws; which was referred to the Committee on the Judiciary.

He also presented a petition of Triumph Division, No. 62, Order of Railway Conductors, of Lyndonville, Vt., praying for the passage of the anti-scalping ticket bill; which was ordered to lie on the table.

Mr. TURNER presented a petition of the Chamber of Commerce of Seattle, Wash., praying for the construction of a cable between the United States and the Hawaiian and Philippine islands; which was ordered to lie on the table.

Mr. HANSBROUGH presented a petition of the legislature of North Dakota, praying that a fair and liberal service pension be granted to every Union soldier veteran of the civil war not already a pensioner, etc.; which was referred to the Committee on Pensions, and ordered to be printed in the RECORD, as follows:

CONCURRENT RESOLUTION.

Be it resolved by the house of representatives of the State of North Dakota (the senate concurring), That the Senators and Representatives of the State of North Dakota in the National Congress be requested to favor and assist in securing a fair and liberal service pension to every Union soldier veteran of the civil war, not already a pensioner, regardless of any disability accruing from said service or since, whenever said soldier shall have arrived at the age of 62 years.

THOMAS BAKER, JR.,
Speaker of the House.

Attest:
J. G. HAMILTON, *Chief Clerk.*

JOHN DEVINE,
President of the Senate.

Attest:
J. O. SMITH, *Secretary of the Senate.*

Mr. PETTIGREW presented a petition of the legislature of South Dakota, praying for the establishment of a branch of the National Home for Disabled Volunteer Soldiers and Sailors within the limits of the city of Hot Springs, Fall River County, S. Dak.; which was ordered to lie on the table.

TREATY WITH SPAIN.

Mr. PETTIGREW. I present a joint resolution passed by the legislature of South Dakota urging the Senate to ratify the treaty with Spain and also requesting me to vote for the treaty. This resolution was received several days after the treaty had been ratified, though I was aware at the time I voted against the treaty that the legislature had passed such a resolution. I deny the right of the legislature to instruct me in any particular as to my duties, although I am always glad to hear from that body.

This resolution was adopted by the third legislature that has convened in South Dakota since my last election. The legislature by which I was elected to the United States Senate, at least one of its houses, by a considerable majority, passed resolutions in favor of the free and unlimited coinage of silver. The next legislature passed resolutions through both houses in favor of the free and unlimited coinage of silver. The present legislature is in favor of the single gold standard. If I should undertake to follow the change of sentiment reflected by the successive legislatures of South Dakota, I would find myself voting on all sides of almost every question.

I observe further that the members of the various legislatures of South Dakota have almost always been so unfortunate as not to secure reelection at the hands of their constituents. Their course, in connection with our own local affairs, has been such that the people of the State have deemed it to their interest to relegate them to private life and to send a new aggregation of representatives to the succeeding legislature. Therefore I deny that, on great national questions, the legislators of my State are liable to be in the right. They are more liable to be in the wrong.

Further than that, I have taken an oath, and I have my own conscience to deal with. My constituents have the remedy, so far as I am concerned, if my course is unsatisfactory to them, for I represent the people of South Dakota and not the legislature of South Dakota. If I had known that every member of the present legislature was in favor of the ratification of the Spanish treaty, I would not have voted for it. I never have been and never will be a willing party to any proposition to blacken a page in my country's history. I believe the ratification of this treaty to be the turning of the road away from the time-honored principles of this great Republic toward the establishment of a different form of government. Viewing this question as I do, I would rather lose my seat, I would rather cease to hold any official position, than cast my vote for the ratification of the treaty with Spain.

A treaty that seeks to hold an alien race under the bondage of a government distasteful to them, that declares against the independence for which they have shed generations of blood, does not coincide with my ideas of justice, nor does it uphold the broad proposition that government derives its just powers from the consent of the governed. The honorable course for a great nation like ours in its present predicament is to withdraw its troops from the Philippines and stop the butchery of its own sons and of the unfortunate natives of those islands, whose only offense is that they want to be free.

In the name of good faith with those who fought on our side in the conflict with Spain, the bloody work should cease, and this should occur through the dictates of the American conscience. It would be by far the more honorable course to admit that we have made a mistake than to continue in that mistake until our homes are filled with mourning for the stalwart youth of the land who left their firesides for humanity's sake and have gone to inhospitable graves in a conflict marked by all the inhumanity of the conqueror's greed. I could not vote for the possibilities of such conditions, even in the presence of a legislative resolution, and so I have gone upon the record against the treaty.

I ask to have the joint resolution read so that it may appear in the RECORD, and then that it be referred to the Committee on Foreign Relations.

The joint resolution was read, and referred to the Committee on Foreign Relations, as follows:

A joint resolution memorializing the United States Senate to give prompt and hearty support to the treaty with Spain now pending in the Senate.

Be it resolved by the legislature of the State of South Dakota:

Whereas our honored Chief Magistrate, President McKinley, has, through the Peace Commission, ended a war which gave to the world not only a shining example of humane sympathy with an oppressed people, but an exhibition of unrivaled courage and brilliant generalship; and

Whereas the terms of the treaty of peace have lifted the people of Cuba, Porto Rico, and the Philippine Islands from the tyranny of Spain to the enjoyment of liberty and the opportunity for progress, enlightenment, and development under the beneficent rule of the United States; and

Whereas this treaty, if ratified, will vastly extend the influence of the United States in checking oppression, repressing the unjust aggressions of the European monarchies, and widening the sphere of liberty in the world; and

Whereas it will open to American commerce a vast field for expansion, and will furnish a great and expanding stimulus to our manufactures and natural production, thus conferring great benefits upon our farmers, laboring men, manufacturers, and business men:

Resolved, That voicing, we believe, the sentiments of an overwhelming majority of the people of South Dakota, we hereby urge our Senators in Congress to give prompt and hearty support to the treaty, now pending in the Senate, and urge both Senators and Representatives to aid the Administration in carrying the treaty into effect.

A. G. SOMERS,
Speaker of the House.

Attest:
WILLIS C. BOWER, *Chief Clerk.*

JOHN T. KEAN,
President of the Senate.

Attest:
J. H. SCRIVEN, *Secretary of the Senate.*

I hereby certify that the within act originated in the senate and was known in the senate files as senate joint resolution No. 3.

J. H. SCRIVEN, *Secretary of Senate.*

STATE OF SOUTH DAKOTA,
Office of Secretary of State, ss:

Filed February 2, 1899, at 2.15 o'clock p. m.

WM. H. RODDLE, *Secretary of State,*
By PHILIP LAWRENCE, *Assistant.*

UNITED STATES OF AMERICA,
State of South Dakota, Secretary's Office:

I, William H. Roddle, secretary of state of the State of South Dakota, do hereby certify that the attached instrument of writing is a true and correct copy of a joint resolution memorializing the United States Senate to give prompt and hearty support to the treaty with Spain now pending in the Senate, as the same appears of record in this office, and of the whole thereof.

In testimony whereof I have hereunto set my hand and affixed the great seal of the State of South Dakota, at Pierre, this 3d day of February, 1899.

[SEAL.]

WM. H. RODDLE, *Secretary of State,*
By PHILIP LAWRENCE, *Assistant.*

REPORTS OF COMMITTEES.

Mr. PLATT of New York, from the Committee on Naval Affairs, to whom was referred the bill (H. R. 10132) to remove the charge of desertion from the naval record of Charles Thompson, reported it without amendment.

He also, from the same committee, to whom was referred the bill (H. R. 5924) to correct the naval record of Martin U. Singhi, reported it without amendment.

He also, from the same committee, to whom was referred the bill (S. 5063) to correct the naval record of Joseph Pitt, alias Joseph Marr, reported it with an amendment, and submitted a report thereon.

Mr. BAKER, from the Committee on Pensions, to whom was referred the bill (H. R. 4880) granting a pension to Jonathan Scott, reported it without amendment, and submitted a report thereon.

He also, from the same committee, to whom was referred the bill (H. R. 10385) granting a pension to George Brown, reported it without amendment, and submitted a report thereon.

He also, from the same committee, to whom was referred the bill (S. 2991) granting an increase of pension to Oliver J. Lyon, of Sabetha, Kans., reported it with an amendment, and submitted a report thereon.

He also, from the same committee, to whom was referred the bill (H. R. 7046) granting an increase of pension to Arba Capron, reported it without amendment, and submitted a report thereon.

Mr. PRITCHARD, from the Committee on Pensions, to whom was referred the bill (H. R. 10056) increasing the pension of James Webb, reported it without amendment, and submitted a report thereon.

Mr. KENNEY, from the Committee on Pensions, to whom was referred the bill (S. 2654) granting a pension to Lydia F. Wiley, reported it with an amendment, and submitted a report thereon.

He also, from the same committee, to whom was referred the bill (S. 5415) granting a pension to Frederick Auer, reported it with amendments, and submitted a report thereon.

He also, from the same committee, to whom was referred the bill (S. 3216) granting a pension to David Carroll, reported it with amendments, and submitted a report thereon.

Mr. KYLE, from the Committee on Pensions, to whom was referred the bill (H. R. 10803) granting an increase of pension to James Porter, reported it without amendment, and submitted a report thereon.

He also, from the same committee, to whom was referred the bill (H. R. 9843) granting a pension to America Easton, reported it without amendment, and submitted a report thereon.

He also, from the same committee, to whom was referred the bill (S. 4916) granting a pension to Mary B. Christopher, reported it with an amendment, and submitted a report thereon.

He also, from the same committee, to whom was referred the bill (S. 4919) granting a pension to Henry H. Lewis, reported it with an amendment, and submitted a report thereon.

Mr. ROACH, from the Committee on Pensions, to whom was referred the bill (H. R. 2293) granting an increase of pension to Andrew J. Snowden, reported it without amendment, and submitted a report thereon.

Mr. GALLINGER, from the Committee on Pensions, to whom were referred the following bills, reported them severally without amendment, and submitted reports thereon:

A bill (H. R. 10738) granting an increase of pension to Beeri Serviss;

A bill (H. R. 12033) granting a pension to Mary A. Kennedy;

A bill (H. R. 10480) granting a pension to Nelly V. Crosby;

A bill (H. R. 9455) granting an increase of pension to Richard Atkinson;

A bill (H. R. 123) granting a pension to William F. Bolan;

A bill (H. R. 6749) granting a pension to James J. Marcher;

A bill (H. R. 635) increasing the pension of Howard L. James;

A bill (H. R. 6913) granting an increase of pension to Charlotte B. Cozzens;

A bill (H. R. 7657) granting an increase of pension to James E. Searl;

A bill (H. R. 12077) granting an increase of pension to Charles N. Smiley;

A bill (H. R. 10860) granting a pension to Mianda A. Sanford;

A bill (H. R. 8568) granting an increase of pension to Mrs. Susan Stedman;

A bill (H. R. 12026) to increase the pension of Thomas Crinigan;

A bill (H. R. 855) granting an increase of pension to James R. Zearing;

A bill (H. R. 11296) granting a pension to Anna M. Rowe;

A bill (H. R. 8578) granting an increase of pension to George W. Reisinger;

A bill (H. R. 9344) granting an increase of pension to John Begley;

A bill (H. R. 9569) granting an increase of pension to Timothy A. Allen; and

A bill (H. R. 4249) granting a pension to Samuel B. Koontz.

Mr. HANNA, from the Committee on Pensions, to whom was referred the bill (H. R. 247) granting an increase of pension to John Doebler, reported it without amendment, and submitted a report thereon.

He also, from the same committee, to whom was referred the bill (H. R. 9415) granting an increase of pension to Henry Bullen, reported it without amendment, and submitted a report thereon.

He also, from the same committee, to whom was referred the bill (H. R. 8610) granting a pension to Minnie B. Titus, reported it without amendment, and submitted a report thereon.

Mr. PERKINS, from the Committee on Naval Affairs, to whom was referred the amendment submitted by himself on the 18th instant proposing to appropriate $2,000 for conducting the necessary operations of a commission to examine and locate a proper site for the establishment of a naval coaling and repair station in California, south of San Francisco, etc., intended to be proposed to the naval appropriation bill, reported favorably thereon, and moved that it be referred to the Committee on Appropriations and printed; which was agreed to.

He also, from the same committee, to whom was referred the amendment submitted by Mr. MCBRIDE December 15, 1898, relative to an appropriation to provide for the construction of a dry dock on the Columbia River, Oregon, intended to be proposed to the naval appropriation bill, reported favorably thereon, and moved that it be referred to the Committee on Appropriations and printed; which was agreed to.

Mr. MARTIN, from the Committee on Naval Affairs, to whom was referred an amendment submitted by himself proposing to increase the salary of electricians in charge of plants in the department of yards and docks at the navy-yards from $1,200 per annum to $2,000, intended to be proposed to the naval appropriation bill, reported favorably thereon, and moved that it be referred to the Committee on Appropriations and printed; which was agreed to.

Mr. LINDSAY, from the Committee on Pensions, to whom was referred the bill (H. R. 5328) granting a pension to Patrick O'Shea, reported it without amendment, and submitted a report thereon.

Mr. BURROWS, from the Committee on Finance, to whom was referred the bill (H. R. 7271) amending the act entitled "An act to allow the return free of duty of certain articles exported from the United States for exhibition purposes," approved May 18, 1896, reported it with an amendment.

He also, from the same committee, to whom was referred the joint resolution (S. R. 242) authorizing foreign exhibitors at the commercial exposition to be held in Philadelphia, Pa., in 1899, to bring to this country foreign laborers from their respective countries for the purpose of preparing for and making their exhibits under regulations prescribed by the Secretary of the Treasury, reported it with an amendment.

Mr. VEST, from the Committee on Commerce, to whom was referred the bill (H. R. 11867) to authorize the Georgia Pine Railway of Georgia to construct a bridge across the Flint River, a navigable stream, in Decatur County, Ga., reported it without amendment.

Mr. ALLEN, from the Committee on Forest Reservations and the Protection of Game, to whom was referred the amendment providing for a commission to be appointed by the Secretary of War to report certain information concerning the roadways in Yosemite National Park, California, submitted by Mr. PERKINS on the 20th instant, reported it favorably, and moved that it be referred to the Committee on Appropriations, and printed; which was agreed to.

Mr. CHANDLER, from the Committee on Naval Affairs, to whom were referred the following joint resolutions, reported them severally without amendment, and submitted reports thereon:

A joint resolution (S. R. 159) for the relief of ex-Cadet Engineer W. B. Casswell;

A joint resolution (S. R. 166) providing for the restoration to the Navy of Richard Warren Barkley, a graduate of the Naval Academy, discharged in pursuance of the act of August 5, 1882;

A joint resolution (S. R. 171) for the relief of ex-Cadet Midshipman Thomas H. Gignilliat;

A joint resolution (S. R. 174) for the relief of ex-Naval Cadet S. A. W. Patterson;

A joint resolution (S. R. 196) for the relief of J. T. Bootes, late lieutenant (junior grade), United States Navy;

A joint resolution (S. R. 201) for the relief of Charles W. Hazeltine;

A joint resolution (S. R. 204) for the relief of Lieut. (Junior Grade) Wirt McCreary, United States Navy;

A joint resolution (S. R. 207) for the appointment of E. E. West in the regular establishment of the United States Navy;

A joint resolution (S. R. 220) to authorize the President to appoint Jonathan Brooks an assistant paymaster in the Navy;

A joint resolution (S. R. 234) to authorize the President to appoint to the Naval Academy acting naval cadets who served during the war with Spain;

A joint resolution (S. R. 246) for the relief of R. K. Wright; and

A joint resolution (S. R. 247) for the relief of ex-Naval Cadet George H. Mather.

Mr. CHANDLER, from the Committee on Naval Affairs, to whom were referred the following joint resolutions, reported them severally without amendment:

A joint resolution (S. R. 249) to authorize the appointment of Henry W. Carpenter a second lieutenant in the Marine Corps;

A joint resolution (S. R. 250) to authorize the appointment of Charles S. Hill a second lieutenant in the Marine Corps;

A joint resolution (S. R. 248) to authorize the appointment of Robert F. Wynne a second lieutenant in the Marine Corps; and

A joint resolution (S. R. 251) to authorize the appointment of Louis J. Anderson a second lieutenant in the Marine Corps.

He also, from the same committee, to whom was referred the

joint resolution (S. R. 209) to authorize the appointment of George Izard Middleton an ensign in the Navy, reported it with an amendment, and submitted a report thereon.

He also, from the same committee, to whom was referred the bill (S. 5322) for the relief of M. B. Buford, reported it without amendment, and submitted a report thereon.

Mr. MITCHELL, from the Committee on Pensions, to whom was referred the bill (H. R. 10417) granting a pension to James H. Nichols, reported it without amendment, and submitted a report thereon.

JOHN W. BRISBOIS.

Mr. MITCHELL. I am directed by the Committee on Pensions, to whom was referred the bill (H. R. 8997) granting an increase of pension to John W. Brisbois, to report it favorably without amendment. It is a worthy case and a case of emergency. I ask unanimous consent that the bill may be considered at this time.

There being no objection, the Senate, as in Committee of the Whole, proceeded to consider the bill. It proposes to place on the pension roll the name of John W. Brisbois, late private of Company A, Third Iowa Volunteer Infantry, and pay him a pension at the rate of $24 per month.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

W. A. FORD & CO., AND OTHERS.

Mr. DANIEL. I am instructed by the Committee on Finance, to whom was referred the bill (H. R. 11785) for the relief of certain tobacconists of Lynchburg, Va., to report it without amendment; and I ask unanimous consent that the bill be put upon its passage.

There being no objection, the Senate, as in Committee of the Whole, proceeded to consider the bill. It proposes to pay the following sums to the respective parties, being amounts of the 5 per cent penalty accruing by reason of special internal-revenue taxes not being paid on or before August 1, 1898: To W. A. Ford & Co., Lynchburg, Va., $323.58; to Hancock Bros. & Co., Lynchburg, Va., $287.19; to Snead Carrington Tobacco Company, Lynchburg, Va., $13.87; to Allen Bros. Tobacco Company, Lynchburg, Va., $154.32.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

LEGISLATIVE, EXECUTIVE, AND JUDICIAL APPROPRIATION BILL.

Mr. CULLOM. I call up the conference report on the disagreeing vote of the two Houses on the bill (H. R. 11414) making appropriations for the legislative, executive, and judicial expenses of the Government for the fiscal year ending June 30, 1900, and for other purposes.

The VICE-PRESIDENT. The Chair lays before the Senate the conference report indicated by the Senator from Illinois.

Mr. CULLOM. The report has been read.

The VICE-PRESIDENT. The question is on agreeing to the report.

Mr. ALLEN. What report is it?

Mr. CULLOM. The report on the legislative, executive, and judicial appropriation bill, which was read yesterday.

Mr. ALLEN. Has the report been printed?

Mr. CULLOM. It has been printed in the RECORD.

The report was agreed to.

PREVENTION OF SMALLPOX.

Mr. MCMILLAN. I am directed by the Committee on the District of Columbia to report a joint resolution and to ask for its immediate consideration.

The joint resolution (S. R. 252) to prevent the spread of contagious diseases in the District of Columbia was read the first time by its title and the second time at length, as follows:

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That the sum of $50,000 is hereby appropriated, to be immediately available, one-half out of any money in the Treasury of the United States not otherwise appropriated, and one-half out of the revenues of the District of Columbia, to enable the Commissioners of said District to provide for the proper care of smallpox patients and to prevent the spread of contagious diseases in said District, including a house-to-house inspection, and such compulsory vaccination as may be deemed necessary by the health officer of said District in accordance with existing law; and for other extraordinary emergencies.

There being no objection, the joint resolution was considered as in Committee of the Whole.

Mr. MCMILLAN. I have here a letter from the Commissioners of the District which explains the necessity for the joint resolution. I ask that it be read.

Mr. ALLISON. Let it be printed in the RECORD.

Mr. MCMILLAN. Or it can be printed in the RECORD just as well.

The VICE-PRESIDENT. The Chair hears no objection, and the letter will be printed in the RECORD.

The letter referred to is as follows:

EXECUTIVE OFFICE, COMMISSIONERS DISTRICT OF COLUMBIA,
Washington, February 20, 1899.

DEAR SIR: The Commissioners of the District of Columbia have the honor to inclose herewith the draft of a joint resolution, with the request that the same be introduced into the Senate and that you will endeavor to secure its early passage in order that proper steps may be taken to prevent the spread of smallpox, the existence of which is now in the city and which the Commissioners have every reason to believe is likely to increase rapidly if heroic steps are not taken to stamp it out. From careful investigation of the whole situation the health officer reports to the Commissioners that there is grave apprehension of a spread of this disease in the community, owing largely to the fact that those persons already confined in the smallpox hospital are known to have been in close contact with others in thickly populated buildings and portions of the city. It would be the greatest possible misfortune if this disease should be scattered throughout the city at any time, but especially so at this time, when so many officials and strangers are here incident to the meetings of Congress.

The health and lives of the President and his Cabinet and of officials of all degrees, as well as of members of Congress and the residents, make it essentially important that nothing should be left undone to eradicate the trouble at the earliest possible moment.

The appropriation asked for is for the employment of the necessary physicians, watchmen to guard quarantined premises, food and fuel for such cases as may need it in quarantined houses, and for the maintenance of the smallpox hospital. The hospital itself has accommodations for about 40 patients, and is about half full. Should it be necessary to accommodate more than this number, the Commissioners would be obliged to erect a frame structure for the use of the additional patients. This expense would be met from the amount asked for in this resolution.

In the city of Alexandria, only 8 miles from Washington, there are reported to-day 212 cases in a population of 18,000.

The discovery of cases of smallpox among the inmates of the workhouse of the Washington Asylum has rendered it impossible to commit any more prisoners to that building. It has also been deemed inexpedient to permit the guards and other employees of the asylum grounds to leave the said premises until the period shall have passed during which any possible contagion may be developed. The duty has therefore been devolved upon the Commissioners to provide some other building for the detention of prisoners sentenced by the police court during the time that such prisoners can not be safely sent to the workhouse.

The female workhouse of the Washington Asylum is situated a sufficient distance from the male workhouse to avoid any danger of contagion therefrom.

The Commissioners have ascertained that certain changes can be made in the female workhouse building by the erection of partitions, etc., which will enable them to accommodate about 100 male prisoners in that building. Some new furniture will be required, and some additional guards in lieu of those now quarantined in the male workhouse must be employed.

The Commissioners have estimated that about $3,000 of the sum of $50,000 named in the accompanying joint resolution will be needed to fit up the female workhouse and to provide for the proper care of prisoners therein during the period of danger from smallpox in that vicinity.

Copy of the report of the health officer is herewith inclosed, to which attention is respectfully invited.

Very respectfully,
JOHN B. WIGHT,
President Board of Commissioners District of Columbia.

Hon. JAMES MCMILLAN,
Chairman Committee on the District of Columbia,
United States Senate.

The joint resolution was reported to the Senate without amendment, ordered to be engrossed for a third reading, read the third time, and passed.

STAMP TAX ON LEGAL INSTRUMENTS.

Mr. ALLISON. I report back from the Committee on Finance unanimously, with an amendment, the joint resolution (H. Res. 358) to amend section 25 of the act passed June 13, 1898, entitled "An act to provide ways and means to meet war expenditures, and for other purposes." I ask that the joint resolution may be considered at this time. I think there will be no objection to it.

There being no objection, the joint resolution was considered as in Committee of the Whole.

The amendment of the Committee on Finance was, in line 8, after the word "mortgage," to insert the words "or deed of trust;" so as to make the joint resolution read:

Resolved, etc., That an act passed June 13, 1898, entitled "An act to provide ways and means to meet war expenditures, and for other purposes," be amended by adding to the end of Schedule A, section 25, the following: "Whenever any bond or note shall be secured by a mortgage or deed of trust, but one stamp shall be required to be placed upon such papers: *Provided*, That the stamp tax placed thereon shall be the highest rate required for said instruments or either of them."

The amendment was agreed to.

The joint resolution was reported to the Senate as amended, and the amendment was concurred in.

The amendment was ordered to be engrossed and the joint resolution to be read a third time.

The resolution was read the third time, and passed.

HEARINGS BEFORE THE COMMITTEE ON MILITARY AFFAIRS.

Mr. GALLINGER, from the Committee to Audit and Control the Contingent Expenses of the Senate, to whom was referred the resolution submitted by Mr. HAWLEY February 7, 1899, reported it without amendment; and it was considered by unanimous consent, and agreed to, as follows:

Resolved, That the stenographer employed to report the statements of Maj. Gen. Leonard Wood, United States Volunteers, and Maj. Gen. M. C. Butler, United States Volunteers, before the Committee on Military Affairs, be paid from the contingent fund of the Senate; and that said committee, in considering matters coming before it during the present session of the Senate, is authorized to employ a stenographer to report any hearings that may be held, and to have such hearings printed for the use of the committee, such stenographer to be paid from the said contingent fund.

HEARINGS BEFORE THE COMMITTEE ON TERRITORIES.

Mr. GALLINGER, from the Committee to Audit and Control the Contingent Expenses of the Senate, to whom was referred the resolution submitted by Mr. SHOUP February 15, 1899, reported it without amendment; and it was considered by unanimous consent, and agreed to, as follows:

Resolved, That the stenographer employed to report the hearings on the

bills to enable the people of New Mexico to form a constitution and State government and to be admitted into the Union, to authorize the refunding of indebtedness in certain Territories of the United States, and to provide a criminal code for the district of Alaska, before the Committee on Territories, be paid from the contingent fund of the Senate.

GEORGE A. DICKEL & CO.

Mr. CHILTON. I am directed by the Committee on Finance, to whom was referred the bill (H. R. 3425) for the relief of George A. Dickel & Co., at Nashville, Tenn., to report it without amendment.

Mr. BATE. I ask for the present consideration of that bill. It will take but a moment. The bill met with no opposition in the other House and with none in the Committee on Finance. There is no dispute about it.

The VICE-PRESIDENT. Is there objection to the request of the Senator from Tennessee for the present consideration of the bill?

Mr. PLATT of Connecticut. Let it be read for information, Mr. President.

The VICE-PRESIDENT. The bill will be read for information, subject to objection.

Mr. BATE. There is nothing in the bill to which there will be any objection.

The Secretary read the bill, as follows:

Be it enacted, etc., That in order to reimburse George A. Dickel & Co., wholesale liquor dealers and distillers, of Nashville, Tenn., for $1,227.38 expended by that firm for revenue stamps on the 2d day of April, 1897, to be affixed to serial packages 1 to 11 and 23 to 36, containing distilled spirits produced by Cashion & Brown, distillery 577, Fifth district of Tennessee, and sold to the said George A. Dickel & Co. in bond, which serial packages of distilled spirits were destroyed by fire on the night of the same day the stamps were purchased and before they were affixed; that the Secretary of the Treasury be, and is hereby, authorized and directed to pay to the said George A. Dickel & Co., out of any money in the Treasury not otherwise appropriated, the said sum of $1,227.38 as restitution and reimbursement, and cancel the stamps so redeemed: *Provided*, That the stamps herein named shall first be returned to the Treasury Department.

There being no objection, the Senate, as in Committee of the Whole, proceeded to consider the bill.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

PUBLIC BUILDING BILLS.

Mr. QUAY, from the Committee on Public Buildings and Grounds, to whom were referred the following bills, reported them severally without amendment, and submitted reports thereon:

A bill (S. 5547) for the erection of a public building at Annapolis, Md.;

A bill (S. 5535) for the erection of a public building at Elmira, N. Y.;

A bill (S. 5550) to provide for the purchase of a site and the erection of a public building thereon at Joliet, in the State of Illinois;

A bill (S. 5544) for the erection of a public building at Newport, Vt.;

A bill (S. 5553) to enlarge and improve the United States public building at Columbus, Ga.;

A bill (S. 5541) providing for the erection of an addition to the United States public building at Canton, Ohio;

A bill (S. 5548) to provide for a building for the use of the post-office, office of the superintendent of the Hot Springs Reservation, and other civil offices in the city of Hot Springs, Ark.;

A bill (S. 5521) for enlarging the public building at Topeka, Kans.;

A bill (S. 5546) to increase the limit of cost for the purchase of site and the erection of a public building at Omaha, Nebr.;

A bill (S. 5543) to provide for the erection of a public building at Elizabeth City, N. C.;

A bill (S. 5551) for the erection of a public building in the city of Elgin, Ill.;

A bill (S. 5552) to provide for enlarging and improving the United States Government building at Macon, Ga., and to appropriate $58,000 therefor;

A bill (S. 5542) to provide for the purchase of a site and the erection of a public building thereon at the city of Eau Claire, in the State of Wisconsin;

A bill (S. 5540) authorizing the extension of the post-office building at Springfield, Mass.;

A bill (S. 5538) for the erection of a public building at Fitchburg, Mass.;

A bill (S. 5539) to erect a public building at Lawrence, Mass.; and

A bill (S. 5545) to increase the limit of the cost for the erection of a public building in Stockton, Cal., and making provision for the acquisition of additional land or a new site therefor.

Mr. ALLEN. I should like to have the attention of the senior Senator from Pennsylvania. There are additional bills before the Committee on Public Buildings and Grounds that have not been reported or acted upon.

Mr. QUAY. There may be some——

Mr. ALLEN. There are some which have been pending there for a year or more, and I have not myself been advised that the Committee on Public Buildings and Grounds has even had a meeting. I should like to ask the Senator from Pennsylvania if there is any purpose to report during this session of Congress upon those additional bills?

Mr. QUAY. The disposition of the Committee on Public Buildings and Grounds, I will say to the Senator from Nebraska, is to report any meritorious bill. If the Senator from Nebraska has a bill pending which he thinks ought to be reported and ought to be passed, if he will so signify to the committee, it will give him a hearing and report his bill.

Mr. ALLEN. There have been no hearings on these bills.

Mr. QUAY. The committee was canvassed.

Mr. ALLEN. Yes, the committee was canvassed. Why was it not canvassed upon the other bills?

Mr. QUAY. It can be canvassed, if the Senator so desires. There is no difficulty about that.

Mr. ALLEN. Is it necessary for me to go to the Senator from Pennsylvania and importune him to take up a bill which is before his committee? Am I compelled to pursue the Senator like an ignis fatuus to get action upon the part of his committee as respects a public-building bill?

Mr. QUAY. I do not——

Mr. ALLEN. There is no apology for it. That is all there is to it.

Mr. QUAY. It seems to me——

Mr. ALLEN. The order in which these bills have been reported is like the expert shuffling of cards. They are placed so for the express purpose of having a few of them passed and a great many of them defeated, while a great many meritorious bills, eminently more meritorious than these bills, lie buried in the secret closet of the Senator from Pennsylvania, with no purpose of presenting them and making either a favorable or an unfavorable report upon them.

Mr. President, I make this distinct charge. There has been no meeting of the Committee on Public Buildings and Grounds that passed upon or recommended these bills. Here are a dozen bills or more. If there has been a meeting, it was a secret meeting; it was not at the regular time for the meeting of that committee.

I simply call attention to this not because I expect that it will eventuate in anything, not because I expect it will deter the honorable Senator from suppressing these other bills, but because I believe that the public ought to know how the public business in this respect is transacted.

Mr. President, there is a bill that passed the Senate two years ago, simply carrying with it an appropriation of $30,000 to purchase two sites for public buildings in cities in my State where the Federal court has been held for ten years. That bill, as I understand it, is ready to come here for approval. There is a bill that passed the House of Representatives but last week to purchase a site and erect a small building in one of the important cities in my State. And yet that bill disappears, it goes glimmering, and so all the bills that are not in the combination, at the head of which stands the honorable Senator from Pennsylvania, are buried out of sight for all time.

Mr. NELSON. Mr. President——

The VICE-PRESIDENT. The next order is the introduction of bills.

Mr. QUAY. I desire to say in reply to the Senator from Nebraska that his intimation that there is any combination anywhere, in the Committee on Public Buildings and Grounds or elsewhere, in which the Senator from Pennsylvania is concerned is utterly unwarranted. It is not true.

As to the bills reported to-day, the fact in relation to their appearing this morning is that they were introduced on yesterday at the request of members of the House Committee on Public Buildings and Grounds. The Senators who introduced them are sitting all over this Chamber now. They were introduced with the understanding that the committee was to be polled at once and that the bills were to be reported to-day. What is going on in the House I am not prepared to say, and I am not interested in any of the bills that are reported this morning.

If the Senator from Nebraska had desired his bill to be included, it was not unseemly for him to mention the fact to the chairman of the Committee on Public Buildings and Grounds. He has done so before, and he has always been favored in any request that he ever made to that committee.

Mr. ALLEN. Mr. President, I know nothing about any understanding that these bills were to be reported without the committee being called together.

Mr. QUAY. It is not necessary for the Senator from Nebraska to know about understandings. I say there was no understanding.

Mr. ALLEN. If there was, was it understood that these bills alone should be reported?

Mr. QUAY. It was not.

Mr. ALLEN. Then, why are not the other bills reported?

Mr. QUAY. If the Senator from Nebraska had been attending to the business of his constituents, and had asked the Committee on Public Buildings and Grounds to further his bill, it would have been reported, I have no doubt, if meritorious.

Mr. ALLEN. I am attending to the business of my constituents quite as closely as the Senator from Pennsylvania.

Mr. QUAY. Very well.

Mr. ALLEN. I do not need instruction from him as to the course I shall pursue, and I am not prepared to receive it. There are dozens of other bills, equally meritorious with these bills. Why were they not taken up and the committee polled upon them? I ask the Senator from Pennsylvania why were they not taken up and the committee polled?

Mr. QUAY. They were not taken up because the Senators in charge of the bills did not ask that they should be taken up.

Mr. ALLEN. Oh, Mr. President.

Mr. QUAY. That was all.

Mr. ALLEN. So we have got to pursue the committee after a bill has been introduced. You have got to chase down its membership from day to day and importune them before they will discharge their duty.

Mr. CHANDLER. Will the Senator allow me a word?

Mr. ALLEN. Certainly.

Mr. CHANDLER. I suggest to him that instead of lecturing the committee he move that the committee be discharged from the further consideration of all the bills before the committee and that they be placed on the Calendar of the Senate.

Mr. ALLEN. No; I do not want to do that.

Mr. CHANDLER. That would be business.

Mr. ALLEN. I do not want to do that. I want the committee to report upon those bills one way or the other.

Strange, Mr. President, is the order in which these bills are reported and the order in which they will appear upon the Calendar. If any man will take the Calendar to-morrow morning and look at it and observe the manner in which these bills have been reported, he will find that some of the newest bills in the history of this Congress are reported first, and he will find those bills bunched in a certain section of the country.

Mr. NELSON. I am directed by the Committee on Commerce to ask unanimous consent for the present consideration of the bill (H. R. 11186) to extend the laws relating to commerce, navigation, and merchant seamen over the Hawaiian Islands ceded to the United States.

Mr. PLATT of Connecticut. Is the morning business through?

The VICE-PRESIDENT. The introduction of bills is next in order.

BILLS INTRODUCED.

Mr. PLATT of Connecticut. I introduce a bill for the erection of a public building at Norwich, Conn. I wish to say with regard to this bill that it has several times passed the Senate and I think has been favorably considered in another place. I do not wish to subject myself to any criticism of the Senator from Nebraska [Mr. ALLEN] in introducing it.

Mr. ALLEN. I did not hear the remark of the Senator.

Mr. PLATT of Connecticut. I said I desired to introduce a bill for the erection of a public building at Norwich, Conn., a bill that has several times passed the Senate and, I believe, has been favorably considered in another branch. and I hoped I should not incur the criticism of the Senator from Nebraska in introducing it.

Mr. ALLEN. Perhaps the latter part of the remark was not germane to the bill or its presentation.

The bill (S. 5559) for the erection of a public building at Norwich, Conn., was read twice by its title, and referred to the Committee on Public Buildings and Grounds.

Mr. SEWELL introduced a bill (S. 5554) for the purchase of a site and the erection of a public building thereon in the city of New Brunswick, N. J.; which was read twice by its title, and referred to the Committee on Public Buildings and Grounds.

Mr. BAKER introduced a bill (S. 5555) for enlarging the public building at Topeka, Kans.; which was read twice by its title, and, with the accompanying paper, referred to the Committee on Public Buildings and Grounds.

Mr. NELSON introduced a bill (S. 5556) authorizing and directing the construction of an addition to the United States post-office in the city of Minneapolis, Minn.; which was read twice by its title, and referred to the Committee on Public Buildings and Grounds.

Mr. HANNA introduced a bill (S. 5557) to amend the muster roll of Company F, Forty-eighth Regiment Ohio Volunteer Infantry, so as to place thereon the name of William Donely; which was read twice by its title, and, with the accompanying papers, referred to the Committee on Military Affairs.

Mr. TURNER introduced a bill (S. 5558) granting an increase of pension to Amos P. Curry; which was read twice by its title, and referred to the Committee on Pensions.

Mr. MONEY introduced a bill (S. 5560) providing for an annex to the Federal building at Jackson, Miss.; which was read twice by its title, and referred to the Committee on Public Buildings and Grounds.

Mr. MANTLE introduced a bill (S. 5561) establishing the boundaries of the Northern Cheyenne Indian Reservation, Mont., and making appropriations for purchasing improvements thereon and certain lands situated therein, for purchasing cattle, fencing the reservation, and for other purposes; which was read twice by its title, and referred to the Committee on Indian Affairs.

Mr. DEBOE introduced a joint resolution (S. R. 253) to authorize the appointment of Charles S. Hatch a second lieutenant in the Marine Corps; which was read twice by its title, and referred to the Committee on Naval Affairs.

AMENDMENTS TO APPROPRIATION BILLS.

Mr. BERRY submitted an amendment proposing to appropriate $30,000 out of the appropriation for "Improving Mississippi River," to be used in improving the harbor and rectifying the banks of the Mississippi River at and near Helena, Ark., intended to be proposed by him to the sundry civil appropriation bill; which was referred to the Committee on Appropriations, and ordered to be printed.

Mr. TURLEY submitted an amendment proposing to appropriate $3,000 for the purchase of a tower clock for the post-office, court-house, and custom-house at Memphis, Tenn., intended to be proposed by him to the sundry civil appropriation bill; which was referred to the Committee on Public Buildings and Grounds, and ordered to be printed.

Mr. ALLEN submitted an amendment ratifying and confirming the act of the general council of the Quapaw tribe or nation of Indians in the Indian Territory, entitled "To set apart and dedicate certain Quapaw lands for the use of schools, and to dispose of certain other lands, to pay the indebtedness of the Quapaw Nation," intended to be proposed by him to the sundry civil appropriation bill; which was referred to the Committee on Indian Affairs, and ordered to be printed.

Mr. PETTUS submitted an amendment proposing to appropriate $100,000 for the purchase of a site and the erection of a public building thereon in the city of Selma, Ala., intended to be proposed by him to the sundry civil appropriation bill; which was referred to the Committee on Appropriations, and ordered to be printed.

Mr. McENERY submitted an amendment proposing to appropriate $75,000 to pay the company and regimental officers of each of the special or immune regiments their salaries from the time they reported for duty until they were commissioned, intended to be proposed by him to the sundry civil appropriation bill; which was referred to the Committee on Military Affairs, and ordered to be printed.

Mr. TURNER submitted an amendment proposing to appropriate $884 to pay Joshua T. Roberts for extra services rendered in the execution of surveying contract No. 425, Washington, intended to be proposed by him to the sundry civil appropriation bill; which was referred to the Committee on Public Lands, and ordered to be printed.

Mr. WHITE submitted an amendment proposing to appropriate $40,000 to extend the provisions of an act of Congress entitled "An act to provide for the examination and classification of certain mineral lands in the States of Montana and Idaho," approved February 26, 1895, to all unpatented lands within the land-grant and indemnity land-grant limits of the grants of lands made by Congress to certain railroads, and providing for the appointment of commissioners to execute the provisions of said act of Congress as herein extended, intended to be proposed by him to the sundry civil appropriation bill; which was referred to the Committee on Public Lands, and ordered to be printed.

Mr. HOAR submitted an amendment proposing to appropriate $1,500 for the chair of pedagogy of Howard University, Washington, D. C., intended to be proposed by him to the general deficiency appropriation bill; which was referred to the Committee on Appropriations, and ordered to be printed.

Mr. HANSBROUGH submitted an amendment proposing to appropriate $10,000 for the relief of the Devils Lake Sioux Indians of North Dakota, upon the Devils Lake Indian Reservation, in that State, and also $15,000 for the relief of the Turtle Mountain band of Chippewa Indians, in North Dakota, for subsistence and other necessaries, and for the expenses incurred by them in their delegation to Washington, D. C., regarding their claim for unceded lands, etc., intended to be proposed by him to the general deficiency appropriation bill; which was referred to the Committee on Indian Affairs, and ordered to be printed.

REORGANIZATION OF THE ARMY.

Mr. HANSBROUGH submitted an amendment intended to be proposed by him to the Army reorganization bill; which was ordered to lie on the table and be printed.

BUREAU OF DOMESTIC SCIENCE.

On motion of Mr. GEAR, it was

Ordered, That 1,000 copies of the hearing before the subcommittee on Agriculture and Forestry relative to the establishment of a bureau of domestic science be printed.

BUREAU OF ENGRAVING AND PRINTING INVESTIGATION.

Mr. MASON submitted the following resolution; which was referred to the Committee on Printing:

Resolved, That 2,000 copies of the testimony of the following witnesses,

taken before the Lyman investigating committee that investigated the Bureau of Engraving and Printing in 1897, be printed for the use of the Senate: Claude M. Johnson, Director of the Bureau; Thomas J. Sullivan, Assistant Director of the Bureau; Alexander G. Morgan, paymaster of the Bureau: Ernest Gibbons, paymaster clerk of the Bureau; J. McGill, chief of the bindery of the Bureau; Emile Huck, William McKinney, and Isaac Gerrodette, foremen in the plate-printing division of the Bureau; also Peter Bain, Peter McGirr, William Peck, Chris Bollinger, Nathan King, George P. Jackson, T. C. Ray, James Turner, James Erwin, William Hay, and Mr. —— Childs.

INVESTIGATION BY COMMITTEE ON PENSIONS.

Mr. HANSBROUGH submitted the following resolution, which was referred to the Committee to Audit and Control the Contingent Expenses of the Senate:

Resolved, That the Committee on Pensions is hereby authorized and directed, by a subcommittee appointed for that purpose, to carefully examine, during the recess of Congress, all general laws on the statute book granting pensions to soldiers, their survivors, and dependents, and to pursue such other inquiries in connection with the matter of pension legislation as may be deemed advisable, report to be made to the Senate, by bill or otherwise, at as early a day as practicable after the assembling of the Fifty-sixth Congress, the expense incurred to be paid from the contingent fund of the Senate.

EXTENSION OF SHIPPING LAWS TO HAWAIIAN ISLANDS.

Mr. NELSON. I am instructed by the Committee on Commerce to ask for the immediate consideration of the bill (H. R. 11186) to extend the laws relating to commerce, navigation, and merchant seamen over the Hawaiian Islands ceded to the United States.

The VICE-PRESIDENT. Is there objection?

Mr. JONES of Arkansas. I ask unanimous consent for the present consideration of House bill No. 11916.

The VICE-PRESIDENT. The Senator from Minnesota [Mr. NELSON] had asked unanimous consent for the consideration of a bill prior to the consent just asked by the Senator from Arkansas. If the Senator from Arkansas will yield a moment, the Chair will put the request of the Senator from Minnesota. The Senator from Minnesota asks unanimous consent that the Senate proceed to the consideration of the bill (H. R. 11186) to extend the laws relating to commerce, navigation, and merchant seamen over the Hawaiian Islands ceded to the United States. Is there objection?

Mr. VEST. I object.

Mr. ALLEN. I object to that bill.

The VICE-PRESIDENT. Objection is made.

RAILWAY THROUGH THE CHOCTAW AND CREEK NATIONS.

Mr. JONES of Arkansas. I ask unanimous consent for the present consideration of the bill (H. R. 11916) to authorize the Fort Smith and Western Railroad Company to construct and operate a railway through the Choctaw and Creek nations, in the Indian Territory, and for other purposes.

The VICE-PRESIDENT. Is there objection to the request of the Senator from Arkansas?

Mr. PETTIGREW. We have passed a general law through both Houses, which is now in conference, providing for rights of way over all the Indian reservations in the United States. Therefore it seems to me entirely unnecessary to pass these separate bills. There is a large number of them, and I am sure the bill providing for a general law will become a law before we adjourn. Therefore I object to the consideration of any of these bills.

The VICE-PRESIDENT. Objection is made.

Mr. JONES of Arkansas. I should like to ask the Senator from South Dakota if he feels sure that the general bill to which he refers will become a law at this session?

Mr. PETTIGREW. I feel sure it will. I have been informed that this afternoon there will be a meeting of the committee of conference on the subject.

Mr. JONES of Arkansas. Then I withdraw the request.

The VICE-PRESIDENT. The request of the Senator from Arkansas is withdrawn.

METHODIST EPISCOPAL CHURCH SOUTH.

Mr. PASCO. I ask unanimous consent that the resolution in relation to the Methodist Episcopal Church South, reported by the Committee on Claims, be now considered. Last summer a letter was addressed by the bishops of that church to the Vice-President with reference to the disposition of the money paid to the Book Agents of the Methodist Episcopal Church South in settlement of their claim against the United States and it was referred to the Committee on Claims. It has been carefully considered, and a resolution has been prepared expressing the views of the committee as to the action that should be taken. It has been on the Calendar for some time, and it is important that it should be acted upon. The resolution is very short and will take only a few moments.

The VICE-PRESIDENT. Is there objection to the present consideration of the resolution referred to by the Senator from Florida?

There being no objection, the Senate proceeded to consider the following resolution, reported by Mr. TELLER from the Committee on Claims January 9, 1899:

Resolved, That the report of the committee made July 8, 1898, be approved, and that no censure should rest upon the Methodist Episcopal Church South for the misstatements and concealments of the Book Agents in connection with the passage of the bill for the payment of the claim referred to in the letter of the bishops now under consideration; that the injury resulting therefrom affected only the beneficiaries of the fund and not the United States, and the Senate should take no further action in the matter.

The VICE-PRESIDENT. The question is on agreeing to the resolution.

The resolution was agreed to.

Mr. PASCO. I ask that the report of the committee be published in the RECORD in connection with the passage of this resolution.

The VICE-PRESIDENT. Is there objection? The Chair hears none.

The report referred to, which was was submitted by Mr. TELLER January 9, 1899, is as follows:

The Committee on Claims, to whom was referred a letter from the bishops of the Methodist Episcopal Church South, dated August 20, 1898, relating to the claim of the Book Agents of that Church, which was authorized to be paid by an act approved March 11, 1898, entitled "An act for relief of the Book Agents of the Methodist Episcopal Church South," submit the following report thereon:

The letter is as follows:

WEST NASHVILLE, TENN., *August 26, 1898.*

MY DEAR SIR: At a meeting of the bishops of the Methodist Episcopal Church South, held in Nashville, Tenn., July 4, 1898, with reference to the war claim recently granted by the Government to the church they represent, the following action was taken by them, of which it is made my duty to give you, as President of the Senate of the United States, official notice for presentation to that honorable body:

"While reaffirming the justness of our claim, payment of which has been sought for twenty-five years, we insist that the church can not afford to accept it as a gratuity or on conditions that reflect upon its honor. Inasmuch, therefore, as some Senators have affirmed on the floor of the Senate that they were induced to support the claim by misleading statements on the part of the representatives of the church—statements, however, which did not affect the merits of our claim—we hereby give this assurance: That if the Senate, by affirmative action, declares that the passage of the bill was due to such misleading statements, we will take the proper steps to have the entire amount returned to the Government."

ROBERT K. HARGROVE,
Secretary of the College of Bishops.

The bill referred to provides for the payment of $288,000 in satisfaction of the claim, and after it became a law this committee was authorized to inquire and report the circumstances connected with its passage.

The resolution authorizing this inquiry is as follows:

"*Resolved*, That the Committee on Claims be directed to inquire and report to whom the money was paid under the claim of the Methodist Book Concern South, and also as to all circumstances connected with the passage of the bill providing for the payment of said claim and with the subsequent payment of the money under said act of Congress."

The investigation was made; a number of witnesses were examined, and the committee submitted their report to the Senate on the 8th day of July, 1898.

In the conclusion of this report it is stated:

"In conclusion, the committee deem it proper to state that no censure should rest upon the Methodist Episcopal Church South for the acts of its Book Agents. The church has been injured by the misconduct of its agents, but for such misconduct it is held entirely blameless.

"The committee has not thought proper to suggest to the Senate any action concerning this matter, it appearing to the committee that the governing authorities of the church must be allowed to take such measures as it may think proper after it has been fully acquainted with the facts concerning the passage of the bill and the final disposition of the money appropriated by it."

This letter of the bishops makes it appropriate and proper that there should be an expression of opinion on the part of the Senate in response to the conditional proposition to tender to the Government the money paid to the Book Agents under the terms of the said act approved March 11, 1898.

No new facts have come to the knowledge of the committee since their report was laid before the Senate, and in harmony therewith the following resolution is submitted and the committee recommend that it be adopted:

"That the report of the committee made July 8, 1898, be approved, and that no censure should rest upon the Methodist Episcopal Church South for the misstatements and concealments of the Book Agents in connection with the passage of the bill for the payment of the claim referred to in the letter of the bishops now under consideration; that the injury resulting therefrom affected only the beneficiaries of the fund and not the United States, and the Senate should take no further action in the matter."

PRESIDENTIAL APPROVAL.

A message from the President of the United States, by Mr. O. L. PRUDEN, one of his secretaries, announced that the President had on the 20th instant approved and signed the joint resolution (S. R. 245) to provide for the removal of snow and ice in the city of Washington, in the District of Columbia.

GEORGE W. WESTON.

Mr. GALLINGER. I ask unanimous consent for the consideration at this time of the bill (S. 4870) for the relief of George W. Weston. It is a bill which will provoke no discussion.

There being no objection, the Senate, as in Committee of the Whole, proceeded to consider the bill. It directs the Secretary of the Treasury to pay to George W. Weston, late postmaster of Exeter, N. H., $281.21, being the balance due him for moneys deposited in the National Granite State Bank, of Exeter, N. H., during the month of July, 1893, and immediately preceding the failure of the National Granite State Bank.

The bill was reported to the Senate without amendment, ordered to be engrossed for a third reading, read the third time, and passed.

GRANT OF LANDS TO WISCONSIN.

Mr. SPOONER. I ask unanimous consent for the present consideration of the bill (H. R. 6551) withdrawing from entry and sale and granting unto the State of Wisconsin certain lands therein described.

There being no objection, the Senate, as in Committee of the Whole, proceeded to consider the bill. It provides that the following lands, situated in the county of Juneau, in the State of

Wisconsin, to wit, the southwest quarter of the northwest quarter and the west half of the southwest quarter of section 22, in township 17 north, of range 2 east, be withdrawn from entry and sale, and authorizes the Secretary of the Interior to cause a patent therefor to be issued to the State of Wisconsin; but the State shall pay to the United States therefor at the rate of $1.25 per acre, and shall first procure from all claimants or persons who may have filed or made homestead entries or other claims on or to the premises, or any part thereof, proper relinquishments of all their claims thereto, and cause the same to be filed with the Secretary of the Interior.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

CAPT. FRANCIS TUTTLE AND OTHERS.

Mr. LODGE. I ask unanimous consent for the present consideration of the joint resolution (S. R. 329) recognizing the able and gallant services of Capt. Francis Tuttle, Revenue-Cutter Service, his officers and men of the *Bear;* also the heroic services of Lieuts. David H. Jarvis, Ellsworth P. Bertholf, and Dr. Samuel J. Call, composing the overland expedition to Point Barrow, Arctic Ocean, for the relief of imperiled whalers.

The VICE-PRESIDENT. Is there objection to the present consideration of the joint resolution?

Mr. COCKRELL. Let it be read for information.

The VICE-PRESIDENT. The joint resolution will be read at length for information, subject to objection.

The joint resolution, which had been reported by the Committee on Commerce with an amendment, was read; and by unanimous consent the Senate, as in Committee of the Whole, proceeded to its consideration.

The amendment reported by the Committee on Commerce was, on page 2, line 12, after the words "each of," to strike out "them" and insert "said officers of the overland expedition;" so as to read:

That the thanks of Congress are hereby extended to the members of the overland expedition, landed from the revenue steamer *Bear*, composed of First Lieut. David H. Jarvis, Revenue-Cutter Service, commanding; Second Lieut. Ellsworth P. Bertholf, Revenue-Cutter Service, and Dr. Samuel J. Call, surgeon, for their heroic struggle of more than three months through the barren wastes of arctic Alaska, in the depths of an arctic winter, over nearly 2,000 miles of that desolate and dreary region, carrying relief and cheer to 275 distressed citizens of our country, and that in commemoration of the dauntless courage and heroic struggles of these brave men a gold medal of honor of an appropriate design, to be approved by the Secretary of the Treasury, be awarded to each of said officers of the overland expedition.

The amendment was agreed to.

Mr. COCKRELL. I scarcely believe it is proper that we should extend the thanks of Congress to all of these gentlemen and thus entitle them to the privileges of the floor of the Senate. For what they have done I think the reward of a medal would be amply sufficient recognition.

Mr. QUAY. Will the Senator from Missouri allow me to interrupt him?

Mr. COCKRELL. Certainly.

Mr. QUAY. If this joint resolution is going to provoke discussion, I shall feel it my duty to call for the regular order. Unanimous consent was given yesterday to take up to-day at 1 o'clock the Post-Office appropriation bill.

Mr. COCKRELL. Let the joint resolution of the Senator from Massachusetts be passed over.

The VICE-PRESIDENT. The joint resolution will be passed over.

BRIDGE ACROSS FLINT RIVER.

Mr. BACON. I regret to take up any time of the Senate on a very simple matter, but I ask unanimous consent for the consideration of the bill (H. R. 11867) to authorize the Georgia Pine Railway, of Georgia, to construct a bridge across the Flint River, a navigable stream in Decatur County, Ga., which was reported yesterday. The bridge is now in process of building.

Mr. QUAY. I call for the regular order, Mr. President.

Mr. BACON. The bill will not take but a moment by the watch.

The VICE-PRESIDENT. Is there objection to the request of the Senator from Georgia?

Mr. LODGE. I was cut off by the agreement to take up at 1 o'clock the Post-Office appropriation bill, and I do not see why other bills should be passed.

The VICE-PRESIDENT. The Senator from Missouri [Mr. COCKRELL] objected to the joint resolution the consideration of which was asked by the Senator from Massachusetts.

Mr. COCKRELL. Let the joint resolution be passed over until I can have time to examine it.

Mr. QUAY. Regular order, Mr. President.

The VICE-PRESIDENT. Is there objection to the present consideration of the bill referred to by the Senator from Georgia [Mr. BACON]?

Mr. QUAY. I object, Mr. President, and call for the regular order.

The VICE-PRESIDENT. Objection is made.

COMMERCIAL RELATIONS OF THE UNITED STATES.

The VICE-PRESIDENT laid before the Senate the following message from the President of the United States; which was read, and, with the accompanying papers, referred to the Committee on Commerce, and ordered to be printed:

To the Senate and House of Representatives:

I transmit herewith a communication from the Secretary of State, accompanying the commercial relations of the United States for the year 1898, being the annual reports of the consular officers upon the industries and commerce of foreign countries. In view of the value of these reports to the manufacturing and exporting interests of the country, I indorse the recommendation of the Secretary of State that Congress authorize the printing of the usual editions of 10,000 copies of the general summary, entitled "Review of the World's Commerce," and of 5,000 copies of "Commercial Relations" (including this summary), to enable the Department of State to meet the demand for such information.

WILLIAM McKINLEY.

EXECUTIVE MANSION,
Washington, February 21, 1899.

HOUSE BILL REFERRED.

The bill (H. R. 12125) making an appropriation to carry out the obligations of the treaty between the United States and Spain concluded December 10, 1898, was read twice by its title, and referred to the Committee on Appropriations.

REIMBURSEMENT OF STATE WAR EXPENSES.

The VICE-PRESIDENT laid before the Senate the amendment of the House of Representatives to the bill (S. 5260) to amend an act entitled "An act to reimburse the governors of States and Territories for expenses incurred by them in aiding the United States to raise and organize and supply and equip the Volunteer Army of the United States in the existing war with Spain," approved July 8, 1898, and for other purposes.

Mr. PLATT of Connecticut. I understood that there was a unanimous-consent agreement made yesterday which takes effect at this time.

The VICE-PRESIDENT. So the Chair understands, but he is simply attempting to clear the table of bills sent from the House of Representatives.

Mr. PLATT of Connecticut. Very well.

Mr. WARREN. I move that the Senate nonconcur in the amendment of the House of Representatives to Senate bill No. 5260, and that a conference be asked of the House of Representatives on the bill and amendment.

The VICE-PRESIDENT. The question is on the motion of the Senator from Wyoming that the Senate nonconcur in the amendment of the House of Representatives and ask for a committee of conference.

The motion was agreed to.

By unanimous consent, the Vice-President was authorized to appoint the conferees on the part of the Senate; and Mr. WARREN, Mr. CARTER, and Mr. MITCHELL were appointed.

Mr. COCKRELL. I move that the bill as sent to the Senate be printed.

The VICE-PRESIDENT. Without objection, that order will be made.

MESSAGE FROM THE HOUSE.

A message from the House of Representatives, by Mr. W. J. BROWNING, its Chief Clerk, announced that the House further insisted upon its disagreement to the amendment of the Senate to the bill (H. R. 4936) for the allowance of certain claims for stores and supplies reported by the Court of Claims under the provisions of the act approved March 3, 1883, and commonly known as the Bowman Act, and for other purposes, agrees to the further conference asked for by the Senate on the disagreeing votes of the two Houses thereon, and had appointed Mr. MAHON, Mr. OTJEN, and Mr. RICHARDSON managers at the further conference on the part of the House.

POST-OFFICE APPROPRIATION BILL.

The Senate, as in Committee of the Whole, resumed the consideration of the bill (H. R. 11683) making appropriations for the service of the Post-Office Department for the fiscal year ending June 30, 1900.

Mr. PLATT of Connecticut. Is there not an amendment pending?

The VICE-PRESIDENT. There was an amendment offered by the Senator from North Carolina [Mr. BUTLER], which was temporarily withdrawn last evening.

Mr. BUTLER. I reoffer now the amendment which was temporarily withdrawn.

The VICE-PRESIDENT. The Senator from North Carolina reoffers the amendment, which will be stated.

The SECRETARY. In the clause making appropriations "for inland transportation by railroad routes," on page 15, line 3, after the word "distribution," it is proposed to strike out "$33,275,000" and to insert:

Thirty million five hundred thousand dollars; and the Postmaster-General is hereby authorized and directed to readjust the compensation to be paid from and after the 1st day of July, 1898, for the transportation of mails on

railway routes by reducing the compensation to all railroad companies for the transportation of mails at least 10 per cent per annum from the rate fixed in section 4002 of the Revised Statutes, as amended by act of July 12, 1876, entitled "An act making appropriations for the service of the Post-Office Department for the fiscal year ending June 30, 1877, and for other purposes," and as further amended by act of June 17, 1878, entitled "An act making appropriations for the service of the Post-Office Department for the fiscal year ending June 30, 1879, and for other purposes," for the transportation of mails on the basis of the average weight; and the above amount appropriated shall cover full compensation for railway mail transportation.

[Mr. BUTLER addressed the Senate. See Appendix.]

Mr. PETTIGREW. Mr. President, I do not care to discuss the pending amendment except to say that I believe the railway mail pay not only is excessive, but that the method by which the money is expended or distributed among the roads is entirely wrong. While some of the roads perform service for which they do not receive adequate compensation, the great trunk lines receive a compensation twenty times more than they should receive. The vast sum which we appropriate goes to these great trunk lines. In the remote West, in the Rocky Mountain regions, many of the roads receive a compensation that is too small for carrying the mail, because they carry so very little mail—there is so very little to be carried. This is true with all roads where the amount of mail is very small. Therefore it is important that we should decrease the amount expended for this purpose and at the same time change the method of distributing the money.

I ask to have printed as a document the paper which I have in my hand. I do not care to have it go into the RECORD. It is a statement by Mr. James L. Cowles, of Farmington, Conn., relative to railway mail pay.

The VICE-PRESIDENT. Is there objection to the request of the Senator from South Dakota, to have printed the matter referred to as a document? The Chair hears none. It is so ordered.

Mr. PETTIGREW. That is all I care to say on the subject, Mr. President.

Mr. WOLCOTT. Mr. President, the Senator from North Carolina [Mr. BUTLER] is gifted not only with a remarkable facility of speech, but he has been blessed with an equally vivid and picturesque imagination. I do not suppose that between now and 2 o'clock, which is five minutes, he would expect anyone to meet any of the suggestions made in his somewhat voluminous remarks. I got up early this morning to look through the RECORD, thinking that I might peruse them before the Senate met, but I found that they were withheld, properly enough, for revision; and so if I were to attempt to answer him now, I must rely upon my memory.

But, Mr. President, to my mind there is but a word to say upon this whole question. The Senator stated yesterday that there were constant recommendations from the Department that these appropriations should be reduced. I venture to say, with all respect to the Senator from North Carolina, that there is nothing of the kind. I can not find them there. I have looked.

Mr. BUTLER. The Senator will pardon me. He asked me to put it in the RECORD, and I agreed to do it. I find on an examination that in the reports of 1885 and 1887 a specific recommendation was made, but no subsequent report has made it so specifically except by stating the facts and data which I used. I have given the facts on which I based my argument, some part of which the Senator has admitted to be correct.

Mr. WOLCOTT. There is therefore no such recommendation from the Department from year to year. I want to call the attention of the Senate to the fact that this increased appropriation is because of the enormously increased facilities extended, the enormously greater demands made for the transportation of mails, the stimulus of new enterprises, of new communities, of vast areas opened to settlement, of the construction of new roads, of the extension of mail facilities to sections of our country which have not been heretofore blessed with them, and because of the increased facilities from day to day between well-known and prominent cities which require increased movement of trains and increased movement of postal cars.

It is these demands, Mr. President, which have called for the increased appropriation. But this year the cost per pound of moving each pound of mail matter will be less than it has been in other years. The cost does not increase. The appropriation increases to the amount of mail carried, and the speed with which it is carried increases more in proportion than the amount of the appropriation.

Now, Mr. President, one word as to the commission. The members of the commission have taken testimony faithfully and patiently and industriously. There is not a member of the commission who is going to serve this coming summer who will not serve at very great personal sacrifice to himself. There is not one of them who would not be glad to avoid the obligation of serving on the commission if he was not held to it by his sense of public duty. There is not one of us who does not intend to report long before the 1st of next March, if it shall be possible. There is not a member of the commission who wants to delay a day longer than is necessary in the conclusion of the investigation which we are making.

And I can say, Mr. President, that the delays so far occasioned have been chiefly occasioned by the impossibility of getting the critics of existing conditions to appear before the commission. We have had no trouble in getting the railroads. They have come with their statements, and naturally enough they were ready to make them. They have not delayed. But we have reached out all over the United States wherever we could learn that any man had a criticism to make of the amount of railway mail pay or of the method of its computation. We have written him and asked him if he would appear before the commission and give his testimony, and the delays that have been occasioned up to this time are in procuring testimony in opposition to existing conditions.

Mr. President, if the Senator from North Carolina understands the question as to how this pay should be made and upon what basis, he is the only man in the world who does. We do not, and nobody else does. We have taken volumes of testimony of the most intelligent railroad men in the United States and of experts, and they differ. Some say it should be based upon space; some say it should be based upon weight; some say it should be compared with the express; some say it should be compared with freight. There are differences and troubles about making any known comparison. All of them up to this time have ignored the question of public utility and what should be paid for that, and how far, further, the roads ought to furnish a public service for the purpose of building up and populating the very country through which they run by the spread and dissemination of intelligence, and how far they owe a public duty to the country to transport this business without profit.

Mr. President, the commission is endeavoring to deal with this question in a fair spirit, reaching only for the light and for intelligence. The suggestion was made that there was in the action of the commission something political, or that there was pressure from railroads or otherwise. There is nothing of the kind. Mr. President, the suggestion has never been made except here, and I do not think it was ever made seriously here. We are all of us trying to find some fair basis for payment. We have got far enough to know that there are irregularities in payment, and that, if certain roads for certain classes of mail and certain large weight of mail are paid too much, there are certain transportations of small amounts in remote sections of the country where the pay is altogether too small.

That only indicates the absolute unfairness of seeking to make at this time a horizontal reduction. How can you reduce 10 per cent when certain of the roads carrying the mail are to-day getting a sum that does not even pay the expenses of the man who handles the mail, leaving alone the men who handle the mail for the railroads, leaving alone the question of its carriage.

Mr. President, the commission will endeavor to do its duty if the Senate shall intrust it with the province of extending its sessions, and it will complete its sittings and make its report at the earliest possible moment.

The VICE-PRESIDENT. The hour of 2 o'clock has arrived.

Mr. MASON. Mr. President, before the bill goes out of Committee of the Whole, I desire to give notice that in the Senate I will offer the amendment, which was voted upon in Committee of the Whole, introduced by the Senator from Montana [Mr. CARTER].

The VICE-PRESIDENT. The amendment before the Senate is the amendment offered by the Senator from North Carolina [Mr. BUTLER].

Mr. HAWLEY. At the hour of 2 o'clock I think the unfinished business should be laid before the Senate.

Mr. FRYE. The unanimous consent given was that the unfinished business should be temporarily laid aside that this vote might be taken.

The VICE-PRESIDENT. The Chair lays before the Senate, as a matter of form, the unfinished business, which is the bill (H. R. 11022) for the reorganization of the Army of the United States, and for other purposes. The Chair understands that under the unanimous-consent agreement the bill is to be laid aside and the vote is to be taken upon the Post-Office appropriation bill. The Senator from North Carolina has an amendment pending.

Mr. ALLISON. To vote on all the amendments pending at 2 o'clock was the language of the agreement.

Mr. PETTIGREW. I think the agreement includes the pending amendments, and therefore the amendment of the Senator from Illinois is not in order.

Mr. ALLISON. All amendments pending at the hour of 2 are to be voted on.

Mr. BERRY. That is right.

Mr. CHANDLER. Will the Chair have the unanimous-consent agreement read?

Mr. ALLISON. I ask the Chair to have it read.

Mr. MASON. Why can I not make my amendment pending?

It had been voted upon as in Committee of the Whole, and I understand the rule to be that I can have a vote upon the amendment in the Senate. That is all I ask.

The VICE-PRESIDENT. The Chair will submit to the Senate, after the bill is reported from the Committee of the Whole and is in the Senate, whether amendments can be offered then in the Senate.

Mr. ALLISON. If new amendments are to be offered, the afternoon can be occupied in offering amendments to the bill.

The VICE-PRESIDENT. The Secretary will read the unanimous-consent agreement.

The Secretary read from page 2098 of the RECORD, as follows:

Mr. QUAY. I ask unanimous consent that after the conclusion of the morning business, not later than 1 o'clock to-morrow, the Post-Office appropriation bill be taken up, and that at 2 o'clock the vote be taken upon pending amendments and upon the bill without further discussion.

Mr. HAWLEY. I do not care to lose my opportunity at 2 o'clock. I have a right to take the floor at 2.

Mr. QUAY. At 2 o'clock we take the vote.

Mr. HAWLEY. I have a right to take the floor on the Army bill at 2 o'clock.

Mr. GORMAN. Then we can vote at 15 minutes before 2. I suggest to the Senator from Pennsylvania to change the request to 1.45.

Mr. PETTIGREW. We can undoubtedly agree without any hesitation whatever upon the suggestion made by the Senator from Pennsylvania.

Mr. BERRY. I hope it will be agreed to.

Mr. GORMAN. Oh, yes; let it be agreed to.

The VICE-PRESIDENT. The Senator from Pennsylvania asks unanimous consent that the Post-Office appropriation bill and all amendments pending be voted upon after the morning business to-morrow and not later than 2 o'clock.

Mr. GORMAN. And that the bill be taken up at 1 o'clock.

The VICE-PRESIDENT. At 1, or immediately after the morning business.

Mr. FRYE. And that the unfinished business be temporarily laid aside for that purpose.

The VICE-PRESIDENT. For the purpose of taking the vote. The Chair so understands. Is there objection?

Mr. BUTLER. That arrangement is agreeable to me with the condition that I shall have leave to have some matter of importance that I sent to the desk to be read, and the reading of which was not finished, put into the RECORD, and some other data that I have prepared which I wish briefly to discuss to-morrow. I wish about thirty minutes and the Senator from South Dakota [Mr. PETTIGREW] wants about thirty minutes. We have agreed to this with the understanding that probably no one else wishes to speak, but we wish about thirty minutes each. Whatever matter I consider pertinent that I can not get through discussing I shall ask permission of the Senate to put into the RECORD. I should not wish the unanimous-consent agreement to prevent me from putting it into the RECORD.

Mr. QUAY. There is no objection to the proposition of the Senator from North Carolina.

Mr. BUTLER. I agree to the unanimous consent with that understanding.

The VICE-PRESIDENT. Is there objection? The Chair hears none, and the order is made.

Mr. CARTER. I desire to have it distinctly understood that the unanimous consent given to vote at 2 o'clock to-morrow——

The VICE-PRESIDENT. If not reached before.

Mr. CARTER. If not reached before, is not to operate to displace the unfinished business.

The VICE-PRESIDENT. It is so understood.

Mr. CARTER. Except temporarily, for the purpose of taking the vote.

Mr. QUAY. My understanding was on yesterday, when the agreement was made, and I think it was the general understanding of the Senate, that at 2 o'clock the discussion upon the bill would cease, and at that hour the voting would commence upon pending amendments and be carried on without further discussion to the final passage of the bill.

Mr. ALLISON. That is it.

Mr. BERRY and Mr. FAULKNER. That is right.

Mr. QUAY. That is the understanding, or else it was nonsense to make such an agreement.

The VICE-PRESIDENT. The amendment before the Senate is the amendment of the Senator from North Carolina. Is the Senate ready for the question?

Mr. CLAY. I ask that the amendment be read.

The VICE-PRESIDENT. The Secretary will read the amendment.

The SECRETARY. On page 15, lines 3 and 4, strike out "$33,275,000" and insert in lieu thereof "$30,500,000," and add the following words:

And the Postmaster-General is hereby authorized and directed to readjust the compensation to be paid from and after the 1st day of July, 1898, for the transportation of mails on railway routes by reducing the compensation to all railroad companies for the transportation of mails at least 10 per cent per annum from the rate fixed in section 4002 of the Revised Statutes, as amended by act of July 12, 1876, entitled "An act making appropriations for the service of the Post-Office Department for the fiscal year ending June 30, 1877, and for other purposes," and as further amended by act of June 17, 1878, entitled "An act making appropriations for the service of the Post-Office Department for the fiscal year ending June 30, 1879, and for other purposes," for the transportation of mails on the basis of the average weight; and the above amount appropriated shall cover full compensation for railway mail transportation.

The VICE-PRESIDENT. Is the Senate ready for the question on agreeing to the amendment of the Senator from North Carolina [Mr. BUTLER]?

Mr. BUTLER. On that question let us have the yeas and nays.

The yeas and nays were ordered, and the Secretary proceeded to call the roll.

Mr. GEAR (when his name was called). I have a general pair with the Senator from New Jersey [Mr. SMITH]. I transfer that pair to the Senator from South Dakota [Mr. KYLE] and vote "nay."

Mr. BERRY (when the name of Mr. JONES of Arkansas was called). My colleague [Mr. JONES of Arkansas] has gone home sick. He is paired generally on all questions with the Senator from Maine [Mr. HALE].

Mr. PERKINS (when his name was called). I have a general pair with the Senator from North Dakota [Mr. ROACH]. He is not in his seat, and I withhold my vote.

Mr. PRITCHARD (when his name was called). I have a general pair with the junior Senator from South Carolina [Mr. MCLAURIN], and therefore withhold my vote.

Mr. WARREN (when his name was called). I will ask if the Senator from Washington [Mr. TURNER] has voted?

The VICE-PRESIDENT. The junior Senator from Washington has not voted.

Mr. WARREN. I withhold my vote, as I have a pair with that Senator.

The roll call was concluded.

Mr. GALLINGER. I have a general pair with the senior Senator from Texas [Mr. MILLS], who is not in his seat, and I withhold my vote.

Mr. KENNEY. I have a general pair with the junior Senator from Pennsylvania [Mr. PENROSE]. As he is absent, I withhold my vote.

Mr. BACON (after having voted in the negative). Although I have a general pair with the junior Senator from Rhode Island [Mr. WETMORE], who is absent, I am assured that if present he would vote "nay." As I have voted the same way, I will let my vote stand.

Mr. GEAR (after having voted in the negative). I transferred my pair with the Senator from New Jersey [Mr. SMITH] to the Senator from South Dakota [Mr. KYLE]. The Senator from South Dakota has since come into the Chamber and voted, and therefore I withdraw my vote.

Mr. BURROWS (after having voted in the negative). I inquire if the senior Senator from Louisiana [Mr. CAFFERY] has voted?

The VICE-PRESIDENT. The senior Senator from Louisiana has not voted.

Mr. BURROWS. I withdraw my vote.

Mr. CLARK (after having voted in the negative). As the Senator from Kansas [Mr. HARRIS] with whom I have a general pair is not in the Chamber, I desire to withdraw my vote.

Mr. MANTLE. I wish to inquire if the junior Senator from Virginia [Mr. MARTIN] has voted?

The VICE-PRESIDENT. The junior Senator from Virginia has not voted.

Mr. MANTLE. I withhold my vote, as I have a pair with that Senator.

The result was announced—yeas 15, nays 45; as follows:

YEAS—15.

Allen,	Chilton,	Pasco,	Tillman,
Bate,	Clay,	Pettigrew,	Turley,
Berry,	Heitfeld,	Rawlins,	White.
Butler,	Mallory,	Teller,	

NAYS—45.

Allison,	Frye,	Mason,	Shoup,
Bacon,	Gorman,	Mitchell,	Simon,
Baker,	Gray,	Money,	Spooner,
Carter,	Hanna,	Morgan,	Stewart,
Chandler,	Hawley,	Murphy,	Thurston,
Cockrell,	Hoar,	Pettus,	Vest,
Cullom,	Kyle,	Platt, Conn.	Wellington,
Deboe,	Lindsay,	Platt, N. Y.	Wilson,
Elkins,	Lodge,	Proctor,	Wolcott.
Fairbanks,	McBride,	Quay,	
Faulkner,	McEnery,	Ross,	
Foraker,	McMillan,	Sewell,	

NOT VOTING—30.

Aldrich,	Gear,	Mantle,	Smith,
Burrows,	Hale,	Martin,	Sullivan,
Caffery,	Hansbrough,	Mills,	Turner,
Cannon,	Harris,	Nelson,	Turpie,
Clark,	Jones, Ark.	Penrose,	Warren,
Daniel,	Jones, Nev.	Perkins,	Wetmore.
Davis,	Kenney,	Pritchard,	
Gallinger,	McLaurin,	Roach,	

So Mr. BUTLER's amendment was rejected.

Mr. MASON. I desire to offer an amendment which I gave notice I would offer.

Mr. PETTIGREW. I regard the offering of an amendment at this time as a violation of the unanimous-consent agreement of yesterday. I should have objected to the unanimous consent asked if it had not been expressly stated that it referred only to pending amendments. This amendment was not pending, and therefore I object to it.

The VICE-PRESIDENT. The Chair feels himself to be without power to enlarge the unanimous-consent agreement.

Mr. MASON. If I had not anticipated a vote on this amendment when the bill came out of Committee of the Whole, I should not now ask unanimous consent to offer it. I have had, I think,

no fair opportunity to discuss the amendment; and it will only take a very few moments to give us a vote.

There are only two ways in which we can get a vote. One of those ways is by unanimous consent, and the other is by a motion to reconsider. So far, I have found no one who voted in the negative willing to make the motion to reconsider. I should therefore like unanimous consent to have a vote upon the amendment.

Mr. PETTIGREW. I object, Mr. President.

Mr. QUAY. I ask for the regular order.

The VICE-PRESIDENT. Unanimous consent is asked by the Senator from Illinois [Mr. MASON] to offer an amendment. Is there objection?

Mr. PETTIGREW. I object.

The VICE-PRESIDENT. Objection is made.

Mr. QUAY. Regular order.

The VICE-PRESIDENT. If there be no further amendments, the bill will be reported to the Senate as amended.

The bill was reported to the Senate as amended, and the amendments made as in Committee of the Whole were concurred in.

The amendments were ordered to be engrossed and the bill to be read a third time.

The bill was read the third time, and passed.

REORGANIZATION OF THE ARMY.

The VICE-PRESIDENT. The Chair lays before the Senate the unfinished business, which is House bill No. 11022.

The Senate, as in Committee of the Whole, resumed the consideration of the bill (H. R. 11022) for the reorganization of the Army of the United States, and for other purposes.

Mr. HAWLEY. Mr. President, I do not propose to make what is called an oration, nor do I propose now to discuss the minute details of this bill. Those discussions will arise from time to time as we reach the provisions in question. But I wish again to state the general situation. I do not know how it is with others, but to me that is the most effective argument which can be made. I do not see how anybody could have voted against taking up this bill or some Army reorganization bill. Something has to be done. I do not see how anybody can decline to permit the President—to command the President—to enlist and put in the field a sufficient army.

On the 10th of December, 1898, the treaty with Spain was signed by the President, and in the last section of that treaty it was provided:

> The ratifications shall be exchanged at Washington within six months from the date hereof, or earlier if possible.

The Senate has ratified the treaty. The Cortes of Spain assembled yesterday and is, I suppose, in session to-day. I perceive by the reports that they have their own little difficulties at home and are engaged in some controversy; but I think there can be no doubt that they will, within a very short time, possibly to-day, possibly to-morrow, ratify the treaty. It will then be necessary to send a certificated statement of that action. It is not likely that we shall act upon a telegram. When that certification comes here, then in due time, perhaps in two or three weeks, the ratifications will be exchanged. The President, I suppose, could delay, because the treaty says "the ratifications shall be exchanged at Washington within six months from the date hereof;" but they can be exchanged undoubtedly within two or three weeks. I see no reason why the President and Sagasta should manage a delay of that action. There undoubtedly will be no delay. Nor do I see how the President of the United States can delay a moment in issuing his proclamation stating the fact of the ratification on both sides, and proclaiming, sir, that thereafter there is peace between Spain and the United States.

What then? It becomes the imperative duty of the President under the statute to discharge about 75,000 volunteers. The waters will be covered with returning ships; and unless we pass this bill or one like it, there will be very few troops going outward as reenforcements to replace those who have come home.

Not the 75,000 men only, Mr. President, but all the regulars who enlisted for the war between the 26th day of May, I think, and the 26th day of October, or some date near there, will be entitled to be discharged. In short, as you all know, I suppose, would be the case, that will bring the Army down to a little less than the 27,000 men which the Regular Army was entitled to when the war troubles began.

Section 4 of the act of April 26, 1898, provides:

> SEC. 4. That the Volunteer Army shall be maintained only during the existence of war, or while war is imminent, and shall be raised and organized, as in this act provided, only after Congress has or shall have authorized the President to raise such a force or to call into the actual service of the United States the militia of the several States: *Provided*, That all enlistments for the Volunteer Army shall be for a term of two years, unless sooner terminated, and that all officers and men composing said army shall be discharged from the service of the United States when the purposes for which they were called into service shall have been accomplished, or on the conclusion of hostilities.

The last section of the act of April 26, 1898, contains the following:

> *Provided further*, That at the end of any war in which the United States may become involved the Army shall be reduced to a peace basis by the transfer in the same arm of the service or absorption by promotion or honorable discharge, under such regulations as the Secretary of War may establish, of supernumerary commissioned officers and the honorable discharge or transfer of supernumerary enlisted men; and nothing contained in this act shall be construed as authorizing a permanent increase of the commissioned or enlisted force of the Regular Army beyond that now provided by the law in force prior to the passage of this act, except as to the increase of 25 majors provided for in section 1 hereof.

Under that provision, as I have said, we must reduce the Army to below 27,000, and it must be done instantly. The President and none of the officers under him would think of ordering into battle, or, indeed, even into the defenses, the men whose right to go home would accrue the moment the proclamation was issued—the injustice and cruelty of the situation not being taken into consideration at all. So he is by the touch of a pen reduced to an army of less than 27,000 men, when it is the deliberate judgment of as good a class of men as ever served the public, the officers of the Army now in the field, that we may require, shall require, and are liable to require at any time 100,000 or 98,000 men, as this bill provides. That is their judgment.

Why not? Have we any better judgment than they have? No; we have not so good a judgment on this question. We can deal with the resources of the country, we can decree as to the number of men and the time when they shall be discharged, and various things of that sort, but nothing is left for us but to give an army. Even the Senator from Missouri [Mr. COCKRELL] agrees that there must be a large army. He would allow us 62,000 of the regulars—for which the country ought to be grateful—but he wishes to add to it, knowing that that is insufficient, 35,000 of the inhabitants of the Philippines, Cuba, and Porto Rico, I suppose to serve only in their own countries.

Mr. President, I have a fundamental objection at the threshold to this kind of enlistment. It is provided, if I recollect aright, in the amendment reported by the Senator from Missouri, that the officers shall be citizens of the United States. I ask the Senator if it is not so, that the officers of our Army are to be the officers over the Filipinos?

Mr. COCKRELL. In the bill I presented?

Mr. HAWLEY. Yes.

Mr. COCKRELL. No, sir.

Mr. HAWLEY. Are they to be officered by their own men?

Mr. COCKRELL. They are to be officered in the discretion of the President of the United States.

Mr. HAWLEY. We know what his discretion would be. It is proposed to take 35,000 such men as Aguinaldo has now lying, to the number of 20,000 or 30,000, around Manila, give them the good clothing and the excellent weapons of American soldiers, and, if the President should be so unwise, to give them officers of their own choice. We know from the long history of the South American Republics and we know sufficiently the history of the Philippines to realize how ready for an insurrection all those peoples are. All peoples of Spanish blood or extraction are excitable and ready at any time for revolution. That seems to be the chronic state of all those peoples. A very nice republic, which we are all familiar with, and a very worthy and acceptable republic in South America, has escaped with only seventy revolutions in the last one hundred years. I have not the statistics of all of those revolutions, the number of them, the number of depositions, and all that sort of thing, but they are almost countless.

Mr. COCKRELL. How many revolutions did the Senator say?

Mr. HAWLEY. Seventy.

Mr. COCKRELL. In a hundred years?

Mr. HAWLEY. In a hundred years, so I am credibly informed. I refer to Venezuela.

I think the result of putting into our Army twenty or thirty thousand Filipinos, very well equipped in every respect with what the United States furnishes its soldiers, the best of arms included, would be that in about forty-eight hours after they would join Aguinaldo. They feel under no obligation to us. I do not know how much of an oath they may take, or how much they would care for an oath after having taken it, but if this thing should unfortunately go through and an attempt be made to put it into execution, I will prophesy now here—and I shall look back to it, I am sure, hereafter with the feeling that I was a true prophet—that it will result in a grand and calamitous failure.

I do not think the executive department of this Government, which has the awful responsibility of the lead in this matter, would approve it. I think they want an American regular army of whatever size Congress shall see fit to grant. I would give the President the right under this bill to have as many as 98,000 men. I do not think he will abuse it. I do not think he will misuse that power. He has not exhibited any tendency of that description to go beyond his duty or beyond the expectations of the people. He naturally would desire to discharge the troops just as soon as he

could so as to reduce expenses and be able to point to a settled close of the difficulties. That will be the height of his ambition.

Are we afraid of the Regular Army? Why, Mr. President, the Regular Army is as completely under our control as the key of a piano. The appropriation lasts but for a year. If you have overdone the numbers, you have but to withhold the appropriation. We adopted all the jealousies of our English forefathers as to a standing army, even after the time had passed when they were needed. In the olden time a king had supreme power over the raising of troops and over the payments for them. Finally, after very much agitation, the people very naturally, as they were growing in the centuries toward freedom, took this power into their own hands; and so money appropriated for the army in England is good for nothing after the expiration of two years, and it is good for nothing here after the expiration of one year. The Army live from hand to mouth by that which is voted to them by these two Houses of Congress. But yet we profess to be afraid of the Army. We can starve them; we can let them go hungry after a year, and undoubtedly we can discharge them at any time. We can repeal the act or order the reduction of the Army at any time.

Then, Mr. President, as a matter of fact, the difference of opinion between the Senator from Missouri and myself is not one of numbers. Sixty-two thousand and 35,000 make 97,000. This bill calls for only 98,000. The question, then, must be as to whether any army is needed at all; and if so, why one as large as 97,000? The Senator waives that question, for he provides for the possibility of 95,000, the chief objection that he raises being that he would take some of them from the Philippines, Cuba, and Porto Rico.

The question, Mr. President, is not whether we shall acquire a temporary sovereignty or whether we shall acquire a full sovereignty over and title to Cuba. Article I of the treaty with Spain says:

> Spain relinquishes all claim of sovereignty over and title to Cuba.

So that much is settled. The article continues:

> And as the island is, upon its evacuation by Spain, to be occupied by the United States, the United States will, so long as such occupation shall last, assume and discharge the obligations that may under international law result from the fact of its occupation for the protection of life and property.

That is well understood everywhere. The question is not whether we shall take Porto Rico and take the responsibility of government in toto, because Article II of the treaty with Spain, which we have agreed to, says:

> Spain cedes to the United States the island of Porto Rico and other islands now under Spanish sovereignty in the West Indies, and the island of Guam in the Marianas or Ladrones.

It is not, then, a question as to Porto Rico; it is not a question whether we shall take the Philippines or not. We have done it. Article III of the treaty says:

> Spain cedes to the United States the archipelago known as the Philippine Islands, and comprehending the islands lying within the following line—

I spare you the geographical description and outline of that great possession.

None of these things are in question. You may regret, as many people do, that our glorious sailor, Dewey, did not sail away from Manila after he had destroyed the Spanish fleet. He could not very well have done so, for various reasons. In the first place, the obligations upon a gentleman and a sailor forbade him doing so, for he would have left many Spaniards to be murdered, and he would have left the property of a friendly nation to be burned and destroyed. The city would have been looted—and what looting is among people of that kind you may imagine, for no man can describe it. I suppose also that he did not have coal for that purpose and had not the means of going away, even if he had so desired. Dewey stayed there and took possession. There is not a man I know of in the United States who would try to revoke all that he has done.

The responsibilities were on us in the face of the world, and they are upon us now. How shall we meet them? Shall we sell those islands to the people of the Philippines? Shall we undertake to give them away? You might plunge Europe in war by that. To whom shall we give them, under what conditions, and how would they permit us to give them? Nobody knows. Shall we abandon them and call the Philippine leaders together and say, "Here, this is a bad job; it is a very uncomfortable situation; exceedingly painful and expensive, and we have concluded to go home?" It would be better to do that than to refuse to raise a good army—far better to do that.

I have no fear of a standing army, sir. As I have said, it is the creature of our finger. We have had no reason in our history to fear it. We have never had a great one, except in the time of the civil war, when we had a wonderful army of a million and a quarter men. It is an interesting paragraph in the history of the world, and will so continue in all time, that all those men engaged on either side went home and became peaceable citizens; and they were better citizens than they would have been if they had not been in that war, for they had learned the duty and the beauty of obedience to command, which is obedience to law. They went home law-abiding citizens. They had learned, I say, the beauty of it. The green soldier came out, and when called by his general, who gave to him an order, he turned about with a sneer and said, "I knew that boy when he was 15 years old; we went to school together;" and he rather sneered at the idea of a command from him.

See that same youthful soldier six months afterwards and hear him receive before the tent of his colonel or his captain a command for a certain duty; see him salute and go upon it cheerfully, and come back and salute, proud of having done exactly what he was ordered to do, salute and retire. He is a different man from what he was when he went there, a more valuable man, a better citizen. He has learned a great deal. We do not fear such men—neither South nor North do we fear them. Many people said, of course, Your mountains will be filled with guerrillas, plundering everybody; we will have a stormy set of people gathered as they gather, I am sorry to say, in some European capitals, bent upon tumult, riot, disorder, possibly insurrection.

Unfortunately for those countries, their people do not all know that which is a very precious thing to the American people to know. We do not think of it very often, but we know how to hold a meeting. A body of Americans desire to do something or say something. They know how to call men together, to choose a presiding officer and a secretary, to appoint a committee on resolutions or recommendations, or whatever it may be; to discuss them, to amend them, to lay upon the table, to indefinitely postpone, to agree to them, and go and fight it out, if that be the thing, and then go home in peace. The privilege of assembling is almost as valuable as the privilege of voting—the ability to understand and discuss an act upon great public questions. I am sorry to say that there is not much prospect of the people of the Philippines learning that lesson immediately or instantly. It is not born with them, and this kind of instruction is born with a man.

So far as I can see, nothing is left but to go forward manfully to our duty of keeping the Executive power fully armed. That, before the world, is our duty. Any other course will be fraught with disaster, and will be the shame of the centuries. You can not deny it.

It seems to me, as I said, that this bare statement is enough, and so I think I shall wait for any further discussion of details until we come to them.

Mr. MITCHELL. Mr. President, as a member of the Senate committee having under consideration the Hull Army bill, I think it due to myself to explain my position on it—to call attention to matters of commission and omission in it, and to express some opinions on features not fully covered, from my point of view, by the objections offered to the bill by the Senator from Missouri [Mr. COCKRELL], on the part of the Democratic members of the committee.

The Hull bill is called "A bill for the reorganization of the Army." On examination, this title is found to be misleading. The title ought to read: "A bill for the increase to one hundred thousand and upward of the officers and enlisted men of the Regular Army of the United States." The only organic change in the service which the bill proposes is in the artillery, namely, to substitute corps for regimental organization. Even this improvement—if it be one—is not carried out, for the regimental officers are retained; also the regimental bands.

In the bill as it came from the House one other change in the military establishment was proposed. Undeniably there were hitches in the conduct of the last war. Legislative action was imperative. Reform hovered in the air and then swooped down upon the canteen. This institution was not completely demolished, but pretty nearly so.

The rest of the bill is merely a sum in arithmetic—in "addition."

The Hull bill was referred to the Senate Committee on Military Affairs on February 1, 1899, and was reported back to the Senate on February 10, 1899. A bill of such importance, in view of its departure from established usage, a bill making such a draft upon our resources, called for mature consideration. This necessary time has been denied us.

Nevertheless, the Senate committee, in my opinion, has strengthened the bill in some minor particulars. The Engineer Corps is made a part of the line of the Army. This appears to be in the direction of better discipline.

"Retired officers may be employed in time of war other than in command of troops." This is a measure of economy and efficiency. These experienced officers can take the place of officers on the active list at recruiting stations, arsenals, barracks, and at the Military Academy. The war investigation commission expressed itself on this subject in this way:

> Under existing laws the officers of the Army are retired when they reach the age of 64. We have had before us many suggestions made by officers on the retired list, who are men of experience and distinction, that this law should be so amended as to give to the President the right to call into active

service any retired officers during the time of war. This right exists as to the retired officers of the Navy, and it seems to us there is no reason why it should not be extended to embrace retired Army officers.

It does not appear reasonable that an arbitrary law should prevent, during the existence of war, the use of experienced men merely on account of their age. We think it would be wise to make it discretionary with the President to use the officers on the retired list for filling positions during war, and not trench on the active organization that may be needed in the field.

During the recent war many positions were filled by the appointment of civilians, to which retired officers could have brought professional training, valuable knowledge, and large experience.

The Senate committee has increased the number of cadets to be appointed to the Military Academy by an addition of 2 from each State at large and 20 from the United States at large—a total increase of 100 over that fixed by the present law, or, say, 25 a year for the four years' course. This number will shrink to 10 or 12 through failure to pass examinations. Before the war with Spain, on our peace footing of 25,000 men, the Military Academy failed to meet the needs of the Army in the matter of trained officers. It seems reasonable that the membership in the Military Academy should be increased to correspond, in some measure, with the increase in the number of enlisted men in the the Regular Army.

On the other hand, the committee has not seen fit to make some changes that would seem to be advisable. The number of men to an infantry company has been left, where it stood in the Hull bill, at 145 enlisted men. On the question of the number of men, which should constitute a company for the greatest effectiveness in the field, experienced officers differ. For instance, General Miles believes in a company of 100 men for all arms of the military service. General Schofield prefers a larger company. The efficiency of a military unit in actual warfare would seem to depend in great degree upon the proportion of skilled officers to the number of enlisted men—the higher the ratio of officers, the greater the efficiency. It is expensive, perhaps, but it may mean the difference between victory and defeat. "The man behind the gun" is mighty, but the officer behind "the man behind the gun" is mightier than he. To quote an intelligent writer on this subject:

The Roman centurion was captain of 100 men. The company—the command of a captain—is the foundation of all good armies. There the men first learn obedience and subordination; their individual drill and guard duties; how to preserve health and strength and take care of themselves; how to cook and live as soldiers. On the books of the company is found the military history of the individual, the record of the changes and progress in his soldierly career, and the data on which is founded his claim for provision in impoverished infirmity and old age. The proper command of this unit means personal contact of the commander with his men, and such knowledge of their dispositions, habits, and previous occupations as will enable him to place each man's personality to the best advantage. This personal knowledge, essential to the efficiency of the company, is hardly to be had with more than 100 men.

Nothing in the bill, as it comes from the Senate committee, touches the question of the reorganization of the staff departments. The thinking soldiers of this country believe in a more cohesive organization of these departments, and the thinking people of this country at large appear to be of the same mind. During a time of peace, these semi-independent bureaus move smoothly enough along among their multitudinous papers. But with "the tug of war," we find them tugging in different directions. It may be a long pull, but it is not a strong pull, nor a pull all together. General Runkle writes:

It is certain there will soon be a reorganization of the staff of the Army. At present, while each department is independent, no one can carry on its work successfully without the cooperation of one or more of the others. There is no strictly military head having control over all and to whom each department is responsible for its conduct. Out of this condition has probably grown whatever of failure there has been during the Spanish war. There should be a carefully organized staff, with a chief who would control every department and should be to ours what Moltke was to the German army. Everything then would move with order and precision, and there would be an end of complaints that have their origin in the natural result of a badly organized system.

I give the views of another student of military matters:

The most important feature of the McClellan bill is the provision for a general staff. Few military men will deny the advantages of a general staff organization—not constituted through personal and political reasons. The tendency of the present bureaus is toward complete independence of each other and there should be a central military control.

The general staff should have its relations to the Secretary of War and the General Commanding the Army definitely prescribed. Assignments should not depend on mere favor, but should be determined by merit through the strictly military head of the Army or some properly constituted board.

Besides, the bill does not deal with the anomalous position of the Adjutant-General in his relations to the Secretary of War and the General Commanding.

Furthermore, as existing law does not fix the status of the General Commanding, any bill professing to reorganize the Army ought certainly to correct this unfortunate condition.

As to the situation generally, I read from an editorial in the Philadelphia Press:

It would be impossible to exaggerate the disgust and disappointment with which the American public as a whole regards the present situation at Washington with reference to the Army. In the wrangles and jangles between individuals, the scandals and charges, the denials and countercharges, the public has the least possible interest. These things absorb Washington; but after six months of crimination and recrimination, most sensible men see no way to reach an intelligent opinion without a good deal more examination and information than a busy life permits or furnishes.

But it is perfectly clear, and has been clear for months, that the organization of the Army is altogether faulty and needs reform. The war showed this, and every day since the war has enforced the same lesson. The working of the Army, considered simply as an administrative machine, during the war was altogether unsatisfactory. Throughout there was a lack of clear personal responsibility; of coherent cooperation; of ordered, systematic management; of prompt action, such a lack as in all enterprises indicates a poor organization.

Exactly the same deficiencies have been apparent since the war. In place of the swift, silent, efficient working of a big, well-knit, well-planned, well-run, highly disciplined machine, such as all men associate with an efficient army, the military service of the United States has been the scene of charges and countercharges, of wrangles and cross-purposes, of insults and intrigues which would disgrace a village barroom club.

Into the relative truth and justice of these wretched quarrels it is impossible to enter without a fuller knowledge of the facts than is possible at present, and the public really cares very little who comes out on top. No one at Washington begins to realize how little the country at large cares who holds a particular place as long as the particular job is done with silence, national self-respect, and efficiency. Men are nothing in these things; the Army organization, on which the national honor and safety depend, is everything.

Yet, with every evidence that the entire Army organization needs reform and improvement, nothing has been done. The entire system needs to be recast in the light of the latest military experience. Our own Army organization has remained unchanged for nearly a century. The war showed it to be most inadequate. Yet the War Department has had no plan for reorganization, and the various Army bills and the particular measure which has passed the House leave the organization of the Army substantially unchanged. The Army is enlarged, but, save in certain details as to temporary and permanent staff appointments, no radical change is made. No effort is apparent to use the best experience of the world to improve our Army organization.

If another war came it would find the Army in substantially the same condition as the last, and the same collapse of the staff, the same friction between line and staff, and the same lamentable scandals would succeed. No broad purpose is apparent in the War Department, the Army, or in Congress to cure these evils, and the country, as we have said, is disgusted and disappointed, and with justice and good reason. Instead of reform there are differences, disputes, and quarrels. The result is lamentable. It has lowered the national prestige abroad and diminished the national confidence at home. A grave mistake in public policy will be committed if this situation is permitted to drag on and personal bickering is allowed to hold the stage when there should be some strong, able, and vigorous effort to reform the organization of the Army by some one who has learned and profited by the plain lessons of the late war.

The kernel of the bill is the proposition to increase our permanent army to over 100,000 officers and enlisted men. To this there is a proviso—added under stress of circumstances—authorizing the President to decrease this force to something less than 60,000 men. But the proviso was put into the bill as a vote-catching device and is not to be taken seriously. A large standing army is contrary to the settled policy of our Government. Our uniform policy in the past has been to maintain a small regular army as a nucleus, and, in the event of war, to trust to the organized militia and volunteers to make up the necessary force. Who ask for this increase? Certainly not the producers of this country, who will have to earn the $100,000,000 which will be annually required to pay for it. It is not asked for by the Cuban patriots, neither do our fellow-citizens, the Filipinos, demand it. Perhaps it is asked for by the Army officers themselves. On a technical military question touching tactics, or the administration of the Army, I am disposed to listen to a military officer. But on the sole question of an increase in the Army I would hesitate to follow him implicitly. As well consult a toreador on the benefits of bull-fighting. With the Army officer, in the very nature of things, it is increase, more increase, still more increase!

To even approximate to the number of troops which is really needed is a matter of exceeding difficulty. General Miles thinks that 15,000 men are sufficient in Cuba. The army of Spain in Cuba at the outbreak of the last war for independence numbered 12,000. Our special commissioner, Robert P. Porter, is credited with the following statement, made at Havana on February 3 last:

While the situation here has been improved and simplified by the declaration of General Gomez that he will immediately take part in the pacification of Cuba, the advantage thus gained should be followed up by the American authorities. The entire policing of the island should be done by the Cubans themselves. The real police work is, in fact, now in the hands of Cuban soldiers, and law and order are well maintained. There should not be a moment's delay in the organization and equipment of these civil guards.

The bulk of the American soldiers must be taken out of Cuba by April. There is really no necessity for more than two regiments in each province, to serve as a background of support for the Cuban police. In giving the best of these people employment, all the more will be left of the relief fund for those who must be helped back to the island.

As there are five provinces in Cuba, Mr. Porter thinks 10,000 men sufficient. According to the opinion of those who have visited the island and understand the sentiment of its people, not more than 3,000 men will be required in Porto Rico. A regiment or two will be needed in Hawaii. As for the Philippines, if the present programme is carried out the number of men is a matter of pure conjecture—it may be 20,000 or it may be 200,000. For myself, I would say none; no soldiers should be mustered in for the purpose of shooting our ideas of liberty and justice into an alien people.

At home, there ought to be some increase in the artillery to adequately man the new seacoast fortifications. Aside from this there is no demand for more troops in the United States proper,

as distinguished from the United States improper. [Laughter.] The Indians within our borders are no longer a menace. The constabulary and the National Guard are quite able to control domestic disturbance. Externally, Mexico does not threaten us. The Cuban question, now that Spain has evacuated the West Indies, has ceased to be a thorn in our side. It is inconceivable, in the light of recent occurrences, that any question can come up between Great Britain and ourselves not solvable by arbitration.

Never in the history of our Government could it so well afford to totally disarm. And yet, finding ourselves in this condition and standing on the threshold of a peace with Spain, we are urgently asked to quadruple the peace footing of our permanent Army.

Mr. PROCTOR obtained the floor.

Mr. COCKRELL. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The absence of a quorum being suggested, the Secretary will call the roll.

The Secretary called the roll, and the following Senators answered to their names:

Allen,	Faulkner,	Mallory,	Ross,
Allison,	Foraker,	Mantle,	Sewell,
Bacon,	Frye,	Martin,	Shoup,
Bate,	Gallinger,	Mitchell,	Spooner,
Berry,	Gorman,	Money,	Stewart,
Burrows,	Gray,	Murphy,	Teller,
Carter,	Hanna,	Nelson,	Thurston,
Chandler,	Hansbrough,	Pasco,	Turley,
Clark,	Hawley,	Pettus,	Vest,
Clay,	Heitfeld,	Platt, Conn.	Warren,
Cockrell,	Kenney,	Platt, N. Y.	Wellington,
Cullom,	Kyle,	Proctor,	White.
Daniel,	Lindsay,	Quay,	
Deboe,	McBride,	Rawlins,	
Fairbanks,	McMillan,	Roach,	

The PRESIDING OFFICER. Fifty-seven Senators having answered to their names, a quorum is present. The Senator from Vermont is entitled to the floor.

Mr. HANSBROUGH. Will the Senator from Vermont yield to me a moment?

Mr. PROCTOR. Certainly.

Mr. HANSBROUGH. I desire to give notice that at the proper time I shall offer the amendment which I send to the desk as a substitute for section 18 of the bill. I ask that it may be printed and lie on the table.

Mr. PROCTOR. Mr. President, I now offer the five amendments of which I gave notice yesterday, and ask that the first one be considered. I do not care to have it read unless the reading is called for.

Mr. BACON. Let them be read. We desire to know what the amendments are.

Mr. BATE. Let the amendments be read.

Mr. COCKRELL. The Senator from Vermont merely desires that the amendments shall be laid before the Senate for the purpose of this discussion.

Mr. PROCTOR. Yes.

Mr. COCKRELL. Let them be read.

The PRESIDING OFFICER (Mr. BURROWS in the chair). The first proposed amendment will be stated.

The SECRETARY. It is proposed to strike out the proviso in section 6, commencing in line 2 on page 10, which reads as follows:

Provided, That all vacancies created or caused by this section shall be filled by promotion and appointment as now prescribed by law, but no person shall be appointed to the position of major and assistant adjutant-general until he shall have passed a satisfactory examination similar to that required for promotion to the rank of major prescribed by regulations made under the act of Congress approved October 1, 1890.

And insert in lieu thereof the following:

Provided, That after the passage of this act such vacancies in the Adjutant-General's Department, except that of the head of the corps, as can be filled by regular promotion of officers now in that corps shall be so filled in accordance with existing law, but no new appointments shall be made; and all vacancies not subject to be filled by such promotion shall be filled by detail by the Secretary of War of officers of the line of the same grade in which the vacancy exists. The chief of the corps, however, shall, in case of vacancy, be detailed by the President, by and with the advice and consent of the Senate, from the brigadier-generals, colonels, or lieutenant-colonels of the Army, and such officer, while at the head of the corps, shall have the pay and allowances of a brigadier-general.

The details shall be for the term of four years, unless sooner relieved, and officers below the grade of lieutenant-colonel shall not be eligible to another detail until they have served in the line for a time equal to their last previous service on staff detail. Officers above the grade of major shall be eligible to repeated detail without restriction. Officers serving under this provision on staff detail shall take rank in their grade according to the date of their detail. The detail of an officer, except when it relieves another officer to go back to service in the line, shall be treated as creating a vacancy at the foot of his grade in the line, which shall be filled by regular promotion, the purpose of this provision being not to deplete the number of officers available for duty in the line, but to maintain as many line officers as are authorized by law for companies and regiments, and a sufficient number in excess to fill the staff details hereby authorized.

Details shall be apportioned as nearly as may be among the three arms of the line of the Army in proportion to the number of officers in each, and the details shall be made from those officers who have been recommended for their special qualifications for the duties to which they are assigned, as shown by the efficiency reports of their superior officers forwarded through military channels and on file in the office of the Adjutant-General.

While on staff duty the officer's name shall still be carried on the register in its proper place, with a notation stating the staff department to which he is detailed, and when his detail terminates or when promoted he shall return to his arm of service, preserving his lineal rank therein: *Provided*, That the Secretary of War shall not be required to fill a vacancy in any staff department if, in his judgment, a less number of officers will suffice to perform the duties properly.

The PRESIDING OFFICER. Does the Chair understand that the Senator from Vermont offers this amendment at the present time?

Mr. PROCTOR. Yes; as an amendment.

Mr. COCKRELL. The amendments are part and parcel of the same proposition. Let the whole thing be read, so as to present the entire question.

Mr. PROCTOR. The other amendments referred to are as follows:

Strike out the proviso in section 7 of said bill, commencing in line 15 on page 10, which reads as follows:

Provided, That all vacancies created or caused by this section shall be filled by promotion and appointment as now prescribed by law, but no person shall be appointed to the position of major and inspector-general until he shall have passed a satisfactory examination similar to that required for promotion to the rank of major prescribed by regulations made under the act of Congress approved October 1, 1890.

And insert in lieu thereof the following:

Provided, That all vacancies in the Inspector-General's Department shall be filled in the same manner and subject to the same regulations and restrictions as is hereinbefore provided for filling vacancies in the Adjutant-General's Department.

Also strike out both provisos in section 9 of said bill, commencing, respectively, in lines 16 and 19 on page 12, down to and including line 2 on page 13, which read as follows:

Provided, That all vacancies in the grade of colonel, lieutenant colonel, and major created or caused by this section shall be filled by promotion, according to seniority, as now prescribed by law: *And provided further*, That persons who have served in the Volunteer Army in the war with Spain, and persons in civil life, may be appointed to positions in the grade of captain created by this section; and such persons, prior to appointment, shall be examined as to their moral, mental, and physical fitness for service; but no such person shall be appointed to the grade of captain after he shall have reached the age of 40 years.

And insert in lieu thereof the two following provisos:

Provided, That all vacancies in the Quartermaster-General's Department shall be filled in the same manner and subject to the same regulations and restrictions as is hereinbefore provided for filling vacancies in the Adjutant-General's Department: *And provided further*, That the Secretary of War may, when in his judgment it may be for the interest of the service, detail the same officer for duty in the Quartermaster's and the Subsistence Departments, but such detail shall create but one vacancy in the line.

Also, strike out the two provisos in section 10 of said bill, commencing, respectively, in lines 14 and 17, on page 13, which read as follows:

Provided, That all vacancies in the grades of colonel and lieutenant-colonel and major created or caused by this section shall be filled by promotion, according to seniority, as now prescribed by law: *And provided further*, That persons who have served in the Volunteer Army in the war with Spain, and persons in civil life, may be appointed to the grade of captain created by this section; and such persons, prior to appointment, shall be examined as to their moral, mental, and physical fitness for service; but no such person shall be appointed to the grade of captain after he shall have reached the age of 40 years.

And insert in lieu thereof the following:

Provided, That all vacancies in the Subsistence Department shall be filled in the same manner and subject to the same regulations and restrictions as is hereinbefore provided for filling vacancies in the Adjutant-General's Department.

Also, strike out the second proviso in section 14 of said bill, commencing in line 25, on page 18, which reads as follows:

And provided further, That all vacancies created or caused by this section shall be filled by promotion and appointment as now prescribed by law.

And insert in lieu thereof the following:

And provided further, That all vacancies in the Ordnance Department shall be filled in the same manner and subject to the same regulations and restrictions as is hereinbefore provided for filling vacancies in the Adjutant-General's Department, except that they shall be taken wholly from the artillery arm of the service.

Mr. PROCTOR. Mr. President, these amendments, taken as a whole, change by a gradual process the present system of permanent appointments in five of the staff corps of the Army, viz, the Adjutant-General's, Inspector-General's, Quartermaster-General's, Commissary, and Ordnance, to one of detail, substantially like the Navy system, that of the English army, and, to some extent, of the armies of continental Europe. The status of the present members of these corps is not affected. They go on and receive their regular promotion until they retire, but the vacancies are filled by detail for four years instead of by appointment.

I make no attack upon any of our staff corps. On the contrary, I believe they have universally rendered faithful and generally excellent service, but no better, certainly, than the line, and at far less risk of life and health. But their good service has been a result of the ability and high character of the officers of our Army generally and in spite of a vicious system.

If the bill passes in its present form, we can not expect any reform in Army organization for twenty-five or fifty years, and

we are already fifty years behind the times. The present evils will be intrenched stronger than ever. I am confident that the adoption of these amendments will aid the passage of the bill. A staff corps is a feature of all well-organized modern armies. These amendments, while they do not directly establish a staff corps, make it possible and feasible to do so within a few years. In fact, they go as far in that direction as it is practicable to go now without encountering interested opposition that would doubtless be fatal.

In advocating this change, let me describe briefly the present system which this bill continues, and state some of its evils. Each staff corps is entirely distinct by itself and its members permanently separated from service with troops or in another staff corps. When a vacancy occurs in the staff the promotions are made regularly and an appointment is made at the foot of the list. Less care is used than would be in an appointment to a higher place. It is a mere statement of fact to say that the man who has the strongest pull usually gets the place. It is oftener obtained on political influence; sometimes on personal or social.

Permit me to state the common method. There is a vacancy, or is to be one, of a captaincy in the Quartermaster's Department. The scramble for the place commences months before the vacancy actually occurs. There are about six hundred first lieutenants in the line of the Army, aside from the temporary increase; one hundred or more of them—sometimes three hundred, I am informed—are applicants for the place.

There are hundreds of others just as well fitted who do not, either because they have no influential political friends to back them, or in many cases, I am glad to say, because many of the most deserving officers of the Army, from a nice sense of honor and propriety, will never seek preferment or allow their friends to do so for them, resting their claims entirely, and, with rare exceptions, vainly, upon their record. The applicants in these cases file briefs giving their record, with letters from military officers, personal and political friends. These briefs are often printed pamphlets of many pages.

The wives, mothers, and sisters of the applicants in personal interviews appeal to the President and Secretary. This scramble to get out of the fighting branch of the Army is at least unseemly. Of course, but little consideration is given to most of these applications. Senator A or Representative B has a relative or a constituent with powerful influence behind him, and he demands the appointment and gets it. The appointee has received a promotion of a grade, not upon merit, but by influence, and in doing it has jumped many of his fellow-officers quite as good or better than he.

No system could be better calculated to kill ambition. The officer is certain of his future. He has his office and his clerks in a city, for quite a part of his service is in Washington and other large cities. Except in times of great emergency he has regular office hours, none of the hardships of frontier posts and unhealthful climes, none of the labor and responsibility of commanding and training and caring for men. He and his family have all the advantages of good society and his children of schools. Of course some of these men must become "bureauized," to coin a word. But if they keep within the lines of military law, which is easy, they are safe in their positions. A tour of duty with troops or a permanent return to the line of such men would be greatly for their good and that of the service.

I have a list here of the appointments for the last ten years. In many cases officers have jumped over a hundred of their seniors, and sometimes up to five and six hundred.

Mr. HAWLEY. May I ask a question? Is there not a difference between Secretaries of War?

Mr. PROCTOR. Human nature is much the same, and transgression is progressive. I think when almost any Secretary catches on to the points, he will fall into the rut. I was glad to notice that the first Secretary under Harrison's Administration was a little careful for a time, but it was for want of comprehension of his opportunities and not from any virtue. [Laughter.]

The purpose of these amendments is in part as follows:

First. To inaugurate a system of staff detail in substantial conformity to that of the Navy, which has given so good practical results there, and which has just been extended by the personnel bill. Let me quote the reply given by the Senator from Maine, the chairman of the Committee on Naval Affairs, to an interrogatory of the Senator from Missouri in the debate last Friday on the personnel bill:

> The Senator knows that the difference which has always been maintained, and a very important and useful difference between the Army and the Navy, is that all of these corps and the heads of the corps are subject at any time for proper cause to removal, and that they only hold for four years at any rate. So the Secretary of the Navy does not find himself, as the Secretary of War does, confronted with bureaus over which he has no control, and whose positions last for life. There is nothing of that kind in the Navy.

Second. To make it possible in a few years to establish a staff corps, a leading feature of all the best modern armies, and to combine the Quartermaster's and Commissary Departments, if hereafter deemed advisable. These results can readily be accomplished when all the officers of these corps become detailed instead of appointed officers, as their staff service will then be temporary, terminable at pleasure, and their interests will not be affected. It is concentration of staff authority, and not division and distribution, that our service needs.

Third. To make the staff service in our comparatively small Army educational, and to train a much larger number of officers for staff duty, whose services would be available in an emergency. Now an officer in the staff is a fixture there, whether he proves to be the right man for the place or not. The line officer has no opportunity to be tried in staff duty. His juniors are appointed over him, and the time soon goes by when he could accept a place at the foot of a staff corps, where he must go if appointed. Under a detail system a good officer would doubtless be selected early and serve on different staff corps and have the all-around training so important for a high command. An opportunity would be given to test the qualifications of many officers for the peculiar duties of the different staff corps, and in the end those who proved best would receive the higher details; and there would always be a good number of officers in the line well trained in every staff duty whenever an increase is desired.

In this connection I wish to speak of the custom in the English army. I think the most prominent generals of the English army for years have served in both the adjutant-general's and quartermaster's departments. I have a list here furnished me by a general officer of our Army, in which he states that Sir Evelyn Wood, Lord Roberts, Sir Redvers Henry Buller, Sir Herbert Kitchener, and Lord Wolseley have all served in those positions. Lord Wolseley served in England, in Ireland, in Canada in the Winnipeg rebellion, and in China, India, and Egypt, and interspersed with this service he held inferior positions as quartermaster, and adjutant-general, and inspector, and finally as quartermaster-general, going back after his quartermaster-generalship to serve with troops, and then as adjutant-general, and now he is commander in chief.

Fourth. These amendments give the President and Secretary of War greater and proper power when they most need it, to form and re-form the staff to meet the demands of the service during their terms of office and to take away the power to make permanent appointments of young officers, before they have demonstrated their fitness therefor, to the serious future detriment of the service.

Fifth. They divorce politics from the Army and the Army from politics. The training of our officers at West Point is admirable; perfect in this respect. Political or other influence is of no avail there, but the cadet stands on merit alone. The Military Academy board can not be swerved in their action by Senators, Secretaries, or even Presidents. The officer is started right on his course, but soon learns that influence counts to secure staff appointments. These amendments remove the temptation to use influence, as the detail is temporary and gives no increased rank, except in case of the head of the corps.

In the natural order of things details would be made upon merit, while influence counts largely in appointments to lower grades, and when an officer is once appointed he rises by regular promotion to be the second in rank in the corps. If there is a vacancy at the head, he and his friends claim it as his right, and a President often appoints him chief rather than to jump him, when he would prefer another. These amendments leave the President unembarrassed by claims of rank, and equally free to select the chief from a large number of officers.

Sixth. The amendment providing that service in the Ordnance Corps shall be open to the whole artillery arm is clearly just. It is a parallel case to that of the engineers and line of the Navy. The men who use the guns ought to know how to make them, and the frequent infusion of fresh blood in that department, as in others, will be for the benefit of the service.

I appeal, Mr. President, in behalf of the line of the Army, the men who endure the hardships and privations, who are stationed on the frontiers, who often must be separated from their families, and must send their children a long distance away for education and incur large expense. Let us do simple justice to these men, the fighting branch of the Army, to the officers who expose their lives in battle and to the greater danger of pestilential climate.

Our victory at Santiago was won by the line of the Army. Over 20 of these officers of the line were killed there; 87 of them wounded. Some of these have since died, many of them are maimed for life, while I think only one of the permanent staff serving as such was wounded; that was an assistant surgeon. Let us give these officers an equal chance in all respects with the staff serving in a bureau office. These amendments will do much in that direction. The bill as it stands will perpetuate a great injustice to the line of the Army and a constant danger of inefficiency and friction in the staff.

Mr. WARREN. Mr. President, we have before the Senate two propositions for providing an army. One, the Hull-Hawley bill, is a systematic, carefully balanced measure, by which we provide

definitely and quite minutely for the whole establishment—officers and enlisted men, staff and line, rank and file, artillery, cavalry, infantry, engineer, signal, and hospital corps, etc., the whole structure resting on the broad foundation of the knowledge gained in all of our past experiences, including the late Spanish war, and including the changes wrought by new inventions and modern tactics and knowledge of warfare at home and abroad. In this bill we have measured our necessities and our resources.

The other bill, the Cockrell or substitute bill, Mr. President, is at most a makeshift. It can be nothing more, because it is temporary and general, with no details worked out. It carries with it all the faults of the organization heretofore, and promises no improvements whatever. It supplies none of the wants and strengthens none of the weaknesses developed in our late experience. In this temporizing measure we will perpetuate all that is or ought to be obsolete and all that is faulty, while correcting no errors, reforming no methods, making no progress.

Mr. President, the world has made long strides and very remarkable progress of late in matters of war, in ordnance and armament of high power, in projectiles, in rapid-firing arms, in smokeless powder, etc., and therefore a different personnel, a different assignment and alignment of forces, is required; in fact, it is almost indispensable. Yet the bill offered by the Senator from Missouri recognizes none of these changes and provides for none of these necessities. The armies of to-day, with the newer inventions and more powerful machinery and munitions of war, should be differently constituted from the old. There should be less proportionately in the way of manual, physical strength in the number of enlisted men and more in the way of education, experience, and accurate training. In other words, it requires more commissioned and noncommissioned officers and privates of the first class and fewer private soldiers of the ordinary class than formerly, because of our different methods. Notwithstanding this acknowledged fact, the substitute bill proposes an inverse ratio, a greater proportion of uneducated, untrained enlisted men, and a less proportion of the educated and the trained.

To illustrate this and to be accurate, I will state that in 1853, before the civil war, the proportion of commissioned officers to enlisted men in our Army was 1 officer to every 9.63. After the increase of the Army some years ago to 25,000 men we had 535 general and staff officers and 1,629 line officers, giving a total of 2,164 commissioned officers, and this with 25,000 men gave us 1 commissioned officer to every 11.57 enlisted men. Bear in mind we had 1 officer to 11.57 enlisted men for the twenty years previous to the war with Spain.

We then increased the Army to 27,000, the increase being in the artillery. This change did not vary the percentage very much, except to leave our forces still shorter in general and staff officers. Then by the act of 1898 and during the war we increased the Army to 63,166, more than twice and a half as large as before, and in doing this added but 43 officers to the entire list of staff and general officers and but 249 to the line. This great increase in enlisted men and very slight increase in commissioned officers raised the proportion to 25.69 enlisted men to each officer, so that we then had less than one-half the percentage of officers to men that had prevailed before, notwithstanding the contention that with improved modes of warfare the percentage ought to change in the other direction.

But the Cockrell bill, Mr. President, would leave us still worse off, for at its maximum the percentage would be 1 officer to 31 men, more than three times as many men in proportion to officers as in 1853, nearly three times as many as in 1878 and up to 1898, and even a 20 per cent greater discrepancy than during the last year.

With the Hull-Hawley bill we would have, with the Army at minimum, 1 commissioned officer to every 16.6 enlisted men—not quite the regulation 16 to 1, but nearly enough to notice the coincidence. With the maximum in the same bill we should have 1 officer to 27.8 men. Surely not too many officers in either minimum or maximum, judged by any standard, past numbers, past experiences, near or remote, or present and prospective methods, all considered.

It is true that this substitute bill follows the regular establishment or Regular Army of to-day as to staff as far as it goes, but at present and all during the late war we have had a large volunteer force, practically unlimited in the number of officers and men, so that the War Department and the President have been able to provide from the volunteer forces for the shortages in the regular establishment.

But by this very bill proposed the Volunteer Army ceases to exist, and the regular establishment must then stand unsupported, and will be consequently crippled and hampered in its organization, particularly as to staff, and open to every criticism that has been made against the Army and its operations during the late war; yea, and more, because you intensify the weaknesses heretofore admitted as existing. With all the increase which the substitute bill proposes and which as to enlisted men is larger in its minimum by some 3,000 and smaller in its maximum by only about 1,000 than the regular bill, not a man (or but one only) is added to the staff, nothing to the corps of surgeons, no quartermasters nor subsistence officers, in fact no help at all as to the general and staff officers and noncommissioned staff corps, just where help is most imperatively needed.

The yellow journals, in their attacks upon the management of the war, have found all their ammunition for attack in alleged shortcomings of general and staff officers of the Army. Have the soldiers been neglected in sickness? Have they been short of food, or has the food been bad? Has there been failure in securing proper transportation facilities? Then the fault is surely not with the privates and the noncommissioned officers or with the officers of the line. They have been in sufficient numbers, with the assistance of volunteers, to be able to perform their duties and keep abreast the current work.

But in the staff it has been constantly shorthanded and tremendously overworked, notwithstanding the temporary relief supplied from the volunteer forces. As an instance, those who have had business with the Adjutant-General's Office—and who among us has not—know full well how overworked have been its officers and employees. Take its chief officer, the Adjutant-General. I assume that every Senator in this body will agree with me in conceding that if he had not been of iron constitution, tremendous will power, and great executive ability in transacting business, he would months ago have been in his grave, a most brutally overworked man. His office has been open almost night and day and thronged with callers, his desk piled high with telegrams, his whole suite of offices overflowing with letters, under all of which his regular and special forces have been struggling.

Night and day, Sunday and weekday, there has been no rest or let-up, no cessation; secretaries and confidential employees hardly leaving the building for weeks, scarcely removing clothing or reaching a bed for days at a time. There was a little repose upon a lounge or in a big chair for a few hours out of the twenty-four, and all of the rest of the time it was hurry and scurry and work. This was measurably true in the other Departments. And yet this proposed substitute bill seems to expect the same staff force, or rather a lesser one—for the bill will really reduce it—to go on handling all the affairs of peace and war of our forces at home, in Cuba, Porto Rico, Hawaii, and the Philippines.

Mr. President, general officers and staff officers are the directing power of an army. They perform in the Regular Army establishment much the same functions that the brain does in the human system. The arm, the hand, the fist can administer a powerful blow, the foot can apply a most vigorous kick, great muscular power is possessed and enforced by different parts of the body, but the brain is the equilibrium. The organ has not in itself the muscular force which administers the blow or the kick, but it guides and governs all parts of the body.

So with the staff of an army. It maps out, it plans, it divides and subdivides, it connects all of the arteries and forces of the entire army in all its divisions. It directs and relegates authority. I do not mean to assert that individual members of the staff possess more brains or a higher order of intelligence than other officers of the Army, but the positions and duties are such that army success in peace or war must depend on its ability, faithfulness, and industry. Therefore any bill which does not carefully consider general officers and staff is faulty and incomplete. You can not treble or quadruple the numerical force of the Army and extend operations over the West Indies in the Atlantic and the islands of the Pacific—Hawaii and the Philippines—and successfully conduct it all with the same general officers and staff with which you handled an army of 25,000 men in times of peace in our own country, and that, too, before the installing of our growing system of coast defenses. It is preposterous to suggest it and expect anything but disastrous results.

Mr. President, I can not say too much in favor of the Army being provided liberally with educated, experienced officers of the line, commissioned and noncommissioned, and a high grade of men; for, no matter how patriotic the private soldier may be, he must have proper training and direction for his patriotism and strength in order to be effective in modern warfare. And this brings me to another question.

The substitute bill provides for private soldiers enough, but not enough officers—in fact, for no more officers—and this notwithstanding the present acknowledged shortage of officers all along the line. We have to-day the spectacle of troops at the front, where war or disturbance may ensue at any moment, with only, in one case, 7 commissioned officers and in another 12 for line and field duty in regiments of 12 companies each.

Yet, notwithstanding this present shortage of commissioned officers, we have no officers on detail duty that can be drawn in. Take, if you please, the matter of military schools throughout the United States. Not a single one of the State institutions or private institutions where military tactics are taught and cadets are instructed has a commissioned officer of the United States to-day. Is this right? Is this the way to make citizen soldiers? Is this the way to teach our growing boys the art of war, so that in

cases of necessity when we call for volunteers we may have a reasonable number of them educated, in some slight degree at least, in military affairs? Look at your militia in all the States under the orders of the respective governors. There should be in every State on the staff of the governor a United States Army officer, one of the best and most experienced drill masters and disciplinarians, in order to assist the militia and its officers, and for that matter the governor himself, in educating the citizen soldiers as State militia. You have not an officer for this duty now. What is this country to depend upon in case of war with some great foreign power?

Where are you to get an army unless you depend upon the volunteers, the citizen soldiers? You have Germany with a standing army of nearly 500,000 men, Russia with an army of nearly 800,000 men, France, Great Britain, and others with powerful armies, while we, under either one of these bills, will have an army of less than 100,000 officers and men, staff and line, professors and all. What are you to do about your Indian agencies, heretofore according to law largely filled by Army officers? What are you doing now with your Army schools of instruction? Are they not now all closed? Are there officers enough to man them? The one at Leavenworth is closed, out of business. The one at Fort Monroe, the one at Fort Riley, all closed—no officers, no instructors. Is this the way we are to produce and promote an efficient army? What about all the costly structures throughout the United States in the way of forts, nearly all of them now without officers? A few sick men, with a corporal or a sergeant, at one; four or six soldiers and a sergeant at another, and so on.

We have instituted some six military divisions in Cuba and are collecting our customs and administering government in all of these with United States officers. United States commissioned officers are collecting taxes, carrying the accounts, in fact doing the work usually performed by civil government. In Porto Rico it is the same; in the Philippines it is the same. And yet you propose to leave the staff exactly where it is, and where it was when we had 25,000 men and only our own country to guard—no war or insurrection, but perfect and pleasant peace. Under the substitute bill the same general officers and staff that did only the work in this country in time of peace, and with only 25,000 men, are now expected to take care of this country the same as before, take care of the different divisions in Cuba, Porto Rico, Sandwich Islands, and the Philippines. Three major-generals, including the Commanding General of the Army, and six brigadier-generals for the whole United States and these outlying countries, and just the same number of colonels, lieutenant-colonels, etc., for the staff that have been found necessary in the United States alone, and with one-fourth the number of men.

Who are you going to put in command at all these distant points, and what officers will assist? Your staff officers are not numerous enough, and you have none that can be spared from the line. What about line officers for the native troops that you propose to enlist under the substitute bill? Will you leave that to the President? Where will he get them? Will he detail them from the Regular Army? If so, how will you fill the places of such officers so detailed? Can he appoint to the Regular Army as in the volunteer service? No; you do not give him that privilege under the Cockrell bill. You give the President the privilege of appointing, and that without confirmation or consultation, officers for the proposed native troops, but unless he takes them from the Regular Army, leaving the places thus made vacant unfilled, he must appoint all officers for foreign or outside service either from the natives themselves or from civil life.

Are you ready and willing at the present time to recruit a force in the Philippines, we will say, where all the officers and men shall be natives of that country? Are you willing at this time to trust implicitly in their loyalty, constancy, and ability? If not, do you think you will have as perfect an army there by appointing as their officers civilians and men uneducated in military affairs as if you had Regular Army officers and proper organization? Will such a force be effective? Will it be economical? Not at all.

In fact, turn it any way you will, there is not a single affirmative proposition in the Cockrell bill that is not contained in the Hull-Hawley bill or in acts already passed. There is not a single positive restriction in the substitute bill that is not contained in the other bill or in the present statutes. But there are scores of things left out of the Cockrell bill, and necessary provisions, too, that are included in the Hull-Hawley bill. The latter covers all the former and contains, in addition, that which is necessary to make it good legislation.

In the printed objections of the honorable Senator from Missouri, Document No. 123, which I have in my hand, he avers, first, that the reorganization of the Army is an important question, far-reaching in its effects, and that it should be approached with care. That is exactly our contention, and its importance has been duly weighed and carefully considered in the bill which we now propose and which is the result of long study and hard work. The departments, staff, field and line, rank and file, have all contributed; the Military Committee of the House and the House itself, and the Military Committee of the Senate as well, and the consensus of all is represented in this carefully prepared measure.

It is next affirmed in the Senator's bill of exceptions, or objections rather, that the reorganization of the Army should be done thoroughly and deliberately, to the end that it should be made superior to any existing military organization in the world. To this I agree. But deliberation does not require that men shall be born and die, and still other generations shall be born and die, and so on from year to year, generation after generation, without attempting to do anything in the line of betterment, without moving in the line of progress, constantly refusing to organize because we are deliberating, still deliberating. As an instance of this, note the delay in re-forming our infantry regiments to the three-battalion formation.

The matter was agitated for years and years, for decades, yet, Mr. President, these deliberators who are now deliberating on the reorganization of the Army never got to a point where they were ready to take on the three-battalion formation, simply because it added a few majors to the Army and they feared it would not be a popular move with some of their constituents. While other nations went on progressing, one after another adopting the three-battalion formation until at last the United States and China were the sole representatives of the old fashion, still we were unable, Mr. President, to do what other nations had done, or to do what it seemed as if everyone in this nation must approve of, namely, to get our infantry onto an effective fighting basis. Poor old China and we still trudged on together, glorying in the antiquity of our tactics and in the fact that we were the only two nations that revered the ways of the fathers. Finally, when war had overtaken us and we were compelled to legislate in other lines, we managed to incorporate a three-battalion clause, and our deliberations along that line were ended.

Of course, our forefathers had a different infantry formation and they had different arms. The flintlock was a great arm and a dangerous weapon in its day, but there seems no reason why we should not use a better and a more modern gun now; nor is there any reason why we should not at once reorganize our Army. Nothing will be gained by waiting except more confusion.

Further on in this bill of objections occurs the observation that the bill only changes the present organization in one particular, that of discontinuing the regimental organization of the artillery arm. Surely my friend the Senator from Missouri must have made this statement hastily, for there are changes all the way through. There are some changes in all lines—artillery, infantry, cavalry, signal, hospital corps, and others.

It may be said that some of these changes are slight, that they do not amount to anything; but, Mr. President, I maintain just the opposite. Every one of these changes, even though referring to the minor officers, or to the classification of first and second class privates, or to the creation of new positions under the heads of corporals and sergeants for the noncommissioned staff, etc., are yet details that have been carefully considered and are such as go to make up a perfect organization and a successful working force.

In the largest and most powerful engines there are small, almost infinitesimal, parts that are just as necessary to its mechanism as the more ponderous pieces. The machinery can not run without these small pieces, and each piece, large or small, is necessary to success. So in the working of the Army. The smaller matters of reform in the Hospital Corps, in the Subsistence and Supply Departments, and in others are just as important as some of the larger matters. There are innumerable changes and improvements in the bill we are advocating, and it can not be successfully maintained that it fails to reorganize the Army, as it proposes to do in its title.

Now, Mr. President, what does the Cockrell bill provide? First, that the Volunteer Army shall be discharged. That is provided for already by existing law, and I take it the law is mandatory in this; so that that much of the substitute law is unnecessary. Section 2 of the bill provides for the discharge of the last year's increase of the Regular Army, but that, too, is accomplished by existing law; so this section is unnecessary. Section 3 provides that the President may, in his discretion, organize a military force in Cuba, Porto Rico, and the islands of the Pacific of 35,000 enlisted men. Well, this is provided for in the Hull-Hawley bill, and, in my opinion, much more methodically and satisfactorily. There is no provision made in the Cockrell bill for officers for these men of the islands unless it be under the provision in the section which says, "and officers as the President may direct."

Now, Mr. President, if there are any who think that the Hull-Hawley bill goes too far and gives too much latitude and too much discretion to the President, they will observe that the Cockrell bill gives even more, as it authorizes the President to appoint for these outside military forces, without any restrictions whatsoever, all the commissioned officers he may see fit to appoint, without examination, without any qualifications as to age and fitness, and without saying "by your leave" to anybody whatsoever. Hundreds, yes, thousands, of commissioned Army officers may be appointed

without submitting the name of a single one to the Senate for confirmation, as is the case of all other officers, military or otherwise, in times of war or peace.

While I may not object personally to such a wide discretion as this substitute bill contains in this particular, yet I submit that it does not comport with the usual precautions and safeguards that the author of the bill usually proposes. I may be willing, and so may the Senator from Missouri, to trust the present Executive; in fact, I hasten to state that I am willing to trust him in all these matters, for he has never yet betrayed a trust or taken undue advantage of discretionary power; but I yet contend that it is not good law nor good practice, and it would probably be burdensome to the Executive himself to load upon him such responsibilities and questionable privileges when there is another and better way.

Section 4 of the substitute provides for one promotion and one new officer in the Record and Pension Division. The Hull-Hawley bill provides the same. And in this invidious distinction of adding one more commissioned officer only, the Cockrell bill directly attacks or ignores, to say the least, every other department and staff of the Army. The Cockrell bill does not save money for the nation, for although it demands fewer Regular Army officers, it provides or leaves the door open for more provisional Army officers and more Regular Army enlisted men than does the Hull-Hawley bill at its minimum. Indeed, if the President should execute the authority given him, there could be more officers, so far as our foreign forces are concerned, than under the other measure; but the Regular Army staff and general officers would still be short, and the Army crippled accordingly. As I have said before, with a bigger minimum, with almost no less a maximum, and with the door wide open for appointments in the line, it can not be said that the substitute bill is an economical measure, so far as pay roll is concerned.

So far as effectiveness is concerned under such a bill, the Army would not perhaps merit the accusation of being top heavy, but it would be water-logged, dead-weighted, and handicapped with its over-much physical manual force in the rank and file, while light and unsteady in its upper story—its managing factors. It is not in the present age the mass of human flesh that we hurl at the enemy's works that wins the day. We have other and more subtile means. In our modern warfare improvement and progress are everywhere apparent. We now employ electricity to perform duties that were formerly executed by men and animals. We now, through our signal and engineer corps, have cable and telegraph lines everywhere, running, indeed, to the very firing line when our armies are in battle. While men and horses were formerly dashing headlong back and forth carrying dispatches and information, the telegraph and telephone lines now bring out such information, and it is instantaneously delivered and received.

We even inspect our enemies' camps through the agency of balloons; hovering over them in the air, photographing their situation and the position of their troops, reproducing as in a mirror their exact condition. And in the matter of our artillery, instead of the old muzzle-loading, slow-firing arm, with a projectile that would hardly make its way through a sandbag or the slightest earthwork establishment, we now send forth hundreds of projectiles where one could be sent before, each one having many times the force of the old, and yet handled with less men of the unskilled class than formerly.

From the old flintlock gun to the more modern muzzle-loading rifle which we used in the civil war, and from that to the breech-loading rapid-firing and dangerous gun, sending bullets 3 and 4 miles and doing greater execution at that distance than the old guns could do at a few hundred yards, has been our progress. And so all along the line in handling our implements of war the percentage of men of education and experience ought to be larger, and that of the ignorant and inexperienced smaller. We should have more commissioned officers, more skilled mechanics and first-class privates and less second-class privates. Yet the Cockrell bill reverses this order of things. It gives us a less percentage of general officers, a less percentage of staff officers, a less percentage of line officers, a less percentage, in fact, of everything, except in the number of private soldiers of the more inferior grade.

Now, Mr. President, I come to the assertion often made, that we do not want a standing army, or none of consequence; that we are a nation of soldiers, a race of national fighters; that we must not maintain a standing army; that its maintenance is a continuing menace to our people, and that we are in constant danger of drifting toward militarism, etc., and so on. But it must occur, it seems to me, to every thinking mind that the day has passed for us to talk of a standing army of only from 25,000 to 27,000 men. We have gone on from year to year appropriating money for fortifications; we have carried some of them to completion; very many more are under construction, and yet more contemplated. Costly cannon have been installed, tremendous engines of war put in place, and a great many millions of dollars invested in this armament and machinery, some of which is delicate and intricate and all of which must be protected.

All authorities agree that it requires about 21,000 officers and men to man and care for our coast fortifications. For years before the war it had taken 21,000 men in cavalry and infantry to man our posts and to afford protection on our frontier and outposts; and it will take no less hereafter, for many years at least, for our Western frontiers are not yet without lurking foes and the danger of savage outbreaks. So that with no further extension of fortifications and coast defenses than those already commenced, our Army can not be reduced below from 40,000 to 45,000 men in time of peace. If we do not expect to take care of them, we should not install our coast-defense guns. If we do not expect to man them, we should cease the construction of fortifications. I maintain that they are necessary, and being necessary, the force to man them must be forthcoming.

It seems to me that the Army has for a number of years been a sort of buffer or Peck's Bad Boy for demagogues and pessimists to rail against and attack and discredit when considering national affairs. Our Navy, and no one admires it more or is more willing to sustain it than I, is never questioned; appropriation bills for it scarcely create a ripple, and they often carry many times the amount that is set apart for the Army. It has been increased from time to time as found necessary, in officers and men, with hardly a question. It has general and staff force larger proportionately than the Army, and with higher-grade officers and better pay.

But the Navy sails smoothly along always with sufficient, generous, and prompt support. I am glad this is so, as I am proud of the Navy and its achievements; but let me say that in my opinion its magnificent achievements are the direct result of the generous treatment and constant support that has for years been given to it. Its officers are educated to command, accustomed to command, and supported when they do command. Its men in entering the service do so under conditions and certainties of protection that give them the necessary ambition to perfect themselves in their duties until their proficiency is a marvel not only to this country, but to the world. "The men behind the guns" at Manila and Santiago and elsewhere show the results of hard study and good discipline. The nation loves the Navy, and the men of the Navy appreciate and are grateful accordingly.

But with the vent that demagogy is accustomed to demand, the Army seems to have been opportunely near, and so we have listened in the past to disquisitions galore upon the danger of a standing army, until one would easily imagine that the Regular Army of the United States was a pestilence rather than a protection, a thing to be well rid of instead of a thing to be supported and encouraged.

Mr. President, the money paid to the regular standing Army is not money thrown into the sea. It is like the money paid to the veterans in pensions and is a distribution widely scattered, in small amounts, throughout the nation, all of which finds its way into the arteries of trade; and the money having done duty in the way places, on the frontier and elsewhere, works its way back to the central points and is again distributed and again returns, just as the blood in the human system passes out and in from the heart, to and fro, without loss in volume or the impoverishment of the system.

There is another feature. In this country every person is furnished with food and clothing, somehow or from somewhere. The tramp begs his, the thief steals his, the man in jail is furnished his, the confidence man flim-flams his, the deadbeat bums his, the workingman earns his, and so on; but every mouth is fed and every back is clothed. If we had employment for all our men at all times in every year, then to take large numbers into the Army would be to leave us short-handed along commercial and other lines; but it is a fact, whether admitted or not, that, taking one year with another, and the nation by and large, we have, owing partly, perhaps, to the bugbear overproduction, partly to the constant adoption of more and more labor-saving machinery, plenty of men and to spare for all vocations and for a competent, proper-sized standing army.

So in our Army we thus furnish employment to a sufficient number of men to permit all the others to be employed; we consume our own products; we pay the soldiers sufficient for their actual wants and perhaps a little more, and, as explained before, none of this money leaves the country so far as our home forces are concerned. Like the three brothers who traded jackknives and tops and playthings all day in a locked room, the sum total of the fortunes of the three were just the same at night as in the morning, notwithstanding the commerce they had been carrying on in the meantime, and that some of them had become richer and some of them poorer, and thus nothing had been lost to the family.

Is it indeed too much for a nation to have an army equal in strength to less than one man to every thousand? Are we in danger of impoverishing the nation when we support 4 men as soldiers for every 5,000 of our population? Think of it! Only an infinitesimal percentage of your total population proposed to be enrolled in the Army.

Mr. President, the Hull-Hawley bill gives all the discretion and authority that the President of the United States has asked for, and all that is necessary to perfect an army, whether of 50,000 or of 100,000. So it is not necessary to support the Cockrell bill, which gives to the President alone the power to appoint, without let or hindrance or confirmation by the Senate, all of our Army officers for foreign service; nor is it wise to vote for a substitute bill which does not practically lessen the aggregate number of men, nor, indeed, the total expense of the Army, but which, in an almost spiteful way, proposes a cut in general and staff officers amounting proportionally to but a few dollars.

Nor is there any force in the argument that we should wait until we know better how to reorganize the Army than now, for the substitute bill proposes over two and one-fourth years as the life of that measure, while we do not profess nor can we now provide the maintenance for more than two years of the measure we are advocating.

It is the better policy to improve and progress with the Army up to our latest and best knowledge, and then still further improve as we gain further knowledge, rather than sit supinely by, confessing ignorance or want of the ability and virility to accomplish what is the admitted desire of the nation—the highest possible standard of perfection for its Army.

Mr. President, the toilers and taxpayers are not protesting against this proposed and necessary Army bill. No petitions or letters are coming to the Senate or to Senators advising its defeat. The plain people of the country are not only loyal and patriotic, but jealous of the nation's honor and her standing among nations. They desire the liberation and return of the volunteers who enlisted for an emergency and the substitution of a sufficient force organized along modern and approved lines.

The citizens of the country will brook no trifling, no angling for political positions and advantages, in the consideration of the measure; nor will they forgive those who, having been first and foremost in bringing on war with Spain and its consequent responsibilities, now propose running away, leaving the President and Commander in Chief of our Army and Navy alone in the field without a sufficient army or one constructed on scientific and approved lines. American citizens are not triflers, neither will they be trifled with.

Mr. COCKRELL. Mr. President, without any drapery or any sentimentality, I shall come to some facts and an exact statement of the position we occupy.

The reorganization of the Army is necessary—absolutely necessary. The contentions and the bickerings and the commissions and the examinations that have been held show that there is a necessity for a change in the Army organization. Either the Army organization is deficient or the Army officers are inefficient, and you can not avoid the conclusion. A change is necessary, and in the ten days of this session now remaining there is not time sufficient to enable the Senate to discuss an Army reorganization bill as it must and shall be discussed before it can be passed. I say frankly there is not time in this session to pass a perfected and complete reorganization bill, and there is no necessity for it.

We propose ample measures to meet every contingency. I agree with the distinguished Senator from Connecticut [Mr. HAWLEY] that there must be temporarily an increase of the military forces which would exist after the proclamation of peace. There is no question about it. The question is, Shall we have a permanent increase of the standing army to 100,000 men, and an appropriation of money for 100,000 men, and then leave the President to reduce it if he desires? That is the proposition of the pending bill. You propose to make an army of 100,000 men; you appropriate the money for them; and then you leave it distinctly with the President to say whether he will reduce that army and expend the money or not.

Mr. President, I shall not consume the time of the Senate in reading what we propose, but we will give to the executive administration every dollar, we will give to them every man—every soldier—that is necessary to sustain the Executive branch properly and legitimately. We do not intend to withhold anything that is necessary—not a solitary thing. I will have the bill printed in my remarks in the RECORD. It has already been printed, but I will have it printed again.

The bill introduced by Mr. COCKRELL is as follows:

Be it enacted, etc., That within —— days from the exchange of the ratifications of the treaty of peace with Spain all the officers and enlisted men of the Volunteer Army shall be mustered out of the military service of the United States and discharged: *Provided*, That enlisted men of the volunteers who desire to remain in the military service may, if found qualified therefor, be transferred to and enlisted in such batteries, troops, or companies of the permanent military establishment as may be below the maximum strength allowed by law, and when so transferred and enlisted shall be credited on their new enlistment with the periods of service rendered by them, respectively, as volunteers.

SEC. 2. That the act of Congress entitled "An act for the better organization of the line of the Army of the United States," approved April 26, 1898, be, and the same is hereby, continued in full force and effect until July 1, 1901: *Provided*, That men who enlisted in the permanent military establishment between the 10th day of May and the 26th day of October, 1898, shall be discharged upon their own application, respectively; but nothing herein shall be held or construed to require the discharge of any enlisted man in such permanent military establishment awaiting trial by or under sentence of a court-martial.

SEC. 3. That the President be, and is hereby, authorized, in his discretion, to enlist and organize a military force in Cuba and in Porto Rico, and, whenever such conditions exist as in his judgment will justify him, in the islands of the Pacific, to be known and called the army of Cuba, the army of Porto Rico, and the army of the islands of the Pacific, and to be composed of the inhabitants of such islands, respectively, for the purposes of establishing and maintaining peace and order, enforcing laws and regulations, and protecting life and property in such islands, respectively, and not elsewhere, under such rules, regulations, and limitations as he may prescribe in such islands, respectively, as to age, term of service, qualification, and number of officers and men in each organization.

Such forces in said islands, respectively, shall be organized in companies, battalions, or regiments, and officered as the President may direct, and shall be entitled to such pay and allowances as the President may prescribe, in such islands, respectively, not exceeding the rates now allowed by law, to be made and paid from the revenues of such islands, respectively, or from the Treasury of the United States, to be subsequently reimbursed to the United States from such revenues. During the occupancy by the United States of such islands, respectively, the forces of such islands, enlisted and organized therein, shall be under the control and subject to the orders of the President and the officers assigned to duty by him in such islands, respectively: *Provided*, That the number of such military forces in all said islands shall not exceed 35,000 enlisted men at any one time, and shall not be considered a part of the permanent military establishment of the United States herein authorized: *Provided further*, That when such military forces shall be enlisted and organized in such islands, and have shown such efficiency as, in the opinion of the President, to be sufficient for all military purposes in such islands, and there is no longer any necessity for the presence of the United States military forces therein, they shall be withdrawn, and the permanent military establishment shall be reduced to a peace footing.

SEC. 4. That the Chief of the Record and Pension Office of the War Department shall hereafter have the rank, pay, and allowances of a brigadier general, and the President is authorized to appoint an assistant chief of the Record and Pension Office, by selection, who shall have the rank, pay, and allowances of a lieutenant-colonel.

Mr. COCKRELL. Now I will discuss what we propose. We propose that the volunteers shall be mustered out within so many days after the ratification of the treaty of peace. No one can object to that, for it would be done in any event. We give to the volunteers the right to be transferred to and enlisted in the Regular Army, with credit for the length of time they have served in the Volunteer Army. Nobody can object to that. There can be no criticism of that. Then by section 2 we continue until July 1, 1901, public act No. 70, entitled "An act for the better organization of the line of the Army of the United States," approved April 26, 1898. That continues the present Army organization, 62,000, up to July 1, 1901—two years and a half. It authorizes the volunteers who volunteered between the 10th of May and the 26th of October to serve only during the war to be discharged, as they must be, and the Army can be recruited up to 62,000 men, and that can be maintained until 1901. We say that is ample for all emergencies—ample for all possibilities that may arise.

Then we authorize, in section 3, the organization of a force in the islands. The distinguished Senator from Connecticut [Mr. HAWLEY] and the distinguished Senator from Wyoming [Mr. WARREN] have both criticised the provision which we offer here as section 3, and the War Department also criticises it. I will take the criticisms of the War Department and answer them as well as the criticisms of the two Senators. I have in my hand a copy of the Washington Post, which contains a prepared criticism of my bill by the War Department, prepared and published from a statement issued by the War Department, in quotations. Now, in the first place, after praising the Hull bill and telling what my bill proposes, they say:

> No organization is provided in the bill for this force, nor does it determine what relation it shall sustain toward the permanent military establishment of the United States, and no professional, educational, or other test is prescribed for the persons who are to officer it.

What does this say? It says:

> That the President be, and is hereby, authorized, in his discretion, to enlist and organize a military force in Cuba and in Porto Rico, and, whenever such conditions exist as in his judgment will justify him, in the islands of the Pacific, to be known and called the army of Cuba, the army of Porto Rico, and the army of the islands of the Pacific, and to be composed of the inhabitants of such islands, respectively, for the purposes of establishing and maintaining peace and order, enforcing laws and regulations, and protecting life and property in such islands, respectively, and not elsewhere, under such rules, regulations, and limitations as he may prescribe in such islands, respectively, as to age, term of service, qualification, and number of officers and men in each organization.

What does the Hull bill say now? Let us see what it says. The two distinguished Senators and the War Department seemed to forget that there is any provision in the Hull bill which they were praising. I will read it as it is proposed to be amended by the Senator from Connecticut:

SEC. 20. That organizations for service in Cuba, Porto Rico, and the islands of the Pacific may, in the discretion of the President, and under such limitations as he may prescribe, be recruited from the inhabitants thereof, respectively, to whom the legal restrictions upon enlistments in the Army, as regards term of service, age, citizenship, and educational qualifications, shall not apply, and who shall be entitled to such pay and allowances, not exceeding those now authorized, as the President may direct. Such forces shall be organized in companies and battalions and officered as the President may direct, and shall constitute a part of the total force provided by this act.

You have noted what my provision says, and now I will read what we say of organization in section 3:

Such forces in said islands, respectively, shall be organized in companies, battalions, or regiments, and officered as the President may direct, and shall be entitled to such pay and allowances as the President may prescribe, in such islands, respectively, not exceeding the rates now allowed by law, to be made and paid from the revenues of such islands, respectively, or from the Treasury of the United States, to be subsequently reimbursed to the United States from such revenues.

Mr. President, the Hull bill gives exactly what this bill gives. The Hull bill makes the forces organized under it a part of the hundred thousand. It leaves the President unlimited up to a hundred thousand. We limit it in our bill, in what we propose. We restrict and make it more beneficial and more plain than the bill advocated by the Senator from Connecticut. We say these troops shall be in the islands organized respectively; that they shall be known as the army of Cuba, the army of Porto Rico. Now, there is no restriction or limitation in regard to the formation of military forces in the Philippine Islands in the Hull bill. Not a word. What do we say about that? Do we authorize the President to go down there and swear in those people and arm them and let them turn around and fight against us, as the speech of the distinguished Senator from Connecticut would indicate? His bill does that thing. The very bill he is advocating gives the President the power to do that without any restrictions. What do we say? We say:

And whenever such conditions exist as in his judgment will justify him—

he can form military organizations in the Philippine Islands. We do not give him authority to do it now. We make him the judge. He must find there that the conditions are such that he will be justified in enlisting a military force in the islands of the Pacific. Now, can we trust him? Are the two Senators distrustful of the President and willing to withhold from him discretionary power? It would seem so from their criticism of the bill. The War Department forgets, in its criticism of the bill which has been presented here in behalf of a portion of the Committee on Military Affairs, to offer a word of criticism in regard to the Hull bill, when it is open to the same objection exactly.

Mr. MASON. Mr. President——

Mr. COCKRELL. Wait a moment. I want to finish my statement.

Mr. MASON. I merely wish to ask a question.

Mr. COCKRELL. I will yield directly. I desire to finish this statement. Now I go on with the criticism of the War Department:

The bill does not provide for any additional general officers, greatly needed in the administration of affairs in Cuba, Porto Rico, and the Philippines. It would leave the Army as now organized, with but 3 major-generals and 6 brigadier-generals, which allows but one general officer for each of the military departments in the United States and one for Commanding General of the Army.

That is a criticism of what would be done if we continued the act of 1898. Not enough officers? I hold in my hand a statement submitted by the distinguished Senator from Connecticut [Mr. HAWLEY], which gives the general officers and general staff officers of the United States Volunteers in the service, including those holding commissions in the Regular Army. Here they are: Thirteen major-generals of volunteers, who belong to the Regular Army; twenty-five brigadier-generals of volunteers, who are members of the Regular Army——

Mr. SEWELL. Will the Senator allow me to interrupt him?

Mr. COCKRELL. Certainly.

Mr. SEWELL. They have a rank in the Regular Army, but they immediately go out as——

Mr. COCKRELL. I will explain that, my dear friend. Do not think I would ignore any question like that. Everybody knows that. I did not say they were brigadier-generals or majors in the Regular Army.

Mr. SEWELL. I understood the Senator to make that statement.

Mr. COCKRELL. They are officers in the Regular Army and hold rank in the volunteer service as brigadier-generals, and majors, and colonels, etc. There are 214 of them. Two hundred and fourteen officers of the Regular Army are holding commissions in the Volunteer Army, and upon the muster out of the Volunteer Army they return to duty in the War Department and Regular Army. I think that would be ample.

Mr. President, I will reserve for future discussion the question of the number of troops and the number of officers that might be necessary in Cuba and Porto Rico and the Philippine Islands, but I can not forbear saying that in my humble judgment one brigade is all and even more than is needed in the island of Cuba, and that any greater number would be a menace to the peace and quiet of that island. I challenge anyone who knows what is going on there to say that any man—I care not whether he is white or black, yellow or red—can not go through the island of Cuba from one end of it to the other without meeting disturbance, and he needs no soldiers or a bodyguard, none in the world.

I can show from the testimony of men that the Cuban soldiers, insurgents, as you call them, are under as good discipline as the soldiers of the United States Army, and that they are maintaining that discipline from one end of the island to the other, and that they can be implicitly trusted to maintain peace and order, to protect life and liberty, and enforce all legal rights in the island of Cuba. There is not a particle of trouble about that. There is no army needed there. Give the people the right to govern themselves and they will do it and enforce law and protect life, protect liberty, protect property, and maintain peace and order. There is no doubt about their ability to do it.

Now, they criticise this provision in the bill which I am advocating because it does not furnish staff officers enough. There is the milk in the cocoanut—a permanent increase in the staff department. Then they add a criticism that there is not enough artillery. We do not want to cripple the service. We want to perfect it. We do not want to throw any obstacle in the way of executive administration successfully and properly.

If it can be shown that there are not enough staff officers in the Army organization, then we will give a retention of the existing volunteer staff officers until 1901, sufficient in numbers. Who can object to that? Who can refuse to accept that? You say you have not enough staff officers. We say we will let you continue enough of the volunteer staff officers to do until 1901. What more do you want? You say we have not artillery enough to man the forts. That is a question about which Army officers differ. Some say we have. Some say we have not. Show us that you need another battery, two batteries, three batteries, four batteries, or a half a dozen batteries around the coasts to man the guns there and we will give them to you right in this provision.

We will give you every man you need. We will not give it in a bill permanently increasing the standing army indefinitely. We are willing to-morrow to make provision, ample, abundant, superabundant, but we are not willing at this short session of Congress to pass a bill fastening upon the people of this country a standing army of a hundred thousand men, and an increase of from seventy-five to eighty million dollars in expenditures every year to be wrung from the taxpayers of the United States to maintain that increased army.

The measure must be discussed. All we want is legitimate and fair and proper discussion, and that must be had. Now, we offer you whatever is necessary. Why do you insist upon this other measure? We give you everything. The Hull bill makes the troops in the islands a part of the hundred thousand. We only authorize 35,000. The President can go up to that number by the Hull bill. We are offering everything that is fair and just and right; all that is necessary. We have no disposition to force an extra session. We have no intention to do it. We say to you frankly every bill necessary for a successful administration of the executive branch of the Government can be passed at this session, if you do not force the continued discussion of the proposition to increase the standing Army.

If an extra session is called, it can be called for one purpose only, and that is to fasten upon the people of the United States a standing army of a hundred thousand soldiers. There shall be no other occasion for it, no other necessity in the world. We will do right. We will do what is just. We will give you every man you want. We will give you every officer you want up to 1901. Then we can determine what is necessary, what is best, how large the Army shall be, and how it shall be organized. We will have ample time between this time and then.

Mr. MASON. Mr. President——

Mr. COCKRELL. I yield to the Senator from Illinois.

Mr. MASON. I simply wish to ask a question. I am very much interested in the change of rules in the United States Senate——

Mr. COCKRELL. I have no time to discuss that matter, I will say to the Senator.

Mr. MASON. If the Senator will pardon me, I am not going to ask him to discuss the question. I merely want to ask a question, that I may understand his proposition.

Mr. COCKRELL. Certainly.

Mr. MASON. Do I understand that ten days will not be sufficient to discuss and dispose of the Army bill, unless we agree to the Senator's bill? Mind you, I raise no question as to the correctness of the Senator's intention, because I believe a filibuster is the proper thing. The rules here not only permit it, but encourage it. I sometimes indulge in a filibuster, and I always give regular notice when I am going to do it. I ask the Senator simply to say what is the purpose. I think the Senator is right about many of the propositions he has made, if he will only make the language plain, so that we can understand that there shall not be any vote——

Mr. COCKRELL. I am always plain and frank. I do not filibuster, and never have. I believe in fair and legitimate and full discussion; and that is exactly what I mean to say, that in the ten days remaining there is not time for a full and fair discussion of the Army organization bill and the passage of the appropriation bills, and every Senator here knows it.

Mr. MASON. Then, I understand it is not an announced filibuster?

Mr. COCKRELL. I do not know what the Senator means by "filibuster." I am not conscious of anything of the kind.

Mr. MASON. I gave a sample the other day. I made the statement plainly. When I make a filibuster I give notice in advance. If the Senator does, I shall not find fault with him. But being an open enemy of the present rules of the Senate of the United States, which permit the majority to be whipped by the minority, I want the rules amended. I have no desire to criticise, but I should like to have a frank statement if the discussion is simply to take the place of a vote. I only ask the Senator to make a statement so that I can understand it.

Mr. COCKRELL. I will make it at the proper time, when the matter comes up again.

Mr. MASON. All right.

Mr. PRITCHARD. Mr. President——

Mr. COCKRELL. I yield to the Senator from North Carolina.

Mr. PRITCHARD. I move that the Senate proceed to the consideration of executive business.

Mr. TELLER. Will the Senator from North Carolina withdraw the motion for a moment?

Mr. PRITCHARD. Certainly.

Mr. TELLER. I should like to state that I desire to take a few moments of the time of the Senate when the bill comes up again. I will not do so now, if the Senator desires an executive session.

EXECUTIVE SESSION.

Mr. PRITCHARD. I renew the motion.

The VICE-PRESIDENT. The question is on agreeing to the motion of the Senator from North Carolina.

The motion was agreed to; and the Senate proceeded to the consideration of executive business. After one hour and thirty minutes spent in executive session the doors were reopened; and (at 6 o'clock p. m.) the Senate adjourned until to-morrow, Wednesday, February 22, 1899, at 12 o'clock meridian.

NOMINATIONS.

Executive nominations received by the Senate February 21, 1899.

CIRCUIT JUDGE.

David D. Shelby, of Alabama, to be United States circuit judge for the Fifth judicial circuit, as provided for by act of Congress approved January 25, 1899.

ASSOCIATE JUSTICE.

Harry M. Clabaugh, of Maryland, to be associate justice of the supreme court of the District of Columbia, vice Louis E. McComas, resigned, to take effect March 3, 1899.

JUDGE.

Joseph A. Gill, of Kansas, to be judge of the United States court of the northern district of the Indian Territory, vice William M. Springer, whose term will expire March 20, 1899.

CONSUL.

William Small, of the District of Columbia, now commercial agent at Collingwood, to be consul of the United States at Collingwood, Ontario.

APPOINTMENTS IN THE VOLUNTEER ARMY.

To be chief surgeon with the rank of lieutenant-colonel.

Maj. Jefferson R. Kean, chief surgeon, United States Volunteers.

SECOND REGIMENT VOLUNTEER INFANTRY.

To be assistant surgeon with the rank of first lieutenant.

Vincente Gomez, acting assistant surgeon, United States Army, vice Bruning, resigned.

FIFTH REGIMENT VOLUNTEER INFANTRY.

Maj. Hernan D. Money, to be lieutenant-colonel, vice Wiley, resigned.

APPOINTMENT IN THE ARMY.

Infantry arm.

Capt. Robert W. Dowdy, United States Army, retired (formerly first lieutenant, Seventeenth Infantry), to be captain, to date from April 26, 1898.

CONFIRMATIONS.

Executive nominations confirmed by the Senate February 21, 1899.

ASSOCIATE TERRITORIAL JUSTICE.

Clinton F. Irwin, of Illinois, to be associate justice of the supreme court of the Territory of Oklahoma.

SURVEYOR OF CUSTOMS.

Joseph W. Dillin, of Tennessee, to be surveyor of customs for the port of Nashville, in the State of Tennessee.

COLLECTORS OF CUSTOMS.

Weston F. Milliken, of Maine, to be collector of customs for the district of Portland and Falmouth, in the State of Maine.

George R. Whitaker, of New Jersey, to be collector of customs for the district of Burlington, in the State of New Jersey.

POSTMASTERS.

David G. Montross, to be postmaster at Peekskill, in the county of Westchester and State of New York.

James G. Elwood, to be postmaster at Joliet, in the county of Will and State of Illinois.

Lucius Rogers, to be postmaster at Kane, in the county of McKean and State of Pennsylvania.

Joseph I. Latimer, to be postmaster at New Bethlehem, in the county of Clarion and State of Pennsylvania.

Charles Steuerwald, to be postmaster at Hudson, in the county of Lenawee and State of Michigan.

HOUSE OF REPRESENTATIVES.

TUESDAY, *February 21, 1899.*

The House met at 12 o'clock m. Prayer by the Chaplain, Rev. HENRY N. COUDEN.

The Journal of the proceedings of yesterday was read, corrected, and approved.

SIOUX CITY AND OMAHA RAILWAY COMPANY.

Mr. MAXWELL. Mr. Speaker, I ask unanimous consent for the present consideration of the bill (S. 5076) authorizing the Sioux City and Omaha Railroad Company to construct and operate a railway through the Omaha and Winnebago Reservation, in Thurston County, Nebr., and for other purposes.

The bill was read at length.

The bill was ordered to be read a third time; and accordingly it was read the third time, and passed.

On motion of Mr. MAXWELL, a motion to reconsider the vote whereby the bill was passed was laid on the table.

LEAVE OF ABSENCE.

Mr. SIMS. Mr. Speaker, I wish to state that my colleague Mr. CARMACK was detained from the Chamber yesterday afternoon on account of illness when the vote on the $20,000,000 appropriation was had. Had he been present, he would have voted "aye." I wish further to state that my colleague Mr. GAINES was detained from the Chamber on account of the illness of his son. Had he been present, he would have voted "aye" on the $20,000,000 appropriation, and "no" on the appropriation for Buffalo, N. Y.

I wish also to ask indefinite leave of absence for my colleague Mr. GAINES, on account of the illness of his son.

The SPEAKER. Without objection, the request will be granted.

There was no objection.

CLAIMS UNDER THE BOWMAN ACT.

Mr. OTJEN. Mr. Speaker, I present the following conference report on the bill (H. R. 4936) for the allowance of certain claims for stores and supplies reported by the Court of Claims under the provisions of the act approved March 3, 1883, commonly known as the Bowman Act, and for other purposes.

The report was read, as follows:

CONFERENCE REPORT.

The committee of conference on the disagreeing votes of the two Houses on the amendment of the Senate to the bill (H. R. 4936) for the allowance of certain claims for stores and supplies reported by the Court of Claims under the provisions of the act approved March 3, 1883, and commonly known as the Bowman Act, and for other purposes, having met, after full and free conference have been unable to agree.

THAD. M. MAHON,
THEO. OTJEN,
JAMES D. RICHARDSON,
Managers on the part of the House.
H. M. TELLER,
WM. M. STEWART,
S. PASCO,
Managers on the part of the Senate.

Mr. OTJEN. Mr. Speaker, I move that the House further insist on its disagreement and ask for a further conference.

Mr. RICHARDSON. The report ought to be adopted.

The SPEAKER. The report is simply that the conferees disagree.

Mr. RICHARDSON. I think the report should be adopted and then the House insist further on its disagreement.

The SPEAKER. The Chair hardly sees how the House can agree to a report in which nothing is done.

Mr. RICHARDSON. I think that is the usual course, to agree to the report and insist further. Of course the Chair can take any course that he sees fit. Otherwise it leaves the report unacted upon. I simply make the suggestion that the report is unacted upon and not agreed to. I think the usual course is to agree to the report.

The SPEAKER. The Chair will have the precedents examined, but his impression is that there is nothing to agree to.

Mr. RICHARDSON. Very well. It is immaterial, as there is no legislation in it.

The SPEAKER. There is no legislation in it. The Chair will see that the Journal is put in the proper form. The question is on the motion of the gentleman from Wisconsin, that the House further insist and agree to the conference asked by the Senate.